



Commission on Disability

Meeting Agenda, October 8, 2025 at 5pm

North Berkeley Senior Center, Aspen Room
1901 Hearst Avenue, Berkeley, CA 94709

Preliminary Matters

1. Call to Order by Chair Pugh
2. Land Acknowledgment recognizing Berkeley as the ancestral, unceded home of the Ohlone People
3. Roll Call by Secretary
4. Public Comments

The public may comment about any item not on the agenda. Public comments regarding agenda items will be heard while the Commission is discussing the item. Public comments are limited to three minutes per speaker.
5. Approval of draft minutes: September 10, 2025 meeting*
6. Approval: Order of Agenda*

Presentation

None

Commissioner Announcements

7. Welcome to new Commissioner Valerie Coleman
8. Other announcements as needed

Discussion/Action Items

9. Vote on 2026 CoD meeting schedule*
10. Update: CoD/City staff WCAG process
11. Update: CoD/City staff PROWAG process
12. Recommendations: City meeting accessibility and meeting accessibility statement**
13. Work Plan Updates and Developments
 - a. Review Work Plan draft**
 - b. Discuss useful presentations to advance the Work Plan

Staff Updates

14. Log of Access Complaints*
15. Email and voicemail sent to the Commission*

Adjournment

- * **Written material included in packet.**
- ** **Written material to be delivered at meeting.**
- *** **Written material previously distributed.**

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Agenda posted: 1) on the bulletin board at Old City Hall (2134 MLK Jr. Way); 2) North Berkeley Senior Center (1901 Hearst Avenue); 3) City of Berkeley website at this [link](#). Click the chevron (i.e., the blue V-shaped symbol) to the right of the monthly meeting date for a link to the agenda.

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ADA ACCOMMODATIONS

This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including remote participation, auxiliary aids or services, please contact the **ADA Program Coordinator at (510) 981-6418 (V) or (510) 981-6347 (TDD) or ada@berkeleyca.gov** at least 72 hours before the meeting commences. Please refrain from wearing scented products to this meeting.

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Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at 1947 Center Street, 4th Floor, during regular business hours. The Commission Agenda and Minutes may be viewed on the City of Berkeley website: <https://berkeleyca.gov/your-government/boards-commissions/commission-disability>.

Secretary:

Thomas Gregory
Public Works Department
(510) 981-6418
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Commission on Disability
c/o Thomas Gregory
1947 Center Street
Berkeley, CA 94704



Commission on Disability DRAFT Minutes re September 10, 2025, meeting

**North Berkeley Senior Center, Aspen Room
1901 Hearst Avenue, Berkeley, CA 94709**

Preliminary Matters

1. Call to Order by Chair Pugh at 5:03pm
2. Land Acknowledgment recognizing Berkeley as the ancestral, unceded home of the Ohlone People
3. Roll Call by Secretary

Commissioners present: Vice Chair Fischer, Chair Pugh, Commissioners Sun, Lewkowicz, Mann, and Nisen.
Commissioners on Leave of Absence: Commissioners Walsh and Paz.
Staff present: Thomas Gregory.
Public members present: Kitt Saginor (Open Government Commission) and Ruth Rogow.
4. Public Comments

Ruth Rogow spoke about the benefits, including for many seniors with disabilities, of a longstanding, popular, no-cost, volunteer-run ceramics program at South Berkeley Senior Center (SBSC). The SBSC will be closed for renovations. Unless a new, temporary venue is found, the program will have to close. Ms. Rogow emphasized the importance of continuing the program and finding a City-supported temporary location.

Kitt Saginaw, Chair of the City’s Open Government Commission, expressed (a) *that* commission’s support for a WCAG compliant City website as a matter of safeguarding open government and (b) *that* commission’s availability to support the CoD initiative as needed. Ms. Saginaw also commented on the importance of public meetings featuring an option for members of the public to attend virtually.
5. Approval of draft minutes: July 9, 2025 meeting

“...to approve the July minutes.”
Moved by: Commissioner Lewkowicz; seconded by: Commissioner Sun.
Ayes: unanimous. The motion passes.
6. Approval: Order of Agenda

“...to approve the agenda.”
Moved by: Vice Chair Fischer; seconded by: Commissioner Nisen.
Ayes: unanimous. The motion passes.

