

Division of the State Architect and Department of Rehabilitation

721 Capitol Mall
Sacramento, CA 95814

Disability Community Access Code Issues Teleconference Transcript 1:30 PM to 4:00 PM September 1, 2016

Moderator Ladies and gentlemen, thank you for standing by, and welcome to the Access Code Stake Holder Meeting. At this time all lines are in a listen-only mode. Later there will be an opportunity for your questions, and instructions will be given at that time. As a reminder, this conference is being recorded.

I'll now turn the conference over to your host, Senior Architect, Susan Moe. Please go ahead.

Susan Thank you. Good afternoon. My name is Susan Moe, Senior Architect with the Division of the State Architect. I'd like to welcome you to the Disability Community Code Issues Meeting teleconference, and thank you for standing by. All participants will be on a listen-only mode until the comment and suggestion portion of today's call. Then, at that time, you can press star 1 to speak from the phone line.

What I would ask, we have real-time captioning available during this session, so if you would please state your name and speak very clearly and not too fast so our captioner can pick up the conversation for those who are looking at the real-time captioning remotely. I'd also like to inform everyone that the call is being recorded, and if you have any objections, you may disconnect at this time.

Today, we're pleased to be sharing information on construction-related provisions for accessibility in the California Building Code. We will be sharing the list of potential code change items and then asking stake holders for their suggestions on their code change items to be considered. We've allocated a significant portion of the call time for your comments and suggestions, and we very much welcome your thoughts.

I want to welcome our callers and the Department of Rehabilitation partners to this public meeting on the access code development process. This meeting is co-sponsored by DSA and the Department of Rehabilitation.

Now I'll turn the call over to the Department of Rehabilitation, Deputy Director, Irene Walela, for her opening remarks.

Irene Thank you very much, Susan. This is Irene Walela. I'm the Deputy Director for the Department of Rehabilitation, Independent Living and Community Access Division. Thank you for inviting the Department of Rehabilitation to participate in and support the teleconference and public engagement process that you are doing today and that you also began in a previous meeting.

Most of you on the call may have heard from the Department of Rehabilitation in other teleconferences. I think we've sponsored and put on about 12 public teleconferences on various aspects of the Workforce Investment Opportunity Act, so you've heard us say this before. We always prefer face-to-face interaction and active dialog whenever possible, but because we have the size of California, to make sure that we include everyone in and give everyone an opportunity to join in without incurring travel expenses, we offer this type of interaction, and we're glad to be able to offer this opportunity to have many callers on a phone call. So, this really is the next best option that's available to us in California.

I also want to acknowledge the Division of the State Architect for holding this forum and the team that's done a lot of work to prepare for the previous call as well as this call and provide you with information for your comment and consideration. We have a shared interest, the Department of Rehabilitation and the Division of the State Architect. We have the interest in making services accessible to inform our stake holders and all the communities to be informed and educated by our communities and stake holders and the work that we do, and of course, to use the information from stake holders to provide more

information for our programs and services and to enhance accessibility in programs and the built environment throughout California.

Thank you so much for joining the call today, and I'm going to turn it over to Ida.

Ida Thank you, Irene, for your support and your encouragement. I believe DSA and DOR share a common goal of making facilities throughout California accessible to all. The purpose of this meeting today is to share information with stake holders and seek input on potential code changes to the accessibility provisions of the California Building Code. As mentioned earlier, we will highlight key aspects of the code development process and seek suggestions, comments, and issues from meeting participants.

We are now, at the initial stages of the code adoption cycle, and DSA has not yet drafted any proposed amendments. This event is one of a series of meetings and discussions to assist DSA with the development of the access code changes for consideration by the Building Standards Commission in June of 2017.

Additional code change proposals that we can consider during this code change cycle may be sent to DSA any time, and we will accept those changes or those proposals until September 10, 2016. You can send those proposals via email to dsaaccess2016@dgs.ca.gov. Again, that is D-S-A-A-C-C-E-S-S-2-0-1-6@D-G-S dot C-A dot G-O-V. A transcript of this event with comments and suggestions will be posted on the DSA website in case you care to review it at a later date.

Access for individuals with disabilities to buildings and facilities is regulated at both the state and the national levels. At the federal level, the Americans with Disabilities Act, the ADA, is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public. The ADA standards establish design requirements for the construction and alteration of buildings and facilities subject to the law that

result in access to the built environment. These standards apply to places of public accommodation, commercial facilities, and state and local government facilities and are enforced by the United States Department of Justice and by individuals through the courts.

Within California, accessibility in the built environment is regulated by the state through this code development process. These regulations are enforced and interpreted at the local level by the building department. There are 482 cities and 58 counties throughout California that have jurisdiction and provide enforcement of the accessibility provisions of the California Building Code over buildings within their geographical areas.

In addition, some state agencies have the authority through statute to enforce and interpret the accessibility provisions of the California Building Code for special types of facilities. For example, the Office of Statewide Health Planning and Development has oversight over healthcare facilities. The Department of Housing and Community Development is responsible for building standards for residential occupancies and privately funded, multifamily dwellings. And, DSA, the Division of the State Architect is the enforcement agency for public schools, community colleges, and state-owned facilities.

DSA is authorized by statute to develop accessibility building standards for public accommodations, commercial facilities, and public housing. California's accessibility provisions must provide a level of accessibility equal to that provided by the ADA standards. The regulations must be consistent with the model codes adopted by the Building Standards Commission and may contain additional requirements necessary to assure access and usability for persons with disabilities.

In developing and revising these additional requirements, DSA consults with private organizations representing and comprised of persons with disabilities, the Department of Rehabilitation, the League of California Cities, the California State Association of Counties, and other stake holders. California

building standards are created with oversight by the California Building Standards Commission. The process referred to as rule-making is also governed by the Administrative Procedure Act and must be transparent and open to all stake holders with significant public participation.

The building standards process can be lengthy; 24 to 30 months can be required to go from issue identification and consultation with stake holders to the effective date of the new or amended building standard. The phases of the code adoption process include pre-cycle activities. The next phase is public comment. Then there's an adoption phase, and then the implementation phase. We are currently in the pre-cycle activities phase of the 2016 intervening code adoption cycle.

This fall, DSA will be conducting additional stake holder meetings, workshops, and public hearings. Code change proposals will then be submitted in December 2016 to the Building Standards Commission for public hearings before its Code Advisory Committee in February or March of 2017. After final revisions, the code changes will be resubmitted for the public comment phase, which will conclude with a public hearing before the Building Standards Commission in June of 2017.

State law also addresses the need for education on accessibility. Senior Architect, Susan Moe, will talk about these activities.

Susan Thank you, Ida. California Government Code requires state agencies to educate code users and the public on the accessibility regulations. DSA and DOR work together to prepare educational materials for businesses, facility owners, architects, engineers, contractors, and others. DSA provides training classes on accessibility code requirements, access code updates, public housing, and housing at a place of education.

DSA also works with the California Commission on Disability Access to prepare educational materials for business and facility owners and jurisdictional agencies.

DSA also provides training and education materials for certified access specialists.

Derek Shaw is now going to review DSA's process applicable to possible code change terms that have come to DSA's attention. Following Derek's remarks, we will open up the teleconference line for your comments, suggestions, and issues that can be addressed in the building code.

Derek, I'll turn it over to you.

Derek Great. Thank you, Sue. The code change process is administered by the California Building Standards Commission on an 18-month cycle. However, DSA receives code change suggestions at all times throughout and between the code cycles. These suggestions come from a variety of sources: code users, stake holders, petitions, public meetings, and staff review. DSA is currently in the pre-cycle activities phase and is reaching out to the general public for code change suggestions.

In short, this is like a brainstorming stage at the beginning of the process. You are welcome to suggest code changes during this meeting, or if you prefer, you can send your suggestions to the Division of the State Architect via email at DSAAccess2016@dgs.ca.gov, or you may submit them in writing. Email submissions and written submissions will be received by the Division of the State Architect through September 10, 2016 for consideration during the current code cycle.

As I mentioned earlier, DSA receives code change suggestions at all times. If your suggested change is submitted later than September 10th, we will have to consider the proposal during the next rule making cycle. Each proposal we receive is reviewed and evaluated by DSA staff in the pre-cycle activities phase. While DSA has not yet evaluated the recently received proposals, we will be doing so within the next two weeks.

This process involves several steps. DSA staff reviews all code change suggestions to confirm that they are addressing a confirmed problem or issue, that they are within the purview of the California Building Code, that the proposals are within DSA's authority under California statute, that they are consistent with the federal and state accessibility law, and also consistent with the format and organization of the California Building Code.

Code change items are then categorized to assist DSA with prioritization. We consider proposed code changes based on state legislative mandates, changes to the federal standards, petitions or items referred by the Building Standards Commission, and issues identified by stake holders and/or staff. Other factors that we consider include the immediacy of the problem, the breadth of the benefit, and the complexity of the item within these proposals. Finally, the availability of DSA staff and stake holders to work on the technical provisions affects the selection and prioritization of the proposals with regard to whether they will be addressed within the current code or perhaps within a future code cycle.

Before we open the call-in line, I would like to speak to the apparent misunderstanding which arose after our August 10th teleconference. During that teleconference, I shared a list which included code change proposals that DSA had received in the past year. Though I mentioned it at the last teleconference, I would like to repeat for clarification that these proposals had not yet been evaluated by DSA staff under the process I just described.

These proposals were included in the list as received, and it was not our intent to imply that DSA was or was not planning to develop them for formal submittal to the Building Standards Commission. Please understand that all code change proposals will be reviewed to determine whether they are within DSA's authority under California statutes and appropriate for inclusion with the California Building Code. I apologize for not making that point clearer.

As we go forward through this code cycle, we will conduct a series of public meetings to continue the discussion about our code change proposals and to receive your input at every stage of the process. If you would like to be certain to receive meeting announcements, meeting materials, and other important announcements directly from DSA, you can subscribe to DSA's email list. To do so, go to DSA's website at www.dgs.ca.gov/dsa/home.aspx. I'll repeat that, www.dgs.ca.gov/dsa/home.aspx.

Then you can place your cursor over the menu option, which is labeled DSA Home near the top of the page and select Subscribe from our dropdown menu. Then fill out the subscription form and be sure to select DSA Access from the list of available groups. Finally, you would then click on the Subscribe button to submit your subscription request. This subscription service is the primary method DSA uses to contact people who are interested in our code development activities.

