

# CALIFORNIA COMMISSION ON DISABILITY ACCESS EXECUTIVE COMMITTEE

Teleconference Meeting Minutes  
April 7, 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 approximately 1:30 p.m. Due to the ongoing health emergency, and consistent with Executive Order N-29-20, this meeting was conducted entirely by Zoom and 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  
Michael Paravagna

#### Commissioners Absent:

Brian Holloway  
Guy Leemhuis

#### Other Commissioners Present:

Ashley Leon-Vazquez  
Tom Lackey, Assembly Member  
represented by Mary Maida

#### Staff Present:

Angela Jemmott, Executive Director  
Adam Barsanti, Associate Governmental  
Program Analyst  
Theresa Brown, Data and Research Analyst  
Stephanie Groce, Disability Access  
Technician  
Phil McPhaul, Operations Manager  
Davina Saenz, Marketing and Outreach  
Analyst

#### Also Present:

No members of the public addressed the Committee.

## 2. Approval of Meeting Minutes (January 14, 2021) – Action

**Motion:** Commissioner ElHessen moved to approve the January 14, 2021, California Commission on Disability Access Executive Meeting Minutes as presented. Vice Chair Wiele seconded. Motion carried unanimously with no abstentions.

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

No members of the public addressed the Committee.

**4. Legislative Bill Tracking – Update**

Executive Director Jemmott reviewed the CCDA Legislative Status Report on the bills staff is tracking, which was included in the meeting materials.

**a. AB 29 State Bodies: Meetings**

This bill has been referred to the Assembly Committee on Government Operations.

**b. AB 885 Bagley-Keene Open Meeting Act: Teleconferencing**

This bill has been re-referred to the Assembly Committee on Government Operations.

**c. AB 105 The Upward Mobility Act of 2021: Boards and Commissions:  
Civil Service: Examination: Classifications**

This bill has been re-referred to the Assembly Committee on Public Employment and Retirement.

**d. AB 580 Emergency Services: Vulnerable Populations**

This bill has been referred to the Assembly Committee on Emergency Management.

**e. SB 810, 811, 812 Validations**

This bill will no longer be tracked by staff.

Questions and Discussion

Commissioner ElHessen referred to AB 105 and noted that the identified groups exclude individuals with disabilities.

Chair Downey agreed and asked staff to communicate this as a possible revision.

Commissioner Paravagna agreed. He suggested also sharing this issue with the Commission's legislative members.

Commissioner ElHessen stated AB 580 does not include individuals with mental disabilities. She asked staff to get clarification on this.

**Action Items**

- Staff is to learn if AB 105 would include individuals with disabilities to the identified groups.
- Staff is to seek clarification on whether mental disabilities fall under the category of cognitive disabilities or if it should be listed separately in AB 580.

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

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**a. Confirm the Revised Amendments**

Executive Director Jemmott reviewed the proposed bylaw amendments, which were included in the meeting materials.

Upon Committee discussion, the following changes were made to staff's proposed amended bylaws. These recommendations will be presented at the April full Commission meeting for final approval:

- Section 3.4

"In the event that a publicly-appointed Commissioner fails to attend three consecutive meetings of the full Commission and/or their assigned subcommittee, without having given a written excuse acceptable to the CCDA Chair, the Executive Director shall notify the appointing authority, who may declare the position vacant. Concern was raised about the need to address the (unlikely) event that the commissioner in question is the chair to which consideration is made that text be included along the lines of "If the missing party is the Chair, then the responsibility of approving excuses falls to the Vice Chair." This requires further development prior to bringing it to the Board.

- Section 5.2

The Committee approved the staff recommendation.

- Section 7.3

"The appointed chair and membership of each standing or Ad Hoc committee shall be appointed by the CCDA chair. The chair of any standing or Ad Hoc committee shall be a publicly-appointed member of the CCDA. Additional standing or Ad Hoc committee(s) members may be appointed by the chairperson of the applicable committee(s) subject to the concurrence of the CCDA chair. Non-voting, ex-officio members of the CCDA, or their representative, may vote as a member of any standing, Ad Hoc, or subcommittee. The term for each stakeholder committee member of any committee will be up to two years in length, unless notated at the time of appointment. Reappointment may occur at the pleasure of the chair."

