

CALIFORNIA COMMISSION ON DISABILITY ACCESS EXECUTIVE COMMITTEE MEETING

Teleconference Meeting Minutes
October 11, 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 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:

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

Staff Present:

April Dawson, Executive Director
Stephanie Groce, Data and Research Analyst
Phil McPhaul, Operations Manager
Abigail Ridge, Administrative and Legislative Analyst
Presley Strother, Marketing and Outreach Analyst

Commissioners Absent:

Chris Downey, Chair
Guy Leemhuis, Immediate Past Chair

Other Commissioners Present:

Rob Bonta, Attorney General, by Deputy Attorney General Ben Conway*
Dr. Luciana Profaca*
Jacqueline Jackson*

*Participated remotely.

Also Present:

No members of the public addressed the Committee.

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

Motion: Commissioner Lillibridge moved to approve the July 12, 2023, California Commission on Disability Access Executive Meeting Minutes as presented. Commissioner Dillard 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

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No members of the public addressed the Committee.

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

Executive Director Dawson introduced new Commissioner Dr. Luciana Profaca. Vice Chair Holloway and Commissioners welcomed Commissioner Profaca to the Commission.

Executive Director Dawson presented her report:

Highlights

The Commission partnered with the city of San Jose and the California Business Properties Association to put on a listening forum on August 31st. It was attended by 40 representatives of the business and disability communities and local government who learned more about business access compliance and a grant opportunity for small businesses in the city to help with access improvements.

The Commission co-hosted a webinar on October 2nd with the Pacific Americans with Disabilities Act (ADA) Center geared toward small businesses about compliance and customer service that was attended by 56 individuals. Attendees learned about Title III of the ADA and tips for prioritizing accessibility at small businesses.

Commissioner Vacancies

There are no vacancies on the Commission.

Reappointments

Staff has been in touch with the appointing authorities for Commissioners with terms expiring at the end of this calendar year, as well as for Governor appointees requiring Senate confirmation.

Staffing Updates

The California Department of Human Resources (CalHR) is reviewing the duty statement for a Staff Services Analyst/Associate Governmental Program Analyst (SSA/AGPA) position. Staff is converting the open AGPA position to better fit the needs for administrative and special projects support.

An Office Technician position will soon be posted.

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

Financial Report

Executive Director Dawson reviewed the Fiscal Year (FY) 2022-23 Year-End Financial Report, which was included in the meeting materials. It was prepared by the Department of General Services (DGS) budget team.

- The total budget authority for FY 2022-23 ending June 30, 2023, was \$1,731,000.
- The CCDA spent 73 percent of the budget allocated for Personal Services.

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- The CCDA spent 33 percent of the budget allocated for Operating Expenditures and Equipment. Staff will meet with the budget team to better understand why the spending was low for this category.
- 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. The HFL Fund currently contains almost \$400,000. Approximately \$85,000 has been spent to date on the San Jose Listening Forum and a contract for language access that the CCDA will be using over the next year to translate its materials into other languages.

Discussion

Commissioner Dillard asked what is included in the Departmental Services Line Item.

Executive Director Dawson stated her belief that that Line Item is the pro-rata share paid to the DGS for needed services, such as legal services. She stated she will verify this and report back at the next Committee meeting.

Commissioner Profaca stated she attended the San Jose Listening Forum and the webinar with the Pacific ADA Center. She stated she was impressed with the quality of Executive Director Dawson's presentation and applauded her for her outstanding performance in both of those events.

Commissioner Profaca stated the rest of the Commission staff were also present at these events to provide support and were engaged in the process. She stated she is proud to be a part of this Commission that is professionally run.

Commissioner Profaca asked about the plans for other uses of the \$400,000 in the HFL Fund.

Executive Director Dawson thanked Commissioner Profaca for her kind words and attending these events. She stated a work plan for the use of the HFL Fund was approved at the April full Commission meeting in Los Angeles. The work plan included language access, listening forums, community engagement, and finalizing toolkits.

Public Comment

No public comment.

5. Bylaws – Presentation and Discussion

Executive Director Dawson stated the revised bylaws are currently under review by the DGS legal team. She asked for comments and suggestions to the proposed bylaws, which were included in the meeting materials. She stated the plan is to present the updated bylaws to the Commission for approval in early 2024.

