



# MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES

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## COMMISSION ON PERSONS WITH DISABILITIES

### MEETING MINUTES

May 12, 2016, 1:00 p.m. to 2:30 p.m.

Cameron Center, Auditorium

95 Mahalani St., Wailuku, HI 96793

#### I. CALL TO ORDER

Vice-Chair Gabriel Johnson called the meeting to order at 1:00 p.m. in Cameron Center, Auditorium at 95 Mahalani Street in Wailuku.

Commissioners present included Cranston Kapoi, Kevin Souza, Vivian Lindsey, Mikey Tomita and Sheila Villanueva.

Chair Kealoha Laemoa and Commissioners David Courson were excused.

Staff present included Jennifer Oana, Corporation Counsel, Nalani Podlewski, Secretary and Rowena Dagdag-Andaya, Deputy Director/Department of Public Works.

Guests present included Denise Green (sign interpreter), Andrew Valentine and Cassandra A. Rabara.

#### II. APPROVAL OF MINUTES: April 21, 2016

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

Commissioner Villanueva introduced a MOTION to approve minutes. SECONDED by Commissioner Souza. Vice-Chair Johnson 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**

Vice-Chair Johnson asked if this is the time for anyone from the community to add agenda items to next month's meeting. Ms. Oana replied that the process is to submit an email to the Chair with copy to Commission Secretary and Corporation Counsel. She added that it is the call of the Chair with advice from the Department and Counsel to decide if the item is appropriate for this Commission.

Ms. Oana stated that this is the time for public testimony on any agenda items, limited to three minutes. She reminded the Commission that this is not time for debate but an opportunity for the public to provide input.

Andrew Valentine introduced himself as a past member of the Commission. He stated that he has three comments on paratransit system that the Commission should address. He commented that no one has surveyed the ridership on public satisfaction of the current system; also nothing has been done by the County on educating riders on how best to use system, adding that other counties provide ongoing education and when riders understand, they use it appropriately and costs go down. Mr. Valentine also testified that in regards to emergency preparedness, the County of Maui has not advised persons with disabilities on how to access services should an emergency occur and under FEMA guidelines, the County should be providing a plan on which shelters are suitable for persons with disabilities based on their needs. He added that he was hoping that the Commission would establish a paratransit committee to investigate what is happening on the County's side and also ridership. Mr. Valentine further commented that if riders are happier, they use the system more efficiently and it makes it possible for elected officials at the federal level to find more dollars for the system if we show we are maxing out the mobility.

Vice-Chair Johnson asked if anyone had clarifying questions for the testifier. Commissioners Tomita and Lindsey expressed in agreement with Mr. Valentine.

Commissioner Kapoi questioned if anything is set up for emergency preparedness. Commissioner Tomita questioned if they could reinstate the subcommittee. Vice-Chair Johnson questioned if the Commission has the ability to form subcommittees. Ms. Oana responded that they could form a standing committee subject to the Sunshine Law which requires notice of agenda and meeting in a public place. She added that there is also permitted interaction group which is allowed and she will discuss later in the meeting, where two or more members but less than quorum can investigate and bring back information to the Commission.

Vice-Chair Johnson said there is lack of connection between the riders and the agency and asked Mr. Valentine if he has been contacted by the County before. Mr. Valentine responded that only when he was on the Commission. He commented that the new Transportation Director is very narrow minded and only gives bare minimum as required by ADA.

Ms. Oana asked Mr. Valentine if he knew of any State that has a system that we could model. Mr. Valentine responded several including Los Angeles, San Diego and also Honolulu, which does a reasonable job and provides education.

[Darren Konno, DOT Transportation Specialist arrived at 1:15 p.m.]

Vice-Chair Johnson commented the Commission could research other communities and copy.

Commissioner Villanueva asked regarding the ridership, issues, request any progress that Committee makes, who does it get directed to, the County or MEO? Vice-Chair Johnson responded that a MEO representative comes to these meetings and he has also walked into the Department of Transportation office to discuss directly. Mr. Valentine commented that DOT representative is present at this meeting.

Ms. Rowena Dagdag introduced herself as Deputy Director of Department of Public Works. She stated that she was present to provide input on items C and D on the agenda and requested that the items be moved up under Item A as she needed to also attend another meeting.

[Ralph Thomas, EEO Specialist arrived at 1:18 p.m.]

Vice-Chair Johnson asked if anyone else wished to provide public testimony. Ms. Oana asked if there was any objection to closing public testimony, no opposition. Vice-Chair Johnson closed public testimony.

