

# DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Rm. 118 • Honolulu, Hawai'i 96813  
Ph. (808) 586-8121 (V) • Fax (808) 586-8129 • (808) 586-8162 TTY

## NOTICE OF MEETING

### Disability and Communication Access Board

### Standing Committee on Facility Access Meeting

May 3, 2024

10:00 a.m. – 10:30 a.m.

The Disability and Communication Access Board will be meeting remotely using interactive conference technology. The public is welcome to participate as follows.

#### **Public In-Person Meeting Location**

Kamamalu Building, Room 111A and 111B  
1010 Richards Street, Room 118  
Honolulu, HI 96813

#### **Participate Virtually via Zoom**

Click on the link below or copy and paste it into your browser window:

<https://us02web.zoom.us/j/85454570724?pwd=U204TzhLODNHVGt0RUFRbTQ2bXJ5Zz09>  
and enter Meeting ID: 854 5457 0724, Passcode: 296625

#### **To join by phone**

Dial 1 253 205 0468 and Meeting ID: 854 5457 0724, Passcode: 296625

#### **Public Testimony**

**Written Testimony** - To ensure the public as well as its Board members receive such testimony in a timely manner, written testimony should be submitted 48 hours prior to the scheduled meeting date and time. Any written testimony submitted after such time will be distributed to the members and the public at the meeting. Written testimony may be submitted by one of the methods listed below:

- By email to: [dcab@doh.hawaii.gov](mailto:dcab@doh.hawaii.gov)
- By U.S. Postal Mail:  
Kirby Shaw, Disability and Communication Access Board, 1010 Richards Street, Room 118, Honolulu, HI 96813
- By facsimile to: (808) 586-8129

## AGENDA

- I. Call to Order  
Review Remote Meeting Procedures
  - This meeting is being recorded.
  - A quorum of Committee members is required to be visible on screen.
  - Raise hand to speak unless called upon.
  - Identify yourself before speaking.
- II. Roll Call/Introductions
- III. Statement from Public and Written Testimonies Submitted
- IV. Approval of Committee Meeting Minutes of May 9, 2023
- V. Old Business
  - A. Document Reviews and Implementation of Fee Schedule – Update Report on review fees collected and the number of document reviews conducted between May 10, 2023 to May 2 2024.
- VI. New Business
  - A. Fiscal Year (FY) 2024-2025 Plan of Action – Facility Access  
Review the FY 2023-2024 Plan of Action section and Facility Access goals and objectives for FY 2024-2025 Plan of Action.

### **2. Facility Access**

**Facility Access** ensures the maximum inclusion of persons with disabilities in society through the design and construction of buildings, facilities, and sites that are free of barriers.

The goals and objectives in the area of **Facility Access** are:

- 2.1 State and county buildings, facilities, and sites will be designed and constructed to meet the requirements of Section 103-50, Hawaii Revised Statutes.

Objectives:

- 2.1.1 Review State and county construction documents as required by Section 103-50, Hawaii Revised Statutes (projected number = 1,200 reviews). **(Priority 1)**
- 2.1.2 Issue interpretive opinions on State of Hawaii design guidelines for Section 103-50, Hawaii Revised Statutes, as requested, for the purpose of clarifying design requirements for State and county construction projects (projected number = 5 opinions), and post decisions sorted by the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and the Fair Housing Accessibility Guidelines (FHAG) sections and the Hawaii

Outdoor Developed Areas Accessibility Guidelines (HODAAG), on the Disability and Communication Access Board's website. **(Priority 1)**

