



Santa Cruz County Commission on Disabilities

701 Ocean Street, Room 510, Santa Cruz, CA 95060
P: (831) 454-2772 F: (831) 454-2411 TTY/TDD 711
commissions@santacruzcounty.us
www.scccod.net

Notice of Public Meeting and Agenda

DATE: Thursday June 9, 2022

TIME: 12:30 PM to 2:00 PM

IN RESPONSE TO THE COVID-19 PUBLIC HEALTH EMERGENCY AND PURSUANT TO THE PROVISIONS OF AB 361 AND CAL. GOV. CODE 54953, THIS WILL BE A REMOTE MEETING. NO PHYSICAL LOCATION WILL BE AVAILABLE, BUT ACCESS TO THE MEETING AND AN OPPORTUNITY TO COMMENT WILL BE PROVIDED.

VIDEO CONFERENCE INFORMATION

TO JOIN BY VIDEO: <https://zoom.us/join>

OR TO JOIN BY PHONE: +1 (669) 219-2599 (dial *6 to mute/unmute, dial *9 to raise your hand)

Meeting ID: 495-687-4858

Passcode: 192244

AGENDA

1. Call to Order
2. Roll Call
3. Agenda Review
4. Approve *May 12, 2022 Minutes*
5. Public Comment: *Any person may address the Commission for a period not to exceed five minutes on any issue within the jurisdiction of the Commission.*
6. New/Continuing Business/Action Items:
 - 6.1. Access Technology Affordability Act Overview (H.R. 431/S. 212) – Brian Buhrow (National Federation of the Blind - California Board Member)
 - 6.2. Consider Voter Accessibility Committee Representation
 - 6.3. Consider Condolences for Robert Ludlow
 - 6.4. Consider Assembly Bill 361 Statement of Findings
7. Commission Reports
 - 7.1. History Report
 - 7.1.1. Commission History Project
8. Ad Hoc Subcommittee Reports
 - 8.1. Recreation Subcommittee
 - 8.2. Legislation Subcommittee
9. Staff Report
10. Emerging Matters
11. Adjournment

Next Regular Meeting: Thursday, August 11, 2022 from 12:30 – 2:00 PM

The County of Santa Cruz does not discriminate on the basis of disability, and no person shall, by reason of a disability, be denied the benefits of its services, programs, or activities. If you have a disability and require assistance to participate, please contact 454-2772 or TDD/711 at least 72 hours in advance to make arrangements.



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Meeting Minutes

DATE: Thursday, May 12, 2022
TIME: 12:30 PM to 2:00 PM
LOCATION: Remote Meeting
PRESENT: John Daugherty (1st District), Stacie Grijalva (2nd District), Fay Levinson (2nd District), Becky Taylor (3rd District), Richard Gubash (3rd District), Brenda Gutierrez Baeza (Vice Chair - 4th District), Michael Leimbach (4th District), David Molina (Chair - 5th District)
EXCUSED: Lynn Stipes (5th District)
ABSENT: None
STAFF: Kaite McGrew (Commissions Manager)
GUESTS: Tricia Webber (County Clerk) and 1 member of the public were present.

1. Call to Order

Meeting convened at 12:38 PM.

2. Roll Call

3. Agenda Review

4. Approve April 14, 2022 Minutes

Motion to Approve Minutes as written

Motion/Second: Molina/Levinson

Motion passed unanimously.

5. Public Comment

6. New/Continuing Business:

6.1. Voting Center Transition Update

Webber updated the Commission on the transition to a vote center model which fosters voter participation by making the voting process more convenient and more accessible for community members with disabilities and/or time/language/transportation barriers. Accommodations for voters with disabilities include ensuring that vote centers are accessible, using ballot marking devices with accessibility supported technology, providing a remote accessible vote by mail option, and providing audio and large print versions of voting materials. The Commission will consider providing representation on the county's Voter Accessibility Committee at the June meeting.

