

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
LEGISLATIVE COMMITTEE
MEETING MINUTES**

January 24, 2018

1. CALL TO ORDER

Chair Michael Paravagna welcomed everyone and called the meeting of the Legislative Committee of the California Commission on Disability Access (CCDA or Commission) to order at 10:05 a.m. at the Department of Rehabilitation, 721 Capitol Mall, Room 244, 2nd Floor, Sacramento, 95814.

The off-site meeting location for teleconference was Derby, McGuinness, and Goldsmith, LLP, 200 Lakeside Drive, Suite A, Oakland, 94612.

Chair Paravagna reviewed the meeting protocols.

ROLL CALL

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

Commissioners Present:

Michael Paravagna, Chair
Guy Leemhuis, ex officio
Celia McGuinness (via teleconference)
Tiffany Potter (via teleconference)

Staff Present:

Angela Jemmott, Executive Director
Dave Chung, Staff Services Analyst
Matthew Wang, Staff Services Analyst

Commissioners Absent:

Walter Hughes

Also Present:

Pia Basudev, representing Deputy Director Irene Walela, Independent Living and Community Access Division, Department of Rehabilitation (DOR)
Matt Bender, Manager, Office of Legislative Affairs (OLA), Department of General Services (DGS)
Brent Jamison, Deputy Director, Interagency Support Division, DGS
Cheryl Kasai, Legislative Specialist, State Independent Living Council (SILC)
Corrina Roy, Legislative Consultant, DGS

2. APPROVAL OF MEETING MINUTES (AUGUST 23, 2017) – ACTION

The meeting minutes were approved with no opposition or abstentions.

3. COMMENTS FROM THE PUBLIC ON ISSUES NOT ON THIS AGENDA

No members of the public addressed the Committee.

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4. ADA COORDINATOR SURVEY STATUS - DISCUSSION ITEM

- a. Results**
- b. Next Steps**

Executive Director Jemmott stated there was poor participation in the seven-question Americans with Disabilities Act (ADA) Coordinator survey sent to 80 agencies through Survey Monkey. Staff learned that many ADA Coordinators are not at management level and cannot respond to a survey about their job without management approval. She stated the DGS suggested coordinating with the department heads to help them understand the survey is not judgmental but is for data collection purposes only so they will approve participation in the survey.

Executive Director Jemmott stated the next step is to meet with the directors to give them a clear definition of the purpose of the survey.

Chair Paravagna stated there is a lot of inconsistency nationally in the implementation of the Title II ADA compliance, grievance procedures, and how self-evaluation and transition plans are formatted. He stated taking the temperature of state agencies and providing support is prudent.

Commissioner Potter asked about a timeframe for the survey. Executive Director Jemmott stated the original goal was the end of 2017. A new timeframe will soon be set.

Chair Paravagna suggested revisiting the survey questions.

5. LISTENING FORUM - NORTHERN CALIFORNIA - DISCUSSION AND ACTION ITEM

- a. Sacramento Expanded Format**

- **Second Half of the DMV Disabled Persons Parking Placard Program**

Executive Director Jemmott suggested expanding the Listening Forum concept by including a discussion with legislators for an hour following the Listening Forum.

Commission Chair Leemhuis suggested writing a summary after the Northern California Listening Forum that can be used to educate the Legislature on the discussion. He stated the CCDA's role this year is to document the information gleaned from the Listening Forums for dissemination, especially to legislators who can benefit from the information while making new laws.

Chair Paravagna stated there is no shortage of topics that would be appropriate for this type of forum.

Commissioner McGuinness agreed and stated there is a wealth of talent on the Commission that could be utilized better for the purpose of assisting the Legislature and providing them with an opportunity to hear something that has been fully vetted by all sides of the issue.

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Commissioner Potter agreed. She suggested sending the CCDA Full Commission Meeting Minutes to legislators so they have something coming across their desk consistently that explains what the Commission is working on or addressing in the full Commission meetings.

Executive Director Jemmott stated staff includes Commission activities in the Annual Report to the Legislature. An event summary is posted on the website and is being watched internationally. She agreed with writing a white paper summary.

Chair Paravagna asked about the plans other than the evening meeting for the second half of the DMV placard Listening Forum. Executive Director Jemmott stated the goal of beginning the next forum by sharing what was learned at the previous forum and building from there. She stated the need for more business representation in the Listening Forums.