- 2.1.3 Review and decide upon site specific alternate design requests, per the public hearing process, for Section 103-50, Hawaii Revised Statutes projects. **(Priority 1)**
- 2.1.4 Review urban or project master plans to ensure that accessibility compliance is acknowledged at the earliest phase of planning. Monitor large projects in the conceptual stage by initiating contact with State and local government to offer assistance with accessibility issues and encourage dialogue with the Disability and Communication Access Board before and during the development of construction drawings. Provide technical assistance on urban, pedestrian planning committees to ensure inclusion of accessibility concepts. **(Priority 3)**
- 2.1.5 Monitor projects that have been published as starting construction or that are going out to bid but have not been submitted for review as required by Section 103-50, Hawaii Revised Statutes. Inform appropriate ADA Coordinators or Department/Agency by email that the project is required to comply with Section 103-50, Hawaii Revised Statutes. **(Priority 2)**
- 2.1.6 Maintain a list of construction projects reviewed under Section 103-50, Hawaii Revised Statutes for which staff have conducted a written document review. The list will be posted quarterly on the Disability and Communication Access Board's website. **(Priority 3)**

2.2 Design professionals, the building industry, facility managers, State and county agencies, and others will be educated about current and evolving design requirements, innovative design requirements and solutions, as well as other design information regarding access for persons with disabilities.

Objectives:

- 2.2.1 Provide technical information and assistance to design professionals on the requirements of the Americans with Disabilities Act Accessibility Guidelines (ADAAG), Fair Housing Accessibility Guidelines (FHAG), and other relevant design codes by responding to questions on design via meetings, faxes, email, and phone inquiries (projected number = 400 responses). **(Priority 1)**
- 2.2.2 Conduct or coordinate workshops and training sessions for 1) public works personnel, 2) the architectural and engineering community, and 3) user agencies on design standards, human factor requirements for persons with disabilities, access laws, and exemplary design (target = 10 workshops and/or

conference). Workshops and training sessions will focus on the revised Americans with Disabilities Act Accessibility Guidelines (ADAAG), following its adoption by the U.S. Department of Justice and the Disability and Communication Access Board. **(Priority 2)**

2.2.3 Prepare a periodic "Access E-Bulletin" to inform design professionals and State and county project managers of the latest information on accessibility design standards and guidelines and distribute via email (target = 16 issues/year). **(Priority 2)**

2.3 Existing and new construction codes, standards, and policies relevant to facility access will include the current minimum requirements for accessibility for persons with disabilities.

Objectives:

2.3.1 Provide policy guidelines to State and local government to recommend adherence to the Americans with Disabilities Act Accessibility Guidelines (ADAAG), the Fair Housing Accessibility Guidelines (FHAG), the Hawaii Outdoor Developed Areas Accessibility Guidelines (HODAAG), or other draft/interim guidelines of the U.S. Access Board as best practices; when such guidelines do not exist, provide appropriate design recommendations to ensure program access for persons with disabilities. **(Priority 2)**

2.3.2 Monitor and provide testimony to ensure that applicable codes incorporate or reference the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and Fair Housing Accessibility Guidelines (FHAG), and the Hawaii Outdoor Developed Areas Accessibility Guidelines (HODAAG) as a minimum. As appropriate, support changes that mirror best practices or expanded access for persons with disabilities. **(Priority 2)**

2.4 Existing codes, standards, policies, and practices shall be examined to provide recommendations for expanded coverage to those areas where no accessibility design guidelines exist, but where best practices can increase access for individuals with disabilities.

Objectives:

2.4.1 Monitor proposed guidelines and standards for increased access to buildings, facilities, and sites, equipment, and furniture and provide comment, as needed. **(Priority 2)**

2.4.2 Provide guidance to State and local governments to promote increased accessible housing or residential settings not covered by the Fair Housing Act or the Americans with Disabilities Act. **(Priority 2)**

2.4.3 Provide information on areas of acoustics, wayfinding, equipment and other areas where existing guidance may provide greater functionality for persons with disabilities.  
**(Priority 2)**

B. Report on virtual 2024 Disability Access Conference tentatively scheduled for June 20 and 21, 2024.

VII. Open Forum

Public comment on issues not on the agenda, for consideration for Committee agenda at the next meeting.

