



GOVERNOR EDMUND G. BROWN JR.

CALIFORNIA COMMISSION ON DISABILITY ACCESS

721 Capitol Mall, Suite 250
Sacramento, California 95814
(916) 319-9974 office (916) 319-9976 fax
(800) 735-2929 TDD/TTY
www.cdda.ca.gov

MEMBERS of the COMMISSION

*Rocky Burks - Chair
Scott Hauge - Vice - Chair
Tom Ammiano - Assembly Member
Connie Conway - Assembly Member
Ellen Corbett - Senate Member
Jean Fuller - Senate Member*

MEMBERS of the COMMISSION

*Guy Leemhuis
Lilibeth Navarro
Anthony Seferian
Chester "Chet" Widom
Betty Wilson*

Commission Executive Staff
Stephan Castellanos, Executive Director

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

EXECUTIVE COMMITTEE

Meeting Site Location

**DEPARTMENT OF REHABILITATION
721 CAPITOL MALL
ROOM 242, 2ND FLOOR
SACRAMENTO, CA 95814**

Off-Site Meeting Locations (Teleconference Only)
**COMMUNITY ACTIVELY LIVING INDEPENDENT AND FREE
634 SOUTH SPRING STREET, 2ND FLOOR
LOS ANGELES, CA 90014**

**201 NORTH FIGUEROA STREET SUITE 100
LOS ANGELES, CA 90012**

On

September 12th, 2013

10:00 a.m. to 12pm

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

TELECONFERENCE # 1-866-662-5089
PARTICIPANT PASSCODE 24114538

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

ITEMS:

- 1) **Call to Order/ Roll Call**
- 2) **Approval of Meeting Minutes (July 18th, 2013 & August 15th, 2013) – Action**
- 3) **Comments from the Public on Issues not on this Agenda:** The Executive Committee will receive comments from the public at this time on matters not on the agenda. Matters raised at this time may be briefly discussed by the Executive Committee and/or placed on a subsequent agenda.
- 4) **General Business Items**
 - a. Demand Letter Project/ Educational Modules
 - b. Strategic Planning Project Update
 1. Design Team Appointments
 2. Schedule Update
 - c. Education and Outreach Committee Appointments
 - d. Website Update
 1. Online Forum
 2. DOR Video
 - e. Committee of the Whole Decision
 - f. Meeting Schedules/ 2013-2014
 1. Executive Committee/ Education and Outreach Committee
 2. Commission Meetings
 - g. Attendant Reimbursement Policy Adoption
- 5) **Budget Update**
 - a. Monthly Expenditure Report
- 6) **Future Agenda Items:** The Executive Committee may discuss and set for action on future agendas, procedural and substantive items relating to state buildings regulatory programs, Commission policy and administrative matters.
- 7) **Adjourn**

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

- ❖ Meetings are subject to cancellation; agenda items are subject to removal or items may be taken out of order.
- ❖ The CCDA Executive Committee meets under the authority of Government Code § 8299.
- ❖ The CCDA Executive Committee may hold a closed session on pending or proposed litigation involving the Commission [Govt. Code § 11126(e)] and personnel matters and performance review relating to the Commission [Govt. Code § 11126(a)].
- ❖ The meeting facilities and restrooms are accessible to individuals with disabilities.
- ❖ Each CCDA Committee meeting will provide a teleconference line, large print agendas, and captioning.
- ❖ Requests for accommodations for individuals with disabilities (sign-language interpreter, assistive listening device, Braille, or any other accommodation needed by an individual) should be made to the Commission office no later than 10 (ten) working days prior to the day of the meeting.
- ❖ Technical difficulties with equipment experienced prior to or during the meeting preventing or inhibiting accessibility accommodation is not cause for not holding or for terminating the scheduled meeting.
- ❖ If Para transit services are needed, they may be contacted at (916) 429-2744, TDD (916) 429-2568 in Sacramento. Sacramento Regional Transit (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.cdda.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.

2) Executive Committee

Meeting Minutes

July 18th, 2013

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

July 18, 2013

1. CALL TO ORDER

Chairman Rocky Burks welcomed everyone and called the meeting to order at 10:00 a.m. at the Department of Rehabilitation, 721 Capitol Mall, Room 244, 2nd Floor, Sacramento, California 95814.

The off-site meeting locations for teleconference were Communities Actively Living Independent and Free, 634 South Spring Street, 2nd Floor, Los Angeles, California 90014, and Small Business California, 2311 Taraval Street, San Francisco, California 94116.

ROLL CALL

Committee Member Present: Sean Connelly, Office of Senator Corbett

Commissioners Present: Rocky Burks, Chairman
Scott Hauge, Vice Chairman (Teleconference)
Lillibeth Navarro (Teleconference)

Additional Commissioner Present: Betty Wilson (Teleconference)

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

Also Present: Jodie Monaghan, Associate Mediator, Center for Collaborative Policy
Donald Parks, Applied Technology, Inc. (Teleconference)
Diane Russell, Department of Rehabilitation, Disability Access Services
Adam Sutkus, Associate Director, Center for Collaborative Policy

Staff Member Jemmott called the roll and announced a quorum was not yet present. A quorum was achieved after Committee Member Connelly and Commissioner Navarro arrived.

2. APPROVAL OF MEETING MINUTES (May 9, 2013) – ACTION

Committee Member Connelly requested his office name be entered in the Roll Call.

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
EXECUTIVE COMMITTEE
JULY 18, 2013, MEETING MINUTES**

Chair Burks requested identifying Commissioners Present who are members of the Committee, and then listing any additional Commissioners who are in attendance but not on the Committee. He requested the order of the names as listed in the Roll Call be changed to Committee Members Present, Commissioners Present, Additional Commissioners Present, Staff Present, and Also Present.

MOTION: Committee Member Connelly moved to approve the May 9, 2013, California Commission on Disability Access Executive Committee Meeting Minutes as amended. Vice Chairman Hauge seconded. Motion carried unanimously.

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

There were no public comments.

4. GENERAL BUSINESS ITEMS

a. Demand Letter Project - Update

Executive Director Castellanos stated staff has been tabulating the data from demand letters and claims that have been filed in California since last September. The first posting of this information to the CCDA website includes a total of 944 claims or letters that the Commission has received through May. Every month, the Commission receives increasing numbers of claims and letters, indicating that people are aware of the law and are submitting their filings as required.

Information is available on the website listing the ADA violations key codes that staff has been using, from which the top ten violations will be extracted for the July 31st mandated posting. Some of the CCDA education programs will focus on the top ten violations, such as how to prevent a claim from being filed against a business, and solutions to the top ten identified violations. The Commission will work with the Department of Rehabilitation (DOR) to do as many of these programs as possible and have access to some of their educational tools. The Commission has a video on the website from the DOR, and there is another one coming out that will link to a number of different tools to be posted on the website to help business owners and persons with disabilities better understand the ADA law and help prevent lawsuits from occurring.

Executive Director Castellanos stated July 31st is the first mandated posting on the demand letters and claims. The Commission will post updates on the website on a quarterly basis until 2016, and will report their activity on this project to the Legislature annually, as required. He stated he hopes to learn a great deal through the data collection that will enable the Commission to better focus resources to those issues that appear to be the most problematic.

Executive Director Castellanos stated it is a big project that consumes a lot of time. The Commission will need to identify additional resources for the next four

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
EXECUTIVE COMMITTEE
JULY 18, 2013, MEETING MINUTES**

years in order to complete the data collection. The important part of this is the analysis. Recording the information is critical; the data is necessary, but there also need to be time and resources available to focus on analyzing it.

Commissioner Questions and Discussion

Vice Chair Hauge asked if staff knows how many are court filings and how many are warning letters. Executive Director Castellanos stated they are nearly all court filings. There are just a handful of warning letters.

Vice Chair Hauge asked if the list of ADA violations key codes are in rank order. Executive Director Castellanos stated they are not in rank order yet, but that they will be put in rank order before posting on the CCDA website.

Executive Director Castellanos added that there are very few lawsuits that do not have substance to them. The portion of them that are frivolous is negligible. Staff is not collecting data in terms of who wins or loses, but are collecting information on the type of claim that was filed and the type of violations. Staff is collecting additional information that is not required to be used internally for their own analysis, such as where claims are occurring the most and how many people are involved in this, in terms of firms and attorneys. But, there is no data on what the outcomes are.

Chair Burks stated his concern that, while there are the top ten issues that the Commission will be identifying, there are distinct differences between exterior and interior applications of a facility. He recommended the Commission discuss the top ten issues as to exterior barriers and interior barriers. California accessibility codes had major applications to the interior prior to the federal ADA, which means accessibility compliance efforts were concentrated to interior elements. The ADA brought a more stringent application to compliance efforts on exterior issues. He stated there need to be top ten issues on both interior and exterior barriers. They both have substance, but it will be incumbent upon the Commission to help educate, through outreach and education, on those interior and exterior elements that are creating barriers.

Executive Director Castellanos stated he wanted to recognize the DOR, as they have helped identify volunteers that have been supporting the data collection effort. They have made it possible to do the necessary work in sifting through thousands of pages of material and identifying and sorting the issues. The DOR also worked with Commissioner Seferian in offering support with their law interns and providing assistance in that area, too.

Introduction of New Staff Member

Chair Burks introduced and welcomed the new CCDA staff member, Steven Funderburk. Executive Director Castellanos praised Staff Member Funderburk's work and welcomed him to the CCDA.

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
EXECUTIVE COMMITTEE
JULY 18, 2013, MEETING MINUTES**

Action Items

- No action items.

b. Strategic Planning Project - Discussion

Executive Director Castellanos stated this update is in advance of the full Commission meeting next week, to allow the Executive Committee an opportunity to comment. Staff announced at the last meeting that they will be initiating a strategic planning effort to better focus the Commission and to tackle the issue of outreach and education. They have brought in a consultant team from Sacramento State University's Center for Collaborative Policy.

Executive Director Castellanos stated the Center has recently worked with the Division of the State Architect (DSA) on their code development revisions and public process. Staff selected the team because of their familiarity with government organization and what it takes to create a better-functioning, stronger, more robust government agency.

He introduced Adam Sutkus, associate director, and Jodie Monaghan, associate mediator, from the Center, who gave a presentation about how the plan will be organized.

Presentation

Mr. Sutkus stated he and Ms. Monaghan appreciate the opportunity to present to the Executive Committee and to work with Executive Director Castellanos and Staff Members Jemmott and Funderburk, and for the opportunity and privilege to have a part in this project. Mr. Sutkus has been with the Center for eight years, and Ms. Monaghan has been with the Center for almost twelve years.

The Center for Collaborative Policy is part of the academic side of Sacramento State University's Social Science Interdisciplinary Studies School. It is a standalone center, a nonprofit consulting firm, with the mission to help organizations build capacity, work better, and better engage with their stakeholder communities; to enhance public policy capacity; and to develop systems to help governments improve.

The Center comes into organizations with conflict between agencies on a complex public policy issue, and then formulates a design to work with the issues, stakeholders, and players; facilitates the meetings; manages the process; develops a plan to progress with regard to a collective viewpoint; and works through traditional, academic-based, basic concepts of public policy mediation, facilitation, and interspace negotiation. The Center utilizes a systematic process to work with organizations and move through a methodical process over time - it can be years or days, depending on the issues to work through - of identifying issues and developing a process to reach a resolution based on interests that is acceptable to all parties.

