CCDA | California Commission on Disability Access

GOVERNOR EDMUND G. BROWN JR.

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***MEMBERS of the COMMISSION***
*Guy Leemhuis – Chair*
*Scott Hauge – Vice-Chair*
*Tom Ammiano – Assembly Member*
*Connie Conway – Assembly Member*
*Ellen Corbett – Senate Member*
*Chris Downey*
*Douglas Wiele*

***MEMBERS of the COMMISSION***
*Lillibeth Navarro*
*Greg Thompson*
*Anthony Seferian*
*Chester "Chet" Widom*
*Betty Wilson*
*Michael Paravagna*
*Steve Dolim*

***Commission Executive Staff***
*Stephan Castellanos – Executive Director*

## MEETING NOTICE AND AGENDA
## CALIFORNIA COMMISSION ON DISABILITY ACCESS

# FULL COMMISSION MEETING

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

**April 23rd, 2014**

**10:00 AM to 4:00 PM**
**(The end time is an estimate, the meeting may conclude earlier)**

**TELECONFERENCE # 1-866-770-5886**
**PARTICIPANT PASSCODE 19311577**

**Live Captioning**
**https://global.gotomeeting.com/join/244842589**

Meeting Site Location

## LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY ONE GATEWAY PLAZA, MTA BOARD ROOM LOS ANGELES, CA 90012*

***See pages four and five for directions to meeting location**

**Notice is hereby given that the California Commission on Disability Access (CCDA) 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/ Pledge of Allegiance/ Housekeeping**

2) **Approval of Meeting Minutes (January 8th, 2014) – Action**

3) **Comments from the Public on Issues not on this Agenda:** The Commission 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 Commission and/or placed on a subsequent agenda.

4) **Presentation in response to the San Francisco Municipal Transportation Agency (MTA) task group – Invited Speaker – Not Confirmed**
   MTA Recommendations:
   1. Increase the number of blue zones in San Francisco by almost 70 percent (local)
   2. Increase enforcement of placard misuse (local)
   3. Increase oversight of placard approvals (state)
   4. Allow communities to remove the meter payment exemption (state)
   5. Direct revenue to accessibility improvements (local)
   6. Allow communities to establish reasonable time limits (state)

5) **Demand Letter Project**
   Update on Top 10 and discussion

6) **Strategic Planning update**
   A report on the Strategic Planning effort will be provided by Executive Director Castellanos and the project consultant

7) **Education and Outreach activities – update and action items**
   Comments from Commissioner Betty Wilson

   **Lunch break 12:00pm – 1:00pm**

8) **Presentation on Certified Access Specialist program (CASp) – Invited Speaker and discussion**

9) **CCDA Bill Tracking**
-AB 1885 - Public Buildings: access: disabled persons - Bigelow R
-AB 1991 - Construction-related accessibility claims - Morrell R
-AB 2714 - Vehicles: disabled persons placard - Hernandez, Roger D
-AB 1612 - Accessible California Code of Regulations - Donnelly R
-AB 1848 - Public accommodations: construction-related accessibility claims - Allen R

10) **Budget Reporting**
Narrative and up-to-date financial reports

11) **Comments from Commission members**

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

13) **Adjourn**

**The CCDA 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 CCDA 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 Commission meets under the authority of Government Code § 8299.**
- **The Commission 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 Commission meeting will provide teleconference, captioning, and large print agendas.**
- **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 (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 (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 (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 Web Site: http://www.ccda.ca.gov/
- Questions regarding this notice and agenda may be directed to Steve Funderburk, Office Administrator at (916) 319-9974 or at 721 Capitol Mall, Room 250, Sacramento, California 95814.

## Directions to Metro Headquarters Building
## One Gateway Plaza, Los Angeles, CA 90012-2952 (Corner of Cesar E Chavez Av and Vignes St)

### Via Metro Rail

Metro Red/Purple Lines

Take the Metro Red or Purple Line to Union Station in Downtown Los Angeles. Follow signs to the Vignes St exit and proceed up to the East Portal. Take the escalator on the opposite side of the portal, near the Metro Customer Center, up to the bus plaza. Metro Headquarters is located to the left (north).

Metro Gold Line

Take the Metro Gold Line to Union Station in Downtown Los Angeles. Exit the platform, turn left in the tunnel and follow overhead signs to Gateway Center. Proceed to the East Portal. Take the escalator on the left (north) side of the portal, near the Metro Customer Center, up to the bus Plaza. Metro Headquarters is located to the left (north).

### Via Bus

Served by Metro Local Lines: 40, 42, 68, 70, 71, 76, 78, 79, 378, 442, 485, 487, 489.
Served by Metro Rapid Lines: 704, 728, 733, 745, 770, Metro Silver Line.

Also served by LADOT, Foothill Transit, Santa Monica Big Blue Bus, Orange County Transportation Authority, Torrance Transit, Santa Clarita Transit and Antelope Valley Transit.

Transit information as of July 2012; schedules vary. For specific routing, call 323.GO.METRO (323.466.3876) or use the Trip Planner at metro.net.

### Driving Directions

From 101 Southbound – Exit at Alameda St. and turn left at E Commercial St. Turn left on Center St and continue straight onto Ramirez St. At Vignes St. intersection, use middle lane to go straight into underground parking structure.

From 101 Northbound – Exit at Vignes St and stay in the left lane. Turn left at the light onto Vignes and then go straight into the underground parking structure from the middle lane.

### Biking Directions

Bike lanes exist on Spring St and Main St. south of Cesar E Chavez Av, just west of Union Station. Bikes can also be transported on Metrolink, and Metro trains and buses. Bike racks are located in the southwest corner of the Metro Headquarters building parking

structure on level P1, accessible through the hallway next to the Metro Customer Center on the north side of the East Portal.

**Via Metrolink**

Take Metrolink to Union Station in Downtown Los Angeles. Exit the platform, head east in the tunnel and follow overhead signs to Gateway Center. At the end of the tunnel, take the East Portal escalator up to the bus plaza. Metro Headquarters is located to the left (north).

2) Approval of Meeting Minutes (January 8th, 2014) – Action

# CALIFORNIA COMMISSION ON DISABILITY ACCESS
# FULL COMMISSION
# MEETING MINUTES

## January 8, 2014

## 1. CALL TO ORDER

Chair Guy Leemhuis welcomed everyone and called the meeting of the California Commission on Disability Access (CCDA or Commission) to order at 10:04 a.m. at the Department of Consumer Affairs, First Floor Hearing Room, 1625 North Market Blvd., Sacramento, California 95834.

