

GOVERNOR EDMUND G. BROWN JR.

CALIFORNIA COMMISSION ON DISABILITY ACCESS

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MEMBERS of the COMMISSION

Guy Leemhuis – Chair
Steve Dolim – Vice-Chair
Chris Downey
Douglas Wiele
Laurie Cohen Yoo
Betty Wilson

MEMBERS of the COMMISSION

Lilibeth Navarro
Michael Paravigna
Scott Hauge
Attorney General Kamala D. Harris,
by Anthony Seferian
Chester “Chet” Widom
Chad Mayes – Assembly Member

Commission Executive Staff

Stephan Castellanos – Executive Director

MEETING NOTICE AND AGENDA
CALIFORNIA COMMISSION ON DISABILITY ACCESS
(AMENDED)
EXECUTIVE COMMITTEE

CCDA wants to provide the highest level of accessibility for all meetings. We encourage you to look at the detailed information starting on page 3.

February 11th 2015

1:30 PM to 3:30 PM

(The end time is an estimate, the meeting may conclude earlier)

TELECONFERENCE # 1-866-770-5886
PARTICIPANT PASSCODE 19311577
(Please use the mute button when not speaking)

[Live Captioning](https://global.gotomeeting.com/join/244842589)
<https://global.gotomeeting.com/join/244842589>

Meeting Site Location

**CITY OF LOS ANGELES DEPARTMENT ON DISABILITY
201 NORTH FIGUEROA ST. SUITE 100
LOS ANGELES, CA 90012**

Off-Site Meeting Locations (Teleconference Only)

**DEPARTMENT OF REHABILITATION
721 CAPITOL MALL
ROOM 244, 2ND FLOOR
SACRAMENTO, CA 95814**

Notice is hereby given that the California Commission on Disability Access (CDA) Executive Committee will hear, discuss, deliberate and/or take an action upon the following items listed in this notice. The public is invited to attend and provide their input or comments.

ITEMS:

- 1) Call to Order/ Roll Call
- 2) Approval of Meeting Minutes (December 17th) – Action

- 3) **Comments from the Public on Issues not on this Agenda:** The Executive Committee will receive comments from the public at this time on matters not on the agenda. Matters raised at this time may be briefly discussed by the Executive Committee and/or placed on a subsequent agenda.

- 4) **Welcome Elected Official Commissioners**
 - i) Assemblymember Chad Mayes and staff
 - ii) Assemblymember Tony Thurmond and staff

- 5) Introduce the Newly Appointed Staff Members-Discussion

- 6) Outstanding Action Items From Previous Meeting - Update

- 7) **Committee Updates**
 - i) Education & Outreach
 - ii) Checklist

- 8) **Chair Appointments for Standing/Ad Hoc Committees- Update**
 - i) Legislative
 - ii) Data Collection

- 9) **Legislative Tracking**
 - i) AB 52 (Gray, Public accommodations: construction-related accessibility claims)
 - ii) AB 54 (Olsen, Public accommodations: construction-related accessibility claims)
 - iii) SB 67 (Galgiani, Public accommodations: construction-related accessibility claims)

10) Report by Executive Director - Updates

- i) Projects
- ii) CCDA Staffing
- iii) Monthly Budget

11) Future Agenda Items: The Executive Committee may discuss and set for action on future agendas, procedural and substantive items relating to state buildings regulatory programs, Commission policy and administrative matters.

12) Adjourn

The Executive Committee meeting is operating under the requirements of the Bagley-Keene Open Meeting Act set forth in Govt. Code Section § 11120-11132. The Act generally requires the Executive Committee to publicly notice their meetings, prepare agendas, accept public testimony, and conduct their meeting in public unless specifically authorized by the Act to meet in closed session.

