

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

**November 14, 2013**

**1. CALL TO ORDER**

Chair Guy Leemhuis welcomed everyone and called the meeting to order at 1:30 p.m. at the Department of Rehabilitation, 721 Capitol Mall, Room 244, 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 Department on Disability, 201 North Figueroa Street, Suite 100, Los Angeles, California 90012.

Chair Leemhuis reviewed today's agenda and the meeting protocols. He stated this meeting was not properly posted on the CCDA website, so the Commission will not take any action today.

**ROLL CALL**

<i>Committee Member Present:</i>	Guadalupe Manriquez, Office of Senator Corbett
<i>Commissioners Present:</i>	Guy Leemhuis, Chairman (Teleconference) Scott Hauge, Vice Chairman (Teleconference) Rocky Burks (Teleconference) Betty Wilson (Teleconference)
<i>Additional Commissioners Present:</i>	Michael Paravagna
<i>Staff Present:</i>	Angela Jemmott, Program Analyst Steven Funderburk, Office Technician
<i>Also Present:</i>	Donald Parks, Accessible Technology Services (Teleconference)

**2. APPROVAL OF MEETING MINUTES (September 12, 2013) – ACTION**

Chair Leemhuis stated the approval of the meeting minutes will be deferred to the December Executive Committee meeting.

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

Donald Parks, of Accessible Technology Services, stated he received an assignment from Executive Director Castellanos in July to investigate consistency in public policy

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that impacts information accessibility. As an example of the inaccessibility of information in the state of California, he stated the Office of Technology Services website has inaccessible documents. On August 9<sup>th</sup>, he made a request for an accessible format of their policy. The Office of Technology responded one month later, on September 4<sup>th</sup>, with a statement that they did not intend to do this anymore.

Mr. Parks stated he has been working with the Commission for about four years. He worked with Commissioner Abrams on public access, and, in the Commission's April 15<sup>th</sup> report to the Legislature, there was a note about what he and Commissioner Abrams found - that the majority of state agencies have never fully complied with the Americans with Disabilities Act (ADA) requirements.

Mr. Parks stated he is now working on legislation to "fill in the blanks" in terms of guidance for the state as a whole.

**4. PAST CHAIR ON EXECUTIVE COMMITTEE – CHANGE BY-LAWS TO STATE PREVIOUS CHAIR IS EITHER EX-OFFICIO OR VOTING COMMITTEE MEMBER**

Chair Leemhuis stated the chair of the Commission has the authority to make appointments to Committees. He stated past chairs can impart institutional memory by continuing to serve on the Executive Committee for a year as an ex-officio member, given that they were the previous serving chair of the Executive Committee and the full Commission.

Chair Leemhuis appointed the immediate past chair, Rocky Burks, to remain on the Executive Committee for one year in an ex-officio, past chair position to draw on his institutional memory. Commissioner Burks will be a voting member of the Executive Committee.

Chair Leemhuis stated the question became whether or not Commissioners should consider codifying that the past chair will continue to serve on the Executive Committee for one year in the by-laws, and whether or not the ex-officio past chairs would be voting members of the Committee. The by-laws already state that ex-officio members on Committees do vote. He noted Items 5.1 and 6.3 as the pertinent sections in the by-laws.

Commissioner Burks clarified, as the sitting Commissioner who was involved in the creation of the by-laws, what happened in Item 6 that gave ex-officio members the ability to vote. This Commission has several ex-officio members who sit on the Commission who are not, by the nature of the statute under Senate Bill (SB) 1608 that created the Commission, voting members of the Commission.

Commissioner Burks stated the team that crafted the by-laws, the then-chair of the Commission, a member of Senator Corbett's staff, and he, did not want to ignore any potential votes. The Commission has ex-officio members statutorily - the state

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architect and several elected officials - and they wanted to make it clear in the by-laws that ex-officio members would have a voting position on any standing committee as evidenced by having Senator Corbett's office represented on the Executive Committee.

Commissioner Burks agreed that the prior chair should be a member of the Executive Committee. Back when the Commission was new and the then-chair of the Commission, a member of Senator Corbett's staff, and he were crafting the by-laws, they did not consider the relationship of the Executive Committee with the departing chair, but he stated he was sure his colleagues would concur as well.