### ROLL CALL

*Committee Members Present*:
Wendy Hill, Office of Senator Ammiano
Guadalupe Manriquez, Office of Senator Corbett

*Commissioners Present*:
Guy Leemhuis, Chair
Scott Hauge, Vice Chair
Steve Dolim
Chris Downey
Lillibeth Navarro (Teleconference)
Michael Paravagna
Anthony Seferian
Greg Thompson
Douglas Wiele
Betty Wilson

*Commissioners Absent*:
Tom Ammiano
Connie Conway
Ellen Corbett
Jean Fuller
Chester "Chet" Widom

*Staff Present*:
Stephan Castellanos, Executive Director
Angela Jemmott, Program Analyst
Steven Funderburk, Office Technician

*Also Present*:
Connie Arnold
Kate Breen, Governmental Affairs Manager, San Francisco Municipal Transportation Agency
Rocky Burks
Andrew Conway, California Department of Motor Vehicles
Holyann DLil (Teleconference)
Vera Haile
Carla Johnson, Interim Director, San Francisco Mayor's Office on Disability
Margaret Johnson, Advocacy Director, Disability Rights California (Teleconference)
Gary Layman, Certified Access Specialist Institute (Teleconference)

Amy Li, Office of Senator Leland Yee
Jonathan Lyens, President, FDR Democratic Club of San Francisco
Peter Mendoza, Independent Living Resource Center of San Francisco
Jodie Monaghan, Lead Mediator, Center for Collaborative Policy
David Peters, Lawyers Against Lawsuit Abuse (Teleconference)
Susan Pfeifer, FDR Democratic Club of San Francisco
Bob Planthold, San Francisco Municipal Transportation Agency Accessible Parking Policy Advisory Committee
Richard Rothman (Teleconference)
Howard Schaffner (Teleconference)
Richard Skaff, Executive Director, Designing Accessible Communities (Teleconference)
Helen Walsh, Berkeley Commission on Disability
John Knox White, Transportation Planner, San Francisco Municipal Transportation Agency

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

**PLEDGE OF ALLEGIANCE**

Chair Leemhuis led the Commission in the Pledge of Allegiance.

**HOUSEKEEPING ITEMS**

Chair Leemhuis reviewed the meeting protocols.

## 2. SWEARING IN OF OFFICERS

Commissioner Seferian led the swearing in of office for new Commissioners Steve Dolim and Douglas Wiele.

Chair Leemhuis and Executive Director Castellanos welcomed Commissioners Dolim and Wiele to the Commission and stated they looked forward to working with them.

**Retiring Commissioner**

Chair Leemhuis presented a plaque to retiring Commissioner Rocky Burks for his leadership, wisdom, and vision in his years of service as a Commissioner and as chair of the California Commission on Disability Access, and thanked him for his service. Commissioners and staff joined Chair Leemhuis in expressing their gratitude, appreciation, best wishes, and hope for continued collaboration.

## 3. APPROVAL OF MEETING MINUTES (OCTOBER 16, 2013) - ACTION

**MOTION**: Commissioner Navarro moved to approve the October 16, 2013, California Commission on Disability Access Full Commission Meeting Minutes as presented. Commissioner Wilson seconded. Motion carried unanimously.

## 4. COMMENTS FROM THE PUBLIC ON ISSUES NOT ON THIS AGENDA

Richard Skaff, the Executive Director of Designing Accessible Communities, stated his concern over incorrect statements made on a video on the CCDA website homepage, which talks about items relative to access for people with disabilities in the built environment.

David Peters, of Lawyers Against Lawsuit Abuse, agreed with Mr. Skaff's concerns with the video on the CCDA website, as it has numerous inaccuracies. He offered to provide a list of his concerns to staff.

Chair Leemhuis asked staff to remove the Department of Rehabilitation (DOR) video from the CCDA website until he can talk to the DOR about it.

Mr. Skaff stated his email to staff with his restaurant field guide to accessibility was not received. Commissioners can access this document on his website, www.designingaccessiblecommunities.org.

He requested that the person to be interviewed by the consultant for the CCDA Strategic Plan as the representative of the mobility disability community not be posed as the representative of that portion of the disability community. He stated his concern that the majority of persons interviewed to date for the strategic plan have been from the business community, and asked that the Commission ensure that there is a balance in both the questions that are asked and the people who are interviewed.

Chair Leemhuis stated the consultant will be speaking later in the agenda and may address some of Mr. Skaff's concerns.

**Action Items**

- Staff is to remove the DOR video from the CCDA website.

## 5. INTRODUCTION OF STEVE DOLIM, AIA

Chair Leemhuis introduced new Commissioner Steve Dolim.

Commissioner Dolim stated he was appointed by the governor as a representative of the business community. He has been involved in property development, shopping centers, operations, and architecture for the past thirty-seven years. He stated he is an architect, with his primary practice in the disability arena, a Certified Access Specialist (CASp), and holds a real estate broker's license. He appreciated the opportunity to be part of the Commission.

Chair Leemhuis welcomed him and stated he looked forward to working with him.

## 6. SAN FRANCISCO PARKING POLICY PRESENTATION

Chair Leemhuis stated this agenda item is the beginning of an information-gathering stage for the Commission that will be continued in the April full Commission meeting. The Commission is not making a decision with respect to the proposed San Francisco Municipal Transportation Agency (SFMTA) task group's recommendations

for modifications that may impact how disabled placards are used in San Francisco or in the state.

There are always multiple sides to every issue, and the Commission will continue to hear from a variety of people on this issue. The SFMTA task group will provide a ten-minute presentation today. In April, a panel or an individual from a large advocacy group on behalf of people with disabilities will provide the counterpoint. Everyone will be given an opportunity to be heard.

The information-sharing sessions will help Commissioners determine if this issue is within the Commission's purview, and, if the proposed legislation is passed, the gathered information will enable the Commission to effectively do its job, which is to advise the Legislature around issues of access in the state.

Chair Leemhuis welcomed the members of the SFMTA task group.

**Presentation:**

Carla Johnson, the Interim Director of the San Francisco Mayor's Office on Disability and co-chair of the SFMTA task group, stated her office serves as the city's overall Americans with Disabilities Act (ADA) ccordinator. She showed a video introduction of their proposed program and stated people with disabilities in cities face parking challenges. The San Francisco Mayor's Office on Disability and the SFMTA put together a task group, of which she was co-chair, to look at this issue. She stated the presentation today will share the work of the task group and give their recommendations to increase access for parking for people with disabilities.

The Problem

The problem is not persons with disabilities or the placards that they might use to help find parking places. The problem is being unable to find necessary parking in a location that is close to the destination. Current policies around parking fail to meet their intended purpose to provide access for people with disabilities. State law says that if a person qualifies for a placard, that gives them the ability to park for unlimited time without meter payment in either a blue zone, a general metered zone, or a green zone.

