

# **CALIFORNIA COMMISSION ON DISABILITY ACCESS EXECUTIVE COMMITTEE**

Teleconference Meeting Minutes  
January 14, 2021

## **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 1:36 p.m. Due to the ongoing health emergency, and consistent with Executive Order N-25-20 and Executive Order N-29-20, this meeting was conducted entirely by Zoom teleconference.

Staff Member Saenz reviewed the meeting protocols.

### **Roll Call**

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

#### Commissioners Present:

Chris Downey, Chair  
Douglas Wiele, Vice Chair  
Souraya Sue ElHessen  
Brian Holloway  
Guy Leemhuis, Immediate Past Chair  
Michael Paravagna

#### Other Commissioners Present:

Drake Dillard  
Jacqueline Jackson  
Brian Jones, Senator, represented by  
Danielle Parsons  
Tom Lackey, Assembly Member,  
represented by Mary Maida

#### Staff Present:

Angela Jemmott, Executive Director  
Richard Goldberg, Legal Counsel  
Adam Barsanti, Associate Governmental  
Program Analyst  
Theresa Brown, Data and Research Analyst  
Stephanie Groce, Disability Access  
Technician  
Davina Saenz, Marketing and Outreach  
Analyst

#### Also Present:

No members of the public addressed the Committee.

## **2. Approval of Meeting Minutes (October 14, 2020) – Action**

**Motion:** Commissioner Holloway moved to approve the October 14, 2021, California Commission on Disability Access Executive Meeting Minutes as

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presented. Commissioner ElHessen seconded. Motion carried unanimously with no abstentions.

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

No members of the public addressed the Committee.

**4. New Commissioners Committee Membership Recommendation – Update**

Chair Downey appointed Commissioner Jackson to serve on the Legislative Committee and Commissioner Dillard to serve on the Checklist Committee.

**5. Amendments to CCDA Bylaws – Update, Discussion, and Action**

**a. Review the Suggested Amendments for Implementation**

**b. Explore need for an Ad Hoc Governance Committee**

Executive Director Jemmott reviewed the proposed amendments to the CCDA Bylaws, which were included in the meeting materials.

Section 3, Membership

Vice Chair Wiele asked for a definition of the word “meeting” in the Bylaws.

Executive Director Jemmott stated “meeting” is defined in Section 4, Meeting of the Commission, and refers to full Commission meetings and Committee meetings Commissioners are assigned to.

Vice Chair Wiele referred to the proposed language for Section 3.4 and asked what would occur if the CCDA Chair or Executive Director interprets a resignation but the appointing authority does not declare the position vacant.

Executive Director Jemmott stated that is the current situation. Historically, there have been Commissioners who attend only one meeting and then never respond to staff communications or they confirm that they will be in attendance but repeatedly are not. This keeps other interested individuals from serving on the Commission since those positions are technically filled.

Chair Downey agreed and added that this affects the quorum and the ability of the Commission to conduct business.

Vice Chair Wiele stated Section 4.3 requires a “majority of appointed, voting members” to constitute a quorum and noted that this does not occur in Committee meetings. He stated the need for clarification as to the individuals who are required to be in Committee meetings.

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Danielle Parsons stated there is a definition of "meeting" in the Bagley-Keene Open Meeting Act, which would apply to this Commission. She suggested including a cross-reference in the Bylaws such as "a meeting, as defined in the Bagley-Keene Act."

Executive Director Jemmott stated ex officio members are non-voting members and do not affect the quorum for full Commission meetings. All public members who serve on Committees are counted for Committee quorums.

Chair Downey suggested more clarity to that distinction.

Commissioner Leemhuis asked what is trying to be achieved by the proposed language. He stated his understanding that a Commissioner cannot be dismissed due of the appointment structure. The Commission can only report to the appointing authority that there appears to be a nonactive member; therefore, the proposed language must only apply to public members.

