

**MAUI REDEVELOPMENT AGENCY  
REGULAR MEETING  
SEPTEMBER 18, 2009**

**APPROVED 11-18-09**

**A. CALL TO ORDER**

The regular meeting of the Maui Redevelopment Agency (Agency) was called to order by Ms. Alexa Betts Basinger, at 1:02 p.m., Friday, September 18, 2009, in the Planning Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Island of Maui.

Ms. Alexa Betts Basinger: Good morning everyone, ladies and gentleman. I'm calling to order the September 18<sup>th</sup>, 2009 meeting of the Maui Redevelopment Agency. Recognizing around the table Commissioners Suzuki, Popenuk, Horcajo, Phillips, myself, Chair Betts Basinger; staff Leilani Ramoran and you have a hyphenated new name I noticed; Erin Wade, Planning staff who will introduce our speakers as they come up. And I'm moving right on to the approval of the June 24<sup>th</sup> and July 17<sup>th</sup> meeting minutes, members, that were e-mailed to you. I know it's a lot of reading. Any comments or changes or additions to the minutes? Do I hear a move to approve?

**B. APPROVAL OF THE JUNE 24, 2009 AND JULY 17, 2009 MEETING MINUTES  
(via e-mail)**

Mr. Robert Horcajo: So move.

Mr. Warren Suzuki: Second.

Ms. Betts Basinger: It's been moved and seconded to approve the minutes of June 24<sup>th</sup> and July 17<sup>th</sup>, 2009. All in favor say aye.

Agency Members: "Aye."

Ms. Betts Basinger: Opposed? Good. Moving on to item (C), public testimony. Has anyone signed up to testify? If not, anyone can step forward to testify. Just state your name.

**It was moved by Mr. Robert Horcajo, seconded by Mr. Warren Suzuki,  
then unanimously**

**VOTED: to approve the June 24<sup>th</sup> and July 17<sup>th</sup>, 2009 Maui  
Redevelopment Agency 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. Alexis Dascoulias: Good afternoon. I'm Alexis Dascoulias of the Wailuku Community Association (WCA,) and I want to thank you for this opportunity to speak. I'm here as a volunteer for the WCA which is a membership driven organization that represents merchants, residents, and non-profits in Wailuku town. Our focus over the past year has been implementing and developing the first Friday events on Market Street. In September, we had over 25 vendors on the street participating, and participating merchants. And our attendance fluctuates between 800 and 1,200 people every month. This event continues to grow and we are excited and we are proud to be a part of facilitating this event for Wailuku. October's theme is Rock-tober with Halloween festivities and November will bring the Makahiki Celebration with story telling, games, hula, music and other activities.

I'm here to assure you that the Wailuku Community Association wants to be an active participant in discussion surrounding the parking structure project. We are a grass roots organization and we are willing to assist and participate in anyway that our volunteer group can. We are willing to conduct surveys regarding the parking structure and attend meetings in order to ensure that the merchants, the property owners and the non-profits are all represented. This project will greatly influence the future revitalization of Wailuku and therefore the WCA acknowledges the importance of our participation in these parking structure discussions and meetings. Again, I want to thank you for your continued dedication to the redevelopment of Maui, the revitalization of Wailuku and your commitment to our community.

Ms. Betts Basinger: Thank you Alexis. Members, any comments? Thank you. Any other public testimony on any agenda item coming up? We have a very full agenda that we're going to try to get through with all due diligence and hard work. Alright, seeing no one coming forward, I'm going to, at this time, close public testimony. Moving on, item (D); and item (D) forward, I'll turn over to Erin Wade to conduct our meeting for us. Thanks Erin.

**D. UPDATE ON PARKING STRUCTURE PROJECT COORDINATOR POSITION  
(see attached RFP and Nishikawa proposal)**

Ms. Erin Wade: Thank you. We have with us today, the parking structure coordinator representative, Morgan Gerdel. Nishikawa and Associates was selected as the parking structure coordinator and they will be responsible for pulling together a collaborative decision making process for the final design for the parking structure, and then moving into the EA process and through construction. Morgan has been busy meeting with several different representatives throughout the community to sort of get an understanding of people's interest related to the parking structure. And I did provide for you both the RFP that went out requesting proposals and then also Nishikawa's response proposal.

Jo Ann Inamasu was going to be here today to introduce Morgan, but she had to go to Lana`i. So, we've postponed this a month and I just wanted to make sure that you got to be able to see Morgan face to face. Morgan, would you like to say something? Why don't you go to the mic. Thank you.

Mr. Morgan Gerdel: Okay, my name is Morgan Gerdel. I'm a principal with Nishikawa Architects, and so far we've had an opportunity to meet with the majority of the County Council Members to discuss some of their ideas for the project. And generally everyone is really behind the idea of the parking structure. They all have their particular input of what could be incorporated into it, but they like the basic structure of the option PC-1. I've also met with the Wailuku Main Street Association a couple of times to get their input on the project. And I guess one aspect that has come up with almost everyone I've met with is looking at adding more parking spaces to the design, possibly a fifth or sixth level. So that's one thing I've heard from almost everyone.

Ms. Wade: Okay.

Mr. Gerdel: So that's about where I'm at now.

Ms. Betts Basinger: Thank you. Members?

Mr. Horcajo: Chair, I've got a question actually, and it may even eventually ask Erin too, but the fact that you said you've talked with the Council. I'm curious, what comments have they made about potential funding for the parking structure? Were there any comments about where the funding is going to come from, from the Council's side?

Mr. Gerdel: There were no real specific comments about the funding. We did discuss possible ideas for funding, like user fees or cash in lieu from property owners in the area, so there wasn't any specific directive that way, but we just kind of brain stormed ideas that way.

Ms. Betts Basinger: Warren?

Mr. Suzuki: Mr. Gerdel, in your proposal that you folks submitted for consideration by the County, you had a schedule, or a tentative schedule for the project.

Mr. Gerdel: Right.

Mr. Suzuki: Now, you see that schedule as being realistic?

Mr. Gerdel: I do. We actually we're slightly delayed with our notice to proceed from our initial projection, but I think we're still on track with that schedule based on how much we've

accomplished this month.

Mr. Suzuki: In looking at your schedule, you're suppose to have started a couple days ago your final conceptual plan. So are you on schedule there?

Mr. Gerdel: I guess that's something I'll have to discuss with Planning because I think that may be an optional phase if the overall program isn't changing drastically from the option PC-1. It may not be necessary. It's something we'll have to work out.

Ms. Wade: Chair, would you like me to respond?

Ms. Betts Basinger: This is not an agendized item, members, so I think – I'm very happy to meet you and welcome aboard.

Mr. Gerdel: Thank you.

Ms. Betts Basinger: Any other questions directly to him about his role working with us and the Planning Department?

Mr. Suzuki: So Chair, if we have questions other than what you categorize as being items that we can ask at today's meeting, will we have an opportunity in the future to ask that type of questions that we may not be able to ask today?

Ms. Betts Basinger: Actually, I'm trying to see if there is a place on our agenda for the parking structure. And seeing that there isn't, Warren, we'll definitely put it on the agenda. And what we've talked about is having it be a regular part of our agenda so we are regularly updated and apprized on what's happening with the municipal parking structure.

Mr. Suzuki: Could I ask a question of Corporation Counsel, just for clarification purposes? So based upon how it's agendized on the agenda, we are not able to ask questions of Mr. Gerdel relative to the project's schedule?

Mr. Michael Hopper: Well, it's a threshold matter. I mean, the Chairperson can decide on what the topics of discussions would be. As far as how this is agended, it says update on parking structure project coordinator position, and if that's the Chair's ruling on the issue that they're talking about getting into the details of the actual parking structure other than the position, I think that that's a reasonable interpretation of the agenda. If you started to get really deep into the discussion of the parking structure, and you've agendized that differently in other meetings, that can be considered a potential problem. But in the end, it is the Chair's decision, and if she wants to, you know, keep the discussion to the coordinator position, that can be the Chairperson's decision.

Mr. Suzuki: That's fine. Thank you.

Mr. Horcajo: So Chair, if you don't mind, it kind of maybe along the same lines as Warren. If I had a question pertaining more to the proposal itself and possibly considering revising it as it was RFP'ed and proposed or submitted, that also is not possible to ask that question?

Ms. Betts Basinger: You mean the RFP that went out in solicitation for these position?

Mr. Horcajo: And the proposal itself as it came back and accepted by the County. If I had questions to staff, for example, or discussion about possibly revisiting the proposal that got accepted, is that also not can be discussed?

Ms. Betts Basinger: Bob, thanks for the question. In my view, it is not within the scope of this introduction.

Mr. Horcajo: Okay.

Ms. Betts Basinger: I was hoping that we would hear from you as to where you are in the time line, et cetera, and maybe questions that have to do with how much time he's spending. Things that are specific to the position, we could discuss. We have a full agenda today, and I'll leave it up to you, Commissioners. I mean, I can amend this agenda at this point, can I not, as Chair?

Mr. Hopper: Yeah, you would need a two-thirds vote from the body to amend the agenda, and it would have to be an item of minor importance, under the sunshine law. They're a little more strict on that. That goes a little beyond Robert's Rule of Order in that situation.

Ms. Betts Basinger: So thank you very much.

Mr. Gerdel: Okay, thank you.

**E. PRESENTATION ON MAUI ISLAND PLAN (Dave Michaelson, Long Range Planning Senior Planner)**

Ms. Wade: The next item is a presentation on the Maui Island Plan by Dave Michaelson. Dave is the supervisor of the planners in the Long Range Planning Division for the County of Maui. We've been trying to get Dave to be able to come and do a presentation for us for a few months. He's been incredibly, incredibly busy, but he's here today and ready to share with us about the future of Maui.

Mr. Dave Michaelson: Thank you Erin. Thank you Chair. Members of the Commission.

My name is Dave Michaelson. I've been working on the Maui Island Plan (MIP) since 2005. I do have to recognize the contribution of Mr. Suzuki. He signed up to be a GPAC member for, I believe, a year; and three and a half years later, we finally got done with that process and he hung in there and we're still friends actually which is somewhat remarkable actually. I'm going to be very brief because I know you have a very full agenda. And what I'd like to do is give you about a 15 minute presentation on the plan itself, sort of what the philosophical underpinnings of the plan are and finally how they will affect what you do because there is language specific to redevelopment to infill, and actually to the Wailuku Redevelopment Plan. So with that, I have to use this little dot pointer. I apologize for that.

First of all, it's important to kind of understand how this plan fits with everything else. The Countywide Policy Plan is before Council. It's a very broad policy plan because it's trying to address issues on three very different islands. So the policies I would characterize them as sort of butter and apple pie if you will. And where we are is the Maui Island Plan, we got through GPAC in April I believe. The Planning Commission is almost done. They have maybe two more meetings. We have a statutory deadline to forward it to Council by the 17<sup>th</sup> of October, and then they have one year to review the Maui Island Plan. The Planning Commission quite frankly has done an incredibly admirable job at what they've done. They've approved the directed growth maps. I'm going to leave these maps up here over the afternoon so you can take a look at them, and we can talk a little bit about what that means.

And then the next place we go will be Moloka'i and Lana'i. We'll probably do those two plans almost simultaneously. And then the first two community plan updates will be West Maui and Hana, and then Wailuku-Kahului after that. I've also – I'm sorry – I brought Kathleen Kern from my staff. She will be doing the West Maui Community Plan. We are so fortunate to have Kathleen. She has a great urban design background and a public engagement background which is exactly what you need when you do community plans.

First of all, one assumption that's really important is Maui is going to grow. It doesn't matter. Even if the off shore market dries up for a number of years, 1,500 kids graduate from high school on Maui, and a lot of them want to live on Maui. So the plan, I think, is sort of retooled on our thinking to a certain extent of not just thinking about the off shore market, but thinking about those of us who live here.

The other thing that was interesting is – and this gets right to that is who are we planning for? I go into high schools a lot. I love working with high school kids. And I went into Baldwin and I asked them how many of you were born here, and it was about 85%. And I said, how many of you want to live on Maui for the rest of your life, and it was about the same number. And then I asked them, do you think you'll live here in 10 years, and the hands vanished. And it started a discussion about why that is, and it was really about housing, jobs, and will the island retain – will it retain the attributes of why they want to live

here the rest of their lives. So we had a spirited discussion about that.

The other interesting sort of part of the Island Plan is this idea of sense of place. Maui is really unique from a planning perspective because it's so different, right? You've got Paia, you've got Makawao, you've got down town Wailuku and Kahului, and Hana, and South Maui, and Lahaina, and they're all so different that you can't treat them all same way. And that's why, what the Planning Commission and GPAC did was defer a lot of the on the ground landscape sort of decisions to the Community Plan level, which is exactly where it belongs, and I'll talk a little bit about that.

We embarked on this directed growth strategy. It's never been done on Maui. And the Legislation required us to define urban boundaries and rural boundaries. And what we found right away was that the fact that the island is so different. Those two designations wouldn't work by themselves. So we have rural residential categories. We have rural service categories. And we have what's called a country town category which is Makawao and Paia. Those are two country towns. But we used overlay analysis to start sort of getting our hands around these boundaries. Then they went to GPAC, and GPAC tinkered with them. Then it went to the Planning Commission. Now the good news is the GPAC maps, the Planning Commission's maps, and the Director's maps are not that different. They're not different, which is remarkable and it will make it a lot easier when we get to Council. Although there are some differences, I think it was on the front page of the newspaper, right? Oluwalu has been a very spirited and passionate debate. Pulelehua as well, but I don't think we're that far. But what we did is we essentially looked at attributes. This is conservation district. We overlaid ag lands, critical habitats and slope, and there's about 15 attributes that we looked at. But what happened was you saw these sort of natural areas, sort of appear, and that was the basis for the directed growth maps. And then, of course, we got into sort of this project debate which we can talk about.

If you want to think about the highlights of the plan, I think this summarizes it pretty well. There was a lot of talk about scenic coral production, which I don't think Maui has really thought about a lot. Critical habitat protection. We have what's called a Special Area Management plan which deals with the relationship between land uses and the near shore waters and coral reefs. There's a lot of talk about economic development because if you remember when we started this plan, the economic engine was fueled and rocking, right? And we got about half way through the plan and it crashed, so there was a shift to talk about diversification, less reliance on tourism and construction. This section is very deep. There's also –. I do want to address this because it was in the paper the other day. I think it was the Mayor on tourism liaison. It said that she was appalled about some of the language that was in particularly the land use section, the economic section, that dealt with tourism. And when you open the hood up and really get into the bits and parts of the plan itself, there's 13 policies that do talk about resort containment, geographic containment. Not so much we're not going to approve another hotel or another resort. And there's about

50 others that talk about helping the tourist economy. So I think for representations, I don't think she opened up the hood and read everything that was there.

There's also a lot of language which affects you folks about neo-traditional design mixed use and in-fill. I'm going to talk a little about in-fill particularly as it deals with here. In-fill – and I think this debate was consistent with both GPAC and the Planning Commission and certainly staff – is that in-fill is the most efficient way to grow, alright? You're near transportation, water, sewer, schools, parks. You can revitalize places. It's sort like the Kahului Town Center Project. So the question that was posed to us by the Planning Commission was well how many units can we in-fill in existing urban areas? And the three areas we looked at were Wailuku, Kahului and Kihei. So Kathleen and myself – and this is primarily Kathleen's work – we just sort of looked at parcels that we knew were highly likely to redevelop within the life of the plan which is out to 2030. And then we developed some prototypes of what a mixed-use project could actually hold on these properties, right, and we came up with some numbers. We had a range of like 205 to 362 units in Wailuku, alright, and we actually – this represents – we actually only built out 30% of what we thought could occur within 2030, so it was pretty conservative. But what it did is it gave the Planning Commission sort of a handle on we don't have to just create land mass out to absorb demands, alright? We can also think about growing from inside and up, and not consume as much land as if you made no assumptions for in-fill.

