

CALIFORNIA COMMISSION ON DISABILITY ACCESS FULL COMMISSION

Meeting Minutes
March 26, 2025

1. Call to Order

Vice Chair Brian Holloway welcomed everyone and called the meeting of the California Commission on Disability Access (CCDA or Commission) to order at 10:01 a.m. The meeting was on Zoom, via teleconference, and held at the Westin San Francisco Airport Hotel (Aspen Room), 1 Old Bayshore Hwy, Millbrae, California 94030.

Housekeeping

Staff Member Baker-Strother reviewed the meeting protocols.

Roll Call

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

Commissioners Present:

Brian Holloway, Vice Chair

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

Ida Clair, State Architect

Drake Dillard

Jacqueline Jackson

Ashley Leon-Vazquez

Scott Lillibridge

Dr. Luciana Profaca

Hector Ramirez

Sarahann Shapiro

Commissioners Absent:

Chris Downey, Chair

Juan Alanis, Assembly Member

Rosilicie Ochoa Bogh, Senator

Matt Haney, Assembly Member

Melissa Hurtado, Senator

Staff Present:

April Dawson Rawlings, Executive Director

Abigail Ridge, Operations Manager

Presley Baker-Strother, Marketing and Outreach Analyst

Stephanie Groce, Data and Research Analyst

Sabina Nakarmi, Program Technician

Also Present:

Juan Borrelli, Small Business Ally Program Manager, City of San Jose

Debbie Mallari, Legal Counsel

**California Commission on Disability Access
Full Commission
March 26, 2025, Meeting Minutes**

Melerie Michael, Legislative Consultant, Office of Legislative Affairs, California
Department of General Services
Raania Mohsen, Disability Affairs Officer, City of San Jose
Dan Okenfuss, Public Policy Manager, California Foundation for Independent Living
Centers and Legislative Committee member

Pledge of Allegiance

Vice Chair Holloway led the Commission in the Pledge of Allegiance.

2. Approval of Meeting Minutes (October 23, 2024) – Action

Motion: Commissioner Shapiro moved to approve the October 23, 2024, California Commission on Disability Access Full Commission Meeting Minutes as presented. Commissioner Jackson seconded. There was no public comment on the motion. Motion carried 7 yes, 0 no, and 1 abstain, per roll call vote as follows:

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

The following Commissioner abstained: Commissioner Dr. Profaca.

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

No members of the public addressed the Commission.

4. Bagley-Keene Open Meeting Act – Update and Discussion

a. DGS Office of Legal Services (OLS)

Executive Director Dawson Rawlings stated the Commission will hear a presentation of the Bagley-Keene Open Meeting Act and how it relates to the work of the CCDA.

Debbie Mallari, Attorney, California Department of General Services (DGS) OLS, provided an overview, with a slide presentation, of the purpose, meetings subject to the Bagley-Keene Open Meeting Act, open meeting procedures, closed sessions, and consequences for violations of the Bagley-Keene Open Meeting Act.

Discussion

Commissioners asked clarifying questions about the rules and procedures.

5. Commission Tributes – Discussion

a. Commissioner Drake Dillard

Executive Director Dawson Rawlings stated, at the last meeting of the year, a Commissioner is highlighted who has made distinctive contributions to the community and the Commission over the past year. Commissioner Dillard was acknowledged at the October 2024 meeting for his help in editing and finalizing the Accessible Parking Campaign Toolkit, his commitment to equity and young people, and his efforts to ensure

California Commission on Disability Access
Full Commission
March 26, 2025, Meeting Minutes

that all voices are heard. She stated Commissioner Dillard is active with the American Institute of Architects (AIA) and was instrumental in the Destination Crenshaw Revitalization Project.

Executive Director Dawson Rawlings stated a video interview with Commissioner Dillard was unable to play at the October meeting due to technical difficulties. She asked staff to play that video today.

Vice Chair Holloway and Commissioners thanked Commissioner Dillard for his work in the community and with the Commission.

Executive Director Dawson Rawlings stated Commissioner tributes are posted on the website.

6. CCDA Projects and Meetings – Update and Discussion

a. Project Docket and CCDA Strategic Plan

b. Upcoming Meetings

Executive Director Dawson Rawlings discussed the projects and meetings that do not have a dedicated agenda item, including:

- The website toolkit staff draft has been sent to state organizations and community partners for review to ensure that all feedback is represented. The website toolkit will be presented at a future meeting.
- The DSA has offered to assist staff in updating the Construction one-pager for code changes.
- Staff will work with the DSA, the CCDA Checklist Committee, and other partners on revising the Accessible Parking Campaign.
- Staff will bring ideas submitted by Vice Chair Holloway to the Checklist Committee.
- Staff is in the process of identifying and updating key codes within the CCDA's Legal Portal to better align with Chapter 11B, increase the accuracy of complaint allegations, and simplify the process for attorney document submittals.
- The 2023 CCDA Annual Report to the Legislature is available in digital and hard copy formats. A PDF version is available on the website. It is being translated into multiple languages.
- The staff draft of the 2024 CCDA Annual Report to the Legislature was submitted to the DGS for review last week.
- The CCDA's current five-year strategic plan expired on December 31, 2024. The bidding process for a new consultant closed Monday. The new consultant will soon be announced.

