

**MAUI REDEVELOPMENT AGENCY
REGULAR MEETING
NOVEMBER 20, 2009**

APPROVED 01-15-2010

A. CALL TO ORDER

(Due to technical difficulty in the recording of this meeting, portions of this meeting are deemed inaudible, as noted throughout these minutes.)

The regular meeting of the Maui Redevelopment Agency (Agency) was called to order by Ms. Alexa Betts Basinger, at 1:02 p.m., Friday, November 20, 2009, in the Planning Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Island of Maui.

Ms. Alexa Betts Basinger: Good afternoon members. I am calling to order the November 20, 2009 meeting of the Maui Redevelopment Agency. Here with us at this time are members Katharine Popenuk, Raymond Phillips, Robert Horcajo. With us are staff Erin Wade, Corporation Counsel James Giroux, and staff Leilani Ramoran. I'm going to start right off with the approval of the September 18th and the October 9th meeting minutes. Members, did you all receive these via email? And did you all have a chance to review them?

B. APPROVAL OF THE SEPTEMBER 18, 2009 AND OCTOBER 9, 2009 MEETING MINUTES (via email)

Mr. Robert Horcajo: I so move we accept the September and October minutes.

Ms. Katharine Popenuk: Second.

Ms. Betts Basinger: It's been moved and seconded to approve the minutes of September 18th and October 9th. All in favor, please indicate by saying aye.

Agency Members: "Aye."

Ms. Betts Basinger: Opposed? Thank you, so that's unanimous.

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

VOTED: to approve the September 18, 2009 and October 9, 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. There will also be time for public testimony during each agenda item.

Ms. Betts Basinger: We're now moving on to item (C,) public testimony. Anyone coming up to give testimony at this point, you'll be limited to three minutes. You can also testify at the point that we come to in the meeting that's being heard by this Commission.

Ms. Jocelyn Perreira: My name is Jocelyn Perreira, Executive Director of the Wailuku Main Street Association, Inc./Tri-Isle Main Street Resource Center. I have a letter from our Board of Director. Dear Commissioners, on behalf of the Wailuku Main Street Association/Tri-Isle Main Street Resource Center Board of Directors, we would like to offer a few comments on matters related to the Maui Redevelopment Agency.

First, we appreciate the change at your meeting to allow public testimony after each agenda item. Although we still prefer the former arrangement with Tri-Isle Main Street listed on the MRA agenda to present a monthly report, the change is preferable over requiring all public testimony on agenda items at the beginning of the meeting. In this regard, we request that items listed in the meeting agenda be described in sufficient detail that follow up testimony can be accommodated. Our Executive Director is qualified and authorized to respond on behalf of the Tri-Isle Main Street Resource Center, but there may be situations when she may wish to confer with our committees or the Board of Directors and provide you with a written followup.

Secondly, the Tri-Isle Main Street Resource Center is interested in contributing articles for posting in the MRA's website, and requests criteria for the articles – length, content, and policy on editing. We would be happy to collaborate with Ms. Erin Wade, County Planner, on providing a series of articles to educate the community on historical evolution and ongoing revitalization efforts in Wailuku town and other community based development topics of interest.

As you know, our organization does extensive outreach to facilitate public input, in addition to surveys and workshop with our membership and the conduct of public issue forums. Our organization's contribution to the MRA and our community is well documented. Our Executive Director Jocelyn Perreira has 25 years of experience in small town planning and is a wealth of knowledge about Wailuku town. She also knows the history and background of the MRA and can relate to the broad based sentiments of community residents. The board and our committees of volunteer professionals supports her efforts on our behalf – on behalf of our organization. Please afford her the opportunity to share insights and knowledge of institutional history to assist you in your efforts.

In closing, we look forward to continued collaboration with the MRA on revitalization efforts

and activities and projects related to the implementation of the Wailuku Redevelopment Plan. And there's a list of our Board of Directors in the back. I did promise to give you list of where to put the planter pots, but I'm afraid that we couldn't give you a list for today's meeting because it involves a lot more than just site locating where we're going to put the pots. You have to confer with a variety of people which we have, and the pots also need to be – you know whatever – those palms just got to go. That's not what was originally in there. We had nice, beautiful Plumeria trees when it was originally there, and it needs to have the appropriate plant put in the planter as well. So we are working on it. The people that we are working and our teams that have been working just didn't get it to us in time for this meeting. But I'm sure by probably the next meeting, we'll have something for you. Thank you.

Ms. Betts Basinger: Thanks Jocelyn. We look forward to that. Members, any questions of the testifier? Seeing none. Any other public comment at this time in the meeting? Okay, seeing none, we're going to move on to our public hearing. Item (D) on the agenda, the Maui Redevelopment Agency request for parking abatement and variances for the Holmes Family property at the southwest corner of Vineyard and Church, Wailuku, Island of Maui, Hawaii. I'll turn this over to Erin Wade at this time.

D. PUBLIC HEARING

- 1. MAUI REDEVELOPMENT AGENCY REQUEST FOR PARKING ABATEMENT AND VARIANCES FOR THE HOLMES FAMILY PROPERTY AT THE SOUTHWEST CORNER OF VINEYARD AND CHURCH, WAILUKU, ISLAND OF MAUI, HAWAII, TMK: (2) 3-4-013:041 (MRA 2008/0012) THE FOLLOWING ARE BEING REQUESTED:**
 - a. Per WRAZ&D 30.13.060 a parking abatement of 3 required parking spaces,**
 - b. A reduction of required off street loading spaces from 2 to 1 loading zones (per WRAZ&D 30.13.080)**
 - c. A reduction of the required dimensions of the off-street loading (per WRAZ&D 30.13.090)**
 - d. A reduction from 2 to 1 ADA compliant parking spaces (per WRAZ&D 30.13.070.C)**

Ms. Erin Wade: Thank you. The request for the Holmes property which is located at the corner of Church and Vineyard Streets was for four variances. It's for (a) parking abatement of three required parking spaces required by our Wailuku Redevelopment Area Zoning and Development Code, 30.13.060; (b), a reduction of required off-street loading spaces from two to one loading zone; (c) a reduction of the required dimensions of the off-

street loading per 30.13.090; and a reduction from two to one ADA compliant parking spaces.

Based on the County staff report that was provided to you, we had done an analysis of the request and the recommendation from staff at this point, given that the property has been in existence for quite some time, and that all of the buildings had been occupied at one time without needing any parking variance or abatement. That the three required parking spaces be granted the abatement given that there is a joint use permit pending for that. That the two loading spaces required, that an interpretation be made by the MRA that only loading space is required based on the leaseable space. A majority of the leaseable – or a portion of the leaseable space is not needed for commercial spaces which, therefore, wouldn't need to be counted in the loading. (C) would then no longer a problem. Well, actually, the reduction of the off-street loading would be half of a foot for the loading requirement, so we would – staff is recommending approval of that. And then the reduction of the two to one ADA compliance spaces in the analysis of the parking, the required parking spaces are based on the reduction after the 30% is applied. So the ADA would only require one parking space. Therefore, (a) and (c) would still be on the table, and the MRA would still need to make a decision about (b,) basically to make an interpretation of whether that additional loading space would be needed. And I believe the applicant Kristen Holmes is in the audience, and has a presentation.

Ms. Betts Basinger: Thank you Erin. Before we move on to that, I'd like to acknowledge the presence of Warren Suzuki, and you haven't missed much Warren. We're right now on (D,) the first public hearing. Thank you. Applicant if you'd like to start.

Ms. Kristen Holmes: Thank you. I'm Kristen Holmes, one of the property owners. This property has been in our family for over 70 years. My grandfather, Wailuku attorney, Ino Simpson purchased the property in the 1920s and 1930s. I own the property with three other siblings. My sister Trisha is here as well, and we've been working on improving the property since it came under our direct management on January 1st of this year. Our family has a long history in Wailuku. It goes back to the early 1900s here when my grandfather was serving as an attorney and working in the courthouse and it goes on and on. But we are committed to transforming – a transformation that support Wailuku as a community.

When we began the year, we were faced with a property that had been neglected for a long time. It was a mess. That's the best way for me to put it. And working with limited funding, we need to make building improvements and repairs and aesthetic upgrades that can breed new life into the corner of Wailuku that we have. And in support of our improvements, we're giving the location some identity by giving it the name the Village on Vineyard as a reflection of the mix of tenants in the building on the property. The existing businesses right now include Saeng Thai, and the business office of Maui Academy of Performing Arts. I plan to open a small furniture store in the building on the corner of Church and Vineyard,

with a focus on tailored fine tropical interiors for full and part time residents. I have lived on Maui since 1984, and I've owned my own interior design business since 1985. I have authored two books that speak to my personal interest in architecture and historical properties. My first book was the *Victorian Express* and it was a book on Victorian architecture across the country that focused on three towns that valued their unique heritage. The second book I authored was *Under A Maui Roof*, that I did in conjunction with Maui AIA Chapter, and it's a book that takes chronological snapshot of Maui's architectural history and evolution. Shortly after my first book was distributed, I was asked to speak at a group in a small historic Indiana town on the economic benefits of revitalization. I share this with you to reinforce my personal role and our family's commitment towards a property transformation that we can be proud of. We want to be part of the solution in Wailuku, not part of the problem.

I have pictures of the property from the early 1970s with businesses fronting Vineyard Street all the way down the property line to the corner of Church. Shortly after the pictures were taken, a fire consumed several buildings at the Lao Valley end of the property and the old Victory Theater – I don't know if anybody remembers that which was a little bit further down the block – was torn down a few years after that. And the removal of the buildings after the fire and when the theater came down made way for the two parking lots that we now have, and they provide us with eight parking spaces.

The property is about 23,000 square feet with about 12,000 square feet of building coverage. So our available on-site parking consumes about 50% of the property. Previously, the corner building where I'm proposing to locate my store could only be rented as storage due to the lack of sufficient parking to meet the code requirements. The tenant at that time, to protect the contents in the building, painted over all of the windows so that nobody could see what was in the space, and it gave the impression of an abandon building. We think this is problematic from several perspectives. The corner of Church and Vineyard see a lot of traffic. It's a highly visible corner, and the appearance of an abandon building does nothing to support the revitalization of a walking community. In fact, it does just the opposite. Derelict buildings tend to attract undesirables and over the years this area of Wailuku still hasn't been known to attract a fair number of them.

Wailuku is currently the focus of a revitalization, but most of the time and money has been dedicated to Market Street, so far, and Wailuku really needs a thriving and attractive business throughout the core to support the revitalization efforts. Vineyard and Church Streets are core parts of the Wailuku, and they're also part of the Wailuku Redevelopment Area Zoning districts. Thanks to the current Vineyard Street capital improvement water main replacement, the paving of Vineyard will be a first major visible step in this area towards this improvement. We hope to be a following step with our proposed improvements, property identification signage, newly painted buildings using a color scheme that will brighten and unify the various buildings on our property, and of

course, improve the overall appearance.

Historic walking communities are part of the attraction of Maui. Heritage tourism draws visitors to the walking communities of Makawao, Lahaina and Paia – towns that each focus on two major thoroughfares. A vital walking historic community needs to have stores close together to encourage patrons to walk from one spot to another. Many of these businesses provide limited parking on their properties. People drive through these areas, park and walk, relying on parking provided by the County, in addition to parking provided by property owners. The Wailuku municipal parking lot provides the bulk of public parking in this area, and it's been brought to my attention by some of our tenants that a lot of the all day spaces in that lot get filled up early in the morning by commuters that are car pooling to Lahaina. They park there, jump in a car pool, and there's nobody there. And by the time anybody gets there, they're taken. So this has seriously affected the ability for employees or staff of Wailuku businesses to have fair use of the lot. I'd like to suggest that some kind of a management system such as parking stickers be instituted for Wailuku businesses and staff to make sure they have some priority – employees of the town to be able to use some portion of the lot. This district was developed to assist property owners like us. I have with me a full page of notes from the Wailuku Redevelopment Plan that outlines the elements that pertain as though they were written just about our property. And as far as I'm concerned, we can be a poster child for the district and what it was set up to be and what we have on our property.

The goal of the zoning district is to save the attributes and the characteristics that gives Wailuku its character. As the County seat for the government, Wailuku houses County, State and Federal services making it an important part of the island community. With a mix of buildings standing over a 100 years, Wailuku is already a diverse mix of architectural eras. The Code addresses building design, signage and parking; and it's meant to encourage thoughtful planning in redevelopment to capture the appeal of the walking community. Unlike Makawao, Lahaina, and Paia, Wailuku does not have the draw for the visitor trade but it supports services for residents. I mentioned that our property currently has 18 parking spaces. We are asking for the variance as our property can only accommodate eight spaces without tearing down more of our rentable space on the property. Our largest tenant is Saeng Thai's with patrons that are generally there at lunch time which is not a long period of time. Otherwise the traffic is at the end of the day. My proposed furniture store will have one full-time staff person, and customers for the furniture store will probably spend under an hour. I'd love it if they spent lots of hours. That would be good. The staff from the businesses on our property right now utilize less than 50% of our existing parking, and would leave the balance available for patrons. We feel that our existing 18 spaces are adequate for existing and future potential tenants in our other remaining vacant buildings, especially when you take into account that the municipal lot is just a block away and there is on-street parking – some on-street parking surrounding our property.

We understand the issue of parking in Wailuku and we are doing our part to help. To further accommodate additional parking, we are working with our neighbor David Cain, who is here today, on a joint agreement that will eventually add more parking. We are proposing an arrangement that we will provide access through our west parking lot in the back of David's property. And once it's complete, he will obtain parking for his use and we anticipate being able to add about six more spaces to our parking area. This plan will take some time, but it will help us down the road. We're anxious to open the furniture store as soon as possible. Economic viability is linked to having occupied spaces, and the longer we delay, the more hold back the growth of this area.

My store will provide economic opportunities for several designers that will work me in rotation to staff the store. They're eager to go to work and I want to and I need to make this store happen. Erin has been very helpful with me as I navigate my way through the various departments trying to get the building permit. And part of the process is getting this parking resolved, and I just ask your consideration in this. And I have a few images I want to share with you that will give you an idea of what we're proposing – what it looks like now and what we're proposing. And we're doing this on a budget, so don't get overwhelmed by grandeur because you won't see it.

Mr. Phillips: Spend as much as you like.

Ms. Betts Basinger: Can someone get the lights please? Thank you.

Ms. Holmes: This is just an indication of the sign that we are going to be putting on the property – just identifying the location. This is just the elevations. Down below, if you can see it, I'm not sure if I'm blocking. I'm sorry, I'm trying not to block the way. But the lower portion shows the existing elevation and this is the 85 Church Street, which everybody would probably know better as Bentos and Banquets by Bernards, who is no longer there, and MAPA is upstairs. And you'll see by the upper elevation the proposed changes are to replace all the doors and windows on that elevation and to give it more of the historical character by using single poly windows and the french doors as existing and MAPA going upstairs. And we're going to be adding a canopy over one – the single story portion that has a shed roof. And with the idea here being to make it look like it's own little small store similar to the individual stores that once were dotted throughout Wailuku.

This is just to give you an idea of the color placement where I'm using a palate and you'll see this again in other images where we're reversing the color. On the furniture store, it will be the darker blue, and it will be trimmed – the building will be trimmed in the blue elsewhere on the property. Okay, that's an existing picture of it is now – how it appears now – not very pretty. And this is a rendering – stop, that's it – this is a rendering of what it will be when we've changed the windows, cleaned it, painted it, and added the awnings to give it a little more unity and vitality.

Okay this is Saeng as it appears right now, and that's Saeng's – slow down, stop, that's it, stop, stop, thank you – and this is Saeng's as it will appear when we've repainted it and cleaned it up. We've since added a few strips of woods just to kind of give some character. I mean, the fix on this property for years was plywood and a coat of paint. And for me, as an interior designer, it's a little stretch for me to just slap a piece of plywood to be happy with that so I'm trying to take it to another level as much as possible within reason.

Mr. Horcajo: Excuse me, if you mind going back one slide?

Ms. Holmes: Yes. Okay, that's existing. And then now you can go one more Trisha. Now this one will be for my store. Go ahead one – okay, that's existing as it is now. We've done the test colors on the corner of the building to get an idea of how it will look in a larger than just a small swatch. And that would be the proposed as how it will look when the building is repainted, as well as the buildings behind it. I think that's it. You can go one more, but I think that's it. Thank you.

Ms. Betts Basinger: Thank you. Erin?

Ms. Wade: Actually Kristen brings up – since she has shown the slides, I think it's important for the MRA to understand that they have already been through the design review process which is administrative if they're consistent with the design guidelines. They submitted their application in March and that then lead to the structure and design committee at Wailuku Main Street Association, and they spent quite a bit of time with the applicant. Kristen met with the design committee at Main Street, along with her architect twice, and has come back to us since with a consensus design that I think everybody is very happy with.

