CONVENE: 9:04 a.m.

PRESENT: VOTING MEMBERS:
Councilmember Joseph Pontanilla, Vice-Chair
Councilmember Sol P. Kaho'ohalahala
Councilmember Danny A. Mateo
Councilmember Bill Kauakea Medeiros
Councilmember Michael J. Molina

NON-VOTING MEMBERS:
Councilmember Wayne K. Nishiki (Out 11:30 a.m.)

EXCUSED: Councilmember Michael P. Victorino, Chair
Councilmember Gladys C. Baisa

STAFF: Kimberley Willenbrink, Legislative Analyst
Tammy M. Frias, Committee Secretary

ADMIN.: Jeffrey Eng, Director, Department of Water Supply
Wendy Taomoto, Civil Engineer, Engineering Division, Department of Water Supply
(Item No. 5)
Herb Chang, Engineering Program Manager, Engineering Division, Department of Water Supply
(Item No. 1(5))
Scott English, Lieutenant, Fire Prevention Bureau, Department of Fire and Public Safety
(Item No. 1(5))
Milton Arakawa, Director, Department of Public Works (Item No. 1(5))
Edward S. Kushi, Jr., Deputy Corporation Counsel, Department of the Corporation Counsel

OTHERS: Item No. 1(5): Richard Pohle, Acting President, Upcountry Meter List Association
David DeLeon, Government Affairs Director, Realtors Association of Maui
Additional attendees (3)

PRESS: Akaku--Maui County Community Television, Inc.

VICE-CHAIR PONTANILLA: . . . (gavel) . . . The Water Resources Committee is now in session.
Good morning, Members.
COUNCILMEMBER NISHIKI: Good morning.

VICE-CHAIR PONTANILLA: I’m gonna be chairing the meeting this morning, as our Chairman for the Water Resource Committee has gone to the mainland and, you know, he’s the proud dad of Shane Victorino, so...and today they’re playing the All Star game. So, you know, wish him well and wish the National League, National League All-Stars team well also.

At this time, the Chair would like to introduce the Members that are here this morning. We do have Member Molina, Member Kahoʻohalahala, Member Medeiros --

COUNCILMEMBER MEDEIROS: Good morning.

VICE-CHAIR PONTANILLA: --Member Nishiki, as well as Member Mateo. Excused at this time are Members Baisa and Member Victorino.

Members, we do have two items on the agenda, WR-5 as well as WR-1(5), but before we...we do have a person that signed up for public testimony, but before that I would like to introduce the Staff that’s supporting this Committee. We do have our Legislative Analyst, Kim Willenbrink as well as our Committee Secretary, Tammy Farias [sic]. Up front we do have members of the Administration. We do have from Corporation Counsel, Mr. Ed Kushi, Jr., as well as the Director from the Water Department, Mr. Jeff Eng. Also with us, we do have Civil Engineer...from the Engineering Department of the Department of Water Supply, Wendy Taomoto. So, good morning, all of you.

Members, we do have one person that has signed up for public testimony this morning, but before the Chair receives public testimony, I want everyone to put their pagers or cell phones to the silent mode, mode or if you can turn it off before we start. Thank you. Again, we do have one person signed up for public testimony, and the Chair would like to provide the rules for public testimony this morning. We’ll give the testifier three minutes to provide public testimony and one minute to conclude. For you that’s providing public testimony, if you can provide us your name and the organization that you represent, the Committee would appreciate that. So, Members, the first person that signed up for public testimony this morning is Richard Pohle. Mr. Pohle.

...BEGIN PUBLIC TESTIMONY...

MR. POHLE: Thank you. My name is Richard Pohle.

VICE-CHAIR PONTANILLA: Oh, sorry.

MR. POHLE: I am the owner of a three and a half acre parcel up on Crater Road. It is zoned half acre, and it’s...since 1986 we’ve been operating Valley View Protea Farm where we make Protea
wreaths and we are...even have one of our wreaths used to be in the Mayor’s office. Regarding the business at hand, there’s two points I want to make.

In Section 4.05.020 [sic], there is called out—oh, I’d like to subdivide into six lots, they’d be beautiful view lots. Now in the Section 4.05.020 [sic] is a note that storage capacity required shall be determined on a basis of 1,000 gallons per lot for Rural—that would be me—and if I wanted to go into six lots, would that mean that I’d have to put a 6,000, 6,000 foot tank on, gallon tank on my lot or on the County? Now it does seem that this is in contradiction to the requirement for fire flow water storage because the water, fire flow is a 100...100, 1,000 gallons per minute for 120 minutes—that’s 120,000 gallons—and it does seem that requires the County to build or have a 120,000 gallon tank just above my property. So it seems a contradiction here. Now...next to my property is a tank, near my property is a tank that’s 50,000 gallons. So it seems to me that if I wanted to satisfy subdivision requirements, that I would have to pay for a 70,000 gallon tank. So I’d like to clear up the contradiction between the...5,000 and the 70,000.

But on...on a deeper point, I’d like to note that I found when I tried to subdivide, that as a small parcel owner it is impossible for me to subdivide. Now I’ve testified five times before on...on the issues involved. The first one is there’s a perpetual Upcountry drought that never gets removed because there’s no investment in infrastructure, and the second one is there’s an unreasonable fire protection regulation, and you are going to be asked to codify this into law. And so I’m strongly advising you or hoping that you will not do it. Now I’ve testified five times before and nothing’s seemed to have changed. So I decided that perhaps just one person speaking from himself is of no consequence.

MS. WILLENBRINK: Three minutes.

MR. POHLE: So, I obtained a mailing list of the people on the Upcountry Water Meter List, and I started a website, upcountrymeterlistassociation.ws, that’s umla.ws. It’s in, it’s in my testimony here. I invite you to go...and that is where I have outlined my problems with the current law, WR-1, and my suggestions for improvement. Basically, my suggestions for improvement are to instead of requiring the property owner to pay for the entire line and get maybe 50 percent of his money back, you assess a fee that’s a reasonable fee to say 5 percent of the sale price due on sale, and that that be used to, to improve the infrastructure. So the website is there, umla.ws, and I, I call myself Acting President of the Upcountry Meter List Association because we haven’t organized yet, but I do intend to send out an organizational letter, and we’ll see where the response goes.

MS. WILLENBRINK: Four minutes.

MR. POHLE: Thank you very much.

VICE-CHAIR PONTANILLA: Thank you, Mr. Pohle. Members, any questions for the testifier this morning? Seeing none, thank you very much again.
MR. POHLE: Okay.

VICE-CHAIR PONTANILLA: And, Members, Mr. Pohle did provide us with his testimony this morning. Mr. Pohle was the only person signed up prior to the meeting to provide public testimony. Is there anyone out there that wanna provide public testimony at this time? If you could come up, provide us your name, provide your testimony and then sign up with the Secretary? Thank you.

MR. DeLEON: Good morning, aloha. Dave DeLeon representing the Realtors Association of Maui. I just received the document in response to my suggested rule proposal, limiting the Department’s powers. I can’t follow the logic that came in this ruling, this statement. But I’d like to refer you back to the testimony received from Mr. Blietz last week or the week before. Mr. Blietz said that he’s not asking for new water, he’s asking to give water back, and yet he’s being required to give 5,000, $50,000 worth of improvements to a system that he’s pulling out of in order to be able to subdivide his property so he can divide it up among his children. That’s the point. He’s not making any demand on the system, but the system’s making a demand on him. I don’t see the logic in, in the Corporation Counsel’s opinion here at all. I’m sorry, I don’t agree with, with the language here, the, the thought process even, because we see this continuously in the process Upcountry. And in Mr. Blietz’s case, it’s the exact case where he’s just simply trying to subdivide, he’s not asking for any new water, he’s going to give water back to the system, and still he’s being extorted for $50,000 before he can get a subdivision. And I want to use that word again, it’s an “extortion”, it’s the use of government power to force improvements that are not related to the actual proposal. I believe there’s U.S. law on this, there’s Supreme Court rulings, that, that when you make, make a requirement of a property owner it needs to be proportional. You cannot make a requirement that is not proportional. And I think you’ve got to look back at the Constitutionality of this. Thank you very much.

VICE-CHAIR PONTANILLA: Thank you. Members, any questions for Mr. DeLeon at this time? Seeing none, thank you again --

MR. DeLEON: Thank you.

VICE-CHAIR PONTANILLA: --and if you could provide your information to our Secretary. Is there anyone else out there that wanna provide public testimony at this time? Seeing none coming forward, if there’s no objections, the Chair would like to close public testimony.

COUNCIL MEMBERS: No objections.

VICE-CHAIR PONTANILLA: Thank you.

...END OF PUBLIC TESTIMONY...
ITEM NO. 5: "READY TO GO" WATER-RELATED PROJECTS (C.C. No. 09-49)

VICE-CHAIR PONTANILLA: Members, the first item on the agenda is WR-5. This is the "Ready To Go" Water-Related Projects. We do have Ms. Wendy Taomoto from the Engineering Department [sic] of the Department of Water Supply. But before I call on Wendy, if the Director has any comments to make at this time?

MR. ENG: Yes. Thank you, Mr. Chairman, and good morning, Committee Members. Yeah, I'd like to give you a little overview of this...of these "Ready To Go" Water-Related Projects 'cause things have somewhat changed since this first request for a list of projects came out.

Back in early December 2008, the U.S. Conference of Mayors asked our Mayor to submit projects that could potentially qualify for Federal Economic Stimulus Funding that was then being considered by Congress in the incoming Obama Administration. We were actually given less than one day's notice to develop the preliminary list of potential projects. The list included the estimated project cost, an estimated number of jobs supported by the projects. The criterion for a project to qualify was that it could begin within 90 days of the receipt of funds. Eventually this Economic Stimulus Funding plan morphed into the American Recovery and Reinvestment Act of 2009, which President Obama signed into law on February 17, 2009. The bill provided for the EPA to administer the funds through their existing assistance programs. The funds were allocated to the states according to previously established formulas. Hawaii was allocated $19.5 million, which was to be administered by the Hawaii Department of Health's Drinking Water SRF Loan Program. Therefore, the funds would be administered as an SRF loan. However, the terms of the loan agreement would be such that the loan principal would be forgiven and the loan interest would be zero. Hence, it would be like a grant.

In the past few months, the Department has been extremely busy preparing to receive and qualify for the ARRA funds. We have had numerous discussions with the Department of Health and the other counties to understand the procedures. The County has agreed to share the $19.5 million equally. We had to support legislation then in the State Legislature that will allow the State to administer the funds. We had to get budget amendments prepared and passed that would position our projects to qualify for the funds. We distilled down the original list of ten potential projects to three primary projects. Our Engineering Division and particularly our CIP section was extremely busy preparing the projects by completing construction plans and bid documents, and awarding the projects to contractors.

So at this time, I'd like to turn this over to Wendy Taomoto, head of our CIP section, to give you an overview of the three projects and the status of the program. Thank you.

VICE-CHAIR PONTANILLA: Ms. Taomoto, please.
MS. TAOMOTO: Thank you. The three, the three projects that the Department felt we were ready to act upon, given our deadline, was the West Olinda Tank Replacement Project, and that’s a 300,000 gallon new tank replacing a 50,000 gallon tank located on Olinda Road. The contract, we opened bids on May 12th, and we awarded the contract to Central Construction for 1.4, $1,469,000.

The other project that we are ready to go with was Vineyard Street Waterline Replacement Project. That is a new 12-inch waterline, ductile iron waterline that will run from Ilina, which I believe most people think is Vineyard at the top of...where it intersects Main Street, all the way down till almost Market Street. And that contract, we opened bid...I mean that bid was opened on May 12th also, and we awarded that contract to Diversified Machinery for $1,430,000.

The third project we are ready, we were ready for was the Kihei Road Waterline Project. That involves new 12-inch ductile iron pipe that runs from Waiakea Stream to Ohukai Road, and we opened that bid on May 13th, and that contract was awarded to Goodfellow Brothers for $768,923.

All three projects have been awarded, the contracts have been executed by the contractors, and is currently being processed through the Department of Finance. We are still awaiting our loan documents, and once we receive those loan documents we will be in a position to issue notice to proceed to the contractors. In the meantime, we’re just...because the Department of Health and, I guess, the EPA...it’s a new, ARRA is a new thing, that they are, we’re continuing getting requirements daily that we need to submit and we need to just prepare stuff for them and we’re working on that, and we should be in a position to go ahead with the loan agreement when we’re given them, when we’re given them to execute.

VICE-CHAIR PONTANILLA: Thank you. Members, any questions for the Department at this time? Member Mateo?

COUNCILMEMBER MATEO: Chairman, thank you. And thank you, thank you very much. I just, you know, just for clarification purposes I’m looking, I’m looking at the list of projects, you know, that we have in our, in our binder that, that I recognized as all of the Water Department’s “Ready To Go” Projects. The West Olinda project that you referred to, is that the listed as Olinda WTF project?

MS. TAOMOTO: Oh, no. The Olinda WTF Project is a reservoir relining project.

COUNCILMEMBER MATEO: So this, this West Olinda project is a new, is a new addition to this list?

MS. TAOMOTO: Yes. It was added to the Department of Health’s priority project list.

COUNCILMEMBER MATEO: Okay.
MS. TAOMOTO: Because they had a requirement that these projects had to be ready to go, and that’s one of the projects that was ready to go.

