

COMMISSION ON PERSONS WITH DISABILITIES

February 8, 2007

County Building, 4th Floor Conference Room

CONVENE: 2:00 p.m.

PRESENT: Tracy Souza, Chair
Marguerite Rowland, Vice-Chair
Norita DeLima, Member
Ramoda Anand, Member
Patricia Duckworth, Member

EXCUSED: Kuilauokalani Lester
Darren Quinn

ADMIN.: Barry Aoki, Department of Police
Edward Kushi, Deputy Corporation Counsel

STAFF: Denny Schwind, ADA Coordinator

GUESTS: Charlotte Smith
Harry _____, Maui Economic Opportunity
Agnes Groff, Maui Economic Opportunity
Anthony Simmons
Mary Matsukawa

CHAIR SOUZA: Okay, I want to call to order the meeting on the Commission on Persons with Disabilities. We don't have to approve any minutes this time. The last minute, the last meeting we had November 9. I think I pushed the button the wrong way. The machine was going. We don't have any minutes to approve.

Okay, first on the agenda, we have Mr. Sergeant Aoki, status of disabled parking enforcement program.

SERGEANT AOKI: We're still trying to streamline our training. It's currently, it's like one week of training because, overall training . . . (inaudible) . . .try to get it to

comply with the Prosecutor's, see how much training you actually need to write a ticket. . . . (inaudible) . . . we gotta redo our training schedule.

So our Lieutenant is looking for an outline. Try to see what we can do. But we cannot . . . (inaudible) . . . Prosecutor's Office. We still have five people.

CHAIR SOUZA: . . .

SERGEANT AOKI: And I think John Hultquist still said he wasn't sure. Do you guys have anybody who's interested?

MS. ____: Are they writing any tickets?

SERGEANT AOKI: No, not currently. We still gotta get the training issue squared out. There's three more, three of 'em are from the Parks Department.

MR. ANANDA: . . . (inaudible) . . .

MR. SIMMONS(?): He wants to know what the application process still the same, too?

SERGEANT AOKI: Yes, our Chief doesn't want to tear it down.

MR. ANANDA: . . . (inaudible) . . .

SERGEANT AOKI: It's, a lot of it is, you know, some things if it doesn't apply here, the next page or page and a half you don't have to fill out. Even there's like 11 pages involved, it's not that bad.

MR. ANANDA: . . . (inaudible) . . .

MR. SIMMONS(?): How does it get a copy of the application?

SERGEANT AOKI: I can send one if you gentlemen tell me what his name is.

MR. ANANDA: Yeah.

SERGEANT AOKI: Send it to Tracy?

CHAIR SOUZA: Yeah, so be it.

MR. SCHWIND: What is the length of the training now and versus what you're trying to cut it down to?

SERGEANT AOKI: It's 40 hours; it's a week.

MR. SCHWIND: Forty hours?

SERGEANT AOKI: Yeah, we were trying to do it in . . . (inaudible) . . .

MR. SCHWIND: Wow.

SERGEANT AOKI: Because of . . . everything else, since they're under the Police Department . . . minimum requirements for training. Because part of it would be like . . . How to use the 911 system . . . calls.

MR. ANANDA:

SERGEANT AOKI: Then we cover the statutes. Because Honolulu is 40 hours.

MR. SCHWIND: Wow.

SERGEANT AOKI: So I think the last crew. . . (inaudible) . . . and that's kind of long hours for somebody who comes, without getting paid to attend.

MR. SCHWIND: So you think you could realistically cut it down to one day?

SERGEANT AOKI: I think so.

MR. SCHWIND: Wow. And when is that decision going to be made?

SERGEANT AOKI: I'm just working with the Lieutenant now, so he's in Honolulu right now so when he gets back I hope we can get it started.

MR. SCHWIND: Wow . . .

MS. ____: We're putting in the newspaper that we're looking for more volunteers?

SERGEANT AOKI: Um . . .

MS. ____: To see if there's somebody out there before you do the training?

SERGEANT AOKI: Is it posted on the, I thought it was posted on the ____?

MS. ____: I have no idea. It might be worth trying to get more volunteers.

SERGEANT AOKI: Because it comes out of the auxiliary officer program, the Citizens' Patrol Program. It's under that. Because I know before they didn't want to use

the current ones, both sides, but that was with the, the Captain that was in Kihei. There's a new commander out there. Check with them.

MR. SCHWIND: Do you have questions?

CHAIR SOUZA: Thank you very much, Sergeant.

MR. SCHWIND: See you next month. Thank you.

CHAIR SOUZA: The next on the agenda, correspondence. Everything was turned in. Unfinished business, I'll move it to the end of the meeting. I'll make sure we get everything done, finished first so we get all the reports done. Okay, Chair, for my reports, yeah, next month, March 8, we have to vote for a new chair and vice-chair. I want to make sure we do it, make sure we have enough people for quorum. My idea is to do the voting now if you guys all agree. For new chair and vice-chair. My term and Kui's term will be over in April. We have to have a new chair and vice-chair--

MR. ANAND: . . . (inaudible) . . .

MR. SCHWIND: Yeah, his term also.

MR. ANAND: . . . (inaudible) . . .

MR. SIMMONS: His term is over next month. . . . apply again. He's taking someone else's term. He wants his own term.

CHAIR SOUZA: Okay, we're going to open it up for chair.

MR. SCHWIND: I think he asked a question. The ninth, you can contact the Mayor's Office on the ninth floor or you can call them at 7855 and ask for an application for boards and commission members, that you're interested in reapplying. But I think in terms of the next term, they have already selected individuals. But there are other boards and commissions that you might be interested on or you can say that should a vacancy arise or when the next person's term expires, that you're interested.

