

CALED

Economic Development Leadership Since 1980

February 6, 2020

Gurbax Sahota

President & CEO

California Association for Local Economic Development

PRESENTERS

- Heather Gurewitz, Former Executive Director, Economic Development & Financing Corp.
- Shannon Mulhall, NIC, ADAC, CASp, Certified Americans with Disabilities Act Coordinator, City of Fresno
- Dan Holler, Town Manager, Town of Mammoth Lakes

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Build & Support Your Rural Economy

- Rural Economic Development
 - Entrepreneurial Support & Financing Collaboration
 - Accessible Fresno Small Business Initiative
 - Affordable Housing

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BUILD & SUPPORT YOUR RURAL ECONOMY: ENTREPRENEURIAL SUPPORT & FINANCING COLLABORATION

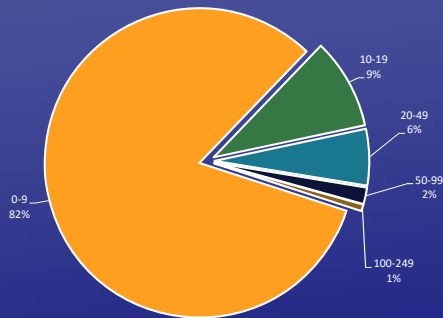
Heather Gurewitz,
Former Executive Director,
Economic Development & Financing Corp.

The Collaborative Approach

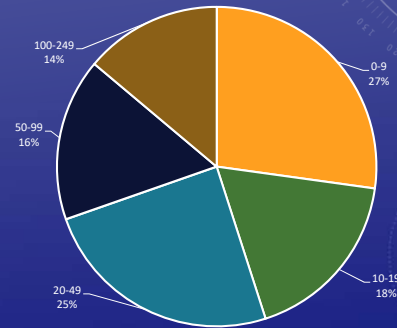


Mendocino Co. Business Demographics

Businesses by Size of Employment in Mendocino County, 2017



Total Employment by Size in Mendocino County, 2017



Challenges for Rural Business

- Necessity versus desire to run a business
- Higher costs and smaller markets
- Lack of “talent”
- Limited sources of financing
- The “scenic” effect

The LEEP Approach

- Coaching
- Capital
- Connections
- Culture
- Climate



Capital

- Business lending is all about risk
- Rural areas and economically distressed areas have inherently higher levels of risk
- Capital alone is not a solution; it only works in partnership with other strategies that limit risk.

BUILD & SUPPORT YOUR RURAL ECONOMY: ACCESSIBLE FRESNO SMALL BUSINESS INITIATIVE

Shannon M. Mulhall, NIC, ADAC, CASp

ADA Coordinator, City of Fresno

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DISCLAIMER

This presentation is solely for educational purposes and shall not be construed to be independent legal advice.

If you need legal advice, consult with a qualified attorney for any matters of legal significance to you.

WHY ARE WE HERE?



- 1 in 5 people have some kind of disability
- Access is a civil right
- Civil Rights violations = statutory damages
- Lawsuit-related costs exceed construction costs

