

**INFRASTRUCTURE MANAGEMENT COMMITTEE**  
Council of the County of Maui

**MINUTES**

**September 14, 2009**

**Council Chamber, 8<sup>th</sup> Floor**

**CONVENE:** 9:01 a.m.

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

**STAFF:** Michael J. Geers, Legislative Analyst  
Camille Sakamoto, Committee Secretary  
Leinaala Kihm, Executive Assistant to Councilmember Bill Kauakea Medeiros

**ADMIN.:** Milton M. Arakawa, Director, Department of Public Works (Item Nos. 25 and 26)  
Cheryl Okuma, Director, Department of Environmental Management (Item No. 12)  
David A. Galazin, Deputy Corporation Counsel, Department of the Corporation Counsel

**PRESS:** *Akaku: Maui Community Television, Inc.*

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CHAIR MEDEIROS: . . .(*gavel*). . . Aloha and good morning, everyone.

COUNCILMEMBER KAHO'OHALAHALA: Good morning.

COUNCILMEMBER BAISA: Good morning.

CHAIR MEDEIROS: The Infrastructure Management Committee meeting will come to order. We do have a quorum present. Today is Monday, September 14<sup>th</sup>, 2009 and it is now two minutes after 9:00 a.m. At this time, the Chair would like to introduce the Members that are present. First of all, we have the Committee Vice-Chair Joseph Pontanilla. Good morning, sir. Then we have Ms. Gladys Baisa. Thank you for being here.

COUNCILMEMBER BAISA: Good morning, Chair.

CHAIR MEDEIROS: We have Sol Kaho'ohalahala.

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COUNCILMEMBER KAHO‘OHALAHALA: Aloha. Good morning.

CHAIR MEDEIROS: Aloha. Good morning. Thank you for being here. We have Council Chair and Member Danny Mateo.

COUNCILMEMBER MATEO: Good morning.

CHAIR MEDEIROS: Aloha. Good morning. We have Council Vice-Chair, Mr. Michael J. Molina.

COUNCILMEMBER MOLINA: Good morning, Chair.

CHAIR MEDEIROS: Good morning. Thank you being here. And we have Member Michael Victorino here.

COUNCILMEMBER VICTORINO: Good morning, Chair, and aloha.

CHAIR MEDEIROS: Aloha. Good morning. Thank you, Members, for being here early on a Monday morning. It's a struggle sometimes to be, you know, up and going at the start of the week but I appreciate your attendance. I'd like to make the other introductions at this time. Representing the Department of Corporation Counsel, we have Deputy Corporation Counsel, Mr. David Galazin. Good morning, Mr. Galazin.

MR. GALAZIN: Good morning, Chair.

CHAIR MEDEIROS: Representing the Department of Public Works for Items IM-25 and IM-26, we have the Director of that Department, Mr. Milton Arakawa. Good morning, Director. And later on when we take up IM-12, the Director of the Environmental Management, Director Okuma or her representative will be here. Also we have our Committee Staff which we wouldn't be able to function here without them, and I'd like to introduce them: our Committee Secretary, Ms. Camille Sakamoto to my left, and also to my left our Committee Legislative Analyst, Mr. Michael Geers. Members, today we have three items on our agenda. We have IM-25 which is a bill to prohibit parking on Wailani Street, Wailuku. We have IM-26, accepting dedication of road widening lots for Kamehameiki-Pulehuiki Homesteads. And we have IM-12, location of West Maui Recycling and Redemption Center. At this time, the Chair will entertain testimony if we have anyone signed up.

MS. SAKAMOTO: No, Mr. Chair.

CHAIR MEDEIROS: Do we, Ms. Sakamoto?

MS. SAKAMOTO: None, Mr. Chair.

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CHAIR MEDEIROS: Okay. We have no one signed up at this time, so we will. . .close the opportunity for public testimony without objections.

COUNCILMEMBER VICTORINO: No objections.

CHAIR MEDEIROS: Thank you, Members.

