



**City of Oakland, Bicyclist & Pedestrian Advisory Commission**  
**Minutes from the March 31<sup>st</sup>, 2022 Special Meeting**  
**Teleconference**

Meeting agenda at <https://cao-94612.s3.amazonaws.com/documents/March-2022-BPAC-Special-Meeting-Agenda.pdf>.

Meeting called to order at 6:01 pm by BPAC Chair Patricia Schader.

**Item 1. Teleconference Protocol/Roll Call/Determination of Quorum/Introductions**

At roll call, quorum was established with nine commissioners present (X).

Commissioners	Present
Andrew Campbell	X
Alex Frank	X
Grey Gardner	X
Mike Lok	X
Phoenix Mangrum	X
David Ralston	X
Patricia Schader (Chair)	X
Nick Whipps	X
Dianne Yee (Vice Chair)	X

Introductions were made.

- Other attendees: Jennifer Anderson, Edgar Arellano, Jesse Boudart, Robin Freeman, Jimmy Jessup, Seung Yen Hong, Howard Matis, Midori Tabata
- Staff: Charlie Ream, Jason Patton, Noel Pond-Danchik, KTOP

**Item 2. Open Forum / Public Comment**

- Howard Matis, a member of the Alameda County BPAC, spoke about the settlement agreement between Caltrans and the City of Oakland over the Fourth Bore of the Caldecott Tunnel. This settlement provided funds to the City of Oakland to build pedestrian and bicyclist improvements in proximity to the tunnel. One of the highest-ranking projects was to build a sidewalk along Tunnel Rd and Caldecott Ln to connect the Parkwoods condominiums to existing sidewalks. The allocated funds were spent on lower priority projects, exhausting the available funds, and the proposed sidewalk was not built. The City of Oakland needs to find funds to build this sidewalk that already is designed. It is a tragedy that these residents cannot walk to and from their homes. Midori Tabata, a member of the BPAC's Open Forum Committee, described the research the Committee has done on this issue that was raised previously during Open Forum. Possible options include finding the necessary funds from the City of Oakland, Caltrans, or the Alameda County Transportation Commission.
- George Spies noted an effort to establish a bikeshare system specific to San Francisco. He has been working on an integrated transit strategy for the Bay Area, and it seems that the bikeshare system should be part of this integrated approach. Vice Chair Yee suggested Kerby Olsen, OakDOT's lead on bikeshare, as a possible contact for following up with OakDOT.

- Edgar Arellano spoke about the bike library program, a funded project in Oakland, that Kerby Olsen previously presented to the Commission. He asked for the Commission's help in letting people know about this program that may launch as early as fall or winter. He noted SHOPP (State Highway Operation and Protection Program) and HSIP (Highway Safety Improvement Program) as possible funding sources for the unfunded sidewalk described by Howard Matis, the previous Open Forum speaker.
- Robin Freeman requested support for the San Leandro Creek Greenway project. (Note this comment was heard during Item 5. Strategic Planning.)

### Item 3. Renewal of Resolution to Continue Teleconference Meetings

The Commission considered renewing a resolution determining that conducting in-person meetings of the Bicyclist & Pedestrian Advisory Commission and its committees would present imminent risks to attendees' health and electing to continue conducting meetings using teleconferencing in accordance with California Government Code Section 54953(e), a provision of Assembly Bill 361 (AB-361).

- The Commission ***adopted a resolution determining that conducting in-person meetings of the Bicyclist & Pedestrian Advisory Commission and its Committees would present imminent risks to attendees' health, and electing to continue conducting meetings using teleconferencing in accordance with California Government Code Section 54953(e), a provision of AB-361.*** The motion was made (Gardner), seconded (Mangrum), and adopted by roll call vote with the following Commissioners voting in favor: Campbell, Frank, Gardner, Lok, Mangrum, Ralston, Schader, Whipps, and Yee (unanimously).

The resolution is attached to these meeting minutes.

Speakers other than commissioners: None

### Item 4. 14th Street Safety Project

Charlie Ream, OakDOT Transportation Planner, requested a motion to support the 14th Street Safety Project that was presented at the February 2022 BPAC meeting and is headed for the April 19, 2022 City Council Meeting. The project is proceeding toward 100% design in early 2022, with construction potentially beginning in early 2023. This roadway safety project will install protected bike lanes on 14th Street from Brush Street to Oak Street, take 14th Street from 4 to 2 vehicle lanes, shorten pedestrian crossings, and install new landscaping and sidewalk lighting. For more information on the project, see <https://www.oaklandca.gov/projects/14th-street>.