The Process

Bob Planthold, of the San Francisco Municipal Transportation Agency Accessible Parking Policy Advisory Committee, stated he helped to write the San Francisco Civil Grand Juror Report in 2007 on blue parking placard use or misuse and now chairs the Caltrans Disability Access Advisory Committee for the statewide efforts of Caltrans.

The SFMTA task group was made up of sixteen members representing fourteen groups, and the Steering Committee was made up of seven members. Both groups had a majority of members from the disability community. Many people were involved from different backgrounds.

The challenges to accessible parking are that there are not enough parking spaces, there is not enough turnover to ensure that there is parking for everyone, and there is a public perception that those with a hidden disability do not deserve a placard. The task group asked whether any policy will make it easier for everyone, especially those with disabilities, to find parking in general metered spaces and reduce placard misuse.

The Research

The SFMTA surveyed the best practices of eleven cities across the country addressing this problem. The task group reviewed their parking policies and spoke with disability advocates living in those cities both before and after policy changes were put in place to improve parking.

All successful programs integrated three elements: to increase the supply by installing more blue zones, to conduct sufficient enforcement on placard use and blue zones, and to charge for parking for placard holders at meters in an effort to increase turnover. Cities that implemented just one or two of those elements were not successful. The most successful solutions in the cities are currently prohibited in California state law, because local jurisdictions do not have effective tools to manage their parking.

The SFMTA Recommendations

1. Increase the number of blue zones in San Francisco by almost 70 percent (local)
2. Increase enforcement of placard misuse (local)
3. Increase oversight of placard approvals (state)
4. Allow communities to remove the meter payment exemption (state)
5. Direct revenue to accessibility improvements (local)
6. Allow communities to establish reasonable time limits (state)

The Outreach

The SFMTA has given about thirty presentations in the Bay Area. More than half of those have been to disability commissions or advocacy groups. Ms. Johnson stated it is time to begin having this conversation on a statewide level.

**Public Comment:**

Richard Rothman stated he has been following this issue for a number of years. While he admits there is a problem, he stated this plan punishes both the good and the bad. People do abuse the placards, but the solution is with the DMV and the doctors. The doctors issue the placards and the DMV approves them. The DMV needs a system to monitor placards, such as a bar code similar to those issued to the state park service. Also, the SFMTA has never answered his question of what

happens with the four-hour limit for someone who has to exceed that limit, for example, for a medical procedure.

Margaret Johnson, the Advocacy Director of Disability Rights California and past chair of the CCDA, stated her concerns over the time limit; metered parking, which is difficult for some individuals to reach; and penalties, because of perceived abuse by the majority of the people that use placards. She stated those changes are made at the local level. The SFMTA is talking about making changes to state law so that every jurisdiction can decide how to handle these things. This would lead to confusion and inconsistency throughout California, would be costly and burdensome to implement, and would cause more problems on a statewide basis than it would solve.

Howard Schaffner stated he uses an electric wheelchair so he is familiar with the physical aspects of this issue. He agreed with Mr. Rothman's comments about the DMV. Any government program that provides benefits is subject to abuse; the answer is not to throw out the program, but to target, prevent, and punish the abuse. Context is also important. San Francisco is converting parallel parking to perpendicular or angled parking, which eliminates accessible spaces, and trying to install meters in residential and commercial areas that were unmetered before. The possibilities of parking in San Francisco are shrinking, particularly for individuals with disabilities. The proposal needs to be looked at with that context in mind. A large aspect of this is the revenue loss. San Francisco is losing about $15 million per year in revenue due to the free parking at meters and blue zones. Even if they devote the money received from imposing payment requirements at blue zones to access improvements, the city would still stand to gain about $12.5 million of revenue, which is what is driving this proposal.

Holyann DLil echoed the concerns and opposition to the proposal to remove the reasonable accommodation for people with disabilities. California set many of the concepts, policies, and rationale in the ADA and the regulations to implement it. The SFMTA proposal takes a step backwards in what historically has been reasonable accommodation in parking. She asked for the statistics on the amount of abuse of the parking privileges for people with disabilities. She used the example of what other states are doing about voting fraud with their overzealousness that actually makes it harder for people to vote. She cautioned against falling into that trap. She stated it is hard to believe that San Francisco would limit the time that people with disabilities can park, given how difficult it is to travel in the noncompliant streets of San Francisco.

Mr. Skaff stated he has several concerns, some of which have already been discussed. The city of San Francisco still does not have an adequate level of accessible on-street parking spaces. In the presentation, Ms. Johnson stated they plan to bring it up to four percent. He asked why that had not been done already, as this issue had been brought up years ago in the city. The department in charge of

on-street parking began a formal program of on-street parking spaces, but adequate, on-street, accessible parking has never been provided. Cities across the state and across the country are under the misconception that it is not a requirement to provide accessible on-street parking under the ADA. He asked where the discussion is resolving that misconception. He stated he is unable to find on-street parking in Sacramento, and the Sacramento ADA Coordinator informed him they are not required. San Francisco still installs mid-block white passenger loading zones, paid for by businesses, that are not accessible. There are many problems that public entities are not solving or even discussing regarding parking for people with disabilities.

Jonathan Lyens, the President of the FDR Democratic Club of San Francisco, an organization for seniors and people with disabilities, advocated that his organization opposes the SFMTA's efforts to impose time limits and begin charging people with disabilities. He stated he is in agreement with many points in opposition given today. He pointed out that his organization moved a resolution to the California Democratic Party in November. Two former San Francisco supervisors sit on the resolution's committee and, when the resolution was brought before them, their first question was about the position of the San Francisco Board of Supervisors. He was obligated to tell them that the San Francisco Board of Supervisors was not afforded an opportunity to have a public vote on this issue. He respectfully disagreed with Ms. Breen's characterization of that situation. There was an intention by the SFMTA task group to ask the Board of Supervisors to approve a resolution endorsing all their recommendations prior to this point. The FDR Democratic Club is opposed to what the SFMTA is trying to do. Throughout the process, the SFMTA has asked advocacy organizations for people with disabilities to remain neutral, while contacting other organizations that are likely to be more friendly, such as the City of Small Business Commission, and asking them to take a position on these recommendations. He asked the Commission to make their position known to legislators on the SFMTA recommendations prior to legislation being drafted.