Chair Leemhuis thanked Commissioner Burks for demonstrating the value of institutional memory. He asked staff to add this as an action item to the December Executive Committee agenda.

**Action Items**

- Staff is to add this action item to the December Executive Committee agenda.

**5. EXECUTIVE COMMITTEE MAKEUP**

Chair Leemhuis stated the by-laws state the Executive Committee is made up of the Commission chair, Commission vice chair, and chairs of the standing committees, with no mention of Senate or Assembly representatives as a part of the Executive Committee.

Commissioner Burks stated members of the Legislature originally did not want the by-law language to require that they be members of the Executive Committee, but preferred to have discussions with each new chair whether they desired to be on the Executive Committee or not. The chair has the authority to appoint them to the Executive Committee.

Chair Leemhuis stated the by-laws need to be clear. Either members of the Legislature serve ex-officio and it is put in the by-laws, or it needs to be made clear that there has to be a meeting with the newly-elected chair regarding who serves on the Executive Committee.

Commissioner Burks stated the creators of the by-laws consulted with a number of attorneys to ensure that the by-laws were flexible and would not need constant revision, but agreed that the by-laws relating to the composition of the Executive Committee required clarification. Commissioner Burks offered his assistance in constructing the necessary language that would add clarification while preserving the flexibility of the by-laws and the authority of the chair.

Chair Leemhuis asked staff to construct a sentence that does not change the chair's authority, but that clarifies that there are additional Executive Committee members serving at the pleasure of the chair - a representative from the Senate and a representative from the Assembly. This additional sentence would alert the new

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chair to verify who serves on the Executive Committee and make it clear how that happens.

Chair Leemhuis stated he will contact the Senate and Assembly representatives' offices before the December Executive Meeting to ascertain their understanding and desire in terms of being appointed to the Executive Committee at this time.

**Action Items**

- Staff is to construct a sentence that does not change the chair's authority, but that clarifies that there are additional Executive Committee members serving at the pleasure of the chair - a representative from the Senate and a representative from the Assembly. This additional sentence would alert the chair that he needs to verify who serves on the Executive Committee and make it clear how that happens.
- Chair Leemhuis is to contact the Senate and Assembly representatives' offices before the December Executive Meeting to ascertain their understanding and desire in terms of being appointed to the Executive Committee at this time.

**6. STRATEGIC PLANNING**

Chair Leemhuis stated a graphic for Commissioners' reference had been created by the vendor support from Sacramento State University. He asked Staff Member Jemmott to name the members of the design team.

Staff Member Jemmott stated the design team consists of Vice Chair Hauge and Commissioner Wilson representing the Commissioners; representatives from the Department of Rehabilitation (DOR) and the Division of the State Architect (DSA); and Executive Director Castellanos and Staff Member Jemmott representing the Commission staff.

She referenced the flow chart that was presented to the design team by the Sac State vendor, which gave an overview of how the project is being put together. The design team has met on a number of occasions, primarily to produce a focus group target list of twenty names from various organizations from the business and disability communities across California.

The design team is preparing to do the interview process and has created a set of about fifteen questions that the Sac State vendor will present to the focus groups. Responses to those questions will be brought back to the Commission.

Chair Leemhuis asked staff to provide the names of the focus groups and the questions being asked of them at the December Executive Committee meeting.

He stated the design team was created to build, from the ground up, the Commission's strategic planning process of items to accomplish over the next few

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years, consistent with the statutory requirements and input from the disability and business communities, including input from the CCDA website.

Staff Member Jemmott stated one of the strategies of the design team is to include the input from the website after the team builds from the questions and then wants to target a larger segment of the population.

Chair Leemhuis asked if the design team has been involved in improving the website and, if not, who is working on the website.

Staff Member Jemmott stated the design team has not been involved with the website; Teranomic Software has been working with staff to meet the Commission mandate - the top ten demands throughout the state - as well as to improve the CCDA website operations.

Chair Leemhuis requested that staff add the improvement of the website as a future agenda item. He also requested that staff provide a more detailed report in the December Executive Committee meeting about where the design team is with the additional items he requested to enable Commissioners to track the strategic planning progress.

