

**MAUI REDEVELOPMENT AGENCY  
REGULAR MEETING  
JUNE 18, 2010**

**APPROVED 07-23-2010**

**A. CALL TO ORDER**

The regular meeting of the Maui Redevelopment Agency (Agency) was called to order by Mr. Robert Horcajo, at 1:00 p.m., Friday, June 18, 2010, in the Planning Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Island of Maui.

Mr. Robert Horcajo: Good afternoon everybody. I want to – the Chair would like to call the MRA meeting of June 18<sup>th</sup> to order at 1:00 p.m.. Thank you very much. I guess I would like to first make note of who's present. We do have a quorum. Katharine Popenuk, our Vice-Chair, Alexa Basinger – welcome back Alexa, Ray Phillips and I understand Warren is coming but he's not here yet. So if he does come, we'll recognize him. Staff present is James Giroux, our Counsel; Erin Wade, our Small Town Planner, and Leilani Ramoran, our Secretary assistant.

**B. PUBLIC HEARINGS (none)**

Mr. Horcajo: I guess before we do verbal testimony, the Chair would like to acknowledge that we have received written testimony for this meeting from Susan Halas. And we also received, if I'm not mistaken, written testimony from the last meeting as well. So Susan has asked that the public testimony be read aloud during the comment period. Board members I understand, through Corporation Counsel, that we have a choice of either have it read aloud or just accepting as part of public testimony as written. Any comments? Either way? What's your pleasure?

Ms. Katharine Popenuk: I haven't read it yet.

Ms. Alexa Betts Basinger: I'm inclined to have the public have their – you know, that we respect their wishes of the –

Mr. Horcajo: Of the?

Ms. Betts Basinger: The request to have it read.

Mr. Horcajo: Right, and to have it read aloud. Ray?

Mr. Raymond Phillips: Sure, no problem.

Mr. Horcajo: Okay.

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

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Mr. Horcajo: Hold on a second. We have the choice right?

Mr. James Giroux: Yeah, the rules just say that you have to accept it. As far as how you treat it, read it, disseminate it, it's your choice.

Ms. Betts Basinger: Chair, I do have a question. Maybe you might know, Erin, how was the request made? To whom it was made? Was it made in writing to this body?

Ms. Erin Wade: Yes, the testimony was submitted via e-mail, with the introduction requesting it to be read aloud into the minutes. But –

Ms. Betts Basinger: Was there a reason stated why she would not be present to read it, to testify it herself?

Ms. Wade: She just said, it conflicts with her schedule. She had a schedule conflict and couldn't make it, and cannot make it to the MRA meetings.

Ms. Popenuk: I might suggest that – I mean, the people, the public, the ones who testify they have three minutes to testify – and read it for three minutes.

Ms. Betts Basinger: Yeah.

Mr. Horcajo: Okay fine. Do we have the May letter that was submitted? I couldn't find mines for some reason? And whatever we do then, Leilani, I guess can read it.

Ms. Betts Basinger: I do have the letter.

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

Mr. Horcajo: I don't understand the question. Corporation Counsel has already weighed in and they are the authority.

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

Mr. Horcajo: Okay. I'm not sure. Excuse me, we're just waiting to see if we find the May letter because I don't have my copy.

Ms. Betts Basinger: I have it right here.

Mr. Horcajo: Erin, should Leilani read it?

Ms. Wade: What's the pleasure of the board. Leilani, do you have a mic? Can you read

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the letter?

Ms. Leilani Ramoran-Quemado: This is from Susan Halas, to Chairman MRA and MRA members. "Request for information and clarification of status, Maui Redevelopment Agency and Wailuku Main Street, Jocelyn A. Perreira. In reading the minutes of the Maui Redevelopment Agency (MRA), I note that Jocelyn Perreira representing the Wailuku Main Street Association is usually present and speaks frequently. In fact, she speaks so often and at such length that there are far more of her ideas, opinions, advice, objections, comments, et cetera, in the minutes than any other person. All private citizens are limited to three minutes of public testimony and this rule is strictly enforced. Ms. Perreira speaks for long periods of time, and frequently interrupts to interject her opinion. Is this permitted under the MRA rules? I am curious what the status of this person and this organization is in the eyes of the County and what is its relationship to the MRA. Is she an advocate or a spoke person for a group? Does that group receive any County funds? If so, how much and through what agency and for what purpose? When the last time their status was reviewed. Excuse me, when was the last time their status was reviewed? Who are the constituents of this group? Who precisely do they claim to represent? How many people belong to that organization? How many of those people live or work in Wailuku? Ms. Perreira often says she has consulted with various, quote on quote, professional committees for her Main Street group in delivering her comments. But the names of these professionals are never given nor is there anything in the written record to support these, quote on quote, reviews or the qualifications of the committees involved. Are there any written minutes of these meetings, and if so, where are they? And when will they be viewed? Are there any budget spreadsheets, and where they may be viewed? Who are those professionals and when do they meet, and what status do their comments have in the eyes of the law and County procedural rules? Are they official part of County government or are these, quote, opinions just a reflection of the views of this organization? Nobody I know in Wailuku belongs to the Main Street Association. And in fact, many people who live here actively oppose it. The Wailuku Community Association was formed by people who do not agree with Main Street group. However, the Wailuku Community Association is mainly made up of merchants and has very few residents as members. As a long time resident of Wailuku, I hope you will be able to answer these questions. I would appreciate a review and a written response by May 30, 2010. Thank you, Susan Halas."

Mr. Horcajo: Thank you Leilani. I guess before we get into the June letter, I would like to say that as part of the agenda today, I think it's item E-4, this body did respond to Ms. Halas. And as well, at the last meeting I guess, Wailuku Main Street Association/Tri-Isle Council did also make some comments in response to the letter.

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

Mr. Horcajo: That's fine. I'm not there yet. We're not at the public hearing process yet. So,

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just for your information. I guess the second which again Susan Halas has asked it be read into the comment period. Leilani, and you can read the June 17<sup>th</sup> letter, and I am keeping time. Good practice for you. It's longer.

Ms. Ramoran-Quemado: Okay, letter from Susan Halas to Erin Wade. "Dear Bob and Erin. Written comments from Susan Halas, a Wailuku resident and property owner to the Maui Redevelopment Agency for agenda meeting June 18, 2010. These are my comments and different agenda items scheduled at that meeting. I request that this public testimony be read aloud during the comment period. D1, Wailuku Municipal Parking Structure, agenda item D1. You might want to look at the back story of this puppy that has been kicking around for as long as I've lived in Wailuku which is going on 20 years. Yes it's true that Wailuku town needs parking, but does it need a four-story monolithic structure that takes up the last public open space in the town, will cost at present estimates over \$15 million to build, will disrupt all of Wailuku town during the years it is under construction if it ever gets built. The most recent incarnation of this monstrosity is based on public input which was over eight years old (2002), and things have changed quite a bit in Wailuku since then. That public comment was based on the assumption that a big parking garage would be in a "good" thing because that assumption was that Wailuku would become a lively diversified place which would not happen. Now, should this gigantic structure ever get built it is likely to sit empty at least 12 hours a day on weekdays, and 24 hours a day on weekends, and become a nifty place to conduct the kind nefarious hang out vagrancy and bad behavior you heard about at the last meeting. When the 2002 meeting were held there were only the option to build presented, not the option to forget about it forever. That would be my choice as there are a variety of other easier, quicker and much less expensive options of which the most obvious are to lay some asphalt on any of the convenient nearby vacant lots many of which are for sale. They are inexpensive, and if not purchased, could easily be leased. Or do as Lahaina has done to go private with the parking concessions. Related discussion. After this meeting, I suggested the members of the MRA and their staff and consultants to take a ride on the new road that goes from the corner of Waiale to Kuikahe and runs through Maui and comes out near the Dunes of – the Dunes golf course. That road now –"

Mr. Horcajo: Leilani. Excuse me, I'm going to cut you off. It's three minutes. And I guess for the body, we're going to just accept this letter and the rest of the comments into the public process. Do you –? Okay, I'm going to open the floor now for public testimony on any agenda item. We do not have your letter here with us.

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

Ms. Betts Basinger: I have a copy of it.

Mr. Horcajo: Okay.

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

Mr. Horcajo: That's fine. Leilani, if you can read that to the public.

Ms. Ramoran-Quemado: Okay, letter written by John Min, Board, dated November 18, 2009. "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 Maui Redevelopment Agency. First, we appreciate the change at your meetings –"

Mr. Horcajo: Leilani, hang on please. Wrong letter.

Ms. Betts Basinger: The other one, Jocelyn is from – attention to Wayne Steel.

Ms. Perreira: That's right, it's regarding Ms. Halas.

Ms. Betts Basinger: Is this the one?

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

Ms. Wade: It's dated 2007.

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

Ms. Wade: Okay.

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

Mr. Horcajo: One quick second. I guess I have that letter. I didn't think you meant the old letter. Okay, so we're going to read the March 26<sup>th</sup> letter. Is that the letter your saying?

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

Mr. Horcajo: Okay fine. Go ahead.

Ms. Betts Basinger: I guess to Corporation Counsel. Ms. Halas' statement that she asked to be read was dated in 2010. This is from 2007, and it's not –. It may be historical, but it's not in response to –.

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

Mr. Warren Suzuki: Bob, let us stop.

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Mr. Horcajo: Yeah.

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

Mr. Horcajo: Excuse me a second.

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

Mr. Horcajo: That's fine. James, you want to respond to Ms. Basinger's comments?

Mr. James Giroux: Yeah, I think this is a question of order. I'm going to defer to the Chair, and if the body agrees with the Chair, then the order will stand.

Mr. Horcajo: Okay, the Chair's order is, given what Commissioner Basinger said, I agree with her. It's not a direct response to the letter. The MRA letter that's noted as agenda item E4 is in direct response to the letter. I'm not going to have that read aloud. It will be submitted as part of the public record. Okay? Alright. So, exercising democracy here as Chair. Back to the agenda, the Chair will now open the floor to the public testimony. Again, you're limited to three minutes, and an additional minute may be granted by the Chair. Okay? And again, on any agenda item. You can also wait to testify on the agenda item at the time we bring it forward. You cannot do both. So, is anybody wanting to come up at this point in time?

Ms. Teri Edmonds: Hello. Aloha Chair and committee members. Thank you so much for having us here. This is Teri Edmonds. I'm representing today the Wailuku Community Association, and I have passed out a memo here. It's just a recap of the meeting we had on the 21<sup>st</sup> with interested parties regarding safety and security in Wailuku. And this is to tell you our activity that we have done since that meeting. We have got our team together in Wailuku made up of merchants and residents who are willing to form a neighborhood watch committee. And we have some established policies and procedures that we're going follow according to the recommendations by the Maui Police Department. I've given you synopsis here, and that would be under the reactive solution. As community members, we are also part of the proactive solution which is meeting with helpful community partners that were here at that meeting. And this will be going out to the rest of the our general meeting, or general public, for our association. And that's all there is. If you have any additions, or extra suggestions, you can let us know, and we'll include that. We have been making police reports as necessary and everybody has been recommended to do so, and I think they were a little hesitant at first, but they're participating. So we will have a good collection of information that can be used at future meetings for the amount of incidents that we see and has actually gotten a lot better. If you haven't noticed, I've heard many fewer comments and harassment issues. So, thank you very much.