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2018 LAWSUIT STATISTICS

Statewide

- Total lawsuit filings = 4,221
- Alleged violations: 11,197

High Frequency Litigants

- 5 Law Firms = 79%
 - 1 Law Firm = 49%

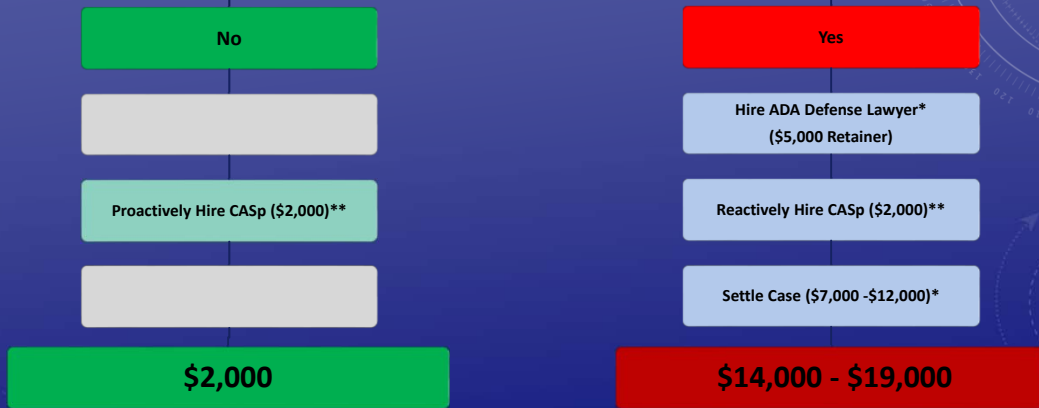
Top Lawsuit Targets

- Sales/rental establishments (31%)
- Food or drinks establishments (28%)
- Service establishments (24%)

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“WE’LL JUST WAIT TO GET A COMPLAINT...”

Accessibility Lawsuit



Amount paid by business BEFORE construction or barrier removal

**Based on Central CA averages – costs may be higher in other regions*

***Based on 4,000 square feet or less small business*

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PROACTIVE COMPLIANCE IS THE ONLY DEFENSE



Warning signs are not a compliance plan...

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ACCESSIBLE FRESNO

Proactive programs to encourage businesses to take steps toward construction related accessibility compliance.

www.fresno.gov/AccessibleFresno



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BUSINESS TRAINING & RESOURCES

- Partnerships for community training
- List of local lenders for CalCAP/ADA Financing low interest loans
- Informational brochures
- Inserts about CASp benefits

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ASSUMPTIONS

People with Disabilities:

- Have money to spend
- Are not “out to get you”
- Want to go to your business

Businesses:

- Don't know accessibility
- Don't understand disability
- Want to do the right thing



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FIVE STEPS FOR BUSINESS ACCESSIBILITY

1. Get a CASp Inspection
2. Include Accessibility in Business Plan
3. Check Lease Agreements
4. Create Accessibility Maintenance Program & File
5. Utilize Tax Benefits and Financial Resources

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CERTIFIED ACCESS SPECIALIST (CASp)

- Certified by the State of California
- Knowledge of construction-related accessibility standards
- Inspects for compliance issues



**MY BUSINESS IS ACCESSIBLE.
IS YOURS?**

Hire a Certified Access Specialist. Get legal benefits.

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CASp INSPECTION INCLUDES

- Inspection Report
- Disability Access Inspection Certificate
- Foundation for compliance schedule



All or part of this facility located at _____

has been inspected by a Certified Access Specialist (CASp)

ACCESS INSPECTED

THIS CERTIFICATE DOES NOT IMPLY THAT THIS FACILITY MEETS DESIGN AND CONSTRUCTION REQUIREMENTS FOR ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES.

Inspection Date: _____ CASp Signature: _____
CASp Certificate #: _____ CASp Name: _____
Please Print: _____
Inspection Certificate #: _____

www.dgs.ca.gov/06a/Programs/bringAccess.aspx

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ACCESSIBLE FRESNO

Provides businesses with
FREE
CASp inspection services.

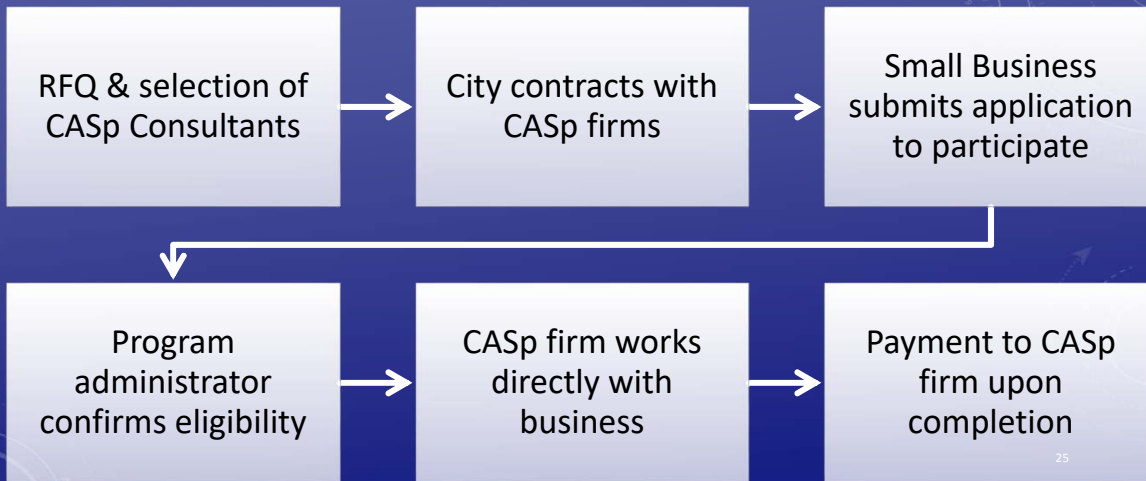
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BUSINESS ELIGIBILITY

