

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

**May 26, 2015**

**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 or Commission) to order at 10:00 a.m. at the Department of Rehabilitation, 721 Capitol Mall, 2<sup>nd</sup> Floor, Sacramento, California 95814.

The off-site meeting locations for teleconference were Cal Insurance and Associates Inc, 2311 Taraval Street, San Francisco, California 94116, and the Law Offices of Paul Rein, 200 Lakeside Drive, Suite A, Oakland, California 94612.

Chair Paravagna reviewed the meeting protocols.

**ROLL CALL**

*Commissioners Present:*

Scott Hauge  
Celia McGuinness (Teleconference)  
Michael Paravagna, Chair  
Douglas Wiele

*Other Commissioners Present:*

Assemblymember Chad Mayes

*Staff Present:*

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

*Also Present:*

Terry McLean, Certified Access Specialist (CASP)  
Joshua White, Legislative Director, Office of Assemblymember Mayes

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

**2. APPROVAL OF MEETING MINUTES (MARCH 25, 2015) – ACTION**

**MOTION:** Commissioner Wiele moved to approve the March 25, 2015, California Commission on Disability Access Legislative Committee Meeting Minutes as presented. Commissioner McGuinness seconded. Motion carried unanimously.

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

There were no questions or comments from the public.

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**4. PROCESS FOR INTRODUCING NEW LEGISLATION**

Chair Paravagna asked Committee Members to review the Commission's nine strategic goals and to suggest which ones may need action from the Legislature to move forward.

Commissioner Wiele stated it requires ongoing discussion; the current budget does not allow all nine goals to be funded.

Commissioner McGuinness stated all the strategic goals may be considered for legislation.

Chair Paravagna asked which goals would be considered a higher priority to act as a starting point. Commissioner Wiele stated Goals 4, 5, and 6 are outside Commission authority other than to make recommendations to the Legislature. They require the Legislature's assistance.

Chair Paravagna agreed and stated as the underlying theme using existing resources more effectively. He asked how to facilitate a discussion between the business and disability communities to find legislative and other solutions they can both agree on to create more access and more business opportunities.

Commissioner Wiele suggested contacting stakeholder groups for their input. He stated the California Business Properties Association (CBPA) put together a menu of suggested incentives. Groups that represent the disability community can do the same.

Commissioner McGuinness agreed that legislative action may be most appropriate for Goals 4, 5, and 6 and that they should begin with outreach to stakeholders, asking for their ideas on the three goals the Commission is focusing on.

Commissioner McGuinness cautioned against discussing it in an oppositional way and suggested using a cooperative approach. The key is to identify all possible participants. She suggested working with the Education and Outreach Committee to come up with a list of potential resources of organizations and individuals for input on this issue.

Commissioner Wiele agreed and stated there is much more sympathy and potential collaboration between the various parties at the table than is sometimes imagined.

Chair Paravagna stated the need to find the consensus points to be used for everyone's advantage. He asked Commissioner Wiele to ask the CBPA to share their menu of incentives. He set a goal to have the legislative concepts in 60 to 90 days.

Commissioner McGuinness stated the need to allow enough time for all stakeholders to feel included. She suggested spending time up front identifying participants and spreading the word so all voices have an opportunity to be heard.

Chair Paravagna stated this is an ongoing process that will create a relationship between the Commission and stakeholders that will continue to grow over time. He agreed that a robust outreach is necessary to be as inclusive as possible.

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Commissioner Hauge offered to work with Small Business California and the small business community.

Commissioner Wiele suggested that staff put together a list of stakeholder contacts to be reviewed by Commissioners to ensure it is up to date. He cautioned against soliciting input from his or Commissioner Hauge's contacts until the request has been sent out broadly so no one will feel left out.

Commissioner Hauge stated staff had a stakeholder list when working on the strategic plan. Executive Director Jemmott agreed that this would be a good start. She suggested asking Assemblymembers Mayes and Thurman to share their contact lists with staff.

Commissioner Mayes cautioned that a limited number of individuals read such messages, as others think they are spam.

Commissioner McGuinness suggested a combination of outreach by e-mail, personal outreach, and general broadcasting through social media.

**Action Items:**

- Staff is to email the Commission's stakeholder list to Commissioners for review.

**5. PROCESS FOR REVIEWING PENDING LEGISLATION**

Chair Paravagna reminded Committee Members of the Commission's role as advisor to the Legislature. He stated the rubric for responding to bills presented in legislation will help the Commission analyze bills and whether they fit within Commission goals.

Executive Director Jemmott provided a summary of the status of the bills staff has been tracking and demonstrated how the questions asked in the rubric help focus priorities.

**Action Items:**

- No action items.

**6. CONSENT CALENDAR / GUIDELINES FOR RESPONDING TO BILLS**

Commissioner McGuinness suggested that the Executive Committee put uncontroversial items the Commission can pass on a consent calendar. Commissioner Hauge agreed. He stated consent calendars are common with organizations and do not violate transparency.