COUNCILMEMBER MATEO: Okay. And the other one, the Vineyard Street, that is, that is the one...this is the Wailuku Waterline Improvements - Vineyard Street, is that its listing?

MS. TAOMOTO: Yes.

COUNCILMEMBER MATEO: Okay. Thank, thank you.

VICE-CHAIR PONTANILLA: Thank you.

COUNCILMEMBER MATEO: Are there any additional projects that had been included, added onto the list from...you know, what we actually are looking at, dated January 30?

MR. ENG: Mr. Chairman, let me, I’ll try to respond to that.

VICE-CHAIR PONTANILLA: Mr. Eng?

MR. ENG: Again as I kind of mentioned earlier, this original list of ten water projects--also on this list includes the wastewater projects--but we had ten, ten water projects. You know we were...as I mentioned, we were given really a short amount of time to prepare. We were notified one afternoon and we had to submit our list by the following morning. So we took our best guess...as far as coming up with the list, but when we knew which direction they were going with the ARRA, then we were able to really refine which projects could qualify for the funding and which ones would be ready. So...this particular list was pretty basic really at the time, but we have these three projects and they are ready to go.

COUNCILMEMBER MATEO: Okay, so with the actual allocation of 19.5 million, the current amount that we’re looking at in terms of what’s already been bided out and awarded, it’s in the area of like $5 million. So is the Department looking at the additional projects?

MS. TAOMOTO: The total of the three projects that I gave you totals about 3.7 million.

COUNCILMEMBER MATEO: Okay.

MS. TAOMOTO: The County’s agreed to...initially try to aim for 5 million, 5 million total amount of projects each. Our bids were under the 5 million, so there’s an additional 1.3 million. At this time, the Department of Health has to decide what they’re going to do and how they’re going to allocate that 1.3 for our County and whatever is in excess for the other counties, and that’s their, at their discretion.

COUNCILMEMBER MATEO: So...
MS. TAOMOTO: We are ready with another project --

COUNCILMEMBER MATEO: Okay.

MS. TAOMOTO: --but we will not know if we will be getting the ARRA funds for that project and if we don’t, we are going to proceed with a standard DWSRF loan, which you passed through a budget ordinance...a couple months ago, I believe, Makawao waterline project. So we are ready to go with an ARRA project, but if it doesn’t come through as that type of funding, we are going to go with a traditional DWSRF loan.

COUNCILMEMBER MATEO: So are you aware whether or not the other counties are all engaged currently in expending their funds, and if there’s additional funds unspent, does that go to counties that have projects that are ready to go?

MS. TAOMOTO: Some counties came under budget, like we did, and some...I think one came over budget. But that’s not for us to say, that’s...the DOH administers. They, they were, committed...they committed to us to fund these three projects that I mentioned to you and that’s all they committed to.

COUNCILMEMBER MATEO: Okay. Thank you. Thank you, Chairman.

VICE-CHAIR PONTANILLA: Thank you. So, Wendy, there’s a potential of the 1.3 that’s remaining that can be allocated to the Makawao Waterline Improvement Project, if we get approval from Department of Health?

MS. TAOMOTO: If DOH assesses all the counties and it’s determined that that’s--they have a priority list, yeah, if it’s high on their list, it’s possible. So we are putting ourselves in the position that we, we’re ready to receive that type of funding.

VICE-CHAIR PONTANILLA: Thank you. So this priority list that you mentioned, is it priority by State or by counties?

MS. TAOMOTO: I, I believe it’s just the priority list that they publish. The SFY, DOH priority list of projects that you guys frequently talk about in the...it’s advertised. It’s an annual advertisement, they advertise the priority list of projects.

VICE-CHAIR PONTANILLA: They...when you say they, Department of Health?

MS. TAOMOTO: Department of Health, yes.

VICE-CHAIR PONTANILLA: Okay. Thank you. Members, any more questions for Administration at this time? Member Medeiros?
COUNCILMEMBER MEDEIROS: Mahalo, Mr. Chairman. For the Department, yeah...in the communication, attached to the January 30, 2009 correspondence from, from Councilmember Victorino, it, it lists under Water several projects. Is just...are we talking about just certain projects or the entire list?

MS. TAOMOTO: The projects that I discussed, the three projects, West Olinda Tank Replacement, Vineyard Waterline Replacement, and Kihei Road Waterline Replacement, were the projects that we submitted for the ARRA funding. When, like Jeffrey said, when we got that phone call, we had only a few days to decide that we would be able to commit to a deadline to advertise and move forward with these projects, and those three projects were the only projects that came to the dollar amount that we were aiming for. The other projects that you see in this memo that you're looking at --

COUNCILMEMBER MEDEIROS: Uh-huh.

MS. TAOMOTO: --we would not have been ready to meet their deadline.

COUNCILMEMBER MEDEIROS: So the Mayor listed all these projects under water, and not you?

MR. ENG: Member Medeiros, no, that list came from our Department. So we looked at a lot of our existing CIP projects, and this was really just a projection of what we thought might be ready to go. Again, we're...this initial list, again, we only had a few hours to prepare, but once we, the ARRA program became a little bit more concrete, then we were able to really go in an analysis, analyze which projects would certainly be ready. 'Cause we were given back in...right after the law was signed by President Obama...back in February, you know, at that time they wanted us to be ready to issue notices to proceed as early as June 17. So there was this two or three month program, we were really scrambling and we were able to achieve it. They did get those three projects that Wendy described ready by mid-June.

COUNCILMEMBER MEDEIROS: Okay. So we're just talking about three projects?

MR. ENG: Yes.

COUNCILMEMBER MEDEIROS: Okay. Thank you for that clarification, Department. Mahalo, Mr. Chairman.

VICE-CHAIR PONTANILLA: Thank you. Maybe, Mr. Eng, you know that list that we got, can you go right down the list because, like you said, there are sewer system projects that are also included. If you can just, you know, let us know which are the Water Department's responsibility on this particular list here.
MR. ENG: I certainly can, Mr. Chairman. So if you look at the list under Water, those first nine projects beginning with the Makawao Waterline down to the Olinda WTF, those are the Water Department’s. Then you skip two, which are Wastewater, and the last one, the Wailuku Waterline Improvements - Vineyard Street. So those are the ten.

VICE-CHAIR PONTANILLA: Okay. Thank you. Members, any more questions for the Department at this time? Seeing none...Wendy, how soon we, we’re gonna know regarding the waterline improvement if it’s gonna be a go from the Department of Health? Do we know?

MS. TAOMOTO: When you say if it’s gonna be a go, if they’re gonna fund it?

VICE-CHAIR PONTANILLA: Yeah.

MS. TAOMOTO: They are, they’re committed to funding the projects. We, we received the commitment letter from the DOH and I...what that does is it tells us that they’ve committed to the Department of Water Supply, Maui, the 3.7 million for these three projects --

VICE-CHAIR PONTANILLA: Right.

MS. TAOMOTO: --and they listed those projects specifically, and we have received that commitment letter from the DOH. We had it executed by our County and returned to the DOH on June 30th, and they received that. So they are setting aside that. They are proc..., what they’re doing is preparing the loan documents.

VICE-CHAIR PONTANILLA: Okay. So now the, the $1.3 that is left for Maui County--I presume that’s our share of $5 million--we are awaiting word from the Department of Health regarding the Makawao Waterline Improvement...you know, how soon we’ll get information back from them to tell us, yeah, it’s okay to go ahead?

MS. TAOMOTO: Well, what...in my communications with DOH it doesn’t seem like them, they may be inclined to take each County’s excess funding and create four projects. They may pick one county and fund a high priority project versus having four more loans.

VICE-CHAIR PONTANILLA: Okay.

MS. TAOMOTO: ‘Cause it’s the, from what I understand because it’s an ARRA Federally-funded project, it comes with a lot of paperwork on the agency, which is...we’re sub-recipients, and the recipient side, and so I think they’re looking at the, what is the most efficient way to process all this paperwork. there’s a lot of paperwork with these loans.

VICE-CHAIR PONTANILLA: Okay. Thank you. So the first $19 million like you say the State had received, do we anticipate the State receiving more stimulus money for waterline improvements or water improvements?
MS. TAOMOTO: We haven't heard anything.

VICE-CHAIR PONTANILLA: Okay. Thank you. Member Medeiros?

COUNCILMEMBER MEDEIROS: Mahalo, Mr. Chairman. Yeah. Could you just reiterate the three? I know it's Wailuku Waterline Improvements - Vineyard Street is one of 'em?

MS. TAOMOTO: Based on the January list, yeah?

COUNCILMEMBER MEDEIROS: Based on the three projects that you described.

MS. TAOMOTO: Yeah. It's the Wailuku Waterline Improvements Project - Vineyard Street --

COUNCILMEMBER MEDEIROS: Okay.

MS. TAOMOTO: --and it goes from Ilina to Market; and then it's the Kihei Road Waterline Project, which is not on that memo--oh, no, no...here it is. It's on your memo; it says Mokulele Highway to Ohukai.

COUNCILMEMBER MEDEIROS: Okay, that's two.

MS. TAOMOTO: And then the final one is --

COUNCILMEMBER MEDEIROS: Wailuku?

MS. TAOMOTO: --West Olinda Tank Replacement Project, which is not on the memo you received from the Mayor, I believe. It was an added project.

COUNCILMEMBER MEDEIROS: Okay. West Olinda?

MS. TAOMOTO: West Olinda Tank Replacement. It's a 300,000-gallon tank. That was an addition.

COUNCILMEMBER MEDEIROS: Thank you, Department. Mahalo, Mr. Chairman.

VICE-CHAIR PONTANILLA: Thank you, Mr. Vic... Member Medeiros. ... (chuckle) ... Mr. Molina?

COUNCILMEMBER MOLINA: Thank you, Chairman, for the Department. Ms. Taomoto, regarding the Wailuku Waterline Improvement Project, will residents and businesses be, have to be notified? Well, will there be any water service disruptions...with this project?
MS. TAOMOTO: There will be, hopefully, minimal water service disruptions with just when we do the shutdowns to chlorinate and pressure test and all that stuff. But other than that, the majority of the disruptions will be road closures, and I am holding a public meeting tomorrow at 5:30 at the Wailuku Community Center to give the residences and businesses an opportunity to question myself and the contractor on how we’re gonna approach the project and how we’re gonna handle the road closures. Luckily, the contractor’s committed to expedite this project. They, they think they can finish this project quickly and avoid like…it might run into the start of school, but hopefully most of it gets done before school starts.

COUNCILMEMBER MOLINA: Okay. And this will go pretty much, most of the work will be done...

MS. TAOMOTO: Oh, no. Sorry, it won’t, it won’t because we’re…(change of tape, start 1h)…right before, but no, it will run into school.

COUNCILMEMBER MOLINA: And have they given...what is their deadline to complete the project, a month, three weeks or...

MS. TAOMOTO: I believe that one was almost 300-something days, but based on their schedule...if they had, if assuming they started in August, which they’re not probably gonna start, they would be finished by the end of November.

COUNCILMEMBER MOLINA: Okay, that’s...

MS. TAOMOTO: But it’s gonna move...as paperwork doesn’t get here on time, yeah --

COUNCILMEMBER MOLINA: Yeah.

MS. TAOMOTO: --so that schedule moves, is moving right now.

COUNCILMEMBER MOLINA: Okay.

MS. TAOMOTO: But, yeah, we’re holding a public meeting--good time to announce it--5:30, Wailuku Community Center.

COUNCILMEMBER MOLINA: Okay. I think that’s a good idea. I’m sure the residents and businesses will appreciate that because that is a considerable amount of time…that will have an impact on the business and, you know, especially the traffic part, too, yeah.

MS. TAOMOTO: Yes.

COUNCILMEMBER MOLINA: We all know it’s somewhat congested in that area already. So okay, well, thank you for the heads up and I’m sure Mr. Victorino, when he does get back, will do his
part as well as the area representative to, you know, hear any concerns as well, too. So thank you. Thank you, Chair.

VICE-CHAIR PONTANILLA: Thank you. Members, any more discussion on this one here? Member Nishiki?

COUNCILMEMBER NISHIKI: How does these, these projects now that we have, that have been approved by the Department of Health, are they projects that we had included in our Budget, Mr. Chairman?

VICE-CHAIR PONTANILLA: I haven’t checked the listing as far as Capital Improvement Projects that were identified in the last Budget go-around. Maybe the Department can provide us with that information, if any of these projects were included.

MR. ENG: Thank you, Mr. Chairman, Member Nishiki. Yeah. We had to go a couple months ago before this body and take...or the Budget and Finance Committee, basically, to get some budget amendments to start shifting some of these projects around. So a lot of them were previously funded differently. I think the Vineyard Street Waterline Replacement was originally a bond project in Fiscal Year 2009. The West Olinda Tank Replacement was proposed to be a Fiscal Year 2010 Water System Development Fee funded project, and the Kihei Road was planned to be a Fiscal Year 2010 regular SRF funded project. So yes, through our budget amendments we positioned these to accept and be funded by the ARRA funding.

COUNCILMEMBER NISHIKI: So, I guess...you know, I’m happy to see that now we’re going to initiate projects with funding. What is the Department’s plans now to move along other projects, which is good, you know, we’re gonna create work and jobs now. So, I don’t know what now...where these other projects were located in the budget. What is the Department’s recommendation? You may not have one today, Jeff, but...