Ms. Betts Basinger: Which, members, includes the color.

Ms. Wade: Correct.

Ms. Betts Basinger: Okay members, questions of the applicant or staff?

Mr. Raymond Phillips: Okay.

Ms. Betts Basinger: Ray?

Mr. Phillips: On intended use of the building – and this is just in reference to the amount of off-street loading spaces – I understood you to say that it's going to be approximately half commercial use?

Ms. Holmes: No 50% of the property is covered in building, but the commercial usage is almost extensive. We have one residential unit on this property. Otherwise it's all

commercial.

Mr. Phillips: Okay. And you could go over again, for my benefit, why one loading space.

Ms. Holmes: Why one loading space? Well we've got Saeng Thai's and we've got my furniture store. Saeng gets deliveries there every now and then. I don't really know the frequency, but the trucks that come into Saeng's are larger that are going to sit in any normal loading space. And the drivers, I've noticed, they don't look for loading space. They pull in the middle of the parking lot, unload, and they're gone. In my case as it relates to a furniture delivery, I'm going to have a small container or flat bed that will come in and off load maybe once a month, and then that will be gone. That's never going to sit in the loading space. And when it's time for me to load a case going out of the warehouse into the back of a truck, I can pull that right up to the warehouse door, and we still won't really use the loading spot because it's not close to the door. It's nearby, but you'll pull up closer to your shortest path.

Mr. Phillips: Thank you.

Ms. Betts Basinger: Erin?

Ms. Wade: Just to clarify staff's recommendation on the loading space. Loading is dictated by 30.13.080 in your code. There are four different categories for calculating loading, the amount of loading. The two uses that they have on the site are one, which requires one space per 2,000 to 10,000 square feet. And then the other use they have is general office, which is the MAPA offices. That only requires one space per 20,000 to 50,000 square feet. So they have a mixture of uses. And the calculation that they had done would have been as if they only had the general merchandise restaurant. But given that they have the mix of uses, one of which requires far less loading requirements, and the fact that a significant portion of Saeng Thai's is actually courtyard space which is not used for seating, or kitchen, or employees, is just – it would be yard space if it wasn't enclosed within a building wall, so we didn't feel that it was fair to calculate that into the required loading area. Okay.

Mr. Horcajo: I've got a question.

Ms. Betts Basinger: Bob go ahead.

Mr. Horcajo: Yeah, thank you. My questions are more to Erin, but I did want to acknowledge that your comment that all of your employees use your parking on-site which I think is great.

Ms. Holmes: Good.

Mr. Horcajo: I thank you very much.

Ms. Holmes: And I would just add to that that within Saeng's there are five adults that live and work there, and only two of them have cars. The rest of them walk, so I think that's great. I'm totally happy. A couple of them don't even have cars.

Mr. Horcajo: Good for you. I had called Erin this morning because I was confused a little bit about the numbers being used first to calculate the loading zone requirements and then the parking requirements because on one hand they're using 11,000 and then the other hand it's 5,217. And she had a good explanation, so I wanted for Erin to explain what she told me so that for future reference we have a better idea as to how it got from 11,000 on the total leaseable area to 5,217 towards calculating parking requirements.

Ms. Wade: Thanks Bob. It was a good question. 30.13.020 regulates off-street parking where there is a whole separate calculation category for loading spaces. In the parking calculation, the kitchen of restaurants are not included in the tallying of the total parking allotment. The number of employees that work there is the number of parking spaces allocated for a restaurant or commercial kitchen. So actually the seating area only is what it is for the restaurant and then the total number of employees. So the kitchen and food preparation spaces are subtracted out of the total square footage when identifying your square footage for parking allocation.

Mr. Horcajo: And then you took out that patio area out too.

Ms. Wade: And also the courtyard was also taken out.

Mr. Horcajo: So I thought that would be nice for us to know. My second question to Erin this morning was I guess what's to stop us – well – I mean if there's a loading zone, a public loading zone, that's within a certain area from any project, what's to stop – I mean, why isn't that a development cannot use that as a potential use for their parking of loading zone requirements? For example, we just had the Market Street – the improvements down there is what three sections of loading zone. You know, if I wanted to develop my project, isn't that the reason that was there – is for existing properties and for them to use as loading zones also. Basically what she told me was really that's not in the code, but maybe that's something that we should consider at a future meeting to give us some latitude if we so choose to be able to, or administratively, to look at existing loading zones right next door, right off the street, to be used in this requirement. So just a comment.

Ms. Betts Basinger: On upping the usage at some future time, will we be looking down at the parking requirements?

Ms. Wade: Yes. Essentially what triggered this . . . (inaudible) . . . what triggered their

need to come in the first place because all of the uses were grand-fathered for parking, and they wouldn't have to come in at all except that building at the front which would be used as a furniture store is now being intensified from storage to furniture. If it were to change at a later date then to a restaurant which is a higher requirement, they would need to come back.

Ms. Betts Basinger: Thank you. Any other questions, members, of the applicant or Erin?

Ms. Popenuk: So just to clarify, this waiver is for – it would be granted for like the current configuration that they propose.

Ms. Wade: And it's kind of up to you because this actually is not a variance. This is very unique to the MRA to be able to have the ability to grant a parking abatement. You can condition it. Generally you don't condition a variance, but you could condition a parking abatement. If you wanted to condition it through this particular use, as a furniture store, you could do that. If you want to condition it to general merchandise, you can do that. Or if you wanted to just cross out parking abatement with no concerns for what the use would be, you can do that too, so that is up to the body.

Ms. Popenuk: I also wanted to ask if the potential of a parking agreement with the neighboring property. What bearings does that have on what we decide today? As that hasn't actually taken place and may not take place, or may take place.

Ms. Wade: Right. For (inaudible) that did have some bearing on the assessment of whether or not an abatement should be granted because they are actively seeking alternative parking, and that there is an application in for the Cain and Herren property at present. It has not been approved at this time, but there is an application, so that process is moving forward. Given that we ultimately will be working on the cash in lieu ordinance and anticipate people paying in, if they're in lieu of getting an abatement, will much more likely to request a cash in lieu. The abatement was recommended by staff given that their potential to fulfill their need for parking on their own is very good, and it is three spaces – a total of three spaces. And if you tie it to this existing use, the likely hood is then that, you know, as time goes on and the use changes or increases, and then we have a cash in lieu ordinance, you'll have the opportunities to then ask for cash in lieu instead. But at this point, we felt like the joint use potential is very good and then it would ultimately fulfill the need for parking and it allows the property to move forward in the interim and have some use and add some vitality to that corner.

Ms. Betts Basinger: Warren?

Mr. Suzuki: Chair, I've got a couple of questions for Corporation Counsel. And the first question is just a follow up to the comment you made Erin is that I'm not suggesting that

we do this, but is it possible to condition the abatement with the proviso that once we have in place a cash in lieu policy that that kind of assessment can be made for the number of stalls that are abated?

Ms. Betts Basinger: James, that was for you.

Mr. James Giroux: I'll defer to your small town – no, I'm just kidding.

Mr. Suzuki: I guess out of curiosity.

Mr. Giroux: Yeah, your guys power is so unique that I think if you were to go down there and make that kind of condition I don't think anybody would stop you. Definitely not Corporation Counsel.

Mr. Suzuki: And this question concerns the number of ADA compliance stalls, and I guess my question for Corporation Counsel is that my concern is that I'm wary of any situations where you have individuals out there that come to different properties and check to make sure that what you're providing is exactly what the ADA compliance laws require. I mean, even to the extent of measuring the toilet seat height, measuring the place of the toilet paper and all that. My concern is that are we potentially putting ourselves at risk legally if we reduce the number ADA compliant stalls from two to one?

Mr. Giroux: Erin, did you look into that as far as –? Yeah, we might be dealing with Federal standards also, so that's a good question because I don't think we're – with all the powers that you do have, I don't know if you're exempted from Federal standards, so that is a good question.

Ms. Wade: Perhaps, do you know Kristen if the three parking space abatement is provided, would you then be able to provide two ADA spaces on site or not?

Ms. Holmes: What is it, five feet next to the space you have to have?

Ms. Wade: Uh-huh.

Ms. Holmes: So that's 10 feet. Then we would lose one more. To gain one more ADA, we would lose one more of our existing spaces, so we would only have respectively 17 spaces.

Ms. Wade: Even with the compact parking?

Ms. Holmes: Yes. And the other thing too is as you're discussing this, I'm thinking about the grade and I couldn't – it would be harder to put them in the lower parking lot because there's a bit of a curve. The sidewalks in our property transition heights about 10 different

times, so there's only a few places where I can even put them where the grade is flat enough.

Ms. Betts Basinger: Warren?

Mr. Suzuki: I guess, we need to go back to the basic question as far as the ADA stall. You know, can we legally adjust it from two to one?

Ms. Wade: The advisement that I got by the author and the intent was that required parking refers to the total required after the 30% reduction. And I do not know if it has been researched if that can still apply even with the Federal standards, so it does raise a really good point. It is advertised, obviously, in your agenda to grant that variance, and you know, we made the interpretation that staff said it wasn't a requirement. You can make – you can grant the variance still even if we determine it's unnecessary. However, I don't know what legal standing it has, so we might need to look into that.

Mr. Horcajo: So Chair, so do we know if there is actually Federal standards similar to the what the County standards are relatively to x-amount of ADA stalls, you know, per square foot? I can't imagine there's a national standards.

Ms. Betts Basinger: Yes.

Mr. Suzuki: There are.

Mr. Horcajo: There are?

Ms. Betts Basinger: Yes.

Mr. Horcajo: And we don't know what that is.

Ms. Betts Basinger: Yeah, and I don't think the MRA area is exempted from Federal standards, but we could – correct me if I'm wrong Counsel – we could add a caveat to that that states we approve it as long as it still remains compliant with Federal ADA regulations.

Mr. Suzuki: That's not a concern.

Ms. Betts Basinger: Okay.

Ms. Wade: Very good.

Mr. Phillips: Chair?

Ms. Betts Basinger: Yes?

Mr. Phillips: In prior situations where we've been involved in developing a property, we usually rely upon the architect to help us assist us in this matter. Has the architect done any investigation into this at all? Whether this would be acceptable or not?

Ms. Holmes: Are you referring to –

Mr. Phillips: The architect that works on your property.

Ms. Holmes: Yes, he was.

Mr. Phillips: And he didn't seem to feel there was – did he have an opinion on it?

Ms. Holmes: I'm not sure I understand what your question is. Opinion on?

Mr. Phillips: Yeah, whether – you know, if we reduced it from two to one, it would be acceptable within Federal standards?

Ms. Holmes: I don't think we addressed that. We were just trying to figure out what we could get in the parking lot with what our maximum number of compacts, what we're faced with the loading. It's one thing to sit in a room and say we need x-number of spaces. When you look at our parking lot, it becomes another thing of where can get that one to fit, which ones have to be compact because of the overall position of the building. It's so tight.

Mr. Phillips: I've been to the restaurant. I know.

Ms. Holmes: Yes, and the other thing too I was thinking with regard to the ADA, it may be more feasible at the point in time when we work with David on his property that a second space could be added at that time. Or maybe at that time, two of ours could become ADA because we're gaining a little more on the other side. So we could address that down the road when we have more to work with.

Ms. Betts Basinger: Warren?

Mr. Suzuki: I guess being that I'm the one that raised the issue, I guess my concern primarily is that we, as the agency, if we were to grant the exemption where you now only provide one ADA compliance stall as compared to two that might be required by Code, are we putting ourselves at risk? I'd love to be able to work with you and come up with something reasonable, but at the same time I wouldn't feel comfortable for the MRA to assume the legal liability. And primarily because I've heard many horror stories about people out there checking to confirm whether or not the facilities are ADA compliant, and

then filing a suit against the property owner and their people. You know, when I worked at Maui Land and Pine, we were subject to that. So in some way I'm a little gun shy so that's something that, I think, needs to be confirmed to make sure that yourself and the County and the MRA is not being legally compromised in any way. That's the only reason why I raise that issue.

Ms. Betts Basinger: Thank you members for this first round of question of the applicant. I'd like to now open this up for public testimony. Anyone –

Ms. Popenuk: Can I make a comment please?

Ms. Betts Basinger: Hold on one second. Last comment on this round. We'll have more time to comment.

Ms. Popenuk: Sorry, I just wanted confirmation. How many handicap stalls are you required to have?

Ms. Holmes: Two.

Ms. Popenuk: Two.

Ms. Holmes: Two.

Ms. Popenuk: Okay.

Ms. Holmes: And now we have zero. So we're going up from zero to one.

Ms. Popenuk: And your architect informed you that you're required to have two?

Ms. Holmes: No, it's based on the calculations. I actually did the parking analysis myself, and I went through and worked with the Code very closely. And based on the square footages and working with the architect, we both came up with that we were probably required to have two.

Ms. Betts Basinger: We'll have more time for discussion after.

Ms. Popenuk: Okay.

Ms. Betts Basinger: Thank you.

Ms. Popenuk: Sure.

Ms. Betts Basinger: So now we'll take public testimony. Again, you'll be limited to three minutes, up to four to finish. So anyone wanting to step forward? Please introduce – I recognized the gentleman in the back. Sorry.

Ms. Perreira: I didn't hear you mention a name.

Ms. Betts Basinger: I don't know his name until he says it. So I did recognize the gentleman in the back. Thank you. And please give us your name for the record.

Mr. David Cain: Hi. Thank you committee. My name is David Cain. C, A, I, N. And I'm actually the adjacent property owner to the Holmes property. If you look at Saeng Thai, I'm on the right hand property. I'm here to support the Holmes property fully and to verify some of what Ms. Holmes said today that we do have hopefully ongoing plans for additional parking. And actually both properties benefit from this in that obviously I don't need to tell the committee that parking is a major issue in this town as we all know. But my property, as you face my property, my entire building essentially takes both property line both sides, and I have quite a bit of property behind where the street frontage is. In fact, I go all the way back to the church. My architect tells us we can set – and he said up to 20 I believe – right? No.

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

Mr. Cain: 14. She knows better than I do. 14 additional parking spaces at which I don't know if I'm even required to provide additional parking for mine, but it would increase it to another 14, so it's really a good thing. And I wanted to fully support that and would ask the committee to look at that. And you know, I did want to – I've read the Redevelopment Plan – I know I'm on a time limit here – but I wanted to say, I really appreciate what the committee's purpose is to the County. I think this is crucially important because in my opinion what I would love to see is Wailuku being just a nice village of properties, mixed-used, people coming into Wailuku to shop, to do things. We need this kind of development.

And very quickly, I just wanted to be a little political here which I probably shouldn't, but as a property owner, as you walk down Vineyard Street, unfortunately you see abandon buildings, buildings with wood across it and blue –. You know, I think we're essentially the kind of the only property owners out there that are really trying to get some work done to –. You know, even paint or something that's going to make a building really look nice is very important. Unfortunately – and here's the political part – redevelopment authority, zoning, planning – well you guys have been great. I can't say that about the other departments. I'm sorry.

Ms. Betts Basinger: Thank you very much.

Mr. Cain: Okay. And I'm very serious about that. Some departments seem to work with the property owner. Some departments seem to work against the property owner. And those departments, it's really been – had I known navigating through the process, I would have never done it, as a property owner. But for the redevelopment authority being out there is kind of a saving grace.

Ms. Betts Basinger: Thank you.

Mr. Cain: Okay.

Ms. Betts Basinger: I did have one question. Do you and your neighbor in your collaboration for parking have a, you know, time line via some sense of –?

Mr. Cain: The issue that I have right now is my application is before building permits. In fact, I had to file an after-the-fact application unfortunately because I didn't realize that what I was doing needed even to have an application, but that was my fault. I can't move forward according to my architect until that – those issues are resolved which we are actively trying to resolve. So my permit is in – or my application is in place which actually was granted by you that I didn't that I needed another permit from building. Go figure.

Ms. Betts Basinger: So you've started the process?

Mr. Cain: Yes.

Ms. Betts Basinger: Or collaboration or for your project? Members, any questions of the testifier?

Mr. Horcajo: I do have a couple of questions.

Ms. Betts Basinger: Bob?

Mr. Horcajo: I've got two questions. One, am I to assume that based on what you had plans for your existing building and any future additions, that you would meet your parking requirements onsite plus be able to add, to lease, parking stalls to the Holmes family?

