

# **CALIFORNIA COMMISSION ON DISABILITY ACCESS JOINT EXECUTIVE & LEGISLATIVE COMMITTEE**

Teleconference Meeting Minutes  
July 8, 2020

## **1. Call to Order**

Chair Guy Leemhuis welcomed everyone and called the joint teleconference meeting of the Executive and Legislative Committee of the California Commission on Disability Access (CCDA) to order at approximately 10:00 a.m. Due to the ongoing health emergency, and consistent with Executive Order N-25-20 and Executive Order N-29-20, this meeting was conducted entirely by Microsoft Teams teleconference.

Chair Leemhuis reviewed the meeting protocols.

## **Roll Call**

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

### Commissioners Present:

Guy Leemhuis, Chair  
Douglas Wiele, Vice Chair  
Tiffany Allen  
Chris Downey  
Brian Holloway  
Scott Lillibridge  
Michael Paravagna

### Staff Present:

Angela Jemmott, Executive Director  
LaCandice Ochoa, Operations Manager  
Davina Saenz, Marketing and Outreach  
Analyst

### Also Present:

Corrina Roy, Legislative Consultant, Office of Legislative Affairs, Department of General Services (DGS)

## **2. Approval of Meeting Minutes (October 2, 2019 – Executive Committee; January 15, 2020 – Legislative Committee) – Action**

**Motion:** Commissioner Holloway moved to approve the October 2, 2019 – Executive Committee; January 15, 2020 – Legislative Committee, California Commission on Disability Access Meeting Minutes as presented. Vice Chair Wiele seconded. Motion carried unanimously with two abstentions from Commissioners Downey and Paravagna.

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**3. Comments from the Public on Issues Not on This Agenda**

No members of the public addressed the Committee.

**4. CCDA Executive Director Report – Update and Discussion**

**a. Administrative and Operational**

Executive Director Jemmott presented her report:

- In response to the COVID-19 pandemic, the CCDA has moved to virtual meetings and staff is doing telework and rotational in-office work.
- Two members of the staff have moved on to other positions; interviews for their replacements are ongoing.
- The governor signed the CCDA's request into the budget. The CCDA will go into Fiscal Year (FY) 2020-21 with an additional \$700,000 per year and an increase of two staff positions to support data research and outreach efforts.

Questions and Discussion

Commissioner Paravagna asked if the DGS has expressed concern about leaving positions vacant during difficult budget times. Historically, positions that are left vacant for very long are lost.

Executive Director Jemmott stated the CCDA is considering what types of changes can be done in the short-term and what can be done without due to the fact that all agencies may be subject to a cutback due to the COVID-19 pandemic. Staff has questions out to the budget office to help with this consideration.

**5. Budget Report – Update and Discussion**

**a. FY 2019-20 Year-End Summary**

Staff Member Ochoa reviewed the CCDA Budget Narrative Report for FY 2019-20 document, which was included in the meeting packet.

**b. FY 2020-21 Budget Summary**

Staff Member Ochoa reviewed the CCDA Budget Summary for FY 2020-21 document, which was included in the meeting packet.

**Action Items**

- No action items.

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**6. CCDA 2020-21 Marketing Campaigns and Educational Tools – Update, Discussion, and Action**

**a. Checklist Committee**

**i. Update to 2015 Accessibility Construction Checklist**

Commissioner Holloway, Chair of the Checklist Committee, stated the Committee completed a toolkit for restaurants, a one-page accessibility small business tool flyer, and an update to the 2015 Accessibility Construction Checklist. He stated the Checklist Committee plans to begin work on “Questions to Ask your Certified Access Specialist (CASp)” to be posted on the CCDA website. He recommended that the Executive Committee approve the updated checklist so it can be disseminated throughout the building and construction industry and that the updated checklist be put on the agenda of the next full Commission meeting.

Vice Chair Wiele agreed that the revised Accessibility Construction Checklist should be advanced to the full Commission.

**b. Education and Outreach Committee**

Executive Director Jemmott stated the Myths and Misconceptions tool has been translated into Mandarin and is posted on the website, along with the Spanish and English versions.

**i. Curbside/Open-Air Business Operations Educational Tool**

Commissioner Downey, Chair of the Education and Outreach (E&O) Committee, stated the Curbside/Open-Air Business Operations Educational Tool was developed by Terry McLean, Architect and Certified Access Specialist (CASp), in response to the COVID-19 pandemic impacts on small business in the state of California. This initiative is meant to provide guidance for small businesses as they move to curbside retail and restaurant operations and to remind businesses about requirements for accessibility that may have been overlooked. The E&O Committee provided feedback and suggestions for the tool. The revised tool was included in today’s meeting packet. He recommended approval of the Curbside/Open-Air Business Operations Educational Tool.

