CALIFORNIA COMMISSION ON DISABILITY ACCESS
CHECKLIST COMMITTEE
MEETING MINUTES

September 13, 2017

1. **CALL TO ORDER**

Executive Director Jemmott welcomed everyone and called the meeting of the Checklist Committee of the California Commission on Disability Access (CCDA or Commission) to order at 1:35 p.m. at the Department of Rehabilitation, 721 Capitol Mall, Room 242, 2nd Floor, Sacramento, 95814.

Executive Director Jemmott suggested hearing Agenda Item 4 after the roll call.

   ROLL CALL

Staff Member Grayson called the roll and confirmed the presence of a quorum.

Commissioners Present:
Brian Holloway, Chair

Committee Members Present:
Erika Frank, Executive Vice President, Legal Affairs, and General Counsel, California Chamber of Commerce (CalChamber) (via teleconference)
Danny Friedman, Legislative and Communications Coordinator, California Hotel and Lodging Association (CHLA) (via teleconference)
Gary Layman, California Building Officials (CALBO), Standing Director of the Professional Practice Standards at the Certified Access Specialist Institute (CASI), Chief Building Official/ADA Coordinator, City of Oroville (via teleconference)
Michael Nearman, Deputy Executive Director, California Building Standards Commission (CBSC), represented by Brandon Estes, Architectural Associate, CBSC (via teleconference)
Matthew Sutton, Senior Legislative Director, California Restaurant Association (CRA) (via teleconference)
Debbie Wong
William Zellmer, President, CASI (via teleconference)

Commissioner Absent:
Assembly Member Tom Lackey

Committee Members Absent:
Afsaneh Ahmadi, Chief Building Official, City of San Diego, and Deputy Director, Building Construction and Safety Division

Stoyan Bumbalov, District Representative, Division of Codes and Standards, State Housing Law Program, California Department of Housing and Community Development (HCD)

Julian Canete, Director, Public Policy and Strategic Partnerships, CalAsian Chamber of Commerce

Ida Clair, American Institute of Architects (AIA), LEED AP, Certified Access Specialist (CASp), Senior Architect, Access Code and Policy, Division of the State Architect (DSA), State of California Department of General Services (DGS)

Kurt T. Cooknick, Assoc. AIA, Director of Regulation and Practice

Anthony Goldsmith, Law Offices of Anthony Goldsmith, Owner, Pacific Access Consulting LLC, Californians for Disability Rights

Richard Halloran, CASp, Senior Building Inspector and Manager, Technical Services Division, ADA Coordinator, City and County of San Francisco

Irene Walela, Deputy Director, California Department of Rehabilitation (DOR)

<u>Staff Present</u>:
Angela Jemmott, Executive Director
Dharon Grayson, AGPA
Rhonda Valdry, Staff Services Manager

<u>Also Present</u>:
No members of the public addressed the Committee.

4. <u>INTRODUCTION OF NEW CHAIR AND COMMITTEE MEMBER(S)</u>

Executive Director Jemmott stated Steve Dolim, past Chair of the Checklist Committee, is no longer with the Commission. She thanked him for his work in bringing the Checklist Committee to this point. She introduced Brian Holloway, the new Chair of the Checklist Committee.

Executive Director Jemmott stated additional Checklist Committee members will be added in the near future. She hoped to introduce them at the next Committee meeting.

2. <u>APPROVAL OF MEETING MINUTES (NOVEMBER 30, 2016, AND MARCH 8, 2017) – ACTION</u>

> **MOTION**: Committee Member Frank moved to approve the November 30, 2016, and March 8, 2017, California Commission on Disability Access Checklist Committee Meeting Minutes as presented. Committee Member Wong seconded. Motion carried unanimously.

3. <u>COMMENTS FROM THE PUBLIC ON ISSUES NOT ON THIS AGENDA</u>

No members of the public addressed the Committee.

4. <u>INTRODUCTION OF NEW CHAIR AND COMMITTEE MEMBER(S)</u>

Agenda Item 4 was taken out of order and heard prior to Agenda Item 2.

5. MYTHS AND MISCONCEPTION RESOURCE GUIDE – REVIEW

Executive Director Jemmott stated the Myths and Misconceptions document is a living document; staff welcomes feedback and suggestions and will revise the document as needed. The current edition published in July of 2017 is on the website.

Committee Member Sutton asked if accessibility of web pages can be included in this document. Executive Director Jemmott agreed it should be added to the document but stated it is such a new concept it may take time to assure the necessary accuracy of web pages.

Committee Member Frank stated there are cases pending about website accessibility for businesses.

Chair Holloway suggested moving the document forward and adding a web page component after more research has been done.

6. FOOD SERVICE INDUSTRY FOCUS ACCESSIBILITY COMPLIANCE MODULES – DISCUSSION AND ACTION

  a. **Preparing Internal Documents for "Incubator Sessions"**
  b. **How to Develop Participation in Sessions**
  c. **Targeted Dates and Locations**

Executive Director Jemmott stated the next step for this Committee is to consider how to move the process forward and to create industry-focused accessibility compliance modules. She reviewed the Sit-Down Restaurant Module, which was included in the meeting packet. She asked Committee members to discuss incubator concepts that can be taken to each industry to ask if they are familiar with the tasks listed on the accessibility compliance module, if they are doing any of them, if there are things they should be doing that are not on the chart, and if there are concerns or questions about any of the listed items. After gathering industry-specific feedback, the Checklist Committee would create a toolkit that has been approved by each industry.