We are now going to open the call to participants on the teleconference line for their comments and suggestions on code changes. These suggestions will be evaluated as outlined above and added to the list of potential code changes. Also, a transcript of this meeting will be provided and posted on the DSA and DOR websites.

Susan Thank you, Derek. We will now go to the teleconference line to receive comments and suggestions for possible code changes from those listening in. There is not a strict time limit for individual comments, however, we ask that those who are speaking please be concise and mindful of those that are behind you in the queue who are waiting to speak.

With that, operator, would you please bring up the first caller in the queue?

Moderator Our first question will come from Richard Skaff. Go ahead please.

Richard Yes, I'm wondering a couple of things. One, is Mr. Widom with us today?

Derek Richard, this is Derek Shaw. No, Mr. Widom has not joined us today.

Richard That's really a statement I want to make for everybody. It shows the level of interest that Mr. Widom has in this whole process. That's number one.

Number two is because there are people that are deaf and are unable to participate in this, this is an unacceptable way of having a meeting with people with disabilities. The process that we've had for close to 40 years that I've been doing this with the State Architect's Office with multiple state architects has always been an advisory committee that was also open to the public and had real-time captioning or some such way that those that couldn't attend, that couldn't hear what was being said, could also participate. Do you have that process?

Derek Mr. Skaff, this is Derek Shaw once again. Yes, we do have real-time captioning that's occurring right now.

Richard How do I get that?

Susan In the notice that was sent to those participants, there is a link that you can click on, so that was in the email that went out to everyone for the notification for this meeting.

Richard Okay. The fact, though, that we are not any longer allowed to have an advisory committee to give Mr. Widom and his staff input is completely unacceptable. I don't understand why, after all these years, Mr. Widom would decide, and maybe it wasn't Mr. Widom. Maybe it was our good governor that decided that he didn't want to spend the money on an advisory committee. The changes that have been proposed over the last number of years, I know I've sent in proposals for over 25 items, and that's been since 1999. We still have not had a response to those items.

There were a number of items that Mr. Widom and you the staffers, DSA, have made to existing code that has actually reduced it. HoLLyn D'Lil very carefully has documented that information, and Mr. Widom has yet to respond in writing to each one of those items indicating why he believes they are not a

reduction in what we had as existing code. This is a real problem, and I have never seen a relationship between the disability community and the State Architect's Office as bad as the one that we have at the present time. This has been the most ineffective, inappropriate, and unsupportive relationship that, in the last 40 years that I've been doing this, that I've seen, and it is quite a shame that Mr. Widom has had this kind of an effect on the relationship with the state and the disability community.

I would like to hear, by the way, what is being done with my proposal of items that I not only have provided on numerous occasions, but most recently have given to Dennis Corelis on a couple of occasions.

Derek Mr. Skaff, this is Derek Shaw again. We have received your latest list of items that you are interested in. We are going to be reviewing those along with the rest of the proposals that we receive, and this session is one of the listening sessions, if you will, that DSA has set up in order to allow people like yourself and others to provide code change suggestions.

Richard Mr. Shaw, let me say that a listening session is not a working session. A listening session does not do what we've always done, and that is not only with people with disabilities, but people that represent other organizations like hotel lodging and restaurant associations and high-rise building owner associations have always sat down together and discussed points of view and needs of the disability community and negotiated outcomes.

I can still remember one of those with Jim Abrams where we had a very volatile situation, and we ended up all going to a Building Standards Commission together with 100% support because we had the opportunity to sit down together. What you and what Dennis Corelis and what Chet Widom have done is taken away that process. That is absolutely outrageous.

What this listening session will do is absolutely nothing for us. You listen to us, we say what we want to say, you go away, and you do exactly what you want to do. That's not acceptable.

Derek Mr. Skaff, we consider this to be the very beginning of our process. We are soliciting code change suggestions from the general public, and this is the first step. We will be following up with additional meetings and forums through which we can sit down, and we can discuss some of the code change proposals in greater detail and be able to hear all sides of the discussion for each of those issues.

Richard Why has it taken over three years for this to happen? We had a meeting with Chet Widom. Seven of us had a meeting Chet Widom. The folks that had most consistently been doing this for the last 30 or 40 years, not that we were trying to disclude anybody, but we were the ones that had been doing it the most, so we had a meeting with Mr. Widom. Since that time there hasn't been a meeting except for the electric vehicle charging station site review meeting, which didn't lead to anything except DSA giving it all away.

Derek Well, Mr. Skaff, we have allocated time in this meeting to receive code change suggestions from the public. Do you have any code change suggestions for us today?

Richard I've given you those. My code change suggestion is that we go back to the way that we've been doing it for almost 40 years, and that is to develop an advisory committee with people that are knowledgeable in access relationship with a built environment, not having DSA staff make those decisions for us. That is my suggestion.

Derek _____ Okay. Thank you very much, Mr. Skaff.

Moderator Thank you. Our next question will come from Sharon Toji. Please go ahead.

Sharon Okay, I guess I'm on. Can you hear me okay?

Derek Yes, Ms. Toji, we can hear you fine.

Sharon Okay. Thank you, Derek. I have to say that I would echo virtually every single comment that Richard Skaff made, sadly. I, as many people know, have worked almost totally as a volunteer without any compensation for my significant expenses in coming from Southern California to meeting after meeting as a volunteer for the state of California, and that has been basically since I think around 1992. When I had to find out through hearsay that the Access Committee that I had been a member of for many years had been disbanded, I was so shocked to know that I didn't even deserve a letter of thanks for my service from the state architect.

I just could not believe that not only were we not thanked, but at least I was not even notified. I kept thinking when are we having a meeting? Finally, oh, you've been disbanded. What kind of a way is that for the state architect to treat people like me and like Richard Skaff who have donated so many hours of our time to the service of the people of California? So, I do want to start by saying that.

I also have made the same suggestions over and over and over again, and some of them are accepted, and I have to say that. I probably have a lot more things accepted than most people do, but nevertheless, there are some extremely important things where it's just ignored over and over again. Back when we started this process in Oakland some time ago when the state of California was trying to bring their code up to compliance with the 2010 ADA, and I did work on the team, Jim Terry's team, that brought forth all of the things where there were problems, and I worked on those.

I was invited to a meeting in Oakland where we were going to talk about some of the differences, and one of the things that I brought up about what the state was suggesting was that there were a number of serious problems in terms of signage where the federal government had always had a number of—well had

some blanket exceptions that made absolutely no sense to me. I have no idea, for instance, why directories that are absolute key to people finding things in buildings would not have to follow even the simplest standards of contrast and lack of glare. I mean, those are a couple of pretty simple requirements that would go a long way in helping people with vision impairments, hearing impairments, cognitive impairments, etc., find things in buildings.

Luckily, California didn't have that exclusion. I was so happy about it because California did not have any of those exclusions in their scoping. Lo and behold, the state architect, I guess, decided that we would just accept all of those exclusions willy-nilly. Well, there was a hue and cry about them accepting all of the parking structures because, of course, California is much more of a car culture, and we have department stores that literally use part of the parking structures. So, they decided to change that, but other than that, they left all these blank exceptions in.

Then, by the same token, on the heights of letters and on the addition to the letters from the floor, frankly, the federal government had done what I considered a pretty lazy job. They forgot to make an exception about low-level exit signs, for instance, and were not allowing them below 40 inches. Then, they also forgot to make any exceptions at all for evacuation plans and site maps requiring all of the letters to be five-eighths inch high, which would mean that those plans would get so huge that people literally wouldn't be able to see them because they'd have to be so high above the floor, and when the federal government was asked about it, they sort of said well, too bad. There's no way to go back and do anything about it now.

Well, I asked during that meeting couldn't we have a task force to consider this whole package of things, both the things where we needed some partial exceptions like, for instance, for the low-level exit signs, and how were we going to do that without being in conflict with the ADA. By the same token, how could we take the blanket exceptions out for things like directories and make it so that some things like contrast and non-glare would be added? I asked for this task

force over and over again, and frankly, I was just plain ignored. It went in, and I made many complaints at meetings like this stating that we were reducing accessibility, particularly for directories. I never received an answer, and I still think we need that task force.

What we did was we went in, guess what, and added a completely blanket exception for evacuation plans. No, why would we—we need to use some thoughtfulness for these things and go through and spend a little more time than the federal government was willing to spend and figure out how we could do this so we're not putting people in jeopardy of breaking ADA laws, and at the same time, do things that make these very important signs accessible to people with vision impairments, hearing impairments, and cognitive impairments.

So, anyway, that's the main thing. I also would really very much like to ask that that task force be established for the next code cycle, and I certainly would like to be on it. I know I'm considered a thorn in the side of the state of California, evidently, because I've now been shut out of all participation, all official participation in the state, but I do still belong to the American National Standards Institute, and as such I do want to mention one other code change that I would like to recommend.

In the ANSI Committee we have gotten a couple of important things through that will be in the next ANSI standard. They would not conflict with anything in our code or with the ADA. One is that we have added a much better, universal standard for hearing loop systems that will make them work much better if people follow that universal standard. The second one is that we have been able to add a non-glare, a measureable non-glare standard for signs, and I would like to see us consider adding that to the code.

So, I know I've talked a long time, and I'll stop now. But, I tend to unfortunately, agree that unless there's a big change in the way that this goes on, that I look at it as one more thing where we'll all put in our part, and it'll all go into

a black hole some place, and we'll never hear about it again. I certainly hope that I'm wrong. Thank you.

Derek Thank you, Ms. Toji.

Susan Next caller, please, operator.

Moderator Thank you. That will be Connie Arnold. Go ahead please.

Connie Just a minute. Hi, can you hear me?

Susan Yes, we can, Connie.

Connie Can you tell me the address of the meeting so I can come testify in person?

Derek We're available right now, and you're welcome to—

Connie I need the address. Are you at 400 R Street or you at some other address?

Derek We're at the Department of Rehabilitation headquarters building.

Connie What is the address?

Derek I don't know the address, ma'am.

Connie Well, how can I get the address of where the meeting is at?

It's in the 700 block of Capitol Avenue. That's not a hard thing to find.

Irene I can get the address. You will need to identify—this is Irene Walela from the Department of Rehabilitation. Do you have something to make note of the address?

