



MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES

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MEETING MINUTES

**March 12, 2015, 12:30 p.m. to 2:00 p.m.
Hale Mahaolu Elima Community Room
11 Mahaolu St., Kahului, HI 96732**

I. CALL TO ORDER

Vice-Chair Sabado called the meeting to order at 12:35 p.m. in Hale Mahaolu Elima Community Room located at 11 Mahaolu Street, Kahului, Hawaii.

Vice-Chair Sabado announced that Chair Laemoa was unable to attend and he would chair the meeting.

Commissioners present included: Kevin Souza, Mikey Tomita, Faraz Azizsoltani and Vivian Lindsey.

Commissioner Gabriel Johnson was excused.

Staff present included Jerrie Sheppard, Deputy Corporation Counsel and Nalani Podlewski, Secretary.

County staff present included Darren Konno, Transportation Specialist; DJ Schwind, ADA Coordinator.

Guests present included Kate Eifler (sign interpreter) and Victor G. Lesa, Jr.

II. APPROVAL OF MINUTES: February 12, 2015

Vice-Chair Sabado asked if any revisions to minutes were needed.

Commissioner Souza requested correction of last name of testifier Rita Woodford to Whitford.

[Commissioner Davis arrived at 12:45 p.m.]

Commissioner Tomita introduced a MOTION to amend minutes to include a copy of the Chair's letter to A&B and response letter from A&B. SECONDED by Vice-Chair Sabado. No further discussion. Vice-Chair Sabado called for vote to include letters into minutes. All in favor, MOTION CARRIED.

Commissioner Tomita questioned the format of the agenda. Ms. Sheppard reminded the commission that when the agenda is published it is set for the meeting but format can be adjusted for future meetings. Commissioners agreed to new format which separates old from new business.

Commissioner Azizoltani introduced a MOTION to approve minutes, as corrected. SECONDED BY Commissioner Souza. Vice-Chair Sabado called for vote, all in favor, MOTION CARRIED.

III. PUBLIC TESTIMONY ON AGENDA ITEMS AND COMMUNITY CONCERNS AS THEY PERTAIN TO ISSUES AFFECTING PERSONS WITH DISABILITIES

Testifier Victor Lesa showed pictures of a sidewalk at a dog park where he takes his service dog near YMCA in Wailuku. He indicated that there are hazards on sidewalks that cannot be seen at night. He is concerned about possible damages to his wheelchair due to the hazards. Mr. Lesa also mentioned that the paratransit drivers are still asking how to hook up wheelchairs. Some drivers only hooking to the front of the wheel chair and not to main body of frame, which is a safety concern. He also shared a picture of a fire hydrant in the middle of a sidewalk. Vice-Chair Sabado requested that Mr. Lesa provide his contact information and email to the secretary, and send his photos with an area description so she may forward that to ADA Coordinator D.J. Schwind for follow-up. Another issue that Mr. Lesa questioned is the process to get paratransit approval thru the state.

IV. NEW BUSINESS

a. Discussion on Paratransit Transportation:

Commissioner Lindsey shared that she went to the Council Housing, Human Services and Transportation Committee

Meeting on March 5, 2015, in chambers. 14 persons testified regarding the agenda item Paratransit Services (HHT-5). Of those 14, only 3 were not wheelchair bound. Testimony included concerns on missed appointments and extended rides. She shared that they have approached every councilor and will be meeting one-on-one before budget session begins. She added that the biggest problem is the program is designed for metropolitan routes and not rural routes. Commissioner Lindsey suggested the contract be rewritten.

[Commissioner Valentine arrived at 1:05pm]

Vice-Chair Sabado welcomed Commissioner Valentine and asked if he had anything to offer to the discussion.