**ITEM NO. 25: BILL TO PROHIBIT PARKING ON WAILANI STREET, WAILUKU (SECTION 10.48.040, MAUI COUNTY CODE, PERTAINING TO STOPPING, STANDING AND PARKING) (C.C. No. 09-232)**

CHAIR MEDEIROS: We will first. . .take up the first item on our agenda and that is IM-25, a bill to prohibit parking on Wailani Street, Wailuku, Section 10.48.040, Maui County Code, Pertaining to Stopping, Standing and Parking. The Committee is in receipt of County Communication No. 09-232, from the Director of Public Works, transmitting a proposed bill entitled A BILL FOR AN ORDINANCE AMENDING SECTION 10.48.040, MAUI COUNTY CODE, PERTAINING TO STOPPING, STANDING AND PARKING ON WAILANI STREET, WAILUKU. The purpose of the proposed bill is to prohibit parking on a portion of Wailani Street in Wailuku, between East Vineyard Street and Nani Street. So, Members, you'll find this item in your Binder 1 which is the last item in Binder 1. So at this time, I'd like to ask the Director of Public Works to provide an overview of this item. Director Arakawa?

MR. ARAKAWA: Thank you, Mr. Chair. As you noted, this item pertains to a proposed bill to prohibit parking on both sides of Wailani Street between East Vineyard Street and Nani Street. Wailani Street is located between the Community Clinic of Maui and the Wailuku Hongwanji Mission. And properties along this street are largely residential in nature. The proposed bill was initiated because of calls from several residents concerned that delivery and refuse services would not be able to be accomplished due to insufficient travel lane width for vehicles when vehicles were parked on the side of the road. The normal County standard for local roadways is a 44-foot-wide right-of-way with 28-foot pavement width. The right-of-way along Wailani Street varies between 12 and 20 feet, and the pavement width also varies with the widest portion of pavement being 16 feet. The Traffic Safety Council reviewed the proposed bill at its December 9, 2008 meeting. Because of the narrow roadway, the Traffic Safety Council also found that emergency vehicles could not get easy access to the homes abutting the road, and they concurred that parking should not be allowed on both sides of Wailani Street. A proposed bill entitled A BILL FOR AN ORDINANCE AMENDING SECTION 10.48.040, MAUI COUNTY CODE, PERTAINING TO STOPPING, STANDING AND PARKING ON WAILANI STREET, WAILUKU has been drafted, and the Committee's review and consideration of the proposed bill is respectfully requested.

CHAIR MEDEIROS: Mahalo, Director. Members, the floor is now open for discussion. Any discussion or questions? Council Chair Mateo?

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COUNCILMEMBER MATEO: Chairman, thank you very much. Mr. Director, good morning. The vehicles that's being parked on this roadway is it predominately residents that's parking on, on the street, or is it outside individuals parking their street, their, their vehicles there?

MR. ARAKAWA: I believe some of...I'm not really certain, but I believe some of them are at least residents that are parking along the street as well. But this is an older portion of Wailuku Town as you know. I don't doubt that some of the parking was also, you know, people that do not live on the street.

COUNCILMEMBER MATEO: Are there options for the residents?

MR. ARAKAWA: Uh, there--

COUNCILMEMBER MATEO: And my, my concern would just be the residents.

MR. ARAKAWA: The residents would have to basically park on their, on their lot. I mean that would basically be it. Or they could park on other nearby streets where parking would not be prohibited. That would be the options available to them. The other, of course, alternative now, of course, if you have parking, a person that parks their car on the side of the road presently it...basically blocks emergency access, emergency, refuse services access.

COUNCILMEMBER MATEO: Okay. So actions was actually generated by the residents themselves?

MR. ARAKAWA: Yes.

COUNCILMEMBER MATEO: And currently there exists signage on the road, on the roadway primarily during school hours with regards to no parking?

MR. ARAKAWA: I don't believe there's any signage now.

COUNCILMEMBER MATEO: None right now?

MR. ARAKAWA: Right.

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

CHAIR MEDEIROS: Mahalo, Council Chair Mateo. Committee Vice-Chair Pontanilla?

VICE-CHAIR PONTANILLA: Thank you. Director, that street is it a two-way street or one-way street?