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Mr. Horcajo: Any questions for the testifier?

Ms. Betts Basinger: Yeah, just a comment. I'm so happy to see something positive that came out of a meeting that couldn't be held by the MRA. But all of the people that were here wanted to put this together. So, I'm just really happy to see that you've garnered the community and it's moving forward. Thanks.

Ms. Edmonds: Thanks. If I could say one really great thing is, you know, the Homeless Alliance, she mentioned the gentleman's name that kind of goes into the community and does a low profile communication. And he was here the Monday following that meeting. And so, I just felt we had a really good response from the community, so thank you.

Mr. Horcajo: Any other comments? So I guess members, you folks don't know I guess because we had a lack of quorum last month, but the agenda for May included inviting Captain Jody Singsank, members of the County Human Concerns Office, and we had two people from that office, and representatives of the Homeless Alliance, and a few people came from there, so it was kind of workshop. A lot of people came from the public. And what came out of it is what Teri just said, it basically strengthened the public and basically voicing their rights as merchants, as public citizens. So, that was good. Thank you Teri. Any other public testimony? If you could come forward.

Ms. Yuki Lei Sugimura: My name is Yuki Lei Sugimura, and I know I'm on the agenda for the Market Street project, but this is something else. I wanted to find out if the MRA would take on the project, or to look at on Market Street where we hold the Wailuku First Friday events. There have been questions that have come up about what is private and public property where we have merchants who say you can't use in front of our store belongs to me, or because of their concern about insurance, liability and whatever. And I just want to be sensitive to that, but I think it's not very clear because the sidewalks go right up to the buildings. So I don't know if it's looking at the Market Street improvement plans from phase one, or what it would be, but I would like to ask the MRA for assistance through the County, or to the County. How's that? Is that alright?

Mr. Horcajo: Yeah, any questions for the testifier? Does that make sense?

Mr. Suzuki: Yuki, I think your comment about looking at the Market Street improvement plan, I think it's a really good idea. Because my understanding based upon when you do prepare a construction plan, you need to indicate on the plans as accurately as you can the location of the property lines. So if you were to look at those plans, you will likely would be able to see, you know, where the engineers might have felt the property lines are and in relation to the sidewalks in relation to the building frontage.

Ms. Sugimura: And are there like survey pins somewhere or something because it's hard

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to determine otherwise.

Mr. Suzuki: A lot of times when they do – again, if I could, Chair, respond?

Mr. Horcajo: Sure. Please.

Mr. Suzuki: A lot of times when they do topographic surveys to use as the base to determine the design. The surveyors will go out and when they are able to locate the boundary corners whether it's across from sidewalks, whether there's pipe in the ground, or a stake in the ground, they'll indicate that on the plan and label it as such. And they'll use that as a basis of trying to locate, you know, various properties. So I would say that, again, look at the construction plans for the Market Street, phase one improvements is the logical first step to take to at least get started in trying to determine, as you said, where the private property line – where the private properties are and where the public property is.

Ms. Sugimura: Thank you.

Mr. Horcajo: Ray?

Mr. Phillips: To go further with Warren, each of the TMK should call out if you go back to and take a look at the deeds, you'll see where the survey lines, and possibly the owners themselves can point out where they believe is the property line. Did you get this question from a lot of these owners on the block?

Ms. Sugimura: Just some comments. So I want to clarify it because we certainly don't want to ruin any kind of relationship with stakeholders and we want to do the right thing. But at the same time, you know, we have this ongoing event going on, and I don't think anybody or any of the street vendors go there with any intentions of ruining anything. And in case something does happen, I just want to understand where the liability lies.

Mr. Phillips: James, what do you think about this?

Mr. Giroux: You know, I think Public Works would probably have a detailed analysis of this already because they've done a lot of infrastructure. So, I know the County has, you know, some projects with the theater –

Ms. Sugimura: Just the Market Street plan that we just did, yeah?

Mr. Giroux: Yeah –

Mr. Phillips: It's be better if the folks stayed on the sidewalk.



Ms. Betts Basinger: Chair?

Mr. Horcajo: Katharine, any comments?

Ms. Popenuk: Not really. The sidewalk goes into the private property, so it's like it sounds to me what you're saying is like physically standing there on the street you want to know where the property line is.

Mr. Horcajo: So I guess if the body concurs we'll just have staff do some investigation, get a copy of the construction plans. I'm on the street, you know. We own a couple of buildings so I have physically looked for boundary pins up and down the street, and they're not very evident. We'll x's in the concrete and stuff. It may not have my idea as to whether the pins are based on the tax maps. I look at tax maps often. But I guess we can start with the investigative work. You know, I guess, the last alternative if we want to be exact is to spend some money or have somebody to survey the actual street. But we'll see what happens after staff does their work and stuff. Is that okay? Okay. Katharine?

Ms. Popenuk: I was just going to say that finding out where the property line is might be sort of mood point because as you're standing there, and especially like First Friday it's very easy for a person, for a public person, to cross onto private property. That's happening already as someone stands in front of a shop.

Mr. Horcajo: I don't think that's the issue. If you want to expound on what you're asking?

Ms. Sugimura: I guess the reason why this question is coming up because we have some situations where merchants are saying you can't have a street vendor in front of my store because this is my property and liability. So we certainly want to honor that, but at the same time, it can't be the whole sidewalk because it's private. So, I'm not too sure where the boundaries are and I don't want to guess. And I do want to respect stakeholders because after all they know.

Ms. Popenuk: And the current situation where someone is on private property, and you know, what's that property owner's liability right now?

Ms. Betts Basinger: Chair?

Mr. Horcajo: Okay.

Ms. Betts Basinger: I think that this is actually a process, and I think it's something very appropriate for the MRA because that's in the Wailuku Redevelopment Area. And I would consider the process to be #1, that I would move that this body authorize staff to contact Public Works and get as closer look at boundaries as we can. But then the second part of

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the process would then to be contact those landowners, maybe working together with the festival organizers, but simply to notify them about this festival that happens regularly. And whatever we find, where the property lines are, where there might be an issue, invite them either to come and meet – everyone meet together. But at least give them the information that we understand that there are questions about public access.

Mr. Horcajo: Yeah, that's fine. I agree. I guess as I asked before, we'll have staff do investigative work. And I agree with you. As you probably heard, I'd like to use the communication and report as part of our agenda. So hopefully for next meeting, we can have something that documents what the code even in terms of use. And maybe we'll have a better idea as to where property lines are.

Ms. Sugimura: Okay, thank you.

Mr. Horcajo: Thank you. Any other public testimony during this part of public hearing process? Mr. Noble, John?

Mr. John Noble: My name is John Noble. I've been at 160 Market Street since 1977. And I'd like to respond to some of the things that I've heard here today. As both a landlord and a business on this street for more than 32 years now. One of the things that Susan Halas brought up here that I think the proper word for is standing. I've watched a lot of these meetings and especially when MEO came in and wanted to have their prison or whatever they want to call it in town, they brought in dozens of people into the meeting, and had them flood the chairs, yell and holler and scream, and there was even some guy from Kihei who came in and testified that he would like to have a prison next to his business. And so I'm a little upset about standing, and I kind of agree with Susan Halas on this issue of Main Street. If they want to bring in their people and have them testify, that's fine. As far as I'm concerned, Jocelyn shouldn't have any more standing in this body than anybody else. That's my opinion. I'd like to comment on the -. And there isn't one time, we had 14 -. There was a petition that went to the County of more than 14 businesses that wanted to see Main Street gone. And the County wrote us back and said that well they're a private organization. They're not funded by the County and this kind of stuff. And I've still got that petition if it does anybody any good. So on that point that she made there, I'm in complete agreement, and I assure you that many of the business people in this town are.

On the parking, I agree with her on that. This would mess up the street. And we're going to spend, what, \$1.6 million on this study. Is that correct? \$2 million?

Ms. Wade: The grant is \$1.2 million and we have an additional \$400,000 for the design and construction.

Mr. Noble: Well, the thing is I feel that we're putting the cart before the horse here. One

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of things that you're going to need for this parking lot is interim parking. And so you're going for the parking structure before you're doing the interim parking. And for \$2 million you could buy out who knows how many lots in town, and make interim parking to begin with.

Mr. Horcajo: Excuse me John, can you conclude in one minute? You're at three minutes right now.

Mr. Noble: Okay. So that's on the parking. I'd like to also see some rules for how *(Inaudible due to technical difficulties with the recording equipment.)* I'd like to see some rules on how long these variances can last, and I'd like to see some comment on –. These non-profits are really taking over the town. There's more than 29 non-profits and government agencies in this town *(Inaudible due to technical difficulties with the recording equipment.)*

Mr. Horcajo: Thank you. Members, if you want to ask Mr. Noble any questions that has to do just with what's on the agenda item, and we do have parking on the agenda item, the parking structure. So, anybody has any questions for Mr. Noble?

Ms. Betts Basinger: No, just a comment for his information. John, this body is working on an interim parking program so that will be happening.

Mr. Horcajo: Okay, any other people?

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

Mr. Horcajo: Excuse me sir, could you identify yourself?

Mr. MacPherson: I'm Howard MacPherson. A concerned citizen. And we were just talking about the interim parking. I mentioned several months ago that the interim parking can be affected greatly by how the structure is built. I don't know if you've designed or have actually determined how the structure is going to be built yet, but there's three different techniques. And one can be built off-site. You can use the parking, come in and put it put like dominos. Now that would obviously keep the parking lot viable until you got the structure done, and then came in and put the foundations in and put the structure up. Now, I think you need to determine how you can build this, how you're going to build the structure before you determine on whether you can use the parking lot or not, and how long you can use the parking lot.

Mr. Horcajo: Thank you. Any questions for the testifier? Okay. Jocelyn?

Ms. Perreira: This agency will be hearing from our board of directors.

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Mr. Horcajo: Jocelyn, can you just for the record identify yourself and who you represent?

Ms. Perreira: Don't start my time yet. Jocelyn Perreira. Wailuku Main Street Association. I'm sure this agency will be hearing from our board of directors because they did give a reputation on anything and everything that Ms. Halas has to say. It was interesting that you read the letter that blasted us but you didn't read the letter that blasted and told the Council to eliminate the MRA and how worthless this organization is – the MRA – that is. That was not read.

