

**MAUI REDEVELOPMENT AGENCY
REGULAR MEETING
OCTOBER 31, 2018**

A. CALL TO ORDER

The regular meeting of the Maui Redevelopment Agency (Agency) was called to order by Mr. Frank De Rego, Jr., Chair, at approximately 1:01 p.m., Wednesday, October 31, 2018 in the Planning Department Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Island of Maui.

A quorum of the Agency was present (See Record of Attendance.)

B. PUBLIC TESTIMONY - At the discretion of the Chair, public testimony may also be taken when each agenda item is discussed, except for contested cases under Chapter 91, HRS. Individuals who cannot be present when the agenda item is discussed may testify at the beginning of the meeting instead and will not be allowed to testify again when the agenda item is discussed unless new or additional information will be offered. Maximum time limits of at least three minutes may be established on individual testimony by the Agency. More information on oral and written testimony can be found below.

Mr. Frank De Rego, Jr.: Let's call the meeting to order at 1:01 p.m. Public testimony can be taken either at the beginning or before an agenda item is discussed. Maximum time limit of at least three minutes will be established for testimony which will be timed by our staff, Leilani Ramoran. So is anybody wanting to testify at the beginning of the meeting? Chubby? Okay Chubby. Please state your name and who you are affiliated with please.

Mr. Mercer Chubby Vicens: Good afternoon. My name is Mercer Chubby Vicens and I am the president of Vicens Entitlement Group. I work with developing people and land owners to be able to work with people like the Hiraga's to, to get their lands zoned. I am currently involved in a project that, that could be part of MRA. And at this point I'm going to put a disclaimer in here because I don't know where we fit in the equation, but, it's under Item D, okay. And what I'm proposing is, and we have for the last several years before the Mayor and all the Council Members, to propose that we work with the MRA to be able to establish a hotel unit in Wailuku so that our attorneys and business people that come to do business in the Wailuku area proper will have a place to stay rather than have to stay in Wailea. And it will be a -- the ADR will be in the, you know, reasonable ranges. And we think a hotel would fit nicely in the corner of Church and Main which is what we're discussing with the current owner of the property. So I just wanted to get on the record to say that we would be honored and proud to be part of the MRA revitalization of Wailuku town. We think that it's got great potential. I love the idea. I mean I've seen the plans. You know, it's been around for almost 20 years, and I'm so happy that we're finally breaking ground and getting to, to the point where we're starting something. And I think Wailuku deserves it. It has to have its rightful place in our County of Maui. So thank you for the opportunity of being here. If you have any questions of me, I'd be glad to answer it. And I represent the Marriott Group out of California.

Mr. De Rego, Jr.: Okay. Any questions Commissioners? Seeing none, thank you very much Mr. Vicens. Anyone else wanting to testify at the beginning of the meeting?

C. NEW BUSINESS

1. **Draft no re-parking ordinance for consideration as it would apply to all on-street, two hour parking within Wailuku Town. MRA to review and forward with recommendations to the Public Works Commission.**

Mr. De Rego, Jr.: Okay, so we'll move on. Let's go on to New Business . . . (*Chair De Rego, Jr. read the above project description into the record*) . . . Erin?

Ms. Erin Wade: Thank you. This draft ordinance was proposed, and not in this form, but the suggestion of such an ordinance was proposed by the parking management plan that was developed by Dixon Consulting Services earlier this year. So essentially what this does is it prevents folks from coming and parking on street, and then when the time limit is up, moving their car two or three stalls down the block, on the same block, to avoid getting a parking ticket. Because that isn't within the spirit of the law. The goal is to continue moving people and creating new availability for customers. We weren't planning on bringing this ordinance forward at this time because we figured when we move forward with the breath of the recommendations from that report would be the good time, would a good time. But three of the merchants on Market Street approached me and said, we're having a real problem with employees parking all day on streets. And with police having been spread quite thin over the past few months, it's been difficult to be marking and chalking tires every single hour. So by passing this ordinance it allows the spirit and the intent of the law to become more clear, and for police when they're there to make their time more efficient in terms of being able to move folks and not allow employees to basically park in the prime customer parking stalls all day long.

So I did provide a draft. And just for your information, the process for changing sections of the Maui County Code would be the MRA would provide their recommendation to the Public Works Commission first. Public Works Commission would then take this and review it and send it to the Maui County Council for adoption, okay. So we're, we're the first to review this of kind of a long group of reviewers.

We're taking this language essentially in Chapter 10.48.103. It's a reserved section of the Code right now underneath all of the stopping, standing and parking section. And what it says is no person shall move or re-park a vehicle on either side of the street within the same block in order to avoid a parking time limit regulation specified for either of the street in that particular block. A vehicle may not return in a time zone in the same block face or within 500 feet of where previously parked on the same block face for a three hour period. Then this would apply to both Wailuku, all on street parking, and Lahaina, all on street parking. So in Wailuku, for everything that's designated two-hour parking, in Lahaina, for everything that's designated three-hour parking, okay.