MR. ANAND: . . . (inaudible) . . .

CHAIR SOUZA: Okay, chair, new chair.

MR. SCHWIND: Any nominations?

MS. ____: Would you be willing to do it again?

MR. SCHWIND: What's that?

MS. ____: Would you be willing to do it again?

MR. SCHWIND: He can't. He's going to be off. His term ends so, yeah.

MS. ____: Oh, so your term as a commission person ends too.

MR. SCHWIND: Yeah, Tracy Souza and Anand Ramoda and Kui Lester—I'd hate to mispronounce the first name. Those three terms end the end of next month. So the ninth floor has selected and made recommendations to the Council for approval three people to replace those members who terms are expiring next month and also to replace Patricia Stewart, who as you all know passed away. So there'll be four new members coming on. At least three in April and maybe one before then or maybe all four in April. That's half the commission. So anybody want to nominate Norita for the Chair?

MS. DUCKWORTH: I'll nominate.

MR. SCHWIND: And who is that?

MS. DUCKWORTH: Oh, I'm sorry. It's Patricia Duckworth, and I'm nominating Norita—that's awful—I don't know your last name.

MS. DELIMA: DeLima.

MS. DUCKWORTH: DeLima—for the position of Chair.

MS. ROWLAND: I second.

MR. SCHWIND: Who is that?

MS. ROWLAND: Margo Rowland.

MR. SCHWIND: Margo Rowland second.

CHAIR SOUZA: All in favor?

COMMISSION MEMBERS: Aye.

CHAIR SOUZA: Good. So moved. The new chair will be Norita DeLima. Congratulations.

MR. SCHWIND: In April. Okay.

CHAIR SOUZA: April.

MR. SCHWIND: Now vice-chair.

CHAIR SOUZA: Now for vice chair.

MS. ROWLAND: Is—what's his name—Darren still coming?

CHAIR SOUZA: Darren was coming today. He had minor surgery.

MS. ROWLAND: Oh.

CHAIR SOUZA: But he's still a member.

MS. DUCKWORTH: Can they nominate Darren?

MR. SCHWIND: Can we nominate him?

MR. KUSHI: He's just not here to defend himself so—

MR. SCHWIND: Okay.

MS. MATSUKAWA: Doesn't he have to be there to accept the nomination, to agree to it?

CHAIR SOUZA: No. He can, when he shows up, Mr. Chair, when he shows up, he can say—

MR. SCHWIND: He declines.

MR. KUSHI: Declines. You can always substitute, substitute him at that time.

MR. SCHWIND: So you have a nomination by Darren Quinn by—

MS. ROWLAND: Margo Rowland.

MR. SCHWIND: And second by?

MS. DUCKWORTH: I have seconded. Patricia Duckworth.

CHAIR SOUZA: All in favor?

COMMISSION MEMBERS: Aye.

MR. SCHWIND: All right.

MR. KUSHI(?): Mr. Chair, put it subject to Mr. Quinn's approval.

MR. SCHWIND: As recommended by our Corporation Counsel, the appointment of Darren Quinn as the vice-chair is subject to his approval. Thank you, Mr. Corporation Counsel.

CHAIR SOUZA: So the April 12 meeting, I'll open the meeting and I'm going to pass it to the new Chair Norita, and she'll continue the rest of the meeting.

Okay, next on my report, transportation. MEO, anything to report? Anything to say?

HARRY(?): Currently we don't have anything to report. We're just, we're here representing MEO in the transportation portion of your endeavors. But if there's any other questions that you'd like to ask us, please feel free to ask--

CHAIR SOUZA: I see you got a lot of new drivers again, huh? So there's more people training--

UNKNOWN: Yeah, we were currently, currently just had one driver recently just pass his CDL license this morning. And so we're still trying to build that workforce along. We're having another class in April, second week of April. We're still trying to recruit drivers for ADA accessible transportation.

MR. SCHWIND: I get a lot of calls, this is Denny Schwind. I get a lot of calls from people that are planning to visit Maui and requesting transportation from the airport to wherever they're staying. And is that a possibility through MEO to provide that service?

HARRY(?): There is. There is a possibility for that service, and if they can give us a call and we would advise them on what's available. There's also a possibility of them utilizing the transit shuttle service, which runs through the airport on a continual basis. So whichever they would prefer.

MR. SCHWIND: And the shuttle goes from the airport to?

HARRY(?): It'll go from the airport to Kaahumanu I believe. That's the County transit system. So they're also providing that service. I believe it's still free of charge from the airport to Kaahumanu. And then from Kaahumanu Center, it would

feed out to wherever they need to go. I'm not sure if they'll take 'em directly to their accommodation area, but if that doesn't fit their, their need, then we would be willing to look at what they--

MR. SCHWIND: Oh, wow. And then how much advance notice would you need?

HARRY(?): We normally like to get at least a three week advance notice, and if they're planning to come to Hawaii, more than likely they've made—

MR. SCHWIND: Oh, yeah.

HARRY(?): --longer arrangement for . . . advance notice--

MR. SCHWIND: And do they ask for any, just transportation department or--

HARRY(?): They can ask for, they can call our number, 877-7651, and that would be the general number to our Transportation Department and request for ADA _____ transportation from the airport to their hotel or accommodation.

MS. ROWLAND: That's great because that Accessible Vans of Hawaii is super expensive. I mean, let me tell you, to rent one of those vans or, I mean, I don't know that they just provide transportation from point A to point B.

HARRY(?): It's a costly factor for anyone because the airport has itself, they have a fee if you're doing business there--

MS. ROWLAND: Right.

