

CALIFORNIA COMMISSION ON DISABILITY ACCESS FULL COMMISSION

Meeting Minutes
October 25, 2023

[Note: Agenda Item 12 was taken out of order. These minutes reflect this Agenda Item as listed on the agenda and not as taken in chronological order.]

1. Call to Order

Chair Chris Downey welcomed everyone and called the meeting of the California Commission on Disability Access (CCDA or Commission) to order at 10:04 a.m. The meeting was on Zoom, via teleconference, and held at the Division of the State Architect, Los Angeles Regional Office, 355 South Grand Avenue, Suite 2100, Los Angeles, California, 90071.

Immediate Past Chair Leemhuis stated this is his last meeting; his term will end in January of 2024.

Chair Downey thanked Immediate Past Chair Leemhuis for his leadership and years of service on the Commission.

Housekeeping

Staff Member Strother reviewed the meeting protocols.

Roll Call

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

Commissioners Present:

Chris Downey, Chair

Brian Holloway, Vice Chair

Guy Leemhuis, Immediate Past Chair*¹

Rosilicie Ochoa Bogh, Senator, by Nicki Taylor*¹

Rob Bonta, Attorney General, by Deputy Attorney General Ben Conway*

Ida Clair, State Architect

Drake Dillard

Dr. Souraya Sue ElHessen*

Jacqueline Jackson

Ashley Leon-Vazquez*

Scott Lillibridge

Dr. Luciana Profaca

Hector Ramirez*

Sarahann Shapiro

*Participated remotely

¹ a.m. only

Commissioners Absent:

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Juan Alanis, Assembly Member
Matt Haney, Assembly Member
Melissa Hurtado, Senator

Staff Present:

Kamran Qazi, Legal Counsel
Stephanie Groce, Data and Research Analyst
Phil McPhaul, Operations Manager
Abigail Ridge, Administrative and Legislative Analyst
Presley Strother, Marketing and Outreach Analyst

Also Present:

Regina Brink, California Council of the Blind

Pledge of Allegiance

Chair Downey led the Commission in the Pledge of Allegiance.

2. Approval of Meeting Minutes (July 26, 2023) – Action

Motion: Vice Chair Holloway moved to approve the July 26, 2023, California Commission on Disability Access Full Commission Meeting Minutes as presented. Commissioner Jackson seconded. Motion carried 10 yes, 0 no, and 1 abstain, per roll call vote as follows:

The following Commissioners voted “Yes”: Commissioners Dillard, ElHessen, Jackson, Leemhuis, Leon-Vazquez, Lillibridge, Ramirez, and Shapiro, Vice Chair Holloway, and Chair Downey.

The following Commissioner abstained: Commissioner Profaca.

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

Commissioner Ramirez welcomed the Commission to Los Angeles County and stated Los Angeles County recognizes that they occupy the land that was originally inhabited by the Tongva, Tataviam, Serrano, Kizh, and Chumash Peoples. One of the best practices done as a county is to demonstrate a working relationship with local tribes. They suggested inviting the local California tribes to events. They encouraged the Commission to meet in various parts of California that represent the different business and tribal sectors, to provide the opportunity to recognize the tribal lands being visited, and engage with California business and tribal agencies to do outreach to the community to further elevate the work of the Commission. They shared information used in Los Angeles County in the Chat Section provided by the Native American Indian Commission.

A member of the public stated individuals who are unable to go to in-person meetings have been working for years to be allowed to participate remotely, but have been continually told that it was not feasible. It suddenly became feasible when society was inconvenienced by not being able to meet in-person during the COVID-19 pandemic. Zoom and other video conferencing platforms meant to allow meeting attendees to participate remotely also allowed individuals across the state to participate. Now that

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meetings are returning to in-person meetings, the Zoom component is being removed, so communities across the state no longer have access to participate. The speaker asked the Commission to advocate to maintain a remote meeting component to allow all members of the community to participate.

4. CCDA's New Commissioner Dr. Luciana Profaca – Update and Discussion

a. Pinning Ceremony

Staff Member McPhaul introduced Dr. Luciana Profaca and read her biography, which was included in the meeting materials. He presented Commissioner Profaca with a CCDA pin with the CCDA logo and banner, "Creating an accessible and barrier-free California."

Chair Downey and Commissioners welcomed Commissioner Profaca to the Commission.

