

COMMISSION ON PERSONS WITH DISABILITIES

MEETING MINUTES

Thursday, July 12, 2012

Hale Mahaolu Elima Community Room
11 Mahaolu Street, Kahului, HI 96732

I. QUORUM, ROLL CALL

- a. Meeting called to order at 1:32 p.m.
- b. **Commissioners Present:** Ramoda Anand, Gayle Burton, Joseph Felipe, Cesar Gaxiola, Yolanda Mau, Charlotte Smith, Mikey Tomita.
- c. **Staff Present:** Darren Konno (DOT), James Mariano (Aging) Gary Murai (Corp Counsel), Jan Roberson (DHHC), Tara Sabado (Parks), DJ Schwind (ADA)
- d. **Guests Present:** Honorable Mayor Alan Arakawa, Executive Assistant Mike Molina, Kelly Brown, Frances Durham, Kate Eifler, Karen Hue Sing, Harry Johnson, Eliza Lipetz, George Reioux, Kevin Souza, Andrew Valentine.

II. APPROVAL OF MINUTES: June 14, 2012

- a. Commissioner Burton MOVED to approve the minutes as written. Commissioner Mau SECONDED. MOTION CARRIED.

III. Commissioner Anand MOVED to suspend rules to take agenda items out of order. Commissioner Burton SECONDED. MOTION CARRIED.

IV. PUBLIC TESTIMONY ON ALL AGENDA ITEMS

- a. Testimony is limited to 3 minutes on agenda topics and a written copy of testimony is requested.
 - i. Andrew Valentine: My concern is that with hurricane season coming on the County has not yet to implement a plan that will get us from our homes to

the approved shelters. We do not know which shelters are established for disabled accessibility and where they are located and how to get there. No plan to get us there. Project Civic Access Agreement said that the County was to set up a transportation plan to get us from our homes to the shelters. That had not been done. I am very concerned that if a disaster comes up I am going to be stuck at home.

- ii. Commissioner Anand stated Hurricane Daniel almost came to our island today and it would be easier to have a transportation plan provided by the county to get us to the shelters because we almost got a hurricane today and we were very lucky.
- iii. Karen Hue Sing: I have three points I would like to discuss.

1. First, my disappointment that there is no disabled pass reduced fare. We attended many county council meetings and met with Transportation Department. There is senior passes, student passes, and general boarding, and so they forgot about the disabled community. Many of us are not seniors, many are not students. The general boarding is \$45. We would like to see a reduced fare for persons with disabilities similar to seniors and students.

2. Second, I would like to ask the Commission to continue with the emergency preparedness especially with the Project Civic Access. There have been committees and again we are in hurricane season and Daniel is here, there is another hurricane on its way. Not all persons are prepared. We know we are supposed to prepare to shelter in place or arrange to have

family help us, but many do not have family or even neighbors capable of helping them.

3. I would like to congratulate Ramoda Anand for his continued persistence on getting Makawao Town accessible. I was great that he went on his own and contacted the mayor, and several other people with disabilities, and the community and the newspaper was there. It brought attention to something that many of us with disabilities that use wheelchairs, walkers, persons with visual impairments and also even mothers with strollers, that have difficulty accessing our town and even our newer businesses. And I would like to thank the Commission for all your hard work and I support you and Mahalo for following up.

Commissioner Felipe requested copies of written testimony as he is hard of hearing. He requested a microphone for testifiers.

Staff Roberson requested testifiers submit their testimony in writing.

Commissioner Tomita suggested Mr. Felipe try a headset from Hawaii Center for Independent Living. Contact person is Nani Watanabe.

Chair Gaxiola thanked the testifiers.

V. CORRESPONDENCE

- a. Letter to Glenn Correa dated June 15, 2012
 - i. Commissioners reviewed the response letter relating to accessible parking spaces at Kepaniwai Park
 - ii. Chair Gaxiola read the letter (attached to the minutes)

- b. Commissioner Tomita stated it was a matter brought up by the commission last year.
- c. ADA Coordinator Schwind will discuss the matter with DCAB because the county has an obligation to provide accessible parking. He will report back at the August 2012 meeting.
- d. Matter deferred to August 2012 meeting.

VI. REPORTS

- a. Video broadcast subcommittee
 - i. Commissioner Sabado reported he had met with AKAKU CEO Jay April and that he had taken a video editing class.
 - ii. Regarding closed captioning: some ideas I had
 - 1. Our meetings run for 90 minutes.
 - 2. I recommended they be video taped but edited down to 30 minutes with spliced images and videos, such as the accessible parking and emergency preparedness to give the public a better idea of what we are talking about. Also we can include accessible county programs
- b. Commissioner Anand asked if it was legal to edit the meetings.
- c. Deputy Corporation Counsel Murai said he knows of no such law but he will look into the matter.
- d. Commissioner Tomita asked if AKAKU was planning to video tape every meeting
- e. Executive Assistant to the Mayor Mike Molina stated he would talk to the mayor about this.