HARRY(?): --which requires you to apply for a certain license there. So there is a fee that's associated with doing business at the airport. What is happening with the County and with the transit system is that they've, the State has actually given the County an opportunity to provide _____ transportation, a transit service there at the airport for nothing. Actually, it helps out the airport a lot because it eliminates a lot of traffic in the airport itself, as well as people trying to get to the airport instead of bringing their own cars. If you'll notice, on the weekends at the airport, the parking lot is always full. And they're utilizing a separate service to transfer people off-site at a parking lot area and then transferring them from there back to the airport. So it helps out a lot, I mean, to get people to the airport and from the airport. So we're just one of the . . . I'm pretty sure there's about three or four other vendors that are also performing that service. I believe Robert's is one and there's couple others that will do it for a fee. So but they do need to pay a fee just to offer it at the airport.

MR. ANAND: . . . (inaudible) . . .

HARRY(?): I'm guessing he's saying that there's an Upcountry route.

MR. SIMMONS: Yeah.

HARRY(?): There is. There is a small fee associated with that through the transit system with the County. I'm not sure what the fee is.

MS. DELIMA: I believe it's a dollar.

HARRY(?): Yeah, that's not bad. It's pretty decent for that to occur. I mean, that's, and it's a matter of being there on time for that bus to go through.

MS. DELIMA: . . . kids that go from . . . I'm Norita, and you have to catch it from Kaahumanu Shopping Center.

UNKNOWN: So the bus is not going to the airport?

MS. DELIMA: No, that's the same airport that goes to the airport. But the person has to catch it from Queen Kaahumanu Shopping Center.

HARRY(?): Kaahumanu Shopping Center is the hub.

MS. DELIMA: Right.

HARRY(?): Yeah.

MR. SCHWIND: And where does it drop the passengers off Upcountry?

HARRY(?): That I'm not sure of.

MS. DELIMA: I know one stop is across the library, Makawao Library.

MR. SCHWIND: So it's not door-to-door kind of thing?

UNKNOWN: Oh, no.

MR. SCHWIND: Okay.

MS. DELIMA: Designated stops.

CHAIR SOUZA: Okay, if you want to know more about Robert's or Maui Bus, you call Maui Bus to work it. They're willing to help you. Call there for Lahaina and they'll explain everything to you. You want to find out everything.

MS. DELIMA: And I have the number.

MS. MATSUKAWA: Tracy, could I ask a question. It's Mary. Harry, it's my understanding Ala Hou no longer makes the one dollar donation? It's asking for a one dollar donation?

HARRY(?): As of July of 2006, the dollar donation or the dollar fee is no longer a part of that program, so it's actually for free.

CHAIR SOUZA: If you want to make a donation, you still can.

HARRY(?): Yeah.

CHAIR SOUZA: It's up to you. But you're not required to. Okay.

MS. GROFF: My name is Agnes Groff. I just wanted to bring it to the attention that when I was at the airport, there was no schedules on the public shuttle. Robert's public shuttle. Because there were people there wanting to catch the bus and nobody knew where to look for schedules. So maybe that's something that we need to let the County Department of Transportation know.

CHAIR SOUZA: Let them know.

MS. DELIMA: Also there was a senior that told me that she had to wait one hour for the bus because she didn't know, they dropped her off, they dropped her off at a certain area, but she didn't realize that that was not the pick-up point. So she sat there waiting for some time before she found out where the pick-up point was. I think they need to, somebody has to let them know. Maybe signs that say—

MS. GROFF: Usually on the public shuttle, they have designated stops, right, and signs?

HARRY(?): On the fixed route, on the fixed route schedule there would be normally a designated stop or start area. Whatever point there may be. Normally that would be a part of that pick-up schedule, as a designated point. Like up here. Up at the State building, there's a sign there. They normally drop in the middle aisle, if I'm not mistaken, on the island. . . . (inaudible) . . . Yeah, number 3. I'm not sure if they have a sign designated for pick up and drop off areas.

MR. SCHWIND: It's the same area or is it different?

HARRY(?): I'm not sure. I've seen them before drop off in that Position 3 island area.

. . . (inaudible due to several individuals speaking at the same time) . . .

MS. ROWLAND: Would it be worth having Robert's and the Maui Bus kind of come to talk to us and then kind of get all the different schedules and picks ups and drop offs and have it publicized?

HARRY(?): Either that or Mr. Medeiros could, or his office staff could come in and give a presentation.

MR. ANAND: . . . (inaudible) . . .

MR. SIMMONS: He said, "A lot of people don't have computers don't have access. They have it online, but—"

HARRY(?): Correct. That's the, they have, they do have brochures.

MS. ROWLAND: Yeah, they do have brochures.

HARRY(?): Yeah, they do have brochures. That's a matter of communicating with them either through telephone or through some other method to get a brochure either sent to you or made available.

MS. ROWLAND: Are there places that have those brochures that, that people know that that's where they are?

HARRY(?): I believe the hub at Kaahumanu Center has, may have schedules. If it's not, if it's not like a paper schedule—

CHAIR SOUZA: Yeah, it's not paper schedule.

HARRY(?): They would have it on—

UNKNOWN: They have it—

CHAIR SOUZA: Posted.

UNKNOWN: Yeah, posted.

MS. ROWLAND: Right.

HARRY(?): A lot of it is mostly through computer viewing.

MS. ROWLAND: I'm wondering if there would be a couple of central places that it might be worth having stacks of those brochures. I mean, I work at the community clinic, and I know we have a bunch of 'em. But it just, it would be interesting for people to be able to have access to those schedules.

HARRY(?): In my opinion, it would be a great idea if that could occur. I think the cost factor would be a lot because they would have someone circulate that media throughout all these different stops and at the same time worry about if there's

going to be all of this media all over the place with weather and things of that nature. I think that's to reduce the amount of cost involved with that, they just post it on their website and hopefully, you know, someone can have, gain access to that. And maybe someone here could actually do a printout and share it with everyone here.