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
EXECUTIVE COMMITTEE
JULY 18, 2013, MEETING MINUTES**

Mr. Sutkus stated this is one end of the spectrum - the full-blown dispute resolution between public policy agencies. However, over the last several years, the Center has been spending more time on the front end of organizational design and collaborative governance, where they work with an organization not unlike this Commission. The Center is doing organization diagnosis, strategic planning, and other elements on the front end as opposed to the back end. They are looking more internally, to help organizations redesign their systems and work with key stakeholder groups in a way that can be most effective up front. That can take the shape of a strategic plan or a workshop, where organizations reach out to a diverse set of stakeholders around the state to get feedback in an organized and structured format to lead toward a public policy conclusion. Minimum resources and maximum efficiency are needed, which is how the Center comes into play.

Mr. Sutkus and Ms. Monaghan have worked on many projects and strategic planning efforts over the years. Mr. Sutkus believes they make a good team and looks forward to helping this Commission.

Ms. Monaghan stated the Commission's report to the Legislature, in compliance with Senate Bill (SB) 1186, which also includes enabling legislation of SB 1608, is a rich starting point. The Center will focus on the refinement of the CCDA mission and the development of goals and objectives to support action planning. It is important that Commissioners understand that the Center's role is to help develop a strategic plan, but that, after its development, it will be up to the Commission to implement it.

The Center will put together a design team, typically made up of five to six people: Executive Director Castellanos, a representative Commissioner, a couple of key stakeholders, and others that the Commission appoints. The Center will develop the strategic plan with the design team.

Step 1 - One of the first things the Center would like to do is a stakeholder assessment, which consists of contacting twenty stakeholders, staff, and partners, and asking them what are the accomplishments for the issues, challenges, gaps - what they desire for the CCDA and disability access throughout the state. This process provides a snapshot of where the Commission is now and helps define the starting point.

The Center will incorporate the research contained in the report to the Legislature into a Summary Findings Report. The Center will likely conduct a web survey, where people can provide input. The Summary Findings Report will be reviewed with the full Commission to ensure the Center is on target.

Step 2 - Next, the Center will design and hold a strategic planning session. Ms. Monaghan recommended a two-day session, so there will be adequate time for Commissioners to look at mission vision, goals, and objectives, and finally create

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
EXECUTIVE COMMITTEE
JULY 18, 2013, MEETING MINUTES**

an implementable action plan. The Center will create a working draft as the byproduct of Step 2.

Step 3 - Ms. Monaghan suggested holding a validation workshop in both the north and south. A workshop would reach stakeholders and associations and give them an opportunity to weigh in.

Step 4 - The Center will create a second draft that defines the action plan. A key part of this step is to create a governance structure, in order to implement the strategic plan once it is completed.

Step 5 - The Center will produce a final draft of the strategic plan, bring it before the Commission for approval, create some sort of public access, and then post it to the website.

Ms. Monaghan stated the Center is looking to do the startup and assessment in July through September, create the Summary Findings Report in October, plan for and hold the strategic planning session, and create the initial draft by the end of the year. The Commission has a deadline at the end of January to provide an update report to the Legislature. She recommended showing that progress is being made and having, at the least, a draft plan. Then, in January through March, that would give the opportunity to hold the validation workshops, refine the strategic plan, and present it to the Commission for approval.

Ms. Monaghan stated creating and implementing a strategic plan and including a progress report in the January report to the Legislature will elevate the visibility of the CCDA within the entire state. This would offer an opportunity to create real buy-in from stakeholder groups. The Center will prepare a thoughtful strategic plan, incorporating how the CCDA wants to move forward, engage their various constituencies, and change the face of disability access in the state. She emphasized the importance of creating a governance structure, so there is ongoing implementation.

Executive Director Castellanos stated the Commission is in a unique position of conflict, expressed through all the lawsuits and letters, that requires better resolution in order to move ahead, and will address this through collaboration within government and with stakeholders. The Legislature created a Commission that includes six persons who represent the disability community and five persons who represent the business community, with the goal of bringing these groups together to create positive solutions to increase access in California.

The Legislature also instructed that the Commission be part of a collaborative; the notion of a governance structure is critical. He stated his hope that one of the outcomes of the strategic planning process will be increased collaboration and partnership with stakeholders, and that the Commission will find better ways of making all the incredible work done on access in California more accessible to

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
EXECUTIVE COMMITTEE
JULY 18, 2013, MEETING MINUTES**

the communities and generate more relevant, useful tools, as the Legislature would like the Commission to do.

Commissioner Questions and Discussion

Commissioner Wilson suggested creating a Committee to assist in developing collaboration and achieving some of these goals. Some of this could come from community-based organizations and private industry as a support team. This is an important part of the strategic plan so that the Commission can serve people and have collaborative efforts statewide.

Commissioner Navarro suggested that consultants plan ways of overcoming the possible difficulties of full implementation into the strategic plan.

Chair Burks stated he has urged the development of a proper mission and vision statement since the design of this Commission, and thanked the Center for their presentation today. He stated he shared Commissioner Wilson's concerns for the need of a design team as proposed by the Center, and stated he will work with the executive director to ensure that the design team addresses both internal and external compliance.

He liked Ms. Monaghan's concept of a web survey, but recommended separate surveys for the disability community and the business community. Both communities have the ultimate desire of achieving the same outcome - to reduce litigation as it pertains to accessibility compliance under state and federal laws - but they are divided due to differing perceptions, both experiential and attitudinal.

Chair Burks recommended that Commissioners view the legal presentation about drive-by lawsuits, given yesterday by the United States Access Board and the Disability and Business Technical Assistance Center, and sponsored by the DOR. He shared his concerns about internal and external compliance efforts, and the difference between the federal ADA, which contains the more stringent applications dealing with the exterior of a building, and Title 24, which deals with the more strategic and serious applications of the interior of a building. The DSA has worked to unify and amalgamate the conflicts; that code will be implemented at the first of the year, twenty-three years after the ADA.

Chair Burks emphasized the need for the Center to address the two populations, the business and disability communities, and the two criteria, interior and exterior compliance, in order to accomplish the ultimate, unified goal of achieving a compliance effort to reduce lawsuits.

Commissioner Wilson stated she would like to be a part of the design team to develop that interface with the Center and to help determine a strategic plan that will benefit all communities. She stated she would like to work through outreach efforts as well as create interdependence, which benefits the larger part of the community.

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
EXECUTIVE COMMITTEE
JULY 18, 2013, MEETING MINUTES**

Chair Burks asked that Commissioner Wilson work with Executive Director Castellanos on this. He thanked her for her willingness to work in the Outreach and Education Committee and for stepping up to be part of the design team.

Commissioner Wilson recommended recruiting volunteers from universities and colleges in Sacramento to assist with the research and data analysis, and doing the two surveys as soon as possible. Chair Burks agreed.

Chair Burks stated the Commission is empowered by legislation to generate a response, but there is no empowering language as to the mechanism of implementation. It makes operational collaboration difficult in establishing corporate relationships and looking to them to sponsor, through corporate donations and contributions to further the efforts of the Commission, when the Commission does not have any spending authority for that money.

He asked members of the Legislature and the Department of Finance (DOF) for that information, but no one seems to offer any guidance or direction. He stated his confusion as to that operational capacity to generate income that is outside of the legislative process to operate this organization and do the implementation, because nothing is going to be done for free unless a lot of people step up to the plate and do in-kind service.

Executive Director Castellanos stated staff has discussed resources with the Center. He recommended first determining what the Commission will do, based on what the expectation is, and then determining where the resources are going to come from to do it. By building visibility for the organization, the Commission can receive input on a continuing basis, to continue to refresh the program and grow the organization to get that twenty-three-year process down to a much shorter timeframe.

Right now, the relationship between these groups in many instances is not very positive. The cultural issue that has arisen through lawsuits has created the need for a discussion about respecting civil rights, and providing access on a fair and equitable basis. However, considering the DOR and the DSA, the challenge is not insurmountable. Executive Director Castellanos stated the Commission is in a unique position to merge interests to create a positive solution.

Chair Burks recommended that the consultants listen to the DOR legal presentation given yesterday on drive-by lawsuits. It may be helpful for the Center in developing the direction of this Commission strategically to achieve its mission to help expose the reasons for high litigation in the state of California.

Mr. Sutkus stated what the Center has done historically is to come in as a neutral third party, to properly apply structure and approach, and to help everyone bring their issues and perspectives in the right way to collaborative dialogue in a structured format, to ultimately come out with a supported strategic plan from both communities. This is a doable process.

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
EXECUTIVE COMMITTEE
JULY 18, 2013, MEETING MINUTES**

Chair Burks recommended adding a link to the CCDA website to the legal presentation by the US Access Board and Business and Technical Assistance Center to bring together a legal group of people. Refining the Commission's mission and vision statements refined is extremely important.

Commissioner Navarro stated the ADA is an unfunded mandate; however, part of the Commission's work, parallel to outreach and education, is to consider costs of compliance. But, if there is enough study, perhaps part of the funding could be used to examine the economic structures, which have the support of the ADA, that perhaps neither the private nor government sector are using or aware of.

Vice Chair Hauge agreed that receiving proper funding to fulfill the Commission's function is important, but also that the overarching goals proposed by the Center are important to laying the groundwork of what will be accomplished with that funding.

Chair Burks agreed. He stated many of the Centers for Independent Living, in terms of development of SB 262, were involved with the voluntary CASp program. The initial intent of the CASp program's process was to gather a skilled set of people who understood both federal and state accessibility requirements where there was not an amalgamated code. This Commission's challenge is to create directional tools to be transparent in the process of building trust.

Part of the Centers for Independent Living's effort, as with some other disability organizations, is to solidly offer opportunity for the CASp program to be an income generator and develop compliance efforts in their local communities. Chair Burks stated he saw the California Chamber of Commerce being a large player in the collaboration, because it is members of local communities and their local chambers of commerce that are most affected. Many of the twenty-nine Centers for Independent Living, in concert with the DOR, have done outreach and education through accessibility compliance seminars. However, it seemed attendance was highest when the seminars cost a large amount of money. The Center for Collaborative Policy will need to determine how cost affects participation.

Vice Chair Hauge stated he was involved in a similar process in San Francisco about ten years ago, but the business community of San Francisco has since become more sensitized regarding this kind of meeting.

Chair Burks stated the restructuring of the legal avenues that were implemented in California to put courts under the state's jurisdiction prevented local counties from having budgetary control over superior courts. This Commission is developing the data as to whether a suit is being filed in state or federal court.

Ms. Russell suggested a blog called the co-discussion group. Chair Burks explained that this blog allows code-savvy people to communicate with each other in terms of applying the criteria of both federal and state codes.

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
EXECUTIVE COMMITTEE
JULY 18, 2013, MEETING MINUTES**

Vice Chair Hauge recommended incorporating the suggestion that accessibility will bring in customers into the outreach.

Executive Director Castellanos stated this may require some research. The DOR may have data about the economic impact of employing a person with disabilities. The incidence of unemployment or underemployment is significant in persons with disabilities.

Ms. Russell added that the DOR is creating a video, to be released in September, entitled "Boost Your Business," which help people learn about making their buildings and businesses more accessible to people with disabilities. Along with that video, there will be another one, entitled "Employment Today," on hiring people with disabilities.

Action Items

- No action items.

c. Appoint to Outreach Committee - Discussion

Chair Burks stated Vice Chair Hauge, Commissioner Navarro, and Commissioner Wilson have expressed a desire to be on the new Outreach Committee. He recommended adding at least one more business representative, and encouraged Commissioners and members of the public to submit possible names of candidates to Executive Director Castellanos and him.

Executive Director Castellanos stated this Committee could serve a significant function in the strategic planning process. He wanted to invite two partners, one in the DOR and one in the DSA, to participate. There has not yet been any internal discussion about legislative representatives. He welcomed recommendations for other participants.

