

**MAUI REDEVELOPMENT AGENCY
REGULAR MEETING
JULY 17, 2009**

APPROVED 09-18-09

A. CALL TO ORDER

The regular meeting of the Maui Redevelopment Agency (Agency) was called to order by Ms. Alexa Betts Basinger, at 1:05 p.m., Friday, July 17, 2009, in the Planning Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Island of Maui.

Ms. Alexa Betts Basinger: Good afternoon everybody and welcome to the July 17th, 2009 meeting of the Maui Redevelopment Agency. Present here, Commissioners Warren Suzuki, Katharine Popenuk, myself, Alexa Betts Basinger. We are waiting for Robert Horcajo and Raymond Phillips. Staff with us, Leilani Ramoran, Erin Wade, Kathleen Aoki is with today from Planning Department, and Counsel – what's your name again – James Giroux, our esteemed Counsel.

B. APPROVAL OF THE JUNE 10, 2009 MEETING MINUTES (via e-mail)

Ms. Betts Basinger: First on the agenda, I'd like approval of June 10th, 2009 meeting minutes that were sent via email. Did everyone have a chance to review them? Do I hear a motion to approve?

Mr. Warren Suzuki: So move.

Ms. Katharine Popenuk: Second.

Ms. Betts Basinger: Okay, it's been moved and seconded. All in favor, say aye.

Agency Members: "Aye."

Ms. Betts Basinger: Passed unanimously.

**It was moved by Mr. Warren Suzuki, seconded by
Ms. Katharine Popenuk, then unanimously**

**VOTED: to approve the June 10, 2009 meeting minutes as
presented.**

C. PUBLIC TESTIMONY: Testimony will be limited to three (3) minutes per testifier. At two minutes, thirty seconds, a thirty second notice will be given. With the recommendation of the Chair, an additional three minutes may be granted.

Ms. Betts Basinger: We're now going to open for public testimony, limited to three minutes

and if you want another minute, I'm happy to give it. So anybody wishing to testify on any agenda item, please step forward now. Jocelyn?

Ms. Jocelyn Perreira: Aloha members of the Maui Redevelopment Agency. My name is Jocelyn Perreira. I'm the Executive Director and the Tri-Isle Main Street Program Coordinator for the Wailuku Main Street Association, Inc., and the Tri-Isle Main Street Resource Center.

We have a public comment to make relating to the agenda and the format for participation. Today's agenda is so generalized that it is hard for us to provide meaningful input. However, we do reserve the right and our obligation to our board, our committees and those in the community that we advocate for to continue providing professional guidance and recommendations on downtown projects in the Maui Redevelopment Agency area. We have worked in collaboration with this agency for over 20 years, nearly 25, to share vital, current and historic data that is pertinent in the deliberations of the agency's decision. We request you revert back to prior agency practice of allowing for public comments after each agenda item.

Further, we want to continue to provide updates on our extensive work within the area that can be acknowledged by Planning staff since we work so closely together. The Wailuku Redevelopment Agency specifically lists our organization as primary stakeholder in assisting the implementation of the plan. The public may have underlying concerns about strategies that have potential to affect property use and the overall mandates of the agency. As a responsible, reliable and qualified stakeholder, we do expect to be afforded full participation in review of items and to provide necessary input for consideration prior to the MRA's deliberations resulting in actions that have had the benefit of full public review and input. Thank you for this opportunity to offer comments. Aloha.

Ms. Betts Basinger: Thanks Jocelyn. Any questions, Commissioners, for the testifier?

Mr. Suzuki: Question Chair.

Ms. Betts Basinger: Yes?

Mr. Suzuki: I don't have a question for the testifier, but I do have a question for Corporation Counsel, so I'm not too sure if at this point because of the notice situation, we're not – if this something that we can discuss openly.

Ms. Betts Basinger: Does this have to do with the agenda?

Mr. Suzuki: Well having to do with the testimony provided. I have a question for James Giroux. But my understanding is questions has to be directed just towards the

testifier not to staff.

Ms. Betts Basinger: That's correct.

Mr. Suzuki: So, I guess my – so when will be able to question staff relative to some of the comments that were made by the testifier?

Ms. Betts Basinger: Very good. Thanks. Any other public testimony? Anyone else wishing to give public testimony? Then at this point in time, I'm going to close public testimony unless I hear otherwise from Commissioners. No? Public testimony is closed. Moving on to number D, presentation and discussion with Sergeant Stephen Orikasa, and I'll let Erin introduce him because this is a very exciting presentation.

D. PRESENTATION AND DISCUSSION WITH SERGEANT STEPHEN ORIKASA regarding safety and design in and around the Wailuku Redevelopment Area.

Ms. Erin Wade: Okay, as we discussed at the strategic planning meeting, we want to have – the MRA expressed interest in having greater coordination with the Police Department and understanding some of their ideas related to reviewing designs and also having better understanding of either crime statistics or safety information that's relevant to the duties of the redevelopment authority. So at the recommendation of the Deputy Director, I contacted Sergeant Orikasa, and he's here today to – we'd like to welcome him here today and look forward to working further with you, and he's got a small presentation.

Sergeant Stephen Orikasa: Good afternoon everyone. This is a real short presentation. I gave you guys some handouts. I was asked to talk about this thing called Crime Prevention Through Environmental Design. It's otherwise known as CPTED - c, p, t, e, d. It's an international concept that started years ago. But what it entails is the use of natural environmental factors along with manmade factors to deter a crime within a specific area. It can be private property, business district, open area such parking lots, playgrounds, nurseries, schools – all that kind of stuff. And what it does is it takes into consideration lighting, design of the buildings, design of greenery, walkways, natural light – all of these combined to deter crime. So in the handout, it's just a basic guide for crime prevention through environmental design. And I think it's something that should be considered during redevelopment. A lot of the older structures did not have these concepts, so you would have, like, hidden pockets on store frontages where during the evening hours, you know, it's a good place for criminals to hide, illicit activities to occur. So I understand that part of a focus area is a historical area, and fascias need to remain in a certain manner. But I believe these concepts can still be applied when a redevelopment of this area. It's just a real general, general overview of what this entails. You can look through the handouts. You can also check it online, Google it, but I would also suggest that there's these seminars

put on by the national institute of crime prevention that maybe, you know, one or two members – excuse me – that members should attend. You know, there's a basic course. There's an advance course. There's an international course also. But it's very interesting. Like I was expressing to Erin earlier, it depends on where you're coming from and what you may focus on in the whole idea, you know, as a developer, as a board member, as a person from the public, law enforcement, certain things that you focus on. It's all about keeping the community safe. A lot of times, it's not just having presence. Nobody needs to be there. But creating the sense of presence, that whether it be a law enforcement, official or the citizen, just to create the presence that someone being watched is good deterrent. So that's part of this whole concept. Do you guys have any questions?

Ms. Betts Basinger: Thanks members, questions? Yes, Warren?

Mr. Suzuki: Sergeant Orikasa, you know, without divulging in specific location or anything within the so-called Wailuku Redevelopment Area, are there any crimes or illegal activities occurring right now which are of a concern to the Police Department. And again, I prefer you not divulging in locations, but if it's something that is occurring that maybe, you know, as we kind of go through our discussions, there can be a coordination between Erin and yourself, so it's something that Erin can have some knowledge of and can share with us, you know, as we discuss specific applications that come before us, you know, that maybe within a concern or hotspot area that maybe we can pay a little bit more attention to, you know, given the type of crime or illegal activity that occurs, you know, within those areas.

Sergeant Orikasa: Without being specific. There's all different kind of crimes that occur and none are actually more specific to one area than another, although the concentration of the activity can value from one area to another. So, part of it is just the general area itself. You know, us as citizens, we know where certain crimes take place, so that's something to consider. Those areas – I understand what you're saying – it's kind of hard to talk about without being specific, but in general, the drug activity, drinking, prostitution, all that kind of stuff, it occurs within your target area. So, I think the factors of this crime prevention through environmental design, it could deter things, I mean, from the simplest thing from skateboard violations, up to the trafficking of narcotics. Does that really answer your question?

