

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
LEGISLATIVE COMMITTEE
MEETING MINUTES**

December 10, 2018

1. Call to Order

Chair Michael Paravagna welcomed everyone and called the meeting of the Legislative Committee of the California Commission on Disability Access (CCDA) to order at 1:02 p.m. at the CCDA Hearing Room, 400 R Street, Room 300, Third Floor, Sacramento, 95811.

The off-site meeting locations for teleconference was 300 Lakeside Drive, Suite 1000, Oakland, 94612.

Roll Call

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

Commissioners Present:

Michael Paravagna, Chair
Celia McGuinness (Teleconference)

Staff Present:

Angela Jemmott, Executive Director
LaCandice Ochoa, Operations Manager
Taylor St. Mary, Marketing and Outreach Analyst

Commissioners Absent:

Tiffany Potter

Also Present:

Taylor Collison, California Hotel & Lodging Association
Terry McLean, Architect, Certified Access Specialist (CASP)
Shannon Mulhall, City of Fresno
Corrina Roy, Department of General Services (DGS) Office of Legislative Affairs

2. Approval of Meeting Minutes (January 24, 2018, and May 23, 2018) – Action

Motion: Commissioner McGuinness moved to approve the January 24, 2018, and May 23, 2018, California Commission on Disability Access Legislative Committee Meeting Minutes as presented. Chair Paravagna seconded. Motion carried unanimously.

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

No members of the public addressed the Committee.

4. External Legislative Projects – Update and Discussion

a. ADA Coordination Meeting: September 27, 2018

Executive Director Jemmott stated the ADA Coordination Meeting was held on September 27th, sponsored by the Sierra Health Foundation, in response to the CCDA Five-Year Strategic Plan Goal 6: Explore the development of a state-level Americans

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with Disabilities Act (ADA) access office. 32 individuals were in attendance in person or via teleconference. She reviewed the meeting attendee list and noted the variety of agencies that were interested in the discussion on statewide ADA coordination efforts. Attendees indicated they wanted to meet regularly to learn more from the CCDA on that topic.

Chair Paravagna stated his impressions were that there was a profound hunger for information and curiosity about their responsibility to address the disability civil rights issue. He noted there were naïve questions about contracting that could put government entities in jeopardy if not handled appropriately and there was a lack of leadership and consistency on how the represented departments addressed their ADA needs.

Chair Paravagna stated the meeting went a long way towards addressing what the Commission was seeking to understand in Goal 6 in terms of whether there is a need for centralized coordination for government entities. He noted that attendees were state government entities.

Commissioner McGuinness stated she shared Commissioner Paravagna's experience that ADA Coordinators want to do their job well and want information to help them do their job well.

b. CCDA Research Effort on Statewide ADA Coordination

Executive Director Jemmott stated the director of the Azusa Pacific University (APU), who is also connected to the University of Southern California and Mount Saint Mary's, indicated that they would be interested in developing a survey and research effort for this project. She stated the director plans to discuss this possible research project with statistician groups who have access to grant money and can put the information together into a report. She estimated the report will be available in 2020.

Commissioner Paravagna stated the content developed by the Committee for the research team will end up with a set of results that verify what the Committee has learned. He suggested a discussion on what to do if that occurs.

The Committee requested that Ms. Jemmott continue working with Professor Chappell to see what is possible to develop.

Public Comment

Shannon Mulhall, City of Fresno, stated the Pacific ADA Network has started to get ADA Coordinators together on a regular basis through a webinar platform. They put together a list of statewide ADA Coordinators, which is available at www.adapacific.org/coordinator.

Chair Paravagna asked if the meetings have started to convene. Ms. Mulhall stated they just began last year. She stated the two webinars have been posted on the above website.