MR. ENG: Well, I just wanna assure you that, you know, whatever we had proposed in our CIP budgets, you know, we are certainly trying to achieve those expeditiously so things move forward. You know, these are really just shifting the funding of these projects. Everything else remains the same.

COUNCILMEMBER NISHIKI: Meaning that other projects may not be pushed up?

MR. ENG: As far as priorities?

COUNCILMEMBER NISHIKI: That we, that we identified in the budget?

MR. ENG: You mean as far as priorities? Is that what you mean?
COUNCILMEMBER NISHIKI: I, I...I guess this is, this is the whole thing. Because there was little
time, the Council did not make any decision on which projects...you made it --

MR. ENG: Uh-huh.

COUNCILMEMBER NISHIKI: --you know.

MR. ENG: Certainly.

COUNCILMEMBER NISHIKI: So now I would think that if there are other projects now, Mr. Chairman, that are gonna be pushed up, that Water would notify us so that we would have input on...what these projects are going to be.

MR. ENG: Member Nishiki--

COUNCILMEMBER NISHIKI: Yeah.

MR. ENG: --given the, the, the time challenges we were facing, you know, this is really an internal decision to see which projects were ready to go. You know, again we had crunch time. We were notified sometime in...

COUNCILMEMBER NISHIKI: No, I'm not offended by that, Jeff.

MR. ENG: Yeah. So, you know, if, if we can and if we need to go before you, we certainly would but, you know, many times we're just, are challenged by time limitations. So, I hope you understand that.

COUNCILMEMBER NISHIKI: No, that's not where I'm coming from. Now that we've got money and I'm glad that we got money, Jeff, ARRA Funds--my, my questions is now that these three projects are gonna go, possibly four...does that leave us in the budget and the ability now to move other projects up? That's all I'm saying.

MR. ENG: Well, whatever projects we have in our budget, again, we'll proceed with. What really benefits us with, with these ARRA funded projects is...we're gonna in the long run save money because we're not gonna go out for bond for the Vineyard Waterline Project, nor are we gonna get an SRF, conventional SRF loan for the Kihei Road Waterline...and then with the West Olinda Tank, we originally were planning to use our water system development fees to fund it. Maybe we can use those fees for another expansion project--new tank, new source. So it's, it's very beneficial funding-wise for the Department.

VICE-CHAIR PONTANILLA: I think, Mr. Nishiki, you bring up pretty good points, and what the Chair suggest is that probably, you know, I've been advocating for this--having each of the committee chairman's, you know, schedule some CIP updates for Public Works, hi..., you know,
Highways, Environmental Management, for sewer, and landfill projects, as well as Parks. You know, that way at least we get a good feel on how we doing as far as meeting target dates and, of course our spending in regards to Capital Improvement Projects that we budget for. You know, you’ve heard me many times talk about projects that have been deferred or we set aside the money only to see, you know, the project not being done as schedule. So timely reviews of Capital Improvement Projects would help not only us in the schedules, you know, ‘cause we gotta answer to the people that we represent, but also give us a real good handle as far as how we’re doing as a County trying to fulfill, you know, Capital Improvement Projects here in Maui County. And, and I would just, you know, beg the chairman’s, various chairmain’s to, to do that when the time arises. We do have full reports, Capital Improvement Project Reports, updates and, you know, doing it not on a quarterly basis, but more like a semi, semi-annual basis would benefit not only this Council, but the Department themselves, you know, having a review like that. So, Members, any more questions regarding this item? Member Kaho‘ohalahala?

COUNCILMEMBER KAHO‘OHALAHALA: Thank you, Chair. Can you go over the, the three listed projects and give me the dollar amounts again, please?

MS. TAOMOTO: The Vineyard Water [sic] Street - Vineyard Street Waterline Replacement Project...that was awarded to Diversified, that was $1,430,000.

COUNCILMEMBER KAHO‘OHALAHALA: Okay.

MS. TAOMOTO: The West Olinda Tank Replacement Project was awarded to Central Construction and that was $1,469,000.

COUNCILMEMBER KAHO‘OHALAHALA: Okay.

MS. TAOMOTO: The Kihei Road Waterline Replacement Project was awarded to Goodfellow Brothers and that was $768,923.

COUNCILMEMBER KAHO‘OHALAHALA: Okay. And then can you briefly describe the Kihei Waterline Project?

MS. TAOMOTO: That project involves installation of new 12-inch ductile iron waterline from Waiakea Stream to Ohukai Road, and it’s on the mauka lane.

COUNCILMEMBER KAHO‘OHALAHALA: Okay, and then the Wailuku --

MS. TAOMOTO: The Vineyard Street?

COUNCILMEMBER KAHO‘OHALAHALA: --Vineyard Street. Uh-huh.
MS. TAOMOTO: The Vineyard Street Project is new 12-inch ductile iron waterline that runs from the top on Ilina Street, which is at the top where it intersects Main Street, down to almost Market Street...not quite Market Street, right above Market Street, right in front of that County Parking Lot.

COUNCILMEMBER KAHO'OHALAHALA: Okay. And then the Olinda?

MS. TAOMOTO: The Olinda Tank Replacement Project is a...to replace a 50,000 gallon tank that exists at the site that we currently own with a 300,000 gallon tank.

COUNCILMEMBER KAHO'OHALAHALA: Fifty thousand and you're going up to 300,000 then?

MS. TAOMOTO: Yes.

COUNCILMEMBER KAHO'OHALAHALA: Okay. And then my only other question is, is because you are giving us projects that have not been prior listed, are you still adding on projects?

MS. TAOMOTO: What do you mean, not priority?

COUNCILMEMBER KAHO'OHALAHALA: Are you still trying to identify other projects for consideration?

MS. TAOMOTO: The only other project that...we submitted--we submitted a lot of other projects, but the only other project right now brought to the attention of the Department of Health is the Makawao Waterline Project that could possibly qualify for the ARRA funds if the DOH decides and if not, we’re going forward as proposed in our 2010 Budget as a SRF project, a standard SRF loan project.

COUNCILMEMBER KAHO'OHALAHALA: Okay. Again, my question is, are you increasing to the, are you adding any more to this list beyond what you’ve already presented?

MS. TAOMOTO: There are other SRF projects in our 2010 Budget --

COUNCILMEMBER KAHO'OHALAHALA: Okay.

MS. TAOMOTO: --that was passed.

COUNCILMEMBER KAHO'OHALAHALA: Okay, Chair, thank you.

VICE-CHAIR PONTANILLA: Thank you. Member Medeiros?

COUNCILMEMBER MEDEIROS: Mahalo, Mr. Chairman. I just wanted to know, Department, in selecting your projects I'm sure the criteria was basically, you know, readiness. However, was it
considered to spread out these projects among different districts because the purpose of ARRA funding is to improve infrastructure and to create jobs. So was there consideration to do projects in different districts so it would create jobs especially for economically depressed districts?

VICE-CHAIR PONTANILLA: Department?

MS. TAOMOTO: The, when we were called for this meeting with the Department of Health— I think we were called on like February 13th—we had only three weeks to put together the plans and specifications, and so the primary criteria was projects that were ready to go. It was, there wasn’t much time to look at trying to spreading the work out in the districts, and so these three projects that we...I, I identified were the only three projects we were confident that myself and my staff was able to put out plans and specifications and advertise for bidding in March, actually April.

COUNCILMEMBER MEDEIROS: Okay.

MS. TAOMOTO: So, you know, we were notified in February and by, I think, April...I had to be out to bid and it was, it was— you can ask most CIP people— and it’s a very short timeframe to get any projects out, and it looks like we distributed very nicely but it was probably just a coincidence.

COUNCILMEMBER MEDEIROS: Is there an anticipation of receiving additional ARRA funding for Water projects, Water . . .

MS. TAOMOTO: DOH has not said anything about additional funding. I don’t even think they know.

COUNCILMEMBER MEDEIROS: Does the Department pursue the funding or the Administration?

MS. TAOMOTO: The Department of Health does, through the EPA.

COUNCILMEMBER MEDEIROS: Okay. They pursue the funding for us?

MS. TAOMOTO: EPA...it’s an EPA, it’s an EPA fund that is administered by the Department of Health.

COUNCILMEMBER MEDEIROS: Okay.

MS. TAOMOTO: And so...

COUNCILMEMBER MEDEIROS: But, but who, who prepares the request to consider the projects?

MS. TAOMOTO: Every year the Department of Health request the departments, Water, Sewer, any departments, that qualify for this type of funding to submit a list of projects that qualify. Compliance projects are our highest, qualify the highest, have the highest ranking. And we submit that list of projects, and I think we might have submitted ten projects this past year and
every year, and DOH determines based on the submittal whether those projects qualify for that type of funding, and from there they prioritize the State, you know, the Statewide, they prioritize it Statewide and see who’s gonna get what money based on their priority criteria.

COUNCILMEMBER MEDEIROS: Okay. So actually, the Department of Health makes the selection of the projects by priority?

MS. TAOMOTO: They don’t know what projects we have in our books, but we submit the projects we think qualify and from that list they do select. This is gonna be a project we will commit to. I’ve had conversations where we’ve submitted projects and they did not support the project for whatever reason, they thought it was borderline or it wasn’t high enough of a priority, so they asked us to look for another project. So those types of discussions have happened.

COUNCILMEMBER MEDEIROS: So am I understanding you correctly that the ARRA funding, which these three projects have qualified for and will be implemented, that this is the only request for that kind of funding we’re making? We’re not making additional requests?

MS. TAOMOTO: The only request that I’ve notified them of is the Makawao Waterline Project --

COUNCILMEMBER MEDEIROS: Uh-huh.

MS. TAOMOTO: --and so they’re...we’re just waiting for a decision from them whether we’re gonna get an ARRA or a SRF loan. That’s the only one that they’re willing to entertain I think, I guess, at this time.

COUNCILMEMBER MEDEIROS: Okay. So you’re saying that through the EPA and State Department of Health, they’re the ones that receive the ARRA funding and then distribute it?

MS. TAOMOTO: Yes.

COUNCILMEMBER MEDEIROS: Okay. All right, thank you for that clarification. Mahalo, Mr. Chairman.

VICE-CHAIR PONTANILLA: Thank you, Mr. Medeiros. Yeah, just for clarification and information, all of the ARRA money that we received is administered by the State of Hawaii and the Department of Health, as Ms. Taomoto had indicated. We were funded $19 million, of which $5 million were designated for Maui County, and because of the bids coming in under budget, that left that $1.3 million which I think, hopefully, we get and do help Makawao Waterline Improvement. But it’s gonna be dependent on the decision that the Department of Health makes. Okay, Members, any more questions regarding this item? If not, if there’s no objections, the Chair will like to defer this item.

COUNCIL MEMBERS: No objections.
COUNCIL MEMBERS VOICED NO OBJECTIONS (excused: GB, MV).

ACTION: DEFER pending further discussion.

VICE-CHAIR PONTANILLA: Thank you very much. The...before we go into the next item, the Chair is gonna call for a recess and we'll reconvene at 10 o'clock. This meeting is in recess. . . .(gavel) . . .

RECESS: 9:52 a.m.

RECONVENE: 10:03 a.m.

ITEM NO. 1(5): WATER SUPPLY RULES (SUBDIVISION WATER SYSTEM REQUIREMENTS)
(C.C. Nos. 05-46 and 06-228)

VICE-CHAIR PONTANILLA: . . .(gavel) . . . The Water Resource, Resources Committee is now back in session. Members, the next item on our agenda is the WR-1(5), Subdivision Water System Requirements. And, Members, in your binder dated June 29, 2009, is the proposed bill that we are reviewing and when we left off, we left off on Section 14.05.030. Members, the Committee has received an amendment for that particular section...and if I could have Mr. Eng provide us with some info..., provide us the amendments that is being requested by the Department prior to going over 14.05.030 this morning. Mr. Eng?

MR. ENG: Thank you, Mr. Chairman, Committee Members. Recently we submitted...

VICE-CHAIR PONTANILLA: Excuse me, Mr. Eng, before you start. Members, you do have a correspondence dated July 8, 2009. If you could turn to that particular correspondence...on the second page of the bill, third page, you'll see the proposed amendment that is being requested by the Department prior to going over 14.05.030 this morning. Mr. Eng?

MR. ENG: Thank you, again. In that correspondence of July 8th that we submitted to the Chair...in going through the rules after our last meeting we saw some of the minimum sizes for water mains in the various districts for urban, rural, and ag, and we realized that we would have some issues with proper water pressures. So we have requested the deletion of the smaller waterlines so that in all these districts the minimum size for the waterlines would be a 6-inch size. 'Cause we do know that in some of the outlying areas where we do have the small waterlines, depending on the length of the run and other friction losses, we do have substandard water pressure. And that is the only additional revisions we requested in this latest correspondence.
VICE-CHAIR PONTANILLA: Thank you. I also see on the Section B., No. 1. Urban, and what’s being included is “and rural”. Is that correct, Mr. Eng?

MR. ENG: That is correct, Mr. Chairman.

VICE-CHAIR PONTANILLA: Okay. And on the bottom, rather than any subdivisions, it’s “All subdivisions”?

MR. ENG: That is correct.