Chair Burks stated, while involvement of the DOR and the DSA would be important to the Outreach and Education collaboration efforts, he also hoped for additional business representatives, including Regina Dick-Endrizzi of San Francisco and Commissioner Wilson's connections with a similar group in Los Angeles. It will be pivotal to have representatives from the DSA and the DOR, the building trades, the Chamber of Commerce, and the Legislature. He stated the discussion should be directed towards who these representatives could be.

Commissioner Navarro suggested representatives of the ILCs, as well.

Action Items

- Commissioners are to provide names of potential candidates for appointments to the Outreach and Education Committee to staff.
- Chairman Burks is to contact Regina Dick-Endrizzi.

d. Proposed Speaker(s) for Full Commission - Update

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
EXECUTIVE COMMITTEE
JULY 18, 2013, MEETING MINUTES**

Executive Director Castellanos reminded Commissioners to be on the lookout for people who are willing to give interesting presentations to the Commission on real-life experience or examples of success or failure. He encouraged using the public meetings and generating these presentations so that others can learn from them, as well. He stated he will try to balance the presentations at each meeting between a focus on persons with disabilities and persons with business success.

Action Items

- Commissioners are to provide names of potential presenters for Commission meetings to staff.

e. Bagley-Keene Refresher - Update

Executive Director Castellanos stated a Bagley-Keene refresher will be given at the full Commission meeting next week. It is an important training opportunity for all of the Commissioners. The Commission operates under the state provisions for open meetings; the refresher at the full Commission meeting will ensure that everyone is aware of what those provisions are. There will be a number of meetings around the strategic plan and opportunities for Commissioners to have transparent discussion. The presentation will be in the afternoon session next Wednesday.

Action Items

- No action items.

f. Executive Report

Executive Director Castellanos stated most of the work staff has been doing is around the data collection from the lawsuits occurring in California. Steven Funderburk is a great addition to the staff. Staff spent a lot of time toward the yearend working with the consultant teams. The consultant for the website is Teranomics, and they will be presenting at the full Commission meeting next week. The release of the new website will coincide with the posting of the claims reporting data on July 31st.

Outreach. Since July 1st, when many provisions of SB 1186 took hold, staff has been fielding numerous phone calls and working closely with legislative staff member, Lindsey Scott-Florez. Many phone calls relate to a duty to disclose if buildings have been inspected by a CASp. Staff is developing a FAQ area of questions and responses on the website so that this information will not be lost. There is a need for a customer call support area. It is a complex area of law and regulation and staff has little ability to provide clarification there, but it needs to be considered as part of education and outreach efforts to some degree.

DSA, DOR, and CCDA Collaboration. The communication and collaboration with the DSA and the DOR is positive. The DOR has included the Commission as an

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
EXECUTIVE COMMITTEE
JULY 18, 2013, MEETING MINUTES**

agency under their Equal Access goal in their 2013 to 2018 Strategic Plan. The statement is that the CCDA will be working "in conjunction with DOR to develop and disseminate educational materials and information to public and private entities to promote and facilitate disability access." Executive Director Castellanos stated this is another indication of how much closer the two agencies are becoming as they work on the same kinds of issues and focus on outcomes.

Department of General Services (DGS). Staff had a problem in the past with Internet access and is trying to improve the ways they use technology and communicate. The DGS has been working with staff to bring a fiber cable into the building. The DOR has been a part of that, because they have to approve the use of their equipment, their closets, and their wiring for the high-speed cable to connect to the Commission office sublet from them.

Executive Director Castellanos recently met with the former executive director of the California Building Standards Commission (CBSC) and current staff member at the International Code Council (ICC), Dave Walls. They published the model code that California uses as a basis for Title 24. Mr. Walls is working with staff on code and access compliance training. There is a current requirement for architects, for example, to have five hours per year in accessibility training, but, outside that mandatory requirement, there is a significant and continuing need to increase training in terms of enforcement and design deficiencies.

Staffing. There are workload difficulties with the numerous efforts the Commission has underway. Staff is internally evaluating whether to ask for new positions or to look at other strategies, such as using retired annuitants, seasonal workers, or students to fill these temporary needs, if they are indeed temporary. Executive Director Castellanos stated he is looking at this, in terms of staff providing the type of support that the Commission needs and meeting the needs of the Commission at the same time.

5. DISABLED ACCESS LEGISLATIVE AND REGULATORY DEVELOPMENTS

a. Capitol Track Report - AB 223 and SB 550

Chair Burks stated this agenda item will be discussed at the full Commission meeting next week.

Committee Member Connelly asked if Chair Burks would like him to see if these bills have a two-year plan. Chair Burks stated that this would be helpful.

Action Items

- Committee Member Connelly is to see if AB 223 and SB 550 have a two-year plan.

6. BUDGET UPDATE

a. Monthly Report

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
EXECUTIVE COMMITTEE
JULY 18, 2013, MEETING MINUTES**

Chair Burks stated the error has been corrected with the DGS on this Monthly Budget Report.

He stated his appreciation for the DOR for their assistance in terms of workplace accommodations and equipment loans. It is extremely difficult for the executive director to operate without adequate desks and the necessary materials.

Chair Burks declared his frustration and disappointment that he had to tell the executive director that he was going to have his materials and supplies, as required by the state, only to have to relinquish them to the DOR because Prison Industries did not fulfill the agreed-upon order after 6-1/2 months. He extended his respect and appreciation to Executive Director Castellanos and his staff for their understanding and hard work.

Action Items

- No action items.

7. FUTURE AGENDA ITEMS

Chair Burks stated future agenda items will be discussed at the full Commission meeting next week.

8. ADJOURN

MOTION: Vice Chairman Hauge moved to adjourn the July 18, 2013, California Commission on Disability Access Executive Committee meeting. Committee Member Connelly seconded. Motion carried unanimously.

Chairman Burks adjourned the meeting at 12:07 p.m.

2) Executive Committee

Meeting Minutes

August 15th, 2013

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

August 15, 2013

1. CALL TO ORDER

Chairman Rocky Burks welcomed everyone and called the meeting to order at 10:00 a.m. at the Department of Rehabilitation, 721 Capitol Mall, Room 252, 2nd Floor, Sacramento, California 95814.

The off-site meeting locations for teleconference were Communities Actively Living Independent and Free, 634 South Spring Street, 2nd Floor, Los Angeles, California 90014; Small Business California, 2311 Taraval Street, San Francisco, California 94116; and Department on Disability, 201 North Figueroa Street, Suite 100, Los Angeles, California 90012.

Chairman Burks reviewed the meeting protocols.

ROLL CALL

Commissioners Present: Rocky Burks, Chairman
Scott Hauge, Vice Chairman (Teleconference)
Lilibeth Navarro (Teleconference)
Betty Wilson (Teleconference)

Committee Member Absent: Sean Connelly, Office of Senator Corbett

Commissioners Absent: Guy Leemhuis

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

Also Present: Jodie Monaghan, Associate Mediator, Center for Collaborative Policy

Staff Member Jemmott called the roll and announced a quorum was not present.

2. APPROVAL OF MEETING MINUTES (July 18, 2013) – ACTION

A quorum was not established for the Executive Committee to take action.

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

There was no public comment.

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
EXECUTIVE COMMITTEE
AUGUST 15, 2013, MEETING MINUTES**

4. GENERAL BUSINESS ITEMS

a. Demand Letter Project – Update

Executive Director Castellanos stated staff continues to collect claims and letters on a daily basis. On July 31st, they posted data collected through the end of May, but have since added the data through June, for a total of 1200 letters and claims currently represented in the database. The additional month did not affect the top ten.

The next task, which will go to the Education and Outreach Committee, is to build education and outreach support onto the top ten, as required by law, to help people address compliance issues around the most commonly found violations as represented in the lawsuits. Staff will create proposals for the Commission, including tools that could be put on the website and any issues or strategies that can be utilized to address the top ten. The federal ADA (Americans with Disabilities Act) also maintains a top ten and has built a set of tools. Staff is researching what could be shared. The ADA National Network and their education resources will be involved. Staff will need to determine how to develop anything distinct to California.

There is a list of forty-nine key code items of violations, including programmatic issues. Staff has not addressed how to deal with programmatic issues as opposed to construction-related items. Some discussion on this will be necessary.

Staff is also discussing when to publish new data. They talked to the web developer about real-time posting and maintaining quality. At a minimum, data must be published quarterly.

Vice Chair Hauge asked if staff has received any feedback on the top ten items.

Executive Director Castellanos stated there has been feedback from a number of different sources, mostly business, that brought more attention to the issues. Staff has received calls, emails, and press contacts. Executive Director Castellanos has encouraged a greater use of CASp (Certified Access Specialist) inspection, and the Legislature has asked that information be posted on the site about the benefits of Senate Bills (SB) 1186 and 1608 and the protection they provide business owners.

Vice Chair Hauge stated he asked because he sent the website link to five thousand small businesses.

Executive Director Castellanos stated this makes people aware of the website, which is important because the website helps people receive the support they need.

Action Items

- No action items.

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
EXECUTIVE COMMITTEE
AUGUST 15, 2013, MEETING MINUTES**

b. Strategic Planning Project – Update

Jodie Monaghan, the Associate Mediator of the Center for Collaborative Policy (CCP), stated, since the last Executive Committee meeting, the CCP has received a fully-executed contract with the CCDA and has begun work.

The CCP has created a draft work plan. They held a kick-off meeting on August 5th with Commissioner Wilson, Executive Director Castellanos, Staff Member Jemmott, Adam Sutkus of the CCP, and Ms. Monaghan, where they drafted goals and desired outcomes, discussed the makeup of the Strategic Planning Design Team, and reviewed the work plan. The draft goals developed from this meeting were:

- To develop the organization to implement and achieve the goals of SB 1608 and 1186, particularly in regard to outreach and education
- To create programs to assist with compliance
- To build relationships with and between the disability and business communities
- To reduce to the number of claims

The draft desired outcomes from the strategic planning process developed from this meeting were:

- The creation of a governance structure to guide future work of the CCDA
- The creation of an action plan to implement compliance programs, educational programs, and outreach activities
- The creation of next steps to bolster the efficacy of the Commission and the CCDA organization
- The creation of programs to increase compliance and reduce the number of claims and letters

The purpose of a Design Team is to assist the CCP in ensuring that they consider the broadest population of stakeholders. The Design Team would identify people to interview with assessment interviews and who can participate in the two-day strategic planning meeting. The team would also develop questionnaires.

There should be eight or nine members on the Design Team. Commissioner Wilson will represent the disabled community and the Commission in her role as the Education and Outreach Committee chair. The CCP will ask a second Commissioner from the business community to join, and will limit it to two Commissioners because of the Bagley-Keene Open Meeting Act requirements. The CCP also hopes for an external representative from the disabled community, an external representative from the business community, Executive Director

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
EXECUTIVE COMMITTEE
AUGUST 15, 2013, MEETING MINUTES**

Castellanos, Staff Member Jemmott, and representatives from the DOR and the DSA.

As soon as the Design Team is formed, they will put together assessments, questionnaires, and surveys. The plan at this point is for the assessment interviews and surveys to be conducted during October and November, with the findings report completed by the end of the year. The strategic planning meeting will be early 2014, and the final strategic plan after the validation workshops will be ready for the Commission's approval in May or June of 2014.

Commissioner Questions and Discussion

Commissioner Wilson stated it is important to set the schedule for the Design Team to meet as soon as possible, for a two- or three-day meeting to develop the goals and objectives for the Commission's strategic plan.

