

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

**February 4, 2010**

**1. CALL TO ORDER**

Chair Johnson called the meeting to order at approximately 11:00 a.m. at 2525 Natomas Park Drive, Room 120, Sacramento, California.

**ROLL CALL**

*Commissioners Present:*

Margaret Johnson - Interim Chair  
James Abrams - Interim Vice-Chair  
Rocky Burks  
Peggy Collins - Representing Senator Ellen Corbett (Commissioner Member)  
Mark Martinez  
Betty Wilson (on telephone as public – meeting location not noticed)

*Commissioners Absent:*

Benjamin Cassady – Representing Senator Tom Harman (Commission Member)

*Also Present:*

Stephanie Davis, Executive Assistant, CBSC  
Jim McGowan, CBSC

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

Chair Johnson asked for comments from the public on issues not on agenda.

**Public Comments on Non-Agenda Items**

Betty Wilson, Commissioner-Public/Disability, stated that Los Angeles City – Department of Disability is going through a major crisis and the department may be eliminated, as well as all other human services departments in the City. Ms. Wilson stated staff can email any information needed and hopefully people will choose to support or talk to people about this situation so that disabilities services are not comprised, despite the budget crisis. Cutbacks are understood but not elimination. Chair Johnson asked how Ms. Wilson may be reached. Ms. Wilson replied email is [betty.wilson@lacity.org](mailto:betty.wilson@lacity.org) and direct phone number is 213-

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202-2775. Chair Johnson stated that information would be available for anyone requesting it.

**3. FINANCES/FUTURE FUNDING**

Chair Johnson stated that a discussion was held at the full Commission meeting and that this Committee was instructed to look at what is needed in terms of staffing and to determine what other departments would be able to provide assistance with staffing or support needed. First part of discussion will be what needs to be accomplished by this Committee. Everyone should have a copy of the spreadsheet created by the CBSC which shows possible personnel positions. We don't want to be locked into these specific positions until there is a discussion about what is actually needed. Once a determination is made of what actual support is needed, the spreadsheet can be adjusted to reflect realistic personnel positions needed. Because funding is limited, the second part of the discussion will be a determination of other departments that may be available to provide support and staffing.

Chair Johnson stated that positions listed on the spreadsheet are: (1) Executive Director, (2) Executive Assistant, (3) Associate Architect, (4) Architectural Associate, (5) Staff Services/Analyst, and (6) CEA/Deputy of some sort. Chair Johnson stated the Associate Architect, Architectural Associate or CEA/Deputy probably not needed for this Committee, and stated that Commissioner Abrams approached it from the view point of what products need to be produced by this Commission and what staffing and support will be needed to achieve those goals. Going at it from that route may make it easier to determine those needs in terms of a budget. Once staffing and support needs are determined, spreadsheet will be revised and forwarded to people in State and Consumer Services Agency. Someone in that agency will then help put together a budget, by costing out what is needed in terms of staffing and support that cannot be provided by other departments.

Commissioner Abrams agreed with Chair that the proposed template, which was put together by CBSC (California Building Standards Commission) at the last Administration Committee meeting, can be used as a starting point. However, in order to visualize what staffing and operational needs will be, easiest way to begin would be to break the staffing into two parts. One is the staffing needed to handle administrative tasks, which are the kinds of tasks that CBSC, Stephanie Davis and Jim McGowan and others, have been providing, such as getting out meeting notices, arranging meeting venues, putting paperwork together needed for meetings, basically providing the administrative staffing function. Hopefully through discussion at this meeting, it can be determined the best estimates on how many people years which translates into what position levels are needed which translates into salary figures and projects amount of money needed. The other type of staffing assistance needed has to do with the technical support that will be needed. For example, the first order of business for the Commission is to have the Accessibility Checklist Committee produce the checklist for building officials to use by this June 30. There may be some technical assistance that is needed to provide backup for committee members and to what extent that might be is unknown at this time. Those

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needs need to be identified immediately, and that work needs to be completed before the end of this fiscal year, whereas the staffing and support needs to be looked at now is for the next fiscal year. The hope is that whatever staffing, administrative or technical, that is needed to complete the checklist by June 30 will be fundable from the \$60,000 left for this fiscal year. Then need to look beyond June 30 for next fiscal year and determine what will be needed in terms of technical and administrative staff, and need to fine tune the numbers that CBSC has put together in terms of what it will take to run meetings, have phone lines, provide accessibilities. That will be the “number” needed for next fiscal year. Governmental agencies have been identified and will be approached within this next week, to ask for commitment for providing some or all of those resources. First logical place and who has been receptive to this Commission is the State Architect. So, need to come up with a number today and then tell the State Architect, here are the staff functions, the people years, the proposed costs and then ask State Architect what support can be given by that agency. Once it is determined what State Architect can give, then legislature will be asked to provide remainder.