Mr. Suzuki: Yeah. It does, and I'm trying to be very careful on how I phrase my questions and all of that, but is there a possibility that, you know, through Erin especially now and because she being in the position that she's in as far as the small coordinator, where maybe again limiting your discussions with her, and trying to see if there's – making any kind of suggestions to her in terms of what we, as the MRA, might be able to do within certain areas in response so if we tried to deter those types of activities from occurring. You know, through additional – maybe lighting or whatever. I don't know. I mean, that's something I think that you folks as the Police Department maybe more aware of. You know

what sort of the tools could be used to try and deter those types of activities from occurring. And then we can discuss it and we as the MRA might be able to take action to implement those things that maybe as the Police Department, you folks by yourself wouldn't be able to do it, but we, as the MRA, might be able to do it.

Ms. Betts Basinger: I agree Warren that's a really good idea. And maybe Erin, you could try to find those crime statistics or pockets that fall in our area by working with either Sergeant or the Police Department. Yeah, that's a good idea. Any other questions? I do have a question. Thank you so much for your presentation. Has anyone from our Maui Police Force attended one of the National Institute of Crime Prevention Seminars?

Sergeant Orikasa: I have attend the basic and advance courses. I haven't gone to the international one this past year. In fact, I wasn't aware it was being presented.

Ms. Betts Basinger: So you're the local expert.

Sergeant Orikasa: I'm not the expert, but we have several members from our department. In fact, I think we have about a half a dozen that have gone through these courses. It can get real in depth, all the way down to, you know, making laws and ordinance for developers to comply during the application process. We have officers in Lahaina, and in the Kihei district. We've been called upon at times to do security assessments, for new developments and also old developments. You know, over the areas, they ask, what can we do to deter crime? And sometimes it's as easy as color – paint. Sometimes it's as simple as that. Taking a dark wall, and making it a lighter color, or painting it in a fashion where there appears – there is less space so people don't want to go there. You know what I'm saying? It's sometimes as simple as that. So it's real good concept to look at.

Ms. Betts Basinger: Thank you so much for bringing that to our attention. I'm sure we'll be calling on you again. Thank you very much.

Sergeant Orikasa: No problem.

Mr. Suzuki: Thank you.

E. UPDATE ON MRA FY09 EXPENDITURES AND FY10 BUDGET (Kathleen Aoki, Deputy Planning Director)

Ms. Betts Basinger: Moving on, members, to E, update on MRA FY'09 expenditures, and FY '10 budget. We have Kathleen Aoki here, but before she comes up to do a presentation, all of you should have received with this packet, your new packet, the most recent budget. And if you had your budget from our last meeting, what she's here to talk about is that difference. I know we worked really hard and put on our thinking caps about

where the MRA could best spend the funds that it still had in 2009, and we already know that we have commitments in our 2010 budget for up to \$45,000 for the parking structure coordinator. So, at this point, without any further adieu, Kathleen.

Ms. Kathleen Aoki: If you don't mind, I'm going to just sit here since I have all of my paperwork. Okay, so as you know for fiscal year '10, we were granted \$90,000 which was approved by the County Council. When we went up for the budget hearings, we told them on several occasions that about half or \$45,000 of the \$90,000 would be used towards the position, if you will, for the Wailuku Municipal Parking Lot Project. Going back to fiscal year '09, I guess there's been – and I'd just like to start off by saying that I apologize for the miscommunication within my staff. That was partially my fault. Joe and I were going on vacation the week before all the deadlines were for Finance to turn in any kind of requisitions for expenditures. Because I had not received anything by the Friday before, I made the decision to expend \$76,500 towards the parking lot coordinator position. If I did not expend that, we would have lost it. What I found out while I was gone, while I was on vacation, I was getting e-mails from Erin while I'm Boise, Idaho, saying that she was not aware that Joe and I had made the agreement to sign the contract for the \$76,500. So while she was being directed by your chair to try to expend some of the funds in the last three days, she didn't realize that we had already expended the \$76,500. So for that, I apologize.

What I got from Erin was –. The other thing too is that it's not – it's not simple. It's not a one day process to turn around requisitions – I want to make that clear – to go through Finance Department. That's why they have the deadlines that they have. For us to get the paperwork done, to get the requisitions typed up for them to go through signature, for them to get to Finance, it's not a one-day turn around. I can tell you that right out. I wish it were, but it's not. So, what I got from Erin was that in the three-days that she was not realizing that there weren't any funds to expend, she came up with –. What she could complete in time to get to Finance Department would have been \$4,857, and that was for Amazon.com, fire safety for historic structures books which is a book is \$30, MRA letterhead which was \$77, which I believe you did end up getting, and then Chris Hart and Partners' revised landscape plans which was \$4,750. So in that time frame that you're looking at that the MRA was trying to expend funds at the last minute, it would've totaled \$4,800. So in essence, I guess what I'm here to say is that there's a question on whether or not the department had the authority to expend the \$76,000. And my answer to that is yes. The MRA can provide its input to the department, which we sincerely appreciate, but in the end it is the department that has the jurisdiction and authorization to spend that money. The contracts are signed by us. In essence, you have a budget that's lined item under Planning Department for MRA, and it has to be used within the MRA. I can't go and spend it on something else in Kihei or some other social-economic forecast or anything like that. It's got to be expended in the MRA. And what the service benefit is this is what we have to provide to Council when we ask for funds is funds are needed to implement the ongoing

revitalization of Wailuku Redevelopment Area for the Wailuku Redevelopment Plan adopted by Council. Funds are also needed to fulfill ongoing contracts with vendors. As you may or may not know, in fiscal year '08 the money was actually put under the Mayor's budget and then it got transferred back to the Planning Department, and it got significantly cut because you were now going, again, have Planning Department as your staff rather than hiring a staff member and having an office and that kind of thing, so it did get cut quite a bit. So having said that, I again, I apologize for the lack of communication to this body, but the department was in its full right to make that decision and to spend it on the parking coordinator position which is in the MRA. I have already checked with Corporation Counsel and there was no misappropriation of funds, and I think that was a question that came up perhaps in the last meeting. It was a concern of some of the members, and I can understand that, but the bottom line is, it's Planning Department monies, and we, Jeff Hunt and I, are ultimately responsible for the allocation of those funds. So if there's -- I don't know if I missed anything. If you have any questions, I'd be happy to answer them.

Ms. Betts Basinger: Members?

Mr. Suzuki: Question.

Ms. Betts Basinger: Warren?

Mr. Suzuki: You know, thank you for the explanation, Kathleen. I didn't have any questions, but you mentioned that in the FY '10 budget, there's \$45,000 appropriated for the coordinator's position for the parking structure.

Ms. Aoki: Correct.

Mr. Suzuki: Being that, with the '09, \$76,500 was put into that. Is there any way where some of the \$45,000 now may not be used for the coordinator position and can be used for other activities within the jurisdiction of the MRA?

Ms. Aoki: That came up and I think with the direction that I've gotten from administration, we would like to keep \$45,000 because this project is going to cost a lot of money. So essentially by expending the fiscal year '09 money, that was a bonus because it didn't get expended. So we're actually ahead of the game which is terrific in my opinion and the mayor's happy about that. So that did come up and that's something that we can definitely look at, but knowing that the contract already is over \$200,000 for the entire phasing of the project, not knowing if next year we're going to get any money for MRA. I mean, I can't tell you what's going to happen in the next -- You know, we go by a yearly basis, so to keep this project going, if we've already told Council we're going to use \$45,000 for fiscal year '10, that's our intention. Then fiscal year '11, I may not get a dime. I may get a \$1,000. I mean we don't know. So I can appreciate the desire to want to go back and try to

supplement fiscal year '10 because we used fiscal year '09, but I can tell you that that's not where the department wants to go. We want to move forward with this project.

Mr. Suzuki: It's not a desire. It's just a question that I raised. I'm not saying that's what I want to do. I just raised it. If it's something that could potentially happen. Another thing, from my perspective, I'm glad the monies were used, the \$76,500, because I recall at one of the meetings, we had a discussion relative to, you know, what can we do given the time that we had left remaining to encumber as much of the funds as we could because we recognized that if we didn't encumber it, that money would be lost, and that's something that will not carry over to the following year as far as the budget for MRA. So if the money has been used and is now encumbered, for me, that's great because the parking structure for Wailuku town, clearly, is something that is needed for Wailuku. So that money can be used for that particular purpose, for me, that's great.