So that is the recommendation. I did provide you public testimony from Colleen who owns Art on Market. The other two I've talked to or who requested this is Joe Myhand from Bird of Paradise, and Ron from Brown and Kobayashi are the folks that have -- that were really interested. Of course, all of their shops are open right now, so they couldn't be in here in person, but they've

provided their support. So, I'm happy to answer any questions you may have.

Mr. De Rego, Jr.: Anyone have any questions? Okay, so...so we're here to discuss this. It's just basically if we support this and then pass it on to Public Works at this point, correct?

Ms. Wade: Correct. If you have any changes, recommendations, or amendments you want to make, I'm happy to work with you to do that now.

Mr. De Rego, Jr.: Personally, I think it's pretty straight forward as far as I'm concerned, so I don't see any changes that I would make at least. Anyone else? Go ahead.

Ms. Gwen Hiraga: What is considered a block?

Ms. Wade: That's a good question. I don't know if it is defined in the County Code. I know my own --. Do you have --? Do you know if it's defined in the County Code Mike?

Mr. Michael Hopper: No, not off hand. And I have not reviewed these. These haven't come to our office for review so at this point I don't have -- I would review that. I mean, we would have to look at that stuff eventually for review. But if you have an intention to have it be a certain measurement, it would probably be a good idea to make that intention clear so that they can get added to the bill.

Ms. Wade: Okay. Typically . . . (inaudible) . . . downtown would be defined as from one intersection to the next intersection.

Ms. Hiraga: So in this case it could be a block would be Main --

Mr. De Rego, Jr.: To Vineyard.

Ms. Hiraga: -- to Vineyard.

Ms. Wade: Right.

Ms. Hiraga: Main to Vineyard down. And then Church --

Ms. Ashley Lindsey: . . . (inaudible) . . . street by American Savings doesn't count as a street.

Ms. Hiraga: Pili.

Ms. Wade: Right. It's technically not a street.

Ms. Hiraga: From Main to Vineyard, Market, Central.

Mr. De Rego, Jr.: It's a lane or an alley.

Ms. Wade: Yeah.

Mr. Hopper: Has Police been consulted and they're okay with enforcing this? They'd be able to do it?

Ms. Wade: Good question. Police has been consulted about this. And they will, again, to do their best to enforce. And if we have parking enforcement personnel that we can bring in as that starts to take shape in both Lahaina and Wailuku, then it will assist them in enforcing this.

Ms. Jo-Ann Ridao: So do you know if the -- I guess there's a merchant's association.

Ms. Wade: There's not.

Ms. Ridao: There's not. Okay. All right.

Ms. Wade: The Wailuku Community Association has several merchants involved with it. But, to be honest with you, it's a very informal merchant's gathering as there's nobody in their shops. Many of them just come out and we have just kind of an informal talk stories on the street.

Ms. Ridao: I was going to ask if they notified their employees to please not park on Market Street. So that was my concern.

Ms. Wade: I'll tell you...it's not always...it's often the shop owners themselves that are the ones that are parking out there. And regularly it's the ones that aren't in the retail business. It's the ones that doesn't matter to them if the, if the street is turning over regularly.

Mr. Hopper: There's no separate definition of block in the Code so . . . (inaudible) . . .

Ms. Wade: Okay. He's saying there is no separate definition of block, so I can add a definition to this before sending it to Public Works Commission if you'd like me to.

Mr. De Rego, Jr.: Without objections?

Ms. Hiraga: Yeah, that's fine.

Mr. De Rego, Jr.: Okay. Any other questions, observations?

Ms. Lindsey: I'm not comfortable with the Lahaina part. It's not our jurisdiction.

Ms. Wade: Right. Yes, and I should say I'm not actually asking you to weigh on the Lahaina piece. This would be David Goode representing Public Works Department so you might remember when we commissioned the parking management plan, we did it in conjunction with Lahaina because they have similar issues. So, we sent it together and split the bill basically. So this is, this is accommodating their request and then Wailuku would just apply to us.

Mr. De Rego, Jr.: Okay, any other observations or comments? So I guess we need to take a motion or can we just by consensus say we'd like to pass this on to Public Works? Does it need a motion?

Mr. Hopper: You probably should do it by motion.

Mr. De Rego, Jr.: Okay. So do I hear a motion to pass this on as -- with the appropriate questions and amendments on to Public Works? Okay, Commissioner Hiraga makes the motion, second by Commissioner Lindsey. All in favor say aye. Aye. Okay. Thank you.

It was moved by Ms. Gwen Hiraga, seconded by Ms. Ashley Lindsey, then unanimously

VOTED: to forward to the Public Works Commission with the appropriate questions and amendments as discussed.