There was a former Chair, Stephanie Ohigashi, that had receive such rude and crude and untruthful treatment as we did. And it was stopped cold turkey when she was Chair of the MRA because it was inappropriate for somebody to gutt up with their agenda, at the last minute, without anybody having to be prepared to represent or to defend themselves or what have you. There are hidden agendas here. There's a hidden agenda not only from Ms. Halas, I'm afraid, but a few others and it's very clear as to what the agendas are. We are concerned that this will become a precedent that anybody can be allowed to be assassinated unfairly and untruthfully by using the public realm to do so which is pretty uncool. This is precedent setting and this has not been allowed in the past.

It's interesting about a petition so called circulated because the petition was challenged and it went absolutely no where. It was not constituted only of business owners, it was a very few people. And I would like to hasten to add that if you're going to go back to petitions let's talk about the 7,000 petitioned in support of Main Street and its endeavors relative to this organization. And last but not least, Chubby Vicens talked to the County Council during this budget hearing, and told the budget, told the County Council in no one's certain terms, the extent and the breath of the support for this Main Street organization.

As for the merchants on the streets, half of the merchants on the street are solid supporters of Main Street. We have not come out and tried to challenge any of the actions or the reporting or how much financial accountability, what's collected by the Wailuku Community Associations, or many other things that are subject to challenge and questions out there because it's inappropriate. But we are not going to stand here and be faltered for those who have an agenda. And it is not an agenda to support working together in harmony. Again, we stand by our record of accomplishment and achievements, and the letters that you have received. And also, prior MRA Chairs, everyone, save the last one, touted Main Street in their departure. As to the role and function not only of the organization, but it's director and it's many pro-bono people that have been involved. So we hope that this is not going to be something you're going to be allowing as a precedent, and I'm sure that the organization would expect me to say that they soundly refute every single comment that has been in opposition. Although we respect their right to have their own opinion, it is an opinion of an individual. Thank you.

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Mr. Horcajo: Jocelyn? Please? Katharine?

Ms. Popenuk: I just wanted to –. Bob, can I read a paragraph of your response letter that was sent to you?

Mr. Horcajo: Read it now, or just wait till we get to that agenda item?

Ms. Popenuk: To Ms. Halas.

Mr. Horcajo: It's under communication and reports.

Ms. Perreira: 25 years of work with you folks –

Mr. Horcajo: Excuse me? Out of order.

Ms. Popenuk: It just speaks to our position on having public speak at our meeting.

Mr. Horcajo: Yeah that's fine. Counsel has suggested that if we choose to read our response to Susan Halas when it comes up on the agenda. Okay? Any other questions for the testifier on the testifier's comments? Thank you.

Ms. Perreira: Thank you sir.

Mr. Horcajo: Any other public testimony before we –? Seeing none, the Chair will want to close this portion of the public testimony please. Thank you. Item D, Maui Redevelopment Agency Business, and D1, Morgan. This is, I'm sorry, Wailuku Municipal Parking Structure update and discussion on the parking structure.

**C. DESIGN REVIEW (none)**

**D. MAUI REDEVELOPMENT AGENCY BUSINESS *(Materials were previously distributed for the May 21, 2010 meeting. Members, please bring your materials to the meeting.)***

- 1. Wailuku Municipal Parking Structure update and discussion on the parking structure project including issues relating to design, schedule, contracts, proposals, project collaboration and funding. (Morgan Gerdel, AIA Parking Structure Coordinator)**

Mr. Morgan Gerdel: Good afternoon Chair and members. My name is Morgan Gerdel, and I'm with Nishikawa Architects. And I've sent you a packet that has an updated project

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schedule from May 12<sup>th</sup> and also a status report of what tasks are being completed for the parking structure. And I just have a brief written project update for the –

Mr. Suzuki: Which is that Morgan?

Mr. Horcajo: You know, Warren, it came with your May packet. So if you have that bunch of stuff.

Mr. Gerdel: I can wait a moment.

Mr. Suzuki: I got it.

Mr. Gerdel: Okay, the request for qualifications for the conceptual design, the parking structure, closed on May 3<sup>rd</sup>, and the County of Maui Public Works has been working to finalize, or the selection of the consultant. And in talking with them, it sounds like it will be complete by the end of this month. And they're looking at having the consultant start with the studies for the EA to get that process going because that will be in the critical path for the schedule.

We've also started research on the funding options for the parking structure. I was at a green building conference on Oahu, and I met with Romona Mollohay from HUD. And they have a partnership for sustainable communities that offers grants, and that could be a potential avenue for the parking structure if it's designed in such a way that it can address transient roadways, housing, and other programs in kind of a holistic or sustainable manner. And also we're waiting for findings from the Market Base Plan by PUMA to look at other areas for funding strategies. Any questions?

Mr. Horcajo: Warren?

Mr. Suzuki: Chair, you know, Morgan, thank you for providing us with this schedule. You know, I've in the past have specifically asked for a schedule of this sort so we can have a better idea on where we are relative to various tasks that need to be achieved for a project in order for it to be completed in a timely manner. And I realized that you had done this for May. Now we're already into June and if we look at today's date, we're suppose to have already gotten the County Council Resolution. Where's that?

Mr. Gerdel: I think that's still waiting to be put on the agenda for the Committee of the Whole, so it's not something that they've –. But I guess it's not in our critical path. It was something we hoped to achieve, but it won't prevent the design of the structure or starting the EA process.

Mr. Suzuki: So as far as the other tasks that you have, again, if you put yourself in the

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position today, are we on schedule?

Mr. Gerdel: I think we're, as far as the design selection process, we're a couple of weeks behind. But I think it will help because we're going to start the EA in conjunction with that design process so that EA process can move up. So I think that will help the overall schedule.

Mr. Suzuki: So you're saying that –. In general, are we on schedule, behind schedule, ahead of schedule. Where are we, as of today?

Mr. Gerdel: As of today, I'd say we're a couple of weeks behind schedule.

Mr. Suzuki: My next question. How concerned are you that we're a couple of weeks behind schedule? Are we going to be able to make it up or is that something that's going to carry through and likely incur additional delays?

Mr. Gerdel: I think once we have the consultant selected, we'll probably get a better answer for that, as far as the exact duration they need to complete the design. So I'd say by next month's meeting, we could have a more accurate schedule.

Mr. Suzuki: You know, bear in mind that, you know, I will be looking very carefully at the schedule, you know, each and every month, so just be prepared for that. And if you could, as I requested, during numerous meetings, just have an update schedule available for this meeting.

Mr. Gerdel: Okay, I will do that. Thank you.

Mr. Horcajo: Members, excuse me, before we ask Morgan any more questions, I guess I'm new to this but, I think it makes sense for us to have some public comments first if there is any public testimony on this item. And then if we want to ask questions of Morgan, we can bring him back. Is there anyone in the public who wants to provide public testimony on this agenda item?

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

Mr. Horcajo: You want to talk about this item itself?

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

Mr. Horcajo: I did.

Mr. Dan: Is that another rule change?

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Mr. Horcajo: No, it's not a rule change. It's a miss –

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

Mr. Horcajo: That's the rule, on each agenda item.

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

Mr. Horcajo: No, no. I agree. That's fine. Any other public testimony from anyone else regarding Morgan's testimony? Mr. Piltz? You can come to the podium, identify yourself, and anyone you represent if any. Randy, I know you weren't here, but you have three minutes to testify and the Chair will allow an extra minute if necessary.

Mr. Randy Piltz: Just a matter of comment. Randy Piltz. I'm an electrical contractor, a businessman. I'm now retired. I live in Waikapu. And I'd just like to say that I was involved with the charrette on this parking structure. And I think myself and very many people on this island would like to know when, when, when, and how about the funding. So I echo a lot of people that are concerned. The businessmen, business people in Wailuku town need that parking structure. I know I disagree with the person you named earlier, Susan Halas. She didn't think we need it because time had passed, and it's blase now. But as far as I'm concerned, I think we do need it, and I like the rest of the community would like to see it happen. Thank you.

Ms. Betts Basinger: Chair?

Mr. Horcajo: Excuse me a second? Any –? Go ahead.

Ms. Betts Basinger: Chair, just a comment to Corporation Counsel. This, Morgan's report, with the time schedule as of this point, is that something that is in the public domain, and can we share with Mr. Piltz?

Mr. Horcajo: Yes. It's right there on the side table.

Ms. Betts Basinger: So you can get a copy.

Mr. Piltz: I could get a copy of that?

Mr. Horcajo: Yes.

Ms. Betts Basinger: And that's today's time line for the project.

Mr. Piltz: Well, I know they're two weeks behind right now.



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Mr. Horcajo: Any questions for the testifier? Thank you very much Randy.

Mr. Piltz: Thank you.

Mr. Horcajo: Any other –

Mr. Dan: I have a question.

Mr. Horcajo: Excuse me. Any other –? It doesn't work that way. Thank you very much. Any other public testimony regarding the testimony by Morgan Gerdel?

Ms. Perreira: Yes, Jocelyn Perreira, Wailuku Main Street Association. Its legally authorized representative. In response to Morgan, I want to say thank you for his work. It is important to get this in the public realm. We don't think that it is in the public realm, and that's why people like Mr. Piltz doesn't know about it. And I do want to express our continued support for resolving this problem. And expressing our concern that people who support this project will not come under attack by those who have worked very hard to stop it. People who are wanting and needing this, I want to say 83% is the survey. 83% done by the Office of Economic Development in the survey done relative to having the municipal parking structure supported this improvement for Wailuku. So we want to see this happen. Thank you.

Mr. Horcajo: I want to make a quick comment I guess before the members. I hope you guys realize that at some point in time when we get into more of, I guess, when we get the design phase going, we're going to have to be more out in the public, to include, probably more than the typically meeting here. Some afternoon meetings. So, again, we're still in the initial process of hiring the architect, so it's a process. It's going to take some time, but we will be out at public hearings beyond this one o'clock, third Friday. Okay, any other testify in the audience right now? Okay, any members – members, any questions for Nishikawa and Associate and what they presented? Excuse me, Ray?

Mr. Phillips: Yeah, thanks Bob. My general comment is if this whole thing goes through or not, if we're unable to find funding, and I'm very, very concerned about the ability to find funding at this juncture with the way the Feds are, the State is, County, City – I mean, County and State. I would really like to see something from Morgan where he provides a lists of those folks, those organizations, the places where he's going to be approaching and maybe a schedule after that, and maybe an adjunct to this particular schedule. For all of this is of no value to us if we can't find money. That's my only comment.

Mr. Horcajo: Morgan, do you want to respond?

Mr. Gerdel: Okay, yeah. We're starting that research so I think at the next meeting I can

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start that list and get you updated with that.

Mr. Phillips: Great! Thanks!

Mr. Horcajo: Members, any other questions for Morgan?

Ms. Betts Basinger: Chair, I was just going to comment that if you look at phase 3, develop funding strategy which began last month and is to the project is expected to end in August for the strategy to obtaining financing for construction in June of 2011, that is a very aggressive time line. And I tend to agree with Ray that this body at least would like to see – have a little bit clearer understanding from you. It's great to hear that you went to that event and you talked to somebody, but there should be a net going out right now. I mean, not just when you're at an event and you happen to run into someone. But there should be letters going out to every possible funding source, and then some that you probably don't think we'll get, but you never know. So, and I think this body is willing to help you in any way that you need. If you need to get source lists for those folks. But I do agree that this is one area that is critical and it's on a really short, it's on a real short, leash here.