Discussion

Commissioner Lillibridge agreed with the proposed updates and revisions and noted that they provide clarity and definition. He stated the words "Committee" and

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“Subcommittee” seem to be used interchangeably. He asked staff to look carefully at the consistency of terms.

Vice Chair Holloway referred to Item 4.4 on page 5 of the revised bylaws and suggested adding the word “attending” so it will read, “A majority of attending appointed, voting members of the CCDA....”

Vice Chair Holloway referred to Item 4.7 on page 6 of the revised bylaws and suggested adding that the chair may limit the time of public comments.

Vice Chair Holloway referred to Item 5.3 on page 7 of the revised bylaws and suggested adding that, if a member misses a certain number of meetings in a row, they automatically lose their seat. Sometimes, there is a grace period that can be considered.

Commissioner ElHessen referred to Item 4.4 on page 5 of the revised bylaws and stated upcoming legislation may have influence on how the bylaw is written pertaining to establishing a quorum.

Commissioner Dillard referred to Item 4.7 on page 6 of the revised bylaws and stated he agreed with Vice Chair Holloway’s suggestion to limit the length of time for each public comment.

Public Comment

No public comment.

6. CCDA Strategic Plan – Review and Discussion

Executive Director Dawson stated the Commission’s current strategic plan will be expiring at the end of this fiscal year. She suggested making the new strategic plan a living document that is regularly discussed at Executive Committee and full Commission meetings. She asked for ideas on how to develop the next strategic plan and how to ensure that it stays a living document.

Discussion

Commissioner ElHessen suggested forming a subcommittee of Commissioners to be more directly involved in the strategic planning process.

Vice Chair Holloway agreed and asked Commissioner ElHessen to chair that subcommittee.

Commissioner ElHessen agreed.

Commissioner Lillibridge agreed with forming a strategic planning core team and suggested retaining a professional consultant to help facilitate the strategic planning effort.

Commissioner Dillard stated small groups have the same few individuals in subcommittees. He questioned whether the core group should be formed at the Executive Committee or full Commission levels.

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Vice Chair Holloway asked staff to bring this issue before the full Commission at the next meeting.

Public Comment

No public comment.

7. Current Projects – Update and Discussion

Executive Director Dawson provided an overview of the projects staff is currently working on.

- The Accessible Parking Campaign Toolkit project is almost to the outreach phase. The Commission contracted with the Real Estate Services Division at the DGS to work with two Certified Access Specialists (CASPs) on their staff, the Division of the State Architect (DSA), and the work groups that met for the better part of 2022-23 on the draft toolkits.
- The Construction Industry and Business Owners/Operators Work Groups will reconvene next week for final comments, which will be incorporated in the toolkits. The toolkits will again be reviewed by the DSA and the Office of Public Affairs at the DGS. Once they are approved, the format will be finalized, and presented to the Commission for approval in early 2024 after which the outreach phase will begin.
- The business listing approved by the Commission is be a mini-version or pocket guide of some of the information in the Accessible Parking Campaign Toolkit. The business listing will soon be in the review stage.
- Staff will partner with the Pacific ADA Center to put on quarterly webinars. Feedback received indicated that business owners could more readily attend at the end of the workday. The first webinar was on customer service and Title III of the ADA. Future webinars will be on other topics related to business and access and will include special guest speakers. Commissioners are to send ideas for speakers to staff.
- A follow-up to the San Jose Listening Forum is being planned. Feedback received indicated participants prefer a webinar format. A webinar is tentatively scheduled for November 6th. More information is forthcoming.
- Staff has been meeting with municipalities including the city of Sunnyvale and Monterey County to plan future listening forums for 2024. This scheduled is being finalized.

Discussion

Commissioner ElHessen asked if listening forums can be held in local chambers of commerce.

Executive Director Dawson stated staff has been doing that. Staff has been in communities and working with chamber representatives, but many times cities have

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been going to the chambers and small business development groups and asking staff to present along with them to advertise the forums.

Commissioner Lillibridge asked how the ADA parking pocket guide toolkit will be disseminated.

Executive Director Dawson stated the business listing will include information about accessible parking and other access issues. She stated the plan to speak to community groups, the Contractors State License Board, and trade organizations about how to best distribute it to their contacts.

Public Comment

No public comment.