Summary of Discussion:

- Commissioner Frank and Commissioner Whipps asked about the status of their comments from the February 2022 BPAC meeting when this project was presented. These comments included requests for right turn on red prohibitions, leading pedestrian intervals (LPI) at traffic signals, mid-block crosswalks, and bike parking.
- Charlie Ream provided the following updates. Right turn on red prohibitions are being included at locations with two-stage bicycle turn boxes. A separate OakDOT project recently installed LPI at numerous locations in downtown, including some intersections on 14<sup>th</sup> St. The 14<sup>th</sup> St Safety Project will include LPI at additional locations where the project is upgrading traffic signals. (Note that

some traffic signals in the downtown do not have the hardware that is necessary for implementing LPI.) Bicycle parking may be more appropriately installed through the CityRacks Bicycle Parking Program, augmenting existing bicycle parking with additional sidewalk racks.

- The agenda for the April 19 City Council meeting should be posted on the City's website on Tuesday, April 5.

→ A motion to **support the 14<sup>th</sup> Street Safety Project** was made (Ralston), seconded (Whipps), and approved Campbell, Frank, Gardner, Lok, Mangrum, Ralston, Schader, Whipps, and Yee (unanimously).

Speakers other than commissioners: George Spies

## Item 5. Strategic Planning

Commissioner Andrew Campbell led the BPAC in updating the 2021 Strategic Plan by reviewing BPAC committees and liaison roles, past achievements, goal-setting for 2022, and planning with an eye towards equity, relationship building/community engagement, and alignment with the needs of Oakland's diverse communities. The presentation slides were included in the meeting's agenda packet.

### Summary of Discussion

The Commission discussed how the 2021 Strategic Plan goals could be revised for 2022:

- Goal 2 on being a conduit for information is important to OakDOT staff for working with BPAC to make information available to the public.
- The 2021 goals could be modified to put a greater emphasis on building relationships with community groups. This could be an addition to Goal 4 on building relationships with policymakers.
- Be realistic about the goals, given the all-volunteer composition of the Commission.
- The first goal on being advocates for bicycle and pedestrian safety should be the highest priority. It could also emphasize holding the City accountable.
- Make Goal 2 more of a two-way channel, positioning BPAC as an intermediary between City government and the public. Information should come from OakDOT through BPAC to the public, with BPAC helping to generate community input back into City government.
- There may be a way to combine Goal 2 (information sharing) and Goal 4 (relationships with policymakers) to emphasize the two-way communication between the City of Oakland and community groups through the BPAC.
- Goal 4 (relationships with policymakers) helps the Commission be effective in realizing the Commission's other goals. These relationships are key to advocating successfully for safety, information-sharing, and encouraging equity-driven investments.
- The San Leandro Creek Greenway is an example of a community project that needs help in negotiating with entities like the Union Pacific Railroad.

The Commission then discussed updating the specific tasks associated with each goal.

### Safety Goal (2021 Goal 1):

- State and local legislation are important. The Commission should continue to track traffic safety-related legislation.
- The BPAC should continue to push for local legislation to promote traffic calming, seeking opportunities for advancing measures that respond to traffic safety as an emergency.

- Continuing the work of the Safe Oakland Streets Initiative is essential.
- The BPAC should be pushing the City and helping the City grow its capacity to implement near-term improvements in locations with known safety issues.
- AB 43 may not be a major focus for the Legislative Committee. With the legislation now adopted, OakDOT will turn to implementation, and there will be a benefit for the Committee in monitoring and helping shape the implementation.
- There was a request from the public for a standing item updating the Commission on bikeway construction, and specifically on separated bike lanes. This could be a brief report, with Commissioners selecting projects from the list to be scheduled as individual agenda items.
- The General Plan Update will include an update to the Safety Element, which may be an opportunity, even though Safety Elements have not traditionally addressed bicyclist and pedestrian safety.
- How do we address driver behavior? How do we get better behavior out of drivers? There are so many hit-and-run crashes, and infrastructure changes alone will not stop these on their own.
- Work to bring together BPAC, OakDOT, OPD, and the Department of Race & Equity to review and discuss police stop data regarding bicyclists and pedestrians, as called for by the 2019 Bicycle Plan.
- There are some topics that would benefit from public input, like Slow Streets, and BPAC could work to gather this input.

