



MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES

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MEETING MINUTES

**March 10, 2016, 12:30 p.m. to 2:00 p.m.
Cameron Center, Conference Room 1
95 Mahalani St., Wailuku, HI 96793**

I. CALL TO ORDER

Chair Kealoha Laemoa called the meeting to order at 12:35 p.m. in Cameron Center, Conference Room 1 at 95 Mahalani Street in Wailuku.

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

Commissioner Gabriel Johnson was excused. Commissioner David Courson was absent.

Staff present included Nalani Podlewski, Secretary.

County staff present included DJ Schwind, ADA Coordinator and Ralph Thomas, EEO Specialist.

Guests present included Denise Green (sign interpreter), Harry Johnson/MEO, Victor Lesa, Jr., Rob Tarver, Jesse Floyd, Gina R.

II. APPROVAL OF MINUTES: February 18, 2016

Chair Laemoa asked if any revisions to minutes were needed.

Commissioner Valentine introduced a MOTION to approve minutes. SECONDED by Commissioner Lindsey. 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

Victor Lesa introduced himself. He described pictures that were passed around to the Commissioners. He stated that people with disabilities or with ambulatory aides, have to walk or get pushed up a steep driveway. He questioned why the curb to curb and door to door option is not used, as well as why a van can't be used to transport up the driveway.

Commissioner Tomita asked why riders would need to go up the driveway. Mr. Lesa responded that the doctors' offices are located there.

Commissioner Azizoltani shared that he is familiar with the location and it is a steep hill and many large vehicles cannot clear the turn due to the overhead chain. He suggested that the landowner could make minimal changes.

Chair Laemoa addressed Mr. Lesa asking if the chain prevents access to a public facility. Mr. Lesa responded that it is preventing everyone with a disability from accessing it and that it is also a safety issue.

Chair Laemoa asked who the owner is, is it county property and if not, the Commission needs to educate the owner that wheelchair bound people need access to their establishment.

Commissioner Tomita asked if the doctors' office is aware of this.

Chair Laemoa requested to stay focus on public testimony.

Mr. Lesa also brought up that Department of Transportation (DOT) and Maui Economic Opportunity (MEO) gave him a copy of his attendance on the bus. He spoke with Councilmember Crivello as an advocate for others who shared their complaints. He also spoke to Director Medeiros who does not see a problem with this. Mr. Lesa reported that MEO is being tied up by DOT.

Commissioner Tomita again asked if the physicians are aware that the patients are having this access issue. He suggested that doctors or nurses could assist patients.

Commissioner Lindsey shared that she did research on this and the doctors are not aware that patients are being pushed up the incline on manual wheelchairs. She added that there are a lot of ADA violations and accessibility is not available.

Ms. Podlewski advised Chair Laemoa that the commission is out of order as this is not an agenda item and any questions need to be directed to the testifier.

Mr. Lesa expressed his concern about liability.

Chair Laemoa shared that she would like this to be an agenda item and asked if Commissioner Azizoltani would look into the issue and report back. She added that she would like to know who the property owner is and that he make them aware of the inclination of the hill.

Commissioner Valentine stated that he would like to provide his report first.

Commissioner Azizoltani shared that he knows the spot very well and even regular vehicles have a difficult time making the turn as it comes up the driveway. He added that it could also be a weight issue because it is an older building.

Chair Laemoa stated that she would like to put this issue on agenda for April's meeting. She requested a motion to proceed with follow up on this issue.

Commissioner Valentine presented a MOTION that Commissioner Azizoltani follow up on this issue. SECONDED by Commissioner Souza. Chair Laemoa called for the vote; all in favor, no opposition. MOTION APPROVED.

Mr. Thomas asked what the commission was trying to address, the chain or bus. He suggested that the commission be clear about what it is asking.

Commissioner Valentine shared that his report could clear up some of the questions.

Mr. Lesa added that they are asking for... [Interrupted]

Chair Laemoa stated that all they are asking for is accessibility in a public place.

Commissioner Tomita added that Puuone Tower is an older building that probably has no elevator. He suggested that installation of an elevator could solve the issue.