Commissioner Burks stated that, as far as support staff for the checklist, in terms of staffing demands, should already have some support from the CBSC, because statutorily the CBSC is already in a position that mandates participation, and CBSC is the technical element. Knowing that staff of CBSC have been made available to help with checklist, need to get a real handle on their perceptions of the checklist, based upon knowledge of what the Division of the State Architect and Housing and Community Development requirements are for the applications of the checklist, the Chapter 11A and Chapter 11B, with the applications of the ADAAG requirements and the Fair Housing minimum requirements. Secondly, whatever is done in terms of the functional elements of administrative staff and technical support with the sister agencies that are out there, signed memorandums of understanding must be obtained to ensure the supportive efforts of those agencies willing to step-up. Without those MOUs, circumstances in the next fiscal year could change, with the Commission being left holding the bag. MOUs ensure that the Commission has become a priority with them about what expectations are reasonably needed from those agencies and what reasonably can be fulfilled for the Commission. Those are the two elements need to ensure are moved forward on as quickly as possible.

Commissioner Abrams agreed and stated that whatever staffing and other resources are needed to do the accessibility checklist by the legislative deadline are available in the \$60,000 remaining for this fiscal year, even though there are still other Commission meetings, committee meetings that will also need money. Part of discussion today, and with the help of the CBSC staff, it can be determined whether that is true or not. Hopefully, that is the case. So, most immediate task is what is needed for going forward as of July 1, the next fiscal year.

Commissioner Martinez asked if, in looking at the forecasted budget, in the salaries, are the benefits included? Chair Johnson stated that the understanding is that staff benefits are not included in the salaries. Commissioner Martinez also asked if, in the actual numbers of the salary, is full load of payroll tax and benefits included; and was told that those figures are just salaries. However, it may be decided that for the next year, an

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Executive Director is not needed, or an Assistant Executive Director. That is a template that CBSC uses based on current structure and function. While it provides a ballpark of what cost would be to hire an Executive Director of the caliber of the Executive Director of the CBSC, at that pay grade and pay level that would be the cost. Most important to know if administrative staff and technical staff and someone responsible to manage it, but not necessarily someone of Executive Director caliber. If the State Architect were to take on all or most of this, for example, would not be paying the State Architect's salary, but would be asking what people in State Architect's Office can help fulfill these functions and pay grades will be determine for pay of those people. Then State Architect's office would state what the "compensation rate" is, and hopefully it could be put in State Architect's budgets, which would mean this would not be a budget change request. Perhaps the State Architect's Office would say, based on proposed needs, already have staff, and will add costs to State Architect's budget for next fiscal year.

Commissioner Martinez asked if the spreadsheet was a wish list. Chair Johnson replied that the wish list needs to be tweaked because there are things on the spreadsheet not applicable to this Commission, because this is the CBSC's budget. Different kinds of positions are needed than what are shown there. The Commission needs an Assistant, Executive Director, an analyst of some sort, probably don't need a Deputy Director. Probably need an attorney with background in access. According to charge of this Commission, the Civil Enforcement Committee will probably need an attorney who can advise on issues related to that. Accessibility Checklist Committee will complete charges within this fiscal year, so that committee would potentially go away. Accessibility Enhancement Committee, which would do studies of what is going on in California, will need an analyst-type position. Also for CASP, we'll probably need someone with expertise in the CASP program, which might be an analyst position or maybe an architect position. So in looking at what needs to be done, that frames the positions needed in terms of a "wish list." However, for now, need wish list, but also need break down of what is absolutely needed, and then figure out how much time is needed for each position. So when Commission goes to State Architect's Office, can state need of person with architectural expertise for this time frame, can this office provide that person for support to Commission. Also agreed that MOUs are needed to ensure those positions are covered. It a little hard to grasp what is needed and for what time frame, and saying there's no money to staff it but have to go seek this support from other people, makes it difficult to figure out.

Commissioner Martinez stated a number has to be put together quickly to submit for possible funding. Limping through this past year has gotten Commission to this point and has worked so far. However, when only a certain earmark has been asked for, it is tough to go back. It seems Commission is going to go after what is best case scenario right off the bat.

Peggy Collins strongly encouraged this Committee to establish what budget needs to be, so there is something to memorialize when economy is better and budgets are better, which will recognize what is really needed moving forward. It will change in the second year. Truth is, it's an unknown because this has not been done before. Can only make best guess with the Department's help in putting that together, and when there is an

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Executive Director, will have a better sense because inside the organization of what is really needed. She encouraged this Committee to establish a modified budget of what is needed, but also try to establish what an actual budget would be in good financial times. And that would either be submitted along with modified budget in order to deal with the economic situation or the reality of how quickly things must be done, might even want to include a cover letter of explanation. Need to remember, it will be a new administration in the next budget year plus one. Might want to secure assistance from Governor's Office and ask their assistance in talking to and encouraging other departments to participate. That is usually really helpful. A lot of the sample budget is just formula driven. Once positions are identified that are needed, salary ranges are set by the Department of Personnel. The salaries reflect just the salary, no benefits are included, and salaries are annualized, so in addition to other things that can be done relative to getting other departments to support these activities, there will also be cost savings significant in the first year associated with ramping up. This is an annualized salary for an Executive Director, assuming the budget passes so this is in place the first day of the fiscal year, so there will be some time to advertise and interview and bring someone on. So there will be a lot of cost savings associated with first year's budget.

Commissioner Abrams agreed and stands corrected, simply wanted to get to the bottom line because worried about the deadline, but the Chair and Ms. Collins are absolutely right. Need to go through this sample budget and say, assuming that the Commission will get all the money that is needed, what is needed to get going. Then also need to determine, at the same time, what the realistic scenario is and number.