Executive Director Castellanos stated he would follow up with the DOR today. Dennis Corelis, the deputy state architect from the DSA, has been appointed by the state architect to serve as the DSA representative for the Design Team. Tom Ammiano's senior legislative assistant, Wendy Hill, is also anxious to join this effort as a representative from the Legislature.

Executive Director Castellanos stated after contacting DOR today, staff will organize a meeting of the Design Team to design the process and set a schedule. He added that the strategic plan will be in progress as it is in use. The directives in the strategic plan are a foundation. Developing a Design Team and focusing on bringing external resources into the process is part of the plan.

Executive Director Castellanos stated the meeting summary was emailed to Commissioners and encouraged them to comment on it, especially the draft goals of the plan and the desired outcomes.

Action Items

- Staff is to follow up with the DOR and organize a meeting of the Design Team.
- Commissioners are encouraged to comment on the August 5th planning meeting summary, especially the draft goals and desired outcomes.

c. Names Submitted for Education and Outreach Committee

Staff Member Jemmott stated staff received three names for the Education and Outreach Committee. Two were submitted by Commissioner Fuller, and one by Commissioner Wilson. At this time, they have been nominated but have not yet been solicited for resumes and paperwork.

Chair Burks recommended that he, Vice Chair Hauge, and Executive Director Castellanos discuss submittal of the names and do an initial review, and then have a conversation with those individuals on their interests based on their

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
EXECUTIVE COMMITTEE
AUGUST 15, 2013, MEETING MINUTES**

background and experience. He asked staff to send one more interest statement to all Commissioners.

Executive Director Castellanos stated he has set up a round of meetings with potential members of the representative group on this important Committee. He has contacted the California Chamber of Commerce (CalChamber), the American Institute of Architects (AIA), and building owners. There is solid representation from people from the disability community.

Chair Burks suggested contacting interested parties to let them know their names have been received and the process is moving forward. Executive Director Castellanos stated staff will send out a letter.

Commissioner Wilson encouraged the Commission to ensure inclusion of Northern, Central, and Southern California. All three major areas of the state have different needs due to varying demographics, terrain, and attitude. She asked that Commissioners try to include in their recommendations people from all three major parts of the state.

Action Items

- Staff is to send an interest statement to all Commissioners.
- Staff is to send a letter to interested parties confirming that their names have been received and the process is moving forward.

d. Website – Update

Executive Director Castellanos stated the CCDA website went live July 31st. Vice Chair Hauge has been helpful in spreading word through his network of small businesses. Staff has received good comments and will be taking action and making improvements on the website, including adding more description to help with navigation.

Executive Director Castellanos has talked to the Department of Rehabilitation (DOR) and the Division of the State Architect (DSA) regarding what the CCDA website represents. It is the only website of its type in California where a business person or a person with a disability can, within one or two clicks, find the help they need. It is difficult for the DOR or the DSA to do the same thing, because they are multi-mission organizations. Their websites are dense and more difficult to navigate through. The CCDA website is providing them a service by developing links to their material through its portal.

The primary focus of the website is to get information to the consumer, the disabled citizens or business owner, local enforcement, architects, contractors, and everyone involved in Title III built environment issues that needs information.

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
EXECUTIVE COMMITTEE
AUGUST 15, 2013, MEETING MINUTES**

The Education and Outreach Committee will be instrumental in providing guidance and assistance in terms of content management for the website. The next phase of adding functionality to the website will be to add hosted forums to the site. It will pose a management problem that staff is discussing with the web developers. The content of the website will become more robust, and staff will change how the site is hosted to add functionality with forums, webinars, and other training.

Commissioner Wilson asked what steps have been taken to ensure the website is accessible to the disability community.

Executive Director Castellanos stated this is part of the contract with a consultant as a critical issue. The state policies are clear in terms of access. The website is in a testing process to ensure accessibility. Staying away from PDFs and offering multiple formats is important. Staff was concerned that what they posted on the claims and letters database was not as accessible as desired, but the web consultants claim it is limited by format.

Chair Burks suggested, since the Commission is already collaborating with the DOR, contacting the State Independent Living Counsel to see how they are coordinating with the DOR.

Executive Director Castellanos stated the goal is for the website to be a model of accessibility for consumer web usage.

Commissioner Navarro stated the Business section seems to stress protection. The message should be about protection through compliance. Executive Director Castellanos stated he would check the language in that section. He asked business people for input. Encouraging people to visit the site will help to change the perception that ensuring accessibility is bad business.

Chair Burks stated changing attitudes is an ongoing process. As a member of the disability community and in Title II and III entities, he has heard many people say it is not their problem until they are litigated, which ultimately leads to the small business person who does not know that the large business people are taking that attitude.

Executive Director Castellanos stated need to address attitude on the website. The benefits of fully accessible workplaces and businesses are more than just seeking protection. He spoke with staff at the CalChamber about rights to repair issues, who said it is unlikely to happen because, given the right to repair, people generally do not reply unless they receive a claim.

Commissioner Wilson suggested discussing the possibility of getting an award or certificate from the state of California or the governor's office for someone who complies. Chair Burks stated this could be a task for the Education and Outreach Committee. Executive Director Castellanos agreed that rewards will play a role at some point.

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
EXECUTIVE COMMITTEE
AUGUST 15, 2013, MEETING MINUTES**

In response to Chair Burks's question, Executive Director Castellanos stated the DOR's video is on the CCDA website, and the new DOR video will be added when it comes out in September.

Chair Burks stated he has referred several people to the video. He also recommended looking at the terrain differences across regions for litigations.

Executive Director Castellanos stated the database can be sorted by zip code quickly to compare regions to the statewide top ten and see how consistent they are.

Action Items

- Staff is to contact the State Independent Living Counsel to see how they are coordinating with the DOR.
- Staff is to check the language in the Business section of the website about protection through compliance.

e. Standing Committee Meeting Schedule – Discussion

Chair Burks stated he would like to delay discussing this item, primarily because the other two Commissioners who are on the Executive Committee would benefit from this discussion.

Executive Director Castellanos agreed that the discussion could be held over. At the last full Commission meeting, the Commission decided to use the current Commission make-up as a Committee of a whole for the Executive Committee.

Chair Burks stated the Executive Committee meeting is scheduled for the second Thursday at 10:00 a.m. He emphasized the importance of ensuring that everyone understands the necessity of a quorum.

Executive Director Castellanos stated this is one of the reasons for the frequency of the meetings being discussed. There will be more meetings to schedule as the Education and Outreach Committee ramps up and for the groups involved with the strategic plan.

Commissioner Wilson suggested scheduling the October Executive Committee meeting one day before the regular full meeting.

Chair Burks agreed and suggested holding a two-day meeting. Commissioner Navarro liked the idea of back-to-back meetings.

Action Items

- No action items.

f. Executive Report

Executive Director Castellanos stated he changed the format of the Executive Director Report based on Bagley-Keene training. On a monthly basis, he sends a

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
EXECUTIVE COMMITTEE
AUGUST 15, 2013, MEETING MINUTES**

memo to each of the Commissioners about what has happened in the last month.

1. Task Matrix

Executive Director Castellanos stated this Executive Report represents specific business items or a response from requests from Commissioners to put before the Commission or the Executive Committee. The first one has been something Chair Burks asked for and referred to as the task matrix. This first draft task matrix list format is a work in progress. It identifies the topic or task and a timeframe. Resources and who is responsible will be added. What staff has done so far is to identify and refine what is ongoing. Issues like the strategic plan will include a long list of items with multiple deadlines and due dates. He asked Commissioners for input.

Commissioner Navarro asked which staff member will be the point person when it comes to changes about legislation. Executive Director Castellanos stated Staff Member Jemmott has been monitoring legislative and regulatory activities. Executive Director Castellanos monitors the Disability Rights California, the AIA and the CalChamber websites.

Chair Burks asked to ensure that, if there are items that have been placed on Committee action for consideration that are not on the matrix, Commissioners alert staff so they can put them on the matrix. The reason for the matrix is to ensure that the Commission is following up on issues. This is of importance to members of the Legislature. They have some concerns in terms of past actions of the Commission. He believed the Commission is moving forward in its statutory obligations.

Another aspect that is critical is staff and financial capability. This can be a tool to facilitate with the strategic plan efforts. It may be necessary to retrench a bit and to stay within statutory demands. Chair Burks stated this will give the strategic plan consultant some understanding of the conflicts with resource limitations, both financial and human.

Action Items

- Commissioners are to comment on the first draft Task Matrix format.
- Commissioners are to alert staff of items that have been placed on Committee action for consideration that are not on the matrix so staff can add them to the matrix.

2. Outreach Efforts

Executive Director Castellanos stated few outreach activities have been added since the last meeting, in order to place some focus on creating closer contact with the legislative Commissioners. Staff Member Jemmott has joined in this effort and Staff Member Funderburk has scheduled and conducted the

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
EXECUTIVE COMMITTEE
AUGUST 15, 2013, MEETING MINUTES**

round of meetings with legislative members. It is important to keep them well informed.

Executive Director Castellanos will meet soon with the speaker's office about appointments. That has been scheduled and the efforts with the appointments office have led to productive discussion. One of the reasons for the meetings with the CalChamber and the AIA is to encourage them to identify constituents to submit names. There are applications coming in. He will continue to meet with the legislative members to talk about the kinds of issues they can lend support on.

Vice Chair Hauge asked if there is a letter for outreach. Executive Director Castellanos stated he has been working on a two-page letter that provides background, and identifies the Commission's authority and goals.

Action Items

- No action items.

3. Legal Support for Public Records

Executive Director Castellanos stated the Commission had an agreement with the DOR over legal support, but their workload changed before the agreement could be finalized. He met with their chief counsel and was advised to meet with her for legal support.

The first meeting with the chief counsel had to do with the Public Records Act. Staff anticipated with the posting of the first round of information from the data collection project that they would have a Public Records Act request. The DOR chief counsel was very helpful in determining what they have to do. She has also given them other tasks that they will bring to the Commission by October, such as establishing a policy on public records for the Commission. The Commission may need to develop regulation through the Office of Administrative Law (OAL) to deal with this issue. Right now, according to the on-loan counsel, it looks like the Commission will need to go through the OAL with a formal regulation on the Public Records Act. It is in statute and it is required. Staff successfully released the information to a reporter of the Orange County Register.

Chair Burks stated this will be a critical area of executive function, because of the transparency issues involved.

Commissioner Navarro stated, with regard to data collection, the Commission will need to see where the local governments are in their transition plans and their own compliance or implementation of Title II of the ADA.

Executive Director Castellanos stated staff has received a number of comments about what the state and local governments are doing with regard to compliance as Title II agencies. Currently, the statute that authorizes this

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
EXECUTIVE COMMITTEE
AUGUST 15, 2013, MEETING MINUTES**

Commission does not specifically limit it, but the Commission has self-limited to Title III compliance where the lawsuits are occurring. It was clear that the perceived lawsuit crisis in California needed some attention. Currently, staff is trying to identify Title II agencies first. For example, in San Francisco, they are trying to identify the Title II agencies that are doing good work in terms of supporting small business in the area of compliance and therein developing relationships with small businesses. Title II agencies have specific requirements and different enforcement mechanisms, in many cases. The Commission is focusing on Title III compliance, particularly the lawsuit issues.

Commissioner Navarro mentioned the survey, because Title III compliance depends on Title II conduct.

Chair Burks stated the Commission desires to look at this, and it is probably one of the preeminent conflicts. However, with the way statutory obligations and responsibilities are structured, the Commission is focusing on helping small businesses achieve compliance outside of a means of litigation. He was amazed that the disability community continues to be maligned for asserting their efforts through the litigation process, which is what the ADA structured.

