

#### Report on the

# Disability Access and Education Revolving Fund 2021



## State of California Gavin Newsom, Governor

**Government Operations Agency Yolanda Richardson, Secretary** 

Department of General Services
Ana M. Lasso, Director

Division of the State Architect Ida A. Clair, AIA, State Architect

#### Background

Senate Bill 1186 (Steinberg, Chapter 383, Statutes of 2012) created Government Code Section 4467, which requires any applicant for a local business license or equivalent instrument to pay an additional fee to the local government that issued the business license or building permit. Local governments must submit a percentage of the fee revenue to the Division of the State Architect (State Architect) for deposit into the Disability Access and Education Revolving Fund (Fund).

Effective January 1, 2018 (Assembly Bill 1379, Thurmond, Chapter 667, Statutes of 2017), the fee amount increased from \$1 to \$4 and the fee revenue percentage changed from 70% directed to the local government and 30% to the State Architect for deposit into the Fund to 90% for the local government and 10% for the Fund. Additionally, under the revised statute, local governments that do not issue business licenses are required to levy the fee on the issuance of building permits.

Pursuant to Government Code Section 4465, the purpose of the Fund is to provide increased compliance with state and federal accessibility requirements by:

- Increasing the number of certified access specialists (CASp).
- Maintaining State Architect oversight of the CASp program.
- Expanding education and outreach efforts for compliance with accessibility requirements.

Government Code Section 4470(c) requires the State Architect to submit an annual report on the previous calendar year. The State Architect must report the total fees collected by each local government, the total fees transmitted to the Fund by local governments during the previous calendar year, and their distribution, including Fund resources spent on:

- Administrative services.
- Moderating (streamlining) certification and examination fees for the CASp program.
- Establishing and maintaining oversight of the CASp program.
- Developing and disseminating educational materials to facilitate compliance with state and federal access requirements.

Information provided in this report is based on accounting data that represents amounts collected by the state from local governments until March 5, 2021, and state billing information indicating amounts spent in each specific reporting category.

#### **Total Fees Transmitted to the Fund**

The State Architect received \$904,495.47 in payments from local governments in the 2020 calendar year. The difference between the previous year (2019: \$1,074,606.88) and 2020 shows a 16% decrease in revenue.

At the beginning of April 2020, the State Architect received an inquiry from a jurisdiction considering waiving fees during the COVID-19 pandemic. The decrease in revenue may be due to some local jurisdictions choosing to waive fees; however, more may be directly related to business closures and the corresponding lack of business license renewals. According to the U.S. Chamber of Commerce, in July 2020, an estimated 24% of businesses remained closed. Estimates from Yelp based on its own survey showed that 60% of the owners of closed businesses said the business was closed permanently. Overall, the State Architect estimates that this would lead to a 15% reduction of revenue for this program.

Another contributing factor in low revenue is that local governments are still collecting the fee at the \$1 rate, although the fee rate is \$4 until Dec. 31, 2023. Local jurisdictions have shared that their rate changes occur every two years and that the change from \$1 to \$4 would be happening soon. Other justifications for continuing to collect fees at the \$1 rate included late payments and choosing not to participate in the program because they either 1) did not issue a large number of business licenses or building permits, or 2) the county in which the city was located is the jurisdiction that issues the business licenses or building permits.

#### **Use of Fund Resources**

The State Architect expended \$506,810 on the activities prescribed under Government Code Section 4465 in 2020. The amounts and details on the usage are outlined below:

- Administrative Services by the State Architect
   The State Architect spent \$58,481 of Fund resources for administrative services in 2020.
   The primary administrative services included the operation of the fee collection system and related instruction, correspondence with local governments, review of information reported by local governments, form development, and technical guidance.
- Explored Ways to Streamline the CASp Certification and Examination Fees

  The State Architect spent \$13,014 of Fund resources to better streamline the CASp
  certification process and examination fees in 2020. The State Architect introduced a
  regulatory package that would make changes to the CASp program for the purpose of
  increasing the number of professionals who have specialized knowledge of accessibility
  laws, which provides for a more accessible environment that benefits all users. The
  amended regulations would provide for new applicants to pursue their certification
  process by establishing a new eligibility subcategory to enable qualified individuals,
  whose employment is not recognized by existing regulation, for CASp program eligibility.
  It would also lower select program fees and promote participation by inviting new
  individuals who were unwilling to pay the current higher fees and would encourage
  current candidates yet to be certified to continue pursuing certification. The regulatory
  package is pending approval by the Office of Administrative Law.

