

CALIFORNIA COMMISSION ON DISABILITY ACCESS EXECUTIVE COMMITTEE MEETING

Teleconference Meeting Minutes
June 5, 2024

1. Call to Order

Chair Chris Downey welcomed everyone and called the meeting of the Executive Committee of the California Commission on Disability Access (CCDA) to order at approximately 1:30 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:

Chris Downey, Chair
Brian Holloway, Vice Chair
Drake Dillard
Dr. Souraya Sue ElHessen*
Scott Lillibridge*

Other Commissioners Present:

Dr. Luciana Profaca*
Hector Ramirez*

*Participated remotely

Staff Present:

April Dawson-Rawlings, Executive Director
Stephanie Groce, Data and Research Analyst
Phil McPhaul, Operations Manager
Abigail Ridge, Administrative and Legislative Analyst
Presley Strother, Marketing and Research Analyst
Amber Thomas, Education & Outreach Analyst

Also Present:

Michai Freeman, Systems Change Advocate, Center for Independent Living
John Kotick

2. Approval of Meeting Minutes (March 6, 2024) – Action

Commissioner Lillibridge stated the minutes indicate that he participated remotely when he was there in person. He asked to change the last part of the first sentence in the second paragraph in Item 12 on page 8 from “Power Olympics games” to “Paralympics games.”

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Motion: Vice Chair Holloway moved to approve the March 6, 2024, California Commission on Disability Access Executive Committee Meeting Minutes as revised. Commissioner Dillard seconded. There was no public comment on the motion. Motion carried 5 yes, 0 no, and 0 abstain, per roll call vote as follows:

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

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

Michai Freeman, Systems Change Advocate, Center for Independent Living, stated Senate Bill (SB) 580 will weaken Americans with Disabilities Act (ADA) rights regarding accommodations. This is concerning. The speaker asked the Committee to consider a discussion on SB 580 at a future meeting about how to effectively inform businesses of their rights and obligations under the ADA.

Regional transit plans are losing accessible parking. This is problematic for consumers and caregivers who now must disembark in unprotected bike lanes causing risk for collision.

Vice Chair Holloway agreed that this requires discussion about impacts on accessible parking. He stated he noticed the city of Sacramento has begun implementing a marked streets system where they reduce the number of drivable lanes. Bike lanes are moved adjacent to the curb and sidewalk and a drive lane is converted to on-street parking so vehicles are parked between the bike lane and traffic lanes. This forces passengers and drivers to exit into the ongoing traffic lane or into the bike lane.

Commissioner Ramirez stated June is Pride Month. Los Angeles County has the second largest LGBTQIA2S+ youth and adult population in the nation. Both Los Angeles County and California have one of the largest numbers of individual residents who identify from the queer community. Pride Month, which began in 1971 with the Christopher Street West Association Pride Parade in West Hollywood, has since grown to include many community celebrations established throughout the state.

Commissioner Ramirez stated there are ongoing changes in both the workforce and the legislative process throughout the state. California hosted the Little Hoover Commission in a meeting with business, labor, and academia to discuss possible implications and recommendations that the state of California and the Little Hoover Commission can take. One of the things that was noticeably absent from the conversation was not only the stakeholder conversation, but individuals with disabilities.

Commissioner Ramirez stated AI, like all technology, has the potential to transform and assist individuals in their daily lives. It is important to include individuals with disabilities at the table during this new technology development and when policy regulations are being developed. Oftentimes both accessibility user interface and the impact that it has on individuals with disabilities can be mitigated from the beginning. Unfortunately, this has not happened but there is still an opportunity to ensure that both the disability community and this Commission are actively involved in the discussions.

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Commissioner Ramirez stated AI, as a technology, is now available to the general public. Many private and public sector industries are utilizing it, but much of the public does not know how to use it or understand how it can impact privacy or the accidental utilization of it. AI can have significant impacts on people with disabilities, seniors, and individuals who do not have experience with the processes in which it is being used or the way in which they collect and track personal data.

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

Executive Director Dawson-Rawlings presented her report:

Program Highlights

The CCDA partnered with the county of Monterey Office of Civil Rights to conduct a listening forum for small businesses and the disability community in April.

