

**MAUI REDEVELOPMENT AGENCY
REGULAR MEETING
AUGUST 24, 2012**

APPROVED 09-28-2012

A. CALL TO ORDER

The regular meeting of the Maui Redevelopment Agency (Agency) was called to order by Ms. Katharine Popenuk, Chair, at approximately 1:03 p.m. Friday, August 24, 2012, in the Planning Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Island of Maui.

Ms. Katharine Popenuk: Call to order the Friday, August 24, 2012 meeting of the MRA, Maui Redevelopment Agency. Present are myself, Katharine Popenuk, Bill Mitchell, Vice-Chair, Warren Suzuki, Don Fujimoto, Erin Wade, Corp Counsel, and staff, Planning Department staff.

I would ask for approval of the minutes of the July 27th, 2012 meeting. Do I hear a motion for approval?

B. APPROVAL OF THE MINUTES OF THE JULY 27, 2012 MEETING (via e-mail)

Mr. Don Fujimoto: So move.

Ms. Popenuk: Do I hear a second?

Mr. William Mitchell: Second.

Ms. Popenuk: All in favor? The minutes are approved.

**It was moved by Mr. Don Fujimoto, seconded by Mr. William Mitchell, then
unanimously,**

**VOTED: to approve the July 27, 2012 Maui Redevelopment Agency
meeting minutes as presented.**

(Assenting: D. Fujimoto, B. Mitchell, W. Suzuki

Excused: M. Walker)

C. PUBLIC TESTIMONY

Ms. Popenuk: At this time I would like to open for general public testimony. Please limit your testimony to three minutes. First person to sign up to testify today is Teri Edmonds. Please state your name.

Ms. Teri Edmonds: Aloha. I am Teri Edmonds from If The Shoe Fits, and thank you members for being here. I want to start off by saying how much I appreciate that we have a public venue like this that we can come to to express our concerns and have support. And over the years there have been a lot of successes. The things like the rubbish cans, First Friday, and so many other things. And I just want to appreciate you being here and volunteering, and let you know it does work. So

I'll be speaking – I'm giving testimony today on issue E-1, which is the discussion on crime and homelessness in Wailuku. I can't stay for the actual discussion as my store is closed to be here, but I have discussed with some of my neighbors that we would like to see a presence of security increased in town. I've had great support from the local police. I think that's wonderful. I know that maybe their resources might be limited. I would like to recommend that we might be at that stage that we have maybe a bicycling police officer that is designated for Wailuku. It was just a thought I had this morning. I'm sure there are other good suggestions, but I am seeing increased activity. One of the issues happens to be our customers being hit up for money. Even for food. I've had one of my neighbors get ask for his left over lunch on the way back to work. Just walking here, there was another gentleman that just made me feel uncomfortable, and we're making this a walking town, and we are attracting so many more customers and tourists that it's very exciting. And I really do think we have the potential to be just a sparkling little town. I see it going that way and I'd like to keep it safe. So on that note, that's all I have.

Ms. Popenuk: Thank you.

Ms. Edmonds: Thank you.

Ms. Popenuk: Questions from board members? I wanted to remind you folks that if you want to testify at the time that the agenda item comes up you may do so in lieu of right now if you wish.

Mr. Suzuki: Question.

Ms. Popenuk: Yes Warren.

Mr. Suzuki: Question for you Teri. You know, I realize that you're one of the few that live in the particular area. You know, Wailuku has a multitude of, you know, roadways and all. What areas in particular do you feel that type of presence would be most beneficial?

Ms. Edmonds: Well, I think what –. Unfortunately, I think when you move them from one, they're gonna go to another. And I was able to walk into the residential community to go pick my eggs from this great farm right down on Mission Street. And it's a great – I felt safe, and it was nice and comfortable and I think the homes are easily accessible, so I would hate to see the homeless go there. I think we have a lot of services in town that could help the homeless. I'd like to see them take more advantage of that. But right now I'm even noticing it more on Market Street, and particular, at closing time. And with our jewelers, people closing up for the day, some people work late. Again, I do –. I love the benches because I think they're nice looking. But I do think they are attracting –. They're being used, I see a lot, by smokers and people asking for money. The last time I did mention that particularly in front of the bank. Again last night I saw the same thing happen. People go, they pull up their car, get out to make their deposits, and then people approach them for money, so it's a concern. And so I would say in general, all of Wailuku.

I wanted to mention something else. Oh, yeah, that I did – my neighbors would be willing to give letters of support if it helps, and that includes the banks and a couple of the jewelers. So if you do need anything to help move that program along. Anyways, does that help at all?

Mr. Suzuki: No, it does. Thank you.

Ms. Popenuk: Thank you. John Andersen.

Mr. John Andersen: Good afternoon Chair and members of the Redevelopment Agency. My name is John Andersen. I'm the executive director and principal broker for Na Hale O Maui. I have spent the last six years of my life in this organization with two missions. One, to locate and provide affordable housing alternatives for low and moderate income families. And number two, to build a sustainable organization that will be here 99 years from now when those first ground leases come up for renewal. And very much part of that plan is our sustainability plan which called for us to get out of a rental space and into ownership of the office building. We have just completed this month the five-year term of our commercial lease on our existing office space. And my goal was to have an opportunity in front of us so that we wouldn't have to sign up for another five-year lease and move into our own building. That opportunity did present itself to us at the end of last year when Bank of America put on an abandoned foreclosed structure at 190 North Church Street and that's the subject of today's hearing.

This structure was built as a residence. But if you look at the floor plan of it you know that they had an office space in mind because it doesn't function very well as a residence and it really functions very well, or will function, we hope, very well as an office space. The property sat vacant and abandoned for over two years and deteriorated physically and we had come in and spent a good amount of money fixing the property up, getting things painted and repaired and up to code and all of that that hadn't been previously been done. The opportunity we have now is to move into that building if we get this variance, use it as our office space and it will be the permanent office space for Na Hale O Maui with room to grow and expand as our organization grows and expands in future years.

The savings to us as a non-profit will be over \$2,000 a month. And the opportunity for us, from a management point of view, to have this building as collateral for a line credit with the Bank of Hawaii is very important to the operation of our organization. Many of our, or some of our project funding sources want to reimburse us not advance money which means we have to advance the money first. And when you're out buying \$300,000 houses, that's a good chunk of money to have to advance. Bank of Hawaii has given us a \$500,000 line of credit for interim financing to be able to do just that, and it is secured solely by this building. We cannot use any of our other assets to secure loans because they're pledged through the ground leases. And we do have 24 properties at the present time. 23 of them is single-family homes, and this, which we hope to be an office. And I would greatly appreciate your consideration of our request for a variance so that we can continue providing affordable homes for low and moderate income families on Maui. Thank you.

Ms. Popenuk: Thank you. Any questions of our members?

Mr. Andersen: Thank you.

Ms. Popenuk: I would like to recognize Mark Walker in attendance. Our next testifier is Nancy Duff.

Ms. Nancy Duff: Hello. My name is Nancy Duff. I was a former zoning commissioner for the City of Berkeley so I know what you have to deal with. Of course Berkeley was really crazy so, I don't know about Maui. But anyway, I'm here to speak on behalf of allowing this variance to go through. I'm a real estate broker. I have clients that I'm referring to this program because I frankly can't find

them anything that will work for them. And my client is here and he's going to talk about his living situation, but basically this program is allowing working families to get a house. For \$285,000 we're looking at a four-bedroom, two-bathroom house. Currently they're living a two-bedroom, 750 square foot condo with five people, you know, with three girls in one room. And these condos, as you know, at Kihei Village, aren't that huge anyway, and so this would really, really help the working families. They've taken what basically was an abandoned building that was gonna turn into, you know, a place for the homeless, otherwise, and have turned it into a really nice, functioning. I've toured the property. It's looks great. They've done a great job. And it's also surrounded by – there's a mortgage broker across street, there's a law office on one side, there's a law office on the other side – by already commercial uses that have been allowed. I think that this would be a really good addition to Wailuku and I'd like to see you vote positively for this variance. Thank you.

Ms. Popenuk: Thank you. Any questions from our members? All right, we have David Estomo.

Mr. David Estomo: Thank you. My name is David Estomo. Thank you for this opportunity to speak on behalf of Na Hale O Maui. I am the –. My family is the one that Nancy was talking about. And I have three girls and my wife, we live in the Kihei Villages and it's a small place, two-bedrooms and three girls in one room. It does get very tight and we really appreciate the opportunity that Na Hale O Maui provides for families like myself. And I think we can all agree that that's, you know, pressing . . . (inaudible) . . . providing affordable housing in this community, this island, you know, and I really appreciate it very much. By following their guidelines and everything – they have a four step program – we followed it, and now we're in the opportunity, we're in the stage where we can actually purchase a home through their program. We've done everything. We've got our credit scores in line. We've paid down our debts, and we've taken cared of all of our issues. And through their program, their guidance, we are now able to do that. And basically what Na Hale O Maui needs is an underlying foundation, some place where they can stay at a stable place where they can operate out of. And I'm hoping that, you know, this will work for us and you guys approve it. Thank you very much for your time and this opportunity.

Ms. Popenuk: Thank you. Any questions members? Alright, we move on please. Dave Ward?

Mr. Dave Ward: Good afternoon members of the Maui Redevelopment Agency. My name is Dave Ward. I'm here speaking on own behalf, but I am one of the founding members, board members, for Na Hale O Maui, and I'm still on the board at Na Hale O Maui. And I want to speak in favor of their request for variance for Na Hale O Maui.

So, Na Hale of Maui, the mission statement, a portion of the mission statement, is to preserve, supply of affordable homes for low and moderate income households in Maui County into perpetuity. Lofty goal, perpetuity, long time. With that goal in mind, since 2010, early 2010, Na Hale O Maui, purchased its first home. As John mentioned, currently they've purchased 23 homes, 13 of which are occupied, and 10 are currently in escrow or in rehab. These homes are located all around Maui. There's some in Kihei, Lahaina, Makawao, Wailuku and Kahului. So when we look at perpetuity and we're thinking about that, sustainability is very important for this organization. This office building provides that sustainability. It's helps towards that goal of sustainability, providing a permanent place for the offices to be. As far as compatibility, the surrounding uses, this office use, it's a relatively small organization, and this office use is very compatible with the neighboring, neighboring residences and also office buildings. And also the building is keeping in

the same character, the small town character of Wailuku. The physical structure itself is keeping in that character and that's very important for Wailuku as everyone knows in this room. So again I just wanted to testify on behalf – I'm sorry, in favor, of Na Hale O Maui. And that's it. Anybody has any questions?

Ms. Popenuk: Any questions members? Thank you. John Noble?

Mr. John Noble: My name is John Noble. 160 Market Street. I don't really want to testify on this item, but I'd like to testify on the security when it comes up.

Ms. Popenuk: Okay. Thank you. Any other members of the public that wishes to testify at this time? Ms. Perreira?

Ms. Jocelyn Perreira: Point of clarification. I have just one statement of this project and then can I testify on something as it comes up?

Ms. Popenuk: Sure.

Ms. Perreira: My name is Jocelyn Perreira. I'm the executive director and the Tri-Isle Main Street program coordinator for the Wailuku Main Street Association/Tri-Isle Main Street Resource Center. We are in tremendous support of this agency and the goals and objectives that they do. We do have concerns that whenever change in uses is done, and then you have intensity on use and so on and so forth, that it's always in the best interest to have as much of the public brought into the picture as possible because of the precedence setting and the intensifying of commercial use. In this particular instance having, our organization, having been involved in extensive design reviews for projects all around this particular property and having heard from Ms. Wade that this property follows that same kind of pattern, we feel –. And that they followed that same pattern because there were many things that had to be improved upon. And I think that happened as a result of the recommendations that we had provided. I feel comfortable that they were probably incorporated into this project as well. As such we would like to support the project, but with the caveat that additional projects such as these that come out may not have such as credible a record and they do need to receive more intense scrutiny by the general public. Thank you.