Mr. Cain: That's a good question. I think if I were to expand, I would have additional parking requirements as well. My issue though is, I mean, we just need parking. That's plain and simple. I mean, the only – I have on-street parking that's available to my clients. I'm a lawyer. I run a law firm, and we have, you know, a number of clients that are coming in on a regular basis. Absolutely, I mean, I need parking too. My problem was I couldn't get kind what my property configuration parking lot in unless I would go from the back. The townhouse – if everybody know where McDonald's and then the townhouse is, I've got a

back access to my property from that point which I've been talking to Mr. Tadeshi and those people about that, but it doesn't seem to be working too well. They want too much money. But with the alternate plan which we actually have a written agreement that we are going to be moving forward on, it would provide basically, you know, in a nut shell, if people had walked through my property, I mean, it's just a yard now. I mean, something should be done with it. The best thing, I think in everybody's opinion, including the architect, is parking. And I think we can get a lot of spaces in there including handicap spaces – whoever said handicap – handicap spaces and everything that's required by the ADA. Does that answer the question? I'm a lawyer, I can just go on and on and on.

Mr. Horcajo: Yes, yes, yes. But you know what, my second question, actually I think I'm going to address to Erin here. Now, one of the opinions to deal with parking abatement is to go lease some off-street parking some place else.

Ms. Wade: Right.

Mr. Horcajo: Now what is the minimum term necessary for that to happen to actually meet the code? Five years? Ten years? One year?

Ms. Betts Basinger: You may want to remain.

Ms. Wade: Joint use parking requirements are in 30.13.040. The location has to be with 400 feet of the use. That there's a – let's see joint use parking shall not be an optional method of providing required stalls for structures constructed or expanded after the effective add of these rules. A period indicated shall be drawn and submitted to the Planning Director and Corporation Counsel for review and approval. No time line is specified.

Mr. Horcajo: So my question to you Mr. Cain then is –

Mr. Cain: Is this going to be hard one?

Mr. Horcajo: No, no, it's not hard. I mean, maybe not a question. I mean, it's not like it's possible that you could have an arrangement now with the Holmes family to use some of your space for parking for their parking requirements?

Mr. Cain: Yes, absolutely, but the problem that I'm facing is not from you guys. It's from the Planning Department. Sorry, but it is. They won't let me do anything.

Ms. Betts Basinger: Did you mean unimproved?

Mr. Horcajo: Well, I didn't get that far yet.

Ms. Betts Basinger: As is?

Mr. Horcajo: Right. I mean, that chapter does not say how long the lease has to be or unimproved or –

Ms. Betts Basinger: And it doesn't say improved or unimproved.

Mr. Horcajo: You know.

Ms. Betts Basinger: It has to?

Mr. Horcajo: Yeah.

Mr. Cain: Yeah, and I would think that as well.

Mr. Horcajo: Right.

Mr. Cain: But with all due respect to this committee which I've already told you what my opinion is on this committee, the County – I'm a bother head – believe it or not guess what I'm fighting now? Water. Water from the fire hydrant and I have no idea why they won't approve my permit because of the placing of the new fire hydrant. But they won't, so there we go.

Ms. Betts Basinger: Thank you very much. Any other questions members? Thank you. The next testifier who signed up, Jocelyn Perreira, followed by Jonathan Starr. And if anyone else would like to testify, there's a sign up sheet.

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

Ms. Betts Basinger: That's correct. It's on this item.

Ms. Perreira: Jocelyn Perreira. Wailuku Main Street Association/Tri-Isle Main Street Resource Center. We'd like to let you folks know that it was a great pleasure of our structure and design committee to work with such a renowned and capable woman to take a design and get something even better. We met twice. She was so wonderful by accepting constructive comments that would make a good project a lot better and that included everything from colors, to signs, to awnings, to what have you, so the results is we strongly, strongly support this particular project. We do, however, as our organization has a standard policy rather relative to ADA compliance is that we do not believe that anyone can really ignore and not be in compliance with the Federal law for ADA compliance. And so perhaps this requires our recommendation for a creative idea for achieving your ADA compliance. In this particular circumstance, you might be able to grant

something that has a time frame for instance, a time period, for having the project. The property owner, for instance, that's willing to partner with them and see what their compliance issues for ADA compliance as well, and if you can somehow creatively work through that. But that would be our recommendation relative to this and we are, as we stated before very, very happy about the improvements in this particular area which has been worked on long and hard and we thank them for being so conscientious and being so cooperative. Mahalo.

Ms. Betts Basinger: Thank you Jocelyn. Members, any questions of that testifier? Seeing none, Jonathan Starr.

Mr. Jonathan Starr: I'll be testifying on item H, Madame Chair.

Ms. Betts Basinger: Thank you. Any other testimony on this? Step forward.

Ms. Mary Font: Good morning. Sorry, good afternoon. My name is Mary Font. I'm an interior architectural designer, an artist, and I moved to Maui in the early 90s. I have watched the aesthetics, environmental and cultural changes especially over this past decade diminish the special nature of this island for myself and for the tourists who come to visit. At the present rate, we are fast approaching a Hollywood version of what it is or was to be a Hawaiian. Wailuku town is one of the last communing area outside of Hana where you can go to see what the early plantation mission areas were somewhat like. I applaud the development of the historical district concept to try and save some of our precious history. However, in order for this district to survive economically, there has to be the means to reuse the existing structures in ways that allow the people of today to create contemporary businesses that will thrive. This will, a necessity, means that allowances such as variances or abatements may need to be accepted along the way as few cars and no building codes existed when this area was originally constructed. The traffic flow and parking of cars has and will continue to be an issue as long as we, the people, chose to allow and use cars as our first means of transportation. However, the business proposed by Ms. Holmes and her family, as a local woman and an interior designer on her family land, is not a high traffic business use. An interior designer and furniture store by nature are not drop ins or heavily traffic businesses. It is a specific destination for fulfilling a specific purpose.

I have know Ms. Holmes and collaborated with her on many projects. As an interior designer in both the Bay Area and here, I can definitely support the need of our island for a quality furniture store. The ability to actually find aesthetic, sustainable and quality constructed pieces of furniture locally will be of great value not only to our local market, but also to our condo and second home visitors who are use to accessing this type of product. I know that I personally would rather direct my business to a local outlet rather than send it to the mainland which I have to do at this time. This economically will bring monies to our

islands and hopefully keep the monies here rather than sending it back across the pond. Also, the ability to reuse an existing structure which is sustainable and green by its very nature will help to maintain the character in Wailuku town. While floor space is required to display a product, traffic is minimal. The need for additional parking is simply not an issue for this type of usage. We, as a County, need to begin not only to think, but to act in a green and more sustainable way if we are to save for ourselves and our children what is fast disappearing from this magnificent island. I urge you to grant the parking variance, which is really an abatement, sorry, for this particular venture to support our island's economic growth and its sustainability. And I thank you for your time.

Ms. Betts Basinger: Thank you very much. Members, questions to the testifier? Thank you very much. Anyone else wishing to testify? Thank you, and please state your name.

Ms. Angela Sears: Good afternoon. My name is Angela Sears. I will be the store manager for this one interior furniture store. And I have been working with Kristen for about six months now just trying to make this furniture store a reality and all the work that goes into that. I'm very thankful for this opportunity in this, you know, very poor job market. It's a rare opportunity for me where otherwise, you know, unemployment is high, so that's something I think you should consider. With so many small businesses going out of business at this time, I think it's important to support our new small businesses so we can create new jobs, and growth, and help the economy turn around. I think it has the potential to be a thriving business and a positive impact in our community, and be a help to contribute to the revitalization of Wailuku. Thank you.

Ms. Betts Basinger: Thank you. Members, questions? Thank you very much.

Ms. Sears: Thank you.

Ms. Betts Basinger: Anyone else? Step forward. Thank you.

Mr. Anthony Levoy: I'm Anthony Levoy. I'm the President of Peake and Levoy Commercial Real Estate Services. My firm manages well over 800,000 square feet of mostly class A office space and shopping centers throughout Maui, and several on the Big Island. When I was first approached by Kristen, it was a bit of an unusual property that we wouldn't even consider taking it on. But after spending some time with her, seeing the time, the effort, and expertise that has gone into this project, we found it to be one of the most intriguing projects that we are managing right now. Though very small compared to some of our massive shopping centers, we have determined that this is going to be one the keystones to Wailuku. Basically, I'm also the board president for Maui On Stage, and the Executive Director is here today, as well as me. But as you know, we have been making quite a bit of improvements there also, and we would really, really encourage you to grant the variance to the Holmes family property. It would just a blessing to have a neighbor, though

separated by a large parking lot, directly across from us. Thank you.

Ms. Betts Basinger: Thank you. Members, question? Any other testifiers on this issue – on this item? Seeing none, members, we're back to discussion. Any questions?

Mr. Horcajo: I have one, but –

Ms. Betts Basinger: Go ahead Katharine.

Ms. Popenuk: I just wanted to make a comment on one of the testifier's remark. That the fact that Wailuku town was originally put together in a time and a place where codes weren't prevalent and there weren't very many cars, and it is our effort to try to make or preserve this community in its unique mix. And as such, I think, that we need to be flexible about what we are requiring of businesses and owners in the community. And for that reason, it is my opinion that I would want to support this request. But I do think Warren has a very, very critical point which is I don't see it is our kuleana to absolve them from complying with ADA or ANSI requirements. As I'm reading your calculation, I'm seeing the square footage tells us how many parking spaces are required, and then a certain – 25% of those can be compact stalls. But it's my understanding that requirements for the number handicap stalls is based on the total number of parking spaces that are required. And I believe it's one van accessible parking spaces per 25 parking stalls that would be required. So I think – you know, I can't say that this is the truth, but I do believe that maybe you only need one handicap parking stall. And Warren is correct that people do come around and when they find that there is not a handicap parking stall, it does become a problem. And I don't think MRA should also become part of that problem, so I think we need to insist that they would not be absolved from meeting that requirement.

Ms. Betts Basinger: Thank you Katharine.

Mr. Horcajo: Chair, I've got a question, I guess, for Corporation Counsel. What latitude do we have which I think we have some to adjust their proposal and what I'm speaking of, I mean, I'm in support of getting this project moving ahead, but you're asking for a parking abatement of three parking spaces. If we chose to take the position that if we give them four, they would undoubtedly be able to potentially – as what you just said earlier – be able to gain another ADA stall, so they would have 17 stalls instead of 18. So do we have that latitude to make that kind of motion given what's posted?

Mr. Giroux: Yeah. I just discussed with the planner and my position was that if you went lower, you know, if you went two, it would be fine. But if you went higher, then we would probably have some posting issue.

Mr. Horcajo: Okay.

Ms. Betts Basinger: Any other questions members? I do have a question Kristen. We weren't lucky enough to see a floor plan, an interior floor plan or space plan. Your warehouse is going to be onsite as well?

Ms. Holmes: Yes. It's one of the buildings at the back end of the lower parking lot that's between Saeng's and the corner building.

Ms. Betts Basinger: Okay.

Ms. Holmes: It's kind of tucked in the back. It was Bernard's old food storage building.

Ms. Betts Basinger: And the access is through the parking lot.

Ms. Holmes: Through the parking lot.

Ms. Betts Basinger: And the other question, and you can chose not to answer this. You mentioned in your earlier testimony that you just took management January 1st.

Ms. Holmes: Yes.

Ms. Betts Basinger: And –

Ms. Holmes: I can give you the background on that if you'd like.

Ms. Betts Basinger: Thank you.

Ms. Holmes: We inherited the property after our mother passed away in 2001, and there was an existing master lease in place, and that had expired December 31, 2008. So January 1st was when we got everything.

Ms. Betts Basinger: Thank you. I too – thank you – I too think that this project is it. This is revitalization. It's bringing in new business, and employment. It's reusing an existing building and beautifying it. And I think that it is something we should just hug and kiss. But also I do have concerns and I would propose a condition of approval on the ADA at this point so some more, some further study may be taken in Katharine's calculations/suggestions and others might need to be made. So any other comments by any other members before we go to vote?

Mr. Phillips: I think it's a good idea Chair. Thank you. And I believe if we put it back on to the applicant her duties to go back to the architect and as many authorities that she can find to give her some thoughts. And if she was to come back and make a suggestion that we drop down to four required space would be dropped. It's something that, you know, she

can bring back. But it's really her responsibility. We should absolve ourselves from it.

Ms. Betts Basinger: Comments members?

Ms. Popenuk: I would agree.

Ms. Holmes: May I ask a question?

Ms. Betts Basinger: Go ahead.

Ms. Holmes: I was just wondering –

Ms. Betts Basinger: Yeah, please come to the mic. Thanks.

Ms. Holmes: The interpretation, I think that's what we were having trouble with because I think when Erin and I spoke, it took us a few rounds to try to figure out what the code was actually saying. So I don't have a problem going back, but my architect and my interpretation and Erin's and somebody else's, Katharine's – there can be four different interpretations, and I'm a little bit concerned as to how I can get a clear and accurate interpretation of that code.

Mr. Phillips: Well we take ourselves out of this.

Ms. Betts Basinger: I think we'll let Corporation Counsel guide the applicant.

Mr. Phillips: Okay. Thank you.

Mr. Giroux: Yeah, my suggestion so that this board could exercise their authority is that if you come back with the Federal Code and that tells us, you know, what is required. I mean, because whether we give you an abatement or not, the Feds will come in and say, well, no, this is what you need. So if you can get that – because we probably have County Code that requires more ADA than the Feds do. And if that's the case, then we can abate you from the County Code as far as the Federal Code allows. And that's what we could do for you.

Ms. Holmes: But which one do I have to meet? Do I meet County or Federal?

Mr. Giroux: Well, what we're telling you is that if you get the Federal standards, we can abate you down to what the Federal standard is.

Ms. Holmes: Okay.

Mr. Giroux: But we can't just give you a clear abatement and not know what the Federal standard is.

Ms. Holmes: Okay.

Ms. Betts Basinger: Warren?

Mr. Suzuki: Thank you Chair. You know, based upon what the Corporation Counsel James just said, I still have concerns because if the County Code requires a certain number of ADA stalls, and we as the MRA abated down to less than what the County Code provides for, I'm willing to do it with the understanding that the MRA is not going to be putting ourselves, or compromising our legal position when we do that. So it's not just the Federal requirements as far as the ADA, but also whether or not we can legally abate the number of stalls the County Code requires. The bottom line is I don't want put ourselves in a position where we're putting ourselves at legal risk by whatever decision we make relative to the ADA compliance stall.

Ms. Betts Basinger: I understand. And it's my understanding that you are seeking an interpretation by this body, and we really can't do any interpreting till we see all the Codes that are involved.

Mr. Suzuki: I've a quick question for the applicant to. I've got a quick question.

Ms. Holmes: Sure.

Mr. Suzuki: Who do you see as being your primary customers for your furniture store?

Ms. Holmes: A lot of part-time Maui residents, and hopefully local residents as well. I think Wailuku is growing as a residential community, and when we look at Maui Lani and the potential future growth of that area. I think one of things that I'm trying to do is to establish a store that offers something that is hard to find on this island – in that there's a few high end stores and there's a few that have very predicable furnishing and I'm trying to something a little bit more boutique in between. And I recognize that with the change in the economy I think that clients maybe a little more hesitant to hire an interior designer, but they're ready to walk-in and buy furniture if they see something that they like. So I'm trying to do this as a means of addressing the changing economy and be proactive in a business I've had for 25 years that's been 100% referral based. And I feel like if the economy is changing I don't want to get caught short. I'm trying to be progressive and plan with a different approach to address that market.

Ms. Betts Basinger: Thanks for that answer, and personally, I think it fits into the ideal that revitalization in Wailuku has – and that it broadens the retail mix, and I'm thrilled to see an

entrepreneur willing to bring that type of a business into Wailuku. It's exciting.

Ms. Holmes: Thank you. I feel as it's a very serious risk in this economy and having to try to stay the course with that and not have people go, are you nuts? Are you really thinking about doing this? And it's like, no, I know that this is going to be the right path and to see it through. So to me, it's a huge fixture in many ways. And I just have one other question I wanted to ask with regards to the ADA thought. Would it be feasible or possible to grant the request with the one and then put the second space in as a requirement of the joint parking arrangement with David Cain? No.

Ms. Betts Basinger: I doubt that this body would vote at this time to do that.

Ms. Holmes: Okay. Okay. Okay. Alright. Thank you. I appreciate it.

Ms. Betts Basinger: But thanks for the suggestion.

Ms. Holmes: Okay. Thank you.

Ms. Betts Basinger: Members, any other discussions? Does anyone want to make a motion? Erin, do you want to –? Do you have any comments?

Ms. Wade: I would recommend that we take each variance request one at a time, and the only other comment that I have about request (d) is that it's actually – because we require of them 18 parking spaces, just as Katharine said, they would only be required one space. So that is how the interpretation was reached. Once the parking lot is fully completed, hopefully the Feds can go out there and count the parking stalls and say, okay, you have your 18 stalls and you're required one ADA stall and you have that. That's the anticipation of the Department.

