



MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES

95 MAHALANI STREET, ROOM 20 • WAILUKU, HI 96793 • PHONE (808) 270-7755 • FAX (808) 270-7935

COMMISSION ON PERSONS WITH DISABILITIES

June 4, 2020

12:30 p.m.

Virtual Meeting via BlueJeans Video/Teleconference

Meeting Link: <https://bluejeans.com/529386879?src=calendarLink>

Call to Order: 12:37 p.m.

Members Present: Faraz Azizoltani, John Copeland, Joseph D’Alessandro, Cranston Kapoi, Kimberly West, Nani Watanabe

Members Absent: Robert Carroll (unexcused), Petrina Castillo (unexcused), Ricky Sanches (excused)

Guests Present: Brian Hauser (Aloha Independent Living Hawaii, Maui); Harry Johnson (MEO Transportation); Roxanne Kehus (State Department of Health); Richard Antone (Department of Parks and Recreation); Department of Housing and Human Concerns Deputy Director Linda Munsell; Department of Public Works Director Rowena Dagdag-Andaya

County Staff Present: Office on Aging: Deborah Stone-Walls, Claudette Medeiros, James Mariano, Shelly Chernicki; Deputy Corporation Counsel Jennifer Oana

Topic/Agenda Item	Discussion	Action
1. Call to Order/Roll Call	6 members present, 3 absent (1 excused, 2 unexcused), there is quorum.	
2. Public Comments and Testimony	No Public Testimony	
3. New Business	Presentation on Maui County Accessible Housing and Visitability Standards – Rowena Dagdag-Andaya, Director, Maui County Department of Public Works	



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Maui County Resolution #19-142, urging the Department of Public Works to evaluate the six visitability standards set forth in the State of Hawaii Analysis of Impediments to Fair Housing Choice with a Focus on People with Disabilities, was passed by the Maui County Council in 2019. (See Attachment A)

The Six Visitability Standards are:

1. At least one zero-step entrance;
2. Interior doors, including bathrooms, with 32 inches or more of clear passage space;
3. At least a half bath, preferably a full bath, on the main floor;
4. Reinforcement in bathroom walls for future grab bar installation (important to support aging-in-place);
5. Space to maneuver a wheel-chair in the food preparation facilities if provided on the floor served by the zero-step entrance; and
6. Light switches and electrical outlets within a comfortable reach for all.

The Department of Public Works (DPW) will be updating the County building code. They are investigating how the visitability standards can be incorporated into the County building code. DPW is consulting with architects. Some concerns include compatibility, aesthetics, affordability, and historical districts. DPW would like to establish a panel of stakeholders to discuss visitability standards and to recommend standards.

DPW is also engaged in Vision Zero, an initiative to promote zero roadway traffic fatalities.

Commissioner Copeland commented on Ms. Dagdag-Andaya's participation and would like more information on the relationship between DPW and Housing and their work with each other regarding the visitability standards. He especially is concerned about wheel-chair accessibility.



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Ms. Dagdag-Andaya indicated DPW is in communication with DHHC regarding building standards. Visitability standards have not been addressed as much. May be able to consider grant funding for home modifications. Due to her family situation with her parents, she understands the costs involved for modifications and would like to see continued discussion regarding updating standards and possible grant funding.

Commissioner Watanabe commented that she attended a conference that discussed design standards not just for the disabled but for all. One major problem is funding. Currently, she is working with a family that needs a tub removed and replaced with a walk-in shower. She is working with Habitat for Humanity to help. Aging in place modifications are on the rise and funding is not available.

Commissioner Watanabe also commented that there are sometimes issues with home modifications because certain homes are considered historical. These are protected. How do you make modifications to these historical residences?

Commissioner Watanabe also commented that mobility is not the only issue. People who are deaf and/or blind also need to be considered. Commissioner Watanabe is in favor of having a panel for discussion, dialogue and ideas.

Ms. Dagdag-Andaya commented that DPW is also looking at standards of other cities and counties. She mentioned the Honolulu Aged City Friendly Action Plan.