Motion to establish the ad hoc voter accessibility subcommittee authorized to make voter accessibility recommendations to the County Clerk's office on behalf of the Commission.

Motion/Second: Molina/Gutierrez Baeza

Motion passed unanimously.

Chair Molina appointed Levinson, Gutierrez Baeza and Grijalva to serve on the subcommittee.

6.2. Assembly Bill 361 Statement of Findings

Commission considered whether adopt a statement of findings authorizing them to hold their next meeting remotely under the provisions of Assembly Bill 361.

Motion to approve statement of findings authorizing the Commission to hold their next meeting remotely if allowable under the provisions of AB 361

Motion/Second: Molina/Daugherty

Motion passed unanimously.

7. Commission Reports:

7.1. Cabrillo Accessibility Support Center Advisory Committee Report: No Report

7.2. History Report:

7.2.1. Commission History Project:

Daugherty reported that local attorney and disabilities rights activist Bob Ludlow recently passed away. Commission will consider sending a letter of condolence during the June meeting. Staff reported that some incremental development on the Commission history project has occurred, including a conversation with former Chair Michael Molesky and establishment of an archive for records. Commissioners are encouraged to submit scans of any records they may have.

7.3. Legislation Report:

Ad Hoc Legislation Subcommittee is researching proposed legislative priorities in preparation for bringing them before the Commission for consideration.

8. Ad Hoc Subcommittee Updates:

8.1. Recreation Subcommittee

8.1.1. Adaptive Swim Program Report

Staff reported that Parks staffing issues have delayed implementation of the adaptive swim instruction component of the program, but the current strategy includes potentially including adaptive swim training for all lifeguards/instructors during orientation training.

9. Staff Report

Staff reported the *Diversity, Equity, and Inclusion Employee Survey* has been completed and data analysis is underway. Aggregate results will be shared at a future meeting.

10. Emerging Matters: None

11. Adjournment

Meeting adjourned at 1:22 PM.

Submitted by: Kaite McGrew, *Commissions Manager*



ACCESS TECHNOLOGY AFFORDABILITY ACT (H.R. 431/S. 212)

Issue—The cost of critically needed access technology is out of reach for most blind Americans.

The high cost of access technology creates a difficult economic reality. Most access technology ranges from \$1,000 to \$6,000. For example, a leading screen reader is \$900, a popular Braille notetaker is \$5,495, one model of a refreshable Braille display is \$2,795, and a moderately priced Braille embosser is \$3,695. According to the United States Census Bureau 69.1 percent of blind Americans are either unemployed or underemployed.¹ Consequently, most blind Americans do not have sufficient financial resources needed to purchase these items.² These financial barriers can ultimately lead to a loss of employment, insufficient education, or even isolation from community activities.

Medical insurance will not cover the cost of access technology. Current definitions of "medical care," "medical necessity," and "durable medical equipment" within common insurance policies do not include access technology. These definitions were adopted in the 1960s "when medical care was viewed primarily as curative and palliative, with little or no consideration given to increasing an individual's functional status."³ Many states' Medicaid programs and individual health insurance plans have adopted similar definitions and likewise will not cover the cost of access technology.⁴

Access technology enables blind Americans to participate in today's workforce. Blindness is well-defined and measurable,⁵ but affects each person differently and at different ages. Since individuals' needs differ, manufacturers have designed various tools that enable each blind American to perform tasks that they were once unable to accomplish themselves due to their blindness. Braille notetakers are frequently used in schools, screen-reading software allows workers to check their email at home, and screen-magnification software can help seniors losing vision learn about community activities. Access technology equips blind Americans to seek employment and stay employed. For the 69.1 percent of blind Americans who are either unemployed or underemployed, it is a vehicle that facilitates the job seeking process. Despite this critical need, public and private entities struggle to meet consumer demand.⁶ This leads to untimely delays in the delivery of necessary technology and ultimately harms the blind consumer.