(Assenting: G. Hiraga, A. Lindsey, J. Ridaio)

(Excused: K. Ball)

2. Draft tax abatement ordinance for consideration as it applies to properties within the Wailuku Redevelopment Area. MRA to review and forward with recommendations to the County Council.

Ms. Wade: All right. Thank you. All right. The next item on the agenda, Chair, is the tax abatement ordinance. As you know, as part of the moving forward, major construction projects within the downtown neighborhood there's expected to be economic impact, and this was addressed in the environmental assessment. One of the recommended tools to address and mitigate this is tax abatement. This tool and what I have for you today is the ordinance as it was adopted in 2002 with, with -- instead of redline it's this blue line amendments to it, for today. So it was adopted in 2002 with a seven year time horizon which has since expired. And there wasn't a whole lot of economic development generated at the time because, you know, the parking that was supposed to be developed at that time was never developed. So we're kind of re-enlivening this ordinance with some amendments specifically addressing today's point in time.

So as you'll see in -- and this is in the Maui County Code Finance section, so this would, again, go to County Council for review and approval in the Budget Committee. It defines the area in the initial segment as Wailuku town and for business establishments. And then it goes on in Section B, to define the timeframe. And instead of seven years we're identifying 10 years given the level of construction impacts that we're anticipating. It does say then -- this has been added -- the investment in qualifying construction work equals a minimum of 20% of the property's assessed value prior to commencement of qualifying construction work. So just to clarify, the tax abatement is triggered when improvements are made to the property. This is what this is recommending. And the numeration is adjusted. Then it says to allow property owners of real property within the Wailuku redevelopment area to gradually adjust to their new level of real property tax base, the incremental increase of building valuation, the tax abatement will be phased out over a period of 10 consecutive years following completion of qualifying construction work, such that, and then it has this list of qualifying terms. That the incremental increase of the building valuation shall be exempted from real property taxes in years one through five. And these were the recommendations from the Real Property Tax Division. Following the completion of the qualifying construction work, 80% of the increase in building valuation shall be exempted from real property taxes in year six, 60% in year seven. So as you see it's kind of branching down so you get the big exemption up front, and less and less exemption as the years go by.

It appears the numeration --. Oh yeah, it's correct. Then the next one, (D), talks about how you file for exemption status, and this hasn't changed since the 2002 legislation. Section (E) talks about the director, and this is the Director of Finance, shall determine the increase and the valuation of the building, primarily to attributable to qualifying construction work. All of that stays the same. Then we've put in here qualifying construction work does not include furniture, fixtures and equipment defined as moveable furniture, fixtures or equipment that has no permanent connection to the structure. The reason this got added was during the last exemption ordinance there was physical improvements made within the district that were applied for tax exemption, but it wasn't -- there was a debate whether it was qualifying construction work. So we put this clearly in the ordinance now.

The claimant may request an extension of time up to a year, and then the County Council finds and determines that to provide financial relief for property owners and tenants -- and this is, this is the big one. So up to now we've been talking qualifying construction exemptions. This now talks about properties immediately adjacent to our construction site. So County Council finds and determines that to provide financial relief for property owners and tenants in proximity to the Wailuku Civic Complex site, a percentage of real property tax based it on existing valuation shall be exempted during the -- and I had to change this to County's construction period. We had 18 month construction period. Because now we've broken up the phasing, it's undetermined how long the construction period will be at this time.

So 100% of real property taxes shall be exempted from properties that are -- and maybe we want to say directly adjacent, or directly across the street from the Wailuku Civic -- and this should be Complex since the name has changed -- site. And then 50% of real property taxes shall be exempted for all properties within a two-block vicinity of the Wailuku Civic Complex site. Okay? And then that would encompass all of the properties affected also by the roadway improvements on Vineyard and Church as well. Okay?

So as I've mentioned this is -- this originated in 2002. These changes are what's been recommended by the Real Property Tax Division. And...after it goes through the Redevelopment Agency, if you're supportive of such an ordinance, it would go to the Budget Committee of the County Council.

Mr. De Rego, Jr.: Okay, yes, go ahead Gwen.

Ms. Hiraga: I have a couple of comments. Under Item (D), I guess it's line four, I think we need to change Department of Public Works. There's no Department of Public Works and Environmental Management, so we need to delete. Since we're cleaning it up anyway.

Ms. Wade: Yes, very good.

Mr. De Rego, Jr.: Right. And also question is the claim for exemption, once allowed, shall continue for a period of 10-years or is it seven-years? Is it like --

Ms. Wade: You're on (E)?

Mr. De Rego, Jr.: I'm on (D), the same one.

Ms. Lindsey: Second to the last line.

Ms. Wade: Oh, yes. Yeah. 10-years. If the group supports the 10-year time.

Mr. De Rego, Jr.: 10-years, yeah. I'm just trying to make the text consistent so we know what we're passing on.