There's also several cultural corridors that are defined in the plan. This is the one that I think affects you folks the most. It's called the Iao Stream cultural corridor. It's shown as a park, I think, on the maps, and I think it's really important to understand the distinction. We're not talking about a park, an active park. We're not talking about turning it into Disneyland. What we're talking about is retaining. I mean, that's some of the richest cultural resources, I think, on Central Maui, that I know of. And you folks may know of some other, but the idea is that there's a lot of property owners down there, right? There's a lot of agricultural going on. And then it's intermingled with heiau every where. I mean, every time I go up there, I find something else that I've never seen before. So the ideas that we would cooperatively work with those land owners probably at the community plan level to come up with a plan that would protect those resources, and would allow them to continue to do their agricultural work. And there's two other ones. There's one in Hana that we're working with the Hana folks on, and a couple of others. So how does this affect what you folks do? Well, first of all, this document, the Redevelopment Plan, which I believe was done in January 2000, is adopted by reference. And the reason that's so important is when the plan is adopted, it gives that more teeth. Alright, it essentially says Planning Department implement this plan. And frankly, I think that's a very good plan. I think it's got a lot of attributes that are very important.

So the MIP is flying at a pretty high altitude – the whole island, right – so we don't laser beam into like let's say your MRA boundaries. But at the Community Plan level we will.



There's also a lot of language about the Community Plans being form based instead of policy based. And the idea is that coming from a design background, when I was working in the private sector, I would want to laser beam specificity about what a jurisdiction wanted. Because then when I represented my client, I had relative confidence the project will get approved. Policy based documents don't do that. Everyone can interpret shall versus should, versus may, versus encourage. So the idea is that at that point that's where we'll be working with you folks probably a fair amount as well as Erin in terms of how the MRA boundaries fit with those Community Plans.

So we've got the plan in there. You understand the community base. There's a lot of mixed use planning principals in it. Jeff Hunt, Director Hunt, often calls them smart growth. I really call it efficient growth. It talks about mixed use opportunities. You see it in Wailuku. I mean, new urbanism is really sort of old urbanism, right? Some of the older parts in Wailuku long before planners were out there evolved into these mixed use settings and I think we all understand that it makes a lot of sense. Finally, if you remember, and I can't remember the year – I think it was 2005 – there was talk about relocating the Wailuku civic and government functions to another place. There's specific language in the plan, in three places, that say no. This is the place for that. And we should be approving on that instead of relocating and I think that's the right thing to do for Wailuku. Talk to anybody down on Market Street, I think they'll probably say the same thing.

So in conclusion, you'll see a lot more of this at the Community Plan because right now we're just trying to get a plan that forms a basis for the future of the whole island. Now I think it is important to note that these boundaries might change at the Community Plan. When we get down with our boots on the ground in communities, they might point out that some of these boundaries don't work or they don't have support. And it may occur where after those Community Plans, these might get amended. Like I said, the GPAC version, the Planning Commission version, and the staff's version are very close, so I don't expect that they'll shift a lot in front of Council. But I think we recognized that we've got to have some flexibility when we start talking about small, on the landscape community plan. So that's all I have. It's a lot of grounds.

Ms. Betts Basinger: Well thank you. I'm sure members have questions of you. Warren?

Mr. Suzuki: Chair, I guess, my first question is what sort of questions can we ask Dave?

Ms. Betts Basinger: Anything that he reported on to us.

Mr. Suzuki: Okay. Dave, when you talked about in-fill opportunities and it seemed like it all fell within the MRA area, and I glanced real quickly through the number of units that you might have kind of allocated for a specific property. And it seems like when you look at in-fill you're looking at higher density type of developments, you know, multi floors – three or

four story structures. And the thing that concerns me, Dave, is that culturally, I don't know if people in Hawaii have accepted as yet, living in so-called high rises, anything higher than two stories, within the so-called old local people type of communities. And the reason why I'm saying that is because if you look at the senior housing project that was developed next to O'oka, I don't know if it's filled as of yet. And I know it's specific to certain type of incomes, certain types of individuals. But at the same time, you know, my sense is that the so-called old style old folks people are still not accepting of living in a high rise typed of development. And I can go back in history when they developed the cluster homes here in Kaimana. The local people for the longest time had a really hard time living in there, but when they found out that's all they could afford, then people started to move in. The same with Lao Parkside. I watched those very closely. So I don't know if it's appropriate to say that in those areas you should have high rises. And I for one don't know if those types of high rises are appropriate in Wailuku in the first place. So to have someone from the Planning Department take the position that this is how it should be and this is the basis for which we are moving forward, in some ways to me, is inappropriate.

Mr. Michaelson: Point well taken. And we talked about that with staff. You know, we have this sort of Hawaiian vernacular, if you will, that does not fit itself in to the mainland sort of development pole, and we recognize that. So the 30% reduction can be looked at two ways. It can be looked at how many of those would actually develop in the life of the plan. Or if you reduce our densities by 30%, you almost get the density of the areas we identified. So you can look at it as either increasing densities in less places where it's appropriate or you could look at it simply as properties redeveloping at a density maybe 50% over what's there. The one reason that we want to do form based community plan level work is that then you would have to physically let – people have to physically know what a density looks like. And if there's a blow back and it's like that's not acceptable, well, it's not our place to tell them that, yes, it is acceptable just because the planners are saying it. So I think what it really represents is just a recognition that properties will redevelop over the next 20 to 25 years. That's not the question. The question is what density is appropriate when that occurs?

Ms. Betts Basinger: Erin wants to ask for a clarification from you.

Ms. Wade: Can you just for the record explain – you've mentioned form based a couple of times – can you explain what you mean by that?

Mr. Michaelson: A form based code essentially identifies – it includes as a portion of the plan a physical element. Instead of saying we want mixed use, well, it actually depicts graphically what that mixed use might look like. The best –. If you want, I can put an example of a form based code on our website, Long Range Planning's website. Most people are pursuing them now because when the codes are unclear, the approval process is brain damaged for everybody – for Council Members, for applicants, for planning staff

– and form based code kind of takes that uncertainty out to a certain extent. And it typically gets much more specific about uses. Instead of just saying mixed uses, it will describe what those uses might be in certain portions of Wailuku for example.

Ms. Betts Basinger: Bob?

Mr. Horcajo: Thanks Dave. I guess I have –. I want to ask some questions about in-fill so I can understand it better, but I have a statement first. It was actually Marsha Weinert who made that comment and she's a State Representative, not from the Mayor. I want to be sure the public who doesn't read the paper, understand that it didn't come from the County. It came from the State side.

Mr. Michaelson: That was right. I knew that.

Mr. Horcajo: I figured you did. I guess we had some discussion here awhile back about the GPAC process. My understanding is you've got the MRA, you've got the zoning of business multi-family, business commercial, and if every land owner decides to develop according to what they're entitled to, we would have an increase in population of what. And what I got from you is that through this process, you're projecting that of that potential development based on actual zoning now, you're projecting only 30% of that to be developed by the year 2030. Is that my understanding of what we're talking about?

Mr. Michaelson: No, I think I was a little unclear. When we threw that number, I believe, it was 392 for Wailuku.

Mr. Horcajo: Yeah, 362. 205 –.

Mr. Michaelson: What that number represented is if we went out – we went out and looked at I believe 22 parcels that for one reason or another we felt would redevelop. When we put that into the demand in the land use forecast, we only built out 30% of those. So I think there's 122 or something like that that are represented in the land use forecast. And the reason we did it was that we got a lot of questions both from GPAC and the Planning Commission about how much land mass was in these urban growth boundaries, and did they have to be that big? And so the question that they posed to us was will all future development only occur outside of the existing urban cores? And instinctively we said, no. There will be some redevelopment to occur, and we just wanted to get an order of magnitude.

Now the other important thing to realize is that supply and demand relationship which is driving these boundaries. You'll see all the numbers that are coming out in the newspaper. In 10 years, we revisit that by statute so we'll have an opportunity to stand back and say, how much actually redeveloped? Alright, was it more than we thought? Was it less than

we thought? How much of the urban growth boundaries have developed and at what densities and do we need to make them bigger?

Mr. Horcajo: Okay, I guess my question then is was there any consideration for making it smaller?

Mr. Michaelson: Yeah.

Mr. Horcajo: Because you started with the existing zoning (inaudible) within that urban zoning and then decided to expand it.

Mr. Michaelson: Right.

Mr. Horcajo: But, so was there discussion of making smaller, you know, so basically rezone it to less than what is permitted now?

Mr. Michaelson: There was discussion and Warren was involved in the GPAC process and so I'll try to represent that. One of the issues that we had was what forecast do we accept for this 2030 population? And the language in Bill 84 is really curious. It talks about a desired population, which is really an interesting word. I mean, desirable for who? You know? So what they did is they hung their hat on the DBEDT forecast – the Department of Business, Economic, Development and Tourism. Since we did the first forecast, DBEDT actually reduced their population forecast to 2030, and we reduced our demand. And so the boundaries have shrunk a little bit. There was healthy debate to say the least within the GPAC process about the density assumptions that we made. But, no, there was never talk about down zoning primarily for one reason. The primary supply that was out there was not zoned lands. It was entitled projects. So a project has an entitlement for let's say 12,000 units. So we used the 12,000 units figuring that it's not likely they'll down zone themselves. Well, we already have a case in Makena where a project down zoned itself, so we may have to think with it as it goes by.

Ms. Betts Basinger: Ray?

Mr. Raymond Phillips: Yeah, thank you. Dave, I'm a builder and developer. I've been doing it here since the 70's and it was very small at the time I started. The problem we've always run into – and we like to do in-fill projects – the problem we always run into is the lack of infrastructure, lack of water, lack of waste water, you know, capability of handling it. And I think the GPAC is an absolutely incredible process and a great plan. I don't really see the rest of the Department sort of kind of coordinating with that. So I have a lot of concerns from whether this thing is ever going to come fruition or not. What's your thoughts on that?

Mr. Michaelson: That's, actually, a great question. Two response. One difference between this plan and any other plan that Maui County has ever done is that it has a monitoring and evaluation component which requires an annual report on two consoles and there's about 30 indices, indicators if you will, one of which includes capital improvement programming . And there's also a CIP component which the numbers can be a little scary, but it talks about the investment required just to bring our infrastructure up to a level of service that's acceptable regardless of any of these projects on the wall. And one of the indices are how are we doing there? One of the unfortunate things that Maui County hasn't done very well is we've never done 10 and 20 year capital improvement programming. Essentially, at every annual budget cycle someone wants a park or we have to do something with the waste water plant, and if we have the money in that budget cycle, it gets done. So what happens is every year you don't do something with infrastructure, like water or sewer or roads, the costs aren't linear. It's expedient. So we're hoping with the improvement of this plan, not only will the massive investments that's required to catch up be illuminated, but there would be an ongoing process just to see if we're doing anything about it. And again, you know, those decisions occur way beyond the little Long Range Planning Division.

Mr. Phillips: Just a little continuation on that Dave. Obviously, this is not the first Community Plan that has been generated. And in reviewing some of the older plans, very, you know, terrific stuff. Great language. Super anticipations. Great hopes. Same problems. I know I'm the guy that goes to County, sit with the Planning Department, sit with Water, sit with show me the water, this whole thing, and it's a terrific process that we go through to generate these kind of great ideas. I just don't understand how the follow up is going to ever occur. It's just one of the reasons that you're talking about. The second reason is even if there was a capital improvement plan created and approved, where does the funding come from? When we talk about bond issues, people sort of look at you like you're from nowhere. I don't understand the process.

Mr. Michaelson: I guess, first of all, the same frustration that you're voicing is why a lot of people get out of this profession long before I did because it does.

Mr. Phillips: I'm aging.

Mr. Michaelson: It's like, you know, you spend all this time and all this energy, and just think about how much time, and pain, and blood, sweat and tears GPAC went through, and then you wonder if it's ever going to get off the ground. There is a component. I'm not really the CIP guru of the department. That's John Summers. But there's a lot of alternative funding suggestions in that document that Maui County has never pursued. Again, it's really not my daily work, but I guess all you can do is hope that there's political courage, which is out of hands of planners unfortunately, and that the planners implement this stuff and stick to it. Some of the – like, I think the best Community Plan that we have actually is Moloka'i.

I don't know if you ever read the Moloka'i Community Plan, but it's just incredibly inspirational. But it never happens, you know? So that's another reason to get away from – that's a true policy document – those community plans – to a more physical base plan and the hope is that maybe we can avoid the dust gathering on them like the last time.

Ms. Betts Basinger: Thanks Dave. Katharine, do you have any questions of the plan? Warren, you wanted to go again?

Mr. Suzuki: Yeah, just to kind of tag along to what Ray said. And maybe we are similar minds because of the engineering background. But that's one of the things that I have felt for the longest time, Ray; and I made comments at the General Plan discussions that that section of the General Plan document that was produced was grossly deficient. Because if you look at the ordinance in itself, it's very specific relative to how you're suppose to look at how the infrastructure was going to be built, what needed to be done to support the developments that's being proposed, what time line it was going to be built at, and how the funding was going to be obtained. If you look at the General Plan document, it refers to it very general. And the ordinance, you know, I've always felt for the longest time the ordinance wanted information quite a bit more specific. But the comments that I made kind of went on deaf ears so we'll let it go and, you know, hopefully it's something that will be brought up again, to be heard a discussion on that.

The thing that I wanted to kind of comment on relative and specific to the MRA, Dave, you know, when you get into discussion with the Community Plan is, you know, when you're dealing with an older community like Wailuku, we have a lot of people that – and I think one thing we need to kind of understand too is that there's a difference between Hawaiian and local. I have the up most respect of the people of Hawaiian ancestry, but that's a specific group. Local people are more broadly inclusive. You know, local people include all nationality or whatever else, but they're local people. You know, when you look at Wailuku town, you have a lot of long time local people that, you know, have lived in Wailuku town and kind of have certain feelings about Wailuku town. And I have huge concerns about the process that you might go through especially as I stay within the MRA area where the tendency of government is to go to the communities and say this is how we feel Wailuku should eventually evolve, and this is what's going to be best for Wailuku town, you know, based upon what we see, what we've learned and all that. I would hope that when you're dealing with the older communities – and I've said, again, Wailuku, for example – that you first go and you listen to the people. You talk to the people there. Try to understand. Understand the history. Understand the background. Understand the certain sentiments and all that.

An example, you know, when I worked at Kapalua, whenever we had a consultant come on board, the first thing I would tell them is that before you put anything on paper, I want you to walk through Kapalua, and understand what makes Kapalua special. Why Kapalua

is Kapalua. And only when you can say that now you know what Kapalua is like, then go ahead and start designing what you want to design, you know, for whatever project that you've been retained to design. And I think the same approach needs to be taken when you deal with older communities in Wailuku. Walk around, talk to the people, try to understand again all the knowledge, all the background, all the history, all the sensitivity, you know, what made Wailuku special, and then maybe from there go and try to make your presentation community plan, and not go the other way around. Because if you do, it's going to be a huge mistake. And if that's something that you folks are going to have to come to the MRA for input on, I'm going to rail on you guys time and time again on that.