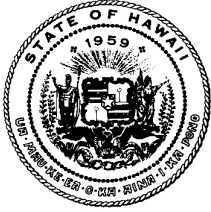
VIII. Announcement of Next Meeting

IX. Adjournment

If you require an auxiliary aid/service or other accommodation due to a disability, contact Cindy Omura at (808) 586-8121 and email at [dcab@doh.hawaii.gov](mailto:dcab@doh.hawaii.gov) as soon as possible. Requests made as early as possible have a greater likelihood of being fulfilled.

Upon request, this notice is available in alternate/accessible formats.

The agenda and materials for this meeting are also available for inspection at DCAB's office located at 1010 Richards Street, Room 118, Honolulu, Hawaii 96813 and on DCAB's website at: <https://health.hawaii.gov/dcab/dcab-agendas-and-minutes/>.



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## DRAFT MINUTES

### Standing Committee on Facility Access Meeting

Location: Virtual Location Via Zoom  
Date: May 9, 2023  
Time: 10:00 a.m. – 10:30 a.m.

PRESENT: Marie Kimmey, Chairperson; Ron Awa, Scott Fleming, Michael Nojima, Teri Spinola-Campbell, Charlotte Townsend, Board Members; Duane Buote, Rodney Kanno, Staff

I. Committee Chairperson Marie Kimmey called the meeting to order at 10:02 a.m. and reviewed the Remote Meeting Procedures.

II. Staff and Board Members introduced themselves.

III. No public statements or written testimony was submitted.

IV. Members approved the meeting minutes of March 9, 2023 (M/S/P Awa/Spinola-Campbell).

V. Old Business

B. Document Reviews and Implementation of Fee Schedule – Update  
Review statistics of document reviews and fee schedule.

Duane Buote informed the Committee members that the Facility Access Unit (FAU) reviewed one thousand one hundred fifty (1,150) projects from June 1, 2022 to May 8, 2023 of which five hundred seventy seven (577) were new submittals. The FAU collected \$853,986 in fees during that same period of time.

VI. New Business

C. Review Facility Access Section of the Plan of Action FY2023-2024

Duane Buote explained to the Committee members that the only proposed changes to the Facility Access section include deleting action steps regarding evaluation of the fee schedule rates and submittal of proposed legislation to increase the fee schedule rates.

The reason for the deletion of these action steps is because the consultant hired to do the evaluation is nearing completion of their report. The discussions with the consultant on the analysis and draft updates are indicating that the existing fee schedule has been working as intended and

the current special fund balance includes an adequate buffer even with the legislative removal of \$1,000,000 during the COVID-19 emergency. There does not appear to be a need to request a fee increase at this time. The consultant intends to include a factoring analysis to determine when a reassessment may be necessary if expenses increases start to outpace the revenue.

The Committee voted to approve the proposed changes to the FY 2023–2024 Facility Access section of the Plan of Action to delete the following two action steps (M/S/P Townsend/Fleming).

~~2.1.7 Evaluate the review fee rates charged for the review of plans under Section 103-50, Hawaii Revised Statutes, to determine whether the rates are adequate to sustain future budget requirements. (Priority 1)~~

~~i. Propose legislation to amend Section 103-50, Hawaii Revised Statutes, to increase the plan review fee rates to sustain future budget requirements. (Priority 1)~~

D. Report on 2023 Disability Access Conference

Duane Buote informed the Committee members that the FAU Spring training schedule on the Hawaii Outdoor Developed Areas Accessibility Guidelines (HODAAG) has been completed.

The 2023 Disability Access Conference is scheduled for June 29 and June 30, 2023 from 8:00 a.m. – 11:30 a.m. each day. The sessions will focus on the Fair Housing Act requirements and will feature Rex Pace from the Department of Housing and Urban Development, Bill Hecker from Hecker Design, LLC – Accessibility Consulting, and John Torkelson from theACCESSpartnership, l.p.

VII. Open Forum

There were no items raised.

VIII. Announcement of Next Meeting

The next meeting is TBD.

IX. The meeting adjourned at 10:19 a.m.

Note: All votes were unanimous unless otherwise noted.

Respectfully submitted,

DUANE BUOTE