Commissioner Paravagna stated there was some discussion at the full Commission meeting of having full Commission meetings around the state. He suggested having the presentation of the strategic plan in conjunction with outreach to independent living centers and other disability groups in certain regions might give more attention to the work of the Commission.

Commissioner Wilson agreed and stated it is already a part of the plan to reach out to the California State Independent Living Council to get statewide involvement in all three sections of the state - north, central, and south. In answer to Commissioner Paravagna's question, Commission Wilson stated it would be presented in conjunction with regional full Commission meetings.

**Action Items**

- Staff is to provide the names of the focus groups and the questions being asked of them at the December Executive Committee meeting.
- Staff is to add the improvement of the website as a future agenda item.
- Staff is to provide a more detailed report in the December Executive Committee meeting about where the design team is with the additional items Chair Leemhuis requested to enable Commissioners to track the strategic planning progress.

**7. CCDA CALENDAR**

Chair Leemhuis stated the design team meets on December 6<sup>th</sup> and the next Executive Committee meeting is December 12<sup>th</sup>, concluding the calendar for 2013.

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Staff developed a proposal for a meeting calendar. It does not have the locations on it as yet, but does have proposed dates for the Executive Committee, the full Commission, and the Education and Outreach Committee.

Staff Member Jemmott stated staff, based on feedback from Commissioners, adjusted the various meetings to meet on Wednesdays. Additionally, the proposal only has one distinction regarding the Executive Committee and how often it meets in relationship to the other meetings.

She added that the visual aid staff wanted to stress was the number of meetings staff will have to coordinate in relation to output. She asked Commissioners to consider the number of meetings in relationship to completion of staff functions. Scheduling the dates well in advance increases the chance of locating good facilities and securing consistent quorums.

Chair Leemhuis stated there may be additional standing committees at some point now that the Commission has additional Commissioners. He stated he and Commissioner Wilson cursorily discussed a different model. He questioned to what extent it might be cost effective to hold standing Committee meetings the day before a full Commission meeting or, on the off months, to have teleconference meetings.

Commissioner Wilson stated her interest in the most effective, efficient way to vote on information and complete projects in a timely manner. She stated she usually arrives in Sacramento the afternoon or evening before the full Commission meeting. She agreed with having additional teleconference meetings and stated her concern that the Commission is only now revving up this late in the year. She conveyed a sense of urgency for the Commission to show some progress and success for the January report to the Legislature.

Chair Leemhuis stated it would be cost-prohibitive to have an additional in-person meeting with two sets of travel.

Commissioner Burks agreed and added that this has typically been the Achilles' heel of the Commission. Ensuring that meetings are fully transparent and fully compliant for the greatest degree of public participation, and then meeting all the requirements of Bagley-Keene, has costs associated with that process.

Statutory requirements under SB 1186 have been pared down from the earlier SB 1608; yet, it is imperative to provide the deliverables by the most cost-efficient means. Providing the deliverables and maintaining a meeting structure that is fully compliant with Commission policies and procedures and the Bagley-Keene requirements while working within the budget has been challenging.

Vice Chair Hauge and Commissioner Burks agreed that having interim teleconference meetings would be a cost-effective model.

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Chair Leemhuis encouraged Commissioners to work on ways to decrease costs, such as having other agencies sponsor a meeting. SB 1186 has a different trajectory than the original SB 1608 statute, but the Commission's ultimate goal is to identify things that are important for the Legislature to know related to disability access.

Chair Leemhuis stated Senator Corbett's office is developing a brochure about the Commission, and the Education and Outreach Committee is to help in that process. He proposed that the Education and Outreach Committee meet for two hours every other month for a total of six meetings, with two of those meetings being held the afternoon before the full Commission meetings in April and October of 2014. The teleconference meetings will be in February, June, August, and December. He asked staff to change the calendar to reflect this proposal for the December meeting.

Vice Chair Hauge and Commissioner Wilson agreed.

Chair Leemhuis proposed reducing the number of Executive Committee meetings from twelve to eight beginning January 2014, skipping January, March, July, and August. The Executive Committee meetings will be for two hours and Commissioners can attend via teleconference.