Ms. Wade: And so this would change to 2028 at this time.

Mr. De Rego, Jr.: Right. Anyone else? Gwen?

Ms. Hiraga: For (G), item (G), it talked about property owners and tenants --. For Item (G), it mentions about property owners and tenants in proximity to the Wailuku Civic Complex site. Now this proximity is defined for Items 1 and 2 below? Is that how I'm reading it?

Ms. Wade: Correct. Yes, that was the intent. But, I can clarify if you think that's needed as well.

Mr. De Rego, Jr.: That might be good.

Ms. Wade: Perhaps as defined below?

Mr. De Rego, Jr.: Yeah. Any other comments, observations? I'll give you a couple of minutes, more minutes to --. Are you okay? You're okay?

Ms. Wade: I would like, Chair, if you're comfortable with the language -- I know that this was in previous reports you've seen, but I'd just like to hear also from the commission if this still feels like it's on track with appropriate measure of mitigation for the construction.

Mr. De Rego, Jr.: I think we've gone over this several times and I think we've kind of agreed that this would be appropriate from my vantage point in terms of our previous discussions on this. Any reactions to that? Okay, yes, would anybody like to testify on this particular item? No? Okay, so I guess we need another motion to pass it on to the County Council.

Ms. Wade: You can do that. I'm happy to bring back an updated version for you. I don't know that there's a lot of urgency with this given the timing. I did talk to Council Chair today, and they're likely not going to be taking anything up before the end of the year.

Mr. De Rego, Jr.: Okay.

Ms. Wade: And so I think we have some time if you'd like for me to make these amendments and bring it back.

Mr. De Rego, Jr.: Okay, yeah, why don't you do that and bring it back to us and then we can make a decision to pass it on. Okay, mahalo.

D. UNFINISHED BUSINESS

- 1. Presentation of the [proposed amendments](#) to the Wailuku Redevelopment Area Zoning and Development Code, Article II Zoning Districts, Section 30.03 Commercial Mixed-Use District. Changes include updates to the permitted uses and performance standards, changes to the development standards based on block face and incorporating historic preservation and incentives.**

Mr. De Rego, Jr.: Okay, unfinished business.

Ms. Wade: Yes. Okay, thank you Chair. We've been working on this draft ordinance amendment for the Wailuku Zoning and Development Code for a little while now. I think since May.

Mr. De Rego, Jr.: May, yes, it's been a while.

Ms. Wade: Yeah. So, few changes that I'll point out for you since the last draft. We -- you've seen that piece already. We changed adult establishments to the term bars and taverns. That's now been updated also under the column of performance standards where it says bars and taverns now instead of adult establishments. Nothing else is changed in the Uses section.

In the Development Standard Section and this is the area we've been primarily focused on. You asked me last time to break out not by just block type, but by floor to make it clearer what the setbacks and stepped backs would be allowable for at each block face and at each floor height. So I did go through and you'll see a table on page six that reflects that. I have now same, same -- I didn't change any of the setbacks or stepped backs from what was shown last time. It's just, I think it may be easier to absorb in this table format. But if you remember and the areas on block face A we have now six foot front yard which it always was. We've added a 10-foot rear yard which is an increase; was six all the way around so it's a bigger rear yard setback at this point. And then 10 all the way around from third floor, 20 front, 10 side, 10 rear, for a maximum height of six stories or 82. So this would be primarily along Main. This is the segment around Main.

Commercial type B, this is the, the block faces that includes the primary block on Market Street, and Vineyard Street across from our project. There is no front yard setback. There's a six foot rear yard setback on the ground floor. Again, no front yard setback on the third floor because that's how those buildings are built today. We don't want to create non-conforming uses out of historic buildings essentially. 10 foot side yard, 10 foot rear yard at third floor to allow light and air if there's housing being developed above that and it is only a three story height limit so the fourth floor and above does not apply.

Commercial type C, and this is -- Central Avenue is an example of this. Six foot front, six foot rear, six foot side, 10 foot front, rear, and side, and 16 foot for the fourth floor. And it say and above, but it's only allowed a four story height limit on that block, okay.

So that's now been clearly delineated what each -- or each setback or each stepped back would be required to be. As we discussed, I moved up the Exposure to Sky -- Upper Story Mass

Reduction now right under this table segment section to make better sense of requiring 25% open space and creating it as an alternative to the setback and stepped backs if it works.

The design requirements are essentially the same. The biggest adjustment now is this historic preservation incentive so we have talking throughout the conversation about the desire to not just encourage new investment, but where there's historic properties to invite those to be re-invested in. So we're including some incentives here and those include for new buildings or additions to existing buildings that are adjacent to buildings that are considered historic resources, all portions of the new building or addition within a five foot vertical distance from the cornice of adjacent historic resources shall be stepped back 10 feet from the adjacent side property line and the adjacent side wall shall be designed with the same level of finish and detailing of the front façade of new construction. So this isn't necessarily an incentive, but it's a character protection mechanism for historic preservation purposes.