Commissioner Watanabe commented on the accessibility issues/needs of young people who have been affected by recreational activity injuries and have become disabled.



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Commissioner West asked if the six design standards from the Resolution were recommendations or law. The six design standards are recommendations to evaluate, not law.

Ms. Dagdag-Andaya indicated that DPW has been working with partners in Honolulu and the University of Hawaii to work on the amendments to the building code. Estimated completion of the updates is mid-year, 2021.

Commissioner D'Alessandro indicated he was looking at an AARP website regarding Honolulu Age Friendly City initiatives. He thinks this could be used to help form the visitability building standards.

Ms. Dagdag-Andaya suggested getting a presentation from the University of Hawaii who helped start the discussions on visitability standards.

Commissioner D'Alessandro said he would be interested in a presentation from U of H.

Deputy Corporation Counsel Jennifer Oana asked if the current building code discusses accessibility. Ms. Dagdag-Andaya indicated it does but in very general terms. Not in detail.

Commissioner Azizsoltani suggested including contractors in the discussion to see who would be interested in providing services for cost only.

Linda Munsell chatted online that there is a budget line item for \$125,000 for Habitat for Humanity. As of the date of the meeting, the budget had not been finalized.



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	<p>Commissioner Copeland would like to see universal design as part of the building code. Commissioner D'Alessandro agreed. Requested a hard copy of the resolution. Link to the website was shared.</p> <p>Deputy Corporation Counsel Jennifer Oana requested a copy of the draft building code amendments once it is finalized for the commission to review prior to going before the County Council.</p>	
4. Election of New Officers	<p>Nominations for Chair: Commissioner D'Alessandro nominated Nani Watanabe. It was seconded by Commissioner Copeland. Commissioner Watanabe nominated Kim West. Commissioner West withdrew. No other nominations for Chair were given. A vote was taken and a unanimous vote for Commissioner Watanabe to be the Chair was rendered.</p> <p>Nominations for Vice-Chair: Commissioner West nominated John Copeland. Commissioner Watanabe nominated Joe D'Alessandro. Commissioner Kapoi seconded the nomination for John Copeland. Commissioner D'Alessandro withdrew. A vote was taken and a unanimous vote was rendered for John Copeland to be Vice Chair.</p>	
5. Review/Approve Minutes	Minutes from March 12, 2020 Commission on Persons with Disabilities meeting	Vice-Chair Copeland moved to approve the minutes; Commissioner D'Alessandro seconded. Motion to approve minutes carried unanimously.
6. Welcome of New Commission Member	John Copeland	
7. Old Business		A. No response received from Councilmember



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	<p>A. Update on invitation to Councilmember Tasha Kama, Chair of the Affordable Housing Committee, to attend a Commission meeting to discuss affordable housing issues in the county.</p> <p>B. Update on letter to Mayor to support affordable housing for persons with disabilities</p> <p>C. Update on letters to County Council and Economic Development and Budget Committees to support affordable housing for persons with disabilities</p> <p>D. Testify at the Affordable Housing Committee during affordable housing reviews to support affordable housing for persons with disabilities.</p>	<p>Kama. Chair Watanabe will follow up with Councilmember Kama.</p> <p>B. Action deferred. Waiting to speak to Councilmember Kama and/or Linda Munsell and to learn about the issues before sending a letter.</p> <p>C. Action deferred. Waiting to speak to Councilmember Kama and/or Linda Munsell and to learn about the issues before sending a letter.</p> <p>D. Deferred until Commission's Mission and Vision Statements are created. Commissioners may write letters, as individuals, to the</p>
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		Affordable Housing Committee.
8. New Business Cont'd.	<p>Presentation - Maui County Affordable Housing Plan and ADA Requirements – Linda Munsell, Deputy Director, Maui County Department of Housing and Human Concerns. (See Attachment B)</p> <ul style="list-style-type: none">a. In the budget, some funding for Habitat for Humanity for structural changes to folks homes to allow them to live at home safely.b. Affordable Housing Committee Meeting – June 17, 2020. DHHC is putting together a presentation on experimental housing based on an old ordinance dating back to the 1980's. Would be a good opportunity for the commissioners to learn and make their presence known. <p>Presentation on Affordable Housing and Accessibility Requirements. Affordable Housing Fund (AHF) was established to help provide and expand affordable housing and suitable living environments for residents. The AHF targets households from very low to above moderate incomes (up to \$117,000). The funds can be used for rehabilitation of existing structures, land purchase, or other acquisition, planning, design and/or construction.</p> <p>AHF was established by ordinance in 2009. Two percent of Real Property Tax is allocated to the AHF. Between \$6 million to \$8 million is allocated annually, depending on property values. In FY20, the County Council budgeted three percent of the Real Property Tax to the AHF, for a total \$14.3 million. Sounds like a lot of money but these projects are expensive to build.</p> <p>For the FY20 Affordable Housing Plan (AHP), the budget was adopted 7/1/19. An AHP workshop was held August 21, 2019. Nine applications for projects were reviewed and scored. Requests totaled \$26.2 million and were evaluated and scored. The scoring criteria includes:</p> <ul style="list-style-type: none">a. Qualified activity/developer capacity	