Ms. Collins asked if deadline of February 15 is Finance's deadline for Commission to submit to Finance. Dave Walls replied that the 15<sup>th</sup> is CBSC's deadline to get to Finance. Ms. Collins stated Commission needs to help CBSC help Commission get something submitted. There is opportunity as that process moves along, both within the Administration and Departments of Finance and then through the legislature with discussions to change that. So this is not carving anything in stone based on what is submitted on 14<sup>th</sup>. Chair Johnson stated understanding is that something just needs to be submitted, and then as the process goes, it can be modified and adjusted. Ms. Collins stated that is right and it is important that the Administration understands the need to try to be helpful and pragmatic and realistic about what is achievable this year, and that's a very important message to send. Still should memorialize what budget should realistically be if economy was strong, so it is clear that because of financial circumstances, working backwards from that.

Commissioner Burks stated that if Commission is going to make a recommendation right off the bat, that a minimum of four positions are needed. One is an Executive Director or Executive Manager another would be a staff services analyst position, at least one support staff member position. Commissioner Burks stated the person filling the role that Ms. Davis is fulfilling is an Executive Assistant. Ms. Davis stated that salary savings could be obtained by downgrading it to an OT, which is Office Technician, which would be a pretty substantial salary reduction.

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Chair Johnson asked if that is what is needed or just what can make do with. Seems like should put in what is really needed and then if need to downgrade that to save money for next year, could do that.

Commissioner Burks stated should be looking at four positions minimally. Based upon caliber of Executive Assistant of CBSC, wouldn't want anyone less than an Executive Assistant, primarily because the knowledge skills and abilities of Ms. Davis are outstanding, and that same level of dedication and commitment is needed for the Commission. In terms of attorney services, it seems reasonable to say that minimally, should have a half time position of legal person, perhaps under a consulting contract, because of unique characteristics of Commission meetings being every other month, with subcommittee meetings monthly, and questions may come up at those meetings. Suggested at least a half-time position and budget for that, and would really like to budget for full time legal counsel, but probably not feasible. So a minimum 3.5 PY (personnel year) within that spread. Then the staff benefits that is down on line item no. 22 is the formula that is plugged in, which is a flat-rate based upon that which is above, in terms of the positions. So, would just need what factor that would be and that gives staffing at minimal levels. Then the operational side of the aspect, in terms of telephone and things like that, need to very realistic about start up costs, to get that and housing that person in another agency. Because these are start up costs and not yet fixed costs, need to be liberal in the relationship of what is needed. It is very evident that some expenses are in here and if going to do this Commission legitimately, then have to factor in travel in state. Don't know if travel out of state will be required. Asked if Commission will provide training elements for Commissioners and believes there are some training elements that need to occur. It would be a benefit to provide training on disability issues to Commissioners and staff. Need consideration for facilities operation and utilities which are specific costs. Important to produce a factual based budget, then can pare back in terms of budget constraints. So recommendation is minimum 3.5 PY.

Mr. Walls stated there will be a lot of things go on if Commission is an independent agency, such as need for an Executive Director. However, a lot of other things occur that staff will be needed to do, like HR (Human Resources). CBSC is a bare bones operation, the \$1.2 Million budget is bare bones, with no extras to play with. The Commission might be able to get by with one or two less staff than CBSC, but if a full operation to monitor legislation, to do regulation, and all the pieces that go with that, the sample budget provided to you is fairly realistic. The positions can be changed, if you don't need a senior architect that can be a different position, but the sample is pretty close to what is needed for the Commission. You will need staff to do all the reports that will need to be generated.

Commissioner Abrams asked to start dialogue with Mr. Walls and all the Commissioners to go through this. Mr. Walls was asked who provides HR for the CBSC, is that on this budget or is that external? Mr. Walls replied that a liaison is used, but it is included in the \$1.2 M. CBSC pays DGS, but the Commission can contract with whatever State agency it chooses. Commissioner Abrams stated that IT (Information Technology), HR, legal, accounting, budget is provided to CBSC by DGS (Department of General Services) and stated need to determine what the Commission will need to do. Mr. Walls stated that

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Commission will need a staff member that connects with agency providing services to Commission.

Commissioner Abrams stated Commission needs a staff liaison position to take care of handling all of that work, whether it be in-house or outside, and Mr. Walls replied that it would be outside. So we need one PY staff to handle that, and need costs of paying for all of the contracted services, IT, HR, legal, accounting. Chair Johnson asked if CBSC currently has a person handling that for CBSC and Mr. Walls replied yes. Chair Johnson asked which position that would be. Mr. Walls replied that the position is an SSA.

Another question Commissioner Abrams asked is, for the Executive Director position and salary listed, does Commission need somebody of that quality; could Commission get someone qualified for \$90,000 or \$85,000? Mr. Walls stated that CBSC has employees that make more than the salary listed. Chair Johnson stated that the amounts listed are the middle range of positions. Mr. Walls stated that the Executive Director salary is not a mid-range, it is a top range. The Executive Director range works differently because it is an appointed position and exempt. Ms. Collins stated that the Executive Director salary listed, if at top range, is actually low. Mr. Walls stated that compared to what Executive Directors make in this State, this salary is one of the lower ones. Ms. Collins stated Senator's Office would raise that as soon as possible. Ms. Collins also stated that the Executive Director position is critical. The Commission needs someone to be the point person, who is focused only the Commission. Will be the person responding to all Commissioners. Having watched the birth of the Prop. 63 Commission, can't emphasize enough how critical that position is. How quickly someone can be brought on is another issue, and whether someone can be found to perform that on an interim basis is a potential solution, but in the long run, it is the most important position. Chair Johnson stated that an Executive Director would have the ability to see it all, organize it all, and get it moving forward, and also have the skills to help with some day-to-day work that needs to happen.