At the same time, the Commission is trying to address reducing litigation for failure to comply with state and federal accessibility codes. There may be some relief now that there is a potential combining of the ADA and Title 24 state building codes. That is going to help resolve some of the conflicts that this Commission is ultimately confronted with. There will be a process of outreach to Title II entities as the building code is implemented next year, but it will not address historical issues.

The other aspect that SB 1186 will address is what the Commission has helped to expose, through this process and through the statute, that, for all new negotiated leases, the leaseholder must be informed that their facility has or has not been CASp (Certified Access Specialist) inspected. That raises a question for the leaseholder of whether the owner has begun the process to correct deficiencies if the property is not compliant. That is outside of the Title II function, but therein lies the process of working with the DSA and their efforts with the business license renewal outreach and education coordination that should help diminish these violations.

Executive Director Castellanos stated he has set up a meeting with the state architect and the director of the DOR to talk about this very issue. As far as state compliance, the director of the DOR is essentially the state's ADA compliance officer. Commissioner Widom of the DSA is the enforcement agency for state public buildings. The state's behavior is important, as it affects local behavior.

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
EXECUTIVE COMMITTEE
AUGUST 15, 2013, MEETING MINUTES**

The Commission is not ignoring the Title II issue, but is instead approaching it from the support side first, because of CASp, the DSA, and the DOR, and trying to figure out how to develop better support for local agencies.

Commissioner Navarro suggested, in terms of outreach and best practices, including examples of compliance as a model on the website, such as the presentation from the city of San Francisco.

Action Items

- No action items.

4. General Operations

Executive Director Castellanos stated the travel policy for attendant services has been rewritten to add clarity in its language and its intent.

Chair Burks asked, since a quorum was not present, that Commissioners address questions or concerns to Executive Director Castellanos and himself before the next meeting.

Action Items

- Commissioners are to address questions and concerns to Executive Director Castellanos and Chair Burks before the next meeting.

5. BUDGET UPDATE

a. Year End Report – Status

Executive Director Castellanos stated there is no year end report. The Commission has been waiting for the Department of General Services (DGS) to conclude their year end report, which is incomplete.

The plan was to fully expend the budget for 2013. Executive Director Castellanos stated he would like to see the report to make sure everything is posted correctly at the DGS. If it is, then staff will have a carryover budget for funds that were encumbered in 2013.

Executive Director Castellanos hoped to have the year end 2013 report and a starting budget at the next Executive Committee meeting. Staff Member Jemmott is developing new categories to monitor the budget more effectively for 2013/14.

Chair Burks stated the state may not have everything together by the September meeting. He cautioned that, if it is not done until the end of the first quarter of the new fiscal year, the Commission will have a more realistic understanding of 2013 at the October meeting.

Executive Director Castellanos added that the item discussed earlier, in terms of the meeting schedule for the Executive Committee and the Commission, is also a budget-related item. By the next Executive Committee meeting, he hoped to

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
EXECUTIVE COMMITTEE
AUGUST 15, 2013, MEETING MINUTES**

have an opportunity to discuss that in more detail because, along with the official meetings, there will be strategic plan and Education and Outreach Committee meetings to budget for. Staff is behind on the number of meetings and locations; some of that money is held over from 2012/13, but, the sooner the Commission makes a decision on the number of meetings, the more able staff will be to fine-tune that budget.

Chair Burks explained funds that are held over are encumbered. It is an expenditure. The Commission has entered into a contract for a carryover that it is able to bill to that contract period.

Executive Director Castellanos stated there are savings in 2012/13 as a result of salary savings, travel, and a reduction in the number of Committee meetings, and that one-time savings has been utilized to bring in a couple of consultants. That money was encumbered in 2012/13 and it will become part of the 2013/14 budget for some of the work the Commission will be doing.

Chair Burks stated it would be helpful to set up a conference call with Vice Chair Hauge, Staff Member Jemmott, and Executive Director Castellanos, when the DGS provides the year end report.

Action Items

- Staff is to set up a conference call with Chair Burks, Vice Chair Hauge, Staff Member Jemmott, and Executive Director Castellanos, when the DGS provides the year end report.

6. FUTURE AGENDA ITEMS

Chair Burks asked members of the Commission to share any pressing issues with him and Executive Director Castellanos.

Vice Chair Hauge stated San Francisco would like to talk to the Commission about what they are doing with legislation, specifically about a parking issue, and expanding it statewide. Executive Director Castellanos stated he will contact the representative from San Francisco for further details.

Commissioner Navarro asked Chair Burks to review the appointments for those on the Committee to prepare ahead, especially in the light of the strategic plan.

Chair Burks stated most of the Commissioners will be continuing beyond December 31st. Based upon action taken at the full Commission meeting, the Executive Committee is comprised of all standing Commissioners plus Senator Corbett's representative, Sean Connelly. In terms of the full Commission, there are five Commissioners, ex officio members of the state agencies, and members of the Legislature. There are two Senate and two Assembly representatives, plus three agency representatives.

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
EXECUTIVE COMMITTEE
AUGUST 15, 2013, MEETING MINUTES**

The Education and Outreach Committee is a formal Committee, and will be a fully open Committee process in terms of compliance with the Bagley-Keene Open Meeting Act. The Design Team will be a subcommittee of the full Commission on the strategic planning process comprised of two Commissioners to circumvent violation of Bagley-Keene.

7. ADJOURN

Chairman Burks adjourned the meeting at 11:56 a.m.

4) General Business Items

b. Strategic Planning Project Update

1. Design Team Appointments

CCDA Design Team

Representative for the Business Community

Regina Dick-Endrizzi

Executive Director | Office of Small Business, San Francisco

Representative for the Disabled Community

Erick Mikiten, AIA

Representative from DOR

Megan Juring

Deputy Director

Independent Living and Community Access

Representative from DSA

Dennis Corelis

Principal Architect

Representative from Legislation

Wendy Hill, Office of Assembly Member Tom Ammiano

Representation from the Board

Commissioner Betty Wilson

Commissioner Scott Hauge

Representation from Executive Staff

Stephan Castellanos, Executive Director

Angela Jemmott, Program Analyst

Support Material For:

4) General Business Items

c. Education & Outreach Committee

Appointments

Policy Memorandum

Policy Memorandum No. 2012-01

Date: January 30, 2012
To: CCDA Committee Chairpersons
Subject: Selection of Public Committee Members Protocols

The following protocols shall be adhered to with regards to the selection and participation of public members in select activities of individual CCDA committees:

1. The number of public members selected shall not exceed four (4) for each committee or individual sub-committee, unless cause is shown to the chair of the CCDA for additional members.
2. Public participants shall be equally represented by members with disabilities and members from the business community.
3. Consideration of public members for committees shall be subject to submission of a letter of request for appointment, together with a statement of qualifications and experience reflective of the committee's specific area of responsibility to the executive director for review and approval by the chair of the CCDA pursuant to CCDA Bylaws 6.3.
4. Failure of a public member appointee to attend two concurrent meetings will be grounds for dismissal.

The goal of the CCDA is to select public members who shall participate in and contribute to the activities of the CCDA commission committees and subcommittees to insure the timely delivery of committee deliverables.

This policy provides for the following:

Selection Procedures

- Submission of letter of interest.
- Submission of resume and or statement of qualifications and experience.

Selection Criteria

- Members of the public with disabilities two (2) or equal in number to those from the business community.
- Members of the business community two (2) or equal in number to those from the public with disabilities.

Selection Determination

- Approval of the afore identified committee/subcommittee members will be by the concurrence of the Chair of the Commission. CCDA Bylaws 6.3

Excerpt from CCDA Bylaws

5. EXECUTIVE COMMITTEE

5.1 The Executive Committee is a standing committee and shall be comprised of the elected officers of the CCDA and the chairs of the standing committees.

5.2 The Executive Committee shall make recommendations to the CCDA and shall implement policies set by the CCDA.

5.3 The Executive Committee shall meet at least every month or more often as determined by the Chair at a time and place designated by the Chair.

6. STANDING, AD HOC AND SUB-COMMITTEES

6.1. The CCDA Chair may create standing or Ad Hoc committees as are deemed necessary from time to time to carry out the Commission's mandate.

6.2. Standing or Ad Hoc committees shall meet upon the call of the committee chair at a time and place designated by the chair.

6.3. The chair and membership of each standing or Ad Hoc committee shall be appointed by the CCDA chair. The chair of any standing or Ad Hoc committee shall be a member of the CCDA. Additional standing or Ad Hoc committee(s) members may be appointed by the chairperson of the applicable committee(s) subject to the concurrence of the CCDA chair. Non-voting, ex-officio members of the CCDA, or their representative, may vote as a member of any standing, Ad Hoc or subcommittee.

6.4. Subcommittees of a standing or Ad Hoc committee shall be appointed by the chairperson(s) of the applicable committee(s). The CCDA Officers and Executive Director shall be informed of any subcommittee being created as well as the appointees. No appointee shall serve on any sub-committee without the concurrence of the CCDA chair.

6.5. Standing Committees are considered a permanent part of the organization. A standing committee functions to perform duties that which are essential to the harmonious operation of the CCDA. Members of a standing committee may change when new officers are elected or appointed, but the purpose of the committee and its functions and duties do not change. When the

CCDA receives business that is connected with the work of a standing committee, it may refer that business to the committee. Ad Hoc Committees are created to perform a specific task and is dissolved when the task is completed and the final report is given. Ad Hoc committees are not created to do a task that is within the designated function of a standing committee. Ad Hoc committees have two functions; one is to investigate and the other is to carry out what the Commission has adopted. For example, if the CCDA moves to set up a law student program to help carry out CCDA's mission, the chair could create an Ad Hoc committee to define the actual service they would provide the commission. Subcommittees are created to perform a specific task for a standing or Ad Hoc committee and are dissolved when the task is completed.

6.6. Standing or Ad Hoc committees shall make recommendations to the CCDA.

4) General Business Items

c. Education & Outreach Committee

Appointments

Education & Outreach Committee: Current Public Nominations

Nominated by Senator Fullers office

Jim Baldwin, President
BARC Industries

Bio: Included
Notes: _____
Confirmed: _____

Jimmie Soto, Executive Director
Independent Living Center of Kern County

Bio: Included
Notes: _____
Confirmed: _____

Nominated by Scott Hauge

Arnie Lerner, AIA, CASp (Certified Access Specialist)
Principal
Lerner + Associates Architects

Bio: Included
Notes: _____
Confirmed: _____

Robert Roddick

Bio: Not included
Notes: _____
Confirmed: _____

Nominated by Betty Wilson

Paula Pearlman
Executive Director, Disability Rights Legal Center
Visiting Associate Professor of Law,
Loyola Law School Los Angeles
Loyola Public Interest Law Center

Bio: Included
Notes: _____
Confirmed: _____

Stephen Simon, JD
The Raben Group

Bio: Included
Notes: _____
Confirmed: _____

Ms. Wan-Chun Chang,
District Administrator
State of California Department of Rehabilitation

Bio: Included
Notes: _____
Confirmed: _____

Richard Ray
ADA Compliance Unit
City of Los Angeles Department on Disability

Bio: Included
Notes: _____
Confirmed: _____

Winona Adkins

Bio: Not included
Notes: _____
Confirmed: _____

Ms. Yomi Wrong, Executive Director
Berkeley Center for Independent Living
(Duly nominated from Senator Corbett's
office and Betty Wilson)

Bio: Included
Notes: _____

Curriculum Vitae

JIM BALDWIN
President
BARC...Bakersfield ARC

WORK EXPERIENCE

1. **Bakersfield ARC** **2001 to Present**
President
2. **Aegis Bancorp** **2000 to 2001**
Vice President **Bakersfield, California**
Providing Merger and Acquisition transactional services to business from \$1MM to \$100MM in revenue.
3. **Bank of America** **1983 to 1999**
Vice President **Bakersfield, California**
Branch manager providing retail and business banking services, loan authority, human resources, and marketing.