Discussion/Action Items

7. CoD-City staff WCAG process

Commissioner Sun, from CoD’s ad hoc committee on WCAG compliance, updated on the first committee meeting with City staff. She indicated steps staff have made (e.g.,

training sessions, forming a task force) and steps needed (e.g., using Rolling Orange more in WCAG compliance, HTML-first formats). The CoD subcommittee shared a draft work plan to achieve compliance. The CoD subcommittee believes compliance will not be achieved by April 24, 2026 (the City can be sued after that date) unless financial resources are committed—not something the City has indicated they will do. The CoD committee proposes .25FTE of existing City staff (coordination) and .5FTE of consulting time (technical implementation) as a realistic minimum needed. The committee (Fischer, Nisen, Sun) next meets with staff on September 16.

8. CoD-City staff PROWAG process

Vice Chair Fischer indicated that while the City Manager intends to report to Council on this topic in late October, there have, as yet, been no meetings between the ad hoc committee (Fischer, Lewkowicz, Pugh) and staff. Communication to Public Works staff will be initiated.

9. Recommendations: City meeting accessibility and meeting accessibility statement

A draft from Chair Pugh and Commissioner Walsh was presented. There was discussion on whether to combine or separate CoD's recommendations on these two issues: (a) uniform statements on ADA modifications at meetings/events and (b) increasing accessibility by offering captioning at meetings/events. Discussion continued with feedback on the content of the draft and possible next steps.

10. Work Plan Updates and Developments

a. Review Work Plan draft

Commissioners reviewed the draft Work Plan presented by Vice Chair Fischer and were asked to add additional priority areas or other ideas. The CoD expects to vote on a work plan at the October meeting.

Commissioner Announcements

Staff Updates

12. Log of Access Complaints

CoD reinforced the need to create a system that quickly “closes the loop” when City documents are remediated for WCAG compliance, ensuring that the compliant document is in use.

In response to followup questions on issues raised at the July meeting, Secretary Gregory indicated that a log of requested Auditory Pedestrian Signals (APS) was being kept. He also indicated that a count, in general categories, of accessibility issues that do not meet the standard of an ADA violation would be kept.

13. Email and voicemail sent to the Commission

Adjournment at 7:11pm

Minutes approved by COD vote on: _____

Thomas Gregory, Secretary to Commission

Proposed Commission on Disability 2026 Meeting Dates

Dates, except where noted, are on the second Wednesday of the month.

Meetings to begin at 5:00pm at the North Berkeley Senior Center.

Room to be determined.

January 7, 2026 (1st Wed. as January 14 will be on the City's list of dates to avoid.)

February 11, 2026

March 11, 2026

April 15, 2026 (3rd Wed. as April 8 will be on the City's list of dates to avoid.)

May 13, 2026

June 10, 2026

July 8, 2026

August: no meeting

September 9, 2026

October 14, 2026

November 18, 2026 (3rd Wed. as Nov. 11 is Veterans Day and staff is off.)

December: no meeting

October2025 - Log of Unresolved Access-related Complaints

Subject matter key:

1 = built environment (facilities and their adjacent paths of travel)

2 = built environment (pedestrian rights of way)

3 = digital content

4 = effective communications/signage

5 = programs, services, and activities

An asterisk in the Date Complaint Lodged column indicates that the complaint was a formal ADA Grievance.

Date Complaint Lodged	Lack of Access Pertaining To	Date the City deemed a solution was implemented	Nature of solution	Solution's level of compliance with law	Complainant's level of satisfaction with solution
6/8/23	3 – Concern that much more content (in addition to the Commissioners' Manual, which was non-compliant but which has been remediated) on City website could be out of compliance with WCAG.	Not yet	CMO has established an all-dept Digital Accessibility Task Force, members of whom collaborate monthly with CoD's ad hoc subcommittee re WCAG compliance. The task force's goal is to achieve WCAG compliance by April2026.	Not compliant as of Oct2025.	Unsatisfied.

