

CALIFORNIA COMMISSION ON DISABILITY ACCESS CHECKLIST COMMITTEE MEETING MINUTES

April 6, 2016

1. CALL TO ORDER

Chair Steve Dolim welcomed everyone and called the meeting of the Checklist Committee of the California Commission on Disability Access (CCDA or Commission) to order at 1:30 p.m. at the Best Best & Krieger, LLP, Attorneys at Law, 500 Capitol Mall, Suite 1700, Sacramento 95814.

Chair Dolim reviewed the meeting protocols.

ROLL CALL

Committee Members Present:

Afsaneh Ahmadi
Julian Canete
Erika Frank
Danny Friedman
Tony Goldsmith
Richard Halloran
Gary Layman
Irene Walela

Commissioners Present:

Steve Dolim, Chair
Scott Hauge

Also Present:

No members of the public address the Committee.

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

2. INTRODUCTIONS OF COMMISSIONERS AND PUBLIC COMMITTEE MEMBERS – UPDATE

Committee Members and members of the public introduced themselves.

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

Committee Members Absent:

Stoyan Bumbalov
Ida Clair
Kurt Cooknick
Mia Marvelli
Matthew Sutton

Staff Present:

Angela Jemmott, Executive Director
Addison Embrey, Program Analyst
Brandon Estes, Program Analyst
Fajola Jackson, Office Administrator

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There were no questions or comments from members of the public.

4. RELEVANT HISTORICAL BACKGROUND OF THE COMMISSION – DISCUSSION

- a. Creation of CCDA – SB 1608**
- b. Additional Current Laws Governing CCDA – SB 1186 and AB 1521**
- c. Data Collection – Top Ten ADA Violations**
- d. Strategic Plan of CCDA – Nine Goals**

Executive Director Jemmott provided an overview of the background, foundational legislation, purpose, responsibilities, and projects of the CCDA. Chair Dolim reviewed the Top Ten Americans with Disabilities Act (ADA) Violations and the nine goals of the CCDA Strategic Plan.

Action Items:

- No action items

5. PURPOSE OF CHECKLIST COMMITTEE – DISCUSSION AND UPDATE

- a. Governing Mandates**
- b. Phase One – Checklist for Building Inspectors**
- c. Phase Two – Consumer Guide**

Chair Dolim stated Senate Bill (SB) 1186 mandated the CCDA to use toolkits and modules to educate businesses on accessibility needs. He suggested that the Checklist Committee begin work on the Top Ten ADA violation list.

Committee Member Walela suggested looking into parking and path of travel issues.

Committee Member Halloran agreed that focusing on path of travel upgrades in existing buildings is a good place to start.

Chair Dolim stated the 2016 code requirements will be published in July. Any information developed before then will need to be updated.

Committee Member Layman stated the changes in the 2016 codes will be minor, so integration should not be a problem.

Commissioner Hauge asked how the checklist will reconcile federal, state, and local requirements.

Committee Member Layman recommended using state requirements in the checklist.

Chair Dolim added that the previous checklist was downloadable so that agencies could augment it if needed.

Commissioner Hauge stated he mentioned this because pending legislation will cause federal law to supersede the others.

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Committee Member Halloran stated California law is typically more restrictive than federal law. He suggested adding a note to the checklist stating there is no such thing as grandfathering under federal law.

Committee Member Goldsmith agreed and suggested also noting the continuing duty to remove barriers.

Action Items:

- No action items

6. CONSTITUENT INPUT – DISCUSSION

a. Members Share Their Constituent Needs

b. Identify Agreed Targeted Constituents/Audience from Members in Relation to CCDA Goals

Chair Dolim encouraged Committee Members to point out any contacts to whom the Committee should reach out. He stated the importance of considering the inclusion of toolkits and guidelines instead of just a word checklist.

Committee Member Frank suggested a toolkit for business owners considering entering into a lease on a space on what they need to know about access requirements and how to go about making the necessary changes. She stated the Top Ten would be a good place to start, as it would allow different entities to compartmentalize with a distinction between owning and leasing a property.

Chair Dolim agreed that toolkits can take progressive stages and be user-driven. He stated the previous Checklist Committee did a survey of building inspectors with the California Building Officials (CALBO) to provide focus during the creation of the CCDA Accessibility Construction Inspection Checklist for Building Inspectors/Officials. Looking into the top ten things that constituents need to be compliant including tips on how to negotiate a lease, what to look for, and how to change it will provide the focus needed for the creation of this new product.

Commissioner Hauge suggested placing the burden of meeting the criteria on the building owner.

Executive Director Jemmott stated the responses to the survey requested more information on the legal side of access, the Certified Access Specialist (CASP) program, and financial incentives. She suggested using the CALBO survey as a starting point.

Committee Members stated CALBO has approximately 13,000 members, the Cal Asian Chamber of Commerce has a database of approximately 16,000 names, and the Restaurant Association has approximately 22,000 members who can be part of the survey.

There was a recommendation to develop a checklist for lay people to raise awareness.

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Committee Member Goldsmith stated his constituency is interested in representing the disability community. He suggested asking the disability community about common issues they face and issues they want addressed. Their responses will be based on personal experiences rather than looking at the Top Ten list that reflects lawsuits. He suggested gathering input from outreach groups such as the California Independent Living Centers.

Chair Dolim agreed with the importance of a broad spectrum of input from the survey tool.

Committee Member Walela suggested that nonprofit organizations may have identified more effective methods of reaching communities. She suggested also including the California Foundation for Independent Living Centers. She stated the Department of Rehabilitation maintains a stakeholder list of individuals interested in disability issues in California. She agreed that issues individuals encounter may not necessarily align with the issues in lawsuits.

Chair Dolim asked Committee Members to submit at least five ideas for survey questions by April 21st and to include the preferred media format and potential resources, with the goal of completing a short survey by mid-May, and presenting the data from the survey to the full Commission on July 18th. He also asked Committee Members to review the meeting packet materials and email other samples and resources that can be included for the Committee's consideration to staff.

Committee Member Frank suggested including an estimated length of time at the beginning of the survey and offering incentives for completion.

Committee Member Halloran suggested offering tips on how to reduce lawsuits at the end of the survey.

Executive Director Jemmott suggested offering a brochure.

Action Items:

- Committee Members are to submit at least five ideas for survey questions by April 21st and to include the preferred media format and potential resources., and to review the meeting packet materials and email samples and resources to staff.

7. TIMELINE/MILESTONES – DISCUSSION AND ACTION

- a. Calendar of Meetings**
- b. Potential Sub-Meeting Format**
- c. Submittal of Samplings/Format from Members**
- d. Product Draft and Product Final Timeline**

Chair Dolim stated if the survey were completed by May 10th and launched on June 10th, it could be closed by July 10th and the results shared at the July 18th full Commission meeting.

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Executive Director Jemmott stated the DSA has asked to shift the next Committee meeting date back from July 13th to July 12th. She added that the dates have been published as subject to change.

Chair Dolim agreed to move the next Checklist Committee meeting to July 12th.

Action Items:

- No action items

8. FUTURE AGENDA ITEMS

Chair Dolim asked Committee Members to email future agenda items to staff.

9. ADJOURN

Chair Dolim adjourned the meeting at 3:12 p.m.