5. Commission Tributes – Discussion

Staff Member McPhaul gave special thanks to the following Commissioners:

- Commissioners Clair, Dillard, and Holloway for their work on the Accessible Parking Campaign Toolkit.
- Commissioner Shapiro for moderating the San Jose Listening Forum.
- Commissioner Lillibridge for taking over the Legislative Committee duties, allowing staff to interview him, and his engagement with the Commission.
- Chair Downey for ten years with the CCDA, his leadership, and expertise he brings to the table.

Chair Downey spoke in thanks and gratitude for Immediate Past Chair Leemhuis's leadership, strength, and contributions to this Commission.

Commissioner Profaca acknowledged Commissioner Shapiro for her presentation and participation at the San Jose Listening Forum.

Staff Member McPhaul thanked all Commissioners for their willingness to help.

Public Comment

No public comment.

6. CCDA Elections – Action

a. Chair

Motion: Vice Chair Holloway moved to re-elect Chris Downey as chair of the California Commission on Disability Access for 2024. Motion carried 11 yes, 0 no, and 0 abstain, per roll call vote as follows:

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The following Commissioners voted “Yes”: Commissioners Dillard, ElHessen, Jackson, Leemhuis, Leon-Vazquez, Lillibridge, Profaca, Ramirez, and Shapiro, Vice Chair Holloway, and Chair Downey.

b. Vice Chair

Motion: Chair Downey moved to re-elect Brian Holloway as vice chair of the California Commission on Disability Access for 2024. Motion carried 11 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted “Yes”: Commissioners Dillard, ElHessen, Jackson, Leemhuis, Leon-Vazquez, Lillibridge, Profaca, Ramirez, and Shapiro, Vice Chair Holloway, and Chair Downey.

7. 2024 Meeting Calendar – Action

Staff Member McPhaul reviewed the proposed 2024 CCDA Meeting Calendar, which was included in the meeting materials.

Motion: Commissioners voted to adopt the 2024 CCDA Meeting Calendar as presented with a vote of 11 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted “Yes”: Commissioners Dillard, ElHessen, Jackson, Leemhuis, Leon-Vazquez, Lillibridge, Profaca, Ramirez, and Shapiro, Vice Chair Holloway, and Chair Downey.

Discussion

Vice Chair Holloway suggested that Commissioners immediately receive an electronic invitation to pertinent calendared meetings for the year to preserve the dates and avoid scheduling conflicts.

Public Comment

No public comment.

8. Data in Annual Report – Action

a. Law Firms

Staff Member McPhaul tabled this Agenda Item to the next Commission meeting.

9. CCDA’s Bylaw Review – Discussion

Staff Member McPhaul asked for comments and questions about the proposed changes to the CCDA bylaws.

There were no questions from Commissioners and no public comment.

10. Current Projects – Discussion

a. Executive Committee

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Vice Chair Holloway provided a brief update of the work of the Committee since the last Commission meeting:

- The Committee discussed the proposed bylaw changes, took public input, and provided recommendations to the full Commission.
- The Committee heard an update on the CCDA's strategic plan, suggested uses for the High Frequency Litigant (HFL) Fund, discussed upcoming social media opportunities, and discussed the Accessible Parking Campaign Toolkit and website accessibility.

b. Education and Outreach Committee

Commissioner ElHessen, Chair of the Education and Outreach (E&O) Committee, provided a brief update of the work of the Committee since the last Commission meeting:

- The Committee is currently working on the distribution of the CCDA Reference Guide on Disability Access and Education Revolving (DAER) Fund. Many cities are unaware of this fund.
- The Committee is preparing to do a pilot program on the CCDA Social Media Campaign.
- The Committee is discussing the Committee's role in the HFL Fund.
- The Committee is working on the distribution of the CCDA Business Checklist once it is finalized.
- The Committee is looking at the CCDA's response to Assembly Bill (AB) 2917 with the distribution of the Accessible Parking Campaign Toolkits once they are finalized, and are preparing for the CCDA Website Accessibility Compliance and Education Toolkit.
- The Committee is discussing the Committee's role in the CCDA Listening Forums and webinars.

Commissioner ElHessen stated the Statewide Independent Living Council of Georgia (SILCGA) has asked the Committee to collaborate by helping to create an Americans with Disabilities Act (ADA) video to be used as part of their media library, which can also be used as part of the CCDA Social Media Campaign. The video is to be in American Sign Language (ASL) format and in multiple languages.

c. Checklist Committee

Commissioner Dillard, Chair of the Checklist Committee, provided a brief update of the work of the Committee since the last Commission meeting:

- The Committee reviewed the Accessible Parking Campaign Toolkit. A final draft will be presented to the full Commission for review and approval at the next Commission meeting.

d. Legislative Committee

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Commissioner Lillibridge, Chair of the Legislative Committee, provided a brief update of the work of the Committee since the last Commission meeting:

- The September Committee meeting was canceled.
- Staff continues to track legislation that affects the Commission.