8/28/23	1 – constituent complained that The Stegmann Trail at Cesar Chavez Park is too bumpy and out of compliance.	9/5/23	<p>PRW staff informed complainant of existing plans to render the trail ADA compliant tentatively scheduled to commence in Sep2024.</p> <p>7/30/25 update from PRW: The Cesar Chavez Park Perimeter Pathway project has paused indefinitely due to issues of contamination at Cesar Chavez Park. We had the design completed and had gone out to bid. We may potentially reconstruct the perimeter pathway at a later date when the issue of contamination has been resolved. Currently, there is no ETA on when construction may start, potentially 2 to 3 years.</p>	Site is not yet complaint but the solution, once implemented, will be compliant.	Likely unsatisfied.
12/1/23	1 - Complaint that STAIR Center was not ADA-compliant.	Not yet.	I explained the situation in much detail to complainant, acknowledging that the site was not compliant	No compliant solution yet implemented.	Unsatisfied.

			<p>in 95 different ways. I explained that the issues would not be remediated until after the site's trailer-based structures were replaced with pallet-based structures, which was scheduled to happen in late FY2023-24. This complainant was part of a coalition of advocates concerned about this particular site, and on 12/20 I spent two hours at CIL discussing the issues with the coalition.</p> <p>Update: the "late FY2023-24" ETA re replacing trailers with pallet-based structures has been abandoned, and the new ETA is: October - Jan 2025.</p> <p>Update: the new ETA is that work (which should take roughly four months) will begin in late May2025.</p>		
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1/28/24	2 – complaint about non-compliant sidewalk near NE corner of MLK and Derby.	Not yet	Confirmed that this violation was already documented in database (it was)...asked Transpo/Engineering staff if this issue could be prioritized.	No compliant solution yet implemented.	Unsatisfied.
6/20/2024	3 – complaint that the City’s website does not comply with WCAG 2.0.	Not yet	The City collaborating with CoD ad hoc committee to develop roadmap toward compliance by April2026.	Not compliant as of Oct2025.	Unsatisfied.
6/30/2024	2 – overgrown hedge on 1600 block of Acton Street is obstructing sidewalk.	Not yet.	PW staff referred the matter to Code Enforcement staff, who will inform property owner that hedges must be trimmed back.	Once the hedges have been trimmed to create at least 4’ of unobstructed sidewalk, the site in question will be compliant.	Unknown.
8/2/2024	2 – Lack of curb ramps at Claremont Ave/Avalon Ave.	Not yet.	Curb ramps to be installed at Claremont/Avalon in Nov2024.	Not yet. 3 of the 4 curb ramps at this intersection have remediated and are now compliant. The fourth curb ramp at the site has not yet been	Unsatisfied.

				remediated and will hopefully be addressed by Nov2025.	
8/22/24	2 – construction site on Shattuck between Francisco and Delaware violates PROWAG.	Not yet.	ADA staff has informed Transpo staff of what is needed to remediate this situation; Transpo staff is working with the contractor in question to implement an ADA-friendly design of an alternate pedestrian pathway at the site.	Not yet.	Unsatisfied.
1/17/25	2 – two curb ramps at Euclid and Crystal Way lack required detectable warning surfaces.	Not yet.	Detectable warning surfaces will be installed at these two curb ramps.	Once implemented, the solution will be compliant.	Unknown.
3/24/2025	2 – Alternate pedestrian access route on north side of Kittredge between Shattuck and Harold not compliant with PROWAG.	Not yet.	PW staff will cause the relevant contractor to make the site PROWAG-compliant.	Once implemented, the solution will be compliant.	Likely unsatisfied.
4/28/2025	3 – Request for Administrative Review form, posted to City website, does not have fillable fields and thus is presumably not WCAG compliant.	9/26/25	The form was never actually posted online, and so apparently no WCAG violation occurred. The City has obtained a WCAG-compliant version of the form, and	Compliant.	Unknown.