Mr. Michaelson: That wouldn't surprise me. Let me put it this way. The job of a community planner is not to go to a community and tell them what is best for them. The job of a community planner is to go out and have the community tell them what they want, then get them that. And I think I'm speaking for my entire staff when I say that. And I think that that's the process, frankly, we followed from, literally, day one with the Maui Island Plan. Now the Community Plan issues are a lot more on the ground. They affect what people see when they walk down their street. They affect what they see out of their windshield. So the stakes a lot higher, so the process has to be that more responsible.

Ms. Betts Basinger: Erin?

Ms. Wade: Just to follow up on that. Dave didn't really have a whole lot of choice about presenting a document that was complete prior to it being worked on by the community. That was part of the Bill 84, and part of 2.80(b), so they had to create a full and complete document to give to for review. That's not the case with the Community Plan process. So, a totally different participation can be established. I did want to go back just for one second to the financing, and just a ray of hope, I think, is in the Wailuku area. Because of the urban renewal law, we have a whole lot more tools available to the Wailuku area, and I think the Mayor has mentioned several times that she would like to test run a lot of the financing ideas that are recommended in the Maui Island Plan within the district. Because you're correct, bonding has not been favorably looked at in the past. Tax increment financing has never been used. Special assessment districts are rarely used. All of that, we have the opportunity to do. In addition, the Wailuku area is a lot more eligible for additional grant funding than most districts because of our income rankings. So I think if this board can be active and continue to communicate with Long Range about what their plans are and about the community plan process we might be able to move forward a lot more quickly and show some improvement and then maybe set the pace for the rest of the island.

Mr. Suzuki: Can I clarify something please?

Ms. Betts Basinger: Good ahead Warren.

Mr. Suzuki: You know, Dave, nothing personal. I'm sure you know, what kind of individual I am, but what I was saying, you know, maybe I didn't come across, you know, as clearly as I needed to. And I understand that, you know, when you go to a community plan process you're probably going to set, put together a community plan adviser group that's going to consist of 10, 12 or whatever representatives. What I'm saying is that in addition to that, you as the Planning Department, walk around Wailuku town. Talk to the people that live there, you know, individuals that are 70, 80 years old. Try to find out what they like about Wailuku town because they're not going to participate on that Community Plan Advisory Group. They're not going to come out and provide testimony because of the age and different things. But at the same time, what information or what guidance they can provide to you, to me, is very, very invaluable. And that's what I'm saying, be proactive, get out there and not just limit yourself to the input that you get from those that sit on the Community Plan Advisory Groups.

Mr. Michaelson: Well said.

Ms. Betts Basinger: Erin?

Ms. Wade: To take that one step further. Could you consider when you go out for an RFP for the Community Plan, and you develop your interview team or your ranking team, would you consider maybe including a board member from the MRA in that process?

Mr. Michaelson: Absolutely. I personally would recommend it.

Ms. Wade: Thank you.

Mr. Michaelson: That decision again is way above Dave's little head.

Ms. Wade: Maybe you can take it back for us as a request.

Mr. Michaelson: No worries. I'd be glad to.

Ms. Betts Basinger: Thanks Dave. Thanks members. I have just a couple of questions. Do you have the capacity – You said that there are three maps – there is an overlay – the Planning Department's map, there's a GPAC map, and there's a Planning Commission map. Do you have the capacity in our area, our Wailuku area, to overlay those three?

Mr. Michaelson: Absolutely.

Ms. Betts Basinger: And could you provide that to the MRA?

Mr. Michaelson: You can count on it.



Ms. Betts Basinger: Thanks, I appreciate that. And secondly, and I'm glad Erin brought it up, I want you to know that the MRA when it comes to forum discussions and we get down to the Community Plan level, would very much like to collaborate with the work that you do in reaching out to the community. And one last question about your map that you showed of the in-fill properties in our area, if you could pull that up again, and tell me what your legend was. They were color coded. And I guess they included all 300-and-some – yeah, that one. Thank you.

Mr. Michaelson: Actually, the color coding is a little unclear. See the green hatches? Those are projects that are fully entitled – they have State Land Use – and so we didn't mess with those. Those are projects that already have been a site planned. And again we were not –. The purpose exercised was not to say redevelop this here. It was just to get an order of magnitude for primarily the Planning Commission what potential there might be.

Ms. Betts Basinger: So that's the opportunity?

Mr. Michaelson: Exactly. That's a good way at looking at it.

Ms. Betts Basinger: And so what's the purple?

Mr. Michaelson: The purple are the parcels that we actually looked at and applied a density assumption to.

Ms. Betts Basinger: Warren?

Mr. Suzuki: And again, I don't want to get real specific, but I don't agree with that map. Because when you look at that map, you're showing development occurring on the Maui Medical Group parking lot, and that's not going to happen. No way that's going to happen.

Mr. Michaelson: Are you looking at –?

Mr. Horcajo: The long purple.

Mr. Michaelson: That could be. Again, this is not laser beam precision. This was is there opportunities out there. And there's probably instances where these parcels won't redevelop.

Mr. Suzuki: But didn't you use that in your calculations, though, in terms of expanding the urban area based upon, you know, what parcels could potentially be developed within the MRA area, assuming only a percentage is going to be, taking that number, and certain numbers are given, and then expand beyond that.

Mr. Michaelson: Actually, you know what's interesting is the number that you folks used in your GPAC spreadsheet is actually more than this. You used, I believe, 250 units in Wailuku, and we used even less.

Ms. Katharine Popenuk: Are these maps on your website?

Mr. Michaelson: They are. I would make one sort of cautionary note – the maps that the Planning Commission just approved the night before last are not on the web. So if you go to the web today, you'll see the GPAC and the Director's. You will not see the Planning Commission. They should be up, I hope, by the beginning of next week. But you can always come into our office. We're finishing them this afternoon. We can make you copies. But we'll get them up on the website as absolutely as fast as we can.

Ms. Betts Basinger: Thanks Dave. Ray?

Mr. Phillips: Just a quickie. Has there been an assessment done on the – with the infrastructure and utilities and sewer capacities, et cetera is like in Wailuku area, in our area?

Mr. Michaelson: There has. There was an infrastructure needs assessment report that I believe was done – Erin correct me if I'm wrong – but I believe it was completed in 2006. It looked at water, sewer. Then we did a separate transportation study that was based on the updated DBEDT model numbers that were disaggregated into transportation analysis zones, which comports very closely to the urban growth boundaries.

Mr. Phillips: And any cross correlation between those possibilities and where we're at now?

Mr. Michaelson: In terms of these maps? In terms of the urban growth boundaries?

Mr. Phillips: Right.

Mr. Michaelson: Yeah, there was. When we released our first version which was in April of 2008, prior to releasing that first version which is not far off of these, we met with all the agencies – water, sewer, parks, roads – we met with the Department of Transportation and then we had that transportation model as well. So, yeah, it was a tool that we used to say, maybe this is not the place to go. And that's frankly part of the debate between the Planning Commission and staff with some of their recommendations because we have some significant infrastructure issues that they did not share with us.

Ms. Betts Basinger: Question. You're familiar with the Wailuku Redevelopment Area.

Mr. Michaelson: Yes I am.

Mr. Betts Basinger: And the mandate that this agency has regarding slum and blight, et cetera, et cetera. How do you feel the work that's being done now for the general plan impacts on the Maui, or the Wailuku Redevelopment Area itself?

Mr. Michaelson: As I said before, it is flying at such a higher altitude than the Community Plans. It really did not get into that level of detail, which I don't think it should have. There were instances that Warren could remember with GPAC where GPAC members or even Planning Commission members were literally site designing communities. And we kept – staff – we would hold them back and say this is not the time to do that. The Community Plan is the time to do that. So, for the most part, I think, when we will impact you folks is at that point, and we'll certainly stay in touch. But I don't think there's any specific instances.

Ms. Betts Basinger: I wasn't clear Dave. I apologize. I think my question was, you know, we have a mandate and marching orders. Are we exempted from what the plan is doing because we have our own set of rules and guidelines and zones?

Mr. Michaelson: As I suggested earlier and probably not as clear as I should have, I don't think there's anything in there right now that you would have to exempt yourself from because there's just general policy statements essentially supporting that plan, the 2008 plan, and suggesting mixed use in-fill within existing communities which I believe are consistent with that plan. So I don't think we've gotten down to the level of detail where we would start tinkering with any of your work.

Ms. Betts Basinger: Thanks. And my last question on your time table, the Community Plan forums, when are you expecting those to be held?

Mr. Michaelson: For Wailuku-Kahului?

Ms. Betts Basinger: Yes.

Mr. Michaelson: I can't see us getting to that Community Plan at least 18 months out. 18 months to two years. I think the Molokai Plan is going to be pretty complicated. I think the West Maui CP is going to be very complicated. And I think that's pretty much the staff resources that we have to do those three things concurrently.

Ms. Betts Basinger: Thanks so much. Any other questions? One last round members.

Mr. Horcajo: Yeah, I have, I guess, one specific one based on what you said. I was of the assumption that the CP's wouldn't start until the Council got through with their process. Is that correct? And basically they're going to work on what they consider the easy one first.

Mr. Michaelson: Right.

Mr. Horcajo: Hana, Moloka`i, Lana`i before they get into – and Wailuku was almost the last plan that was approved last time so I`m thinking five plus years but 18 months seems a little bit –

Mr. Michaelson: Well, actually, when you read the legislation, there`s so much background work – social-economic studies, land use forecast, detailed infrastructure analysis – but a lot of that stuff can go on independently of a community process. So we`re going to try to get to the point. One thing that I mistakenly made with GPAC and I think Warren probably shares this is that when we started the GPAC process, we didn`t really hand them a plan. And a lot of the technical studies were not finished. So I think GPAC, rightly so, said well, why are we sitting in this room without the information we need to make decisions. So we want to get all of that stuff done first so at the Community Plan level they`ve got their information they need to actually make decisions.

Mr. Horcajo: So you`re saying that probably the CP`s can start on the policy side versus the Island Plan side, prior to Council passing the Island Plan?

Mr. Michaelson: Yes. Yes.

Mr. Horcajo: Okay. Excuse me, Chair, my second comment was just kind of because we`ve had these discussion about that map and stuff and that`s why I kind of posed the question. For me, from a land use stand point, that is zoned. If somebody else who`s not colored once they develop, they can color. The Planning Department, the GPAC, the Planning Commission, they`re only guessing who`s going to develop, at when, till 2030, but it`s just high in the sky, just like Kihei or any place else. So for me, discussing about whatever, parking lot or something, it really doesn`t matter. But the point being, this Wailuku redevelopment area is already zoned certain things – business commercial, business, multi-family – we can do what we`re suppose to do regardless of what happens with the General Plan unless they`re shrinking it which is why I asked the question. And what was existing is still existing in terms of land use zoning. That doesn`t change.

Mr. Michaelson: Absolutely. Yeah, I mean, the entitlements, they`re in place today in Wailuku. It don`t change with the Maui Island Plan. Now the Community Plan can make recommendations to change that zoning, increase density, lower density – all that is part of that CP debate.

Ms. Betts Basinger: Thanks Dave.

Mr. Michaelson: Thank you.

Ms. Betts Basinger: Seeing no other comments, thanks so much. Great effort. A lot of stuff I've never heard before. Okay, members, moving on with Erin, to item (F), parking assessment fees and I hope everyone was able to do their homework because this is one baby I'd like us to put to bed, if possible, or at least get really close to it.

## **F. DISCUSSION ON PARKING ASSESSMENT FEES**

Ms. Wade: Okay, our last meeting on parking assessment fees was June 24<sup>th</sup>. We went through and made some edits, and I had passed out this at the following meeting. If you don't have a copy, there are copies on this table. Morgan, I hope you can grab one for yourself, and then, maybe Marc – is there anybody that doesn't have a copy of this revised version?

Mr. Horcajo: I've got it. Thank you.

Ms. Wade: Okay, great. So we were able to get all the way through the first page and half way through the second page, and I guess we'll just pick up where we left off at (f), requirements. We are still waiting for the final needs assessment from Joe, so I think we maybe stay out of (h), again, for this discussion and proceed through (j) and (k), hopefully. We're –

Ms. Betts Basinger: Item (F).

Ms. Wade: – Item (F) on the agenda, discussion on parking assessment fees ordinance. Yes, you've got it.

Mr. Suzuki: Are you saying we're going to skip (f) and (g) and jump onto (f), (g) and (h). We're skipping those?

Mr. Phillips: (j) and (k).

Ms. Wade: I was just saying that (h), fees, and (i), maybe, payment options would be skipped because we don't have our needs assessment completed at this point. But the requirements – we could still talk about conversion and transferability and things. You're right about (g), calculating fees, we probably have to skip that. (g), (h) and (i) we'd have to skip.

Ms. Popenuk: I have a comment on (g), actually, the construction, at the bottom of the paragraph. Construction cost means the per stall construction cost as determined from the BNI Building News General, blah, blah, blah. I was thinking from the most current, or most recent BNI. It went out from 1957.

Ms. Betts Basinger: I think we were going to skip (g), (h) and (i) in our discussion today. So, members, if we could focus on (f) which is where we left off. Is that correct, Erin?

Ms. Wade: Yes.

Mr. Suzuki: I have a question on (f), Erin.

Ms. Wade: Okay.

Mr. Suzuki: It talked about if there's an intensification of use, then that would trigger, I guess, an assessment as far as for additional parking. But let's say, hypothetically, for example, you had an older building that someone came in and did significant remodel of, let's say more than 50%, and that building doesn't currently provide any sort of parking. I know the building codes right now are such where if you do remodel an existing building beyond 50% of the replacement value, then that triggers you having to comply with current code requirements. So to be consistent with that, shouldn't we maybe have similar type of language where if you do remodel in excess of 50% of the replacement value, then you would be subject to the parking assessment fee.

Ms. Wade: I think that would make a lot of sense to have an additional point in here about building improvements or property improvements at a value greater than 50% of the assessed value.

Mr. Suzuki: I mean, that's correct because –

Ms. Wade: That's correct. You are correct.

Ms. Popenuk: The 50% – what's the extent when you're doing more than 50% right now?

Mr. Suzuki: See I'm not 100% sure, but I'm just bringing it up because based upon my past experiences I recall that in being involved in situations where if you did exceed the 50% that kicked in certain things. And again, I'm not sure what kicked in.

Ms. Popenuk: So maybe you're no longer grand fathered in right?

Ms. Wade: Right.

Ms. Popenuk: And now you have to comply with current code requirements.

Ms. Wade: Right. It actually says that in the parking –. Well it doesn't say that in the MRA's parking ordinance. It says that in 19.36, the zoning ordinance, you would have to comply.

Ms. Popenuk: So maybe our language should relate to what the code –. When the code says it kicks in then MRA says it kicks in, that kind of thing, rather than re-wording it. You know what I mean? Overlapping the verbage to say when this happens, we happen.

Ms. Betts Basinger: I have a concern, just at this point, without doing further research. It does not exist in our MRA requirements today, and I would like to feel assured that we're not – and it's probable that that's because we want to encourage redevelopment. So I want to make sure we're not adding additional burdens to what we have by matching maybe some stronger parking requirements.

Ms. Popenuk: Yeah, but in effect what the code would say is like okay you want to come in here and fix up this building, and so then the code says you have to provide 10 parking spaces all of a sudden where as you didn't have to before. So now that business owner or building owner is now burden with having to provide the 10 parking spaces. Shouldn't they be allowed to take advantage of the –. It's not a hardship upon them. It's an opportunity for them to move forward if they can also take advantage of this cash in lieu. You can kind of see what I'm saying? It's like otherwise, they –

Ms. Betts Basinger: Of the parking assessment, yeah?

Ms. Popenuk: Right. Otherwise, it's like, okay, well, I guess I can't give them the 10 parking spaces, so I'm not going to proceed with this project.

