

**MAUI REDEVELOPMENT AGENCY  
REGULAR MEETING  
JULY 23, 2010**

**APPROVED 08-19-2010**

**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, July 23, 2010, in the Planning Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Island of Maui.

Mr. Robert Horcajo: Commissioners present are Katharine Popenuk our Vice-Chair, Alexa Basinger, Warren Suzuki. Ray Phillips is not coming today. Staff present is Erin Wade, our staff person; Leilani; Michael Hopper, our Corporation Counsel.

As usual, I guess, the Chair will entertain public testimony on any item on the agenda, or any issue affecting the MRA, WRA area. You can either testify now or you can testify specifically on any agenda item as it comes up. So is there any person in the audience to testify? If you can please identify your name, if you represent any group as well. Thank you.

Mr. Tom Cannon: Thank you. I'm Tom Cannon, Chairman of the Wailuku Main Street Association/Tri-Isle Main Street Resource Center. The board of the Main Street program is deeply concerned regarding the reading of an email letter from Ms. Susan Halas into the record at your 18<sup>th</sup> June meeting without giving the public adequate notice of this action. The only hint given that this self-serving letter would be read into the record was an agenda item under section (E), communications and reports, item (4), MRA response to letter from Susan Halas. In that Ms. Halas has written numerous letters requesting that the MRA be abolished and attacking Tri-Isle Main Street for its support of the MRA and important Wailuku projects. The public had no way of knowing which letter the agenda was referring to. Had the item been clearly identified that the letter was directed specifically at Main Street and its representative, the organization could have been present to respond and answer questions instead of being blind-sided with the executive director having to respond off the cup. The inadequate agenda notice was unfair to both our organization and the individual who represents us. Not placing a full description of the business on the agenda to fully inform the public and Main Street of the meeting's content amounts to a personal attack. If it is the will of the MRA commissioners to have this type of communication, it should be noticed properly. Because the item was not agendized properly, we ask that you delete the reading of the letter and the associated discussion from the minutes prior to posting. If you wish to have a discussion, let it be agendized properly. The improper decision to allow the reading of this type of letter sets a clear precedent to anyone wishing to intimate, humiliate, and retaliate against a person or organization that supports an issue or project that is contrary to interests or desires of the letter writer, in an effort to silence a

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voice and does not advance the good work of the MRA. Furthermore, the MRA is allowing that this type of ill founded communication agenda item will set a precedent and set back the interest of the MRA in untold ways as it promotes a back and forth response that would detract from the important mandate of the MRA which Main Street has fully supported and upheld numerous testimonies. As noted in an earlier letter to the MRA from former Main Street Chair John Min, and well documented in MRA minutes, the contribution of the Main Street and its executive director, a former MRA commissioner, are a matter of public record. We stand behind our record and our executive director as we have instructed her to participate in a manner that allows and assures Main Street the opportunity to provide institutional knowledge from our 25 years of Wailuku experience. This input has been afforded to her by all previous chairs and most commissioners.

However, if it is the desire of the MRA to consider allowing the reading of email letters or testimony of a personal nature and not directly related to MRA agendized business, the law and common courtesy require that you provide adequate notice to those being attacked. Lack of proper notice is even more egregious if individual MRA members are knowledgeable of a letter's misinformation or untrue information and still vote to allow it. For the record, the board of directors refute the content of the Halas letter and solidly supports our executive director. We stand by our record of positive participation and project involvement that has facilitated in many MRA accomplishments. We thank the many Main Street supporters, merchants, professionals, residents and landowners who have worked closely with Main Street for 25 years to assist in moving Wailuku towards revitalization. Thank you.

Mr. Horcajo: Thank you. Any comments from –? Any questions or comments from the members? Katharine?

Ms. Katharine Popenuk: Comment – I took the reading of the letter to be in the form of public testimony.

Mr. Horcajo: I guess if you have a question for the testifier make sure you ask him first and then we can have discussion about –

Ms. Popenuk: No questions.

Mr. Horcajo: Anyone else? Thank you Tom. Any other public testimony? Okay. Before I forget, excuse me, before I forget, I forgot to mention that anybody testifying has three minutes. Leilani will tell us when it's two minutes thirty seconds, and I'll ask you to finish. If you need an additional minute after three, I'll ask you to complete your testimony okay.

Ms. Alexa Betts Basinger: Chair, may I ask what agenda item that testimony was under?

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Mr. Horcajo: I don't think it's on any agenda item. But again the public has a right to testify.

Ms. Jocelyn Perreira: Thank you. Jocelyn Perreira, executive director of the Wailuku Main Street Association Inc. I just wanted to let the agency members know that we did respond to your request for assistance relative to pulling our professionals together to try to develop a re-stripped plan, and we do have the information at the proper time in the agenda to present it to you all. And we also have a comment relating to the laundry mat. And of course you have before you our project review of the cigarette receptacles that is from the Community Work Day in partnership with Keep America Beautiful. Just so you know we are an affiliate of the Keep America Beautiful profile and the Keep the Hawaiian Islands Beautiful. It's a network connection that we have had for more than 20 years. So we are working together. This project is a pilot project for hopefully many other projects in our towns as well. Thank you.

Mr. Horcajo: Thank you very much. Any other public testimony at this time? Okay. Tom?

Mr. Cannon: Just to clarify Mr. Chair, the item I was referring to is item (G), approval of the June 18<sup>th</sup>, 2010 meeting minutes.

Mr. Horcajo: Okay, thank you very much. Katharine?

Ms. Popenuk: I just wanted to comment that the reading of the letter which I had no idea what the letter said, what the content was, whatever, just as the people that come to the podium, I have no idea what they're going to say. I took it as being public testimony and in the form of a letter someone who wasn't able to be here. And the contents of the letter and the contents of what people say when they come to the podium, we, as members of the MRA, we have no control. We don't advocate their point of view, or deny their point of view or anything. Pretty much they're saying their opinion. And I want to make it clear that although that letter was very negative towards the Main Street Association, that doesn't particularly represent our view of the Main Street Association. So it should not be construed as an attack by the MRA in any way, shape or form. Nor is it a personal kind of an attack from the MRA of the organization or any organization for that matter. It's just that the right of the public to come to the podium and they speak.

Mr. Horcajo: Okay, so members, given the fact –

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

Mr. Horcajo: Excuse me. Excuse me. No. Given the fact that, again, it was brought up and we're talking about agenda item (G) in this case, I would rather for us to stop any discussion until we get to item (G) as far as this item. Okay? Okay. So the Chair is going to close public testimony for this stage of the meeting and we are on – there's no public

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hearings today, we are on design review, item (C). So, August Percha. Sorry, we'll have Erin.

**B. PUBLIC HEARINGS (None)**

**C. DESIGN REVIEW**

- 1. MR. AUGUST PERCHA, AIA, on behalf of WAILUKU PROPERTIES, LLC, requesting design review and approval for facade improvements made to 346 Market Street, Wailuku, Hawaii 96793, TMK: (2) 3-4-033:018. (E. Wade)**

Ms. Erin Wade: For design review today we have Mr. August Percha, an architect, on behalf of Wailuku Properties, LLC. He's requesting design review and approval for facade improvements made to 346 Market Street, Wailuku, Hawaii, 96793. That's TMK: (2)-3-4-033:018.

Mr. August Percha: Yeah, I'm August Percha, architect for the project, and representative for the owners. May I please sit?

Mr. Horcajo: Yes, please. Can the mic – can you move the mic? Okay.

Mr. Percha: Erin, I wasn't prepared to make a presentation. I do have some comments to preface this project. We live in a different time now. Things have changed. War seemed to be a common practice. Price of gasoline going through the roof. Our landfill getting ever larger exponentially. I think it's wise now that we look at things a little bit differently. People are starting to use things longer. I know I'm trying to use my car a little bit longer before I purchase another one. So this kind of mentality enters into our built environment. And unfortunately in Wailuku, there's a mentality of saving these buildings, at least there is in this room. Outside of this room, it's a little bit different, and I'm not exactly sure why that is.

This is the Uniform Building Code that we are using right now. This regulates building in the community. You can see it was written in 1997. The building in question that I'm representing today was built in 1929. So we have people in our jurisdiction applying this retroactively to old buildings, and in some cases causing them to be demolished and hauled off to the landfill. And I'm speaking to you about this because I want you all to be aware of this point of view. Now soon this code is going to be over taken by this code. This code is a little bit more forgiving for existing buildings, and I really can't wait for it to be instituted, but not too much. And still the enforcement aspect of this code really doesn't have much to do with this which is our Maui County Code. Now the reason I bring this up

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is that all of you, I think, should be aware of section 19.50 regarding general provisions because I don't believe these guys are aware of these guys. Somehow or another there has to be loop tied between them because in here existing buildings and uses have standing and even allow for some upgrades and repairs, general repair. But enforcers of this don't ever look at this. There needs to be a bridge.

And then there's this. So owners maybe brand new owners, or when somebody just purchases a property and they're proud, they want to do something. They don't really know what they're getting into here, with regards to these old buildings. And I think that's the end of my comments. I think Erin had, on the telephone, the other day, mentioned to me there was some concerns about roll doors on the building. I think the concern is that you always see them. The building is vacant. And while we refer to this project as a laundry mat, we're not really doing anything to the laundry mat. And that's really only about one-third of the building size. The other two-thirds is vacant, and comprises the frontage for those roll up doors. In drawings I've prepared I rolled up the doors, so you can see right in, and that will be the case once the building is occupied again. They won't close the doors. They need the light and the ventilation. And also there is a parking stall inside. And believe it or not, the road improvements in Happy Valley leave an avenue to accomplish the transition that's been there historically for people to drive through around and in.

Erin was nice enough to send examples of maybe some other chain linked or other types of perforated grill situation, but in our case, and in that location, it just doesn't fit the bill. So what I'm asking you to do is concur with us that we fit in this project with regard to existing buildings and existing uses. The second thing I would ask is that you allow these doors to be put for security reasons with the understanding that during the hours of operations they would be rolled up and out of the way. And they're galvanized metal at this point and we would paint them in part of this color scheme for the building. And that's something of the color scheme for the building. Right now it's stained with a lot of mold and tons of things like that. The new owners are proud, and they want to make it, they want to do this. And that, I guess, is what I can put together right now. Erin?

Ms. Wade: Yeah?

Mr. Percha: I was concerned that this would be a preliminary meeting, and then 30-days from now we'd have to come back.

Ms. Wade: Let me make the clarification for the group. This is just a design review for the facade improvements at this time, so if there's any variances or anything that are required or triggered as a result of the building construction that will be done by the applicant, that needs to go through a separate process. But at this time, there is no variance anticipated or anticipated to be needed as a result of the work being proposed. So the only thing that the MRA needs to be concerned about at this time is the roll up doors themselves.