MS. DELIMA: Are we meeting next month?

MS. MATSUKAWA: Also, one of the tourist magazines, the art one, publishes the bus schedule in the magazine. It's not a magazine you have to buy. It's free. And the bus schedule is in that. You can pick that up at the airport. It's one of those free tourist ones.

HARRY(?): I believe they should have their schedule in their bus also. Like a flyer, which is required.

CHAIR SOUZA: You guys want to invite Don Medeiros next month to come to the meeting? . . . quorum. Any other quick question, concern, you can voice it to him.

MS. DUCKWORTH(?): I think if our goal is to help disseminate information to the handicapped community, I don't think it would hurt to kind of see what their plan is.

CHAIR SOUZA: So we ask, we'll invite him to the meeting, and we can ask him.

MS. DUCKWORTH: Sure.

CHAIR SOUZA: I'll give him a call, invite him to the next, next month's meeting. Okay, next on the report, Molokai. Volunteer parking enforcement program, we already had. The ADA Coordinator, Denny.

MR. SCWIND: I guess a couple of things of interest to the Commission. I generally talk about where we are on some of the lawsuits that people have filed against the County of Maui. The first one that I wanted to talk about was the Hensley

vs. County of Maui. That's the curb cut project that was a six-year project that's finally winding down. I think in our last meeting I thought that that project would be completed by this December; however, our Corporation Counsel asked for a six-month extension through June of this year. So June 30 of this year. We are down to eight curb cuts that are remaining on Molokai, and they are expected to have those completed by the end of this month. There are also some—and the reason for the extension—and I'll quote our Engineering Department [sic]—there are a few curb ramps in our calendar year '04 and '05 project that needs to be reconstructed, which means the contractor did not allow for key _____ slope sites, slope whatever. And after the ramp was completed, it's still not compliant. There's always this, is it usable versus is it perfect? And if it's usable and doesn't create a safety hazard, pretty much we won't spend our time replacing something that's just been replaced, and we'd rather put something new in that's not there. But evidently there's some that there are some concerns about and also being replaced by the end of this year. I mean, excuse me, by the end of our fiscal year, which is June 30. That will make the County of Maui the first county in the State of Hawaii to be in compliance with that consent decree.

For your information and for your wallet's information, it's about \$100 million lawsuit statewide for curb cuts. So I think the County of Maui is pushing \$10 million by ourselves, so it's a pretty hefty, pretty hefty lawsuit. But I think the results will benefit the public as a whole.

We also have a, the project Civic Access, which was an initiative again by the Department of Justice to evaluate how small governments are doing in terms of complying with the ADA. Our assessment was done a couple years back, and we have entered into an agreement with the Department of Justice, and we're actively involved with getting those agreements fulfilled.

Last, but not least, we have the Scaff(?) vs. County of Maui and Mr. Scaff(?) again was the ADA coordinator for the City of San Francisco and on all these Federal commissions. So he's quite aware of what the law requires. Had an unpleasant time in one of our parks and got the run around from several of the County departments and decided to sue the County. That resulted in us going back out and reassessing all our parks. Every single park that the County owns on all three islands was assessed in terms of accessibility. We compiled a list of the things that needed to be corrected and reviewed that with the courts and Mr. Scaff and have agreed to a three-year transition plan which is going to go into a four-year transition plan due to the fact that none of the parties took it to the, took into account the need to get special management area permits because our parks are all—not all—but a lot of them are along the coastline or near. If you touch a park, even if it's an existing facility, you have to go through a prolong permit process required by the County. So we are a little bit behind

that, but we're moving forward. I do have a status report from our Parks Department, and I will make copies and I'll share that with you, with the minutes, so that you can look at that and if you have any questions, you can ask them at the next meeting.

MS. ROWLAND: What are some of the things that were needed to be changed?

MR. SCHWIND: Everything from inaccessible picnic tables to restrooms to the golf course, the vending machine room. You can work your way in with a wheelchair, but it would be very difficult to turn around. So they went top to

bottom in terms of physical access, which was the focus of this assessment for our Parks Department. It wasn't an issue regarding program access and that's what the County and the states are required to comply with to ensure that the programs and services that we offer are equally accessible to everybody. It doesn't require that every single building that we own be totally accessible. Just wherever we're having a program or service, that piece of the building. But this lawsuit wanted us to go back and look at all the structures and all the parks. Look at how people use the park in terms of picnic tables, restroom facilities, parking, sidewalks, all of the above. So it really did a top to bottom evaluation of all our parks. Gyms on Molokai, Lanai. Parking lots, well—

MS. MATSUKAWA: Excuse me, Denny.

MR. SCHWIND: Yes.

MS. MATSUKAWA: Is the gym on Lanai owned by the County?

MR. SCHWIND: Yes.

MS. MATSUKAWA: Because at the last Lanai CCC(?) meeting, they brought up the fact that it's not accessible.

MR. SCHWIND: It is not, and that's part of this project. I think it's Year 4, but it's part of this project.

MS. MATSUKAWA: Oh.

MR. SCHWIND: Yeah, it's kind of neat. They have an accessible entrance, so there's a nice little ramp on the side. When you open the door, you're on the basketball court. I mean, and then there's just stadium seats there, so it's like I guess they want you to kick the basketball or whatever. Yeah, but it's part of our, it's part of this transition plan, if you will.

MS. MATSUKAWA: Do you have anything in writing I could share with the CCC on that?

MR. SCHWIND: I'm sorry. Anything what?

MS. MATSUKAWA: Anything in writing about the Lanai gym that you could Xerox for me that I could share with them?

MR. SCHWIND: Oh, sure. I sure do.