#### Increased the Oversight of the CASp Program

The State Architect spent \$59,037 of Fund resources to increase oversight of the CASp program in 2020. Major items included providing technical guidance, investigating suspected violations of program regulations, legal fees resulting from taking disciplinary action against a CASp, responding to occasional complaints filed against CASps and updating the online database.

#### Expanded Education and Outreach

The State Architect spent \$376,278 of Fund resources for education and outreach. In past years, the State Architect worked with business owners through partnerships with chambers of commerce, local governments, state legislators, the State Treasurer's Office, and the California Commission on Disability Access. The COVID-19 pandemic necessitated that our partners focus their resources on public health. Further complications impacting outreach events included teleworking, the ban on nonessential travel and social distancing. Furthermore, when the COVID-19 pandemic was making it difficult for many business owners to keep their establishments open, any new efforts to discuss access compliance seemed ill-timed. In response, the State Architect shifted focus to planning on-demand and remote resources that would be available to business owners when they were ready to begin hiring CASps for inspection services. In the end, the State Architect concentrated on outreach through social media, email announcements, and by providing local governments marketing materials about the CASp program.

The State Architect continued to host and moderate monthly CASp Code Discussion Group (CCDG) webinars that featured local and national access specialists who provided presentations on relevant topics concerning accessibility. These meetings provided CASps, design professionals, and code enforcers an opportunity to discuss various aspects of the California Building Code and federal accessibility standards. During most of 2020, with the interruption of in-person access training due to the COVID-19 pandemic, the State Architect experienced an increase in CCDG participation as access professionals sought online alternatives to meet their continuing education requirements to maintain their professional credentials.

Lastly, the State Architect continued to spend time training staff on a new learning management system. The new learning management system offers distance learning with live webinars and benefits CASps by reducing travel, thus minimizing costs associated with traveling to a training location and the attendee's time away from work. During the pandemic, virtual live training was the only means available to continue to offer CASp training.

#### **Total Fees Collected by Each Local Government**

As of the March 2021 deadline, 272 out of 466 local governments and counties that submitted fees to the State Architect in 2020 had also submitted an annual report. The local governments that submitted an annual report indicated they collected a total of \$5,493,827.47 for the 2020 calendar year.

- Appendix A lists the 2020 annual collection amounts, as reported by each local government that submitted fees by the deadline to the State Architect in the 2020 calendar year.
- Appendix B lists the local governments that reported their 2020 annual collection amounts but did not submit fees to the State Architect.
- Appendix C lists the local governments that submitted fees in the 2020 calendar year but did not report their annual collection amount.
- Appendix D lists the local governments that neither transmitted 2020 funds nor submitted an annual report before the March deadline.

The State Architect does not have any enforcement authority over local governments. Fee submittal and annual collection reporting are dependent on the local governments' execution of the law. Attempts are made to maintain contact with all 539 local governments in California – regardless of previous participation in fee submittal – to remind them of the current requirements and to alert them of statutory changes. In order to increase reporting, three notifications were sent to local governments reminding them of the annual report submittal deadline and the option of submitting their annual report electronically. The first notification was a letter sent on Dec. 12, 2020. The second notification was on Feb. 2, 2021 and the third was one week from the deadline on Feb. 24, 2021. The information is also posted to the State Architect's website.

Prior to 2020, the State Architect saw a consistent increase in local governments participating in the requirements under Government Code Section 4467. For the 2019 reporting year, the State Architect received 315 on-time annual reports. For the 2020 reporting year, the State Architect received 39 fewer on-time reports.

The local governments that did not submit fees for 2020 (Appendices B and D) will be notified on the statutory requirements and advised on how to proceed. Local governments that submitted an annual report late or not at all (Appendices C and D) will be made aware of the delinquency.