Executive Director Jemmott asked how to take this concept and encourage industries to work with the Commission to identify how to ensure the CRA's support and facilitation as part of that, and then how to engage restaurant owners as a working module incubator to determine what they would use in each restaurant.

Committee Member Sutton stated there are items listed on the accessibility compliance module that are necessary but there are other items that are suggestions of potential best practices. The comprehensive list of requirements to be in compliance will be eye-opening to most restaurant owners.

Chair Holloway suggested highlighting items that must be done so business owners can quickly see what is necessary versus what is desired.

Committee Member Sutton agreed. He stated the CRA has a series of industry insights put out by the legal center, including the Americans with Disabilities Act (ADA). It is laid

out by items that are necessary versus smart things to do. He suggested that similarly breaking up the accessibility compliance module would be helpful.

Committee Member Frank agreed. She stated CalChamber has something similar with what is mandatory for compliance versus recommended.

Committee Member Wong stated the items look like they are in code language and that they are must-dos, not best practices.

Committee Member Frank suggested restructuring and rewording some of the items.

Executive Director Jemmott asked how to get buy-in from the industry on the best practice items if they are separated as optional. She stated the need to bring in the facility associations because they overlay the organizational structures and may have a different concept on what is necessary versus what is recommended.

Committee Member Frank stated the importance of clarifying which items are the minimum requirements by law to be in compliance versus recommended best practices.

Committee Member Layman stated this is a good document, particularly the lists of weekly and quarterly tasks. He agreed with Committee Member Wong that the items listed in the document have code language. Those are law and must be done. He stated there are weekly tasks listed that do not need to be done weekly. He stated employee trainings need to be done annually, not only at the date of hire. He stated he has used this document for his informational trainings at the chamber of commerce and will continue to do so.

Chair Holloway suggested that Committee Member Sutton show the document to segments of the CRA membership to get their thoughts on the format, readability, usability, detail, and organization of the tool to make it acceptable and useable for CRA members. Committee Member Sutton agreed.

Executive Director Jemmott stated the need for industry to adopt the module as part of how they operate and for associations to include it on their websites. She suggested bringing it to stakeholders in a workshop/incubator or focus-group format so stakeholders can determine how it can best be used.

Committee Member Layman stated he has received feedback from his trainings that the module would be helpful. Restaurant owners are a large part of the chamber of commerce trainings. How much they will use it is still unknown. He stated the need to survey how many members have followed through and used it.

Chair Holloway stated it would be interesting to learn why, if they like it, they are not using it.

Committee Member Wong agreed with Committee Member Sutton on separating the items into requirements and recommendations. The list can seem overwhelming to business owners, but she noted that not all items are specified by code and not all apply to every business owner.

Chair Holloway asked for input on the quickest way to identify requirements versus recommendations so it can go out for feedback from users.

Committee Member Layman asked for one week to finetune the accessibility compliance module and asked Committee Member Wong if she would review his updated version and send their combined efforts to staff for Committee-level review. He stated he and Committee Member Sutton can then test the updated document in the chamber of commerce trainings and the CRA membership.

Committee Member Frank stated each chamber of commerce is separate and not affiliated with the CRA. The trainings done by Committee Member Layman will reach out to local chambers of commerce. CalChamber has a different kind of membership.

Chair Holloway stated there are three test fields: Committee Member Layman with the local chambers of commerce, Committee Member Sutton with the CRA, and Committee Member Frank with the CalChamber members sometime in the future.

Committee Member Layman suggested speaking at the annual CRA convention and gathering feedback from attendees. Committee Member Sutton suggested beginning with local chapters such as the Sacramento chapter.

Committee Member Wong asked if there are other checklists directed at the small food service industry to use as a comparison. Committee Member Sutton stated he will research that and get back to her.

Committee Member Layman stated this is the first one in this format.

Committee Member Wong asked for a definition of "incubator session." Executive Director Jemmott stated it is targeting smaller groups to get buy-in to help bring cultural change to industries by impacting industries to adopt and use this tool and embrace it as theirs.

Committee Member Estes stated the heading at the top of the page leads one to believe the tool is geared more towards the restaurateur or the building owner. He asked if the tool should be designed for access consultants or design professionals. Executive Director Jemmott stated the list is meant for restaurateurs and their business managers.

Committee Member Wong stated the need to use correct code language but not so much that it keeps individuals from using it.

Executive Director Jemmott referred to the Accessibility Frequency Hierarchy Pyramid for Sit Down Restaurants, which was included in the meeting packet. She stated the pyramid, which relates to the accessibility compliance module, is another way of looking at this from a business standpoint. She suggested that Committee Members use this pyramid to help individuals better understand the concept.

Executive Director Jemmott asked for details on the incubator sessions involving Committee Members Layman, Sutton, and Wong on how to begin participation in the discussion. She asked if staff should focus on local chapters.

Chair Holloway stated the Committee will be finetuning the module and doing more testing. When the Committee thinks the module is in the most acceptable, sellable format, it will go out for additional feedback. The Committee first needs to refine the module.

7. <u>FUTURE AGENDA ITEMS</u>

Executive Director Jemmott stated the report back from Committee Members Layman, Sutton, and Wong will be on the agenda for the next Committee meeting. The next Committee meeting is scheduled for November 15, 2017.

8. <u>ADJOURN</u>

There being no further business, the meeting was adjourned at approximately 2:30 p.m.