Commissioner Burks stated all were in agreement that need top caliber leader of a staff function. Some very critical financial recommendations need to be made to Committee members, and maybe a 7.0 FTE is needed, which is how Mr. Walls position is identified. Potentially three staff services analysts may be needed, and Executive Assistant becomes a coordinative effort as well, in helping to support Executive Director as well as supporting staff. Mr. Walls stated that Ms. Davis is technically the Executive Director's assistant and also assists in CBSC Commission meetings and now is helping this Commission, and that actually Ms. Davis fills in everywhere.

Commissioner Burks stated then definitely Executive Director, Executive Assistant, three staff services analysts. Commissioner Abrams asked why three staff services analysts. Commissioner Burks stated one is the admin assistant, which will be a full time job in itself. Mr. Walls indicated it can be, but there may be slow times and high times, so that person can sometimes flow over and fill in for other spots. Commissioner Burks asked if staff services analysts were technicians. Mr. Walls replied they are analysts, and can provide written material, and then asked Commissioner Burks for an example. Commissioner Burks stated that staff services function could provide liaison work for the

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technical elements of report writing, report development, for presentation back to the State legislature, which is what Commission has to do. Mr. Walls stated staff services analysts can do that. Commissioner Burks stated there will be two staff members dedicated to facilitate that because Commission has multiple reports due by multiple committees. One of them will need to have very specific technical expertise in dealing with CASP program. As far as technical expertise right now, Commission would rely on the CBSC staff by the statute that is already created. The budget being created today is for deliverable for legislature today which is for this fiscal year. With that deliverable done, next is the budget for next year and there will be multiple reporting requirements.

Commissioner Abrams stated that so far, a staff service analyst whose job will be to be the liaison to deal with outside agencies, plus some in-house admin. Then two staff service analysts, each of whom would be dedicated to dealing with technical aspects, the product development and delivering of what Commission has to do.

Commissioner Burks stated that is now five staff members. Chair Johnson stated it would be five and a half, with half-time attorney. Commissioner Abrams stated legal is included in contracting out. CBSC gets IT, HR, legal, accounting and budgeting from DGS, so this Commission would do the same. So we will not need a half-time attorney. Chair Johnson stated concern that Commission might want attorney to provide advising to CASP Committee or the Committee working on civil enforcement, not just legal advice for meetings. So it seems would be better to have a half-time legal person available to advise in those capacities. Contracting out for legal might not cover that.

Commissioner Burks stated that legal roughly charges about \$200/hour. So it doesn't matter, it can be plugged into the central administrative services component, which would be \$200/hour at 1040 hours, if that's what fee is, so that 1040 hours is available to Commission for legal services. Will probably need more than that but trying to be conservative in the applications right now. So staffing is 5.0 FTE and then put half-time attorney in the central administrative services at \$200/hour would be great. So, in essence 5.5 people right now. If Mr. Walls would suggest more staff, please say so. The projected budget shows 7.0 and we only have 5.5 at this time. Is there a need for an Assistant Director or another technical expertise, based upon where Commission is headed? Or perhaps Ms. Collins might see something else that is needed, based on the Prop. 65 Commission.

Commissioner Abrams did some quick numbers here. Instead of looking at number of people, took Executive Director \$125,000 salary, Executive Assistant \$50,000, staff service analysts are \$46,000 each x 3, that comes up to salaries of \$313,000. Then staff benefits load, which looks like 40%, which adds \$125,000, which gives total payroll cost of \$438,000. Then go down through the expenses and focus in on the parts that are here, but also need to add in the start up piece that is not reflected in this budget.

Mr. Walls stated that Commissioner Burks asked if there were other positions needed for Commission, and stated that maybe a person that can do technical research, in terms of architect or associate construction analyst, somebody like that. Chair Johnson asked what that position would be. Mr. Walls replied that it could be an architect, or associate construction analyst, but recommend one full-time technical person.

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Commissioner Burks stated that helps define the staff delineation between a staff services analyst, who has certain technical skills for the report development, and then the technical expert is going to be at another level, such as associate architect or architectural associate to help the staff services analysts with technical information being developed, which adds another staff member, at roughly between \$75,000 to \$100,000. So should budget it at the outside at \$100,000 and plug in the rest of those. Commissioner Abrams indicated that would bring budget to \$578,000. Commissioner Burks concurred that it was \$578,000 with 6 PY.