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And as some background, originally the application for the roll up doors was made as a result of a violation. The building owner was cited for installing the roll up doors without a permit, and being inconsistent with the design guidelines. So according to protocol, they applied for a MRA Permit for design review. And as kind of – during the time – between the time which they applied and now, they hired an architect and they've been working with the Main Street Association on the design and elements of the design, and have worked through additional building issues, none of which at this point relate to the MRA. The only concern for the redevelopment agency is the exterior facade improvements. So that would be the roll up doors. And then in the staff report, basically what we referred to was the redevelopment area design guidelines and the references that are – that support or do not support the improvements that have been made. And there were three that the staff found to be directly related. One was supportive of the improvements made to the opening. The architect has made improvements to the opening of the garage area by making sort of a curvilinear shape. The other two speak to not allowing for roll up doors within the district. And then we provided a brief analysis about the understanding of the need for security in that particular area, but that there might be some additional options that the applicant could consider.

Mr. Horcajo: Does this answer your question August? Does this answer your question about the stage?

Mr. Percha: Yes.

Mr. Horcajo: If you don't mind, I'm going to ask for any people out there who want to provide any public testimony first on this item and then –

Ms. Perreira: Good afternoon agency members. Thank you for your attention while I read the testimony. This is a review of the Happy Valley Laundry Mat proposed project. I had a call from Erin Wade for assistance on this, and so we did meet to especially discuss this. And so the following is the –. We did provide, just for your information, on April 6<sup>th</sup>, 2010, we did provide, we did an extensive review to some of what August was showing you, and I'm sure you have that in your record. If you don't, we would be happy to give that to you where we talked about what is needed, so on and so forth, and provide you with the recommendations that is pending, I guess, the full application, Erin. So here's the review of the Happy Valley Laundry Mat.

The structure and design committee met on July 20<sup>th</sup>, 2010 to discuss the issue of the roll up doors. The committee provides the following comments. We note that one parking stall that is allowed exists in the building, and you get the transparency you want during working hours. The roll down doors is a matter of cost and security. Further, the renovations and restoration do not exceed more than 50% of the value of the building and the owner is not changing the use. This should not trigger the requirement for the building to be brought up

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to code. The MRA can support the current door with a condition that during all hours of operation, the doors must be fully rolled up. The committee appreciates this opportunity to review this project and suggests recommendations. In general, the design is well conceived fits the pronounced character and will be a welcome improvement to Happy Valley. And just in closing, everybody is having a hard time making ends meet, and it is the opinion of our structure and design committee and our board that if ever there was a time for flexibility to keeping everybody working and in business, now is the time. This is not an issue that would affect public, health and safety.

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

Ms. Perreira: Yes?

Mr. Horcajo: Warren?

Mr. Warren Suzuki: No. Not for the testifier.

Mr. Horcajo: Thank you Jocelyn. Any other public testimony on this agenda item? Warren has a question for you August if you don't mind.

Mr. Suzuki: Couple of points. August, I was a little bit bothered by the comment you made something to the effect that the MRA, in general, as a group wants to preserve existing building. And those in the community don't? I'm trying to get some sort of clarification as far as –

Mr. Percha: Oh, no. Excuse me.

Mr. Suzuki: Go ahead.

Mr. Percha: People in the community do. It's the rest of the agencies. In other words, the people enforcing this with a narrow view towards what it is you folks want as results. It's a struggle. There should be between agencies regarding this, in our jurisdiction especially, cross communication. And you know when I was looking for some other things, I ran across the back up to the Wailuku Area Redevelopment Code. And in it, it gives 10 action items. This is in the year 2000. And I know you guys maybe don't like to look back and this particular action item asked to have an entity or person act as a go between, and to help to expedite these kinds of applications in Wailuku. And I looked in my notes here that the nonconformity section, 19.500.110.

Mr. Suzuki: Okay.

Mr. Horcajo: Okay, any other questions for August?

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Ms. Betts Basinger: I do have a question for you August. Was there any type of prior requirements that would have required you to have a roll down fire shield?

Mr. Percha: No. No, requirement like that.

Ms. Betts Basinger: So this had nothing to do with fire safety or fire requirement to have a roll down?

Mr. Percha: No. It was on purpose for security, positive security.

Mr. Suzuki: I have a question for Erin.

Mr. Horcajo: Please.

Mr. Suzuki: In my recollection in Happy Valley, Valley Hardware has a roll down door for their main entrance to the store, and didn't the Ogawa Service Station across the street have a roll down or they did not have a roll down door?

Ms. Wade: The service station is open, but you're right about the hardware store.

Mr. Suzuki: Now, as far as this particular roll down door, I'm just trying to visualize how the building, how I recall the building to look like is that it has an overhang, it has a couple of walkways, and then you've got the (inaudible) to the businesses. So is the roll down door going to be on the outside face or in the back face?

Ms. Wade: On the interior face, and August has a picture right there that he can circulate.

Mr. Percha: This two photos. One with them up and one with them down. And while we're on it, maybe next, but to have a little fun here.

Mr. Horcajo: Warren, you have a follow up question or comment?

Mr. Suzuki: No.

Mr. Horcajo: Okay. I want to ask you a question first, August, and then I think my next bunch of question is probably to Erin I guess. I like this picture by the way.

Mr. Percha: The inside?

Mr. Horcajo: The interior shop. Yeah.

Mr. Percha: You can see how nice. You get right street direct communication.

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Mr. Horcajo: So August, has there been any building application made to the County for the project?

Mr. Percha: Building permit application?

Mr. Horcajo: Yeah, building permit application for anything yet?

Mr. Percha: Monday.

Mr. Horcajo: Monday?

Mr. Percha: Yeah, I'm hoping for a positive outcome today.

Mr. Horcajo: Okay. I guess I'm going, if you don't mind, ask Erin some questions because undoubtably we looked at these plans I guess maybe for the past couple of months when we first got the plans. And although I've heard you and I've heard Erin talk about that we're here to deal with design only on the roll up doors. When I looked at the plan, I noted of course, we've got some new stucco work on the fire walls, on the side walls, that I've seen in the past that we've had to have design approval for that like the ECM project. There's a new door, I believe, on the front that you call a steel door. There's a picture of what that looks with the glass front, and maybe kind of a flat bottom. So I don't know. So my question to Erin, these other items – and a new deck I guess and the concrete walkway – are they technically design items that we should be looking at too? That's my first question I guess.

Ms. Wade: If the materials and the design are consistent with the design guidelines, we can give administrative approval for those elements. So anything that is consistent, like the stucco work would be approval by administration. But things that deviate from the design guidelines need to come to you folks for review and approval.

Mr. Horcajo: Okay, so for this particular project, are we saying the actual Planning Department has already made that determination on the items that are consistent now and you folks would give administrative review because that's not in your report?

Ms. Wade: Correct. Yes. Yup. The other elements on that exterior like the stucco wall that faces the Takamiya side of the building, and they're proposing a stucco the opposite side of the wall, those are consistent with the design guidelines and also required for building code purposes. So those would be administratively approved.

Mr. Horcajo: Okay. So I guess my last question, and maybe this is for your or for Corporation Counsel. I guess when I first saw this, my question is whether because of the violation notice, is a design review the best vehicle or should it be a variance as what is

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happened with even Four Sisters wanting vinyl windows instead of (inaudible). That got rejected, you know, or parking requirements for Holmes building. They were variances. They came for design also, but they asked for variance for other stuff. So, are we – is this the right vehicle? And I'm not just talking about this project, I'm talking about future projects that the MRA will have to see. Because I thought this would be more of a variance from what is in the standards as a non-prohibited item just like the window.

Ms. Wade: This is sort of due process issue. The design guidelines don't technically trigger a variance. It's just like I talked with Michael this morning, just like a Country Town Business District how it has design guidelines, and you can go to the Urban Design Review Board to vary from those design guidelines. If the Urban Design Review Board rejects you, then you go to the Planning Commission if you would like to appeal that decision, it's the same kind of a thing. So if, at this board level, you review it, and you say, you know, we really would like you to be consistent with the design guidelines, then it would bump up to a variance request. But, at this stage, it's just an application to vary from design guidelines. And it was the same thing with window's request.

Ms. Horcajo: Okay, so you're saying –

Ms. Wade: It wasn't actually a variance. Yeah.

Mr. Michael Hopper: Just to clarify. So the MRA would not have the authority if it found that under the design guidelines this did not meet them to allow the project. This is not a variance at this point with this?

Ms. Wade: At this point, maybe I misunderstood our conversation, Michael, but like at the Urban Design Review Board where you can go and make a request to vary from the design guidelines, it's not a variance like you would get at Board of Variances and Appeals. Is that correct?

Mr. Hopper: Right. There's two different things. One, is I comply with the design guidelines as they're written. Okay, planner disagrees, then you go to the MRA, and say MRA I think that I do comply with the design guidelines. And MRA could say, Planning Department would disagree with you. We think this does comply with the design guidelines. Or, we agree with you Planning Department, this does comply with the design guidelines or it does not comply with the design guidelines.

Ms. Wade: Thank you.

Mr. Hopper: Is there not a variance procedure, though, that is possible that in the event the MRA does find, aside from going to the Council as an appeal, which typically, generally an appeal is saying that we think there was a misreading of the law, is there a variance

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procedure? The variance procedure for the design guidelines under BTC allows the Planning Commission to say you are consistent with the character of the neighborhood. It's sort of like a variance procedure. It's a bit different. I'm working on that now. And I know the MRA has variance procedures.

Ms. Wade: Correct.

Mr. Hopper: Could the applicant, in the event the MRA denies this and says it's not consistent with the design guidelines, in addition to appealing requested variance from the design guidelines, and say I'm not in compliance. I understand it, but I have the basis to seek a variance based on the criteria for a variance.

Ms. Wade: Yes. Exactly.

Mr. Hopper: But this is not what's here today.

Ms. Wade: Correct.

Mr. Hopper: Today is read the design guidelines to comply with the design guidelines based on a reasonable reading of the guidelines or do you not comply with it?

Ms. Wade: Correct. Exactly. Thank you for that clarification.

Mr. Horcajo: Excuse me a second. Any comments, Alexa? And then I'll as August.

Mr. Suzuki: I have a question for Erin. Erin, a lot of times when issues of this nature comes up for, as far as for me, when you look at, you know, what other alternatives there may be to achieve the same end result, and you mentioned that there maybe out of time. And then from there, you know, you would look in terms of the practicality, you know, the cost situation and all that, then you can decide from there whether or not you want to approve a case such as before. And I don't mean to put you on the spot, but would you be able to give me some ideas in terms of, in your eyes, what might be some other alternatives to achieve the same end result, primarily security?