VICE-CHAIR PONTANILLA: Thank you. Okay. Members, right now we do have the proposed bill without the amendments at this time, and we’ll go section by section. Members, you have any issues in A? Water main sizes shall be designed to deliver water in adequate quantities at adequate pressures for both domestic and irrigation use, uses under peak consumption conditions, as well as for fire protection. Member Medeiros?

COUNCILMEMBER MEDEIROS: Yes. Director Eng, you mentioned that the minimum size waterline you recommended is 6 inch, is that correct?

MR. ENG: That is correct.

COUNCILMEMBER MEDEIROS: Okay. Does the 6 inch, is that an adequate size to support a full-size fire hydrant?

MR. ENG: I’ll ask Mr. Chang to respond to you, please.

COUNCILMEMBER MEDEIROS: All right.

VICE-CHAIR PONTANILLA: Mr. Chang.

MR. CHANG: Good morning. As far as the 6 inch providing adequate...being that right now it’s being revised to have at least a minimum of 6 and above—in the areas of the urban and rural versus the agricultural the...as far as the urban and rural sections, as long as they have a, what we call a gridlock, not gridlock, but grid of 6 inch, that would be more than sufficient. But if you have a single 6 in the urban or rural, it’d be marginal. But if you notice on the...let’s see...yeah, on the last full paragraph, it mentions about the, it completes an adequate gridiron.

COUNCILMEMBER MEDEIROS: And can you give a reference page number?

MR. CHANG: Page 3 --

COUNCILMEMBER MEDEIROS: Okay.
MR. CHANG: --and the last paragraph with "All subdivisions" underlined --

COUNCILMEMBER MEDEIROS: Uh-huh.

MR. CHANG: --it's in that paragraph on the last, second to the last line. It's the sentence that mentioned that if the 6 inch is in the gridiron, a grid pattern, because of the circulation, it'll be adequate.

COUNCILMEMBER MEDEIROS: Okay. So in those cases it'd be adequate to have a 6-inch line to support a full-size hydrant?

MR. CHANG: Yes.

COUNCILMEMBER MEDEIROS: And if it's not a grid, then what do you do to support a full-size hydrant?

MR. CHANG: Depending. If it's like a residential-zoned property, we would ask that an 8 inch be provided. If it's a commercial, bump it up all the way to 12.

COUNCILMEMBER MEDEIROS: Okay. And, and that's part of what's already in place for you to make that kind of requirement?

MR. CHANG: Yes, the current, the way it's currently being administered...it's pretty same, same thing. It's just that we're removing the small lines just to...cut out the confusion that someone may think that an 1½ inch might be adequate for rural and urban.

COUNCILMEMBER MEDEIROS: So we're getting away from the small water mains which used to support standpipes as hydrants. So now we're going to the water main sizes that will support full-size hydrants no matter what zoning it's in?

MR. CHANG: Yeah. Currently, the only area or zoning that we, for subdivisions that we allowed standpipes are ag, and we will eliminate that, we convert to fire hydrants because that's more of a...less restriction. The standpipes are...you can, you don't get too much flow out of it, but for fire hydrants you can double the flow.

COUNCILMEMBER MEDEIROS: Okay. I, I think that's a good direction that the Department is taking to get away from standpipes so that Fire Department has adequate resources as far as water in, in fire fighting. Thank you for that information. Mahalo, Mr. Chairman.

VICE-CHAIR PONTANILLA: Thank you, Mr. Medeiros. Mr. Molina?

COUNCILMEMBER MOLINA: Thank you very much, Mr. Chairman. If we could go back to A., I guess wherever we started from, reads: Water main sizes shall be designed to deliver water in
adequate quantities at adequate pressures for both domestic and irrigation uses under peak consumption condition, as well as for fire protection. If I could ask for Director Eng or Mr. Chang's response. My question is more like adequate to what? Because I was thinking maybe to strengthen it, like to say something to the effect that meets both Department of Water service and Fire Department standards—you know what I'm saying, the pressure? I mean I, I presume you folks have a standard number, I guess, in terms of water pressure, because it looks kind of vague when you use the word “adequate”—you know what I'm saying? So maybe to kind of maybe strengthen it a little bit more like, water main sizes shall be designed to deliver water according to Department of Water service and Maui Fire Department standards. Is that something that—I'm just kind of throwing it out there, Mr. Chairman, and I'm just trying to look at ways to kind of add more specificity to it. So...‘cause the word “adequate” seems kind of broad, yeah...and, you know, adequate to what?

VICE-CHAIR PONTANILLA: It's like guessing.

COUNCILMEMBER MOLINA: Yeah, exactly. Exactly, Mr. Chair. If I could get comments?

VICE-CHAIR PONTANILLA: And maybe...you know, we have the Fire Department over here, if Mr. English can provide us with some comments if we were to do that change, adequate quantities at adequate pressures, you know, something in regards to, to deliver water in accordance to the Fire Department as well as the Water Department.

COUNCILMEMBER MOLINA: Yeah. And, you know, Mr. Chair, something to measure it, again, so there's a set of standards to measure the amount of pressure. Yeah.

MR. ENGLISH: Okay. Thank you. Basically, in our Code I think the Water Department is addressing the same language, that the minimum fire flow for say, an example, residential be 1,000 gallons a minute and with the residual of 20 PSI. So at all times we, we should not drop below 20 PSI when we're getting the required fire flow based on the land use or zoning. It's written in our Code and I think Water was taking up the same language.

VICE-CHAIR PONTANILLA: So the language that is presently written, is that acceptable by the Fire Department as well as the Water Department? I think Mr. Molina brings out a pretty good point where you take away the guessing.

MR. ENGLISH: Yeah. I'm not sure if it's written in the Water Department rules and regs or the Code right now. It's written in our Fire Code and we were supposed to make it the same so we'd be consistent on both sides. So we may, may...Water may wanna put that language in there as far as the residual or the minimum pressure with the required fire flow.

VICE-CHAIR PONTANILLA: Mr. Eng, you have comments?
MR. ENG: Thank you, Mr. Chairman. You know, I don’t think that specific language indicating that residual PSI is in our rules, but we should add it. I agree with Mr. English on that. We do address it in our water system standards, but we will add that to our, to our rules.

VICE-CHAIR PONTANILLA: So in regards to A., do you see a need to amend that language, the language “adequate”? Mr. Molina, maybe you can provide us with some language.

COUNCILMEMBER MOLINA: Okay. I might need a minute or so to work on it, Chair, then I guess we can move on, and I’ll --

VICE-CHAIR PONTANILLA: Okay.

COUNCILMEMBER MOLINA: --provide something for the Committee’s consideration at a later point.

VICE-CHAIR PONTANILLA: Okay. Thank you. We’ll come back to A., then.

COUNCILMEMBER MOLINA: Okay. Thank you.

VICE-CHAIR PONTANILLA: Okay. Members, any more questions? Okay. We’ll go to B.

COUNCILMEMBER MATEO: Chairman?

VICE-CHAIR PONTANILLA: Mister...or Chairman Mateo?

COUNCILMEMBER MATEO: Chairman, thank you. I just wanted to, to touch basis on one of the comments that Mr. Eng just made a little while ago in terms of the standpipes. If, if this new requirement is, is adopted with the requirement of fire hydrants, would that mean that all existing areas with, with standpipes will now be changed by the Department to comply with the new requirement of actual hydrants?

MR. ENG: Thank you, Mr. Chairman, Council Chair Mateo. Basically, it would result in any new improvements having fire hydrant requirements...if down the road ...(change of tape, start 2a)... to change waterlines to larger size waterlines, then we would change to hydrants also. But this is really going to address any new improvements.

COUNCILMEMBER MATEO: Okay. So I, I think, I think for me, Mr. Eng, the irony of it all is we’re looking at new developments coming up and we add a requirement to them when we have existing subdivisions with inadequate type of services. If we’re now saying the need is for a hydrant versus a standpipe when we have in existence a lot of standpipes in existing communities that, uh, you know, if, if the need is to comply with the insurance service directives, then we are already not in compliance with those directives with existing fac..., areas because of
the standpipes use by the County. So it just seems kind of ironical that we’re saying for somebody else we can do it, but for us it’s okay for now, until we get monies to correct it.

MR. ENG: Right. But this requirement would even be a requirement of ourselves. If we were to put in some new waterlines in new areas, we would be required also to put in fire hydrants. So it’s across-the-board requirement. Again, it’s a proper direction. We know that all these years we do have substandard waterlines and standpipes that go along with them. So this is a first step to correcting our deficiencies and our standards.

COUNCILMEMBER MATEO: Okay. I, I guess I’ll forward my communication in writing so we can move on with this. But my issue is still...I, I see it kind of, kind of difficult --

MR. ENG: Yes, I understand.

COUNCILMEMBER MATEO: --because we are, we are gonna violate our new directions because of existing conditions, but it’s okay as long as we get the new directives in place. So, Mr. Chairman, I’ll address those in a written communication. Thank you.

VICE-CHAIR PONTANILLA: Thank you. Thank you for that question. It’s a very good question. Mr. Eng, in regards to coming out with a new ordinance such as this and knowing that the County do have standpipes that are not meeting requirements, do we have or do you have a plan in regards to...scheduling some of these replacements to make it conf..., to conform with the new ordinance, you know, and not all one time but, you know, similar to the street light ordinance that was approved several years ago in regards to low pressure sodium--changing out whatever street lights that needed to be changed out, you know, a similar type program where you change “X” amount of standpipes on a yearly basis. I know it’s gonna cost the County money, but again, you know, looking at this ordinance it, it would comply to this ordinance for ourselves also. Any comments?

MR. ENG: Mr. Chairman and body, as you know, during our budget process we try to budget about $3 million per year for capital replacement projects which generally entail waterline, old waterline replacement. And when we do those projects, we do install fire hydrants. So really funding is the limitation, and we certainly would like to fund more to our capital replacement rather than this 3 million or less that we, historically, have been trying to fund. But let me assure you, that’s basically where those funds are going toward, replacement of old waterlines with new fire hydrants.

VICE-CHAIR PONTANILLA: And no programs, just changing out standpipes to fire hydrants?

MR. ENG: No specific programs just to change out standpipes, ‘cause a lot of the standpipes are on smaller diameter waterlines. So they would go hand-in-hand in upgrading the waterline as well as to fire hydrants.
VICE-CHAIR PONTANILLA: Okay. Thank you. Any more questions, Members? Member Medeiros?

COUNCILMEMBER MEDEIROS: Mahalo, Mr. Chairman. Director, as far as waterlines, which would be like water mains, what choices of materials do you use as far as the pipes?

MR. ENG: Generally we use ductile iron.

COUNCILMEMBER MEDEIROS: Okay. So that’s what you normally use --

MR. ENG: That’s correct.

COUNCILMEMBER MEDEIROS: --and, in cost comparison, what other type of pipes would be available that would meet the requirements that you could use?

MR. ENG: I think in, in...if you look at the requirements of both cost and longevity or life of the pipe, we believe ductile iron is the direction to go, and, and that’s pretty much done nationally, too. Ductile iron is the material of choice.

COUNCILMEMBER MEDEIROS: Okay. Thank you, Director.

MR. ENG: Thank you.

COUNCILMEMBER MEDEIROS: Mahalo, Mr. Chairman.

VICE-CHAIR PONTANILLA: Thank you. Okay. Moving forward to B. Size of Water Mains, 1. Urban zoned districts. The standards of the “Insurance Service Office’s Guide for Determination of Required Fire Flows” in effect at the time of a subdivision application shall be used as a guide in designing mains for fire flows. The minimum size main from the point of adequacy to, along, and within a subdivision shall be as follows, and, Members, this is where the Department have some amendments that they wanna do in, in--go up, up some more. Thank you. Where it says “Urban”, the Department is including “and rural” districts...“and rural” zoned districts. I’m sorry. Is there any objections to that addition? Seeing none, thank you.

COUNCIL MEMBERS: No objections.

VICE-CHAIR PONTANILLA: So we go down to Minimum Size of Water Mains, the Department is deleting, 1-1/2" limited to 200' run. Members, any objections in the deletion of that? And I think the Director explained the reason.

COUNCILMEMBER MATEO: Chairman?

VICE-CHAIR PONTANILLA: Member Mateo?
COUNCILMEMBER MATEO: Chairman, could somebody tell me what the cost difference is from going from 1-1/2 inches to 6 inches for a two-unit subdivision?

VICE-CHAIR PONTANILLLA: Thank you. Department?

MR. CHANG: Excuse me, just...not 100 percent accurate but just a good estimate. A 6-inch line, waterline probably will run you, depending on the area whether it’s paved or not, but say on an average would be like 150 bucks a foot or maybe higher, but...for now you can use 150 bucks. For 1-1/2 inch waterlines we would end up--because of the size of the, because it’s so small we don’t, they don’t make ductile iron that small, so we probably need to go with a copper pipe and we haven’t priced one out for recent, you know, recently. But I would...my guess would be somewhere around...being that trenches are the same as the material cost, probably it’d just be in the neighborhood of maybe 7,500 [sic] bucks a foot...somewhere around there ‘cause the trenching and the, you know, paving is all the same.

COUNCILMEMBER MATEO: Seventy five hundred a foot?

MR. CHANG: No, $75.

COUNCILMEMBER MATEO: Thank you. Thank you. Thank you, Chairman.