Ms. Popenuk: Thank you. Any other comments? Questions? Seeing none, we move on. At this time –. Okay, at this time, we're addressing item D-1 which is Ms. Susan Moikeha of Na Hale of Maui requesting variances to the following provisions for the structure located at 190 North Church Street, Wailuku. The variance requests were triggered by an application for change in occupancy from residential to commercial/office use. *(Chair Katharine Popenuk the following project description, written in Item D1, into the record.)* At this time I turn it over to Erin Wade.

D. PUBLIC HEARINGS

- 1. MS. SUSAN MOIKEHA, of NA HALE O MAUI, requesting variances to the following provisions for the structures located at 190 N. Church Street, Wailuku, TMK (2) 3-4-017:053, (MRA 2012/0002). The variance requests were triggered by an application for change in occupancy from residential to**

commercial/office use. (E. Wade)

- A. Amended 2006 International Building Code (IBC) Section 105 Permits and Section 110 Certificate of Occupancy requirements to enable the Public Works Department, Development Services Administration to approve building permits and grant certificates of occupancy.**
- B. Amended 2006 IBC Section 602 and 704.11 regarding exterior fire wall rating to allow the building to be occupied as a commercial use without upgrading the exterior to have one-hour fire resistance rated walls or be required to construct parapets.**
- C. Amended 2006 IBC Section 704 regarding roof eaves and overhangs, to allow the building to maintain its existing eaves/combustible projections which are not one-hour fire resistance rated construction and which extend beyond the floor.**
- D. Amended 2006 IBC Section 1607 regarding live loads to allow the structure to maintain a live load of at least 40 psf as required in residential construction, as opposed to the 50 psf required for office use.**
- E. Maui County Fire Code, Sec. 16.04B.110, MCC, Subsection 902.2.2.1, as amended, which requires an unobstructed road width of not less than 20 feet, to allow a narrower road width.**

Ms. Erin Wade: Thank you. I just made a couple of slides to present the basic facts of the case, and then the applicant can share with you their rationale for their application. The property itself is located at 190 North Church Street. This is the side of Church Street closest to Iao Stream. It is within the business/multi-family zoning district of the Wailuku Redevelopment Zoning Area. The building was constructed in 2004 as a residence, and then purchased by Na Hale O Maui this past year. The non-profit intends to use the building for an office and the change in occupancy request the County is what triggered the need for these variances. The variances being requested the Chair just read so I assume you don't need me to re-read them. But I can put this back up when you folks are discussing so it's available for everyone to look at.

There have been several similar cases of residential buildings being converted into office that also required zoning variances and either one or a handful of the ones being requested today were present in all of these five cases – Guy Sugino's office, the White Orchid Wedding Office, Diane Ho's Law Office, Deborah Daniels accounting office, and most recently the Sereno Law Office which is directly next door to this house that's being asked for the occupancy conversion. I'll let the applicant share additional information with you. Are there any questions for me? Okay.

Ms. Susan Moikeha: Good afternoon Chair and members of the board. I'd like to introduce myself. My name is Susan Moikeha for the record. I am the project manager that oversees the rehab of our distressed properties that we acquire and I also have oversaw, had oversight and authority, to submit the CO application. And my disclaimer is it's done by a lay person not a consultant. I don't

know if that's good or bad, but we sincerely believe that the variances we are seeking today are consistent with the Wailuku Redevelopment Area Zoning and Codes. We, as it's been mentioned, we acquired this property through a foreclosure sale in September 23rd of 2011. It was our intent at that time to secure this as our permanent office space. And Mr. Andersen, our executive director, has already given you some further information that I won't repeat at this time. As to looking at this structure as the highest and best use.

In submitting the application, again, the Certificate of Occupancy triggered the need for these variances. And I just briefly want to go over my experience and conversations that might be helpful that I've had with the various agencies. It does appear to me, though, that the codes and regulations seemed to be more restrictive for commercial use, especially when we're transitioning or converting from residential to commercial, and we understand the need for that and understand the intent is to protect the safety and well being, especially the public, and also the environment. We also understand though that the MRA plans do allow for flexible zoning, building, Public Works and Fire Code standards, and that's why we are here today, to seek the variances through this process. And let me express my appreciation for this process and for each one of you being here and your time and effort.

In regards to the building permit, upon a miscellaneous inspection, which, as you've already know through the application, this did receive a final inspection on the structure when it was residential and the documentation will show that. In my discussion with the inspector at the time, he was more focused on the fact that we would need to get a building permit. Although we weren't making any structural changes, we weren't demolishing anything, we weren't adding to it. It was accepting it as is conditioned and as the structure of a house. He seemed concerned that we would need to submit some construction drawings. Well, on a foreclosure, there is no disclosures. This sat vacant for a couple of years. And in my research on the website in to KIVA, I was able to determine prior permitting process. I did, in best interest, tried to contact the structural engineer, who unfortunately had passed away several years ago. I was given his brother-in-law who is familiar with the County process. And he said that we have no construction drawings at all. Everything has been done away with. The County had no records of a 2004 construction plans due to storage issues of water leakage and asbestos. So I took it as far as I could go to get what was being requested. My understanding through the inspector is that they wanted information as to the interior/exterior of the wall, and this relates to your fire code. And especially because this house is six feet on the first floor away from the abutting property line that's triggering this exterior wall code. The second floor is within the 10 feet, or away from the 10 feet away, so it wouldn't have application to that.

In regards to the roof eaves overhang, it is typical residential construction. I'm not sure how we could rectify or change that. In regards to the floor loads, in my conversation with Jarvis of Building Review, he indicated by our application that we have a very light layout. And I can indicate and reinforce you that we are a staff of three. The first floor is strictly for public use where we would, on occasion, meet with a client. It will house one staff office space, and the other one would be a meeting room. On the second floor we will have two staff offices, a lunch room and a work table to assist us in our work. All storage, especially of heavy filing cabinets are down in the basement. And so that he's correct in his assessment that it is a very light load compared to an office, other types of offices.

In regards to the road width, again, this is another issue that had precedence particularly on the street with the Sereno variances. We can't do anything about the width of the roadway. My understanding in talking Noreen Soreno was that the Fire Department was satisfied that they would be able to get two trucks through there by having one truck back into Milo Street which if you look is directly across from our property. There is also Four Sisters parking lot which is quite substantial to me, in my opinion, for having a fire truck pull into that area if a second one needed to get down the road.

This pretty much concludes the work that I did in trying to access our needs and where we needed to go with this. Again, we understand why these codes are important and the need for them. We also understand this plan that has been put in place in this community. And we feel that we certainly do fall within the guidelines of the MRA Zoning and Codes and we totally support continuing our existence in this area. We have met all CO approvals for engineering, environmental management, electrical, plumbing, and health. The only two outstanding agencies that are commenting on the CO approval was fire, and you're aware of what issue is, and building, and again, you're aware of that issue. We are more than happy to, to do anything that we need to do to expedite us being able to get into the structure, and particularly to be able to seek these variances. We do feel that they're reasonable and we would like to continue to implement our mission. And I'm here for any questions you may have.

Ms. Popenuk: Any questions? Yes, Mark?

Mr. Mark Walker: Yeah, it was brought up earlier about intensity of use. I mean, typically, how many people do you have visiting you at any one time?

Ms. Moikeha: Because of the structure of our program we may have one client per house. Now we've sold 13 houses since 2009, and they're by appointment only. We do not do walk in clientele. We do conduct seminars but those are done off-site as they are now at rental facilities in Wailuku. So our use of day to day traffic is very, very limited. I would say one person per month other than our staff of three.

Mr. Walker: Right, and obviously was it four parking stalls you have?

Ms. Moikeha: Yeah, we do have the parking onsite. We have more than sufficient.

Mr. Walker: That fits. Okay.

Ms. Moikeha: Thank you.

Ms. Popenuk: Before we get questions from members, I would like to ask if there's any questions or comments from the public about this agenda item. Mr. Noble? Thank you Susan.

Mr. Noble: Well this brings up a point that I've always wanted to make and try and to make is the infrastructure in this town. There's all kinds of things happening with trees and this and that and everything, but the infrastructure in this town is rotten and it needs to be mapped. And everybody that tries to get a building permit has the same problem is all the infrastructure is gone. They wanted me to have a manhole on County property. They wanted me to widen the road that I have

no access to. It's on somebody else's property. They want me to run a water line across three other people's property. This is something that needs to be mapped, it needs to be done, and I'd like to see it done. One of the things I'd like to see done by this organization is creating a set of building codes that fits this town. Plus they have policies that don't fit this town. So once you go to the building codes and then you go to their policies, it makes it this giant, complicated thing where we have 20 vacant lots, 16 vacant stores, and in 20 years we've lost 50 parking spaces. So it's one of the thing, one of my real concern is to get that to happen.

Ms. Popenuk: Thank you. Any other comments or questions relative to this agenda item? I'm allowing testimony at the time of an agenda item. Jocelyn?

Ms. Perreira: Just one question. I don't know if the board members meet but we have a problem every time board members do meet in office settings relative to available parking spaces. And that's part of intensifying the use and committee members.

Ms. Popenuk: Susan, did you want to address parking more specifically.

Ms. Moikeha: Our board members meet, approximately now, is six times a year. So it's maybe more like every other month. We, I believe, at this time have nine members. It has never been an issue where we are currently located on Church Street. We only have reserved parking there for three, so there is the municipal parking which they can walk to. There is sufficient parking on our site for a couple of extra cars at five o'clock. And they do meet from five to six. We also have parking on the streets of Vineyard, and it's all within walking distance, so, you know, for the intensified use, I believe we can address that by – I think the community in that area already provides that parking.

Ms. Popenuk: Thank you. Any other comments from our audience? Questions or comments from board members?

Mr. Suzuki: I have a couple of questions for staff. So Erin, what sort of notice requirements are there for variance requests that are made that come before the MRA as far as to adjoining neighbors or property owners?

Ms. Wade: Yeah, they have to send mailed notice by certified mail to all the adjoining property owners, and it's 30-days, 30-days in advance to the meeting. They also publish a notice in The Maui News, 30-days in advance to the meeting, notifying them about the variance requests. And in this case, they also provided a cover letter with contact information, and additional information about the application. And I have all of the certified mailed certificates with me.

Mr. Suzuki: The next question is that typically, you know, when variance requests are made, a lot of times, the applicant would have made contact with the various agencies that are responsible for the issue that the variance is being requested for. And in some cases the department will send some sort of letter back saying we have no objection to the variance being granted. So, in these cases here, have you folks, has there been any contact with the department? You know, what has their feedback been on the request for variance?

Ms. Wade: Yeah, actually when the application came in there were two additional variances that would have been requested. One was for the basement, not for occupancy separation, because the basement will be used for storage. This was one that we denied in the Sereno's case, and so we were able to work with the applicant and the department to determine that they could accommodate that need from that department, so that was no longer necessary. The other one was with Wastewater. They would have otherwise needed, initially, it was a manhole installation. And then we worked together with Wastewater to get that, kind of negotiated down to a clean out that they should install within a three year time frame. So that accommodated that need and there was no need to have that additional request.

The other two, you've seen the letters from both the Development Services Administration and Fire Department stating that they need to provide – or basically suggesting that they get variances for the conditions that cannot be resolved. Those departments do not state that they support or do not support a variance request. If it's their code, it is their policy to say that this our code and remain neutral on the issue and not comment whether they're supportive or not supportive about it. However, in our communications, they wouldn't recommend that they seek a variance unless they felt they were mitigating alternatives that they could accept.