- ❖ **Meetings are subject to cancellation; agenda items are subject to removal or items may be taken out of order.**
- ❖ **The CCDA Executive Committee meets under the authority of Government Code § 8299.**
- ❖ **The CCDA Executive Committee may hold a closed session on pending or proposed litigation involving the Commission [Govt. Code § 11126(e)] and personnel matters and performance review relating to the Commission [Govt. Code § 11126(a)].**
- ❖ **The meeting facilities and restrooms are accessible to individuals with disabilities.**
- ❖ **Each CCDA Committee meeting will provide a teleconference line, large print agendas, and captioning.**
- ❖ **Requests for accommodations for individuals with disabilities (sign-language interpreter, assistive listening device, Braille, or any other accommodation needed by an individual) should be made to the Commission office no later than 10 (ten) working days prior to the day of the meeting.**
- ❖ **Technical difficulties with equipment experienced prior to or during the meeting preventing or inhibiting accessibility accommodation is not cause for not holding or for terminating the scheduled meeting.**
- ❖ **If Para transit services are needed, they may be contacted at (916) 429-2744, TDD (916) 429-2568 in Sacramento. [Sacramento Regional Transit](http://www.sacrt.com) (www.sacrt.com) has public transit available the day of the meeting. For alternate routes contact Sacramento Regional Transit at (916) 321-BUSS (2877); for hearing impaired (916) 483-HEAR (4327).**
- ❖ **For [Los Angeles Public Transit](http://www.metro.net) (www.metro.net) or (323) 466-3876 for bus and rail transit information. Riders with hearing or speech impairments use the California Relay Service – dial 711, and then the number you need. For [Para transit services](http://www.asila.org) (www.asila.org) or if you ARE a certified access services rider within Southern California and would like to make a reservation call: 1-800-883-1295, TDD 1-800-826-7280. If you ARE NOT a certified access services rider, contact customer service at 1-800-827-0829, TDD 1-800-827-1359.**
- ❖ **For the latest information on meeting status, check the [California Commission on Disability Access](http://www.ccca.com) Web Site: <http://www.ccca.com>**
- ❖ **Questions regarding this notice and agenda may be directed to Office Administrator at (916) 319-9974 or at 721 Capitol Mall, Room 250, Sacramento, California 95814.**

1) Call to Order/Roll Call

2) Approval of Minutes

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

December 17, 2014

1. CALL TO ORDER

Vice Chair Scott Hauge welcomed everyone and 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 locations for teleconference were the Department of Rehabilitation, 721 Capitol Mall, Room 260, 5th Floor, Sacramento, California 95814, and Cal Insurance and Associates Inc, 2311 Taraval Street, San Francisco, California 94116.

Vice Chair Hauge reviewed the meeting protocols.

ROLL CALL

Commissioners Present:

Scott Hauge (teleconference)
Betty Wilson

Commissioners Absent:

Steve Dolim
Guy Leemhuis, Chair

Other Commissioners Present:

Michael Paravagna (teleconference)

Staff Present:

Stephan Castellanos, Executive Director
Angela Jemmott, Program Analyst

Also Present:

No members of the public were present.

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

2. APPROVAL OF MEETING MINUTES (NOVEMBER 17, 2014) – ACTION

MOTION: Commissioner Wilson moved to approve the November 17, 2014, California Commission on Disability Access Executive Committee Meeting Minutes as presented. Commissioner Hauge seconded. Motion carried unanimously.

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

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
EXECUTIVE COMMITTEE
DECEMBER 17, 2014, MEETING MINUTES**

There were no questions or comments from the public.

4. ACTION ITEMS FROM PREVIOUS MEETING - UPDATE

Staff Member Jemmott reviewed the action items from the previous meeting.

Executive Director Castellanos stated staff will investigate meeting with Senator Corbett now that her Senate appointment has termed out.

Executive Director Castellanos suggested that Commissioners meet via teleconference to review two new pieces of proposed legislation.

Action Items

- Staff is to investigate meeting with Senator Corbett.
- Staff is to schedule a teleconference for Commissioners to review new legislation.

5. COMMITTEE UPDATES

a. Education and Outreach

Commissioner Wilson, chair of the Education and Outreach (E&O) Committee, stated the E&O Committee has not met since her last report.

Staff Member Jemmott stated the next E&O Committee meeting is scheduled for February 4, 2015, and the E&O Subcommittee meeting, chaired by Commissioner Downey, is scheduled in January.

Commissioner Wilson stated the need to begin planning an activity for the first quarter of 2015. She suggested holding a meaningful, interactive training or workshop in Northern California, which will require sufficient time for planning. She suggested holding the training in San Francisco.

Commissioner Paravagna suggested planning an event to commemorate the 25th anniversary of the Americans with Disabilities Act (ADA) in July.

b. Checklist

Staff Member Jemmott read a portion of a year-to-date report submitted by Commissioner Dolim, the chair of the Checklist Committee. The Committee broke into four groups to work on the four sections of the checklist. It was determined the checklist will be in columnar format with the code sections identified where applicable. The four groups were tasked to reduce the volume of their sections in an attempt to limit the checklist to four pages. The next Checklist Committee meeting is tentatively scheduled for January 6, 2015.