Ms. Wade: Within the Wailuku area, there are several different places that are even historic structures that do have garage door openings. The fire house is one example. You know, they have doors that actually swing open, you know, so that would be an alternative. There are other various garage doors that could be used. But given that the point is for just when it's closed, and my thought was they're looking to open as quickly as possible and save a little bit of money and not invest a significant amount initially in the garage doors, and maybe they'll move that later on. That the grill doors that I indicated in the staff report might be an alternative. The other issue for the MRA is an approval can be made now that

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Michael clarified this, he might have to disagree with me, but anytime the MRA makes an approval it's generally that compliance had to be made within a one-year time frame. So there's some wiggle room between when the approval is actually given and commencement of the work starts. So it wouldn't necessarily – we could probably give approval with a certain amount of time frame before the installation occurred.

Mr. Horcajo: Any comments? Alexa?

Ms. Betts Basinger: So we are just doing a courtesy, preliminary design review with the applicant. The applicant has thus far not even submitted those permits or anything. Is that my understanding?

Ms. Wade: No. Any time that a design review occurs, generally it's an advance of a building permit application, so it is conceptual in the sense that these aren't construction plans, you know. But it is the intention of the builder to construct it in this manner, consistent or inconsistent with the design guidelines. So your role today is to determine whether it is or is not consistent with the design guidelines the way that they're written. Whether their action is consistent.

Mr. Percha: Okay, I'm going to ask August to comment, and then we also have a staff report. You folks haven't read that yet, so maybe –

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

Mr. Horcajo: Can you hang on?

Ms. Wade: Yeah, you both have a copy actually. It looks like –. It the one that says docket no. MRA 2009/0006.

Mr. Horcajo: Okay.

Mr. Percha: Is that for our project?

Ms. Wade: Yes.

Mr. Percha: I'm going to have to get a copy of that.

Ms. Wade: There's one up there too.

Mr. Horcajo: Okay, August, so you wanted to be forward and make a comment?

Mr. Percha: Yeah thank you Chair. Since you're on the subject of these windows, I can

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offer some experience. This grouping of four windows, let's look at one of them, one small window. That hole, you can fill it with a window that costs \$100, or you can fill the same opening with a window that costs a \$1,000. That's just one issue. Most of my customers like to use vinyl windows because they're energy efficient and they never go away. That is, if for some reason the opening were to change, that would could be removed and replaced elsewhere. You can't really do that with wooden windows. I know they make fiber glass, and there's even steel. So I just wanted to impart that to the crowd here, that there is a reason why those windows are on the market. And even though they're not exactly paintable, some manufacturers make them in different colors, solid through.

Mr. Horcajo: Okay. Thank you. Alexa, then I want to make some comments.

Ms. Betts Basinger: August, have you or your client looked at alternative, any alternatives at all, or is this, at this point, purely a cost consideration that you want to leave what's there?

Mr. Percha: It's primarily a security measure. And the positive closing of those openings at night especially prevent not only people from going in, but it's windy, dust and papers and wrappers blow in there, and the neighborhood is buzzing down there with a lot of different kind of people. And to not have doors like the ones that are on there would invite trouble.

Ms. Betts Basinger: So have you looked at other options?

Mr. Percha: Well, I have, in the way of, you know, I go by the Fire Department everyday. I like their swing doors there. But actually we don't have enough room to swing those kinds of doors out of the way, into the street. It would be over the sidewalk. And then if you even, like the Fire Department, does close out 180 degrees, we just don't have the room on the facade to do that. Or to in the inside, the same way. So that kind of runs the gamut of our options.

Ms. Betts Basinger: And I know you did Erin with your suggestions. Are there any other things that you saw that would be in keeping with the character other than this, or was this it?

Ms. Wade: Well the reason that I pulled this was just to seek out a solution and try to be proactive, and it was most consistent with what the applicant was proposing but seemed like we could allow it under the design guidelines. The other roll up doors that are available are a lot more expensive, and that would be consistent with the door opening. They would be significantly more expensive to incorporate. Well, it's not a standard opening, is that correct?

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Mr. Percha: It's 10 feet tall by 18 feet wide. It's a little bit over large.

Ms. Wade: Yeah, so they would have to be custom built doors, so I don't know what the price would be. We'd have to get a quote for that.

Mr. Horcajo: Warren?

Mr. Suzuki: So Erin point, August, even if the doors were custom built doors, August, and you did come in and refinish the building, finish it up with whatever retail space you have in there, you would still want to have those doors there to provide security at night. So it's not as if the doors we put there now, and once you open the building for business, the doors would be taken out. And those doors will be there and used for a longer term correct?

Mr. Percha: The roll up doors?

Mr. Suzuki: Well, I'm talking about – because Erin talked about larger investment being made, and the doors that might be consistent with the design guidelines, but the cost is likely going to be more than what you're proposing. But my comeback to that is that those doors will be used for long term, I mean, even after you did refinish the building and you did open the retail space for it.

Mr. Percha: The doors that exist now?

Mr. Suzuki: No, I'm talking about if you were to put in the doors that was –

Mr. Percha: – the recommendation?

Mr. Suzuki: The design guideline. This is not what you're recommending correct?

Ms. Wade: I'm offering an alternative.

Mr. Percha: This was an idea offered. And when you look at it closely –. Well, number one, these types of screen doors are typically used on interiors in the malls, things like that, where you want that transparency between the inside of the store and the corridor. You can see where in our condition in this jurisdiction in Happy Valley that this really wouldn't fit the bill because the ferocity of it. Now in one photo, it also shows behind the grill screen, there is aluminum and glass store front of some kind. I'm not sure of the location or why that is here. Apparently the inference and the recommendation or the idea was that we could do this too. Except for that would impede travel in and out of the building. And we really do like the fact that our roll up doors would be rolled up out of the way, and that immediate transparency with the sidewalk from the interior becomes really dynamic. And I like the former discussion when you all were talking about future upgrades. We're thinking

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that this can be a tenant driven type of a change. If a tenant were to come in that didn't like the roll up doors, and was willing change them, that we would certainly work with them. But our proposal right now is for these doors to stay with the understanding that they're only down at night.

Ms. Betts Basinger: So for clarification, Chair, there is no change to the doors. They would remain the existing doors as we know them?

Mr. Percha: As far as Monday's building permit application.

Ms. Betts Basinger: Got you.

Mr. Horcajo: Katharine? Excuse me.

Mr. Percha: I was just going to say that violation notice included the two roll up doors and one swing door. So that's, hopefully, going to be the nature of my building permit application on Monday.

Ms. Popenuk: Now the purpose of these doors because of security, is that correct?

Mr. Percha: Yes.

Ms. Popenuk: This particular example that was in are mesh or screen type. This was, in your mind, being not suitable?

Mr. Percha: It would be an invitation. A drive by poser or anything. It would be an invitation. A lot of different people live in Happy Valley and have a lot of different habits.

Mr. Horcajo: Are you done Katharine? Okay. I don't think I have a question for you August. I think the question that Alexa answered I guess was probably one of my questions. What kind of alternative. I don't know if you've been to the Maui Country Club lately. I was involved in the renovation at Spreckelsville, and there was just no opening in the front. And we had a big debate as to what to do, so we ended up having these kinds of doors that slides into an actual pocket that we built. And having done the research, I found that there's some where it's open. You can stick you hand through. There's some that are solid, whether it be pexi-glass, so you can't stick you hand through, but you can see through. But some that are solid, plastic or metal kind of looking like the roll up doors are looking a lot aesthetically better. You know, like I said, I did a lot of research and also kind of looking at the cost I guess. And so I can understand your concern about security because, you know, we own a couple of buildings on Market Street so we kind of have the same problem. But, you're saying it's security, but also cost.

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Mr. Percha: Yes.

Mr. Horcajo: It's what we're dealing with. Okay.

Mr. Percha: I would have loved. I mean, maybe I should've done this, just go down there and paint those doors.

Mr. Horcajo: Okay. I think, unless there's any more questions, I'm going to have Erin read her staff report I guess and we can comment again and then maybe just take a vote.

Ms. Wade: I'll just start at the analysis. The Wailuku Design Guidelines relevant references: (A) relief in the form of geometric patterns or curvilinear shapes is encouraged on stucco facades in order to create interest and emulate traditional stucco design elements. This was noted because he has adjusted the door openings to support this reference in the design guidelines. And then (B) the rolling shutters on facade should not be allowed except as concealed device for protection of high winds, page 40. And (C) large size delivery doors, metal bar doors and aluminum doors should not be visible from the street, page 46. So those are the relevant references.

Planning staff believes the proposed modification to the garage door openings enhances the building's facade and the camber/basket handle arch that has been incorporated strongly supports the first reference stated above. However, the existing galvanized metal roll up doors are inconsistent with the second two reference statements. While staff can appreciate the need for enhanced security measures in this portion of the redevelopment area, the design guidelines specifically call out this building for its unique architecture and historic integrity. Therefore staff would ask that the applicant consider an alternative to the galvanized metal doors. The doors being used today are more typical of an industrial area. However, a metal curtail or grille roll up door – and then there's images cited – is an alternative to the more industrial metal doors. These doors are often used over store fronts or in openings of historic structures to secure buildings during off hours. This kind of treatment could be considered more appropriate for the location.

Pursuant to the foregoing, the staff recommends denial of the proposed roll-up doors as presented.

Ms. Betts Basinger: Chair, I have a procedural question, maybe it's you Erin. When an applicant files for their building permit, and they're facing the situation with their violation. Well, I guess the question is when does it next come back to this body?

Ms. Wade: So if a building permit was filed in this case. Let's say you agree that it is consistent with the design guidelines and you permit him to proceed. When the building permit application is filed they will be determined if there are any inconsistencies with the

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building code. At this point we are saying you're consistent with redevelopment design guidelines and you can move forward. Then he'll apply for his building permit. If at that time if there's any building code inconsistencies, they may need to come back and ask for variances as they relate to building and fire.

Ms. Betts Basinger: Right, and I'm particularly concerned about fire. So it will then go to those various departments for review?

Ms. Wade: With the building permit application. Correct.

Mr. Horcajo: So Alexa, excuse me, I was going to say if you remember where Ooka's was, and they came to us, they had already got the comments from all the agencies and all that stuff.

Ms. Betts Basinger: That's right. Right.

Mr. Horcajo: So we had to deal with that, as far as variances, which they hadn't started that process yet.

Ms. Betts Basinger: And secondly Erin in the process, could this body approve for a temporary period of time?

Ms. Wade: Something inconsistent with the design guidelines you mean? I don't know about that.

Ms. Betts Basinger: Like can we say it's inconsistent in our view with the design guidelines? However understanding blah-blah-blah, we would all x-amount of time for the situation to move into compliance with the design guidelines. So that they might be able to start and start getting some revenue and be able to then look at that cap of time that we put on them. Because our body is here to help –

Ms. Wade: Right.

Ms. Betts Basinger: – redevelopment, so I'm trying to find that compromise.

Ms. Wade: Exactly. That's a tough one. If the doors were not installed we could have maybe approved something consistent with the design guidelines with the caveat that within a one-year time period that the consistency be installed. But given that there's already the after-the-fact, I don't know how you go back to right, you know.