MS. MATSUKAWA: Could you fax that to me?

MR. SCHWIND: Okay. Yeah, I'll get your fax number later on.

MS. MATSUKAWA: Okay.

MR. SCHWIND: Okay. All right, any questions? That's it.

CHAIR SOUZA: Thank you very much, Denny.

MR. SCHWIND: You're welcome. Okay, any other reports. Norita has something to add.

MS. DELIMA: Yes, I had one question for Denny. Denny, who is the gentleman that I talked to about, you know, Onehee Street? He had put the poles? And the reason I'm questioning is one of the poles had, somebody knocked it down and it's all smashed.

MR. SCHWIND: Poles for?

MS. DELIMA: The Onehee crosswalk.

CHAIR SOUZA: Yeah, the crosswalk, yeah.

MR. SCHWIND: Oh, probably Ty in Engineering. Ty Takeno.

MS. DELIMA: Can I have his number please.

MR. SCHWIND: 7-7-4-5.

MS. DELIMA: 7-7-4-5.

MR. SCHWIND: 2-7-0-7-7-4-5.

MS. DELIMA: Okay. . . . (inaudible) . . . Thank you.

MR. SCHWIND: You're welcome.

CHAIR SOUZA: Anything about—

MS. DELIMA: I think I report the last time. I don't have anything—

CHAIR SOUZA: Okay. . . . covering for . . . (inaudible) . . .

MS. DELIMA: I'll bring that up next time.

CHAIR SOUZA: All right. Thank you very much. Okay, State Council on Developmental Disabilities. Mary.

MS. MATSUKAWA: Okay, the pink handout that you all have, the State Council initiated four bills. And the first bill is to allow individuals with developmental disabilities to choose where they want to look for supports provided the adequate consideration was given to the health and safety of individuals. This would allow the individual to choose to live in a home that isn't licensed.

The second one was a bill to create a self-advocacy network in the State. Many states have people first organizations are self-advocates being empowered. Hawaii doesn't have anything. We're asking for 89,000 for each year of the biennium to create a self-advocacy network.

Number three, a bill that would incorporate approximately 1.2 million to provide for continued operation of _____ care homes and apartment complexes. Right now there's a shortfall of 600,000 and the bill requests additional funding to provide for continued operations of the homes and complexes.

And number four is a emergency appropriation for developmental disability services for the Medicaid waiver. And then item B on the second page listed the budget request, emergency appropriation. DD Council is asking for 19,000 for a donated dental service, which is a continuation of a program. The DD Division is asking for an increase in general fund, a little over 8 million. The homes, the DD home subsidy of 1.2 million and an emergency appropriation of 11.4 million. And then early intervention services, which his for children 0 to 5, they're asking for funds for a little over 5 million and an emergency appropriation for 5.2 million.

And then I'd like to announce that Thursday, March 22 will be our day at the Capitol. Approximately 30 people will attend from Maui County. And last year

over 300 people attended the event at the State Capitol, and we filled the House and the Senate Chambers and met with our legislators that day.

Also I have another flyer, which is on the oral health presentation. It's going to be Tuesday, February 20 from 10:00 a.m. till noon. Dr. Wong is coming over. He has extensive experience in dental treatment for people with special needs, hospital dentistry, information for family and caregivers are encouraged to attend. There is no charge and if anybody has questions, they can give me a call or Dr. Wendy Schwab.

If you need any more flyers, I have some extras with me. Norita.

MS. DELIMA: I have, no, I have . . . yeah, you can give me some flyers because . . . I have a question, Mr. Chair, for Mr. Johnson.

CHAIR SOUZA: Okay.

MS. DELIMA: Mr. Johnson, would you be, I mean, would I be able to have transportation if I choose to go to these workshops on the 20th?

MR. JOHNSON: You could probably utilize the Ala Hou shuttle.

MS. DELIMA: Okay.

MR. JOHNSON: That's part of it. Since it starts at 9:00 a.m. Oh, it's 10:00 a.m. Ten to twelve?

CHAIR SOUZA: . . . (inaudible) . . .

MR. SCHWIND: Mary, what is the Hawaii State Council on Developmental Disabilities? I, you know, I know that you've been employed by them for many years, but I don't really know the background of your organization. Are you part of a State agency or how does that work?

MS. MATSUKAWA: Well, I can explain the history. We were created by the Federal government along with the protection advocacy agencies and the Center for Disability Studies at the university in each state. So each state by Federal law is required to have a State Council on Developmental Disabilities, a protection and advocacy agency, and a Center for Disability Studies at their main university. So those are required by the Federal government. In Hawaii, we're also mandated by State law. There are 30 people that sit on the Council that are appointed by the Governor, and the two people that sit on the Council for Maui are Paul Vargas and Joan Ballard(?). Over 51 percent of the people who

sit on the Council are people with developmental disabilities or their family members.

MR. SCHWIND: Oh, wow.

MS. MATSUKAWA: Other state agencies are mandated to attend the Council meetings: Department of Health, Department of Education, Department of Voc. Rehab., the DOE is required to attend the Council meetings. And our focus is systems change and legislative issues concerning issues that are important to people with developmental disabilities.

MR. SCHWIND: How often do you folks meet?

MS. MATSUKAWA: The Council on Oahu meets every other month.

MR. SCHWIND: Every other month. Oh, well, thank you.

MS. MATSUKAWA: And Maui has a standing subcommittee that meets monthly, and we cover, we do the legislative forum in October. We initiate that for Maui. And then we cover everything from housing, transportation, daily services, programs supports, respite. Practically every issue that will touch an individual with a disability is covered under our State plan.

MR. SCHWIND: Wow. Well, thank you.