Commissioner Valentine shared that today's ride was a good example of the flaws in the paratransit service as the bus was running behind schedule. He indicated that instead of a ride directly to his destination, the bus was late, the supervisor re-routed another bus, he had to share with an extended ride that meandered around before getting to his destination. That causes extended jostling of persons riding, sometimes as long as 90 minutes, which isn't healthy, and can be difficult for persons who hadn't planned that length, for bathroom needs as well as the strain of such long rides. And unanticipated extended rides make people miss appointments. He suggested that a request be made to the Mayor to send the County's paratransit plan to the Department of Justice (DOJ) for review, and adjust for better service.

Commissioner Valentine presented a MOTION to 1) send a letter to Mayor to amend the contract; 2) ask DOJ to review the county's paratransit plan and 3) institute \$30 general pass for disabled persons to access the regular bus system. **SECONDED** by Commissioner Lindsey. Discussion: Mr. Schwind requested clarification as to the request to amend the contract, asking commissioners to identify specific terms to amend and provide recommendations. Commissioner Valentine responded that commissioners do not have the ability to go through the contract documents as lawyers do. No specific terms or recommendations for revision were made

during discussion. Commissioner Davis suggested that a disabled person sit on the committee which review contracts

Commissioner Valentine AMENDED his MOTION to write a letter to the Mayor to utilize the Commission on Persons with Disabilities in contract discussions. SECONDED by Commissioner Davis.

Darren Konno shared that a lot of issues that are being discussed do not have anything to do with the contract for services, rather it pertains to rules, regulations and procedures after contracts are awarded. Mr. Konno advised that rules and regulations can be changed at any time. Commissioner Valentine suggested that disabled persons should be consulted as to how rules will affect them. Vice-Chair Sabado suggested that the motion be scratched to provide time for further discussion. Commissioner Davis objected to tabling motion. Ms. Sheppard reminded commissioners that an amended motion which had been seconded remained on the floor. Vice-Chair Sabado asked if there was any further discussion, none offered. He called for the vote, all in favor. AMENDED MOTION CARRIED.

- b. Response to inquiry on photos of missing sidewalks fronting the Kahului Fire Stations:

Vice-Chair Sabado read a brief report from Tara Sabado, Recreation Specialist-Inclusion regarding her meeting with Disability Communication Access Board Coordinator Mona Higa. Copy of the report dated 3/11/2015 attached to these minutes.

Commissioner Valentine expressed concern that the sidewalk leads to nowhere. Commissioner Azizoltani stated that the fire station is not accessible to disabled and perhaps it falls under the county code. Mr. Schwind commented that it is not a county code issue, it is federal law; there is no law that says sidewalks must be installed fronting fire stations. In fact, there may be safety issues if pedestrians or wheelchairs block fire trucks departing the stations on calls. Commissioner Valentine responded that the barrier on the sidewalk needs to

be removed, and wheelchairs should have access to the fire stations. Commissioner Valentine reported that there is a curb on the sidewalk barring access to cross in front of the Kahului Fire Station. The ramp leads to no place and blocks access to cross in front of the fire station to the opposite sidewalk. He desired a representative from Public Works come to the Commission's next meeting and explain why this ramp exists if you can't move forward because the sidewalk is blocked by a curb.

MOTION introduced by Commissioner Davis to send a letter to Department of Public Works, with a courtesy copy to the Mayor, requesting that a representative attend the Commission's meeting and explain why the curb bars access from the sidewalk at the Kahului and Kihei Fire Stations, and to explain the ramp to the dog park presented by today's public testimony from Victor Lesa, Jr. The letter should attach the photos to be provided by Mr. Lesa. Mr. Valentine explains that when he takes his wheelchair up the ramp at the Kahului Fire Station next to the Harley Davidson business, he has to go back down the same way he went in and not proceed across the fire station's driveway to the opposite sidewalk due to a curb. Why is that curb there? MOTION SECONDED by Commissioner Souza. Vice-Chair Sabado called for the vote, all in favor, no opposition. Ms. Sheppard interjected that she heard motion and second and the call for vote but did not hear if discussion was concluded. Vice-Chair Sabado responded that Ms. Sheppard is correct and opened discussion. Commissioner Tomita asked if Kihei Fire Station issue was taken care of. Vice-Chair Sabado suggested that discussion on the current motion be continued until the next meeting. Commissioner Valentine added that if the condition exists at other fire station locations, it is still something that the Public Works representative should explain. Commissioner Davis contributed that the dog park situation brought up by today's testifier, Mr. Lesa, should be included.