Ms. Betts Basinger: Right. Corporation Counsel do you have any thoughts on that?

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Mr. Hopper: I think your situation is similar to – Planning Department does enforcement in this area, correct?

Ms. Wade: Right.

Mr. Hopper: We're talking about a Planning Department notice of violation has been issued?

Ms. Wade: Correct. Yeah.

Mr. Percha: No, no. Building department.

Ms. Wade: There's both.

Mr. Percha: There's a Planning Department violation notice? I don't have that.

Ms. Wade: That's the reason you're here. It's the MRA notice of violation.

Mr. Percha: Is that what this is? I'm a little confused, and I guess that's my problem. You guys are all, you know, combining a lot of terms. It seems that the proper sequence is to first apply, regardless, for a building permit, and then come to the MRA. Is that the procedure?

Ms. Wade: You can do it either way.

Mr. Percha: Okay. So I've chosen the other way in this case. About fire, on January 26<sup>th</sup> –

Mr. Horcajo: August, maybe let's just wait until we get because that won't be before us until after you've got the building permit in.

Mr. Percha: Well, I thought it was a worthwhile comment, and I can answer it.

Mr. Horcajo: But it's on the –

Mr. Percha: Well, see this is the hang up for right now in this design review versus actual asking for code relief. I'm prepared to ask for code relief today. But this has been steered into a meeting that doesn't have the benefit of public notice, so I'm in the back seat to tell you the truth. On fire, there's a hydrant, there's a street in the rear, Alahee. There's a fire hydrant right at the corner of the property, and then the Market Street Improvements for Happy Valley, there's on placed right in front of the laundry mat, at the corner. So we're covered by two fire hydrants. I met with Scott English on January 26<sup>th</sup> and discussed this

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with him. I did a preliminary fire flow calc indicating 1,475 gallons per minute for the building which is easily covered by one hydrant on 12-inch water main, which is what they're installing down there now. Thank you Chair.

Mr. Horcajo: Okay. Katharine, do you have a comment?

Ms. Popenuk: I just wanted to refocus that our agency what we're to consider at this point is the design review and approval or not from Maui Redevelopment Agency for roll-up doors. So, I mean, all these other things are important, but that's really basically the one and only question before us right now. Am I correct?

Mr. Horcajo: Yeah.

Ms. Betts Basinger: And Chair I understand that we caused the violation. Is that correct Erin?

Ms. Wade: Correct.

Mr. Horcajo: Well, we didn't cause the violation.

Ms. Betts Basinger: We enforce.

Mr. Horcajo: Exactly.

Ms. Betts Basinger: The MRA enforce that violation.

Mr. Horcajo: Michael, you can answer that previous thought that she had about temporary issuance. Is that what it was?

Ms. Betts Basinger: Yes.

Mr. Hopper: Enforcement in this situation – I can't talk about building because it's Public Works Department and I'm not as familiar with them – but I believe, you're in a similar situation with the County Council is in and that you pass laws. You can, in this case, you can say if this follows the law or not, but as far as controlling enforcement, that's been delegated to the Planning Department in this case. And whether or not suspend a notice of violation, suspend any daily fines from it, or to settle that violation, I believe that would be under the discretion of the Planning Department to make a recommendation to you. What I would say is review the design guidelines. I mean, at this point, if what the law says is you need to follow the design guidelines. The issue is does this follow the design guidelines? And if it does, then you can grant this. And if it does not, then if you read through these design guidelines and see no way to approve this, then that's your decision.

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If you see a way to approve this under the design guidelines, you could approve it. I think what you're saying is trying to have some sort of suspension of enforcement and the County Council has asked about that for zoning violations. And basically if that's been – if the authority is under the Planning Department to do that, generally, I don't see a way how that would be done if that enforcement authority is under the Planning Department's authority at this point, or the Public Works Department's authority. You could determine it's consistent with the design guidelines, but – I mean you can do it by a variance procedure or you could approve this as consistent with the design guidelines. And you could recommend to the Department to suspend enforcement and the Department could make that decision based on its enforcement. But similar to Council, and Council is even a little different because you've delegated your enforcement authority so that you, individually, don't go around issuing notice of violations. The Council is actually a little different because there's a separation of power issues and that there's an administration, there's a legislature, and one cannot actually order the other to take an action but they can pass a law and require following that law. So you could perhaps look at amending your laws in order to allow for, I image, there are appeals allowed for, there's variances allowed for, and in this case there's a required design review. I think as far as the required design review and what's on here today, you could say, yes you comply with the design guidelines, no you don't. And if you find the design guidelines are too burdensome, you could always amend them. You could amend the design guidelines, and say you want to allow these facades, these roll-up doors, or something like that. But it's really through a variance process that you would say this is too much of a hardship, I think. Even though you don't comply you can do such and such, but that's my understanding of how enforcement is done in the MRA which is similar how it's done in other areas of the County Code. And I have advised the Council on matters like this, so I think that's what I have to say.

Ms. Betts Basinger: Thank you. So Chair?

Mr. Horcajo: So Chair wants to entertain a motion just to get this – but go ahead.

Ms. Betts Basinger: I was going to entertain a motion to recommend that the MRA recommend to the Planning Department to suspend enforcement of this violation for a period not to exceed 18 months. And correct me if I'm wrong, that is with the belief that applicant would be able to apply for a building permit, go through the process of having it reviewed by other departments, and incorporate or plan to incorporate a security door that better meets the guidelines.

Mr. Horcajo: I want to make a comment first before – I would think that we need to vote on the agenda item first. And depending on how that goes, it maybe that's an appropriate motion to be made. Does that make sense? I mean, if we decide to say yes to that was being presented then that issue is mute. Am I correct there? So I would rather – let's deal with what the agenda item is which is to obtain design review and approval for the doors,

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the existing roll-up doors. So Chair would want to entertain a motion so we can at least get this settled first.

Ms. Popenuk: I move that we approve – I want to disapprove.

Mr. Horcajo: So you're approving the recommendation of the Planning staff?

Ms. Popenuk: Yes. So I move that we follow the recommendation of the Planning staff regarding design review and approval of the MRA to use roll-up doors, the existing roll-up doors.

Mr. Horcajo: Is there a second?

Ms. Betts Basinger: I'll second for discussion.

Mr. Horcajo: Okay. Discussion. So again, what we have is an approval of the Planning Department's staff. If the vote goes as is presented, then the applicant would have to either change the door with an alternative, or come back to us with a variance application. That would be the next option for the applicant if we chose to vote yes to this motion. That's the way I see it. Correct? Okay. Discussion? All in favor of the motion, signify by saying aye.

Agency Members: "Aye."

Mr. Horcajo: Okay, thank you very much! Thanks August.

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

**VOTED: to approve the Planning Department's recommendation as discussed.**

Mr. Percha: What does this mean? I mean, in plain talk.

Mr. Horcajo: Sure. Well basically what I understand it means is that you folks have an option to come back with a design that meets the design guidelines, and you can work with Erin on what kind of door would meet the design guidelines. Or, if you wanted to keep the existing door, come back to the MRA for a variance to keep that existing door.

Mr. Percha: Okay.

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Mr. Horcajo: Okay, those are your options now.

Mr. Percha: Okay. Thank you.

Mr. Horcajo: You know, I would like to make a comment too. You know, having owned two properties, I know, and I believe you know this, but there has been some discussions between MRA and the County about adopting the IEDC which is as you know, mainly involved old and historic districts. So, as our Counsel says, that's something that we should probably look towards. And I hope when we get to that stage, some time, that we get a lot of support from especially all you folks, all you architects and consultants who are dealing with old buildings and old towns and stuff.

Mr. Percha: Early last year – in response – I took the opportunity and became LEED accredited. This is how I know these facts and figures. So what you're talking about is green building. You should be proud.

Mr. Horcajo: Thank you. Okay. We are now on agenda item (D1), Maui Redevelopment Agency Building and I'm going have Morgan come to the podium.

#### **D. MAUI REDEVELOPMENT AGENCY BUSINESS**

- 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 members. My name is Morgan Gerdel. I'm with Nishikawa Architects, and I have an update on the project status of the municipal parking structure. Right now the architect selection process and contract is underway with Public Works, and they're finalizing the contract and negotiations with the new consultant who will be doing the conceptual design of the parking structure, and most likely the EA/EIS portion of work as well.

I'd like to be able to give you a date for when that contract is finalized but it's probably going to be sometime early August. I've been in contact with Public Works trying to push that to get finalized, but I guess I can do all I can.

I've also included today an initial table of possible funding sources for the parking structure. And it's kind of like a brainstorm list, and I tried to rate it in terms of the funding potential for each source. 10 being the most likely and probably the best source, and then going down the list. And there are some grants, Federal grants, available. I did some research

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and there's a similar project on the mainland that did apply for a tiger grant. It was a combination four-story parking structure and bus transfer facility, so there are those funds available. So, we have some opportunities that way. And I have gotten some feedback from the current County administration. They're willing to do general obligation bonds to help finance the structure as well. But I guess we're kind of look for as many sources as we can to make it happen.

Mr. Horcajo: Excuse me?

Ms. Wade: Morgan, do you know what the time frame is for the tiger funding?

Mr. Gerdel: I know some of the grants are due at the end of August so the timing may not work out. But I know there's more money becoming available, so I think –

Ms. Wade: Okay. That's what I didn't know. Thank you.

Mr. Gerdel: Yeah. And some of the limitations, some the grants, it's only available for planning purposes. So we have to look at, I guess, what the design of the structure and how we can apply those grants.

Mr. Horcajo: Okay. Are you done Morgan?

Mr. Gerdel: Yes.

Mr. Horcajo: Alright, I want to ask if there's any public testimony on this item, from anyone? Okay, thank you. Jocelyn?

Ms. Perreira: We just received this funding source. He just passed it to us. So I know that we are very – our board and our committees are very clued in to funding priorities for the County. So we would like to reserve the right to come back and offer an opinion relative to this so that it's in sync – not the structure and design, but our Wailuku revitalization loan pool committee as well as the board. Thank you.

Mr. Horcajo: Sure. Thank you. Any other public testimony? Members, question for Morgan, but if you don't mind, let's kind of focus maybe the first set of questions if we have any on his schedule first and then we can dispose with that and ask any question about his funding database here. So, Warren.

Mr. Suzuki: Obviously Morgan I always questions on your schedule because I'm a stickler for making sure that we are in compliance with the schedule. Because as I say once we start to slip, then it will be difficult for us to catch up, you know, going forward. So in looking at the schedule that you provided Morgan, so in terms of the architect selection process

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and contract, so, you know, we have till the end of July to complete that process. Let's say August 2<sup>nd</sup>, I think, that's the deadline. So do you think that we will achieve that, by that day?