#### Information-Sharing Goal (2021 Goal 2):

- Multiple commissioners spoke to the importance of post-construction evaluation to see what is working and what isn't, especially with more experimental treatments.
- Project managers should come back and report on projects following construction. This holds staff accountable.
- The Commission could create more time for report backs from the Infrastructure Committee given the large number of projects that this Committee is involved with.
- It is challenging to have the report backs at the end of the Commission meeting when Commissioners are rushing to beat the end time of the meeting.
- Committee report backs could be provided in writing for inclusion in meeting agenda packets.
- The BPAC could work with staff to track the percentage completion of various initiatives (e.g., bikeway network implementation). Percentages are an effective way to communicate with the public.
- The BPAC could initiate a dialog with OakDOT staff on the tracking of Pedestrian Plan and Bicycle Plan implementation. This would be an opportunity to discuss what staff is already doing and how that could be improved upon with the available staff resources.

#### Equity Driven Investments Goal (2021 Goal 3):

- The tasks associated with this goal could be a place to get specific about connecting with neighborhood councils.
- Access to the East Oakland shoreline is very important, as is more significant infrastructure investment in the Deep East Oakland flatlands.
- Continue to emphasize Open Forum and the work of the Open Forum Committee as a community engagement tool.
- The General Plan Update is getting underway and BPAC should get involved in the process.
- Specific topics to address could include OakDOT's efforts to pursue funding from the federal infrastructure bill and the Lyft Up grant for East Oakland shared mobility.

#### Building Relationships with Policymakers Goal (2021 Goal 4):

- Develop relationships with countywide and regional BPACs for information-sharing and greater coordination.
- Commissioner Mangrum noted he is a member of BART's Bicycle Advisory Task Force.

Speakers other than commissioners: Jason Patton, Robin Freeman

### **Item 6. BPAC Commissioner Expectations**

BPAC Chair Patricia Schader and Vice Chair Dianne Yee led a discussion on BPAC commissioner expectations and how commissioners can engage with their council districts and neighborhood councils. Chair Schader shared that she was inspired to join the Commission by seeing it work together as a team. She noted the 90<sup>th</sup> Ave Scraper Bikeway, 2019 Bike Plan, and Bike to Work Day as past examples of Commissioners working together and being deeply involved. Chair Schader communicated the following expectations for Commissioners, the purpose of which is to strengthen the Commission by connecting with neighborhood councils, City Councilmembers, and each other:

- Attend at least one neighborhood council meeting, introduce yourself, and make yourself available as a resource.
- Make contact with your City Councilmember (or, if needed, with a staff person to your Councilmember). Strive to build a relationship and invite them to participate in Bike to Wherever Day by riding with you.
- Each Commissioner should reach out to another Commissioner they do not know well to have coffee with them and get to know them.
- Each Commissioner should sit on at least one of the Commission's Committees.

Summary of Discussion:

- Vice-Chair Yee encouraged people to join the Open Forum Committee and voiced her support for Chair Schader's Commissioner expectations.
- Some Commissioners live in the same Council district as other Commissioners, and there was discussion on how to coordinate who reaches out to who.
- It is also an election year which provides an opportunity to connect with candidates regarding their positions on walking and biking.

Speakers other than commissioners: None

Meeting adjourned at 8:03 pm.

### **Attachments**

- Resolution to Continue Teleconference Meetings

Minutes recorded by Jason Patton, Bicycle & Pedestrian Program Supervisor, emailed to meeting attendees for review on April 1, 2022 with comments requested by April 15, 2022 to [NPond-Danchik@oaklandca.gov](mailto:NPond-Danchik@oaklandca.gov). Revised minutes will be attached to the April 2022 meeting agenda and considered for adoption at that meeting.

