

# **CALIFORNIA COMMISSION ON DISABILITY ACCESS CHECKLIST COMMITTEE**

Teleconference Meeting Minutes  
September 28, 2022

## **1. Call to Order**

Vice Chair Drake Dillard welcomed everyone and called the meeting of the Checklist Committee of the California Commission on Disability Access (CCDA) to order at approximately 1:30 p.m. at the CCDA Headquarters, 400 R Street, Suite 312, Sacramento, CA 95811.

Staff Member Strother reviewed the meeting protocols.

### **Roll Call**

Staff Member Strother called the roll and announced a quorum was not yet present. A quorum was achieved after Chair Holloway and Committee Member Zellmer arrived.

#### Commissioners Present:

Brian Holloway, Chair\*

Drake Dillard, Vice Chair

#### Committee Members Present:

Brandon Estes, California Building Standards Commission\*

Bill Zellmer, AIA, Certified Access Specialist (CASP), Sutter Health\*

#### Committee Members Absent:

Richard Halloran, CASp

Ike E. Nnaji, Ph.D., Disability Access Specialists, Inc.; CASp

Mehdi Shadyab, Senior Structural Engineer, City of San Diego; CASp

#### Other Commissioners Present:

Jacqueline Jackson\*

Hector Ramirez\*

\*Participation via Zoom or teleconference

#### Staff Present:

April Dawson, Executive Director

Stephanie Groce, Disability Access Technician

Phil McPhaul, Operations Manager

Abigail Ridge, Administrative and Legislative Analyst

Presley Strother, Marketing and Outreach Analyst

#### Also Present:

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Sharlene Ornelas  
William Rehling, Accessible San Francisco

**2. Approval of Meeting Minutes (March 23, 2022) – Action**

**Motion:** Committee Member Estes moved to approve the March 23, 2022, California Commission on Disability Access Checklist Committee Meeting Minutes as presented. Chair Holloway seconded. Motion carried 4 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Committee Members voted "Yes": Committee Members Estes and Zellmer, Vice Chair Dillard, and Chair Holloway.

**3. Approval of Meeting Minutes (June 22, 2022) – Action**

**Motion:** Chair Holloway moved to approve the June 22, 2022, California Commission on Disability Access Checklist Committee Meeting Minutes as presented. Committee Member Zellmer seconded. Motion carried 4 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Committee Members voted "Yes": Committee Members Estes and Zellmer, Vice Chair Dillard, and Chair Holloway.

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

No members of the public addressed the Committee.

**5. Assembly Bill 2917: State Law Disability Access – Update and Discussion**

Staff Member Ridge stated Assembly Bill (AB) 2917 is currently on the Governor's desk awaiting his signature. She summarized AB 2917 and discussed ways that the Commission can optimally manage the obligations mandated through this legislation:

- Attorneys are mandated to send a copy of demand letters and complaints of construction-related accessibility violations or accessibility violations related to an internet website to the CCDA via the CCDA's Legal Portal.
  - The CCDA's Legal Portal is currently undergoing updates to fulfill the CCDA's obligation, should the bill pass.
- The CCDA is mandated to develop and disseminate toolkits, educational materials, and information on accessibility standards for use by businesses to better understand their obligations under the law to provide disability access and to facilitate compliance with respect to the top-10 alleged construction-related accessibility violations and accessibility standards for internet websites.

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- The CCDA is currently developing a checklist on accessible parking and exterior paths of travel. The Checklist Committee has created workgroups that are working on drafts to be completed next year for a separate obligation. The completion of this checklist would also fulfil the CCDA's obligation under AB 2917, if it is passed and codified into law.
- The CCDA is also mandated to develop a toolkit to assist business owners with website compliance.

Staff Member Ridge asked Committee Members to discuss the development of a toolkit for business owners on website compliance. She suggested reviewing existing standards for website accessibility, such as those posted on the Department of Rehabilitation's (DOR) website under Web Accessibility Requirements and Assessment Checklists.