Mr. Suzuki: So question for the applicant. So Susan, you know, going back to the issue as far as notice requirements, have you tried to communicate, you know – primarily because back there is primarily residential – have you had any sort of contact or feedback from the residents in this area, to kind of get a sense in terms of whether or not they have any sort of concerns what's being proposed?

Ms. Moikeha: Yes I have. Besides the legal notices that we're required to do, I've had personal conversations with the Sereno's who are our abutting neighbor to the right if you're facing the house. Mr. Dwyer and also his tenant, Quintin. I've had personal conversations with them. Mr. Ranken who owns the property behind us, and has a tenant in that property. And I've talked directly to the tenant. He seemed more concerned about how he can get on our list and get a house one day. And so, but, you know, it's such a small area that you can't help but be there and meet and greet and talk to your neighbors and tell them what we're doing. And we've had great support from the ones we have talked to. We did our best to meet – we did do our due diligence by notifying everybody legally, but we did take that step forward to make it a personal contact. And I did my best to meet and talk to the surrounding neighbors. And some of them are tenants. They're not the legal owners of the unit. And if there were concerns I, you know, I haven't heard. That's my overwhelming assessment is that there was support.

Mr. Suzuki: Thank you.

Ms. Popenuk: Other comments from board members?

Mr. Walker: I just have a comment. It seemed to be absent, some huge increase of intensity of use that if I were a neighbor I'd sort of be happy when I go to work, you show up. When I get home, you're gone. You're not going to be – maybe you party late into the night. I don't know.

Ms. Moikeha: I'd just say this goes to the character of the neighborhood and street is that when I have come there after hours, there are people, you know, mingling around by our front steps. I

mean, it's a very open area. There's residences that are there after all of us have left for the day. You know, so, it is. It's –

Ms. Popenuk: Okay, formality here, are there any other comments from the public at this time? Seeing none, I close the public portion of this issue. Any other comments from members? I had a couple of questions. What is in the garage? What is on the garage back wall?

Ms. Moikeha: At the back of the wall is a, it looks like a closet and it was a previous, identified as a bathroom. We're no longer are going to be using that. We'll leave the sink, but we will cap off the toilet there. The structure, there's the water heater that is housed there in separate closet. And then the prior owner had built this like loft above those two structures, and the access to that is through a pull down, like an attic. We don't have plans of using that for anything. All our storage will be downstairs in the basement.

Ms. Popenuk: Actually I'm looking at one of your pictures here. It's 033. It's a picture down into the basement. And at the top of the picture we can see the stud wall framing. And I'm wondering, I did notice in your building inspector's report he did say that there was 5/8 inch gyp, but it wasn't clear whether that 5/8 inch gyp is a gyp board fire resistant wall covering is in the garage. Can you tell me whether –

Ms. Moikeha: Yes, it is in the garage.

Ms. Popenuk: Okay. So at the top of picture 33 what is it that I'm looking at there?

Ms. Moikeha: Okay, so this is the basement. In his report was to indicate that –. Because there was such concern on what the material make up was, and this is the exterior wall abutting the rear neighbor, we did our best to have him come in and make an oral report which he did as to what the make up of. So this is the basement, and then you'll have a first floor that he addresses the material, which he does state that it is fire rated, and then the second floor.

Ms. Popenuk: So this stud wall that I'm seeing in this photograph, is that in the garage then?

Ms. Moikeha: No, no, this is in the basement. You are walking down straight into the basement.

Ms. Popenuk: So we're completely in the basement here. I see. Okay. Is it possible to cover that area with gyp?

Ms. Moikeha: Yes. Absolutely.

Ms. Popenuk: Okay. Because otherwise it looks like you just looking at this and then probably whatever siding is on the outside of the building which isn't gonna –

Ms. Moikeha: Yes. We have the intent to comply with that.

Ms. Popenuk: Okay. Another issue that I wanted to raise was – I actually drove by there this morning to see what we were talking about today and I noticed the absence of planting strips that

are between your property and the street. And I wondered if there were any plans to put planting strip in.

Ms. Moikeha: In my recollecting of the survey of the fence that you saw is right on the property line and then we have pavement.

Ms. Popenuk: Right.

Ms. Moikeha: The thing –. When we submitted our landscape plan with the parking to the Department of Planning, we identified the shade tree that's there and we will continue to have that there. I don't see anywhere else, except where the fire hydrant is, that we could maybe put –

Ms. Popenuk: Actually it's on the side wall of the garage. It's actually the photo right next to 33. It's photo 003.

Ms. Moikeha: Okay.

Ms. Popenuk: So there's –

Ms. Moikeha: We can –. At this point we we've just maintained the weeds, but I mean, we can address that.

Ms. Popenuk: Yeah. I think it would benefit from –

Ms. Moikeha: Okay. Sure.

Ms. Popenuk: – something there. Okay, no further comments from my part. Any other comments or questions from anyone here?

Mr. Suzuki: No.

Ms. Popenuk: Okay. Any of our members would like to make a motion please?

Mr. Suzuki: Move to approve the five variance requests that have been made.

Mr. Walker: Are we going to put conditions on those? Her – planting strip or –?

Mr. Suzuki: I saw the recommendation, but in your recommendations are you –?

Ms. Wade: The recommendation is the standard conditions at this time and the two conditions that I've heard were that there would be gyps board on the downstairs stairwell for the separation of occupancy and landscaping on the side of the garage.

Mr. Suzuki: I would make my motion, amend my motion to reflect, you know what Erin just stated.

Ms. Popenuk: Thank you. Do I hear a second?

Mr. Fujimoto: Second.

Ms. Popenuk: All those in favor? The motion carries. Thank you.

It was moved by Mr. Warren Suzuki, seconded by Mr. Don Fujimoto, then unanimously

VOTED: to approved the five variances as presented with the two conditions as discussed.

Ms. Wade: Can I request a five minute recess real quick?

Ms. Popenuk: Okay, we'll be in recess until 10 minutes to two.

(The Maui Redevelopment Agency recessed at approximately 1:45 p.m., and reconvened at approximately 1:52 p.m.)

E. MAUI REDEVELOPMENT AGENCY BUSINESS

- 1. A discussion on crime and homelessness in Wailuku. Participants will include Sgt. Mark Vickers who is responsible for the Community Policing Program, Wailuku Community Police Officer Aylett Wallwork, and representatives from other service providers. (No action)**

Ms. Popenuk: At this time I'd like to call this meeting of MRA back to order please. It's 1:52 p.m. Maui Redevelopment Agency Business. Now we will have a discussion on crime and homelessness in Wailuku. Participants will include Sergeant Mark Vickers who is responsible for the community policing program, Wailuku Community Police Officer Aylett – thank you – Aylett Wallwork, and representatives from other service provides.

Ms. Wade: Thank you. Last meeting it was requested –. There were comments from the public asking us to address some of the crime and homelessness issues in Wailuku. And you folks asked to put on the agenda to see if we could have the police, members of the Police Department, participate in a conversation. Also with us today is Jan Shishido from the Department of Housing and Human Concerns. We did make contact with other service provides and felt that we should start maybe internally with a conversation about what's needed and I know Jan meets very regularly with some of the other service providers and . . . (inaudible). . . This discussion today we can take it out and figure out what's a good plan to approach for Wailuku and seek additional resources and services from there. So we did have the opportunity to talk with the Police Department, with Sergeant Vickers and Officer before this meeting and sort of vetted some things, but I wanted them to share sort of what their perception has been and sort of what their, what their mission is and also what their limitation as a Police Department are. And then have Jan do the same thing, in terms of what services they provide and what their limitations are. Then we can discuss what's seen as the need for Wailuku. You want to start Sergeant Vickers?

Sergeant Mark Vickers: Okay, yeah, basically we're just here to kind of answer any questions that you folks may have regarding crime, not specifically statistics or anything like that, but generally any questions you may have. Again, our office is the community policing office and what we do is we have one officer assigned to the Wailuku community which covers every where from Waikapu, to Wailuku, out as far as Kahakaloa as needed. His nearest partner would cover the Kahului area which goes as far as Spreckelsvilles so we have very limited resources in our office, but we do try to get out there and do what we can to alleviate more long term problems. The goals of the community policing office is to address those issues which a normal patrol officer doesn't have time or resources to address.

So homeless being a major concern on the island right now. That's an issue that we've been dealing with for, since they reinvigorate the program back last year in March. So we understand it's an ongoing problem. We understand that it's an island wide problem. We've been taking steps to address it. We've been working Maui Housing Alliance, various different other agencies, organizations, private and public. They try to see what we can do to address our problem, but unfortunately for the past year or plus we've been finding out that it's, it's a very difficult situation to address. One, a lot of the homeless people aren't from the islands. You know, they, the majority of them aren't from Maui. They either come here and have left here. They come here to visit family, extended family, and then decide to remain here. Or for some other reason, like in the mainland where it gets cold, the climate here is much more inviting. So they'll come here and they just decide to stay here. We've also had reports of people telling us that, you know, they've been given one-way tickets from their jurisdictions to get to Hawaii. So there's a lot of reasons why we have a large homeless population. They're not all the same reasons. But unfortunately, like I mentioned, there's a very – I don't want to say, very small – but the vast minority are really locals who are, for some reason or another don't have housing.

We have made contact with almost all of them in the Wailuku and Kahului area. We've very familiar with the majority of them. And for them, it's, a lot of it is beyond their life style. It's what they know. They're not looking for, to be housed. They prefer to live on the streets. When there are options open or available to them, they refuse the services, either like for various reasons. And the three most common reasons that we find is that, one, they don't want to adhere to the regulations or rules set forth by the agencies or organizations such as you cannot be intoxicated and a lot of them want that. The other one is there's no pets allowed at many of those organizations so they keep their dogs for like their safety blanket or something and they refuse to give up their animals. Or the third most common one that we hear from them is that, they, a lot of the areas that bring people in or for overnight stays, they don't allow opposite sex couples to sleep in the same areas. They have it segregated. Males on one side and females on the other, and so they don't – . They'd rather –. They have a boyfriend or girlfriend or husband and wife, then they'd rather sleep on the streets together than separately, you know, in some place else.

And dealing with them we find that those, even though those are the main reasons we've covered, that's not all the reasons. Obviously there are times when people are down on their luck. They've lost their houses and what not, and so those people do accept assistance. We always, when we're out there in the beginning, we've gotten a lot of them off the streets already with the help of different organizations. But it just seems that the influx is greater than those that we can help. With the recent closing of the Salvation Army that made an impact as well. I mean, not the closing, but they just stopped allowing overnight stays at the Salvation Army. So that increased the impact of the

number of homeless in Kahului, Wailuku area. And, you know, there was some balance with the Family Life Center. They were doing a renovation and increasing the number of beds they had, but it didn't match up with how much we did lose at the Salvation Army.

And I think the last thing I want to point out is that – I lost my train of thought there. It will come back, but I'll Officer Aylett, you know, give a little input as well. Then after that if you guys have any questions we'd be happy to answer.

Officer Aylett Wallwork: Hi good afternoon. Next week I'll be starting adjusting my schedule to kind of be around more when these storekeepers are getting off work and try to address the problem of the homeless that are bothering them in front of their shops. So I want to see how long that's gonna take and see what we can do from there. But most of the things that we do is basically what they do. You know, if I'm just sitting on the bench, the police officer can't go over there and just kick 'em out. You know, just because you might have feeling he looks at you funny, that's not necessarily against the law. So my plan was to go there at the closing of their business when there's no reason for you to still be there, and then I can confront them as far as that. During the day I'll do periodic checks, if, you know, they have alcohol, I would get rid of the alcohol and say move on. Other than that, do you guys have any questions?

Mr. Walker: What is the law? I mean, would it be vagrancy or pan handling or what would you, what would you—?

Officer Wallwork: It all depends what they're doing.

Mr. Walker: Right. Right.

Officer Wallwork: Because some of them are just sitting there.