Susan Pfeifer, of the FDR Democratic Club of San Francisco, stated people with disabilities who need these placards already have enough challenges in their lives; much of their income goes towards their disabilities. This proposal adds misery to their lives. San Francisco charges $74 for expired meter parking tickets. This proposal opens the disabled up to parking tickets. She was struck by the comment that the SFMTA would like to get their proposals passed before discussing the reduced parking possibility for meters at blue zones. That was not part of the original discussion. She stated she is also concerned that the SFMTA proposal has not been brought before the San Francisco Board of Supervisors. The FDR Democratic Club has spoken to many members of the board, and they have indicated they were not fully aware of the implications of charging for parking and the time limits. Many of them agreed that this is unfair. She agreed with Mr. Lyens

that the CCDA is an important voice in the community and the Commission should rule on this issue.

Peter Mendoza, of the Independent Living Resource Center of San Francisco, stated this is a rights issue. People with disabilities have a difficult time parking in San Francisco because of the lack of accessible parking. Many individuals with disabilities who use modified vehicles find it almost impossible to find accessible parking in San Francisco. The recommendations were brought forward to expand the rights of people with disabilities to have full access in the arena of parking. His organization supports the SFMTA recommendations.

Amy Li, from the Office of Senator Leland Yee, stated Senator Yee requested that she attend the CCDA meeting today to express his serious concerns with the SFMTA's proposals to charge the disabled and the elderly with disability parking placards and impose time limits. The senator echoed the concerns brought up by advocates for the disability community. Senator Yee wished to say that he understands the issues the SFMTA faces with misuse, but cannot and will not support legislation that would negatively impact individuals with disabilities and seniors, many of whom are on limited incomes and are facing difficult financial situations. The senator hoped the SFMTA will work with all affected parties to determine a reasonable and just course of action.

Connie Arnold stated she submitted a three-page letter to the Commission on this issue. She is vehemently opposed to parking restrictions, time limits, and pay-to-park situations, and she agreed with the prior comments in opposition to the SFMTA proposal.

Helen Walsh, speaking on her own behalf, is the founder and director of Diverse Disability Media and a member of the Berkeley Commission on Disability. She understood that the basis of the SFMTA's proposed legislation has to do with Donald Shoup's research on the abuse of disability placard and traffic engineering. She stated she read that report and the Access Almanac, which was Mr. Shoup's writing about accessibility. She pointed out that there are no solutions in the report in terms of accommodation and universal design for persons with disabilities.

Chair Leemhuis asked Ms. Walsh to provide the Commission with her written information, and stated staff will follow up with her for a possible presentation in the April full Commission meeting.

Vera Haile stated she was part of the SFMTA task group as an alternate. She was there for the last three meetings when they voted on the meter payment. She stated she and one other member were very much opposed to it. There are 60,000 seniors and people with disabilities in San Francisco who need placards, and they are not all fraudulent. She stated she has followed Ms. Johnson and Mr. Planthold as they give presentations on this issue, because she wanted to gauge the opposition. There has been opposition in all seven meetings she attended,. She agreed with the

woman in the video who said this issue was unconscionable in California, because she remembers the people who slept in front of the Federal Building in San Francisco just to get the ADA passed. No one asked them what they would do when they have to pay. She stated she is a senior on a fixed income, and she knows she would be forced to change her lifestyle, such as cutting the number of meetings she attends, if she had to pay for parking.

Rocky Burks, the past chair of the CCDA, stated this is bad policy. It is ironic to see that what is being proposed is coming from one of the most liberal cities and counties in the state of California. This is about money and does not benefit the great number of people with disabilities. This is on a one-year legislative track, and is offensive to the disability and elderly communities. He appealed to the Commission, as a past Commissioner and the past chair of the Commission, to look at the details and depth of this proposal.

**Commissioner Questions and Discussion:**

Committee Member Hill read Senator Ammiano's prepared statement on this issue. The full statement will be posted on the CCDA website. Senator Ammiano stated he is opposed to the SFMTA's proposal, which will increase difficulty for many people with disabilities. He stated local government should instead enforce current laws to prevent unlawful use of placards. He was disappointed that the SFMTA did not include representation from the disability community and advocates, and hoped that the San Francisco Board of Supervisors would hold a public hearing regarding its position on this issue.

Chair Leemhuis asked if the San Francisco Board of Supervisors has taken a position with respect to the recommendations put forth by the SFMTA. Ms. Johnson responded they have not, because the SFMTA has not asked them to do so.

Chair Leemhuis asked if the SFMTA intends to allow the Board of Supervisors to weigh in before legislation is introduced. Ms. Johnson asked the MTA Legislative Analyst to address that, and stated the part of the process now is really about public input, and that has been their role in these presentations. They are looking to the public to help shape future legislation.

Chair Leemhuis asked the MTA Legislative Analyst to answer his question.

Kate Breen, the Governmental Affairs Manager of the SFMTA, stated the SFMTA met with each member of the Board of Supervisors and briefed them on the task group's work. They have delayed going forward with an action of the Board of Supervisors to date. They briefed the SFMTA board and their delegation in November and continue to keep them informed.

The conversations with the Board of Supervisors were primarily focused on how a program such as this would be implemented in San Francisco. The SFMTA went to the State Legislative Committee of the City and County of San Francisco in December, which included members of the Board of Supervisors, for a

recommendation on this policy proposal. They supported it with one abstention. The SFMTA is happy to continue as much public engagement or hearings as is necessary to build the capacity and understanding of the work that the task group undertook on this issue.

Commissioner Paravagna asked for more detail on the subsidy program - how it would work and what onus it might put on a person with a disability and the city in administering that program.

Mr. Planthold stated the Office of Aging and Adult Services is the agency that handles low-income subsidy parking cards. There are no statistics on how many people with disabilities who have a placard are low income. About one-sixth of those with a blue placard who live in the city do not have a car in their household, but rely on others to give them a ride. The process of determining who is eligible can only happen after it becomes legislation.

Commissioner Paravagna asked what resources it would take to update the DMV database. Mr. Planthold stated it would take a lot of money; in some cases, the DMV operating systems still use DOS.

Vice Chair Hauge asked how much money the SFMTA is projecting to raise and what that money will be used for. Ms. Johnson stated she does not have that type of information to share with the Commission today. Along with revenue that would be collected from metered parking spaces, there is also the expense of converting all the meters in San Francisco over to new accessible meters.

Commissioner Navarro stated this piece of proposed legislation infuriates her. Once again, the disability community is targeted for abuse. She encouraged the Commission to focus on where the problem is coming from, which is the power brokers - those who issue the placards - the doctors and the DMV

This issue not only affects those who drive, but individuals who use paratransit. She stated her concern that, if the parking problem worsens in San Francisco, paratransit companies may refuse to provide service. The Commission should be proactive about developing programs that assist and facilitate parking for people with disabilities. It is the responsibility of the Commission to look at fairness and to focus on the sources of the problem.