Mr. Gerdel: I believe the beginning August is a reasonable expectation because I think Public Works has finalized their selection and they just need to go through a contract negotiation to actually write the contract with the consultant. So it's at that final stage.

Mr. Suzuki: So you think they're going to get done by August 2<sup>nd</sup>, if they're going to write the contract? I don't think so.

Mr. Gerdel: I guess as far as the selection process, that will be completed by beginning of August.

Mr. Suzuki: But it includes contract.

Ms. Betts Basinger: Is the contract already written essentially? You're just waiting to fill in the blanks?

Mr. Gerdel: I believe the scope of the contract is complete. But the –

Mr. Suzuki: But what it shows Morgan is that they're going to commence with the final conceptual plan on August 3<sup>rd</sup>, assuming the contract is in place. But if the contract is not going to be in place for August 2<sup>nd</sup>, I don't think the consultants going to initiate work on finalizing the conceptual plan.

Mr. Gerdel: I guess that's a good point. There may be – I didn't show them in the schedule, but there could be a lag time. That's something we experience in our own contract with County. It could be maybe two weeks, maybe a little bit longer where administratively they send the contract to the consultant, they sign it, and return it. So I think that's a reasonable comment.

Mr. Suzuki: Because my past experience deal with Corporation Counsel. I can't see where in less than two weeks, you're going to have the contract drafted, Corporation Counsel reviews the contract and both parties sign the contract.

Mr. Horcajo: So Warren, I guess I do want to make a comment that undoubtedly Morgan is not in control of this process at this time. It's Public Works so but I agree with you that, you know, things have changed and things will change.

Mr. Gerdel: Right. I guess in our favor, Public Works really wants to see the project get moving so they're with me. I mean, they also want to get started.

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Mr. Suzuki: No, I really think he's not in control, but at the same time, isn't he our consultant to ensure that they track what action/activities occur and make sure they comply with the schedule?

Mr. Horcajo: Sure. Well, I think what you're asking is that they ensure that it's realistic as well right?

Mr. Suzuki: Well, I just want to make sure we comply with the schedule.

Mr. Horcajo: Sure.

Ms. Wade: That's accurate. It should be noted that Wendy Kobashigawa is managing the construction component of the project, so Morgan is assisting in overseeing the schedule and the coordination of all the groups. It's sort of Wendy who's supposed to be taking the lead on the contract execution for the design. So I know Morgan and Wendy are working together closely.

Mr. Suzuki: And then for EA, we're kind of falling behind on selection of consultant.

Mr. Gerdel: Actually the contract for the conceptual design is mostly likely going to include the EA consultant, so Public Works actually wants to get that EA process started as soon as that contract is in place because that's part of their consultant team, is a planner.

Mr. Suzuki: Morgan, first of all, I'd like to thank you for doing the schedule, Morgan, because this gives me an idea in terms of what activities need to be occurring and how we are relative to what schedule we need to comply with. But at the same time, it brings to our attention those activities that need to be completed. As I've said, I for one do not want to see this project slip schedule wise necessarily.

Mr. Gerdel: Right.

Mr. Suzuki: And that's the reason why we ask you to come before us on a monthly basis to give us an update. But, you know, as we go forward, you know, I will be raising questions relative to those activities that, in my eyes, in reading your schedule maybe slipping.

Mr. Gerdel: And I think that's helpful actually because when I work with Public Works and tell them I need to report to the MRA and tell them what's happening, so it puts a little pressure on them and that helps.

Ms. Betts Basinger: Chair?

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Mr. Horcajo: Any questions? Alexa?

Ms. Betts Basinger: Morgan, I know that I bring this up with every meeting, and perhaps the best way to make sure that it becomes part of this time line is to add it as a line item. And I would suggest that we report as a separate line item, where necessary, when our report deadlines are to be reporting to our funder, the EDA. Because if those reports are missed, the loss of losing that funding that ratches up and up and up. So it's just another item in here could be the report deadlines by the County to EDA on the progress of this task.

Mr. Gerdel: Okay. I can include that in the schedule. I guess, it isn't part of my scope, but can show it as an external task.

Ms. Betts Basinger: Is that okay Erin?

Ms. Wade: Yes. That would be fantastic.

Ms. Betts Basinger: Add it as a line item under an ID.

Mr. Gerdel: Okay.

Ms. Betts Basinger: Thank you.

Mr. Horcajo: Katharine, any comments?

Ms. Popenuk: I just wanted to ask about this potential funding?

Mr. Gerdel: Okay.

Mr. Horcajo: You know what, are we done with questioning on the schedule? But I have a question on the schedule.

Mr. Gerdel: Okay.

Mr. Horcajo: If you don't mind first?

Ms. Popenuk: Okay.

Mr. Horcajo: I guess first of all, of course I appreciate you would be willing change and do the status report because that really helps us. But, bringing up, I guess, the issues that Warren talks about every month, I'm hoping that it's okay with you, if you don't mind adding another column – and that this kind of the big picture – that aside from you have here

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projected end, which is the current end which keeps changing, possibly have the column that what the original projected end, so we know. For example, just between this month and last month, I noticed six items were changed, roughly two months. You know, even from architect selection down five items. If it was June last month, it's August this month, August last month, November. But funny, under page (2) prepare and process EIS, last month's schedule said February 11<sup>th</sup>, this month it's saying – no I'm sorry – this month it's saying February, last month it said March, so you shortened that one. But, I guess my point being, and again, I don't want to make your job too complicated, but I think you already have the records of what the original expected projected end date was when we started, when the contract signed. So we know, in a quick nutshell that this particular item was suppose to be here now it's three months, four months, six months. So when we get to the end, we can kind of look at everything.

Mr. Gerdel: Yeah, that's an easy thing to do.

Mr. Horcajo: Is that okay with you?

Mr. Gerdel: Yeah. That's fine.

Mr. Horcajo: Okay, that was my only question about the status report. So if you don't mind Katharine, you have a question on funding?

Ms. Popenuk: Yeah.

Ms. Betts Basinger: Chair, one last question on the time table. Just one real quick one. So Morgan, would you making it as a bar? The original projected task time?

Mr. Horcajo: Bar or column? No.

Ms. Betts Basinger: No to make it as a task bar.

Mr. Horcajo: On this report. This is the best. This, for me, is the easiest to read.

Ms. Betts Basinger: Oh, you're not talking about this one?

Mr. Horcajo: No, this report. The status report.

Ms. Betts Basinger: I don't have a copy.

Mr. Horcajo: You don't have that yet?

Mr. Gerdel: Yeah, I guess it would be a third column. Right now we show the projected

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start and expected end date, so it would be the original end date for that task.

Ms. Betts Basinger: Okay.

Mr. Horcajo: Alright Katharine on the financing, funding options.

Ms. Popenuk: Yeah, I wanted to ask who's following up on these potential funding sources?

Mr. Gerdel: Actually, what I will be doing is creating a final funding recommendations based on doing, I guess, expanding research on all these areas. What makes the most sense and presenting that.

Ms. Betts Basinger: To?

Mr. Gerdel: To the MRA, and also to the administration.

Ms. Popenuk: Who's going to be that? A grant writer?

Mr. Gerdel: That will be me. I guess I'm assisting the County with that task.

Mr. Horcajo: So Katharine just real quickly if you noticed there, page 3 has to do with funding and, you know, they got approval to do phase (3) about four months ago now. Which includes draft funding strategy, evaluate alternative, finalize funding plan, obtain financing. So that's all within their phase three scope. The scope of the contract.

Mr. Gerdel: Right. And I guess the other update I can give is they did sign phase four and five of our contract, so we have the full scope.

Mr. Horcajo: They did?

Mr. Gerdel: They did.

Mr. Horcajo: Okay. Does that answer your question Katharine right now? And again once we hear from other groups and stuff, I'm sure we're going to have a lengthy discussion of potential funding options. Of course, we have the Council. I was going to ask you, you had mentioned talking with, I think you said County, that the G.O. (General Obligation) bonds is an option. You have it here as a number eight, high up on the potential.

Mr. Gerdel: Right.

Mr. Horcajo: Are we talking Finance? Are we talking OED? I'm just curious.

Mr. Gerdel: Which part?

Mr. Horcajo: What department?

Mr. Gerdel: I guess the Mayor has relayed that she's willing to use that as a source.

Mr. Horcajo: Good. I just want to bring that up, members, because last year I guess we talked about trying to push for the administration and the Council to understand that there should be an infrastructure project, just like putting in a water line or a sewer line. So hearing that kind of says that from this administration.

Mr. Gerdel: Okay.

Mr. Horcajo: Okay. Thank you. Any other questions on potential funding items? Alright, thank you Morgan.

Mr. Gerdel: Thank you.

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

Mr. Horcajo: Okay. Erin Wade. Yuki, I'm sorry, on Market Street Improvement Project, Phase II update. After this I want to call a brief recess please.

Ms. Yuki Sugimura: Thanks everyone. My name is Yuki Lei Sugimura and I do community relations for the Market Street Happy Valley portion of the project. And the important thing that I guess I want to report and I just distributed this news release that was issued by the Mayor's Office on July 9<sup>th</sup>, talking about that the project has been delayed due to water line repositioning. So that's the current status of the project right now. We're not on the street. We're not working on the project per se. And I also sent out this week a notice to all of you just so you know, in case there's confusion, if there's confusion. For some reason Maui News picked up this project and instead of saying Market Street, they said that Main Street is delayed. So there's some confusion going on about that which I'm trying to correct with the media. So that's been kind of my project. This news release or press release that you're looking at that I passed out today, I've been trying to circulate that and talk to the stakeholders so they understand what's going on. Anybody have questions?

Ms. Betts Basinger: Chair?

Mr. Horcajo: First, is there any public testimony on this agenda item? Okay.

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Ms. Betts Basinger: You know I drive through everyday and I have noticed that there's still a detour and it was because they were paving over some of the work. Is the work that they've paved over completed? And the metal things that are left is –

Ms. Sugimura: No.

Ms. Betts Basinger: No?

Ms. Sugimura: So what's happening because of the delay, the project stopped basically sort of speak, on June 24<sup>th</sup>. So that's the official, our record date of June 24<sup>th</sup>. And so what happened there was that in my capacity we were receiving complaints of dust and there's like a coal patch or a light asphalt on the street that was done through the process of construction. And it's not a permanent thing or it's not something that has to last for a long time. But because we stopped construction, what's happening is when people drive, you know, over that it's starting to break up and not holding. So a couple of things happened is once the project got delayed and we were receiving concerns from the community, we looked at basically the work of the Water Department and how fast they would be doing their work. And it looked like just because they work for the County and there are other projects that are probably in their mind maybe more of an emergency they weren't working there everyday consistently. So, this project going on, what they decided to do, actually from last week to this week, is to go ahead and put this asphalt over it. So it is done only on the areas that we disturbed, you know, the roads. And so those plates are still there because that's going to be –. So actually what's happening, over time, we don't control what water does, but they'll go in and, you know, work and do whatever they have to do. And when it's time, we'll come back on. So we're temporarily not there. What we did do is we did put that asphalt over from like not quite the Piihaha housing but more like – I don't know if you all know the building but a little further up and then down towards the Happy Valley laundry mat, that area. And only on the –

Ms. Betts Basinger: Makai side.