Mr. Walker: Right. So there's no law against sitting there, right? I mean, what is vagrancy mean? I don't know. Is that something that's enforced or not? I'm just curious.

Sergeant Vickers: Well, basically, there's no – I'll have to check on something with that – but there's no, like vagrance is a term that we utilize to describe the homeless rather than say homeless. Because some people say, you know, when you call them homeless, they'll come back and say I'm not homeless. Maui's my home. You know, so, okay, you're a vagrant then, or you're houseless or something like that. But as far as loitering, you know, the private businesses they have the right to refuse service to anyone. So if they go on to the private properties that's one thing, but, unless there's specific ordinances or laws, you know, prohibiting loitering in specific area, then, like Officer Wallwork mentioned, you know, there's really – it's open to the public, and they can remain there.

And the other thing I wanted to mention real quick, you know, is that every point we tried to clear one area or area out, or you know tried to –. What I'm trying to say is it's just a revolving door. You know, you push them from one place, they end up another place. Those people grumble. You push from that place and it's just, it's just like a migration basically.

Mr. Mitchell: I just wanted to say thank you for working and addressing the problem with limited resources and we very much appreciate it. Does Maui County have an ordinance related to pan handling where it's actually against the law to pan handle?

Sergeant Vickers: There's a vending prohibition. You would need to have permits. But a lot of times, we always see that a lot of them are trying to sell items. They try to get around the issue of pan handling by trying to sell items, which is also illegal. As far as pan handling itself, you cannot wave signs within a certain number of feet of a crosswalk. You cannot –. But it's hard to enforce because, I mean, the politicians do it. You know, so when they're waving signs, and you tell the homeless person they can't wave signs or hold signs, and they just point across the street and there's like 50 people supporting a political entity, it's difficult for us to enforce.

Mr. Mitchell: In your experience, does signage do anything to –. In other words, like the bank ATM is a problem. People complain about getting pan handled. If there were a sign there that said there were no pan handling, is there an ordinance that would be enforceable if somebody complained?

Sergeant Vickers: If there's a sign erected, there would have to be some type of ordinance that allows the sign to be erected. And once it is erected, then, yes, it gives us definitely more powers to act upon.

Ms. Popenuk: Don, did you have a comment?

Mr. Fujimoto: No. Bill took my question.

Ms. Popenuk: Warren?

Mr. Suzuki: I have a question. Sergeant Vickers, you mentioned in the statement you were making that you folks have a general awareness of who these individuals are?

Sergeant Vickers: Yes, we have run many operations. I'm sorry I can't see you. We have run many operations where we come in either really early morning hours. Initially, like I mentioned, initially our goal is to try to get them as much assistance as possible, offer them venues where they can go to. What we quickly realized was that they didn't want the help. You know, even if there were open rooms, open beds, they didn't really want it. So we had to change our, our procedure, not procedure, but our tactics on how to deal with it. And one of those that we decided to utilize was if they were committing illegal offenses, we would cite them or arrest them and try to get them into the system where they had help whether they want it or not. And if we would cite them, we would know that in a few months time their court date would show up, they wouldn't show up and there would be a bench warrant for their arrest. So because of all those dealings with them, you know, we've developed our internal databases of photos, names, you know, informational database on the homeless people in the Wailuku-Kahului areas.

Mr. Suzuki: Now, you know, based upon your past experiences, you know, given that, you know, your average person, you know, if a police officer were to approach them and indicate to them that, you know, they are aware of what they need to be doing, which may be illegal and cite them laws and all that, that they could be arrested for. Most, your average, you know, responsible citizen would probably, you know, take that into consideration and probably not do anything. But, you

know, has past experiences has shown that for these types of individuals, I mean even if you were to bring things to their attention, they just totally ignore what you say and just continue to do it, you know, irregardless whether or not they've been forewarned about the action that they're taking may not be appropriate?

Sergeant Vickers: And that's where a lot of the assistance from the outside agencies come into play. What we utilize is, it's a lot of private locations, private property, or even County property. What we'll do is we'll have the security guards or representatives of the private properties, we'll meet with them, we'll go down to the locations, which are usually wide open spaces and where the homeless tend to stay and they'll issue them trespass notices. Once they issue the trespass notice they're, a lot of the vagrance realize that once they get that notice, they have to remain out of that area for one year. Otherwise anytime an officer passes by and sees them, they're subject to arrest. And that's what happens to those specific persons that try to stay in those same places. They're very well known to not only our office, but to the patrolmen as well that do work the area. So when we get those letters of authorization, what we'll do is we'll make copies of it, we'll distribute it to our patrol officers, and so they're fully aware of those people that can't remain in those areas as well.

Mr. Suzuki: One more question. So, you know, based upon what, you know, Officer Wallwork mentioned and what you've kind of indicated, there will be a stepped up presence, I guess, in the Wailuku town area. You know, based upon your past experiences, has similar type of step up as far as presence, you know, has it helped in terms of trying to address, you know, some of the concerns that the public, you know, have been bringing to the attention of the MRA in terms of, you know, people approaching them for money, for food and different things? I mean, has it resulted in some positive results?

Sergeant Vickers: I'd like to clarify one thing before I answer that question is that the step up, it's not really an increase of officer presence. It's actually just a changing of hours. I still only have one officer, you know, that's working the Wailuku area. And when we do work together, we'll grab the Paia guy, we'll grab the country persons, and you know, we'll do those things. So hopefully we'll see more officers in the area. But what that does it takes away them from their normal starting time where the officer is still responsible for a lot of other assignments that we receive, various assignments. So we try to change our schedule or do what we can to make a more visible presence even though the number of officers is the same.

And to answer your question, yes, absolutely. Like one of the projects that we have been working on is the open area across from the MCC dorms. You know, I don't know if you remember a few years ago it was crowded with homeless. I mean it was just a haven over there once they shut down that go-cart track. And so we've gone there, they've, we've cleaned it out, and we were on the private property owners to keep it clean. We're always giving them recommendations and they're always working with us to do that as well. As well as Hoaloha Park. If any of you have been there, down there recently, it's -. You know, Hoaloha Park is some place that everybody avoided in past because of all the vagrance, but you know, if you haven't been there in a while, you should go take a look at there now. It's a different place. It's a lot more open. It's a lot more family friendly to be down there. And what we try to instigate as, you know, like the fisherman who come out early in the morning, they were avoiding that whole area because of the vagrance. But as we started going down there, they started coming out more. And the more fishermen that are there in the

morning, the less the vagrance want to be there. So it kind of helps out with the community being there as well.

Mr. Suzuki: So do you think that let's say having a meeting amongst the business owners or the community in that area, having a meeting amongst the group would help in terms of, I guess, increasing awareness?

Sergeant Vickers: Absolutely. There's also steps that the merchants or community personnel can do as well. And we've discussed with Ms. Wade is that if you're familiar with our neighborhood crime watch basically that's just a grouping of residence in a small area that kind of take control of the area by walking the streets, reporting crime, putting up signs saying that, you know, we're watching out for each other. And what we do is we have something similar to a residential, it's like a business crime watch where people of the businesses will get together and if there's a lot of them and you don't have to go every time the group meets. But maybe once every two weeks or once a month depending on how much people you have that are willing to participate. And what they can do is they'll walk around and we'll walk around with them, like the first month, month and a half, so that everybody sees that they're walking with the police. They're an actual entity, and, you know, they're, we're made aware of the specific ordinances or laws that pertain to them, and so they become very familiar. So when they walk the streets by themselves, when they take it over, that they see something that they know is a crime, you know, they call patrol and they're quicker to respond and even patrol officer are, you know, very appreciative of that because those people they know what they're talking about, yeah. So something like a neighborhood crime watch that can be developed with the business members or something that we put out on the table as well.

Mr. Suzuki: Okay, one last question.

Ms. Popenuk: Sure.

Mr. Suzuki: So let's say the various business associations got together and they all decided maybe as a try to hire, you know, recognizing the Police Department has very limited resources, hire, let's say, a private security firm, who as an individual that kind of walks the area. Would their, would that individual, security individual's authority be limited to just on private property and not on public property?

Sergeant Vickers: Yes. If it's a private entity, then yes. Whatever private entity hired that security personnel for then that's what they're . . . (inaudible) . . . They cannot, they're not able to enforce any obviously any laws or ordinances. And I think another option or possibility that we put out there as well is that the Police Department, depending on the Chief's approval, may approve what's called special off duty personnel. And what that is is similar to like Zippy's if you go on Friday or Saturday nights you a police officer there. Basically Zippy's is hiring a police officer to be there from, you know, from time A to time B and they pay the officer directly at a specified rate that's standard and they have an officer there. We've done similar things in Wailuku Country Estates and various different organizations or even like the town party that's how it occurs. So, and if you, if it's beyond the scope of a security officer that was our recommendation that was made, or a suggestion that was made as well.

Mr. Suzuki: Okay. Thank you.

Ms. Popenuk: So that would be still on private property?

Sergeant Vickers: No, the police officer can do private and public property.

Ms. Popenuk: And public?

Sergeant Vickers: Yeah.

Ms. Popenuk: Yeah, that was gonna be my next question which is let's say that MRA . . . (*Technical difficulties with the audio equipment*) . . . let's say MRA had a position or hired somebody on behalf of our organization to work in Wailuku town. Would that work with you guys or –?

Sergeant Vickers: As I mentioned, we do a lot of those type of assignments. But ultimate decision would depend on the Chief Yabuta. So what we do is we take in a request, we'll write it up, you know, we'll show them why it's wanted and we'll sent it to our chain of command and he has the final determination.

Ms. Popenuk: Would that be one of these special off duty persons or –

Sergeant Vickers: Yes.

Ms. Popenuk: – anybody?

Sergeant Vickers: It would be a special duty officer.

Ms. Popenuk: I see. Okay. I wanted to get a better idea of what kind of coverage we have at any given moment in Wailuku. So we only have one community police officer, right? And presumably you have to go home and go to sleep every once a while, right?

Sergeant Vickers: He gets Sunday off, yes.

Ms. Popenuk: Okay. So in addition to that you have police that are, regular police that are in their patrol cars, but perhaps they're only responding to calls or something, or – I'm sorry, I don't really know how that works.

Sergeant Vickers: Oh, yes. The number of officers each day are, they're set at minimums. We're required to have a number of officers per shift depending on if it's a week day or weekend day. Weekend day being Friday evening or Saturday evening. We increase the minimums. So, but each officer is responsible for a specific beat. And that beat, unfortunately, is very large. The number of officers that's in our district Wailuku hasn't changed much in the past at least 12 years.

Ms. Popenuk: How many is that?

Sergeant Vickers: For Wailuku we have – so we have three minimum in Wailuku which covers all the way from Maalaea into Wailuku, out to Kahakaloa, you know, Waihee, all of that, into Iao, down to, up to the War Memorial areas. So that would be three officers. But there are overload days when, you know, we have additional officers that will assist.

Ms. Popenuk: You had said that the Salvation Army no longer provides housing, and I wanted to ask you, I would infer that was somewhat successful that people were staying with Salvation Army, and I wanted to ask you why you thought that was the case. And I also wanted to ask you why they're no longer providing housing, if you know.

Sergeant Vicker: Okay. For a true definitive answer you obviously would have to ask them. But from what I understand is was that it was a decision made because the program was developed to assist these people into getting back on to their feet, you know, getting them jobs, getting them houses as, giving them some place to stay when they couldn't afford it. That they would work for themselves to better themselves. Unfortunately what it turned into was basically a crutch for these people. You know, they knew they were getting housing so they had no reason to find a job, they had no reason to try to better themselves, and they were just basically taking advantage of the program. And what we did was we also interviewed a lot of the homeless as well and that was one thing that we came across a lot was that there's a strong sense of entitlement among the group. You know, they don't want to work for very much – and I say, it's not everyone, but definitely the majority – but they expect a lot of things for free. You know, we asked how could we help them, and they said, give me free housing, give me free food stamps, give me free money, give me, you know –. It's not I need a job. It's give me, give me, give me. And that was the common denominator among most of them. So I think Salvation Army in retrospect with their program and seeing that they were actually being a crutch rather than helping these people. But for a definitive answer, you definitely have to ask them.