Ms. Aoki: Thank you.

Ms. Betts Basinger: Any other questions members? Thanks Kathleen for being here and explaining that to everyone. Would it be possible for Corporation Counsel to give us a written opinion to the MRA? And I raise that question simply because in our strategic planning meeting, the MRA is, itself, looking at ways to raise monies for what we have to do within the MRA area. And as you know, I'm sorry that you kind of apologized for Erin, but some of the things this body wanted to do were really important studies to update the situation to reassess the town as we move forward. But if we're able, as we hope to be, to raise our own funds, are you saying that you could expend them for yourself?

Ms. Aoki: No. I'm not saying that.

Ms. Betts Basinger: And could that be put in the Corporation Counsel's letter or opinion?

Mr. James Giroux: Let me just explain a little bit. As far as – and I think Kathleen touched on it a little bit is the whole issue of the County budget is dealt with when Council adopts their ordinance. There's sections and what they're called line items, and if the Council wanted, and they put MRA funds into the Public Works – they've set aside \$80,000 to reduce sewers in the MRA area, but they put in Public Work's line item. Public Works would expend that money on the behalf of the MRA area, but it would be Milton signing off on the contracts and everything else. So that's kind of what we're dealing with at this stage of the budget. About two years ago we tried to convince the powers that be that there needed to be something in budget, in Kalbert's department, that actually delineated a line for MRA, in of itself, and we ran into just a lot of red tape as far as how would we actually access that money? We didn't have an administrator. How would be run those monies through budget? There was all of these. There were always more questions than answers as far as how to get the agency its money. And so we've gone through about three

iterations of this – Planning – you know, money is Planning for MRA purposes. Money is in OED for MRA purposes. And, you know, every time we've run into this issue is how do we as a quasi-independent entity actually control that money?

Ms. Betts Basinger: So I ask you that question – how do we? Especially if we bring in money from different places other than the County Council and the budget?

Mr. Giroux: Well it's always tied with the Council. I mean, it always come down to, is there an ordinance that allows that?

Ms. Betts Basinger: So we have to get an ordinance.

Mr. Giroux: A separate ordinance that would actually set money aside especially for the MRA.

Ms. Betts Basinger: I'm talking outside of County money. I'm talking about funds that come from where ever. Maybe we've written a grant. Maybe we qualified for something. Maybe Maui corporations want to donate to a project that we're doing. So when those monies come for the purpose of the MRA, do we need an ordinance that sets the MRA up to accept these monies?

Mr. Giroux: We would probably have to sit down with Kalbert and basically how would we set up a banking system because then it just creates a whole other administrative arm. And that's why government just kind of seems to explode. Every time you add an agency, you're adding just hundreds of man hours of, okay, who has the authority to sign for this, what kind of paperwork do we put here, and then what's the checks and the balances. So in light of the fact that I think in the past that we really haven't had – . What classic Chapter 53 would envision is an agency that actually has possession of land, and once you have possession of land then that becomes collateral for bonding, for taking out loans, and all of that which would fund itself in its own administrative capacity in order to have a manager, to have that type of mechanism. But where we are now with all of the rules, and the zoning, and the codes, basically what the MRA is doing is doing really beautification projects within the MRA area. And what the County is kind of morphed to is it's easier for them to put the money in the agencies that would be responsible – either Public Works, Planning – you know, putting it in that area and mark it for the MRA. And so that's kind of the dilemma we're in.

Ms. Betts Basinger: Thank you. Warren?

Mr. Suzuki: Can I kind of paint it this way, James, the picture and then let me ask a couple of question. First of all, are there already ordinances in place, you know, for the MRA, which legally allows MRA as an entity to receive funds, let's say from a grant, or let's say

from a private donor, and we can receive it separate from, let's say Planning Department or Public Works Department. We already have the ordinance in place. Are we entity such that has the legal right to receive grants and private donations?

Mr. Giroux: I think that we would have to deal with that in rule making. We would actually have to look at your rule making process to, you know, establish – you'd actually have to establish a rule saying that you could have a bank account. Then you would have to establish a rule saying that, you know, because Chapter 53 does envision you being quasi-independent. But, there would have to be a lot of coordination between Budget, Corporation Counsel and this agency to do that. I mean, just to give you an idea – when we tried to hire a coordinator, Wayne Steel – to actually get him paid took hundreds and hundreds of man hours and it was like using paper clips and duck tape to get him through the County system to figure out how to treat him as an employee, as a contractor, as a civil servant, not a civil servant. I mean, it was just a nightmare in just trying to figure out how to deal with that – just getting one person to get on board, be paid quasi-independently. And the idea back then was that we would actually hire administrator who would figure this out. That was the idea. We would hire somebody who had a high level of experience in County personnel.

Mr. Suzuki: When you say we, are you talking about MRA or the County of Maui?

Mr. Giroux: The MRA. The discussion amongst the board was that that was the idea, that they were going to hire somebody who would have that expertise because it was just amazing.

Ms. Betts Basinger: It was a huge mistake, James, you're right, and we don't need to go backwards, we need to go forward. So, when we have our next strategic planning meeting, for example, is rule making a part of those strategic planning for the MRA? Is it something that we take up?

Mr. Joseph Alueta: Yeah, you have your own rule, 701, and you've amended it. So I just question whether or not that's (inaudible) and he says coordination being finance's stuff, I just question whether or not it can just be done through the rule making authority.

Ms. Betts Basinger: Well I think it's something we need to examine.

Mr. Alueta: Yeah, I just think there's a lot more. You need to look also your neighboring legislation, the resolution that granted you, and I just feel that the most – and we've had this discussion many of times and I know I always say it that if you really want to make it clean, it has to come back as a resolution or an ordinance out of Council, and to clearly define your rules. You were created by Council, and you can be desolved by Council, and your authority can be expanded by Council, so that's –

Mr. Suzuki: Chair?

Ms. Betts Basinger: Yes?

Mr. Suzuki: I mean, from my perspective, the situation relative to the monies that are budgeted by the Council and what happened and what the process is, to me, I understand is fairly clear. The other situation, when we talk about, you know, whether or not, we as the MRA with current laws that are in place, can legally accept money and then the process, or procedure, that we need to follow if we do decide to issue contracts and how do we take those monies and how do we set up the account, I think that's something that we should be looking at staff and Corporation Counsel, understanding, I think in general what our desires are. And that, they can come back to us with a written opinion as to what steps do we need to take. You know, if we have to go before the Council, then so be it. But outline that for us so it's clear to us and it's in front of us the process we need to take because until we go through that process, or until we take that step, I think, it's not going to be clear to us in the end in terms of what do we have to do in order to be able to put us in a position where we want to be at. We're going to have a lot of discussion going back and forth, but until it's printed in black and white, somebody spends the time to analyze it and research it, you know, I don't think we're going to know it's going to be clear to us what we need to do.

Ms. Betts Basinger: Thanks a lot Warren. And, of course, we all know that that was one of the earmarked monies we had. For our FY '09 was to hire that expert to help us with ordinance writing, et cetera. But, I would like to ask the body here if we should then send a letter. Let's draft a letter and send it to Brian, Corporation Counsel, with those questions. At least it will put us on the first step of knowing what the path is to reach the position that we want.

Mr. Suzuki: I guess my question is do we have to send a letter or can staff, given our discussion on what direction we want to go, take it and run from here? Unless, I mean –

Ms. Betts Basinger: Well, you know, I'll tell you I'm a little gun shy. I want to answer this first, and I know we have a changed relationship going forward, but I thought it would've been very nice of staff to let us know that as we were trying to find consultants and buy bike racks that they had taken all of the money in our account and used it on something that they didn't bother to ask us about. So communication goes both ways. It wasn't just a lack of communication between you and your staff while you guys were on vacation. There's a lack of communication between the Planning Department, who is our buddy, and the MRA. So, for right now, if you're asking me to just trust, I do trust, and I'll trust going forward. But I think if we want to spend our time being effective, we need to have a route map that is legal, and that has been advised to us as the steps we need to take. We don't want to repeat the mistakes that were made with a former manager. We don't want to

repeat mistakes that were made in the past. We want to move forward. So that's why I'm suggesting a formal – you know?