Connie I'm going to memorize it in my head because I'm in my van, and I'm on my way, and I didn't where it was located. It wasn't in the notice.

Irene Okay. Well, I understand that. The method for this was to allow as many people as possible, so it was done over the phone. But, the physical address is 721 Capitol Mall, and that is—do you know where that would be?

Connie Yes, what is the floor it's on.

Irene You will have to ask for Irene Walela when you come to the front desk there.

Connie I'll ask for Irene. Is that good enough?

Irene Well, try and ask for Walela because there's more than one Irene in the building.

Connie Walela. Okay. If somebody could text that to my number, that would be great. My number is 916-743-9007. Are you set up for in-person people there to speak so the people on the phone can hear?

Derek Ms. Arnold, we are presenting this meeting live. We're speaking here from the conference room. So, yes, certainly spoken word can be broadcast.

Connie Okay, and what floor is the conference room on?

Irene Ma'am, I will have to—this is Irene Walela. I will have to come down and get you. It's on the third floor, but I will need to come down and get you.

Connie Okay. Alright, well in the future, I don't think this is the best means of having—first off, I want to say that I agree 100% with what Richard Skaff has said and anything that HolLyn D'Lil has said, and she's already testified in the past and anything that just was mentioned by Sharon Toji. I've participated in meetings before, and I'm really not happy with the way things have gone, and I'm going to review some code changes in person that I would like to see and that I sent in an email to the state architect, Chet Widom, and Dennis Corelis yesterday. It's quite lengthy, so I would like to discuss those issues in person, so I'll be up at 721 Capitol Mall and ask for, you said Irene Walela, something like that. That right?

Irene Yes, that is correct. Now, I don't know if you heard the beginning of the call.

Connie I heard some of it.

Irene Okay, because we do have people on the telephone who are also in line for their comments, so we need to be respectful of everyone who has an interest in participating.

Connie And how many people are on the call? Can you tell me that?

Irene I think right now we have total participants, it looks like 51.

Connie Fifty-one. Okay. Alright. Well, I'll be there soon. Thank you very much, and I agree with what was said already by Richard Skaff and Sharon Toji about the process, about the meeting notifications, and about the location and the lack of easy parking, so I'm probably going to have to park, I don't know where down there and walk blocks to get to this meeting, which doesn't make it a very accessible meeting for people. [Indiscernible] what I hear, and I doubt if I'll be able to—

Terry Well, there are 51 [audio disruption] after 51 people.

Irene Well, there are 51 total participants. Right now, we have two people in the queue.

Terry Okay. Can I come in after the two people?

Irene Sure.

Connie And one question. How do you get on the queue again? I didn't know what to push. I just pushed buttons. If you want to speak, for the people on the queue, the participants.

Moderator Star 1.

Connie Star 1. Okay. Thank you.

Moderator Thank you. Our next question will come from Darryl Eversole. Go ahead please.

Darryl Yes, hi. I'm calling from Los Angeles, and I want to thank you for having this meeting. I'm a disabled person, polio, leg braces, crutches, plus crippling rheumatoid arthritis. Mr. Widom, who wants to basically change and take away some of the barriers that we disabled people have been fighting for 60 years in this country, sounds like to me he wants to roll us back to 1860 when disabled people weren't even allowed or couldn't even go outside of their homes.

I'm quite upset by this because of the fact that we have fought so hard for the barriers and the cut-out curbs and all kinds of things that we need in society for us disabled people to function, and the fact that the ADA last month was 26 years old, which is our civil rights bill, which is being violated every single day in this country, which I'm really upset about, and it makes my blood boil every day when I get out of bed to see that nobody's enforcing the ADA except we disabled people. I'm sick and tired of able-bodied people trying to put up these barriers for us, and we disabled people are the ones that should be designing these easy-access to buildings and stuff, but instead we have to able-bodied people who've probably never even been around disabled people and don't even know what we need in the first place, which really upsets me big time.

But anyway, here in LA, we have a whole slew of buildings that don't even have ramps in them. Some of them don't even have elevators that we can get into all over LA. I happen to be in the San Fernando Valley, which is Woodland Hills, which is 25 miles from downtown LA, but I'm on a civil rights board of Cal Life, which we have meetings in downtown LA, and downtown is a nightmare for us, especially for me with leg braces and crutches. The sidewalks are all busted up here in LA.

We just settled a lawsuit here in LA. It's going to take 25 years to fix the sidewalks in the city of LA, which are all busted up because now the city council says they don't have the money to fix them, which is a bold-faced lie. Then, we

have that lying governor, Jerry Brown, up there who every time I turn around he's finding money, but none of it goes to we the disabled, not even giving our back pay on our SSI for the last 60 years, which we are owed.

But anyway, Mr. Chester Widom, has to be stopped in regards to building new buildings in the future without being accessible for we disabled people and even taking away some of our barriers, which I'm really upset about is going to make it tougher for us. Then again, it comes back to the fact that we disabled people have to point out all these violations, and then the only way we can get our civil rights enforced is to sue the property owner because they aren't going to fix the buildings after 26 years.

If I go to a restaurant and I can't use the bathroom because the door isn't 36 inches wide—I'm not even in a wheelchair—but if they don't have a handicapped stall or bars in the bathroom, this is ridiculous. These property owners have had 26 years to fix their property. What are they waiting for?

But anyway, I just hope that you don't let any more of these barriers that have been in place for us for the last 50 years go away, to enforce it and make it better for us, easier for us out there. As far as the handicap parking spaces go, if you recall, it took us 40 years to get those in place court battle after court battle after court battle to get these handicap parking spaces for us, and we still have idiot, able-bodied people who park in our spots without a placard, and I have parking enforcement for LA right in my phone, so if I see one of you idiot, able-bodied folks park in one our spots, I have parking enforcement writing you a \$500 ticket. That's what we disabled people need to do in case anybody without a placard parks in one of our spots. It happens all the time down here in the LA area. It's unbelievable.

But anyway, I just wanted to make sure that I want to thank Richard, who spoke. I got in late, Richard, to hear what you were saying before in regards to making sure that none of the barriers do get taken away from us, and I hope the state legislature doesn't vote and pass this. It would take us back, like I said

earlier, to 1860 in this country where we couldn't even go outside anymore because we won't be able to get anywhere.

But anyway, I want to thank everybody, and I'm down here in LA, and I'm listening, and I hope people call in. Thank you.

Derek Okay, well good. Thank you, Mr. Eversole.

Irene Operator, there is a participant here in the room, and before we take the next person in the queue, we would like to give her the opportunity to speak, and then when she's finished, we'll go to the next person in the queue, if you don't mind.

Moderator No problem. Go ahead please.

Terry Thank you. My name is Terry. T like telephone. T-E-R-R-Y. No, my name's not Telephone Terry. I said T like telephone.

I began working on accessibility before the ADA was passed. One of the things we did here in California was to pass a whole series of laws and statutes which then became part of the ADA. We were the cutting edge for the country of getting accessibility laws passed, and I have to agree with Richard and Sharon, who I know from meeting many times at the State Architect's Office, that accessibility is being reduced rather than increased, and it makes me very sad because I worked very hard to get these things into the law before they were in code at all.

I'm going to speak specifically to several things. One thing is because I use a wheelchair, I'm 82 years old, and I'm deaf. When I work in downtown in many areas, there are parking structures that have access from a vehicle coming out to the street, and they have horns, and they have loud noises. I can't hear those noises, and some of them have blinking lights, which I can't see, and which will give me a safe opportunity to not steer into a car.

I would like to see a statute which says there must be visible lights before and during the time that the sound occurs. I presume that is sufficient warning for people. I don't know. All I know is I've almost gotten run over a number of times, and it does not make me very happy.

Number two. I did participate for several years in the discussions about having an accessible place for electrical car charging. That was the most ridiculous thing I've ever been involved in. It took two years for the DSA to decide that we couldn't have any access. I don't find that acceptable. They said we'll have four parking spaces, and if we ever need more than that, we'll make one accessible. Well, that doesn't work because one of those is going to be van-accessible, which means you're going to have a minimum of six spaces. I don't know at what point the state architect ever would give us accessibility. I don't think it's his place to give it to us; it is our place to get it because we need accessibility.

My daughter has an electric vehicle. When I go with her, we're not going to be able to get a vehicle charge. Yes, we can park, although the regulations have said when the vehicle is getting charged it's not parked. That is the most ridiculous thing I've ever heard, but they did that so they wouldn't be talking about parking regulations because if they talk about parking regulations, they have to be talking about accessibility. They don't want to do that.

So, the vehicle is not parked, so it's being charged at 15 miles an hour. Well, I don't know. That's just the most ridiculous thing I've ever heard. When I go with my daughter, she's not going to be able to park the vehicle, and for us to exit the vehicle and go shopping and then come back when the vehicle is charged because I won't be able to get in or out of the vehicle.

So, I'm saying regardless of what the state architect thinks, we need accessibility and we need it now. If that means six parking places or it means two, a van-accessible lane, and then an accessible parking spot, fine. I don't

care. But, to tell us for the foreseeable future we will never have an accessible access to electric vehicle charging is discriminatory at the very least.

I would like to say that Mr. Skaff and Sharon Toji, in describing the accessibility committees that they've served on, I did not serve on any of those committees, however I attended many, many of the meetings. Forty years ago when we began this, we met with the state architect, and the state architect listened to us because they had ample opportunities to talk to people in the building and the construction industry, and they had meetings all the time with their pals, shall we say. They're not pals with the disability community, and they don't find us interesting. They don't find us worthy, and they've forgotten that we have civil rights.

The next thing is that most businesses and hospitals and places which are under the Division of the State Architect's control are supposed to have a lowered counter. This is true for business buildings. It's true for cafes, all kinds of places. The lower counter is for the use of the persons with disabilities, but when I go to these places, I find yes, by law they have a lowered counter, and what they've done is they've put a very large television monitor there or they've put books there or they've put a cash register there or they've put all kinds of things there. But, what they haven't done is allow access to the person who needs it.

Because of my physical disability, I can't even reach up to get to the counter, so I have to explain to people I need the lower counter. The last time was in a business building, and they said well you'll have to come over here. Well, it's two feet above the point that I can reach, and there's a lot of other people like me who would not be able to reach.