Ms. Sugimura: Yeah – portion of the street. So that's the portion that we've worked on. So, it's going to have temporary parking, you know, the lines for the parking spaces. That's going to go in. And then there also as they were there putting the asphalt. The sidewalk in front of Valley Isle Hardware onto Alahee, there's no like handicap ramp or accessibility without having to go around and go on the street. So as part of the asphalt project, one of the things that they're going to do is just to have that temporary fix there. And then the asphalt also is on Alahee portion that we worked on.

Mr. Horcajo: Katharine go ahead.

Ms. Popenuk: So do we have any idea how long the Water Department is going be doing

their thing?

Ms. Sugimura: Don't know.

Ms. Betts Basinger: You're screaming at them everyday right?

Ms. Sugimura: Yeah. Actually we talked to Mike Victorino because he's in charge of the Water – I mean, he's chairing water so hopefully he can help.

Mr. Horcajo: I want to ask a question of something and it's in line with this topic. On agenda item (E1) Warren was tasked with, I guess, doing some investigative work and meetings. So if it's okay with the members, I want to move that up to this agenda item we're talking about now. So when Warren ask further questions, we can ask questions. Warren?

Mr. Suzuki: Chair, can I just kind of provide a brief summary of the discussion that occurred in the meeting with the County relative to this item?

Mr. Horcajo: Okay.

Mr. Suzuki: On July 1<sup>st</sup> of this year, I met with Teddy Maulit from the County of Maui, Milton Arakawa from the County of Maui and Yuki Lei Sugimura. Just for clarification purposes, Yuki did indicate that she is the community relations person, but she is a consultant to SSFM who is the construction manager for this project for the County of Maui. So when we met on July 1<sup>st</sup>, I shared with Milton and with Teddy, you know, the primary concerns that we had relative to the impact on Valley Hardware and Takamiya specifically the traffic and the parking, and the impact of the residents of Makua Road, as the traffic is being detoured through the Happy Valley residential area specifically along Makua Road. Milton did share and appreciate the concern that were raised relative to the impact. So basically what came out of that meeting was, first of all, the contractor was going to install "slow down, residential area" signs along Makua Road. And my understanding is that the signs had been placed although they're more temporary as far in nature. And Milton did also provide specific instructions to say from the County of Maui within his department that the work that occurs on that road, Market Street, the contract requires that the contractor ceases his operation at three o'clock. He gave specific instruction that work shall stop at three o'clock, and the contractor shall be off of the street at three o'clock. So, from my perspective, those are the primary issues that we've been kind of dealing with in terms of the traffic and parking impact on Valley Hardware and Takamiya, the residents on Makua. And Yuki did talk about the overlay. So, my impression – I'll follow up with a written report to the MRA but in my eyes, there seem to have been some very positive steps made in addressing the concerns that were raised by the MRA.

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Mr. Horcajo: Okay. I guess members, any questions for Yuki based on Warren's comments or just discussions?

Ms. Betts Basinger: Thanks Warren.

Mr. Horcajo: Any questions? Alright. Thank you very much Yuki, and thank you Warren. Alright, Chair will take a short 10 minute break, so we'll be back at 2:35 p.m. Thank you.

*(The Maui Redevelopment Agency recessed at approximately 2:25 p.m. and reconvened at approximately 2:34 p.m.)*

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

Mr. Horcajo: We're back to order. Thank you very much. We are now on agenda item (E4) parking management plan. Erin Wade.

Ms. Wade: Parking management plan or Wailuku Market base?

Mr. Horcajo: Oh, Wailuku Market base plan first. Excuse me.

Ms. Wade: Okay, quick summary. We have no additional product from the consultants. At this time they are working right now on their final initiatives report which will include organizational structuring and financial recommendations regulatory adjustment. We had a long conversation today about exactly what came up regarding building code and how we have these recurrent issues about – that we keep stumbling over. So they're going be sort of pointing us in the right direction for that about the things that we absolutely will need to address in order to encourage economic investment. Following that we're going to have tee up a process to actually begin the amendments to building code issues. And I'll talk more about that I guess in the agency report. So, I guess, that's it for Market Base Plan.

Mr. Horcajo: Alright, is there any public comments about Market Base Plan? Thank you very much. Erin Wade now on parking management plan.

### **4. Parking Management Plan (E. Wade)**

Ms. Wade: Okay. I circulated for you an RFP scope of work for a parking management plan consultant. And Morgan and I are going to kind of tag team on this initial discussion a little bit. Where at the last meeting of the parking structure committee – which is everybody sort of touching that project – we talked about how the more we get into both the market base plan which is an element partially funded by the EDA grant for the parking structure, and the actual development of financing alternatives for the parking structure, we

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realized we really need a much more comprehensive approach to parking as an asset. So using some of the comments we got from you folks and also from the task force of the Market Base Plan, I pulled together a scope of work for our consultant to take on the task. And Morgan is actually going to probably be taking the lead on the management of this project as part of his task. So what we are asking of you today basically is if you have any questions, additions or concerns about this scope of work, and then if there's anything else that you want to comment on related to completing a market – I'm sorry – a parking management plan.

Ms. Betts Basinger: Thank you Erin. Chair?

Mr. Horcajo: If I can ask for any public testimony on it.

Ms. Perreira: Jocelyn Perreira, Wailuku Main Street Association. Erin, you mentioned the PUMA. Did you take any of Main Street's original parking management plan? I'm assuming that that was part of what you folks reviewed also that went into this.

Ms. Wade: I am not aware of Main Street parking management plan. Comments, you mean?

Ms. Perreira: No, no, no. We submitted a parking management plan to the MRA a long time ago when you guys were doing the Market Street project, the initial Market Street project. Subsequently we addressed it and we talked to you folks about it several times.

Ms. Wade: Thank you. Now I understand what you're talking about. This would be a much broader than just during construction parking management plan. This would be a long term establishment of a parking district, development of timing, you know, strategy for timing of each of the parking stalls, a determination of whether or not these collections should take place, and if so, where. So that would be, that's sort of the scope if you read of this.

Ms. Perreira: Well, that's wonderful. My only comment that I would like to make is having just receive this today, I really want – we would express – I'm expressing on behalf of our group and our professionals an opportunity to review and provide input into the RFP as we have as we have on all other RFP's related to this agency and the area that we're heavily involved in. More than 50% of our work is in Wailuku.

Ms. Wade: And this isn't actually the RFP yet. It's just a concept for what the scope of work might be.

Ms. Perreira: So, will there be an opportunity?

Mr. Horcajo: Yeah, please, get your comments. Right, we're going make what we can now

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and then I'm sure next month we're going –

Ms. Perreira: If we want to add something, we will have an opportunity.

Mr. Horcajo: Correct.

Ms. Perreira: Thank you very much. Thank you for that explanation. I'm so glad. I'm sure I can speak for our board and our committee, we're very glad that you took this on as a comprehensive initiative. Thank you very much.

Mr. Horcajo: I guess just a comment for you Jocelyn and everyone else. I mean, as we all know this is one of the main goals of our Wailuku Redevelopment Plan. This, vehicular, pedestrian plan, Vineyard Street improvements, and when we did the strategic plan last year we identified this being the major one of those three priorities. So this is just the process. So we have this one now. We'll deal with the vehicle and pedestrian, circulation plan, I guess, soon. And then hopefully deal with Vineyard Street improvements so, we're good, yeah. Any comments on, I guess, let's start bedding this.

Ms. Betts Basinger: Chair, I read it briefly Erin. Morgan reported on something earlier about a possibility of a funding source on a similar project that included the facility, the parking facility, as being a hub, a transportation hub. Might we want to include that in the scope to study the feasibility?

Ms. Wade: That's a good point.

Ms. Betts Basinger: And it's already on here, forgive me because I'm half blind. Only half though.

Mr. Gerdel: I believe we do have identified in the scope of the designer for the parking structure to look at how the bus system connects to that, whether it's a bus stop on the site or one that's close by that has pedestrian access. So that should be addressed in the design of the parking structure.

Ms. Wade: That's an excellent point. So for that reason we probably want to tie it into the scope of work. Like, in consideration of the fact that there's likely to be the stop in this location, you know, what impact will that have on the traffic and parking demand. Is that what you're kind of getting at?

Ms. Betts Basinger: Yeah, and even further, maybe some dialogue with transportation. I know that their main hub is at Kaahumanu, but, you know, there's – it's worth considering Wailuku, the County seat, as being a secondary hub of some sort. So instead of just one stop, maybe it could be something bigger than that.

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Ms. Wade: I think we're going to need the consultants to say that for us because both Morgan and I have brought this up with DOT actually and we do get –. They continue to say it can only be a stop. But I think it's worthwhile to ask both the designer and the parking management consultant to determine if there's more potential for that location than just a single stop.

Ms. Betts Basinger: Exactly, and I think sometimes the strength of a study then taken back to the agencies give it a little bit more importance.

Ms. Wade: Yeah.

Mr. Horcajo: Any other comment Alexa?

Ms. Betts Basinger: No.

Mr. Horcajo: Katharine or Warren?

Ms. Betts Basinger: One other specific comment. Thank you Morgan for being a big part of this, and Erin, I know you love to help. But Morgan is coming out EDA funds, correct?

Ms. Wade: Correct.

Ms. Betts Basinger: Thank you.

Ms. Wade: Which, you know, brings the point up where his project management will be funded by EDA. However, a portion, if we hire an additional consultant to assist, it's likely that you folks will be sought for some additional funding which you already have committed. You know, that's one of your top priorities, but I don't have a number for you at this time. So just letting you know.

Mr. Horcajo: I guess I have a couple comments or questions I guess. Under (1), parking management, under item (B), I guess, it says the last few words, "to accommodate the existing user groups." I guess my concern, are we also, should we be talking about future users as well?

Ms. Wade: Yes.

Mr. Horcajo: Existing and future users, so it's not just narrowing down the actual project as to what we have now? But along the same lines, I'm curious –I mean, having not done our fees before – whether if we are talking future user groups, is there typically an actual years, you know, like to accommodate, you know, growth for the next 10 years, 20 years, just like the plan does, or a percentage of build out? Is that somewhat typical, and if not?

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Ms. Wade: That will be actually anticipated in the results of the Market Base Plan. So we'll have a pretty good idea of within like a five year time frame how build out we can accommodate or we should expect to accommodate. And then a more longer term horizon. So the work of the Market Base Plan is going to feed directly into this.