#### **IV. OLD BUSINESS**

a. Paratransit Transportation Reservations Process and Ridership

Commissioner Lindsey reported that she attended a meeting with Andrew Valentine, Victor Lesa, Darren Konno, Don Medeiros, Debbie Cabebe and her boss, and Councilmember Crivello. She advised that the issue regarding 1063 Puuone Tower has been resolved and MEO will provide a mini bus for riders that need to go to the top level.

She reported that there is another issue that she is working on in regards to a rider with an oxygen tank who was told to cross the road from Fiesta Time to get to Puuone Tower to get paratransit. Vice-Chair Johnson asked if the mini-bus could pick up this rider. Commissioner Lindsey responded yes.

c. Flashing Emergency Lights fronting Kahului Fire Station

Commissioner Tomita commented that this issue is not only for the Kahului Fire Station but for all fire stations.

Deputy Director of Department of Public Works Rowena Dagdag provided the Commission with two photos of the Kahului Fire Station. She advised that the first photo is an aerial shot and the second photo shows the lights above and next to the fire station. Ms. Dagdag reported that it is her understanding that the lights are to allow the fire trucks to leave the fire station and alert all traffic to stop; she added that there is no ADA, Fire or Building Code requirement at the Federal, State or Local level. She reported that at the Kihei Fire Station there is no light and the fire fighters do traffic control.

Vice-Chair Johnson asked if the lights are mandatory. Ms. Dagdag replied no and that it is there for safety. Vice-Chair Johnson questioned how it was turned on and off. She replied that there is probably a switch. She added that the lights are there so that fire fighters do not need to stop the traffic and that trucks exit at any time; also that the lights are used when it is busy or in an emergency.

Commissioner Kapoi questioned if the lights are working good. Ms. Dagdag responded that the Department of Public Works does not oversee the lights, the Fire Department does.

Commissioner Tomita stated that there are no flashing lights. Ms. Dagdag asked for clarification. Commissioner Tomita shared that he has walked in front of the Kahului Fire Station and the flashing lights are not being used, his girlfriend can hear the sound but he is not alerted. He commented that he understands that it is not required but he would like if all fire stations would go out to direct drivers and pedestrians, especially if the lights are not in use.

Ralph Thomas commented that it is his understanding, initially the Commission requested a new light built similar to one on Oahu that would cost of \$75,000 or more and now they are no longer talking about installing a light but to use what is already there and use the practice that is done in Kihei to Kahului. Commission Tomita agreed with Mr. Thomas. Mr. Thomas suggested that this could be mentioned to the fire chief. Ms. Dagdag replied that Public Works does not regulate this and they would need to speak with the Fire Department.

Commissioner Lindsey commented that in Kihei near Longs there are flashing lights used to cross the highway. She added that for Commissioner Tomita he needs the visuals. Ms. Dagdag responded that this would not be any different than any other driveway.

Commissioner Tomita stated that with Fire and Police, the County of Maui is liable. He added that he understands that there are no codes and that lights are expensive.

Ms. Dagdag commented that this body could draft a letter to Fire Department to request installation of lights or if it wishes to request legislation by finding an advocate from the County Council to create legislation to make this a requirement.

d. Lack of Sidewalks and Faded Crosswalks in Maui County

Vice-Chair Johnson reported that Commissioner Azizsoltani brought up this item for discussion.

Ms. Dagdag distributed a handout to the Commissioners of the latest budget approved by the Council, which shows a partial list of Public Works projects highlighted. She shared that they requested funding for construction of sidewalks and received \$500,000, which shall be applied to Kahului Fire Station and Waiale Road. She added that prior to 2012, there were no funds allocated for countywide sidewalk improvement. Ms. Dagdag stated that the cost have increased due to the need to relocate utilities and drainage improvements; at the Kahului Fire Station, a fire hydrant needs to be relocated as well as a small wall removed.

Commissioner Lindsey questioned the painting of crosswalks in Lahaina. Ms. Dagdag responded there is a new Division Chief on board who is working to get traffic signs and marking crew out to focus on restriping.

Commissioner Lindsey commented that people who ride wheelchairs have been faced with tires being eaten up due to the roads. Ms. Dagdag replied that there is a repavement program to prevent further deterioration; options include seal coating and slurry seal, also noting that resurfacing is costly.