Commissioner Lindsey replied that they are not asking for a lift for wheelchairs. She referred to the pictures and added that the only way a wheelchair person can get from Tokyo Tei side to Grill side is thru the chain link.

Commissioner Valentine stated that no discussion should occur since this is not an agenda item.

Chair Laemoa added that she would put it on next month's agenda and Commissioner Azizsoltani can look into it and report back.

[Janelle Curan, MEO Transportation arrived at 12:59 p.m.]

Commissioner Lindsey shared that yesterday... [interrupted]

Chair Laemoa suggested that Commissioner Lindsey discuss her item under New Business. Chair Laemoa asked if any other testifiers were present.

Rob Tarver of Developmental Disabilities Council introduced himself. He said that he thinks the chain is a height indicator at the building. He shared that this is his last month on Maui and wanted to leave public testimony. He has worked for over 40 years with persons with disabilities and most of the individuals want to be called a person first. He encouraged the Commission to be a torch for persons with disability by using language that supports that. He explained that today he heard terms like wheelchair bound, power chair, electric chair and handicapped. He suggest that these words should not be used and encouraged the use of people first.

[Jennifer Oana, Deputy Corporation Counsel arrived at 1:05 p.m.]

Harry Johnson of MEO Transportation introduced himself and provided clarification that they are currently working with DOT to understand the needs of the site discussed. They are offering minivan service for upper level site when available. He also introduced Janelle, his office manager, who would be available for the rest of the meeting since he needed to leave for another meeting.

Commissioner Azizoltani questioned Chair Laemoa if investigation was still needed. Chair Laemoa responded that other matters still need to be looked into.

Commissioner Tomita asked Mr. Johnson to clarify if minivans can access the upper level. Mr. Johnson replied that there is a difference with the 7-passenger minivan versus an accessible bus which is either 8-ambulatory or 5-wheelchair capacity.

Chair Laemoa closed public testimony. No objections.

[Harry Johnson, MEO Transportation departed at 1:08 p.m.]

IV. OLD BUSINESS

a. Paratransit Transportation Reservations Process and Ridership:

Commissioner Valentine reported that he met with Councilmember Crivello, who chaired a meeting with DOT and select advocates about the DOT guidelines. He stated that the DOT Director's position is that the service is curb to curb and they brought up that there is a door to door option.

He commented that many riders are not aware about the paratransit services that are available or the protocols. He suggested that the Commission provide quarterly workshops to train and educate. Ms. Oana asked Commissioner Valentine who advised him that this Commission should put on training. He replied Don Medeiros. She also asked if it was a DOT program. Commissioner Valentine responded that DOT would be invited; coordination and financing would be

this Commission to initiate since it does fall under the Commission's purview.

Chair Laemoa assigned this agenda to Commissioner Lindsey since this is Commissioner Valentine's last meeting. She deferred item to next meeting.

b. American Sign Language (ASL) Pamphlets Update

Mr. Schwind reported that the pamphlets were distributed to Fire and Police Departments and additional pamphlets were ordered and given to Civil Defense. He also provided pamphlets to Parks Department for use by pool staff.

Commissioner Tomita stated that he would like to pursue training. Mr. Schwind replied that the offer was made to all departments when the pamphlets were distributed and it may be difficult to arrange due to work schedules.

Commissioner Tomita requested a list of the departments so that he could follow up. Mr. Schwind responded Police, Fire, Civil Defense and Parks.

c. Molokai Disability Resource Fair, September 22, 2016

Chair Laemoa reported the event will now be held on Friday, September 23rd instead of the 22nd at Mitchell Pauole Center. She added that Kaunoa will not partner with them and gave them excuses; she further stated that the committee does not want Kaunoa to be recognized at the event which over 400 community members are expected to attend.

Commissioner Tomita said that he was surprised that Kaunoa is not participating and suggested that Office on Aging could encourage Kaunoa to be involved.

Chair Laemoa stated that as she reported last month, she is not sure if it is a personal or business difference, all she knows is that Tanya was told they cannot use the site on the requested date.

Commissioner Villanueva questioned Chair Laemoa if her committee was working with Kaunoa staff on Maui. Chair Laemoa responded that they are working with Kaunoa staff on Molokai and that her committee members requested that she not discuss it here. She also stated that Kaunoa and the Mayor will not be recognized.

