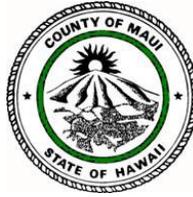


# COMMISSION ON PERSONS WITH DISABILITIES



January 08, 2009

## MEETING MINUTES

**I. CALL TO ORDER:** Vice Chair Valentine called the meeting to order at 1:35 p.m.

**PRESENT:** Commissioners Dr. John Briley, Karen Hue Sing-Ledesma, Linda Liddell, Marguerite Rowland, Feliciano Sales, Charlotte Seales, Andrew Valentine.

**STAFF:** Dep. Corp. Counsel Kimberly Sloper; ADA Coordinator DJ Schwind, Staff Jan Roberson

**EXCUSED:** Norita DeLima

**GUESTS:** Former Commission Chairs Tracy Souza & Charlotte Smith; Ex-Officio Mary Matsukawa; ADA Coordinator Tara Sabado; Lynn Keahi, representing Kehalani Homeowners Association.

**II. INTRODUCTIONS**

**III. APPROVAL OF MINUTES – October 09, 2008**

Commissioner Briley **MOVED** to accept the minutes. Commissioner Liddell **SECONDED. MOTION CARRIED.**

**IV. DEPARTMENT ANNOUNCEMENT**

Commission Staff person Jan Roberson announced the DHHC new policy to poll commissioners three days in advance of meetings and cancel the meeting if a quorum was unsure.

**V. PUBLIC TESTIMONY**

Lynn Keahi representing Kehalani Homeowners Association explained the issues regarding ADA retrofitting of driveways in the subdivision. The County Dept of Public Works is mandating a complete retrofit of all driveways and curbs in the subdivision within 18 months or the association will not be able to dedicate the roads to the county, making it responsible into perpetuity for all road maintenance. The developer is trying to make the home owners foot the bill. Both options are too costly for the homeowners. The homeowners association has a lawyer but hopes for permission to make "reasonable accommodations" when requested on a case by case basis. Right now, no homeowners are expressing concerns. Vice Chair Valentine said he would make a site visit but explained that the law is specific in that

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ADA must be complied with for all who MAY need it, not just when a case arises. Ex-Officio Matsukawa stated that the ADA laws had passed in 1990 and wondered why ADA compliance had not been done to begin with. Vice Chair Valentine said it was a national trend for developers to do just enough to get permits, then to shift costs to new homeowners. Commissioner Rowland said the matter was not within the purview of the Commission, especially since a lawsuit might be forthcoming. Dep. Corp. Counsel advised that it was appropriate to write a letter to the Mayor expressing the issue and offering ideas for solution.

### VI. UNFINISHED BUSINESS

#### 1. Review Commissioner Rowland's letter to DCAB regarding State Drivers manual and driver's exams

Commissioners reviewed the letter to DCAB. Commissioner Hue Sing-Ledesma MOVED to approve the letter with Vice Chair to sign as Commission Chair is unavailable. Commissioner Liddell SECONDED. MOTION CARRIED.

#### 2. Review Commissioner Rowland's letter to Hawaii Medical Association relating suggestions for physicians

Commissioners discussed sending a letter to HMSA, but decided instead to send a letter to Maui physicians with regard to issuance of placards. Commissioner Rowland to draft letter with Commissioner Briley. No motion was needed per Dep. Corporation Counsel Sloper.

#### 3. Review Commissioner Liddell's letter regarding after hours accessible transportation from hospitals on Maui and Molokai.

Commissioner Liddell said her letter was three pages long and did not wish to read it in its entirety. It dealt with establishing a voucher program or rotation system for transporting persons with disabilities from the hospital when they are not kept over night. Cabs are not accessible. Commissioners discussed forming a coalition with providers to find a solution. Deputy Corporation Counsel cautioned that it was not within the purview of the Commission to form such a coalition. Deputy Corporation Counsel Sloper advised sending a letter to the mayor stating the issues and offering solutions. ADA Coordinator Schwind cautioned that personal transportation is not an ADA issue and that the Commissioners might want to frame the issue as one affecting the entire population, not just an issue affecting persons with disabilities.

#### 4. Accessible Parking PSA

Commissioner Rowland wished to postpone working on a PSA regarding parking enforcement until DCAB responded to the Commission's letter. She hopes for a comprehensive statewide campaign similar to Click It or Ticket, with the state to cover costs. Vice Chair Valentine wanted to have both a letter to DCAB and a PSA.

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## VII. NEW BUSINESS

### 1. County Inclusion Specialist Tara Sabado

Inclusion Specialist reported that there are two wheel chair tennis instructors and two ADA accessible tennis courts so far, and more are needed. Vice Chair Valentine requested she make a PSA to attract more support. Dep. Corporation Counsel Sloper advised that the proper procedure would be to send a letter to the mayor.

### 2. 2009 Legislative Forum

The matter was deferred due to time constraints

### 3. Rescheduling Mayor for future meeting

ADA Coordinator Schwind requested the Commission send a new letter expressing that the Commission will accommodate the Mayor's schedule at any meeting beginning with its March 12 meeting. He requested the letter include issues and ideas for solutions.

### 4. 2009 meeting schedule and new venue

Commission Staff will look into the suggested conference rooms for future meetings, including those at Hale Makua, Kaunoa, Hale Mahaolu, Planning, Aquatics and Maui Community College.

## VIII. REPORTS

Reports were deferred due to time constraints. See Mary Matsukawa's report attached to minutes.

## VIII. AGENDA SETTING FOR FEBRUARY 12, 2009 MEETING

- A. Request presentation on ADA Bus Stops schedule, and safety at QKC
- B. Review letters
- C. Meeting venue
- D. Mileage reimbursement

## IX. ANNOUNCEMENTS

- A. Next Meeting: 1:30 p.m., February 12, 2009 venue to be announced

## X. ADJOURNMENT

Vice Chair Valentine adjourned the meeting at 3:10 p.m.