Education

Academic:

1. **Northern Oklahoma College** **Associates of Arts Degree**
2. **Oklahoma State University** **Bachelors Liberal Arts**

Business Education:

1. Lanier School of Sales Lee Dubois Graduate
2. National Business Systems Sales and Service
3. Bank Of America Xerox Sales Instructor
4. Bank Of America Cohen-Brown Sales Management Instructor
5. Bank Of America Management
6. Bank Of America Human Resources
7. Bank Of America Finance and Commercial Lending
8. Bank Of America Computer Training

ACTIVITIES

Memberships; Activities; and Appointments:

1. VOICED Founder (Voices of Integration Communities Empowering the Disabled)
2. BARC Board of Directors (1994-2001 Board of Directors)
(First Vice President) (Chair of the Membership Committee) (Chair of the Finance Committee)
3. California Conference of Execs of The Arc of California
4. National Conference of Execs of The Arc of the United States
5. The Alliance Supporting People with Intellectual; and Developmental Disabilities (Steering Committee)
6. Greater Bakersfield Chamber of Commerce (Past Chair of the Board)
7. Kern County Board Of Trade (Current President of the Board)
8. United Way Past member of the Executive Committee- Treasurer)
9. Kern County Board of Zoning Adjustments (Past Commissioner)
10. North of the River Chamber of Commerce (Past Executive Committee and Board)
11. CSUB Intercollegiate (Past Athletic Committee)
12. Bakersfield Music Theater
13. Stars Dinner Theater
14. Melodrama Theater
15. Candlelight Dinner Theater
16. Golden Empire Barbershop Choir (Past Director)
17. Bakersfield Symphony (Guest Artist)
18. Kern Island Arts Fest (Guest Artist)
19. Three Bakersfield Tenors

Jimmie Soto - Executive Director

Independent Living Center Kern County (ILCKC) Executive Director Jimmie Soto, effective April 1, 2011, earned a Master's Degree in Education Administration/Supervision, a Bachelor's in Social Work, and an Associate's in Liberal Arts. Prior to coming to ILCKC, he was the Director of Program Services at Resources for Independence - Central Valley (RICV) in Fresno, a position held since 2001. Since his appointment Jimmie has facilitated the increase of capacity and funding growth, and brand recognition – holding efficiency and accountability to the highest standards, inspiring the Board and staff to maximize efforts and compassion while serving people with disabilities in Kern County.



LERNER + ASSOCIATES
ARCHITECTS

BIO

Lerner + Assoc., Architects is a small firm offering full service architectural design and planning services to institutional, corporate and private clients. The firm has special expertise in disabled access design and historic preservation producing such diverse projects as the design and construction of an accessible main entrance to the historic Alameda County Courthouse for the Alameda County General Services Agency, Varsity Theater accessibility survey for the City of Davis, CA, accessibility surveys for the City of Berkeley's Housing Authority properties, assisting, as an expert, in the settlement and implementation of an accessibility lawsuit against University of California at Davis by deaf and hard of hearing students, and monitoring the implementation of an accessibility lawsuit by mobility and sight impaired students settlement at UC Berkeley. In addition, work with local Redevelopment agencies include the Cerrito Theater Renovations with the City of El Cerrito and the Del Mar Theater with the City of Santa Cruz.

Arnie Lerner, AIA, CASp, principal of the firm, has been a practicing architect in the bay area for the past 30 years and his firm has won design awards for their work on accessibility and historic preservation projects. He is certified by the Division of the State Architect as a Certified Access Specialist (CASp), currently serves on the San Francisco Access Appeals Commission, and is President of the Board of Directors of the San Francisco Independent Living Resource Center. In addition, Mr. Lerner has served for the past 16 years on the San Francisco Code Advisory Committee representing historic preservation. Mr. Lerner also serves on the Board of Directors of San Francisco Architectural Heritage, where he was the staff architect in the 1980's.

In terms of design, his firm has won several design awards from the California Preservation Foundation including work on the John McMullen House in San Francisco, a National Register property and the Alameda County Courthouse. For their work in restoring the 1930's Art Deco movie palace, the Del Mar Theater in Santa Cruz, California, the firm was awarded a 2002 Governor's Award for historic preservation and a preservation design award from the Art Deco Society of California.

In terms of applying accessibility codes, Mr. Lerner co-conducted several workshops on The New ADA and California Building Code at the offices of the San Francisco AIA and professional liability brokers Dealey Renton & Associates in 2011. In addition, Mr. Lerner produced and conducted a webinar for the CA Preservation Foundation on Accessibility & the California Historical Building Code.



LERNER + ASSOCIATES
ARCHITECTS

ARNIE LERNER, AIA, CASp

EDUCATION

University of Kansas, School of Architecture and Urban Design,
Bachelor of Architecture, 1969. Honors: Tau Sigma Delta, Tau Beta Pi.

ARCHITECTURAL REGISTRATION

California 1982, C12670

CASp CERTIFICATION

CASp-149 (Certified Access Specialist, Division of the State Architect, California)

PROFESSIONAL PRACTICE

1995 - Present Principal
Lerner + Assoc. Architects

1990 - 1995 Partner
Lerner and Nathan, Architects

1988 - 1990 Principal
Arnie Lerner, Architect

1983 - 1988 Director of Architectural Services, Staff Architect
Foundation For San Francisco's Architectural Heritage

1982 - 1983 Project Architect
Asian Neighborhood Design/Self Employment

1981 - 1982 Architectural Designer / Draftsman
Robert Herman & Associates

1980 - 1981 Project Architect
Community Design Center

1977 - 1979 Architectural Designer / Draftsman
Whisler-Patri Architects

PUBLIC SERVICE

2009 – Current: President, Independent Living Resource Center SF Board of Directors, SF, CA.

2006 – Current: Member, SF Architectural Heritage Board of Directors, Vice Chair Issues Committee, SF, CA.

2005 – Current: Member, Access Appeals Commission, Dept. of Bldg. Inspection, San Francisco, CA.

1996 - Current: Member, San Francisco Code Advisory Committee, Historic Preservation Seat
(Appointed by SF Building Inspection Commission);

1988 - 1990: AIA San Francisco Board of Directors (Director and Secretary)

- Chaired sub-committee that established Advisory Design Review process to help mediate neighborhood design conflicts. Assisted in re-writing 1989 Residential Design Guidelines.
- Chaired sub-committee that worked with UCSF Vice Chancellor Bruce Spaulding in saving for reuse the Maimonides (Pavilion) Building by Architect Erich Mendelsohn.

1989 State of California Office of Emergency Services Registered Post Earthquake Disaster Service Worker, SF.

1979 Appointed to Mission Armory Task force – Reviewed adaptive reuse proposals.

PROFESSIONAL AFFILIATIONS

American Institute of Architects, SF Chapter, National Trust for Historic Preservation, California Preservation Foundation, Association of Preservation Technology, Art Deco Society of California



LERNER + ASSOCIATES
ARCHITECTS

ARNIE LERNER, AIA, CASp

AWARDS

Design Awards: Art Deco Society of California and the California Preservation Foundation 2007, for rehabilitation/restoration of the 1930's art deco Cerrito Theater, El Cerrito, CA

Design Awards: Art Deco Society of California, Governor's Award for Historic Preservation, and the California Preservation Foundation 2003, for rehabilitation/restoration of the 1930's art deco Del Mar Theater, Santa Cruz, CA

Design Award, California Preservation Foundation, 1999, for McMullen House: Restoration & Craftsmanship (a board and care home for mentally disabled)

Design Award, California Preservation Foundation - Alameda County Courthouse Disabled Access Entrance and Ramp, 1994

Design Award, California Preservation Foundation, 1985, for McMullen House: Accessibility & Restoration (a board and care home for mentally disabled)

TEACHING EXPERIENCE

UC Berkeley Department of Architecture Class: ARCH 269 Introduction to ADA and Universal Design 10/11

The New ADA and California Building Code – SF AIA, Dealey Renton & Associates (Insurance Brokers) 12/11

Accessibility & the California Historical Building Code, Webinar, CA Preservation Foundation. 9/11.

Accessibility For Small Businesses –Independent Living Resource Center of SF, workshop for Merchants groups including Marina Merchants. ADA Walkthroughs w/ merchants including Sunset District Supervisor & Merchants

Accessibility Basics - Teaching course being offered to professionals 3rd Saturday each month starting 12/97 at SF Department of Building Inspection (DBI). Sponsored by Independent Housing Services and DBI.

University of Southern California, USC 1994 Program of Short Courses in Historic Preservation, class in Restoration and Adaptive Reuse with emphasis on the Americans With Disabilities Act (6/17-7/1/94).

CONFERENCES - INVITED SPEAKER

August '10 AIA San Francisco. Accessibility Workshop for Architects. Continuing Education Fulfillment.

July '09, '10 CA Preservation Foundation Conference on Use of California Historic Building code, Disabled Access

November '08 CA Preservation Foundation Conference on Use of Secretary of Interior's Standards for the Treatment of Historic Properties - San Francisco.

June '05 CA Preservation Foundation Annual Conference; Sites of Social Change – Preservation of the Spirit

February '05 CA Preservation Foundation Seminar: Accessibility and Historic Preservation, Modesto, CA

December '04 Panel Discussion; ADA Requirements for Public Accessibility to Arts Venues, California Lawyers for the Arts & ArtHouse, Oakland, CA.

October '01 Historic Preservation in Cuba Lectures: SF Heritage, SF Planning Depart., SF Redevelopment Agency

October '01 Making Historic House Museums Accessible, Western Museum Association, Palm Springs, CA

May '98 Sole Practitioner's Annual Breakfast, Featured Speaker, AIA Convention, San Francisco

June '96 The State Historic Building Code and Preservation Policy, AIA San Francisco

Nov. '92 Access to Historic Resources for Americans with Disabilities, California Preservation Foundation, SF

Oct. '91 Preservation and The ADA National Trust For Historic Preservation Conference, San Francisco

Oct. '89 National Public Radio, "All Things Considered Radio Interview", Loma Prieta Earthquake

PUBLICATIONS

Architecture California, August 1990, "Design Mediation: The Role of the San Francisco AIA"

Rehab Right (Contributor), Helen Kaplan Prentice & Blair Prentice, City of Oakland Planning Dept., 1986

San Francisco Residential Guidelines, 2nd edition (contributing-author)

Paula Pearlman
Executive Director
Disability Rights Legal Center

Paula Pearlman is Executive Director for Disability Rights Legal Center. As Executive Director, Ms. Pearlman oversees the Disability Litigation Program, the Cancer Legal Resource Center and Pro Bono services. She is also Visiting Associate Professor of Law at Loyola Law School Los Angeles, teaching Disability Rights Law and Special Education Law and Advocacy. She also teaches Special Education Law and Advocacy at Loyola Marymount University, Department of Education. Prior to joining DRLC, Ms. Pearlman was a former Supervising Attorney at the California Women's Law Center, where she specialized in sex discrimination in employment and education.

Ms. Pearlman received her B.A. from the University of California, Los Angeles and earned her Juris Doctorate from Southwestern University School of Law.