Okay, B, when historic building facades are preserved and restored, up to 50% of the required parking may be waived, subject to MRA Use Permit. So any time a historic building would be restored you could come in and you would have to come to -- this wouldn't be administrative -- you'd still have to come to the MRA to request that waiver, but to waive 50% of the parking requirement. And, and that, that -- the more we've interviewed folks about what are the barriers and obstacles to historic preservation parking providing onsite parking is the number one barrier. So this became for most of the historic property owners a, a huge incentive to renovating what they have and not tearing down a historic building.

C, no parking shall be required for residential units provided on second floor and third floors of existing historic buildings. So as you might know, there's a handful of buildings even on Market Street that have old apartment spaces, or even spaces that were used as office previously, but they cannot convert those into apartments today because they cannot meet the parking requirements onsite. But this would allow that parking requirement to be waived. So up --. And perhaps we want to set a unit cap; I'm not sure, but that only occurred to me just now as I said that, as I was talking through this. But it will allow us to create for affordable housing -- or it doesn't have to be affordable -- housing units within historic buildings without the requirement for parking. They would likely be affordable though if there was no onsite parking because just based on the market.

D, historic proportions of buildings will be exempted from development standards. I'm sorry, historic portions of buildings will be exempted from development standards. Meaning essentially we would be maintaining existing non-conforming if, if it was there in a historic building. New construction and additions shall comply with the development standards and provide adequate stepped back from the historic façade to distinguish the new from the old. And this is consistent with the Secretary of the Interior Standards for Historic Preservation. Improvements and additions will be subject to MRA design review. And you'll note that's incorporated in several places where -- and, and I included in design requirements once as well where we had some dialogue back and forth about when it would work and when it wouldn't. All of those times where we had that dialogue I said, it will need to come for MRA design review.

So those are the changes, and I'm happy to answer any questions. One, one note I'd like to add is anytime -- and many of you know this -- anytime you begin editing any segment of a zoning

code, it triggers -- requiring you to edit other sections. One of the primary things I can see getting triggered now is creating a section for signage that hasn't been addressed before. And probably also the parking code. So the changes that we've made in here are going to have to follow suite in the parking section 19.36. So that will follow this.

Mr. De Rego, Jr.: Okay, before we get the commissioners comments on this, would anybody like to testify on this particular section of our, part of our agenda? Okay seeing none, commissioners, do you have any comments on this? Okay, can I, can I say something right before you say something? Thank you very much because we did give a lot of input in terms of making this flow better, and also making more sense, and it does. I think this is the one, this is the best one I've seen so far even though Gwen may have questions, but it's actually -- that's what it's for. But, yeah, I think this actually flows a lot better and it makes a lot more sense. It kind of shows us, you know, a direction in terms of design requirements, open space incentives. They're not sort of all over the place like they were before, but there's much better flow to this. And I think this section on the minimum setback, is much more understandable. But we may want to add pictures to this or something. I don't know if you can in the code. But for our own purposes we may want to have some visuals sort of models that, that would give people a visual picture because not everybody is a word person or you know, I think it's always good to have some visual examples. So, okay, I'm sorry, commissioner Hiraga?

Ms. Hiraga: In general I think these changes are what we had discussed and a like it. Just a couple of comments, on page 6, on the exposure to sky.

Ms. Wade: Yes.

Ms. Hiraga: The last incomplete sentence or maybe it just should not be there.

Mr. De Rego, Jr.: Oh, yeah, the MRA . . .

Ms. Hiraga: Yeah, the MRA may consider -- did you intend to put something else in?

Ms. Wade: Thank you. Okay, I could have dropped off. I'll have to find out what the end of that . . . (inaudible) . . .

Ms. Hiraga: Yeah, okay, if you can double check on that.

Ms. Wade: Yeah.

Ms. Hiraga: And then also on the table or the matrix itself -- and I did not bring this up at the last meeting -- but land lock lots. Do we have any?

Ms. Wade: We do.

Ms. Hiraga: And but we no standards or setbacks?

Ms. Wade: We do, and awkwardly it does this exact same thing in the existing ordinance where it's unclear how they fall. And I put this here as a placeholder. The majority of the land lock lots

are residential, or were a residential homes that have now been converted to office space. So it might be something that essentially follows commercial block face C, and I did -- I'm glad you brought this up because I wanted to talk about this. I think those are the lots that will require more setback than, than a property that you want to follow the building line essentially along a street frontage. You know, we don't have that situation in the land lock lot. They're standalone buildings or, in some cases, they're parking lots, you know, and might be converted to parking structures at some future date. So, but I think probably the more generous setback would be the one to follow on a land lock lot, but I would defer to your thoughts on that.