Mr. Gerdel: I appreciate that. Any ideas you have, I'm welcome to hear that through email or you can call me.

Mr. Horcajo: Warren?

Mr. Suzuki: No.

Mr. Horcajo: No questions. Katharine? Thank you Morgan, very much.

Mr. Gerdel: Thank you. Okay, we're onto agenda item D2, Market Street Improvement Project, phase two update from Yuki Lei Sugimura.

**2. Market Street Improvement Project, Phase II through Happy Valley Update on project progress, public relations and schedule. (Yuki Lei Sugimura, Public Relations)**

Ms. Sugimura: Thank you for letting me keep up or give you information regarding the Market Street Improvement Phase Two which is in Happy Valley. And before I get into that I wanted to, if I could, just talk about something that is probably the whole project, Market Street Improvements, in general, which has banners and just to give you an update of the support you gave towards creating the banners on Market Street. They are now up and flying, and they're on display. They were put up on July 1<sup>st</sup>. We met the County's deadlines that we needed for funding. No, July 1<sup>st</sup> it went up.

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Mr. Suzuki: June.

Ms. Sugimura: June 1<sup>st</sup>. Sorry. You're right. It was June 1<sup>st</sup>. So they're up now, and I got a call from the Maui News and there's going to be an article coming out of which –

Ms. Betts Basinger: It's in the paper today.

Ms. Sugimura: Did it come out? I missed it.

Ms. Betts Basinger: I brought it.

Ms. Sugimura: Great. I hope they gave you credit because I did put that in the news release.

Ms. Betts Basinger: They did. They gave everyone credit.

Ms. Sugimura: Good. So that's there. Great! And on the Market Street project in Happy Valley, just kind of a June update. MRA didn't meet last month, and you probably know already from just the media that there was a 24-hour work that was started on May 26<sup>th</sup>, and it went through four o'clock, May the 28<sup>th</sup>. So within that period, Goodfellow worked continuously for 24-hours right along past Happy Valley or Valley Hardware around towards Mokuhaui. So it's just a short path, but within those, the short period of time, they accomplished a lot that they normally would do if it was only a day work. So in my report, I gave you some of the stakeholders that I met with to discuss the work that would be done as well as some of the communications that we did to do this. And right now, where we are on this street is the project is working where the laundry mat is, Happy Valley Laundry Mat, going towards Banana Bungalow. There's about 200 feet of drain line there that they're installing. And I just also wanted you to know that the Department of Water is exploring alternatives for underground challenges that need to be resolved relating to underground laterals on the Mokuhaui side of Market Street. So there's that which is also part of the project. So thank you.

Mr. Horcajo: Thank you. Any people willing to offer public testimony on this agenda item? Jocelyn?

Ms. Perreira: Jocelyn Perreira, Wailuku Main Street Association. I saw Sae and I saw Bob and Yuki on the street of the First Friday event. And I went to them. I made a point to go up to them to congratulate them on the fact that the banners turned out to look very, very well, beautiful. As a matter of the fact, they were of the size that was, you know, non-intrusive to –. And the colors, so we were so glad that we had the opportunity to offer some input into the process and glad to see that the final product is going to be an asset to the town. So I wanted to make sure that I put that on record. Thank you.

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Mr. Horcajo: Thank you very much. Any other public testimony on this agenda item? Members, any questions for Yuki Lei? Yuki can you please?

Mr. Suzuki: You can't get away from me Yuki. This is a very, very, very sensitive project for me. You know, as you and I spoke one day, I ran into a resident that lives on Makua. An old time resident that lives on Makua. And I asked him, you know, how are things going as far as with the traffic driving being detoured onto Makua Road. And the only comment he made to me was that they having to deal with a lot more dust now, as compared to how it was without the traffic there. And you and I spoke, I was just kind of curious because I haven't seen any response to that particular comment. But would you know if the contractor has done anything in terms of, you know, a lot of times what they'll do is they'll shoot water on the road to prevent dust. But as I've said, I've been going to Happy Valley quite a bit to see my father-in-law, and I have not yet seen the roads damp or have seen any evidence of they shooting the road down.

Ms. Sugimura: So thanks for that question. This is regarding Stanley Okamoto who is a family friend, an old time resident who lives on Makua. And after we had that discussion, I did talk to Goodfellow and what they're doing is shooting down, or watering down – it's probably the proper word – and putting that in the total project areas for the detour. So that watering down of the roads is happening according to Goodfellow.

Mr. Suzuki: Do you know how frequent? Because I've been driving into Happy Valley quite a bit because my father-in-law, but I have not seen any evidence of the road being shut down and all.

Ms. Sugimura: So our meeting that I –. We had our initial discussion, I don't know, maybe a week ago or two weeks ago with you. And I did bring it up to Goodfellow. Yesterday when we had our meeting with them – we have a project meeting every week – they did say that they are going to do it. I didn't ask the frequency. I can find out for you what the frequency of when they do the watering.

Mr. Suzuki: I think the main thing is that a lot of times, again, you know, being involved in construction, contractors will just take what you say, but a lot of times, not respond to it, just let it go until somebody else complains further. But as I said, you know, based upon what I've seen in driving up Kahawai and Konahea, and looking into Makua, and driving Makua Road myself, I have not seen any evidence of the road being watered down and all. That's just me.

The other point I wanted to make is that having spending a lot of time in Happy Valley recently just kind of patronizing Takamiya, I noticed that there's a lot of construction activity ongoing. And there's areas where there's no active construction occurring. And yet the areas that were excavated, I don't see any evidence of a whole lot of coal patch being

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placed on the road. A lot of times when you excavate the asphalt for trench for underground utilities, you put your trench, back fill, back and in the interim you put coal patch. But for what I've seen, I don't think they're putting coal patch in areas that there's not any active activity. If there's active activity going on and something is going to occur tomorrow, it may not make a whole lot of sense to put a lot of coal patch. But in areas where work is not going to occur let's say for weeks at a time, I think just out of courtesy to like Rinkie at Happy Valley Hardware, for example, because I feel for him. I mean, if you look at the situation in front of his store, you know, I really feel for Rinke that the parking lot is just a construction nightmare. And there's areas that have been excavated and there's not even coal patch. You know, there's just dust and dirt in front of his store. And I think out of courtesy, you know, just put coal patch. You know, I just have a concern with that.

And the last thing is that do you know if they're actually stopping work at three o'clock where we're told that, you know, that's what the contract says, three o'clock they're off the road. And if that is the case, you know, as well as I do, a lot of times, they work beyond 3:30, 3:00, so I'm just kind of curious as to whether or not they are putting effort to ensure that they do get off the road per the contract.

Ms. Sugimura: To answer your question regarding the coal patch, I'll have to ask Goodfellow what their schedule is. In terms of stopping work, that is the contract's stop time. So if they go beyond that, that's at their own risk. But as you know with construction, that is depending on what they're doing and what they're running into, they may go a little extra. But it is, as far as I know, that's the goal.

Mr. Suzuki: Anyway, I'm not going to say anything. That's not acceptable, but I'm not going to say anything.

Mr. Horcajo: Any other members questions for Yuki Lei? Ray?

Mr. Phillips: As Warren knows when you go in for your permit, you file for a dust control on what you're going to be doing and what your construction practices are going to be. So I think all of this stuff should be on record. And if they, the occupants, in front of the construction site choose to complain, I think they can do it to Public Works, probably is where they can have a complaint to file or a complaint to discuss.

Mr. Suzuki: I realize – could I respond to Ray?

Mr. Horcajo: Sure.

Mr. Suzuki: You know, I realize that they do have the right to do it. But I think one needs to understand the type of individuals that are being impacted. No. 1, there is no way in hell Rinkie or Claudia will complain. I mean, it's not in their culture. It's not in their personality

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to do anything. Takamiya, I tried to get a hold of Lance. You know, he wouldn't get back to me. I talked to the workers, and, you know, they're not happy with the whole situation, but say, well what can we do? We were told it was suppose to be done by the end of the year, and we don't know if we can deal with it for that long. But, you know, what can they do? So, it's not in their culture. It's not in them to do it. And that's the reason why I've stated this before, and that's the reason why maybe I've taken it upon myself to be the one to speak up, you know, maybe on their behalf because knowing that they likely will not come out and openly raise concerns or raise questions about what's going on.

Mr. Horcajo: Okay, thanks. Questions? I've got a couple of comments I guess. Well, I guess, no. 1, I know the night work was done and according to the press release it's expected that that was going to save three weeks from the contract. Is that still true?

Ms. Sugimura: That's the anticipated amount of time that would've gotten saved.

Mr. Horcajo: Okay. Alright. Is there any expectations of more 24-hour kind of work? I'm just anticipating between now and the next meeting.

Ms. Sugimura: For right now, no, but I guess you never know, right? Depends on the project, what happens, but for right now, no.

Mr. Horcajo: Okay, I guess my third question is it appropriate that you respond to questions from members here in writing, at least to Erin, like the dust control on Mokuahau, the coal patch issue, and stop work and stuff. I guess because at least if the staff has your response between now and the next meeting, and there's a public concern at least, we can refer to Erin Wade here, or the Planning Department. You folks meet weekly right? So is that okay with the members? If that's okay with you.

Ms. Betts Basinger: Is it okay with Erin?

Ms. Wade: Sure. I mean I can accept the information that she provides and distribute to any member of the public that has a question, if that's what you're asking.

Ms. Betts Basinger: Is your intent Chair that she would distribute that to this body?

Mr. Horcajo: That's probably my intent, especially like for Warren who's always kind of like out there on the street. And you know, I walk down and kind of buy my lunch down there at times just to check it out.

Mr. Suzuki: One more thing. And I know I made this request before Yuki that you know I asked maybe the construction manager, you know, come to our meeting because, and referring to yourself, you're the community relation person, you may not be fully aware in

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terms of what goes on with the day to day construction. I asked for a construction manager to come here so we can ask the questions, and not – so you don't have to go and be the middle person, asking them the question, coming back to us with the answer. So if there's any further questions that we might have based upon the response as provided, we can continue with the questions. Chair, is it possible to ask that the construction manager or the contract's rep or whatever be present? I made this request before, and we haven't had that occur yet.

Mr. Horcajo: Let's defer. I'm going to ask Council. I mean, I think it should be, so –

Mr. Giroux: And you might want to put it as an agenda item if you want to, you know, get into a real heavy discussion.

Mr. Horcajo: So –

Ms. Betts Basinger: Chair? I do have a comment. Warren, you know, it's saying here that Yuki Lei Sugimura is the contractor's rep. But you're actually talking about the contractor's project manager.

