



# MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES

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## COMMISSION ON PERSONS WITH DISABILITIES

### MEETING MINUTES

**January 14, 2016, 12:30 p.m. to 2:00 p.m.  
Cameron Center, Auditorium  
95 Mahalani St., Wailuku, HI 96793**

#### **I. CALL TO ORDER**

Chair Kealoha Laemoa called the meeting to order at 12:30 p.m. in Cameron Center, Auditorium at 95 Mahalani Street in Wailuku.

Commissioners present included Kevin Souza, David Courson, Mikey Tomita, Vivian Lindsey, Faraz Azizsoltani, Sheila Villanueva and Andrew Valentine.

Commissioner Gabriel Johnson was excused.

Staff present included Deputy Corporation Counsel Jennifer Oana and Nalani Podlewski, Secretary.

County staff present included DJ Schwind, ADA Coordinator; Tara Sabado, Parks Inclusion Specialist.

Guests present included Denise Green (sign interpreter), Victor Lesa, Jr., Miki Kama, Beverly Galarza, Mona Higa, Gina Rodriguez, April Shiotani, Rob Lane (Arc of Maui), Rodney Kanno, Dean Aoki (DLNR)

#### **II. APPROVAL OF MINUTES: December 10, 2015**

Chair Laemoa asked if any revisions to minutes were needed.

Commissioner Valentine introduced a MOTION to approve minutes. **SECONDED** by Commissioner Villanueva. Chair

Laemoa advised of typo changes needed on page 2 and 3 and requested that Commissioners make the notation. Commissioner Valentine AMENDED MOTION to accept minutes with correction. SECONDED by Commissioner Villanueva. Chair Laemoa called for the vote; all in favor, no opposition. MOTION CARRIED.

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

None.

### **IV. OLD BUSINESS**

#### **a. Paratransit Transportation Reservations Process and Ridership:**

Commissioner Valentine reported that there is no change since the last meeting. He added that Transportation Director JoAnne Johnson retired on December 31<sup>st</sup> and Don Medeiros has been appointed as the new director. Commissioner Valentine noted that the Maui Wheelers hope to meet with Mayor Arakawa and his staff to address fair transportation and emergency preparedness before next commission meeting.

Commissioner Valentine also commented that the Paratransit Transportation Advisory Council that Maui Economic Opportunity hosts has vacancies. Commissioner Lindsey added that it is open to the public to participate.

[Darren Konno, DOT Specialist, arrived at 12:37 p.m.]

#### **b. American Sign Language (ASL) Pamphlets Update**

Mr. Schwind reported that his office ordered additional pamphlets but is in contact with the publisher as shipping costs exceed the cost of the pamphlets.

[Harry Johnson, MEO Transportation arrived at 12:45 p.m.]

Chair Laemoa asked if Molokai received pamphlets. Mr. Schwind responded that he is uncertain but will check with Police and Fire. Chair Laemoa asked if he would respond to her directly.

Mr. Schwind commented that the pamphlets by itself are useless and training would be helpful as Commissioner Tomita suggested.

Commissioner Tomita added that sign language classes are offered thru Kapiolani Community College and UH Maui College but they require a certain number of participants. He mentioned that Department of Education also had adult classes but it is currently not being offered.

[Ralph Thomas, EEO Specialist arrived at 12:48 p.m.]

Commissioner Valentine commented that there might be an agency that may be interested in advocating for sign language education. Chair Laemoa suggested that Commissioner Tomita contact Office of Hawaiian Affairs (OHA) to check if grant funds are available. He responded that he would contact OHA as well as the Office on Aging since they may be able to assist with the grant.

Ms. Oana reminded the Commission that its duty is advisory to the Mayor. She suggested that the Commission make recommendations to the Mayor.