# OAKLAND BICYCLIST & PEDESTRIAN ADVISORY COMMISSION

## Special Meeting of March 31, 2022, Item #3

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**ADOPT A RESOLUTION DETERMINING THAT CONDUCTING IN-PERSON MEETINGS OF THE BICYCLIST & PEDESTRIAN ADVISORY COMMISSION AND ITS COMMITTEES WOULD PRESENT IMMINENT RISKS TO ATTENDEES' HEALTH, AND ELECTING TO CONTINUE CONDUCTING MEETINGS USING TELECONFERENCING IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 54953(e), A PROVISION OF AB-361.**

**WHEREAS**, on March 4, 2020, Governor Gavin Newsom declared a state of emergency related to COVID-19, pursuant to Government Code Section 8625, and such declaration has not been lifted or rescinded. See <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.4.20-Coronavirus-SOE-Proclamation.pdf>; and

**WHEREAS**, on March 9, 2020, the City Administrator in their capacity as the Director of the Emergency Operations Center (EOC), issued a proclamation of local emergency due to the spread of COVID-19 in Oakland, and on March 12, 2020, the City Council passed Resolution No. 88075 C.M.S. ratifying the proclamation of local emergency pursuant to Oakland Municipal Code (O.M.C.) section 8.50.050(C); and

**WHEREAS**, City Council Resolution No. 88075 remains in full force and effect to date; and

**WHEREAS**, the Centers for Disease Control (CDC) recommends physical distancing of at least six (6) feet whenever possible, avoiding crowds, and avoiding spaces that do not offer fresh air from the outdoors, particularly for people who are not fully vaccinated or who are at higher risk of getting very sick from COVID-19. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>; and

**WHEREAS**, the CDC recommends that people who live with unvaccinated people avoid activities that make physical distancing hard. See <https://www.cdc.gov/coronavirus/2019-ncov/your-health/about-covid-19/caring-for-children/families.html>; and

**WHEREAS**, the CDC recommends that older adults limit in-person interactions as much as possible, particularly when indoors. See <https://www.cdc.gov/aging/covid19/covid19-older-adults.html>; and

**WHEREAS**, the CDC, the California Department of Public Health, and the Alameda County Public Health Department all recommend that people experiencing COVID-19 symptoms stay home. See <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>; and

**WHEREAS**, persons without symptoms may be able to spread the COVID-19 virus. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>; and

**WHEREAS**, fully vaccinated persons who become infected with the COVID-19 Delta variant can spread the virus to others. See <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated.html>; and

**WHEREAS**, the City's public-meeting facilities are indoor facilities that do not ensure circulation of fresh / outdoor air, particularly during periods of cold and/or rainy weather, and were not designed to ensure that attendees can remain six (6) feet apart; and

**WHEREAS**, holding in-person meetings would encourage community members to come to City facilities to participate in local government, and some of them would be at high risk of getting very sick from COVID-19 and/or would live with someone who is at high risk; and

**WHEREAS**, in-person meetings would tempt community members who are experiencing COVID-19 symptoms to leave their homes in order to come to City facilities and participate in local government; and

**WHEREAS**, attendees would use ride-share services and/or public transit to travel to in-person meetings, thereby putting them in close and prolonged contact with additional people outside of their households; and

**WHEREAS**, on October 21, 2021 the Bicyclist & Pedestrian Advisory Commission adopted a resolution determining that conducting in-person meetings would present imminent risks to attendees' health, and electing to continue conducting meetings using teleconferencing in accordance with California Government Code Section 54953(e), a provision of AB-361; now therefore be it:

**RESOLVED:** that the Bicyclist & Pedestrian Advisory Commission finds and determines that the foregoing recitals are true and correct and hereby adopts and incorporates them into this resolution; and be it

**FURTHER RESOLVED:** that, based on these determinations and consistent with federal, state and local health guidance, the Bicyclist & Pedestrian Advisory Commission renews its determination that conducting in-person meetings would pose imminent risks to the health of attendees; and be it

**FURTHER RESOLVED:** that the Bicyclist & Pedestrian Advisory Commission firmly believes that the community's health and safety and the community's right to participate in local government, are both critically important, and is committed to balancing the two by continuing to

use teleconferencing to conduct public meetings, in accordance with California Government Code Section 54953(e), a provision of AB-361; and be it

**FURTHER RESOLVED:** that the Bicyclist & Pedestrian Advisory Commission will renew these (or similar) findings at least every thirty (30) days in accordance with California Government Code section 54953(e) until the state of emergency related to COVID-19 has been lifted, or the Bicyclist & Pedestrian Advisory Commission finds that in-person meetings no longer pose imminent risks to the health of attendees, whichever occurs first.