Mr. Horcajo: Okay. And then my last comment is – I'm not sure that it should be part of this – but we talked about the years about, I guess –. I guess I was leading towards temporary parking lot standards being revised maybe if it was just temporary for the purpose. I realized it's probably going to be part of the EDA scope for the construction phase. But anyway I wanted to bring that up so that's not lost because if you look at the opportunity to build a parking lot now even if it's temporary, technically you've got to build a six foot high fire wall and all that stuff. I've been looking at that, and for somebody to want to do that, even the County or the MRA, nobody is going to want to do it.

Ms. Betts Basinger: Can we waive --

Mr. Horcajo: So we should look at that. Anyway, so my point being whether it should be a part of this or not, I want to be sure I bring that up for future discussion.

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

Ms. Wade: Temporary parking.

Mr. Horcajo: Maybe we should call it some abeyance of parking lot standards.

Ms. Betts Basinger: Are you talking about during construction?

Mr. Horcajo: Yeah, during construction or even, yeah, even after. You know, just kind of look at the whole picture because there's vacant lots now that everybody says we should make them into parking lots. But if you read the design standards for WRA it's not cheap. So I'm suggesting that we kind of revisit that, at least, at some point of whether it be this or what comes up with out of the Market Base Plan. Look at that aspect of what they have now.

Ms. Betts Basinger: Just a quick question then for Corporation Counsel maybe. In our power to waive, can we waive those guidelines for a temporary period of time again during construction so that yeah we can just put gravel or something. You know, I don't know what the building of it would be, but don't we have the power to waive those requirements?

Ms. Wade: Yes. It's a variance application.

Mr. Horcajo: Right.

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Ms. Betts Basinger: So what we would need is an applicant to come forth and say I have a vacant lot and I want to turn it into parking.

Mr. Horcajo: Well, let me say, we have the power to do that with anything, but if it's easier for the developer to not to have jump through the hoops as was mentioned by August, that's something I think we all agree we should probably at least look so that maybe rolling doors is going to be okay for Happy Valley or something. So that's kind of what I'm talking about.

Mr. Hopper: Yeah. You can't assume that someone will meet the variance criteria either. That's another issue. Sometimes people say you could get a variance, and then they come, get a variance and get denied because there's a certain criteria to follow. So someone might not have that hardship. So it's something that consistently no one can meet, then you can look at amending the standards too. That's another approach.

Ms. Betts Basinger: Well the other way my thought process was going was that is if this were going to be a project that the MRA took on, could we waive ourselves in order to do that? And put it under some sort of future ability to redevelop that later. I don't know.

Mr. Horcajo: You want that answered by Counsel?

Mr. Hopper: I mean, I think you have a department or someone besides just the MRA going through that process. I don't think you would be applying necessarily. I'm not sure of all the details. But, I mean, the only one I know that's often times exempted from these requirements would be the Federal government or the State maybe. I don't know if the County. I mean, the County, I think, in general needs to follow it's own laws if it's acting as a builder. There may be some exceptions. But I mean, Parks Department has to get SMA permits for example. It's going to build – on Moloka'i, we just a base yard building, and they had to get an SMA Permit. So, you know, typically you would have to follow your own standards. You could get a variance like anyone else. But, yeah, that's how it works.

Mr. Horcajo: Okay. If everybody is fine, I'm going to move on to the next agenda item.

Ms. Wade: I'm sorry, there's a second element of that agenda item, and the group requested that the Wailuku Main Street Association and parking committee take a look at the re-striping of the municipal parking lot, so I think they have some feed back for us on it.

Mr. Horcajo: Okay.

Ms. Wade: Just for clarification, the information will be presented today, but because it hasn't been on the agenda, we can't take any vote or any action on it at this time. But you

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can receive the information.

Ms. Perreira: Jocelyn Perreira, Wailuku Main Street Association Inc. Thank you very much for this opportunity. We had been asked by the Maui Redevelopment Agency at its June 18<sup>th</sup> meeting to please utilize our resources to try to come up with a striping plan once we found out that Public Works Director, Milton Arakawa, was willing to try to do re-striping. You also had a member of the public, a merchant, Mr. Richard Dan, very anxious to get to this. So we did meet. We had three engineering professionals sit, and Mr. Dan, and myself, the small town specialist sat and looked at what was provided for. The plan that we looked at was the plan that we had told Milton was available through the County. So the County did have it. He was able to find it which was a big, big help because it saves money.

So the new parking ordinance does not allow for compact stalls in commercial areas. This was what was brought to your attention. The committee notes that stalls in the Wailuku Municipal Parking lot is nine feet wide per the as built plan supplied by the County of Maui. Our engineers note that 24 feet width is needed between the isles. The plan does not allow to squeeze in another row even at an angle. Additionally, street tree requirements mandate one tree per five stalls plus irrigation. If you modify the existing parking, you need to bring it up code, unless the MRA will issue a parking waiver. So we talked about different options. And then the plan that we decided to do because we had benefit from a benefactor, along with the, you know, the professional services were pro bono, but the actual drawing, we had a benefactor. We decided to do option one because that was the most likely. Was if you take the nine foot width and shrink it to eight foot six as was discussed, for every 17 contiguous stalls, you will get one additional stall. This will give you five standard stalls, or six, with a compact scenario in a clustered area. The MRA could give some approval for some compact stalls in clusters. However, the decision may need to be presented or be in concurrent with the County Council action. And one would have to think how they would feel about that. Or, you could take a middle row and convert it to all compact stalls for nine additional stalls. Option 2 was resurface the lot and do a comprehensive overhaul. Put in planters, lighting, and irrigation, and make it handicap accessible. Option 3 was the removal of the center planter areas, and replaced with stalls, and repaved, will give you a total of 10 additional stalls. We have decided to provide the drawing that gives the MRA the most expedient scenario for an interim solution since the Public Works is willing to re-strip the lot. We urge you to take immediate action and make a parking management plan a priority, and that can be developed to deal with the long term parking solution. Thank you for what was previously discussed. Main Street continues to strongly support a multi-level, sensitively design, multi-use parking facility that will act as a magnet to assist in the long term revitalization of Wailuku. So this is not the solution. This is the band aid to try to bring immediate relief if possible. People have put out numbers of how many stalls, and this is try to give you the idea that it wasn't as simple as some people had previously calculated. And you're really not going to get that much as

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you think, you know, for the effort. So our professionals are willing, if you want to put this on the agenda for next month, they'll come and they'll explain it and answer some of your questions because it's not on the agenda for today.

Mr. Horcajo: Alright. So I guess as Erin had just mentioned, Jocelyn, all I can say is thank you to WMSA and your parking committee for providing this to us, and it will definitely be on the agenda for next month.

Ms. Perreira: Yeah, I'm very, very thankful for the blessings that we are so fortunate to have those professionals that are so willing to do pro bono. Thank you.

Mr. Horcajo: Alright. Thank you.

Ms. Betts Basinger: And pass on to Chris Hart & Associates. Thank you.

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

Ms. Betts Basinger: It was. From the benefactor.

## **5. Vehicle and Pedestrian Study (E. Wade)**

Mr. Horcajo: Okay, we are now on vehicle and pedestrian study, although –. Go ahead.

Ms. Wade: At this time I don't have a scope of work for that for you folks, but I will be trying to work on one between now and the next meeting. So if there's elements of that scope that you want incorporated in my first draft, you can discuss it now or feel free to email me your thoughts about it because I'll be working on it over the next month.

## **E. COMMUNICATION AND REPORTS**

### **1. COMMISSIONER SUZUKI - Discussion with project management team regarding Market Street Improvement Project Phase II.**

### **2. PLANNING DEPARTMENT - Inter-agency meeting summary**

Mr. Horcajo: Okay. Communication and report, we're done with item (E1). Planning Department, inter agency meeting summary, I believe we have a summary from Erin Wade.

Ms. Wade: Yeah, I provided you a memo of the meeting. There's a whole lot of background up at the front of the beginning memo. And then the real results are kind of at the end, which talks about the responses from the agencies. Most interesting I think was

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that the Development Services Administration was not at all interested in adopting the IEDC. They wanted to work on much more tailored approaches to amending the building code for existing structures. I guess the way they – or their comments were that the reality of administering that code was so different than what they utilized today. That they would prefer if IEDC was adopted that they not be the agency to administer it. They felt that strongly about it.

However, I guess, personally I saw that as an opportunity to invite them to collaborate on amendments to the existing building code. I think if they are working in conjunction with a consultant or an organization to make recommendations to amending the building code will have much greater success and there will be much better bought in than if we tell them here's what you need to do.

Mr. Horcajo: Any public testimony on this agenda item?

Ms. Perreira: Jocelyn Perreira, Wailuku Main Street Association. Thank you Erin. The timing was perfect because we had an unbelievably outstanding forum that came and that Brad was one of the speakers, and the consensus was and every single break out session was about code relief. So when he met with the government agencies, he had a lot of ammunition to take with him. I just wanted to let all of you know that there's part two as a result of our forum. We are going to be taking on the revamping of the pertinent business country town code. We have started. We have an ad hoc committee of professionals. We've started the process. And then we're going to do a second forum relating to that so we can allow for public input. And then we're also going to also be interfacing with Erin and these departments so that we can make sure that there is a strong enough effort and a push that is, you know, all in sync, unified, to make sure that it's not just something that's talked about and not dealt with. The code is 50 years old last year. It is way past time for changes to that. But I did want to let you know that that is one of our projects that we will be dealing with, and let you all know as we progress.

Mr. Horcajo: Okay. Any questions for the testifier? Jocelyn, I have a question please. Undoubtedly I appreciate that because that's what I brought up earlier. We need to look at the rules, and the codes. But just out of curiosity based on what you folks have discussed so far, is it just Public Works Building's Code? Is it the whole gamut?

Ms. Perreira: It's building, fire and parking.

Mr. Horcajo: Water? I'm just curious.

Ms. Perreira: I'm sure water will be added to the list.

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Mr. Horcajo: Alright.

Ms. Perreira: We haven't dove into in more detail. We just kind of formulated. I mean, the same day, the day of the forum, was so resoundingly, you know, standing room only. People were –. They didn't want to go. They stayed till the very bitter end. It was so clear that we were on to something really hot, that we started the discussion that very day. So what I'm going to do now is probably in the next week, we will start the ad hoc committee to meet and try to interface. And we may be even asking, you know, someone from the MRA to sit with us as well.

Mr. Horcajo: Okay. Alright. Thank you very much.

Ms. Perreira: Thank you.