Mr. Suzuki: I mean, if that's what the Chair desires to do – I mean, I don't have any problems with that – it's just that my sense is that is that it's not really necessary. But, you know, if that's what you feel you need to do, then go for it.

Ms. Betts Basinger: How do you think we could get the route map without asking someone to give us the direction?

Mr. Suzuki: Because from what I – from my sense, from the discussion that we're having right now, you know, given what issues we've touched on, my sense is that staff, Corporation Counsel has an idea in terms of what we want. And my sense is that, given that they understand what we want, they can take it from here and come back to us with that outline or that route map that I think that you're looking for, and I think, we're all looking for.

Mr. Alueta: If I may Madame Chair? I think Corporation Counsel doesn't work without an actual formal request. We would actually prefer you to have a formal request. Either one of the members draft it and then bring it back to the board to discuss and vote on if that's the body of the letter that you want coming from the board. That would be the cleanest and best method because you can have these discussions, and James going back to his office, and he goes great they didn't give me work. And so I can you that right now. But as far as monies, whether or not you can receive stuff, yes, any County department/agency –. Actually, I was on a board in which we gave something to the County. It was a job. We gave a whole play set because we couldn't use it in Iao Parkside, so we donated it to the County, to the Parks Department, and it had to be accepted by County Council.

Ms. Betts Basinger: Exactly.

Mr. Alueta: So you can – it's the same matter in which you get funds from the County Council that, hey, here's money, it goes in Planning's budget, but it's for MRA stuff. Same thing, someone can give money or give whatever they want to the MRA. It goes through Council and they know that we're giving this because it's going to be only used –. A&B donated Hale Aloha Park to the County with the specific preference of only being used for Hawaiian Canoe Club, so it's possible.

Ms. Betts Basinger: Thanks Joe. And I know that you're right on that. My concern in asking that question was if we are able to amass money to do projects, to buy properties, to rehab, et cetera, will we run into this problem down the line that Planning Department says they have the right to our money whenever they want to take it? That's the concern.

Mr. Alueta: Not if the money is donated for a sole specific purpose.

Ms. Betts Basinger: Because following up on Warren's comment, our obligation – the MRA's, out the MRA's budget – our obligation for next year which we're in now, was out of \$90,000, \$45,000 to the coordinator. We don't even have the coordinator yet. I'm not even quite sure when that contract will start, so we may be very close to the end of FY '10, before that FY '09 money of ours can be even used to apply towards that contract. And I think it's a good way to spend MRA money, but we have a lot of other projects that we're now unable to do. So, members, I'm going to just ask for an agreement, I guess, that we will draft a letter to put this in motion so we can find out – so we don't find money missing from our wallet one day after we had spent it. Thank you.

Mr. Giroux: Can I just add? I know from doing legal memorandums is that it's very difficult to answer questions in a hypothetical. And, you know, for our office, if your question is too general and too hypothetical, it's very hard for us to respond.

Ms. Betts Basinger: So we'll be specific.

Mr. Giroux: So I really hope that the discussion is really specific as to, you know, a specific action that, you know, you can phrase it in such a way that it does make it – you know, so that you actually do get a response that helps you.

Ms. Betts Basinger: Okay, thank you.

Ms. Aoki: Chair, could I add? As far as an update with the position and the project, we got the signed contract back from Corporation Counsel dated July 14th. So the letter – we just got it. It went out to Nishikawa Architects, so Joe will be doing a notice to proceed next week. And the funds are expended. They're encumbered. They're gone.

One other thing I'd like to just address is I can appreciate all the projects that you wanted to have done in fiscal year '09, the problem is they were not encumbered. And you're talking about a week before or five days before trying to get all those, you know, encumbrances done. And that's why I mentioned that the most Erin could have had hopefully done – and I mean that's not even a guarantee, and she would have to have gotten signatures – was \$4,800. So as much as I can appreciate what you're saying that you have a lot of projects that you would have wanted fiscal year '09 monies to be used for – for whatever reason and I'm not here to place blame, I'm just stating the facts – it was not going to get done. And that's why at the last – when it's a week before and this entire body is going to lose out. Yeah.

Mr. Suzuki: End of discussion.

Ms. Betts Basinger: Yeah, it's the end of the discussion. And it was actually months before, and I'm sorry that Erin was in the position where she was running around at the last moment. But even when Joe was our guide, he knows we were talking about the expense of this money. We've also lost our website and that was on-going project. So there are details to the budget that a simple phone call might have helped, but we are going to move on. And thanks Kathleen for coming here.

Mr. Suzuki: Chair, can we take a one minute recess, I need to make a call because I'm the quorum.

Ms. Betts Basinger: Five minute recess. We'll reconvene at five of two.

(The Maui Redevelopment Agency recessed at approximately 1:50 p.m. and reconvened at approximately 1:55 p.m.)

F. UPDATE ON PARKING STRUCTURE PROJECT COORDINATOR POSITION

Ms. Betts Basinger: Meeting of July 17th called back to order. And we're moving item number F, update on parking structure project coordinator position. I want to say that I was honored to serve on the selection committee representing the MRA. And on that selection committee were also Joe Alueta, Erin Wade, Mike Miyamoto and Jo Ann Inamasu from the Mayor's Office. And there were four applications that came to us. There were two applicants that we wanted to have further interviews with, so we had a second meeting where we interviewed. And they weren't individual applicants. They were actually firms rather than a coordinator. And that was a very, very good day and we had excellent discussion afterwards, both, on what's good for Wailuku, what's good for this position, and so at this point, I'll let Erin tell the details because I don't know the details.

Ms. Wade: I actually don't know the details either. What Kathleen expressed, I think, was the details. That was suppose to be her item. So the contract apparently has been signed.

Ms. Betts Basinger: Did we see a copy of that contract? Does the MRA have a copy of it?

Ms. Wade: I don't have that, and I don't know if there's going to be a formal announcement by the Mayor's Office. I was expecting to hear that from Joe today, but I will try to get more information for you.

Mr. Suzuki: And that seem like, what, Kathleen said Nishikawa Architects, that they proposed?

Ms. Wade: Correct. Yeah.

Ms. Betts Basinger: Okay, so maybe at the next meeting we'll have more information. We'll have a chance to see the contract.

Ms. Wade: Okay.

Ms. Betts Basinger: Yeah.

Mr. Suzuki: Chair?

Mr. Suzuki: So once the contract has been finalized, is it appropriate that we, as the MRA, request that maybe Nishikawa Architects come to one of our meeting so we can have some sort of discussion with them so we can kind of get a sense in terms of, you know, what they're going to be bringing to the table?

Ms. Wade: I though, I mean, I had expected actually that Kathleen and someone from the Mayor's Office was going to be coming today to express who the coordinator was going to be and that he would be in attendance. It sounds like that they're not there yet. But, I will try to target the next meeting so that we can make a formal introduction and the contract will be available for you and all of that.

Mr. Suzuki: Okay.

Ms. Betts Basinger: It sounded to me like Kathleen said they just received on 7-14 the contract from Corporation Counsel, but did she mean a signed and executed contract?

Ms. Wade: That's what I would expect.

Ms. Betts Basinger: Or just the contract ready for signature?

Ms. Wade: Executed.

Mr. Giroux: That would be from Traci.

Mr. Suzuki: Because it's encumbered, it has to be executed.

Ms. Wade: Correct.

Ms. Betts Basinger: The funds were encumbered, by the way -. I had a meeting with Jeff Hunt and Kathleen Aoki about these funds that had been taken out of budget. And I was told at that meeting that they were encumbered against the EDA contract that the Mayor got for the \$1.4 million, there's a matching portion. So that \$76,500 constituted the matching portion for the grant which again, we're glad for that and I agree with you Warren

it's in the MRA area. So, the thing we have to be careful of and why again we're going to talk about visiting our Council Members regularly is that Council apply provisos, specific provisos on our FY '10 funds. That \$90,000 has written provisos and reporting requirements to it, so we have to be on top of that. And I'll ask Corporation Counsel, now that we're not going to be spending those funds the way they –. In other words, it sounds like our FY '10, \$45,000 has already been spent. I mean, how are we going to stay in line with Council?

