

CALIFORNIA COMMISSION ON DISABILITY ACCESS EXECUTIVE COMMITTEE MEETING

Teleconference Meeting Minutes
January 11, 2023

1. Call to Order

Chair Chris Downey welcomed everyone and called the teleconference meeting of the Executive 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 310, Sacramento, CA 95811.

Staff Member Strother reviewed the meeting protocols.

Roll Call

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

Commissioners Present:

Chris Downey, Chair*
Brian Holloway, Vice Chair
Souraya Sue ElHessen*

Staff Present:

April Dawson, Executive Director
Stephanie Groce, Data & Research Analyst
Phil McPhaul, Operations Manager
Abigail Ridge, Administrative & Legislative Analyst

Commissioners Absent:

Drake Dillard
Guy Leemhuis, Immediate Past Chair
Scott Lillibridge

*Participated remotely.

Also Present:

Shannon Mulhall, Accessible Parking Campaign Subcommittee, notified the committee of her presence virtually

2. Approval of Meeting Minutes (October 12, 2023) – Action

Motion: Vice Chair Holloway moved to approve the October 12, 2023, California Commission on Disability Access Executive Meeting Minutes as presented. Commissioner ElHessen seconded. Motion carried 3 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted “Yes”: Commissioner ElHessen, Vice Chair Holloway, and Chair Downey.

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

No members of the public addressed the Committee.

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4. CCDA's New Vice Chair Brian Holloway – Update and Discussion

Chair Commissioner Chair Downey and Executive Director Dawson welcomed Commissioner Holloway to his new role as Vice Chair on behalf of the Commission.

5. Accessible Parking Campaign: Toolkit Review and Approval – Action

Executive Director Dawson provided an overview of the status of the Accessible Parking Campaign Toolkit. She stated staff is in the process of an internal review of the feedback and edits received from the Department of General Services (DGS) and the Division of the State Architect (DSA) so no vote will be taken today. The Workgroup will meet to review the revised draft in February and will bring it to the Executive Committee for approval at the April meeting.

Discussion

Vice Chair Commissioner Holloway complimented staff for the work and outreach done for the Accessible Parking Campaign.

Commissioner ElHessen asked if anyone had seen the widely published PSA on TV on disabled parking spaces.

Chair Downey stated he had not and asked Commissioner ElHessen to send a link to the PSA to staff.

Commissioner ElHessen asked how the Education and Outreach (E&O) Committee can help disseminate the toolkit.

Executive Director Dawson stated all Committees are vital partners, especially the Checklist and E&O Committees. The next phase will be an outreach phase. Discussions will be forthcoming on how to best get the toolkit out to target constituencies.

Chair Downey encouraged the Committees to begin working on the groundwork now in order to get the toolkit out into the community as soon as possible.

Public Comment

No public comment.

6. Focus for 2023 – Update and Discussion

Executive Director Dawson reviewed a one-page document on the CCDA focus for 2023, which was included in the meeting materials. Areas of focus include increasing disability access awareness, continuing to provide training programs and toolkits for targeted stakeholders, identifying and promoting revenue streams to fund physical access compliance, and maintaining data on the status of access compliance.

Discussion

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Vice Chair Holloway complimented thoroughness of the one-page document Executive Director Dawson presented.

Commissioner ElHessen asked if the focus area of identifying and promoting revenue streams to fund physical access compliance would include first prioritizing areas that have been brought up by business owners and other members of the public.

Executive Director Dawson stated the top ten alleged construction-related Americans with Disabilities Act (ADA) violations will be considered along with issues brought up by local municipalities and in public inquiries to identify gaps in funding access compliance. Comments heard at upcoming listening forums will also help identify gaps.

Commissioner ElHessen stated emergency preparedness for individuals with disabilities is an important issue that crosses over many areas and needs to be addressed.

Public Comment

No public comment.

7. CCDA Operations Manager Report – Update and Discussion

a. Access Compliance Fund

Staff Member McPhaul stated Assembly Bill (AB) 2164, Disability Certified Access Specialist Program, was chaptered on September 30, 2022. He stated the \$4.00 fee will remain. Cities and counties will continue to receive 90 percent (renamed to Access Compliance Fund from the CASp Certification and Training Fund) of the Disability Access and Education Revolving Fund the to assist small businesses with physical accessibility improvements, while the DSA will continue to receive the remaining 10 percent of the fund.

Staff Member McPhaul noted that there is \$152,000 available for use by the CCDA from the High Frequency Litigant Fund.

b. Commissioner Travel

Staff Member McPhaul stated there will be more opportunities to travel around the state in 2023. He provided details on arranging travel plans and stated he would send information to Commissioners.

