

CALIFORNIA COMMISSION ON DISABILITY ACCESS LEGISLATIVE COMMITTEE

Teleconference Meeting Minutes
February 10, 2021

1. Call to Order

Chair Michael Paravagna welcomed everyone and called the meeting of the Legislative Committee of the California Commission on Disability Access (CCDA) to order at approximately 10:00 a.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 Brown reviewed the meeting protocols.

Roll Call

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

Commissioners Present:

Michael Paravagna, Chair
Tiffany Allen
Jacqueline Jackson
Scott Lillibridge

Other Commissioners Present:

Souraya Sue ElHessen
Senator Brian Jones, Senator,
represented by Danielle Parsons
Tom Lackey, Assembly Member,
represented by Mara Madrid (phonetic)
Ashley Leon-Vazquez

Staff Present:

Angela Jemmott, Executive Director
Richard Goldberg, Legal Counsel
Adam Barsanti, Associate Governmental
Program Analyst
Theresa Brown, Data and Research Analyst
Stephanie Groce, Disability Access
Technician
Davina Saenz, Marketing and Outreach
Analyst

Also Present:

No members of the public addressed the Committee.

2. Approval of Meeting Minutes (July 8, 2020) – Action

Motion: Commissioner Lillibridge moved to approve the July 8, 2020, California Commission on Disability Access Legislative Committee Meeting Minutes as presented. Commissioner Allen seconded. Motion carried unanimously with one abstention.

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

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No members of the public addressed the Committee.

4. Legislative Bill Tracking – Update and Discussion

Executive Director Jemmott summarized the CCDA Legislative Bill Tracking Report on the bill staff is tracking, which was included in the meeting packet.

a. AB 29 (Cooper) – State bodies: meetings. An act to amend Section 11125 of the Government Code, relating to public meetings.

This bill has been referred to the Senate Committee on Governmental Organization. It is not considered an urgent bill but will have financial impact, if passed. Staff will continue to watch this bill.

Questions and Discussion

Chair Paravagna stated it would be prudent if the bill included a statement that meeting materials could be disseminated in alternative formats on request, if necessary.

Commissioner Allen agreed and asked if there is mention of the accessibility of all materials prior to public meetings.

Executive Director Jemmott stated she did not recall that being noted.

Danielle Parsons, Senator Jones's office, stated the bill introduction deadline is next Friday.

Action Items

- No action items.

5. Staff Recommendations for Legislative Committee Projects – Discussion

Executive Director Jemmott summarized the staff recommendations for Legislative Committee projects, which were included in the meeting packet. She stated the strategic goal to work on for 2021 is to evaluate compliance with CCDA's data collection mandate by researching filings and submission practices within court systems in California. Committee Members discussed the following proposed projects:

a. Education within the Non-Compliant Legal Community

Chair Paravagna asked if the data collection issue is more about ignorance of the law or resistance to it.

Commissioner Lillibridge stated a third possibility is that the law does not have enough power to motivate attorneys to report.

Chair Paravagna stated it is perhaps a two-pronged issue – the lack of consequences for noncompliance and the lack of understanding on what compliance is. He asked if the

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education piece may be more in the scope of the Education and Outreach (E&O) Committee.

Commissioner ElHessen agreed. She asked how to streamline the data collection process to lessen the burden on attorneys and to encourage compliance.

Commissioner ElHessen suggested that the E&O Committee explore resource options and ways to inform attorneys how to comply.

Executive Director Jemmott stated the CCDA is required by statute to post changes to the data collection process on the website within 30 days. She stated the State Bar regularly distributes a newsletter on updates. There is no other vehicle to ensure that all legal offices in the state of California know about the CCDA and the data collection statute. The CCDA website includes a manual and a training tool to help attorneys submit their data but how attorneys can learn of its existence is still a challenge.

Commissioner ElHessen asked if the CCDA has submitted an article about the mandated data collection in the State Bar newsletter and how the CCDA can be a support to them.

Executive Director Jemmott stated the CCDA has had a great relationship with the State Bar over the years in the process of collaborating what is being collected and the CCDA has contributed to their newsletter in the past.

Executive Director Jemmott suggested that the E&O Committee consider topics to partner with legislative offices in order to better reach the legal communities within their jurisdictions.

Chair Paravagna asked if there are other organizations to partner with to submit articles for their newsletters to reach out into the legal community.

Ms. Parsons suggested looking at the code section. She stated a reporting requirement is sometimes put into law that is not close enough physically to the other parts that govern that law. She suggested putting the requirement where lawyers can see it better. She suggested that the CCDA talk to the legislative committees to put that into their omnibus bill.

Ms. Parsons stated not all legislative offices have a lawyer-specific distribution list. She suggested partnering with legal organizations that work with the Legislature, such as the California Lawyers Association and the California Conference of Bar Associations, to get information out to their members.

Chair Paravagna asked staff to contact the organizations recommended by Ms. Parsons.

Commissioner ElHessen stated those associations meet regularly. She suggested that the CCDA offer to provide a five- to ten-minute presentation through the E&O Committee explaining what the CCDA does and the importance of it and how their information is then used to support the disability community and future legislation.

Chair Paravagna suggested posting the E&O Committee's presentation on the website for use on demand.

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Executive Director Jemmott stated noncompliance also includes submitting data improperly. She suggested creating a webinar on how to use the online portal so lawyers do not continue to send their data through email.