Mr. Horcajo: I have a question or comment. Excuse me. I'm sorry.

Ms. Popenuk: Go ahead.

Mr. Horcajo: I guess, Warren, what I got out of what you're saying is that, I guess, I can see this maybe it could be clarified. Erin, for me, this talks about usage meaning that, for example, I own a property down there. If we go from an office to a restaurant space, it's an intensification.

Ms. Wade: Correct.

Mr. Horcajo: However, this –. However, if I add another 500 square feet and it's an office which requires an additional parking stall, that's not talked about here.

Ms. Wade: Right. Well, no, that would also be intensification.

Mr. Horcajo: You would call that intensification?

Ms. Wade: Yes.

Mr. Horcajo: Use would be the same thing? So I guess what I'm wondering about whether it's, let say, any intensification of use or increase in square footage, how about may trigger an additional – because if I'm just going to add 200 square feet, it doesn't necessarily –

Ms. Wade: Good point.

Mr. Phillips: It could be storage.

Mr. Horcajo: Right. And that's really what the Wailuku design code says.

Ms. Betts Basinger: Any intensification of use or square footage.

Mr. Horcajo: Or increase in square footage once an original use has been assessed may trigger. So that covers use which the more we talked about using land use versus improvement.

Mr. Suzuki: Chair, I'm kind of wondering and I circled that word may. An ordinance normally doesn't use the term may because if you use may, then it's something that's left for someone to interpret.

Ms. Popenuk: I circled it also. I have shall written next to may.

Ms. Wade: I can clarify. May is only because cash in lieu is one of many options we have for providing your parking. So if you have selected –. You will intensify your use. You may select to either do the parking assessment or provide parking off-site. You know, you have several options, so I think that's why may is written there. So maybe trigger then is not the right word.

Mr. Suzuki: Maybe what you should do is in the section that talks about exception otherwise provided in this section, the following shall apply within the Wailuku Redevelopment Area. And in there it talks about the different options that one may be able to select from to satisfy the parking requirements. And, you know, paying the in lieu fee, you know, would be one of the options. But what I'm looking at is that when it listed one, two and three, I see those activities as being those that would trigger a parking requirement. And the issue as far as how you satisfy it, it's an issue that would be more universal applied across the board, but at the same time, you would have that option to select from, you know, any of those.

Ms. Wade: This is the parking assessment ordinance which is why I think that's the only option that's referred to. What we should probably do is incorporate it in our parking and loading of your development code that describes what your options would be.

Ms. Betts Basinger: Or we could go back to section one, number (b). (a) is the purpose,



(b) is the intent, and in the intent, it is the intent of this section to offer an additional option to satisfy or to meet requirements.

Mr. Horcajo: I thought it says that already – provide an alternative method.

Ms. Betts Basinger: Well, we're talking about that there's going to be a whole basket of options that a developer might have. Or, change (f) to say – well, it seems redundant – but requirements – some language it says if you opt for this, you know, the requirements for parking impact fee. Although you're right, that's all it's about. I'm an advocate of less words rather than more.

Ms. Wade: Okay, if so this requirement section is describing who is eligible, basically, to participate in the assessment fee process, maybe that's a way we want to rephrase it is, you know, in terms of requirements, the following activities will qualify a property owner for being eligible for the parking assessment fee. And one would be intensification of use. And I don't know why we'd have to describe that much further. Intensification of use or increase in square footage – period.

Mr. Horcajo: Right.

Ms. Betts Basinger: Yeah.

Ms. Wade: Okay.

Mr. Horcajo: Erin, let me ask you this. This, we have the Wailuku – we have the design guidelines – right? – of this area that actually has the parking requirements – that's in there?

Ms. Wade: Yeah.

Mr. Horcajo: What I don't want to do of course is just reinvent the wheel here so that's –. Again, that's in our design. It's not in the County Code. Should this reference that so that undoubtably people reading that will basically say this is the parking requirements. And this is saying, well, aside from what's in the design guidelines which got passed by Council, this is another way. Isn't that what the issue is here? I mean, I don't want to have to repeat everything that's in the design guidelines. This, itself, is 14.73 doesn't even mention the design guidelines that really has the parking requirements for this area. I don't see anything here.

Ms. Wade: It's the development code that references the parking guidelines. And I suppose there should be a reference to how to calculate what your parking need is. So maybe I can incorporate a bullet point – so it's applicability, criteria of approval, review

process, and maybe one of the review process issues is determination of parking requirements.

Ms. Betts Basinger: Council?

Mr. Hopper: I just wanted to make a comment. I did not have a chance to look at this before the meeting, however, because it was just passed out, for me anyway, but as it looks in section (c) right now the applicability section is going to tell you when the fees are applicable. It says all or a portion of the off-street parking requirements for a proposed or existing use may, upon your approval, be satisfied by the assessment fee. So first, you need to be subject to the parking requirements. And the triggers for the parking requirements, as I read it, should be set forth in there already. So if there's any issue of the intensification of use portion, I could see that as sort of a notice, but I would say that the parking requirements is what would trigger that anyway. If the intensification of use would require you to provide more parking spaces, it shouldn't be any different. This just gives you an alternative way to satisfy that. So I guess I can see why this section is in there. It's sort of providing notice to people that by the way if you intensify your use, check with your requirements, but you may have to pay an additional fee. This says that the MRA, I guess, is going to be looking, I guess, at an ad hoc bases to approve whether or not someone can use this parking assessment fee for each project.

Ms. Wade: Basically it will be like the off-site parking request. When people come to us and request to utilize something off of their property, as their parking, this is basically then paying in. Instead of provide a space on someone else's lot, they are asking to have a lot space provided for them at the municipal lot, and then they would pay for the fee.

Mr. Hopper: And the MRA would have to decide on each project, whether or not they are going to allow payment of the fee or not?

Ms. Wade: Correct.

Mr. Hopper: And is there a set of criteria that the MRA would be using, I guess, in the review process? So the MRA would have a basis to determine – like a project could, for example, not be allowed to pay the assessment fee?

Ms. Wade: Correct. So that's (d), criteria for approval and then the size, shape or topography, those things, if they can't meet those, the MRA may say no. It may be provided on site.

Mr. Hopper: Okay. So, but all of the parking – you only have to pay a fee if you have to – if the parking requirements kick in that would normally apply to you today any way. And this is doing nothing to alter those parking requirements. It just lets you have an alternative

way to satisfy them if they apply to you.

Ms. Wade: Exactly. Exactly.

Mr. Hopper: Okay.

Ms. Betts Basinger: Well thank you for that because it raises a question in my mind, Michael, that currently the way things are, this body has the power to waive a developer's parking requirement. So will that disappear?

Ms. Wade: A lot variance.

Ms. Betts Basinger: I mean a variance – to approve a variance. So would this supercede that and disallow a variance as one of the options in the basket?

Mr. Hopper: Well, it says that the parking requirements maybe satisfied by the payment of the fee. If you had a variance, then you would have no parking requirements to satisfy. I think you'd have a variance from having to satisfy that.

Ms. Betts Basinger: Okay.

Ms. Popenuk: Is (f)(1) and (2), is it kind of redundant then because this one sentence, which she just read, is very powerful – all or a portion of the off-street parking requirements for a proposed or existing use may, upon approval of MRA, be satisfied. So it's saying if you're required to have parking, then you can use this. And then over here, on (f) requirements, now we're starting to sort of list things out again. If you intensify use, if you're converting existing off-street parking. Isn't that kind of a redundant thing? In what Alexa was saying is less word are better.

Ms. Betts Basinger: Are you suggesting eliminating (f)?

Ms. Popenuk: One and two at least. Transferability is kind of talking about like – it seems to me like separate kind of an issue – of like what can you do with this once you get this.

Ms. Wade: Yeah, it doesn't make sense under requirements really.

Mr. Hopper: I don't want to speak to why it's in there, but if Joe Alueta or whomever drafted this ordinance would have a reason, it would be interesting to know that. And if they think it's redundant and could be taken out, that's fine too, but I just don't know having not been the drafter and I could consult with James when he gets back, but if there's a reason for having them in there. It's just as far as intensification of use, the only point I was making was that the requirements stems from a separate document other than this. So I'm not

sure why they are there, but there may be a reason that I'm not seeing.

Ms. Wade: It might make sense to change the word requirements to something else – potential uses or potential eligible properties. And if we did that, what I would add is the expiration of grand fathering. That's something that I'm seeing a lot right now, businesses that have been vacant for over a year, now they do need to provide the on-site parking. So that would be something, to me, that would if we were going to outline, if you intensify or expand, if you convert existing parking or if you're grand fathering expires or not needing the parking, then this would be an option.

Ms. Betts Basinger: Members, I think all of you got the e-mail from Joe where he talks about this, when we're discussing it, and he says the majority of the changes I agree with and will recommend to the Director that they be incorporated into a revised Bill. The key element of the Bill that he wanted us to discuss is should a business be allowed to pay into cash in lieu fund and at what rate should that be? So I think the word smith thing – Erin, you would know better.

Ms. Wade: Could you read that last sentence of the last part – should they be able to pay in.

Ms. Betts Basinger: A key element of the Bill that should be discussed is should businesses be allowed to pay into a cash in lieu fund and at what rate should they pay?

Ms. Wade: Meaning if like these requirements weren't triggered but they would like to reserve additional parking. See, we need a clarification from Joe on that. I don't know if that's what he means. If there is no trigger for additional parking, can you just buy out places? I know we've had some offers for that already. Well, I'll ask Joe what his intention was. Did you want to discuss that – buy in without his background?

Ms. Betts Basinger: No.

Ms. Wade: Okay. Maybe we should discuss transferability. What I will do is I'll take your comments from (f)(1), (2) and if it's okay, my addition of (3), grand fathering expiration of a grand father non-conformity. I'll have those three in as potential eligible. And then (3), transferability, we should probably make a new (g).

Ms. Popenuk: It kind of seems like it's maybe related to (j), parking entitlements, where it's saying, okay, once you've got this, it runs with the land, blah-blah-blah.

Ms. Wade: That's right. Good idea.

Ms. Betts Basinger: It's sort of like everything under (f) is found else where.

Ms. Wade: Yeah.

Ms. Betts Basinger: Okay, so the question is the redundancy and you feel without talking to Joe that we don't want to give an opinion.

Mr. Hopper: Just either Joe or James. I apologize I didn't draft the ordinance.

Ms. Betts Basinger: Okay. It was drafted many years ago, from my understanding, also. So we'll get a clarification.

Ms. Wade: Okay. We can do that.

Ms. Betts Basinger: Anything else on (f) members? So then, now we're onto (j).

Ms. Popenuk: I had a question. When we say assignment of a parking stall, are we talking like there's a sign at the head of that stall and says this is for parking by customers of XYZ company or something like this? Is that actually really assigned or is it –?

Ms. Wade: That's a good question. I mean, that's ultimately a question of how do we organize payment at all in the structure if we're going to have open public parking which I think has always been the intention. How many stalls are we going to allow to be consumed with assigned parking?

Ms. Popenuk: I was thinking, you know, if it was assigned parking then how do we police that, how do we –? You know, and is that sort of a conflict because then it's sort of like private parking in a public parking lot. It seems kind of a thorny.

Ms. Wade: You writing this down Morgan? I think Morgan might be able to advise us about some – you know later on, he can come back and advise us about some ways to do the policing and enforcement.

Ms. Betts Basinger: I would also wonder if the MRA wants to be handling this kind of day to day. It's not in our purview. We don't have staff to do that. And I do have some first hand experience about where this has tried to work and hasn't worked successfully and that's with the Lokahi Pacific Building parking lot. And so I would like to see that whole sentence removed.

Ms. Wade: All of (j)?

Ms. Betts Basinger: No, just –

Mr. Horcajo: The last two sentences.

Ms. Betts Basinger: Just the MRA shall assign.

Ms. Wade: Yeah.

Ms. Betts Basinger: And the assignment of the stalls shall occur. I think if they get this parking entitlement, they get a general parking entitlement to any public stall that's available. And that's one of the buga-boo of something like this.

Ms. Popenuk: That kind of leads into sort of a huge issue that I see with this is which is we're going to collect payment from people, we can hold on to that money for x-number of years – I forgot how long.

Ms. Betts Basinger: Six years.

Ms. Popenuk: Six years. And then at that point in time, that person is expecting to receive a parking stall. And perhaps at that time, we have created a parking stall for them, or perhaps we have not created a parking stall for them, so then what happens? You know? We sort of promised to give a stall, and we haven't been able to provide that stall. Or we say, yeah, we've provided it, but there's like 7,000 people waiting on 70 parking stalls or something. And then I guess if we hadn't provided a parking stall at that point in time, then we would have to give the money back. And then there would be a business that would be operating with a need for x-number of parking stalls which do not exist, so we'd actually make the problem worse.

Mr. Horcajo: I have a question for Erin. Do we know exactly how those two agreements were written as far as entitlements to Joslin and to Doug McLeod? The only two property developers who potentially owe money for cash in lieu. I mean, does it specifically say that they would get stalls?

Ms. Wade: I don't know the answer to that.

Ms. Betts Basinger: I think we did request Erin to provide us with a list of, in addition to those two, if there were any others and what the document is that the County or the MRA can go to them with and say, okay, now you've got to pay up. So that's a big research. And if you'll recall members, James Giroux, at our last meeting on this issue, passed out the requirements that's one has to meet to apply any impact fees, whether it's a parking assessment or whatever. And that one of the things that had to be done by law to impose any kind of impact fee was a needs assessment. And so it was going to be our priority, as a board, to get that needs assessment study done immediately which would then justify whether or not an ordinance like this was necessary and how we could go forward with it. And if we go forward with it, he advised that we could probably do this in a one two. Present the needs assessment for approval to the Council at the same time we present the

impact fee ordinance.

Ms. Popenuk: And I was sort of seeing a conflict. If we discovered that there's – well, the needs assessment – need for what? Need for more parking? That we're short on parking? Is that what the needs assessment would be?

Ms. Betts Basinger: And it is spelled out in the document that he passed out.

Ms. Popenuk: So a part of what this law says is that part of our requirement is that we have adequate parking capacity to absorb the number of required off-street parking stalls not provided on-site, in item (d). So we're sort of cutting our throat. It's like a double edged sword there, so I'm not sure how we're –.

Ms. Betts Basinger: I think us, as a body, revisiting this, understanding now that we have certain legal obligations before we can assess someone an impact fee, is good. And but we first need to get that, the RFP out, and the needs assessment started.

Ms. Popenuk: I'm a little concerned, in other words, about that (d) that we have to be sure that we have adequate parking capacity to absorb the number of required off-street parking stalls. Because the way I see it now is we're saying there's a parking shortage already. So with that in mind, we wouldn't be able to invoke this because we're at capacity already. So –

Ms. Betts Basinger: So, is this body amenable to moving forward quickly with getting a needs assessment for Wailuku, and then revisiting it again after we get the study? Does everyone agree that that's what we – ?

Mr. Horcajo: Yeah. I thought we decided that a couple of months ago.

Mr. Suzuki: So clarification – who's doing the needs assessment? Who's authorizing that we are doing it or –?

Ms. Wade: At this point, Joe Alueta is assigned to be doing the needs assessment. Maybe he and Morgan can have a conversation about who actually does the needs assessment because moving it along more quickly, I'm sure he's giving you all the studies and everything that are in support. And what he and I can do is maybe bring Morgan up to date on what he intended to be incorporated in the needs assessment, how we're going to just do a cover letter, and only do some additional research on a few minor items. Instead of going out for an RFP for a whole needs assessment, Joe already had a lot of the materials pulled together that James said would meet the criteria. It just needed some updates.