Discussion

California Commission on Disability Access
Full Commission
March 26, 2025, Meeting Minutes

Commissioners asked clarifying questions about the selection process for the strategic plan consultant.

Public Comment

There was no public comment.

7. CCDA Executive Director Report – Discussion

a. Administrative and Operational

Executive Director Dawson Rawlings provided a brief update on the work of the Commission since the last Commission meeting.

Commissioner Vacancies

There are two vacancies, both representing the interests of the disability community. The appointing authorities are the Governor and Senate Rules Committee, respectively.

Reappointments

Commissioners Jackson and Dillard were reappointed by the Governor. They are awaiting Senate confirmation.

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

Term Expirations

Commissioner Dr. ElHessen's term expired at the end of last year. Executive Director Dawson Rawlings thanked Commissioner Dr. ElHessen for her years of service to the Commission.

Staffing Updates

Abigail Ridge, formerly the CCDA's Administrative and Legislative Analyst, has been promoted to Operations Manager. The CCDA's prior Operations Manager, Phil McPhaul, left the CCDA in November for another opportunity.

The CCDA has two vacant SSA positions due to turnover and promotions. The Education and Outreach Analyst and Administrative Analyst positions will be posted in the coming weeks. Management is actively working with DGS HR to fill those positions as quickly as possible.

Conferences and Meetings Attended

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

b. Financial Review

Executive Director Dawson Rawlings reviewed the Fiscal Year (FY) 2024-25 Second Quarter Financial Report, which was included in the meeting materials. It was prepared by the Department of General Services (DGS) budget analyst team.

- The CCDA's Total Budget Spending Authority is \$1,582,000.

California Commission on Disability Access
Full Commission
March 26, 2025, Meeting Minutes

- \$648,000 has been spent to date.
- The total budget authority for Personal Services was \$834,000.
 - \$407,669 has been spent to date.
- The total budget authority for Operating Expenditures and Equipment was \$728,000.
 - \$240,180 has been spent to date.
- The total budget authority for the High Frequency Litigant (HFL) Fund is \$1,023,000.
 - \$130,000 has been spent to date.

Executive Director Dawson Rawlings stated unique ways to spend the HFL funding down is to hire a retired annuitant to help with technical assistance questions being received from the public and to build relationships with municipalities and others. The HFL Fund is also used for translators at community forums and webinars.

Discussion

Commissioner Dr. Profaca asked for additional details on how to spend down the HFL Fund.

Executive Director Dawson Rawlings stated the only stipulation is that the HFL Fund may not be used for items in the Operating Budget and must be used toward the overall mission of outreach, preventing high frequency litigation, and educating the community on disability access.

Commissioner Dr. Profaca asked about the possibility of creating a grant program to fund Certified Access Specialist (CAsp) training.

Executive Director Dawson Rawlings stated the CCDA is not set up to be a grant-making Commission. Also, the DGS has cautioned against using the HFL Fund for ongoing programs.

Commissioner Shapiro suggested using the HFL Fund to make a video of a CAsp inspection to be used for education and training.

Commissioner Dr. Profaca agreed with Commissioner Shapiro's suggestion.

Executive Director Dawson Rawlings agreed and suggested making videos showing how to dispel myths, what to do after receiving a demand letter, and different parts of the CCDA's Accessible Parking Campaign.

Commissioner Clair stated the need for strict guidance and parameters with that type of video. She stated the need to ensure that local jurisdictions also perform CAsp inspections. She cautioned against stipulating any kind of tools to use and construction tolerances. A how-to is fine as "an" example, not "the" example.

Commissioner Clair suggested using the HFL Fund to provide continuing education for the State Bar for attorneys that represent business owners on disability access, when businesses get a demand letter, and how to assist business owners in addressing that.

California Commission on Disability Access
Full Commission
March 26, 2025, Meeting Minutes

Commissioner Lillibridge agreed and suggested using the Fund for better reporting to the Commission and the Legislature, such as continuing education for attorneys on the top ten alleged disability access violations.

Commissioner Shapiro recommended adding legal education, particularly when all attorneys are required to have a certain amount of time spent on the elimination of bias.

