

Disability Access and Education Revolving Fund—2022 Report

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Government Operations Agency

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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. Additionally, the fee revenue percentage changed; instead of 70% directed to the local government and 30% to the State Architect for deposit into the Fund, 90% is directed to the local government and 10% to the Fund. Further, 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 funds received during 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 7, 2022, and state billing information indicating amounts spent in each specific reporting category.

Total Fees Transmitted to the Fund

The State Architect received \$894,125 in payments from local governments in the 2021 calendar year. The peak revenue for the Fund was \$1,074,607, with funds collected in calendar year 2019. For the second year, revenue remains approximately 15% below that figure.

The decrease was expected for the funds collected in 2020. According to the U.S. Chamber of Commerce, in July 2020, an estimated 24% of businesses that shut down at the start of the pandemic remained closed. Estimates from Yelp based on their own survey showed that 60% of the owners of closed businesses said their closures were permanent. Based on this information, we estimated a 15% reduction in revenue for this program. The continuation of the lower revenue may indicate that the circumstances impacting business owners in 2020 remained the same in 2021.

Use of Fund Resources

The State Architect expended \$482,257 on the activities prescribed under Government Code Section 4465 in 2021. Information and the amounts and details on the usage are outlined below:

Administrative Services by the State Architect

The State Architect spent \$98,888 of Fund resources for administrative services in 2021. 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.

Although the State Architect already accepted forms electronically, those forms were in PDF format. Whether mailed or emailed, the information had to be re-keyed by State Architect staff to produce this report to the Legislature. Because manual data entry is susceptible to mistakes from human error, the information underwent multiple checks. A new online (HTML) form was enlisted in time for the 2021 annual reporting. The new form would collect the information keyed by the local jurisdictions and compile it into a spreadsheet, thereby greatly minimizing risk of human error in data transfer. It saved State Architect staff approximately 40 hours of work in data entry, proofing and file scanning. The form that accompanies the quarterly funds transmittal by the local jurisdictions was also converted to HTML. This did not noticeably alter the process; however, the HTML format enables the State Architect to easily transition to an electronic fee submittal system in the future (initial testing with the first local jurisdiction began in early 2022).

When the fees changed from \$1 to \$4 in 2018, the State Architect released new quarterly and annual forms for collecting fees at the new \$4 rate. With the launch of the new HTML forms, the State Architect also took the opportunity to consolidate the reporting of different fee rates into one form in order to eliminate redundant fields.

Explored Ways to Streamline the CASp Certification and Examination Fees

The State Architect spent \$4,822 of Fund resources to better streamline the CASp certification process and reduce examination fees in 2021. The State Architect continued working to gain approval from the Office of Administrative Law for a regulatory package that would make changes to the CASp program to increase 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 establish a new eligibility subcategory for CASp program eligibility, enabling qualified individuals whose employment is not recognized by existing regulation to pursue the certification process. It would also lower select program fees, with the intent to promote participation among individuals who were unwilling or unable to pay the current fees, and to encourage current candidates to continue pursuing certification. The regulatory package was approved by the Office of Administrative Law with a July 1, 2021, effective date.

Increased Oversight of the CASp Program

The State Architect spent \$44,922 of Fund resources to increase oversight of the CASp program in 2021. Major items included providing technical guidance to CASps and the public, responding to occasional complaints filed against CASps and updating the online database.

• Expanded Education and Outreach

The State Architect spent \$333,625 of Fund resources for education and outreach in 2021. 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. Fluctuations in the COVID-19 pandemic made attempts at outreach events with our partners difficult. Further complications impacting the State Architect's ability to schedule outreach events included planning for events at venues that were subject to cancellation at a moment's notice due to local COVID-19 spikes; complications throughout the state due to local mandates that had differing policies on mask wearing, social distancing, and vaccination or testing requirements for attendance; and a temporary reduction in staffing affecting many of our partners due to turnover and difficulty hiring during a pandemic. Furthermore, spikes in COVID-19 rates made it difficult for many business owners to keep their establishments open on a consistent basis, which had the potential to derail attendance at local events addressing accessibility compliance. In response, the State Architect focused on offering on-demand and remote resources so that information on hiring CASps for inspection services was available at the convenience of business owners.

In October 2021, the Governor's Office of Economic Development, Office of the Small Business Advocate hosted the State Architect and the California Commission on Disability Access for a timely webinar focused on construction-related accessibility of outdoor dining in parklets and curbside pickup, as well as the role and benefits of hiring a CASp. The free one-hour webinar was advertised to the Office of the Small Business Advocate's list of 25,000 contacts but was attended by approximately 10 people. The State Architect produced a video recording of the webinar and posted it to YouTube in late 2021 to reach more people. The State Architect will work to promote the video in 2022.