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MR. ARAKAWA: A portion of it is two-way. Wailani is two-way between East Vineyard and Loke Street. Loke is an intervening street. And it is one-way from Nani Street to Loke. That's the frontage of that Lokenani Hale development.

COUNCILMEMBER PONTANILLA: Uh-huh.

MR. ARAKAWA: I, I would note that the one-way direction goes north towards Waihee along that short stretch, and there is marked parallel stalls along that one-way section. The marked one-way stalls are on the Lokenani Hale property. So that would not be affected. So it's basically prohibiting street parking on the portion that the County considers as part of the road right-of-way.

VICE-CHAIR PONTANILLA: So if you were to make that portion that is not one-way now one-way to gain parking, and, and I would think that some of the cars are parked along that particular street, Wailani Street, probably are renting rooms, you know, for their. . .and, and for them to park somewhere else, you know, would be a hindrance. My only thought would be to make that two-way to one-way to create more parallel parking if that can be accomplished. But if you cannot then, you know, it's going to be hard for those that are renting in those areas to find parking in that particular location. Thank you, Chairman.

CHAIR MEDEIROS: Mahalo, Mr. Pontanilla. Mr. Victorino?

COUNCILMEMBER VICTORINO: Thank you, Chair. Mr. Arakawa, I'm familiar with this area that you're referring to, and yes, when you have vehicles, that street becomes very, even for emergency vehicles would be very, almost impassible, and so I understand the dilemma. And I agree with Mr. Pontanilla, Member Pontanilla that a lot of those who park out there in the evenings are people that rent in that area and so that's going to put a hardship. What, and he asked the question, I guess, what would it take if we were to say not ban parking but make it one-way and what impact would it have on the residents of that particular street? Because they're the ones mostly affected. It's not a main thoroughfare, although I use it once in a while to get between two points. But if we were to change it, what would it take, and would it be something that was asked of the residents? Did the residents, were they ever consulted on that, Mr. Arakawa?

MR. ARAKAWA: Councilmember Victorino, we didn't really discuss the issue of extending the one-way street on Wailani all the way to Vineyard with the residents. The, the request that was before us was basically to try to ban or prohibit parking on both sides and, and retain the two-way direction of travel. It's something that perhaps we can discuss with the residents. Of course if we go with one-way travel, it would restrict some of the options the residents currently have to access their homes. The right-of-way, I would note too, it, it varies between 12 and 20 feet. It's still rather narrow to allow parking on one side of the road. So I mean it's, it's, it's possible but it's, it's still rather narrow.

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COUNCILMEMBER VICTORINO: See and the other concern I have is we're banning parking on both sides, you know. We have done in other areas one side of the street which still then eliminates parking on one side, and you still can park on the other which then doesn't inhibit a lot...I mean you lose some parking but not all. And so that's something that, you know, I don't know if that was also considered, because in Kahului and in Wailuku, right, I mean there are streets that we've only banned or asked not to park. We put one side no parking; the other side we allow parking which then kind of opens up the road so you don't have, you know. So again I, I, again this is after-the-fact, but, you know, has and was this all consulted with the residents or was options given when this was brought forward? Because once we do something like that, again we change it, but it's going to create, I believe a real challenge for many of the renters and other people that might have more than two or three cars. And then again maybe they should have enough parking on their property...*(laughter)*... not to park on the streets, too. So maybe that's another option. But anyhow so, was, was that option ever looked at, like banning on one side or prohibiting parking on just one side of the street?

MR. ARAKAWA: We, we, we haven't discussed banning parking only one side with these particular set of residents. It can, again it can be done but then we must discuss with the residents which side of the street will be prohibited as far as parking. In other instances we've had complaints from residents where they basically ask us why is parking banned on my side of the street and not the other side of the street, and we have to deal with those types of instances. But we, I mean we can deal, I mean we can discuss the issue with the residents, see what, you know, further alternatives may be feasible for, you know, the community in general.

COUNCILMEMBER VICTORINO: Okay. Thank you, Mr. Chair. Thank you, Mr. Arakawa, for your responses.

CHAIR MEDEIROS: Mahalo, Mr. Victorino. Mr. Molina?