Discussion

Chair Downey stated concern that there are many jurisdictions that are unaware of the DAER Fund. He asked what happens to unused funds available to jurisdictions for disability access.

Commissioner ElHessen stated her understanding that city managers do not know of the DAER Fund. She stated she has a meeting scheduled in the first week of November to learn more about that issue.

Chair Downey thanked Commissioner ElHessen for stepping out and discovering important information and for going the extra mile to meet with her city manager to discuss the DAER Fund.

Commissioner Clair stated the primary purpose of the DAER Fund is to support the education, training, and examination fee of Certified Access Specialists (CASps) within each jurisdiction so more CASps will be available to serve the public. Excess funding may be used to support other programs that advance accessibility within the jurisdiction and not on jurisdiction facilities, which is another misconception.

Commissioner Clair noted that there is a disconnect in cities with departments not talking to each other. The building development side is often separate from other sides. She stated the DAER Fund collection is likely being used on the permit side that the city manager may not know of.

Staff Member McPhaul stated the CCDA Reference Guide on the DAER Fund has been created for distribution to businesses and cities to better understand the DAER Fund. Once the guide has been distributed, the CCDA is planning additional outreach to cities on the appropriate use of the funds, along with the listening forums and webinars.

Chair Downey stated building departments play a critical role in the compliance with accessibility regulations. It is important that the funding is accessible to them.

Commissioner Lillibridge asked if agencies can use the funding to help subsidize CASp inspections for new business owners.

Commissioner Clair stated they cannot. The law mandates the first use of these funds to support training and certifications of CASps within their jurisdictions. The use of the funds is for programs that increase public awareness on their responsibility under the ADA to maintain facilities and to provide education and outreach. CASp inspections begin to serve that so businesses can learn about the status of their compliance, make corrections, and then maintain compliance.

Public Comment

No public comment.

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11. CCDA Executive Director Report – Discussion

a. Administrative and Operational

Staff Member McPhaul presented the Executive Director Report for Executive Director Dawson, who was unable to be in attendance:

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 approximately 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 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.

Staff Member McPhaul reviewed Executive Director Dawson's list of presentations, conferences, and meetings attended since the last Commission meeting.

b. Financial Review

Staff Member McPhaul 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 Clair thanked Executive Director Dawson for introducing her to the State Council on Developmental Disability Advisory Council. She offered to present at a future Commission meeting on the DSA Access Program.

Commissioner Clair offered a complimentary 3-part, virtual DSA CASp 101 training course to Commissioners on November 30, December 7, and December 14, from 10:00 a.m. to 12:00 p.m.

Chair Downey suggested tapping into the approximately 700 SCORE entities statewide, like Executive Director Dawson did with the Monterey County Commission on Disability SCORE Silicon Valley.

Commissioner Dillard suggested accelerate the completion of the toolkits to promote and distribute at CCDA Listening Forums.

Commissioner Lillibridge agreed with meeting with the DGS budget team to better understand why the spending was low for the Operating Expenditures and Equipment Line Item and suggested connecting that with the meeting schedule and more boots-on-the-ground work.

Vice Chair Holloway stated appreciation to Commissioners and Executive Director Dawson for the amount of work being accomplished on the Commission's small budget and getting so much work out to the benefit of the community.

Public Comment

No public comment.

[Note: Agenda Item 12 was taken out of order and was heard after Agenda Item 13.]

12. Overview: Recent and Upcoming Webinar Collaborations with Pacific ADA Centers – Discussion

Presenters:

- Jan Garrett, Deputy Director of ADA Programs, Pacific ADA Center
- April Marie Dawson, Executive Director, CCDA

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Staff Member McPhaul showed an extract from the October 2, 2023, ADA Opportunities for Small Businesses: Accessibility and Customer Service webinar, which is posted on the CalifDGS YouTube channel in collaboration with the Pacific ADA Center.

Discussion

Commissioner ElHessen asked if the webinar recording is available on the CCDA website.

Staff Member McPhaul stated the webinar recording is posted under the Resources tab on the website.

Commissioner Profaca asked if the Q&A session at the end of the webinar is included in the recording.

Staff Member McPhaul stated it was included as part of the webinar.

Commissioner Ramirez stated the webinar highlighted the disparities in the disability community.