Through most of 2021, 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 2021, 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 implementing a new learning management system. The new learning management system offers distance learning with live webinars, which benefits CASps by minimizing travel costs 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 2022 deadline, the State Architect received from the local governments 361 annual reports, which documented the collection of \$7,109,413.54 in fees for the 2021 calendar year. This is a 31% increase in reporting over the prior year. Of the 455 jurisdictions that submitted fees to the State Architect, 78% submitted an annual report. Not all of California's 539 local governments (city, county, or city and county) submit annual reports or collect fees; local government participation is at 86%. The following is an explanation of the breakdown demonstrated in the appendices:

- Appendix A lists the 2021 annual collection amounts, as reported by each local government that submitted fees by the deadline to the State Architect in the 2021 calendar year.
- Appendix B lists the local governments that reported their 2021 annual collection amounts but did not submit fees to the State Architect.
- Appendix C lists the local governments that submitted fees in the 2021 calendar year but did not report their annual collection amount.
- Appendix D lists the local governments that neither transmitted 2021 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, in order to remind them of the current requirements and to alert them of statutory changes. 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, 2021. The second notification was Feb. 7, 2022, and the third was one week from the deadline on Feb. 22, 2022. The information is also posted to the State Architect's website.

Participation by local governments was down in the prior reporting period; however, the volume of reports received from the local governments for this report on the 2021 calendar year exceeded that of all prior reporting periods. The State Architect posits that there are a couple of potential reasons for the increase in reporting. It could be that the new online reporting form ensured that more forms arrived due to its direct submittal of information—eliminating loss related to misdelivered mail and email. The increase could also be a product of the State Architect's ongoing outreach to the participating local governments explaining that the annual report is required in addition to the quarterly report accompanying the payment of the State Architect's share of the fee revenue.

APPENDIX A ANNUAL FEE COLLECTION REPORTED BY PAYING JURISDICTION

Fee Status: Paid	Report Status: Submitted
LOCAL GOVERNMENT (Organized by City, then County)	TOTAL FEE COLLECTION REPORTED
Adelanto	\$4,340.00
Alameda	\$32,548.00
Albany	\$9,586.00
Alhambra	\$25,665.00
Alturas	\$1,096.00
American Canyon	\$7,137.00
Anaheim	\$77,249.00
Anderson	\$4,248.00
Antioch	\$38,520.00
Apple Valley	\$12,284.00
Arcadia	\$21,879.00
Arcata	\$8,524.00
Arroyo Grande	\$7,425.00
Artesia	\$5,511.00
Atascadero	\$11,057.00
Atwater	\$4,882.00
Avalon	\$4,460.00
Bakersfield	\$96,644.00
Barstow	\$5,272.00
Beaumont	\$6,752.00
Bellflower	\$18,113.00
Belmont	\$8,575.00
Benicia	\$9,899.80
Beverly Hills	\$40,994.00
Big Bear Lake	\$5,904.00
Biggs	\$564.00
Blythe	\$2,948.00
Bradbury	\$344.00
Brawley	\$2,088.00
Brea	\$32,059.77
Brentwood	\$26,236.00

Buena Park	\$18,328.00
Calimesa	\$2,768.19
Calistoga	\$3,416.00
Canyon Lake	\$4,620.00
Capitola	\$5,884.00
Carlsbad	\$42,352.00
Carmel-by-the-Sea	\$8,008.00
Carpinteria	\$5,692.00
Carson	\$31,156.00
Cerritos	\$25,577.00
Chino	\$19,786.00
Chino Hills	\$12,886.67
Chowchilla	\$3,716.00
Citrus Heights	\$11,285.22
Claremont	\$11,698.90
Clayton	\$1,664.00
Clearlake	\$2,844.00
Clovis	\$25,943.00
Coachella	\$776.00
Colfax	\$1,896.00
Colma	\$744.00
Colton	\$17,650.00
Colusa	\$2,092.00
Commerce	\$16,445.47
Concord	\$36,634.41
Corcoran	\$6,395.00
Corona	\$42,938.96
Coronado	\$6,201.00
Corte Madera	\$15,172.00
Cotati	\$4,065.99
Covina	\$17,307.00
Crescent City	\$2,615.00
Culver City	\$36,141.87
	\$12,765.72
Cypress	\$15,373.00
Daly City	\$29,425.17
Dana Point	\$364.00
Danville	\$12,551.00
Davis	\$20,300.00
Del Mar	\$8,308.00