Ms. Collins clarified that with most of the positions within the Department of Personnel, there are already existing salary ranges. The staff services analysts that are described here are at the \$40,000 to \$50,000 range will not be someone with a great deal of expertise. Mr. Walls stated there's another level, which is AGPA, associate governmental programs analyst, and they are one step above, goes up about 10%, so about \$50,000. Chair Johnson stated that maybe one AGPA and two staff services analysts would be appropriate. Ms. Collins stated not making recommendations, just wanted to clarify the expertise level. Ms. Collins asked Mr. Walls if the CEA (Career Executive Appointment) is a second exempt position and Mr. Walls replied it's a career executive appointment, quasi-exempt. Ms. Collins stated that the value of the exempt position is that there is more flexibility in who can be brought in. For anyone non-exempt, has to be someone who qualifies under State exam, and that is important, especially in terms of wanting particular expertise or to bring people on with more tangible experience in arena practically or politically, or both, exempts will give more possibilities. Ms. Collins stated that as this Commission grows, this will all be re-visited, but for now can consider multi-tasking.

Commissioner Burks asked if the career executive appointment is a person who is appointed by the Governor or is that a person that is inside the executive ranks of the State of California's personnel process, that they are able to move from a particular department, based on the opportunity for that position to be available and they have the minimum qualifications to get there. So that would be a person who understands the protocols of the California political process, moving information and items through the legislative body. It's not necessarily the Executive Director that does that, but the CEA that does that, or lends assistance to do that. Ms. Collins deferred to Mr. Walls. Mr. Walls stated that the only real qualification required of a career executive appointment is that person must be a current State employee, but it can be any State employee and that position normally works at the pleasure of the Executive Director. So the Commission appoints the Executive Director, Executive Director appoints the CEA, and that's the only qualifier, they must be a current State employer. But it can be any qualification Commission is looking for, Commission can hire that person for that position, and they have various ranges depending on where placed. Where as, the Executive Director, as an exempt position, it can be anyone, from the outside or the inside.

Commissioner Burks stated that the Executive Director can be from outside of State service, the CEA is inside State service, as are the other positions already identified. That really helps with clarification of various positions and needs of Commission and now better understanding this proposed budget provided by CBSC. It seems the

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Commission's needs are close to what Mr. Walls has defined, after all, however still need the three staff services analysts and maybe just to the higher level, one higher level for one position.

Ms. Collins asked Mr. Walls if line 59 is where administrative contract is with DGS might be located for department overhead, HR, legal, IT, etc. Mr. Walls replied that line 59 might be the rent and utilities. Ms. Davis stated she would get something in a different format which will show that.

Commissioner Martinez stated he would like clarification on the central administrative services, as that's a big number. Between lines 43 and 59, would like clarification.

Commissioner Abrams has taken latest discussion and here is the ballpark figure: Executive Director \$125,000, Assistant Executive Director \$110,000, Executive Assistant at \$50,000; three staff services analysts at \$50,000 each; no legal yet; Associate Architect at \$100,000. That total \$410,000, a 40% load is \$164,000, which is \$574,000 for total personnel costs, but doesn't include salary savings. Commissioner Burks stated that the CEA was not added in. Commissioner Abrams reiterated: Executive Director \$125,000; CEA at \$110,000; Executive Assistant \$50,000; three staff service analysts at \$50,000 each; Associate Architect at \$100,000; which comes to a total salary of \$410,000 plus 40% load is \$164,000, so total is \$574,000. Chair Johnson suggested including a half-time attorney in the budget for now. Ms. Collins stated this is what a realistic staff complement would be, and then there will be a secondary conversation about where Commission might actually borrow services for some of those functions in the budget. Commissioner Abrams stated that assuming this is the Commission's perfect world for next year's fiscal year, what it really needed, and then where to go to get it, and asked Ms. Collins if that made sense. Ms. Collins replied yes.

Commissioner Martinez stated total is \$700,000, with no legal.

Chair Johnson stated that with legal it would be \$750,000.

Mr. Walls stated that the figure in question includes everything, overhead for building, what is paid to DGS, and one aspect not mentioned before is an amount to the State, and every agency has to pay into that fund.

Commissioner Martinez asked Mr. Walls for clarification of central administrative services, but Mr. Walls stated budget office would have to clarify.

Chair Johnson stated that in terms of Commission meetings and Committee meetings it seems there will be a higher level of accessibility for those meetings. Is there somewhere that cost can be included in this budget? Ms. Collins stated that can be put in budget, and Mr. Walls agreed. Chair Johnson asked where that would go on the budget. Mr. Walls replied some would go under external contracts, some would go under expenditures; it would just be spread out among the various things depending on what it was. Most of it would probably be under external contracts.

Commissioner Burks asked Mr. Walls to elaborate on what internal contracts are. Mr. Walls stated that what is paid to their agency, for example for the services provided to the CBSC. This Commission won't have that because it is not under an agency. CBSC pays

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a certain part of the agency's secretary's salary, and whatever the agency's overhead, it is spread among all the various commissions under that agency.

Discussion among all Commissioners, Ms. Collins, and Ms. Davis about the projected amount of \$16,000 to \$20,000 cost for an accessible meeting. Commissioner Burks stated that the element in terms of the accessibility of the Commission meeting itself was about \$5,000 per meeting, with all accessibilities. So about \$20,000 per meeting for doing what is being done, that doesn't count the meeting costs. Commission got a request yesterday to make webcasting available for all the committee meetings, as well. Chair Johnson stated that would be discussed at next Admin. meeting. Commissioner Burks stated in looking at budget for what expenditures would be, whether an internal contract or external contract, and where travel would be, and travel issue is an element that raises red flags all over the place. Plus, there are some moratorium directives from Governor's Office about travel right now. Mr. Walls stated people have been asked to reduce travel as much as possible.

