

CALIFORNIA COMMISSION ON DISABILITY ACCESS EXECUTIVE COMMITTEE MEETING

Teleconference Meeting Minutes
July 12, 2023

1. Call to Order

Vice Chair Brian Holloway welcomed everyone and called the meeting of the Executive Committee of the California Commission on Disability Access (CCDA) to order at 1:35 p.m. The meeting was on Zoom, via teleconference, and held at the CCDA Headquarters, 400 R Street, Suite 312, Sacramento, CA 95811.

Staff Member Groce reviewed the meeting protocols.

Roll Call

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

Commissioners Present:

Brian Holloway, Vice Chair
Drake Dillard
Scott Lillibridge*
Souraya Sue ElHessen*

Staff Present:

April Dawson, Executive Director
Stephanie Groce, Data and Research Analyst
Phil McPhaul, Operations Manager
Abigail Ridge, Associate Governmental Program Analyst (AGPA)
Presley Strother, Marketing and Outreach Analyst

Commissioners Absent:

Chris Downey, Chair
Guy Leemhuis, Immediate Past Chair

*Participated remotely.

Also Present:

No members of the public addressed the Committee.

2. Approval of Meeting Minutes (April 5, 2023) – Action

Motion: Commissioner Dillard moved to approve the April 5, 2023, California Commission on Disability Access Executive Committee Meeting Minutes as presented. Commissioner ElHessen seconded. Motion carried 4 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted "Yes": Commissioners Dillard, ElHessen, and Lillibridge, and Vice Chair Holloway.

3. Comments from the Public on Issues Not on This Agenda – Discussion

No members of the public addressed the Committee.

4. Executive Director Report and Financial Report – Update and Discussion

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Executive Director Dawson presented her report:

Administrative Updates

With the expiration of SB 189 on June 30th, the CCDA has gone back to pre-COVID Bagley-Keene Open Meeting Act guidelines and is publicly listing the remote locations of Commissioners and Committee Members who attend the meetings virtually. The CCDA received additional guidance from the Department of General Services (DGS) Office of Legal Services last week and is complying with the Bagley-Keene guidelines.

Commissioner onboarding and outboarding procedures have been updated to ensure that paperwork is complete. Staff is working with Commissioners with paperwork needs and CCDA should be fully compliant with the tracking of required trainings and Form 700 filings by the end of the month. Staff is also working on a policy and procedure handbook to avoid this issue in the future.

Commissioner Vacancies

A candidate is moving through the appointments process for the vacant Governor-appointed seat representing the disability community's interests.

Reappointments

All reappointments are current.

Staffing Updates

CCDA has two unfilled positions for an office technician and an AGPA. These positions will soon be posted.

Conference Meetings Attended

Executive Director Dawson highlighted meetings and conferences she attended since the last Committee meeting.

Financial Report

Executive Director Dawson reviewed the Expenditure Authority Summary Report for the 3rd quarter ending June 29, 2023, provided by the Accounting and Budget staff of the DGS.

- The total expenditure authority for 2022-23 fiscal year is \$1,731,000.
- The budget authority for Salaries, Wages, and Benefits is \$799,000.
 - The year-to-date expenditures plus encumbrances is \$415,369.
- The budget authority for Operating Expenditures and Equipment is \$735,000.
 - The year-to-date expenditures plus encumbrances is \$265,954.
- The total year-to-date expenditures is \$681,323.

Executive Director Dawson noted that the total expenditure authority increased from \$1,534,000 to \$1,731,000 since the last meeting because the High Frequency Litigant

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Fund monies increased by \$197,000. In addition to the \$152,000 in High Frequency Litigant Funds, there is an additional \$197,000 that needs to be spent by June 30, 2026. She stated the Commission will discuss at a future meeting how to integrate those additional funds into the spending plan that was approved at the April Commission meeting.

Executive Director Dawson noted that salary spending and general expenses particularly around external contracts looks lower than expected at the end of the 3rd quarter. This is under review by the Accounting and Budget team to ensure that all invoices have been processed. She stated the lower figures may also be because of salary savings and consulting contracts that ended early.

Executive Director Dawson stated she had a meeting with Mark Doty (phonetic), who will be assisting the DGS Interagency Support Division (ISD). Mr. Doty will be working one-on-one with the CCDA on the financials.

Discussion

Commissioners asked clarifying questions.

Public Comment

No public comment.

5. Specialties of Law Firms using the CCDA Legal Portal – Update and Discussion

Executive Director Dawson stated there was a question at the last Committee meeting about the diversity of the CCDA Legal Portal participants, specifically about the number of law firms that focus on disability litigation. Staff has not traditionally tracked the specialties of the law firms that submit their documents to the CCDA Legal Portal but did a review to provide some cursory figures for Commissioners as follows:

- 54 law firms made at least one submission to the Legal Portal.
- 15 of those did not have an associated website so staff was unable to confirm their specialties.
- 3 law firms focused exclusively on alleged disability access claims.
- 36 law firms focused on personal injury, civil rights, business, and tenant law.

There was no Commissioner discussion or public comment.

6. Progress on Social Media and Legislative Administrative Orders

Executive Director Dawson stated the need to codify an agreement between the CCDA and the DGS on the CCDA's role. Prior to legislative changes a few years ago, the CCDA had the ability to advocate for bills and take positions on bills. This changed around the time the CCDA came under the DGS. The CCDA, being nested within an Executive

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Branch entity, can now only provide technical assistance to the Legislature on disability access issues.