Commissioner Leon-Vazquez agreed with creating a video for business owners on what to do when they receive a demand letter. She suggested collecting personal and emotional narratives from business owners.

Commissioner Clair suggested a video for business owners on maintaining compliance, including employee education, engagement with the disability community, understanding the questions they can ask about service animals, understanding how to maintain restrooms and walkways free of obstacles, and providing guidance for employers on how they can train their employees for when they are not there on these same issues.

Commissioner Shapiro agreed and suggested that the video for business owners include property managers.

Commissioner Ramirez agreed with Commissioner suggestions. They stated the need to ensure there is an intentional disability component so it is balanced between the public sector and consumers. One of the biggest opportunities to engage business and community in the short-term is the Olympics. They suggested preparing business partners to meet this great opportunity.

Commissioner Ramirez suggested engaging with the U.S. Access Board to elevate the missions of the CCDA and the Access Board.

Public Comment

Thyme Curtis, City of San Diego, wrote in the Chat Section asking for a link to information where the public can view ADA litigation in businesses by city or county.

Executive Director Dawson Rawlings stated the 2023 Annual Report to the Legislature is posted on the website and is being translated into multiple languages. She asked Thyme Curtis to reach out to staff for alternate formats and languages.

8. Disability Access and Education Revolving Fund (DAER Fund) – Update and Discussion

a. Access Compliance Fund

Commissioner Clair provided an overview, with a slide presentation, of the background, statewide collection of funds, and resources of the DAER Fund. She stated the purpose of the Fund is to increase disability access and compliance with construction-related accessibility requirements through increasing the number of CASps by using funds to moderate costs of certification and testing, and maintaining oversight of the CASp program, including adopting best practices, providing continuing education, and performing audit and discipline functions.

**California Commission on Disability Access
Full Commission
March 26, 2025, Meeting Minutes**

Discussion

Commissioner Ramirez asked if the Division of the State Architect (DSA) works with counties.

Commissioner Clair stated the DSA works in cities and counties to educate CASps and provides resources that they can then distribute. The DSA does not work with individual programs.

Commissioner Dillard asked if the cities and counties are utilizing the Fund appropriately.

Commissioner Clair stated the DSA is required to report to the Legislature in their annual report. When the cities send their reports to the DSA, they are required to state how the funds were utilized.

Vice Chair Holloway asked if any portion of the Fund is usable to offset the cost of physical improvements for compliance.

Commissioner Clair stated the most recent amendments to the bill, which expanded the permissible uses of the Fund, stated the Fund can support physical improvements, if needed, in small businesses with under 50 employees.

Public Comment

There was no public comment.

9. CCDA's Outreach – Update and Discussion

a. Upcoming CCDA Listening Forum

Executive Director Dawson Rawlings stated the Commission has been intentional in directing staff to ensure that the Commission is living its mission in the community. One of the ways the Commission is doing that is by sponsoring regional forums in the communities that tend to trend high on the HFL list in the CCDA Annual Report to the Legislature. She reviewed the flier for the Listening Forum to be held after the Commission meeting today in the Aspen Room of the Westin San Francisco Airport Hotel. The theme of the Listening Forum is Disability Compliance at Places of Business to Improve Access for All. The next Listening Forum will be held in Sacramento in June.

b. 2025 Webinars

Executive Director Dawson Rawlings stated staff continues to work with the Pacific ADA Center on the 2025 Webinar Collaboration Series. A lunch-and-learn webinar will be held on Tuesday, April 22nd, on the Business Owners and Operators Guide to Accessible Parking. The next webinar will be in October on Business Resiliency.

Executive Director Dawson Rawlings stated she has been asked to serve on panels at ADA conferences in Bakersfield on July 24th and Ventura County in September.

c. CCDA Video Series: Myth-Busting

Executive Director Dawson Rawlings stated the first video in the ten-video Accessibility Myth-Busters series has been created with the DGS Office of Public Affairs on dispelling

**California Commission on Disability Access
Full Commission
March 26, 2025, Meeting Minutes**

accessibility myths. One of the featured actors was Commissioner Lillibridge. The video is currently in post-production.

Discussion

Commissioner Ramirez thanked staff for the business resilience webinar. Businesses in Southern California are devastated by the recent fires. They volunteered to help with the webinar.

Vice Chair Holloway asked Commissioners to volunteer to help with the Myth-Busters video series

Commissioner Ramirez volunteered to be an actor in the Accessibility Myth-Busters video series.