VICE-CHAIR PONTANILLA: Thank you. The material cost itself is not that much, yeah, 150 compared to $75 a foot?

MR. CHANG: Yeah. I’m just guessing. I never had to price 1-1/2 inch for awhile, but it just be material cost ‘cause you still need, you know, trenching equipment and . . .

VICE-CHAIR PONTANILLA: Yeah. That remains constant for both?

MR. CHANG: Yep.

VICE-CHAIR PONTANILLA: Okay. Thank you.

COUNCILMEMBER MEDEIROS: Chair?

VICE-CHAIR PONTANILLA: Member Meadeiros?

COUNCILMEMBER MEDEIROS: Mahalo. Department, so what’s the length of a ductile pipe?

MR. CHANG: They generally come in about 18-foot lengths.

COUNCILMEMBER MEDEIROS: Okay. Thank you.
VICE-CHAIR PONTANILLA: Thank you. Okay. Members, any questions to removing 1-1/2 inch...1-1/2” limited to 200' run, as proposed by the Department? Seeing no objections, we'll go down to the last paragraph...where it says all or any subdivision having more than 200 feet --

MS. WILLENBRINK: Chair?

VICE-CHAIR PONTANILLA: --or, of water main. The Department is proposing . . .

MS. WILLENBRINK: Chair?

VICE-CHAIR PONTANILLA: Yes.

MS. WILLENBRINK: At 3 to 12 unit subdivision, they're proposing to remove the 4".

VICE-CHAIR PONTANILLA: I'm sorry. Thank you. For the 3 to 12 unit subdivision, the Department is requesting that we remove, 4" limited to 200 foot run. Any objections, Members?

COUNCIL MEMBERS: No objections.

VICE-CHAIR PONTANILLA: Seeing none, okay, take it out. And then on the last paragraph, any subdivision having more than 200 feet of water main, what the Department is introducing to amend is, all subdivisions shall provide six-inch water pipe or larger in residential district and eight-inch water pipe or larger in business.

COUNCILMEMBER MEDEIROS: Question, Chair?

VICE-CHAIR PONTANILLA: Who's that? Mr. Medeiros?

COUNCILMEMBER MEDEIROS: Yes.

VICE-CHAIR PONTANILLA: Oh, thank you.

COUNCILMEMBER MEDEIROS: Mahalo. Department, can you and you may have kind of touched on it but can you define for me “gridiron”?

MR. CHANG: Okay. Gridiron, grids --

COUNCILMEMBER MEDEIROS: Gridiron, oh, okay.

MR. CHANG: --let's see, let me look at the word just to make sure I'm pronouncing it right.

VICE-CHAIR PONTANILLA: I thought was football. . . .(chuckle). . .
MR. CHANG: Yeah, gridiron.

COUNCILMEMBER MEDEIROS: Gridiron.

MR. CHANG: It’s like a...versus non-gridiron. If you have like a single pipe that dead ends, that would be a non-gridiron versus you have like a rectangular where you can get feed, fed from both sides. Like if you have a hydrant at the end of a line with, with a feed from only one pipe versus like if you have a square and you got like feed from both sides, that’s more like a gridiron where you get double feed.


MR. CHANG: So it gives you more flow versus coming in from one pipe, you got like double feed.

COUNCILMEMBER MEDEIROS: Okay. Thank you, Department.

VICE-CHAIR PONTANILLA: Thank you. Members, any more questions regarding this paragraph? If not, we go to No. 2. For No. 2, the Department is amending Agriculture [sic] zoned district or, Agricultural and rural zoned districts. The Department is amending it to, Agricultural zoned districts, removing “and rural”. Members, any comments? Any objections?

COUNCILMEMBER MATEO: Well, can the Department tell us why?

COUNCILMEMBER KAHO‘OHALAHALA: Yeah.

VICE-CHAIR PONTANILLA: Okay, Department?

MR. CHANG: The reason why we took out the rural from this paragraph No. 2, we put it to No. 1 which is under urban. The reason being that formally rural, rural areas or zones, we had a minimum fire protection requirement of 400 gallons per minute, and with this new revision we’re gonna…from the rural it will be bumped up from 400 to 1,000 gallons a minute, which meets the same flow criteria as the urban. So that was the idea behind that.

VICE-CHAIR PONTANILLA: Thank you. Members, any more discussion on this matter? Seeing none, okay. Again, the Department for 2-unit subdivision, the Department is requesting the deletion of 1-1/2" limited to 200' run, as well as 4" limited to 1,000' run, over 1,000', and the Department is amending it to 6" limited to 120' run; over 1,200' size...200' size to be determined as by design for domestic and agricultural requirements. So, again, for the 2-unit subdivision, it now reads: 6" limited to 600' run, 8" if run is over 600'. And 3 to 12-unit subdivision, it’s gonna read: 6" limited to 600' run, 8" if run is over 600'. Members, any questions for the Department?

COUNCILMEMBER MATEO: Chairman? Chair, Chairman?
VICE-CHAIR PONTANILLA: Member Mateo?

COUNCILMEMBER MATEO: Chairman, thank you. Just, just a comment. And I think again because, because I really don’t understand cost implications, I think my comment is based on the, the small subdivision...the, the 2-unit subdivision and unintended circumstances or impacts on the requirement that we’re looking at to moving it up to 6 inch requirement for the smaller subdivision. I, I just share my concern for unintended circumstances based on cost that the smaller subdivider could run into and the difficulty in meeting the Department’s expectations. Thank you, Chairman.

VICE-CHAIR PONTANILLA: Thank you. Members, any more discussion on this matter?

COUNCILMEMBER KAHO‘OHALAHALA: Yeah, Chair?

VICE-CHAIR PONTANILLA: Mr. Kaho‘ohalahala?

COUNCILMEMBER KAHO‘OHALAHALA: And then, again, if the Department or the Fire Department can comment on this. Some of this was based on the fire requirements then, the change?

MR. CHANG: Essentially, yes. The, the reason why we took out the smaller lines was it, it is little confusing if you look, if the concept of this is to provide adequate fire protection, obviously 1-1/2 inch wouldn’t do the, it wouldn’t do the job. So how...as far as the current rules and regs how we are implementing this 1-1/2 inch is we did allow 1-1/2 inch when it was--the purpose is not for fire protection but was mainly for domestic purposes. So in like a small subdivision you would still have like your 4-inch, or 6-inch main with the standpipe, but if for some reason the, the water meter needs to be located a little bit further away from the end of the line, we would have allowed, use this section, 1-1/2 inch to extend the line, small line with a water meter at the end. But because of this, the confusion factor we figure we just take out, take it out and if we still need to provide a smaller line just for domestic purposes, we still have the ability to implement that.

COUNCILMEMBER KAHO‘OHALAHALA: So your catchall is the, the statement after that then, as the size to be determined as...determined by design for domestic and ag requirements?

MR. CHANG: Yes.

COUNCILMEMBER KAHO‘OHALAHALA: So you’re saying in that then you have the flexibility of modifying the required uses of pipe?

MR. CHANG: Yes, if, if for...if the subdivider did come through the, with a request that, you know, they’re only providing just for a waterline just for a service lateral, you know, we wouldn’t have
any objections to it, because the fire protection would be provided by that larger main up to a
certain point that would meet the Department’s spacing criteria for hydrants.

COUNCILMEMBER KAHO‘OHALAHALA: Okay. Thank you, Chair.

VICE-CHAIR PONTANILLA: Thank you. Members, any more questions for the Department? If not, I
think I was reading the wrong paragraph earlier--3 to 6-unit subdivision, again the Department is
amending it to remove 4" limited to 300' run, and now it reads: 6" limited to 1,200' run; over
1,200' size to be as determined by design for domestic and agricultural requirements. Members,
any discussion or questions for the Department? Seeing none, 7 to 24-unit subdivision, 6"
limited to 1,200' run; over 1,200' size to be determined by design for domestic and agricultural
requirements. Members, any questions on that? And for 25 and over unit subdivision, 8" or
larger as determined by design for domestic and agricultural requirements. Questions, Members?

Seeing none, we go to C. Valves, pressure reducing units, and so forth, of such sizes, types and
classes shall be installed as designated and required by the director, or designated and required
by the director. Questions, Members, on C.?

Seeing none, we’ll go to four, 14.05.040, increasing size of water mains. A. Increase in all, in
size of water main extensions for service to other areas. Whenever the department finds it
necessary that the water mains proposed to deliver water to a subdivision should be a greater
capacity in order to supply water and fire protection to other property, the department will
require the installation of larger size main. Questions, Members?

B. Increase in size of water mains within subdivisions to benefit other areas. Whenever, in order
to provide for existing or future services beyond the boundaries of a subdivision, the department
finds that the mains to be installed within the subdivision should be of a greater capacity than
would otherwise be required, the department will require the installation of larger size mains.
Questions, Members?

If not, C. Reimbursement for additional cost of mains. When a subdivider is required to install a
larger size main for the reason set forth in the subsections A. and B. of this section, the
department shall reimburse the subdivider, as soon as practicable, after, after acceptance by the
department of the completed work, for the additional costs of the installation over and above the
cost of the mains that would have been otherwise required; provided, however, in no case shall
reimbursement be made for any portion of the cost of a main less than four-inches in size, four-inch size in agricultural and rural areas, or of any portion of the cost of a main less than six-inches size in residential areas, or of any of the portion of the cost of a main less than eight-inch size in other areas; provided further, reimbursement shall not be made to a subdivider
where such larger main or mains will service only areas under the same ownership as the
subdivision under construction. Comments, questions? D....
COUNCILMEMBER KAHO`OHALAHALA: Chair?

VICE-CHAIR PONTANILLA: Mr. Kaho`ohalahala?

COUNCILMEMBER KAHO`OHALAHALA: Yeah. I'm just trying to understand the, the, the clause for reimbursement. So we're saying that because we're changing all the requirements to six inch, then any, anything less than that, then you're saying is--now how does that become possible if you've already made a requirement for six inch?

VICE-CHAIR PONTANILLA: Department?

MR. ENG: Can you repeat your question, please? I'm sorry.

COUNCILMEMBER KAHO`OHALAHALA: Okay. We're talking about reimbursement --

MR. ENG: Uh-huh.

COUNCILMEMBER KAHO`OHALAHALA: --for costs, and then in this it says in no case shall reimbursement --

MR. ENG: I see.

COUNCILMEMBER KAHO`OHALAHALA: --be made for any --

MR. ENG: That's correct.

COUNCILMEMBER KAHO`OHALAHALA: --portion of the cost of the main less than four inch in size, and then you continue on and say anything less than six inch.

MR. ENG: That's correct. I went over this, this past weekend and I...what you just read, reimbursement for a main less than four inch should be six inch to be consistent where we corrected earlier. So if there is no line smaller than six inch, then obviously we wouldn't be able to reimburse for a main of less than four inch. So what you just read, that four inch should be revised to read six inch.

VICE-CHAIR PONTANILLA: Thank you.

MS. WILLENBRINK: Chair? Could we combine residential, agricultural, and rural into one sentence?

VICE-CHAIR PONTANILLA: Yeah, I think we could. First of all, let's take, let's take the first thing that Mr. Eng had said. Is there, if there's no objections, we'll change the four-inch size to six-inch size to be consistent with the changes that we made previously. Members, any objections to that?
COUNCIL MEMBERS: No objections.

VICE-CHAIR PONTANILLA: Thank you.

COUNCILMEMBER KAHO'OHALAHALA: No.

VICE-CHAIR PONTANILLA: Okay. And, Ms. Willenbrink?

MS. WILLENBRINK: We could...

COUNCILMEMBER KAHO`OHALAHALA: Well, I think what she--oh, Chair?

VICE-CHAIR PONTANILLA: Mr. Kaho`ohalahala?

COUNCILMEMBER KAHO`OHALAHALA: I think just to be consistent, the changes that we just made just moves everything to a six-inch.

VICE-CHAIR PONTANILLA: Yes.

COUNCILMEMBER KAHO`OHALAHALA: It doesn't matter which, which zoning. So, I think what, where you're asking is they're all consistent. So...

VICE-CHAIR PONTANILLA: Yeah, right.

MS. WILLENBRINK: So, I'm just saying can we shorten that language then just to put all three of those into one sentence since they're all the same now. And it could read, shall be made for any portion of the cost of a main less than six-inch size in agricultural, rural, --

VICE-CHAIR PONTANILLA: Rural areas and residential.

MS. WILLENBRINK: --and residential; and then delete the rest.

VICE-CHAIR PONTANILLA: Yeah. Members any objections to what Ms. Willenbrink read to us?

COUNCIL MEMBERS: No objections.

VICE-CHAIR PONTANILLA: Thank you.

COUNCILMEMBER MEDEIROS: Chair?

VICE-CHAIR PONTANILLA: Mr. Medeiros?
COUNCILMEMBER MEDEIROS: Mahalo, Mr. Chairman. I'm still not real clear on the reimbursement, Director Eng. When this becomes an ordinance, then anything after that point would have to meet the requirements of this? The reimbursement you're talking about for additional cost of mains--when a subdivider is required to install a larger size main for the reasons set forth in this. So are you saying that if somebody already has their approvals and they're gonna start on the work of their project or subdivision, and then, then the...at that point this ordinance is passed and, and becomes effective, then you would require them to put in a larger pipe and you would reimburse them for that?