Chair Paravagna asked when the Northern California Listening Forum will be held. Executive Director Jemmott stated it will be in the first half of March.

6. FUTURE LISTENING FORUM - CENTRAL/SOUTHERN CALIFORNIA - DISCUSSION AND ACTION ITEM

- a. Previously Suggested Topics: Service Animals and Public Disability Access During Disasters**
- b. General Outcomes - Expectations**

Executive Director Jemmott asked the Committee about the topic for the next Listening Forum so staff can begin to secure speakers and participants.

Commissioners McGuinness and Potter suggested the topic of service animals, although they acknowledged the importance of access during disasters.

Chair Paravagna agreed. He stated it is an area for potential legislation and public education.

Commissioner McGuinness suggested website access and access for individuals with hearing loss or who are Deaf in public venues such as concerts and entertainment as future Listening Forum topics.

Commission Chair Leemhuis agreed. He stated the need to include forums that address the Commission's primary charge. He suggested conversations between the disability and small business communities specifically as it relates to architectural access and architectural barriers. He suggested three forums throughout the state on this topic.

Chair Paravagna asked if the conversations between the disability and small business communities should be the topic for the next Listening Forum.

Commission Chair Leemhuis stated more work needs to be done on the topic of conversations between the disability and small business communities. He suggested service animals as the topic of the next Listening Forum. He noted that service animals impact both the business and disability communities.

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Commission Chair Leemhuis asked that Listening Forums be held with an eye toward making recommendations as a Commission, which means additional debriefs and updates may be required for Commissioners in preparation for the forums.

Commissioner McGuinness agreed. She suggested four locations throughout California may be best.

Public Comment

Brent Jamison, Deputy Director, Interagency Support Division, DGS, asked Executive Director Jemmott to share the recent conversations about Listening Forums they had with the Division of the State Architect (DSA), and some of the DSA's ideas about forum topics on business and accessibility issues.

Executive Director Jemmott stated she and Mr. Jamison met with the DSA to discuss funding opportunities for education from the Thurmond bill that recently passed. She stated the DSA has expressed an interest in participating in the Listening Forums, particularly on industry-focused topics such as a restaurant or retail focus.

Mr. Jamison stated the State Architect was encouraged by some of these topics and offered to help fund the cost of the forums. He estimated the forums as costing approximately \$30,000 per event.

Chair Paravagna suggested expanding the restaurant topic to hospitality in general.

Commission Chair Leemhuis stated the DSA representative at the last full Commission meeting stated part of the limitation of the DSA is that they come from a compliance-only world. He stated the Commission is not only looking for compliance, but is informing the Legislature as to recommendations for possible new legislation or fixes to existing legislation. The challenge will be to find a happy medium. He suggested further conversations with the DSA. He stated, if the opportunity is expanded, both may be accomplished in the same day. He asked Mr. Jamison to facilitate additional conversations with the DSA. He offered to work with Chair Paravagna and Executive Director Jemmott on a Listening Forum that the CCDA and the DSA would like. He suggested a separate strategy session to discuss where to get additional funds.

7. ADDRESSING GOVERNMENT CODE SECTION 14985.7(a) AND 14985.8(d) - DISCUSSION AND ACTION ITEM

a. Changing CCDA's Annual Report Due Date

Executive Director Jemmott stated the CCDA has a commitment to submit an annual report on January 31st and is responsible to include an annual data summation. Staff has met the January 31st deadline every year but it has been difficult due to the layers of reporting requirements. She suggested March 31st as a better date for the annual report. She asked the Legislative Committee to recommend that staff move forward to request a change in the due date for the Annual Report to the Legislature.

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MOTION: Commissioner McGuinness moved to direct staff to approach the Legislature about changing the deadline of the Annual Report to the Legislature from January 31st to March 31st. Commissioner Potter seconded. Motion carried unanimously.

8. MATHIS CONCEPT BILL - DISCUSSION ITEM

Executive Director Jemmott stated Chair Paravagna and Commissioner McGuinness were approached by Assembly Member Mathis's office requesting that the CCDA review Assembly Bill (AB) 150 and provide comments and recommendations to technical aspects of the bill language. She read a summary of AB 150 Disabled persons: rights: liability. She stated the current status is Failed Deadline pursuant to Rule 61(b)(2). The last location is the Judicial Council on January 19th. She stated this bill is currently dead.