Ms. Popenuk: So is item (d), is that moot then?

Ms. Wade: So in my staff report, that was the suggestion is I don't think that it's – it's not actually an abatement. We don't think that it's even a question. We think they only need the one. The question is will – does the Federal government care that our district provides a 30% parking reduction for general retail? I think the answer to that is no. I think that whatever the County's requirements, total number requirements, are for the district, is required. And then the ADA compliance is based on that total requirement, not on whether or not they're the addition or reduction of spaces per a different district. So I think based on the fact analysis that (d) does not even – the board doesn't even need to make a decision at this point on item (d).

Mr. Suzuki: That's good.

Mr. Horcajo: Erin, I'm sorry. So what Katharine was saying and what you confirmed according to what you read, it's one handicap stall per how many stalls?

Ms. Wade: Per 11 to 25 stalls.

Mr. Horcajo: 11 to 25.

Ms. Betts Basinger: That's County Code.

Ms. Popenuk: Is it 11 to 25 required, or 11 to 25 provided?

Ms. Wade: The parking for the physically disabled, and this 30.13.07(c), for all non dwelling uses, the parking for the physically disabled shall be provided as follow: total required parking spaces, 11 to 25; spaces allocated for physically disabled, one.

Mr. Suzuki: Required.

Ms. Wade: So that's how it reads.

Ms. Popenuk: But we're afraid of running into trouble with the Federal, with the ANSI regulations.

Ms. Wade: We can work that out.

Ms. Popenuk: We can not speak to the ANSI. I actually don't – I'm not really sure what the requirements according to ANSI, so that's where you and we could get into trouble.

Ms. Wade: So staff is saying we don't think that they need an abatement or variance from our requirements. If they end up needing something from the Feds, this isn't the board to address that.

Mr. Phillips: Then why are noting this?

Ms. Wade: The applicant, whatever they make in their initial application is what we post and we have to address it as part of our review. But, you know, staff went through it and we announced that we don't think they need it.

Ms. Betts Basinger: Thanks Erin. Members, are we in agreement to follow Erin's suggestion and take each item one at a time for vote? Okay, then I'll look to the body for a motion.

Mr. Horcajo: Chair, I'll make a motion that for item (a), per WRAZ&D 30.13.060 that we

approve a parking abatement of three parking spaces for this project.

Ms. Popenuk: Second.

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

Agency Members: "Aye."

Ms. Betts Basinger: Aye. Any opposed?

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

VOTED: per WRAZ&D 30.13.060, to approve a parking abatement of three parking spaces.

Ms. Betts Basinger: Chair waits for a second motion.

Ms. Popenuk: Okay, I move that a reduction of required off-street loading spaces from two to one loading zone, per WRAZ&D 30.13.080, be allowed.

Mr. Horcajo: Second.

Ms. Betts Basinger: Moved and seconded. All in favor, aye?

Agency Members: "Aye."

Ms. Betts Basinger: Opposed? Passed unanimously.

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

VOTED: per WRAZ&D 30.13.080, to approve the reduction of required off-street loading zone spaces from two to one.

Mr. Horcajo: I make the motion that the reduction of the required dimensions of the off-street loading per WRAZ&D 30.13.090 – is that an abatement or – well, be approved. I'm sorry.

Ms. Popenuk: Second.

Mr. Suzuki: Discussion.

Ms. Betts Basinger: Discussion?

Mr. Suzuki: What are the mentioned changes that are being proposed? Just for the record.

Ms. Wade: Thank you for the question. The dimensions required are 19-feet by 8.5-feet. The applicant is able to provide a space of 8.25 by 22 feet. So the minimum width of 8.5-feet, you would be reducing to 8.25-feet. However, the space will be longer. It will be 22-feet instead of the required 19.

Ms. Betts Basinger: Further discussion members? All in favor?

Agency Members: "Aye."

Ms. Betts Basinger: Opposed? Thank you.

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

VOTED: to approve the reduction of the required dimensions of the off-street loading, per WRAZ&D 30.13.090, to the dimensions as noted.

Ms. Betts Basinger: And item (d), someone?

Mr. Suzuki: No action.

Ms. Wade: No action.

Ms. Betts Basinger: Okay, will someone move that we're – we need to make that motion.

Mr. Suzuki: Corporation Counsel?

Ms. Wade: How do you deal with an item where no action is taken?

Ms. Betts Basinger: Are we going to defer?

Mr. Giroux: No. I think you want to dispose of it. Just declare it moot. Maybe with the approval of the applicant, just have it withdrawn.

Ms. Betts Basinger: If the applicant could come to the podium, and do you so desire to withdraw item (d) from this application?

Ms. Holmes: Yes.

Ms. Betts Basinger: Thank you.

Ms. Holmes: Thank you to the committee. I really appreciate it.

Ms. Betts Basinger: Thank you. Good luck!

Ms. Holmes: And please come shopping at our store.

Ms. Betts Basinger: Okay, we're going to take a five minute break. Members, we'll be back at 2:25 p.m..

Item (d), a reduction from two to one ADA compliant parking spaces, per WRAZ&D 30.13.070.C, was withdrawn by the applicant.

(The Maui Redevelopment Agency recessed at approximately 2:20 p.m., and reconvened at approximately 2:27 p.m.)

E. DESIGN REVIEW FOR FAÇADE IMPROVEMENTS MADE TO 346 MARKET STREET, WAILUKU, HI, INCLUDING A FALSE FRONT WITH ROLL-UP SECURITY DOORS.

Ms. Betts Basinger: Members, the November 20, 2009 meeting of the Maui Redevelopment Agency has reconvened at 2:27 p.m.. I want to note that we have lost Commissioner Phillips, but everyone else is still in attendance. The next item on our agenda is item (E), design review for facade improvements made to 346 Market Street, Wailuku, Hawaii, including a false front with roll-up security doors. At this point, I'll turn it over to Erin.

Ms. Wade: Okay. In the notes that I sent you earlier this week, the staff is recommending postponement of this review. It was sent to agency for their comments. And the Main Street Association has had the opportunity to go through it with their structure and design committee. It has recommendations that they would like the chance to work with the applicant on, and the applicant has agreed. A representative is in the audience if you have questions for them. So at this time, staff is recommending postponement to December.

Ms. Betts Basinger: Members, let's take a vote on staff's recommendation. Do I hear a

motion?

Mr. Horcajo: So move.

Ms. Betts Basinger: Do I hear a second?

Ms. Popenuk: Second.

Ms. Betts Basinger: It's been moved and seconded to defer to the next meeting item (E).

Mr. Horcajo: I have a question more, not so much about the specific project but protocol, I guess.

Ms. Betts Basinger: Discussion?

Mr. Horcajo: Yeah. Also involving the last project. So if the Planning Department determines that it only needs an administrative review approval by the Director, it sounds like based on the previous project, it's still goes to the WMSA to offer comments. If that correct?

Ms. Wade: That's correct. It goes to a number of agencies actually.

Mr. Horcajo: Right.

Ms. Wade: And the Main Street Association is the one that comments primarily on design, but also SHPD if it's six years or older. And I have not received comment back yet from SHPD on this particular structure so it might be premature also.

Mr. Horcajo: Right. Okay. I meant to ask this on the last project, but did we get something in writing from WMSA – their comments on the Holmes project after their –?

Ms. Wade: Yes. We did receive comments in writing from them and that is in the file. Because it's an administrative approval for the design review that I can submit to you. But if you'd like that formally, I can send that to you also.

Mr. Horcajo: Yeah because I remember when I first started, sometimes we had it, sometimes we did not, so I thought maybe for consistency sake that we should have anything in writing whether it be from them, SHPD, just so we kind of understand the whole process.

Ms. Wade: For the administrative review?

Mr. Horcajo: Exactly.

Ms. Wade: Okay.

Ms. Betts Basinger: Thanks Erin. Any other discussion? All in favor, please say aye.

Agency Members: “Aye.”

Ms. Betts Basinger: Any opposed? It’s unanimous.

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

VOTED: to postpone the review of said project.

F. UPDATE AND DISCUSSION ON PARKING STRUCTURE PROJECT INCLUDING ISSUES RELATING TO DESIGN, SCHEDULE, CONTRACTS, PROPOSALS, PROJECT COLLABORATION AND FUNDING.

Ms. Betts Basinger: Moving along, we are now on item (F), update and discussion on parking structure project including issues relating to design, schedule, contracts, proposals, project collaboration and funding. Erin?

Ms. Wade: Morgan Gerdel is going to give us an update.

Mr. Morgan Gerdel: Good afternoon members. My name Morgan Gerdel. I’m with Nishikawa Architects. I’m helping the Planning Department with the coordination of the parking structure project. I just wanted to give you a brief update on the schedule. We’ve updated the resolution that the County Council is looking at in incorporating the comments they made when we met with them individually. And right now, I think it’s going to be put on the County Council agenda for review and approval – the resolution.

We’re also in the process of finalizing an RFP for the concept design of the structure, and it’s being reviewed by Planning. And I’ve also included a website article that could be used on the website. It’s generated interest on the project, and we could even – I had a discussion with Erin – we could have an e-mail list to keep people interested on the project updated as it moves along.

Ms. Betts Basinger: You want to blog for us?

Mr. Gerdel: I could do that. And I guess if, maybe, there’s any comments from members

if there's something they'd like to see in the RFP for the conceptual design or make it easier to understand the design, I'm open to that too.

Ms. Betts Basinger: Thank you. Members, questions? Warren?

Mr. Suzuki: I have a question with the schedule Morgan. How are we doing relative to the schedule that you provided us relative to the various tasks?

Mr. Gerdel: Well actually we're a little off schedule because I didn't anticipate the resolution. That wasn't part of our schedule when we looked at the project initially. So right now we're waiting to publish our scheme color. The resolution is completed by Council.

Mr. Suzuki: I think one of the important things that we need to be updated with, you know, whenever you come before the MRA is give us your comments relative to how we compare to the schedule and if they meet, the construction industry, you know, what are the so-called critical path items, so we know what items need to be focused on. Because my concern is that, you know, we can't just go merry along assuming everything is fine, and at some point in time, find out that we're two years behind. You know I think, we're early on, let's do it on a regular basis, see how we are relative to the schedule and if there's an update required to the schedule because of what you just mentioned, then let's go ahead and do it because I think, you know, people will always come to us and ask us if, you know, how is the schedule going, and what are you going to get done. And we can't just say, well, the current schedule right now shows it to be this, but we know already that the schedule could potentially be impacted because of things coming up that weren't anticipated when the schedule was first developed. But I think it's important, you know, as a project coordinator, project manager, . . . (inaudible) . . . to track the schedule closely and if it needs to be updated to reflect additional tasks or activities that may come online, you know, revise the schedule and pass it on to us.

Mr. Gerdel: Okay, I can update. We have the schedule on Microsoft Project, and I can update it for the next MRA meeting so we can see where we're at.

Ms. Betts Basinger: In addition, Morgan, one of the other critical time line factors is aligning with EDA's expected benchmark for this project. And I don't know how often you're coordinating with – are you coordinating directly with EDA or is it through OED's office who is doing the coordinating with the funder?

Mr. Gerdel: I've been communicating mainly with the Planning Department so far.

Ms. Wade: I can –

Ms. Betts Basinger: Okay Erin?

Ms. Wade: The Office of Economic Development does the direct relationship with the EDA. We pay Morgan, but he doesn't have to worry about where the money comes from at this point. We're responsible for charting where we are on our status and what the money gets used for. OED makes the documentation to the Feds.

Ms. Betts Basinger: Okay. I guess where I'm – you know this is another one of those situations where Departments needs to be holding hands because it's really easy to lose EDA funding if you're not . . .(inaudible) . . . they put in the grant award so what I would like to do is have Jo Ann Inamasu or whoever in OED is handling this project to please report to us at the next meeting on the status of the EDA grant for the municipal parking lot. And yes, the MRA is happy to pay you Morgan.

Mr. Gerdel: Okay. That's good to know.

Ms. Betts Basinger: Any other questions?

Mr. Horcajo: I've got a question or comment in response to what Warren just said. So I guess the plan is you're going to update the schedule sounds like.

Mr. Gerdel: Right.

Mr. Horcajo: Is that correct? But as far as any critical items, are we, when necessary is going to get a bullet point item saying hey, this is important, we need to deal with this by this deadline.

Mr. Gerdel: Right now –

Mr. Horcajo: In writing, versus verbally?

Mr. Gerdel: Right, I can show that on the schedule and I think the most critical item now is the RFP because that's the first in the sequence of getting the design done, and moving to the EA. Because usually we like to get it started as soon as possible.

Mr. Horcajo: Okay. My third comment more has to do with your parking structure keystone. Just a real minor comment. If you can identify the Maui Redevelopment Agency versus Wailuku I think that would be perfect.

Mr. Gerdel: I apologize. Sorry about that.

Mr. Horcajo: That's all. Thank you.

Ms. Betts Basinger: I don't know the answer to this. That's why I'm going to ask. And I

don't have the time line in front of me with the tasks, but are there tasks that can be running concurrent as we're waiting for an RFP to be written? I mean, often times there are overlapping tasks.

Mr. Gerdel: I think the task we're going to overlap with the designer – during the construction design, we're going to work with them to do the preliminary estimate and the preliminary project schedule. So those could run – once we have a designer selected, those can run concurrently. But I guess right now, the next step would be the RFP publication.

Mr. Joseph Alueta: If I may Madame Chair.

Ms. Betts Basinger: Okay, and so if this is the latest report, the draft RFP and that publication are scheduled to be completed by 12-22 and you're saying that's being adjusted forward?

Mr. Gerdel: Right, and I think the intent was to allow the resolution to get passed and then publish the RFP.

Ms. Betts Basinger: Okay. Joe?

Mr. Alueta: Thank you Madame Chair. I was just going to update as far – yes, he is ready to go. We could go with the RFP. However, based on our discussions, we feel it's prudent to hold off until we get the resolution passed so that we don't have any appearance that the design and everything is complete without the Council's okay I guess you could say. At least they're tasked at backing and – we feel it's a more cautious approach. Although it may take a little longer as he indicated, we did not anticipate this in the time line, but we didn't want to have the same problem that we ran into the last time. So just to go a little slower this stage. And I think there's a lot of areas along the time line that can be, as you indicated, can be run concurrently that – and so I think we will be able to make up the loss time once we schedule the RFP. And then a lot of the EA stuff can be condensed to a smaller time period.

Ms. Betts Basinger: Thanks Joe. So your eyes are open for ways to save time now that we're behind?

Mr. Alueta: Right.

Ms. Betts Basinger: Thank you. Any other comments members?

Mr. Gerdel: Thank you.

G. DISCUSSION AND VOTING ON MARKET STREET STREETScape FURNITURE, TRASH & RECYCLING RECEPTACLE AND PLANTER RELOCATION AND PURCHASING.

Ms. Betts Basinger: Thank you. Moving on now to item (G), discussion and voting on Market Street streetscape furniture, trash and recycling receptacle and planter relocation and purchasing. And at this point I want to remind members of the testimony that came earlier from Wailuku Main Street Association and Tri-Isle that they will be giving us their input by the next meeting on some of these planters and other things on the streetscape. Correct, Jocelyn?

Ms. Perreira: Well I'm hopeful that – I'm hopeful that other committees that we're relying on which some are in our organization and some are outside of the organization will all come together and we can have a coordinated to report give you.

Ms. Betts Basinger: Okay. In light of that, Erin, is there something that you'd like to report that would be – that we can discuss prior to receiving their recommendation?

Ms. Wade: Yes. You asked Joe to look into the recycling and what the provider who picks up the trash now would recommend, so I think he has a summary of that.

Mr. Alueta: Good afternoon board members. I did have a meeting as indicated with Brian. We did walk the street. A couple of things came up. We talked about several things in our Wailuku walk-about on the town and that was whether or not recycling bins would be useful. One, he's not a big supporter of recycling bins because they get stuffed with trashed, so he feels that they're not that useful. And also because of the current situation, you have a couple of people who are walking around town and pulling the trash recyclables out of the trash cans anyway. So, that's his opinion on it. If you did do them, I guess there are a couple of locations where you have more heavier use and that again is indicated at the crosswalks. He did recommend that we do add another trash can by the Bohemian Boutique – I'm sorry, by one of the crosswalks to add another trash can there that people can put trash in.

Another thing we talked about was and I talked with Erin about was having, I guess, the perception or having too much street furnitures and to try eliminate some of the clogging on the street. I think the best thing and what I thought about and talked with him was we have a lot of those older planters that no longer meet, I guess, the schemes and that one idea – I'll throw out to you and see where you want me to go with this and I can try to get Public Works to move – is to take all of those older planter, the stone ones, and just move them all towards along the parking lot by the bathroom facility between Iao Theater and the Police Substation and just line that area.