Public Comment

No public comment.

Lunch Break

13. Legislative Bill Reporting – Update and Discussion

Corrina Roy, Legislative Consultant, Office of Legislative Affairs, DGS, summarized the CCDA Legislative Status Report on the bills staff is tracking, which was included in the meeting materials.

a. Senate Bill 143: State Government.

This bill was a stop-gap measure that puts Bagley-Keene Open Meeting Act exceptions in place through the end of 2023.

b. Assembly Bill 222: Civil Rights Department: Californians with disabilities workgroup.

This bill is now a two-year bill and will not be moving forward in 2023.

c. Assembly Bill 410: Shared mobility devices.

This bill was signed into law by Governor Newsom and will go into effect on January 1, 2024.

d. Senate Bill 544: Bagley-Keene Open Meeting Act: teleconferencing.

This bill was signed into law by Governor Newsom and will go into effect on January 1, 2024.

e. Senate Bill 585: Disability access: construction-related accessibility claims: statutory damages: attorney's fees and costs.

This bill is now a two-year bill and will not be moving forward in 2023.

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f. Senate Bill 748: Disability access and information: local government: notice.

This bill was signed into law by Governor Newsom and will go into effect on January 1, 2024.

g. Assembly Bill 950: Accessibility: internet websites.

This bill is now a two-year bill and will not be moving forward in 2023.

h. Assembly Bill 1163: Lesbian, Gay, Bisexual, and Transgender Disparities Reduction Act.

This bill will no longer affect the CCDA. The CCDA was amended out of this bill in June of 2023.

i. Assembly Bill 1404: Disability access: internet website-related accessibility claims.

This bill was contingent on AB 1757, which failed to pass out of the Senate Appropriations Committee.

j. Assembly Bill 1757: Accessibility: internet websites.

This bill failed to pass out of the Senate Appropriations Committee.

There were no questions from Commissioners and no public comment.

14. CCDA's Outreach – Discussion

Staff Member McPhaul reviewed plans for outreach in the first quarter of 2024.

- Disseminate the quick reference guide to the DAER Fund.
- Disseminate the Accessible Parking Campaign Toolkit.
- Continue holding listening forums and webinars.
 - Another webinar with the city of San Jose will be held in late November or early December.
 - Listening forums are being planned for Monterey and Sunnyvale.

Staff Member McPhaul asked for suggestions for disseminating CCDA information.

Discussion

Commissioner Profaca stated an annual business license renewal is required. She asked if CCDA resources have been identified in a brochure as part of the business license renewal process.

Commissioner Clair stated, when the business license renewal fee is collected, there is a mandated notice that goes out with that fee, but how detailed it is, is unknown. She agreed with researching that to see if it can be expanded. Also, the Building Department is mandated to issue a notice to everyone who applies for a permit informing them of their responsibilities under the ADA. She stated information is provided in pieces. She

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suggested developing a repository of necessary information in one place or creating a business manual for businesses to refer to. Compliance should extend to daily reminders for accessibility and training modules for staff. Having these pieces in one accessible location that is structured in an outline form to guide business owners to resources would be helpful.

Commissioner Shapiro stated Senate Bill (SB) 748, which will go into effect on January 1, 2024, requires a document to be included when business licenses are issued discussing the penalties of failing to conform and including information on access. She suggested partnering with Senator Roth's office or the Senate Counsel's office, which will be putting together the information to be required in this document, to include information on how to obtain a CASp and add links, resource information, and notes for CCDA resource materials.

Staff Member Ridge stated SB 748 directs the CCDA to assist with legal help but it can help with other resources as well.

Commissioner Shapiro asked if staff has considered indexing videos and webinars with key words and putting them in one location for easy searchable access.

Staff Member McPhaul stated the information is on the website and staff has been working to better categorize the information for easy search. He agreed that more material can be added for a more complete topical index.

Commissioner Shapiro suggested also posting the material on other public channels that are readily accessible by the public to reach a broader audience.

Staff Member Ridge stated the CCDA is under the DGS and must go through the DGS Public Affairs Office to post material on social media. The webinar is posted on YouTube on the DGS's YouTube Channel. Staff is working with DGS on a pilot program for the CCDA to have its own social media channel.

Commissioner Dillard stated concern with CCDA having a YouTube channel. He stated the need to be organized in-house first and then perhaps partner with other entities that have YouTube channels.

