DRAFT FOR REVIEW - January 2, 2024 DAC Meeting

Dear Chair Kennedy and Honorable Members of the Board of Supervisors:

We are writing on behalf of the Sacramento County Disability Advisory Commission (DAC), which was established on July 3, 1978, and is chartered to advise the County Board of Supervisors (Board) on matters relating to persons with disabilities, and on County compliance with laws and regulations applicable to accessibility and other civil rights of persons with disabilities. Also, the DAC is to review relevant County policies, guidelines, procedures, reports and status of Federal and State legislation, such as Section 504 of the Rehabilitation Act of 1973, as amended; and the Americans with Disabilities Act of 1990, as amended; to advise the Board accordingly.

We wish to advise you that in April of 2022, the DAC attempted and was denied the opportunity to schedule a timed item on the Board’s Agenda. County staff advised that DAC requests for agendized items must be approved and have the sponsorship of the Director of the Department of Personnel Services (DPS).

The purpose of the Agenda item was to submit and discuss the content of the comprehensive, Countywide DAC Annual Report 2021-22 (Report) (Attachment A), and recommendations for addressing some outstanding disability access concerns in several County departmental programs.

Per our founding resolution (Attachment B), we worked through the Sacramento County Disability Compliance Office (DCO), a division of the DPS, for the coordination of activities between the Commission and the various County departments. However, the resolution does not state the DAC work through the DCO or any other County entity, only implying that we advise directly to the Board.

The DAC followed DCO staff guidance and submitted the Report and Board Letter for signature of the Director of the DPS, Dr. Sylvester Fadal. Dr. Fadal was brand new to Sacramento County employment at the time and was just becoming familiar with the issues contained in the Report. Due to his unfamiliarity and the Countywide scope of the Report, Dr. Fadal declined to sign it, being that the issues went beyond his departmental authority. Instead, he referred the Report to David Villanueva, in his capacity as Deputy County Executive for Administrative Services, in the County Executive Office (CEO).

Since that time, we acknowledge great progress has been made regarding the implementation of the DAC’s recommended proposed changes, thanks in part to the CEO. However, due to a barrier in communication and transparency between the DAC and Board, we remain uncertain as to the Board’s awareness of the DAC’s activities, concerns, and recommendations.

During multiple, regular meetings with the Chiefs of Staff (Chiefs), we have asked them as to the reason the DAC cannot request a timed Agenda item on the Board’s Agenda without department approval and sponsorship. The Chiefs did not immediately have an answer, but eventually stated at the most recent meeting of May 11, 2023, that the flow of information from the DAC to the Board, depending on the nature of the item, is through them or the Director of the DPS.

With all due respect, we feel the response that we have received from the Chiefs does not yet address the fundamental question as to the reason we cannot ask for the County Clerk’s Office to put us on the Board’s Agenda.

Because of this status quo, the public is deprived of the opportunity to have information about and participate in discussions on our many collaborative efforts to improve disability access in Sacramento County.

Therefore, we respectfully request your assistance in resolving the question: How can the DAC schedule an Agenda item, such as an Annual Report regarding matters of disability access in County services and facilities, on the Board of Supervisors’ Agenda as a timed item for public discussion, without the requirement of a Department Director’s signature or being forwarded on by the Chiefs of Staff?

We look forward to your response and appreciate your guidance on this matter. Please advise through the DCO email <dco@saccounty.gov> if you have any questions or would like to discuss further the contents of this correspondence.

Sincerely,

Randy Hicks, Chair Gene Lozano, Vice Chair