Commissioner Martinez stated that a decision was made based on the budget to meet quarterly; and asked Mr. Walls when the CBSC Commission meets, monthly, quarterly. Mr. Walls replied that CBSC Commission was meeting bi-monthly last year, and decided to go quarterly to reduce funds. Commissioner Martinez stated that, based on the needs, it could be bi-monthly or monthly, so that cost must be taken into consideration, as well.

All Commissioners, Ms. Collins, Mr. Wall and Ms. Davis had extensive discussion on CBSC line items. Commissioner Abrams added line items 26-32 and 34 for a total of \$149,000; line 36 is \$91,000 for facilities operations (rent), central administrative services of \$66,000.

Commissioner Burks asked if the \$23,000 for communications is that for meetings or for running offices; because I don't see CBSC meeting expenses on this budget. Mr. Walls replied meeting expenses are flowed in, travel in state, contractual services, they are spread out, there is not an item that says meeting expenses. Commissioner Burks stated when look at travel in stated, contracts-internal/external, probably should pull those out because this Commission will have extraneous costs that CBSC does not.

Chair Johnson adjourned the meeting for a five minute recess.

Committee re-convened.

After discussion with all Commissioners, Ms. Collins, Mr. Walls and Ms. Davis, Commissioner Abrams stated that a \$1.2 Million budget has been determined, which includes \$440,000 overhead and \$749,000 in salaries and benefits. In order to move the process forward within the administration, will present the positions, the number of individuals and the type of work they would do, to the State and Consumer Services Agency (SCSA). Will also inform the SCSA the types of things that will be needed by this Commission, such as Commission is new so will need office space, recruitment and hiring. That will be presented to SCSA on Friday or Monday with the intent that it will be presented to the Administration within the deadline, which is the 15<sup>th</sup>. And along with personnel scenario, will advise them of additional things that Commission will need. Will also tell SCSA that, to the extent anything can be provided under the budgets of

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other agencies, ask them to provide that help. The Commission will also be reaching out to other agencies, so Commissioner Abrams asks the Commissioner present, is the next issue for Commission is to say, out of this \$1.2 Million, what do we really thing will be needed for next fiscal year. So we can say to the Agency, \$1.2 Million is what we really need in the long-term functioning of this Commission, but for the next fiscal year, Commission needs x, y, z. So that is number that is needed and that's the number Agency will try to help Commission find a way to accomplish.

Commissioner Burks stated assuming this is being made as a consensus of this Administration Committee in order to move forward. Is a formal motion needed to do that if it is the consensus of those present that this \$1.2 Million be moved forward? Ms. Collins has already shared that right now, for this fiscal year, Commission has the ability to pare this amount back. But Commission must have something moving forward right now, before the 14<sup>th</sup> or the 15<sup>th</sup>. It needs to be presented that this is what the Commission needs. After April 14<sup>th</sup> or 15<sup>th</sup>, further refinement can be done. It's a tough task.

Ms. Collins stated that the problem with saying up front that Commission can live with lesser amount, is that that is what you will get. However, that is the intent. The intent is to get help from other departments and other agencies, governmental or non-governmental. So perhaps should include that discussion in a cover letter from the Chair and Vice-Chair, because the real issue is going to be staff, the other issues are not nearly as complicated. The real issue is how much staff is this Commission going to need for the first year? So, a cover letter could explain that the Commission is hopeful of reaching an arrangement with your help, with the Attorney General's Office or with Building Standards or whoever is being talked to, and if that comes to fruition, that position could be taken off the budget.

Commissioner Abrams agreed with Mr. Burks, should go in with the \$1.2 Million or go in and ask the Agency to help us build this and send that number in on the 15<sup>th</sup>. And then in the cover letter state, to the extent this can get covered with their assistance and the Legislature's assistance, and then getting as much or all provided through other agencies and other budgeted items, that's fine.

Ms. Collins agreed and said those discussion will happen as agreements are reached with Department of Finance as this is fine tuned down for the May revision. There will also be an opportunity after May revision, before and after with the legislature. What is important is that the Commission has a statutory responsibility now to do certain things, and it is important that formally the Administration is being informed what resources Commission needs in order to meet legal obligations.

Commissioner Abrams asked if all other Commissioners agreed and all stated agreement.

**Public Comments on this Agenda Item**

Betty Wilson, Commissioner-Public/Disability, City of Los Angeles, asked if there was a procedure in place so City of Los Angeles can receive in kind or fiscal contributions.

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Commissioner Abrams replied the answer is yes, the statute that created this Commission allows us to get grant and financial assistance from other sources, yes.

Betty Wilson, Commissioner-Public/Disability, City of Los Angeles, stated another question is, does the State of California also have a way of having personnel on loan from another department where the other department pays the salary.

Commissioners Abrams replied that answer is yes, and in fact, this Commission will be suggesting to the Administration that, to the extent this can be given to us by other State agencies, if can be done sensibly and in a way that doesn't allow everything to become fragmented, get assistance from local government, as well, or universities, that is fine.

Betty Wilson, Commissioner-Public/Disability, City of Los Angeles, stated also sometimes from private industry can get expertise of some kind where a large company will loan an employee for a period of time.

Commissioner Abrams replied yes, the Commission is able to accept that.