MS. MATSUKAWA: And also we're going to have, in April, we're going to have a housing forum with—I haven't invited him yet—but the head of Section 8 and from, someone from the Center for Independent Living, and perhaps a couple other people to understand how Section 8 applied to people with disabilities. There's a lot of confusion around how to access the services and the waitlist and things like that.

MR. SCHWIND: All right. Well, thank you.

CHAIR SOUZA: Thank you very much, Mary, for your report. Okay. Any announcements or anything? Denny?

MR. SCHWIND: Nothing.

CHAIR SOUZA: Anybody else, anything to say?

MR. ANAND: . . . (inaudible) . . .

MR. SIMMONS: He's looking for a caregiver, if anyone knows.

MR. ANAND: . . . (inaudible) . . .

MR. SIMMONS: Part time.

MR. ANAND: . . . (inaudible) . . .

MR. SIMMONS: That's it.

CHAIR SOUZA: Call Hale Mahaolu.

MS. DELIMA: Ask for Kathy Woods (?). I don't have her number. I'll write it down for you.

MR. SIMMONS: Thank you.

CHAIR SOUZA: She also finds caregivers.

MR. SCHWIND: Where is that?

CHAIR SOUZA: At Hale Mahaolu.

MS. DELIMA: Right across from Maui Pine, Hale Mahaolu.

MR. SCHWIND: Oh, okay.

CHAIR SOUZA: . . . help find caregivers.

MR. ANAND: . . . (inaudible) . . .

MS. DELIMA: That's the manager's number I'm giving you, but they can give you the direct line from—

MR. SIMMONS: Thank you.

MR. ANAND: Thank you . . . (inaudible) . . .

MR. SIMMONS: . . . (inaudible) . . .

UNKNOWN: I have a T.V. program that's presently showing occasionally on Akaku. It's an interview of me by a fellow by the name of Bob Summers who happens to also be my speaking coach. The title of the program is "Big Wheels" and it lasts about 15 minutes. And among other things I talk about is the formation of this Commission. And it's a general interview . . . If you do catch it some time, you're welcome to do so certainly.

CHAIR SOUZA: Okay, we come back to the Unfinished Business on the Commission, short- and long-term goals. Okay, since we have a new Chair and Vice-Chair for April, we can tell 'em bring that back up again. In the meantime, start working on it. You have any ideas, Commission long-term, short-term goals, write it down, then come April you guys can bring it up. Also the new members, to bring that up also to the new members. Whatever you guys' goals for the upcoming year.

MS. ROWLAND: I know I keep saying this, but I'd like it to come up with something that we're pro-acting on as a condition. But we've been saying that for a long time, and I don't know exactly what it's going to be or how it's going to work. But it just seems like we can create something out of this Commission.

MR. SCHWIND: For example?

MS. ROWLAND: Well, originally we talked at one point about—I can't remember exactly what direction it took, but coming up with like ideas or suggestions or tourists or here. I can't remember how . . . at that meeting that . . . (inaudible) . . . We came up with some ideas on it.

MR. SCHWIND: I think Chair Souza has asked you folks all to write down a couple of things and present them, so you probably should do that by the next meeting and so you can—

MS. ROWLAND: I mean, I know I've done it a couple of times, and then it's so—

MR. SCHWIND: Kind of get side-tracked occasionally. We gotta start with a small step, and I think that's the appropriate thing to do. At least get some ideas out on the table and you folks can talk about--

MS. MATSUKAWA: Could we review the ideas that have already been submitted? Could we see a list of those?

MS. ROWLAND: Did we ever create a list?

MR. SCHWIND: They had one way back when, but I don't think that's it's—

MS. ROWLAND: But I think those were real specific sort of short term.

MS. DELIMA: There were short-term and long-term goals. One of the goals was curb cuts. The other goal was bringing, trying to bring back the volunteers to help control the disable, people parking illegally in disabled parking spaces.

MR. SCHWIND: Yeah, and that's why we had the Sergeant here, and, as you can see, it's kind of stalled out now for a good number of years.

MS. DELIMA: Yeah.

MR. SCHWIND: I think that should be one of the goals of this Commission to make sure that that actually happens to fruition. It's, the law has been on the books now for several years.

MS. ROWLAND: It's just unbelievable.

MR. SCHWIND: Yeah, and it just doesn't seem to be happening.

MR. ANAND: . . . (inaudible) . . .

MR. SIMMONS: Have the police helped?

MR. ANAND: . . . (inaudible) . . .

MR. SIMMONS: Have the police help in the meantime, while we're waiting for volunteers to do something about it?

MR. ANAND: . . . (inaudible) . . .

MR. SCHWIND: I'm sure they issue tickets.

MS. DUCKWORTH(?): My gut tells me, although I'm not sure they would agree with it, that it's just not their priority. They're stretched thin and I dare say, if today is ticket writing day, maybe they'd go around. But otherwise I dare say that they got other stuff on their plates. They don't think of that right off the top of their heads as being A Number 1 important.

UNKNOWN: They're shorthanded like everyone else with employees.

MS. MATSUKAWA: What if we did like one day a year disability parking awareness day and did an article in the newspaper about the rules governing disabled parking and—

UNKNOWN: That's a lovely idea.

MS. MATSUKAWA: And that there's a group of volunteers and would somebody care to volunteer.

UNKNOWN: I think we were talking about that a couple of meetings ago, but, I mean, there's no reason why we can't do it ourselves because it's commission.

MS. MATSUKAWA: Right. Right.

MR. SCHWIND: You can do it on Akaku.

UNKNOWN: It's gotten very frustrating.

MR. SCHWIND: You could an Akaku program.

MS. MATSUKAWA: Would someone be willing to be interviewed on Akaku about parking?

MR. ANAND: . . . (inaudible) . . .

MR. SIMMONS: Ramoda would want to do it.