The law provides for this access, but when it's blocked, I can't complain to anyone. I can't go to the Buildings and Standards. I can't go to the building department in my local town because they won't pay any attention because the

way the system is set up, there is no single entity. There is no phone number. There is no address. There is no person that you can go to for access problems.

These don't require a lawsuit. A lawsuit is expensive and time consuming and frequently futile. We need, at the state level, at the State Architect's Office, for instance, where we can present problems that we have that are statewide. This cannot be done by our local building department. It can't be done by the Department of Rehabilitation.

The only people with the expertise are in the Division of the State Architect's Office. There is no person responsible for our access problems, and there's no division responsible, and if the State Architect's Office doesn't want to deal with it you see a level of anger and you see a level of frustration amongst the handicapped people because we have nowhere to go. We have been attending the meetings, and I must say I've been attending them for many years, and the restrictions have gotten more and more numerous to the point where I'm here because my computer is not working, and I'm deaf.

I have no normal hearing left. I have hearing aids, but in any kind of noisy environment, they don't help. I cannot hear, and because of that I can use the closed captioning, which is wonderful, and I appreciate it. But, the point of having it is that so many will be useful, not that it will be ignored. Okay. Thank you.

Susan Thank you. Operator, would you call up the next person in the queue?

Moderator Certainly. We have a question from Ralph Black. Go ahead please.

Ralph Yes, can you hear me?

Susan Yes, we can. Thank you.

Ralph This is Ralph Black. I want to clarify that I'm speaking as an individual, however, I want to speak to the issue that Richard Skaff raised earlier about the process that's being used here. I'm not sure exactly why the advisory committee was disbanded, but I have experienced, having worked for many years in state

government, worked on various pieces of legislation and various regulatory packages for different agencies of state government.

I know that there is always a temptation for the agency that's doing the regulatory work to think that they understand the complex issues better than members of the general public and that if people would just submit their ideas, then the staff can go into the back room and work through all the details and come up with a brilliant proposal that will solve all the problems. My experience has been that inevitably when you do it that way, nobody is satisfied with the product and oftentimes you make mistakes that later have to get ironed out by further revisions to the regulations or litigation over issues.

It's far better to take the interested parties on all sides and bring them together in a process where people can sit in a room and go through proposals section-by-section, page-by-page and talk about the issues and try to reach compromise. You don't always reach agreement on everything, but you can frequently come to a much better resolution than you will by doing it in a process where there's no involvement of the interested parties. The process then tends to bring the parties together and build relationships that help to smooth the resulting effort.

It takes a long time, and it is an arduous process, but I would strongly recommend that DSA consider developing some kind of process even if it's an ad hoc group that's convened to work on a specific issue or a specific set of proposed changes so that you have the opportunity for the disability community and the industry groups to come together and work with you to resolve the kinds of issues that you're dealing with.

Moderator Okay. Is that all, Mr. Black?

Ralph Yes. Thank you.

Moderator Alright. Thank you. Then we'll go next to Dawn Anderson. Go ahead please. Ms. Anderson, is your phone on mute?

Dawn Yes. It's good. Can everyone hear me then?

Moderator Yes.

Susan Well, Dawn, if you could just speak up a little bit. This is Sue Moe. If you could speak up just a bit more because we want to be sure that the captioner can hear your comments.

Dawn Very good. I'll take my ear buds out. I'd like to introduce Andy Cid. He is a deaf man that has a proposal, and I'm assisting him. He is in the captioning room or in the chat room, and I'm waiting for his introduction. I don't want to delay your meeting, so with Andy's permission—oh, here he is.

He says, "Hello, everyone. Can you hear me, everyone?"

Derek Yes.

Susan Yes. We can hear you, Dawn, so do you want to go ahead and provide the information for Andy?

Dawn I was hoping he would speak on behalf of his proposal.

Susan We are not hearing Andy, and we're not seeing anything in the captioning on the StreamText, so, Dawn, you will have to provide Andy's comments for him.

Dawn "My name is Andy Cid, and I'm profoundly deaf with a decibel loss of 110. I am a main, primary user, proponent of an ICC and IBC code change. May I continue?"

Susan Yes.

Irene Yes.

Susan Do you want to continue, Dawn?

Dawn I'm waiting for Andy.

Susan Okay.

Dawn “My ICC proposal passed as of May 2016, and it is effective in 2018. I would like to introduce a code change proposal to the state of California. This proposal that passed was entitled Emergency Elevator Communication System for the Deaf and Hard of Hearing. This proposal is now public information at the ICC website. This affects all new construction in the US.”

I will add to Andy’s comment. This is Dawn speaking. It also affects existing buildings and facilities governed under path of travel requirements under the ADA.

“This has not been appealed by the industry, and I have been advised that the building and elevator industry is going forward with the standard design.”

I will add to Andy’s comments and say that over the last week, I have spoken to several elevator telecommunication manufacturing groups, and they understand Andy’s proposal and are gearing up in the manufacturing community for his proposal.

“This current code is—,” oh excuse me. “We are elated and excited for this new change because it affects 50 million people in the United States. The current code is severely deficient, and it was time to change it. The new system will entail the use of 24/7, 365 live interactive and operable video system with a chat/text system.”

Susan Was there anything else that you wanted to add, Dawn?

Dawn “This will be utilized by the deaf and hard of hearing and the speech-impaired, as well as offer a voice-only option for those who can hear. The technology that is being considered is videoconferencing technology, which is widespread and also considered the VRS or video relay system, which is called Video Relay Service System for the Deaf. This is 911-enabled with call centers around the country. I have been advised that I can propose this at this time at the ANSI A117 committee and to do the same next year.”

Oh excuse me. Sorry, Andy. This time he is proposing to the ICC ANSI A117 committee, and it has been positively introduced and also to the American Standards and Materials Group, ASME A17 committee for next year's inclusion in the elevator provisions.

"I am now hoping for the state of California will adopt this code language for their building codes. Thank you," Andy Cid.

Irene Was there anything else you wanted to add, Dawn?

Dawn Yes, I would like to just add to Andy's comments that the technology is actually in most new elevators that have IP connections to machine rooms for uploading and downloading data for the elevator equipment. So, it is at low cost that this improvement be made. It is also a freedom that's provided for by FCC in correspondence to their application to the ADA. The FCC section 255 requires that telecommunication systems be available to the deaf.

California also has a UPC requirement for what they call a Deaf and Disabled Telecommunications Program, and user surcharge can be used to offset the cost of the manufacturing of this technology. Andy and I are hoping that it is positively embraced by DSA and included in our codes. Thank you so much for your help and time.

Derek Great. Thank you, Andy, and thank you, Dawn.

Susan Operator, would you bring up the next call?

Moderator Yes. We will go to Catherine Campisi. Go ahead please.

Catherine Hello. My name is Catherine Campisi. I'm also calling in as an individual with a disability. I use a power wheelchair, and just wanted to offer a couple of items to be, I guess, be considered because it sounds like there's been some changes or reduction in the accessibility requirements.

The first one is to address the issue of the access in the electric vehicle charging stations. I think this the wave of the future, and there's no reason to think that people with disabilities don't need the same level of access they need

in other parking related to electric vehicles. There's going to be more and more of them, and it really needs to be dealt with now.

I also would just add regarding all of these that I would strongly support a process, whether it's a work group on a specific topic or an advisory group or whatever you call it, but some mechanism where people could sit down, as Richard has spoken to and Mr. Black, where they could actually sit down and interact and talk with each other about various possible solutions. If one can't work, what is the next alternative and a give and take that isn't possible on this listening session. While the listening session may be useful for gathering some initial ideas, it doesn't help in the give and take of coming to some kind of consensus whenever possible, and I think that needs to be utilized regarding all of the issues that I would talk about.

So, the electric vehicle station accessibility is one. The second is accessibility to seating in restaurants and other dining establishments that are not fixed seating. I and a number of other people who use wheelchairs have had increasing problems in the last years related to being able to have accessible seating in restaurants because of the increased use of really high dining locations whether it's tables or bars or whatever.

I realize that high tables maybe aren't an architectural feature per se, but it's a very real problem, and if those access provisions were addressed earlier and now are not addressed, I think that that's really an unfortunate situation because it is a real problem, and I would hate to see people get so frustrated over it that they feel they have no choice but to file a lawsuit under title III of the ADA. So, something needs to be done. It's a real problem faced by many of us.

The third issue is point of sale machines. I was just in a large store the other day, and previously in this retail establishment, the point of sale machines were accessible. The entire store has now been remodeled, presumably for the benefit of customers, only to find that all of the point of sales machines are no longer accessible, and I cannot use them at all. I asked if they had one lower

point of sale machine, and they said no. They were all at the same height, and this had been part of the “improvements” that were made in the remodeling. So, the height of point of sale machines continues to be a problem, and they said that numerous people that come in that use scooters inside the store—it was a big box store—that they cannot use the newly-installed, improved point of sale machines because they can’t read the display at all or operate any of the functions.

The last point is, as I said earlier, that I really strongly recommend that in all of these processes that you find a way for diverse interests to sit down and work together in a negotiated process to try to reach consensus. It may not be always possible, but it’s certainly preferable to be able to do that work. It can even be done via teleconference. If you have a designated number of people, maybe some who are knowledgeable in certain efforts. It could even be topic-by-topic, but some method where interaction and dialog is allowable rather than just listening and one party speaking.

So, those are my comments, and thank you for offering us this opportunity this afternoon.

Derek Thank you, Ms. Campisi.

Susan Operator, would you call up the next person in the queue.

Moderator Yes. We have a follow-up from Richard Skaff. Go ahead please.

Richard Thank you. I have a number of things. If I could be allowed, I would appreciate it. I just came back from a two-week vacation in Idaho. My wife and I and our two children who have camped in the Sawtooth Mountains range in mid-Idaho for over 30 years. Our family has done the same thing for close to 90.

Drove up with my new, accessible Toy Hauler, which I use to camp in. So, we were through California, Oregon, Nevada, and Idaho, and a number of you have talked about your frustration with enforcement of present Americans with Disabilities Act standards and California Building Code. What I’m going to tell you is that it’s worse than you all think.

From casinos that have bars with no lowered bar section or no lowered tables they're all at [indiscernible], to hotels that have what they call accessible rooms that have a strobe for people that are deaf, and that's it. They call that their accessible room.