Delano	\$6,400.00
Desert Hot Springs	\$6,416.00
Dinuba	\$4,586.00
Dixon	\$5,036.00
Downey	\$22,613.00
Duarte	\$4,764.00
Dublin	\$15,520.00
Dunsmuir	\$972.00
East Palo Alto	\$4,384.00
Eastvale	\$7,529.00
El Cajon	\$26,864.00
El Monte	\$32,936.95
Encinitas	\$18,548.00
Escalon	\$3,212.00
Exeter	\$2,576.00
Fairfax	\$1,042.00
Farmersville	\$3,582.00
Folsom	\$19,015.80
Fontana	\$36,169.00
Fort Bragg	\$3,456.00
Fortuna	\$4,004.00
Foster City	\$6,608.00
Fountain Valley	\$20,233.05
Fresno	\$179,557.80
Fullerton	\$41,844.30
Galt	\$7,036.00
Garden Grove	\$63,236.00
Glendora	\$16,249.50
Grand Terrace	\$3,660.93
Grass Valley	\$10,286.00
Guadalupe	\$2,080.00
Gustine	\$1,428.00
Half Moon Bay	\$5,241.96
Hanford	\$31,027.24
Hawaiian Gardens	\$3,584.00
Hawthorne	\$19,896.00
Hayward	\$40,118.00
Healdsburg	\$8,396.00
Hemet	\$19,068.90
Hermosa Beach	\$10,214.00

Hesperia	\$20,911.00
Highland	\$13,350.00
Hillsborough	\$7,328.00
Hollister	\$9,590.00
Hughson	\$0.00
Huntington Beach	\$69,464.00
Huron	\$1,920.00
Imperial	\$3,592.00
Imperial Beach	\$13,038.00
Indian Wells	\$6,670.00
Indio	\$24,852.00
Irvine	\$83,768.00
Irwindale	\$5,962.45
Jackson	\$2,848.00
Jurupa Valley	\$9,892.00
Kerman	\$4,544.00
La Habra	\$12,504.80
La Habra Heights	\$996.00
La Mesa	\$19,100.40
La Puente	\$6,262.00
La Verne	\$8,972.00
Laguna Beach	\$18,008.60
Laguna Hills	\$5,856.00
Laguna Niguel	\$534.45
Lake Elsinore	\$11,840.00
Lake Forest	\$7,792.00
Lancaster	\$33,307.89
Larkspur	\$5,681.00
Lawndale	\$15,070.00
Lemon Grove	\$1,113.00
Lemoore	\$4,932.00
Lincoln	\$12,800.00
Live Oak	\$897.00
Livermore	\$40,479.16
Lodi	\$21,492.97
Loma Linda	\$9,673.20
Lomita	\$5,374.00
Los Alamitos	\$9,371.69
Los Altos Hills	\$5,964.00
Los Angeles	\$652,254.33

Los Banos	\$6,608.40
Los Gatos	\$13,736.00
Loyalton	\$164.00
Lynwood	\$11,864.00
Mammoth Lakes	\$8,188.00
Manhattan Beach	\$18,416.00
Manteca	\$15,072.00
Maricopa	\$164.00
Marina	\$7,469.00
Martinez	\$9,202.46
Marysville	\$4,492.00
Maywood	\$4,909.00
Mendota	\$2,064.00
Menifee	\$13,332.00
Menlo Park	\$20,917.00
Merced	\$20,764.00
Mill Valley	\$10,104.00
Millbrae	\$6,532.00
Milpitas	\$12,880.00
Mission Viejo	\$7,051.00
Monrovia	\$14,080.00
Montebello	\$17,655.00
Monterey	\$19,112.00
Monterey Park	\$19,994.00
Moorpark	\$8,564.00
Moreno Valley	\$35,699.00
Morgan Hill	\$15,771.00
Morro Bay	\$7,987.70
Mount Shasta	\$2,956.00
Murrieta	\$23,850.00
Napa	\$65,844.55
National City	\$23,753.24
Needles	\$1,600.00
Newman	\$2,744.00
Newport Beach	\$40,986.09
Norwalk	\$12,748.00
Novato	\$19,709.00
Oakdale	\$7,024.00
Oakley	\$6,280.00
Oceanside	\$34,132.00