- Small for-profit business in City of Fresno
- Current Business Tax Certificate
- Place of Public Accommodation
- Not involved in accessibility litigation
- No outstanding code violations on record
- Public Use area under 4,000 sq. ft.



HOW ACCESSIBLE FRESNO WORKS



CALIFORNIA GOVERNMENT CODE SECTION 4467, DISABILITY ACCESS & EDUCATION SB 1186 (2012)

- January 1, 2013 – December 31, 2018
- City/County collected \$1 with each business license or equivalent
 - 30% to Division of the State Architect
 - 70% retained by City/County

CALIFORNIA GOVERNMENT CODE SECTION 4467 DISABILITY ACCESS & EDUCATION AB 1379 (2017)

January 1, 2018 – December 31, 2023

- City/County collects \$4 with each business license OR application for a building permit
 - 10% to Division of the State Architect
 - 90% retained by City

January 1, 2024 - indefinitely

- Reverts back to \$1 with 30-70 split

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DISABILITY ACCESS & EDUCATION “CASp CERTIFICATION & TRAINING FUND”

- May ONLY be used for:
 - Increasing CASp training and certification
 - Programs to facilitate compliance with construction related accessibility
 - 5% Maximum administrative
- *“The highest priority shall be given to the training and retention of certified access specialists to meet the needs of the public in the jurisdiction”*
- Annual reporting to DSA is required

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FINANCIAL ASSISTANCE

- **CalCAP Small Business Loan**
 - \$50K for small business loans to ADA improvements (including CASp inspections)
- **IRS tax credits & deductions (Tax code § 44 & 190)**
 - Up to 50% of the eligible access expenditures in a year

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FIVE STEPS FOR BUSINESS ACCESSIBILITY

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BUSINESS THINKING SHIFT:

**Accessibility is not an
“added expense.”
It is a cost of doing business.**

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BUILD & SUPPORT YOUR RURAL ECONOMY: AFFORDABLE HOUSING

Dan Holler

Town Manager

Town of Mammoth Lakes



- Rural Economic Development
 - Leverage Existing Assets
 - We are Snow Farmers
 - Local Events and Producers
 - Base Funding – Provided
 - Creative Ideas
 - Summer and Shoulder Season Growth



- Rural Economic Development
 - Digital 395
 - A GIGABIT Community
 - Challenge with deploying the asset
 - Marketing the value
 - Shared Workspace
 - Remote Workforce development
 - Work – Play Opportunity



- Workforce challenge in a Tourism Based Economy
 - Constrained Land Base
 - High development costs
 - High value as “2nd” home opportunity (STR)
 - Lower end of wage scale for hospitality work



- Housing Challenge
 - Market Based Solutions – Not happening
 - Town Purchased 25 acres in center of Town
 - Community based planning for 400 - 450 units
 - Next steps – Environmental
 - Phase 1 Gap funding – Town commitment \$7.5M
 - Remaining Total Gap – Estimate - \$40+ Million ??



- Where are we going?
 - Grow revenue potential on smaller footprint
 - Requires quality Experience – Workforce
 - New investment in Amenities/Activities
 - New investment in the destination (Outdoors)
 - Leverage Technology Assets
 - Funding ???

Questions?