The Commission has four full Commission meetings - two in the north and two in the south. Chair Leemhuis proposed meeting closer to the capitol for one of the meetings in the north. He suggested, in order to maximize travel, that Commissioners arrive earlier in the day on the day before the full Commission meeting and all meet with the Legislative representatives and share what the Commission is doing.

The design team meets every other month.

Chair Leemhuis suggested making two of the full Commission meetings similar to town hall meetings to have an opportunity to focus on the work of the Commission.

Commissioner Wilson recommended having topics that will motivate people to come out.

Vice Chair Hauge agreed and stated one of the goals of the Commission is to become more visible; anything that will help to do that is a good idea.

Chair Leemhuis stated there are a number of other things that Commissioners can do in the community to help facilitate visibility.

Chair Leemhuis asked staff to retool the calendar for the December Executive Committee meeting. The Commissioners need this guidance first before they can take any action on the next agenda item, the budget template proposal, because the calendar items translate to dollars.

**Action Items**

- Staff is to retool the calendar for the December Executive Committee meeting.

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**8. BUDGET TEMPLATE PROPOSAL**

Chair Leemhuis requested that staff provide more detailed information for the budget report and that it be presented in a more narrative style. Chair Leemhuis offered to give staff further guidance.

Staff Member Jemmott stated staff was creating the budget template proposal based on the discussion in the last full Commission meeting. It was more showing what monies were left from previous years.

Chair Leemhuis stated that that is helpful, but he requested that Commissioners see the full budget in detail to ensure the budget is going to be able to do what Commissioners want to do, and, where it does not, what needs to be done about it.

**Action Items**

- Staff is to provide more detailed information for the budget report and present it in a more narrative style.

**9. MEETING LOCATIONS - COST ANALYSIS**

Chair Leemhuis stated staff provided the projected cost of full Commission meetings for Los Angeles and Sacramento, and there is only a \$650 difference.

Staff Member Jemmott stated that figure does not include today's decision for two in-person meetings of the Education and Outreach Committee prior to full Commission meetings, which will create a substantial increase in the cost. Seven people have been added to that Committee.

Additionally, with regards to webcasting and real-time captioning, the service staff located cost \$17,000. That was why it cost \$20,000 to do a meeting in the Los Angeles area. Webcasting is provided at no cost in Sacramento through the Department of Consumer Affairs.

Chair Leemhuis asked if the Department of Consumer Affairs is the only provider of webcasting technology.

Staff Member Jemmott stated the meeting in Los Angeles had webcasting projected as well as real-time captioning.

In response to Chair Leemhuis's question about the disparity between Los Angeles and Sacramento, Commissioner Paravagna stated the card service in Sacramento is free and would be costly in Los Angeles.

Staff Member Jemmott stated they did not find a location in Los Angeles to provide it for free. The meeting was held at the California Endowment, but they did not provide webcasting as a service.

Chair Leemhuis stated staff should look at possible state department locations, which could give in kind and not charge, and/or some other city entities.

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Commissioner Wilson and he volunteered to work with staff on that. He asked if a real-time captioner also has to caption the web stream.

Commissioner Paravagna stated a streaming captioning in real time is adequate, provided it is of reasonable quality.

Commissioner Burks stated this is part of the problem the Commission has experienced in terms of available facilities able to comply with all of the communication requirements. Even the Department of Consumer Affairs is unable to resolve all compliance issues, even though it is webcast. The camera does not have the ability to rotate back to the speakers in the audience. For the meeting in Los Angeles, the Commission used the services by Granicus. They did the audio with a streaming of real-time captioning. There are not many state agency infrastructures that have the capabilities, but there are a number of municipalities that have contracts with Granicus.

Commissioner Paravagna asked who in the Los Angeles area can produce meetings of the desired quality and what the availability of their facilities is. He also asked if it is cost-based, or a co-sponsorship opportunity.

Commissioner Burks stated, if anyone is in a position to coordinate with the new mayor of Los Angeles, the Commission could use the accommodations provided by the city and county of Los Angeles with Granicus providing those services. Commissioner Wilson worked diligently to help get the facility that the California Endowment sponsored at no cost.

