



COMMISSION ON PERSONS WITH DISABILITIES

Thursday, May 8, 2008
Maui Economic Opportunity, Classroom 2

MINUTES

MAYOR

Charmaine Tavares

DIRECTOR of HOUSING & HUMAN CONCERNS

Vanessa A. Medeiros

DEPUTY DIRECTOR of HOUSING & HUMAN CONCERNS

Lori Tsuhako

COMMISSIONERS

Norita DeLima, chair
Darren Quinn, vice chair
John Briley, MD
Karen Hue Sing-Ledesma
Linda Liddell
Marguerite Rowland
Charlotte Seales
Andrew Valentine

DEPUTY CORPORATION COUNSEL

Kimberly Sloper

ADA COORDINATOR

Dennis Schwind

CPD STAFF

Jan Roberson
270-8203

I. CALL TO ORDER

Chair DeLima called the meeting to order at 2:15 p.m.

II. ATTENDANCE / QUORUM; INTRODUCTIONS

A quorum was established at 2 p.m.

PRESENT:

Norita DeLima, Chair; Darren Quinn, Vice Chair;
Karen Hue Sing-Ledesma; Linda Liddell; Marguerite Rowland;
Charlotte Seales; Andrew Valentine.

EXCUSED: John M. Briley, MD

ABSENT: Patricia Duckworth

STAFF: Jan Roberson, Department of Housing and Human
Concerns; Denny Schwind, ADA Coordinator

GUESTS: Charlotte Smith; Gary Frampton; Tracy Souza;
Mary Matsukawa, State Council on Developmental Disabilities;
Jean Tessner, Space Options.

III. APPROVAL OF MINUTES: April 10, 2008

ADA Coordinator requested the following corrections:
On Page 5, correction of spelling of SCAFE to SKAFF
On Page 5, from Paia Fire Station parking lot to utility building
Commissioner Rowland **MOVED** to accept the minutes as
corrected. Commissioner Valentine **SECONDED**.
MOTION CARRIED.

IV. PUBLIC TESTIMONY

None

V. NEW BUSINESS

A. Elections of Officers

In the absence of the county attorney, Commissioner Liddell
MOVED to defer the elections to the July 10, 2008 meeting.
Commission Vice Chair Quinn **SECONDED. MOTION
CARRIED**

VI. UNFINISHED BUSINESS

A. Bylaws

1. In absence of the county attorney, no update was available.

B. Event Planning: 4 - 7p.m, June 12, 2008: "Services for Persons / Disabilities"

1. Commission Chair DeLima reported that the estimated before tax cost for the event had increased to

| | |
|------------------------------------|-----------------|
| Hale Mahaolu Kitchen | |
| 3 pans of Potato Salad @ \$40 each | \$120.00 |
| 4 pans of chicken @ \$70 each | \$280.00 |
| Miyaki 3 trays sushi | \$193.50 |
| Costco Cookies | \$ 70.49 |
| Leis | \$100.00 |
| Donation for microphone | <u>\$ 25.00</u> |
| Total estimated expenses | \$788.99 |

2. Commissioner Valentine **MOVED** a letter be sent to DHHC Director Medeiros requesting approval of the budget, with the caveat that should the Director reduce the amount requested, a subcommittee comprised of Commission Chair DeLima and Commissioners Rowland and Valentine meet via phone to reconcile event expenditures. Commissioner Hue Sing-Ledesma **SECONDED. MOTION CARRIED.**

3. Commission Chair DeLima also noted that the flyer should be amended to accurately reflect the RSVP deadline of June 3rd. Chair DeLima also noted that the facility would not have air conditioning, water was to be donated, and that event attendees should park in unmarked stalls or along Hina Avenue.

4. Draft media releases were distributed, and will be adjusted to reflect the deadline changes, parking instructions, and to advise para transportation riders to call ahead as early as possible to assure a ride.

5. Staff Jan Roberson reported that Director of Housing Wayde Oshiro sent regrets regarding invitation to speak at the event. Commissioners requested that Milton Ito represent HUD and Disabled Housing instead.

