

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

September 16, 2015

a. CALL TO ORDER

Chair Guy Leemhuis called the meeting of the Executive Committee of the California Commission on Disability Access (CCDA or Commission) to order at 1:30 p.m. at the City of Los Angeles Department on Disability, 201 North Figueroa Street, Suite 100, Los Angeles, California 90012.

The off-site meeting location for teleconference was Department of Rehabilitation, 721 Capitol Mall, Room 407, 4th Floor, Sacramento, California 95814.

Chair Leemhuis reviewed the meeting protocols.

ROLL CALL

Commissioners Present:

Guy Leemhuis, Chair
Steve Dolim, Vice Chair
Michael Paravagna
Laurie Cohen Yoo

Staff Present:

Angela Jemmott, Executive Director
Addison Embry, Program Analyst
Brandon Estes, Program Analyst

Staff Member Embry called the roll.

2. APPROVAL OF MEETING MINUTES (June 17, 2015) – ACTION

MOTION: Commissioner Dolim moved to approve the June 17, 2015, 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

There were no questions or comments from the public.

4. OUTSTANDING ACTION ITEMS FROM PREVIOUS MEETING - UPDATE

Direction from the Full Commission

- a. Development of Potential Donors and running “Wish List” of Specific Requests or in-kind donations**

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Executive Director Jemmott reported that the item is still being worked on.

b. Add to Research Committee responsibility the research ability to aggregate the disproportionate of number of lawsuits within the minority communities

Executive Director Jemmott reported that the item will be placed on the next Research Committee meeting agenda.

c. Work with OTECH regarding launching CCDA Facebook and internal tracking system

Executive Director Jemmott reported that the new system will be operational in June, and that it will be a stronger system.

Direction from the Previous Executive Meeting

a. Research GoFundMe, Razoo, and other fundraising tools (will be added to the E&O agenda)

Executive Director Jemmott reported that the issue is outstanding – staff is continuing to work on it.

5. COMMITTEE UPDATES

a. Research

Commissioner Yoo, Chair of the Research Committee, reported that the committee has focused its energy on creating a new data collection template. The goal is to collect information efficiently and to improve the consistency with which data is collected and reported.

Open issues:

- Whether the Legislature will ultimately approve the worksheet for CCDA use in place of simply collecting complaints and pulling information from them.
- The ability to adapt the current system to use the new form – the committee would like to change the way it categorizes and lists violation typologies.
- The ability to process the information electronically rather than via an Excel spreadsheet.

At the next meeting the committee will explore other areas of research and resources for gathering information.

b. Education & Outreach

Executive Director Jemmott reported in the absence of Chair Wilson.

- The committee's focus has been on fundraising efforts. Committee members are looking at participants interested in donating in-kind support to CCDA.

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- Members are contacting independent living centers throughout the state that could provide locations for full Commission meetings.
- The committee is committed to the consumer survey: collecting data and summarizing the findings.

c. Legislative

Commissioner Paravagna, Chair of the Legislative Committee, reported that the committee is looking at the concept of obtaining input from various segments of the public to formulate ideas that can be submitted to the Legislature for action.

The model envisioned was to partner with members of the Legislature, having public meetings in their districts consisting of panel discussion with members from both the business and the disability communities. The committee's questionnaires would be analyzed and a facilitated discussion would be held among all participants regarding where the agreements are – what mutual cooperation can be implemented to resolve issues in the communities around California.

Commissioner Paravagna and Executive Director Jemmott will be contacting legislators to secure their participation.

Commissioner Paravagna mentioned that he would like to see these meetings held in a variety of locations, in order to get a richer current picture and to earn more credibility.

6. REPORT BY EXECUTIVE DIRECTOR - UPDATES AND DISCUSSION

a. Update on Dollar Surcharge collected by State and Local Governments

Executive Director Jemmott reported that on the state side, the 30¢ to the dollar partnership opportunities that CCDA thought it would have with the Department of Rehabilitation (DOR) and the Division of State Architect (DSA), probably will have to be addressed in legislation.