			this new form will be distributed moving forward.		
6/3/2025	2 – PROW on west side of Shattuck between Ward and Derby not PROWAG-compliant.	6/5/25	No compliance issues.	Compliant	Unknown
6/18/2025	2 – accessible parking spot at Milvia/Derby not PROWAG-compliant.	Not yet	Staff are considering remedial options.	Not currently compliant with PROWAG.	Likely unsatisfied.
7/29/2025*	5 – Staff at City-sponsored shelter program allegedly engaged in disability-based discrimination.	Not yet	Grievance currently being investigated.	n/a	n/a
8/20/2025	1 – no accessible parking at Strawberry Creek Park	Not yet	A PROWAG-compliant blue spot will be installed on Addison at northern border of park.	No...will be once remediated.	Unknown
9/3/2025	2 – approx. 1” unbeveled elevation within crosswalk near east side of University Ave at Grant St.	Not yet	Staff have instructed EBMUD to shave the elevation until it’s PROWAG-compliant (i.e., to ¼” or less if unbeveled, or to ½” or less if beveled).	Not currently compliant	Likely unsatisfied.
9/4/2025	2 – sidewalk closure on south side of Bancroft, west of Ellsworth, not PROWAG-compliant; also, temporary bike lane at that site not accessible to	Not yet	Staff, before 9/4 is over, will instruct the relevant contractor to render the sidewalk blockage compliant with PROWAG rules re signage and to also	Compliance not yet verified.	Likely unsatisfied.

	wheelchair users as required.		build a temporary ramp so that wheelchair users can access the temporary bike lane. Update: PW no longer considering building temporary ramp due to safety concerns.		
9/14/2025	2 – tree branch, less than 80” high, protruding horizontally over a walking trail at King Park.	9/16/25	Tree removed.	Compliant	Satisfied.
9/18/2025	2 – non-compliant make-shift ramp used in failed attempt to render temporarily blocked sidewalk accessible.	9/18/25	Although the issue was mooted before it could be remediated, staff have been informed never to allow a contractor to repeat the violation.	Compliant (to the extent possible)	Unknown
9/18/2025	2 – west side of Oxford, between Addison and University, not PROWAG compliant due to construction.	Not yet	Staff will cause the relevant contractor to make the site compliant.	Not currently compliant	Likely unsatisfied.

The above list does not reflect accommodation requests that were promptly approved and met the requester’s satisfaction.

Access-related complaints **not** involving purported non-compliance received since previous CoD meeting:

Issue	# of complaints since previous CoD meeting
The intensity of the flashing lights on City vehicles affects me negatively neurologically and needs to be reduced so that I can safely access the City's public rights-of-way	3
The wifi installation the City has approved to be installed near North Branch Library will, due to electro-sensitivity render that library branch, as well as the nearby gas station I typically use, inaccessible to me.	1
The City should offer a program that helps constituents vindicate their ADA-Title III rights vis a vis public accommodations, at least those that are located within Berkeley.	1

Berkeleyans for Accessible Rights-of-Way

September 24, 2025

Wahid Amiri, Deputy Director
Engineering and Transportation
Public Works Department
City of Berkeley
1947 Center Street, 4th Floor
Berkeley, CA 94704

Submitted via: bicycleplan@berkeleyca.gov

Dear Deputy Director Amiri,

Berkeleyans for Accessible Rights-of-Way (“BAROW”) is an affiliation of groups and individuals focused on advancing the rights and interests of the senior and disability communities regarding Berkeley’s rights-of-way (i.e., streets and sidewalks). We are pleased to offer these comments on the July 2025 draft Bicycle Plan (“Draft Plan”), which will update the City’s 2017 Bicycle Plan. These relatively brief comments should be viewed in conjunction with BAROW’s more extensive March 15, 2025, comments on the earlier draft bike plan update and BAROW’s other related comments.¹

Summary of Recommendations:

- The Bicycle Plan should make clear that all proposed cycle tracks and other street infrastructure, such as bus islands, must be considered alongside feasible alternatives that pose fewer or no challenges to seniors and people with disabilities, so that all competing needs can be appropriately balanced.
- The Plan should retain the policy stated in the Draft Plan that separated bikeways “will not be implemented” – or approved – without studies on their impacts on emergency response times, parking, and evacuation times. Moreover, the City

¹ Our March 15, 2025, comments were addressed to Mayor Adena Ishii and Members of the Berkeley City Council, with a copy sent to the City’s bike plan lead consultant, Christopher Kidd of Alta Planning + Design, among others. These comments are included in the [agenda packet](#) for the August 21, 2025, Transportation and Infrastructure Commission. Also included in this packet are BAROW’s July 2, 2025, Comments on the Telegraph Multimodal Corridor Project and BAROW’s February 6, 2025, Recommendations for Implementing 2024 Measure FF.