We have a state architect who, a number of years ago, based on legislation by our wonderful state legislature—the state architect was required to do an analysis with a hosting organization. Actually we used UL to test a product called detectable warning material. At that time, it was a relatively new product, not new but relatively new product, and there were lots of manufacturers and there were lots of failures of material. How long the color would last in the material, the strength of the material, whether something is dropped on it, it cracks. They found accumulation.

In other words that a person using a walking cane could actually hear the difference between the concrete sidewalk or an asphalt curb ramp or concrete curb ramp, and the detectable warning material, and that it could be detected through the shoes walking over the material. There were a number of tests that were supposed to be developed. We got about three-quarters of the way through, and DSA told us sorry, no more money. We're stopping the process. That was maybe eight years ago, nine years ago. I attempted to get Caltrans to take it over since they have a testing lab, but they never did. We still don't have that done.

I don't understand why the meeting—well, I think do understand, but I want to hear why the meeting was held at DOR, Department of Rehab, for today's meeting because up until today, Department of Rehabilitation has had no relationship in the code development process with the State Architect's Office. I can say that because I've been part of that process of code development up until most recently when Chet Widom got appointed, and we were summarily discluded, so I don't understand except to have the ability to say to the state legislature oh yes, based on government code, we're required to have DOR help with the code development process as it relates to accessibility for people with

disabilities. Well, if that's what DSA and Mr. Widom think is going to get him off the hook, you're going to have to think again, Derek. That doesn't do it.

As to Terry's comment, Terry, when I was [audio disruption] the city of San Francisco years ago, what you raised as far as garages as it relates to pedestrians walking on sidewalks or rolling in wheelchairs on sidewalks, it is a very dangerous situation where vehicles have to come out from an enclosure, which is typically not well lighted into a very bright, possibly, sunny situation where they have to encroach on a pedestrian way. I actually started requirements since I was doing all the plan review for access. The building department in the city gave everything to me, not only city buildings, but all title III privately owned public accommodations.

So, I started requiring not only a horn system that would allow a person with hearing to know that a vehicle was approaching, but also because I saw what happened with people that were deaf. I also required a flashing light. Both of those warning systems were at a location right at the point where vehicles would come out onto a sidewalk. That most definitely has to be codified.

Mr. Black, I don't know whether you have been appraised of the recent, the last two-year process that H&CD, Housing and Community Development, has used. It is the very same one that we are using today except they took it a step further to make it more difficult. They told us those that were participating in the code development process, we will read the code change proposals to you, and you can say either yay or nay. No other input will be allowed.

So, all of you that are on the telephone today and are at that meeting today, you need to be aware that this is an up and coming process that you will be facing in the future. The code writing—we have five code writing agencies in the state of California. Housing and Community Development, State Architect, Fire, Cal OSHA, and there's one more, and Derek, you could probably fill in on that, but we have a real problem here.

The problem is that state agencies have decided, it was originally decided because “there’s not enough money to pay for people driving up to Sacramento or flying up to Sacramento to be part of the committee, so we’ll do it all by phone.” Well, it’s going to go steps further than that, so what they do now is take your input, and they go off and do what they want to do.

Sharon, I totally agree with the evac sign issue that I created in San Francisco because nobody was doing anything that the blind community could use, and you will remember I created with you and others a title 19 committee that never completed its work. Jim Abrams was on that, and it was doing some good work. It wasn’t anywhere near complete, but we need to get that back again.

The most recent state fire marshal who had appointed us—the previous state fire marshal had started the committee—the one that just retired was going to allow it to continue, but we never got together again. But, we had an evac sign system problem because the state fire marshal, state fire code, title 19 requires that the evacuation information must be in the regulation.

It says the title 19 required information for evacuation that is supposed to be in every elevator bank is required to be usable by everyone, not by some, but by everyone, Derek, and you’ve known about this for a long time. Not that you, necessarily, and DSA had to be the leader on this, but DSA is involved with the built environment code requirement. You should have been involved, and you should have been involved with H&CD.

Each of these code writing agencies writing access codes should not be doing them in a vacuum. We should have those code writing agencies writing access-related codes doing them together so that they actually create these new code or code changes to existing code in a way that doesn’t conflict or fail because another code writing agency had written something completely different or something that wouldn’t work together with what they were writing. So, that is one of the things I’m going to ask, Derek, that you and our great Mr. Widom look

at doing code writing for access together with the other code writing agencies, not individually.

As far as restaurant tables, Derek knows, as does Mr. Widom, as does Dennis Corelis that we had that in code. Five percent dining room, banquet room, and bar seating had to be accessible. That meant that the table, and I've written and created a restaurant accessibility guide if anybody is interested in it. Tables needed to have knee clearance. They needed to have the knee clearance go back 19 inches so you wouldn't be dropping food on your lap because you were sitting so far away from the table.

When an ambulatory person sits a table, they move typically, not always, but typically move the chair they're sitting in up to the table so that they have their tummy sitting against the table edge. When they drop something, it drops on the plate instead of in their lap like it does for the rest of us. They get to sit facing the table. Guess what most of us using wheelchairs, electric and manual do. We sit sideways, Derek. Tell me how that works. Have you done that, Derek?

Moving on. Andy, I'm really excited to hear about what you're proposing. I don't know whether you're aware of the fact that Walter Parks through the city of San Francisco's Access Appeals Commission got the whole industry to create new standards that we got the state architect to finally adopt because they didn't have to do any work, Andy, about destination-based elevators.

In that process, we were looking at screens. We weren't looking at what you were suggesting, but I think what you're suggesting is an amazing and a very important additional step that must be taken by the industry and must be codified.

I want to say, lastly, that not only is US Department of Justice not doing their job, and I think they're not doing it because they're unable to do it. There's no way that one federal agency can enforce the Americans with Disabilities Act, and I know we're not here to talk about the ADA, but it relates very closely back to what you all and I are finding in the field, that there is no enforcement, whether

it's under the Americans with Disabilities Act requirements as a civil right or whether it's under the California Building Code requirements as a building code requirement.

There is so much variation in enforcement throughout the state, neither DSA, Department of Rehab, the organization of building officials called—and I belong to it—California Building, CALBO. Derek, it's CALBO, I believe.

Derek Yes, California Building Officials organization. Yes.

Richard Yes, that's it. None of them have done what they need to do to ensure consistent, correct enforcement. And now, ladies and gentlemen, with DSA's help, we have the CASp program, and the state legislature created a new bureaucracy with over 800 certified experts on access, and I will tell you that in the couple of years it's been since that whole program was created, I've reviewed and passed on to Dennis Corelis at DSA numerous CASp reports with outrageous renderings, reports that business associations, business owners I should say, pay substantial amount of money for. They do it because they believe, I think, they will get the right information and getting that right information will protect them from lawsuits.

Well, guess what. Not only are they getting incorrect reports, and a great number of those reports, but there's nobody doing any auditing of it. It was only until I pushed that DSA finally said oh yes, I guess an individual can file a complaint about a report. This whole process is ridiculous, and unless all of us stand up and say we won't accept it anymore, ladies and gentlemen, what you're getting now is only going to get worse.

I have to say thank you to all of you for being here today, and I wish you would all show up at the Building Standards Commission when they have those here because boy, I have to tell you, when we go to the Building Standards Commission, and they adopt what DSA does, like a 90-foot gangway. When DSA and all the other code writing agencies have, for years, known that at a 1:12 slope, a person in a manual wheelchair will have a great amount of difficulty

unless they can go a maximum of 30 feet before they get a landing. Well now, folks, guess what you get, and I just got a new gangway system going in for a new ferry system I'm just hearing about. Again, a 90-foot gangway.

How many of you in manual wheelchairs can go 90 feet at 1:12? One in twelve, by the way, is the maximum slope any ramp can be, so it's very steep. In an electric wheelchair, you shouldn't have a problem, but I can tell you in a manual wheelchair, and I have a lot of upper body strength, even though I'm 72, it is almost impossible to go past 30 feet without having a chance to rest. That's why it was always since 1955 when a professor of architecture at University of Illinois did a study where students using manual wheelchairs and a ramp that could be modified in run and slope, and he concluded that a ramp couldn't be any steeper than 1:12 and shouldn't have a run any longer than 30 feet.

So, what did the US Access Board do because nobody from our community showed up at the hearing? They said okay, we'll go with what the public and private harbor owners want, a 90-foot gangway at 90 feet at 1:12. So, what did our state architect do? Change the code to say oh, we're going to go with a 90-foot gangway at 1:12. That's what happens when only two of us show up at the Buildings Standards Commission.

So, thank you.

Susan Thank you, Richard, and can I remind everybody our time is—we still have approximately about an hour left of our meeting, and we have six people in the queue. We really appreciate your comments, and we don't want to restrict the time that you have to speak, but we want to give everyone the opportunity. So, operator, would you bring up the next participant on the call?

Moderator Certainly. We'll go next to Jacob Jones. Please go ahead.

Jacob Good afternoon. My name is Jacob Jones. I'm a licensed engineer working with a building manufacturer in California. I'd actually like to read just a quick statement about operable windows and a suggested code change. This was actually authored by a colleague of mine.

Currently it's an operable window as provided in a public space. At least one of those windows must be accessible, you know, easy to operate within reach range and on accessible path, etc. That's per 11B-229 of the code.

Since window manufacturers have been unable to make these windows with the operable parts, basically they'd like to keep them at the mid-stand or somewhere in the middle of the window to prevent racking. No one really wants a window at the bottom of the wall, meaning in order to keep it down low enough for that to actually happen. It practically eliminates the possibility of having any operable windows at all within a space, and we've been having to provide classrooms without windows that open at all. They're just inoperable windows.

So, now no one can access any of these inoperable windows. It also conflicts with the CBC section 1203.5 on providing natural ventilation, via windows, where the operating mechanisms for such openings shall be provided with ready access so that the openings are readily controlled by building occupants, 11B-229, 11B-308, and 11B-309. It directly conflicts with the ready access and also the controllable by the building occupants.

So, we think that this needs to be changed or at least relaxed for the time being, at least until the window manufacturers are able to keep up with it or to find some solution in California. Thank you very much.

Susan Thank you. Operator, could we bring up the next caller?

Moderator Yes. We'll go back to Sharon Toji. Go ahead please.

