

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

March 14, 2018

1. CALL TO ORDER

Chair Guy Leemhuis welcomed everyone and called the meeting of the Executive Committee of the California Commission on Disability Access (CCDA or Commission) to order at approximately 1:30 p.m. at the Division of the State Architect, 1102 Q Street, #5100, Conference Room B, Sacramento 95811.

The off-site meeting locations for teleconference were the Law Office of Guy A. Leemhuis, 3685 Main Street, Suite 240, Riverside, 92501, and Westfield Corp., 2049 Century Park East, 41st Floor, Los Angeles, 90067.

Chair Leemhuis reviewed the meeting protocols.

ROLL CALL

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

Commissioners Present:

Guy Leemhuis, Chair (Teleconference)
Douglas Wiele, Vice Chair
(Teleconference)
Brian Holloway
Michael Paravagna
Laurie Cohen Yoo (Teleconference)
Betty Wilson

Staff Present:

Angela Jemmott, Executive Director
LaCandice Ochoa, Staff Services Manager
Dave Chung, Staff Services Analyst
Matthew Wang, Staff Services Analyst

Also Present:

Mike Gibbons
Terri McLain (phonetic)

2. APPROVAL OF MEETING MINUTES (August 9, 2017) – ACTION

MOTION: Commissioner Holloway moved to approve the August 9, 2017, California Commission on Disability Access Executive Committee Meeting Minutes as presented. Commissioner Paravagna seconded. Motion carried unanimously.

3. COMMENTS FROM THE PUBLIC ON ISSUES NOT ON THIS AGENDA

No members of the public addressed the Committee.

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4. COMMITTEE UPDATES

a. Research

Commissioner Yoo, Chair of the Research Committee, stated the Committee met a couple of weeks ago and had a robust discussion about forms and reporting mechanics to generate reliable data. The goal is to have a finalized reporting form ready for review and approval at the next full Commission meeting. The Committee is excited to be working with the Department of General Services (DGS) on database automation. Staff has been limited to reporting raw data thus far. The new database automation will enable staff to research trends and issues for the first time on the data being collected.

b. Education and Outreach

Commissioner Wilson, Chair of the Education and Outreach (E&O) Committee, stated the Commission has not met since the last Executive Committee meeting. She stated she looked forward to reporting activities of the Education and Outreach Committee at the next meeting.

c. Legislative

Commissioner Paravagna, Chair of the Legislative Committee, stated the Legislative and E&O Committees held the second successful listening session on accessible parking programs in California. The event had a panel with an update from the Department of Motor Vehicles. The Legislative Committee will report on stakeholder feedback in the future. The next topic of discussion is service animals.

Commissioner Wilson stated the theme throughout the event was the need to define and educate on disabilities. She stated it was a productive session and looked forward to planning the next one.

d. Checklist

Commissioner Holloway, Chair of the Checklist Committee, stated the Checklist Committee is looking to hold a listening forum in October. The idea is to focus on increasing accessibility in the restaurant industry.

5. PROTOCOL FOR RESPONDING TO MEETING REQUESTS FROM MEDIA AND LEGISLATIVE STAFF - UPDATE AND DISCUSSION

Executive Director Jemmott stated this agenda item concerns a collective protocol to respond to individual outreach. The suggested protocol is that Commissioners communicate with the chair and executive director regarding any participation in outreach opportunities.

Commissioner Wilson stated one of the ideas discussed in yesterday's event with legislators is that the Commission needs to make better use of its partnerships with media and the private industry. Commissioner Paravagna stated this is a good idea but the protocol will need to be clear moving forward in order to be responsive to media opportunities.

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Commissioner Holloway asked if the Commission has a policy or written protocol for Commissioners' responsibilities in representing the CCDA with a unified voice.

Commissioner Paravagna stated the Commission must be sensitive to media deadlines, which includes a way for Commissioners to speak on their own behalf without speaking for the Commission.

Vice Chair Wiele stated such a policy regarding public statements must exist within the state government; it would be efficient to find it. Executive Director Jemmott stated there is such a protocol within the DGS that advises that all communications go through their public relations officer.

Chair Leemhuis stated the protocol should send Commissioners to the executive director to ensure that their time is used appropriately.

Executive Director Jemmott stated the preliminary step of communication will be directed to staff, then to the public relations office.

Commissioner Paravagna stated the Commission must also consider the outcomes so that Commissioners will know what to expect. It seems that the DGS public information office might respond on its behalf.

