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AGENDA REPORT

TO: Office of the City Administrator
ATTN: Daniel Lindheim
FROM: CAO/ADA Programs
DATE: March 23, 2010

SUBJECT: MAYOR'S COMMISSION ON PERSONS WITH DISABILITIES
ANNUAL REPORT FOR CALENDAR YEAR 2009

SUMMARY

In this report the Mayor's Commission on Persons with Disabilities informs the City Council of its accomplishments in 2009 and its goals and objectives in 2010.

FISCAL IMPACT

This report is informational and, as such, does not have any fiscal impact.

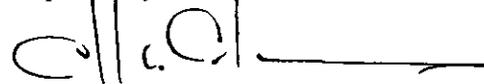
DISCUSSION

The Mayor's Commission on Persons with Disabilities (MCPD) was established by City ordinance in 1980 to represent and address the issues of people with disabilities. The MCPD is extremely active, participating in nearly every aspect of City government and advocating for full inclusion of people with disabilities in the community. Since 1990, the commission has served as the City's designated advisory body for Americans with Disabilities Act (ADA) compliance. The MCPD has three active committees: Education, Employment and Outreach; Access Compliance Advisory; and Emergency Preparedness Access Advisory.

ACTION REQUESTED OF THE CITY COUNCIL

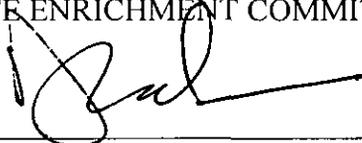
Staff requests that the City Council accept this informational report.

Respectfully Submitted,

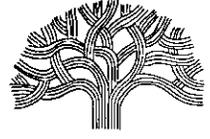


Christine Calabrese
City ADA Coordinator

FORWARDED TO THE
LIFE ENRICHMENT COMMITTEE



Office of the City Administrator



CITY OF OAKLAND

MAYOR'S COMMISSION ON PERSONS WITH DISABILITIES
ONE FRANK H. OGAWA PLAZA · OAKLAND · CA · 94612

LIFE ENRICHMENT COMMITTEE
Oakland City Council

**Subject: Commission on Persons with Disabilities Annual Report for
Calendar Year 2009**

Chairperson Brooks and Members of the Committee:

The Mayor's Commission on Persons with Disabilities hereby reports on its activities for calendar year 2009 and its goals and objectives for 2010.

I. Introduction

The Mayor's Commission on Persons with Disabilities (MCPD) was established by City ordinance in 1980 to represent and address issues of people with disabilities. The commission has at least 51% representation by people with disabilities. The MCPD serves the following key roles in Oakland government:

- Advising the Mayor and City Council on matters affecting the disability community;
- Acting as the City's designated advisory body for ADA compliance;
- Providing advice and assistance to other City boards and commissions; and
- Participating at the local, state and national levels in the advancement of disability rights.

The commission is very active and effective, participating in nearly every aspect of City government and advocating for full inclusion of people with disabilities in the community. We thankfully receive great support from City officials, thereby avoiding the struggles of other local bodies whose influence in oversight of programs and policies is more limited. The MCPD works in close partnership with the ADA Programs Division in the Office of the City Administrator. This relationship spans over two decades and is key to the City's success in the disability rights and compliance arenas.

Calendar year 2009 marked the following major accomplishments:

- The MCPD held its fifth annual Youth in Action Awards ceremony in October 2009. Over 125 people attended this event honoring sixteen Oakland youths, ages 14 to 21, who have overcome significant barriers and made outstanding achievements as students, employees, athletes and artists.

- Oakland became the first city in the nation to adopt a functional needs approach for providing people with disabilities and older adults access to mass care and shelter during times of emergency.
- The City redoubled its efforts to improve pedestrian access for people with disabilities and older adults, constructing over 600 curb ramps at street intersections, adopting a corridor based approach for sidewalk improvement programs, and making transit access a top priority of its sidewalk repair program.

II. Membership

Commissioners represent a broad spectrum of the disability community and a range of agencies such as: Bay Area Outreach and Recreation Program; Center for Independent Living; Institute for Applied Behavior Analysis; Dynavox Technologies, Inc.; Oakland Public Library; Peralta Community College District; American Red Cross; and United Cerebral Palsy.