COUNCILMEMBER MOLINA: Thank you, Mr. Chairman. Good morning, Mr. Director. First question, how many cars are we looking at will be affected by this prohibition in terms of parking? How much total? Do we have any numbers potentially?

MR. ARAKAWA: No. I don't have that total. But it's basically a very short stretch of Wailani. I'm not certain if you're familiar with the area. But it's basically from Wailuku Hongwanji to, you know, the Community Clinic. I don't know the length but it, it's a fairly short stretch of street.

COUNCILMEMBER MOLINA: Uh-huh. And there's no time, I mean no time limitation or anything currently there, yeah --

MR. ARAKAWA: Right now...

COUNCILMEMBER MOLINA: --in terms of like only two hour parking? Yeah.

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MR. ARAKAWA: No. Right.

COUNCILMEMBER MOLINA: Nothing, yeah? So it's unlimited free parking. I, I note in the binder that the Traffic Safety Council met, I guess, on, in December of 2008, to discuss this issue, and it would seem that the residents were concerned that the road is too small for parking and of course the emergency access issue. And I guess fire trucks need an access of 16 feet. So do you know how many residents generated this? Did, did they, do you recall, Mr. Arakawa, if they came out to this Traffic Safety Council meeting?

MR. ARAKAWA: No. I'm not aware if they came out to the Traffic Safety Council meeting.

COUNCILMEMBER MOLINA: Okay. But, but typically when you have something like this it's noticed to the residents that the Traffic Safety Council will be discussing this?

MR. ARAKAWA: It, it's noticed like a regular meeting. I don't think we specifically notified the residents by, by mail or by phone. But I can--

COUNCILMEMBER MOLINA: So, so how, how would they find out then?

MR. ARAKAWA: Um. . .generally if they're following the request they can, I mean they can check with our office to see if it's placed on the agenda. But I can give you the names of the residents that basically generated the request. Actually. . .and they're actually, they actually live on the street. These are, the request was generated from Chris Hart, who as you know is a consultant here, and John Summers.

COUNCILMEMBER MOLINA: Okay. Yeah, that might...I ask that question because if the other residents weren't aware of this, you know, meeting that was taking place, then maybe the Traffic Safety Council could have come up with additional recommendations or maybe something different. So, you know, I can, I can see the point of view coming from some of my colleagues with regards to the impacts it would have on the parking for those who are renting as well. So but my whole issue here is, you know, finding out if everybody else got the word about this thing. And so, anyway, Mr. Chairman, for me, I, I would be more comfortable in maybe, you know, if you feel it's appropriate deferring this and looking at maybe trying to get more information and finding out what happened at this Traffic Safety Council meeting, who came out to testify if they were any. And it would seem like at this point it sounds like only one, you know, certain residents made this request. And the question is were the other residents informed about this proposal as well. So, but of course we have the meeting here today so it's noticed to the public too, so, you know, it can be looked at it in two different ways. So there's my comments, Chair. Thank you.

CHAIR MEDEIROS: Okay. Thank you, Mr. Molina, for your comments. Member Kaho'ohalahala?

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COUNCILMEMBER KAHO‘OHALAHALA: Yes. Thank you, Chair. Director, how many residences are we talking about on this street?

MR. ARAKAWA: I don't have the exact number.

COUNCILMEMBER KAHO‘OHALAHALA: Okay. I'm looking at a Google of the area and it doesn't appear to have a lot of homes on, on the, on the street itself. So I'm just wondering if, if it's a question of residents and parking. . .I don't know if they each have their own parking within their own residential lot. I can't tell from the, the Google. But those will be important information for us to have in terms of if the residents themselves are seeking because of fire and safety issues to remove street parking. The assumption would be that they have parking within their own residence. . .lots. Or and if they're not then where will they park? You know.

MR. ARAKAWA: Councilmember Kaho'ohalahala, we can provide the Committee with more information on that. And, but as you mentioned, it is a fairly short street. They're not a lot of residents that would be affected. But this is an area of, traditional portion of Wailuku where you have a lot of smaller lots --

COUNCILMEMBER KAHO‘OHALAHALA: Without parking.