Executive Director Castellanos stated he will draft disclaimers for the use of the checklist in order to satisfy the concerns of Committee Members and others. Members of the disability community have voiced concern that the name "checklist" will cause the replacement of inspectors' judgment and knowledge. He stated the checklist likely will

3) Comments from the Public on issues not on the agenda

4) Welcome Elected Official to the Commission

- Assemblyman Chad Mayes
- Assemblyman Tony Thurmond

5) Introduce the new staff member(s)

- Brandon Estes, Associate Government Program Analyst

6) Outstanding Action Items from previous meeting-Discussion

7) Committee Updates

- Education & Outreach
 - Checklist

8) Chair Appointments for Standing/Ad Hoc Committees Update

- Legislative
- Data Collection

NOTES

9) Legislative Tracking-Updates

- AB) 52
- AB) 54
- SB) 67

10) Report by Executive Director- Updates

11) Future Agenda Items

12) Adjourn

NOTES

CCDA Legislative Status Report

As of Tuesday, February 10, 2015

AB 52 **(Gray D)** Public accommodations: construction-related accessibility claims.

Introduced: 12/1/2014

Status: 1/22/2015-Referred to Com. on JUD. (stages: 1st house- policy)

Location: 1/22/2015-A. JUD.

Summary: Would provide that a defendant's maximum liability for statutory damages in a construction-related accessibility claim against a place of public accommodation is \$1,000 for each offense if the defendant has corrected all construction-related violations that are the basis of the claim within 180 days of being served with the complaint and the defendant demonstrates that the structure or area of the alleged violation was determined to meet standards or was subjected to an inspection, as specified.

AB 54 **(Olsen R)** Public accommodations: construction-related accessibility claims.

Introduced: 12/1/2014

Status: 1/22/2015-Referred to Com. on JUD. (stages: 1st house- policy)

Location: 1/22/2015-A. JUD.

Summary: Would, when a plaintiff brings a claim alleging a violation of a construction-related accessibility standard within 3 years of a change in that standard, allow a plaintiff to collect statutory damages only if the plaintiff also provides the owner, agent, or other party responsible for the place in violation with a written notice or demand letter at least 60 days prior to filing any action and the violation is not cured. The bill would require the written notice or demand letter to contain specified information.

SB 67 **(Galgiani D)** Disability access: statutory damages.

Introduced: 1/7/2015

Status: 1/15/2015-Referred to Com. on JUD.(stages: 1st house- policy)

Location: 1/15/2015-S. JUD.

Summary: Would except a small business from statutory damage liability in connection with a construction-related accessibility claim, and would instead limit recovery to injunctive relief and reasonable attorney's fees as deemed appropriate by the court. The bill would also extend the period for correcting construction-related violations that are the basis of a claim from 60 days to 120 days of being served with the complaint, for purposes of reducing a defendant's minimum statutory damage liability to \$1000.

CCDA Narrative Monthly Budget Plan

Total Budget for FY 14-15 \$511,000.00

Current Month's expenditures:

\$37,481.95

NOTE: The fund categories can be re-allocated as needed.

PERSONNEL SERVICES

A. Salary and Benefits – Total: Budget \$350,000 FY 14-15

B. Position Count- 4

Commissioners (Per Diem), Executive Director, 2 Program Analysts, and Office Technician

Benefits include: health care, retirement, unemployment, and other staff benefits
(Current Month expenditures: \$20,369.29)

SPECIAL FUND ACCOUNT

Account: 0942304-8790-1945-501 Established for Non-General Funded Revenue

Current Deposit for Special Fund Account: **\$ 2,500.00**

Expenditures: **- 2,483.94** (Community Stakeholders

Gathering Oct 21st 2014)

Remaining Balance

\$16.06

Reporting as of January 31st, 2015

CCDA Narrative Monthly Budget Plan Con't:

OPERATING EXPENSES AND EQUIPMENT

C. General Expense-Budget Total: \$47,000.00

- **Office Supplies** including binders, file folders, printer paper, toner, staples, etc
- **Printing:** to include flyers, registration forms, handouts, workshop information, binding etc.
- **Phone and Internet Service:**
- **Postage:** Includes mailing, postage of flyers, program announcements, fiscal reports etc.
- **Meeting Support:** caption, meeting minutes, meeting rentals etc.

D. Facilities Operation- Total: \$39,000.00

- Monthly rent for Executive Staff office(current monthly cost \$3,120.75)

E. Travel – Total: \$8,000.00

- Travel includes local travel and TEC from all commission meeting travel

F. Training – Total: \$3,000.00

- Training scheduled for staff professional development and commissioner orientations

G. Consultant/Professional Services – Total: \$56,000.00

- Internal Contracts for Fiscal Services, Human Resources, and IT Services.

H. Information Technology – Total: \$8,000.00

- Website redesign, hosting, and hardware/software technical support

(Current Month expenditures for Operating Expenses: \$17,112.66)

Total: \$511,000.00

Reporting as of January 31st, 2015

