

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

June 26, 2019

1. Call to Order

Chair Brian Holloway welcomed everyone and called the meeting of the Checklist Committee of the California Commission on Disability Access (CCDA) to order at approximately 1:30 p.m. at the CCDA Hearing Room, 400 R Street, 3rd Floor, Conference Room 300, Sacramento, 95811.

Roll Call

Staff Member Ochoa called the roll and announced a quorum was not present.

Commissioner Present:

Brian Holloway, Chair

Committee Members Present:

Taylor Collison, California Hotel and Lodging Association

Richard Halloran, Certified Assess Specialist (CASP), Consultant, Retired Senior Building Inspector, City and County of San Francisco (via teleconference)

Ike Nnaji, Ph.D., CASp, Disability Access Specialists, Inc. (via teleconference)

Afsaneh Ahmadi, Chief Building Official, City of San Diego, and Deputy Director, Building Construction and Safety Division (via teleconference)

Debbie Wong, Division of the State Architect (DSA)

William "Bill" Zellmer, Sutter Health

Other Commissioner Present:

Tom Lackey, Assemblymember

Committee Members Absent:

Scott Lillibridge, Vice Chair

Melissa Barton, American Institute of Architects California (AIA)

Brandon Estes, California Building Standards Commission (CBSC)

Erika Frank, Executive Vice President, Legal Affairs, and General Counsel, California Chamber of Commerce (CalChamber) (via teleconference)

Anthony Goldsmith, Law Offices of Anthony Goldsmith, Owner, Pacific Access Consulting LLC, Californians for Disability Rights

Gary Layman, California Building Officials (CALBO), Standing Director of the Professional Practice Standards at the Certified Access Specialist Institute (CASI), Chief Building Official/ADA Coordinator, City of Oroville

Matthew Sutton, Senior Legislative Director, California Restaurant Association

**California Commission on Disability Access
Checklist Committee
June 26, 2019, Meeting Minutes**

Staff Present:

Angela Jemmott, Executive Director
LaCandice Ochoa, Operations Manager

Also Present:

Terry McLean, CASp, Certified Access Specialist Institute (CASI)

2. Approval of Meeting Minutes (September 26, 2018, and March 27, 2019) – Action

Chair Holloway tabled this agenda item until the next Checklist Committee meeting due to the lack of a quorum.

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

No members of the public addressed the Committee.

4. Committee Membership - Update and Discussion

a. Review Current Roster

Executive Director Jemmott reviewed the CCDA Checklist Committee Membership Roster, which was included in the meeting packet. She stated Stoyan Bumbalov and Irene Walela have changed positions, leaving vacancies for the Department of Housing and Community Development (HCD) and the Department of Rehabilitation (DOR).

Chair Holloway asked how to recruit representatives from those organizations to fill the vacancies.

Executive Director Jemmott stated she will speak to the department heads about the importance of their participation on this committee and, if committee members know of possible candidates, she can reach out to them directly.

Committee Member Lackey suggested not to hesitate to use legislators as they are happy to be part of the process.

b. New Committee Member: Melissa Barton, AIA

Executive Director Jemmott stated Melissa Barton was acknowledged by the Commission Chair and recommended to this committee at the April Full Commission meeting.

**California Commission on Disability Access
Checklist Committee
June 26, 2019, Meeting Minutes**

5. Restaurant Industry Toolkit Feedback and Revisions - Update and Discussion

- a. Summary of Feedback Received from Central, Northern, and Southern Community Gathering Events**
- b. Development of One-Pager**
- c. Project Plan for Final Toolkit Product**

Chair Holloway stated stakeholder feedback has been collected but no changes have yet been made to the toolkit.

Executive Director Jemmott reviewed the CCDA Community Gathering Events Toolkit Feedback, which was included in the meeting packet. She stated attendance increased with each session; the outreach was overwhelmingly successful.

Questions and Discussion

Committee Member Zellmer noted that not everyone wants their building to be shown publicly.

Committee Member Halloran suggested looking at the U.S. Access Board for many drawings and animations on six elements of accessibility, as they are more than happy to share them.

Committee Member Wong suggested doing a Google search for "access board animations."

Executive Director Jemmott cautioned that not all drawings and animations meet California regulations.

Public Comment

Terry McLean, CASp, CASI, stated she has modified the U.S. Access Board drawings and animations in the past to fit the California requirements.

Questions and Discussion, continued

Chair Holloway referred to Central Valley Feedback Item 1 on page 1 and suggested the title "California Restaurant Disabled Access Compliance Toolkit."

Executive Director Jemmott stated the idea was to make the toolkit more generic to all businesses.

Committee Member Halloran cautioned against using the word "disabled" in the toolkit title and suggested the term "disability access."

Committee Member Zellmer referred to Central Valley Feedback Item 2 on page 1 and stated there is a lot to be said for employee training but suggested it be brief - a handful of basic concepts.

**California Commission on Disability Access
Checklist Committee
June 26, 2019, Meeting Minutes**

Committee members suggested changing the pyramid to either a pie chart or a paragraph.

Committee Member Wong referred to Central Valley Feedback Item 8 on page 1 and stated the DOR has a page specifically about how to make business websites accessible.

Committee Member Halloran offered to send staff the recommended standard from the Department of Justice.

Executive Director Jemmott stated feedback received from Southern California was about the Voice of the Customer section. The recommendation was to use a language of clock symbols. For example, for the customer with a visual disability, it would say that the soda is placed at 12:00 in front of the plate. Individuals recognize time of day.

Executive Director Jemmott stated a question that came up several times was how to find a local CASp.

Committee Member Wong stated she will work on that language.

6. Readily Achievable vs. Non-Readily Achievable Barriers - Update and Discussion

Executive Director Jemmott stated this topic is related to the toolkit. She reviewed the Barrier Removal Undue Hardship and Alternate Methods document, which was included in the meeting packet. She asked if there is something that can be utilized on this document to help businesses understand the concept of barrier removal undue hardship.

Questions and Discussion

Committee Member Wong stated barrier removal is discussed on page 13 of the toolkit but does not address that only pre-Americans with Disabilities Act (ADA) structures and facilities are subject to barrier removal - built before January 26, 1993. This is a complicated subject and should be stated simply in the toolkit on page 13 and it should contain the date.

Public Comment

Ms. McLean agreed with the complexity of this issue. Other barrier removal legislation such as in 2010 will also need to be considered.

Questions and Discussion, continued

Committee Member Halloran agreed with the previous speakers and stated it can be made relatively simple. An existing building that was built prior to January 26, 1993, is subject to barrier removal. Barrier removal is anything that can be taken care of without too much cost or effort. If something cannot be removed, the business is not

**California Commission on Disability Access
Checklist Committee
June 26, 2019, Meeting Minutes**

grandfathered in. They still have an obligation to deliver goods and services. This can be done in a number of ways. It does not need to be any more complicated than that.

Committee Member Wong stated most of those concepts are addressed in page 13.

Committee Member Halloran stated page 13 does not talk about other methods of delivering goods and services.

Ms. McLean stated it is in the toolkit somewhere but not on page 13.

Executive Director Jemmott stated it will be added in the "At a Glance" section for clarity. She suggested that the "Lease" section be called "Contracts" and include things to think about before entering into a contract.

7. Future Agenda Items

No future agenda items were offered.

8. Adjourn

There being no further business, the meeting was adjourned at approximately 3:00 p.m.