MR. ARAKAWA: --traditional homes which may not have been built to the current standards.

COUNCILMEMBER KAHO‘OHALAHALA: Okay. Okay. I just ask that question 'cause it would be helpful for us to, to get a better gauge on, on what impact the request would be. Okay. Thank you, Chair.

CHAIR MEDEIROS: Mahalo, Mr. Kaho'ohalahala. Ms. Baisa?

COUNCILMEMBER BAISA: Thank you very much, Chair. You know trying to visualize what we're talking about here without a whole lot of information, you know, it would really be helpful if when we get these kinds of requests we had a map with it so that we can actually see where the houses are, where the street are, where the parking spaces are; otherwise it's very, very difficult. So I kind of concur with Member Molina, maybe we want a little more information before we make a decision. Thank you.

CHAIR MEDEIROS: Mahalo, Ms. Baisa, for your comments. I agree. I also looked for a map--

COUNCILMEMBER BAISA: . . .*(laughter)*. . .

CHAIR MEDEIROS: --in here. You know I should have looked earlier. But I, I, I printed out my own map just to get a sense of where it was from my street map book. But it is a short section like the Director says. But I think photographs would have been helpful also--

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COUNCILMEMBER BAISA: Yes.

CHAIR MEDEIROS: --to see what it looks like with the cars parked there. Any other questions or discussion? Member Pontanilla?

VICE-CHAIR PONTANILLA: Thank you, Chairman. Yeah, I, you know, agree with you either photograph or maybe a site visit would be, you know, warranted. But I have a question for the Director. In regards to this particular area, do we need or is, this is part of the Maui Redevelopment area?

MR. ARAKAWA: I believe so.

VICE-CHAIR PONTANILLA: And do they, do we need to have feedback from them also? No?

MR. ARAKAWA: I don't believe feedback would be *required*, but it's not *prohibited*. Of course if the Council wants to get feedback from them, certainly it's your option.

VICE-CHAIR PONTANILLA: Yeah. Because I remember down here below the County building they were quite involved when CPB when made that. . .bank over here. And they were a lot of questions in regards to same thing, traffic, not enough parking, the whole bit. So thank you, Chairman. I, I would, you know, concur with either photographs or site visit.

CHAIR MEDEIROS: Okay.

VICE-CHAIR PONTANILLA: Thank you.

CHAIR MEDEIROS: Mahalo for your comments, Mr. Pontanilla. If no further questions, I have some questions for the Director. And, and, you know, I bring up this point for you, Members. We did take up a similar situation on a street in Paia that we did prohibit parking for the same reasons--that it was too narrow, that the people parking on the road would make it very difficult if at all for emergency vehicles to go into that Paia lane. So this seems like very similar to that. And I know for fire trucks and ambulances, they need as much room as they can . . .*(laughter)*. . . to get in and to work. So I just bring that up that we did do a street in Paia like this. And my other question was similar to what Member Kaho'ohalahala asked is the lot sizes, and the Director did explain that some of the lots are very small. And if you drive down some of these back streets, the house pretty much takes up the entire lot and not too much parking available on the lot. So, you know, it's. . .but, you know, we have to recognize that similar to Paia the *residents* raised the concern about parking on their street. And so, Director, what exists currently is it allows for parking on both sides of the street?

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MR. ARAKAWA: Yes, Mr. Chair. There's no express prohibition currently in the Code, so parking could theoretically occur on both sides of the street.

CHAIR MEDEIROS: Right. Okay. That, that's a concern because, you know, as brought up by the Director, some parts of that street are 12 feet wide, the right-of-way. So you put cars . . . *(laughter)* . . . two cars, cars on both sides, there's *no* room for maybe even a *regular* car to get through. . . and certainly not one fire truck or ambulance. So, Director, the length of the street that we're talking about, would you describe it as a block long, half a block? What, what would be your assessment of that?

MR. ARAKAWA: There is an intervening street, a cross street, Loke Street, so I guess it would be two blocks. It's basically one block from East Vineyard to Loke and another block from Loke to Nani.