Chair Paravagna asked if Assembly Member Mathis's office has any expectations about how they would like the CCDA to proceed. Executive Director Jemmott stated she has not contacted them since their last meeting. At that time, they were interested in the CCDA participating in their workshop event in Bakersfield, the date of which was still yet to be determined. She stated, considering that the bill is now dead, there is not much for the CCDA to do today.

Chair Paravagna asked staff to follow up to see if Assembly Member Mathis's office still would like CCDA participation in their Bakersfield event.

Commissioner McGuinness stated she appreciated that Assembly Member Mathis's office reached out to the CCDA. She stated the hope that the Commission will have the opportunity to work on bills with the Legislature in the future. She stated, even though the bill is no longer an issue, it highlights the value that this Commission can have to the Legislature. She stated the CCDA could provide a balanced perspective on the impact of that bill on both the business and disability communities.

9. DGS OFFICE OF LEGISLATIVE AFFAIRS (OLA)

- a. Roles and Responsibilities of OLA and CCDA**
- b. Services Provided by OLA**

Corrina Roy, Legislative Consultant, OLA, DGS, discussed services that the OLA can provide the CCDA under the new structure since the merger came through on July 1, 2017.

- Bill tracking - The OLA will track and review legislation.
- Bill analysis - The OLA will gather input about the CCDA into a comprehensive analysis relaying the CCDA's views and inputs to the administration to inform whatever decision the administration eventually makes.
- Coordinate with the Office of Fiscal Services (OFS) to give an accurate determination of how bills will impact the CCDA.

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- Legislative contacts - The OLA provides official responses consistent with the administration policy. In terms of proposed legislation, the OLA will assist the CCDA in developing legislative proposals for submission to the Government Operations Agency.
- Mandated Legislative Reports - The OLA will review those reports and will ensure they obtain the needed approval before they are submitted to Agency.
- The CCDA should relay legislative inquiries about current, past, or potential legislation, program policies, or constituent concerns to the OLA, particularly inquiries that have potentially far-reaching effects.

Roles that have not changed since the merger of July 1, 2017

The CCDA will continue to develop recommendations to enhance accessibility through collecting data, interacting with stakeholders, and reporting to the Legislature on disability access issues and access compliance issues.

The CCDA's mission to conduct education and outreach has not changed.

CCDA members can still meet with legislators in their individual capacity to discuss and propose legislation to build relationships that support the CCDA's mandate to update businesses regarding access compliance.

Questions and Discussion

Commission Chair Leemhuis asked if the CCDA can draft a learned paper and submit it to the OLA for review and input from a legislative perspective.

Commission Chair Leemhuis asked about the OLA process if a legislator contacts the CCDA asking to discuss a concept or provide input on language for a bill. Ms. Roy stated the CCDA would refer that legislative inquiry to the OLA. The OLA would get the CCDA's input and try to make comments, but it has to be an administrative-approved position before comments can be made on anything.

Commission Chair Leemhuis stated he is comfortable with expanding the team but suggested training - when the OLA gives a response from the CCDA, it is through the CCDA's lens and mandate given to it from the Legislature. He asked the OLA to include the CCDA in the conversation.

Matt Bender, Manager, OLA, DGS, agreed that for some types of inquiries it would be appropriate to involve Executive Director Jemmott in the response. He stated it will be an ongoing conversation to be respectful of the CCDA's role while ensuring that the OLA's role is not compromised as representatives of the administration.

Chair Paravagna stated the importance of building trust in order to further the mandated purposes of the DGS and the CCDA.

Commission Chair Leemhuis stated the need to keep the lines of communication open and commit to talking through identified barriers.

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Ms. Roy agreed and stated the OLA will continue to have conversations and build the relationship.

10. CCDA LEGISLATIVE BILLS OF INTEREST - UPDATE ITEM

No legislative bills of interest were offered.

11. FUTURE AGENDA ITEMS

Commission Chair Leemhuis stated one of the important roles of the Legislative Committee going forward will be to usher in the learned papers. He suggested an agenda item to discuss the topic of and draft the first learned paper.

12. ADJOURN

Chair Paravagna adjourned the meeting at 11:36 a.m.