Ms. Hiraga: Yeah, it's just a question that I had. I wasn't clear, you know, whether the intent was to establish setbacks or not.

Ms. Wade: Yeah.

Ms. Hiraga: Okay.

Ms. Wade: So I could make commercial block face C and land lock lots be one row and we could try that.

Mr. De Rego, Jr.: Quick question is do you feel that's adequate?

Ms. Wade: I mean, we're going to create a whole lot of existing non-conformities if we make it much bigger. I think there's a lot of cases where even three feet is a setback area on some of those small homes. And of course, existing non-conforming would be allowed to continue so long as it wasn't intensified now in the code. But you also want to give people the flexibility to maintain their property. And even now we just had somebody come in just trying to cover up the existing siding and that half inch that they're making it more non-conforming has triggered them having to comply with the existing segments of the code. So, you know, you don't want to -- you don't want to create problem when you don't have to.

Mr. De Rego, Jr.: Problems, yeah. Sort of a domino effect.

Ms. Wade: Right.

Ms. Hiraga: Okay, thank you.

Mr. De Rego, Jr.: Thank you. Any other comments? Questions? Okay, so I guess one more.

Ms. Wade: You'd like to see one more round?

Mr. De Rego, Jr.: Yeah, I'd like to see one more round completed especially with the, the suggestions here.

Ms. Lindsey: Yeah . . . (inaudible) . . .

Mr. De Rego, Jr.: Historic preservation, yeah.

Ms. Hiraga: Yes.

Ms. Wade: Yes.

Mr. De Rego, Jr.: Yeah, okay, good.

Ms. Wade: Maybe I could insert, just real quick, about Historic Preservation. One of the primary recommendations because we just returned from the International Downtown Association Conference is to allow the International Building Code (IBC) which has a subsection called the existing building's code. Our Public Works has never adopted this section, but it is a building code designed for renovation of historic buildings, and San Antonio in particular, but many of the --. And San Antonio has done an incredible job of historic preservation of their resources, but they have that tool that they could use. So that might be something that we would like to push forward as well since we're going to be showing up at County Council with all this different new legislation to protect the district, that might be another thing that we push forward as well. So if you'd be interested I'd be happy to bring, bring a draft ordinance related to that. The whole code obviously is already written, you know, we just need adoption of that ordinance.

Ms. Lindsey: I want that.

Mr. De Rego, Jr.: Okay. Yeah, we'd like to see. Our consensus that we'd like to see something like that at the next meeting.

Ms. Wade: Okay. I've already spoken to with Annalise Kehler at the Planning Department. She's our Cultural Resource Planner who, I think, would also like to participate in this discussion so I'll invite her as well.

Mr. De Rego, Jr.: Okay, that would be great, without objection, yeah. Thank you.

Ms. Wade: Okay. Thank you.

E. DEPARTMENT UPDATE

1. Final EA was published on October 23, 2018 by OEQC.

Mr. De Rego, Jr.: Okay, department updates, are there any, before we get into this, are there any testimony on the Final EA which was published on October 23rd, 2018? Okay, if you come to the podium, state your name, or if you have any affiliation, and three minutes, okay. Thank you.

Ms. Susan Halas: Good afternoon. My name is Susie Halas. I'm a resident, a long-time resident of Wailuku. I know quite a few of you. Some of you know me as a reporter with a specialty in politics, and some of you might know me as a realtor, and others of you might know me as a neighbor or a person whose been in this community, in this area, since 1976, and has attended meetings of this group since the year 2000 when it was formed.

I happened to be a close personal friend of Carol Ball, so during the time that she was chairperson

because these meetings tend to rile me up and I sometimes don't always behave myself -- Gwen was laughing -- I've chosen to or get most of my information from Carol because she was your chair, and I think she's a pretty accurate person.

One of the things I'd like to tell you is I did get -- the EA came out and as you have probably have seen it, it's 790 pages, and I'm going to guess that nobody but in me in this room has read it, okay, and I'm only on page 500, okay. The other think I'm going to acknowledge, in past, some of the meetings of this body had been pretty stormy in the past, and some of us who haven't always agreed with you have decided to stay away because we're getting older and our blood pressure goes up and it gets too hard for us to calm down.