CHAIR MEDEIROS: Okay. About two blocks long. Okay. Okay. Members, with your comments and your request just to have more information or even a site visit, are there any further discussion? If there's no further discussion, Members, the Chair would like to make his recommendation.

COUNCILMEMBER VICTORINO: Recommendation?

CHAIR MEDEIROS: Thank you, Members. Without the objection, the Chair will defer this item.

COUNCIL MEMBERS: No objections.

**COUNCIL MEMBERS VOICED NO OBJECTIONS.**

**ACTION: DEFER pending further discussion.**

CHAIR MEDEIROS: Thank you, Members.

**ITEM NO. 26: ACCEPTING DEDICATION OF ROAD WIDENING LOTS FOR KAMEHAMEIKI-PULEHUIKI HOMESTEADS (KAMEHAMEIKI ROAD, KULA) (C.C. No. 09-233)**

CHAIR MEDEIROS: So we will move on to our second item on our agenda which is Item 26. And, Members, you'll find this in your Binder 2 as the first item. And Item 26 is accepting dedication of road widening lots for Kamehameiki and Pulehuiki Homesteads, Kamehameiki Road in Kula. The Committee is in receipt of County Communication No. 09-233, from the Director of Public Works, transmitting a proposed resolution entitled ACCEPTING DEDICATION OF ROAD WIDENING LOTS FOR THE KAMEHAMEIKI-PULEHUIKI HOMESTEADS, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE. The purpose of the proposed resolution is to accept the dedication of Road Widening Lots 14-D, as in delta, and 14-E, "E" as in echo, along

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Kamehameiki Road, Kula, consisting approximately of 7,539 square feet, affecting TMK: (2) 2-3-01:030. So at this time, Members, I will ask the Director for an overview of this item. Director Arakawa?

MR. ARAKAWA: Thank you, Mr. Chair. This item pertains to a proposed dedication of two roadway lots for the Kamehameiki-Pulehuiki Homestead subdivision. The two roadway lots are Lots 14-D and 14-E along Kamehameiki Road. Lot 14-D is 4,245 square feet and Lot 14-E is 3,294 square feet. The subdivision was granted final subdivision approval on August 4, 2009. The Department of Public Works reviewed the warranty deed and found it to be satisfactory. The document has also been reviewed and approved by the Department of Corporation Counsel. A resolution entitled ACCEPTING DEDICATION OF ROAD WIDENING LOTS FOR THE KAMEHAMEIKI-PULEHUIKI HOMESTEADS, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE has been drafted. The Committee's review and consideration of the proposed resolution is respectfully requested.

CHAIR MEDEIROS: Mahalo, Director. Members, the floor is open for discussion. Any questions or discussion at this time?

COUNCILMEMBER VICTORINO: No.

VICE-CHAIR PONTANILLA: No.

CHAIR MEDEIROS: Seeing none, that was quick . . . *(laughter)* . . .

COUNCILMEMBER VICTORINO: This one get map.

COUNCIL MEMBERS: . . . *(Laughter)* . . .

CHAIR MEDEIROS: The, the Chair will entertain a motion to recommend adoption of the proposed resolution and the filing of the communication.

VICE-CHAIR PONTANILLA: So moved, Chairman.

CHAIR MEDEIROS: And . . .

COUNCILMEMBER VICTORINO: Second, Mr. Chair.

CHAIR MEDEIROS: Okay. We have the motion made by Member Pontanilla, seconded by Member Victorino. Any further discussion, Members, on this item? Seeing none, all those in favor of the motion, say "aye".

COUNCIL MEMBERS: Aye.

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CHAIR MEDEIROS: All those oppose, say “no”. Okay. It is unanimous. Seven Members voted in the affirmative and it’s unanimous.

**VOTE:       AYES:       Councilmembers Baisa, Kaho‘ohalahala, Mateo, Molina, Victorino, Vice-Chair Pontanilla, and Chair Medeiros.**

**NOES:       None.**

**ABSTAIN:   None.**

**ABSENT:   None.**

**EXC.:       None.**

**MOTION CARRIED.**

**ACTION:     Recommending ADOPTION of resolution and FILING of communication.**

CHAIR MEDEIROS: So we pass that item on and we go to our final item. And the, the Chair will, will take a quick recess in order for us to contact the Director of Environmental Management or a representative to be here. So at this time we’re going to take a ten-minute recess till 9:40. The Infrastructure Management Committee meeting is now in recess. . . .(gavel). . .