Ms. Wade: Basically what Kathleen was saying is they would like us to withhold from spending that \$45,000. It hasn't been spent at this point, but they would like us to reserve that for the coordinator position.

Ms. Betts Basinger: I understand that, but my question to this body is that we have to say something to the Council that says this money has been spent exactly the way you gave it to us to spend. And that's something that they haven't done before, but they've placed it on the MRA money this year for whatever their reasons were. Anyway, it's just something we should find out. Yeah?

Okay. I guess we'll keep this on the agenda and we'll have a more detailed update on the project coordinator position. The first year scope of work – you should all have a copy of the RFP that went out, and if you don't maybe –

Ms. Wade: I can get that.

Ms. Betts Basinger. Okay, the RFP that went out, actually, had a prescribed scope of work for each year of the project. And when the candidates came forward, that was a huge part of our discussion because during the first 12-month period, you know, certain things needed to be accomplished and the time line moved on through construction. The first year's scope of work was not very much because it was really the funds were going to be applied to the coordinator going out into the community, you know, bringing the agencies together – it was going to be more marketing and PR work. So even though it was reported today that the total contract amount for the parking structure is huge, for our coordinator, it's a year by year look at with the first year maybe not even being \$76,500. So she's going to send out that RFP, so everyone has a chance to look at the scope of work. I don't want us to feel like we're going to lose control of what's happening and just be a conduit of our budget to this project where we don't have any funds to do the kinds of things that are inadjunct to it, like securing other alternate parking, et cetera, et cetera.

G. DISCUSSION ON MAUI REDEVELOPMENT AGENCY WEBSITE

Ms. Betts Basinger: Item G, discussion on Maui Redevelopment Agency website. I brought my computer. We were going to show it up there, but this room doesn't get wireless, so

I'm going to send you hard copies by e-mail. It's a beautiful website. The problem with, when I send it to you to look at in hard copy, you may not – well maybe on your computer, you'll be able to see how the pictures come in and out, and you'll see how it's to be set up. And we're filling it with content as we speak. I've asked both – I've asked Jocelyn to submit her organization's monthly newsletter.

Ms. Perreira: We didn't get that request . . . (Inaudible. Did not speak into a microphone) . . .

Ms. Betts Basinger: I asked you just before this meeting if you could submit your report for the website because it's launching.

Ms. Perreira: No, I did not get that request. I did not – verbally or written.

Ms. Betts Basinger: Okay. I'm requesting now verbally, and I'll e-mail you. Same with the Wailuku Community Association and the same with Malama Wailuku. And we are going to be calling on some our largest employers in the area to see if they have anything interesting that they might want to put in it. What's in there now are our agendas, our minutes, the schedule of our meetings, what we do, what the law, what law and authority we're based in. It highlights projects that have been accomplished in the MRA area, and I think everyone is going to like it. Warren?

Mr. Suzuki: Who's the website manager?

Ms. Betts Basinger: Mana Web. Mana Web is the website manager, and we are already into our FY '10 budget now because we weren't allow to encumber any money for the rest of the work that needs to be done.

Mr. Suzuki: Right because, you know, you made a comment in our discussion with Kathleen that we loss the website and that kind of took me aback.

Ms. Betts Basinger: Well we lost the funds that were to be applied to the finishing of the website.

Ms. Perreira: Who's responsible for content?

Ms. Betts Basinger: You would be responsible for content that comes from –. But overall, the MRA owns the website.

Ms. Perreira: . . .(Inaudible. Did not speak into a microphone) . . . many agencies all throughout Wailuku. Why is it certain particular ones? And how do you know they're not conflicting with each other's work?

Ms. Betts Basinger: I'll take a question from the floor Ms. Perreira if you'd like to come up and ask your question.

Ms. Perreira: We're not allowed to come up. That's one of the reasons why we have expressed –

Ms. Betts Basinger: Thank you. Thank you. Okay, so under (H) members, letter and discussion on communication regarding the fiddle trees at 33 Market Street.

H. COMMUNICATIONS

1. Letter and Discussion on Communication re: Fiddle Trees at 33 Market Street

Mr. Suzuki: Chair, I recall receiving a letter on that.

Ms. Betts Basinger: Yes, it was at the last meeting. Ms. Perreira passed it out.

Mr. Suzuki: I thought it was on the theater thing.

Ms. Wade: At the last meeting, at the beginning of the meeting, the Main Street Association Executive Director distributed a letter requesting permission basically to remove the two fiddle trees that remain in front of Phil Lowenthal's office, and requesting assistance from the Redevelopment Authority to repair the sidewalk. Staff has been unable to locate that letter, unfortunately, the Main Street Association has been unable to locate the letter. So if any of the members have one, that would be appreciated. If not –

Mr. Suzuki: Because I don't recall.

Ms. Wade: She's got it.

Ms. Betts Basinger: What's a Chairperson for? This is from Wailuku Main Street, and it was forwarded from Ernest Rezens regarding trunk decay on 33 Market Street. I'll pass this around.

Ms. Perreira: . . . (Inaudible. Did not speak into a microphone) . . .

Ms. Betts Basinger: And he's very well known in tree care. What they're recommending is the fiddle woods on Market Street both have decay in trunk, about seven to eight feet above sidewalk, and growing into telephone lines. The trees have also raised the concrete the sidewalks about three inches, and he believes the trunk has done this. This is also

causing a “tripping hazard.” The sidewalks should be repaired. #2, two pink Tacomas are right in front of the two fiddle trees planted by the Market Street improvement. These two fiddle trees require frequent pruning to prevent growth into the telephone lines. He also looked inside of the courtyard at 33 Market Street and noticed two other trees. One is only a dead stump with bush on it, and the other is covered in white flies. It looks awful. Need to take these trees out. No need to replace them. Recommendation from Wailuku Main Street is take out two trees and the two pink Tacomas are there to replace them. Action, refer to the Maui Redevelopment Agency for assistance to finance repairs. Contact Ms. Erin Wade. Is there anyone that has some expert comments on this? Yes?

Ms. Perreira: We do have expert comments on this.

Ms. Yuki Lei Sugimura: Just because you’re talking about that letter – I’m Yuki Sugimura and part of the Market Street Improvement Project. And just to let you know, the trees you’re talking about are on private property so they’re not County kuleana basically, and the sidewalk, you know, that elevation and just so you know, that’s been brought up to the land owners of 33 North Market. And they’re actually already talking because they asked us for their opinion, for our opinion, on removing the trees, and they wanted to plant Plumeria trees which we told them – not we, but the County told them that’s not a good idea because of the poison and that it makes a lot of rubbish. So that discussion is going on already, and it’s really, probably, you can talk to them if you want – like Craig and Michelle Anderson – and I can give Erin their phone number and contact because they are exactly talking about doing something with those trees.

Ms. Betts Basinger: Thank you.

Ms. Sugimura: Yeah. Perfect timing.

Ms. Betts Basinger: Jocelyn, you have some input?

Ms. Perreira: I’m not familiar with Anderson, but I am familiar with the property owners who live on the mainland, and their representative is who contacted all of us. And we have been talking for some time. We have heard nothing about Plumeria trees. We don’t know if that’s leases or what have you, but the property owner is who we are dealing with. And the discussion was that since the trees are in the line of – there’s a lot of events that take place in Wailuku and people utilize that area and that area has been utilized for them to get electricity and so on and so forth that the only request was when the trees come out, that there would be some repair work that could be handled, so not to have liability in the area. And as far as removing the trees and all of that, they are aware that is their responsibility. The pink Tacoma trees are there so they take that place and that is the expert opinion of landscape architects associated with our organization. So, the only thing that they wanted some due consideration and I know we talked about having some kind of an agreement I

guess with the County, that there's some public access if they do a minor repair on that. But that was kind of like in exchange for the fact that their property has been utilized for public events, and in the public domain of being redevelopment agency situations.