You know that there will be an election in one week, and after that election we will have a new mayor, we have a new council, and the composition may be very different. After reading the EA, and after following this body for some time, I find it that not only me, but a great many other people do not like this plan at all. And I know that all of you serve as volunteers, and so any criticism that would be directed, would not be directed towards you either personally or in your capacity as commissioners or whatever. It would be taken up at the Council. There will be push back on this, and it will be, at the moment I'm the ad hoc. I'm the face of the ad hoc push back which is we don't like the plan, we don't like 95% of what you have proposed. There will be active resistance to this proposal to put our community, civic center, and parking garage at a cost of \$76 million in our community. And there will be active outreach to reach the people who actually live here, and who live in the surrounding, close by areas, like myself. I live within a block of this proposed district. And to explain to them what it is exactly that it intends to do, how it will affect their lives and property values, and how will it affect the small town character of this community in our opinion. So we know that that is not your opinion because you know you folks have spent a long time cooking this up and, and that it's a good faith effort. So I don't want you to take this as some kind of a personal or, I don't know, mean spirited attack. This is basically a difference of opinion on what are Maui's priorities which we do not think are a civic center or parking garage. We think, at this point, speaking as a political reporter, our priorities are affordable housing, affordable rental, and the expenditure of these kind of funds for this kind of a purpose is not going to be warranted at this time. So I just want you to see what is face, who I am, that it's not personal, and that you can expect that I will read the remaining 270 pages in the next few days. And I have a pretty good grasp of what you folks have in mind. I do not like it. My neighbors do not like it. The people I brought with me do not like it, and we'll be talking to the Council. So when you go to the Council, just be remember you will see other people who live in our neighborhood who will not be in support of your proposal.

Mr. De Rego, Jr.: Thank you very much.

Ms. Halas: And, sorry.

Mr. De Rego, Jr.: Thank you very much. Is there anyone else who would like to testify? Helen? Just state your name and your affiliation.

Ms. Helen Nielsen: Hi, my name is Helen Nielsen. I'm a property owner here in Wailuku, and I've been involved with planning charrettes and meetings, and more charrettes and more

meetings on the civic hub for the last, I don't know, 15 years. And I've seen it evolved and I've seen the support for different items sway over time. In my opinion, this is the best we've had. We're so close to having something positive done to this community. I've been to many, many international downtown association meetings and I've seen what communities can do to towns that have been neglected for many reasons and zoning is one of them. And to have the staff here work for the last several years on cleaning up the zoning, making it more viable for developers to invest in this community is really miraculous. And I am so excited to see this going forward, and I hear from a lot of folks who really love this. So there's going to be differences of opinions in this community like always. That's a democracy, but I did want to say how much I appreciate your efforts and I look forward to seeing this going forward. Thank you.

Mr. De Rego, Jr.: Thank you. Anyone else would like to testify on this item? Okay, we'll close testimony on this item. Let's go on to the Phase 1A of the Wailuku Civic Complex out to bid.

Ms. Wade: Yes, so this is the department update, so there's no action required for any of this. This is just updates for your information. The Final EA -- well, the Draft EA as you know was published in September or August. I apologize, August. We received comments, replied to those comments, the Draft, the Final EA has now been published on October 23rd...and additional comments and questions may be coming in. But, so you know that it's out there.

2. Phase 1A of the Wailuku Civic Complex out to bid with bid opening scheduled for November 7, 2018.

Ms. Wade: No. 2, Phase 1A of the Wailuku Civic Complex is out to bid. Bid opening was scheduled for November 7th. We have had a series of questions, and if you remember, Phase 1A is the road and infrastructure improvements on Vineyard and Church Streets, okay. So, the sidewalks, the upgrade of the sewer lines, the new road resurfacing; that's out to bid right now. We've had --. As positive as it is to piggy back all of these deferred maintenance upgrades into one project it makes it a very complicated project to do all at once. Especially with all the little driveways and private connections that have to be made back, to sewer laterals, and electrical lines and all of that. So, while we are expecting a good number to come back because timing in terms of construction is very good for bidding right now, there's likely to be some negotiation when it comes to making sure that we got it right, in terms of the full breathe of the scope of what 1A and 1B has to be. So just so you know that's forcing us to bump out the bid opening by another week. We will be issuing a third addendum prior to that in terms of answering some of the questions from the bidders. So right now it's scheduled for November 15th for bid opening.

3. Selection process for Construction Manager for Wailuku Civic Complex Phase 1A & 1B underway.

Ms. Wade: The selection process for a construction manager is underway. We are in negotiation with one in particular and if we get a good scope of work and price we'll probably be signing that contract by the end of November for construction management. Our priority is accountability and community relationships. We know that this is going to be very personal and in your face type

of construction on the street fronts so we --. And there's not a lot of space to maneuver so the construction team is going to have to be held very accountable throughout the process and that's going to be the job of the construction manager.

Mr. De Rego, Jr.: So can I ask a question about 1A and 1B?

Ms. Wade: Yes.

Mr. De Rego, Jr.: So is this going to include the changes on Church as well?

Ms. Wade: Correct.

Mr. De Rego, Jr.: Okay.

Ms. Wade: It includes the changes on Church Street.

Mr. De Rego, Jr.: Okay.