## APPENDIX A SB 1186 COLLECTION RESULTS FOR 2020 ANNUAL FEE COLLECTION REPORTED BY PAYING JURISDICTION

Fee Status: Paid Report Status: Submitted

LOCAL GOVERNMENT (Organized by city, then county)	TOTAL FEE COLLECTION REPORTED (\$4)	TOTAL FEE COLLECTION REPORTED (\$1)
Adelanto	\$5,077.00	
Alameda	\$31,812.00	\$17.00
Alhambra	\$26,040.00	
Anaheim	\$83,623.39	
Anderson	\$4,280.00	
Antioch	\$42,928.00	\$43.00
Apple Valley (Town)	\$11,427.00	\$1.00
Arcadia	\$22,872.00	
Arcata	\$7,416.00	
Arroyo Grande	\$7,851.00	
Artesia	\$5,136.00	\$8.00
Atascadero	\$10,976.00	\$1.00
Auburn	\$7,628.00	\$4.00
Avalon	\$4,116.00	
Barstow	\$6,032.00	
Beaumont	\$27,932.70	
Bell	\$4,520.00	
Bellflower	\$17,612.00	\$4.00
Belmont	\$7,294.00	\$13.00
Benicia	\$9,964.00	\$16.00
Beverly Hills	\$45,560	\$987.00
Big Bear Lake	\$2,744.00	
Biggs	\$656.00	
Bishop	\$4,860.00	
Blythe	\$4,668.00	
Bradbury	\$640.00	\$160.00
Brea	\$25,844.00	
Brentwood	\$22,412.00	
Buena Park	\$17,472.00	
Calipatria	\$572.00	
Calistoga	\$3,636.00	
Canyon Lake	\$4,888.00	
Capitola	\$5,376.00	

Carlsbad	\$41,428.00	
Carmel-By-The-Sea	\$7,484.00	
Carpinteria	\$3,932.00	
Carson	\$28,480.00	\$176.00
Cerritos	\$16,471.00	
Chico	\$32,985.00	
Chino	\$21,008.00	
Chino Hills	\$12,606.30	\$2.00
Chowchilla	\$2,700.00	
Citrus Heights	\$10,172.00	
Clayton	\$2,380.00	
Clovis	\$24,692.00	\$101.00
Colfax	\$1,772.00	
Colusa	\$2,156.00	
Commerce	\$15,807.68	\$5.00
Concord	\$33,850.88	
Corcoran	\$14,279.40	
Corona	\$39,958.00	\$53.00
Coronado	\$3,488.00	\$3.00
Corte Madera (Town)	\$24,800.00	
Cotati	\$2,964.00	
Covina	\$16,960.00	\$7.00
Crescent City	\$2,500.00	
Culver City	\$59,190.04	\$7.00
Cypress	\$13,856.00	\$67.00
Daly City	\$3,178.86	
Danville (Town)	\$10,892.00	
Desert Hot Springs	\$4,960.00	
Diamond Bar	\$6,660.00	
Dinuba	\$4,388.00	
Downey	\$47,900.00	
Duarte	\$4,768.00	
Dublin	\$16,644.00	
Dunsmuir	\$924.00	
East Palo Alto	\$3,910.00	
El Cajon	\$28,196.00	
El Cerrito	\$9,828.00	\$4.00
El Monte	\$14,838.00	
Elk Grove	\$12,752.00	
Escalon	\$2,796.00	
Escondido	\$40,040.00	