Commissioner Thompson asked for clarification to their response that meter payment would not require funding. Making the meters accessible and incorporating the technology discussed would come at a large cost and be a hardship to the user. Mr. Planthold stated making the parking technology accessible will be up to local jurisdictions.

Chair Leemhuis stated the dilemma is that feedback is pinpointed on one of the six recommendations, which may need to be let go. The recommendation includes increasing blue zones and preventing placard abuse. No one is against this;

however, there is another entity at the table, the SFMTA. The SFMTA has a variety of competing goals in the city.

Chair Leemhuis read the information provided and had several comments:

1. The statistical data is flawed. It comes from a first-time census experiment in gathering disability data. A number of people, especially the elderly, did not identify that they had disabilities. This needs to be taken into consideration.

2. San Francisco is a designated area and the only place to go is up. He questioned whether the promise to create more blue zones is valid, where parking structures will be built, and where the money will come from. It seems to suggest that some of the money will come from the metered parking that everyone would have to pay. That piece needs to be explored and explained better. Also, it does not explain other projected social engineering projects, such as bicycle access or public transport. The overall vision is unclear, and that is where the challenge is going to be with legislators. The primary focus of the proposal is to charge people with disabilities because of anecdotal information that there might be placard abuse. Mr. Planthold said the public perception is that invisible disabilities do not deserve a placard and it seems like the program is abused. As a person with an invisible disability, he cautioned against this becoming another issue where one part of the disability community is pitted against another.

3. The recommendation he was most concerned about is whether this is contingent upon everyone having to pay for metered parking. If it is, it is a significant flaw in this proposal. The ADA already requires San Francisco to be accessible, and the city does not have requisite blue zones nor do most cities in the state, which is why this Commission was created. He cautioned against taxing people who need the service for something that cities and principalities already have a duty to do.

The blue zone issue needs to be separate from the metered parking issue. He stated there will be ongoing dialogue and asked for answers to his questions to be provided to the Commission.

**Action Items**

- Staff is to ensure there is a cordless microphone on hand at full Commission meetings.

## 7. DEMAND LETTER PROJECT UPDATE

### i. Update on Top Ten and Discussion

Executive Director Castellanos stated the Legislature requires that the CCDA, on a six-month basis, post a revised top-ten list of access violations in California based on what is learned from the data collection.

Senate Bill (SB) 1186 initiated a program for the CCDA requiring it to collect demand letters and legal claims filed throughout California related to access

compliance. Along with collecting this data, the Commission is required to make it available to the public on the CCDA website and rank the top ten violations from the data received on a six-month basis.

The website is updated on a quarterly basis and is a searchable database. There are 200 to 300 lawsuits a month, with a total of about 2,500 claims to date. Staff has compiled a list of about fifty codes, collecting information by type of violation, type of business, location, zip code, and whether it is a federal or state court filing. Staff has received public information requests from news outlets for the collected data.

In order to accomplish this task with current staff, Commissioner Seferian, of the attorney general's office, has made their legal interns available to assist in the review and to answer questions that relate to legal issues in the data collections. Staff has also received volunteer assistance through the DOR.

The top ten violations are required to be reported on a six-month cycle. The top two on each of the reports submitted have remained the same. Parking is a big issue and seems to be the violation with the highest incidence. The path of travel tends to be the second. Toilet rooms and access with facilities also become critical issues.

The Commission is responsible for preparing educational modules for each of the top ten violations. The Education and Outreach Committee will be working on this throughout 2014. The DOR just completed a video, which took them over two years to produce, on each of the top-ten items that met initial requirements for developing educational modules.

Executive Director Castellanos stated Senator Steinberg, the sponsor of SB 1186, asked what the Commission is doing to push information out. The Education and Outreach Committee will be discussing strategies for pushing out information and attracting more of an audience to the types of resources on the website.

SB 1186 requires three agencies to partner in the education and outreach efforts: the CCDA, the DOR, and the Division of the State Architect (DSA). They have been discussing the collaboration moving forward in 2014. Now that staff can see where the needs are, they will be asking the Education and Outreach Committee to work with the DOR and the DSA staff to prioritize these issues to develop additional modules or packages of information,

**Commissioner Questions and Comments:**

Commissioner Dolim asked if plaintiff's claims will be aggregated.

Executive Director Castellanos stated types of violations will be aggregated beyond the top ten for the Legislature. There are about fifty categories and it will be useful for the Legislature to see what is happening. They also will be looking

at it regionally because the top ten does not necessarily provide an accurate snapshot of what is happening statewide.

This report and this year's data will serve as the baseline for the next several years. The goal of collecting this information and developing education modules is to see what can be done to reduce the incidence of claims being filed in California. It is important to understand where progress has been made.

**ii. Displaying Plaintiff and Plaintiff's Attorney Information Online**

Executive Director Castellanos stated staff has been collecting information and have received a number of queries about who is bringing these cases to court. He has talked with the author's office of SB 1186, and they appeared to be in support of displaying plaintiff's and plaintiff attorney's information on the website.

One of the reasons this is coming up now is staff will be supplying information to the Legislature as part of the annual reporting at the end of this month. They will report on what is displayed on the website in anticipation of questions about where lawsuits are coming from. He asked Commissioners for input on the usefulness of displaying this information on the website.

Chair Leemhuis recommended displaying all counsel, not just plaintiff's counsel. SB 1186 does not stand for the proposition that anyone has done anything wrong by filing a lawsuit to enforce their civil rights. The Commission is collecting this data to determine if there are high-volume filers. That conclusion has yet to be made. In that spirit, the plaintiff's attorney, plaintiff, defendant, and defendant's attorney should all be shown.

Chair Leemhuis asked staff to include the total number of lawsuits collected on the spreadsheet, and that it highlight that during this period there were this many cases filed in state and federal court statewide.

It is helpful to see how many cases have been filed by a particular law firm, over what issues, and in what areas, because, up until now, there was only anecdotal information. Chair Leemhuis had a conversation with a news reporter who stated it is important to have side data in terms of other types of cases that are filed. There must be context, or people will make assumptions about the ratio of cases to population. He asked for public statistics about the number of filings. Many counties keep that information and staff may be able to look at the county budget reports to see how many cases were filed.

**Public Comment:**

Mr. Skaff stated the issue is that people are giving misinformation. There are positions taken by business owners and building owners, some in support of doing the right thing but not knowing what that is, others doing what they like until they are sued. Although it is important to have information about the top

ten demand letters, they have been the same for years. He asked how this information can be turned into something to gain better design, enforcement, and agreement from the business community.