Ms. Betts Basinger: You mean line the side walks?

Mr. Alueta: Yeah, on the inside. Not on the outside of the sidewalk, but the inside of it. I mean, we can create some openings where there needs to be but right now there's no drive-thru opening there. So it's going to be a pedestrian – but just kind of congregate them all along in that one area. So another idea is also I was looking at some of the other ones that are around here. There's some here in the County and some them kind of get used as a trash can. So I'm wondering whether we can sort of modify them some of those existing stones ones, and then make a recycling bin out of those. I mean, it's just a concept, you just have to throw a lid on top. It's nothing too fancy.

We then did talk about clean up of the street – doing some kind of clean up to the culverts that are currently on the street, as well as, potentially trying to clean up the municipal parking lot. My one fear is it's great that, you know, MRA, we took over the trash and it's out of your budget, and it was sort of done because, I guess, at the time the merchants, you know, who we thought were going to take over that didn't take it over. So we ended up taking it over to expedite because it would be easier for this organization to move a little quicker than most guys. And now all of sudden we're taking over the – this body wants to take over the cleaning of the curbs, which is a great idea. I mean, we do a good job. I mean this board does a great job, but it's like – we really need to focus on trying to get maybe who's really responsible for it. But we will –. There's a long history on that because the people who cleaned the – normally will clean the streets were opposed to the design that was approved by the MRA because they felt it would be difficult to clean so they opposed and so they have a little heartburn if they're now being told they got to clean it. So it's kind of – it's kind of like the "I told you so," but at the same, you know, there's people who like to just ride along in a machine and they forgot how it is to get out of that machine and actually push a broom. So maybe we need to go back to some of those people. So we did get a –. Erin handed me some – I guess, after several calls – I called him, Brian, yesterday and I guess he did finally get me some quotes for clean out on the curbs – about \$300 a month. And then that would be done let's see for one clean out, and then maintain the curb, gutters and sidewalk would be a \$400 a month, and it would be done once a week. So I guess he's saying that for the first time clean out based on how much trash is in there, it's going to be a one time clean out for \$300, and then from then on, it would be on a monthly contract would be \$400 a month. And then you're looking at maintenance on the parking lot, municipal parking lot, he's looking at \$300 for a monthly bid on the Wailuku Municipal Parking lot.

Ms. Betts Basinger: How much?

Mr. Alueta: \$300 a month. And that would be a weekly weed whacking, removal of green waste twice monthly or as needed. And then also along the sidewalks and come down, you know, some of those side streets along Vineyard side and clean out the small islands that

turn around inside the parking lot, as well as the access road off of Market Street between American Savings or you know the street area.

Ms. Betts Basinger: Included in the \$300.

Mr. Alueta: Included in the \$300 a month.

Ms. Betts Basinger: And this is over and above his existing contract for the bins?

Mr. Alueta: Correct. That is correct.

Ms. Betts Basinger: Which is how much?

Mr. Alueta: You know I don't have his contract in front of us. I think it's like \$5,000 a year or something. It might be a little more now. So I guess the questions I have, I guess, today is for you to mull on that. One is to mull on that contract proposal. Two is if you want me to pursue moving the existing planters, the older planters I should say, and try to get Public Works to move those for us. As well as also do you want to pursue a recycling, some type of recycling bin? So that's pretty much it.

Ms. Betts Basinger: Thanks Joe. And thank you for reminding us that we're not a mini-Public Works or Parks Department. Any questions members?

Ms. Popenuk: I have a comment, but I think I would like to see recycling even if it is like essentially a trash can. We need to encourage people to at least think about recycling rather than just not even have recycling containers available at all for people who are conscientious about putting recycling in the recycling and not putting trash in.

Ms. Betts Basinger: Members, for discussion? Anyone else? I sort of like Joe's idea about modifying some of those older planters for recycle, but go ahead Bob.

Mr. Horcajo: I guess my comment of the recycle cans – did you, I guess – does that manufacturer make something that looks the same with that top with the round puka that we had asked about?

Mr. Alueta: Yes.

Mr. Horcajo: So that it kind of looks the same. And we got cost also then?

Mr. Alueta: Yes. And I think one of the concept was not to buy new containers, but was to just to change the top out on the existing trash cans and to put – you know how like we have the – there use to be one in here.

Mr. Horcajo: Sure.

Mr. Alueta: The blue tops.

Mr. Horcajo: Right.

Mr. Alueta: We'd change it to a green top instead. Right now there's a black top with the dome, and then the new tops would just be a flat top with a hole on it, like you see the County's recycling one they have now.

Mr. Horcajo: But we still need more. You just said earlier that Brian recommended at least one more trash can, so we'll end up with what – five or six?

Mr. Alueta: Yeah, that's one of the recommendation that we talked about putting that and at least one more trash can by one of the crosswalks.

Mr. Horcajo: Right, but we're saying in addition to the five or six, we want recycled cans. I mean that's what I thought we were working towards, but you said well just maybe take some of those five or six and convert them from trash to recycle?

Mr. Alueta: Yes. That was our initial thought. Me and Erin thought about like maybe we could move some of these existing bins around. And however, based on my conversation with him, he would just rather see them all stay as trash and actually add one trash and not add any recycle bins. And again that's the recommendation from them. It's like how do you want to proceed? Do you want to go with a combination? Do you want to change out some or experiment?

Ms. Betts Basinger: Erin?

Mr. Horcajo: I was going to say I guess my opinion, like Katharine, I do want to encourage recycling. I have a trash can right in front of my office so I see the two or three people who come and open and pull the top off and get in there and basically create more of a mess. I mean, even if someone throws a paper cup in the wrong puka, and these guys are going to come by to take the recycle, at least it's less of a safety hazard. Plus the point we're trying to encourage recycling. So for me, I would vote for having additional recycling cans I guess especially if they can match what we have now. I don't think it has to be the same size. And my comment about using the current planter box as a recycle is that just knowing how they are made, you can't get a trash bag in there to probably to make some sense and look nice because you know how they're shaped and they're big and I don't know whether that's worth it or rather keep that as a planter.

Ms. Betts Basinger: I wouldn't want to see our sidewalks become an obstacle course

though for all of the cans and furniture and lamp posts and so on.

Ms. Popenuk: Are there other streets that might be able to take those planters like High Street?

Ms. Betts Basinger: I like the suggestion of placing them right now on what is kind of an ugly vacant parcel for the moment. Erin? I'm sorry. I recognize Erin.

Ms. Wade: Okay, we've got multiple issues kind of being discussed so maybe let's . . . (inaudible) . . . if we focus on recycling to begin with. When Joe came back with the recommendation that perhaps we didn't need the recycling bins from Brian, you know, my instincts was maybe that's a little unfortunate. However, we could easily identify the trash as trash and recycling. We could put decals on the trash cans that says trash slash recycling because Brian at this point sorts anyway. So if there are recyclables in the trash he goes through it and he takes them out now as it is, so effectively they are being recycled today.

Mr. Alueta: Is he?

Ms. Wade: That's what he told me.

Mr. Alueta: That he does.

Ms. Wade: Yeah.

Mr. Alueta: Okay, good.

Ms. Wade: So we could identify it as that. And I mean, I'm sure the deposit isn't all that great, but it's something that the MRA would be concerned about if that was the fact. The other things to keep in mind as we evaluate this is we do have quotes. I requested a quote from Key Stone Rich Designs which is who provided the trash receptacles. They're the series 32 gallon receptacles. They're \$895 a piece. And the recyclable lid is \$45. The dome lid that is on there now is \$121.25 a piece. So we know we need to order two new receptacles right now. We have to replace the one that's at the corner of Vineyard and Market which was damage. No, I'm sorry, that's the one by the ATM that was damaged right?

Mr. Alueta: Yes, by First Hawaiian.

Ms. Wade: That's the one that has to be replaced and then we have a recommendation for a second. So we likely need to order two and those would have the dome lids. So if in addition to those, we put recycling bins on the street and we already have a complaint that

the street is getting cluttered, I think we might be defeating, you know, our own objective of providing a beautiful streetscape.

Ms. Betts Basinger: Erin, could you describe the recycle lid and what it looks like and how it would be used?

Ms. Wade: The recycle lid that matches the trash receptacle is basically a flat disk, like a black, flat disk, with a hole about the size of my water bottle, and that's it. So it's the exact same trash receptacle, flat disk. And then we can put a decal on it. The County makes decals for recycling which, as I stated, we can put them now on our existing trashing cans if we wanted to as well.

Ms. Betts Basinger: More discussion members?

Ms. Popenuk: I like the idea of the decal. It's the message. We need to support the message. As far as people making a mess going through – I know that won't solve that problem.

Ms. Betts Basinger: I think if the contamination because no matter what it says, trash or recycle, it's going to be contaminated. And it's volume right now is recycling for the use of Teens On Call. I actually don't have a problem with it, but people are unlikely to walk down to the other corner, you know, when they throw all their rubbish away just because they have a plastic bottle, I mean, just realistically. But I like the idea of sending a message. The other option that Robert talked about – Bob talked about – was maybe something smaller that sat adjacent to each trash can, that was for recycling. And maybe that is something we can look into price wise as well because \$800 is outrageous and we don't want to clutter, I don't think.

Mr. Horcajo: Okay, so do we want to take a vote an item at a time? Is that what we're going to be doing? Or start, I guess, with recycle options we talked about?

Ms. Wade: Yes. So the way item (F) is agenda you can vote to fund any combination of . . . (inaudible) . . . it actually has to be turned off. So you can vote to make purchases for any of the streetscape improvements at this time. I would recommend we take recycling question first, and then as we discuss with Wailuku Main Street Association postponing discussion on the planters until the next agenda.

Mr. Horcajo: Okay. So, I make a motion to order two similar trash cans, one to replace one by the ATM by First Hawaiian, and the corner, I guess, of Vineyard and Market or where proposed by Teens On Call. And that's it. I'm sorry, and put stickers, the trash/recycle ones, on all the existing and future trash cans.

Ms. Popenuk: I second.

Ms. Betts Basinger: Discussion? So I'm sorry, did you say to purchase to replace the damage.

Mr. Horcajo: Well, to purchase two of them. One is to replace the damaged one by the ATM, and the second is to add to –

Mr. Alueta: 33 Market Street. Right across by the crosswalk.

Mr. Horcajo: Across the sidewalk.

Ms. Betts Basinger: 33 Market.

Mr. Alueta: In front of 33 Market Street.

Mr. Horcajo: Okay, as determined by Teens On Call and Joe.

Ms. Betts Basinger: And would you want – what kind of lids?

Mr. Horcajo: Trash – the dome lids.

Ms. Betts Basinger: The dome lids.

Mr. Horcajo: But all with the label recycle/trash on all of them, current and future.

Ms. Betts Basinger: Okay, it's been moved and seconded, all in favor signify by saying aye.

Agency Members: "Aye."

Ms. Betts Basinger: Those opposed?

Ms. Wade: Very good. Thank you Joe.

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

VOTED: to purchase two additional trash receptacles as so noted.

Mr. Alueta: Okay. And if I may, you might want to try experiment, you know, with the recycling. Like in front of yours Bob since you have a better angle is just – it may sound

like it, but taking, I want to say one of the round ones that are a regular trash cans and hooking it to the side of it and putting a recycle label, and just to see – I mean, because you're there – and see how many cans. Because that's a major cross walk where most people are walking in and coming across, and my soda machine is right across there too so it would be easy for them to throw their empty can in there.

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

Mr. Alueta: Okay, thank you. And we're deferring the – as far as moving the planters – we'll discuss next time.

Ms. Betts Basinger: Yeah.

Mr. Alueta: Thank you.

Ms. Betts Basinger: So members, and we're in agreement to defer the rest of it till next when we have Wailuku Main Street's recommendations. Thank you.

H. DISCUSSION AND VOTING ON SCOPE OF WORK FOR MARKET STUDY AND ALLOCATION OF FUNDS TO TRI-ISLE RESOURCE, CONSERVATION AND DEVELOPMENT FOR A GRANT TO COMPLETE STUDY.

Ms. Betts Basinger: Okay, moving on to item (H), discussion and voting on scope of work for Market study and allocation of funds to Tri-Isle Resource, Conservation and Development for a grant to complete study. Members, did you all get a copy of the letter written to Stewart?

Mr. Horcajo: Chair, just a comment, I believe we do have, whenever you want to call them, public testimony at this time.

Ms. Betts Basinger: Yes. Thank you. So at this time, anyone wishing to testify on this item, please step forward and introduce yourself. Jonathan, followed by Yuki Lei, and followed –

Ms. Perreira: Can we have discussion after you folks discuss this so that we can make comments? I don't know anything about it.

Mr. Suzuki: Testimony after.

Ms. Betts Basinger: Members?

Mr. Horcajo: That's fine with me.

Ms. Betts Basinger: Okay. Sorry.

Mr. Horcajo: Make it quick.

Ms. Wade: Okay, I'll make it quick. As you're aware, during the strategic planning one of things that the Maui Redevelopment Agency prioritized was market based study and plan for the Wailuku Redevelopment Area. Even before the strategic planning took place when the alliance – the Wailuku Alliance originally met, one of those members suggested the – a market study and plan was something very greatly needed for the Wailuku area. So taking the recommendation of the board, we began doing some research about how to take this on. Coincidentally the Office of Economic Development already had a proposal on file to complete such a study. So they had monies potentially ready to allocate and said if we could compile the appropriate funding, we could pursue this. The way that we were able to structure the scope of work as a phase one, phase two, the initial analysis can actually inform the EA for the parking structure and the remnant parcel – selling of the remnant parcel to be able to identify an appropriate tenant or mix of uses for that. And the secondary portion would be a plan for marketing of the Wailuku area. I did pass out the scope of work last month. I have extra copies today. They actually – I didn't realize I have my notes on them, but they're fine. I mean, it's okay if you see them. So if anybody needs an additional scope of work, like James, I have that, and I'm happy to take any questions.

Ms. Betts Basinger: Members, comments? Discussions? Thanks Erin for all the work on this. We've been working kind of up to this for quite awhile, and you've just been terrific.

Mr. Horcajo: I've got a comment for Erin I guess. In your, whatever, your worksheet to us, you also alluded to monies to pay for this, not just from OED but we would be contributing, I think, \$10,000 and then some private funding too. Can you expound on that so the public can hear about that part of it too?

Ms. Wade: Certainly. So given that phase one of the project will . . . (inaudible) . . . structure, environmental assessment, an EIS, we think that we will be – well, we have a preliminary commitment from the Economic Development Administration to utilize some of the grant for the parking structure for phase one. For the phase two completion, we have a commitment of \$15,000 in private funding. The Office of Economic Development has committed \$5,000, and the Office of Economic Development wanted basically – they agreed to the \$5,000 provided that the MRA was willing to contribute at least \$10,000, so that why we're here today to discuss the funding.

Mr. Horcajo: Okay, thank you.

Ms. Betts Basinger: Any other questions with staff? Okay. Now Jonathan, followed by Yuki Lei Sugimura. Jocelyn, did you want to testify after Yuki?

Mr. Jonathan Starr: Okay, good afternoon Madame Chair and members, and I want to thank you for the time you put into this. My name is Jonathan Starr. I'm testifying today as owner of Starr Properties and Starr Equities. We own about 60,000 square feet in the center of Wailuku commercial space. Frankly, about 12 to 13 years ago, I put my life savings into commercial space in Wailuku because I love the town and I still do, and I still believe that it has, you know, a bright future. It's the center of our community. It's our traditional business center. It's a center of government. And it should be booming. You know, if you travel around the country, if you travel around the world, you see that small towns are getting polished up and they're really doing well. Unfortunately Wailuku is failing. You know, as a commercial center, it's failing. I know I cannot rent stores out – excellent air-condition, store fronts right on Main Street and lots of street – I can't rent them out for what it costs me to operate them. You know, my best tenant just moved to Paia. My one tenant that was actually doing a bunch of business, so, you know, it's tough. For many, many years – for well over a decade – I've been racking my brains trying to figure out how we turn it around. Where's the mojo that makes it attractive, that makes people want to be here. People should want to be here. You can walk to work. You can walk to the college. And, you know, there should be a lot happening.