Exeter	\$3,412.00	\$2.00
Fairfax	\$2,388.00	
Farmersville	\$2,173.00	
Fort Bragg	\$3,288.00	
Fortuna	\$3,788.00	
Foster City	\$7,272.00	
Fountain Valley	\$16,368.00	\$17.00
Fowler	\$1,972.00	\$36.00
Fresno	\$180,424.00	\$70.00
Fullerton	\$34,716.25	
Galt	\$5,882.00	
Garden Grove	\$58,201.20	\$4.20
Glendora	\$14,232.00	
Gonzales	\$791.00	
Grand Terrace	\$2,449.26	\$143.00
Grass Valley	\$9,103.68	\$5.00
Guadalupe	\$1,928.00	
Half Moon Bay	\$4,542.00	\$3.00
Hanford	\$26,067.86	
Hawaiian Gardens	\$3,590.00	
Hayward	\$33,862.00	
Healdsburg	\$8,208.00	
Hemet	\$25,292.00	
Hermosa Beach	\$10,680.00	\$7.00
Highland	\$13,347.00	
Hollister	\$7,468.00	
Hughson	\$1,592.00	
Imperial	\$3,325.00	
Imperial Beach	\$15,042.50	
Indian Wells	\$7,199.00	
Indio	\$23,620.00	
Inglewood	\$46,445.00	
Irvine	\$85,904.00	
Irwindale	\$4,940.61	\$5.00
Jackson	\$4,656.00	
La Canada Flintridge	\$5,020.00	
La Quinta	\$17,032.00	
La Verne	\$8,928.00	
Laguna Beach	\$17,394.00	
Laguna Hills	\$6,260.00	
Laguna Niguel	\$360.00	

Lake Elsinore	\$10,872.00	
Lancaster		\$53.00
Lawndale	\$10,224.00	
Lemoore	\$6,264.00	
Livermore	\$30,106.00	\$28.00
Lodi	\$23,300.00	
Loma Linda	\$2,016.80	
Long Beach	\$109,192.00	
Loomis (Town)	\$2,848.00	
Los Alamitos	\$8,239.55	\$5.00
Los Altos Hills (Town)	\$4,708.00	\$1.00
Los Angeles	\$666,425.23	
Los Banos	\$3,833.00	
Lynwood	\$11,785.75	\$14.00
Manteca	\$13,816.00	
Maricopa	\$176.00	
Marina	\$7,814.02	\$13.00
Martinez	\$10,276.01	\$3.00
Marysville	\$3,876.00	
Maywood	\$4,672.00	
Merced	\$19,493.70	
Millbrae	\$4,936.00	
Milpitas	\$21,160.00	
Mission Viejo	\$5,711.40	
Modesto	\$51,512.53	\$79.00
Monrovia	\$12,144.00	
Montebello	\$10,804.65	
Monterey Park	\$18,814.90	
Moreno Valley	\$34,572.00	\$5.00
Morgan Hill	\$14,753.00	\$30.00
Morro Bay	\$7,712.00	
Mount Shasta	\$2,808.00	
Napa	\$63,226.40	
Newman	\$2,460.00	
Norwalk	\$9,668.00	
Novato	\$23,752.60	
Oakdale	\$10,200.00	
Ojai	\$7,680.00	
Ontario	\$71,000.00	\$54.00
Orange	\$79,576.00	
Orinda	\$1,564.00	

Pacific Grove	\$6,272.00	\$18.00
Palm Desert	\$28,929.00	
Palm Springs	\$25,053.00	
Palmdale	\$34,648.00	
Palos Verdes Estates	\$5,856.00	
Paramount	\$9,120.00	
Paso Robles	\$14,616.00	
Patterson	\$4,692.00	
Perris	\$9,452.00	\$5.00
Pico Rivera	\$8,758.00	\$25.00
Piedmont	\$4,176.00	
Pinole	\$6,488.00	\$1.00
Pismo Beach	\$5,392.00	
Pittsburg	\$15,264.30	
Placerville	\$5,404.00	
Pleasant Hill	\$9,879.00	
Pleasanton	\$33,604.00	
Plymouth	\$608.00	
Port Hueneme	\$5,572.00	\$4.00
Porterville	\$19,568.00	
Poway	\$5,320.00	
Red Bluff	\$6,964.00	
Redding	\$32,188.00	
Redlands	\$28,185.70	
Redondo Beach	\$26,346.00	
Redwood City	\$23,960.00	
Reedley	\$6,736.00	
Ridgecrest	\$666.00	
Ripon	\$4,968.00	
Riverbank	\$3,116.00	
Rocklin	\$17,068.00	
Rolling Hills Estates	\$4,476.00	
Rosemead	\$6,579.90	
Roseville	\$47,987.00	\$12.00
Ross	\$1,912.00	
Sacramento	\$101,251.16	
Salinas	\$25,556.50	
San Anselmo	\$3,700.00	
San Bruno	\$10,748.00	
San Carlos	\$14,484.00	\$18.00
San Diego	\$755,684.00	