Ms. Betts Basinger: James also said that according to State law for invoking impact fees,

the party preparing the needs assessment had to meet certain criteria and I think it excluded all of the reports that we already had received, most of which were outdated anyway. So I'd just like to revisit that. And I'm looking for the – I'm actually looking for the document that James gave us because I recall and if no one else recalls then we need to look that we had to go outside to – you know we had to go outside to get this.

Ms. Wade: Right.

Mr. Horcajo: Yeah, I mean, I recall that because I was confused when Erin and maybe Joe was here that they were going to be doing it. But basically what I got out of a couple of meetings was that they felt that, as Erin just said, the assessments done recently should be adequate granted there maybe a few years old. But the fact that none of those projects, none of them actually, that they were counting on to be developed to be used for the, you know, as part of the needs assessment, has been developed.

Ms. Betts Basinger: Correct.

Mr. Horcajo: And pretty much, they're all on that little picture there that basically Dave showed. So I'm of the opinion that they're adequate and they were done by – I think the law says – an engineer or a consultant. So what I got from Erin from the last meeting, they're really not redoing the needs assessment. They're just compiling all the two or three that were done.

Ms. Betts Basinger: The Chris Hart study?

Mr. Horcajo: Well, it was more than the Chris Hart.

Ms. Betts Basinger: Right.

Mr. Horcajo: There were actually two or three. They're actually just compiling all those separate needs assessments.

Ms. Betts Basinger: So your recollection was that those met the letter of the law.

Mr. Horcajo: Because they were done by professionals. I forget –. I'm trying to look for it too, but I remember it mentioned engineering. I think it's part of 19.36, right?

Ms. Wade: Uh-huh.

Mr. Horcajo: Not chapter 14. And I only have the front page of 19.36 here for some reason.

Ms. Wade: So that would be an update. If the calculations for total parking needs were



based on 19.36, the zoning ordinance and not the MRA's Zoning and Development Code, those numbers would be need to be rectified in the needs assessment. I think that was one of the issues. I think that the existing availability of temporary or interim parking was one of the issues that needed to be updated. Some of the lots that were identified as interim have now been built on or have been dedicated for something else, so that's another thing that needs to be updated. There's, you know, Joe was suppose to take this conversation today, and I only found out two days ago that we wasn't going to do it, so I wasn't totally prepared to have this conversation today, and I apologize.

Mr. Suzuki: Maybe we need to defer. But in looking at Chapter 14.72, it says here the study shall be conducted an engineer, architect or other qualified professional.

Ms. Betts Basinger: And Planning Department staff is terribly burden and so timeliness being of an issue, and it coming out of our budget, members, I'm going to recommend again an RFP, and not that it be done in house. And I guess I'll wait for a motion on that decision to immediately scope an RFP for this.

Mr. Horcajo: I'll make the motion so we can have a discussion. I make the motion that we scope an RFP for the purpose of the compilation of recent needs assessment studies for Wailuku town to determine whether that adequately meets the rules, I guess, for its use.

Ms. Popenuk: Second.

Ms. Betts Basinger: Okay, discussion members.

Mr. Suzuki: So?

Ms. Betts Basinger: Warren?

Mr. Suzuki: So Bob you're saying that you want a consultant to look at reports that have already been done, try to make heads or tails of each of the report, try to put it together as best as they can, and based upon their compilation of existing reports, make a determination as to whether or not that it's sufficient to satisfy the ordinance or code requirements?

Mr. Horcajo: Right. As a needs assessment report.

Mr. Suzuki: So that's step one. If they determine then it's not, then we need to take the next step of another RFP to be our needs assessment?

Mr. Horcajo: Right.

Ms. Betts Basinger: Maybe we could amend that motion to include not just review of reports that have been done, but to bring current, based on current information, a full needs assessment.

Mr. Horcajo: My only concern with that is that then we're changing something somebody has already done, whether it be Chris Hart or someone else. And I understand what Erin just said. But for me, if you're looking at a piece of property that was on the report, that is now a development and saying just because of that lot being developed, you know, we can't use it. I'm not sure that that is potentially necessary.

Ms. Bets Basinger: So you don't think an update from 2003 data is necessary?

Mr. Horcajo: Well, I guess who's updating it? Is it Chris Hart who did the report, or is it the person who's got the contract?

Ms. Betts Basinger: It would be –. Yeah, it would be the person who gets the contract that would update all –. You know, they would do the research, but they would bring it current.

Mr. Horcajo: So, maybe a question for Counsel. Does that discussion – does this make sense? I mean, I guess the question is can whoever we hire take Chris Hart's report and everybody else's, compile the report, and adjust it? You know, say for example, there's one lot that's now developed, and they can say, well this lot is now developed. So instead of needing 384 stalls, we only need, really, 380 stalls. Does that make sense?

Ms. Betts Basinger: Erin?

Ms. Wade: Can I clarify real quick? We're not talking about a needs assessment for the parking structure. We're talking about a needs assessment for the impact fees. So the scope of the needs assessment is much different, and it's based upon studies that were done for the parking structure. So basically the introduction is the part that needs to be written. That claims, you know, there aren't enough spaces and we want to allow redevelopment. And because we're going to offer spaces in these four or five places throughout the district, to re-coop our costs, we need to charge x-amount, so that's a needs assessment. So the question I think is going to be about property values and how they have changed. It's going to be more about costs than it is about facilities and that kind of a thing.

Mr. Horcajo: Okay. So, Chair's request for an amendment, does that make sense? I mean, I'm open to that if everybody feels we should amend my motion to include that.

Ms. Betts Basinger: Ray, you had a comment?

Mr. Phillips: No. I'll pass.

Ms. Betts Basinger: I guess we're just looking for a needs assessment to be done. Period.

Mr. Horcajo: Right.

Ms. Wade: Yeah.

Ms. Betts Basinger: And whoever would get the contract could use whatever resources they feel are worthy.

Mr. Phillips: That was my comment. Why not.

Ms. Betts Basinger: Thank you.

Mr. Horcajo: So you want to – you want to pull yours back, I'll just amend it. I'll just take mine back and just make a new one that's very simple.

Ms. Wade: Compile the needs assessment.

Mr. Suzuki: Right.

Mr. Horcajo: Alright. So the motion I want to make is that this body creates an RFP for the purpose of creating a needs assessment study.

Ms. Popenuk: Second.

Ms. Wade: If I determine that Joe has already roped Morgan into this job, which I don't know yet, and we haven't talked about it, can I just respond to you that this activity is being covered by our already outside of the County. Because I think your concern is County staff is overburden and who knows when we'll get to doing a needs assessment, which I think is probably a fair thing to be concerned about. But if Morgan has been scoped to include that in part of his work. Can I just comment to you we didn't do the RFP because we already have a consultant who's retained to work on it?

Mr. Hopper: I'd say – I'm sorry – part of the motion. It's a motion to do an RFP. If you're okay if it's already been done a different way, that's fine. But that should probably be in the motion just so the Department is not in conflict with what your motion was.

Ms. Wade: Thank you.

Mr. Horcajo: Okay, I want to amend my motion.

Ms. Betts Basinger: Well I have discussion first on that. Because he is an awardee of a contract under the MRA already for the parking structure, I just want to make sure that there's no conflict in him also being awarded this. And I was under the understanding that there might be some portion of preliminary EDA monies for the parking structure that might be able to go with our monies for this study. I kind of like the idea of it being cleaned and belonging to the MRA but I want to hear from everybody on this.

Ms. Popenuk: Erin, what you're saying is he might already have that assignment to do, that needs study?

Ms. Wade: Morgan, could you speak to this please?

Mr. Gerdel: Yeah, right now our scope for the parking structure is only doing a parking management plan during construction. We're not looking at the needs.

Ms. Betts Basinger: You're not doing a needs assessment.

Mr. Gerdel: No.

Ms. Betts Basinger: Thank you.

Ms. Wade: Okay.

Ms. Betts Basinger: Okay, solved the problem. Okay, it's been moved and seconded, all in favor, please say aye?

Agency Members: "Aye."

Ms. Betts Basinger: Opposed? Carried.

**It was moved by Mr. Robert Horcajo, seconded by Ms. Katharine Popenuk, then unanimously**

**VOTED: to create an RFP for the purpose of creating a needs assessment study.**

Ms. Wade: Chair, did you want to review of the remainder of this ordinance?

Mr. Suzuki: I would.

Ms. Betts Basinger: Yes. Until such time as we have a study.

Ms. Wade: Great.

Ms. Popenuk: Chair, can we have a short break please?

Ms. Betts Basinger: Yes. Thank you for that. We'll break until – 10 minutes – until 10 till three. In recess.

*(The Maui Redevelopment Agency recessed at approximately 2:40 p.m., and reconvened at approximately 2:52 p.m.)*

## **G. DISCUSSION ON ALTERNATE MEMBERS**

Ms. Betts Basinger: Members, the MRA is reconvened. It is now eight minutes to three. And Erin, let's move along with item (G).

Ms. Wade: Item (G) was a discussion about appointment of alternate members, and I'm kind of relying on Mike for his input on this.

Mr. Hopper: Well again I did not have an opportunity to do much research on this, but I am familiar with alternate members. The only board that has them is the Urban Design Review Board that I know of. They are provided in the County Code though. It says that the Board shall have alternate members. In this case you not only have the County Code, there's also the State law which says that the MRA shall have five members. It doesn't mention alternate members. If I were to be consistent with the County Code, I would generally say in the Code if you want alternate members, it should be provided for in the Code. And then looking at the State law, I would say – this is my assessment and I can speak, you know, about this with James to see if he agrees – I would, at the outset, say if you are in the State – if you're looking at the State law, the State law probably should have provided for alternative members in the same way that the County law provides for alternative members. So you can maybe amend the County Code to have alternative members like the Urban Design Review Board would. My concern would be the State law to see if we would be running a foul of the State law by providing for alternative members, similar too, if we said we're going to have six members in the MRA or something like that. To have alternative members, if we're going to be consistent with the Urban Design Review Board which provides specifically for alternative members, how many there are, I would want to take a look at the State law to see if that could possibly be restricting us from having alternative members. I guess, perhaps, there could be an interpretation where their alternative member is not a member, but the way the County Code treats alternative members is that they are mentioned and provided for. So that would be my only concern at this point. At the very least, I think you'd need a County Code amendment to say in the County Code there will be alternative members. So those would be my thoughts on the matter.

Ms. Betts Basinger: Erin, weren't you able to find some language? And I don't know what it was that we were talking about, if it came from HRS 53 or if it came from County Code that referenced.

Ms. Wade: My reference was exactly what Mike had said. It's in the Urban Design Review Board where they allow for alternative members, but we do not have the same language in our enabling code for the County Code. The MRA does not have the same language. So, as Mike said, it is possible for most boards, however, you're governed by two sets of laws, so I defer to Mike about the conflict between the State law and County Code. If we added alternative members to our County Code, he would have to determine.

Ms. Betts Basinger: Members, the reason is when we have to cancel meetings because we don't have quorum, or if we have meetings, we can't have a meeting without a quorum. And when there are applicant reviews or other things scheduled for public hearing, that becomes very dicey. Just the fact that we had to cancel last month puts more work on our plate this month. So that was the reason for bringing this up to discussion here today. And unless there are comments, we can defer this, have James look up more –.

Mr. Horcajo: Excuse me. Thank you Chair. I guess my comment is I guess the whole concept of alternate members doesn't kind of make any sense for me because it sounds like we would only be using them if there is a need to do quorum. And unless that person is engaged fully in this whole process, then that is not fair as well to the applicants who are before us to get review and approval. So, for me, we have members. Members should engage as much as possible, and that's what we should do.

Ms. Betts Basinger: Yeah, and I don't really know the nature of an alternate – similar to a proxy voter or if it's someone that would have to attend all of our meetings. I don't know what any of the details would be. Ray?

Mr. Phillips: For the UDRB – I know Warren and I participated – there are alternative members, and they are typically called up. I think Leilani gives us the opportunity to participate. And Bob is partially right because there always new things that are coming up specific to that meeting, so I can see where there's overlap. However, what do we do? I mean, when you have not enough members, what are we suppose to do?

Mr. Hopper: It's a problem that not only this board would have. I mean, Planning Commissions, obviously, have a lot of those situations. They don't have alternative members. Urban Design Review Boards has unique professional requirements that can be hard to fulfill. If you need a landscape architect, for example, and the landscape architect is either unavailable or maybe conflicted out if their firm happens to be the one presenting the project. I think that was the original intent of having alternative members there. It's for that conflict of interest situation, and to have those professional requirements

because the alternate members happen to meet those professional requirements. I think Council probably wanted to make sure we have a landscape architect there in case one can't be there. So, I think that was intent there. There's not much guidance as far alternative members exactly what they do, it just says – or when they can vote – it just says, in the Code, that there shall be alternative members, or alternate members. And I think that they've been called up from time to time in the event that there's a lack of quorum. Not just that there's a conflict, but also for lack of quorum. And there's not much specific guidance on that, but that's – I think, I'm familiar with it because I happen to advise them how they operate there.

Ms. Betts Basinger: Thanks Michael. Members, thanks for the discussion. I guess we'll just endeavor never to get sick or never to go on vacation and to always be here. Thank you. Erin?

#### **H. DISCUSSION ON MAUI REDEVELOPMENT AGENCY WEBSITE**

Ms. Wade: Okay, the next agenda item is the Maui Redevelopment website, and I do think I have that available to review for you. Okay, you do need to load adobe flash player to run the scrolling pictures. I learned that on this, but –. Alexa, did you want to walk the group through the website? You're much more familiar with it than I am. Or did you just want me to just go through the menu?

Ms. Betts Basinger: I think if you just go through the menu, it's a pretty self explanatory. For members that might not be able to read it like me back here, you might want to – there you go. We see what the different areas are. The home page which we're on which opens up what we're about. Could you read simply what's on the home page?

Ms. Wade: The Maui Redevelopment Agency, MRA, is a five member board appointed by the Mayor and approved by the County Council to plan for the revitalization of Wailuku Redevelopment Area, including specific development proposals and restoration projects. The MRA powers and duties are spelled out in HRS Section 53-5, the Urban Renewal Law.

Ms. Betts Basinger: Thank you. And Maui Redevelopment Agency revitalizing our capital town is the pen line, I believe, on every page. And members, I want your comments so we can give it to the web designer. Okay, go to about.

Ms. Wade: You want me to read that?

Ms. Betts Basinger: If members want you to, but it's just a little bit more information about what we do, how we operate, but you will see the tabs on the right. So if you go to MRA bio, then you'll see the current members that are serving. Then let's go to the next button.

Ms. Wade: Move stuff out of the way.

Ms. Betts Basinger: Projects – now project page is still under construction as you'll see, but Erin is working very hard to get a list of projects the MRA has done, and is – there we go, coming soon – but you'll see on the right hand side, current projects and completed projects. So we will be putting content here, as well as, graphics. So, and to me this is the meat that we really need to get out so I know that they're working really hard in getting that list. Again, we're working on MRA annual schedule which Leilani is doing as we speak, on the right hand side. That will give up the list of the date of all of our meetings this year, and what they're working on now is the dates of our meetings for next year. Featured articles, those are going to be the contribution of Wailuku Main Street Association, Malama Wailuku, the Wailuku Community Association, that will rotate on a regular bases. And anyone else who's in the Wailuku ares, whether it's a company of Bank of Hawaii or Dowling who might want to post what they're doing in our area. Resource documents – and these are all of our bibles – the meeting minutes, upcoming agendas, archived agendas, as well as our executive documents that everyone can read. This is a link that will take us to what was the original purpose of this County paid for website which was to highlight Wailuku town, what it's like to live in Wailuku, featuring the different neighborhoods, what it's like to work in Wailuku, job opportunities, where the businesses are, visiting Wailuku which would have tourist attractions et cetera. So the MRA site will link to that and that site also links back to the MRA. Same thing. And what is that? Links. And this is where we're going to put links and more links, and so if any of you think that there are special links other than the ones that we have here that should go onto our website, please let me know.