Solution—Access Technology Affordability Act (H.R. 431/S. 212):

Makes access technology more affordable so that blind Americans can procure these items for themselves. It establishes a refundable tax credit for blind Americans in the amount of \$2,000 to be used over a three-year period to offset the cost of access technology. The credit created by the Access Technology Affordability Act will sunset after five years and will be indexed for inflation.

Provides flexibility for individuals to obtain access technology based upon their specific needs. Accessibility requires an individualized assessment of one's own skills and needs. Therefore, blind Americans should be given the opportunity to procure access technology on their own to ensure that they are receiving the tools that are most useful for them.

Will increase federal income tax revenue. More blind Americans working means more people paying taxes. It also means that those blind Americans who obtain gainful employment through this tax credit will no longer need to draw from federal programs such as Supplemental Security Income or Social Security Disability Insurance and will instead be paying into the Social Security Program.

GOAL—IMPROVE AFFORDABILITY OF CRITICALLY NEEDED ACCESS TECHNOLOGY NECESSARY FOR EMPLOYMENT AND INDEPENDENT LIVING.

Cosponsor the Access Technology Affordability Act (ATAA)

To cosponsor the ATAA in the House of Representatives (H.R. 431), contact:
Crozer Connor, Senior Legislative Assistant for Congressman Mike Thompson (D-CA)
Phone: 202-225-331
1, Email: crozer.connor@mail.house.gov

To cosponsor the ATAA in the Senate (S. 212), contact:
Ron Storhaug, Legislative Aide for Senator Ben Cardin (D-MD)
Phone: 202-224-4524, Email: Ron_Storhaug@sbcsenate.gov

For more information, contact:
Jeff Kaloc, Government Affairs Specialist, National Federation of the Blind
Phone: 410-659-9314, extension 2206, Email: jkaloc@nfb.org, or visit www.nfb.org

¹ United States Census Bureau, American Community Survey. "The percentage of non-institutionalized persons aged 21-64 years with a visual disability in the United States who were employed full-time/full-year in 2018." Compiled by Cornell University.

<https://www.disabilitystatistics.org/reports/acs.cfm?statistic=4>

² Erickson, W., Lee, C., von Schrader, S. (2016). "Disability Statistics from the 2014 American Community Survey (ACS)." Ithaca, NY: Cornell University Employment and Disability Institute (EDI). Retrieved November 11, 2016, from www.disabilitystatistics.org

³ National Council on Disability, "Federal Policy Barriers to Assistive Technology," (May 31, 2000) 8, http://www.ncd.gov/rawmedia_repository/c9e48e89_261b_4dda_bc74_203d5915519f.pdf

⁴ Assistive Technology Industry Associates, "AT Resources Funding Guide," <https://www.atia.org/at-resources/what-is-at/resources-funding-guide/> (last accessed December 10, 2018).

⁵ See 26 U.S.C § 63(f)(4).

⁶ See e.g. Department of Education, Rehabilitation Services and Disability Research, "Fiscal Year 2020 Budget Request," <https://www2.ed.gov/about/overview/budget/budget20/justifications/i-rehab.pdf>, p. I-50.



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SANTA CRUZ COUNTY COMMISSION ON DISABILITIES' FINDINGS PURSUANT TO ASSEMBLY BILL 361 AUTHORIZING TELECONFERENCE MEETINGS AS A RESULT OF THE CONTINUING COVID-19 PANDEMIC STATE OF EMERGENCY AND HEALTH OFFICER RECOMMENDATION FOR SOCIAL DISTANCING

WHEREAS, The Santa Cruz County Commission on Disabilities is a legislative body under the Brown Act as defined under Cal. Gov. Code section 54952(b) and Santa Cruz County Code Section 2.38.110; and

WHEREAS, on September 16, 2021, Governor Newsom signed Assembly Bill 361 ("AB 361"), urgency legislation effective immediately, that amended Government Code section 54953 to permit legislative bodies subject to the Brown Act to continue to meet under modified teleconferencing rules provided that they comply with specific requirements set forth in the statute; and,