San Dimas	\$9,076.00	
San Fernando	\$10,984.00	\$24.00
San Jacinto	\$10,520.00	
San Leandro		\$9.00
San Marcos	\$22,070.00	
San Mateo	\$24,797.00	\$46.00
San Pablo	\$5,095.00	
Sand City	\$1,156.00	
Sanger	\$4,020.00	
Santa Clara	\$43,440.00	
Santa Clarita	\$4,678.00	\$4.56
Santa Fe Springs	\$14,076.00	
Santa Maria	\$20,760.00	
Santa Paula	\$5,228.00	
Santa Rosa	\$57,660.20	\$49.00
Saratoga	\$8,112.00	
Sausalito	\$6,737.00	\$6.00
Scotts Valley	\$3,748.00	\$1.00
Seal Beach	\$8,592.00	
Selma	\$4,480.00	
Shasta Lake	\$1,516.00	
Sierra Madre	\$6,179.00	
Signal Hill	\$4,228.00	
Simi Valley	\$39,145.18	\$71.00
Sonoma	\$3,188.00	\$1.00
Sonora	\$4,087.00	
South El Monte	\$8,920.00	\$3.00
South Gate	\$15,304.00	
South Lake Tahoe	\$13,306.00	
South Pasadena	\$9,116.00	
South San Francisco	\$15,263.00	
Stanton	\$8,482.00	\$3.00
Sutter Creek	\$1,872.00	
Tehachapi	\$3,976.00	
Tehama	\$24.00	
Thousand Oaks	\$42,827.76	
Torrance	\$59,240.00	
Tracy	\$20,002.50	\$39.00
Tulare	\$21,372.00	
Tulelake	\$368.00	
Turlock	\$27,286.51	

Twentynine Palms	\$3,500.00	
Upland	\$23,720.00	\$35.00
Vallejo	\$23,307.32	
Villa Park	\$2,040.00	
Visalia	\$89,868.00	-\$2.00
Vista	\$28,243.86	\$60.78
Walnut	\$6,440.00	\$8.00
Walnut Creek	\$30,213.00	\$32.00
West Covina	\$24,474.99	\$24.00
West Hollywood	\$26,219.00	
Westminster	\$21,044.00	
Wildomar	\$2,780.00	\$4.00
Winters	\$2,380.00	\$595.00
Woodland	\$11,932.00	
Woodside	\$3,802.00	
Yorba Linda	\$18,320.00	
Yountville (Town)	\$1,976.00	
Yreka	\$3,260.00	
Yuba City	\$16,786.00	
Yucca Valley (Town)	\$5,576.00	
Amador County	\$5,320.00	
Calaveras County	\$11,032.00	
Colusa County	\$1,688.00	
Contra Costa County	\$20,460.00	
Del Norte County	\$1,936.00	
Imperial County	\$1,900.00	
Lake County	\$5,752.00	
Lassen County	\$2,332.00	
Madera County	\$18,248.00	
Merced County	\$8,716.00	\$2.00
Modoc County	\$464.00	
Placer County	\$29,632.00	
Santa Cruz County	\$15,492.00	
Stanislaus County	\$3,608.00	
TOTAL		\$5,487,683.37

# APPENDIX B SB 1186 COLLECTION RESULTS FOR 2020 ANNUAL FEE COLLECTION REPORTED BY JURISDICTION WITHOUT FEE SUBMITTAL (DELINQUENT)

Fee Status: Unpaid Report Status: Submitted

LOCAL GOVERNMENT (Organized by city, then county)	TOTAL FEE COLLECTION REPORTED (\$4)	TOTAL FEE COLLECTION REPORTED (\$1)
Holtville		\$111.00
La Palma	\$3,416.00	
Parlier	\$1,544.00	
Weed	\$1,073.10	
TOTAL		\$6,144.10