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- b. Addressing a need (lower average monthly incomes score higher)
- c. Longer affordability periods (60 year range or perpetuity)
- d. Readiness and leveraging.

Housing needs total \$3 billion dollars. Out of the nine projects submitted, five were recommended for funding:

1. Kalaulu O Halelea – 64 unit multi-family project
2. Liloa Hale – 150 unit senior project
3. Hale O Piikea – 90 unit multi-family project
4. Clean and Sober Residential Acquisition (acquire 2 residential building to house 16 individuals)
5. Arc Residential Group Home Improvements (repairs to 6 group homes)

The County Council can throw out any or all recommendations. Of the five mentioned, the Hale O Piikea and the Arc Residential Group Home Improvements were not funded. It is anticipated that the County Council will fund 304 total units and 16 substance abuse treatments beds through the AHF. Some Federal and State funds will also be made available for these projects. The presentation shifted to discussing accessibility in housing. There are many different laws, requirements and concepts. Americans with Disabilities Act, Fair Housing, and 504 requirements. (Visitability and Universal Design will not be discussed here.)

Required by law is ADA, Fair Housing, and 504 requirements.

ADA was passed into law in 1990 and prohibits discrimination against persons with disabilities in all areas of public life, including public and private places open to the general public. ADA standards for Accessible Design were updated in 2010. ADA covers public and private places which are open to the general public such as government facilities, stores, museums, sidewalks, hotels. ADA also applies to public areas of multifamily properties, but not the dwelling units



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themselves (with some exceptions). Public areas include rental office, rental office parking, and the community building (if open to the public). ADA does not cover residential private apartments and homes, unless there is a portion of the residence used for a public business (doctor's office, day care, etc.) Then the portion of the home used for these businesses must meet ADA requirements.

Fair Housing Act (FHA) was passed into law in 1968, and then amended in 1988 to include families and persons with disabilities. The FHA includes design and construction requirements for certain multifamily dwellings. FHA covers certain multifamily dwellings with all ground floor units in a building with four or more units, without an elevator, and all units in buildings with four or more units, with an elevator. FHA does not apply to detached, single family homes, duplexes or triplexes, or multi-story townhouses. FHA requirements are:

- a. Accessible building entrance on an accessible route;
- b. Accessible and usable public and common use areas (lobbies, exterior hallways, laundry);
- c. Usable doors (wide enough, usable door handles);
- d. Accessible route into and through unit;
- e. Light switches, outlets, and other environmental controls in accessible locations;
- f. Reinforced walls in bathrooms for later installation of grab bars;
- g. Usable kitchens and bathrooms.