WHEREAS, pursuant to AB 361 and Cal. Gov. Code section 54953(e)(1)(A), a legislative body may meet under the modified teleconferencing rules during a proclaimed state of emergency, and where local officials have imposed or recommended measures to promote social distancing; and

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic, and which remains in effect; and

WHEREAS, on September 30, 2021, Santa Cruz County Public Health Officer Dr. Gail Newel strongly recommended that legislative bodies in Santa Cruz County continue to engage in physical/social distancing by meeting via teleconference as allowed by AB 361 and confirmed that she will regularly review and reconsider this recommendation and notify the public when it is no longer recommended; and

WHEREAS, pursuant to AB 361 and Cal. Gov. Code section 54953(e)(3), within 30 days of the date the legislative body first holding a teleconferenced meeting under the modified rules, and every 30 days thereafter, a legislative body can continue to hold such teleconference meetings provided it has reconsidered the circumstances of the state of emergency and determined either that the state of emergency continues to directly impact the ability of the members to meet safely in person or that local officials continue to recommend measures to promote social distancing; and

WHEREAS, on June 9, 2022, The Santa Cruz County Commission on Disabilities held a teleconference meeting under AB 361; and

WHEREAS, this Santa Cruz County Commission on Disabilities has reconsidered the circumstances of the current state of emergency and finds that the COVID-19 pandemic continues to directly impact the ability of members of the public to participate safely in person and further finds that the Santa Cruz County Public Health Officer continues to recommend measures to promote social distancing; and

WHEREAS, in the interest of public health and safety, and due to the emergency caused by the spread of COVID-19, the Santa Cruz County Commission on Disabilities deems it necessary to utilize the modified teleconferencing rules set forth in AB 361;

NOW, THEREFORE, the Santa Cruz County Commission on Disabilities makes the following findings by a majority vote:

Section 1. The foregoing recitals are true and correct, and adopted as findings of the Santa Cruz County Commission on Disabilities.

Section 2. Effective immediately, and for the next 30 days, the Santa Cruz County Commission on Disabilities will meet via teleconference as authorized under AB 361 and Government Code section 54953(e)(3).

Section 3. No later than thirty (30) days from making today's findings, or at the next scheduled meeting, the Commission will reconsider the circumstances of the COVID-19 state of emergency and, if necessary, adopt subsequent findings to continue holding teleconference meetings in accordance with Government Code section 54953(e)(3).

PASSED AND ADOPTED by the Santa Cruz County Commission on Disabilities in Santa Cruz, State of California, this 9th day of June, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

David Molina

Chair, Santa Cruz County Commission on Disabilities

ATTEST:

Department Staff

Approved as to Form:

Office of the County Counsel



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Scheduled Meetings

Unless otherwise specified below, regularly scheduled Commission on Disability meetings are generally held as follows:

DAY: Second (2nd) Thursday*
MONTH: Every month except July and December
TIME: 12:30 PM – 2:00 PM
LOCATION: Santa Cruz County Building, Fifth Floor - Redwood Conference Room
701 Ocean Street, Santa Cruz, CA 95060 **unless held remotely**

***Unless noted otherwise below**

Changes to the schedule, including special meetings, changes of location, or meeting cancellations, will be listed on the website at www.scccod.net as soon as information becomes available.

2022 MEETING DATES		
DATE	TIME	LOCATION
January 13, 2022	12:30 – 2:00 PM	Remote
February 10, 2022	12:30 – 2:00 PM	Remote
March 10, 2022	12:30 – 2:00 PM	Remote
April 14, 2022	12:30 – 2:00 PM	Remote
May 12, 2022	12:30 – 2:00 PM	Remote
June 9, 2022	12:30 – 2:00 PM	Remote
August 11, 2022	12:30 – 2:00 PM	To Be Determined
September 8, 2022	12:30 – 2:00 PM	To Be Determined
October 13, 2022	12:30 – 2:00 PM	To Be Determined
November 10, 2022	12:30 – 2:00 PM	To Be Determined