Chair Leemhuis stated that is still being discussed. He stated if the DGS was to respond on behalf of the CCDA, they would need to talk to Executive Director Jemmott first. It would be good to have a protocol to respond and react to.

Commissioner Paravagna agreed that that is a critical step. He stated state government public information offices have engaged in press coverage with inaccuracies, so ensuring a good relationship with the public information office is critical.

6. DGS BUDGET EXERCISE - UPDATE AND DISCUSSION

LaCandice Ochoa, Staff Services Manager, reviewed the Fiscal Year (FY) 2017-18 Budget Highlights document, which was included in the meeting packet. She stated the budget is projected to have a shortfall of approximately \$36,000 by the end of the FY, if spending remains consistent with the first six months of the FY. The DGS is committed to supporting the CCDA and continues to work with staff. Staff is currently going through budget drills with the DGS to identify shortfalls.

Executive Director Jemmott highlighted the budget drill to design the scope of work for the 2018-19 FY. The scenario would impact the Legislative, E&O, and Checklist Committees. Over the middle and end of the FY, the CCDA will do incubator outreach, do outreach on a different topic, and hold listening forums including the service animals topic. She stated emergency preparedness is a potential third topic for the Legislative Committee. The Commission has the opportunity to request that the Division of the State Architect (DSA) fund all three listening forums, each costing about \$25,000, or to request a budget line item for a portion of this funding.

Commissioner Holloway asked if a \$36,000 shortfall is a big problem or normal procedure in a state budget. Executive Director Jemmott stated no agency can end a FY

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in a shortfall. The first step is for the DGS to cover the budget cycle for the CCDA through this FY, because the CCDA was underfunded when it transitioned to the DGS.

Commissioner Paravagna stated this year seems to have salary savings, which he hoped would carry over to the next year. It is vital that the Commission be fully staffed with funding available to produce programming to prove its worth, but a full staff creates new challenges.

Executive Director Jemmott stated the county budget drill only represented two months of full-time staff; the rest were retired annuitants under an augmentation cost for personnel. Therefore, the CCDA does not yet have a full picture of the costs. A proposed financial outreach effort is to request that all program funding be supported by the DSA through outreach efforts for 2018-19.

Commissioner Paravagna asked if the DSA is on board with this scope of services. Executive Director Jemmott stated conversations with the DSA have begun. Final information will be presented to them once the Executive Committee is in agreement.

Executive Director Jemmott stated an important aspect is that for one side it could be interpreted that this is not within the CCDA's budget but is a contract. The other side is the idea that the CCDA is requesting it to be a budget item. This conversation needs to go further once the meeting has passed.

Commissioner Paravagna stated it is important to have a clear goal about what program to offer in an FY. He stated he supported program goals as written in this piece, and it would be wonderful if the DSA could support it. It is the responsibility of the CCDA to communicate what it needs to accomplish.

Commissioner Wilson stated it would be wise to think about other sources of funding, including a good use of media and outreach to further programs.

MOTION: Commissioner Paravagna moved to support the scope of work and request funding from all appropriate sources so the Commission can achieve these goals in FY 2018-19. Commissioner Holloway seconded.
Motion carried unanimously.

7. BILL TRACKING

Executive Director Jemmott provided a summary of the following bills:

a. AB 3002 (Grayson) - Commercial property leases

AB 3002 contains minor language changes.

Executive Director Jemmott stated Assembly Member Grayson's office has reached out to the CCDA to express interest in the activities of the Commission.

Chair Leemhuis asked what the language changes were. Executive Director Jemmott gave the example of section 1938, "A commercial property owner or lessor shall state

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on every lease form or rental agreement," where "every lease form" is changed to "each lease form."

Public Comment

Terri McLain (phonetic) stated it is a placeholder so the author can come back and change the bill later.

b. AB 3158 (Mathis) - Disability access: construction-related access barrier: civil actions

AB 3158 is still on the desk of the first house and may be heard on March 19th.

c. AB 2958 (Quirk) - State bodies: meetings: teleconference

Executive Director Jemmott stated the CCDA mostly already does this. She was curious if there was more depth to this bill. The meeting will be held on April 4th in room 4202. The CCDA will make an effort to be there.