MR. ANAND: . . . (inaudible) . . .

MR. SIMMONS: But it would have to be subtitled.

MR. SCHWIND: Or we could look into doing a PSA, a public service announcement.

MS. DELIMA: I mean this is just off my head, I was thinking maybe one, instead of having a meeting one day, we meet one certain area and chat. Or maybe a shopping center and check it out, how accessible it is. Because maybe like Tracy's wheelchair is different from her wheelchair and my wheelchair is different. And every disabled person, their needs are different. And that way we can see how accessible wherever we choose, we all choose to go check it out.

UNKNOWN: .And put it on Akaku.

MS. DELIMA: And then maybe have, yeah, The Maui News or somebody—

MR. ANAND: . . . (inaudible) . . .

MS. DELIMA: --check it out with us.

. . . (CHANGE TAPE) . . .

UNKNOWN: Well, even for one of us who doesn't use a wheelchair and to see if, you know, we can get in and out of things with a walker or with a cane. That's a really good idea.

MS. ROWLAND: You know, I know when I talked to Kaahumanu management, this was a couple of years ago, we had several questions, they were just more than open and willing. Now, if you were going to go to some place like Kaahumanu Shopping Center, just as an example, I think we need to let the management know that we were coming, especially if we're going to sell that idea. It's hard to just sort of do it.

MS. DUCKWORTH: It's sort of unfair to them if they've been cooperative in the past.

MS. ROWLAND: Yeah, and they're more than open to ideas and suggestions, or they were then.

MS. DELIMA: Okay, as we're talking about Queen Kaahumanu Shopping Center, the Foodland parking lot is not ADA standard. And right now an attorney is checking into it. Because I did bring it to the manager's attention, and I did not get no answer back. So the ADA specialist is . . . (inaudible) . . .

MS. ROWLAND: That's just like the theaters at the Maui Mall. I mean those are not handicap accessible. And you'll see right in the area in front, and I went through that Disabilities Commission and then a lawsuit was filed and stuff, and the whole thing has just been on hold for years because they don't have the people to do anything about it. Meanwhile that theater is still, you know, totally out of Code.

MR. SCHWIND: I think the problem with that facility was an argument was that it's not new construction, and, therefore, it didn't need to meet all of the requirements of ADA in terms of constructing a new theater. And that they did their best to provide access to individuals with disabilities, but based within the constraints that they had of using the existing building. But I don't really know what the results, legal results of that. I know that was part of their argument.

MS. ROWLAND: . . .evaluated. They were completely out of compliance, even with all of that. They could've built some ramps up to the back or something. That I, you know, there was a legitimate suit there, but that was the end of it. And as far as—

MR. ANAND: I agree . . . (inaudible) . . .

MR. SIMMONS: He agrees wholeheartedly. I took him to the movie one time and had to carry him up to the . . . (inaudible) . . . in the front. I carried him up to the top row because he lost a bet, had to go to the movies.

MR. SCHWIND: I hope at least it was an adventure movie.

MR. ANAND: Yes.

MS. DUCKWORTH: I had a question too. I used to do volunteer work at the MACC, and we ran into a problem where someone wanted to—granted it was accessible to the first floor just fine and you don't have to sit right up on top the stage because there are little cutouts, but someone wanted to take his wheelchair up either to the balcony or the upper balcony, and they would not allow it because the only access was through the elevator and in case fire, there would be no way to evacuate.

MS. ROWLAND: There's been a whole big, I've kind of been part of the work at the MACC for handicapped and disabilities, and there's two gentlemen—I can't remember their name—it's been just amazing working with Karen Fisher there. And they really made some new changes. But it doesn't affect that second and third floor. And the problem is that there's steps no matter where you go on that second and third floor. So it is extremely inaccessible up there.

MR. ANAND: . . . (inaudible) . . .

MR. SIMMONS: . . . (inaudible). . . to Art. He's helped his family, work with him, accessibility. The problem is they don't want to do the work.

MR. ANAND: . . . (inaudible) . . .

MR. SIMMONS: It would be too many changes to the building itself to make it up to Code.

MR. SCHWIND: Is it pre-, is it post-'91?

UNKNOWN: Oh, no, it's gotta be post.

MR. ANAND: . . . (inaudible) . . .

MR. SCHWIND: ADA was 1991.

UNKNOWN: Is that just . . . (inaudible) . . .

MR. SCHWIND: Yeah, so it should have been built.

MS. ROWLAND: Anyway, any ideas or suggestions, Karen for sure is totally open to having conversations and they're going to be building some additional _____, you know, additional things to it and they're all going to be more up to Code.

MR. ANAND: . . . (inaudible) . . .

MR. SIMMONS: It's good to know, and I hope that it'll happen soon.

MS. MATSUKAWA: I just wonder, is the Mayor's County Commission, you know, our purview should be County issues, County building, County park because I think our directive or how we're written into the Charter is to look at County issues.

MS. ROWLAND: You know, that's a really good point because I ripped this out of descriptions of the Commission's because that was a real big issue with me. Are we just focusing the Commission, I mean on the County? And I mean I don't want to read this whole thing, but the very last thing of it is, ". . . and educates providers of community service and other members of the community concerning non-discriminatory practice and laws providing persons with disabilities."

So I don't think it is outside our kind of ability to make suggestions or comments or as a Commission because I think that that's kind of where the power comes from this Commission. I mean, you know, the County has to definitely be in compliance, but for us to come up with additional suggestions, let's say for the MACC, I mean, I think it at least according to this, it definitely describes that.

Now, correct me if I'm wrong, Denny.

MR. SCHWIND: It is not the focus of the Commission, but it's within the responsibilities, I believe, to look outside of the County and to provide recommendations or training or information regarding accessibility issues. So I, writing a letter to MACC or to Foodland or whatever, certainly is within the responsibilities or authority of this Commission.