Mr. Suzuki: The County's project manager.

Ms. Betts Basinger: The County's project manager?

Mr. Suzuki: SSFM.

Ms. Betts Basinger: Not Goodfellow?

Mr. Suzuki: Or the contractor's rep. Either.

Ms. Betts Basinger: Okay. See, the question is, who are you going to get the best answers from? The County's project manager or the contractor's project manager?

Mr. Suzuki: I feel, and as Ray kind of made the comment that, I asked for the construction manager to be here, the SSFM rep and I'm hoping that they would come. Because they probably have a better feel of the overall project, you know, better than anybody else.

Mr. Horcajo: I'm going to suggest something else too now. Warren, undoubtedly this pertains to you. This body have the authority to have a member or two, you know, go do some investigative work and report back to us in writing. So that's an option that we have. We did that, I guess, myself and Katharine worked on the whatever, parking issues. So I want to kind of talk about that. Does that make any sense to you, Warren, or any other members? Ray?

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Mr. Phillips: I think Warren's idea and having, in this case, SSFM, by the folks that are the selected project manager on this. I think they're the ones who should make the report to us. And then we can all query SSFM.

Mr. Horcajo: Any other comments? Katharine?

Ms. Popenuk: I guess I'm pretty confused by this conversation. I have a question. Who is responsible for enforcing that the contractors lives up to the best management practice?

Mr. Horcajo: It would be the County.

Mr. Phillips: County.

Ms. Popenuk: So is that not the person or the organization you should be enforcing these? That the road is being sprayed. That this is happening, and that's happening, whatever was in the best management practice?

Ms. Betts Basinger: Chair? I think that what Warren and I are thinking is that's correct. We don't have enforcement, but we can certainly be a conduit to make sure, maybe help out in between to make sure that those things are being met. So I think that's what you're trying to attain here and I don't know the proper way to do that is. Erin has a great rapport with Public Works.

Mr. Horcajo: Well she does, but -. So again, what's your opinion on what Warren is suggesting, and Ray has kind of concurred that it would make sense to have, at least once, a representative from the -. SSFM is really the actual consultant right? They're really not the contractor. They are the construction manager, and Goodfellow is their contractor. Any comments on that?

Ms. Betts Basinger: Yuki, I do have a question for the testifier Chair?

Mr. Horcajo: Okay.

Ms. Betts Basinger: And I should know this, but I don't. When is the anticipated completion date?

Ms. Sugimura: December. End of December.

Ms. Betts Basinger: Okay. So we are right now in the end of June. It will take at least one month before they come to speak to us, and we're getting closer and closer to the end. So I guess my suggestion might be that we do have a subcommittee attack this right now and gather some information and report back to us at the next meeting, rather than waiting to



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schedule them to come talk. Maybe you can go meet with them and ask the questions that we're concerned about. So Warren can be a committee.

Mr. Horcajo: Yeah, I like that idea. That's why I brought it up.

Mr. Suzuki: I can do that.

Mr. Horcajo: Is that okay Warren? So we don't have to take a vote. Is that correct? It's just –

Mr. Giroux: It looks like you have a full concurrence of the body?

Mr. Horcajo: Warren, and remember it has to be documented well. When you talk to them, in writing to us.

Mr. Phillips: Bob?

Mr. Horcajo: Excuse me. Ray?

Mr. Phillips: You also want to invite a representative from SSFM.

Ms. Betts Basinger: Maybe he can meet with both of them.

Mr. Suzuki: Maybe one suggestion when I do submit the written report, at that meeting, we can have a representative there.

### **3. Wailuku Market Based Plan update (E. Wade)**

Mr. Horcajo: Okay. We're not setting the agenda yet. Okay. Thank you very much everyone. Okay, I'm going to do the next item, then maybe take a little break. We are on B-3, Wailuku Market Base Plan, and Erin is going to fill us in on that item, agenda item.

Ms. Wade: Okay, I passed out for you folks – well I sent you some materials in the packet last time along with the memo that described what was being worked on. And then today I left on your table a revised market profile that – this is the draft. And also the conclusions of the Wailuku town survey. So they have highlighted all of the preliminary findings of the Wailuku town survey. One of the most interesting ones I think that relates to the parking structure the question if you don't visit Wailuku town, it is because, the no. 1 response was, difficulty finding parking, 69.1%. So that really does a lot to help us in support of the work for a parking structure.

The market profile is complete, less the leakage analysis. They're still planning on

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completing a retail leakage analysis that will tell us basically what dollars might be spent in Wailuku that are now being spent elsewhere, and that Wailuku could easily capture provided the right circumstances. And then also providing us information about what those circumstances would be and how to assist in making that happen. Beyond that, the consultant team is in town again next week. They're going to be here and working the 22<sup>nd</sup> through the 24<sup>th</sup>. We have a task force meeting, the morning of the 22<sup>nd</sup>, and then in the afternoon there's a Planning Commission Meeting. There will be public presentation at that time, from one o'clock to two o'clock. The consultant will be talking about top 10 trends, top 10 global trends affecting the small towns. And also a little about small town planning and the markets today, interesting things occurring nationally in small towns, so I think that will be an interesting conversation. Then the following day, they will be meeting with the Mayor, and the Managing Director, the Finance Director, Office of Economic Development. And then after that, there will be the Wailuku, Wednesday in Wailuku Forum, hosted by the Wailuku Main Street Association. Brad will be the key note speaker at that event, and then there will be a break out session where people can talk about issues that they think are really critical to the success of the small town. So that's definitely a don't miss if you're available to attend that meeting.

Mr. Suzuki: What's the date again?

Ms. Wade: That's Wednesday the 23<sup>rd</sup>. And that's from 11:30 to 1:30 p.m., at the Good Shepard Church. So both the Planning Commission meeting on the Tuesday in this room, 1:00 to 2:00; and the Wednesday in Wailuku Forum, which is Good Shepard Church, 11:30 to 1:30, are public meetings that anyone can attend and start to hear some of the key findings that are coming out the study.

The following day we're meeting with other key property owners, owners that hold a significant portion of land, or that are in high profile locations and maybe are underutilized. And then that's it for this trip. The following trip, though, our hope is to tie that in to getting a parking management consultant on the ground here so that the end of the management – or the end of the market base plan moves right into the parking management plan. So we've begun some initial work to identify what kind of scope that that would entail. So that's pretty much –. I mean, there's a whole lot going on every single day about this project. I guess I really didn't foresee how much was going to be required to do all this. But the truth is, I think, that there's a lot of positive progress happening now. Part of it was that the crime watch conversation we had, some of that initial information came out of the focus groups that we had for the market base plan, and we were able to address it easily on the side, outside of this specific project, but it was excellent and very timely. So we wouldn't have known that necessarily if we weren't having these ongoing focus groups, though. You know, I'm a little too – staff is a little too far removed from the personal experiences people have in Wailuku until you do a little focus group conversation. And as the staff, I just want to publically thank everybody who has been participating because it's

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a little bit of whirlwind and intense, but it's been very, very positive, so thank you.

Mr. Horcajo: I guess before I offer any public testimony, I would like to say Erin had made, staff had made copies of the actual initial draft that had been done, so they're up on the table. And if there's no additional copies, you can ask them to give you a copy. And I would encourage you folks as she mentioned to attend the two public hearings. The Planning Commission next Tuesday and Wednesday in Wailuku the next day.

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

Mr. Horcajo: Right. Anyone wants to offer public testimony on this agenda item?

Mr. Richard Dan: My name is Richard Dan. I want to first compliment Erin. You do a great job. I really appreciate it. The parking is – we're on that – and I believe it's the nucleus, most of the problems that we're having. I came here and spoke about a month or two ago and spoke about this letter that Milton wrote to you guys. I haven't seen the letter and I won't be able to stay here after the break. I have to go back to work, so I wanted to make my comment on that too while I'm having this. It's very important that we get as much parking as we can in Wailuku now. We have plans to have a parking lot built which may or may not happen in any of our life time. Okay? Right now we need parking in Wailuku. We don't need it tomorrow. We don't need it next week. We need it right now. Okay, I went up, I met with Milton, I had Chris Hart go look at the parking lot, he said all we had to do – you were there too Erin – six inches off of each spot, which is within code, would give us something like six or seven more spots in that parking lot. That's a help. The lot needs to be re-stripped. I don't know what Milton said in his letter.

Mr. Horcajo: Well you know what, members, it's agenda item E-5.

Mr. Dan: Yeah I know, and I won't be here.

Mr. Horcajo: That's fine. I just wanted to tell the members. Continue. Sorry.

Mr. Dan: I'll say what I have to say then. I haven't seen a copy of the letter.

Mr. Horcajo: There's copies right up there.

Mr. Dan: Alright, so you guys are going to do this.

Mr. Horcajo: We're going to talk about it.

Mr. Dan: I have to get back to work. It can't wait forever for this. So, I think you guys should be doing something about parking. I think you should be doing it now. It should be

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administrated to Jocelyn's office because that where we know it will get done, rather than dealing with the bureaucratic stuff that comes out of this organization. That's basically it. Oh, and there was a bunch of stuff I heard from Susan Halas at this meeting. Susan Halas is very nice lady. Jocelyn is very nice lady. Jocelyn does a real good job, and has been for 25 years plus. So now we can go ahead mail our testimony in? Is that correct? As long as we write on it?

Mr. Horcajo: Well, anybody can always mail it in. I'm sure we're going to have a discussion, how much, in the future we read it out loud. Council does.

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

Mr. Dan: No, no. You did. You set a precedent. You said you're doing it, and I want to be able to do that in the future. That way I don't have to come to these meetings. I'll just mail in my testimony.

Mr. Horcajo: The law always allows anybody to submit written testimony.

Mr. Dan: But I want it read into the record.

Mr. Horcajo: Well, you can request it, and this body will decide how they're going to act in the future.

Mr. Dan: Okay.

Mr. Horcajo: Thank you very much. Any other testimony from anyone regarding this agenda item, Market Base Plan? Okay, members, any comments to staff? Questions? Comments?

Ms. Betts Basinger: Well, I just think Erin is doing an outstanding job, and it will be one of the other topics about, you know, staff hours and all the work that needs to get done and maybe some help that she might have seeing that we wasted 60 or 30 days at least already. Thank you. It's outstanding what you do in 40 hours.

Ms. Wade: Well, I need to thank the rest of the project management team. Jocelyn Perreira has really been helping me setting up the meetings, getting the contacts. Morgan Gerdel has been attending a lot of the focus group meetings with me and having two sets of ears there is always better than just one, so that's been very positive. Thanks.

Mr. Horcajo: Okay. Yeah, I mean, I do want to say the same thing. Erin has done a great job. But I just wanted to say something too, but the contract with PUMA officially really goes till, is it December of this year?