Now this is the skeleton, but it was important that we had a presence on the web even though it's a skeleton. And I made the decision to go live with it even though there's still pages under construction because I think that might motivate some of our content providers to kind of hurry up and send us something that's pertinent. It was suggested that there be a report in each –. Oh yeah, there's a contact on how to contact us for any questions that they might have which I think – and they'll go to Erin and these would be from potential redevelopers and revitalizers in our town. The important thing is we have an opportunity here on a regular basis to let the community know what we're doing at any given time, as the Maui Redevelopment Agency. So comments.

Ms. Popenuk: Are those resource documents , can you down load them?

Ms. Betts Basinger: Yes.

Mr. Horcajo: Yeah, they're great.

Ms. Betts Basinger: They're downloadable.



Ms. Popenuk: Is there any provision for people to upload things like say we –

Ms. Betts Basinger: No. They can email us.

Ms. Popenuk: Like an FTP site? I was thinking, let's say someone was going to give a presentation and then they wanted to send us this giant map here – something like that is too huge for an email.

Ms. Betts Basinger: Oh, yeah, I don't see why not.

Ms. Popenuk: You know, maybe there could be a provision for applicants that are coming before us to be able to provide us information by uploading things.

Ms. Betts Basinger: That's a good idea.

Ms. Popenuk: On an FTP.

Mr. Suzuki: But we'd have to manage that though. We can't allow them, on their own, put it on our website.

Ms. Betts Basinger: Right. It would be managed.

Ms. Popenuk: Well, it could go into like a private folder that only we would have access to or see. You know, it wouldn't be like they could like put their manifesto up on our website or something like that. It would be a little more like a mailbox.

Mr. Horcajo: Yeah, I was wondering the same thing actually whether there was any discussion about future members only access to even agenda stuff that we would be looking at to maybe save on time, a tree or whatever.

Ms. Betts Basinger: The idea now is the web designer is maintaining the website and we'll add any content that we provide that we think is important and that the liaison between the MRA and the web design will be in the purview of the Chairman. So whoever is the Chairman does have access, but I think all members should probably have access to a private member's only site, so I'm going to suggest that.

Mr. Horcajo: I like it. Thank you very much!

Ms. Betts Basinger: Thank you. We have a presence.

**I. DISCUSSION ON LETTER FROM WAILUKU MAIN STREET ASSOCIATION  
Re: Participation from members of the public and community organizations**

**at MRA meetings**

Ms. Betts Basinger: Okay, we are deferring item (I) so we're onto item (J), Erin.

**J. COMMUNICATIONS**

- 1. Letter to property owners within the district Re: zoning, design guidelines and property owner benefits and responsibilities**
- 2. Letter from Board of Ethics Re: Susan Halas letter on conflict of interest**
- 3. Letter for Malama Wailuku Re: MRA support**

Ms. Wade: Okay, as my notes to you this week indicated we had a very busy couple of months related to Wailuku so this included first I've been with, (1), I've been working with our code enforcement officer, Kai, to develop this letter for the property owners. It said in my notes that it was attached. It actually wasn't because I had a conversation with James Giroux about how some the things were worded and if it was legally correct. So I want to get that official so that it's accurate before I bring it to you. But it's being reviewed right now at Corporation Counsel.

The second item is the letter from the Board of Ethics responding to the letter from Susan Halas. If you remember we sent something up to them. That's for your information and if anyone has any discussion, we can, but it was more informational.

Ms. Betts Basinger: Thank you. And everyone got that.

Ms. Wade: The third is a letter of support for Malama Wailuku that was passed out today. It was not included in your packet. It is on the MRA's letter head and it looks like this. It states the Maui Redevelopment Agency has developed a website at, with the link addressed. The MRA is supporting Malama Wailuku by providing an opportunity to post the Wailuku Historical brochure as well as other content from time to time into the future on its website. The value of in kind service is \$2,500. Thank you for this opportunity to collaborate with our community partner. If you need clarification, call me. Basically, and this language would basically what OED asked for.

Ms. Betts Basinger: Members, we have Yuki Lei Sugimura, in the gallery, who is Mala Wailuku, if you want to hear about what they're doing that we are supporting.

Mr. Suzuki: We saw the brochure.

Ms. Betts Basinger: And she already has given us a presentation. Do we need to take any vote on that?

Ms. Wade: You do not need to vote. You just basically – if it's okay for your Chair to sign. If there's any objections, you can object now. Otherwise your Chair is going to sign this letter.

The next item gets us into expenditures. I've had a lot of conversations with several different departments lately and our budget was passed out to you also as part of what we passed out today. So this gives you an idea of where we are in terms of our budget. I'm talking about expenditures. One of the trash receptacles on Market Street has been hit in front of the ATM machine.

Mr. Horcajo: Surprise, surprise.

Ms. Wade: I know. Our contract with the construction company does not cover this so we'll need to replace that if you're interested in doing so. And it has been suggested that we expand the – well, that we provide additional receptacle for recycling on Market Street. Right now we have to empty the trash a lot more regularly than we might need to if we separated the recycling, so we could have a cost saving empty the trash cans less often if we had recycling bins on the street. So, there's a suggestion to do that. We can order the same exact container with basically a flushed lid with an opening the size of a bottle, so it's clear it's a recycling.

Mr. Horcajo: So is the intent to have one at every existing waste can? The same look? The same can?

Ms. Wade: No. We wouldn't do –. Right now, actually, I've been getting complaints that the street is too cluttered. There's a lot of people down there for first Friday. We're starting to get more traffic all the time. We want places for people there who spend the money, you know, so we might we pruning out some of the ones that are there now. And Teens-On-Call, we've asked them to do an analysis of which trash cans fill up the most quickly so those would be the ones where we would place the recycling bins as well. Then there are trash cans that hardly fill up at all, so we might remove those from their location. I think the Wailuku Community Association has some additional insight on this. Come to the mic please. Sorry.

## **K. EXPENDITURES**

- 1. Recycling receptacles for Market Street & expanding Teens On-Call contract**
- 2. Landscape maintenance for parking lots and cleaning out drains on Market**

Ms. Betts Basinger: And please identify yourself.

Ms. Dascoulias: I'm Alexis Dascoulias from the Wailuku Community Association, but also from the Lao Theater. And in front of my office there is a hodge-podge collection of remnants from years past. There's a bench which is beautiful – a new bench. There's the new tree. There's the new planter with flowers in it. Then there's a giant old planter which are lined up on the street. And my suggestion would be to get rid of the old planters because that's part of the over crowding of the street – and there's a trash can. So I'm in full favor of the recycling receptacles. However, that would just add another nick-nack to the collection. And the challenge, as well, isn't that just they're there. It's that they're spread out. You know, they're not like all grouped together. I also have a lamp post, so there's just –. I mean, I could live there quite frankly, especially since the public restrooms are right there. So if we could get rid of some of the old – do you know what I'm talking about? Those big giant stone ones, then I think that would help clean up the street and unfortunately they're really turning into – I'm sure they have been for a while – they're turning into ash trays. So that might be helpful. I have no idea where they could go or if they could be reused somewhere else or what not, but that would be helpful.

Ms. Betts Basinger: Is there – excuse me – is there a trash receptacle outside the police substation? Like on their –?

Ms. Dascoulias: No, not on their side of their street. There's one right in front of the theater. There's one in front of the ATM. And then there's one on the corner in front of Bohemia Boutique.

Ms. Betts Basinger: So you're suggesting they might be relocated to be better serving?

Ms. Dascoulias: They could –. Which, the trash cans or the planters?

Ms. Betts Basinger: The trash cans.

Ms. Dascoulias: Well, I think the trash cans are set out pretty well, but it sounds like Teens-On-Call might have a better idea as far as which ones are being filled up. But I think it probably also depends on what events are taking place on any given weekend. You know, the one outside the theater is filled up more frequently if there's a program going on at the theater. We still put our additional trash cans out as well when we have a program going on. We put our trash cans out and our recycling bins out.

Ms. Betts Basinger: Thank you.

Mr. Horcajo: I've got a couple of comments. I guess, I'd like to see a recycle thing because I recycle. But I see people just dump whatever, recycled bottles and stuff. But what about cigarette stubs? Does that can or even existing company have something that you can attach?

Ms. Wade: Yeah.

Mr. Horcajo: And as for me, it really should be the restaurants who should maintain it because a lot of it comes from certain side of the street.

Ms. Wade: Yeah, Marc Aurels actually put out their own ash tray next to the bench.

Mr. Horcajo: Last week.

Ms. Wade: Yeah, you would've noticed. So that trash can, though, that's sitting right there, we can get a cover for that lid that has an ash tray in it. So we could do that and then eliminate that additional clutter.

Mr. Horcajo: Okay. And then the second comment I had was about those old planters. One point in time I thought you could line them up where the illegal parking lot is next to Iao Theater, in a row, whatever, five feet apart, and have the same kind of planting and that would block visually the looking down towards the cars in that parking lot, as a potential location for some of those.

Ms. Betts Basinger: I do agree that they should be relocated and not removed because they could create barriers that we might want to create, et cetera. Could you ask Teens-On-Call to factor the relocation of those planters?

Ms. Wade: They don't service the planters. All they do is pick up trash. Public Works has been maintaining the planters for us. Those planters in particular are a problem, and those of you who have been around long enough know that there's groups of kids who like to lift them up and put them in the street and try to roll them down the hill. Those old planters are shaped in a way that they can kind of be fairly maneuverable, so it would be great if we could pull all of the planter, the old planters, up from the steep section of the road. It's far less attractive for people to think it would be great idea to roll them down the hill. So I would – the Public Works Department requested actually that we do something different with those if possible. And if we have support from community, it sounds like a great fit.

Ms. Betts Basinger: I was just going to request that the MRA ask the Public Works Department to move them.

Ms. Wade: Oh, yeah. I think what they're asking for is permission to do that, so if I can tell them and then maybe give them a direction of where you'd like them. Bob's suggestion sounded great. I can do that.

Mr. Suzuki: The only thing is that if you move those to the location that Bob is suggesting, there's a slope right there, and you've got cars, and if kids push the planter down into the

car, it's even worse.

Ms. Wade: Good point. Yeah. Good point.

Ms. Betts Basinger: What about in the banyan court – asking that landowner if they wanted them inside of their fenced area?

Ms. Wade: I think we start getting into legal complications.

Mr. Suzuki: . . . (Inaudible. Did not speak into the microphone) . . .

Ms. Betts Basinger: How about to beautify the existing municipal parking lot?

Mr. Horcajo: Public Works is doing a job of maintaining that too.

Ms. Betts Basinger: Because there are islands there where they would fit – and Public Works – so we could at least have nice flowers growing in there.

Ms. Wade: Well to Public Works defense, they had budgeted a \$100,000 for the maintenance and that was one of the things that was cut for the municipal parking lot.

Ms. Betts Basinger: You don't need to defend them.

Ms. Wade: So they will not be maintaining it, is what I'm saying. If you put more things in there, it's just more that will be maintained.

Ms. Betts Basinger: So they maintain them now.

Ms. Wade: They do not maintain the parking lot.

Mr. Suzuki: They will not.

Ms. Wade: And they will not.

Ms. Betts Basinger: Yeah, and they will not. Do we want to offer them to non-profit organizations to come and get it? There's an organization called Aloha Shares that will notify all non-profits that a big planter is available if you want to come and get it.

Mr. Horcajo: Can we ask the WCA to talk amongst themselves and membership to give us an idea as to –

Ms. Wade: Recommend where to place them?

Mr. Horcajo: – recommend where it could go within town? They're not that bad. Well, I've rolled them – not down the street – I moved them.

Ms. Wade: It's you Bob. I knew it.

Mr. Horcajo: Anyway, that's the community and maybe you guys –

Ms. Dascoulias: . . . (Inaudible. Did not speak into the microphone.) . . .

Mr. Horcajo: Well, I don't know. But do we have to take a vote on the recycle receptacle decision or no? Just a consensus?

Ms. Betts Basinger: We don't have to take vote, but I think we need to direct Erin to contact Public Works, and to let them know where we would like them to go. Or maybe find out if they have another place for them.

Ms. Wade: Well, what I will do is I will identify from Teens-On-Call the best location, and then I will – which will determine how many recycling containers we will need – and we will determine which trash receptacles don't fill up that quickly because we can re-purpose those as recycle bins. So I'll determine how many we need to order, get a bid for you and then bring back, and then you will vote on ordering them. And the cover for the ash tray. Thank you.

Mr. Horcajo: I'll make one more comment. There is at least one guy that comes around almost every afternoon, picking up, going through the trash to recycle, so, yeah, I'm not sure we need a lot because he's going to be there anyway. And hopefully he'll learn there's two or three spots versus six or seven that you put in, and he's going to come by. He comes by everyday pretty much, grabbing bottles through the trash.

Ms. Wade: That's actually one of our problems is the lid has be ajar on a number of the trash cans, and it's a heavy lid. And it could be really dangerous and a liability if that falls on someone, so we want to reduce the amount of times somebody taking that lid off to search for bottles. It makes it safer for everybody.

Mr. Suzuki: . . . (Inaudible. Did not speak into the microphone) . . .

Ms. Betts Basinger: I would make a suggestion that as we're looking for recycled bins, they not be the wired type where you see all the trash, that they be enclosed.

Ms. Wade: My intention to retain our sole source contract would be to just order more of what our trash receptacles are and they can identify it as recycling with the different lid. I would just order more of what we have.

Ms. Betts Basinger: But they're so expensive.

Mr. Phillips: Erin, is it possible to lock down the lids so, you know, dumpster divers don't go into these things?

Ms. Wade: It is. It does make Teens-On-Call job harder, but I can check into it.

Ms. Betts Basinger: They could have the key. Okay. Thanks.

Ms. Wade: Okay, the next item is landscape maintenance. I have to turn to my notes. I talked with Public Works pretty extensively. On Monday, I think I shared with you folks a little bit about that, but the contract for the maintenance of the landscaping is going to end on March 25<sup>th</sup>. So we will need to establish – not necessarily we – a new contract needs to be established for the maintenance of the landscaping along Market Street.

Ms. Betts Basinger: And who is the contract holder for that?

Ms. Wade: Right now, Kihei Gardens maintains the landscaping.

Ms. Betts Basinger: So they should be on our list of vendors right?

Ms. Wade: Right.

Ms. Betts Basinger: Kihei –?

Ms. Wade: Gardens. So the discussion would be should we put out an RFP for someone to continue to maintain? Is this the MRA's responsibility and what should the scope be?

Ms. Betts Basinger: It was my understanding that the contractor who put in the new landscaping has a one year term after completion where they will be maintaining the landscaping. So, we –

Ms. Wade: That's March 25<sup>th</sup>. March 25<sup>th</sup> is when they will be done and they'll hand it over to the County. It sounds like it's far away, but it's not.

Mr. Suzuki: I would suggest, Erin, if you can maybe get the original contract and see what wording is in the contract relative to the maintenance requirements and maybe kind of piggy back that on in the description.

Ms. Wade: Okay.

Mr. Suzuki: If what they're doing is adequate.