Commissioner Wiele asked if the state has adopted any guidelines for consent calendar items for state commissions. Policy may already be established.

Commissioner McGuinness agreed. She stated she asked the governor's office to suggest potential resources to staff. Executive Director Jemmott stated she has not heard from them yet.

Chair Paravagna suggested continuing this discussion in the next meeting after the response from the governor's office and reviewing the State Administrative Manual to

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learn whether an on-line discussion forum is something that is acceptable to the Fair Political Practices Commission.

Commissioner McGuinness asked staff to research this issue for the next meeting.

**Action Items:**

- Staff is to research this issue for the next meeting.

**7. REVIEW OF CURRENT BILLS TRACKED BY CCDA**

**AB 52 – (Gray D) Public Accommodations**

**AB 54 – (Olsen R) Public Accommodations**

**AB 1342 – (Steinorth R) Disability Access**

**AB 1521 – (Committee on Judiciary) Disability Access**

**SB 67 – (Galgiani D) Disability Access**

**SB 251 – (Roth D) Civil Rights**

**SB 624 – (Anderson R) Accessible State Technology**

Executive Director Jemmott provided a summary of the status of the bills staff has been tracking:

- AB 52 is a two-year bill
- AB 54 was canceled at the request of the author
- AB 57 is a two-year bill
- AB 1342 is for \$500,000, so it automatically is in suspense. Reducing the amount to \$150,000 to take it out of suspense can only fund one staff person and the Commission requires two. Also, the current CCDA office does not have the space for even one more person.

Commissioner Hauge stated bills need to get on the floor of the Legislature by May 29<sup>th</sup> or be made two-year bills.

Commissioner Mayes agreed and stated all suspense bills are reviewed on May 28<sup>th</sup>.

- AB 1521 is in judicial committee
- SB 251 is in appropriations
- SB 624 is in suspense

Commissioner Hauge asked if AB 1342 has any opposition. Executive Director Jemmott stated it does not.

Commissioner McGuinness added it gives businesses more information about compliance, such as it requires lease forms and rental agreements to state whether the property has been inspected by a CASp and whether alterations have been made pursuant to the CASp report.

**Public Comment:**

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Terry McLean, a CASp, stated current law mandates that whether there is a CASp report must be stated in the lease, but it is not necessary to provide a copy of the report.

**Commissioner Questions and Discussion:**

Commissioner McGuinness agreed and stated the new law will require the report to be attached, and, if no CASp has been obtained, specific language in the rental agreement that a CASp can inspect the property and that the inspection will be done at the tenant's expense.

Executive Director Jemmott stated stakeholders have shared the concern that it must be after the execution of agreement, not before.

Commissioner McGuinness stated the CCDA can help the Legislature by taking a more active role in working through the policy implications with these types of issues. She asked if there is opposition to putting this information in the lease.

Commissioner Wiele stated the CBPA staff is negotiating with the author and others on what is included in a lease. Sometimes the CASp reports are lengthier than the lease.

Commissioner McGuinness asked if the Commission should write a letter regarding the issues raised today. Chair Paravagna stated more information is needed first.

Commissioner Hauge added it may be moot after Friday if it does not make it to the floor. Commissioner McGuinness stated the need to move flexibly in order to take a position on bills. If the Commission waits until Friday to make a move, it will be playing catch-up.

Commissioner Wiele stated the CBPA is in discussion over this bill. He suggested the CCDA staff contact the CBPA staff to learn where the real estate industry is on this bill.

Chair Paravagna agreed with setting up a system for dialogue for the future, as this is not the only time this is likely to occur.

Commissioner McGuinness stated there are some good things the Commission should strongly support about SB 251, and other things the Commission should make the author aware of that will cause dissension and strife, if it passes.

Commissioner Wiele stated correcting a violation within 90 days of a CASp report is not realistic, considering how long it takes to submit drawings and apply for a building permit.

Commissioner McGuinness stated the bill uses language that is not in the code. This is a solution that has not been thought through entirely. She suggested drafting a letter that lays out the pros and cons of SB 251 for the Legislature and the author.

Chair Paravagna suggested getting an analysis done and then figuring out how best to use the information.

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Executive Director Jemmott stated SB 251 is one of the rare bills that mentions the CCDA data collection project that is scheduled to end January of 2016.

Commissioner McGuinness offered to submit an analysis to staff to circulate. Chair Paravagna stated his appreciation for putting that data together.

**Action Items:**

- Commissioner McGuinness is to submit an analysis of SB 251 to staff.

**8. FUTURE AGENDA ITEMS**

Chair Paravagna asked Committee Members to submit future agenda items to staff.

**9. ADJOURN**

There being no further business, the meeting was adjourned at 12:00 p.m.