Ojai	\$8,864.00
Ontario	\$48,763.78
Orange	\$82,620.00
Orinda	\$2,144.00
Oroville	\$1,533.00
Oxnard	\$42,892.00
Pacific Grove	\$6,505.99
Palm Desert	\$28,804.00
Palm Springs	\$23,448.00
Palmdale	\$37,353.00
Palo Alto	\$5,580.00
Palos Verdes Estates	\$6,657.10
Paramount	\$10,012.00
Paso Robles	\$16,302.50
Patterson	\$4,748.00
Perris	\$13,828.00
Petaluma	\$21,946.09
Pico Rivera	\$10,122.82
Piedmont	\$1,324.00
Pinole	\$8,806.00
Pismo Beach	\$6,636.00
Pittsburg	\$16,790.30
Placentia	\$13,462.00
Placerville	\$5,204.01
Pleasant Hill	\$13,992.00
Pleasanton	\$38,288.00
Plymouth	\$708.00
Pomona	\$38,976.00
Port Hueneme	\$6,680.00
Porterville	\$21,337.00
Portola	\$536.00
Poway	\$6,664.00
Rancho Mirage	\$10,622.00
Rancho Palos Verdes	\$6,320.00
Rancho Santa Margarita	\$6,796.00
Redding	\$33,275.50
Redlands	\$24,963.96
Redondo Beach	\$33,263.00
Redwood City	\$34,144.09
Reedley	\$6,812.00

Ridgecrest	\$737.20
Rio Dell	\$1,016.00
Rio Vista	\$2,457.80
Ripon	\$4,980.00
Riverbank	\$3,328.00
Rocklin	\$17,692.00
Rohnert Park	\$12,966.90
Rolling Hills Estates	\$5,080.00
Rosemead	\$7,736.00
Roseville	\$38,591.30
Ross	\$2,320.00
Sacramento	\$71,963.43
Salinas	\$27,906.04
San Anselmo	\$8,477.50
San Bruno	\$10,852.95
San Carlos	\$17,760.00
San Diego	\$455,184.20
San Dimas	\$9,028.00
San Fernando	\$11,309.00
San Francisco	\$296,692.00
San Gabriel	\$14,808.00
San Jacinto	\$9,944.00
San Joaquin	\$884.00
San Juan Capistrano	\$13,572.20
San Leandro	\$38,512.03
San Luis Obispo	\$17,562.00
San Marcos	\$22,608.00
San Mateo	\$29,043.00
San Pablo	\$5,610.00
Sand City	\$1,724.00
Sanger	\$3,793.00
Santa Ana	\$102,951.56
Santa Barbara	\$62,490.00
Santa Clara	\$44,284.00
Santa Cruz	\$21,692.86
Santa Fe Springs	\$15,423.50
Santa Maria	\$21,265.54
Santa Monica	\$116,313.25
Santa Paula	\$5,380.00
Santa Rosa	\$52,416.45

Santee	\$11,392.00
Saratoga	\$7,976.00
Sausalito	\$8,599.00
Scotts Valley	\$2,051.60
Seal Beach	\$8,112.00
Selma	\$5,072.00
Shafter	\$4,524.00
Signal Hill	\$6,457.00
Simi Valley	\$39,112.47
Solvang	\$2,604.00
Sonoma	\$7,482.00
Sonora	\$4,120.00
South El Monte	\$11,315.00
South Gate	\$16,600.00
South Lake Tahoe	\$13,385.00
South Pasadena	\$9,487.00
South San Francisco	\$17,353.00
Stanton	\$11,832.00
Sunnyvale	\$29,151.00
Sutter Creek	\$1,600.00
Taft	\$3,344.00
Tehachapi	\$4,180.00
Tehama	\$16.00
Temple City	\$7,889.40
Thousand Oaks	\$42,711.00
Torrance	\$53,778.00
Tracy	\$23,313.00
Tulare	\$22,132.00
Tulelake	\$352.00
Twentynine Palms	\$4,360.00
Upland	\$26,853.98
Vallejo	\$29,449.33
Villa Park	\$1,764.00
Visalia	\$93,204.00
Vista	\$31,771.26
Walnut	\$7,242.00
Walnut Creek	\$32,592.00
Waterford	\$344.00
Watsonville	\$14,416.00
Weed	\$1,062.00