VI. REPORTS

A. Chair

1. Commission Chair DeLima reported that a letter was being sent to Mayor Tavares, CC DHHC Director Medeiros and ADA Coordinator DJ Schwind, commending the county for its para transportation service; requesting repeal of double charging para transportation riders, and requesting the county promote awareness of the County's para transportation service via media releases, advertising, PSAs for radio, and on AKAKU: Maui Community Television.

2. Commission Chair DeLima reported that a letter was being sent to Corporation Counsel Brian Moto to ask the status of the DOJ report regarding the Skaff

lawsuit and whether the county departments had conducted, as mandated, self evaluations.

Ex-Officio Mary Matsukawa requested that copies of all correspondence be distributed to all Commissioners and guests with the May meeting minutes.

B. Transportation

1. See item B-4 above. Commission Chair DeLima requested that media releases be amended to recommend that para transportation riders to call early to assure a ride.

C. Molokai

1. Commissioner Liddell reported that she attended a two-day conference on April 14 and 15 2008 Pacific Rim on Disabilities at the Sheraton Hotel in Honolulu last month. This year's focus children with disabilities. Speakers from various countries discussed how the issues were managed. She participated in a fashion show for the disabled. Next year's event will take place February 24 and 25, 2009 and will mark the 25th Anniversary of the event. See attached report.

2. Commissioner Liddell also circulated a draft letter for approval addressed to the Director of Public Works Milton Arakawa and CC'd to ADA Coordinator Schwind requesting sidewalk striping at the Mitchell Pauole Center in Kaunakakai. Guest Jean Tessmer suggested the letter be CC'd to the mayor as well and that the letter request immediate attention. Ex-Officio Matsukawa again requested that this correspondence be distributed with the minutes.

Commissioner Liddell **MOVED** to approve the letter as amended. Commission Vice Chair Quinn **SECONDED. MOTION CARRIED.**

3. Commissioner Seales reported that the commissioners from Molokai will meet prior to the meetings to keep each other informed of each other's work on behalf of the commission.

4. Commissioner Seales reported that Commissioner Valentine will work with her to advocate for the higher education needs of students with disabilities. Commissioner Rowland suggested contacting MCC Disability Coordinator Lisa Correa.

D. Volunteer Parking Enforcement Program

1. Commissioner Rowland reported that there was nothing new, but was hopeful there would be soon.

2. ADA Coordinator Schwind reported that, in response to the March 10, 2007 letter from the Disability and Communication Access Board Standing Committee on Accessible Parking, he had sent a letter to the Hawaii Judiciary requesting statistics on parking enforcement, including the number of citations issued in 2007. Ex-Officio Matsukawa requested copies of the letter be distributed with the May 8 meeting minutes to all members.

3. ADA Coordinator Schwind also reported that he would send a letter to the Chief of Police requesting an update on the status of volunteer training and enforcement.

4. A lengthy discussion followed regarding the issues, problems, and suggestions on the volunteer parking enforcement program.

- a. Ex-Officio Matsukawa suggested the formation of a subcommittee
- b. Guest Jean Tessmer proposed that each shopping center designate a contact person to receive info re unauthorized use of accessible stalls.
- c. Commissioner Valentine suggested the county advertise to promote awareness and ask the county's volunteer center to assist with recruiting volunteers.
- d. Commissioner Rowland stated that Sgt. Barry Aoki year after year reports that the MPD lacks resources to implement the volunteer training program.
- e. Commissioner Rowland suggested ordinance for County to fund a permanent program since there is a lack of volunteers.
- f. Commissioner Rowland suggested Commission Chair send a letter to the Chief of Police asking how the Commission might assist in implementing a successful program in Maui County that is similar to the one in Honolulu; copied to the Mayor and ADA Coordinator Schwind.
- g. Commissioner Hue Sing-Ledesma suggested the Commission contact Oahu for its program description and funding requirements.