Regarding local government, Executive Director Jemmott will be meeting with the city of Los Angeles about their non-participation in collecting. The committee will need to develop a strategy for working with local governments.

Commissioner Dolim clarified with Executive Director Jemmott that the business license law stipulates to collect \$1.00 extra from the responsible party (whoever is issuing the business license). Of that dollar, 30¢ goes to DSA.

b. Outreach Efforts

- The Consumer Guide has been published. It was launched at an event in June, with a formal moderation with California building inspectors. The second part of the process has been to distribute the Consumer Guide to the various jurisdictions. Volunteers have been checking and expanding on the distribution list.

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A survey has been created for the Consumer Guide which was launched yesterday. About 26,000 email accounts with a good cross-section of businesses and landlords will be reached. SurveyMonkey is the software being used.

- o CCDA had a booth at a CalCon conference in Long Beach.
- o DGS invited CCDA to participate in a Black Chambers event in Sacramento.

c. Facilities Move

CCDA has engaged DGS to assist in the search for a leased facility, which will have a higher cost than the current facility. The budget will be impacted. Current square footage cost is about \$2.36; the average public square footage cost is \$3.25. A number of factors such as meeting rooms will be calculated into the cost – they will be absorbed into the cost of the monthly lease.

The reasons for the move are to increase space for CCDA, and to end the DOR's sub-lease arrangement with CCDA.

a. Data Collection

CCDA still must use its volunteers to process the steady stream of complaints – from January to May, 1,270 cases and demand letters were submitted. 37% were federal, 44% were state, and 19% were demand letters.

b. Website Migration

The Office of Technology Services (OTech), the state data service, is sunsetting its system in June 2016. CCDA is trying to locate another system and is talking with a number of IT and Internet providers to find the best package option.

7. Strategic Plan – Update

Executive Director Jemmott reported on goals from the Strategic Plan that the CCDA has accomplished in recent months.

#2 Increase Disability Access Awareness. On June 24, the 25-year anniversary of the Americans with Disabilities Act (ADA) federal law, CCDA made a public pledge of its commitment. In addition, at all full Commission meetings, local disability commissions are given an opportunity to share what they are doing.

Commissioner Paravagna commented that the Construction Checklist brings awareness to Building Inspectors – a tangible deliverable.

#3 Create Training Programs for Targeted Constituents. CCDA held a forum at City Hall at which challenges and opportunities within the different jurisdictions were discussed.

#4 Create and Identify Revenue Streams to Fund Access Needs. AB 1342 (Steinorth) was written with the intent to increase CCDA's budget and staffing needs.

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#5 Create Financial and Other Incentives for Access Compliance. AB 1230 (Gomez) shows interest in CCDA's Consumer Guide; they have taken the questionnaire and are awaiting CCDA's results, which they believe will portray the opportunities and the need for disability access special loans.

SB 251 (Roth) has some tax provisions; CCDA has been working with Senator Roth regarding his tax incentives.

#9 Expand Methods of Identification, Obligation and Enforcement of Barrier Removals in the Built Environment. SB 251 has given CCDA focus on increasing research: the bill includes provisions on how CCDA collects data and information. This bill and AB 1521 are at concurrence for last-minute collaboration within both houses.

Chair Leemhuis expressed strong concern with the wording of SB 251. He was concerned that the CCDA's name was being used in a bill that erodes the protections of the ADA – the civil rights of people with disabilities. Reducing liability does not increase access. An extensive discussion ensued among the Commissioners.

Chair Leemhuis suggested that the CCDA take a position on the bill. He was concerned that CCDA data not be overstated when at present, it is anecdotal and conclusions cannot be drawn from it.

Action Item:

- Executive Director Jemmott will schedule a meeting with the author of SB 251.

Chair Leemhuis suggested having a meeting regarding general access issues and how the CCDA can impact bills.

(9.) CCDA BILL TRACKING

Executive Director Jemmott reported that AB 1342 and AB 1230 are on the Governor's desk for signature. AB 1342 directly impacts CCDA because it addresses staffing requirements. AB 1230 directly impacts the CCDA Strategic Plan with the financial incentives for small businesses in terms of access. Both bills are strongly positive for CCDA; both further the Strategic Plan.

