



Commission
on
Disability

Commission on Disability

DRAFT Minutes re September 9, 2026 meeting

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

Preliminary Matters

1. Call to Order by Chair Fischer at 5:03pm
2. Land Acknowledgment recognizing Berkeley as the ancestral, unceded home of the Ohlone People.
3. Roll Call by Secretary
Commissioners present: Helen Walsh, Rena Fischer, Kathi Pugh, Mina Sun, Bonnie Lewkowicz, Jae Mann, Fred Nisen, and Valerie Coleman
Commissioner absent: Richard Paz
Staff present: Thomas Gregory
Public members present: Kelly Hammargren, Donna, Maria Sol, Chris Fendrick, Shirley Kirsten, Robert Byler, Erik Knaresboro, Sandy Z., and Rachel Longan
4. Public Comments
Fendrick emphasized the importance of keeping mis-parked micromobility devices from becoming barriers to accessing the public right-of-way and inquired into CoD's purview regarding recommending policy changes to Council.
5. Approval of draft minutes: July 8, 2026 and May 13, 2026 meetings
"...to approve the May2026 draft minutes with the following edit, proposed by Walsh: delete the final seven words of the first sentence of the first paragraph of the Commissioner Reports/Announcements section." Moved by: Fischer. Seconded by: Coleman. Ayes: unanimous. The motion passes.

"...to approve July2026 draft minutes." Moved by: Lewkowicz. Seconded by: Sun. Ayes: unanimous. The motion passes.
6. Approval: Order of Agenda
"...to approve the draft agenda." Moved by: Coleman. Seconded by: Nisen. Ayes: unanimous. The motion passes.

Discussion/Action Items

7. Update on CoD and Public Works discussions on including PROWAG in the City bid and contracting process.

Fischer reported that the long process between CoD's PROWAG ad hoc committee and Public Works (PW) is ongoing and read aloud Transportation Manager Mark Helmbrecht's most recent communication on the subject. PW believes it is very close to being able to present to the committee regarding all the measures PW/the

City is prepared to take regarding requiring all contractors to comply with PROWAG at all times and regarding effectively communicating this requirement. Hopefully the committee will receive and approve of PW's proposals prior to the next FITES meeting, which is scheduled for mid-September. Fischer also suggested that CoD make recommendations to Council regarding how to make it easier for constituents to use 311 to report PROWAG violations and to report micromobility-related access issues within the public right-of-way.

Walsh suggested that CoD also consider how such 311 reports/complaints be tracked by staff.

Sun noted that, while she has reported micromobility issues in the past, the existing complaint-driven system is not going to prevent barriers. She noted that Sacramento fines its scooter operators for access barriers created by their customers, which provides an incentive for those operators to prevent access barriers.

Fischer noted that CM Treguv recently championed a new policy regarding micromobility-related barriers in the public right-of-way and that it is unlikely that Council would implement any new approach unless/until CM Treguv's proposal proves insufficient.

Coleman suggested that CoD inquire into the benchmarks by which the City will be determining how successful progress is under CM Treguv's proposed approach.

Walsh suggested that implementing geo-tracking features on micromobility devices might enable operators to learn of barriers without any reliance on any complaint(s).

Public comment

Byler stated that he'd been tracking and reporting these micromobility-related access barriers for two and a half years, that he'd witnessed disabled pedestrians hurt themselves on such barriers, and that he did not believe Council has been taking the issue seriously enough. He stated that issuing fines might be the only way to change behaviors. Byler also shared that he has created an Instagram page called "Berkeley Scooterland" documenting these chronic barriers and that he welcomes info and collaboration from others advocating about this topic and that he can be reached at byler510@gmail.com.

Knaresboro commended Byler's advocacy efforts on this issue and stated that CoD needs to impress upon the City that these barriers to the public right-of-way are unlawful.

Hammergren expressed her appreciation that CoD and community members were discussing these micromobility-related access barriers.

"...to establish an ad hoc committee regarding micromobility policy review consisting of Commissioners Coleman, Mann, Sun, and Nisen." Moved by: Fischer. Seconded by: Lewkowicz. Ayes: unanimous. The motion passes.

8. Developing accessibility guidelines for electric vehicle (EV) charging that impacts the public right-of-way, e.g., when cables cross sidewalks.

Fischer read aloud language from Oakland's recently issued guidance on running EV charging cords across sidewalks, guidance that staff provided to CoD as a potential model on which the City might issue its own guidance. When Fischer encountered language that raised potential concerns, she identified those concerns as follows:

-- Regarding "All cord covers...[s]hall be on sidewalks with a running grade of 5% or less," Fischer noted that this standard would preclude many Berkeley Hills neighborhoods where the slope of residential streets often exceed 5%. Fischer hoped that constituents residing on such streets might be able to use a charge arm to charge EVs if it was not permissible to run a charge cord across the sidewalk.

-- Regarding "all cords, cord covers, and other equipment must be removed from public space when an active EV charging is complete and in all cases within 24 hours of beginning a charge," Fischer suggested that the time limit be less than 24 hours (and multiple commissioners agreed that the City should consider a time limit of less than 24 hours).

-- Regarding "Shall be constructed of sturdy material that should not flex noticeably under a 200-pound point load," Fischer pointed out that her power wheelchair weighs 400 pounds unoccupied.

-- Regarding "If the material used does not possess a slip resistant property, apply a non-slip coating (available at a hardware or home improvement store), preferably bright yellow," Fischer recommended that the City's guidance require using cord covers that are already slip resistant when originally purchased.

Despite the concerns listed above, commissioners felt that, generally speaking, the Oakland guidance was a good basis on which to model a Berkeley policy around running EV charging cords across sidewalks.

Public comment

Sandy Z., a Berkeley homeowner and EV owner, stated that there is currently no legal path for a Berkeleyan EV owner to run a cable across a sidewalk in order to charge one's EV. He stated that Oakland's approach was simple and ADA-compliant and would be a good basis on which to model a Berkeley approach.

9. Hopkins Street redesign: ways for the CoD to proceed

Fischer stated that CoD's best approach would be to propose specific design recommendations that can be effected during implementation and that CoD's input should be considered while designs are being developed (as opposed to after they have been developed). Fischer also mentioned the recent Friends Of Hopkins lawsuit and an analogous lawsuit in New York City. Hopefully the New York court will issue a ruling regarding the accessibility of Class IV bike lanes this month, and this ruling might

inform the City's and/or CoD's thinking regarding designs for such lanes.

10. Work Plan Updates and Developments

Commissioner Reports/Announcements

Fischer: the Disability Film Festival, hosted by the Disability Cultural Center in San Francisco, is this week.

Nisen: next week is Disability Voting Rights Week.

Staff Updates

11. Log of Access Complaints

12. Email and voicemail sent to the Commission

Adjournment at 7:31pm

Minutes approved by CoD vote on: _____

Thomas Gregory, Secretary to Commission