The CCDA partnered with the Pacific ADA Center in the city of Sunnyvale to conduct an ADA Title II/Title III training webinar for city staff and area businesses in April.

The CCDA partnered with the Pacific ADA Center for the first of a three-part webinar series for small businesses in May.

Commissioner Vacancies

There is one vacancy on the Commission representing the interests of people with disabilities. The appointment authority is the Senate Rules Committee.

Reappointments

Chair Downey, Commissioner Lillibridge, and Commissioner Dr. Profaca, Governor appointees, were confirmed by the Senate at the end of May.

Commissioner Shapiro, a Governor appointee, was confirmed by the Senate in February.

Commissioner Leon-Vazquez, a Speaker of the Assembly appointee, is awaiting reappointment.

Staffing Updates

Executive Director Dawson-Rawlings successfully completed the ADA Coordinator Training Certification through the Great Plains ADA Center in May.

The CCDA is now fully staffed. A Program Technician and a Staff Services Analyst were hired and recently started their positions.

Financial/Operational Highlights

CCDA management continues to meet with Budgets and Contracts monthly.

The May Revision of the Governor's budget was released. There is trailer bill language shifting funding for CCDA from the General Fund to the Disability Access Account. No change has been proposed to the High Frequency Litigant Fund.

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Executive Director Dawson-Rawlings and Staff Member McPhaul initiated the lease Renewal with the Real Estate Services Division. The current lease expires in two years.

Presentations/Conferences/Meetings Attended

Executive Director Dawson-Rawlings reviewed her list of conferences and meetings attended since the last Committee meeting.

Executive Director Dawson-Rawlings reviewed the Third Quarter Financial Report.

- The CCDA's Total Budget Spending Authority for FY 2023-24 ending June 30, 2024, was \$1,911,000.
- The total budget authority for Personal Services for FY 2023-24 ending June 30, 2024, was \$810,000, which is 61 percent due to salary savings.
 - As the end of the Third Quarter, \$491,117 was spent.
- The total budget authority for Operating Expenditures and Equipment for FY 2023-24 ending June 30, 2024, was approximately \$1.1 million.
 - Year-to-date expenditures and encumbrances for Operating Expenditures and Equipment as of the end of the Third Quarter was \$347,548. Many encumbrances will be spent down in the Fourth Quarter.
- The CCDA has started to expend funds from the High Frequency Litigant (HFL) Fund, which comes from court fees paid by those who are statutorily designated as high frequency litigants.
 - HFL are plaintiffs who have filed ten or more complaints alleging construction related accessibility violations within a 12-month period or attorneys with that same definition. The HFL fund generated from a \$500 fee for every \$1000 fee.
 - The 2021 to 2022 HFL fund allocation was \$152,000 and the allocation from 2022 to 2023 was \$197,000. The HFL Fund contained a total of \$349,000 as of the end of March of 2024.
 - By the end of 2024, CCDA will have spent down the majority of the 2021-2022 HFL funds and a chunk of the 2022-2023 HFL funds.
 - These funds have been used for language access, listening forum, translations, and upgrading CCDA's conference room technology to increase CCDA's ability for outreach.

Public Comment

Michai Freeman asked how to get a copy of the HFL list.

Executive Director Dawson-Rawlings stated the top-ten most frequent litigants in the cases received in the CCDA Legal Portal will begin to be named next year. She suggested emailing staff about submitting a Public Records Act request.

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Vice Chair Holloway suggested changing “top ten” law firms to something less positive. Chair Downey said that it should be generic statement of fact and there might be better wording.

John Kotick wrote in the Chat Section suggesting changing “top ten” to “ten most frequent” litigants.

5. CCDA Strategic Plan – Update and Discussion

Executive Director Dawson-Rawlings stated the Request for Proposals (RFP) will be assigned an analyst this week. After review, it will go out for procurement. Much of the language has been updated based on the Commission’s feedback as well as updating the rubric for selecting the consultant who will help guide the work for the strategic plan. The goal is to present the three- to five-year strategic plan to the Commission for review before the end of 2025.

There were no questions from Commissioners and no public comment.