Chair Leemhuis noted that once AB 1230 passes, it will provide more information with which to revisit SB 251 at Senator Roth's office – many small businesses truly need capital to bring their buildings into compliance. Executive Director Jemmott mentioned that one of the survey questions pertains to annual tax credits and subsidized loans; respondents say that the two are equally desirable as financial incentives.

(Executive Director Jemmott had mentioned in Agenda Item #7 that AB 1521 is at concurrence.)

8. BUDGETS

- Current Budget Expenditures

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Executive Director Jemmott reported on fiscal changes to the state structure: CCDA is part of "Wave 2" of the new fiscal program, which has impacted some of CCDA's reporting numbers. Presently there is no current budget Year-To-Date reporting because of the cutover from the last time CCDA updated its system, which was May 31. Since then CCDA has not received any accurate Year-To-Date reporting.

Executive Director Jemmott reviewed the August budget reporting numbers, which included \$27,000 in Personnel Services and \$1,563 in Operating Expenses.

CCDA is working closely with DGS on clients of fiscal services as well as the new FI\$Cal department to understand the new financial reporting system.

- "What if" Exercise

According to Action Items from the Full Commission regarding funding opportunities based on the current budget, Executive Director Jemmott presented fixed expenditures and "What ifs" of making some changes.

Of the CCDA \$526,000 budget, 67% is staff salaries and benefits and 21% is contracts (inter-agency costs). They are the fixed costs. The facility cost is 7% and will automatically increase when CCDA moves to a leased private facility.

Office Supplies and Training costs were not calculated. 1% was included for Standing Commission Meetings – there are about 24 per year.

98% of the total budget was accounted for – CCDA is in dire need of an increase to the budget or an augmentation of how it operates.

The cost of the four Full Commission meetings is about \$9,700 per year (travel costs, support services, venue).

Executive Director Jemmott presented budget options, with estimated numbers for outreach, data collection tools, website update, facility operations, and moving costs.

Commissioner Paravagna noted that some of CCDA's plans may not be feasible because of cost. Possibly legislation could clean up some of the fees for business licenses so that more of it comes to CCDA. Commissioner Paravagna did not see how CCDA could make it through the end of the year with these budget numbers, and we need to make some hard decisions on how to live within our means.

Executive Director Jemmott answered Commissioner Yoo's question about teleconferencing: they were thinking about using the video links belonging to DSA and DOR. Switching from in-person conferences to video links saves about \$2,500 per session.

Executive Director Jemmott stated that finding outside funding support for outreach was one recommendation. Another was using the video links for the full Commission meetings.

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Commissioner Paravagna surmised that outreach, manner and frequency of meetings, the move, and travel expenses are the only places with room to maneuver.

The Commissioners agreed that they would have to show that they took action internally to get the budget under control, before they could go to the Legislature to ask for a budget augmentation or to outside sources to ask for donations.

Chair Leemhuis pointed out that making a contingency plan for a budget reduction was premature because the passage of AB 1342 was not yet certain, and the location of the move was unknown.

Commissioner Paravagna responded that there was a history of state agencies refusing people who are in dire financial straits. CCDA needed to be prepared to show the impact of its current budget. We need to deal with this year – the Budget Change Proposal (BCP) for AB 1342 will be for 2016-17.

The Commissioners ascertained that accomplishing the move during the current year is not within the budget. Chair Leemhuis suggested writing a letter to DOR, asking for an agreement to wait so that they do not have to pull an Audit Exception.

Chair Leemhuis suggested for the Executive Committee to meet again, to discern the numbers that would show the budget shortfall – and what to do to shore it up for the current fiscal year. If it can't be shored up, that needs to be articulated in time to do a budget augmentation request. Commissioners Yoo and Paravagna agreed; Commissioner Dolim will be notified. Commissioner Paravagna suggested a closed session in case they needed to discuss the BCP.

10. FUTURE AGENDA ITEMS

(Item addressed throughout the meeting.)

11. ADJOURN

Chair Leemhuis adjourned the meeting at approximately 3:10 p.m.