Discussion

Commissioner Ramirez asked if the bill is an expansion of the requirement that all agencies that contract with federal and state agencies must be Americans with Disabilities Act (ADA) compliant and have the World Wide Web Consortium (W3C) Accessibility Guidelines (WCAG) standards. He also asked if this bill is for every business entity and not just those that have state and federal contracts and if they would be held against the same liabilities.

Staff confirmed that the bill will apply to all businesses.

Chair Holloway suggested including someone with technical web expertise to help explain what needs to be done to comply and how this change can be executed by businesses.

Public Comment

Sharlene Ornelas stated the need for all websites to be accessible.

**6. Disability Access and Education Revolving Fund – Update and Discussion**

Staff Member McPhaul provided an overview of the work to date on the Disability Access Education and Revolving fund, a legislation-backed fund that is designed to allow local governments to improve the accessibility of their regions. Staff has reached out to city public works and accounting departments. A common issue seen is that many cities are unaware of this fund and what it is for. Staff is developing a quick reference guide to help educate cities on what their allocation of the fund should be used for and to emphasize the fund's highest priority – CASp certification training and retention.

Staff Member McPhaul stated staff is planning to visit cities statewide in 2023 to hold Q&A sessions and distribute the quick reference guide to increase awareness of this fund. He asked Committee Members about the ideal format for the quick reference

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guide and about other education materials that should be disseminated at the same time to cities across the state.

Discussion

Commissioner Jackson stated both written and digital formats should be used for these materials.

Chair Holloway agreed.

Public Comment

William Rehling, Accessible San Francisco, applauded this effort to communicate with local jurisdictions. He noted that there are 539 cities and counties in California, each administering the Building Code on their own. There is a statutory mandate on each of those 539 jurisdictions to have a CASp in their employ. The second phase of that legislation was that each jurisdiction needs to have a sufficient number of CASps to fulfil their disability plan checks. There are hundreds of jurisdictions that are out of compliance with that statute. Anything that the CCDA can do to encourage more jurisdictions to certify their employees and retain the CASps that they have would be great. There are only 800 CASPs in the entire CASp program and many of them are not involved with local jurisdictions.

**7. Accessible Parking Campaign – Update and Discussion**

Staff Member Strother provided an overview, with a slide presentation, of the purpose, current activities, and timeline of the Accessible Parking Campaign. She stated work groups have been created to draft toolkits as resources on accessible parking for both business owners and construction specialists. The goal is to complete a draft by the end of the year to be finalized and distributed early next year.

There was no Committee discussion or questions from the public.

**8. Listening Forums – Update and Discussion**

Executive Director Dawson stated the CCDA will be bringing back the in-person listening forums. Hybrid listening forums will be held in March, May/June, and August/September of 2023 in partnership with the DOR in locations in the South Bay, North Bay, and Southern California. A summary session is planned with the full Commission in October of 2023 to review what was learned in the first three sessions.

Executive Director Dawson stated the listening forums will include panel discussions on different topics, such as employment. Staff has had three planning meetings with DOR partners. The next step is to identify locations, speakers, and dates.

Discussion

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Commissioner Ramirez stated the need for the listening forums to include linguistic and cultural accessibility. He suggested continuing the conversations on defining accessibility, since access is not always about removing physical barriers. There are also attitude and resource barriers. This is important to consider as the work of the Commission and the needs of the community continue to expand.

Public Comment

Sharlene Ornelas stated the need to include the topic of service dogs in accessibility trainings, laws, and regulations. Fake service dogs often misbehave and display aggression in public places, making it difficult or dangerous for trained service dogs to do their work.

**9. Future Agenda Items – Discussion**

Commissioner Ramirez asked for a discussion on accessible housing for tenants and building owners and the Governor’s expansion to increase housing inventory options.

**10. Adjourn**

**Motion:** Vice Chair Dillard moved to adjourn the September 28, 2022, California Commission on Disability Access Checklist Committee meeting. Chair Holloway seconded. Motion carried unanimously.

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