E. ADA Coordinator

1. ADA Coordinator Schwind gave a brief synopsis of the history of Project Civic Access that resulted in the Department of Justice vs County of Maui settlement. He said when Janet Reno was US Attorney General, she visited Toledo, Ohio and found it was not wheel chair accessible. She returned to Washington DC and implemented Project Civic Access which provided technical assistance to achieve full compliance with TITLE 2 of the Americans with Disabilities Act. The result was 167 settlement agreements, including DOJ vs County of Maui. The DOJ inspection on Maui resulted in a list of needed improvements in proximity to tourist destinations and universities. DOJ looked at accessible parking, restrooms, inventory programs and services, required the addition of a staff person to serve as ADA coordinator, and mandated that the County implement and advertise grievance procedures. The DOJ inspected facilities with the exception of Parks. This lead to the lawsuit known as Skaff vs the County of Maui. In the settlement agreement, the county was to notify the public of the names and locations of ADA-compliant facilities

- a. Ex-Officio Matsukawa asked how often the County has asked the Commission for input regarding areas that need ADA improvements.

- b. Guest Jean Tessmer reported that Lorraine Martin had asked for a list of the Self Evaluation Transition Plan inclusive of all programs and services, but all she received was a list of 10 parks.
- c. Tessmer also requested a copy of the County's grievance procedure
- d. ADA Coordinator Schwind responded that it was dropped from the final DOJ list of improvements.
- e. Tessmer said the intent of DOJ vs County of Maui was for the County to solicit input from the Persons with Disabilities Alliance and the Commission on Persons with Disabilities.
- f. ADA Coordinator Schwind responded that they were contacted.
- g. Tessmer requested to know specifically who was contacted since the case closes on September 8th, 2008.
- h. ADA Coordinator Schwind responded that the Maui Police Department has 5 years to gain compliance.
- i. Tessmer stated that each item on the list could have been brought systematically to the commissioners for discussion.
- j. Commissioner Valentine stated that the County policy excludes persons with disabilities – persons with personal experience - in the planning process before the public hearing.
- k. Ex-Officio Matsukawa said the commission's job is to review policies and procedures.
- l. ADA Coordinator Schwind said the commissioners could have offered their input at the public hearings, which were advertised yet poorly attended.
- m. Tessmer requested copies of the advertisements.
- n. Ex-Officio Matsukawa requested a copy of any report that specifies what the county has done to comply with DOJ vs the County of Maui.
- o. ADA Coordinator Schwind stated that was the purpose of the letter to Corporation Brian Moto.
- p. Tessmer suggested the letter to Mr. Moto include
 1. an item-by-item summary about what has been done and what needs to be accomplished
 2. copies of the county departments' self evaluation assessments
 3. Feb. 25, '08 document from Dep. Corp. Counsel Jeffrey Ueoka
 4. request for priority list that did not appear in the transition plan

q. Commissioner Valentine said the Commission needs the information in order to form sound opinions & be knowledgeable about what's going on.

F. State Council on Developmental Disabilities

1. Ex-Officio Mary Matsukawa deferred her report to the July 10 meeting due to time constraints.
2. Commissioner Rowland suggested the Commissions invite the mayor to a future meeting and request more documentation on progress.
3. Commissioner Valentine concurred, stating that the county serves its constituents, and that there are things going on, about which the Commission has no knowledge.
4. Ex-Officio Matsukawa asked, "How does the Commission get information to perform its duties of reviewing and making recommendations?"
5. ADA Coordinator Schwind responded that policies and projects are different. It's not practical to come to the commission for every curb cut.
6. Commission Chair asked to defer the topic to the August 14 meeting.
7. Ex-Officio Matsukawa said letters should request a reply within 10 days
8. Commissioner Rowland suggested the commission discuss at its July meeting what it wants to know from the mayor, and invite the Mayor to its August meeting.
9. Commissioner Hue Sing-Ledesma suggested that input be solicited from the June 12 event participants.
10. Commissioner Valentine requested that July agenda include the commission's approach to accomplish future business.

G: Parks and Recreation

Commissioner Hue Sing-Ledesma reported that a lot needs to be accomplished to gain compliance with the lawsuit.

VIII. ANNOUNCEMENTS

A. Commission Chair DeLima announced that Patricia Duckworth submitted her resignation to the mayor.

B. Next Meeting: 2 p.m., July 10, 2008, MEO Classroom 2

IX. ADJOURNMENT

Commission Chair DeLima adjourned the meeting at 3:44 p.m.