Chair Paravagna asked if webinar attendees included both state and local ADA Coordinators. Ms. Mulhall stated attendees included both cities and counties. The

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website has California ADA Coordinators separated into four lists: cities, counties, places of public accommodation, and transportation. Chair Paravagna stated the CCDA ADA Coordination Meeting attendees consisted of the state agencies that are not affiliated with local government. Therefore, it appears there is a gap, that State agencies are not directly being served by the Pacific ADA Network (though some of its information is available to them).

Questions and Discussion

Chair Paravagna suggested thinking ahead to what the Committee will do with the information being gathered from the Coordination meetings. He stated the Committee could partner with other agencies and do quarterly meetings, but the CCDA continues to have a resource issue. He stated the information could be folded into the CCDA's Annual Report to the Legislature or addressed in an update to the strategic plan stating what was found for Goal 6.

Commissioner McGuinness stated a first step would be to point out where gaps are, the information that ADA Coordinators need, and what would help them. The best use of that information would be two-fold: to report to the Legislature and to learn how to do better and save resources. She also suggested that the CCDA could become a clearinghouse of information. She stated Executive Director Jemmott is good at getting people together to have discussions. She suggested having discussions about the information gathered from the Coordination meetings and if resources can be marshalled for state agencies the same way as has been done for public accommodations on the CCDA website.

Chair Paravagna stated one of the things he was struck by during the September Coordination meeting was the lack of continuity within state government. He suggested a system to track grievances to find areas where state government should provide more guidance or where staff trainings may be required.

Chair Paravagna suggested continuing the dialogue with the attendees from the September Coordination meeting. Executive Director Jemmott stated the highway patrol offered to host the next Coordination meeting. Staff is considering March of 2019 as the next Coordination meeting date.

Chair Paravagna stated the need to put together a list of topics and to discuss one topic at each future coordination meeting.

Executive Director Jemmott stated the long-range goal is the research effort and the short-range goal is to convene regular ADA Coordination meetings. She stated, as a result of trying to set up the September ADA Coordination meeting, a gap was discovered between agencies as to which agency managed or had jurisdiction over ADA Coordinators. She stated the CCDA Strategic Plan in trying to address Goal 6 has uncovered a major need in the state of California.

Chair Paravagna stated other gaps that were uncovered during the ADA Coordination meeting were that agencies do not believe that state government is held to doing self-evaluation for ADA, and that there is a lack of understanding about the responsibility a

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Title II entity has when it contracts and provides services through contracts. Just those two misunderstandings are massive.

Commissioner McGuinness stated it would be helpful for these minutes to reflect the three gaps and misunderstandings that the CCDA uncovered through the September event.

Public Comment

Terry McLean, Architect and CASp, suggested putting together a toolkit on those three gaps with an explanation of what that is and how it impacts individuals as a way to start to get the word out. The toolkit could then grow as things progress.

Commissioner Paravagna suggested linking to the United States Department of Justice Title II toolkit at ada.gov and embellishing it for California state law and the definition of disability that is operational in California.

Commissioner McGuinness stated a toolkit is a great idea but it would take time to put together. Chair Paravagna stated he saw it as an evolving platform.

The committee expressed concern that a toolkit would be a great deal of work, since the volume of information needed is very large.

Commissioner McGuinness stated it is not so much giving ADA Coordinators information as it is showing them how to organize information and helping them to figure out what questions to ask and the order to do things in. She suggested that the Committee continue thinking about this while continuing the Coordination meetings and starting the research end of it.

Chair Paravagna stated the toolkit could be resources that they could go to after attending a meeting to help ADA Coordinators connect the dots to come up with something meaningful for the programs within their departments.

Ms. Mulhall stated the Pacific ADA Network's website contains all of that. Their charge is to provide education and resources.

Chair Paravagna stated he was suggesting coordinating and directing individuals toward those resources because attendees at the September meeting had not heard of them. There is a gap somewhere. The continuity between state departments was not apparent to attendees nor was there an apparent vision of what they are accountable to do. He stated the Committee can discuss how to best package and present the information that is already out there to direct individuals to those resources.