Commissioner Courson presented a MOTION that the Commission prepare a letter of recommendation to the Mayor to provide training on American Sign Language. SECONDED by Commissioner Valentine. Commissioner Tomita agreed to prepare a draft letter for Chair Laemoa's signature. Chair Laemoa called for the vote; all in favor, no opposition. MOTION CARRIED.

c. Molokai Disability Resource Fair, September 22, 2016

Chair Laemoa reported that Mitchell Pauole Center has been secured for the event which will be held from 9:00 am to noon.

She added that fair will highlight that those with minor disabilities can be employed.

d. Unemployment of Persons with Disabilities

Chair Laemoa deferred item.

e. Closed Captioning for Videos Produced with County Funds

Commissioner Tomita advised that he is still researching the issue.

Ms. Oana distributed copies of the Electronic Code of Federal Regulations from Federal Communication Commission which addresses closed captioning under §79.1. She referred Commissioners to page 3 under (d) Exempt programs and providers and subsections (11) and (12).

Commissioner Valentine commented that the Mayor's Office addressed this issue some time ago. He added that perhaps Communication Director Rod Antone may have information.

Commissioner Tomita asked Ms. Oana if she would recommend a letter be drafted to the Mayor. Ms. Oana responded that at the last meeting Commissioner Tomita advised that he would contact Akaku to find out the reason for the exemption and perhaps more investigation may be needed. She advised that the decision on how to proceed is up to him.

Commissioner Tomita asked if Mr. Schwind might have the information as to why Akaku is exempt. Mr. Schwind responded that there is a dollar threshold and when the issue was previously addressed, Akaku was well below the threshold, yet all that means is that Akaku is not obligated to provide captioning but that does not apply to the County of Maui being responsible for providing effective communication.

Commissioner Valentine added that perhaps the Commission can get an update from Rod Antone of Public Affairs in Mayor's Office.

Chair Laemoa advised that she would keep this item on next month's agenda and requested that Commissioner Tomita follow up and do additional research.

f. Upcoming Events

None reported.

**V. NEW BUSINESS**

a. Flashing Emergency Lights fronting Kahului Fire Station

Commissioner Tomita reported that he is not sure if the lights are functioning properly. He will follow up and go to the fire station to ask.

b. Lack of Sidewalks and Faded Crosswalks in Maui County

Commissioner Azizsoltani provided background on the two photographs that he submitted for discussion. The first photograph is taken at Lower Road in Lahaina; solid double line no longer exists. The second photograph is taken in Lahaina; no sign for crosswalk and the crosswalk cannot be seen.

He added that there is a major problem in Maui County with maintenance with no sidewalks, no painted lines and lack of lighting. He shared that he has confirmed that Maui has the very high per capita of traffic collision deaths of pedestrians, bicycles, motorcycles and this must be a leading cause of it.

Chair Laemoa questioned if these are State or County roads. Commissioner Azizsoltani responded that he did not know.

Mr. Schwind shared that the County of Maui website has a Request for Service module that is available to report any issue ([www.co.maui.hi.us](http://www.co.maui.hi.us) – Online Services). He added that inquiries will be forwarded to the proper agency.

- c. Beach Access and House Concurrent Resolution 141, Presentation by State Department of Land and Natural Resources and Disability and Communication Access Board

Dean Aoki, ADA Coordinator for the State of Hawaii Department of Land and Natural Resources (DLNR) introduced himself. He requested if the Chair and the Commission would allow for public testimony on this item. Chair Laemoa responded that public testimony would be allowed but any debate would not be permitted.

Mr. Aoki reported that House Concurrent Resolution 141 (HCR141) was drafted by Senator Thielen and it requires DLNR and the four counties to report on how they are improving beach access for persons with disabilities. He noted that they are also working on a report which is due to the Legislature in the 2017 session.

He shared that a matrix was created to assist in the assessment which identifies existing improvements like showers and bathrooms, environmental conditions and any restrictions. He also noted that County personnel are also working on this item for Maui County. He suggested that any community input that is received by this Commission be shared with County personnel. Mr. Aoki added that the assessment is the first step and the next step would be to identify what kind of improvements should be made. His office is also working with the Disability and Communication Access Board, as this office is developing guidelines for beach access which will give technical background on what could be done to improve beach access.