I have a weird hobby. I go and attend a lot of planning conferences around the country. I just came back from the Urban Land Institute in San Francisco. You know, I go on my own expense to the American Planning Association annual and district. Something like two years ago, I became aware of a group operating out of Colorado, a Progress Urban Management Associates (PUMA,) that does nothing but downtowns. And they've done several hundred downtown renewal projects around the country and around the world. And they do it from a different approach from the one that we've always seen here. Because we've seen charrettes and we've seen, you know, kind of where you take a map and you say we should draw this here, we should draw that there. They do it differently. They look at what the economic and the market driver should be. What kind of businesses? What kind of uses? What kind of people could be drawn here and make this place vibrant and thriving? And then they try to find a path to that and create, you know, not just a study, but an actual plan and they use a lot of tools such as tax incremental financing, and you know, other mechanisms.

At the Urban Land Institute, everyone was talking about tax incremental financing because when you're at the bottom of a cycle, that's when you need to start because you've actually leveraged – dealt the increase in values and in the performance of the businesses to pay for the infrastructure improvements. And these guys are, you know, they just seem like brainiest guys that's figuring this out. You know when I first saw them at Colorado, at a planning conference in Colorado Springs, it was a regional, and I went on a site tour of one town that they had done between Denver and Colorado Springs and talked to a bunch of people from that community and they were really enamored because when they started out, you know, there were stores sitting empty, it was kind of like a slum in this town. And

this group really guided them in a good direction to where the place was beginning to really thrive and vibrant. So, you know, I am really supportive of this. I really ask that you help them along . . . (inaudible) . . . I'll be contributing myself as one of the community stakeholders because I think it's important and I think the community should share in making it happen. So thank you very much for time, and your work is appreciated.

Ms. Betts Basinger: Thanks. Members, any question for the testifier? I have one question Jonathan. What was the name of that? Progressive –

Mr. Starr: Urban Management Associates.

Ms. Betts Basinger: Thank you. Yuki?

Ms. Yuki Lei Sugimura: Good afternoon everybody. My name is Yuki Lei Sugimura, and I'm standing here before you as a Wailuku lover, as an advocate of this town, and I can only say finally, finally, finally! When I started working for the County in 1999, truly, Market Street, there was Sig Zane was empty. It was like boarded up and it was –. We actually did our first street festival in 1999 and we used a lot of the store fronts because they were empty. You remember? I mean, some of you were partners with me. And I also got to work with the MRA then in the Office of Economic Development and many community stakeholders. And I got to tell you that everything in life was timing. At that when time we came in, it was probably time to plant seeds that we already – or blooming – and trying to grow, and then now I stand before you, you guys got to approve this because the municipal parking lot – I can't believe that's in place and that's working. And then to have this EDA money available, and to have OED saying that they have this market study fund. Everything is just – the stars are lining up. And I tell you if Wailuku hasn't been able – or Maui, the State hasn't been able . . . (inaudible) . . . market study on its own, I tell you, you got to take people who know how to do. And I read their website. I looked at it before, you know, this meeting, of course, and if anybody, you should look at it. I mean, they have experience and they have success. You've got to do it. Please, please, approve this money. Thank you.

Ms. Betts Basinger: Thank you. Questions members?

Ms. Perreira: Jocelyn Perreira, Wailuku Main Street Association/Tri-Isle Resource Center. This is the culmination of a dream come true for us because if you look back at our County budget cycles, when we asked for capital improvement projects, we've always asked for a comprehensive marketing study. Thank you to whoever came together, and to Jonathan Starr for, you know, it takes that kind of property owner initiative to say I'm going to do my part, I'm going to help, I know this is needed because – I'm excited! I mean, you know, we've always known for a long, long time that we needed to have a comprehensive marketing study. All of the other elements were put in place, and they were put in place

at strategic times to keep this town from really collapsing into to utter-. I mean, we went from slum and blight, into now a prevention of a reoccurrence of slum and blight. So if we really want to put Wailuku on the map and make a difference, now is the time.

I just want to ask that when I look at this – I haven't seen the whole thing right through – but number 1.1 on page two, where you have some bullets, second section, "the market profile will include a particular emphasis on residents of Wailuku." What we would like you to add to that is on the government work force because for some time, and we've had national evaluation done on this town from National Main Street – the National Trust National Main Street Center – coming in here and look at what and evaluated this area completely and totally. And one of the things that is noted about Wailuku is there is no reason for Wailuku not to succeed because it has a captured audience in the people that work here. They have, and they should be, getting out there during their lunch time and after work, and so on an so forth. And it's been difficult to capitalize on that, and I think that if you add that to this, that's really important.

And then the next thing that I want to also add that we've had is part of this comprehensive – look at Wailuku from a very comprehensive view point – is that we do also need to have, if not – I don't think you should do it simultaneously – but we've done some preliminary work, I know, on it, is the Visitor Interpretative Plan that goes with this. We have worked with the person that has done that in the State. She's a State expert. And we feel that once we have a Visitor Interpretative Plan, along with the Marketing Study, we are going to be smoking and cooking man. And so I can only say thank you to all the elements that brought this together. The municipal parking structure that we've been working on forever giving birth is timing as Yuki said. Because when – it's like connect the dots. Everything is slated. And the hard work and efforts of people that have worked hard on this since the late 80s need to be credited, and I'm going to say, for laying the solid foundation that built on tiny baby steps in moving everything forward and together. And I think now that we have a full on collaboration, everybody can participate and celebrate in the final outcome. So thank you very much for moving this speedily forward. And I see already get some of the – our job that we're going to have to be supplying information. I can see they're going to be knocking at our door, and we are ready, and willing and able to assist. Thank you.

Ms. Betts Basinger: Thank you Jocelyn. Helen?

Ms. Helen Nielsen: Good afternoon members. My name is Helen Nielsen. I'm also part owner of Starr Equities and Starr Properties with Jonathan Starr. And I've also participated in the original street fair in 1999 with Yuki Lei. I actually made field trips to Honolulu so I could sell little bamboo trinkets – to sell something exciting and try to get people out. And for years, I've been trying to participate in revitalization of Wailuku, and I think this like the golden opportunity. I've been spending 12 years volunteering on land conservation on Maui, and now I'm starting to work State wide on the same thing, and it's really exciting.

But a lot of folks think that because I'm working on environmental causes, I wouldn't be pushing for economic development. But it's certainly not true. I'm all for, very strong, economic development, and I think this whole island needs to have a fresh approach and an updated approach on what's happening world wide. I think our approach to economics here was based on economies from long ago, and I think we need to get a fresh approach to the whole thing, and I really ask for your support, so thank you.

Ms. Betts Basinger: Thank you Helen. Do we have any other testify on this item? Seeing none, thank you very much. I'd like to remind the gallery that you're singing to the choir here. But thank you for your input. Members, discussion? Warren?

Mr. Suzuki: Thank you Chair. I wanted to kind of expound a little bit on what Jocelyn said relative to what semi community needs to be looked at in trying to determine what sort of usage should occur in Wailuku town. And she talked about the Wailuku residents. She talked about government workers. And, to me, it's very prevalent and let me explain to you why, and I've shared this before. I was born and raised in lower Paia. And today, as someone who was born and raised in lower Paia, I no longer feel comfortable going back there. Paia is very revitalized. You've got a lot of activity going on. But if you talk to all the people that lived back there when I grew up with, they have no desire to go back to Paia. Because what happened was that revitalization occurred, but it occurred to service a set of people in the community that we're the residents that live there. So people that lived there or was born or raised there are no longer comfortable going back to Paia town. And I would feel very sad if something like that happened to Wailuku. We have people that have all these historical knowledge, the sentimental feelings about Wailuku town, and we get to the point where the town is revitalized but there's no desire for them to go to Wailuku because it's not how they envisioned it to be. They no longer feel comfortable going there. That's the reason I asked the question about the furniture store. You know, it's great that you have a variety of commercial activities occurring in Wailuku town, but if that furniture store is geared for your second home residents, why would the local people that live in Wailuku town go to that store? There's no reason for them to go there. So again, you may be moving towards revitalization, but revitalization of a town that loses site of the residents that have been there and know the history and wants Wailuku town to be – never been what it was before but at least similar to what it was before when it encouraged people in Wailuku town to come to the town, and not to take all this time to drive in, to enjoy and go back and there's nothing in the town for people that live there to enjoy and benefit from.

Ms. Betts Basinger: To that point, I'm really happy to see in the draft approach, item 1.5 and 1.6 which demands that as part of this comprehensive study a thorough survey of community stakeholders and of Wailuku residents spelled out. So that will be incorporated into this. I know how you feel. Did they all move from Paia to Wailuku to live by you, Warren?

Mr. Suzuki: Yeah.

Ms. Betts Basinger: Good.

Mr. Horcajo: I've got a comment, Chair, I guess.

Ms. Betts Basinger: Comments? Bob?

Mr. Horcajo: I did also look at the PUMA site and like was noted here, they have a lot of history. I mean, for me, I also feel like getting somebody who's got the track record and especially knowing that we have funding out there. I would definitely support it. But I am a little confused about, if and when we get to the motion stage, I guess, the appropriate motion to make given all the dollar considerations that was brought up in Erin's notes to us. So I don't know whether you want to give us a head start Erin or –?

Ms. Betts Basinger: So you're interested in the next step?

Mr. Suzuki: The motion.

Mr. Horcajo: The motion, yes.

Ms. Betts Basinger: The motion itself?

Mr. Horcajo: Well we're here to discuss and vote, right?

Ms. Betts Basinger: Right.

Mr. Horcajo: On the scope. And we had last meeting, we had this draft proposal.

Ms. Betts Basinger: Correct.

Mr. Horcajo: And Erin Wade in here memo to us talked about the funding sources both coming out the Federal fund for the parking lot, and from OED. And if we are willing to donate, I guess, up to \$10,000 then we would get support of \$5,000 plus from OED. Right?

Ms. Betts Basinger: Yeah. And that's what we're voting on.

Mr. Horcajo: And that's what we're voting on.

Ms. Betts Basinger: On contribution and which will allow Erin to move ahead with this project on behalf of the MRA.

Mr. Horcajo: Okay, so if we vote on the contribution here, the next step will be voting on who's going to get the contract? Is that—?

Ms. Betts Basinger: No.

Mr. Horcajo: No?

Ms. Betts Basinger: No.

Mr. Horcajo: No.

Ms. Betts Basinger: Erin?

Ms. Wade: There's two things to vote on today. One is the . . . (inaudible) . . . The two things to vote on are one the amount of contribution you would like to make, and two, a request to Tri-Isle RC&D to act as a financial agent for the project. So given that they would act as a financial agent, you actually won't need to worry about any of the funding. However, we will remain the project managers. So I will be actually writing the grant for Tri-Isle RC&D, and you can be the ones to modify the scope. But they would write the checks, and get them hired, get PUMA hired and all those things.

Mr. Horcajo: Excuse me? So as far as the decision as to who gets hired that will be not us. Is that what we're saying here?

Ms. Wade: Basically we're skipping that step.

Mr. Horcajo: You're skipping the step.

Ms. Wade: We've – I think the consensus of the people who have participated and are willing to fund have agreed that PUMA is the group to go with. And in my own . . . (inaudible) . . . for a market plan and study throughout the nation. And we felt like if we have to – otherwise, we do have to go out and do the bid process and go through the selection of a consultant.

Ms. Betts Basinger: I'll remind the members also that many months ago when this conversation first developed amongst us, Erin brought this firm to our attention and we agreed . . . (inaudible) . . . I'll be that their price was very, very, very high, but I think Erin is going to, in her scope work, be able to deal with that. So I think this body already passively agreed. If anyone doesn't remember.

Mr. Suzuki: I don't recall the specific meeting in which time we had that discussion and we reached an agreement on that or an understanding on that.

Ms. Wade: I don't either, to be honest, but I know for certain that this is not a high price. I have looked at all other prices for doing a market study and plan. The price that we have is actually about the price you would get for one or the other, a study or a plan. This quote was given in 2007, and they're still willing to honor their price which we felt we could do it.

Mr. Horcajo: Okay, so my comment then is, I mean, given we're tasked with approving contracts even for Teens On Call for cleaning up gutters and stuff, I don't think as well, I don't remember having an actual vote on PUMA. I guess, well frankly, we can't vote on it here because it's not posted right even if we chose to go that route.

Mr. Suzuki: Right.

Ms. Betts Basinger: That's right.

Mr. Horcajo: Okay. Alright. I guess I'm going to make a motion if we can have a discussion. It makes sense then?

Mr. Suzuki: Chair, can I ask – there's another issue?

Ms. Betts Basinger: Yes Warren.

Mr. Suzuki: So we talked about, you know, PUMA. You know, I, for one, feel very strongly about trying to keep business here locally in the State of Hawaii. You know the question that I have and I have specific reasons why I feel that way because is there anyone here in the State of Hawaii that would be able to provide that particular expertise? Or are we saying that, no, we don't want to look at anybody here, let's just go to Colorado?

Ms. Wade: The level of expertise for this particular consultant has – there's not – there's no one in the State of Hawaii that does what they do, and we have researched fairly thoroughly. I've worked with Office of Economic Development to see if they know of anyone locally and there is not an organization that has the horse power that this organization does.

Mr. Suzuki: So whoever is selected as a consultant and it ends up being that particular firm is fine, will we have an opportunity to sit down and share with them our thoughts and our feelings before they get started? Because you can sense, I remember having strong feelings about this, and you know I just don't want to happen to Wailuku what has happened to Paia.

Ms. Wade: Yes.

Mr. Suzuki: And probably Lahaina town being the same.

Ms. Wade: That's a very good comment. And that's actually, I think, the strength of this organization, of this group, in particular is the bulk of their time at the outset is just kind of talking with people about their priorities for the community and getting a good sense of what direction people have a vision for for the town. And it's not – they say they don't come with any preconceived suggestions of how to do or what to build in a community.

Mr. Suzuki: I mean, and I don't mean to down light the discussion, but similar to the comments I made to Dave Michaelson when he talked about the Maui Island Plan, about going out into the community, and I stressed to him, he needs to get out into the community and reach those that have lived in Wailuku town for a long time and get the sense from them on what's important and not just rely on a certain select few to get what they feel and totally ignore or forget what the so-called silent minority might want to share from their perspective.

Ms. Betts Basinger: Two things I'd like to add to that Warren. I think that's excellent. One is that we are the body that is preparing the scope of what we want them to do. Secondly, we are also a stakeholder, and so we're going to be directing in their work everything you said, who you want them to have conversations with and the input that you'd like. But, I think, the research that has been done about this organization shows their ability in an objective way to then take all of what the community says and put it together – I can't remember what the word was – but they revitalize via first determining what Wailuku town can realistically afford in economic development and growth.

Some of the other things that were mentioned by testifiers, and you too, was that a huge built in population are all the residents of Wailuku. You know, I think it was 4,000 brand new units just surrounding Wailuku town, a town that frankly under-served all of its residents. So, we're going to be following along with Erin as she writes out the grant request and the scope of work. Is that correct?

Ms. Wade: Uh-huh.

Ms. Betts Basinger: So we hear you. Any other comments?

Mr. Horcajo: Well, I'll make a motion.

Ms. Betts Basinger: Okay.

Mr. Horcajo: I make a motion that the MRA allocates \$10,000 of their funds towards the market base plan and request that Tri-Isle RC&D act as our financial agent for the project.

Mr. Suzuki: Second.

Ms. Betts Basinger: Discussion anyone?

Mr. Horcajo: My only comment on the discussion of my question about contract the fact that most of the funding is coming from OED and the Federal funds I accept that consensus by those, by the staff and those bodies, would be enough for me to do deal with the contract part of, you know, who accepts the contract. If that makes any sense. My point being that earlier I questioned whether we should be participating in approving who the contract goes to. But the point being, we're participating 10 grand out of an \$80,000 contract. So the other parties have a say as to who is also going to get the contract, so I'm deferring to the other parties in conjunction with their discussion with the Planning Department.

Ms. Betts Basinger: With our staff yeah.

Mr. Horcajo: Right. I just want to make note of changing my mind.

Ms. Betts Basinger: I do, under discussion, have one question Erin and because of the diverse mix of funds on this comprehensive study where – are we going to be – is there a subscribed administrative fee that goes to Tri-Isle based on a particular funder? I know it's not going to be based on our contribution but –. And do you know what that is?

Ms. Wade: Generally it's 10% of the contract is what I have been told by Tri-Isle, and OED is going to cover that portion.

Ms. Betts Basinger: Thank you. Okay, any other discussion? So all in favor? I'm sorry.

Ms. Wade: I just have one comment on the scope that was just brought to my attention. On page 3, on the bottom bullet, there's a phrase that includes on implementation of tactic. There's a phrase that including suitability of a main street program, I don't know what that was specifically referring to, so we can either recommend that get taken out or that I look into that further at a later time. But I just wanted to note for the record it's unclear to me what the purpose of that statement at this point.

Ms. Perreira: . . . (inaudible. Did not speak into the microphone) . . .