4. Temporary parking design at Wells Park.

Ms. Wade: No. 4, temporary parking design at Wells Park. We are --. As we've talked about before providing a -- converting the baseball diamond closest to Wells Park into temporary parking for the duration of the construction of the parking structure. We have -- the Wells Park is currently being surveyed right now. We intend to just use the recycled asphalt for the temporary parking that was used at the old post office lot because immediately following our use of that space for temporary parking the Parks Department will be coming in with their Wells Park Master Plan to renovate both of those fields. There's a huge drainage issue currently on those fields anyway. So we're timing it so that we will be utilizing it for temporary parking. It will provide approximately 100 parking stalls at that location, and then as soon as we're done, Parks Department will convert it back to a beautiful, new, properly irrigated, and graded baseball diamonds.

So those are the big updates for right now. I'm happy to answer any questions.

Mr. De Rego, Jr.: Any questions? Yes?

Ms. Hiraga: Thank you. This is with regard to Phase 1B. At our September meeting you had indicated that 1B would be ready to bid in December. Is that still?

Ms. Wade: It is still on track. We submitted for permits, for building permit for the parking structure last week Tuesday. We intend to get back the first round of comments from all the agencies before we put it out to bid. It sounds like they'll have their comments back to us in two weeks which will give us time. Which is great except that then we'll have to adjust the plans based on the agency comments that we've received. So at this time it does seem very possible. We've been working with both Public Works, Development Services Division, and Fire which are the two primaries that could affect the design throughout the process, so we're not expecting a lot of change in that way. And, it has been over designed in some sense of the use of the water.

We might be dialing back usage for the water meter for a couple of reasons. And then removing the grease interceptor from the upper side, from the back side of Market Street saved us a lot, a lot of trouble, so that just wasn't working out. So it should flow pretty smoothly.

Mr. De Rego, Jr.: Okay, any other questions? I'm sorry, there's no questions from --? No, no. Okay, thank you.

Ms. Wade: Okay.

Mr. De Rego, Jr.: Okay, good. So no other questions from the commissioners? So our next --

Ms. Hiraga: Are we --? Yeah, I had a couple of questions...with regard to the complex, the Wailuku Civic Complex. Did the RFP for the shuttle go out and you were going to break it down into two. And I'm just looking back to our September meeting. So I just wanted to know what the status was.

Ms. Wade: Yes, thank you. The RFP for the shuttle has not gone out. The bid opening dates have all been filled up for people who have to secure their contracts before the end of this fiscal year now. We've pushed it back far enough that we interfered with all of the opening dates, so I can put it out. I can actually put it out anytime. We just won't be able to open the document until December. So any time before...there's nothing available until December 10th right now for opening of bid documents. But because we don't have to sign the contract before the end of the fiscal year, it's not a, it's not a rush for us.

Ms. Hiraga: Thank you.

Mr. De Rego, Jr.: So if you'd like to testify, but there's no questions, okay, on that item. You can ask it through the testimony, but it won't be answered here specifically. I mean, on this specific item. That's another item so she can testify on it. I just want to clarify that. But, we're not going into this interrogatory of questioning.

Ms. Wade: Did you have another question, Gwen, or was it just the RFP?

Ms. Hiraga: Yeah, just the RFP on the shuttle because I find it so interesting.

Mr. De Rego, Jr.: Okay.

Ms. Hiraga: The employee shuttle versus mid-day.

Ms. Wade: Could I elaborate just real quick on that?

Mr. De Rego, Jr.: Sure.

Ms. Wade: So in our investigation one of things that we found out is when you get called for jury duty the notice you get to serve for jury duty says park at the municipal parking lot, right, and that's going to be shut down. So one of the things we talked with Judge Cardoza, we talked with Chief Justice Recktenwald about providing us some funds for the shuttle service as well, which

we're not going to get in this fiscal year, but which they're willing to put in for next fiscal year. So a piece of this was maybe being able to time it so that I don't make the contract so extensive that we're not able to take advantage of the state's funding opportunity. But I think we're going to, we're still going to need to initiate it without their support and then come back to them and say, hey, we're providing this service for all your jurors, you know, this is critical that you guys participate.

Mr. De Rego, Jr.: Okay. I just want to clarify the chair's position on questions. You can ask the question through the testimony or contact Erin at some point to answer any questions, but we're not getting into interrogatory kind of question during the meetings okay. Okay, good. So any other observations from the --?

F. NEXT REGULAR MEETING: November 16, 2018 (3rd Friday)

G. ADJOURNMENT

Mr. De Rego, Jr.: Okay, so our next regular meeting is November 16th, the third Friday, and I have something at five o'clock so I have to get here at least out by 3:00 p.m. so. But without objection we'll adjourn. Okay, thank you.

There being no further discussion brought before the Agency, the meeting was adjourned at 1:58 p.m.

Respectfully submitted by,

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

RECORD OF ATTENDANCE

PRESENT:

Frank De Rego, Jr., Chair
Gwen Hiraga
Ashley Lindsey, Vice-Chair
Jo-Ann Ridao

EXCUSED:

Keone Ball

OTHERS:

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