5. CCDA Annual Report to the Legislature Deadline Modification – Update and Discussion

Executive Director Jemmott stated the Commission put in a request for the deadline for submission of the CCDA Annual Report to the Legislature to be moved from January 31st to April. She asked a representative from the Office of Legislative Affairs to provide an update.

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Corrina Roy, DGS, Office of Legislative Affairs, stated the DGS does not anticipate receiving direction from the new administration on CCDA's legislative proposal until February of next year at the earliest. This is largely a technical, noncontroversial proposal for modifying a report deadline. The Office of Legislative Affairs is optimistic that a vehicle can be found to move it forward.

Commissioner McGuinness stated Commissioners were frustrated last year because they did not have an opportunity to review the report prior to the deadline since the data that goes into the report ends on December 31st. She asked that a reasonable amount of time be included in the new April deadline for Commissioner review and input.

6. Development of Learned Papers – Update and Discussion

Executive Director Jemmott stated the Education and Outreach Committee suggested putting together learned papers for the Commissioners' Corner section of the website. She suggested developing processes to build upon for ADA Coordinators and putting those into a learned paper for the Commissioners' Corner.

Chair Paravagna suggested a learned paper about resources for ADA Coordinators and where to start. He stated where to start was one of the issues for ADA Coordinators at the September meeting.

Commissioner McGuinness suggested defining the parameters for learned papers in general so Commissioners would better understand what they are being asked to do.

Chair Paravagna asked if Chair Leemhuis had produced a guidance document for learned papers. Executive Director Jemmott stated she did not know. She suggested beginning with posting resources or answers to questions on the website. The biggest points are to drive individuals to the website and to drive them to enter the conversation.

Chair Paravagna stated it may be more about the Commissioners' Corner than learned papers. Learned papers are more empirical and academic.

Commissioner McGuinness suggested that each Committee member and staff create a list of useful topics to share at the next Committee meeting.

Chair Paravagna agreed and stated he would make an outline of how topics might look on paper.

The Committee asked Ms. Jemmott to follow up with Commissioner Leemhuis to get more details about his vision.

7. 2019.20 Legislative Session – Update and Discussion

a. Statutes Take Effect: January 1, 2019

Ms. Roy stated bills that were passed in 2018 will go into effect on January 1, 2019. She stated this differs if there is a different effective date listed in the bill or if the bill contains an urgency clause, which means it goes into effect immediately upon the governor's approval. She reviewed bills that were passed last year:

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- AB 1547 (Quirk-Silva), California Americans with Disabilities Act Small Business Capital Access Loan Program, contained an urgency clause and went into effect on September 21, 2018.
- AB 2263 (Friedman), state historical buildings: parking spaces, goes into effect on January 1, 2019.
- AB 2958 (Quirk), state bodies: meetings: teleconference, goes into effect on January 1, 2019.
- AB 3002 (Grayson), commercial property leases, goes into effect on January 1, 2019.
- SB 1376 (Hill), transportation network companies: accessibility for persons with disabilities, has multiple deadlines. She noted that the entirety of the provisions within SB 1376 will sunset in January of 2026.
 - The Public Utilities Commission must begin conducting workshops with stakeholders on regulation by January 1, 2019.
 - The Transportation Network Companies have to begin paying quarterly to the Commission a minimum amount per ride for each trip beginning on January 1, 2019.
 - The Public Utilities Commission must provide a report to the Legislature on regulations by January 1, 2024.

b. Legislature Reconvenes: January 7, 2019

Ms. Roy summarized important dates of the 2019-2020 Legislative Session:

- The Legislative Session officially convened on December 3rd, 2018, will recess for the holidays, and reconvene on January 7, 2019.
- The administration's budget bill will be submitted to the Legislature on January 10, 2019.
- The last day for bills to be introduced to the Legislature is February 22, 2019.

8. Future Agenda Items

No future agenda items were offered.

9. Adjourn

There being no further business, the meeting was adjourned at 2:08 p.m.