Ms. Wade: The water for the landscaping has not been turned on yet. One of the things that was reported to me the contractor is still working on the submittal of as built drawings and itemized cost list to the Department of Water Supply before they can obtain a water meter for irrigation so that's something they will be tracking. The meter is actually not even in place at this point.

Ms. Betts Basinger: How are they irrigating?

Ms. Wade: It's done by hand. So I will get the scope of the existing contract.

Mr. Horcajo: Excuse me Erin.

Ms. Wade: Yes?

Mr. Horcajo: Does their contract include – I assume not – but washing out the actual drainage as well?

Ms. Wade: No.

Mr. Horcajo: It does not. Just the planters?

Ms. Wade: So no one has the responsibility right now of rinsing out the drains. You'll note that the – they're called sidewalk culverts. So the drainage flows down Market Street and this is on the makai side of Market Street, and the plates that cover those culverts are bolted down from Main all the way down to end of the project by Mill Street. Those have been collecting rubbish and debris in them, and some shop owners have complained about an odor. The Highways Division was asked to go clean them out, but they're all heavy machine operators. They don't have anything to get in there to clean them out. They have street sweepers so right now we have no one to clean them out. Obviously Joe Alueta has volunteered to go do it himself. But the thing has to be unbolted, swept and cleaned out, rinsed through.

Ms. Betts Basinger: Is that something Teen-On-Call can do?

Ms. Wade: At this point, I doubt it. I think we would actually have to hire someone to professionally clean this.

Mr. Phillips: Chair, a typical landscape services.

Ms. Wade: Yeah.

Ms. Betts Basinger: So we'll look. When we get the contract, we'll see about adding that

to the scope.

Mr. Suzuki: Going back to the irrigation. I think we need to put in the contract a notice that the one year warranty for the work that he did should not kick in until the pipes are live.

Ms. Betts Basinger: Yeah.

Mr. Suzuki: The system is live.

Ms. Wade: Great. Thank you for that. So I guess we'll just defer the conversation about cleaning out the drains until I have the scope. I know this is an urgent issue for the shop owners, and we're going to work with Highways to see if we can get somebody to go in there temporarily and get that cleaned out. But it is a problem that I spoke with Public Works about. They're aware of it and dealing.

Mr. Horcajo: Excuse me Erin. So I know I heard you say having to unbolt those metal plates, but there must have been some discussion about a power washer with the long hose or nozzle or something.

Ms. Wade: Right. The identification of a hook up point is, right now, our challenge.

Mr. Horcajo: That's a challenge for water.

Ms. Wade: Because we don't have a meter for the irrigation. If we had that, it would be no problem.

Ms. Betts Basinger: Warren?

Mr. Suzuki: Question. Who was the consultant that designed and specified that drainage system?

Ms. Wade: I don't know who did the final construction design. Perhaps it's the same. Maybe Yuki knows. I don't know.

Ms. Yuki Sugimura: . . . (Inaudible. Did not speak into the microphone). . .

Ms. Wade: Kirk Tanaka.

Mr. Suzuki: I would suggest that maybe that they be contacted to find out. You know, because that's part of design determining, you know, how you need to go about to maintain the system.

Ms. Wade: Great. Good idea. Thank you. Moving onto Planning Department update.

Ms. Betts Basinger: Before we leave expenditures, Erin, I know that there probably were not any payments between 7-1 and 7-15, but could we add all of our vendors on every report like Mana Web Design, Kihei Gardens as perspective, and anyone else that you foresee will be –. At least Mana Web because we pay them already.

Ms. Wade: Okay. Mana Web.

Ms. Betts Basinger: And Kihei Gardens, you're saying we're not going to have an encumbrance until March at least, so we don't need them on there yet.

Ms. Wade: Okay, I can ask Sandi if she could do that.

Ms. Betts Basinger: Thanks.

#### **L. PLANNING DEPARTMENT UPDATE**

- 1. Update on Projects and Enforcement**
  - a. Vineyard Street Water line**
  - b. Community Clinic of Maui - Malama I Ke Ola**
  - c. Inn on Vineyard**
  - d. Update on Market Street project through Happy Valley**
- 2. Parking Assessment Fees**
- 3. Interdepartmental Coordination**
- 4. Budget**

Ms. Wade: Planning Department update, (1), the Vineyard Street water line has begun. It is significantly impacting parking. That's one of the things we learned immediately so it only shows what we have more to come, construction, so we need to be kind of prepared for additional complaints related to parking and be seeking alternatives sooner than later. The report I have from the Water Department is that approximately 940 lineal feet of 12-inch water line has been installed as of today, and that was yesterday. The worked started from the High Street intersection and is moving uphill. As the new pipeline is installed, corporation stops and large trees installed at the same time to prepare for later connections for hydrants, services and interconnections. I'm sorry, larger trees. As the project has gone along, we've encountered sewer lateral crossings which were higher than expected so we have had to adjust accordingly. So it is about four days behind schedule when I talked to Jase yesterday.

Ms. Betts Basinger: And when is their schedule completion?

Ms. Wade: They are suppose to be done by the beginning of November. Lets hope so.

Mr. Horcajo: They're moving pretty quick, really.

Ms. Wade: They really are. Yeah. And I think this leg is the most complicated – the leg that they're doing first – so hopefully it will be easier from here out. So that's the water line.

The Maui Community Clinic has opened, and I know you folks approved it. I had the opportunity to go do a site visit and tour. I'll think you'll note from what I had passed out in your packets that the full clinic is not built out yet. This was what came in the mail to you. What is highlighted is what we toured and is being occupied today. I was astounded at how many rooms and things there are in that building. If you were in there at Ooka Supermarket, I guess it just seemed more enclosed or I'm not sure, but there's a lot going on in this building. So I think this is something that we, as a board, will need to continue to monitor relative to parking. Because they got a parking variance, there is a parking shortage in that area anyway. I have had conversations with Department of Transportation about that bus stop and the importance of it. I don't think that they –. They haven't been able to see what I've seen already, but I think once they do, they're realize how important that that stop is. So anyway, I'm just letting you know I'm going to stay in contact with the Department of Transportation. Sort of stay on them about building that bus stop sooner than later because it wasn't a requirement of the conditions of approval for the applicant to build the bus stop. It was only a condition to offer space for the bus stop, so that might be something that we keep in mind too for the next approval process. But because at each step they're going to need to a compliance report, we'll want to monitor the parking in the area as time goes by.

Mr. Horcajo: So Erin, yeah, I remembered they had to provide the area, but are you suggesting that this body should ask them to create the actual bus stop itself? No, right?

Ms. Wade: I think in my preliminary conversations with the applicants I can have that. We can't make it a requirement of approval, but it's certainly something that we can suggest and say this would be a really important amenity. And if you want your variance for parking, it would make sense to offer not only just the vocation, but to offer the facilities for your patrons to get on the bus.

The Inn on Vineyard will likely be coming to you next month. It continues to be delayed. We have reached a stalemate basically where we cannot achieve a point where building feels comfortable with the design being proposed and the amount of variances being proposed. So it will come to you without a recommendation for approval. That's part of the process. They're fully entitled to do that. So they have not gotten enough materials to me yet to be able to post for the public hearing for next month, but –. So actually I guess that means it won't be till November. I was expecting them to have their stuff in this week, so

the November meeting would be the earliest possible. I don't know if you've had before projects come without a recommendation of approval, but be prepared for that. There will be a lot more reading because I've got to document a lot more. Yes?

Mr. Suzuki: So Erin when it does come before the MRA, could you request at the same time that a representative for the Departments be present? The Departments to which the variance request, you know, for review?

Ms. Wade: Certainly. I've already talked with Jarvis Chun, the supervisor of building plans review, about attending the meeting where they will be making their presentation. And I think he will clarify their reasons for concern, and where he feels that there is a middle ground that can and should be reached.

And the final one is the update on the Market Street through Happy Valley, and I'll invite Yuki Lei to provide some additional comment. I provided to you the plans from Public Works Department that illustrates the improvements to be getting underway shortly.

Ms. Sugimura: Hi. I'm Yuki Lei Sugimura, and I will be working on phase two, communication, community relations for this. And just to kind of a brief update on where we are, contract wise, on Tuesday we bid opening. I'm not to – well, I guess we don't know yet who was awarded the bid for the construction. But because this is Federal Stimulus money, the good news, it's on a pretty fast track. So once a contract is issued and then contract has to be reviewed by Federal and State, and once it gets approved, we have 45-days to break ground and that's really fast. But just by talking to Chico, from Public Works, I can tell he's pretty focused to get that done. So that's the good news. And I don't have any documents to show you yet, and I really don't want to until they finish all of what they need to do. And I will have a presentation or information for you and a chart like what we had before for phase one. Kind of what I've been hearing is that as soon as our contract is –. My contract is with the engineering company and they're trying to get us started fast just so that we can get our stakeholders, you know, informed and just do the prelim stuff before we break ground. And as you know the construction is going to be from the Happy Valley, the Lao Stream, all the way to TK Supermarket – all the way down there. And we're not putting in a lot of trees and we're not doing a lot of that because it's a whole different – because of the residential component and the apartments. But I'll get you that information.

Ms. Betts Basinger: Does it go across Mokuhaui or does it stop before Mokuhaui Street?

Ms. Sugimura: Wait, Mokuhaui is the one at the very end yeah?

Ms. Betts Basinger: Yeah.

Ms. Sugimura: So it goes up to – that's called Kahekili – it connects right there. It connects there. I don't know if it actually goes up.

Ms. Betts Basinger: Wailuku side? Thank you.

Ms. Sugimura: Yeah.

Mr. Suzuki: Question. Yuki, so you mentioned having a contract with Tanaka. Is that Malama Wailuku or you?

Ms. Sugimura: No, no, no. You asked who the engineer was, yeah, so the engineer is RT Tanaka and the project coordinator SSFM and that's who I fall under, who's going to be just taking over the overall.

Mr. Suzuki: So that's you individually or Malama Wailuku?

Ms. Sugimura: No, it's me, individually.

Mr. Suzuki: Individual?

Ms. Sugimura: Yeah.

Ms. Wade: I actually had the same question. Malama Wailuku is a project, and not an organization.

Ms. Betts Basinger: How many bids were opened or submitted?

Ms. Sugimura: You know, I didn't get that detail from –. So I don't even know what the results of that yet. I don't think its been announced.

Ms. Betts Basinger: Well, that's good news, Yuki.

Ms. Wade: I did provide in my staff report some preliminary things from Public Works about how they anticipate to do it all in one segment. That they anticipate day time work and that they would recommend a detour route through the mauka neighborhood, so if there's any comments that the board would like to provide back to Public Works related to that we can do that now if you would like or we can just –. It sounded all reasonable to me, but I wanted to make sure you understood that that was the likely conditions.

Mr. Horcajo: What do you mean? I mean, I read that, but I'm thinking mauka meaning mauka of Market Street.

Ms. Betts Basinger: No.

Ms. Sugimura: It's going to go back toward – you know there's a place to park in the back so it will go kind of around to the back.

Ms. Betts Basinger: Behind Aki's and –

Mr. Horcajo: Right, so you go up Mokuhau and come down Kahawai, but that only affects that stretch between –

Ms. Betts Basinger: The bridge.

Ms. Sugimura: It's actually the main park.

Mr. Horcajo: Right, right. I'm sorry. Mauka. I'm sorry.

Mr. Suzuki: Your street doesn't –

Mr. Horcajo: No, you can go up Mokuhau, you can take a left, and I think Mopua, I think, is that first street, and then come –

Ms. Betts Basinger: And then come back down.

Mr. Horcajo: – on Kahawai and then come back down here. Okay.

Ms. Sugimura: Yeah, I'm not sure with that. But Public Works said if you had any questions to let me know and I'll take it back and get an answer.

Ms. Wade: Yeah.

Ms. Betts Basinger: I'm really glad to hear that they're going to work during the day because that saves a lot of money.

Mr. Suzuki: I guess the only concern that I have is that it could potentially be putting a lot of traffic through residential areas that it could be an issue as far as safety, so that's a huge concern for me. And that's something that we should be cognizant of.

Ms. Wade: So I guess the contractor will provide the traffic management plan? Okay, so you can give us an update when you know who's going to do that and we can take a look or ask about traffic calming or traffic enforcement too.

Ms. Betts Basinger: Because there's several cut across roads and some may be preferable

to others regarding children and so on.

Mr. Suzuki: They all have –

Ms. Betts Basinger: Yeah, they all have kids.

Ms. Sugimura: It's a tough one, that area.

Ms. Betts Basinger: The top one – the longest detour.

Ms. Wade: I think one of the things as a board, I'm sure you're concerned about is parking for the businesses down in Happy Valley during construction. That's one of the things Public Works mentioned so that might be a topic for conversation for an interim parking lot during construction. They mentioned something off of Mokuauia that's at the very end obviously. But I don't know if there's additional space that you would like me to investigate for leasing for the tenants. I know Takamiya Market is –

Ms. Sugimura: – very concerned.

Ms. Wade: – right in the middle and very concerned.

Mr. Horcajo: So is it not the responsibility of the contractor, I guess, to kind of deal with that? I'm thinking about when you go up to Kahawai, there's that lot on the right – that habitat lot – that is still vacant. You probably get 20-30 cars there.

Ms. Wade: Maybe you can ask that question.

Ms. Sugimura: That is hard. What we went through with phase one and just having to do the night and day, you know. It actually worked out better for us to work at night just because of this whole traffic thing and parking.

Mr. Horcajo: Right, but their plan is to work in the day, right?

Ms. Sugimura: It is to work during the day. And we know it's going to be – a lot concerns are going to come up because of Takamiya is a big factor.

Ms. Betts Basinger: What is the estimate length of construction?

Mr. Suzuki: Six months.

Ms. Sugimura: Yeah, I think it is. I thought it was eight, but it's going faster.



Ms. Betts Basinger: Warren?

Mr. Suzuki: Who's decision was it to work during the day?

Ms. Wade: Public Works.

Ms. Sugimura: And it's based upon on the use. You know, the kind of uses that are there. And a lot of it is because it's residential and apartments.

Ms. Betts Basinger: There's a lot of transient –. Boy, the shopping there, they're in and out, you know. I mean, I drive there twice a day and that place is hard.

Ms. Sugimura: It's hard.

Ms. Betts Basinger: So they are going to be suggesting mitigation – the contractor – or no?

Ms. Sugimura: Suggesting what?

Ms. Betts Basinger: Mitigation to the parking?

Ms. Sugimura: I don't know if that's part of their contract.

Ms. Wade: I don't know about that either.

Ms. Sugimura: I think not. I think they're just building.

Ms. Wade: Right. They will be making proposals for staging of construction equipment and materials and things like that, but I don't think that they were asked to take into consideration the market and the public parking.

Ms. Betts Basinger: Warren?

Ms. Sugimura: But, I will take that forward and you can too. I'll report back to Wendy.

Mr. Suzuki: So this is our project?

Ms. Sugimura: No. It's in your project area.

Ms. Betts Basinger: It falls in our area.

Mr. Suzuki: But it's not our project?

Ms. Wade: Correct.

Ms. Betts Basinger: We are not running it. No.

Mr. Horcajo: Luckily for staging there's that kind of area right above the lao flood control project where maybe they can stage there and not stage in the vacant lot like I talked about to be used for employee parking. But just kind of an off the wall topic, you know, the Lindsey's own that old building where the laundry mat is in and most of it is unused. Maybe there's an opportunity to – I'm sure he wants some rent for it – but use that for parking because it's empty.

Ms. Betts Basinger: I would like to be sure about who is the responsible party so that when I'm stopped 15 times a day walking in Wailuku, being yelled at about Happy Valley traffic I can say, you know what, why don't you call. So it that going to be you Yuki?