Susan Excuse me, operator. We appreciate that Sharon would like to make a comment, but if you have other people on the call that have not made a comment yet, we would really like to hear from them, and then if time permits, we will come back and hear again from Sharon.

Moderator Alright. Thank you. Next we have Michael Ellars. Go ahead please. Mr. Ellars, is your phone on mute?

Michael Sorry. I had to unmute my phone. Can you hear me?

Moderator Yes.

Michael Yes. My name is Michael Ellars, and I am a licensed architect and a certified access specialist, one of those 800 or so people who've taken that exam and passed it. I would like to make a note that I am speaking as an individual here, not necessarily representing my employer, though I think they would support what I'm about to say, which is that any architect who is really good at doing their job, which is designing space for human habitation and takes accessibility very seriously. I hear a lot of anger and accusations coming from the persons who have identified themselves as having disabilities, and I really appreciate what they have to say.

But, I also think that there are certain realities to how regulations are designed and developed that limit even the impact that architects can have. There are a few of us out there who are genuinely interested in making spaces as universally accessible as possible and that vilifying an entire profession is really unfair.

The second thing I want to say is very specifically I've heard come up by several speakers this idea that somehow dining surfaces or dining tables are not required to be accessible any more or not required to provide for wheelchair access. I'm not sure where this idea came from because in both the 2013 and 2016 California Building Codes under section 11B-226.1, there's a requirement that 5% of all the seating spaces comply with section 11B-902, and 11B-902 requires both a clear floor space for forward approach and knee and toe clearances that are required for any forward approach wheelchair space. So, if you're encountering spaces that are not complying with the building code in new construction, then that is a serious problem that should be addressed, but it's not because it's not in the code. Thank you.

Susan Thank you. Operator, before we take another person on the call, we have a person here, Connie Arnold, who would like to make a statement. Connie, do you want to go ahead?

Connie Why don't you go ahead and take the next caller, then I'll go after.

Susan_____ Okay. Sorry, operator, we'll take the next caller, and then we'll come back to Connie.

Moderator Alright. Then, we'll go to Sheila Sanchez. Go ahead please. Ms. Sanchez, is your phone on mute?

Sheila Sorry about that. I would like to make a comment or get clarification on detectable warnings. I feel like the code isn't super clear and could be improved. I'm seeing a lot of various locations where detectable warnings are installed, and it doesn't seem like they're being consistent with what's in the code.

 So, in particular, I'm curious to get clarification on hazardous vehicular ways, and in that language where it talks about other elements between the pedestrian areas and the vehicular areas, I don't know what other elements means. That hasn't been really clearly defined. Does that mean if it's grass? Does it mean—what that means?

 So, I guess I'm speaking specifically about where sidewalks adjoin or intersect driveways considering those hazardous vehicular ways and really calling that out. I'm also curious about detectable warnings at passenger loading zones and at access aisles where there isn't any type of curb protection, so sidewalks are adjoining cross-hatching, and I've seen detectable warnings in the cross-hatching. I'm seen detectable warnings at the sidewalk leading to the cross-hatching, so getting some better clarification around that would be helpful in new releases. Thank you.

Susan Thank you.

Derek This is Derek Shaw. Thank you, Ms. Sanchez, for your comments. I understand you do have some questions about detectable warnings, and maybe you might welcome a conversation with me. You're certainly welcome to call me at the Division of the State Architect Headquarters Office. Ask for me, and I'd be happy to talk to you about this.

Sheila Great. Thank you, and then the other thing. I was actually on a Q&A with the Access Board today, and in their public rights-of-way, they're talking about detectable warnings because obviously the detectable warnings are not in curb ramps at this time. I think they're only in the federal code with respect to—actually I don't think they're there at all, actually. I think the Department of Transportation has code requirements now.

So, it sounded like they were only going to curb ramp the requiring detectable warnings in their next release of public rights-of-way. So, I'd be curious to know if the state is going to move in that direction because I feel like that happens a lot where the state plays catch-up with what federal regs support or if the state will continue to recommend detectable warnings at all of those locations.

Derek The Division of the State Architect does write the regulation for detectable warnings at curb ramps, hazardous vehicular areas, and in other locations. We do have, on our long-term list, we do have the issue of detectable warnings and clarifications of the placement and locational requirements. Last rule making cycle we proposed some limited changes to help clarify the placement requirements. We encountered a great deal of commentary in response to that proposal, and we subsequently withdrew that proposal. At that time, we noted that we were going to take a longer-term approach and convene a study group to start to develop some clarifications for the detectable warnings, so that's probably something we're going to address in the future.

Sheila Great. Thank you so much, and I really do appreciate—I just signed up with the email distribution list and appreciate the ability to make comments like this. I wasn't aware of how to do that in the past, so I appreciate this transparency.

Derek Great. Thanks for your call and comments.

Sheila Thanks.

Susan Operator. I'm sorry, before we take the next call, Connie, are you ready to make your comment?

Connie Yes, I'm ready.

Susan Okay. The next person we have up is Connie Arnold who is here in the room.

Connie Hi, this is Connie Arnold. I sent this letter yesterday to Mr. Widom and Mr. Corelis regarding code changes that I wanted to see, and I'm just going to reiterate a couple things.

First off, the location of this meeting is not very accessible and accessible for parking for persons with disabilities. I had to park down at Old Town to get here, and that's blocks and blocks away. Where I parked, it says no parking, but I parked there anyway because it's for tomorrow's event, and I don't understand why they took a van-accessible space outside the Subway shop to close it down for an event and say there's no parking in this accessible parking space for some event going on in Old Town tomorrow, the 2nd between 6:00 am and 8:00 unless they're repaving the road or something like that, but none of the other spaces adjacent had a no parking sign, just the van-accessible space. So, I'm really wondering what's going on.

Also, I want to say that I agree, again, with Richard Skaff and Sharon Toji. Because I was cut off the phone, conference call four times, and I called back and each time there were bits and pieces of the testimony of certain people like Andy and other people that I missed on the way here, from driving here.

The other problem was there was no notification of a physical address. I always come testify in person at a physical address, and had I not worked as hard as I could to find out where it was, I would have been down at 400 R Street, where it's been at in the past. So, I don't appreciate it being at the Department of Rehab. I don't think Department of Rehab facilities are 100% accessible.

I don't know that they brought up their facility access according to any self-evaluation of barriers that exist, but I know just a few years ago, the midtown office had inaccessible parking and paths of travel and various issues. I find that

very interesting, and then making it difficult for people to participate whether it's a person that can't—I don't see where it's being videotaped in here, so I don't see any videotape. I didn't see the person. He didn't get to specifically—other than say through another person say on his own through sign language or whatever communication what his proposal was, other than through another person.

So, those are major concerns. The fact that we need to have the accessibility advisory group again. I've been to some of those meetings. I'm disappointed in the outcome of the electric vehicle charging stations. That's another problem and a number of issues where we've been contesting reductions and access in violation of government code 4459.

In reference to the CASp person that just testified recently here, there is a lot of pent up anger by the disability community, because frankly, we face barriers that are created by people every day. Even when you go to a new building, it's not necessarily compliant, and who out there is enforcing it? The only real means of enforcement of any access codes is through litigation. That was by design at the federal level, so what do they do?

They bash the people with disabilities for litigating. What we want is access. It's frustrating every day to have those barriers. I don't know if anyone can hear what I'm saying, but now I'm going to address this letter and some specifics of code changes.

Part of this letter, particularly this beginning section, was sent back in October 15th of 2009 to the current state architect, then David Thorman and by certified mail, and nothing happened. I didn't even get a response. I didn't even get a thank you for your input to my letter that I mailed by certified mail and know that it was delivered. I got no response. No response in writing, so nothing went forward with this.

As a woman with a disability, as a mobility-impaired person and a wheelchair user, I use a motorized wheelchair, and I've had for many years difficulties with the fact that there are no or limited sanitary napkin and tampon

disposal units placed next to a toilet. It's critical that we put that forth because what are you supposed to do? You're already struggling with a disability. You have a soiled, dripping blood pad or tampon that is in your hand, okay, and there's nothing to put it in.

The best units that I've seen are the ones that integrate the toilet paper. They're recessed in the wall. They have the tampon disposal unit in there. The only thing I think it should have is a little extension so if you have a hard time pushing the door in, there's a little extension out there to make it easier to get it in.

So, flush units seem to be the best model units out there because I can't set things on the ground and pick them up. I'm told don't flush anything down the toilet. My hands are getting soiled, I'm trying to clean myself up and use the toilet, and what am I supposed to do with this dirty pad or tampon? Hold it in my hand and try to use the grab bar with one hand and try to face the grab bar and transfer sideways on to a toilet.

It's ridiculous. This is a woman's issue. I understand that it's not a man issue. A man doesn't understand if they're not having this problem, and many women don't want to have this issue. But, we deal with this having our monthly menstruation, and we want a solution.

We want something adopted in the code that allows for a permanent placement of a sanitary napkin disposal unit to be next to a toilet. I've been where it's been in the side transfer area on the back wall. You can't even reach it. It's on the partition across the way. It's nonexistent at all. There is none.

So, I'm having to touch grab bars, and I have this thing in my hand, and other people are coming after me. I don't have time to go try and struggle to clean up something. We need something.

So, I drafted some wording about it, and let me see if I have it here.
Placement of women's sanitary napkin/tampon disposal units. This is not the

dispenser. I'm not talking about the ones that give you a brand new one, you put money in, and whatever.

Women's sanitary napkins/tampon disposal units shall be located within 12 inches from the front of the rim of the toilet seat located no lower than 19 inches above the finished floor, below the grab bar. That's one.

Now, there could be a different proposal if you create a recessed unit. You know what I'm talking about. Those metal square units. You have the toilet paper in there, you have the disposal unit in there. I think there are like three things in there, but I always found those to be conveniently located as long as they're adjacent to the toilet, but there needs to be something. So, that's one.

The next thing is the recent decreases in disabled access in violation of government code 4459. That's in the 2013 and the 2016 need to be restored, and I'll go into the specific reductions later, but I know HolLyn D'Lil has written and pointed that out. You know, I'm a person of short stature, so I'm only 4 foot, 2 inches tall, and when I use a toilet oftentimes I have to position my wheelchair in a certain fashion so that I can stand up and get to the grab bar.