Ms. Popenuk: Thank you. Jan, I wondered if you might have comments that you would like to make?

Ms. Jan Shishido: First I want to say that I am just really thankful, we are thankful for MPD for always stepping up and coming to our rescue, so thank you. You know, I wanted – well, I'll review exactly what Sergeant Vickers mentioned because pretty much he covered mostly everything. The only thing that I wanted to comment, well, one of things I wanted to comment on was the one-way ticket. I think you do have a sense, or a lot of us have a sense that they're given tickets from government or from agencies to come Hawaii. And most of the intake surveys that are – whenever the outreach people go and interview the homeless, it's usually that a family member sends them over or it's usually, like you said, and it's usually, they save on their own, all their little social security money, and they come to Hawaii. And normally the influx will come during winter time. That is true. But we still have not really found one government agency who sends them here, so that's not really the issue.

Another thing that I, to comment on what Sergeant Vickers said is that – and actually it's what brought the question with Mr. Suzuki – is do businesses get involved? And I think the success of Hoaloha Park, since you mentioned Hoaloha Park, that started out conversations with all the way from Maui Beach to Seaside, from First Hawaiian Bank, and it was actually Cary & Eddie from the Hideaway Restaurant who gathered all of us together as well as A&B because it's part of their property by the Hoaloha Park. Let's see who else was there? Parks Department, DLNR – so there's about 16 of us at the table when we first met last year some time. And when that started, when we found out what were the issues when it came to cleanup. So even Maui Beach started cleaning up all of the foliage where the homeless were sleeping, and First Hawaiian Bank did some yard work as well. And so Cary and Eddie right now who had the bulk of the homeless as well as

the Canoe Club, you know, and especially with the help of Margorie, Office Kahookele, she was instrumental. Of course she's a member of the club so that helps. She was instrumental in going and checking 4:30 in the morning, you know, to be sure that if there's anybody there, that she would shoo them off. But it does, it would be, it's a great idea to have the business merchants to get together to hear the issues and to understand the homeless because it is true they don't want to be housed. They like the life they're living.

Sergeant Vickers also mentioned about Family Life Center, and right now they are just struggling actually, but doing an excellent job. They've taken the bulk of the Salvation Army men. And you're right, and luckily for us Family Life Center has opened up their upstairs facility so the women and children now have an upstairs area and the men stay downstairs. Right now they're up to about 60 people coming every night and providing shelter for them. I think the one thing that probably was missing in this whole homelessness issue is the mental issue. And the mental health issue is huge, and most of them you're gonna find is what, is what we have going for us. And I think – and the bigger picture is that the direction of the Federal government coming down to us is home first, or sheltered home or housing first. Which means that they're looking at not so much increasing the amount of services or outreach for the homeless. They're looking at actually housing them and slowly providing less for some of the prevention kinds of things, but stepping up on treatment as well.

So there's, there's a lot of, I think, I'll just say it because I do, that there's been a real, I think, a lack of, I guess, fairness in regards to things like . . . (inaudible) . . . vouchers. These are VA vouchers. Right now we're trying to get a VA voucher for housing for a mother who just came back on two tour duties from Iraq. She got herself a job but is just having a hard time with housing. So these are the kinds of things that we're also dealing with. I think the real issue for homeless right now or the –. It is true that if we keep them moving they'll eventually give up and say find me something or help me out. But that's kind of like what the main thing is what we're doing now. We keep them moving and then clear the area out, they move to another place. We clear the area out. I think one of the areas right now was the corner of Church and Vineyard. So that one with the push of businesses it got done and it was cleared, so that was kind of interesting. But I know they've moved on, you know, that bunch of guys over there that stay there.

And also some of the services also I'd like to mention is are Humane Society ACO's. They're the animal control officers and they have a huge job as well. Cause like Sergeant Vickers mentioned about the pets. Yeah, when we cleared some of the homeless areas, the pets are a huge issue. So we get the humane society involved too. And the other thing I wanted to mention is the County, the County assists with basic – Human Concern basically assist with providing information on where the resources are. And we're not the ones to go out and do the work. County, you know, sends out all the messages, so we have to be careful when it comes to dealing with private landowners with homelessness or County, also County land. And we're dealing with many County properties as well. Right now we're doing Papakalo. That area, that's one of the areas. As well as the Waihee, well, about the same area. That whole area, yeah. Oh, I know where, the whole stretch. So you've met the TRO and there are some TRO's going out over there.

Officer Wallwork: . . . (inaudible) . . .

Ms. Shishido: I'll talk to you later.

Officer Wallwork: Okay.

Sergeant Vickers: Can I just say something real quick?

Ms. Suzuki: So Chair, so what sort of, I guess – you know, obviously we can't take any sort of action, but what can we agree on as being step going forward so we can move this thing along?

Ms. Popenuk: Well, actually, yeah, this is all very interesting and I really want to thank you for coming today and sharing your insights.

Mr. Noble: I'd like to ask him some questions.

Ms. Popenuk: And it is true that I did not have public comments, so if members of the public would like to make comments at this time they may do so. John?

Mr. Noble: Well, as being a business owner, I'm John Noble, I've been here since 1977. When I moved here in 1977 the dope dealers literally lined the streets, and I don't want to get too far off the point of today here. One of the main points that happened in Wailuku here since we've got the 20 vacant lots, the 16 vacant properties, and 20 non-profits is this area has become an attractive nuisance for criminals, and I want to make that point. And I'd like to – I think Officer Vickers has made that point that these people are out here and just, how criminal they are, he's being very diplomatic about. But I can name off the different people that are out on the street that I see and I can name off the criminals but I don't think we want to get that quite bored today. So what we've done with these bum benches and these things that are all so cute and all so lovely is we've created an attractive nuisance. All these trees that they can sleep under and – what's your name?

Ms. Shishido: Jan.

Mr. Noble: Jan mentioned that the business owners – we send them pictures of these people out here with their alcohol and stuffs. And one of the major problems is this Mental Health and Kokua Mental Health is one of the major problems. Because if you're on the street and you can watch it and you're across from them, you see these people go in, get their zombie drugs from Kokua Mental Health. Then go out on the streets and in these parks and stuff and drink. And these zombie drugs, all of them, have been the same for years. Back in the old days they had . . . (inaudible) and Valiums. Now the same drugs they've got. They're better if you don't drink or do other drugs with them. So this Kokua Mental Health is a real problem here that –. And this attractiveness. But one of the things that hasn't been brought up here that I'd like to ask these police officers is if there wasn't –. Number one I think we need security. I was having an argument with my neighbor about this, but the difference between police work and security is when you're in one of these shopping centers they can stop everything because they can move everybody. So they have all these attractive things to sit around on and stuff because they security guards constantly wandering around and moving these people you know. So what I'd like to ask him or somebody here even could ask him about cameras. You know they go down to these welfare projects, five, six. It used to be 20 times a night. Isn't there some way we can set up some security? So we have somebody who's security. We'll get rid of these bum benches and we have some cameras that can watch this stuff. Can we have cameras?

Sergeant Vickers: . . . (inaudible) . . .

Mr. Noble: Okay, I'd be happy to pay for them.

Ms. Popenuk: We have another testifier. Thank you John. Richard?

Mr. Dan: My name is Richard Dan. In case you don't know me – I think most of you guys do already – I have five open retails on Market Street. I employ 22 people, 18 of them are sales clerks. I make a living from Market Street and advertising that I pay for to bring people to Market Street. The impression that the general public has of Market Street in Wailuku is effected by press. This week we've had some press that has gotten comments to me from the press about the parking lot. I've gotten comments like they've given up on Wailuku. Today we had a merchant, another article in the newspaper. This kind of press doesn't help the merchants, doesn't help the retail business in Market Street, and doesn't help keeping stores open. Your idea Bill of putting a sign up no, you know, no pan handlers. Come on. It doesn't help our business if we have it. I agree there's a problem. Now the police are doing their best job they can with and they're really dedicated to it.

Presently we have a minor issue on Market Street. Business is very good on Market Street. People are thriving on Market Street. We have a minor issue now with vagrance. These are people who have a place to stay. Most of them stay at the Bungalow. And they come to Market Street. They get there about 7:30 in the morning. There are a two of them that get there that early. That's McCall, and what's the other guy's name? LaVan. And they sit and perch themselves on the different spots on Market Street and most people to go the ATM. And soon as they come off the ATM they go ahead and hit them up for some money. Then business day go on, around nine o'clock my pawn shop opens up. They sit in front of my pawn shop. The customers walk out, they go ahead and they come up to the customer and say I can I have, Bob, can I have a cigarette, can I do this? I've lost transactions because of these people. Other retailers have lost transactions. That bottom line comes to dollars that come to the County.. The reason we're getting into this blight situation in Wailuku is because of you guys, or the MRA. You won't give us anymore parking therefore we can't have any more real energy in there. You haven't done anything about parking in a very long time. I hear lots of stories about parking. If we had more parking, I don't think we'd be having these problems in the cops from in the . . . (inaudible) . . . area such as Wailuku. Wailuku is a gem. I've invested – I can't tell you how many years of my life – over 30 years of my life into Wailuku business. You've got to keep your eye on the ball. This is a minor problem.

Yes, we should have a policeman there walking the beat like we use to have Ernie walking the beat years ago and walking down Market Street, walking through the parking lots. It makes me feel lousy that we're gonna waste tax dollars. We're gonna spend tax dollars to go ahead and have to hire a special duty policeman, rather than the Police Department give us somebody to go ahead and walk the streets of Wailuku. It's almost crazy in my mind, but I understand the reasoning is they don't have the staff to go ahead and have somebody to walk in Wailuku. So now we have to hire out of our tax dollars paying a higher rate because the special duty is higher than the regular rate to come walk along Wailuku. We have to do something like that.

Ms. Popenuk: Thank you Richard.

Mr. Dan: I think it's a great idea. I think we should do that. I think we should put meters on Market Street and that's what I have to say.

Ms. Popenuk: Thank you. Any other comments? Okay, Jocelyn.

Ms. Perreira: Jocelyn Perreira. Tri-Isle Main Street Resource Center. This is not an easy problem. This is a very complicated problem. It's a problem that has been dealt with over the last 20-30 years, okay. It's true in some of what Richard Dan is saying. By letting people know or promoting or false reporting that we've had an extensive amount, an un-precedented amount is going to sell newspapers, but is not the truth. Okay? I honestly had a merchant and I cannot reveal the name, walk in to tell us recently, he's very worried about getting the benches removed because he's heard that, from on the street, they're gone. But he likes them. He's just afraid that he cannot tell certain people on the street that he likes them. Okay? When we started the community oriented policing program, yes, our program started with the Maui Police Department. We went to the Legislature for the money. The first site was in Paia Town. It was either Paia Town or Wailuku and we decided we were gonna have Paia Town with Mr. Peresa – was the first community oriented police officer and he walked the streets. And that's what we need to have back here in Wailuku is an officer that's walking, biking, whatever. We also need to get that night patrols with their lights on so they know the police is coming, and that unexpected visits that the police use to do in unmarked cars in Paia town in the evenings where they walked the town and people just don't expect their presence.