Public Comment

No public comment.

8. CCDA Executive Director Report – Update and Discussion

Executive Director Dawson presented her report:

a. Administrative and Operational Updates

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- Ben Conway, Deputy Attorney General, has been appointed to the Commission by the Department of Justice as the Attorney General's representative.
- Commission Vacancies
 - The Business Properties Association candidate's paperwork is currently moving through the appointment process. This person is appointed by the Governor.
 - The open Assembly Member seat will soon be appointed by the Speaker of the Assembly.
 - The open seat for a Governor appointee representing the disability community is in the process of being filled. Please send suggestions to staff.
 - The open seats to replace Commissioners Holloway and Leemhuis are in the process of being filled.
- Staff Promotions and Vacancies
 - Stephanie Groce was promoted to Data and Research Analyst.
 - The open Office Technician position is in the process of being filled. This position may be transitioned to an Administrative and Executive Assistant position.
 - The SSA position has been converted to an SSA-GPA Promote-in-Place position.
- Outreach
 - The Executive Director presented at the California Foundation for Independent Living Centers statewide meeting in October.
 - The Executive Director attended the Certified Access Specialist Institute (CASI) Conference.
 - The Executive Director attended several webinars hosted by the DSA's Access Code Collaborative.
 - The Executive Director introduced herself to the leadership of the Pacific ADA Center to plan a future webinar.
 - The Executive Director spoke with the Cal Bar about doing more social media outreach and individual bar associations about the work of the CCDA and the compliance requirement for the legal portal.
 - The Executive Director presented at the California Network of ADA Coordinators last month.

b. January Full Commission Meeting

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- Commissioner Conway will present on Bagley-Keene, public meeting laws, and the CCDA bylaws at the January full Commission meeting.
- The CCDA bylaws will be reviewed in 2023.
 - The staff suggestion is to form an ad hoc committee to review changes and present the updated bylaws at the full Commission meeting in April for a vote at the July or October meetings.
- An update on the Accessible Parking Toolkit will be presented.
- 2023 focus areas and committee projects will be discussed.

c. Listening Forums

- The listening forums are on track. Planning meetings will begin later this month.
- Feedback received indicates that a hybrid meeting format is preferred, and that late spring/early summer would be the best time.
- A listening forum will be hosted in San Jose and on the Peninsula, since those are the areas that were reflected the most in the top ten alleged construction-related ADA violations in 2021.
- Interested participants include the Independent Living Centers in San Jose, the Peninsula, and Santa Rosa, as well as elected officials and a legal partner in San Jose.

Public Comment

No public comment.

9. Financial Review – Update and Discussion

Executive Director Dawson reviewed the 2021-22 Year-End Report, which was included in the meeting materials. She noted that current year spending data is still being finalized. The current Fiscal Year 2022-23 Budget Authority is \$1,534,000 plus the High-Frequency Litigant Fund of \$152,000. The CCDA has \$799,000 for personnel services and \$735,000 for operating costs.

Executive Director Dawson stated the Governor released his 2023-24 Preliminary Budget yesterday, which gave the CCDA a \$4,000 increase. This amount could change at the May Revise.

Discussion

Vice Chair Holloway suggested including a Line Item for Memberships and Dues to allow staff to better partner with and influence outside organizations.

Public Comment

No public comment.

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10. Legal Portal Upgrades and Data Collection – Update and Discussion

Staff Member Groce provided a brief overview of updates to the CCDA Legal Portal. Recent changes have been implemented to simplify the process for law firms to correctly submit complaints and to improve the Portal experience. Future work will focus on complying with AB 2917, specifically the section mandating that complaints featuring website inaccessibility be submitted to the CCDA. A demonstration of the updated Legal Portal will be presented at the upcoming full Commission meeting.

Discussion

Chair Downey asked if the new digital complaint categories will be incorporated into the top ten alleged construction-related ADA violations.

Staff Member Groce stated there is currently an option for website inaccessibility. The updates will focus on writing new codes to allow law firms to specify how the website was inaccessible.

Public Comment

No public comment.

11. Future Agenda Items – Discussion

No future agenda items were offered.

12. Adjourn

MOTION: Vice Chair Holloway moved to adjourn the January 11, 2023, California Commission on Disability Access Executive Committee meeting. Commissioner ElHessen seconded. Motion carried 3 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted “Yes”: Commissioner ElHessen, Vice Chair Holloway, and Chair Downey.

There being no further business, Chair Downey adjourned the meeting at approximately 3:00 p.m.