Ms. Sugimura: Yeah, so I will be fielding community concerns. Yeah, so that's exactly it and then I'll call Erin. No. Just kidding.

Ms. Wade: No, don't call me.

Ms. Sugimura: But, yeah, that is.

Ms. Wade: Finally parking assessment we're going to defer. Interdepartmental coordination, we're working on getting an abandoned car removed. Sergeant Orikasa is helping us with that behind the lao Theater. I think everything else I've kind of given you an update. From Water and Public Works you have –. Oh, the only other one is OED. I spoke with Deidra yesterday about the request to do a market study that we had talked about in our strategic planning. So I handed out a draft scope for a market study along with a fee schedule. This scope was done in 2008 at the request of a property owner in Wailuku, and I think this is a very generic scope but it outlines what could be done and it's what we use as a bases for discussion with Deidre. She believes we might be able to use some of the EDA money from the parking structure to fund at least the initial portion of this analysis. One of the things with the parking structure documentation for the grant will be the creation of jobs. We'll have to ultimately identify how this parking structure has assisted in created jobs and opening businesses and those types of things. The market analysis would be a key component of doing that. So she thinks we might be able to pay 100% of that portion of the analysis with the EDA money which is excellent news.

Mr. Horcajo: Did you give that to us – are you saying?

Ms. Wade: This.

Ms. Betts Basinger: Yeah, it's in our packet, or it was on our place when we came in.

Ms. Wade: If you don't have it, I'll just give you this one.

Mr. Horcajo: I didn't see it in my mail. I'm sorry. This is it right here. Thank you.

Ms. Wade: Sure. So the actual plan – so moving from analysis to a plan, what should we do within the district? She thinks we might be able to use some EDA money but we would be seeking participation from other people within the community. If it's EDA, I'm not – what we have to work out now is who actually manages this project. I think maybe what we want is to be able for the MRA to contribute to the scope and identification of the work that needs to be done, participate throughout the process and identifying priorities. But what we might do is contract out who facilitates the, you know, interactions and those types of things if you folks are okay with that.

Ms. Betts Basinger: Yeah.

Ms. Wade: And then what my question would be is what would MRA be willing to expend to be able to get this done? You see what the budget is for this – \$72,000. Having spoke with this vendor, and if we run it through a 501C3 we can just do a sole source bid and get it done much more quickly. We wouldn't have to do RFP's or anything if the County actually doesn't do this. If we give the money to a non-profit to complete the task, we can move right along.

Mr. Suzuki: We don't have \$70,000-something to –

Ms. Betts Basinger: No, but are we talking now about maybe a three way split?

Ms. Wade: We might be talking 50% would be EDA, and then I've got at least \$12,000 in private funding committed right now. We were told by Deidre that we should seek really a collaborative effort. She thought that would be the most successful way to do the market analysis – to talk to the community foundation about participating. Maybe talk to the Weinberg Foundation about participating and she would be helping us with this. I wouldn't have to do the majority of this work. But seeking out several funding sources so that everyone has buy in to this market analysis so that when we move forward there's broad base agreement that, you know, this is what we need to do for Wailuku's economic improvement basically.

Ms. Betts Basinger: And some of those organizations would be – for example, would you be thinking to get more private funding in addition to the \$12,000 from companies that are in Wailuku – Dowling, Bank of Hawaii, all the banks that are in Wailuku?

Ms. Wade: That's a good one. The banks.

Ms. Betts Basinger: Bank of Hawaii has a good foundation.

Ms. Wade: Yeah. So, she would help me structure this. This isn't my kuleana. I mean, I'm not akamai like her about this, so she's going to help me get the ball to where I can hand it off basically to somebody else doing it. So the MRA will be a participant but we won't host the project essentially. I think that makes it go much more quickly. And from here forward then, basically, it would be something that we would include as an update on your agenda. And if we would have work sessions with whomever the consultant is. But, you know, I don't know how much of your budget you would like to commit to the market study for this year. The amount of grants that I would anticipate we're going to be asking for is between \$5,000 and \$10,000, approximately. So if you want to participate at that level with the other donors that would be –

Ms. Betts Basinger: What is the participation of the non-profit that would oversee the project? Would it simply be –? Would the non-profit be doing the study?

Ms. Wade: No, they would contract the study out.

Ms. Betts Basinger: So the reason that we wouldn't contract it out?

Ms. Wade: Because –

Ms. Betts Basinger: There's no way for us to get the private money?

Ms. Wade: There's no way for us to get the private money. We would have to go through a lengthy RFP process, and we're not like –. You don't have 100% permanent staff unfortunately so it would probably take several years to complete something we could do in four or five months if we go outside.

Ms. Betts Basinger: Well, we'd have to go outside for the expertise, but – okay.

Ms. Wade: Basically they're project management. We would ask the non-profit to be project management and I'm the point of contact for the consultant. Setting up meetings, scheduling things for them as they fly over, and that type of thing.

Mr. Horcajo: I have a question, or questions I guess. For me, I guess, in general, this dovetails into one of our goals, I guess, for the Wailuku Redevelopment thing. So I wanted to be sure that however this is proposed there's some, basically a linkage there. But (2), during our strategic plan process, where does this end up? I mean, I know it's not (1), but is it in the top ten?

Ms. Wade: This was in your top five, which is why I met with Deidre.

Mr. Horcajo: Alright.

Ms. Wade: I have talked with the Mayor about this also and she was very supportive of us pursuing this quickly.

Mr. Suzuki: Do we have to make a decision today, Erin, as to what our level of contribution would be?

Ms. Wade: No. That's why I provided this to you so I am going to continue working with Deidre. We're meeting with the EDA Tuesday to discuss expansion of the use of the grant basically so I'll have a better idea of whether we can use the funds for it then. And then you'll know how much we need to make up basically.

Ms. Betts Basinger: That's great.

Ms. Wade: And then the budget, we kind of went over. Are there any additional questions about the budget? The one thing that I did do this time – I'm sorry we handed so much out today, this afternoon, but I believe that, you know, I should communicate in writing to you as much as possible because then you have it. I did hand out this – open projects is the cover. You also had asked for – Leilani reminded me of – projects that were completed so the page following is projects completed since 2004. This date in 2004 till today.

Ms. Betts Basinger: And this is electronic?

Ms. Wade: Yes.

Ms. Betts Basinger: So we can forward it to our web designer and put our completed projects on there?

Ms. Wade: Yeah. We can save it as a pdf and send it. It's kind of ugly the way it's printed out.

Ms. Betts Basinger: Yeah, maybe we'll ask her to make it look better, and maybe we'll add some graphics.

Ms. Wade: So that is my update. Are there any other questions on Planning Department? Or for the Planning Department?

Ms. Betts Basinger: Wonderful. Thank you.

Mr. Suzuki: Any update on that Ditmars?

Ms. Wade: You know, that's one of the things I have not been able to pursue yet. Because of some property ownership issues with that, I think it's actually being foreclosed right now is my understanding. So I'm not sure where to go to get improvement to it, but I'm sure I can track that down. And related to property ownership issues, this email that I printed out from Quintin, this is a toughie if you were able to read through it. This fellow has a residential home in Wailuku, but it's zoned business multi-family. So he can't get a residential loan because real property tax is identifying it as commercial. So basically what our lien from real property tax – this falls under our inter-departmental coordination – what our lien from real property is asking is if I can write a letter to classify – wait a second how did she word it?

Mr. Horcajo: Recognize this property.

Ms. Wade: Recognize the property as residential.

Mr. Horcajo: Is residential a permitted use under business multi-family?

Ms. Wade: Yeah.

Mr. Horcajo: It is?

Ms. Wade: Single family dwelling is a permitted use. A principal permitted use.

Mr. Horcajo: So that's all legally you can say?

Ms. Wade: Right.

Mr. Horcajo: Which is true.

Ms. Wade: Right. So that's what I said in this email.

Mr. Horcajo: . . . (Inaudible. Numerous speakers at one time). . . .

Ms. Wade: Yeah. So what I can do is I can put on the MRA letterhead that we recognize it is used currently as a residence and his use as a residence is allowed by zoning, you know, and send it to real property tax. And then if they can re-designate as residential, great. If they can't, I told his only other option is to come in for a re-zoning which isn't that all likely based on it being surrounded by business multi-family. This might be something a conversation we want to have, though, with Real Property Tax, ultimately to encourage people who would like to continue to live in the district in their family homes. Even though

we're encouraging in fill where people would like to do it, we don't want to deter people from being able to get their own family home, to get a loan, to live in their house.

Ms. Betts Basinger: Yeah, they might want to redevelop and build for a more equity line. Michael, would we need to have language in that letter that adds that it is limited only as that dwelling is –?

Mr. Hopper: If you're going to talk about sending a specific letter on a person who has a zoning issue, then I'd recommend it be on the agenda, a little more specific than inter-departmental coordination.

Ms. Wade: Okay. Thanks.

Mr. Hopper: That's my only concern because that person would maybe interested in coming and testifying if you're going to talk about their property.

Ms. Wade: Exactly. It's actually – it's something – it's a letter that I would write as basically a zoning letter anyway. You know, it's a zoning confirmation letter is what I would do. If he requested a zoning confirmation, then I would respond, this is your zoning, this is your permitted use, and then I can send it to real property tax as he's requested. Because most properties you take your zoning confirmation form to ZAED and they complete it. The MRA has its own zoning district, and I'm the one who would do that.

Mr. Hopper: And that's fine. But I think as long as the MRA is actually going to discuss that, that's got to be on the agenda. If you do it on your own, then that's part of your normal course. I mean, that's okay. But if you get the MRA's input, I think it's got to be just a little broader. I mean, a little more specific, I'm sorry.

Ms. Betts Basinger: So if you want this to be discussed further, Erin, you can recommend we put it on the agenda.

Ms. Wade: Okay. So, I guess moving on to the subcommittee report, or parking issues.

#### **M. Redevelopment Area Parking Issues (Sub Committee Report)**

Mr. Horcajo: First of all, I'm surprised it's on here. But being that it is, I guess given which we did not discuss – this is not on the agenda – little Wailuku parking survey for County employees. But I guess given that it's going to probably happen in the future and we have hired somebody for the parking, I think I want to just – I don't know – whether –

Ms. Betts Basinger: Eliminate the subcommittee?

Mr. Horcajo: Eliminate the subcommittee if it's okay with Katharine.

Ms. Popenuk: Yup.

Mr. Horcajo: And my thought is to suggest that the WCA take that survey or the bulk of it and survey their membership as part of their involvement in Wailuku town. So Katharine –

Ms. Betts Basinger: That it's not affiliated with the MRA at this point?

Mr. Horcajo: Yes.

Ms. Wade: Okay.

Ms. Betts Basinger: Do we need a motion on dissolving a subcommittee?

Ms. Wade: That's a good question.

Ms. Betts Basinger: We voted to initiate it.

Ms. Wade: They never did make a report.

Mr. Suzuki: Did you vote to create the subcommittee, though?

Ms. Wade: They voted to create the subcommittee.

Mr. Suzuki: You have to vote to dissolve it.

Mr. Hopper: If you're not going to hear the report and take action on the report, then I'd recommend, just to be safe, to dissolve it so no one comes over later and says you've got the standing subcommittee and that's illegal or something – along those lines.

Ms. Betts Basinger: Can I have a motion?

Mr. Horcajo: I make a motion that the MRA dissolves the redevelopment area parking issues subcommittee.

Ms. Popenuk: Second.

Ms. Betts Basinger: Any discussion? Seeing none, it's been moved and seconded. In favor, say aye?



Agency Members: “Aye.”

Ms. Betts Basinger: Opposed? Very good, approved.

**It was moved by Mr. Robert Horcajo, seconded by Ms. Katharine Popenuk, then**

**VOTED: to dissolve the Redevelopment Area Parking Issue Subcommittee**

**(Assenting: Mr. Robert Horcajo, Ms. Katharine Popenuk and Mr. Warren Suzuki**

**Excused: Mr. Raymond Phillips)**

**N. NEXT MEETING DATE: October 9, 2009.**

Ms. Betts Basinger: So members, if we could set the agenda for the October 9<sup>th</sup> meeting, we can get out of here by four o'clock.

Mr. Suzuki: I want to add on there, discussion on the parking structure, the discussion that we were kind of getting into that we were kind of advised we couldn't.

Ms. Betts Basinger: And actually I was going to recommend that be a standing report, if you don't mind, at each meeting. Thank you.

Mr. Horcajo: Okay. Clarification - does that include discussing about the proposal as well – although it's already signed, right? We're not talking about just the design. We're talking about the whole proposal.

Ms. Betts Basinger: You mean the scope of work of the proposal?

Mr. Horcajo: Right.

Ms. Betts Basinger: And how it's coming along, and the time line?

Mr. Horcajo: Sure. Yeah. I mean everything that's on that proposal, that was accepted? That's what we can talk about?

Ms. Betts Basinger: You know the proposal was accepted and contracted for, so –

Mr. Horcajo: I realize that.

Ms. Betts Basinger: So I'm just trying to put my arms around what it is you want to talk to about.

Mr. Horcajo: I can't tell you. We're in public meeting. I'll tell you afterwards, how's that?

Ms. Betts Basinger: Discussion of an RFP that's been issued – a proposal and a contract now that's been made – to go back and discuss the terms of it.

Mr. Hopper: And it's already been read. It's public record at this point?

Ms. Betts Basinger: Yeah..

Mr. Hopper: I wouldn't see a reason why you couldn't discuss that. The reason today is if your agenda item was a little more specific and that's a sunshine law issue. There's a separate reason why you couldn't discuss it, I'm not aware of it. Maybe there is one, but I could confer with James on that. I wouldn't see one at the outset. The only issue would be how you put it on your agenda. I mean, if it's broad, it just says the project, then I think that would give you –. The issue is does the public know what you're going to discuss? And if it's broad, the public could expect a lot of discussion. If we were going to take specific action on it, that's a different thing, but I don't think you're at the point where you're going to approve the parking structure.

Ms. Betts Basinger: It's just an informational report that we would be expecting for updates. So, okay, we'll keep it broad and you can ask anything you want.

Ms. Popenuk: And can we ask also questions about like what's the design look like and that sort of thing?

Ms. Betts Basinger: I'm sure that's what he'll bring to us, you know, the progress that's being made on all of that. So that will become a part of our regular report. We're not going to continue discussion on parking assessment fees until we get the report. So in lieu of that, we will be talking about the RFP scope of work for that study. We will have –. We're done with the discussion on alternative member. The MRA website, we don't need to further discuss that. We have the Main Street letter that we are deferring till next time. And any communications that you'll add there, the budget, and Planning Department update.

Ms. Wade: Okay.

Ms. Betts Basinger: Yuki, you won't be ready for at least 45-days on a –?

Ms. Sugimura: . . . (Inaudible. Did not speak into the microphone.) . . .

**O. ADJOURNMENT**

Ms. Betts Basinger: Okay, our next meeting is October 9<sup>th</sup>. Alright, members, any other comments or questions? If not, great job. We're out of here at four o'clock.

There being no further business brought forward to the Agency, the meeting was adjourned at approximately 4:00 p.m.

Respectfully submitted by,

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

**RECORD OF ATTENDANCE**

**Members Present:**

Alexa Betts Basinger, Chairperson  
Robert Horcajo, Vice-Chairperson  
Raymond Phillips (till 3:30 p.m.)  
Katharine Popenuk  
Warren Suzuki

**Others:**

Erin Wade, Small Town Planner  
Dave Michaelson, Staff Planner  
Michael Hopper, Deputy, Corporation Counsel