Chair Laemoa opened public testimony.

Ms. Beverly Galarza provided background that HCR141 started with the need for ADA access to her neighborhood beach at Kapalua Bay. She expressed that equal access extends to home, work and play and the play component in Hawaii is primarily interpreted as going to the beach. She added that the number one thing that everyone want to do is go to the beach. Ms. Galarza shared that Kapalua Bay is the

triggering beach for the resolution but the legislators are also looking statewide. She believes that the County does have a process and perhaps may not be followed to the letter; if a process does not exist, she hopes this Commission would recommend triggering mechanics to be sure that opportunities are not missed.

Commissioner Valentine reported that this has been an on-going issue.

Commissioner Tomita shared that erosion makes it difficult to access beaches and repairs should be a priority.

Chair Laemoa closed public testimony and opened discussion.

Chair Laemoa shared that Papohaku Beach on west side (of Molokai) does have beach access but it is overridden with deer feces, kiawe wood, sand or mud. She indicated that it is difficult for wheelchairs to reach the sand. She also stated there is no privacy in the restrooms if you are dressing. Chair Laemoa reported that no other beaches on Molokai are accessible. Commissioner Valentine questioned Chair Laemoa if she thinks it is a maintenance problem. Chair Laemoa responded that she thinks it is an access problem.

Commissioner Villanueva asked who completes the matrix that was distributed to the Commission. Mr. Aoki responded that the matrix is for each respective county to evaluate the public beaches.

Commissioner Tomita asked who is actually doing the assessment. Mr. Aoki replied that it is up to each county to complete; he suggested that Maui County be contacted to ask who might be working on the matrix.

Mr. Aoki added that the public is involved thru public comment. He shared that after the assessment is completed, another public presentation will be scheduled.

Commissioner Villanueva questioned how the public would know if a beach was State or County. Mr. Aoki suggested that

the public contact Maui County as there is a County representative that can relay information about any beach to the group working on HCR141.

Commissioner Tomita asked if emergency equipment for after-hours are included in the matrix. Mr. Aoki responded that it is not included at this time but lifeguards are included in the matrix. Commissioner Azizsoltani shared that most of Maui beaches do not have lifeguards. He asked if any attention is given to beaches where deaths are the highest like Black Rock. Mr. Aoki explained that the matrix is an evaluation tool to rank and identify where beach access can be improved for persons with disabilities. He also shared that this is the first step and they are not in the design phase, which will be to develop solutions. He noted that the next step would need to be go before the Legislature to request funding for improvements.

Chair Laemoa asked Mr. Aoki what comments he is requesting from the Commission. Mr. Aoki replied that the Mayor giving this forum to introduce HCR141, if the Commission would be the receiving body to receive comments from people of Maui County and to forward to the Maui County representative so that it can be included in the report.

Ms. Oana responded that this body under its powers and duties does not have that function and she suggested that perhaps one of the departments could receive any public comments. Mr. Aoki expressed his appreciation for this open forum to bring this discussion before the public.

Commissioner Lindsey shared with Mr. Aoki that she attended a lantern lighting ceremony at Mala near the Lahaina Jodo Mission and wheelchairs were not able to get from one end to the other. She recalled that recalled that carpets were once placed on the sand for wheelchair access. Mr. Aoki responded that he is not familiar with the location and shared that on Kauai mats are utilized. He suggested that she could address the question to the County, perhaps Parks Department.

**VI. AGENDA SETTING**

No items submitted for consideration.

**VII. NEXT MEETING**

February 18, 2016, 1:00 p.m. to 2:30 p.m. at Cameron Center, Conference Room 1.

**VIII. ADJOURNMENT**

Commissioner Valentine presented a MOTION to adjourn the meeting. SECONDED by Commissioner Lindsey. Chair Laemoa called for the vote, all in favor, no objection. MOTION CARRIED. Meeting adjourned at 1:47 p.m.