One of the other problems is the grab bar range. The grab bars have always been 33 inches above the finished floor to the center line of the grab bar, and that's reachable for a person of short stature and a regular stature, when you're sitting on the toilet, to be able to use it and get up. This BS of putting it at a range of 33 to 36, when I see 36, I can't even reach it. It's not fair.

I need that for my mobility and my ability to use the toilet. We've had a code that was developed years ago that has worked for people with disabilities, not this arbitrary 36-inch range, and that's another problem that needs to be redone and go back to the 33 inches above the finished floor to the center line of the grab bar, not a range of 33 to 36. Some kind of means of obviating litigation or something by giving people a range so that they can say well, we put it in the range. Let's have it be a usable range of 33 inches to the center line.

The other thing is toilet seat height, and I know I skipped something up here. Well, I'm going to go back, but I'll address this right now. The allowable range for toilet seat heights is 17 to 19 inches, but the majority of public buildings like to install the lower height toilet seat instead of the 19-inch toilet seat height, and many wheelchair users and ambulatory-disabled need to be able to transfer and get up and down independently off the toilet seats, and we would like to see the range change for toilet seats to 18 to 20 inches instead of the current 17 to 19-inch allowable range.

The other thing is most wheelchairs would be at a minimum of 18 or 19 inches. I don't think you can find too many wheelchairs that are at a lower range like 17 inches. So, you can do comparisons, but it's very difficult. People add on a cushion, so even if they add on a cushion, a 2-inch cushion at 17 inches brings them to 19.

If your wheelchair height is at 18, which there aren't too many like that, if it's 18, then a 2-inch cushion, which is probably going to be your minimum cushion to do any good is going to be 20 inches. People that are aging and getting arthritis, they have a difficult time getting up and down off the toilet.

One of the other problems that is out there that is a barrier, and this goes back and relates back to the grab bar unit issue is for some reason, public places are installing a vertical grab bar right where I need to use it to hold onto to turn and sit, so I conk my head on it. It also pushes me back from being able to use the grab bar because of the position of those units. Sometimes they're angled, sometimes they're directly vertical, whether it's in the code or not in the code, it's like get rid of it. It's not working for people.

One of the other things now is getting rid of the add-on toilet seat. The add-on toilet seat, let me go into my diatribe on that. Okay. Non-maintained, raised toilet seat add-on.

First off, there's two kinds, a lot of times two kinds particularly. There are the solid plastic seats with a big trough in the middle for your leg to go into and

for pee to fly out of, and there's the kind that are on stilts around the toilet bowl with a toilet seat, which doesn't allow for the deflection of urine or feces to go in the toilet. So, if you're having a bad day, you ate at the wrong place, or if you're going to the bathroom, it's deflecting urine and feces out of the toilet. It's shooting out wherever because it's a gap of inches on the sides, and it's not connected to the toilet bowl.

So, it's really wonderful when you're using something, wherever you're located, and this actually happened. Trying to use the toilet, and I can't get all the way back on the toilet seat, and I'm going the bathroom, and I'm peeing all over my clothes because you have the add-on toilet seat.

Also, I was on Olympic Boulevard at a fast food restaurant, and I had to stop because I needed to go to the bathroom. On an exterior bathroom, they had a raised toilet seat. Well, it wasn't maintained. So, I went to sit down. The toilet slid sideways, and one-half of it dropped into the toilet at an angle, like this.

Now, I was at the Capitol. Let me give you the other thing, and I'm sitting there. The door's unlocked. My purse is right there. Now, it's too low, and I can't get up. Now, I'm screaming for help and praying I don't get mugged, stabbed, beaten up, whatever because I'm sitting on the toilet for God's sake.

Then, the other thing, I'm at the State Capitol. The toilet seat on the fourth floor, dropped into the toilet, pinched my inner thigh, and ripped my skin, and made me bleed. I started screaming bloody murder like H***, and these you need to get rid of. They're not maintained, they become loose, they drop in the toilet, and they're add-on toilet seat risers, and they're impossible for people to use. They're not a solution. They may be a cheap solution, but when that also happens and they shift on the person, the person can fall off the toilet and have personal injuries, and that I know has happened to somebody.

So, I would like to see a change because the toilet seat height and the toilet seat should be connected to the bowl so that everything goes into the toilet. So, that's another one.

Now, accessible toilet stalls and facilities in storage rooms. Okay. I am getting sick and tired of accessible toilets with furniture placed in the side transfer area in front the toilets, baby-changing units, baby-changing units mounted on metal walls behind you that come down when you're near it, so they interfere with your access to the toilet. We need to make sure that there is an exclusion of all other objects that would block access to the toilet for a wheelchair user, and I have these objects.

Some of these businesses, I know the business up north that I go to, and rather than complying and doing the simple changes like moving the sanitary dispenser covers from behind the toilet to the side wall that they have. Rather than taking out the sofa and the end table that they put into a nice area would rather close off the public toilet to all users. Then what? You have to go. So, that is not a pleasant situation.

Another thing is table access in restaurants. Finding an accessible table with wheelchair clearance is becoming more difficult in many restaurants. They install pedestal bases, they put in booth tables with no access on an end, which are oftentimes raised up on a curb. They put in fixed seating that allows no wheelchair access.

Some of the tables, let's say at a fast food restaurant, at a fixed table, they'll have access on one side. So, if I'm with another wheelchair user, you're all on the same side. Or, because there might only be enough space for one user, you're at one end of the table. They have to sit at a different table. You can't have somebody sitting across from you and have a dialog. This is ridiculous.

So, until recently wheelchair seating was required by subsequent [indiscernible] code sections, which specifically stated that a portion of each dining, banquet, and bar area must provide wheelchair seating without stipulating that such a requirement applied only when the seating was fixed. It's even in 2010 CBC 1104B.5. So, this is something I'd like to see restored because we all

like to dine out, and we should have a right, whether we're with an able-bodied person or another person in a wheelchair or another disabled person to have access to the seating for a wheelchair user for our friends to be across from each other.

I had to argue at my local Chevy's. They were removing all the low tables, all of them, and they were all low. They took them all out, and they were putting in high pedestal tables. My head would go under it.

So, I had to argue with the manager that they were required to provide a certain percentage. He said well, you can go sit in the family dining area. I said, I want to sit in the bar area. You can't exclude me from the bar area. This is the stuff that's going on. This is why people are frustrated.

So, the other things are accessible routes, whether it's a new or older remodeled building, we need to have accessible paths of travel and accessible routes into the building from the public right-of-way in all cases without exception. New facilities should be fully compliant with accessibility for everyone to provide that all routes provide accessibility. Exception two and three in the 2013 CBC need to be rescinded.

When I go to the shopping center near my house, I'm so happy that the accessible route allows me to go between the stores and the buildings, and I'm talking about the shopping center at Bruceville and Elk Grove Boulevard. It's the Kohl's shopping center. So, at least there's a route through.

But, I can't think of where I was just this week. I was like, I have to walk behind parked cars through the entire shopping center because it was brand new. Oh, I know, it was earlier today. It was a public medical facility down in Elk Grove, and I couldn't believe there was no accessible parking, so I had to go to the other adjacent surgical unit or therapy unit across the way.

But, even though there were sidewalks adjoining where I parked, and there was a sidewalk leading me out, it didn't connect to the other [indiscernible]. It took me out to the street and all the way around, which was way farther to go.

So, we need to address this. We need to have an accessible route access and accessible paths of travel.

The ones that were done through the emergency code changes, which exempted restaurants and paths of travel upgrades when a building is remodeled and certain access features met the requirements in the prior code. When the alterations occurred they should be, as in the past, upgraded to the most current standards. This code reduced access in restrooms, reducing space around toilets and sinks, which instead were exempted when the change was made. So, I want to see that fixed.

One other thing. I knew there'd be one more. Hotel bed height. Okay. This is getting absurd. I got to a hotel, and the bed height is almost the height of my eyes at 42 inches or above my head. How does a wheelchair user transfer to a bed?

I know you're going to say that that's not a building code thing, but it certainly needs to be, and it needs to be addressed because wheelchair users, and I know one person, Barry Atwood. I asked him, well how do you deal with it? He said he has to have staff come in, take everything off of the bed, and drop the mattress to the floor. This is ridiculous, and the accessible rooms, they have to be a height for wheelchair users that you can legitimately transfer from whether you're a paraplegic, whether you have arthritis, or whatever, but they're like a mountain to climb on now.

Now, just going over this, I'm going to say this one thing. I had sent in the 2016 access code changes to be repealed. I agreed that there was this itemized list of reductions in disabled access to recent building code changes came from HolLyn D'Lil and that I would like to see it restored. You already have copies of that, and that dealt with equivalent facilitation. I'm just going to read this because I know there's other people.

Susan Yes. I hate to interrupt, Connie, but there's still three people on the queue.

Connie Okay. Alright. Well, there's accessible route. I kind of addressed that. Okay. Let me just read these things real quick. I want to agree with what Terry said regarding the electric vehicle charging stations and how that's defined and that discriminates against people with disabilities to have access. Let's see here.

Live work units. That's another one. Scoping requirements to existing buildings and facilities regarding path of travel requirements and alterations and additions to structural repair. Okay. So, there's a whole bunch of things in here that you're aware of. Removal of cleaner air symbols, condition of use regarding ventilation aspect and communication element and features.

I think anything that improves access for people with mobility disabilities, for people who are blind or low vision or people who are deaf and hard of hearing that the end-user needs to be part of the participation. You need to have these meetings at physical locations. You need to make sure that the address is correct on the meeting notice, and thank you very much.

Susan Thank you, Connie. Operator, we still have three people on the queue.

Moderator Actually, there's only one in the queue.

Susan Oh, okay.

Moderator Your line also shows as part of anyone who has an open line. So, the only one left at the moment is Sharon Toji.

Susan Alright. Let's hear again from Sharon.

Moderator Alright. Go ahead please.

Sharon Okay, can you hear me?

Susan Yes we can.

Sharon Okay, I'm not sure because I'm not having to do anything with my mute button, but I'm mute I guess, until you put me on. So, thank you very much.

I'm trying to respond to some things very quickly. I've made some notes, and I hope I can keep track of them. That leads me to one, in particular, because I think it's my age that has something to do with my difficulties.