Commissioner Clair stated the need to put out important and reliable information but not recreate information that is already available. It is important to include effective links to ada.gov and the Pacific ADA Center, since they are the regional arm for the ADA. The more the CCDA provides links on the website to these reputable sources, the more it will improve the search results. The CCDA-created materials have California-specific information. She suggested linking to federal entities instead of recreating them, and providing credible California-specific information such as legal benefits, resources, laws, and statutes. She suggested talking to the Pacific ADA Center to get reputable links to the federal site to strengthen the CCDA resources page.

Commissioner Leon-Vazquez stated, when opening her shops, most of her awareness of the minimum ADA requirements came from the California Department of Public Health (CDPH), specifically the Plan Check program, which is part of the licensing

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process before contacting the city. She suggested reviewing that information and collaborating with the CDPH to keep the information up to date.

Commissioner Jackson stated she sits on the San Diego Mayor's Committee on Accessibility Access Board. She stated she would like to ensure that they have this information and learn how they distribute their information to businesses about requirements and resources.

Staff Member McPhaul asked all Commissioners to distribute the CCDA materials to their local businesses and government entities.

Commissioner Ramirez suggested, because of turnover, reconnecting with local leadership to learn about the work being done at the state and local levels.

Commissioner Clair suggested partnering with the League of California Cities, California Association of Counties, and the California Building Officials to cast a wider net. They are the professional organizations of cities, counties, and planning and building departments. She suggested cross-linking resources with these entities and asking them to promote CCDA materials at their events.

Chair Downey suggested partnering with the Small Business Administration and the Small Business Commission in San Francisco. He suggested tapping into the approximately 700 SCORE entities statewide and ensuring that the CCDA is linked as a resource.

Commissioner Shapiro stated many cities have an Accessibility Services Department. She suggested using some of the funds to host a roundtable forum and invite the officials of different cities and counties to come and share ideas to avoid reinventing the wheel. Cities often do not know what other cities are doing. She suggested putting together panels of cities that are successful in their efforts to help spread those ideas around the state.

Commissioner Profaca stated it is clear that there is much expertise around the resources that are available and the different avenues and links that are possible. What is less clear is how to coordinate all that information. It seems that there may be expertise in a different arena in the technical areas around how to link information to be the site that pops up when someone searches for accessibility information. She suggested contacting IT and computer programming programs in universities.

Commissioner Clair suggested putting that through to Monica Hassan, Deputy Director of Public Affairs at DGS, to learn how this works with a state of California website on how to identify key words to generate traffic to the website.

Staff Member Ridge stated staff has been working on reorganizing and working with DGS to learn how to make the tags for the CCDA resources.

Public Comment

No public comment.

15. Equity and CCDA – Update and Discussion

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Staff Member McPhaul tabled this Agenda Item to the next Commission meeting.

16. Listening Forums – Discussion

Staff Member McPhaul presented his report:

a. Prior

b. Timeline

Staff Member McPhaul reviewed details about the August 31st listening forum with the city of San Jose.

Discussion

Commissioner Shapiro stated appreciation for the resources dedicated by the city of San Jose for hosting the forum. Listening forums are a good way to connect businesses and disability resources. The panel presentations added to the rich and robust conversation that was extremely informative. Participants worked together to increase accessibility in a way that businesses could embrace. She encouraged Commissioners to participate in future listening forums.

Commissioner Profaca stated it was surprising how few participants knew of the resources available to them. The forum had a feeling of collaboration and cooperation. If this can be created in many venues across the state, the state would be richer for it. She commended staff and stated Executive Director Dawson was a good representative for the Commission.

Commissioner Lillibridge asked how the listening forum was advertised. He stated listening forums pre-pandemic had upwards of 150 participants. He stated he expected a large city like the city of San Jose to have at least 100 participants.

Commissioner Clair stated it is difficult for the small business community to find the time to attend events and they receive conflicting messaging. How to share this information has always been a challenge. There are many individuals in the legal community who tell small business owners to claim ignorance of the law. Sometimes small business owners do not want the information because they feel it is a defense. She stated even small numbers of small business owners who attend make the forum a success and, hopefully, they will spread the word so the next forum will have more small business owners present.

Commissioner Shapiro suggested varying the days and times for listening forums. She stated perhaps holding listening forums from 3:00 p.m. to 5:00 p.m. on a weekday was not a good timeframe for business owners in San Jose.

Commissioner Clair stated everyone has a role and that includes the business owner. The business owner cannot say that they did everything that they were supposed to do because, at some point, the maintenance of accessible features is mandated in the Building Code and in the ADA. This is what needs to be imparted and educated.