West Covina	\$26,349.66
West Hollywood	\$17,453.00
Westminster	\$21,773.94
Whittier	\$27,880.00
Wildomar	\$4,243.00
Woodland	\$13,868.00
Woodside	\$3,987.00
Yorba Linda	\$19,180.00
Yountville	\$2,216.00
Yuba City	\$18,375.00
Yucca Valley	\$6,284.00
COUNTIES	·
Amador	\$5,104.00
Colusa	\$1,780.00
Contra Costa	\$21,184.00
Del Norte	\$1,784.00
El Dorado	\$47,048.00
Glenn	\$1,924.00
Imperial	\$2,264.00
Lassen	\$2,436.00
Los Angeles	\$18,113.00
Madera	\$15,536.00
Marin	\$29,432.00
Merced	\$2,292.00
Mono	\$3,468.00
Monterey	\$14,216.00
Napa	\$7,692.00
Nevada	\$14,732.00
Orange	\$8,876.00
Placer	\$29,084.00
Sacramento	\$54,035.25
San Benito	\$2,428.00
San Bernardino	\$976.00
San Diego	\$2,488.00
San Joaquin	\$8,244.00
San Luis Obispo	\$8,372.00
Santa Barbara	\$1,964.00
Santa Clara	\$3,216.00
Santa Cruz	\$19,988.00
Shasta	\$16,772.00

Stanislaus	\$2,817.00
Sutter	\$4,292.00
Tuolumne	\$9,216.00
Yolo	\$4,147.00
TOTAL	\$7,019,015.69

APPENDIX B 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
Fillmore	\$805.00
Inglewood	\$41,980.85
Orland	\$2,160.00
Parlier	\$2,320.00
Richmond	\$33,428.00
Santa Clarita	\$4,904.00
Suisun City	\$4,800.00
TOTAL	\$90,397.85

APPENDIX C PAYING JURISDICTIONS WITHOUT ANNUAL REPORTS

Fee Status: Paid

Report Status: None

Rancho Cordova

San Bernardino

San Clemente

San Buenaventura

San Juan Bautista

Rancho Cucamonga

Oakland Pacifica

Red Bluff

Riverside

San Jose

San Marino

San Rafael

Sebastopol

Shasta Lake

Sierra Madre

Temecula

Tiburon

Truckee

Turlock

Union City

Vacaville

Vernon Victorville

Williams

Willits

Yreka

Winters

Yucaipa

Ukiah

LOCAL GOVERNMENT (Organized by City, then County)

Agoura Hills Aliso Viejo Atherton Auburn Avenal Baldwin Park Banning Bell **Bell Gardens** Berkeley Bishop Brisbane Burbank Burlingame Calexico California City Calipatria Camarillo Campbell Cathedral City Ceres Chico Chula Vista Cloverdale Compton Corning Costa Mesa Del Rey Oaks Diamond Bar Dos Palos El Cerrito

COUNTIES

Alameda Calaveras Lake

El Segundo Elk Grove Emeryville Escondido Fureka Fairfield Ferndale Fremont Glendale Goleta Gonzales Grover Beach Hidden Hills Huntington Park Kingsburg La Cañada Flintridge La Mirada La Palma La Quinta Lathrop Lindsay Livingston Lompoc Long Beach Loomis Madera Modesto Montclair Mountain View Nevada City Newark

Modoc Riverside Sierra Solano Trinity Ventura

APPENDIX D JURISDICTIONS WITHOUT ANNUAL REPORTS AND WITHOUT FEE SUBMITTAL (DELINQUENT)

Fee Status: Unpaid		Report Status: None
LOCAL GOVERNMENTS (Organized by City, then County)		
Amador (Org	Holtville	Rialto
Angels Camp	Industry	Rolling Hills
Arvin	lone	San Ramon
Azusa	Isleton	Seaside
Belvedere	King City	Solana Beach
Blue Lake	Lafayette	Soledad
Buellton	Laguna Woods	St. Helena
Calabasas	Lakeport	Stockton
Coalinga	Lakewood	Susanville
Cudahy	Los Altos	Trinidad
Dorris	Malibu	Tustin
El Centro	McFarland	Wasco
Etna	Montague	West Sacramento
Firebaugh	Monte Sereno	Westlake Village
Fort Jones	Moraga	Westmorland
Fowler	Norco	Wheatland
Gardena	Orange Cove	Willows
Gilroy	Paradise	Windsor
Greenfield	Pasadena	Woodlake
Gridley	Point Arena	
Hercules	Portola Valley	
COUNTIES	Kern	Siskiyou
Alpine	Kings	Sonoma
Butte	Mariposa	Tehama
Fresno	Mendocino	Tulare
Humboldt	Plumas	Yuba
Inyo	San Mateo	