I have been talking in the ANSI Committee about this, and I would like to see the state of California establish maybe some kind of a task force or something to take a serious look at what I call the disabilities of aging. Connie, for instance, mentioned wanting to get rid of the vertical grab bars. I can tell you that as an aging person and having dealt with my parents who lived with me until they died at age 94, those vertical grab bars are an absolute lifesaver.

So, I understand that we constantly have issues where what helps one group of people with a disability will get in the way and be a barrier to another one, but we need to make sure that we do have vertical grab bars where they're needed, but yet at the same token, they don't reduce this access for people with other kinds of disabilities.

The disabilities of aging, I think, need to be addressed as a special kind of disability, partly because people who gain disabilities as they age are not used to being disabled people. Some of them resist the concept, so they refuse to use the things that we do have to help us or to do things like join committees. We can't get, for instance, an organization representing aging people to join ANSI as far as I know because they would rather represent themselves than AARP as running around in tennis [indiscernible] waiting to get their Viagra dose.

That's great, but it doesn't represent what happens to most of us as we get old. We tend to lose a combination of things, mostly what I call communications-based things, sensory things like our hearing, our vision, and our cognition. Then, we do tend, even if we don't completely lose our mobility through a stroke or something, we do tend to get unsure of our feet and need more help in getting around safely. Stairs are a huge problem, for instance, and stair striping is a huge problem, and we're not really addressing that the way that we need to.

So, I would really like to see some attention paid to this because I'm 80 years old now. My husband's 87. I probably am going to work for another ten years, and I need to be out in the world, and my hearing is less acute. I have problems with my vision. I have problems with my voice, so the list goes on. It's something that I would very, very much like to see the state of California seriously address and then talk about how we put some specific things into our disabled access standards to acknowledge that.

I wanted to say something about at the very beginning, I heard this wonderful speech about everything that particularly the DSA does, and one of the things was mentioned was that the DSA is there giving out all kinds of useful information to people. One of things that's been upsetting to me for years is the fact that, for instance, I would asked a long time ago, could I please write up something about restroom signs. I don't know why it is after all these years, I just about break out the champagne if I go into a building and see a restroom that actually has a correct combination of a door sign, a wall sign, an ISA if necessary, and if provided, a gender pictogram.

Those seem like pretty simple things, and I've actually written what I think is a pretty clear explanation with illustrations showing two or three different ways that this can be addressed and done correctly, and I sent it to the state architect many, many years ago, and I was told no, we can't in the Sacramento office dictate to the four auxiliary satellite offices what they will do or how they will do it. So, the information could never be sent out. That's something that I would like to see addressed.

Point of sale. I now qualify, guess what, as a little person, and I shrink all the time. So, I'm having an increasing amount of trouble with things that require people of average height. One of them is point of sale machines, and I just have to echo what a couple of other people have said.

Increasingly I'm going into stores, and for some reason, they are raising their point of sale machines, and I cannot see the screen. I sometimes have to

get on tiptoe to try to slide the card, and if you ask them if they will bring it down lower for you, usually they say no, it's attached to the shelf. There's nothing they can do about it. They will do it for me, or they will tell me what it is.

Well, sometimes I'd like to be able to see the information myself. So, I think the point of sale machine thing is definitely just one of those little, every day problems that we run into all the time.

To try to cover something a little bit bigger than this, as most of you know, I've been involved now with the ANSI Committee since 1992, and I know there are people who don't like ANSI. I think most of those people, frankly, don't understand it. Yes, it is political just like this group is political. No getting past politics, particularly not this year.

The ANSI method, however, I think is the most democratic method, or at least has the potential of being the most democratic method of any code writing method that I've had experience with. I want to tell you very briefly how it works. How it works is what we're being told is happening here.

At the beginning of the code cycle, everybody is invited no matter who it is, to send in code suggestions. The hope is that people will learn and look at the examples and actually write them up in reasonable code format, not just write letters about what they'd like to see. So, they send in these code suggestions.

At the first probably two meetings of the cycle, we spend the whole week, and that is five, seven- to eight-hour days going minutely over every, single one of these recommendations. I know it sounds like a lot of work. It is a lot of work. There are about 45 of us on the committee, so it takes a lot of coordination and cooperation.

People are allowed to move that these things be accepted or amended or whatever, even if they are not voting committee members. So, if you have a proposal, you can be the person to make the motion that it is to be passed or whatever. Somebody seconds it usually per discussion, and a lot of times, things are combined because there will be five or six people have a similar recommend.

Sometimes they're dismissed out of hand, and sometimes that's for very good reason. The person doesn't understand if something's in violation of the ADA, that kind of thing. But, a lot of times these things are seriously considered, and they live through that part of the cycle until we get to the other cycle.

They are winnowed down and winnowed down and every time they're winnowed down, they go out for public discussion. We literally, seriously consider the public discussion. At the very, very end, we're down to many fewer than the 200 and some we start with.

Important changes in the standard, and I know that that might seem too difficult for us to do, but I think we need a procedure something like that because when you put in a suggestion to ANSI, you at least find out what happened to your suggestion and a reason is given as to why people voted down. The other thing is, having all these different groups, having OSHPD and having DSA and having—this has been such a frustrating thing to me to see all these different groups working as if the other groups didn't even exist.

They should all be meeting in one group to consider all access provisions. It certainly couldn't be any worse than having 45 different groups meet in the ANSI meetings. We manage to get through those meetings without breaking into fist fights and treating each other pretty well. I think a lot of really good work comes out at the end.

It reminds me a lot of the way that our Access Committee was back in the very first days. It wasn't even an official Access Committee. Anybody really who wanted to come and put in the time could come. We crowded into a little, tiny room at the State Architect's Office around a table, and we started out—I can't remember how many suggestions, maybe 25, 30 of them.

In the end we winnowed it down to 13 that had been so carefully gone over. They had all gone out for public comment, and in the end, we had 13 really good code changes that passed through the State Building Standards Commission with flying colors, and I think they did a lot for access.

So, I would really like to see the state of California take some serious thought about how we could have a whole, big umbrella group made up of all these agencies, maybe with representatives of the disability community and some of the manufacturers and designers, something a little more similar, and the public would be invited and would have a part to play. Then, these final code change suggestions could go before the State Building Standards Commission. We might, then, come out with something meaningful on the other end.

The way it is now, I was on the Access Advisory Committee for I think six years, and it was so frustrating to sit up there and be told no, you can't actually move to change this because this is the way the state architect's committee gave it to us. What kind of a process is that? That is not a process that brings us anything. Everybody in the State Architect's Office might as well go off in their little cubicle and write whatever they feel like because that is too often what happens.

With all the good intent, and I have a lot of friends over the years that I've made in the State Architect Office. I like them very much, and they're good people who I think on the whole are trying to do the right things, so I don't think they're evil. I don't think they have evil intent, but frankly, too often I think they take the easy, bureaucratic way out. It's hard to do it the right way. It takes time, but please let's consider doing it that way. Thank you very much.

Derek Thank you, Sharon.

Susan Thank you, Sharon. Well, operator, I think we're right at almost out of time, and is there anyone else on the queue?

Moderator There's a gentleman who hasn't asked yet or talked, Anthony Aldvarado. Go ahead please.

Susan Again, we're right at our closing time. My apologies, but go ahead, Mr. Aldvarado.

Anthony Yes, hi. I'm an architect in California, and I just was curious because there were a couple comments made about electric vehicle access. From what

I'm reading in the 2016 code, it seems like it's implementing that. I just wanted to—if you could just briefly clarify that.

Derek Yes. This is Derek Shaw. The Division of the State Architect proposed a series of accessibility regulations regarding electric vehicle charging stations that are installed in public accommodations, commercial facilities, and in other public buildings. That was approved, and it was implemented into the 2016 California Building Code. The accessibility of provisions are there, and they become effective January 1, 2017. That's the effective date for the 2016 California Building Code.

Anthony Okay, excellent. Just wanted to make sure I was understanding that correctly.

Derek Thank you.

Anthony Thank you.

Susan Thank you. Operator, anyone else in the queue?

Moderator We have no one else in the queue.

Connie I have one last comment. I just have one sentence. I agree about the point of sale issue about the gangway issue for wheelchair users, and hopefully we'll move forward. I think getting a better process and bringing everybody back to the table is a good idea. Having the Accessibility Advisory Committee is a good idea, and I'm frustrated with the experiences that I have in access.

I'm frustrated when I see a reduction in access, and I want to see a strengthening of access. Everybody's aging. You're all going to get there. So, it's getting harder and harder for people.

Let's try to improve the code. I don't think because the ADA does not require you to align it, the title 24 to the ADA, you actually can have more stringent provisions in your state code, and we need to keep that. Thank you. That's it.

Susan Thank you. Well, I want to thank everyone for your comments and your participation. As we said before, we will be accepting proposed code changes until September 10th, and then we'll be having a follow-up meeting on September 21st to discuss prioritization of the proposed code changes. We encourage you to pass any invitations you receive regarding these sessions to anyone who might have something to contribute.

Again, at this time, we want to thank everybody for joining us, and if you have any additional comments or questions, please feel free to email us. So, again, thank you everyone, and—

Connie Just a question. How do we get access to that, to all the comments that have been submitted? Do we have to file an FOIA request for it so we can see what proposals are coming in after the 10th where we can actually see the letters that you've received?

Derek I'd be happy to respond. Our staff is going to be receiving these proposals. It will take us a few weeks to compile all the proposals and to start our initial review of those. Part of that process, we're going to be preparing a list of the proposals that we've received, and that list is going to come out prior to the prioritization meeting that Sue just mentioned on the 21st. So, it's going to come out before that. We'll have that all available for us, and then at the meeting on the 21st, we'll be able to discuss the proposals that we have.

Connie Have you had a lot already?

Derek We've been receiving proposals for the last year, so we have a number of them.

Connie Okay, and can I get copies of that through an FOIA request to see—

Susan You won't even have to ask for that because—I'm sorry.

Derek There is no product available for you to request, first of all. It's the Freedom of Information Act that addresses product of the agency. But, we will

be releasing it within a very short time period. I would encourage you to be patient for approximately two weeks from now.

Connie Alright. I will be patient.

Derek Okay, great.

Susan Okay. Again, thanks everybody for your time and for participating. Thank you, operator.

Moderator You're welcome. Ladies and gentlemen, that does conclude our conference for today. Thank you for your participation and for using AT&T Executive TeleConference. You may now disconnect.