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Commissioner Shapiro suggested making a checklist of things that go out of compliance from a time and wear-and-tear perspective, such as tree roots causing sidewalks to become uneven over time.

Chair Downey agreed that it is not a static world and that certain things need to be monitored to ensure continued compliance. He stated the CCDA had a similar checklist more along the lines of making sure the paths of travel and access to plumbing fixtures stayed clear. He asked staff to update and broaden the items on that checklist to include Commissioner Shapiro's suggestions and present it at a future meeting.

Public Comment

Regina Brink, Assistant Director of Governmental Affairs, California Council of the Blind, stated appreciation that the Commission is working on web accessibility, which is important for individuals' daily lives. The speaker urged the Commission to make web accessibility a priority. The physical built environment is important. Web accessibility is important for accessing medical information. It affects health and every aspect of individuals' lives. The speaker noted that individuals do not know to check the box to make their PDF's accessible.

Chair Downey agreed and stated more and more commerce has moved to the digital space and with it more and more opportunities are there for accessibility, if it is properly engaged. He stated the CCDA's mandate has recently been expanded to include digital access. He stated he looks forward to working with the California Council of the Blind on this issue.

17. 2022 Annual Report – Update and Discussion

Staff Member McPhaul stated the CCDA 2022 Annual Report to the Legislature has been released and is available on the CCDA website. He acknowledged Staff Member Ridge for her outstanding job putting the report together.

Discussion

Vice Chair Holloway stated the report is well organized and has a good table of contents. The information contained in the report is amazing. He complimented staff for putting this together.

Public Comment

No public comment.

18. Website Accessibility & CCDA – Discussion

a. Methods to Incorporate in CCDA Project Planning

Staff Member McPhaul deferred to Staff Member Ridge to present this agenda item.

Staff Member Ridge provided an overview of the AB 2917 mandates to the CCDA. She stated AB 2917 expanded CCDA's reporting to the Legislature to include website accessibility and to create educational materials or modules related to website accessibility to facilitate website accessibility compliance.

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Staff Member McPhaul asked the following question to facilitate the discussion and Commissioners provided feedback as follows:

1. What information would be valuable for a business owner to understand about the ins and outs of website accessibility?
 - Possible legal liabilities and current website accessibility standards.
 - Create a separate toolkit focusing on defining website compatibility and compliance.
 - Include initial and ongoing requirements and resources for website accessibility.
 - The law is not settled in this space.
 - Create separate toolkits or separate sections for businesses based on size or revenue with the theory that larger organizations should already know better.
 - The regulations remain the same for all websites, but the outreach may be different for smaller versus larger businesses.
 - Narrow what is the most useful access for the greatest number of members of the disability community.
 - The natural progression is that entities that create websites for businesses will need to be certified. Community colleges or technical schools will then need to teach individuals how to make websites accessible.
 - Section 504, the federal standards that guide the ADA, is under review for the first time. One of the big changes is an enforceable standard for website accessibility. A complaint process should be put in place.
 - Postpone developing toolkits until the new federal standards come out.
 - Develop toolkits that are not tied to legal standards but are tied to, for example, best practices or individuals filing for a new small business license and walking them through the procurement process and how to find someone to build their digital presence.
 - Squarespace Website Builder is the leading small space platform for small businesses to create their websites. It has an ADA compliant section in their website-building Q&A.
 - Hold website builders accountable.
 - Hold large companies accountable by creating a checklist for them.
 - Be clear that the toolkits apply to websites engaged in commerce.

Public Comment

Regina Brink stated the Web Content Accessibility Guidelines (WCAG) 2.0 standards are being examined to be standardized.

19. Future Agenda Items – Discussion

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Chair Downey asked Commissioners for suggestions for the next agenda.

Commissioner Profaca asked for a discussion on the accessibility of state and county parks.

Commissioner Clair offered to present at a future Commission meeting on the DSA Access Program.

Chair Downey asked staff to present an updated and broadened checklist of items to be monitored for continued compliance, and including Commissioner Shapiro's earlier suggestions.

20. Adjourn

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

Motion: Commissioner Lillibridge moved to adjourn the October 25, 2023, California Commission on Disability Access Full Commission meeting. Commissioner Shapiro seconded. Motion carried 10 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Commissioners voted "Yes": Commissioners Dillard, ElHessen, Jackson, Leon-Vazquez, Lillibridge, Profaca, Ramirez, and Shapiro, Vice Chair Holloway, and Chair Downey.

There being no further business, the meeting was adjourned at 3:27 p.m.