Ms. Betts Basinger: So has your organization been in conversations with anyone from the County about this?

Ms. Perreira: Absolutely. For a long time.

Ms. Betts Basinger: And that is? Just Erin? Not just Erin, but Erin?

Ms. Perreira: That's the person we need to talk to relative to items in this agency area.

Ms. Betts Basinger: Okay. Thank you.

Mr. Suzuki: Can I make a comment Chair?

Ms. Betts Basinger: Yes.

Mr. Suzuki: Not a question for Jocelyn. You know, rather than having multiple entities try to communicate with the landowner and all that, can I request that maybe Erin, you know, be the contact person and work it out with –? And I'm not sure if that's your responsibility or not, Erin, but if you can contact whoever the appropriate entity may be, whether it's the owner or whether it's the Anderson's. You know, I don't know what the legal situation is in terms of authorizing control, and work with them to reach some kind of resolution and report back to us on what action will be taken.

Ms. Perreira: Excuse me? I do have –. We are the ones that the property owners contacted. We advocate for them. They are members of our organizations, and they asked us to get involved in this particular issue.

Ms. Betts Basinger: Thanks Jocelyn.

Ms. Perreira: So we're following – yeah, we're following our protocol so that means she would have to be talking with us because we are representing the property owner.

Mr. Suzuki: Okay, I just said, I'm not too sure –

Ms. Perreira: Which is what we were doing. Thank you.

Mr. Suzuki: No thank you Jocelyn. So I'm not saying that it's not you Jocelyn. I'm just saying that whoever is the appropriate party that communication should go on with, you

know, please be the one to make the contact so we don't have multiple entities trying to reach the same resolution.

Ms. Wade: I'm sorry I didn't coordinate with Yuki. I wasn't aware that there was a conversation going on there too, so it was my understanding that perhaps if improvements were made on private property, we're going to have to seek an easement agreement, and that there might be some conditions to that so if we're all on the same page now, you know, maybe we can move forward.

Ms. Betts Basinger: Thank you. Thank you. And the Tacomas, are those part of the beautification project. And I noticed that your organization, Jocelyn, talked about their need for pruning and I know we have a –

Ms. Perreira: No, we didn't talk about that –

Ms. Betts Basinger: Your letter talked about those.

Ms. Perreira: We have had this for years that has been a problem – from when Linda Tamahana – God rest her soul –

Ms. Betts Basinger: I know.

Ms. Perreira: – was involved. And there's been – but, there's been an ongoing problem and it's something the agency needs to be aware of from the perspective of the property owners, again.

Ms. Betts Basinger: We are. Thank you.

Ms. Perreira: The fact of the matter is that it has to be pruned continuously and they want to take it out rather than continue to have that liability and that was the request.

2. Letter from Howard MacPherson re: Wailuku Municipal Parking Structure

Ms. Betts Basinger: Thank you. Thank you. I understood you the first time. Thank you. Thanks, Erin, for coordinating that for us and reporting at the next meeting. Second is a letter from Howard MacPherson regarding the Wailuku Municipal Parking Structure. And all of you should have gotten that with your packet. He was one of the applicants for the project coordinator position, and although he was not selected, he has faithfully, up until today, been attending every single meeting we've had and he has given testimony here. So I think this is just another communication saying that he hoped his ideas will be heard as we move on with the municipal parking lot. I would like to propose that we respond on

our very expensive letterhead thanking him very much his letter and letting him know that all of his ideas are certainly welcome at our meetings.

Mr. Suzuki: And maybe you can, in the letter, indicate that the consultant or coordinator will be holding public meetings.

Ms. Betts Basinger: Yeah.

Ms. Wade: Good.

Mr. Suzuki: That way he can attend and present his views and opinions.

Ms. Betts Basinger: That's so good Warren. And in addition to that Erin, I think that it's a very nice protocol for us to notify all of the applicants, in writing, to thank them for their application and say who it's been awarded to.

Ms. Wade: The coordinator position?

Ms. Betts Basinger: Yes, for the coordinator position.

Ms. Wade: Again, I'm a little concern about the –

Ms. Betts Basinger: Yeah, find out if it hasn't been done.

Ms. Wade: Okay.

I. PLANNING DEPARTMENT UPDATE

- 1. Update on Proposed Projects and Enforcement**
- 2. Parking Assessment Fees update (draft revisions in packet)**
- 3. Interdepartmental Coordination**
- 4. Update from Board of Ethics re: Susan Halas letter**

Ms. Betts Basinger: Item (I), Planning Department update. Erin, the floor is yours.

Ms. Wade: First, Leilani, do you have Kai Wright's extension number? Okay. For the update on proposed projects and enforcement, there are no new projects that came in within the last month. The enforcement issues that I discussed with you at the last meeting are progressing, but very slowly. However, I have talked with Kai Wright who is our enforcement officer for the district and he had a really good suggestion, I thought, for us because even he has been –. He just started as our enforcement officer for the MRA

district and he's had a little trouble figuring out what rules apply where and how to use this separate zoning ordinance and that kind of a thing, and he suggested, perhaps, the MRA draft a letter to send to all property owners in the district. I don't know if this happened when the zoning and development code was adopted, but just to say we're the MRA, we understand you own property in the district, we want you to be aware that there's a separate zoning and development code for this area. There's also design guidelines. These all can be found at this location. Something like that because he's running into things daily, lately, that are just small. Somebody has added a deck or something that's now after-the-fact and it's causing them a lot of trouble too. So he made that suggestion, and I thought it was good one.

Ms. Betts Basinger: Thank you. Any questions on that item 1? I kind of think that in our strategic planning meeting we touched on that under our discussion about marketing and letting our constituents in the area, stakeholders, know. And so I think that's an excellent idea, and I think it ties in beautifully with the launch of our website. So in the letter, we could say who we are, they could visit our website. And our website is very good because on the website, you can click on and read the guidelines, the design guidelines. All of our documents that guide us are on there. But I would like to make sure that we have all of our ducks in order. So between now and maybe -. Well, maybe we should write a draft of what that letter should look like that refers them to who we are, our website and the document.

Ms. Popenuk: I'm also thinking - actually this would be for my benefit too - is like, just some sort of a road map of how the different agencies fit together and how we fit in with what's happening with the County government. It's very maze like to the average citizen.

Ms. Wade: It is.

Ms. Betts Basinger: An information letter, sort of.

Ms. Popenuk: Yeah, who the players are, how they work together - just sort of the big site map of how governments and Wailuku town.

Ms. Betts Basinger: Our website has a link page that does link to the County website and other website that, you know, are germane to our area.

Ms. Popenuk: I was just thinking of something just very clear, you know, so it's like, oh look, underneath this is that, and those guys answer to those guys, and so on and so forth.

Ms. Betts Basinger: Warren?

Mr. Suzuki: I might want to suggest when you do send the letters out because it's

something that you might fall back on or refer to that you might consider certified letters.

Ms. Wade: Good idea.

Mr. Suzuki: And I guess my other question is that –

Ms. Betts Basinger: No more budget.

Mr. Suzuki: When the zoning inspector talks about decks being built and all that, if the applicant does apply for the building permit, I'm assuming that building department is aware of the separate zoning conditions, and limitations and design guidelines for the MRA area, and they're following that. So if the deck has been built, I'm assuming it's being built without a permit.

Ms. Wade: Correct. And in some cases that's legal if it's under a certain dollar amount. But a lot of the buildings in the district are 50 years and older, and we request that everyone who's got a building 50-years and older apply so we can determine whether the building is eligible for historic register or not. So that, I think, would be something that we'd incorporate in the letter just as a fyi, so they don't get surprised with an after the fact fee. I don't think that's good way to introduce the MRA to your property owner. So if we can be more proactive, I thought that would be good.

Ms. Betts Basinger: I also, thinking quickly about this as a bigger marketing tool. If there could be something in the letter that directs them to respond to us so we can start creating a mailing list. Now, for example, did it get returned because that person doesn't live there any more? So we can start building up a stakeholder mailing list and e-mail list if they would want to share so we can blast them more often about things that are happening.

Ms. Popenuk: I have a question. Why would you want to send the letters certified?