Commissioner Lillibridge suggested prioritizing education within the non-compliant legal community as a Legislative Committee project. The Commission relies on the data collected to advise the Legislature on disability access laws and issues. He suggested that the court system should be involved in the data collection process by notifying attorneys when a case is filed that they have 30 days to comply with reporting requirements.

Commissioner Lillibridge suggested getting input from the legislative members of the CCDA. Ultimately, they can promote this and create a bill to help with the noncompliance issue, if necessary.

Commissioner ElHessen suggested that a link to the CCDA website can be attached to the different bar associations and other sites visited by the legal community for increased visibility.

Chair Paravagna stated this is a three-pronged approach. The CCDA needs to partner with associations that deal with lawyers, explore how to be more effective through the court system, and work on accountability. He suggested reaching out to legislative members of the CCDA before the next Legislative Committee meeting to discuss ideas on how to make that happen and bring suggestions back to the next Legislative Committee meeting.

b. Disability Access and Education Revolving Fund

Chair Paravagna suggested creating an article summarizing the Disability Access and Education Revolving Fund (Fund) that refers readers to the CCDA website, where more information and examples of how the funding can be used can be made available. He suggested sending the article to the California League of Cities, the California State Association of Counties (CSAC), and each member of the Legislature.

Executive Director Jemmott stated she was scheduled to be part of a panel last year to do a presentation on the Fund but the event was cancelled.

Commissioner Jackson asked about an annual reporting requirement for utilization of the Fund.

Executive Director Jemmott stated an annual report is managed by the Division of the State Architect (DSA) and is posted on the DSA website.

Commissioner ElHessen suggested tapping into social media to educate cities.

Chair Paravagna asked for the E&O Committee's help with this agenda item.

Legislative Outreach

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Chair Paravagna stated there was discussion in the past about developing a one-page information sheet for distribution to all members of the Legislature about the CCDA, what it does, and what the CCDA can do for legislators. He asked Committee Members for their feedback on this idea.

Ms. Parsons stated a one-page CCDA information sheet on what the CCDA can help with and the resources it can offer is a good way for legislators to learn of the CCDA's existence and that it is here to help them.

Commissioner ElHessen suggested that the one-page information sheet be a quick reference sheet on how to reach the CCDA with bullet points that the CCDA provides education, service, and support, with the header "we're here for you."

Chair Paravagna agreed and suggested including a reference to the CCDA website. He asked staff to put together a draft one-page quick-reference information sheet for approval at the next Legislature Committee meeting.

Ms. Parsons suggested including the sentence "while we don't take positions on bills, we're happy to offer technical advice when drafting legislation that has to do with disability access."

Ms. Parsons stated the CCDA California Consumer Toolkit for the Restaurant Industry is very useful. She stated Senator Jones plans to have the district office send the checklist to every chamber of commerce in his district for them to share with their member businesses. She noted this would be a good thing to highlight for legislative offices in the one-page quick-reference information sheet.

Chair Paravagna suggested also highlighting the Accessibility Construction Inspection Checklist, which is designed to help individuals identify problems in construction early on for easier, less costly corrections.

Executive Director Jemmott suggested highlighting the statistical analysis in the CCDA Annual Report to help legislators better understand what is happening in the area of access violations.

Ms. Parsons suggested sharing only the most pertinent statistics to keep the one-page quick-reference information sheet brief. She also suggested posting all referenced documents on the website so legislators and individuals doing background research on bills can quickly access them for further information. She suggested doing Zoom briefings with legislative offices.

c. Increase Disability Access Awareness

No comments were offered.

Action Items

- Staff is to contact the California Lawyers Association and the California Conference of Bar Associations, as recommended by Ms. Parsons, to get information out to their members.

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- Staff is to develop a webinar on how to use the online portal so lawyers do not continue to send their data through email.
- Staff is to reach out to legislative members of the CCDA before the next Committee meeting to discuss ideas on partnering with associations that deal with lawyers, how to improve data collection through the court system, and how to hold lawyers accountable.
- Staff is to prepare a draft article summarizing the Fund with examples of how it can be used that can be submitted to the California League of Cities, the CSAC, and each member of the Legislature for approval at the next Legislative Committee meeting.
- Staff is to prepare a draft one-page quick-reference information sheet for approval at the next Legislative Committee meeting.

6. Future Agenda Items

Chair Paravagna suggested a point-by-point update on items discussed today:

- Look at the code and to talk to the legislative committees to put the reporting requirement where lawyers can see it better into their omnibus bill to increase accountability for individuals filing lawsuits.
- Review staff's draft article summarizing the Fund that refers readers to the CCDA website, where more information and examples of how the funding can be used for possible Legislative Committee approval and distribution to the California League of Cities, the CSAC, and each member of the Legislature.
- Explore how to improve data collection through the court system.
- Review staff's draft one-page quick-reference information sheet for possible Legislative Committee approval.

7. Adjourn

Chair Paravagna asked for a motion to adjourn the meeting.

Motion: Commissioner Lillibridge moved to adjourn the February 10, 2021, California Commission on Disability Access Legislative Committee meeting. Commissioner ElHessen seconded. Motion carried unanimously.

Chair Paravagna adjourned the meeting at approximately 11:30 a.m.