Executive Director Jemmott stated the proposed language puts into the Bylaws that three consecutive unexcused absences with no response to staff communications will be interpreted as a formal resignation so the Commission can request the appointing authority to reappoint the position.

Commissioner Leemhuis agreed. He asked staff to continue to document the protocol used for every meeting – notice is given prior to meetings, note Commissioners who do not confirm attendance or do not attend, staff sends a follow-up communication regarding the absence, and whether there was a response to the staff communication. Noncommunication by a Commissioner includes a total of at least nine attempts from staff to reach out to them – before, during, and after each meeting.

Section 1, Officers and Duties

Vice Chair Wiele asked if anyone outside of the Commission is requesting this change.

Chair Downey stated he had asked staff about this item. He agreed to dismiss the proposed changes to this item.

Section 2, Executive Committee

Chair Downey stated there are two issues dealt with in the proposed language: the creation of a governance committee to review the Bylaws and performance review protocols for the Executive Director. He noted that the Executive Committee is currently tasked with reviewing the Bylaws.

Commissioner Leemhuis stated it is difficult to fill the existing standing committees let alone to create one more committee. He agreed that the Executive Committee can continue to review the governance documents. He agreed that an Executive Director performance evaluation should be put in place. He suggested creating an ad hoc committee designated by the Executive Committee to participate in annual confidential Executive Director performance evaluations.

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Commissioner Leemhuis referred to Section 5.4 under Section 2, Executive Committee, and stated, when this item was created, the language was meant to be that the immediate past Chair shall serve as a voting member of the Executive Committee for the year after they were Chair.

Committee Members agreed.

Section 3, Standing, Ad Hoc, and Subcommittees

Commissioner ElHessen stated the reason for longer serving times is for consistency of information, knowledge, and understanding the scope of work to keep the flow of information and work moving forward.

Section 6, Amendments

Commissioner Dillard stated amendments should be approved by the full Commission not at the Executive Committee level.

Executive Director Jemmott stated the updated Bylaws will be presented at the January 27<sup>th</sup> full Commission meeting for their review.

**Motion:** Commissioner ElHessen moved to approve revisions as requested to be forwarded to the full Commission for review.  
Commissioner Holloway seconded. Motion carried unanimously.

**Action Items:**

- Staff is to revise the Bylaws as discussed to present at the full Commission meeting on January 27<sup>th</sup>.

**6. CCDA Executive Director Report – Update and Discussion**

Executive Director Jemmott presented her report:

**a. Administrative and Operational**

- There has been an approximate \$28,000 reduction in the budget in response to the COVID-19 pandemic.
- Minimum staff has been maintained in the office and are on a telework rotation in relation to the COVID-19 pandemic.
- The office tenant improvement project has continued to progress. Wi-Fi and accessible features will soon we added.
- New staff member Adam Barsanti, Associate Governmental Program Analyst, was hired since the last full Commission meeting.

**b. 2021 Goal: Data Collection Project**

- The 2021 Data Collection Project goal is in relation to Goal 4 of the Five-Year Strategic Plan, Maintain Data on Status of Access Compliance. Executive

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Director Jemmott reviewed the 2021 Strategic Goal, which was included in the meeting materials.

**c. Staff Recommendation for Subcommittee Projects**

- The recommended subcommittee projects include education within the non-compliance legal community, disability access and education revolving fund, continuation of accessible parking toolkit, and website updates and CCDA enhancements. Executive Director Jemmott reviewed the 2021 Staff Recommendation for Subcommittee Projects document, which was included in the meeting materials.

**Action Items:**

- No action items.

**7. Future Agenda Items**

Commissioner ElHessen suggested looking at the accessibility of telemedicine services.

**8. Adjourn**

**MOTION:** Commissioner Holloway moved to adjourn the January 14, 2021, California Commission on Disability Access Executive Committee meeting. Commissioner Leemhuis seconded. Motion carried unanimously.

Chair Downey adjourned the meeting at approximately 3:00 p.m.