Commissioner Paravagna asked why the Commission is not looking into the Brown Act and suggested that may be because the Brown Act deals with local government and has fewer people calling in.

d. AB 1547 (Quirk-Silva) - California Americans with Disabilities Act Small Business Capital Access Loan Program

AB 1547 is on the desk of the second house. The CCDA is watching and supporting funding opportunities for Capital Access Loans.

e. SB 984 (Skinner) - State boards and commissions: representation: women

SB 984 is at the policy of the first house.

f. HR 620 (Poe) – ADA Education and Reform Act of 2017

HR 620 has passed the House of Representatives but there is no information yet. Staff will continue to watch it.

Commissioner Wilson asked why little has been heard from agencies that serve the disability population. Vice Chair Wiele stated the intent of the bill seems to be to bring federal law into conformance with California's law regarding litigation and notices.

Ms. McClain stated the bill is similar to the bill that Mathis has regarding the right to cure. She stated she could see problems with open-ended information in the bill.

Commissioner Wilson stated it sounds like the bill's impact on the disability community is controversial. She stated the CCDA needs more information to make a decision.

Mike Gibbons asked for the location of the bill information on the website. Executive Director Jemmott pointed out the bill tracking section.

8. REPORT BY EXECUTIVE DIRECTOR – UPDATE AND DISCUSSION

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a. Administration and Operational

Executive Director Jemmott stated all staff positions have been filled and introduced new staff member Taylor St. Mary (phonetic).

Executive Director Jemmott and Ms. Ochoa met with the DGS to go over the details of the move. A lease has been presented to the lessor; the CCDA cannot execute operational details until the lease is signed. The real estate division has indicated they will communicate the urgency of the move to the lessor. Additionally, the CCDA will be moving its email and website to the DGS.

In March, the CCDA will present a budget concept paper to the director of the DGS.

b. 2018 Commission Meeting Calendar

Executive Director Jemmott stated her appreciation for staff's efforts in dealing with location changes for future meetings. She listed the new meeting locations for the year and reviewed the revised meeting calendar, which was included in the meeting packet.

Commissioner Holloway stated the March 28th Checklist Committee meeting is in the middle of a school break. Executive Director Jemmott stated it is a teleconference meeting but staff will seek feedback on moving the meeting date.

c. Communications from Stakeholders

1. Frequent Emailers

The CCDA has a number of consistent stakeholders that communicate information they want to bring to the Commission's attention. Executive Director Jemmott stated she wanted to share and get feedback on some of the communication requests staff has been receiving.

Commissioner Paravagna asked if there were trends or themes in constituents' communications. Executive Director Jemmott stated most communications concern local access. Many of them serve to bring everyday issues to the CCDA's attention.

d. Outreach Efforts and Partnering Events

Executive Director Jemmott stated the listening forum yesterday caused a local chamber to reach out to staff to discuss holding a listening forum in the future. Yesterday's listening forum had over forty people attending physically and over thirty people telecommunicating. Executive Director Jemmott commended Commissioners and staff for their participation. She thanked the DGS public affairs division for their partnership. Staff will upload the participant evaluation information to the website and present the evaluations to the full Commission.

Commissioner Wilson stated a member of the Legislator panel stated the Commission needs to build more relationships with the private industry, such as chambers of commerce. She stated it is important that the community is aware of what the Commission does.

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Commissioner Holloway stated, despite the fact that the facility was old and difficult to reach over the phone, the listening forum ran flawlessly.

Executive Director Jemmott stated staff has been busy with the opportunity to do a webinar with the state bar, an interview with the ADA workshop, and a presentation for the DGS executive office about the CCDA. She stated Assembly Member Grayson reached out to the CCDA and had an interesting conversation with Vice Chair Wiele and Commissioner Paravagna and stakeholders on learning about the industry and keeping informed on current issues, gaps, and opportunities in laws.

9. FUTURE AGENDA ITEMS

Executive Director Jemmott stated the full Commission will meet in April in Sacramento. The Executive Committee will meet in June.

Chair Leemhuis suggested that the Executive Committee further discuss the topics for future listening forums.

Commissioner Paravagna asked Chair Leemhuis how he sees future discussions impacting the scope of services that were just approved. Chair Leemhuis stated there needs to be a process for this and the Commission needs to reach a consensus on doing something consistent to fulfill the Strategic Plan.

Commissioner Wilson suggested having a discussion item on emergency preparedness.

Chair Leemhuis proposed community meetings to be held with members of the Legislature and private organizations such as chambers of commerce to discuss a plan to get additional money to fund events.

10. ADJOURN

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