VII. UNFINISHED BUSINESS

- a. **Question and Answer session with the Honorable Mayor Arakawa.**

Executive Assistant to the Mayor Mike Molina was introduced and will be representing the Mayor. Mr. Molina stated he would read the Mayor's responses verbatim. First of all, the Mayor expresses his gratitude to the commissioners for their

willingness to serve the community. Nowadays people are so preoccupied with so many

1. Can the Mayor appoint a specific person whose sole task is to ensure Maui is accessible?

Answer: The nation's economy is depressed, and due to budgetary constraints, we (the County) are reducing the level of employees thru retirement and attrition. Consequently, at this time, we are not looking at creating a new position or expanding the responsibilities of our ADA coordinator to full time. However, that does not mean that we are maintaining the status quo. What we are doing is focusing on training at the department level. To assist us in this endeavor, the Disabilities & Communications Access Board has provided workshops for County employees on Maui and in Honolulu. In fact, there is another series of workshops coming up next month. One workshop will focus on the 'updated' Americans with Disabilities Act Accessible Guidelines (ADAAG) requirements for Parks & Recreation facilities and programs. The other will provide an overview on effective communications which will include representatives from all departments. In addition, employees from the Department of Public Works, Department of Parks and Recreation, and the Department of Management attended the "2012 Conference on Disability Access" workshop in Honolulu earlier this year.

2. Can the County change the Building Code or County code and train inspectors to ensure all new buildings are accessible to the public, and have certificates of occupancy be withheld until the buildings comply with ADA laws for accessibility?

Answer: This is a tough issue due to the fact that the county has no authority to enforce the ADA. None of the counties or the State of Hawaii have ADA compliance requirements in their building codes. However, this does NOT mean that architects, or

contractors do not have to comply with ADA design standards, they still have the obligation to design and build to the standards developed by the U.S. Access Board and implemented and enforced by the Department of Justice.

3. How can the Commission on Persons with Disabilities work with the County to help in the event of a natural disaster or emergency event?

Answer: The commission can assist with a series of PSA's and workshops.

4. Can the County pass an ordinance or policy to give placards for specific family members to go through road blocks when notifying a person with disabilities of impending emergency and to assist with relocation?

Answer: The issuance of placards comes under the direction of the Disabilities & Communications Access Board Commission. Not a good idea to have vehicles going in the opposite direction in an area that is being evacuated.

5. Can the County pass an ordinance or policy to allow people to register for emergency notification and assistance? Perhaps the form can be placed in the phone book?

Answer: This has been an on-going issue for many years. This sounds good on paper, but in the real world, it's not practical to attempt. What types of notifications would be included? We already provide e-mail, radio, TV and sirens to notify the public of an eminent danger. Also, a BIG issue is who would be responsible for developing and maintaining the information? Who would be liable if the database was not current and someone was injured or worse?

VIII. AGENDA SETTING

- a. Accessible parking at Kepaniwai Park – DJ Schwind
- b. Video taping by AKAKU – Mike Molina
- c. Commissioner Burton will invite Jean Tessmer, photographer and designer for Space Options, to present at the August 9 meeting.
- d. PSA's and workshops per the mayor's recommendations
- e. Annex N – subcommittee recommendations
 - i. Accessible bus evacuation to shelters for disabled community
 - ii. Site visits to accessible shelters

IX. ANNOUNCEMENTS

- a. Next meeting is set for 1:30 – 3 p.m., Thursday, August 9, 2012 at Hale Mahaolu Elima Community Room at 11 Mahaolu St., Kahului.
- b. Tamickco Jackson of the Maui Office of Veterans Services will be a guest presenter at the September 13, 2012 meeting.
- c. The next planning meeting for the Maui Disability Alliance Legislative Forum is set for 11 a.m. to 12:30 p.m., Friday, July 27 at the J. Walter Cameron Center.
- d. Maui Disability Alliance Legislative Forum is set for 4-6:30 p.m., Thursday, September 13 at Maui Waena School located at 795 Onehee Avenue, Kahului. For more information call 984-8218.
- e. 15th Annual Primetime Wellness Fair – 8:15 a.m. to 12:30 p.m., Tuesday, July 24 at Kihei Community Center.

X. ADJOURNMENT

- a. The meeting was adjourned at 2:50 p.m.