MR. ENG: Mr. Chairman?

VICE-CHAIR PONTANILLA: Department?

MR. ENG: Member Medeiros, that's correct. In fact that's a practice that currently is available. Basically when we were reviewing the subdivisions plans --

COUNCILMEMBER MEDEIROS: Uh-huh.

MR. ENG: --and we find, through our knowledge of the area that maybe it be beneficial to that area to upgrade the size, then we would require the largest size waterline and your reimbursement to the subdivider.

COUNCILMEMBER MEDEIROS: But once this ordinance becomes law and is implemented, then there would still be a scenario of you requiring a larger than six-inch line?

MR. ENG: That's a possibility. In fact, indeed that happens today--you know, if we believe these are our rules that we are currently operating by, in practice this can happen today.

COUNCILMEMBER MEDEIROS: Okay. So after reviewing the subdivision plans and approvals are given, and then during the construction of that or prior to the construction you require the subdivider to install larger pipes, then you would reimburse the subdivider for that difference in cost?

MR. ENG: Yes, but we would catch it before we begin construction --

COUNCILMEMBER MEDEIROS: Okay.

MR. ENG: --so we wouldn't interfere with the construction. As we review the construction plans and we identify a need to upsize the waterlines, then we would work with the subdivider or developer and plan to do the reimbursement.

COUNCILMEMBER MEDEIROS: I see. So, so if the plans are reviewed and they are approved as to what you reviewed, you're saying that if later you, you find that you need to increase the size of
the pipe and they haven’t started construction, then you can make that requirement and you would have to reimburse them for the difference?

MR. ENG: You know I, I would expect that we would catch it early on during our review --

COUNCILMEMBER MEDEIROS: I see.

MR. ENG: --so not at all during construction.

COUNCILMEMBER MEDEIROS: Okay.

MR. ENG: I, I...if it was that late, I would not require them to make a change.

COUNCILMEMBER MEDEIROS: Okay. So if a subdivision project comes in and they’re required to put a six inch and that’s part of their plans, but when you review it, you say well, you know, we’re gonna need the eight inch in this area, then you would make that requirement and reimburse them for that difference?

MR. ENG: That is correct.

COUNCILMEMBER MEDEIROS: Okay. Thank you, Director. Mahalo, Mr. Chairman.

VICE-CHAIR PONTANILLA: Thank you. Members, any more questions regarding Item C.? If not, we’re going to D. Departmental review of construction contract and agreement with subdivider. Any construction contract between a subdivider and private contractor where reimbursement to the subdivider for additional cost of a main is contemplated shall be subject to the prior review and approval of the department. Prior to the installation of the larger size main, the subdivider shall enter into an agreement with the department... (change of tape, start 2b)... for reimbursement. Questions, Members, on that?

If not, we go to 14.05.050, Reimbursement for water main extension. A. If the department’s facilities in the area are inadequate, or where departmental facilities are not readily available to serve a proposed subdivision, the subdivider shall extend a water main from the nearest adequate departmental facility. The water main so constructed connecting the subdivision water system to the nearest point of adequacy of the public water system shall be deemed a main extension. Questions, Members, on that? Member Mateo?

COUNCILMEMBER MATEO: Chairman, maybe the Department just can, if the Department can tell me if your facility is inadequate, why do you need to wait for the subdivider to do it? Why can’t you use available funds to initiate the increase in size yourself?

VICE-CHAIR PONTANILLA: Department?
MR. ENG: We usually, Council Chair Mateo, when something arises like that, it’s because, you know, the new development...I mean it gives us an opportunity to really improve the system in a certain area, and we can work together with a subdivider/developer and address some of these issues. Again as far as us doing it ourselves, there’s just so many substandard waterlines throughout our island, that it’s, it’s gonna be just a very, very lengthy, costly task. When we find opportunities where we can work together with the developer, we try to take advantage of it.

COUNCILMEMBER MATEO: Okay. Mr. Eng, can you kind of refresh my memory? The reimbursement, that’s not 100 percent. What percent is reimbursed to the subdivider?

MR. ENG: Okay, there’s two reimbursements. The one where we just earlier, earlier talked about was to upgrade the size of the line then we will pay the difference in the cost, 100 percent of the difference in the cost.

COUNCILMEMBER MATEO: One hundred percent.

MR. ENG: Whereas on the area we’re at now, the water main extension, we will pay 50 percent of, reimburse it 50 percent over a five-year period.

COUNCILMEMBER MATEO: Okay. Thank you. Thank you, Chairman.

VICE-CHAIR PONTANILLA: Thank you. Members, any more questions on that item? Member Medeiros?

COUNCILMEMBER MEDEIROS: Mahalo, Mr. Chairman. Department...so if a subdivider has a project and, as this section points out, the departmental facilities are not readily available, how is that project approved and what’s the effect of the water availability policy?

VICE-CHAIR PONTANILLA: Department?

MR. ENG: Thank you, Mr. Chairman, Mr. Medeiros. In this particular section, you know, it really says that there’s no point of adequacy or sufficient water main next to this development, so the developer would have to bring in the waterline and, or extend the waterline. But you’re correct, if it’s in an area that doesn’t have water available, such as Upcountry, then he’s not gonna go forward unless he’s high on the priority list or has a reservation from before for Upcountry. But generally if he’s high on the priority list, he knows his number is coming up, then he may go forward to connect his planned subdivision to our nearest point of adequacy for that subdivision.

COUNCILMEMBER MEDEIROS: So how does it play when--because I’ve known of projects that wanted to start, but there were no available facilities or infrastructure close to their project. So they were told at their cost they would have to bring in those infrastructures to their project. But when they were told that, are you saying currently the policy is we would reimburse them for that?
MR. ENG: That's right. If they chose to go forward, then this reimbursement agreement could kick in.

COUNCILMEMBER MEDEIROS: Okay. And what did you say the reimbursement percent is on this particular section?

MR. ENG: Okay. It's 50 percent of the total cost of the waterline, and we reimburse it over a five-year period.

COUNCILMEMBER MEDEIROS: Okay, and 50 percent of the total waterline, meaning the total cost of materials and installation?

MR. ENG: Yes. Uh-huh.

COUNCILMEMBER MEDEIROS: Okay. Thank you, Department. Mahalo, Mr. Chairman.

VICE-CHAIR PONTANILLA: Thank you. Members, any more questions regarding this item? If not, we go to...B. The subdivider shall be reimbursed for the cost of a main extension in accordance with this section. However, no reimbursement shall be made if the main extension will only serve areas under the same ownership as the subdivision under construction. In no case shall reimbursement for water main extension be made for any portion of the cost of a main less than...according to this it's four-inch, now we change it to six-inch size in agricultural and rural areas, or of any portion of the cost of a main less than six-inch size in residential areas, or of any of the portion of the cost of a main issue or less than eight-inches size in other areas. So we change the four inch to six inch. Members, question?

COUNCILMEMBER KAHO`OHALAHALA: Chair, just making sure that we're cleaning up this, this whole section and to be consistent. If we only have a minimum requirement of six inches, then there shouldn't be all of those other kinds of...mention of less than six or--is that correct? If the six inch is the minimum requirement that we're putting in, then there shouldn't be any statement in these sections that refer to anything less than six inches. Is that correct? Okay. I just wanna make sure that we're, I'm understanding this. So...

VICE-CHAIR PONTANILLA: Okay. Members, the next item is C.

COUNCILMEMBER MATEO: Chairman?

COUNCILMEMBER MATEO: Chairman?
COUNCILMEMBER MATEO: Chairman, could, if you could go back to B.?

VICE-CHAIR PONTANILLA: Sure.

COUNCILMEMBER MATEO: If the Department can, can comment on no reimbursement shall be made if the main extension will only serve areas under the same ownership as the subdivision under construction, if the Department can explain that, that particular passage?

VICE-CHAIR PONTANILLA: Department?

MR. ENG: Mr. Chairman, Council Chair Mateo. So basically it reads as, as it reads, the 50 percent reimbursement is because we’re assuming the water main extension can benefit others, other than just the developer. But if that extension will solely benefit just one subdivider or developer, then we’re not gonna share in the cost.

COUNCILMEMBER MATEO: So if we’re talking a family subdivision of four lots, for example, and it is say, for example, the Mateo subdivision where I’m subdividing for my families, then I would not be entitled to a reimbursement because it is still my own family subdivision?

MR. CHANG: I’ll try explain that. It depends. If, if your lot that you’re trying to subdivide is say on Main Street and Main Street it’s...say your lot is at the very end of the maybe six-inch line and there’s other properties beyond you from that, and if you were required to install a waterline along Main Street, you would be reimbursed because the idea is that if anybody else can extend the line further along Main Street that doesn’t have a waterline. In that situation, that line that you have installed will not only serve your property, but in the future could actually serve more properties beyond Main Street. So in that case, the waterline that you installed is not gonna be solely for your property, but it will be for others. So in that case you would get the reimbursement.

COUNCILMEMBER MATEO: So this is, this is a discretionary item when you’re recommending no reimbursement?

MR. CHANG: Yes, we would...

COUNCILMEMBER MATEO: The Department would still have that discretion?

MR. CHANG: Yes. We would look at the way the lot, is where the lot is located, what street the water, the new water main is being installed, and if there’s any chance of being used for a property beyond, we would, it would be a discretion that the Department would have.

COUNCILMEMBER MATEO: Okay. Thank you. Thank you.
VICE-CHAIR PONTANILLA: Thank you. Okay. Any more questions regarding B.? If not, we’re going to C.

COUNCILMEMBER MEDEIROS: Question?

VICE-CHAIR PONTANILLA: Member Medeiros?

COUNCILMEMBER MEDEIROS: Yeah, just one clarification to follow up on Council Chair Mateo’s question. So if the water main stops at point A and at point B, maybe half a mile down the road is the project subdivision, the Mateo subdivision, he needs to bring that line to his property. So what happens in the meantime after installation, that between point A and point B those properties start to tap into that line? Does that initial subdivider benefit in any way for any more additional cost for reimbursements?

MR. ENG: Mr. Chairman --

VICE-CHAIR PONTANILLA: Department?

MR. ENG: --Member Medeiros. No, there is no additional benefit to the Mateo subdivision. But the new parties that do tie in and get a meter, they will pay the water system, the full water system development fees.

COUNCILMEMBER MEDEIROS: To the Water Department?

MR. ENG: Yes.

COUNCILMEMBER MEDEIROS: Okay. So, so the Mateo subdivision gets a potential reimbursement of 50 percent if that’s determined by the Water Department, but nothing further after that?

MR. ENG: Nothing further, you’re correct.

COUNCILMEMBER MEDEIROS: Okay. Thank you, Department. Mahalo, Mr. Chairman.

VICE-CHAIR PONTANILLA: Thank you. Okay, Members, any more questions regarding B.? We go to C. The department shall reimburse the subdivider 50 percent of the cost of a water main extension. The reimbursement procedure shall be as follows: 1. prior to installation of the main extension, the subdivider shall enter into an agreement with the department. If the subdivider has not substantially complied with the terms of the agreement within one year from date thereof, the agreement may, in the discretion of the director, be terminated. 2. after the work has been completed and before acceptance, the subdivider shall furnish the department an affidavit itemizing the costs incurred by the subdivider for the installation of the main extension. 3. reimbursement shall be made in five equal annual installments, without interest. The initial payment will be made at the end of the fiscal year in which the construction project is completed.
and accept, accepted by the department. 4. the department shall make the final determination as to the cost of the off-site water main or main extension installed by the subdivider, and reimbursement shall be based upon said estimates of the department, less any reimbursement made under section 14.05.040. 5. all reimbursements shall be payable to the original subdivider entering into the agreement with the department, unless otherwise directed by the original subdivider in writing. Members, questions? Member Mateo?

COUNCILMEMBER MATEO: Chairman. If the--I, I refer to No. 4. the department shall make the final determination as to the cost of the off-site water main or water main extension. Is the Department’s determination based on what the deter..., the Department would calculate to be the cost or what the subdivider has actually paid to do the installation?

MR. ENG: Mr. Chairman, Council Chair Mateo. Basically, if you go back to the little earlier paragraph regarding the requirement-- and that would be Paragraph 2--in which the subdivider or developer will submit to the Department an affidavit and that would, usually it’s provided by either their general contractor or their consulting engineer, you know, give the unit cost for their construction. What we do, we will review it and verify it. Sometimes there might be some discrepancies that we have to sit down with the developer to resolve. You know, ideally...you know, I mean you could expect them to maybe kind of come in with a higher cost and, you know, and therefore get a larger reimbursement. So we would just sit down with them and make sure that we agree to the affidavit’s cost for the construction.

COUNCILMEMBER MATEO: So in the, in that particular period when your, when they actually submit the cost factors to you and you have your discussion with the, the subdivider, this is prior to the construction actually happening or this is after the fact?

MR. ENG: Usually it’s after.

COUNCILMEMBER MATEO: It’s after the fact. So then it is the Department’s discretion that determines the percentage of, or the amount to be reimbursed?

MR. ENG: Well, it’s our review. I guess there is some discretion, but we always come to an agreement, you know, there may be some discussion and some differences, but we will come to some kind of resolution.

COUNCILMEMBER MATEO: Thank you, Mr. Eng. Thank you, Chairman.