Vice-Chair Johnson asked how the decision is made to address an area and if the department takes public comment. Ms. Dagdag advised that Request for Service is available on the county website. Vice-Chair Johnson commented that he did not hear of this before. Ms. Podlewski advised that the information was provided at previous meetings and included in

the minutes; she will resend the information to all Commissioners.

Guest Cassandra Rabara asked about the lighting in Happy Valley where an accident recently occurred. Ms. Dagdag responded it was a motorcycle accident but she does not know the details. She advised that an option would be to install a traffic light but that would require approval from 80% of the neighbors.

Commissioner Tomita commented that sidewalks need to be weather proof and drainage is a concern. He also asked what the plans are regarding the Kihei Fire Station. Ms. Dagdag answered that she would take the drainage information back to the staff. She added that the Kihei Fire Station improvements are not in the budget but could possibly be in next year's.

Ms. Dagdag reported that she attended Kihei Community Association meeting yesterday and requested a list of priorities for this area. She distributed a handout of the association's needs and suggested that the Commission may wish to consider developing something similar and identify top five or six areas.

Commissioner Lindsey commented that in regards to sidewalks in Kihei, there are many bike riders and they can't do both. Ms. Dagdag answered that multi-use paths are an option where bikes and pedestrians use together but there is only so much space to use so engineers need to determine how best to use the right-of-way. Ms. Dagdag shared that with new road projects, Planning and Public Works consider how to accommodate all modes of transportation. She also commented that existing roads are a challenge.

Vice-Chair Johnson asked if they are involved in the permitting process and renovations. Ms. Dagdag replied that when redevelopment and renovation costs exceed a dollar threshold it will require frontage improvements, they are also involved when the use changes or for expansion. She advised that in

September and October of every year a list is developed for the budget process.

Commissioner Tomita shared that last year, Director Goode came to a meeting and advised that Kihei Fire Station sidewalk would be taken care of. Ms. Dagdag responded that when they looked at the funding, the Waiale Road sidewalk took priority because many school age kids walk in the area. Commissioner Tomita asked if new fire stations require sidewalks. Ms. Dagdag answered yes and that it is now a requirement.

Vice-Chair Johnson called recess at 2:00 p.m.

[RECESS]

Vice-Chair Johnson called the meeting to order at 2:10 p.m.

b. Unemployment of Persons with Disabilities

Vice-Chair Johnson suggested that the Commission create best practices for persons with disabilities and anticipate their needs by surveying employees.

Ralph Thomas introduced himself as the County's Equal Employment Specialist and replied that there is a fine line that employers can ask if someone is disabled. He reported that he provides training within the first 30 days of employment for all new employee and also does an annual briefing for all employees, including leadership. Mr. Thomas stated that the County does not know who is disabled and cannot say that it needs to hire more females, persons with disabilities or veterans, adding that qualified applicants are considered with or without accommodations. He welcomed any input to improve and invited the Commissioners to attend a briefing that he is giving tomorrow at Kalana Pakui building. Ms. Oana advised that two or more Commissioners may attend, but it needs to be less than a quorum. Commissioners Kapoi and Villanueva expressed interest in attending the briefing. Ms. Oana asked if they could provide a report at the next meeting.

Commissioner Tomita asked Mr. Thomas about hiring two deaf persons that are being let go from HC&S. Mr. Thomas replied that he does not do hiring and they can apply for positions if there is an opening.

Commissioner Tomita asked if the Commissioners could get business cards. Ms. Oana responded that none of the other Commissions have business cards and perhaps it's a budget issue.

- e. American Sign Language Training and Funding for sign language interpreter

Deferred.

- f. Concerns about Department of Transportation regarding Proviso of Services in General and Paratransit

Deferred.

- g. Upcoming Events

None discussed.

## **V. NEW BUSINESS**

- a. Election of Officers

Deferred.

## **VI. ORIENTATION WORKSHOP**

Deferred.

## **VII. AGENDA SETTING**

None discussed.

## **VIII. NEXT MEETING**

June 9, 2016, 1:00 to 2:30 p.m. at Cameron Center, Conf. Rm# 1.

## **IX. ADJOURNMENT**

Vice-Chair Johnson requested to defer all other agenda items. Commissioner Lindsey presented a MOTION to defer the remainder of the agenda items to the next meeting. SECONDED by Commissioner Tomita. Vice-Chair Johnson called for the vote, all in favor, no objection. MOTION CARRIED.

Vice-Chair Johnson adjourned meeting at 2:35 p.m.