Executive Director Jemmott stated staff reached out to the Director of the Governor’s Office of Business and Economic Development (GO-Biz), Office of the Small Business Advocate for their feedback on the Curbside/Open-Air Business Operations educational tool to help make this initiative a statewide effort. A marketing company, SketchDeck has agreed to design this tool for the CCDA.

Commissioner Holloway moved approval of the Curbside/Open-Air Business Operations Educational Tool.

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Commissioner Paravagna seconded with the friendly amendment that partners are explored to disseminate the tool to and through, such as the California Restaurant Association, the California League of Cities, and Chambers of Commerce.

Vice Chair Wiele agreed and suggested adding other associations such as the Building Owners and Managers Association and the International Council of Shopping Centers. There are a number of groups that would appreciate receiving this tool.

Commissioner Holloway agreed to Commissioner Paravagna's friendly amendment.

**Motion:** Commissioner Holloway moved approval of the Curbside/Open-Air Business Operations Educational Tool and that partners are explored to disseminate the tool to and through, such as the California Restaurant Association, California League of Cities, Chambers of Commerce, Building Owners and Managers Association, and the International Council of Shopping Centers. Vice Chair Wiele seconded. Motion carried unanimously.

**ii. ADA30 Campaign**

Commissioner Downey stated the 30<sup>th</sup> Anniversary of the ADA will be celebrated on July 26<sup>th</sup> of this year. He reviewed the CCDA ADA30 Campaign Plan document, which was included in the meeting packet.

Executive Director Jemmott asked Commissioners to respond to questions being sent out by staff and to submit quotes from leaders and former Commissioners to be posted in the Commissioners' Corner section of the CCDA website with the goal of posting 30 quotes in celebration of the 30-year anniversary of the ADA.

**Action Items**

- Commissioners to submit answers to a set of staff questions, which will be posted in the Commissioners' Corner section of the website.
- Commissioners are to get quotes from individuals in leadership positions to post in the Commissioners' Corner section of the website.

**7. Legislative Reporting – Update, Discussion, and Action**

**a. Legislative Bill Tracking**

Corrina Roy, Legislative Consultant, Office of Legislative Affairs, DGS, summarized the CCDA Legislative Status Report on the bills staff is tracking, which was included in the meeting packet.

**i. AB 2028 (Aguiar-Curry) – State agencies: meetings**

This bill is set for hearing in the Assembly Governmental Organization Committee on July 14<sup>th</sup> at 1:30 p.m.

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**ii. AB 2123 (Chau) – Accessibility: internet website**

This bill was withdrawn by the author as of May and will not move forward.

**iii. AB 2504 (Nazarian) – The Capital Access Loan Program**

This bill failed to be heard in the Assembly Finance Committee and is not moving forward.

**iv. AB 2664 (Diep) – Disability access: statutory damages: small businesses: certified access specialist’s report: violations**

This bill failed to be heard in the Assembly Judiciary Committee and is not moving forward.

**v. AB 3364 (Committee on Judiciary) – Judiciary omnibus**

This bill is awaiting hearing in the Senate Judiciary Committee. This bill contains technical cleanup regarding the location of CCDA’s mandates in statute consistent with the 2017 move to DGS. This bill requires CCDA to notify the public on its website 30 days in advance before CCDA requires a new standard format for submitting demand letters and other items under CCDA’s mandate.

**vi. SB 50 (Wiener) – Planning and zoning: housing development: streamlined approval: incentives**

This bill is not moving forward. It failed passage out of the Senate.

**b. Role of Committee and Functionality**

Commissioner Paravagna stated he requested this item be part of today’s agenda because it is appropriate for the Executive Committee to have a discussion about the future of the Legislative Committee in terms of what CCDA would like to see done by the Committee. He stated this should be discussed in conjunction with CCDA’s administrative limitations.

Commissioner Paravagna stated his vision for the Legislative Committee has always been that the Committee would assist legislators by discussing legislative concepts with them in terms of the impact that they might have on the business and disability communities so that there would be more efficient legislation introduced and that that legislation would be sensitive to the constituency. Whether there is still room for that, given the restraints, is up for discussion.

Questions and Discussion

Commissioner Holloway asked if there is an historical reason that the CCDA has not taken a position on legislation.

Commissioner Paravagna stated the majority of Commissioners are appointed by the Governor. State entities that are part of the Governor’s purview do not take positions for or against policy or legislation.

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Vice Chair Wiele stated he was not opposed to adding more tasks but he stated the need to be mindful of the CCDA's primary purpose of building and enhancing a forum for dialogue between the business and disability communities over barriers to an accessible environment.