You gotta get a handle on some of this because we gotta start separating what's real and what's not real. And we have to, you know, we have to look at what is the symptoms and what is some of the major problems. When you have – one of the reasons in the past, some of our design efforts went into projects to put in lighting because lighting chases away the, you know, these undesirables and what not. Well, you've gotta do something more than saying plan for garages parked. Our organization is horrified at this. What is the MRA doing about this? This is the priority. This is what is in the Wailuku Redevelopment Plan. Richard Dan is right. If people felt that this town had had a future and there many people invested in this town, made plans for this town, and had been promised and invested because there was planned parking for this town so that there were significantly park. Then we wouldn't be having to look at vacant buildings to house people that John Noble keeps referring to as people with problems. The properties owners now have to fill the buildings that they bought. So, you know, it's like a vicious little cycle going on here. So our thing is we would like to see this Maui Redevelopment – I can conclude in one minute – the Maui Redevelopment Agency, please continue and go back on track and be focused on the Wailuku Redevelopment Plan of which we played a substantial role, that has priorities of what you need to do, and never mind doing all these other side little things, side little projects to make it look like you are busy and you are doing something. The number problem, the number one problem in Wailuku is having, having an adequate amount of parking. And that is something that a lot of people have played into it. We thank you for this opportunity to not be hamstrung. We don't want to see investigative committees working individually with small groups of people. We want power in the people and we want our Council Members involved. Thank you.

Ms. Popenuk: Thank you. Okay. I wanted to –. I wanted to ask two questions of our guests today – the same question for each, each of you, and that is what can we do? What can this organization do to help? You must have in mind like if we could only blank then such and such, would this

problem might get better? So I would like to hear your opinion on what you think that may be we could do, this agency do, to make things better.

Officer Wallwork: You're referring to the homeless part?

Ms. Popenuk: Right. Right. Back on topic, the homeless.

Officer Wallwork: When I first got in, the biggest problem was the Wailuku Banyan Tree. So we moved them from there and then they went up to that empty lot by Church and Vineyard. Then now they cleared that out, they're all coming back to Market Street. I don't have an answer for you. Because even when we're in Kahului or wherever, we're moving people along, but they're finding other places to go and it's usually Wailuku town. We move them from there, they go down to Kahului. I don't have an answer.

Ms. Popenuk: Okay. Thank you.. And Jan?

Ms. Shishido: I think with the rescheduling of the hours for Officer Aylett, that's gonna be a big help to see their presence. The understanding that things like moving them around does work because many of them have a -. A really good example is the huge clean up they did at Kaanapali Land Development. It was like a 100's of acres that they cleared. And in Lahaina, many of them got housing. Many of them got mental health help. And many of them are in Aloha House right now. And many of them, in fact, were hospitalized because they needed hospitalization. And they found one with - they arrested one with a warrant. So there was, you know, when the clean up is done, people get moved. People start giving up and want help. And so by keep moving them, that - and even though they go to Wailuku, then let Margorie take care of them.

Sergeant Vickers: Well I think, you know, we've been doing that since March of last year. So what you have the population now are all those residual people that are beyond that. Even considering that some of these people are from the Lahaina area. They got cleaned up. You have to realize that. So, you know, we try to get the Wailuku homeless vagrance, you know, with the help that we can get them, but unfortunately the population that you see now, I think, are the ones that are left over that we're really having a hard time dealing with.

Ms. Shishido: There's even a bigger concern and issue going on that we're working with in Kihei as well. That's another big one too. And that one we're working with Representative George Fontaine in talking with the residents as well as the County and, yeah, the businesses.

Ms. Popenuk: Well, thank you. Oh, question Mark?

Mr. Walker: Just for clarification. You were talking about sort of a business neighborhood watch, that he could hire a security guard to walk in their place that could alert police if there's a problem.

Sergeant Vickers: Yes, absolutely. That would be fine. Yes. And you know to clarify what Mr. Dan mentioned, you know, the off duty rate is not higher than the, our normal rate. For example if I was to do work off duty, I'd actually make less than my regular hour, hourly pay. And if I worked overtime it would be substantially less. That's why it's harder now days to get off duty officers than it was before.

Ms. Popenuk: I see. Okay. Any other comments from our board members?

Mr. Suzuki: I guess going back to the question that I asked. So, do we have any sort of general understanding or agreement in terms of what we're going to do going forward? I mean, just kind of leave it as is and hope that something works out or –?

Ms. Popenuk: I was gonna suggest that because this was like a ton of information today and it's all pretty fresh and difficult to draw any kinds of conclusions I was gonna suggest that Erin kind of summarize our comments from this fact finding episode and that maybe at our next meeting we might discuss if and what we want to do.

Mr. Suzuki: Is it possible to a least maybe try and see if there might be an effort put forth in trying to bring the groups together and at least having a meeting in the mean time? Because, you know, one month delay is going to further push off the issue so –. You know, we don't need to take any sort of action to vote maybe agreeing on somebody trying to coordinate a meeting amongst the business owners and community people in getting together and figuring out, you know, what they all might be willing to participate in.

Mr. Mitchell: Could we ask Erin to ask the Police Department to get the rates and potential availability of an off duty officer to how that might be scheduled and work into the MRA's budget?

Ms. Wade: Yeah. We talked a little bit about costs the last time we met and so I do have some idea of that which I can circulate. The meeting would certainly be a possibility. There were actually at our conversation, both the Sergeant and Officer Wallwork had recommendations for property owners, both about lighting, having sprinkling come on at a certain time. You know, there's things that you can do on your own property to protect the property and to keep people circulating also. He also talked about filing reports which we talked about two years ago. You know, when there is an incident that people don't just blow it up and go, oh, I have some graffiti, I'll just clean it up. You know, little things that's helpful for them for statistically to be have those things reported and documented for the Police Department. So I think all of those things in conjunction with being able to let the business owners ask the questions that they want to ask would be helpful. And having the other providers either part of that discussion or in the wings and ready to take up the other end of it. And I think right now the calls that I got within in the last three weeks were all related to homelessness and sort of people camping and drinking, either on private property or on public property right in front of their businesses or even in the evenings and things. So that was why we sort of rushed to get this pulled together for this time. But I think that's gonna to continue and it would be probably beneficial to do something before the next MRA meeting. And then we could summerize that, the results of that conversation, at the next MRA meeting. And if there was action like a budget item for additional police or something –

Mr. Mitchell: We could do it at that meeting?

Ms. Wade: – we could do it at that meeting.

Mr. Mitchell: Yeah.

Ms. Wade: That sounds reasonable?

Mr. Suzuki: Yeah.

Ms. Wade: Okay.

Ms. Popenuk: So specifically, Warren, what you're suggesting is a meeting?

Mr. Suzuki: Coordination of a meeting amongst the various stakeholders.

Ms. Popenuk: Okay. All right.

Ms. Wade: To invite the property owners and business merchants and things as well right?

Mr. Suzuki: The various associations that we have in Wailuku.

Ms. Wade: Okay. Gotcha.

Ms. Popenuk: Very good. Thank you very much!

Mr. Suzuki: Thank you.

Ms. Wade: Thank you for coming. Thank you.

2. A discussion on parking management and paid parking as recommended in the Wailuku Parking Management Plan. (No Action).

Ms. Popenuk: Okay, moving on to the Item No. 2, discussion on parking management and paid parking –. I'm sorry, if you guys wanted to take off that would be fine.

Ms. Wade: Thank you.

Mr. Suzuki: Thank you.

Mr. Walker: Thank you.

Ms. Popenuk: Thank you very much for coming today. So, the rest of our items on our agenda today are non-action items, so it will be within the agency. First item is a discussion on parking management and paid parking as recommended in the Wailuku public – the Wailuku parking management plan.

Mr. Dan: Do you do public testimony before or after?

Ms. Popenuk: I'm sorry, but there actually will not be public testimony on any of the rest of the items on our agenda as they are non-action items. We're just discussing. We're not voting or –.

Mr. Dan: . . . (inaudible) . . .

Ms. Popenuk: We're actually not talking about the parking. Okay, so parking management and paid parking as recommended in the Wailuku Parking Management Plan. The –

Mr. Walker: I'll amend my earlier statement and say I'll open it up for public testimony.

Ms. Popenuk: So did we have comments on this?

Ms. Wade: At the last meeting you folks asked to put this on the agenda to reopen the conversation about the parking management and paid parking was one of things in particular. So I just wanted to refresh your memory. There was a document developed. It has recommendations for paid parking and what we've been doing internally is working with the Managing Director's Office and identifying locations, additional locations for surface parking to be created in the interim because when a parking structure is designed or is developed there will need to surface, interim parking regardless. So identifying, securing those properties is step one. And the long-term step of how do we – do we build the parking structure or not will come after. But how do we manage those lots in the interim, it was a discussion. So once we – we actually are bringing new parking online and into the system. Is that the right time to start introducing paid parking or do we continue to have it all free until we actually have a structure? Those were the discussion.

Mr. Mitchell: And correct me if I'm wrong, Erin, but paid parking has to be done through the Council process which is a process which can take, what, six months or a year?

Ms. Wade: Well, there's a couple of ways to do it. You can either concession it, right, so, that's how – and that's how we would do it. We would concession it so it was a management company, which is required for the County Council to take action. The other way is to lease the lot to a non-profit which is what happens in a lot of the Lahaina lots. So like the one across from 505 Front Street is leased to Friends of Mokuula and they charge for parking. So there's a series of different opportunities. The question is, you know, this also obviously ties into our long-term financing strategies. What we want to pay for and how much do we charge, how much would we be getting out of the parking? You know, all those things tie into how do we concession it?

Mr. Mitchell: Can the hours of parking operation be changed by Public Works or does that have to be Council approved? There's the 12-hour parking, can it become two-hour parking, without any Council review?

Ms. Wade: No. It requires Council action.

Mr. Mitchell: Okay. That's what I thought.

Ms. Popenuk: And how would we get that ball rolling if that was something that we wanted to do?

Ms. Wade: We would draft amendments to the existing ordinance, send it through our committee for review, send it out for agency comments, endorse it at the MRA level and then send it up to Council.

Mr. Walker: I mean, remind me, we had a discussion with the Mayor and a couple of his deputies about this issue.

Ms. Wade: Right.

Mr. Walker: And maybe, I don't know if the Mayor was there at that particular time, maybe I didn't come yet, I can't remember. But, Keith, I think, thought he could maybe get behind it.

Ms. Wade: Yeah.

Mr. Walker: Yeah, right?

Ms. Wade: I think the issue –.

Mr. Walker: I mean, talking about charging for parking.

Ms. Wade: I think the issue for timing, if I remember correctly, was the number of County employees parking in the municipal lot was the question. How many County employees are using that for their parking resource? And can we find a way to accommodate them so that they have a viable parking option? Because coming along with the charging for parking was going to be a changing of the hours, right?

Mr. Mitchell: Right.

Ms. Wade: So once that was taken care of and there were two –. There was the property at the church that was in the works at the time. And I actually don't know what the status of that is. Do you know it, Michele?

Ms. Michele Chouteau McLean: The County was in discussion with the church across the street to lease a portion of the property to have gravel parking. But predictably it ran into an issue with the State Historic Preservation Division wanting archaeological work to be done before they would approve any kind of historic district permit. And so that's where it is. It hasn't progressed passed that. Whether the County is going to continue to work with SHPD to determine other approaches that might not require an archaeological inventory survey or whether the County is going to go ahead and do the inventory survey.

Ms. Wade: And since that time we presented a couple of additional options for parking in the immediate vicinity around One Main Plaza for County to purchase. And I believe the property –. What is Guy's title? Acquisitions Officer or something, yeah. Has been investigation the purchase of that.

Ms. Popenuk: Is that more likely than going through an archaeological survey? Do you know?

Ms. Wade: I think it was –. I think in that case, it's going to depend on the asking price because the County can only pay the appraised value. So if the owner is willing to settle for the appraised value it's going to be the big if factor. It sound like in that situation.

Ms. Popenuk: So just so I understand it. If we can secure other parking for County employees, then we could move forward on getting rid of 12-hour parking in the municipal parking lot.