She is a member of the ABA Commission on Disability Rights, the California Commission on Access to Justice, and Federal Courts Committee. Ms. Pearlman currently serves as the board chair of the Employment Round Table of Southern California (ERTSC), and a board member of the Legal Aid Association of California. Previously, she was Co-Chair, Lawyer Representatives of the Central District, Ninth Circuit Judicial Conference, a member of the California State Bar Standing Committee on the Delivery of Legal Services, and was on the U. S. Access Board, Courthouse Access Advisory Committee.

Select awards include: 2010 St. Ignatius of Loyola Award, St. Thomas More Society; 2009 "FEHA 50th Anniversary Civil Rights Award," CA Dept. of Fair Employment and Housing; 2009 "Super Lawyer" in the area of public interest law and class actions; and 2007 Legal Aid Association of California (LAAC) Attorney Award of Merit Recipient. Ms. Pearlman was named a finalist for 2007 "Attorney of the Year" for Trial Lawyers for Public Justice, as well as one of the 2006 "Top 75 Women Litigators" in California by the Daily Journal. As a new lawyer, Ms. Pearlman was the recipient of the Carol King Award, National Immigration Project, National Lawyer's Guild, for her work on the nationwide class action, *Orantes-Hernandez v. Meese* (1987).

Ms. Pearlman is a member of the State Bar of California.

Stephen Simon

Clients will benefit from Stephen's years of crafting, analyzing and monitoring legislation and regulation – with an emphasis on housing and healthcare policy – in Los Angeles and Sacramento and his experience coordinating coalition-based grassroots advocacy at the state and federal level.

Prior to joining The Raben Group, as Los Angeles' longest-serving AIDS Coordinator, Stephen advised mayors, city councilmembers and city departments on public health issues while directing the development, implementation and oversight of city HIV/AIDS policies, programs and funding. As senior staff in LA's Department on Disability he also helped ensure accessibility and compliance with federal and state disability law.

Stephen began his career in public service as a law clerk for AIDS Project Los Angeles. He has since advised, coordinated funding for, and provided expertise to research institutions, Fortune 500 corporations, law enforcement, community-based organizations and all levels of government. Stephen has provided hands-on direction to strengthen his clients' service delivery, visibility and overall community impact.

Stephen continues to serve as a Los Angeles County Commissioner focusing on health policy and access to care. He was a founding attorney of the HIV & AIDS Legal Services Alliance (HALSA). Stephen also serves on advisory boards for UCLA, Los Angeles County Sheriff Baca and Los Angeles Police Chief Beck, and the National Minority AIDS Council. He is a graduate of UCLA and the UCLA School of Law.

Ms. Wan-Chun Chang

Ms. Chang represents the State of California Department of Rehabilitation. She holds the position of District Administrator for the Van Nuys/Foothill District. Ms. Chang was appointed to the Los Angeles County Workforce Investment Board on September 18, 2007. Ms. Chang has been recognized by the L.A. City Council for her contributions to careers and technical education and by the Mayor of Los Angeles for her services to the community. She has served on the L.A. City Commission on Disabilities and the Advisory Board for Masters' in Rehabilitation Counseling at California State University (Los Angeles). Ms. Chang has over 30 years experience in serving people with disabilities.

RICHARD LORENZO RAY

PROFESSIONAL EXPERIENCE: City of Los Angeles, Department on Disability
ADA Compliance Coordinator
Los Angeles, California 90013
January 2003 to Present

Assist, monitor, and oversee Citwide implementation of the 1973 Rehabilitation Act and the 1990 Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan including facilitating access for individuals with disabilities to City programs, services, activities, and public meetings. Work collaboration with other City Departments including Los Angeles Police Department, Fire Department, Emergency Management Department, Los Angeles World Airports, and other City departments in the implementation of City-wide emergency preparedness program for people with disabilities. Provide technical expertise regarding telecommunications technology to meet the needs of people with disabilities before, during and after emergencies. Provide assistance to individuals with disabilities during natural disaster and emergency situations. Provide technical assistance and resources to Information Technology Agency to ensure that the City website is accessible and usable by persons with disabilities in compliance with Section 508 of the FCC (Federal Communications Commission). Conduct outreach and work with community with disabilities, including individuals who are deaf, deaf-blind and hard-of hearing wishing to conduct routine City business through the provisions of auxiliary aids and services such as Sign Language interpreting services, assistive listening devices, video remote interpreting services, computer assisted real-time captioning services to ensure effective communication. Conduct research and implement various adaptive technology, including, but not limited to, software programs, adaptive equipment, provision of work site modifications, training programs, as well as programs to enhance occupational skills. Update and maintain emerging technology to provide telecommunication access to individuals with disabilities in City programs, which includes 9-1-1, 3-1-1, 1-888-ASK-LAPD, Police Stations, and Building and Safety, Library, and other City public points of contact. Develop and administer Personal Services Contracts for City employees with disabilities who need assistance such as readers, attendants, and note-taking services. Administer contracts with agencies that provide auxiliary aids and communication services. Coordinate recruitment and placement of 504 ADA assistants and sign language interpreter services, as well as evaluate for recommendation on worksite modifications. Develop in-service training programs for City employees, which include instruction in using the TTY, Telecommunication Relay Services, American Sign Language and orientation to Deaf and hard-of-hearing cultures. The in-service training programs also include Sections 501, 503, 504, and 508 of the Rehabilitation Act of 1973, Telecommunications Act of 1996, Titles I, II, III and IV of the ADA, and Architectural Barriers Act (ABA), and Title 24 of the California laws. Coordinate investigation and complaint follow up on public allegations and violations of ADA Title II regulations, ADAAG (ADA Accessibility Guidelines) and related architectural access building codes.

County of Los Angeles, Office of Affirmative Action Compliance
Deputy ADA Compliance Officer
Los Angeles, California 90012

July 2002 – January 2003

Assisted in the implementation of the 1973 Rehabilitation Act and the 1990 Americans with Disabilities Act (ADA) including facilitating access for individuals with disabilities to County of Los Angeles services, activities, and public meetings. Coordinated and monitored County departmental compliance with disability civil rights laws and regulations. Assisted County departments with effective implementation of the ADA mandates. Investigated public allegations and violations of ADA Title II regulations, ADAAG and related architectural access building codes. Developed and conducted disability training programs for County departments, County contractors and community groups.

City of Los Angeles, Department on Disability
ADA Compliance Officer
(Deaf and Hard-of-Hearing Services Coordinator)
Los Angeles, California 90013

June 1992 – June 2002

Assisted in the implementation of the 1973 Rehabilitation Act and the 1990 Americans with Disabilities Act (ADA) including facilitating access for individuals with disabilities to City services, activities, and public meetings. Conducted outreach activities to the community who are deaf and hard-of-hearing on the availability of programs and services accessible through Teletypewriter for the Deaf (TTY) and/or sign language interpreter. Worked with deaf and hard-of-hearing individuals wishing to conduct routine City business to obtain auxiliary aids and services. Developed in-service training programs, which include instruction of using the TTY, Telecommunication Relay Services, American Sign Language and orientation to Deaf and hard-of-hearing cultures. The in-service training programs also include Section 504 of the Rehabilitation Act of 1973, the Titles I, II, III and IV of the ADA and Title 24 of the California laws. Conducted research on various funding sources to implement the ADA such as purchase of software programs, adaptive equipment, provision of work site modifications, training programs, as well as programs to enhance occupational skills. Provided assistance to individuals with disabilities during natural and emergency situations. Coordinated investigation and complaint follow up.

Greater Los Angeles Council on Deafness
Outreach Coordinator
Los Angeles, California 90041

July 1990 - May 1992

Planned and supervised the day-to-day activities of the Outreach Office. Provided direct counseling, personal advocacy and other assistance to program participants. Developed and implemented education, advocacy and resource development efforts in the Outreach Office.

Mayor's Office for the Disabled
Project Coordinator
Los Angeles, California 90012

January 1988 - June 1990

Worked with the State of California Department of Rehabilitation and community-based organizations. Facilitated access for individuals who are Deaf and hard-of-hearing to city services, activities and public meetings; worked with individuals on obtaining interpreters to conduct routine City business; developed in-service training programs which included instruction in the use of Telecommunication Devices for the Deaf (TDD); Telecommunications Relay Services; California Relay Services; American Sign Language and orientation to the deaf and

hard-of-hearing cultures; established appropriate methods of access for and provided technical assistance to City departments regarding the special needs of the constituents who are deaf and hard-of-hearing. Represented the City on issues concerning all communities with disabilities.

Mayor's Office for the Handicapped
Vocational Placement Counselor
Los Angeles, California 90012

May 1986 - December 1987

Provided vocational counseling to program participants, which included: assessment, preparation of individual employability, preparation of development plans, identifying placement opportunities, monitored client progress on the job.

Self Actualization Institute for the Deaf
Educational Therapist
Los Angeles, California 90028

November 1985 – May 1986

Instructed low-functioning adults with hearing impairments in developing pre-vocational skills, as well as independent living skills. Supervised students' interactions with peers, other professional support personnel, family members and the public.

EDUCATION:

Loyola Law School
Western Law Center for Disability Rights
Los Angeles, California
Disability Rights Masters Certificate
September 2000

City of Los Angeles, Personnel Department
Team to Win and Human Relations Skills Program
February 1999

University of California, Los Angeles
UCLA Extension Program
Los Angeles, California
Leadership for the 21st Century Certificate
November 1998

California State University, Northridge
Northridge, California
Liberal Studies
1984

PROFESSIONAL AFFILIATION:

Federal Communications Commission, Emergency Access Advisory Committee, Co-Chair, January 2011 to Present

National Advisory Board of Preparedness and Emergency Response Research Center, University of Berkeley, May 2010 to Present

National Emergency Number Association, Accessibility Committee, Chair, June 2005 to Present

California Association for the Deaf, President, July 2005 to August 2009

California Public Utilities Commission, Deaf and Disabled Telecommunications Program - Equipment Program Advisory Committee, November 2004 to October 2012

City of Pasadena Mayor's Committee for the Employment of Persons with Disabilities, March 2003 to June 2008

Autry Museum of Western Heritage – Encounters/Overland Exhibition Advisory Committee, March 2002 to April 2005

Payphone Service Providers - Enforcement, TTY Interim Placement Committee, Vice-Chair, February 1999 to August 2001

Greater Los Angeles Agency on Deafness, Council of Organization Advisory Board, President, January 1999 to October 2000

National Association for the Deaf, 9-1-1 Emergency/Warning Systems Standard Committee, Chair, November 1998 to July 2002

Deaf Entertainment Foundation, Parliamentary Advisor, 1997 to July 2000

California Public Utilities Commission, Deaf and Disabled Telecommunication Program Administrative Committee, Vice-Chair, September 1995 to 2001

National Emergency Number Association, 9-1-1, Accessibility Committee, June 1994 to June 2005

Los Angeles County Metropolitan Transportation Authority, Service Authority for Freeway Emergencies, 1994 to 2004

County of Los Angeles, Commission on Human Relations, Media Image Coalition, 1992 to 2000

Los Angeles Commission on Assaults Against Women, Deaf Services Program, 1989 to 1997

KABC Television Advisory Board, 1989 to 1992

California State University, Los Angeles, Advisory Committee, 1988 to 1990

MEDIA:

Technical Advisor, Documentary, "A Fine Day With Spare Parts", Los Angeles, 2000

Technical Advisor, Los Angeles Police Department Training Videotape, "Interacting with the Deaf and Hard of Hearing", Los Angeles, 2000

Technical Advisor, Los Angeles Police Department Training Videotape, "Using your TDD", Los Angeles, 1999

Writer, Producer, and Director of video, "9-1-1 TTY Emergency Response", Los Angeles, 1995