#### **APPENDIX C**

### SB 1186 COLLECTION RESULTS FOR 2020 PAYING JURISDICTIONS WITHOUT ANNUAL REPORTS

Fee Status: Paid Report Status: None

## LOCAL GOVERNMENT (Organized by city, then county)

Agoura Hills Encinitas Loyalton Albany Eureka Madera

Aliso Viejo Fairfield Mammoth Lakes
Atherton (Town) Ferndale Manhattan Beach

Fillmore Mendota Atwater Avenal Folsom Menifee Azusa Fontana Mill Valley Bakersfield Fremont Montclair Baldwin Park Gardena Monterey Banning Gilroy Moorpark Bell Gardens Glendale Moraga

Bell Gardens
Brawley
Goleta
Mountain View
Brisbane
Grover Beach
National City
Burbank
Hawthorne
Needles
Burlingame
Hercules
Nevada City
Calexico
Hesperia
Noraga
Moraga
Moraga
Moraga
Mountain View
Netional City
Needles

California City Hidden Hills Newport Beach

Calimesa Hillsborough (Town) Oakland **Huntington Beach** Camarillo Oaklev Huron Campbell Oceanside Cathedral City Jurupa Valley Orland Ceres Kerman Oroville Chula Vista King City (City of King) Pacifica Claremont Palo Alto Kingsburg

Clearlake La Habra Paradise (Town)

Cloverdale La Habra Heights Petaluma
Coachella La Mesa Placentia
Colma (Town) La Mirada Point Arena
Colton La Puente Pomona
Corning Lafayette Portola

Costa MesaLake ForestRancho CordovaCupertinoLarkspurRancho CucamongaDana PointLathropRancho Mirage

Davis Lemon Grove Rancho Palos Verdes
Del Rey Oaks Lincoln Rancho Santa Margarita

Delano Lindsay Richmond
Dixon Live Oak Rio Dell
Dos Palos Livingston Rio Vista
Eastvale Lomita Riverside
El Segundo Lompoc Rohnert Park

Emeryville Los Gatos (Town) San Bernardino

San Buenaventura (City of

Ventura)
San Clemente
San Francisco
San Gabriel
San Joaquin
San Jose

San Juan Bautista
San Juan Capistrano
San Luis Obispo
San Marino
San Rafael
San Ramon
Santa Ana

Santa Cruz Santa Monica Santee

Santa Barbara

Shafter Soledad Solvang St. Helena Sunnyvale

Sebastopol

Susanville

Taft
Temecula
Temple City
Tiburon (Town)

Truckee
Ukiah
Union City
Vacaville
Vernon
Victorville
Waterford
Watsonville
Wheatland
Whittier
Williams
Willits
Willows

Woodlake Yucaipa Alameda County El Dorado County Glenn County

Windsor (Town)

Los Angeles County

Marin County
Mono County
Mono County
Monterey County
Napa County
Nevada County
Orange County
Riverside County
Sacramento County
San Benito County

Sacramento County
San Benito County
San Bernardino County
San Diego County
San Joaquin County
San Luis Obispo County
Santa Barbara County
Santa Clara County
Shasta County
Sierra County

Solano County Sutter County Trinity County Ventura County Yolo County Yuba County

# APPENDIX D SB 1186 COLLECTION RESULTS FOR 2020 JURISDICTIONS WITHOUT ANNUAL REPORTS AND WITHOUT FEE SUBMITTAL (DELINQUENT)

Fee Status: Unpaid Report Status: None

### LOCAL GOVERNMENTS (Organized by city, then county)

Alturas Murrieta Amador Norco

American Canyon Orange Cove
Angels Camp Oxnard
Arvin Pasadena

Belvedere Portola Valley (Town)

Berkeley Rialto Blue Lake Rolling Hills **Buellton** Seaside Calabasas Solana Beach Coalinga Stockton Compton Suisun City Cudahy Trinidad Del Mar **Tustin** Wasco **Dorris** 

El Centro
Etna
West Sacramento
Westlake Village
Firebaugh
Westmorland
Fort Jones
Alpine County
Greenfield
Butte County
Gridley
Fresno County
Gustine
Humboldt County

Gustine Humboldt County
Huntington Park Inyo County
Industry Kern County

Kings County Ione Isleton Mariposa County Mendocino County Laguna Woods Plumas County Lakeport Lakewood San Mateo County Los Altos Siskiyou County Malibu Sonoma County **Tehama County** McFarland

Menlo Park Tulare County
Montague Tuolumne County

Monte Sereno