6. Bylaws – Update and Discussion

Executive Director Dawson-Rawlings stated every two years the Executive Committee reviews the Commission’s bylaws and makes any necessary updates. For the last few months, staff has been working with the Office of Legal Services representative. She has been helping staff with edits. Two meetings ago, there were comments and questions about the initial drafts. Those edits have been incorporated into the updated draft. The next step will be to bring the final draft to the Executive Committee for review and approval.

There were no questions from Commissioners and no public comment.

7. Listening Forums – Update and Discussion

Executive Director Dawson-Rawlings stated the next Listening Forum will be held in-person on June 26, 2024, right after the full Commission meeting. The format will be similar to the San Jose and Monterey Listening Forums. It will include a Business Access 101 training by Commission Clair and a panel made up of a representative from the Dayle McIntosh Center, a representative from the Newport Beach Chamber of Commerce, and a Certified Access Specialist (CASP), who will speak about barriers to access to businesses in Orange County and how businesses, local government, the state, the disability community, and access professionals can work together to overcome those challenges to ensure equal access in Orange County. It is also a time of celebration for the successes in the county and learning how the CCDA can play a role in helping with that. More information is posted on the website.

Executive Director Dawson-Rawlings stated Commissioner Clair will answer access questions given live and submitted in advance. Questions submitted in advance will be anonymous.

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Michai Freeman asked about diverse outreach.

Executive Director Dawson-Rawlings stated staff relied on the assistance of the Dayle McIntosh Center that is on the ground working with diverse communities including individuals with disabilities. They put staff in touch with over 70 organizations. Staff works with local partners for each Listening Forum to learn how to best reach out to communities in that area.

8. Social Media Pilot – Update and Discussion

Executive Director Dawson-Rawlings stated the CCDA's six-month social media pilot has been successful. The Facebook page and YouTube Channel have over 150 followers. The CCDA will partner with the Office of Public Affairs on a series of training videos that will build on each other. The initial ten videos will be on the topics of effective communication, accessible parking, maintaining accessible features, the CCDA, and others. The CCDA will also work with local businesses and stakeholders to appear in the videos.

There were no questions from Commissioners and no public comment.

9. Accessible Parking Campaign (APC) Toolkit – Update and Discussion

Executive Director Dawson-Rawlings stated the final versions of the APC Toolkits have been sent to the work groups to distribute to their communities. They are also posted on the website. Staff plans to meet with several membership organizations to discuss how to spread the word among their communities. The Final drafts will soon be sent to Commissioners and the email LISTSERV. The toolkits have been sent to the language access provider for translation.

Public Comment

Michai Freeman stated this campaign is much needed. Many businesses in the speaker's community are unable to have accessible parking. The speaker asked to put this issue on a future agenda.

10. Annual Report – Update and Discussion

Executive Director Dawson-Rawlings stated the CCDA 2023 Annual Report to the Legislature has been submitted to the Office of Legislative Affairs for review and is going through the process.

There were no questions from Commissioners and no public comment.

11. Full Commission Meeting – Update and Discussion

Executive Director Dawson-Rawlings stated the next full Commission meeting will be held on June 26, 2024, and will be paired with Orange County Listening Forum. The morning session will be the full Commission meeting, including a presentation by Commissioner Clair. The Commission will meet from 10:00 a.m. to 1:00 p.m. The break for lunch will give staff time to rearrange the room for the afternoon Listening Forum, which is scheduled from 3:00 p.m. to 5:00 p.m.

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Executive Director Dawson-Rawlings stated the hotel has an onsite restaurant. Staff will be emailing Commissioners with instructions about the lunch procedures.

There were no questions from Commissioners and no public comment.

12. Future Agenda Items - Discussion

Commissioner Dillard suggested a discussion at a future meeting in response to the public comment about parking on the street.

13. Adjourn

Chair Downey thanked everyone for participating and asked for a motion to adjourn the meeting.

Motion: Commissioner Lillibridge moved to adjourn the June 5, 2024, California Commission on Disability Access Executive Committee meeting. Commissioner Dr. ElHessen seconded. Motion carried 5 yes, 0 no, and 0 abstain, per roll call vote as follows:

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

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