Council should adopt the Fire Department's Standards of Coverage and Community Risk Assessment Study to give emergency response performance goals equal status with other city plans.

- Studies to determine compliance with the Americans with Disabilities Act ("ADA"), performed by independent ADA experts, should be included among those that will be required before proposed multimodal transportation projects are approved and implemented.
- The Bicycle Plan should recommend that existing Complete Streets projects be evaluated immediately for their impacts on senior and disabled communities to inform all future project proposals, and that the City develop a means of reporting hazardous City infrastructure and solo injuries that may result from these hazards, e.g., by enhancing the Berkeley311 app.
- BAROW supports the Draft Plan's prioritization of bicycle boulevard and street safety improvements in its proposed "key projects." Proposed separated bikeways and two-way cycle tracks should be evaluated through an ADA lens before being recommended as key projects.

In its earlier comments, BAROW's overarching recommendation was for the City to take a holistic perspective when planning street infrastructure, whereby the needs of all rights-of-way ("ROW") users can be considered and appropriately balanced. Our concern that the bike plan would be developed with a single-minded focus on cyclists appears to be borne out in the Draft Plan, as there is little to no indication that the needs of seniors and people with disabilities were considered in its development.

For example, Class IV Bike Lanes ("cycle tracks") are proposed for many miles of major streets without any discussion of their potential accessibility impacts or possible alternatives, namely, improving bicycle boulevards on parallel streets. Under ADA Title II, the City is required to ensure that all programs, services, and activities are accessible to individuals with disabilities. Existing cycle track designs, by obstructing or eliminating access to transit, parking, pedestrian routes, businesses, and services, may constitute a programmatic access violation. The ADA Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG) outline specific technical requirements for pedestrian access routes, curb ramps, and transit boarding areas. Some Complete Streets designs appear to deviate from these standards.

Two-way cycle tracks are particularly problematic, as are cycle tracks that create access barriers to public and commercial services, including medical services, churches, and other community spaces. While most of the proposed cycle tracks have not yet been presented as

separate formal proposals, the Telegraph Multimodal Corridor Project has been introduced with three alternatives, all of which include cycle tracks, with no concepts that do not include cycle tracks.² The ADA requires street alterations to be readily accessible to and usable by individuals with disabilities to the maximum extent feasible; however, feasibility cannot be determined without considering alternatives.

The Plan should outline how ADA compliance will be incorporated into project review and implementation. ADA compliance studies should be included among those required before proposed multimodal transportation projects are approved and implemented.³

BAROW strongly supports the Draft Plan's recommendation that separated bikeways be studied for their impact on emergency response times, parking, and evacuation times.⁴ A fast emergency response is crucial for everyone in Berkeley. The Fire Department and its Emergency Medical Services division respond to over 1,000 emergency calls every month, where minutes, if not seconds, in response times can mean the difference between life and death or serious injury. The Draft Plan shows that response times are already two minutes longer than best practice.⁵ Street design and infrastructure must not impede the City's emergency response services. To ensure that the City's emergency response performance goals have at least equal status with various other adopted city plans, including Vision Zero and the Bicycle Plan, the City Council should adopt the Fire Department's Standards of Coverage and Community Risk Assessment completed in 2023 by Citygate Associates, LLC.⁶

BAROW appreciates the Draft Plan's Accessibility Recommendations.⁷ However, these recommendations do not acknowledge that cycle tracks and bus islands inherently create accessibility barriers that may conflict with ADA requirements, particularly where feasible alternatives exist, nor do they adequately address ADA requirements should such

² *Id.* BAROW's comments on the Telegraph Ave. Project.