Commissioner Paravagna stated the CCDA's primary task is a moving target and will never be completed. He suggested getting to a place where the primary task is being addressed in a responsible manner and then looking at other areas that may be covered to a lesser degree.

Commissioner Downey asked if legislators seek the CCDA to host discussions on legislative proposals they may be putting forward.

Commissioner Paravagna stated they have historically but, over the past few years, that has decreased.

Executive Director Jemmott stated legislative staff often do not even know that the CCDA exists. There is an opportunity to engage legislators and their staff so the Commission can advise them, although it is important to stay within the DGS communication protocols.

Commissioner Paravagna stated it would be prudent for the Commission to have a vibrant relationship and be seen as a valuable resource among members of the Legislature. This can be done without the Commission taking positions on bills.

Chair Leemhuis agreed and supported Commissioner Paravagna's suggestions. He stated there is nothing in the statutes that prohibit the Commission from providing education and technical assistance. He suggested that the Legislative Committee start doing one- to three-page learned papers to the Legislature that give helpful information or food for thought around areas that individuals are not thinking about as it relates to access in the "new normal day." As certain things are being suspended due to the COVID-19 pandemic, it does and will create issues of barriers. Providing direction on these issues would be helpful.

Commissioner Paravagna agreed. He stated what he hoped to leave this discussion with is a statement from this Committee about what is hoped that the Legislative Committee will address and achieve in the coming timeframe, such as what Chair Leemhuis just articulated. He asked for Commissioner input.

Commissioner Downey stated he was supportive of the comments that have been shared. He asked what the E&O Committee can do to support the Legislative Committee's outreach to the legislators.

Commissioner Paravagna suggested that both committees work together with legislative members of the Commission to outreach to legislators to have informal discussions on what the Commission does and wants to do, what the legislators' needs are, and the CCDA's availability to assist. He stated the need for the committees to discuss how to do this on an ongoing basis so the CCDA has a consistent presence with the members

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of the Legislature. He suggested as a first step that he, Commissioner Downey, and the Executive Director communicate with the legislative members of the Commission to stimulate interest in their assisting in cosponsoring activities.

Commissioner Downey agreed.

Commissioner Lillibrige agreed. He stated the importance of keeping the lines of communication open on a regular and consistent basis so they are reminded that the CCDA is there and ready to advise them based on data that the Commission has collected, the various educational forums, and stakeholder input.

**c. Opportunities and Challenges with Governing Language**

**i. Ensuring CCDA can Collect all Title III State and Federal Cases**

Executive Director Jemmott stated the statutes the CCDA is governed by are made up of general language. There are opportunities to strengthen how they are written. She reviewed the CCDA Government Code Sections to Review document, which was included in the meeting packet.

Commissioner Paravagna suggested moving forward with meeting with the legislative Members of the Commission to discuss the items suggested in Agenda Item 7b and also to discuss cleanup language.

Public Comment

Ms. Roy stated there is a procedure for requesting legislative change called the Legislative Proposal Process, which starts around the Fall where concepts are submitted to DGS. If the concept is approved, it would become a full proposal with language. Ultimately, if the proposal is approved by DGS and the Governor's Office, then a legislative member may be approached or perhaps a Committee with that legislative language to include in a bill. She stated this is the DGS procedure that is currently in place. She stated DGS is happy to help the CCDA in putting together a proposal since the CCDA's one analyst has not yet been trained in legislative proposals.

**ii. Due Date of Annual Report to Legislature**

Executive Director Jemmott stated statute states that the CCDA is to submit an Annual Report by January 31<sup>st</sup>. She noted that this is unattainable at this time, based on the current approval processes and requirements. That date needs to be moved back.

**Action Items**

- Commissioners Downey and Paravagna and the Executive Director are to communicate with the legislative members of the Commission to stimulate interest in their assisting in cosponsoring activities.

**8. CCDA Strategic Plan Stakeholder Involvement – Update and Discussion**

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**a. Strategic Plan Stakeholder Survey**

Executive Director Jemmott stated the CCDA conducted a survey and collected over 230 responses. Time will be given to discuss the responses more fully in future meetings. She reviewed the CCDA Strategic Goal Survey document, which was included in the meeting packet.

**b. Development of Focus Group Discussions**

Executive Director Jemmott stated stakeholder focus group discussions are planned for the upcoming full Commission meeting, where members of the different industries and communities will present topics that interest them.

**Action Items**

- No action items.

**9. Future Agenda Items**

No future agenda items were offered.

**10. Adjourn**

**MOTION:** Commissioner Holloway moved to adjourn the July 8, 2020, California Commission on Disability Access Joint Executive and Legislative Committee meeting. Vice Chair Wiele seconded. Motion carried unanimously.

Chair Leemhuis adjourned the meeting at approximately 11:30 a.m.