Executive Director Dawson stated the Commission is briefed on pending or future legislation by the DGS Legislative Affairs Analyst, Corrina Roy. Ms. Roy's office handles communication and organizes meetings between Legislative Affairs staff, CCDA staff, and legislative staff to answer questions about the CCDA and the Legal Portal. The Administrative Order codifies the CCDA's role with the DGS Legislative Affairs Department and how communications are coordinated between Legislative Affairs, the CCDA, and the Legislature.

Executive Director Dawson stated the DGS will soon be doing a six-month social media pilot with the CCDA. The CCDA will have its own branding and social handles on Facebook, Instagram, and possibly LinkedIn and YouTube in the future. CCDA posts will require approval from the DGS Office of Public Affairs (OPA). The pilot will be used as model to possibly expand it to other programs in DGS.

Discussion

Commissioner ElHessen asked about the timeline.

Executive Director Dawson stated she will submit a social media plan to the OPA this week. Once they sign off on the plan, the CCDA can start the pilot. She stated she will be contacting Commissioners about ideas to share.

Public Comment

No public comment.

7. Bylaws – Presentation and Discussion

Executive Director Dawson stated the CCDA Bylaws are updated every two years. She reviewed a slide of the staff recommendations for sections that need revision this year.

There was no Commissioner discussion or public comment.

8. CCDA Response to Assembly Bill 2917 – Update and Discussion

a. Website Accessibility

b. Attorney Compliance

• Upgrades to the CCDA Legal Portal

Executive Director Dawson provided an overview of Assembly Bill (AB) 2917, Disability Access: Internet Websites, Parking Lots, and Exterior Paths of Travel. She highlighted that this law mandates the CCDA to expand the data collected in the CCDA Legal Portal to include alleged disability access violation data related to websites. In June, staff sent a letter to the attorneys who make submittals to the CCDA Legal Portal to educate them on the new drop-down menus that will be effective later this month.

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Staff is planning future drop-in lunch-and-learn webinars for legal partners to learn about the Legal Portal, the new drop-downs, and how to work together to collect data.

c. Business Compliance

Executive Director Dawson stated great feedback was received at the last Commission meeting about the business-listing document that will educate businesses about the Accessible Parking Campaign work. Staff is working with the Division of the State Architect (DSA) to align the nomenclature in the document with the Code language.

d. Accessible Parking Campaign Toolkit

Executive Director Dawson stated the CCDA's Construction Workgroup and Business Owners and Operators Workgroup have been working on the Accessible Parking Toolkit for the better part of a year. The DSA and the Real Estate Services Division have offered interdepartmental assistance with incorporating technical edits made by the DGS OPA and the DSA on the two draft toolkits. The edits are expected to be completed around August or September, the community engagement process will then begin, with the review and approval of the Toolkits expected at the January full Commission meeting.

Executive Director Dawson stated staff will begin creating the mandated educational modules and one-pagers targeted to businesses for website accessibility compliance soon. More information will be provided at the next Committee meeting.

Discussion

Commissioner ElHessen asked for more information on the items in the drop-down menu at the next Committee meeting.

Commissioner Dillard asked if bills like AB 2917 are recommended by the Commission.

Executive Director Dawson stated the usual process is that the legislative partner works with legislative staff on issues who then contact staff to see if the bill is in the CCDA's purview. Staff works with the DGS Office of Legislative Affairs (OLA) on pending or future legislation. She noted that the author of AB 2917 worked closely with the OLA and CCDA staff to create the bill package.

Public Comment

No public comment.

9. Annual Report – Update and Discussion

Executive Director Dawson stated the CCDA 2022 Annual Report to the Legislature has been submitted to DGS for approval. Technical edits have been received and are currently being incorporated. She asked to present on the Report at a future Committee meeting about possible future content changes and additions.

There was no Commissioner discussion or public comment.

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10. Listening Forums Update – Update and Discussion

Executive Director Dawson stated now that some of the COVID-19 restrictions have been lifted, staff is planning to resume holding regional Listening Forums throughout the state in 2023. The first Listening Forum will be in-person only and held on August 30th in the city of San Jose from 3:00 p.m. to 5:00 p.m. at the San Jose City Hall. Staff is working with the San Jose Disability Officer and other community members from the city of San Jose and Santa Clara County. Virtual events are being planning with the city of San Jose and the county of Santa Clara in the future in venues that can better support technology.

Discussion

Vice Chair Holloway suggested making a video of the listening forums to be posted on the CCDA's future YouTube Channel or Facebook posts for ongoing learning.

Public Comment

No public comment.

11. Full Commission Meeting – Update and Discussion

Executive Director Dawson stated the next full Commission meeting will be held in Sacramento on July 26th at the CCDA headquarters from 10:00 a.m. to 4:00 p.m. She asked Commissioners who are planning to attend virtually to inform staff. She stated Commissioner Clair has offered to open the DSA Los Angeles Regional Office as a remote location. She reviewed the upcoming agenda.

There was no Commissioner discussion or public comment.

12. Future Agenda Items - Discussion

Commissioner ElHessen asked for a presentation on the updated CCDA Legal Portal, particularly more information on the items in the drop-down menus.

Commissioner ElHessen asked to have a discussion on how to best support businesses who have been contacted by high-frequency litigants.

Commissioner Dillard asked for a presentation on disability access compliance in the building of houses for members of the disability community who are experiencing homelessness.

13. Adjourn

Vice Chair Holloway asked for a motion to adjourn the meeting.

MOTION: Commissioner Dillard moved to adjourn the July 12, 2023, California Commission on Disability Access Executive Committee meeting. Commissioner Lillibridge seconded. Motion carried 4 yes, 0 no, and 0 abstain, per roll call vote as follows:

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The following Commissioners voted "Yes": Commissioners Dillard, ElHessen, and Lillibridge, and Vice Chair Holloway.

There being no further business, the meeting was adjourned at 2:54 p.m.