VICE-CHAIR PONTANILLA: Thank you. Members, any more questions? Member Medeiros?

COUNCILMEMBER MEDEIROS: Mahalo, Mr. Chairman. So part of the affidavit is they submit receipts of cost for materials and labor and equipment?
MR. ENG: Anytime it just looks like in the form of a spread sheet with, with the breakout of the various costs, and we will review those based on our understanding of current unit cost for construction.

COUNCILMEMBER MEDEIROS: Okay. So it doesn’t require receipts of purchase of materials and so forth?

MR. ENG: Not necessarily, no.

COUNCILMEMBER MEDEIROS: Okay. Thank you. Mahalo, Mr. Chairman.

VICE-CHAIR PONTANILLA: Thank you. This kind of reminds me of Federal Aid projects where you really gotta do your accounting right to get reimbursed. Okay. D. Where large quantities of water are required or a large investment is necessary to provide water service, oh, to provide service, the subdivider shall be informed as to the conditions under which reimbursement for off-site water main may be approved. Questions, Members?

If not, E. Reimbursement shall not be made to subdividers for mains installed to a subdivision where such mains were not approved by the department prior to their installation. Questions, Members?

F. Reimbursement shall not be made to a subdivider for main extensions installed in a subdivision in areas where an agreement for reimbursement for water main extension already exists.

COUNCILMEMBER KAHO'OHALAHALA: Chair?

VICE-CHAIR PONTANILLA: Member Kaho‘ohalahala?

COUNCILMEMBER KAHO'OHALAHALA: I just wanna go back to the previous one.

VICE-CHAIR PONTANILLA: Sure.

COUNCILMEMBER KAHO'OHALAHALA: I'm a little perplexed with this one. So we're saying that the subdivider can go in and install a main that's not approved?

MR. CHANG: Generally, that doesn't happen. I think we may be that the situation where if we had approved the construction plans, for instance like a six-inch waterline, but the contractor decides he got some extra 8-inch and he just puts it in the ground without having, you know, notifying the department that I'm going to put in an eight-inch line, but you can pay me the difference. I think it's more, I think that type of situations.

COUNCILMEMBER KAHO'OHALAHALA: No, I'm just concerned that they can actually go ahead and change the main. Because you're talking about the capacity, you're talking about water. If a
subdivision goes in with no, no way of us knowing whether or not there is in fact a six-inch versus a 12-inch, we’re talking major differences in water use. And so I’m just concerned that there’s, there’s this kind of opportunity that occurs that someone can go in and do it without any…

MR. CHANG: Not. It doesn’t really happen that way. We have our inspectors out there and if he sees a contractor putting in a larger line, he’ll bring up a red flag immediately.

COUNCILMEMBER KAHO‘OHALAHALA: If he’s there, right?

MR. CHANG: If he’s…yeah, he’s limited, he’s not there 24 hours, I mean excuse me, 8 hours a day. He just does his spot checks.

COUNCILMEMBER KAHO‘OHALAHALA: So how would you know if something like this occurred?

MR. CHANG: Just from the inspectors or sometimes the developer calls and says he wants to do something and, you know, then we’ll try to work it out as far what’s appropriate.

COUNCILMEMBER KAHO‘OHALAHALA: But if I’m the developer and it’s there and your inspector wasn’t there, why would I call you?

MR. CHANG: Depends on the situation, it’s, I don’t see why he wouldn’t call me if he’s spending. It’s your money.

COUNCILMEMBER KAHO‘OHALAHALA: Okay. This seems like the, some kind of an area that needs to probably be tightened up more, I think. I mean you’re talking reimbursements, you know, that’s, that’s one thing, but I’m concerned more about the ability for someone to install different kinds of sizes of pipes other than what was originally approved without the ability of you understanding or knowing that.

VICE-CHAIR PONTANILLA: You know, Mr. Kaho‘ohalahala, you bring out a good point, and my question to the Department in regards to your question is when a lot, waterline is being constructed for anything, does the Water Inspector, prior to covering of the water line, does the contractor need an approval in regards to the inspector already inspected that particular facility before the thing is buried?

MR. CHANG: Is the question about whether our inspectors can verify before the burying, being buried?

VICE-CHAIR PONTANILLA: Yeah, you know, the inspector is out there looking at the line and, you know, like some…like sewer, for instance, before you can cover your pipes we need to be out there measuring your grade from the, you know, from the home down to your sewer line.
connection. Does the Water Department have similar conditions in regards to you cannot bury your waterline until an inspector has inspected the waterline?

MR. CHANG: In general, that’s the case but, however, if there’s too much projects going on, the limited number of inspectors…sometimes that’s not always achievable.

VICE-CHAIR PONTANILLA: Okay. Kind of spooky but…

MR. ENG: Mr. Chairman, we would, we would certainly…if they had a tie in to our existing system, we would have our inspectors there. So, you know, they could maybe put in a line on their own but if they wanted to tie it in, we would be there. So we would do the tie in. And there are other things they need to do, such as properly disinfect the line, and we wanna see the disinfection records, also any pressure testing for leaks.

UNIDENTIFIED SPEAKER: Right.

MR. ENG: Those would have to be submitted to us also.

MR. CHANG: And also, too, the contractor generally stockpiles his pipes somewhere where the inspectors can visually see. So if he see’s…if the contractor is supposed to install a six-inch pipe, but they see he’s only a bunch of two-inch pipes, then next day he goes there and it’s all gone, then he will have the contractor dig it up just to verify if there’s any suspicion of inappropriate actions.

VICE-CHAIR PONTANILLA: Okay. Member, Member Kahoʻohalahala, you have any more questions regarding this item? . . .(chuckle) . . . And I know where you’re coming from.

COUNCILMEMBER KAHOʻOHALAHALA: No, I just think it’s ironic that we would even put this in here because that, this shouldn’t even occur, but then we make a statement and say, by the way, you know, if you didn’t do it according to what we say, we’re not gonna reimburse you. You know, it seems like you’re putting in something here that you don’t allow for in the front end. So why are you asking or making a statement for reimbursement in this manner? That’s, that’s what…that’s what doesn’t make sense to me.

MR. ENG: You’re right, there’s a little confusion there because really, actually it’s not gonna happen. We can take a look at this language and see what we can do.

COUNCILMEMBER KAHOʻOHALAHALA: If it’s not gonna happen, then you need to answer that portion of it and show me how it’s not gonna happen so that this doesn’t need to be there, and you haven’t addressed the it’s not gonna happen portion. Okay. You’re, you’re naming other conditions of which you might find that this has occurred, but you haven’t locked that up to a point that I’m, I feel comfortable with.
MR. ENG: Okay. Well, maybe we can all work together with some proper language that will clarify it to your satisfaction.

COUNCILMEMBER KAHO`OHALAHALA: It's not my satisfaction. It's just ironic that you would put a statement like this in a policy of which it's not allowable to do so.

MR. ENG: Okay. And this language has been here for probably 30-odd years. So, again, this is an opportunity for us to look at this language and revise it --

COUNCILMEMBER KAHO`OHALAHALA: Okay.

MR. ENG: --as needed.

COUNCILMEMBER KAHO`OHALAHALA: So, I just wanna raise that it doesn't make sense to me at this point.

MR. ENG: That's fine.

VICE-CHAIR PONTANILLA: Okay. We can revisit Item E. on the questions that are being asked of the Department regarding, you know, reimbursement that shall not be made to subdividers for mains installed for a subdivision where they didn't have prior Department approval.

COUNCILMEMBER MEDEIROS: Okay. Chair, question?

VICE-CHAIR PONTANILLA: Member Medeiros?

COUNCILMEMBER MEDEIROS: Mahalo, Mr. Chairman. Department, are contractors allowed to work on weekends?

MR. CHANG: They are allowed, but we would require that we have our inspector out there.

COUNCILMEMBER MEDEIROS: So they would have to pay for the inspector to work on the weekend to inspect their project?

MR. CHANG: Yes, they have to pay the overtime.

COUNCILMEMBER MEDEIROS: Okay. And so when you do a pressure leak test, that's to expo..., with the pipes exposed, right, before covering it, right?

MR. CHANG: Depending on the situation. Sometimes it's kind of dangerous to have the pipe exposed when you're having water pressures of that high pressure. So what happens is, if, generally we have the contractors bury everything and the pressure test, if there's any leaks, that's, that's...it
COUNCILMEMBER MEDEIROS: And, the leaks would be determined because of a drop in pressure --

MR. CHANG: That's correct.

COUNCILMEMBER MEDEIROS: --and not a visual observation of water coming out, out of the pipe, where it's not supposed to?

MR. CHANG: That's correct; it'll be a drop in water pressure.

COUNCILMEMBER MEDEIROS: Right. Okay. Thank you. Mahalo, Mr. Chairman.

VICE-CHAIR PONTANILLA: Thank you. Okay, we're gonna revisit E. regarding that reimbursement area. You know, I, I just wanna find out from the Department later on in regards to inspections of waterlines prior to waterline being buried. Items E., F., Members, do you have any questions on item F.? Okay.

If not, we'll go to 14.05.060, Laterals. A. Where water main construction is necessary, the subdivider shall provide each lot in the subdivision with a service lateral from the water main to the lot boundary as specified in the publication kept on file with the department entitled "Water System Standards" issued by the department, 2002 edition, as may amended from time to time, and incorporated herein by reference. As an alternative, one service lateral meeting the minimum size requirements for two-lot subdivision, as provided in section 14.05.030, may be installed for each two lots. Members, questions? Okay, seeing none...

COUNCILMEMBER KAHO`OHALAHALA: Wait, I have a question.

VICE-CHAIR PONTANILLA: Member Ka`ohalahala?

COUNCILMEMBER KAHO`OHALAHALA: The reference to the entitled "Water System Standards", then, can you explain that?

VICE-CHAIR PONTANILLA: Department?

MR. CHANG: The reference to the "Water System Standards" is our...that's the folder that Jeff Eng is holding up. That Water System Standards has a diagram which shows the fittings...water meter, essentially it shows the entire lateral that the contractor needs to install, and it describes each piece of pipe. So, so that's the reference that the contractor needs to follow when they're installing these water service laterals.
COUNCILMEMBER KAHO‘OHALAHALA: Okay. And then it’s a 2002...edition?

MR. CHANG: I think so, yes.

COUNCILMEMBER KAHO‘OHALAHALA: And is that modified, amended, or updated?

MR. CHANG: There are occasional amendments to it, and especially doing these laterals sometimes if need to improve the, the way it’s set up, so there’s amendments to it.

COUNCILMEMBER KAHO‘OHALAHALA: Okay. So are you allowing for, for the provisions for any changes to that standard?

MR. CHANG: I’m not sure whether there’s wording in here.

COUNCILMEMBER KAHO‘OHALAHALA: I’m just trying to look for your, your flexibility to make sure that--how often does this edition get reviewed or changed?

MR. CHANG: It’s a situation is if something occurs frequently or we find that if there’s something going on in the system, that we should make some changes so that we don’t have these recurring problems. It’s just general improvements. Like some, sometimes pipe materials aren’t cut up to be as what we thought, so we end up changing the materials.

COUNCILMEMBER KAHO‘OHALAHALA: So when that becomes updated in the standards and is it gonna remain this same 2002 edition?

MR. CHANG: Yes, we don’t change the 2002 date, we just make amendments to it.

COUNCILMEMBER KAHO‘OHALAHALA: So it will forever be the 2002 edition then?

MR. CHANG: Unless we, this 2002 is like a Statewide, the four counties got together and they put this book together and some, um, certain counties have certain unique requirements, so they kind of like spelled out --

COUNCILMEMBER KAHO‘OHALAHALA: Okay.

MR. CHANG: --for Maui County only, et cetera and so…

COUNCILMEMBER KAHO‘OHALAHALA: But you do revise and you do amend it?

MR. CHANG: Yes, we do.

COUNCILMEMBER KAHO‘OHALAHALA: Okay. So maybe, maybe something to that effect that as, as revised or amended, you know, to allow for that expansion of that edition.
MR. CHANG: Maybe we could put a general --

COUNCILMEMBER KAHO‘OHALAHALA: Yeah.

MR. CHANG: --to cover everything.

COUNCILMEMBER KAHO‘OHALAHALA: Yeah. Okay. Thank you, Chair.

VICE-CHAIR PONTANILLA: Okay, let’s see. . .(change of tape, start 3a) . . . seven. And then the Fire Protection Schedule, we’ll catch it at the next meeting.

So B. Where the lots to be created from an existing water main, service laterals as required above shall be installed by the subdivider and supervised by the department, or as agreed upon with the department. Questions, Members?

Okay. We’ll go to 14.05.070, Alteration to public system. A. All work and materials in connection with the change in location or grade of any part of the existing public water system made necessary by the subdivision shall be at the expense of the subdivider. Questions?

B. When required by the department, contour, contours or elevations shall be provided by the subdivider based on datum specified by the department. Questions, Members?

If not, Page 7, we’ll go to 14.05.080, Dead ends. Where water main, mains proposed by a subdivider would result in a dead end, dead ends, the subdivider shall correct the condition by the installation of circuits or interconnections required by the department. Clean-outs, blow-offs, or air valves assemblies shall be installed as required by the department. Members, questions? Member Medeiros?