Ms. Wade: And there's been a request from the Main Street organization to have it removed.

Mr. Suzuki: Well, there's no need for us to action on this right?

Ms. Wade: No.

Mr. Suzuki: Call for the question.

Ms. Betts Basinger: Call for the question. Okay, all those in favor?

Agency Members: “Aye.”

Ms. Betts Basinger: Opposed? It’s unanimous. Thank you members.

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

VOTED: to allocate \$10,000 of MRA funds be allocated for the market based plan and to request Tri-Isle RC&D to act as the financial agent.

I. DISCUSSION ON NEEDS ASSESSMENT FOR PARKING ASSESSMENT (CASH-IN-LIEU) ORDINANCE.

Ms. Betts Basinger: Moving on to item (I), discussion on needs assessment for parking assessment ordinance, and all of you should have received a note from Erin regarding this I believe. Erin, I’ll let you go ahead.

Ms. Wade: Okay. So as we’ve been working on the cash in lieu ordinance, and developing and finalizing your edit for the cash in lieu, it was acknowledged that a needs assessment is required to accompany that.

Mr. Suzuki: Right.

Ms. Wade: You then stated that with the reports that were given to us, we didn’t have adequate information to do a needs assessment and would need to do an RFP. So I began figuring out exactly what we have and exactly what we don’t have. And the components that we’re missing are actually an understanding of the market which triggers the need for parking, which then triggers the design of the parking structure, and then ultimately, the cost. So while, in fact, while working to create an RFP for you, I realized what we really need is our market plan and our conceptual design plan with costs. And once we have those two, we can finish the needs assessment. So basically, I don’t think you need to do an RFP for a needs assessment. We can do it once those two things are done.

Ms. Betts Basinger: So members, I guess I’m hearing that we’re going to defer discussion on this until some later point when we have these other studies in place and we’ll resurrect it.

Mr. Suzuki: You know, inline with what Erin said, you know, given I guess the comment that

I made with the application that came before us on that Vineyard Street property, you know, maybe going forward until such time we do have in place an ordinance on the cash in lieu, we might want to add a proviso, you know, whenever we grant exemptions or whatever from parking to have it such where they'll pay the equivalent of three stalls when the cash in lieu ordinance is in place. So that way, you know, we would have an opportunity to act on it in comfort recognizing that once we have the ordinance in place, this is the ability to be able to bring in some revenue from those applications that came in before us prior to ordinance being in place.

Ms. Betts Basinger: You mean like a condition that when such time comes when there's a cash in lieu ordinance, this be revisited.

Mr. Suzuki: No, they'll pay the equivalent of whatever stalls that they've been given the exemption or whatever, the firm abatement.

Mr. Horcajo: For me it's no different than maybe what you talked about what promenade got to be built. And that Market and Vineyard corner, you've got one stall vacant, right?

Ms. Betts Basinger: Go ahead Erin.

Ms. Wade: The challenge – because I actually considered that as a recommendation of the Planning Department for this particular project, and given that we don't have any dollar amount to give them a sense of comfort. You know, I can't tell it's going to be \$5,000 or less, or \$15,000 or more, you know, so it's difficult to ask them to commit to a fee if we can't assign a dollar amount. So there's two things we could have done and one would have been to say you'll be – we're asking you to pay in up to \$10,000 a space or whichever is less, the cost of cash in lieu or \$10,000 per space. Or we could've tied the approval and I guess this is a little dark thinking but, you know, retail does not last long the majority of the time. It's usually a three to seven years is a common life span of a retail use. We could've tied a condition the specific use, and then when, or if, the furniture store be relocated or went out of business then the new use would have to come back for a parking abatement or pay into the cash in lieu, you know, because three to seven years, hopefully we'll have a parking structure. And as you're thinking about upcoming projects, those could be two other tactics to use to bring in the funding, you know, as time goes on.

Ms. Betts Basinger: Is it an administrative headache to track those applicants to whom we give abatements or waivers with the condition that when an ordinance is in place this application is subject to just review?

Ms. Wade: From here forward, we can certainly do that. I can't resurrect anything that's already been approved.

Ms. Betts Basinger: Yeah, I like that Warren. Does the body kind of like that idea? So it makes me feel like we have a little bit more breathing room with the cash in lieu ordinance for now as we look it up or consider coming forward. So I agree with that comfort level as long as we have that little condition that if and when this will come up.

Ms. Wade: Okay.

Ms. Betts Basinger: What's required in doing that? Anything?

Mr. Suzuki: Nothing.

Ms. Betts Basinger: Nothing.

Ms. Wade: Just on a case by case basis, the recommendation by the board can be to revisit once cash in lieu is established.

Ms. Betts Basinger: Thank you.

Ms. Wade: You're welcome. Do you want to take public testimony on this item?

Ms. Betts Basinger: Yes.

Ms. Perreira: Jocelyn Perreira. I note that you mentioned when an ordinance is in place, it's subject to review. I'm just making an inquiry because now we're very confused because we know that parking waivers have been given out and negotiated by Planning Department and so on and so forth, our current Chair being one of the planning directors at the time. So it is our understanding that parking waivers were given out with the understanding that once the effort to go ahead with the parking structure and an amount that has been designated via the Maui Redevelopment Agency that's been approved by the Council, per stall, that they were suppose to pay into it at that particular time.

Ms. Betts Basinger: That sort of sounds like what we're saying, that it will come up for review no matter.

Ms. Perreira: Well, I'm not talking about a review though Madame Chair. I'm talking about that was a direct determination. And that's why the former MRA Chair, Stephanie Ohigashi, I believe it was, had expressed the concern before she left as Chair for MRA, that cash in lieu was not put off to the side. That it was dealt with because she was concerned that a property might be sold and change hands and so on and so forth. And the promissory note or whatever was entered into some kind of – in writing – there's has to be some kind of agreement some place for in order to proceed. That those monies were not lost and were, in fact, captured, and that is truly our understanding of this.

Ms. Betts Basinger: Comment Warren?

Mr. Suzuki: I'm not aware of that, but you could address the issue as far as transactions occurring where you could enter into some sort of recordable document that runs with the land, so it's something that would be an obligation in perpetuity or until such time that particular agreement is terminated. So you could address that.

Ms. Perreira: Yeah, I think it's really important because it's several properties.

Ms. Betts Basinger: Yes, but we have asked staff, and I know they're in the process of complying a list. And it's hard because you have to go through minutes sometimes because good record was not kept.

Ms. Perreira: We'll there is a list. There's a list. Yeah, Erin, absolutely. Come down because I think John Summers compiled the list during, I think, it was Stephanie's tenure.

Ms. Betts Basinger: Well, I think we had some conversation that it really – what you're talking about applied to a handful of developers at that time. It wasn't an extraordinary number. We just want staff and the MRA to have that number from the first one that was issued. So now we're going to be giving condition waivers and abatements. The list will continue because they will all come up for review as well. So I think I hear what you're saying.

Ms. Perreira: No, but you see what I mean? There's a distinction between review and what has been determined as a condition for the project that went forward.

Ms. Betts Basinger: And we're looking for those documents, those written documents.

Ms. Perreira: Okay, so I just want to make it a matter of record because, you know, I think that's kind of important.

Ms. Betts Basinger: Yes it is.

Ms. Perreira: Thank you.

Mr. Horcajo: So just a comment Chair. I mean I did want Jocelyn to know that I believe we are still are focusing on completing – maybe it's not the right answer – our comments on the cash in lieu ordinance that was prepared in 2002 for a presentation to Council.

Ms. Betts Basinger: Staff is. Staff has taken all of review and comments, and is working on reordering it and re-writing it. So it's still –.

Mr. Horcajo: Right. Okay, my second is I do agree with what Jocelyn said is that my understanding what was agreed to with promenade and Doug McLeod, I guess, and I believe it was just those two as she had stated. But I also remember there's been legal counsel's opinion that granted there was an agreement but we have to see what happens when we get through the ordinance to the Council process of this ordinance to see whether that becomes truly, you know, how it's written or there's going to be some adjustment. That's my only comment.

Ms. Betts Basinger: Exactly. Exactly. And that's why it's really important for this agency if we're going to talk with any credibility that we know what those written agreements were and we can reference them as the list grows. You know, there's revitalization happening and this project today is a perfect example, whether it's a furniture or an okazuya. So I suspect that we're going to see more and more applicants coming forward asking for those kind of abatement. And so with this conditional language, I kind of like – I feel a little bit more comfortable.

J. EXPENDITURES

- 1. Recycling Containers and Expanding Teens on Call Contract**
- 2. Website**

Ms. Betts Basinger: Okay, item (J), expenditures. I think on item (1), we've already talked about the recycling containers and taken a pass on that and a vote. Expanding the Teen On Call contract, you were going to find out what we're currently paying them, and does the expansion refer to the municipal parking lot and the clean out?

Ms. Wade: Right.

Ms. Betts Basinger: Okay.

Ms. Wade: And I would actually recommend maybe we do those as separate contracts because he seems to be doing a perfectly fine job with the trash, but it's nice to have them be separate in the event you don't like the job they do on the parking lot or whatever. And as Joe stated the suggestion was \$400 a month for the sidewalk and street maintenance. That one time fee that we talked about the \$300. I don't think we need to pay that. I've convinced Milton and Public Works to – if they didn't maintain it, at least they could do the one time clean out for us, so they said they would do that. So that would one and then the \$300 maintenance fee for the parking lot, and that would be the large municipal parking lot and then the lot behind lao Theater and the next two adjacent – so interim parking area as well.

Ms. Betts Basinger: So this is cleaning though, not landscaping. Just cleaning.

Ms. Wade: No. Well, he said weed eating and pulling weeds, and he said the islands as well. So there's grass that goes, you know, all along the business side, on the Market Street side, that would be trimmed too.

Ms. Betts Basinger: So like when trees or things die and need to be replaced or when it needs to be fertilized, you know, the regular landscape maintenance.

Ms. Wade: My guess would be it's weed eating and trimming, but they're not going to replace more planting for us. It's just keeping things neat and orderly basically.

Ms. Betts Basinger: I know that you had also looked into a landscaping quote that would include keeping things alive and fertilized and watered.

Ms. Wade: I did that prior to our budget sum setting from last year, and the work that I had done actually kind of became moot. We no longer had \$20,000 to play with to do landscaping and those kind of things, ongoing maintenance, so I actually haven't followed through on those.

Ms. Popenuk: I have a comment I guess. I just noticed – how soon are the bus stops going to be installed? We have the bus stop right out on High Street in front of the State Building. Is there any plans for a bus stop to happen there?

Ms. Wade: Well the bus stops there.

Ms. Popenuk: The reason I asked is because there is no garbage cans. People are just throwing garbage on the ground, so my friend is picking it up when she walks her dog.

Ms. Betts Basinger: Please tell me that's outside of our boundary.

Ms. Wade: Yes, it's outside of our boundary.

Ms. Betts Basinger: We can't afford it.

Ms. Wade: At the time we had the extra money, I approached DOT about putting a stop there and they said well it's State property, you know, it's the State Office Building. So I actually went to the Governor's Office, the Governor's representative here, and he directed me to building maintenance who said sure put whatever you want there actually. So we could put a bench there and they would take it. But you begin – this is a whole lot of bureaucracy unfortunately because anytime you have a bus stop, it has to be ADA accessible, the grade of the concrete that you put the bench on has to be just so, and

there's specific dimensions to everything. So while we just wanted to throw a bench out there, and a trash receptacle, unfortunately it wasn't nearly as simple as that. But if we are able to come up with about \$300,000 is what it would cost for a bench and a trash receptacle and a shelter.

Ms. Popenuk: So a private citizen should go ahead and do it. Somebody did put a bench.

Ms. Betts Basinger: Well someone is cleaning up the trash. I don't who, but –

Ms. Popenuk: My friend when she walks her dog.

Mr. Horcajo: So I know we had issue before – do we want to discuss one item at a time? Because you suggested voting on one contract item.

Ms. Wade: So the first was the sidewalk and the street clean up on an ongoing basis \$400 a month.

Mr. Horcajo: And what I got from Joe was that's a once a week thing right?

Ms. Wade: I thought he said once every two weeks.

Ms. Betts Basinger: No, I heard him say once a week.

Ms. Wade: That one.

Mr. Horcajo: That's what I thought. And again, it's sidewalks and –

Ms. Wade: It would be very similar to the contract for Lahaina because they also have the bow bouts. In fact we have a contract on file for that where they've got to go in and sweep, manually sweep, all the parking spaces and then flush out the sidewalk culverts.

Mr. Horcajo: So – actually give me a second, I lost my chain of thought here.

Ms. Betts Basinger: What department are we saving money by spending our money?

Ms. Wade: Well Public Works technically.

Mr. Horcajo: I know what it was. And I know there's drip systems for the planters and stuff so is that included if there's a damaged drip system that they're going to fix it when you they say it's the sidewalks?

Ms. Wade: Good question. That's actually a question that we have right now is there's no

hook up to clean out the sidewalk culverts right now. If we wanted to get a pressure washer we don't – there's no hose outlet right now, expect at the drip irrigation. You know, we've got to go back using the drip.

Ms. Betts Basinger: Well there's one at the Lokahi Pacific Building.

Ms. Wade: On the exterior?

Ms. Betts Basinger: Yes. It's on the Market Street side of the new alley way. We can look there.

Ms. Wade: Okay.

Mr. Horcajo: Yeah, where the hydrant is.

Ms. Wade: I would suggest we do an actual formal contract ultimately. You know, you can say yes, we agree with in concept to spend \$400 a month and then that can direct me to work on a formal contract.

Mr. Horcajo: That's why I wanted to ask about the irrigation system.

Ms. Betts Basinger: That would all be part of the contract right?

Ms. Wade: Uh-huh.

Ms. Betts Basinger: You know, our budget is really limited, and from what I'm hearing about our budget going forward, it's going to be even worse. So I'm reluctant to get into any kind of contract that's depleting our funds over and above what we consider is our core work. I love helping other departments, and I love helping Public Works to keep Wailuku clean. But maybe we can start with a contract that's for once a month rather than four times a month and cut it down to \$100 which would be more palatable in our tiny little budget. And the same with the municipal parking lot, I don't know how many days of work are entailed in \$300 a month, but, I mean, I have a tiny little yard and my yard is bigger than the little patches of grass in the municipal parking lot even though it's tiny. But I think that's a lot of money for just weed whacking. So I can –

Ms. Wade: I mean, it is. You are talking about almost three-and-a-half acres, just to put it in perspective.

Ms. Betts Basinger: But they're not going weed whack the paved area.

Ms. Wade: Right.

Ms. Betts Basinger: So, I don't know. Maybe I would like to know what – I know Joe said they're going to weed whack and mow – but I would like to know how many hours that represents and do the same thing, adjust it to something we can start with that's within our budget. Because you know I think the first time they go in and do that, the response from the community is going to be wonderful. So it might help our efforts to get merchants to come in and help with this, et cetera, so it's not all us bearing the brunt of this clean up. Members? Staff?

Mr. Suzuki: Maybe what you could do is ask them to submit to us the proposal that would reflect different alternatives that might provide different scopes of work and different frequencies as far as their work.

Ms. Betts Basinger: Katharine?

Ms. Popenuk: I was just going to say that I share your concern that undertaking financial responsibilities of other departments, where do we stop, you know? And I was thinking, well, the street – I'm thinking okay can we like pick up one but not the other? It seems like the street is more – it's in the face of the merchants that are on the street. If I had a business on the street, and my sidewalk was dirty, I would go out there and I'd clean it because it's in front of my shop.

Ms. Betts Basinger: Exactly.

Ms. Popenuk: Rather, the municipal parking lot, I'm not really sure who is responsible for that, but I think everybody, all the merchants think it's not my parking lot so they're much less likely to take any kind of responsibility for doing that.

Ms. Wade: The issue is – the real issue is those sidewalk culverts. I mean, that's a toughie. I don't exactly know why those were incorporated in the design and they've become just liter and tree rubbish capture area. And the water is actually going around the bow bouts in a couple of places now. And Public Works doesn't have any money to pay for it.

Ms. Popenuk: So this is something that's difficult or unusual to clean or requires a speciality.

Ms. Wade: But perhaps we could also do this with a public service, or a public announcement to the shop owners, that we're going to pick up the cost for this for now, but please keep tree debris off the sidewalk in front of your doors if all possible. Because when that blows off the curb and into the sidewalk culvert that's when we start to get problems. So if we can avoid some additional maintenance, maybe we only have to do it once a quarter to clean out if we can get the shop owners to keep cleaning up the leaves that are

falling and that kind of a thing.

Ms. Betts Basinger: So Erin, could you ask Joe to get the same proposal but in writing and the detailed fashion?

Ms. Wade: The frequency on that?