Commissioner Valentine asked if the Mayor's Office is aware of the activity because Kaunoa is funded by the County.

[Commissioner Lindsey departed room at 1:30 p.m.]

Mr. Thomas suggested to Chair Laemoa that if she plans to bring up this issue, she should consider writing a letter to Kaunoa on Molokai, with a courtesy copy to the Director of Housing and Human Concerns.

Ms. Podlewski asked Chair Laemoa for clarification on who the endorsement is from. Chair Laemoa responded that it would be from Commissioner Valentine as an individual.

Commissioner Valentine asked Ms. Oana if the Commission could do an endorsement encouraging attendance and also ask the Mayor's Office for an endorsement.

Ms. Oana questioned if it was a letter of support. Commissioner Valentine responded that the Mayor's Office does letters all the time.

Chair Laemoa stated that she would leave it in Commissioner Valentine and he replied that he would talk to her later.

d. Unemployment of Persons with Disabilities

Deferred to next month.

e. Flashing Emergency Lights fronting Kahului Fire Station

Mr. Schwind reported that he did research on ADA and Fire Code requirements regarding flashing strobe lights. He checked ADA and also spoke with DCAB staff, there are no

requirements for flashing strobe lights in front of fire stations. He also checked the Fire Code and spoke with Fire Department and the Fire Code only addresses ingress/egress from the building. He further added that upon departure or return, if there is a sidewalk, an employee is posted in front of the building and fire trucks back into the fire station. Mr. Schwind commented that there is a safety issue involved but no ADA or Fire Code issue. The Fire Department addresses this by having personnel guide the vehicles.

Chair Laemoa asked how the Commission could propose to put the lights in. Mr. Schwind replied that it is a good idea but he is not certain about the costs vs. the amount of times that someone is not on duty to direct pedestrians or traffic. He added that some of the stations have a light in front of the stations that they can activate. He further commented that the Commission could make a recommendation to the County.

Commissioner Tomita shared that there are no lights at Kahului and Wailuku fire stations for pedestrians and he is concerned about liability for Maui County. Mr. Schwind responded that he just addressed the concerns.

Commissioner Valentine suggested that they contact other communities to find out what they are doing or the federal ADA region as a resource. Chair Laemoa assigned Commissioner Tomita to do research and report back.

f. Lack of Sidewalks and Faded Crosswalks in Maui County

Commissioner Azizoltani reported that he completed the letter yesterday but Ms. Podlewski could not open the emailed document. He reported that he will have it at the next meeting.

Ms. Oana requested that all letters should come back to the Commission to vote for approval. She added that the letter should be emailed to Ms. Podlewski or brought to the meeting for review. She also advised that the item needs to be on the agenda. Commissioner Valentine commented that letter should be sent to Ms. Podlewski, who would send to Chair

and the Chair would decide if it should be placed on the agenda. Ms. Podlewski added that the agenda needs to be posted a week prior to the meeting, so any letter would need to be provided timely.

g. Upcoming Events

None reported.

V. NEW BUSINESS

None

[Commissioner Lindsey returned to room at 1:49 p.m.]

VI. AGENDA SETTING

Chair Laemoa stated that she would like to address Department of Transportation concerns. Commissioner Lindsey added that this is regarding proviso of services in general and paratransit.

Commissioner Tomita added that he would like to discuss if Maui County has sufficient funds to provide an interpreter and if any funds are earmarked for training. Mr. Schwind recommended that a representative from each department be present at the same time. Mr. Thomas suggested that the training be recorded.

VII. NEXT MEETING

April 21, 2016, 12:30 to 2:00 p.m. at Cameron Center, Conf. Rm 1.

Mr. Schwind shared that on April 19th at 9:00am, DCAB will hold a presentation on proposed outdoor accessibility at Kalana Pakui Building. He will send a meeting notice for distribution later.

VIII. ADJOURNMENT

Commissioner Valentine presented a MOTION to adjourn the meeting. SECONDED by Commissioner Azizsoltani. Chair Laemoa called for the vote, all in favor, no objection. MOTION CARRIED. Meeting adjourned at 1:55 p.m.