COUNCILMEMBER MEDEIROS: Mahalo, Mr. Chairman. I, I know where there exist a waterline that ends, dead ends, and there’s problems with stagnate water, smell in the water. So the requirement if you have a dead end line is to have—yeah, I understand you can put in automatic flush facilities or, or materials in order to accomplish that. Is that what would happen in a dead end line where you couldn’t connect and make a loop to another system?

MR. ENG: That’s correct, Member Medeiros. That’s why we have our flushers out there in the field, particularly Upcountry, where there’s surface water --

COUNCILMEMBER MEDEIROS: Uh-huh.

MR. ENG: --it tends to have more problems. So, yes, they do, that’s what they do and they’re basically flushing…actually they’re flushing the entire system, but they do focus on the dead ends. And there are automatic flushing devices that we are experimenting with Upcountry, too.
COUNCILMEMBER MEDEIROS: Okay. Thank you for that. Mahalo, Mr. Chairman.

VICE-CHAIR PONTANILLA: Thank you. Members, any more questions? Okay. The last section that we’re gonna be reviewing this morning is 14.05.090, Fire protection. A. All subdivisions in any zoning district as described in Title 19 of this Code shall be required to install fire hydrants which shall be paid for, for by the subdivider and shall be in accordance with the requirements of this chapter. In the event the proposed land use within the subdivision is inconsistent with the permitted use as described in the zoning district, the department shall have the discretion to adjust the requirements as set forth in this section. Questions, Members?

COUNCILMEMBER MEDEIROS: Question?

VICE-CHAIR PONTANILLA: Member Medeiros?

COUNCILMEMBER MEDEIROS: Mahalo, Mr. Chairman. Department, so when fire hydrants are required, is there a requirement for a certain design and brand of fire hydrant? Because I’m sure there’s a lot of manufactures of hydrants, and how do you determine if a subdivider is just buying a cheap hydrant? How would they meet your requirements as far as standards for a fire hydrant?

MR. CHANG: It goes back to this Water System Standards 2002. In these standards there is what they call an approved material list.

COUNCILMEMBER MEDEIROS: Okay. And hydrants are part of that list?

MR. CHANG: Yes, it is.

COUNCILMEMBER MEDEIROS: Okay. Thank you, Department. Mahalo, Mr. Chairman.

VICE-CHAIR PONTANILLA: Thank you. Members, any more questions?

COUNCILMEMBER KAHOʻOHALAHALA: Chair?

VICE-CHAIR PONTANILLA: Member Kahoʻohalahala?

COUNCILMEMBER KAHOʻOHALAHALA: Yeah. Again, I’m concerned with the statement, in the event the proposed land use within the subdivision is inconsistent with the permitted use as described in the zoning district. So, you know, this kind of language always, to me, opens up these opportunities and we actually state it, you know, that we, that we allow inconsistency. So I’m just concerned about how we make these statements, in the event. It’s same thing like the reimbursement kind of clause there, you know. I guess my question is, is we’re looking at the requirements for fire hydrants...is, is that what we anticipate to occur then in terms of fire hydrants requirements, that we would be dealing with inconsistencies or --
ME. ENG: Member, Chair, I'm not quite certain of your question --

COUNCILMEMBER KAHO'OHALAHALA: --as a general rule?

MR. ENG: --but I'll give it a try.

VICE-CHAIR PONTANILLA: Yeah, go ahead.

MR. ENG: Thank you. This doesn't really pertain solely to fire hydrants 'cause as you can see how this chapter goes, we've eliminated all reference to anything like standpipes, but only fire hydrants. But this is more like if you--I hate to be too premature--but if we were to turn the page and look at this, the minimum fire flow requirements by zoning district, this would be a good way to reference it. So if there is a permitted use conflicting with a zoning, then we would have the discretion really to go by the permitted use. For example, let's say in an ag zoned area and the permitted use is residential, then we could go with the permitted use fire flow requirement which would be 1,000 gallons per minute, which we will like to see. So that's what this particular section of 14.05.090 reads. If the land use is inconsistent with the permitted use, the Department shall have the discretion to adjust the requirements as set forth.

COUNCILMEMBER KAHO'OHALAHALA: Okay.

MR. ENG: I think this is certainly consistent with the Fire Department, too.

COUNCILMEMBER KAHO'OHALAHALA: So maybe...

VICE-CHAIR PONTANILLA: So it will go with the permitted use?

MR. ENG: Yeah, that is what the Fire Department has wanted to see, is really that the permitted use would determine the requirements.

MR. ENGLISH: At the present time, our Code reference instead of zoning land use basically 'cause we have a few subdivisions out there that are still zoned ag, but we have residential lots, a lot of the County housing projects was built on ag land that was donated but it's all residential lots. So the use is residential, so we upgrade the fire protection to 1,000 gallons a minute, even though the zoning is ag. So to lock in the fire protection on the zoning would not be good because some, some zoning they, they change the use to different uses, which would demand more fire protection.

COUNCILMEMBER KAHO'OHALAHALA: Okay. And, and the way that you would make that determination, you said, is by looking at your requirements and water flow requirements in this chart then?
MR. ENGLISH: Correct.

COUNCILMEMBER KAHO'OHALAHALA: Okay.

VICE-CHAIR PONTANILLA: Okay. Members, any more questions? Okay. The next item is B. The spacing of fire hydrants along streets shall not, shall be not more than 250 feet apart in business, commercial, industrial, hotel and apartment districts, not more than three hundred fifty feet apart in residential districts, and not more than 500 feet apart in rural and agricultural districts. Questions?

C. The Department shall determine the location of all fire hydrants. Unless otherwise permitted by the department, all fire hydrants shall be located within the boundaries of a subdivision. On dead end streets, unless otherwise permitted by the director, the last fire hydrant shall be located no more than one-half the spacing distance from the dead-end. Spacing of fire hydrants shall be measured along the public roadway. Questions, Members?

D. The department’s standard, standards for fire protection, fire flow shall be the standards listed in that certain public, publication kept on file with the department entitled “Insurance Services Office’s Guide for Determination of Required Fire Flows” issued by the Insurance Services Office, 1974 edition, as may be amended from time to time, and incorporated herein by reference. The minimum fire protection schedule shall be as follows—Page 8—five [sic] flow, Fire Flow Schedule, Minimum Fire Flow Requirements By Zoning District. Members, zoning district, if you can read one area is zoning district, the gallons per minute, and the hours. Members, any questions regarding this particular fire flow requirements by zoning districts?

COUNCILMEMBER KAHO'OHALAHALA: Chair, I have a question?

VICE-CHAIR PONTANILLA: Member Kaho'ohalahala?

COUNCILMEMBER KAHO'OHALAHALA: Yeah, thanks. You know, when we, Department, when we’re moving now the requirement for subdivisions to six inch, yeah, now does that change this table here based on just the volume that’s changed with, so we’re all beginning at six inch. But then when you’re looking at your requirement here, the numbers are different. So can you explain so that I understand what the, you know, the engineering or the dynamics of this is?

MR. ENG: Thank you. With our recommended waterline minimum sizes we will indeed be able to achieve this required gallons per minute flow, for fire flow protection. So some of these smaller waterlines that were referenced earlier, we would not have been able to meet some of these fire flow requirements.

COUNCILMEMBER KAHO'OHALAHALA: So the change that we made now to the minimum six-inch requirement is to accommodate this flow chart?
MR. ENG: Yes. It will help us to achieve these required minimum fire flow requirements, yes.

COUNCILMEMBER KAHO'OHALAHALA: And the six inch would actually exceed this?

MR. ENG: You know, in some instances it could depending on, you know, the length of the waterline and other factors. But definitely we will be able to be in compliance with our fire flow requirements.

COUNCILMEMBER KAHO'OHALAHALA: Okay. Thank you.

VICE-CHAIR PONTANILLA: Thank you. Members, any more questions? If not E. Fire hydrants are not required for new subdivisions which fall completely within a radius of two hundred fifty feet from the nearest existing fire hydrant in business, industrial, commercial, hotel and apartment districts; three hundred fifty feet from the nearest existing fire hydrant in residential districts; and 500 feet from the nearest existing fire hydrant in rural and agricultural districts. Where any portion of a new subdivision is outside of such a radius, compliance with the subsections A through D of this section shall be required. Questions, Members?

If not, the Chair's gonna stop right here and then next meeting we'll start with 14.05.100. Of course, we do have two areas that we still need to revisit. One is 14.05.030, the question by Member Molina in regards to making the language, you know, a little stronger than what it is, and also we'll come back to Section 14.05.050, Item E. This is in regards to reimburse..., reimbursements shall not be made to subdivisions for mains installed to a subdivision where such mains were not approved by the Department, and this brings up the point regarding inspection. So...okay, thank you.

COUNCILMEMBER MOLINA: Mr. Chair?

VICE-CHAIR PONTANILLA: Member Molina?

COUNCILMEMBER MOLINA: Yeah. I could offer that language now.

VICE-CHAIR PONTANILLA: Sure.

COUNCILMEMBER MOLINA: It's real brief and, hopefully, it shouldn't be too much of a, a...I think it still delivers the intent.

VICE-CHAIR PONTANILLA: Okay.

COUNCILMEMBER MOLINA: If Staff could assist. It'll read as follows: Water main sizes shall be designed to deliver water quantities and pressure that meet Department of Water service and Maui Fire Department standards for both domestic and irrigation uses under peak consumption conditions as well as for fire protection.
VICE-CHAIR PONTANILLA: Okay. Maybe you can give that language to Kim. . . . (inaudible) . . .

COUNCILMEMBER MOLINA: Okay. I'll just submit it in writing then to her, or do you want me to go over it again, Ms. Willenbrink?

VICE-CHAIR PONTANILLA: Yeah.

COUNCILMEMBER MOLINA: Okay. Again, as follows: Water main sizes—that was the Section 14.05.030 —

VICE-CHAIR PONTANILLA: A.

COUNCILMEMBER MOLINA: —the very beginning.

MS. WILLENBRINK: Okay.

COUNCILMEMBER MOLINA: Yeah. Okay. You're ready? Okay. Water main sizes shall be designed to deliver water quantities and pressure that meet Department of Water service and Maui Fire Department standards for both domestic and irrigation uses under peak consumption conditions as well as for fire protection. So basically, Mr. Chair, it just includes the... both departments and their standards. So it gives a reference rather than using the words “adequate”.

VICE-CHAIR PONTANILLA: Thank you. And, and then if you can read it again so...

COUNCILMEMBER MOLINA: Oh, you need one more time? Okay. Water main sizes shall be designed to deliver water quantities and pressure that meet Department of Water service and Maui Fire Department standards for both domestic and irrigation uses under peak consumption conditions as well as for fire protection.

MS. WILLENBRINK: That's where I am. Can I see it in writing?

COUNCILMEMBER MOLINA: Yeah.

COUNCILMEMBER MEDEIROS: Mr. Chairman?

VICE-CHAIR PONTANILLA: Mr. Medeiros?

COUNCILMEMBER MEDEIROS: Yeah. I, I know they're still reviewing that, but when we say just department, it's assumed it's the Water Department?

MS. WILLENBRINK: It's defined.
COUNCILMEMBER MEDEIROS: It's defined? That Department is Water?

VICE-CHAIR PONTANILLA: It's defined, yeah.

COUNCILMEMBER MEDEIROS: Okay. And then, Fire Department, do we need to use the correct title of the Fire Department?

VICE-CHAIR PONTANILLA: Yeah, I was just gonna point out that.

COUNCILMEMBER MEDEIROS: Okay.

VICE-CHAIR PONTANILLA: Kim, is Fire Department already recognized or defined, or if you can note that, please? Good. Okay. Members, any more questions to that amendment for A.? If not, thank you very much, Members, for being attentive in trying to get this thing done. Members, the Chair is gonna forward this particular draft, although it's not completed yet, to the, Subdivision Committee for their review so that, you know, in concurrence we should get it back hopefully in a...timely manner so that we can get their inputs and complete this amendment to this water rules. So Chair's gonna do that. And, Members, again for your information, there were some questions in regard to Lee Aldridge. We sent a correspondence. He has...he has responded to some of the questions that we...well, some of the ideas that he has were sent to us for his comment and, again, Mr. Aldridge was a former Water Board person.

Members, if there's no objections or no announcements, the Chair at this time would like to defer this item.

COUNCIL MEMBERS: No objections.

COUNCIL MEMBERS VOICED NO OBJECTIONS (excused: GB, MV).

ACTION: DEFER pending further discussion.

VICE-CHAIR PONTANILLA: Thank you. Okay, Members, that's all for today. Thank you very much for being here. Again, we do have the Budget and Finance Committee meeting. We're gonna be reviewing three items today, and I think one of the items is gonna be very interesting, and our first item this morning in regards to the stimulus money and the projects themselves in regards to...timely start and completion--from the Cost of Government, you know, there are some recommendations that they offer the County and we'll be reviewing that.

So, Members, again thank you. This meeting of the Water Resources Committee is now adjourned. ...gavel...
ADJOURN: 11:39 a.m.

APPROVED:

JOSEPH PONTANILLA, Vice-Chair
Water Resources Committee
CERTIFICATE

I, Chante Diaz, hereby certify that the foregoing represents to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED this 4th day of August 2009, in Wailuku, Hawaii.

CHANTE DIAZ