Michael Mankin stated was worried that analysts don't have the technical ability to handle some of complicated statutory issues Commission will be dealing with and will be correct in hiring an Associate Architect; but may be a low position or function. Architectural Associate mostly has the background of unlicensed architects and are often newly put in that position. When hiring staff, half the staff should be new in that position so they have a lot of ambition, and half veterans. If all people are new into positions, will be functioning at a level just under what is needed. In terms of architectural support, Architectural Associate is a bit low and really need a Senior Architect. If it is an Architectural Associate, needs to be a veteran that has plenty of years in that job; would advise Commission to seek a higher position.

Commissioner Abrams asked Mr. Mankin, assuming if go with a Senior Architect, if Associate Architect according to CBSC pay scale is \$100,000, that if it was raised to \$125,000 would that be in the ballpark.

Mr. Mankin replied that would be fine. Generally are getting around \$118,000 now, and lose 15% for furlough. Also, three analysts is a little heavy. As long as there is a staff services manager, two can do a lot of work. A third one seems to be a luxury. Another thing is, when writing letter asking for these positions, that letter needs to include the consequences of not moving forward with these positions. There's a cost impact of the Commission not moving forward. That is generated by problems with the private sector. Letter really needs to state that if Commission doesn't get this, here are the fiscal consequences to the State. The State moves forward only on the issue of consequences. Also, when it comes to hiring legal counsel, the same situation is created. Most State

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legal counsel will say, there is safety in remaining put; will be discouraged about moving forward unless there is a political downside to that. Mr. Mankin stated Commissioner Abrams did a very good job of analyzing the situation, and except for comments on technical side, did very well.

Ms. Collins agreed that letter should include some type of statement about what purpose of Commission is and why it was created and what it is intended to revolve and that does have a definite fiscal impact. That's a very helpful argument to make. When the speaker was talking, thought of another option, when talking to and negotiating around these positions. In some cases, and it depends on the work flow of the Commission, but the Commission has the option of limited term or permanent positions. Commission may decide there's a value in the flexibility of a limited term position, at least initially, until Commission figures out is this really where these resources are best put. Or does Commission want ability to shift them to a different type of resource, because a year down the road it may be more important to have something else. Keep that in mind, but would caution Commission not to go overboard on limited term issue because it also impacts sometimes the quality of people recruited into a position.

Michael Mankin stated that a good strategy is to think in terms of what can be done down the line in order to shelf some of the responsibilities in with the existing State structure, and that way, from a fiscal standpoint, Commission would evaporate some upfront costs after a while. Once a checklist is in place, won't need as much start-up involvement. Once system set up and proven, and connections engineered, might be able to drop some positions. Coming in heavy is a good strategy because it shows if Commission is successful and gets what it needs, can back down later on still function.

Commissioner Burks stated Mr. Mankin identified a staff services manager, as opposed to one of the analyst positions. Mr. Mankin replied that is a good idea. Commissioner Burks asked what the difference was in terms of the salary range to a staff services manager and Mr. Mankin replied it's about 10% but will have a lot more skill set. The analysts work incredibly hard and the staff services manager helps keep them all on the same page. Commissioner Abrams asked if that position would be necessary if there is a CEA serving that function. Mr. Mankin replied that CEA's are kind of a courier between the Commission and the outside world, and handle politics more than the activity of a day-to-day grind. I really think the Commission would not get as much technical involvement with a CEA as a staff services manager would produce more day-to-day grinding coordination. Commissioner Burks asked Mr. Mankin, if Commission was dedicating one analyst position as staff liaison for all of the State services function and that would be a full-time job. Then two other staff services analysts, you are saying put one of them as a staff services manager and then the other one as a staff services analyst. Mr.

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Mankin replied that two analysts and a manager would work. Commissioner Burks asked if then the staff liaison the staff services manager. Mr. Mankin replied that would be a good idea. Commissioner Abrams stated that would bump it up about another 10%. Mr. Mankin replied that only about 50% functional with resources, so if thinking in terms of how much work three people can do, it's a product of 1.5 people.

Ms. Collins asked Mr. Mankin regarding CEA, one thing not included on this budget is a fiscal officer, which many departments have relative to building budgets. That's something a CEA could take on. And not the administrative interface with other departments, but the work of the Commission outside the arena of loaned staff is to work with other departments on an ongoing basis. So having someone who has a more policy interface will be important over time.

Mr. Mankin stated didn't want to imply that analysts don't work at all. They work harder and produce the most. It's just that half of what they have to do is retrospective.

Commissioner Abrams asked for a motion to communicate to Agency the substance of this Commission's analysis of economic needs, in terms of staffing and other functions, to be transmitted along with a letter that would point out that these are minimum needs of Commission, set forth the purposes, goals, and intentions of the Commission, the consequences of not getting funded fully at the level needed, and request that legislature, the Department of Finance, and the Governor's Office help Commission seek to obtain as much as possible of needs, both staffing and otherwise, from other agencies. Moved by Commissioner Burks and seconded by Commissioner Martinez that a letter be submitted to Agency (SCSA) as stated above. **Motion Carried.**

Commissioner Burks asked Ms. Collins if she would lend expertise and knowledge in helping Chair and Vice-Chair draft this letter. Ms. Collins replied happy to do that and can do it by email.