Chair Leemhuis stated it is a statutory requirement. The Commission is also collecting additional information to facilitate an informed discussion about some of the issues that Mr. Skaff pointed out. The expanded data collection will allow an open and honest discussion about this issue. Even if it affirms what many disability advocates have said for years, it will not be based on the analysis of lawsuit filings instead of anecdotal reports. The hope is to utilize this as a tool for education and conversation with the small business community with respect to ensuring that their businesses are accessible to people with disabilities.

Ms. Arnold stated she is one of the litigants who has filed a few cases. There are millions of businesses and barriers across the country. This Commission is charged with trying to reduce litigation and educating the business community. As a disability rights advocate, she has not found that to be true. In a majority of cases, businesses wait until litigation occurs, thinking that they will save money while they deny access to people with disabilities. She stated her concern about becoming a target or being scapegoated in the community as a disabled individual filing litigation.

Mr. Burks stated the names of the litigants are listed as part of public record with the courts. He suggested, rather than exposing the names of plaintiffs and defendants, listing them with an initial to protect against the vilification that potentially can occur on both sides.

The Commission's responsibility is not just for what court cases have been filed, but for the effectiveness of SB 1186. He hoped the Commission will look at how the CASp program is or is not being used. CASp members' livelihoods are affected by the interpretation of how the legislation is used to lead to the litigation. There should be further dialogue on that.

Executive Director Castellanos stated staff is learning from the data collection, but data collection is not the only goal. They are looking at education and the components in legislation as they serve the needs of the disability and business communities in reducing lawsuits and making California more accessible. That requires some level of analysis. Staff has completed a year's worth of data collection, and their ability to glean information will continue to improve.

Staff is learning about the performance of CASp members and where that program needs to be strengthened. The CASp organization is looking to this data collection as an opportunity to further strengthen their membership and their performance. Staff is already providing information to the DSA. As they continue to strengthen the relationship and collaboration with the state architect, the DSA feels that the use of this information and the definition of their program will have

increasing value. The benefit of this data collection is not just in education, but in policy regulation, program development, and more.

**Action Items**

- Staff is to Display the plaintiff's attorney, plaintiff, defendant, and defendant's attorney on the website.
- Staff is to include the total number of lawsuits collected on the spreadsheet.
- Staff is to look at county budget reports to see how many cases were filed.

## 8. STRATEGIC PLANNING UPDATE

Executive Director Castellanos stated the strategic planning effort is being guided by the design team that was assembled from this Commission, other stakeholders, and representatives from the DOR and the DSA, to provide input on a continuing basis to staff and the consultant team.

The interview questions are a snapshot of what the condition is in California with regard to access. It was important to try to identify a diverse group that would give a fair assessment of where the strengths and weaknesses lie. It is not representative or advocacy based, but simply a snapshot. This is a modest, targeted effort, and it is just in the early stages.

Jodie Monaghan, the Lead Mediator for the Center for Collaborative Policy (CCP), stated the CCDA is embarking on a strategic plan to guide its efforts over the next three to five years. The CCP is an off-campus department of Sacramento State University, doing public policy mediation and facilitation and helping public agencies achieve their mission by using collaborative tools. The CCDA mission is promoting disability access through dialogue and collaboration with stakeholders.

The CCP recommended doing a stakeholder assessment to understand access issues and challenges from a variety of perspectives, to identify opportunities for the CCDA to increase compliance, and to identify opportunities to build relationships between stakeholders. They formed a design team and developed a questionnaire and a list of thirty-one interviewees to be inclusive of various perspectives.

Ms. Monaghan shared the preliminary findings, which were purposefully not put in writing, because the CCP has not completed the interview process yet. A written report will be provided upon completion by the end January.

She stated the CCP hopes to schedule the Strategic Plan Workshop in March. The design team and staff will invite stakeholders to participate. Because of Bagley-Keene, Commission participation may be limited.

Following the development of the strategic plan, the CCP plans to conduct validation workshops in several parts of the state, presenting their findings and gathering feedback. The design team and staff will invite stakeholders to participate.

The CCP will refine the strategic plan and, by the end of June, will bring it to the Commission for approval.

Chair Leemhuis stated the Commission made a commitment to ensure references to people with disabilities would be as people first. He asked that the language be consistent with that goal. He also asked for a copy of all written language for the Commission's review.

**Action Items**

- No action items

## 9. BYLAWS AMENDMENT/EXECUTIVE COMMITTEE MAKEUP

Chair Leemhuis stated amendments have been made to Section 5 of the Bylaws to appoint the past chair of the Commission to the Executive Committee, because it is important to have institutional memory. The past chair will be a voting member of the Executive Committee.

Chair Leemhuis asked staff to change the proposed language in Section 5.1 to "the immediate past chair, a Senate legislative commissioner or their representative, and an Assembly legislative commissioner or their representative."

> **MOTION**: Commissioner Paravagna moved to approve the changes to Section 5.1 Executive Committee of the Bylaws, as amended. Commissioner Wilson seconded. Motion carried unanimously.

**Action Items**

- Staff is to change the proposed language in Section 5.1 to "the immediate past chair, a Senate legislative commissioner or their representative, and an Assembly legislative commissioner or their representative."

## 10. LEGISLATIVE REPORTING REQUIREMENT

Executive Director Castellanos stated there are two legislative reports due at the end of January: the SB 1186 Demand Letter Project Update and the annual report of activities. The CCP is supporting staff in the writing of these reports.

In July, staff submitted the first report on Commission activities for the prior twelve months. The next report, due January 31st, will report on the year 2013. Staff will send a draft report to Commissioners. Executive Director Castellanos asked Commissioners to send their ideas and input to staff of what they feel were accomplishments both personally and for the Commission that would be important for the Legislature to hear, so staff can add them to the report.

There will be much to say on what the Commission has done over the past year: it has been reorganized, revamped the website, established a new Committee, established relationships with partners, and begun developing education and outreach programs.

Chair Leemhuis stated he will be reaching out to Commissioners to discover their individual talents and to engage every member of the Commission. He and Commissioner Paravagna discussed the upcoming deliverables. There are many significant things to report with respect to what is now a vibrant, functioning Commission.

He stated he, Commissioner Paravagna, and staff will put together literature and talking points so Commissioners can engage people and invite them to meetings, and speak to Assembly members and Senators or their designees about the Commission. He will be meeting with Commissioners in January and February.

**Action Items**

- Chair Leemhuis, Commissioner Paravagna, and staff will put together literature and talking points for Commissioners.

## 11. EDUCATION AND OUTREACH ACTIVITIES

Chair Leemhuis appointed Commissioners Paravagna, Downey, and Navarro to serve on the Education and Outreach Committee. He stated there are six members of the public also appointed to the Committee. The Education and Outreach Committee will meet on February 5th.