There are fifteen seats on the MCPD and at least eight members must be present to constitute a quorum, according to the enabling ordinance. In 2009, there were comings and goings within the commission. Departures included long-time disability advocates Kelvin Brand, Bob Pittman, and Eva Aguillard. The commission welcomed six new commissioners: Eugenie “Babe” Barton; Maggie Diaz; Lori Ann Dotson; Lateef McLeod; Michael Moore; and Merlin Nw.

Currently, there are six vacancies on the MCPD; this includes three members on one-year hold over status until September 2010. Commissioners and ADA Programs Division staff continue to work closely with the Mayor’s staff to recruit and appoint new members.

III. Committees

The MCPD currently has three active committees:

1. The Employment, Education and Outreach Committee plans and coordinates public outreach and event activities, and provides educational and vocational referral and information to the local disability community.
2. The newly formed Access Compliance Advisory Committee provides oversight for development and implementation of ADA policies and programs including mandated self-evaluation and transition plan activities. The Committee hears regular reports on the City’s ADA building and facilities improvement, right-of-way access improvement, and paratransit programs.
3. The Emergency Preparedness Access Advisory Committee was established in April 2009. It reviews City emergency preparedness programming and policies and provides education and outreach to the local disability community about personal emergency preparedness.

IV. Calendar Year 2009 Activities

ADA Oversight

The MCPD is the City's designated advisory body for ADA compliance. Because of the law's focus on accessibility to local government programs and facilities and its potential for costly litigation, effective implementation and broad community support are central to a successful ADA program. All ADA capital improvement program (CIP) allocations are subject to MCPD approval, except those arising from the settlement (resolution) of disability discrimination complaints.

- The City ADA Coordinator provided quarterly reports to the MCPD on ADA Capital Improvement Program activities and apprised commissioners of litigation and other complaint resolution activities. The MCPD reviewed and approved several projects under the ADA Transition Plan Project budget. (See Attachment 1: Fiscal Year 2009-10 ADA Transition Projects.)
- The commission reviewed the City of Oakland ADA Curb Ramp Transition Plan, which was adopted by the City Council on April 28, 2009. The City ADA Coordinator prepared the Curb Ramp Plan pursuant to *Fairfield v. Oakland*.
- The MCPD continued monitoring City public right of way improvement programs and took quarterly reports on curb ramp, sidewalk repair, and disabled parking zone programs from CEDA, Engineering, Design and Right-of Way Management.
- The MCPD received an annual report on Oakland Paratransit for the Elderly and Disabled, OPED, from the Department of Human Services.
- The Emergency Preparedness Access Advisory Committee, EPAAC, played a key role in settlement of *C.F.I.L.C. v Oakland*, participating in creation of the City's draft Mass Care and Shelter Plan Functional Needs Annex.
- The MCPD received an annual report from the Fire Department, Office of Emergency Services, on emergency preparedness for people with disabilities.

Outreach and Education

The commission devotes many resources to advocating for full inclusion of persons with disabilities in the community. The MCPD works closely with community based organizations to provide mentorship, recognition and employment opportunities to persons with disabilities of all ages. By participation in celebrations of our City's rich heritage and in disability community events, the MCPD promotes a greater awareness of the issues, needs and cultural contributions of people with disabilities in Oakland. Each year, the MCPD conducts a series of events in commemoration of National Disability Awareness Month, most notably its annual Youth in Action program.

In October 2009, sixteen young people, ages 14-21 were recognized at the Fifth Annual Youth in Action event for their leadership qualities and commitment to their communities. The MCPD held a dinner and awards ceremony at the Lake Merritt Sailboat House to publicly recognize the awardees. Each received a certificate of leadership recognition from Congresswoman Barbara Lee. This year's entertainment included a monologue by Afi Tiombe Kambon and vocal numbers performed by the Oakland Interfaith Youth Gospel Choir. Ms. Cristina Rubke, associate at Shartsis Friese LLP in San Francisco, gave this year's keynote address.

In 2009, the commission initiated a partnership with the Commission on Aging and the Center for Independent Living, CIL, to identify the most immediate needs of people with disabilities and older adults. ADA Programs and Department of Human Services staff assisted in designing a Survey of Services for People with Disabilities and Older Adults. Commissioners and staff are using this tool to collect information about the types of services people with disabilities and older adults use, the quality of services received, and the unmet needs of these groups.