Mr. Horcajo: I guess my question to Erin is undoubtedly we can attack, I'm not going to call it a problem, but this issue in different ways. One is a what has been discussed here, changing certain things in the code or in policies I guess. But what about the issue of looking at our particular standards within the WRA and being more specific, you know. I mean, I realized we have design rules. But even for example I've been talking with Erin often on about even getting a temporary permit for a tent. And you know, between Fire and Public Works and exemptions and what ever, it's like, it's crazy. It's impossible. So I guess I'm just saying out loud is that, you know, maybe what comes out the WMSA and other discussions here, that it ends up dove tailing into what we have as our guidelines or something so if somebody within the WRA wants to get a temporary and ask for a tent permit, it's to us or it's an administrative review process versus going through Fire and being told you've got to 20 feet from the building, and going to Public Works and saying 6 a.m. to 6 p.m. That's what I'm focusing on is making it easier for the general public to get stuff through. Of course, we can start here and then hopefully other small towns can do what they need to do to change their, or create, policies. So, anyway, that was my comment to Erin I guess. It wasn't a question. It was more a comment, I guess, right.

Ms. Wade: Well, one of the things that the consultant from PUMA has asked of me is to generate a list of recurring variance requests, and recurring approved variances. Obviously, you don't want to continue on the variance route if it's obvious if you're going to grant it, you know. So I'm complying that list right now, and I'll provide to Main Street Association as well for guidance to you, but there are some things like the road widening issues, we always grant. So those will be things that are certainly at the top of the list for amendments.

Mr. Horcajo: Alright. If we're all done, I'm going to move onto agenda (E3) status report of MRA newsletter.

### **3. STATUS REPORT OF MRA NEWSLETTER**

Ms. Wade: Okay. I had hoped I would be a lot closer than I am, but three articles that I have at this point are on the Wailuku Town Survey Gets Great Results, the dining and entertainment district being considered, and MRA to hire a parking management consultant which I'm thrilled didn't complete yet because now we know that we have some other things to work out. But those were the three articles that I was working on. And if there's any other thoughts or ideas to be considered, Alexa and I have talked about the survey article a little bit. So, anyway, I'll be formatting it probably over the next week, and then giving you a draft.

Mr. Horcajo: I see.

Ms. Wade: If you want this draft, I can hand it out. But all of this information that's in here was cut and pasted from the consultant's information, so and slightly massaged.

Ms. Betts Basinger: Yeah, I have a bit of time now, so we were working on it together. I do have another idea and that is part of the history of redevelopment in the MRA area, I'd like to actually show that with photos of new constructions and rehab construction that has happened. So that would be another addition. And I did take a stab at realigning that in publisher. So by the next meeting we should have a summer newsletter draft for everyone.

Ms. Wade: That will happen. Otherwise, we're going to miss summer.

Ms. Betts Basinger: So it will be July – August.

Mr. Horcajo: Okay, any public testimony on this item? Okay, again, we're going to get a draft next meeting, hopefully, that we can all look at.

Ms. Perreira: Main Street has a lot to offer in ways of a report, an extensive report, and I would think that is something you would want to highlight in this newsletter because of the extensive amount of participation that took place and the direction that we're going to be providing that is actually going to lend you folks some real substantive report and not just be a (inaudible) kind of piece. You know what I mean? It probably is nice to do history. Maybe we can wait for the next newsletter. I think it's really important you have people focused on the initiatives and we need to move forward, and move forward quickly because before you know it, your next newsletter is going to wait until the end of September and gearing to budgeting stuff already. So maybe this is good to kind of get everybody up and running. And since we had not participated in contributing before, and we had promised that we were looking forward to doing that for this year, this would be an opportunity for us print some of our stuff that the County had already received and signed off on. Thank you.

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Ms. Wade: Is that – I'm sorry just to clarify – was that the report on the forum that you're talking about?

Ms. Perreira: Yeah.

Ms. Wade: Okay.

Mr. Horcajo: Okay. Thank you. Alright, next agenda item (E4) status report of MRA website.

#### **4. STATUS REPORT OF MRA WEBSITE**

Ms. Wade: At this – you know, just recently we have made no adjustments to the website, but I think Bob and I are going to meet shortly with the web manager to talk about –

Ms. Betts Basinger: She's on vacation, but she'll be back, I think, within a week or so.

Ms. Wade: Yeah. That explains the no return phone call. Thank you. So anyway, there is no change at this time.

#### **F. BUDGET**

##### **1. Discussion of 2011 use of funds.**

Mr. Horcajo: Okay. Any public testimony on this item? No? Okay. Item (F) budget, discussion of 2011 use of funds. I guess I want to make a comment first. We undoubtedly haven't had this discussion item since prior to our last year's budget meeting, and we didn't have a May meeting, and this wasn't on the agenda, I believe, for the June meeting. So, I think what I'm hoping that this body agrees with me, is that if I can have the opportunity to set up a meeting with Erin, with the Vice-Chair if she can make it, with hopefully the Planning Director and kind of talk about their goals, I guess, for our \$81,000. You know, we can express our goals, as well, you know for those funds. And I've heard through the grape vine there's some flexibility in use of those funds that was proposed last year. So I think they need to kind of nail that down soon especially as we get the dollars a month for the parking management plan, vehicle pedestrian circulation plan, Vineyard Street plan. We're going through the money fairly quickly. So anyway that's my comment, I guess, before we have any discussion. But, let me ask the public first. Is there any public testimony on agenda item (F) on budget?

Ms. Perreira: Again for the Main Street Association. It would be nice if we could get a draft of what you folks are talking about, you know, when you're –. And then we don't just

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receive stuffs like at the meeting. Because the board is – I mean, we're fully engaged, we're fully invested in what happens in not only – you folks have the MRA area, and we're invested in the MRA area and all of Wailuku so it would be really nice to know what your planning, see how we can, you know, collaborate or take a portion of the work or whatever. But getting it just when we come to the meeting is not allowing our organization's professionals and the board a full opportunity to give some very good recommendations. And I believe it's going to be very helpful. And if we could get that ahead time, we could say, hey, yeah, this is great. This is wonderful. Or, if we have a question, we could also have a legitimate question to ask when you have it at your meeting.

Mr. Horcajo: Sure.

Ms. Perreira: That's the only request I would make on behalf of the board.

Mr. Horcajo: No problem. Okay. I guess I want to make a comment. While we haven't even talk anything about this year's budget, so undoubtedly it's a public hearing process so when we start that, which could be next month, although depending on the orientation discussion we're going to have next, I guess, it may be end up in the following month, but let's kind of see how it works timing wise. Anyway, comments on agenda item (F) from anybody? Okay. So if you don't mind, I want Erin to set up the meeting with the Planning Director.

**G. APPROVAL OF THE JUNE 18, 2010 MEETING MINUTES (via e-mail)**

Mr. Horcajo: Okay, item (G) approval of the June 18, 2010 meeting. I hope you folks all had an opportunity to read the minutes. Do I have a motion on the floor to approve the minutes?

Ms. Popenuk: I move that we approve the minutes.

Mr. Horcajo: Second?

Mr. Suzuki: Second.

Mr. Horcajo: Any discussion? Okay, all in favor of the approval of the June 18, 2010 MRA meeting please signify by saying aye.

Agency Members: "Aye."

Mr. Horcajo: Okay, it's unanimous. Thank you very much members. Last item, orientation workshop ideas. I'm going to leave that to – Erin, you can start this discussion.

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

**VOTED: To approve the June 18, 2010 MRA meeting minutes as presented.**

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

Ms. Wade: James Giroux and I have been talking about the orientation workshop and structuring a lot more like the Board of Variance and Appeals' workshop. What we might want to consider doing is actually breaking it up into two meetings because next meeting we have the Kahawai Housing public hearing, with their variance request. And then the following meeting, I anticipate having the Sereno Law Office variance request. And also next meeting we have another design review, the one that was mentioned about the Community Work Day cigarette containers. So we're going to have a full agenda items, a full agenda. So, you know, my thought process is kind of breaking it up in terms of the legal issues in one, you know, about how to review applications and what needs to be stated when granting a variance request and all of those things in one. And then the second one maybe being about the powers of the MRA and an expanded discussion on everything that's outlined in HRS 53 and how you've utilized it in the past and what's still to be utilized.

Mr. Horcajo: So, are there any comments about having two meetings? So, we'll leave it up. Okay, so I guess my question – go ahead.

Ms. Betts Basinger: Since all of our upcoming meetings have full agendas that require our vote and our consideration, would the body be willing to have special meeting just for part A, part B of the orientation? And I know furlough Friday puts a crimp in it, but that would make it specific, to the point, and on one subject. So I would throw that out to the body if the body was willing to have a special meeting at anytime available just for orientation.

Mr. Horcajo: Any comments there?

Ms. Wade: I just to comment. I'm sorry, I need to comment that the Department – you will not be staffed if you tried to host a special meeting. The Department has said that we don't have the resources at this time to allow for special meetings.

Mr. Suzuki: I'm just looking at the schedule.

Mr. Horcajo: Well, I think the problem is we got an email last month from Long Range –

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whatever – Clayton Yoshida pretty much saying what Erin just said. They don't want us to have special meetings because of funding.

Ms. Betts Basinger: Does that mean, Erin, that minutes won't be taken or does that mean you wouldn't be here, Corporation Counsel won't be here?

Ms. Wade: It means the Planning Department staff would not be attending, so both Leilani and I would not be here.

Mr. Suzuki: We can't have a meeting.

Ms. Betts Basinger: Okay. So we'll just look forward to two really long meetings.

Ms. Wade: Right.

Mr. Suzuki: Potentially long meetings.

Ms. Wade: Yeah, on Friday afternoon, no less.

Ms. Perreira: . . . (Inaudible. Did speak into the microphone.) . . .

Mr. Horcajo: Well, we don't know. More likely it would be the next two normally scheduled MRA meeting dates. The third Wednesday of – I mean, Friday, I should say, of August and September.

Ms. Wade: Right.

Mr. Suzuki: August is Thursday.

Ms. Wade: August is a Thursday.

Ms. Betts Basinger: So I agree with that Chair then that they be over the next two meetings, as soon as possible.

Mr. Horcajo: The next two meetings. Right. And depending what comes out of the meeting with Planning Director, and how much more we get on this RFP's, this one and others, I guess leave it up to Erin, maybe, and myself, if you don't mind, when we can schedule the 2011 budget discussion. If we can do it – because the sooner the better I would think.

Ms. Wade: Well, I know I accepted an appointment already for August 8<sup>th</sup> to discuss the MRA budget, so I think you're cc'd, but I'll make sure you got it. You and I been having the email glitch anyway.

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**I. NEXT MEETING DATE: August 19, 2010 (Thursday)**

**J. ADJOURNMENT**

Mr. Horcajo: Okay. Alright, so, next meeting date is the Thursday, August 19<sup>th</sup>. Thank you very much. And if there's no objections, I'm going to call this meeting adjourned. Thank you.

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

**RECORD OF ATTENDANCE**

**Members Present:**

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

**Members Excused:**

Raymond Phillips

**Others:**

Erin Wade, Small Town Planner  
Michael Hopper, Deputy, Corporation Counsel

Morgan Gerdel, Nishikawa and Associates  
Yuki Lei Sugimura