10. Legislative Bill Tracking – Update and Discussion

Melerie Michael, Legislative Consultant, Office of Legislative Affairs, Department of General Services (DGS), summarized the CCDA Legislative Status Report on the bills staff is tracking, which was included in the meeting materials.

a. Senate Bill 84: Disability access: construction-related accessibility claims: notice of violation and opportunity to correct.

This bill is identical to Assembly Bill 780. This bill is now at the Senate Judiciary and has not yet been set for hearing.

b. Senate Bill 470: Bagley-Keene Open Meeting Act: teleconferencing.

This bill is now at the Senate Judiciary. It was just heard yesterday in the Senate Organization. It has not yet been set for hearing.

c. Senate Bill 523: Individuals with disabilities or medical conditions.

This bill has been amended to apply to the California Earthquake Authority.

d. Assembly Bill 649: Disability access: construction-related accessibility claim.

This bill is in the Assembly Judiciary. It has not yet been set for hearing.

e. Assembly Bill 780: Disability access: construction-related accessibility claims: notice of violation and opportunity to correct.

This bill is in the Assembly Judiciary. It has not yet been set for hearing.

Discussion

Commissioners asked clarifying questions.

Public Comment

Dan Okenfuss, Public Policy Manager, California Foundation for Independent Living Centers (CFILC) and CCDA Legislative Committee Member, referred to AB 649, AB 780, and SB 84 and stated they all seem to be addressing the same perceived concern to target high frequency litigants issuing various legal actions against businesses. He

California Commission on Disability Access
Full Commission
March 26, 2025, Meeting Minutes

asked if the number of lawsuits on construction accessibility claims is still in a downward trend.

Executive Director Dawson Rawlings suggested that she present on trends at a future Commission meeting.

11. Presentation: Accessibility at City of San Jose: Disability Affairs and CASp Grant Program – Discussion

Raania Mohsen, Disability Affairs Officer, Office of Racial and Social Equity City Manager's Office, City of San Jose, provided an overview, with a slide presentation, of the city's disability affairs portfolio, disability inclusion equity pledge, business coaching center, the city's Small Business Ally Program, and the Disability Access Improvement Grant Program.

Juan Borrelli, Small Business Ally Program Manager, Office of Economic Development and Cultural Affairs, City of San Jose, continued the slide presentation and discussed the Business Coaching Center, the city's Small Business Ally Program, and the Disability Access Improvement Grant Program.

Discussion

Commissioner Lillibridge asked about the percentage of applicants that receive a grant and how the amount of the grant they receive is calculated.

Mr. Borrelli stated no one has been turned away. The Phase 1 Grant offers a credit of up to \$8,000 in permitting fees. Grant recipients to date have averaged approximately \$5,000. The Phase 2 Grant offers a reimbursement of up to \$25,000. Grantees are required to get a cost estimate for the construction work or remediation. They are reimbursed up front up to 80 percent. Then, once they prove, through a final CASp inspection, that the work has been completed to address all remediations, they are reimbursed the remaining 20 percent up to \$25,000.

Commissioner Shapiro asked if the city has encountered the myth where small business owners believe that it is the landlord's responsibility to do their CASp report or their accessibility improvements, when all parties have this obligation.

Mr. Borrelli stated he has not specifically heard that. More often than not, it is that small businesses do not know what their obligations are. They do not ask up front before they sign a lease from a property owner if there is a CASp inspection available. For new businesses coming into the city, accessibility reviews through the building permit plan check process require them to prove that the space is fully accessible by their licensed architect filling out an Accessibility Compliance form, or then to make the spaces fully accessible.

Mr. Borelli stated landlords technically are responsible for their property and the spaces should be provided to businesses fully accessible. He stated every lease agreement he has seen in the city of San Jose says that any kind of permit from the city or improvement to the property is the responsibility of the tenant.

Public Comment

**California Commission on Disability Access
Full Commission
March 26, 2025, Meeting Minutes**

There was no public comment.

12. Next Full Commission Meeting: Wednesday, June 25, 2025 – Update and Discussion

Executive Director Dawson Rawlings stated the June 25th Commission meeting will be held in Sacramento. More details are forthcoming.

There were no questions from Commissioners and no public comment.

13. Future Agenda Items – Discussion

Vice Chair Holloway asked Commissioners for suggestions for the next agenda.

No future agenda items were offered.

14. Adjourn

Vice Chair Holloway thanked everyone for their participation. He invited everyone to join the Commission for a Listening Session from 3:00 to 5:00 p.m.

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

Motion: Commissioner Lillibridge moved to adjourn the March 26, 2025, California Commission on Disability Access Full Commission Meeting. Commissioner Shapiro seconded. Motion carried 8 yes, 0 no, and 0 abstain, per roll call vote as follows:

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

There being no further business, the meeting was adjourned at 1:13 p.m.