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Ms. Wade: Yes. The contract through Tri-Isle Resource Conservation Development is through December. I had stated – thanks for bringing that up Bob – I had stated that I wanted them done by the end of the fiscal year and that was very aggressive and they could do that. They realistically could do that and be back here. The truth is I don't think we're quite ready for them to finish up. We have our own things that we need to be working towards, particularly if we want to tie in the parking management and initiate that to the conclusion of the market study. We have enough of the preliminary information that we need for the conclusion, or to move forward with the next step. So it's likely that this is going to go into August, early September, and then the conclusion of the market study, we'll move forward from there.

Mr. Horcajo: Okay. Thank you Erin. Item D-4. Excuse me for not saying this earlier, but it is being deferred. Staff has been very busy with coordinating for the PUMA group that is coming next week, and have not, had the opportunity to finalize the revision to what we started based on the comments from ourselves and the public two months ago, maybe, or three months ago now? So that's being deferred. The Chair will call a 10 minute break, return at 2:30 p.m.. Thank you very much.

**4. Banner Policy (E. Wade)**

*(The Maui Redevelopment Agency recessed at approximately 2:22 p.m. and reconvened at approximately 2:30 p.m.)*

**E. COMMUNICATION AND REPORTS *(Materials were previously distributed for the May 21, 2010 meeting. Members, please bring your materials to the meeting.)***

**1. CHAIR HORCAJO - MRA Cheat Sheet**

Mr. Horcajo: Okay everyone, Chair wants to call the MRA meeting back to order at 2:30. Thank you. I guess we have to wait for Counsel. Here he is. Okay, the MRA again is back in session. Agenda item E, if you folks have obviously noticed it, we kind of tried to reformat the agenda just to help organize ourselves better. So this item more is about just information things that just to answer questions that have been discussed at prior meetings. So I guess as we have it here, I'm going to have Erin pretty much report on all these I guess, but we'll start with agenda item E-1, MRA cheat sheet.

Ms. Wade: I believe you, Bob, developed this cheat sheet as a response to a public speaking event.

Mr. Horcajo: That's right. Organize myself.

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Ms. Wade: This is what it looks like.

Ms. Betts Basinger: It was the rotary.

Mr. Horcajo: The rotary. That's right.

Ms. Wade: And Bob did send it to me in advance of creating this just as sort of a MRA 101. What is the organization? What does it do? How was it created? I personally thought it was an excellent synopsis, and I think it made sense to a lot of people for the first time. So please, I think, the point of having this on the agenda was to take a look at it, and there's a couple of formatting issues I think that occurred maybe when we printed out. But, if there's anything you would like to see added or adjusted, let me know. But this would be something that we might be interested in putting up on the website and sort of a take and tear for people about what is the MRA.

Mr. Horcajo: Okay, any public testimony on agenda item E-1, the MRA cheat sheet? Again, copies of whatever we're talking about is up on the front table here. Okay, let's move onto agenda item E-2 which was an e-mail from Clayton Yoshida regarding evening and special meetings.

## **2. CLAYTON YOSHIDA - Email about Special Meetings and Evening Meetings**

Ms. Wade: Okay, it was requested that we take a look at our meeting time, and evaluate if we could meet either in the evenings or have additional special meetings. The response that we got from the department was that the budget at this point doesn't allow for that basically because both Leilani and I would require overtime for that type of a thing. So in the event there are controversial items or issues of significant interest such as when we begin reviewing the EA for the parking structure or something like that, then we can schedule a night meeting, but they would appreciate it if the MRA would keep their regular schedule beyond that. The only other thing to add to that is now we do have furlough days so there are two meetings that will have to be rescheduled based on our existing furlough schedule. And we can – I think we have another place on the agenda where we're going to discuss that.

Mr. Horcajo: Any public testimony on agenda item E-2? Members, any questions of staff or Counsel?

Ms. Betts Basinger: Thank you Chair. Erin, if we – instead of having a 1:00 meeting, had an evening meeting, in the event that it is something that we wanted more people to attend or had a more public interest, would that be overtime or could you just adjust your hours

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so that those would be included as they normally would have been at a 1:00 meeting? So it's like an in lieu.

Ms. Wade: Yeah. We call it flex time in the County and we do that for – Leilani and I both go to Lana`i quite a bit, so we do that for our Lana`i meetings. They just prefer that it not be a regular occurrence because it often does – I do charge maybe a few hours of overtime, and few hours flex time.

Ms. Betts Basinger: And how much of that do you charge to the MRA budget?

Ms. Wade: Zero. I did ask that specific question, was there a way for the MRA budget to pay for my additional staffing? The complication of going through that activity was just beyond worth pursuing for, you know, \$120 a meeting or so, whatever it would come out to be.

Ms. Betts Basinger: Certainly getting you an assistant from here might work.

Ms. Wade: That could be a possibility. That's a good first step maybe.

Ms. Betts Basinger: Okay. Thank you.

Mr. Horcajo: Any other comments from members? Questions to Erin on agenda item E-2? Okay, agenda item E-3, email from Joe Alueta regarding our EDA grant. Joe is here if you want to comment or have Erin address your e-mail.

**3. JOE ALUETA - Report on Economic Development Administration grant of the design of the Wailuku Municipal Parking Structure**

Ms. Wade: I can introduce it. Joe sent us a summary on the EDA grant, basically explaining – this was sent on May 13<sup>th</sup> – explaining how the EDA, Economic Development Administration, money was acquired initially, and the purpose of its acquisition and then where in the budget now that the EDA funding is for. He also states that the award period was a grant for 60 months. So if you have any questions about that.

Mr. Horcajo: Joe, did you want to add to your e-mail?

Mr. Joseph Alueta: No. We have expended. We are going to be expending some of those funds. One was, Erin used some of those funds for her market base study as well as we hope to initiate the contract, you know, with regards to the architect and the team to do the drawings and get the EA going. But I will be reporting to Jo Ann about that once we finalize our selection.

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Mr. Horcajo: Okay, I guess, is there any public testimony on agenda item E-3? Okay, members, any questions for Erin or for Joe? None? Seeing none, thank you very much. Agenda item E-4 is the letter in response to Ms. Halas's letter from the last meeting. Katharine had suggested that we read our response into the minutes. Am I correct?

Ms. Popenuk: Yeah.

Mr. Horcajo: So if it's okay with Counsel would you mind reading it if you so chose?

#### **4. MRA - Response to letter from Ms. Susan Halas**

Ms. Wade: While she's looking for that, if I could just clarify. We did send this in advance of the entire board reading it because a specific response time was requested by the person who wrote the testimony. We could've sent it in an appropriate time period, but we missed the last meeting because of the lack of quorum. So, we felt it was more important to respond in a timely manner and the letter was mailed.

Ms. Betts Basinger: Did you forward it to members for review before mailing it?

Ms. Wade: I did not. I drafted the letter and I allowed the Chairperson to review and edit and then we sent it forward.

Ms. Betts Basinger: So, you understand that right?

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

Ms. Popenuk: Okay, this is dated May 13, 2010. Addressed to "Ms. Susan Halas; subject: letter dated April 27, 2010, request for information and clarification of status. We would like to thank you for your letter concerning the public participatory process at the Maui Redevelopment Agency meeting. The Maui Redevelopment Agency, MRA, is a board of the County of Maui per Maui County Code Chapter 2.40.50. At such, the board is subject to the sunshine law as codified in part I of Chapter 93, Hawaii Revised Statutes. The MRA accepts public testimony at the beginning of the meeting and following the introduction/presentation of each agenda item. During the first opportunity to provide testimony, the public may comment about anything they believe is relevant to the board, any agenda item, the process or Wailuku redevelopment in general. When testifying on a particular agenda item, the testifier is asked to keep their comments focused on that agenda item. Occasionally, after closing public testimony, if a member of the board has a question of a member of the gallery to clarify to the agenda topic being discussed or relevant to the topic being discussed, the chair may allow this question at his or her discretion. Any member of the public may testify without providing credentials, position titles, or background. The testifier is just asked for their name. Oral testimony is always



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considered to represent only the person who is testifying unless the testifier acknowledges they are testifying on behalf of an organization. While the board would prefer that the testimony of an organization be provided in writing and include the signature of an authorized representative of the group, it is not required by law. The Maui Redevelopment Agency does not sponsor, sanction or supervise any government or non-governmental organization. Therefore the MRA cannot speak to any of the oversight, authority, qualification or representation issues raised in your letter. Thank you for this opportunity to explain the public participatory process at the MRA. If additional clarification is required, please contact small town planner Erin Wade by email at” and then the address and telephone number are given. Sincerely, Robert Horcajo, Maui Redevelopment Agency Chair.

Mr. Horcajo: Thank you Katharine. Any public testimony on this agenda item, E-4? Seeing none. Any comments, any questions members? Again, it was sent out. We unfortunately did not have a quorum and we felt we had to get the letter out.

Ms. Popenuk: I just think it’s important to emphasize the fact that members of the public are allowed to testify and pretty much they can say whatever they want to say, that we don’t sanction them or vouch for them or anything. We’re here to listen, and not to judge.

Mr. Horcajo: Okay. Members? Go ahead Warren, excuse me.

Mr. Suzuki: But granted, you know, Katharine said that they can say whatever they want to say, but doesn’t it have to pertain to the agenda itself, an organization?

Mr. Horcajo: Well let’s ask – because we’ve had this question asked out of Counsel before.

Mr. Giroux: Yeah, we’ve had this issue before. I think the hardest part is that if somebody is orally testifying, you know, there’s three minutes prior to the agenda or even there’s three minutes at an agenda item time. A lot of times until you’ve heard them out, it’s hard to tell if they’re on track. I think it is the chair’s prerogative to say, you know, if somebody starts talking about the Mars mission and how unsuccessful it is and how they just really disappointed that this body, NASA, has failed, and we can say please, I think you’re at the wrong meeting. But, you know, if they turn it around and they’re like, wait, wrong notes. You know, it’s very difficult. The chair has a very difficult job in that area. I think for the board, if somebody really comes out and we give them the benefit of the doubt to speak and they’re just really off, just to preserve the sunshine law to not go into questions where it’s not on the agenda. It’s very difficult to actually stop somebody from talking for three minutes completely off the agenda. The chair has a difficult job. They can, you know, but I think to completely shut somebody down. And we’ve had that at the Planning Commission, you know, somebody got up and they’re totally off, and we have shut them. They’ve gone to the sunshine law people, and they said, hey I had three minutes, and they

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shut me down. Oops. That's our bad, we violated the sunshine law. We didn't let somebody get their three minutes. So it's difficult. I think it's a matter of order. The chair has a difficult call to make. If the chair does feel it's out of order, then he'll raise it. If the body supports that, you'll support it. If you don't, if you think the person is within the agenda item, you can appeal the decision of the chair, and you know, vote. And it should be dealt with quickly, you know because it's three minutes. So, it's a matter of order, and it's a matter of getting your business done in an orderly fashion.

Mr. Horcajo: Okay, any other comments? Okay.

Ms. Betts Basinger: I do have a comment Chair.

Mr. Horcajo: Go ahead. On E-4, right?