Chair Leemhuis stated the county's technology is oftentimes better than the city's. The Sacramento figures give the effect that Los Angeles is more expensive, but it really is not because Sacramento is not currently providing that level of service. He recommended a true comparison of costs at a minimum standard for accessibility.

Staff Member Jemmott stated the six hours of captioning for two people in Los Angeles would be approximately \$4,900 for Los Angeles services compared to Sacramento.

Chair Leemhuis asked staff to report on the impact on the budget of having two Education and Outreach Committee meetings in person, given that there would be a slight increase in cost for lodging for the public members. But a number of public members are from Los Angeles; therefore, if the Commission met in Los Angeles, some public members and at least three Commissioners would not require lodging or flights. He requested that staff run those numbers, including personal assistant time, with the current composition of the Commission.

Chair Leemhuis offered to work with staff on this to devise three options of price tags for Commissioners to see the full, detailed budget.

**Action Items**

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- Staff is to prepare a true comparison of costs at a minimum standard for accessibility.
- Staff is to report on the impact on the budget of having two Education and Outreach Committee meetings in person with the current composition of the Commission, including personal assistant time.
- Staff is to work with Chair Leemhuis to devise three options of price tags for Commissioners to see the full, detailed budget.

**10. NAME OF EDUCATION AND OUTREACH COMMITTEE**

Chair Leemhuis stated the title of the Education and Outreach Committee is codified in the statute and it is the recommendation of the chair of the Committee to retain the name.

Chair Leemhuis asked staff to add this as an action item on the December Executive Committee agenda.

**Action Items**

- Staff is to add this action item to the December Executive Committee agenda.

**11. OUTREACH TO STATE AGENCIES, E.G., ARCHITECT/CONTRACTING BOARD SPEAKERS AT FULL COMMISSION MEETING**

Chair Leemhuis asked Commissioners to reflect on whom to ask to present to the Commission. He suggested the presentations be engaging, not only to Commissioners but to the community. Chair Leemhuis asked Commissioners to email ideas to staff, and for staff to pool the ideas and email the collected ideas to Commissioners before the December meeting so they can have the benefit of other Commissioners' thoughts.

Commissioner Wilson stated she would like to have something to show as a work in progress to the Legislature.

Chair Leemhuis asked staff to work with him to better describe what is expected to be available as a product in January.

**Action Items**

- Commissioners are to email ideas to staff before the December Executive Committee meeting.
- Staff is to pool the ideas and email the collected ideas to Commissioners before the December Executive Committee meeting.
- Staff is to work with Chair Leemhuis to better describe what is expected to be available as a product in January.

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**12. FUTURE AGENDA ITEMS**

Vice Chair Hauge stated there are efforts in San Francisco, which have been put together by a coalition of the disabled in the business community, to look at changing some of the laws regarding placard parking - specifically, paying at the meter. The coalition will recommend changing those laws. It requires state action. He has talked with Executive Director Castellanos, Jeanne Wong, and Committee Member Connelly about the role the Commission might play in working on this issue.

Commissioner Burks stated this issue could be put on the December agenda for discussion, but it will be late. The San Francisco Metropolitan Transportation Agency will meet on the 19<sup>th</sup>. He stated it is not a universal perception that what they are proposing is being well received in San Francisco. There are a lot of people who did not know that this was happening. It is really an income generator for municipalities; he asked the Commission to be cautious while discussing this wedge issue. It has far-reaching implications, because it is a statewide proposed policy and the ten largest jurisdictions in California are involved with it.

Commissioner Paravagna stated it is going to be a hot-button issue, and one of the things that municipalities will have to deal with is making their parking accessible. One of the reasons this statute is on the books initially is because one cannot require someone to grasp and twist the mechanism on the parking meter. They will have to deal with accessible payment plans so that there is an appropriate amount of accessibility per the ADA. He agreed with Commissioner Burks that revenue generation is what is motivating this.

Chair Leemhuis stated it would be interesting to see the data on how this is going to save money given the number of people with disabilities versus the general population.

The next Executive Committee meeting will be December 12<sup>th</sup> at 1:30 p.m.

**13. ADJOURN**

Chair Leemhuis adjourned the meeting at 3:33 p.m.