Mr. Suzuki: The reason for that is that, as I commented before, if the letter is something that you want to fall back on to say that you've been notified about the fact that you are within the MRA and you've been informed that there's separate zoning and design guidelines for Wailuku area. If you don't sent it via certified, it's easy for them to say, well, I never got the letter. No one ever tried to mail a letter to me. But if you have it certified, if you do have that return receipt, then it's certain that they got it. And even if, let's say, they didn't get it, then at least the attempt was made to mail it. Whereas if you don't do that, I think there may not be sufficient record to show that an attempt was made to notify them of the fact that you're within the MRA.

Ms. Popenuk: I guess it depends on what the purpose of the letter is. Whether it's like –. Certified sounds like it's a warning, and uncertified sound more like an invitation or a

welcome.

Ms. Betts Basinger: You know, I think there are ways of writing the letter that start out with we want to make sure you got this and that we're introducing ourselves to a member of the MRA area, so that it starts off positive but does have notice in it. Erin, on the website, we're using you as the contact and it's one of those automatic e-mail, you know, where if they have a comment, it's going to go to you and the address will go to you. So, also in this where if you have any questions at all, please feel free to contact Erin Wade, and blah-blah-blah.

Mr. Suzuki: I guess another question. At one of the meetings, I recalled that Erin mentioned that in her position, it's not dedicated solely to the MRA, but to other small towns. And you made a comment about the past two weeks or so it's been full time on MRA. My concern is that, you know, we don't overload Erin with all the MRA stuff, you know, given the fact that she has other responsibilities that she needs to kind of take care of.

Ms. Betts Basinger: That's correct. Not to mention a toddler and a husband.

Mr. Suzuki: Right. I don't know how we'd balance all of that.

Ms. Betts Basinger: One of the things that we'll continue talking about in our strategic meetings, is being able to hire a part-time consultant that will work with Erin to do these kinds of mailings and so forth. And I do believe we have a budget that will allow us to do that.

Ms. Wade: I'll let you know if I need more time for things. As long as you're willing to – you understand that I do have other responsibilities. Sometimes I have other hot bun projects in different districts. But as long as, I think, we keep an open communication and you can be patient with me on some occasions, I think, it will work out alright. And I certainly encourage you to consider additional staff.

Ms. Betts Basinger: And I'm a very active chair, so I've been working with Erin a lot, as well, to help with some of this. (K), parking assessment fee update.

Ms. Wade: I provided you the draft with the amendments in your packet up until (e)5 is where we got through. Joe Alueta is going to be taking you through the remainder of this as we had discussed because we're going to start getting into the fee discussion here shortly, and I wondered if you would like to wait for me to schedule this until we have the actual needs assessment completed, as we had discussed, or if you would like to continue editing and just do the two simultaneously?

Ms. Betts Basinger: I'll put out to the group. I would like us to finish what we started, just as our input, that yes. But now the assessment, MRA no longer has funds that were earmarked to do that, so is Planning Department doing it with charging MRA?

Ms. Wade: You still have some money. I mean, you're no left with no money. You still have money. So, I think it's prioritizing.

Ms. Betts Basinger: We'll work on it. Members, so, what I would like to suggest is that when we schedule the next special meeting for cash in lieu, we spend the first half hour completing what we started, our own review, and then turning it over to the larger discussion with Joe, about establishing fees, if that's –

Ms. Wade: Okay.

Ms. Betts Basinger: And so when we get to setting the next agenda, we'll look at dates for that meeting.

Ms. Wade: Good.

Mr. Suzuki: Chair? Question.

Ms. Betts Basinger: Warren?

Mr. Suzuki: So, for FY '10, we have a budget. Now, have we had any sort of discussion in terms of how that so-called \$90,000 is going to be expended. You know, \$45,000 needs to be expended for the coordinator position, but the remaining \$45,000. I mean, is that something that we, as a body, need to be looking at from the standpoint how we might feel those money will be expended?

Ms. Wade: Exactly. And that's part of the strategic planning. The purpose of us completing your strategic planning effort sooner than later. I have, as you know, already had preliminary discussions with Public Works and Milton Arakawa about the roadway standard issues which we had discussed. I have also had some initial conversations about the market analysis which we talked about in the alliance meeting and it's something that I didn't think wasn't going to come up at the strategic planning meeting. So there are several – and then this needs assessment – to there are kind of three studies which I would anticipate would be right at the front burner for priorities for you folks. And probably really soon, we should schedule that strategic planning meeting, so you can identify and notify the Planning Department, here's our interest, and assist me because as Joe Alueta was telling you, the General Fund isn't your only source of funding. And I have had people come forward and suggest that they would offer to fund portion of those studies. So I can facilitate that, if we can prioritize it.

Ms. Betts Basinger: Right. And I would refer, members, to – Erin passed this out at our last meeting, and this was based our discussions about how we were already prioritizing the monies we had left in FY '09, in turn to update zoning field in KIVA for MRA properties, landscaping services for parking lots in the MRA district. Cleaning them out. The Lao Theater lot, the municipal lot, fire safety, semi-annual power washing of street scape improvements, and the Mark Fenton walking tour audit that we were going to all go around and walk through our area. So we do kind of have the starts of that discussion and we'll follow up on it with our \$45,000. We should do that at the very next strategic planning meeting.

Mr. Suzuki: Chair, I apologize for not having, but what meeting was that issue?

Ms. Betts Basinger: This was at our last –. No, this couldn't have been. I must have been –

Ms. Wade: I think that actually might be from a meeting that you and I had, Alexa, talking about what we could come up with in terms of spending the last of the money.

Ms. Betts Basinger: Okay. I'm going to pass –

Mr. Suzuki: So we haven't seen it?

Ms. Wade: I can now that –

Ms. Betts Basinger: We've talked about it, so you'll hear it in minutes, but you can just take a look. But something like that where now that we know what our budget it which starts at the first of this month. We can start looking at –

Mr. Suzuki: Okay.

Ms. Betts Basinger: You know, one of the things I know when we get – are we going to get to budget? No? You know, you all have the most recent budget, and so you can see some of the line items that are there that we can add to. Inter-departmental coordination.

Ms. Wade: My discussions with Public Works went very positively related to the road standards, and they felt also that we could tie the road standard work into some of the grant monies that we already have for preliminary design work for the parking structure and pedestrian facilities. So, as we get through strategic planning, I think our very next step is going to need be developing an RFP and a scope of work of what that might entail. The project coordinator will be working in conjunction with us on that, so I'm sort of waiting for that. But it would be good, I think, if in your own minds you can be thinking about what needs to be in that scope of work so that when we show up at the next strategic planning

meeting, we can be going to flush out how that would look and what kind of an RFP we would be sending out for that document creation. Public Works intends to use our draft design roadway standards as a template for the other small towns coming up, and I talked to Jocelyn a little bit about this. And we know that they won't all look like Wailuku but it's a beginning because when you look at the town assessment document, they recommend roadway width and things that are very different from what we have in Wailuku and in most of the small towns. So Jocelyn's group has actually produced some recommendations for guidelines already so I think that can be used as a reference.

Ms. Betts Basinger: Any other questions on inter-departmental? Any other comments? You know, and, members, while we're thinking strategically and why we quickly need to get through that process, moving forward, what she spoke about is exactly one of the ways we will in fact recover some of the \$76,500 that came out of our budget and put it where we had intended to put it anyway.

Update from Board of Ethics regarding Susan Halas letter.

Ms. Wade: James?

Mr. Giroux: That was in executive session, so, from my sources, you'll be receiving a letter basically just updating you on what their response is going to be, so we'll just wait for that letter.

Ms. Betts Basinger: I did receive something from – was it from your office?

Mr. Giroux: I don't think they wrote the letter yet.

Ms. Betts Basinger: Oh, no. No, no, what it was that I saw was the minutes of the last Board of Ethics meeting where one of their communications was the letter from us, from the MRA, so I do know that it's moved forward.

Mr. Giroux: Yeah. They did receive our letter.

Ms. Betts Basinger: Good.

Ms. Perreira: . . . (Inaudible. Did not speak into a microphone) . . .