Guest Presenter, "Disabilities and Disasters: Five Years of ADA Implementation", Broadcast, Federal Emergency Management Agency, Washington, D.C., 1995

Host, Documentary videotape, "Understanding Deafness", House Ear Institute, Los Angeles, 1988

AWARDS AND RECOGNITIONS:

Certificate of Recognition, California Public Utilities Commission, October 2012

Certificate of Recognition, Federal Communications Commission, February 2012

Resolution of Commendation, City Council of the City of Los Angeles, September 2011

Jane Small Leadership Awards, Los Angeles County Commission on Disability, October 2010

Certificate of Recognition, Disability Rights Legal Center, October 2009

Certificate of Recognition, Office of the Mayor and City Council of the City of Los Angeles, September 2009

Certificate of Appreciation, California Public Utilities Commission, March 2006

Lou Fant Distinguished Service Award, Registry of Interpreters for the Deaf, May 2003

Certificate of Appreciation, Office of the Mayor, Crisis Response Team (CRT), November 2003

Resolution of Commendation, Office of the Mayor and City Council of the City of Los Angeles, June 2002

Certificate of Commendation, Office of the Mayor Richard Riordan and Councilmember Nick Pacheco, City of Los Angeles, May 2001

Certificate of Commendation, Office of Chief of Police Bernard C. Parks, Los Angeles Police Department, City of Los Angeles, May 2001

Outstanding Service Award, Greater Los Angeles Agency on Deafness, May 2001 Golden Poppies Awards, California Association for the Deaf, July 1999

Certificate of Appreciation, California Association for the Deaf, August 1999

Certificate of Commendation, Office of the Councilmember Richard Alatorre, City of Los Angeles, May 1994

Man of the Year, Greater Los Angeles Agency on Deafness, May 1994

Certificate of Commendation, Office of the Mayor Tom Bradley, City of Los Angeles, June 1993

Certificate of Commendation, City of Los Angeles Department of Recreation and Parks, 1993

Outstanding Contributions, Los Angeles Times, May 1993

Certification of Appreciation, United States Department of Transportation, Federal Aviation Administration, October 1992

Commendation, United States Air Force, Space Division, October 1989

Outstanding Contributions, Los Angeles Times, 1993

SEMINARS AND WORKSHOP PRESENTATIONS:

October 2012

APCO/NENA Pacific Chapter¹

NG9-1-1 Technology Forum

Next Generation 9-1-1: Accommodating Special Needs

June 2012

NENA

Annual Conference

FCC Accessibility Updates

21st Century Communication and Video Programming Act - What will it mean for 9-1-1?

Video Relay Services Providers in Frontline and Stress Management

A National Agenda for All-Hazards Preparedness Communication Access for Deaf & Hard of Hearing

March 2012

NENA: 9-1-1 Goes to Washington

Emergency Access Advisory Committee Update

September 2011

Intrado

Mobility Summit

Federal Communications Commission

Emergency Access Advisory Committee

September 2011

APCO/NENA Pacific Chapter

NG9-1-1 Technology Forum

Federal Communications Commission

Emergency Access Advisory Committee

June 2011

NENA

Annual Conference

Trends of Deaf Using Mobile Devices & National 911 SMS Relay Center Update

Video/IP (text) Relay Centers – Changes Impacting emergency calling & PSAPs

January 2011

Federal Communications Commission

Emergency Access Advisory Committee

Telecommunications Relay Services (TRS) Emergency Call Handling

November 2010

Centers for Disease Control and Prevention's Global Communications Center

Policies and Regulation

¹ Association of Public-Safety Communications Officials (APCO) International (APCO) & National Emergency Number Association (NENA)

June 2010
National Emergency Number Association
Annual Conference
ADA & Federal Law Compliance
PSAP TTY Requirements: Comply or Else!

September 2009
Wireless Emergency Communications
State of Technology Conference
Wireless Alert Accessibility: Technical Challenges and Opportunities

June 2009
National Emergency Number Association
Annual Conference
What's New with VRS & IP Relay Services & Emergency Handling Call?
Registry & Personal Callers Information

June 2008
National Emergency Number Association
Annual Conference
Emergency Mass Notification through Technologies
Sign Language Interpreter and Telecommunicators

June 2007
National Emergency Number Association
Annual Conference
Emerging Technologies, Accessibility and Impact on PSAPs &
Video Relay and IP Relay Centers – PSAP Interaction

June 1995
Federal Emergency Management Agency, Washington, D.C.
Disabilities and Disasters: Five Years of ADA Implementation
(Broadcast)
Guest Presenter

EXPERT WITNESS REPORTS AND TESTIMONIES:

Smith v. Idaho Department of Correction, et al., CV-12-00030-BLW, February 27, 2013

Berke v. U.S. Bureau of Prisons, et al., CV 1:12-cv-01347-ESH, September 25, 2012

Bryant v. U.S. Bureau of Prisons, et al., Case No. 06704-016, August 1, 2012

Bass v. City of Alhambra, et al., CV 08-07660 ABC (JWJx), March 25, 2010

Richard Lorenzo Ray
City of Los Angeles Department on Disability

Richard Ray is an ADA Compliance Coordinator for the City of Los Angeles Department on Disability. He ensures that City Departments comply with the 1990 Americans with Disabilities Act (ADA) and other disability laws. He provides technical assistance to the Los Angeles Police and Fire Departments as well as to other City agencies with the implementation of telecommunication systems for persons with disabilities. He also provides technical assistance to the Los Angeles Emergency Management Department and the Governor's Office of Emergency Services.

Mr. Ray has assisted and made presentations to departments in various city governments and the County of Los Angeles regarding compliance with the ADA. He has facilitated the implementation of the telecommunication technologies including 9-1-1 TTY system for the Los Angeles Police Department (LAPD), California State Highway Patrol (CHP), City of Glendale, City of Carson and other municipalities throughout the State of California. In addition to this, Mr. Ray has provided technical assistance regarding emergency preparedness and mass notification systems for persons with disabilities to municipal county and state emergency management agencies.

Mr. Ray is involved in several projects such as Emergency Notification Systems for People with Disabilities, Personal Caller Information, VRS/IP Relay Service PSAP Interaction, Messaging to E9-1-1 & Next Generation 9-1-1, and TTY Update. He also wrote and compiled lists of recommendations and issues on different aspects of communication access for the National Emergency Number Association (NENA), Federal Communications Commission (FCC) and U.S. Department of Justice (DOJ). He assisted in national Public Safety Answering Point (PSAP) training package development on handling 9-1-1 calls via Video & Internet Protocol Relay Services.

Annually, Mr. Ray co-coordinates presenters for the Accessibility Tracks during NENA Operation Development Committee/Technical Development Committee and annual NENA conference to share updated information and critical issues that affect callers who are Deaf, Deaf-Blind, Hard of Hearing and who have speech disabilities. He also participates as presenter, facilitator and panelist during these conferences.

Mr. Ray's work with multimedia videotape production includes: The Los Angeles Police Department, "Interacting with Deaf and Hard of Hearing;" "Teletypewriter" and "9-1-1 TTY Emergency Response;" The Los Angeles County Safe Authority for Freeway Emergencies, Public Service Announcement "Callbox;" City of Los Angeles Department of Transportation, "Emergency Callbox;" "Understanding Deafness" (host); and the television show, "Disabilities and Disasters: Five Years of ADA Implementation" (guest presenter).

Mr. Ray is the current Chair of the NENA (9-1-1) Accessibility Committee and a Co-Chair of the FCC Emergency Access Advisory Committee (EAAC). Mr. Ray is also a member of National Advisory Board of Preparedness & Emergency Response Research Center (PERRC), University of Berkeley and California Public Utilities Commission (CPUC), Deaf and Disabled Telecommunications Program (DDTP) - Equipment Program Advisory Committee. He has served as President of the California Association of the Deaf (CAD) and a member of DDTP, Administrative Committee, Equipment Advisory, and TDD Placement Interim Committees; Los Angeles County Metropolitan Transportation Authority, SAFE Hearing and Speech Impaired Task Force; and County of Los Angeles Commission on Human Relations, Media Image Coalition.

Yomi Wrong

Yomi Wrong is the Executive Director of the Center for Independent Living Inc. (CIL), the world's first service and advocacy organization run by and for people with disabilities. For nearly 40 years, CIL has been a national leader in supporting people with disabilities to achieve independence in all aspects of life. Advancing economic independence for people with disabilities is a cornerstone of CIL's work. It is for this reason that CIL places such high importance on helping persons with disabilities find and maintain gainful employment. CIL provides a wide array of employment and pre-employment services; resume workshops, mock job interviews, one-one-one peer counseling and coaching on how to conduct oneself in a professional manner while on the job. CIL is also dedicated to working with local employers to assist them in their recruitment of qualified candidates with disabilities and to help them understand how accommodations for persons with disabilities allows organizations to maintain a productive, dedicated and diverse workforce.

4) General Business Items

f. Meeting Schedules/ 2013-2014

Proposed Meeting Calendar

January						
S	M	T	W	T	F	S
					F	

February						
S	M	T	W	T	F	S
					E&O	

March						
S	M	T	W	T	F	S
					EX	

April						
S	M	T	W	T	F	S
					F	

May						
S	M	T	W	T	F	S
					E&O	

June						
S	M	T	W	T	F	S
					EX	

July						
S	M	T	W	T	F	S
					F	

August						
S	M	T	W	T	F	S
					E&O	

September						
S	M	T	W	T	F	S
					EX	

October						
S	M	T	W	T	F	S
					F	

November						
S	M	T	W	T	F	S
					E&O	

December						
S	M	T	W	T	F	S
					EX	

F = Full Commission Meeting
 E&O = Education and Outreach Committee Meeting
 EX = Executive Committee Meeting

4) General Business Items
g. Attendant Reimbursement
Policy Adoption



Policy Memorandum

Policy Memorandum No. 2013-01

Date: June 13th 2013
To: CCDA Commission Members
Subject: Travel Policy for Attendant Services

The California Commission on Disability Access (CCDA) hereby establishes a policy regarding travel reimbursement for any Commissioner with a disability utilizing the services of a Personal Care Attendant (PCA) to facilitate attendance at official CCDA meetings or events.

CCDA will reimburse PCA direct expenses related to travel (rental care, air, and hotel) at the same rate as allowed the Commissioner. In addition CCDA will reimburse the Commissioner up to \$100, per day, for attendant services.

Attendant care for employees with disabilities is defined as individuals who are readers, interpreters, and drivers or attendants to employees with disabilities.



721 Capitol Mall, Suite 250
Sacramento, CA 95814
Voice: (916) 319-9974
Fax: (916) 319-9976
TTY: (916) 735-2929

Personal Care Attendant Services Receipt (PCA)

The following information is necessary to process your travel claim. The Commissioner and Personal Care Attendant must complete all applicable areas on this form. **(The standard reimbursement for PCA services is \$100 per day. If you anticipate higher costs, please discuss with CCDA staff in advance.)**

Name of Commissioner: _____

Date(s) of Meeting: _____

Purpose of Meeting: _____

Name of Personal Care Attendant (PCA): _____

PCA's Agency (if there is one): _____

Address: _____

City & Zip Code: _____

Phone: _____

Total Hours Worked: _____ **Rate of Pay: \$** _____

Total Pay (not including Travel/Air/Meal): **\$** _____

I HEREBY CERTIFY that the above is a true statement of the fees paid for Personal Care Attendant services performed for said Commissioner of California Commission on Disability Access, CCDA.

PCA Signature:

_____ Date: _____

Commissioner Signature:

_____ Date: _____