#### **4. FUTURE COMMITTEE MEETINGS**

Commissioner Abrams reported that all of upcoming meetings of the Administration Committee are on the CBSC website and to go to the CCDA link. Finances and Future Funding have been discussed extensively. In terms of legal counsel, still in the process of confirming exactly what the Bagley-Keene Act requires for meetings of various meetings, both standing and ad hoc.

#### **Public Comments on this Agenda Item**

No comments at this time.

#### **5. FUTURE AGENDA ITEMS**

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Future agenda items, and not looking for agenda items for full Commission, but if anyone has items that would like this Administration Committee to discuss at the next Admin. meeting which will be on March 26, from 9:30 to 11:30, and location will be noticed, are there any items to be identified to be put on agenda.

**Public Comments on this Agenda Item**

Michael Mankin stated that one problem right now is the training and testing and the certification are somewhat arbitrarily put together and are not according to nationally recognized testing standards. Would like to have on the agenda to look at the problem of the testing not being according to nationally recognized psychometric standards. Commissioner Abrams asked testing of whom. Mr. Mankin replied testing of CASP people, testing of people giving seminars.

Commissioner Abrams stated that will be an agenda item.

Mr. Mankin stated he would like to see on the agenda an item on income via the plan review process of cookie cutter franchise of architectural plans. That could be a benefit statewide if you check one franchise typical building and it's thoroughly done, that would be an accessible unit and every city goes into.

Commissioner Abrams stated that's an excellent idea and has a lot of pros and cons, other groups have looked at this from the standpoint of health food safety and building standards.

One item there is no time to discuss today, but Commission received a communication from Mr. Skaff that outlines what he feels are the minimally acceptable means of providing accessibility for the Commission and its Committees when they meet, and so that will be on the agenda for the next Admin. Committee.

Ms. Collins stated it might be more appropriate on the CASP training to occur at the CASP Committee. Commissioner Abrams agreed, but that's what discussion will probably be, that it will be deferred and assigned to the CASP and education committee.

Commissioner Burks asked Mr. Mankin if okay to call to get more particular detail information, as the Chair of the CASP and Education Committee. Mr. Mankin replied it's an issue for both Committees to look at.

**6. GENERAL BUSINESS ITEMS – MEETING MINUTES,**

**TRAVEL – AMEX (CBCS STAFF**

General business items were discussed with Chair Johnson about minutes and do need those as soon as possible. Asked Ms. Davis if transcription of minutes is contracted out

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and Ms. Davis replied that can be done. So Commissioner Abrams is requesting that Ms. Davis get transcripts of minutes prepared.

Commissioner Martinez thanked Ms. Collins for expertise provided to this meeting, and the staff as well.

Mr. Walls stated the only item on the general business is travel – American Express. Ms. Davis stated a Commissioner asked about making travel arrangements for them. Not equipped to make travel arrangements for this Commission, but there is an option of getting an American Express number assigned to this Commission and then contracting out with a travel agent, so the Commissioners would call that travel agent, book that travel, and then it is charged to this Commission's account, which is a line item on the budget. Right now, what is happening is Commissioners out-of-pocket travel and then submit expenses; so it's an option, but haven't had time to explore it further.

Commissioner Abrams asked Ms. Davis to explore the American Express option further, and then report to the Administration Committee. That will be put on the next agenda, as well. If it's something that makes sense, then that will be done, and will work with Ms. Davis to notify all the Commissioners of this option. Ms. Davis stated that this is what CBSC does for travel. It helps minimize out-of-pocket costs to Commissioners.

Ms. Davis also wanted to say that as far as Administration Committee meetings, they were identified for the entire year. This room has been booked for the entire year. Commissioner Burks had expressed wanting DSA's facilities and videoconferencing, but that is out of Ms. Davis' authority. If that is preferred, someone could contact Commissioner Thorman and see if his assistant could help in that matter. But for now, these facilities are reserved.

Commissioner Burks stated that he has already contacted Mr. Thorman's administrative assistant and in the process of trying to set things up.

Ms. Davis asked if things were being set up for this Committee and Commissioner Burks stated it was for the CASP & Education Committee, not for the Admin. Committee. Ms. Davis asked Commissioner Burks to provide those dates so agendas can be prepared. Commissioner Burks stated that initially would need to meet with the CASP & Education Committee and then develop those committee dates that would essentially correlate with DSA's (Division of the State Architect) availability of their four offices for webcasting. Ms. Davis stated that, for now, we're the entity that gets meeting notices out properly.

Commissioner Martinez stated that brings up another question because also multiple committees, so wouldn't those have to be facilitated here, as well. Commissioner Abrams stated that it is up to the committee chairs to contact the staff and provide information of date of meeting, where meeting will be held. And then it is staff's obligation to help facilitate that. It may be that it is concluded this is the best place to meet. Each committee chair will need to identify meeting dates and venues.

Ms. Davis stated that area of expertise is Sacramento, but does have a list of other State-owned, or DGS facilities that could potentially be free facilities. When talking about having committee meetings up and down the State, that's a whole different coordination.

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Commissioner Abrams asked if there were any other matters to be discussed.

**Public Comments on this Agenda Item**

No comments at this time.

**7. ADJOURN**

Chair Johnson adjourned the meeting at approximately 1:00 p.m.

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