## 12. BUDGET REPORTING

### i. Meeting Location Impacts

Executive Director Castellanos stated the budget is now provided in narrative format for Commissioners to understand what some of the government terms mean and where the money is going.

The 2013-2014 Fiscal Year (FY) budget for the Commission is $415,000, up from $407,000 for the 2012-2013 FY. The monthly expenses are approximately $30,000. The Commission has used about forty percent of the budget and is about half-way through the year. There was a remainder in last year's budget of over $90,000. Staff retained consultants for the website redesign and the strategic planning.

There is nearly a full Commission now, and the more meetings held annually the more it will cost. The Commission has scheduled four quarterly meetings, eight Executive Committee meetings, and six Education and Outreach Committee meetings. The Executive Committee meetings are telephonic, which lowers the cost. Staff is encouraging the use of alternative meeting methods in order to reduce the expense for meeting support.

The Commission is on target with the 2013-2014 FY and carryover budgets. In the next FY, the budget will be more detailed regarding activities and program implementation. Staff used 2013 to gain an understanding about Commission activities. They are using the strategic plan to better budget, and staff will bring

a program plan and the budget to the Commission as the next FY begins so Commissioners can look at how the Commission spends money by activity.

**Action Items**

- No action items

## 13. 2014 Meeting Calendar - Informational Only

Chair Leemhuis stated the Executive Committee meetings are teleconferences. The Education and Outreach has two in-person meetings the day before full Commission meetings, and four teleconference meetings. The full Commission meets twice in Los Angeles and twice in Sacramento.

He asked staff to turn off the teleconference announcements when users join and leave the meeting, as it is disruptive to the meetings.

He stated there are facilities that have video teleconferencing in offices that are accessible. He stated he will work with staff to locate sites and centers that are willing to allow the Commission to utilize their facilities. Not only would this be helpful for Commissioners, but it would be a way for people who may not be close to Sacramento or Los Angeles to better interact with the Commission as they weigh in on the discussion.

**Action Items**

- Staff is to turn off the teleconference announcements when users join and leave the meeting.
- Chair Leemhuis is to work with staff to locate sites and centers that are willing to allow the Commission to utilize their facilities.

## 14. FUTURE AGENDA ITEMS

Commissioner Wilson stated she has a few ideas for future agenda items, such as developing a marketing strategy to maximize the use of electronic and print media. Los Angeles is a media capital, and she stated she had already been contacting media groups. She stated it is important to get the word out, and she recommended publishing what the Commission does.

Commissioner Paravagna stated it seems the Commission will be hearing frequently about the operation of the CASp program. As a good foundation or context, he suggested asking the DSA to present an update on the CASp program and allow Commissioners to question its operations.

Commissioner Dolim suggested, as a CASp and a CASI member, that CASI is available as a resource in addition to the DSA.

**Public Comment**

Mr. Burks agreed with Commissioners Paravagna and Dolim about asking the DSA and CASI to present on the CASp program. He suggested also gaining a greater

understanding of SB 262, 1608, and 1186, as all three impact the Commission. The CASp program came out of SB 262, and then there were amendments that caused major problems to the CASp program. There were modifications to SB 1186 that were never vetted. The CASp program is critical to the Commission's efforts.

Chair Leemhuis stated one of his goals is to make meetings more plain-language. He recommended a presentation on disability rights, attitudinal barriers, people-first language, and why inaccessible buildings and programs are a problem for everyone. California needs to understand how to operate in a loving and accepting way that honors and respects everyone and does not serve to exclude anyone. That is the underpinnings of the State Constitution. These issues are not just about changing laws; they ultimately come down to changing hearts and minds.

## 15. ADJOURN

**MOTION**: Commissioner Paravagna moved to adjourn the January 8, 2014, California Commission on Disability Access Full Commission meeting. Commissioner Downey seconded. Motion carried unanimously.

Chair Leemhuis adjourned the meeting at 3:48 p.m.

5) Demand Letter Project
Update on Top 10 and discussion

# TOP 10 Demand Letters & Claims

***10 most frequent types of construction-related physical access violations alleged.***
The top two ranking alleged violations – loading zones/van access and parking spaces - composed 26% of the total reported violation types.

| Category | Alleged ADA Violations | Rank | |
|---|---|---|---|
| | | Reporting Period 1 | Reporting Period 2 |
| | | Sept – June 2012 | July 2012 - Dec 2013 |
| Toilet Rooms - Bathrooms | Key Code 1 - Entry doors are not accessible or not on an accessible route. | N/A | 10 |
| | Key Code 5 - Lavatories and Mirrors are not accessible. | 9 | N/A |
| | Key Code 7 - Grab Bars. Grab bars in bathroom are non-existent, or existing grab bars are not compliant. | 8 | N/A |
| Parking | Key Code 11 - Number of spaces. Parking lot does not contain minimum number of accessible parking spaces. | 4 | 4 |
| | Key Code 12 - Parking Spaces. Existing parking spaces are not compliant. | **2** | **2** |
| | Key Code 13 - Signage. Signage in parking lot is not compliant. E.g., parking spaces need to be designated as reserved by a sign showing the symbol of accessibility. | 5 | 3 |
| | Key Code 14 - Loading zones/van access aisles are not compliant or non-existent | **1** | **1** |
| Accessible Route and Entry | Key Code 15 - Routes to and from parking lot or public right of way are not accessible. May include uneven surfaces. | 3 | 5 |
| | Key Code 16 - Ramps. Curb ramps or entrance ramps are not compliant or non-existing. | N/A | 7 |
| | Key Code 17 - General. Entry doors are not accessible or missing sign/symbol of accessibility. | 10 | 6 |
| Access within Public Facility | Key Code 20 - Access aisles within building are not accessible. E.g., dining or work surfaces are not on an accessible route. | 7 | 9 |
| | Key Code 26 - Access Height. Heights of surfaces such as counters, bars, or tables are not compliant. | 6 | 8 |

# CCDA Data Collection Totals

## Quarterly Comparison

| | Q1 2013 | Q1 2014 |
|---|---|---|
| January | 112 | 287 |
| February | 117 | 201 |
| March | 146 | 211 |
| Total | 375 | 699 |

Total number of demand letters and complaints received from the beginning of collection in September 2012 to December 2013: 2,824

9) CCDA Bill Tracking

-AB 1885 - Public Buildings: access: disabled persons - Bigelow R

-AB 1991 - Construction-related accessibility claims - Morrell R

-AB 2714 - Vehicles: disabled persons placard - Hernandez, Roger D

-AB 1612 - Accessible California Code of Regulations - Donnelly R

-AB 1848 - Public accommodations: construction-related accessibility claims - Allen R

## CCDA Legislative Status Report

**AB 1612 (Donnelly R) State government: regulations.**
**Current Text:** Amended: 4/2/2014
**Introduced:** 2/6/2014
**Last Amend:** 4/2/2014
**Status:** 4/3/2014-Re-referred to Com. on A. & A.R.
**Location:** 4/3/2014-A. A. & A.R.
**Policy**

**Calendar:** 4/30/2014 9 a.m. - State Capitol, Room 437 ASSEMBLY Accountability And Administrative Review, FRAZIER, Chair
**Summary:** Current law requires the Legislative Counsel to make specified information available to the public in electronic form, including, among other things, the legislative calendar, the text of each bill introduced in each current legislative session, the California Codes, and the California Constitution.
This bill would require the Office of Administrative Law to make those regulations searchable in one or more formats and by one or more means in order to provide the greatest feasible access to the public, and also make those regulations available by other means, as specified.