Ms. Wade: That was the direction we were tackling.

Mr. Mitchell: Do we know whether there's unused capacity in the One Main Plaza garage that County employees could park there?

Ms. Wade: There is some unused capacity. Since the County negotiated the lower rate for One Main, it's a lot more full. It has about a deck that's open all the time, and that's even with standard occupant, or people coming and going who don't have permits. So they – I did talk to Standard Parking and they felt that they could, they would be willing to give out maybe 10 or 15 additional parking passes. But they weren't going to secure those for just the County. They were just going to offer, you know, 10 to 15 additional parking permits.

Ms. McLean: Two more comments if I may. One is that regardless of the County's concern with County employees parking in the municipal lot, if the MRA wants to move forward with that proposal, the MRA can go forward with that proposal. It just maybe that the administration may not back it. The Council might go for it. Or the time it will take for that to go through the process, perhaps some of the issues with County parking will be resolved at the same time.

The other comment with the parking in the municipal lot are State employees or users of the Judiciary complex. So the County was going to make an effort to notify the Court system that this change was in the works so that they could have time to make arrangements for their employees if there are employees who use the lot.

Ms. Popenuk: I'm curious whether we want to proceed with writing the amendment for the ordinance. How do you all feel?

Mr. Walker: Yeah, I mean, personally what Michele just said, number one is what I was gonna say. I mean, it doesn't really matter what the administration – I mean, if we think that that's the way to go we ought to push that forward now. That may not get approved, it may not get done, but it's never gonna happen if we don't start somewhere. I mean, yes, it could take six months, it could take a year, but it will take two years if we start in a year.

Ms. Popenuk: Okay. Are we kind of feeling that?

Mr. Walker: So, I'm thinking that we ought to talk about – And you know, I think, what we talked about with the administration was that we were not out to gouge people. It's just, if there's – you've got to pay something. Yes, there's a value to it. And maybe we would even go under value and get them to break them in easy and then raise it over time. I don't now, but I spoke the other day with Dave Goode and he's gotten two, sort of, trip and fall complaints recently and they're gonna have to spend a bunch of money to – he's thinking at least 100,000 bucks really to shape up that parking lot. So we know it's a problem. We know it's a great deal right in downtown Wailuku. It's – People are gonna go there as long as it's free or as long as it's 12-hours. So even if we just changed the hours that would keep them moving, you know.

Ms. Popenuk: So do we feel like separating the issues? The 12-hours and then later paid or putting them together?

Mr. Suzuki: I would suggest maybe look at changing the 12-hour parking to six-hours.

Mr. Mitchell: It's easier to do that, yeah?

Ms. Popenuk: Okay.

Mr. Walker: I mean, was there a specific – was there specific recommendations from our – on what –. I mean, I know he said charge, right? I mean, were they specific on – did he just say charge? He didn't say, you know, charge x?

Mr. Mitchell: . . . (inaudible) . . .

Mr. Walker: Huh?

Mr. Mitchell: He didn't say how much.

Mr. Walker: He didn't.

Ms. Wade: Yeah.

Mr. Walker: And did he talk about changing the hours?

Ms. Wade: He did estimates based on a certain amount which I think was 50 cents an hour for across the board. His analysis just had, if he charged the same price for every parking stall in Wailuku. But he did recommend taking the next step. And we actually have him under contract still to evaluate if it should be a higher rate for on-street than in the municipal lot because of the higher degree of convenience. So he still has \$6,000 on that contract to answer some of these questions and is available to begin that if we wanted his assistance. Because there were a series of additional housekeeping things that have come up with variance requests and stuffs too that we would want to blend into this. Like the Sereno's, and now the additional Church Street. There were two parking stalls next to the Maui Bake Shop that make that 13 feet in there. The Fire Department asked could those two stalls be eliminated? It's the bakery stalls, essentially, anyway, that are causing the issues.

Mr. Mitchell: Did he do the draft ordinance or would Planning do it? Or give him the two ordinance?

Ms. Wade: We could do it either way.

Ms. Popenuk: What would you feel best with? Cause it would be you working on it or –?

Ms. Wade: Well, it's me either way. So he'll do the –. Either I do the initial draft or he does the initial draft and we review one another, so it's probably the same time either way.

Ms. Popenuk: Okay. Shall we move forward on that then? Everybody, thinks that sounds good?

Ms. Wade: Just, and I want to remind you too, we also sent out revisions to the section of the parking ordinance in the redevelopment.

Mr. Mitchell: For comment, yeah?

Ms. Wade: For comment. And I don't have a 100 percent response, but I have six agencies who've responded, so I could bring those back at the same time, so we can look at a comprehensive package.

Ms. Popenuk: Great.

Mr. Walker: I mean, so, we're gonna ask him to come back with recommendations? Or you in concert with him are gonna come up with recommendations? Or we're suppose to come up recommendations that you would take forward and draft?

Ms. Wade: But the reality is I would prefer to utilize some of his professional expertise because anytime you adjust the timing in one location it affects elsewhere. And I guess we want to plan for a change in timing based on the assumption we're ultimately going to charge. So if the timing, he might say, you know, it's just as beneficial to just change the on-street to one-hour as it would be to charge a higher rate or something. And it would be useful then to know that at the front end if that's part of the analysis. And then, even if I do the changing of the ordinance and he does the analysis about why, what's our rationale for making these decisions, that would probably be the most effective.

Ms. Popenuk: Okay, good.

Mr. Mitchell: And one final comment on parking. The public is not here to hear it, but to my knowledge the MRA has no power to start, finish or in any way effect the current course of the municipal parking lot. Is that correct?

Ms. Wade: Yes.

Mr. Mitchell: The proposed municipal parking garage.

Ms. Wade: If your question is can the MRA build the municipal parking lot, the answer is no.

Mr. Mitchell: Right. Can we affect the current process that it's in terms of EA approval, funding or construction? We've done – in other words, we've done all we can do with the power we have.

Ms. Wade: The MRA has completed its role for the review and for the design. And ultimately if a design were to move forward it does need to come back to the MRA for their finalization. But the MRA can and has taken on the past taken on an advocacy role for one way or another. And if that was your interest, I would be happy to write whatever letter you would like. But at this point and in the reviewing of a project, you've completed your role.

Mr. Walker: But, from advocacy perspective, didn't we support the structure?

Ms. Wade: Right. Yes.

Mr. Walker: Okay.

3. Update on Iao Theater Square and Parking engineered design from Otomo Engineering Associates. (No action)

Ms. Popenuk: Okay, moving on then. Update on Iao Theater Square and Parking engineering design from Otomo Engineer Associates. No action. Comments?

Ms. Wade: I actually don't have what I had hoped to. I haven't had the chance to coordinate with Stacy, but the – there –. It's moving forward. It's moving forward. So hopefully next month we'll have the engineer design.

Ms. Popenuk: All right. Good.

4. Update on County of Maui Campus planning project. (No action)

Ms. Popenuk: Update on County of Maui Campus Planning Project. Also no action. Comments?

Ms. Wade: It's no action, but I wanted to distribute the newer information. This is the notice to providers of professional services. This is the RFP that went out for the campus, and paragraph two sort of talks about the scope of what the campus plan project was. My understanding is that the – right now they're negotiating the contract with their preferred consultant. So once we know who that is I'll ask if they can come and make a presentation to the MRA.

Ms. Popenuk: Okay. Thank you. Update on reWailuku branding project. Also no action.

5. Update on the reWailuku Branding project. (No action)

Ms. Wade: Yeah, and unfortunately I had a couple of walk-ins right before this and I was waiting for something from Saedene about the schedule so I'll forward that to you folks. There have been dates identified for September for the reWailuku branding exercises. And we're working on securing a venue. Actually, we're really hopeful that we're going to get the store front right next to Request Music that's vacant right now for the workshops and activities, so that would be good. But I'll send out the e-mail with the flyer.

F. REPORTS (No action)

1. Discussion on the task list and assigning members to high priority action items.

Ms. Popenuk: Okay. F, Reports, no action. Number one discussion on the task lists and assigning members to high priority action items. Okay, just a little bit of background. We, the last two years, we looked at what the function of the MRA was suppose to be, our goals, as they fit in with the Wailuku Redevelopment Plan. And Alexa, I think, or maybe it was you, put together this chart that

shows all the various goals, and then where it is in the process, who's involved, and individual members of MRA adopted certain goals as their foster child, if you will, to kind of stay on top of that particular goal and be involved and know what's going on and push for it and that sort of thing, monitor its progress so that things didn't slipped between the cracks. For instance, myself and Bill have been working on the park. That was something that we adopted was the desire to develop the mini park and nothing have really come to pass and so we've sort of set upon it to try and make something come to pass. So what I wanted to do was look at these goals again and ask people to adopt something, whatever, sort of hit a nerve to them or seemed to be important to them, and be the foster parent for that goal. And I was a little concerned. Don, did you get a chance – do you know what these are? Have you looked at this?

Mr. Fujimoto: No, I haven't.

Ms. Popenuk: Okay. So –

Mr. Fujimoto: I was wondering why you kept looking at me.

Mr. Walker: Don gets all the ones that nobody wants.

Ms. Popenuk: Why is she looking at me?

Mr. Mitchell: Which one are you gonna give Don?

Ms. Popenuk: So –

Mr. Walker: I had three pages when I started out too Don, so let's pick on the new guy.

Ms. Popenuk: So I don't know, in the interest of getting everybody on the same page, my personal opinion was that maybe we can pick this up at the next meeting. People know I'm gonna ask you all to step forward if you please can.

Mr. Suzuki: And prior to putting it on the list, print out this list.

Mr. Walker: Or e-mail.

Ms. Wade: I happily can get that to you.

Ms. Popenuk: So just give us a chance to review what is it we're suppose to be doing. And in our minds prioritizing what it is we're suppose to be doing, what's most important. And then identifying one of those things or two or seven if you're into it of like what you would like to usher in, which one of them. So maybe we'll do that next time then and I'll stop looking at you Don. What is she getting at? Okay, next item is our budget, cash flow report.

G. BUDGET

1. Cash-flow report (No action)

Ms. Wade: Did we get one distributed?

Mr. Suzuki: No we didn't.

Ms. Wade: Oh, the only – you know, the only expenditure actually that came in in this time frame was for the Wailuku First Friday security. And I think the requisition that I did last time only went through this past August. So next time would you like me to put as a budget item on the agenda, the funding of the First Friday security? They'd actually didn't make the request, but because, I think they just think we can just continue to pay, but I'd like you guys to vote on it because it's \$2,000 per event is what we contribute as the MRA.

Mr. Suzuki: Would that – what does that translate to? How many officers for x-number of hours?

Ms. Wade: It's eight officers for five hours each.

Mr. Suzuki: So that's 40 hours. It's \$50 an hour.

Ms. Wade: Yup. Exactly.

Mr. Mitchell: So that's what their rate would be in their contract if we had them in the town presumably?

Ms. Wade: That's the – that's about the average. So it depends on their rank. Their off-duty rate depends on their rank within the department. So it's between \$45 and \$55 for most of the officers. And the two that you saw are there every single time. They're always there.

Mr. Suzuki: You know, and Erin, I'm not too sure if this is the appropriate time or not, but is there a possibility of finding out how much, let's say, a private security firm would charge for an individual, you know, just to spend eight hours a day in Wailuku town, just walking? You know, obviously, he's limited to what he can and cannot do, but –

Mr. Mitchell: His presence.

Mr. Suzuki: Right. His presence. He could take notes in terms of, you know, what he observed and that could be shared to the Police Department and all that. But, you know, what the cost would be for an individual to basically walk, patrol, the area.

Mr. Walker: In his uniform with his badge and his belly club or whatever he's got on.

Mr. Mitchell: Baseball bat.