**Motion:** Commissioner Paravagna made a motion to move this package forward to the full Commission with the amendments discussed in this meeting. Commissioner ElHessen seconded. Motion carried unanimously.

**Action Items**

- Staff is to make the above changes to the proposed bylaw amendments and present them to the full Commission for their review and approval at the April meeting.

**6. Commissioner Subcommittee Reports - Update and Discussion**

**a. Legislative Committee**

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Commissioner Paravagna, Chair of the Legislative Committee, provided an overview of the Committee activities since the last Executive Committee meeting. The Legislative and Education and Outreach (E&O) Committees have been working together to look at partnerships with the legal community and the Legislature. He stated the Legislative Committee addressed the Commission's strategic plan research compliant court case submittals and has been working with an attorney in the community, which has been fruitful. Staff is preparing a one-page information sheet to be posted on the website and to be used when communicating with legislative offices. At the next Legislative meeting, staff will be presenting language proposed on the Disability Education Access Fund to be included on the website to drive individuals to the website and to demonstrate the usefulness of the Commission. The next meeting will include a discussion on ways in which the court system can assist the Commission in the collection of data on lawsuits related to access violations.

**b. Education and Outreach Committee**

Commissioner ElHessen, Chair of the Education and Outreach Committee, provided an overview of the Committee activities since the last Executive Committee meeting. The Committee discussed the need for diversification of individuals, organizations, and associations of the membership on the E&O Committee to provide a balance of voices between the business and disability communities. She stated Chair Downey is coordinating an effort to find resources for audio captioning services for the Commission's two public service announcements. The Committee will host a roundtable discussion with the legal community at the upcoming full Commission meeting. She stated she has been working closely with community supports, which would like to play a more active role with the CCDA.

**c. Checklist Committee**

Commissioner Holloway, Chair of the Checklist Committee, was not in attendance. Chair Downey tabled this update to the next Executive Committee meeting.

**Action Items**

- No action items.

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

Executive Director Jemmott presented her report:

**a. Administrative and Operational**

- Staff is working on a number of budget drills in preparation of forecasting this year's usage of the budget and working with the accounting department to ensure that goals are accomplished. More details will be presented at the upcoming full Commission meeting.
- The three-year office improvement project is in the final stages of completion.

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- New staff member Phil McPhaul, Operations Manager, was hired since the last full Commission meeting.
- The administrative staff vacancy will be posted in two grade levels due to the complexity of this position in that this individual must have a legislative background as well.
- Minimum staff continues to be maintained in the office and are on a telework rotation in relation to the COVID-19 pandemic.
- Legislative Commissioners recognized four Commissioners within the CCDA for Women's History Month in March.

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

- The strategic goal for 2021 is to evaluate compliance with CCDA's data collection mandate by researching Title III construction-related Americans with Disabilities Act (ADA) court filing and submission practices within the California court system.
- It is important to understand the types of filers and filings within the state and federal court system.
- It is important to clearly distinguish the differences between state courts, regions, and the types of cases falling under Title III.
  - Staff will meet with a law firm that is doing statistical analyses on this topic nationally to compare their work with the CCDA's work.

**c. April 28, 2021, Full Commission Meeting**

- A roundtable discussion with the legal community has been agendized at the upcoming full Commission meeting.
  - Plaintiffs, defendants, associations, and the State Bar have been invited to be part of the panel.
  - Commissioner Leemhuis, Immediate Past Chair, will facilitate the discussion.
  - The goal of the roundtable discussion is to learn about the CCDA, individual law firms, and associations and what they understand to be their responsibilities with regard to compliance with California Civil Code legislation.

**Action Items:**

- No action items.

**8. Future Agenda Items**

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No future agenda items were offered.

**9. Adjourn**

**MOTION:** Chair Downey moved to adjourn the meeting. Vice Chair Wiele seconded. Motion carried unanimously.

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