Commissioner Davis AMENDED his MOTION to request a Public Works representative attend the next meeting and explain why there is a ramp on corner of Dairy Road at the Harley Davidson store which only allows a wheelchair to go up

and come back down and has a curb so you can't proceed forward. And, to have that representative also address the incomplete ramps at the location described by Mr. Lesa's testimony (at dog park near YMCA, Kahului) and attach the photos from Mr. Lesa which he is to email to the secretary. The AMENDED MOTION was SECONDED by Commissioner Azizoltani. Vice-Chair Sabado asked if there was any further discussion, none offered. He called for the vote, all in favor. MOTION CARRIED.

Ms. Sheppard asked for clarification about whether the commissioners empowered the chair to draft the letter on behalf of the commission, or if they wanted the letter to be reviewed at the next commission meeting. Commissioners agreed that it is not necessary to bring the draft letter to the next commission meeting for review. Instead, the Vice-Chair may draft the letter and provide it to the secretary who will email it to all commissioners for review with a deadline for comments/changes. Ms. Sheppard reminded commissioners that the Sunshine Law prohibits external communications among the members of the commission, but they can send changes to the letter to the secretary. Once the letters have been approved, they should be sent. Commissioners agreed chair shall prepare letters and secretary will email to commissioners for review and comments.

- c. Lack of access fronting Lanai Post Office: Deferred
- d. Emergency Communication: 911 system

Ms. Podlewski shared that she received a verbal response from Maui Police Department representative that this meeting conflicts with 911 Dispatch meetings and a written response is being prepared for next meeting. Vice-Chair Sabado deferred item.

- e. Emergency Preparedness: Shelters

Commissioner Valentine met briefly with Charnan, Deputy Director of Civil Defense. She suggested that commissioners assist as they start planning for emergency responses and

involve care agencies. Ms. Sheppard advised that commissioners could establish a sub-committee of two or more persons. Commissioner Valentine introduced a MOTION to establish subcommittee of two (2) persons to work with Civil Defense on persons with disabilities accommodations during emergency period. SECONDED by Commissioner Davis. During discussion, Commissioners Valentine and Lindsey agreed to sit on the subcommittee. Vice-Chair Sabado called for the vote, all in favor. MOTION CARRIED.

f. Appreciation Letters/Certificates

Mr. Schwind presented appreciation letters and certificates on behalf of Mayor Arakawa to Commissioner Harold Davis and Commissioner Paulo Sabado for their service on the commission.

Commissioner Davis shared a few words of appreciation.

V. AGENDA SETTING - Topics suggested:

- a. Include existing items under OLD BUSINESS on next agenda
- b. NEW BUSINESS
 - i. Commissioner Tomita would like to discuss lack of access at Papalaua Beach Park (after tunnel on way to Lahaina.) He will send in photos.
 - ii. Commissioner Azizoltani to send in photos on lack of sidewalks in Lahaina.
 - iii. Commissioner Valentine requested attendance of Tara Sabado at next meeting on facilities access on parks that are in progress.
 - iv. Commissioner Tomita would like to request Planning Director as it relates to Small Town Grants for Makawao sidewalks. Commissioner Davis added that couple months ago discussion was held on seeking public funds to assist private owners with sidewalk improvements. Commissioner Tomita agreed to place on May agenda.
 - v. Subcommittee Report on Emergency Preparedness: Accommodations during Emergency Periods.
 - vi. Responses to concerns from testifier V. Lesa

VI. ANNOUNCEMENTS

- a. Next meeting on April 9, 2015, 12:30 p.m. to 2:00 pm at Hale Mahaolu Elima Community Room

VII. ADJOURNMENT

- a. Vice-Chair Sabado adjourned the meeting at 2:00 p.m.