MS. ROWLAND: Right.

MS. DELIMA: When I was talking about what the _____ was like with sidewalks, right in Kahului, I mean so not, it's not even. It's all worn out, and I mean it's under the County, right?

MR. SCHWIND: Some are; some are not. I mean, there are State sidewalks, there's County sidewalks and there's privately owned sidewalks. So it depends. Like Darren had a complaint in Paia, and it turned out that it was the homeowner's.

MS. DELIMA: This would be on Waiakea [sic] going towards Christ the King.

MR. SCHWIND: You can't tell by the fact that the highway belongs to the County if the sidewalks also belong to the County. You have to do research. But if you're talking about County sidewalks, if there's a concern, call me. I will pass that information on to our, you know, Highways Department [sic] to maintain those sidewalks and we'll get it corrected.

MS. DELIMA: I mean, my concern is because I know, I use the sidewalk, and there's other disabled people that go on that sidewalk. And somehow, like I said, some parts is okay and some parts are _____. You know, really need tender care or whatever you want to put it.

MR. SCHWIND: Well, you know, the County doesn't have anybody going out and looking at the sidewalks, so we depend on the public to inform us when there's a problem. You know, then we can dispatch people and correct the problem.

MS. DELIMA: Well, that was one of my goals I had down.

MR. SCHWIND: Good. Well, that's fine. Keep it there. There's a lot of sidewalks.

UNKNOWN: I was just going to say, from Haiku School all the way up to _____, sidewalk is this narrow and it's all pulled up, and chipped and roots coming out from trees and—

MR. SCHWIND: Well, you know, sidewalks are really, really, really a very expensive issue, and there was a lawsuit I believe in Sacramento, California, in the City or County or whatever of Sacramento appealed a case stating that the sidewalk is not a program or a service provided by the City and County of Sacramento. And the courts, the courts have decided that it is a, traditionally it is a service provided by a city or county of a state, and, therefore, it needs to be maintained like any other program or service.

The problem is, like you're saying, it would break every county, every state in this nation if we went out and started correcting everything. So you have to start some place and that would be by Norita saying, hey, there's a, you know, several hundred feet here or ten feet of the sidewalk that needs to be corrected, and then our department can respond to that. If it's doing surveys on all three islands and coming up with a multi-million, tens or hundreds of million dollar program, it's just not happening. We can't afford that. There's no city or state that could afford that. Just the curb cuts. Now we're talking about by a crosswalk, it was \$100 million. Just that little piece, you know, where the roads cross.

MS. DELIMA: Where I'm talking about is the Boys & Girls Club, the community center, elementary school and further up. The sidewalk is about a foot and a half wide, by the curb, as you go towards the community center. There's even a telephone pole in the middle of the sidewalk.

MR. SCHWIND: Yeah, I hear you.

MS. DELIMA: And it hasn't been, it wasn't—

MR. SCHWIND: I think that's State.

MS. DELIMA: No, it's County. I checked.

MR. SCHWIND: Yeah, that's a tough one. I mean, you could try to tackle it if you want to. We can certainly attempt, but—

MS. DELIMA: But the children every day that walk on that little narrow sidewalk, and I don't know how many people have hit the telephone pole. And they still go out and put another pole back, right in the middle of the sidewalk. That is dangerous because there is at least four or five hundred students at that school.

MS. ROWLAND: So I'm wondering, with all this last conversation, I mean, we certainly can come up with some good short-term goals, easily. Has this all been recorded so that we . . . ?

MR. SCHWIND: Yes, it is being recorded.

MS. ROWLAND: So then we'll have a list of kind of these different things that we've talked about the last few minutes.

MR. SCHWIND: Yes, we will. If Tracy pushed the right button.

CHAIR SOUZA: Okay, anybody else anything else to announce? Anything? Okay, the next meeting is March the 8th, that's 2:00 p.m. I gotta go find out what room. Mel didn't let me know what room we going be holding the meeting. So I'll give you a call.

MR. SCHWIND: Would you want MEO here along with Transportation so we can kind of compare services? If you wouldn't mind having somebody represent your next meeting, assuming that Mr. Medeiros or one of his representatives can be here? It might be good to see how you folks interface with one another.

CHAIR SOUZA: Sure thing.

MEMBERS VOICED APPROVAL

MR. SCHWIND: Because I don't know myself.

MS. ROWLAND: Would there be any value to delaying that until we have all the new members? I mean, like do we want to cancel March 8 just because we've already elected our new members, and then go on until April when you're going to have a . . . I don't know.

CHAIR SOUZA: Okay, so I'll tell Don Medeiros.

MS. ROWLAND: What do people think?

CHAIR SOUZA: Yeah, we can wait until April. No meeting in March?

MS. ROWLAND: Well, I don't know. I mean, what does everybody else think? Okay, I move that we don't have a motion, I mean we don't have a meeting in March for the purposes of waiting until all the new members start.

UNKNOWN: And I second it.

CHAIR SOUZA: . . . (inaudible) . . .

MR. SCHWIND: Well, that means that today will be his last meeting.

CHAIR SOUZA: The next meeting is April, April the 12th, the second Thursday of April. So we'll find out what room it is. We'll let you guys know.

MR. SCHWIND: Need a second and vote.

UNKNOWN: I seconded.

CHAIR SOUZA: Okay, it's been moved and seconded that we have no meeting in March and move it to April so we have all new members. All in favor?

MEMBERS: Aye.

CHAIR SOUZA: Those opposed? Okay, so be it. No meeting in March, April the 12th. Thank you very much for coming.

Respectfully submitted,

JAN M. INOUYE-OGATA