Ms. Betts Basinger: Yes. A lot of the testimony on Ms. Halas' letter was not on an agenda item, and so it was very awkward to request her – request to have it read. But I think the issue is not anyone standing to speak as I heard someone else say, it's their right. But I think from our perspective it's that it's all equal. That everyone has an equal standing to get up there and say what they want on an agenda item. So we don't qualify the speakers is what I think you're trying to say. They get up and speak, and the only qualification would be if you're off the subject, we ask them to stop.

Mr. Horcajo: Okay.

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

Mr. Horcajo: Alright, you wait please. Any other comments from the members? Okay. Jocelyn, you're welcome to step up if you want to identify yourself. Thank you.

Ms. Perreira: Jocelyn Perreira, on behalf of the Wailuku Main Street Association that has been participatory in these proceedings for 25-years now. I do want to speak because I didn't know until your Corporation Counsel made something known. It's not as though you had a speaker that you didn't know what was going to come out of their mouth and that has happened before. You know what was on the agenda item. You know what was said. And you know that it was not in accordance with the agenda. And I do want to state for the record that I did place on the record at the time on behalf our board of directors two letters from the board expressing concerns for the nature of the person that is trying to take pot shots merely because someone is in opposition to a project. It is completely unfair to use intimidation, humiliation and retaliation to subject someone to not have their voices heard or known. And as for the letters being "priorly" written, it was brought to the forefront, and I was instructed to be it to the current 2010. And I would just read from a portion of this letter. It is written by John Min, our chairman of the board, taking strong exception to

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Ms. Halas' inferences relative to projects that have been supported by either the MRA or the Main Street Association. And in closing for the record, "know that our board of directors strongly supports the efforts of our executive director, Jocelyn Perreira, who works tirelessly on its behalf. On behalf of the ora community that we represent, the community, the team of voluntary professionals whom she represents, we recognize that some of the MRA projects may not be popular with everyone, but these projects have consistently received strong support that span many years in the County administration. And I might add, it is very clearly documented, consistently. Thank you for the opportunity.

Mr. Horcajo: Thank you. Members, can we move to agenda item E-5, pertaining a couple of e-mails and a copy of a County Code regarding sidewalk maintenance and Erin can address those issues.

**5. MILTON ARAKAWA, AICP, Public Works Director - Email about restriping the Wailuku Municipal Parking Lot and Sidewalk Maintenance.**

Ms. Wade: Okay, the first of these is the Wailuku Municipal Parking Lot. There has been a conversation about re-striping the existing lot. Ms. Perreira and Richard Dan and I did meet with Milton Arakawa about this. This e-mail indicates that they would be agreeable to basically eradicating the existing lines and re-striping it if the MRA provided a plan to do so. He did, last week, forward me the as built plans for the parking lot. They do not illustrate the existing striping. They illustrate the striping when it was diagonal parking. But they show the lighting configuration. Anyway, it is at the board's choice to possibly forward this. The discussion with Milton had been that we would forward those as built to the Wailuku Main Street Association parking committee, and they could provide a recommendation for eradication of the existing lines and re-striping of the parking lot for the duration of time, from now until when the parking lot is under construction.

Mr. Horcajo: I guess, can we take each item one at a time? So any public testimony on that section of E-5?

Ms. Perreira: Hi. Jocelyn Perreira, Wailuku Main Street Association. Thank you Erin for facilitating. And we had done, as I mentioned to you all at the last meeting, the one before the one you had cancelled, that we were trying to work within our scope of professionals to see if we can facilitate what was a request from Mr. Richard Dan. We did contact our own professionals, so on and so forth, and we have been told that it would be very expedient and less expensive if we could find a good plan, a plan that was done for the municipal parking lot. Now I know Milton said he only had the plans that were an older one that was for the diagonal, but when the Council changed, created the parking ordinance for the municipal parking lot, there was a plan. We are aware that that is the plan that

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probably we should be kind of working off of. I know that he talked with Bill Mitchell of Chris Hart & Partners. We talked with another engineer, so it would be possible for us to have a meeting with Bill Mitchell and our engineer. In fact, I can call in two or three more engineers to see what's possible, and provide some kind of, perhaps, a recommendation. But I do want to ask the MRA to try to see if we can get Milton folks to search one more area, and that is to get that plan that went with the ordinance, that went with the 12 hour parking ordinance because that's what changed the configuration. And I do know it's in the public realm of the County. It's just the question of them rolling up their sleeves and trying to find it. Thank you.

Mr. Horcajo: Hang on. Any questions for the testifier? Thank you. Any other testifier on this issue? Members, any questions or comments? Erin, I guess I want to understand the process here. So Public Works is saying they're willing to do it. We're not talking. Okay, they're willing to do it. They have the money within their budget that they're willing to use. The part I don't hear yet is – Well, I guess the hope is that if the plans exists as it is from when they had done the hourly change, that would be the start, but somebody still has to re-draw the new plans before it is re-stripped right? Was Chris Hart or your consultant, I guess I should ask you this, was willing to do that, manawahi, or what was that discussion?

Ms. Perreira: Well, the discussion is if we do have something that is existing, it's going to be easier and less costly to then work from what's existing to what is, you know, proposed to make little changes, versus, you know, taking a configuration that is completely different than what exists there now. But I am sure that I wouldn't say that it's pro bono totally. I know the services to the organization for the recommendation and the review and what not is pro bono to us. But I do think that the fee would not be one that would be exorbitant, and I believe that it would come before you, you know, two or three estimates probably of what it would cost, and it would be the MRA that would determine that.

Mr. Horcajo: Okay.

Ms. Perreira: The recommendation is free.

Ms. Betts Basinger: Chair?

Mr. Horcajo: Excuse me. Go ahead Alexa.

Ms. Betts Basinger: The plan would come before – the MRA would review and approve or deny such a plan. If approved by the MRA, Public Works will consider using their maintenance money to do the plan.

Mr. Horcajo: Right.

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Ms. Betts Basinger: So I think the steps are the plan, approval by the MRA or none, and then go on to Public Works.

Mr. Horcajo: So I guess staff, I guess, is instructed to work with Public Works as far as what's out there to get to WMSA – and excuse me – is that correct?

Ms. Betts Basinger: That's what we're – .

Mr. Horcajo: Right. That's what we're talking about. This is step one, find what we can find from what was done in the past. Get it at least to WMSA and they can get together with their consultants.

Ms. Perreira: Get a recommendation.

Mr. Horcajo: Get a recommendation back to us. And I guess the issue of timeliness, the sooner the better. I would like to make a real quick comment. I know Richard Dan talked about moving it, moving the lines over six inches. My comment I made before, but it makes sense to me that the little cross hatched sections where you don't have enough room for a stall like next to a light standard curving, I'd love to see those marked for motorcycles. I just hate the fact that motorcycles take up a whole space when they only need something small. If you guys can keep that in mind when it's being designed, that would be nice.

Ms. Perreira: Sure. If anybody has anything else they want to take into account, just please pass it along.

Ms. Betts Basinger: Chair, I would add bicycles racks to encourage bicycling.

Mr. Horcajo: Okay. Any other comments on this particular section of E-5? It sounds like a no brainer. Thank you. Erin?

Ms. Wade: The second section of the correspondence from Milton was about the sidewalk maintenance. There was question about who's responsible for keeping the sidewalks clean. And 12.02.020 of the Maui County Code states that every property owner who's land abuts or adjoins a public street shall continually maintain and keep clean passable and free from weeds and noxious growths, the sidewalk or shoulder areas which abut or adjoin his property. So that was – perhaps this is something we could add to the website under like a frequently asked question page about who is actually responsible for the sidewalks. If you would like me to do that, I'm happy to start that.

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

Mr. Horcajo: Yeah, public comment on this agenda item. Go ahead.

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Ms. Perreira: Jocelyn Perreira, Main Street. Just for your information that many of the sidewalks in these small towns are not publically owned completely. Many of them are owned by the property owners and that's why probably some of them made the inquiry to Yuki in the first place. I think it's really important that you do get that clear, crystal clear, because there have been issues relative to that in other towns, in other small towns, so I want to share that with you. That perhaps that would be the first thing is to find out where the pins are and where the legal boundaries might be.

Mr. Horcajo: Any questions for the testifier? Okay, any comments on this issue to Erin? You know, I mean, I just want to make the comment for all of you who live in residential areas is always the big issue, right? Your property line is here, but the curve is eight to ten feet away and we all assume that it's the County's responsibility to maintain that shoulder, but it really is the abutting landowner, so this is really no different. So, you know, aside from on the website, I guess I'm suggesting that if we can get it to the WCA and WMSA, and they can remind or send a copy to their members. You know because both groups have a lot of members who own or rent in the area we're talking about. So, because not everybody may look at the website. If that's okay with the members. Okay, thank you.

Ms. Betts Basinger: Chair, I think we should also add it to our upcoming summer issue of our newsletter which gets not only distributed on our website, but throughout the County.

Mr. Horcajo: Thank you. Last item on this part of the agenda, Planning, E-6, Planning Department, draft parking assessment ordinance and furlough days. You snuck that in.

## **6. PLANNING DEPARTMENT - Draft Parking Assessment Ordinance and furlough days**

Ms. Wade: Yeah I did. I didn't know the furlough schedule until the day that the agenda was posted, so –. The draft parking assessment fee ordinance was raised at two meetings ago, and there were questions about well what's the status and what are we doing with this? This draft that I provided for you recently is the same draft we distributed in the fall. No changes have been made. Since then it has not been a working agenda item since that time because we're now all the way up to the requirement's portion which talks about how to establish the fees, well, and some methodology for calculation of fees. So since we don't have answers to those questions at this point, it's just on hold. But as we begin working more on the parking structure that that's going to be easy to determine. So, we now, with the market base plan, have a really good idea of how many parking spaces are necessary. So, the calculation becomes slightly easier. Anyway, that's the status. This is just a status update on that.

Mr. Horcajo: Okay, anyone wants to offer public testimony on this agenda item? Any members have any questions for Erin Wade? Okay, thank you very much.

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Ms. Wade: And finally, the furlough days. We, the County employees, are subject now to one furlough day a month. Our first one is July 16<sup>th</sup>, which is also, was scheduled for an MRA meeting. So we need to re-schedule our July meeting. The May meeting is also conflicting with a scheduled furlough day.

Mr. Horcajo: The August meeting?

Ms. Wade: The July meeting and the May meeting.

Mr. Horcajo: May?

Ms. Betts Basinger: May 2012.

Ms. Wade: 2011.

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

Ms. Wade: So we can – Leilani, I'm sure can pull that up. So for the next meeting, the July meeting, the department would like to recommend the following Friday. I do have this room reserved for that following Friday if you folks are available. I think it's the 23<sup>rd</sup>.

Mr. Horcajo: The 23<sup>rd</sup> then?

Ms. Betts Basinger: July 23<sup>rd</sup>?