Ms. Wade: Yeah. This sort of brings up our clean and safe person again, you know. And again with me leaving for maternity leave here soon, it would be helpful for us to identify a person that could maybe do both of those things. Making sure the trash is gone, there's not people hanging around, the weeds are pulled and that kind of a thing. So, I can bring that next. We have the proposal. I can bring that on the next agenda.

Mr. Walker: We have a guy, right, who was interested? That's retired?

Ms. Wade: Yeah, he was sitting in the back today. Alan Takitani.

Mr. Walker: Oh, Alan?

Ms. Wade: Yeah.

Mr. Suzuki: He'd be the clean and safe?

Ms. Wade: He would - he's interested in applying for the contract.

Mr. Mitchell: Can we give him a badge and a baseball bat?

Mr. Suzuki: He has his own.

Mr. Mitchell: Does he?

Ms. Wade: I'm sure he does.

Mr. Mitchell: Contractor supplied.

Ms. Wade: The other thing, you know, that we had put in that scope of work was just sort of handy man duties which, you know, he installed the auhupua'a sign for us. So I think there's – there could be a collection or a variety of little things that would be worthwhile to put in that contract. But he actually is doing a lot of the little policing on the street already.

Ms. Popenuk: Okay. Any other comments? Open projects list.

H. OPEN PROJECTS LIST

Ms. Wade: Okay, this is funny because it comes out like a week and a half before the meeting and it's no longer relevant by the time you get it unfortunately, but three of those projects have been closed. American Savings, Gilbert's, and the Municipal Lot are all closed. And then the Noble Boutique has – he explained what his outstanding issues are. He won't install his sewer man holes. There's a series of things that he's not applying for.

Mr. Suzuki: The . . . (inaudible) . . . in Wailuku above, you know, Four Sisters, that's a closed project with the blue tarp?

Ms. Wade: Okay. The Ditmars property was closed because they never actually submitted an application. So that building was fined for doing work without a permit. And then they were informed they had to apply for a permit, so they just filled out a form, but never actually said what they wanted. And then we sent them, "please send us additional information" and all those things. It got closed. Since the property went through foreclosure and it has now changed hands and they're going to – I understand it's a restaurant and an office that wants to go in there. I've met with

them. They realize they have to apply for permits. I asked them to take down the blue tarps. They said it's only under -. It's not totally enclosed because of the blue tarps, so I'm hopeful, though, to kind of pull something together in the near term.

Mr. Suzuki: Thank you.

Ms. Wade: But, just so you know, also in the mean time, Wayne Arakaki came in for a variance request for his existing building on Vineyard Street. He was never able to get an occupancy permit because of the road widening requirements and things. So we quickly did the - this was about a week ago - we did the public hearing notice, we sent to agencies via e-mail. They all responded already, so he will be on your September agenda.

Mr. Suzuki: Hasn't been the building been there for years?

Ms. Wade: Years.

Mr. Walker: It's a house, right?

Ms. Wade: It looks like a house . . . (Inaudible. Multiple speakers) . . .

Mr. Walker: I mean, I've been in there.

Mr. Suzuki: Across from the Hongwanji, but it's been there for a long time.

Ms. Wade: Yeah. So, he's never been - he's never been -. Because he went through the plan review without -. Or the - we checked, we don't need plan review.

Mr. Mitchell: Or plan review waiver.

Ms. Wade: Waiver. We went through the waiver. And now he got to the end, they won't issue him the occupancy because of these. Anyway it's the same variances that we continue to see, so he'll be coming for that next month.

I. NEXT MEETING DATE: September 28, 2012

Ms. Popenuk: Okay, our next meeting -

Mr. Walker: I have a couple of - I don't want to belabor it or stretch this out any longer than it - but bare with me for just -. Is there a Wailuku merchant association?

Ms. Wade: No.

Mr. Walker: Okay.

Mr. Suzuki: There was at one time.

Ms. Wade: There's the –

Mr. Walker: Right, but there's no longer –. I mean, which I think is part of the problem, it seems to me, cause they – because there's bickering among . . . (inaudible) . . . They're not united in any way.

Mr. Suzuki: It's just five or more organizations. All at one time, they were five.

Mr. Walker: Different –. Right. Anyway, I mean, maybe that's going to be a suggestion that comes out of whatever this next meeting you're gonna to propose to get all the stakeholders together, band together, and, you know, so –. Anyway, number one –

Ms. Wade: Common goals. We have a common goal so that's good.

Mr. Walker: reWailuku was an out growth of the parking garage issue was it not?

Ms. Wade: Yes.

Mr. Walker: Okay.

Ms. Wade: And TIFF.

Mr. Walker: And TIFF, right. So what, as a group, we've recommended it, we've recommended the project or that was a least in the EA process. I think we've, after community input, et cetera and the whole reWailuku process, if that were to come back to us, we would probably, my sense change are recommendation to a smaller building.

Ms. Wade: Yeah.

Mr. Walker: Are we done? I mean, do we want to just let this thing die or are we gonna to –? You know, is there any money left to start a redesign? Because my sense is it's not going to get built. The way it's designed now, there's too much public oppositions, there's no administration support, certainly, no County Council report. Is it worth moving? I mean, going to the next?

Ms. McLean: reWailuku was an outgrowth of the parking structure because the – this is a big generalization, but the Mayor in general, doesn't see the parking lot as the cure all by itself. He wants to see it as part of a bigger picture, and so that's what reWailuku was about. Where we are with reWailuku is setting up a series of meetings with the Mayor, Public Works Director, Chief of Staff, Managing Director, to go through a different categories of the reWailuku recommendations, parking, public space, transportation. There were, I think, four different categories. So we're having a series of meetings on each category to find out where the administration supports – which of those efforts the administration supports. And if we can identify those things, then we will see if and how the parking garage fits into that. So I wouldn't say that it's dead. It had to be completed within a time frame because of the Federal grant. And from what I understand modifications could relatively easily be made to it. The EA would not be to be repeated. So it's not as if, you know, that project and only that design is only what's available. So we need to continue the discussion with the administration to see what direction they want us to go in. And when I say "us" I mean Public

Works, Planning. Different County agencies will be responsible for implementing some of these ideas, if the Mayor directs us to, and then, how the parking garage might fit into that. And so it could be that a year from now, he says, okay David Goode take that plan off the shelf, modify it this way or that way and let's proceed. So, but he wants to see it as part of a bigger picture.

Ms. Wade: And just to add to that too, there is money remaining in the contract which the Mayor's Office has requested EDA allows us to redirect to additional modifications to the garage and the use the Vineyard Street remnant parcel. So we're waiting for EDA response at this point of whether we can use that money for those purposes.

Mr. Suzuki: So while we're on Q&A. So, what's happened with the, I guess, the contract we had with Nishikawa, with Morgan? Is he doing anything? Is he sitting there collecting the fees, not doing anything?

Ms. Wade: Because at this juncture, he doesn't have a construction project to manage, he has been cut off or the contract got cut off, and that's part of the remaining funds they're asking to redirect.

Mr. Walker: I thought you were going to ask for another time line. Where are we on this?

Mr. Suzuki: I got tired of asking for that.

Ms. Wade: We put him to work with the reWailuku stuff. He had to do a lot of work.

Mr. Walker: Anyway, thank you for answering my question.

Ms. Wade: And Mark and I are going to the HCPO Conference. And we'll actually be -. There is a session on Alternative Financing so we'll be at that.

Ms. Popenuk: Okay, our next -

Mr. Walker: Sorry, so Michele back to your comments. What do you sort of see as sort of the timing on getting these agencies together to sort of vet blah, blah, blah? Realistically.

Ms. McLean: I think we have three or four meetings scheduled in September.

Mr. Walker: We do already. Okay.

Ms. McLean: The Mayor had a trip planned. He had a program planned and so we decided, you know, this is not going to be worth it if we can't get everyone together because trying to keep everyone in the loop when they have strong feelings about things, we're like, no, we need everyone to be together at each of these meetings so it's taken a while to get them all scheduled. But I think we're gonna wrap up at the end of September, more or less, and have some direction from the administration.

Mr. Walker: And so do you see it helpful, not helpful to have the MRA involved in any way in any of that? I mean, we haven't been invited, but just a -. Does it make any sense or no?

Ms. McLean: Well Erin is participating in the meetings, and I think she's a good advocate for where the MRA, what the MRA has done in the past and explaining the redevelopment plan.

Ms. Wade: There could be, you know, a couple of conversations transpired, one on financing which is helpful to have you present in that, I think, in some cases, Mark. And another came up about public/private partnerships which is not something that the County has done in the past for development projects. But I might be looking to Don and the others when we want to –

Mr. Mitchell: It works.

Ms. Wade: Yes, it works. Totally works. So there might be opportunities where if I can just tag some of you guys on some issues for additional conversations that would really be helpful. Because we might have – the general conversation and then small conversations.

Mr. Walker: Right. And my last question, did you verify with our consultant that he has all the information for his TIFF report?

Ms. Wade: Yes I did.

Mr. Walker: Okay.

Ms. Wade: So – and he will be at HCPO. In fact, he asked if I would present on TIFF and I said if you give me –

Mr. Walker: Give a report.

Ms. Wade: – a report. So that was good. That worked in our benefit. He does, he actually was –. The thing for TIFF we need is identification of the projects and the costs, which Bryan has been working on all this week is identifying, like for Vineyard, how much property acquisition, what does it cost to bury the lines. He's been getting numbers from people about those kinds of things so that we know what's the scope of these projects we'd actually want to fund. And then he'll tailor a financing plan to help us pay for those things.

Mr. Fujimoto: . . .(inaudible) . . .

Ms. Wade: Totally, yeah.

Mr. Fujimoto: . . . (inaudible) . . .

Ms. Popenuk: Okay, do we want to wrap out some ideas for what might be on the agenda for our next meeting? For instance, do you want to talk about TIFF, maybe whatever you guys found out?

Ms. Wade: So first it will be Wayne's experiences. And then we could talk about TIFF. We'll have a follow up from the security meeting, the public meeting.

Mr. Mitchell: Can we vote or hire a clean and safe at that meeting?

Ms. Wade: Clean and safe. Yeah. Well, I think we can only vote on the publication of the notice, right? He's asking can we hire somebody at the next meeting for clean and safe.

Mr. Suzuki: Do we go out with RFP?

Ms. McLean: Yeah, the first step would be to put a solicitation out.

Ms. Wade: So we'll do that.

Mr. Walker: And certainly Erin and I could give a report, if it's relevant and germane on our activities, yeah, on Oahu.

Mr. Mitchell: We'll a staff report from Stacy on the park. Either we'll give it or have Stacy give it.

Ms. Wade: Let me know so I can – okay. Revisions to the street and parking ordinance. You guys are asking for giant meeting in September.

Ms. Popenuk: And we want to revisit our tasks, okay.

Ms. Wade: Revisit tasks. Okay.

J. ADJOURNMENT

Ms. Popenuk: Anything else? Nope? Okay.

Mr. Mitchell: Mark, any questions?

Mr. Walker: No. Why are the meetings taking so long?

Ms. Popenuk: Meeting is adjourned 3:24 p.m.

There being no further business brought forward to the Agency, the meeting was adjourned at approximately 3:24 p.m.

Respectfully submitted by,

LEILANI A. RAMORAN-QUEMADO
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

Members Present:

Katharine Popenuk, Chair
William Mitchell, Vice-Chair
Don Fujimoto
Warren Suzuki
Mark Walker

Others:

Michele Chouteau McLean, Deputy Planning Director
Erin Wade, Small Town Planner
Bryan Esmeralda, Contractor with the Maui Redevelopment Agency
James Giroux, Deputy Corporation Counsel
Mark Vickers, Sergeant, Maui Police Department
Aylett Wallwork, Officer, Maui Police Department
Janice Shishido, Deputy Director, Housing and Human Concerns