Section 504 applies to multifamily properties built after 1982 and receiving government subsidy (1988 for HUD properties). Five percent of the units must be fully accessible. Two percent of the units must be hearing and visually impaired units.

Other standards not required by law are visitability and universal design.



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	<p>ADA requirements for Kaiaulu O Halelea and Liloa Hale: accessible Community Center, Rental Office and routes through the complex and to the units.</p> <p>Fair Housing Requirements for Kaiaulu O Halelea and Liloa Hale:</p> <ul style="list-style-type: none">a. Kaiaulu O Halelea is a 64 unit, multifamily complex with no elevator. Fair Housing requirements apply to all ground floor units. Assuming the complex is two stories would mean 32 units must comply. In addition, there must be an accessible route to the mail boxes, laundry and trash areas associated with those ground level units.b. Liloa Hale is a 150 unit senior facility with an elevator. Fair Housing Requirements would apply to all units, and there must be accessible routes to the associated mail boxes, laundry and trash areas in the complex. <p>Section 504 Requirements for Kaiaulu O Halelea and Liloa Hale:</p> <ul style="list-style-type: none">a. Kaiaulu O Halelea – 64 units: 4 units fully accessible (5%); 2 units hearing and visually impaired (2%)b. Liloa Hale – 150 units: 8 units fully accessible (5%); 3 units hearing and visually impaired (2%). <p>Universal Design and Fair Housing requirements include a lot of the same things. All of the AHF projects would accept HUD vouchers. Additional accessibility requirements from the County are determined by the DPW.</p>	
9. Upcoming Events/Announcements	Announcements (for information purposes only; these may not be County sponsored events; it is encouraged to make contact with the entity before attending to make sure these meetings and events have not been cancelled or rescheduled.)	



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	<p>A. Community Children’s Council – 1st Thursday of each month, 3:00 to 4:15 p.m., “Ohana Health Plan Office, contact Roxann Kehus at 984-8218, roxann.kehus@doh.hawaii.gov.</p> <p>B. Maui Independent Living Center – 2nd Wednesday of each month, 1:00 p.m. to 3:00 p.m., MEO Classroom 1, contact evalina.watanabe@meoinc.org.</p> <p>E. Community of Employment Practice – 2nd Tuesday of each month, 1:00 p.m. to 2:30 p.m., Ka Lima O Maui, contact Roxann Kehus at 984-8218, roxann.kehus@doh.hawaii.gov.</p> <p>F. Self-Advocacy Advisory Council – 3rd Thursday of each month, 10:00 a.m. to 11:30 a.m., ‘Ohana Health Plan Office, contact Roxann Kehus at 984-8218, roxann.kehus@doh.hawaii.gov.</p> <p>G. Maui Developmental Disability Committee – 3rd Thursday of each month, 10:00 a.m. to 11:30 a.m., contact Roxann Kehus at 984-8218, roxann.kehus@doh.hawaii.gov.</p> <p>H. Maui Disability Alliance – 3rd Thursday of each month, 1:00 p.m. to 2:30 p.m., contact Roxann Kehus at 984-8218, roxann.kehus@doh.hawaii.gov.</p> <p>I. Maui Wheelers – 1st Wednesday of each month, 1:00 p.m. to 4:00 p.m., “Ohana Health Plan Office, contact K. Alohilani Hue Sing at MauiWheelers@gmail.com.</p>	
<p>10. Call for Agenda Items at Next Meeting</p>	<p>A. Presentation by Harry Johnson, Maui Economic Opportunity Transportation – Training for MEO Drivers</p> <p>B. Development of Commission’s Mission and Vision Statements</p>	



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11. Next Meeting Date	The next meeting is scheduled for July 9, 2020 at 12:30 p.m. and will be done virtually using video/teleconference technology due to the COVID-19 Pandemic.	
12. Motion to Adjourn	2:42 PM	Motion to adjourn by Commissioner West and Seconded by Commissioner D'Alessandro, and passed.

Submitted by Shelly Chernicki, Secretary (Office on Aging), 6/19/20

DRAFT