J. Redevelopment Area Parking Issues (Sub Committee Report)

Ms. Betts Basinger: When we receive, we'll ask Corporation Counsel if it can come out of executive session to be shared. But right now, we have nothing.

Ms. Perreira: . . . (Inaudible. Did not speak into a microphone.) . . .

Ms. Betts Basinger: You're welcome. Item (j), redevelopment area parking issues and Bob is not here, so we'll defer.

(K), discussion of strategic planning. So I think what we need to do here – we've had some discussion, I think, which gives us an outline for where we are going on the next meeting. So here, I think, it's just planning that special meeting and the cash in lieu special meeting date.

K. Discussion on Strategic Planning

L. NEXT MEETING DATE: August 28, 2009.

Ms. Betts Basinger: Our next regular meeting is August 28th, 2009.

Mr. Suzuki: Before we adjourn, I have something.

Ms. Betts Basinger: We're not going to adjourn yet.

Mr. Suzuki: Okay.

Ms. Betts Basinger: And so what I'd like to do at this point is define the agenda for our next meeting on August 28th. Members, if we just go down what we've got here, I think we're going to have A, B, and C. We were intending for the last two meetings to have a presentation by Planning Department on the General Plan update, the Maui Island Plan, as it relates specifically to our MRA area. And that have been scheduled but needed to be cancelled for various reasons, so I'm going to ask that we try to make that item D again at our next meeting. E, simply our budget, FY '10 budget planning.

Ms. Wade: Would you like that in the same location?

Ms. Betts Basinger: Yeah, let's put it down where our business is so it's not so boring to the public. So, update on the parking structure project coordinator position – definitely.

Ms. Wade: And possibly before the Island Plan presentation, if the Mayor ends up attending?

Ms. Betts Basinger? Yes. The website, I hope, before the next meeting, you all have a chance to look at it. And if we have wireless capability, we can show it to the public, here, at the next meeting. So let's just say introduction of.

Ms. Wade: Yeah, we're only day away from this wireless thing, so – but they've said that for two months so hopefully it will be here.

Ms. Betts Basinger: Planning Department update will remain the same. Bob Horcajo redevelopment area parking issues subcommittee report – I guess we should leave that on. Katharine, what's been happening with your little subcommittee?

Ms. Popenuk: Not much.

Ms. Betts Basinger: You can't find parking can you, so haven't been able to meet. And then, members, if we could pull out our calendars and find a date for strategic planning and for cash in lieu.

Ms. Wade: My only request would be to have one special meeting per month. One regular meeting and one special meeting because Leilani does minutes for two other boards and commissions who have much longer meetings than us, so her dedication to minutes is extensive. And she does all those agenda and everything as well.

Ms. Popenuk: I just wanted to remind everyone I'm on vacation, August 8th to 28th.

Ms. Betts Basinger: Okay, let's look at this.

Mr. Suzuki: You're not going to be here on the 28th?

Ms. Popenuk: My plane arrives at 12:30.

Mr. Suzuki: Because I may not be here on the 28th.

Ms. Wade: Okay.

Ms. Betts Basinger: Between today and August 28th, we would like to – members, do you have a preference – cash in lieu first or finishing our strategic planning first? My thought is cash in lieu has waiting five years, it can wait another month, but our strategic planning is really important.

Mr. Suzuki: Are we ready for that?

Ms. Wade: Strategic planning? Yeah.

Mr. Suzuki: Okay.

Ms. Betts Basinger: So let's first plan our special strategic planning meeting between today

and August 28th. Let's try not make it a Wednesday, and I'm going to –. What is today anyway? The 17th. What's the availability of the 31st?

Mr. Suzuki: I'm not here.

Ms. Betts Basinger: Okay, never mind. The 7th of August? Okay, one o'clock on the 7th of August, and that's for strategic planning special meeting. August 7th at one o'clock. Friday. And we'll plan our cash – would you like to set the cash in lieu date at our next meeting? Okay.

Ms. Wade: It sounded like two members might be absent on the 28th. Is that correct?

Mr. Suzuki: Yeah.

Ms. Wade: Okay. Maybe we can contact and Bob and Ray to see. Actually, generally it would have been scheduled for August 21st, but that's a holiday, which is the reason it's the last Friday. Well I don't know. That's why I think we should call the members and research it a little more.

Ms. Betts Basinger: You're talking about for the next regular meeting?

Mr. Suzuki: Yeah.

Ms. Wade: Correct.

Ms. Betts Basinger: Okay. So, are we going to look at –? When do you leave?

Mr. Suzuki: The 27th.

Ms. Betts Basinger: So are we going to look at the 24th, 25th and 26th of August? Okay, the 24th and 25th, Erin, if you could e-mail our missing members?

Mr. Suzuki: What day is the 24th and 25th?

Ms. Betts Basinger: Monday and Tuesday of that week. Oh, so, it's the 24th or 26th? Okay.

Ms. Wade: Generally we don't reschedule regular meetings because they're published a year in advance, so this would technically be another special meeting, and we would cancel the regular meeting if we did that, so I'll check into it and see how the Clerks Office handles this.

Ms. Betts Basinger: But the first thing you're going to do is see if Bob and Ray are

available.

Ms. Wade: Correct.

Ms. Betts Basinger: Because if they are, then we can go ahead.

Ms. Popenuk: I'm wondering if the meeting on the 7th – is it possible if people could do it in the morning rather than at one o'clock.

Mr. Suzuki: I'm not really. Eight to ten you said?

Ms. Popenuk: I know I've got to pick somebody up at the airport and I don't remember when. I think it's 12:30. I'll figure something out.

Ms. Betts Basinger: Okay. Thanks Katharine. Thanks members. Without any other –

Mr. Suzuki: Chair? Chair?

Ms. Betts Basinger: Yes Warren?

Mr. Suzuki: Unfortunately, I'm not going to be here at the August 28th meeting, but can we have that letter that was sent to us by the Wailuku Main Street Association on the agenda, communication, so we can discuss it. But, maybe the following month because I'm not here on the 28th.

Ms. Betts Basinger: I think that this is going to be on the agenda as it was on this agenda in correspondence.

Mr. Suzuki: Right, communications, right?

Ms. Betts Basinger: Communications. Yeah. Okay.

Ms. Wade: Or the September meeting.

Mr. Suzuki: Yeah, if we could because I'm not going to be here on the 28th.

Ms. Betts Basinger: So we'll have a two agenda item meeting – strategic planning and this – is that what you're talking about?

Mr. Suzuki: No. I'm asking Erin to put it on our September meeting because I'm not going to be here for the August meeting.

Ms. Betts Basinger: Okay. And there maybe a resolution that she could e-mail us about prior.

Mr. Suzuki: What's that?

Ms. Betts Basinger: You're talking about the trees right?

Mr. Suzuki: No. I'm talking about this letter we received today.

Ms. Betts Basinger: Oh. Okay.

Mr. Suzuki: And the testimony from Jocelyn.

Ms. Betts Basinger: Okay.

Ms. Perreira: . . . (Inaudible. Did not speak into a microphone) . . .

Mr. Suzuki: It's in regards to your letter.

Ms. Perreira: . . . (Inaudible. Did not speak into a microphone) . . .

Mr. Suzuki: Jocelyn, I can't discuss it right now because unless it's properly noticed, I can't discuss it.

Ms. Perreira: . . . (Inaudible. Did not speak into a microphone) . . .

M. ADJOURNMENT

Ms. Betts Basinger: Okay, thank you everyone. And if there are no other comments from the members – seeing none, this meeting is adjourned at 2:44 p.m.

There being no further business brought forward to the Agency, the meeting was adjourned at approximately 2:44 p.m.

Respectfully submitted by,

LEILANI A. RAMORAN-QUEMADO
SECRETARY TO BOARDS AND COMMISSIONS I

RECORD OF ATTENDANCE

Members Present:

Alexa Betts Basinger, Chairperson
Katharine Popenuk
Warren Suzuki

Members Excused:

Robert Horcajo, Vice-Chairperson
Raymond Phillips

Others:

Kathleen Aoki, Deputy Planning Director
Joseph Alueta, Administrative Planning Officer
Erin Wade, Small Town Planner
James Giroux, Deputy, Corporation Counsel