**AB 1848 (Allen R) Public accommodations: construction-related accessibility claims: notice.**
**Current Text:** Amended: 3/28/2014
**Introduced:** 2/19/2014
**Last Amend:** 3/28/2014
**Status:** 4/1/2014-Re-referred to Com. on JUD.
**Location:** 4/1/2014-A. JUD.
**Policy**

**Summary:** Current law provides that a plaintiff may recover statutory damages in a construction related accessibility claim against a place of public accommodation only if a violation of construction related accessibility standards denied the plaintiff full and equal access to that site on a particular occasion, as specified. This bill would require an alleged aggrieved party to undertake prescribed notice procedures at least 30 days before filing an action against a business for an alleged violation of the above-described provisions.

**AB 1885 (Bigelow R) Special access: disabled persons: liability.**
**Current Text:** Amended: 4/1/2014
**Introduced:** 2/19/2014
**Last Amend:** 4/1/2014
**Status:** 4/2/2014-Re-referred to Com. on JUD.
**Location:** 4/2/2014-A. JUD.
**Policy**

**Summary:** Current law, a person, firm, or corporation that interferes with the access rights of a disabled individual is liable for the actual damages of each offense and any amount determined by a judge or jury of up to 3 times the amount of the actual damages, but in no case less than $1,000.
This bill would establish notice requirements for an alleged aggrieved party to follow before bringing an action against a business for an alleged violation of the above-described provisions. The bill would require that party to provide specified notice to the owner of the property, agent, or other responsible party where the alleged violation occurred.

**AB 1991 (Morrell R) Construction-related accessibility claims.**
**Current Text:** Introduced: 2/20/2014 **Introduced:** 2/20/2014
**Status:** 2/21/2014-From printer. May be heard in committee March 23.
**Location:** 2/20/2014-A. PRINT
**Desk**

**Summary:** Current law provides, upon being served with a summons and complaint asserting a construction-related accessibility claim, that specified defendants may file a request for a court stay and early evaluation conference in the proceedings, as specified. This bill would make technical, nonsubstantive changes to the above-described provision relating to the assertion of construction related accessibility claims.

**AB 2714 (Hernández, Roger D) Vehicles: disabled persons placard.**
**Current Text:** Introduced: 2/21/2014
**Introduced:** 2/21/2014
**Status:** 2/24/2014-Read first time.
**Location:** 2/21/2014-A. PRINT
**Desk**
**Summary:** Would state the intent of the Legislature to protect the needs of disabled persons and veterans and would prohibit a city or county from adopting an ordinance or passing a resolution that limits in any way the authority for a disabled person or disabled veteran to park a vehicle pursuant to these provisions.

# 10) Budget Reporting
Narrative and up-to-date financial reports

Commission on Disability Access
BUDGET AND EXPENDITURES SUMMARY
July 1 2013-June 30 2014 FISCAL YEAR
Reporting as of 03/31/14

| Expenditure Category | Budget | Current Month | Year-to-Date Expenditures | Encumbrances * | Available Balance | % of Budget Available |
|---|---|---|---|---|---|---|
| **Personnel Services** | | | | | | |
| Staff Salary/Wages & | $ 201,000.00 | $ 16,157.00 | $ 145,681.00 | | $ 55,319.00 | 52.1% |
| Staff Benefits | $ 84,000.00 | $ 6,308.09 | $ 55,978.33 | | $ 28,021.67 | 33.4% |
| **Personal Services Totals** | **$ 285,000.00** | **$ 22,465.09** | **$ 201,659.33** | **$ -** | **$ 83,340.67** | **29.2%** |
| **Operating Expenses & Equipment** | | | | | | |
| General | $ 15,000.00 | $ 265.38 | $ 3,854.07 | | $ 11,145.93 | 74.3% |
| Printing | $ 1,500.00 | $ 341.29 | $ 1,073.50 | $ 997.14 | $ (570.44) | -38.0% |
| Communications | $ 3,000.00 | $ - | $ 1,935.40 | | $ 1,064.60 | 35.5% |
| Postage | $ 500.00 | $ 96.22 | $ 341.47 | | $ 158.53 | 31.7% |
| Travel: In State | $ 12,000.00 | $ 45.15 | $ 3,326.83 | | $ 8,673.17 | 72.3% |
| Travel: Out-of-State | $ - | $ - | | | $ - | |
| Training | $ 3,000.00 | $ - | $ 1,015.00 | | $ 1,985.00 | 66.2% |
| Facilities Operations | $ 37,000.00 | $ 3,120.75 | $ 24,966.00 | $ 12,483.00 | $ (449.00) | 68.7% |
| Cons & Prof Svcs-Interdept. | $ 38,000.00 | $ - | $ 4,351.80 | $ 3,828.00 | $ 29,820.20 | 93.6% |
| Cons & Prof Svcs-External( TEC) | $ - | $ 89.30 | $ 10,067.69 | $ 4,880.00 | $ (14,947.69) | |
| Departmental Service | | | | | $ - | |
| Consolidated Data Center | $ 10,000.00 | $ 100.42 | $ 583.64 | | $ 9,416.36 | 94.2% |
| Information Technology | $ 20,000.00 | $ - | $ - | | $ 20,000.00 | 100.0% |
| Other | | | | | $ - | |
| | | | | | $ - | |
| | | | | | $ - | |
| | | | | | $ - | |
| **Total O&E** | **$ 140,000.00** | **$ 4,058.51** | **$ 51,515.40** | **$ 22,188.14** | **$ 66,296.66** | **47.4%** |
| **Total P Svs. and OE&E** | **$ 425,000.00** | **$ 26,523.60** | **$ 253,174.73** | **$ 22,188.14** | **$ 149,637.33** | **35.2%** |