Ms. Wade: Correct.

Ms. Betts Basinger: Same time, same place.

Ms. Wade: Yeah. The other positive thing about that is it will allow the Kahawai Habitat for Humanity to make their public hearing deadline notice because we're about a week behind on that. But we'll make it, and they'll be able to get on that agenda also.

Mr. Horcajo: Okay. So can we just do that one? Everybody is okay with that, moving the July one week later?

Mr. Giroux: You will have a substitute attorney.

Ms. Betts Basinger: Chair? Can I suggest that Leilani and staff when they come up with the rest of it, just email all of us so we can look at our calendars at home.

Mr. Horcajo: Right. And we'll be sure it's on next month's agenda as well because they're

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going to figure it out too. So shall we just not worry about May '11 for now until we get the rest of the year?

Mr. Suzuki: Yeah.

Ms. Betts Basinger: Because August, September, October, November, December are all –

Ms. Wade: – programmed already and there's no conflict with those.

Ms. Betts Basinger: Yeah. Got you.

## **F. BUDGET**

### **1. Update on use of FY2010 budget**

Mr. Horcajo: Okay. Thank you. Okay, agenda item F has to do with 2010 budget.

Ms. Wade: Right.

Mr. Horcajo: Any way, not having a meeting last month was kind of little problematic. But, Erin, you can –

Ms. Wade: We were able to encumber the monies from the 2010 budget for our maintenance and trash collection for the next year. That exact number is being finalized, but the point is we were able to secure the funding. So I don't have the revised budget at this point because I don't have the exact dollar amount of the future trash collection money. But, I will, I expect to get that actually next week, early next week, so I can forward that to you folks when have that. I guess the point is just letting you know we were able to encumber the remainder of the funds and can look forward to using the 2011 budget for our future projects.

Ms. Betts Basinger: So it's zeroed out essentially.

Ms. Wade: Right.

Ms. Betts Basinger: Okay. And so chair, we are going to then have our first discussion on the 2011 budget.

Mr. Horcajo: The next, yes.



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Ms. Betts Basinger: Cool.

Mr. Horcajo: And that will include me asking permission to, with (phonetics), whoever we need to, Planning Director, maybe – for next month's meeting I guess. We'll talk about it next month. Any comments on budget, 2010 budget? Questions? No. Okay.

Ms. Betts Basinger: I do have a comment and I will never let this go. Just on today's agenda folks there were one, two, three, four, five, six areas where if we had a part-time staff person, an administrative or clerical person helping, things would move forward. And what those things are are clarification of the boundaries, private and public. That's something a staff person can facilitate.

Mr. Horcajo: Can we talk about at 2011 budget?

Ms. Betts Basinger: Well, I'm just saying that although it's not with the remainder of 2010 monies, it is something that's still a valuable expense as we move forward, as I'm looking at so many things, including the website, the newsletter, which I'm happy to help Erin get out this summer. Warren, and he's doing that investigation could certainly use a little bit of help. The flextime and scheduling, we could have, we could still have special meetings as we have in the past to speed things along if we had the ability to staff it and we do have funds to staff our meetings. And of course, with Milton Arakawa, all of that work with sidewalk maintenance and stuff is something that a staff clerk could be helping do as well. So I just wanted to point out that it's an area of money that's well spent and moving our job forward.

Mr. Horcajo: Any other comments?

Mr. Phillips: Quick comment on that. We got into a problem before where MRA is unable to really employ people. And so in this case, what we would be doing is allocating funds from our budget to be used for Planning Department level for them to hire an administrator.

Ms. Wade: Well, can I just intervene real quick and say this is one of things that the market study is investigating is what is the most effective structure to accomplish all of the things that need to be done in the Wailuku area. And they're finding that the MRA is extremely effective at some things, and not very effective at others and that an enhanced structure is going to be the best way to go with that. So as those recommendations come out, I think, we'll have a much better idea of who we can pay and how we can do it, and how we can do it most efficiently.

Mr. Phillips: Thank you.

**G. APPROVAL OF THE APRIL 16, 2010 and April 29, 2010 MEETING MINUTES (via**

**e-mail)**

Mr. Horcajo: Okay. Alright, approval of the April 16, 2010 meeting and the April 29, 2010 meeting. We all got that back for the May agenda, for the May meeting.

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

Mr. Horcajo: I'm sorry.

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

Mr. Horcajo: You're talking that the agenda itself is not online. But that has nothing to do with us approving it.

Ms. Perreira: I'm sorry. Are you talking about minutes or an agenda?

Mr. Horcajo: We're talking about minutes.

Mr. Suzuki: Minutes.

Ms. Perreira: Yeah, what I was trying to make you aware of is that we checked today for minutes and the March 19<sup>th</sup> is the last minutes that have been online. The April minutes are not online, so I just want to let you know.

Ms. Betts Basinger: Because they haven't been approved.

Ms. Perreira: Thank you.

Mr. Horcajo: Is there any corrections or changes, members, to either minutes that you guys found? Okay, do I have a motion to approve the April 16<sup>th</sup> and the April 29<sup>th</sup> meetings?

Ms. Betts Basinger: So move.

Mr. Horcajo: Second?

Ms. Popenuk: Second.

Mr. Horcajo: Katharine seconds. Any discussion? All in favor say aye.

Agency Members: "Aye."

Mr. Horcajo: Opposed? No objections. Thank you very much.

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**It was moved by Ms. Alexa Betts Basinger, seconded by Ms. Katharine Popenuk, then unanimously**

**VOTED: to approve the April 16, 2010 and April 29, 2010 Maui Redevelopment Agency meeting minutes as presented.**

**H. ORIENTATION WORKSHOP IDEAS - Discussion on the content and format of the June members orientation workshop.**

Mr. Horcajo: Okay, orientation. I guess the chair is going to say from now on, the orientation is going to be in April like pretty much all the other boards and commissions. Unfortunately, well, I guess, you know, for example our Counsel here, he's at two other boards, but they're not on the same day so I know he can handle it. And Erin and I have been talking about discussion items and I've talked to James, most of, I guess, the orientation I went through and maybe Warren as well pretty much just bread and butter stuff – sunshine law, ethics. And so in talking with them, my suggestion was to bring in other discussion, you know, Chapter 12 in the County Code talks about sidewalks. Chapter 19 about zoning. Chapter 16 about construction. So anyway, so that was the idea was to ask your opinion besides the normal bread and butter agenda items that we want to bring in to the orientation. We also had some discussion and maybe in light of what Erin was saying I guess, maybe it's premature, but I had mentioned before the idea of how we can restructure the MRA, but I guess that's going to come somewhat out the PUMA thing. So, aside from what has been on agenda topics before for orientation, is there any suggestions from this body right now?

Ms. Betts Basinger: I do have a suggestion chair. For many, many years the orientation was the sunshine law orientation that we normally get from Corporation Counsel. However, I believe it was last year's orientation that we asked Erin with her expertise in redevelopment agencies to enrich that, you know, stock report. And I don't know if you recall it, but does everyone recall there was a slide show, and it was very, very well done. And I would encourage that we continue to keep that as part of it as well.

Mr. Horcajo: I agree. Now, I'm talking in addition to just trying to improve the process.

Ms. Betts Basinger: I don't want to give up an improvement.

Mr. Horcajo: No, no. You know, for example, this things about sidewalks, you know. If a new member comes in next April and they know about the sidewalk issue when the issue comes up again, everybody at the table knows Chapter 12.020.020.

Ms. Betts Basinger: Everybody will know that, huh? Okay.

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Mr. Horcajo: That's the idea. You know, stuff we've already talked about, public concern let's try to bring it into the full so that the new board members, and the old ones, the long time ones, get a refresher. Any other comments?

Ms. Wade: You know the Board of Variances and Appeals has a much more extensive orientation than the other committees because they deal with the breath of the Maui County Code essentially as you folks do too. So the intention for the modified orientation will probably be a lot more like the BVA's orientation where we will have Public Works talk about building code, and Fire talk about fire code because all of those things get raised and you folks give variances to all of those things. So it's relevant for you to know what their position is and when they will support it and when they won't. Plus, you never get to see their faces. You just see their recommendations in the letters that come in. So I think it would be nice to actually see who the comments are coming from and ask them the questions during the orientation. So that's how we're intending to structure it.

Mr. Giroux: Chair, just to comment. You know, a lot of my other boards, they do a lot of adjudicatory matters and I just wanted to know if you want to, I do have a contested case power point that I put together for the other boards. I know you guys haven't have to go through that hell of doing an intervention board as the hearings officers. But if you want that just in case it happens, then you guys are just ready to go, I'm willing to do that too. It's like a 15 minute presentation about what it is to be a finder of fact and how to conduct, you know, the hearing according your rules and stuff and all that.

Mr. Horcajo: I think it's –

Ms. Betts Basinger: Yeah. I think anything that's germane to responsibilities that this group has is good.

Mr. Horcajo: Right, and we did have a request from somebody in the past eight months or nine months who wanted to intervene and we decided it's not relevant. Okay, so I guess we'll leave it up to staff and whatever input Counsel can give them and myself I guess. But expect at next month will also include an orientation.

Ms. Wade: At the July meeting?

Mr. Horcajo: Do we have time? You've got PUMA coming?

Ms. Wade: It will be a very busy day.

Mr. Horcajo: Well if not, you figure it out.

Ms. Wade: No, we don't have PUMA. We'll probably have Kahawai Housing. The Habitat

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for Humanity project.

Mr. Horcajo: And maybe the other design review, I'm not sure. Okay.

Ms. Betts Basinger: Are we doing agenda? Is that what you're doing now?

Mr. Horcajo: No. I guess I would suggest if you folks have suggestion – I'm just trying to get wrap on the chairmanship – aside from what you talked about.

Ms. Betts Basinger: Yeah, just that. Under our agency business to add those items that we talk about all the time in addition to budget.

Mr. Horcajo: We talk about website and stuff.

Ms. Betts Basinger: Website and newsletter.

Ms. Wade: Yeah.

Mr. Horcajo: Okay.

Ms. Betts Basinger: Because the only comment was that after next's week, the PUMA meeting with the task force on the 22<sup>nd</sup>, the summer newsletter will be in draft form ready to go. We're just waiting for that article.

**I. NEXT MEETING DATE: yet to be determined**

Mr. Horcajo: Alright. So, our next meeting date as we just voted on is July 23<sup>rd</sup>. And if there's not objections, the chair will call the meeting adjourned. Thank you.

**J. ADJOURNMENT**

There being no further business brought forward to the Agency, the meeting was adjourned at approximately 3:15 p.m.

Respectfully submitted by,

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

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**RECORD OF ATTENDANCE**

**Members Present:**

Robert Horcajo, Chair  
Katharine Popenuk, Vice-Chair  
Alexa Betts Basinger  
Raymond Phillips  
Warren Suzuki

**Others:**

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

Morgan Gerdel, Nishikawa and Associates  
Yuki Lei Sugimura,