Commissioners staffed information tables at the annual Older Americans Month Celebration on Friday May 29, 2009; Healthy Living Festival on Friday, June 26, 2009; Art & Soul festival, on Sunday August 16, 2009; and the 20th Anniversary Loma Prieta Remembrance Event, on Saturday October 17, 2009.

Councilmember Desley Brooks presented a resolution, honoring Commissioner Aguillard for over forty years of dedicated service to the community, at the City Council meeting on April 21, 2009. Many friends, family members and commissioners attended the event.

Councilwoman Jean Quan sponsored a resolution declaring October 2009 as disability awareness month in the City of Oakland.

V. Calendar Year 2010 Goals and Objectives

1. Increase the appointed membership and the participation of appointed members and other community representatives in commission meetings and activities.
 - a. Continue recruitment for new appointments with a focus on youth, ethnic diversity, language diversity, and broad representation of the disability community.
 - b. Increase appointed membership to the full compliment of fifteen members and/or revise the enabling ordinance as needed to ensure a quorum at monthly meetings.
 - c. Expand committee membership to include representatives from other City boards and commissions including the Commission on Aging and the Youth Advisory Commission.
 - d. Develop an orientation program for new commissioners and committee members; provide mentorship and training for new members.

2. Provide educational and networking opportunities for the disability community and key internal and external agencies, especially in the areas of employment, accessible affordable housing, and youth empowerment.
 - a. Restructure the monthly commission meeting agenda to include a presentation on a topic of interest to the disability community.
 - b. Continue outreach and education activities including the Youth in Action Program and the joint needs assessment with the Center for Independent Living and the Commission on Aging.
 - c. Advocate for the inclusion of people with disabilities in City of Oakland employment and local job creation programs.
 - d. Work with OPR Inclusive Recreation to expand recreational opportunities for young people with disabilities.

3. Expand capacity to act as the City's designated advisory for ADA compliance through formation of an access compliance advisory committee that will oversee ADA Self-Evaluation and Transition Plan activities.
 - a. Oversee implementation of the City's ADA Buildings and Facilities and Curb Ramp Transition Plans and development of its ADA Sidewalk Transition Plan.
 - b. Monitor the City's on call disabled parking zone, curb ramp, and ADA sidewalk repair activities.
 - c. Review the City's revised Access Policy (Administrative Instruction 123).
 - d. Provide technical assistance for development and implementation of the City's Mass Care and Shelter Plan Functional Needs Annex.

VI. Conclusion

In March 2009, the Life Enrichment Committee asked the commission to state its top priority but this is a difficult proposition for a body that represents such a large and diverse population. Then Chairperson Chris Finn responded, "What's the one thing that you can focus on to help people with disabilities? My global answer is one word, access. Access to programs and support services, funding, transportation, housing, streets, buildings, events, bathrooms, health and medical care, education, employment, recreation, the community, and all of the things needed to function and lead safe, productive, healthy, and independent lives."

In order for the Disability Community to gain full access, it is incumbent on government leaders to help change how society views people with disabilities. A fully empowered Commission on Persons with Disabilities brings the City one step closer to the Mayor's goal of Oakland becoming a "Model City." Thank you for your continued support of the MCPD and of disability awareness and disability civil rights implementation in the City of Oakland.

Attachment 1: Fiscal Year 2009-10 ADA Transition Plan Projects
 (All projects fall in the Parks and Recreation category)

Project Number	CD	Title	ADA Budget	Description	Other Funding	Status
C274251	All	ADA Tot Lot Improvements - Year 2	\$162,000	As-needed play surfacing & equipment improvements	None	Ongoing
C274261	7	Willie Wilkins Park ADA Play Surfacing	\$40,000	Install resilient rubber surfacing at age 5-12 lot	\$50,000 (Pay-Go)	Construction
C274271	4	Montclair Park Pathway	\$25,000	Improve neighborhood access path	\$250,000 (Pay-Go)	Design
C274281	2	Rose Garden ADA Improvements	\$110,000	Rental facility physical access improvements; sensory garden	\$1,100,000 (Meas. WW)	Design
		Contingency	\$20,000			
		Total	\$357,000			