Ms. Betts Basinger: Yeah. The frequency, the number hours, and how we can look at it in maybe phases or different levels.

Ms. Wade: Okay.

Ms. Betts Basinger: And then there are some other ideas that we can talk about like companies that take a section of the highway and they're publically recognized for it. I mean, the MRA can go out and find merchants to help clean that area of the sidewalk.

Mr. Horcajo: I want to make a couple of comments about the sidewalks. I guess, I mean, there are a few merchants on Market Street, at least, one in fact, that do clean in front of their sidewalks. Stephanie cleans in front of hers. The restaurant, Marc Aurel's, Doug McLeod – I should say, every morning he's out there sweeping. So there are tenants, landowners, who do their part. Even Joe Mayahan is starting to clean up and the little planter that had become a natural trash can. So just a comment there that we could, you know, hopefully maybe encourage whether it be adopt a sidewalk program.

Secondly, and I know Jocelyn worked on this, but the major culvert issue is in front of 33 Market, and my understanding is that those trees are coming down fairly soon also, so, you know, having talk with Steve Parker as well. So hopefully, you know, the quarterly gutter thing would probably make some sense in the near future.

Ms. Betts Basinger: Okay, thank you. Number two, the website, I just got word that we're paid up and we're going to be starting to get contact input from the community to put on there. So nothing to discuss there.

Ms. Wade: There's no expenditure to discuss but I think there's been a request for some criteria about exactly what are we seeking and then who has editorial review of it. Does it just get posted as is, or does it get adjusted in anyway? Those types of think I think some people would like clarification about before they can contribute to the website.

Ms. Betts Basinger: Yeah, and I've had conversations with people from the community regarding that. The website is owned by MRA, so it's our voice. It's this body's voice, so everything that comes in does need to be reviewed. And also many times things need to be edited just to fit. So when a web page designed, it's just like a newspaper page. You

can take so many words in an article and it takes so much space. So those are things that are part and partial of our responsibility and right now it is the responsibility of the chair and it will continue to be the responsibility of any existing Chair and working with the web master. So in your conversations or anyone's conversations when we're seeking input from stakeholders that might want to have something announced or so on, the criteria is everything will be reviewed by this body before it's posted publically.

And then, secondly the emphasis of the website right now, as we're growing, you know, we're just starting, is to be more about our business. What are the projects that we've accomplished? What are the projects that we're reviewing? When are our meetings? When can people can come testify? So the softer input from the community could be something that happens, you know, as we grow to the next level of this website. It just started. So those are the things that should be discussed at this table. And I think staff has been tremendous. I think on the website now we've got the list of meeting dates for this year and next year. Leilani, thank you for that. Information and bios about those of us that serve and how it rotates, and the rules and regulations that govern us. So I'll open it for discussion. Warren?

Mr. Suzuki: I have a question. So you mentioned that prior to anything being posted on the website, if it comes from other than the MRA, you mentioned the Chair reviews it and then you mentioned the body reviews it. So is it the body that reviews it or is it the Chair that reviews it?

Ms. Betts Basinger: Well it can be either. The Chair right now and I think going forward, whoever the Chair is, is the person with the liaison with the web design. So it's the Chair that's going to say, put this onto the website, you know, either through staff or directly. But I think it's important that the body have a say in what we want our image to be.

Mr. Suzuki: I mean, from my perspective and not putting the total responsibility on the Chair, I think, and I don't know how many requests we're going to be receiving to be posted on the website. But because of the fact that, you know, we had the luxury of having e-mails sent out, I think, you know from my perspective I wouldn't mind in looking at what's being requested as far as what's being posted on the website, so we can offer some input. I mean, for me, I agree with you that whatever is posted on the website should just be informational announcement. It shouldn't reflect anybody's personal opinion or anything because that would inappropriate. So we need to be very careful that we kind of keep in line with that. But you know I wouldn't mind seeing what the articles or whatever that's being requested and posted on the website and being distributed to us.

Ms. Betts Basinger: Now the MRA, in the development of this website which has been a couple of years in the making and it's a continuation of a County project, the MRA has requested, like from the Wailuku Main Street Association to do a monthly newsletter about

their activity. We've requested from Malama Wailuku about their new walking map project that they're doing about Wailuku, so we have initiated requesting input. I don't think there are going to be, you know, unsolicited desire to have something on our website. We would control that totally. Public testimony.

Ms. Perreira: Jocelyn Perreira. Wailuku Main Street. We did have a discussion on this and we are concerned. We want to see standard for criteria in writing because if it's length to fit and what not, we don't want our message cut. You know how the newspaper will take a message and cut it, and it's a subjective thing. We also feel that – how this website come about in the first place was Wailuku Main Street and the Office of Economic Development and Lokahi Pacific coming together and saying we need a website for Wailuku, okay. So we were an intricate part of it. How it eventually came into your lap was because the County had the website and where was the appropriate place to go. We wanted it to be Wailuku and we supported it being a website for the MRA which is fine. But we still feel that it doesn't necessarily have to be a Chair, and the staff who is the continuing person that understands all aspects of revitalization I think can put forward their perception of whether this falls within what you're trying to convey because it is a public expenditure and the staff is accountable for public expenditures. We would really like to see – because we do want to participate – but we want to know what is the length that you're going to allow, what is your guidelines for what the content is and of course you can understand we wouldn't want to have certain parts of our message edited. So if we would have to edit it to conform with the standard of the length or what have you, and that being the guideline, we would like to be able to do that because we would be very concerned about subjective editing. And so thank you very much for that.

Mr. Horcajo: I've got a question. WMSA has a website, is that correct?

Ms. Perreira: Yeah we do.

Mr. Horcajo: Do you folks allow outside –? Do you guys request?

Ms. Perreira: We could.

Mr. Horcajo: No, do you? That's the question.

Ms. Perreira: Not at the current time.

Mr. Horcajo: Okay. Alright.

Ms. Perreira: But the point is. The point is –.

Mr. Horcajo: No argument. I was just asking the question. Yeah, I mean, as far if we are

going to allow outside participation on the site, then it does make sense as Jocelyn said to have, you know, specific rules and stuff if we so chose. From my standpoint, I want to go slow in how we chose to cross that line beyond specific MRA duties. Okay.

Ms. Betts Basinger: Exactly.

Ms. Perreira: I'd like –

Ms. Betts Basinger: You know you can refuse our invitation to have something on the website as we're continuing to decide what it is. I want to say also that there is a sister website. The website that Jocelyn is referring to that was originally designed for the community with the hope that the Wailuku Community Association through merchant contributions and advertising would be able to maintain it. That part of the website is still there.

Ms. Perreira: But that always –

Ms. Betts Basinger: . . . (Inaudible) . . .that could be something that the community could talk about taking over. But for now our website is MRA.

Ms. Perreira: No wait. I want to make this very, very clear because even the community association stuff that you're referring to. Ms. Lynn Araki Regan sent out another press release that noted it was Wailuku Community Association and the Wailuku Main Street Association, so it wasn't limited to just the Wailuku Community Association.

Ms. Betts Basinger: Thank you Jocelyn.

Ms. Perreira: But my thing is in past if you look back on records of minutes of meetings of this agency, it was always the intent to use this vehicle, the website, as an informational vehicle and tool. And because we had the professional expertise to present information that is very needed to go out into the public and we have no problem with this whole agency looking at what we want to submit when we submit it to Ms. Erin Wade. That was the whole intent and there was some kind of theme or an idea that we were trying to project so that we didn't have a rumor sheet or what somebody thought or just somebody presenting their latest events or so on and so forth. That might be things of information, but let's go back to our point is there was an intent for having a website, and the intent for having the website was to educate. We provide a roll in that that we want participate, that we were told we were going to be part of the website not invited to do so, but it's been a part of the agency head had said that we were going part of that continuing education. And we just want to know what the criteria is and the standard is for presenting stuff for inclusion because we want to participate but we do need to have some kind of guidance and our professionals have requested that.

Ms. Betts Basinger: Thank you. We'll put something together, board, with the criteria for what we're going to put through, keeping in mind that, you know, we are an objective purveyor of our own work. Thank you. Planning Department update. Erin?

K. PLANNING DEPARTMENT UPDATE

- 1. Update on Project Applications and Enforcement**
- 2. Interdepartmental Coordination**
- 3. Budget**

Ms. Wade: Okay. In terms of the project, there's only two new projects. One is a sign and one is diesel generator. The diesel generator will be a use permit which is for the Verizon wireless cell tower. They are still providing me some additional information and it's gone out for agency, so probably not until January.

Mr. Horcajo: Is that the one on Main Street?

Ms. Wade: Yeah.

Mr. Horcajo: Up on Maui Realty or next to it?

Ms. Wade: Yeah. Exactly. Bob has requested that when I report on ongoing project and on past projects that I find a way and I haven't figured it out in KIVA yet, although I sent a note to MIS to request that we identify if it's an administrative approval or what type of permit they're seeking because right now the KIVA report for the permit doesn't illustrate that, so I'll try to figure out a way to do that. With inter-departmental coordination, there was two things I raised. One is paid parking. A discussion is beginning internally about paid parking, and I anticipate you will be pulled in at some point. No commitments have been made. Nothing is pre-determined but it is a conversation that began at Finance and Public Works.

Mr. Horcajo: I have a comment on the paid parking.

Ms. Wade: Okay.

Mr. Horcajo: I guess I did have a discussion with Erin a while back, but we've had discussions about how we can have money for this agency instead of always from the County general fund. So I realize we can't talk much about it, but I know that there's certain public parking lots in Lahaina Town that is leased to non-profits, who then get the profit from those parking lots. So I think we should keep that in mind for future discussions and we have some parking lots that use to be leased or rented out to private merchants on

Wailuku town before the County bought the property and created an internal public parking lot. I think, it the back of Lao Theater, that was rented by most of the tenants in the Aluli Family property buildings.

Ms. Betts Basinger: At the next meeting, would you like to have an agenda item where you could maybe do some research and report on what you have found?

Mr. Horcajo: Sure. Erin doing research?

Ms. Betts Basinger: No I mean you.

Mr. Horcajo: I already have some of that knowledge.

Ms. Betts Basinger: Okay.

Ms. Wade: The other issue for inter-department coordination is the water line, and I am pleased to say that they are making very good progress on Vineyard and it should be operational before the end of the year.

Mr. Suzuki: Surprising, yeah?

Ms. Wade: Yeah. He actually said next week, but I told him I'm not going to report next week. The end of the year. In terms of the budget, you spent some money today so I'll get you an updated budget for what that looks that minus the \$10,000 for the grant and the trash receptacle.

Ms. Betts Basinger: Could you give us an update on the Best House time line?

Ms. Wade: I will have to get back to you. I'll put that on the agenda for next month.

Ms. Betts Basinger: Okay, or next meeting is December 18th. The agenda, everybody help me with the agenda items.

Mr. Horcajo: I do want to add update on cash in lieu.

Ms. Wade: Yeah.

Ms. Betts Basinger: Update on cash in lieu?

Mr. Horcajo: Uh-uh. Is that possible?

Ms. Betts Basinger: What update would you want?

Mr. Horcajo: Update on how far the staff is along for presentation to Council.

Ms. Betts Basinger: Okay, update on the writing of the ordinance?

Mr. Horcajo: Right.

Ms. Wade: Okay.

Mr. Suzuki: But Erin just said that you need the market study, the needs assessment –

Ms. Wade: I've got to do the needs assessment.

Mr. Suzuki: – the rendering.

Mr. Horcajo: I'm sorry. I forgot about that part of it.

Ms. Wade: Item (E) will likely be back.

Ms. Popenuk: The one thing – excuse me – about the cash in lieu – one thing that I kind of heard him talking about is like in the interim before we did the market study, and before the cash in lieu gets passed, and we're –

Ms. Betts Basinger: Faced with applicants who want abatements.

Ms. Popenuk: Right, what's going to be our approach?

Ms. Betts Basinger: We're going to be adding language that gives them an approval conditioned on a review at the time the ordinance comes into being. So anything that we – so we'll just have to keep track of it administratively so that what we just did which we didn't add that condition but if we had then next year if there's a cash in lieu ordinance they already know that we're going to be writing them a letter saying your permit, now that the cash in lieu ordinance is going to be reviewed by the MRA.

Mr. Horcajo: So Chair, I'm sorry. But Katharine brings up a good point in having it in on the agenda and requesting Council to have an opinion on whether or not we can do that or should do that would be probably important for our future discussions.

Ms. Wade: Where were you?

Mr. Suzuki: We see you all the time.

Ms. Betts Basinger: Warren?

Ms. Wade: This is a suggestion. What I can do is have an explanation of existing contract agreements which was something that was brought up. Have the list of those that have agreed to participate, provide you a standard condition and get legal advisement about what we can actually put people on the hook for.

Mr. Suzuki: What sort of conditional approval can be granted?

Ms. Wade: Okay.

Mr. Suzuki: Do you have a pen around? Does your pen have any ink?

Ms. Wade: So for next month, item (E), 346 Market; item (F), the parking structure update.

Ms. Betts Basinger: Yeah, with the addition report from OED coordinator on the EDA. Are we meeting the EDA by month to month.

Mr. Suzuki: So with the parking structure update, we'll get a revised scheduled?

Ms. Betts Basinger: Right.

Mr. Horcajo: Right.

Ms. Wade: Item (G) would become a discussion of moving the planters, the old planters, and advisement from Main Street. Item (H), I can just give you an update on if we have hired someone, if we have all the monies in place – those things. I anticipate for the market study we're going to want to add something to the website for that, so I can also maybe provide an outline of something to put on the website. And then the needs assessment as we just said, and expenditures and update our – really similar to that they are to date.

There's also a request from Munekiyo & Hiraga. The Kahawai housing project. They would like preliminary design review from you folks before they complete their EA. It's a public housing that will be going into Wailuku, so they would like preliminary design review if they can in December.

Mr. Suzuki: . . . (Inaudible)

Ms. Wade: It's the public housing authority, and Munekiyo & Hiraga who's facilitating the application, so they're going to be assembling the EA but they wanted a preliminary design review first. They know to talk to you.

Ms. Popenuk: Happy Valley on Kahawai Street.

Ms. Betts Basinger: Public housing.

Mr. Suzuki: On Kahawai Street?

Ms. Wade: That was the name of the project.

Mr. Horcajo: There's nothing on Kahawai now.

Mr. Suzuki: Yeah, nothing.

Mr. Horcajo: No, it's on Lilowai.

Ms. Popenuk: It's like – actually I'm working on that project.

Mr. Suzuki: There's no vacant project on Kahawai.

Mr. Horcajo: No, there is.

Ms. Wade: No, I think it's a new project right?

Ms. Popenuk: Yeah right now, it's a vacant lot.

Mr. Suzuki: That's the one with the –

Mr. Horcajo: That's the one that MEO wants.

Mr. Suzuki: That's the one with the CMU wall around it?

Ms. Wade: Okay, so that will be probably item (B) then instead of a public hearing.

Ms. Popenuk: And did we want to draft standards, written instructions for the website?

Ms. Betts Basinger: Let's put it on the agenda to discuss it and preliminarily I'll send out some suggestions.

Ms. Suzuki: Question on the preliminary review for the Kahawai project, are there any noise requirements to the residents in the area?

Ms. Wade: Not for a preliminary – in fact a preliminary review isn't even a standard activity.

Mr. Suzuki: But at some in point in time when it comes before the MRA.

Ms. Wade: Yes. Yes. Particularly a new project. Yes.

Mr. Horcajo: Okay, I'm sorry, I want to go back to what we first talked about which was the potential control of parking structures. Is that on the agenda next meeting?

Ms. Wade: Good point. So that would be – the new (J) would be parking payment for –

Mr. Suzuki: Revenues.

Mr. Horcajo: Revenues from parking. And the reason for asking is if we are going to have it on, maybe it would be nice to have Kalbert, especially, and maybe Milton, but more Kalbert, I guess, because Milton is going to say I don't want it. Kalbert is just going to talk about the history, the precedence, and what his thoughts are – to start the discussion.

Ms. Betts Basinger: And you know what, I think that's a great idea. And if Kalbert is not available December 18th, we'll put it to when he is.

Mr. Horcajo: Sure.

Ms. Betts Basinger: Because that issue is important.

Ms. Wade: He's having a baby. Today, he's suppose to be having a baby.

Ms. Betts Basinger: Any other comments, additions, deletions? If not, thank you very much members. This was a long meeting, but productive. Adjourned.

L. NEXT MEETING DATE: December 18, 2009

M. ADJOURNMENT

There being no further business brought forward to the Agency, the meeting was adjourned at approximately 4:17 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 2:30 p.m.)
Katharine Popenuk
Warren Suzuki

Others:

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