³ Draft Plan at p. 16. ("Separated bikeways (Class IV) and other bikeway types that might impact transit operations, emergency response traffic, parking, or roadway capacity will not be implemented without these Complete Streets Corridor Studies. They will include a traffic study, evacuation sensitivity study, environmental analysis, public process, and coordination with the Police and Fire Departments, and all affected state, county, and local transit agencies.")

⁴ *Ibid* and pp. 105-106.

⁵ Draft Plan at Table 6.

⁶ See Item 1 on the June 13, 2023, agenda for the Special Meeting of the City Council. The proposed resolution to accept the 17 findings and 10 recommendations contained in the Standards of Coverage and Community Risk Assessment were apparently never presented to the full Council. See: <https://berkeleyca.gov/sites/default/files/documents/2023-06-13%20Special%20Item%2001%20Final%20Report%20and%20Recommendations.pdf>.

⁷ Draft Plan at pp. 28-29.

infrastructure be built. The final plan should include a discussion of ADA requirements and clearly state that all proposed cycle tracks and other street infrastructure must be considered alongside alternatives with fewer or no such barriers, to strike an appropriate balance among all competing needs.

The city should retain an independent expert in the ADA and its architectural requirements to properly determine how the needs of people with all types of disabilities will be accommodated before deciding that a cycle track is feasible.⁸

The Bicycle Plan should recommend that *existing* Complete Streets projects be evaluated immediately for their impacts on senior and disabled communities to inform all future project proposals. BAROW has identified multiple locations where cycle track infrastructure compromises safe, equitable access for disabled residents and visitors. In addition to obtaining the advice of ADA experts, special outreach to Berkeley's disability communities and targeted data collection are needed. In addition, the Plan should recommend that the City develop a means of reporting hazardous City infrastructure and solo injuries that may result from these hazards, e.g., by enhancing the Berkeley311 app. Solo injuries can occur due to poor sidewalk conditions and ill-designed new street features, where public reports are not taken as they often are when collisions among multiple street users occur.

BAROW appreciates and supports the fact that the Draft Plan primarily prioritizes bicycle boulevard and street safety improvements, such as pedestrian hybrid beacons, in its proposed "key projects."⁹ Most cyclists are sufficiently able-bodied that their cycling needs could be accommodated with a plan focusing primarily on bicycle boulevards, which do not impede access for any user group. Proposed separated bikeways and two-way cycle tracks should be evaluated under an ADA lens before being recommended as key projects.

Lastly, while the Draft Plan states, in its Accessibility Recommendations, that all presentation materials will be made compliant with current Web Content Accessibility Guidelines and provide verbal descriptions of images and maps during presentations for blind and low-vision participants, the Draft Plan itself is not accessible to visually impaired people. In particular, the maps are very densely packed with information that is difficult to read and interpret, and many details are illegible even when magnified. Clearer, simplified maps are needed, along with narratives and other ways to support diverse users.

⁸ BAROW appreciates the Draft Plan's statement (p. 28) that the City should "work proactively with" BAROW and others in the disability community "in the early stages of project design," however, this outreach should complement, rather than substitute for, expert guidance.

⁹ Draft Plan at p. 109.

Thank you for your attention to BAROW's concerns.

Sincerely,

Michai Freeman
Systems Change Advocate
Center for Independent Living

Mike Cole
Executive Director
East Bay Center for The Blind

Erik Knaresboro and Michaela Tsztoo
Founders
Streets of Equality

Carol Crooks
Betsy Morris
Co-conveners
Gray Panthers of Berkeley and the East Bay

Patricia Nash, President*
Bayview Chapter
California Council of the Blind

Bab Freiberg
Executive Director
Ashby Village

Helen Walsh
Accessibility-Inclusion Advisor
UCC Disaster Ministries
-and-
Member, Berkeley Disability Commission*

Rev. Kelly Colwell, Co-Senior Minister
Rev Molly Baskette, Co-Senior Minister
Rev. Charlotte Russell (Retired)
First Congregational Church of Berkeley

Eugene Turitz
Friends of Adeline

*For identification purposes only

cc: Mayor Adena Ishii
Members of the City Council
City Attorney Farimah Brown
Fire Chief David Sprague
Commission on Aging
Commission on Disability
Commission on Transportation and Infrastructure