8. Annual Report – Update and Discussion

Executive Director Dawson stated the CCDA 2022 Annual Report to the Legislature has been released. Details on the data included will be presented at the upcoming full Commission meeting.

There was no Commissioner discussion or public comment.

9. San Jose Listening Forum Recap – Update and Discussion

Executive Director Dawson stated the August 31st San Jose Listening Forum at the San Jose City Hall was very successful. What attributed most to the success was including new voices at the table. It was moderated by Commissioner Shapiro and was attended by over 40 people, including CASPs, small business owners, and representatives from the CCDA, the city of San Jose, the DSA, and many others. Executive Director Dawson thanked Commissioner Shapiro for moderating the forum.

Executive Director Dawson noted that the city of San Jose spotlighted their grant program for small businesses to use for access improvement.

There was no Commissioner discussion or public comment.

10. Proposed 2024 Meeting Calendar - Discussion

Executive Director Dawson reviewed the proposed 2024 CCDA Meeting Calendar, which was included in the meeting materials. She stated the full Commission has typically had four quarterly meetings per year. She proposed three full Commission meetings per year beginning in 2024 – in March, June, and October. She also proposed decreasing the Committees from three to two meetings per year. Between meetings, Commissioners can engage in the work in the community, such as listening forums and projects. She stated the proposed changes will be the most effective use of the Commissioners' time.

Discussion

Commissioner ElHessen stated the importance of keeping the momentum of Committee meetings for engagement and consistency.

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Executive Director Dawson stated one reason for proposing two Committee meetings per year is there is overlap in the agendas and topics. Part of that is because of the way government flows so projects tend to flow throughout multiple quarters and the same things are brought to the Committees. Reducing the number of meetings per year will make them more intentional about the agendas with fresh information.

Commissioner Dillard agreed with Commissioner ElHessen and noted that four consecutive months of the year have no meetings scheduled. He stated the strategic plan for the next five years may impact the meeting calendar.

Vice Chair Holloway stated he also had concerns at first, but then he noted that there are two things going on while there are fewer meetings scheduled: more community outreach and promoting toolkits, and much of the work is done in Subcommittees and Ad Hoc Committees. Those can still be going on. It is where the real work gets done for Commissioners. He stated, if the listening forums, toolkit promotions, and Subcommittee and Ad Hoc Committee meetings are written in the calendar, then it becomes a much more comprehensive schedule.

Commissioner Lillibridge stated he had mixed feelings about the proposed calendar. Most Commissioners have day jobs and packed schedules. On the surface, removing a meeting sounds great from a scheduling standpoint, but the other side is, if a member misses a Committee meeting, they will not meet with that Committee for almost a year. There is the possibility of losing continuity in certain things being discussed at the Committee level.

Commissioner Lillibridge noted the restrictions of the Bagley-Keene Open Meeting Act mandate that Commissioners cannot discuss things without a public notification process.

Commissioner Profaca suggested looking at what has been accomplished at Committee meetings and determining if there would be enough time to accomplish what needs to be done when the number of meetings is restricted.

Commissioner Jackson spoke in opposition to reducing the number of Commission and Committee meetings. There are important things to do.

Executive Director Dawson stated she is happy to have conversations between meetings during her one-on-one conversations with Commissioners. A common thread heard today is the need for Commissioners to have a better snapshot of the CCDA work plan for the year, which goes far beyond the proposed calendar. She stated staff will incorporate work plan components into the proposed meeting calendar for the upcoming full Commission meeting to put the proposed calendar changes in context.

Public Comment

No public comment.

11. Full Commission Meeting – Update and Discussion

Executive Director Dawson stated the next full Commission meeting will be held on Wednesday, October 25th, at the DSA in Los Angeles and on Zoom. She reviewed the

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meeting agenda and stated staff will be working with Commissioners on travel arrangements.

There was no Commissioner discussion and no public comment.

12. Future Agenda Items - Discussion

No future agenda items were offered.

13. Adjourn

Vice Chair Holloway thanked everyone for their attendance and participation. He asked for a motion to adjourn the meeting.

MOTION: Commissioner ElHessen moved to adjourn the October 11, 2023, California Commission on Disability Access Executive Committee meeting. Commissioner Dillard seconded. Motion carried 4 yes, 0 no, and 0 abstain, per roll call vote as follows:

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

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