**RECESS:     9:30 a.m.**

**RECONVENE: 9:40 a.m.**

CHAIR MEDEIROS: . . .(gavel). . . The Infrastructure Committee meeting of September 14<sup>th</sup>, 2009 is now reconvened.

**ITEM NO. 12: LOCATION OF WEST MAUI RECYCLING AND REDEMPTION CENTER (C.C. No. 09-164)**

CHAIR MEDEIROS: Members, we are on our third item on our agenda, IM-12. And IM-12 is titled LOCATION OF WEST MAUI RECYCLING AND REDEMPTION CENTER. The Committee is in receipt of County Communication No. 09-164 from Councilmember Wayne Nishiki relating to the location of a West Maui Recycling and Redemption Center. So, Members, at this time, I’d like to invite and introduce at the same time the Director of the Environmental Management Department, Director Okuma, if you would give us an overview at this time of this item please.

MS. OKUMA: Thank you, Committee Chair Medeiros. Committee Members, good morning.

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COUNCILMEMBER VICTORINO: Morning.

MS. OKUMA: Let me just provide you the context of this project. The Solid Waste Division, to find a suitable site for a full-scale West Maui Recycling and Redemption Center, has been at least a ten-or-more year effort. Due to the difficulty in finding a suitable site under the prior Administration by 2006 to approximately spring of 2007, a consultant was commissioned to undertake the effort involving a review of potential locations identified by the County; identify potential areas; assess and evaluate sites; and submit, make recommendations. Assessments involved criteria including several factors such as safe vehicle access; central location to West Maui users; proximity to areas sensitive to noise and visual impacts; available space for vehicle queuing; special development requirements such as zoning changes, Special Use Permits, Special Management Permits; visible location; customer safety; land development matters including cost, acquisition, permitting and improvements. The site evaluation, which included the process of identifying locations, developing criteria, assessing sites as well as those factors I just ran through, took us through the end of 2008. It was in early 2009, we believed a potential site--that being Pump Station 4 at the Lahaina Treatment Pump Station location on Ala Moana in Lahaina. However, as we proceeded forward, meetings with the Planning Department indicated that other processes would require us to go before various agencies. It was then that we realized that the, that there may be various cultural concerns within the community. Based on those discussions with the Planning Department, the decision was to go out with a publicly noticed informational meeting to, number one, inform the community of this proposed project and location, and to receive their comments. Based on public comments received from May 27, 2009, which was the publicly noticed meeting, we realized that Pump Station 4 on Ala Moana in Lahaina was not an appropriate site for a West Maui Recycling and Redemption Center. Community members who wanted to be contacted were so informed of our, of our determination. The purpose of this West Maui recycling and redemption project was to provide a convenient, safe and central location for recycling activities. It was intended to be a full-scale operation to recycle and for HI-5 redemption of aluminum, glass and plastic. Currently we do have a HI-5 redemption on Keawe Street; however, that has limited access, there are site safety concerns, it does wash out and it is an extremely small site. The service there, because it is HI-5 redemption, is provided by a private vendor. We have been informed that we must be out of that, that that particular service must be off-site by December 2009. Just for information, that site is about 5,000 square feet bordered on three of four sides by a cane haul road, a public street and a sugar cane railroad tracks. Typically, we have eight-to-ten 22-foot containers on that site. Customer access is limited to one point and users must cross the cane haul road to enter the site, and there's only space enough for perhaps two, two to three customers to park their vehicles at any one time. And queuing along Keawe Street has taken up to a 90-minute wait at times for customers. Plus, there's no security fencing around the site to prevent access to bins after hours. Basically, 22...27 initial sites were identified as a result of the consultant work commission. Twenty-two of those sites were eliminated for not meeting the various criteria and factors we had talked about. Five sites were ultimately short-listed for further evaluation. One of them was this Pump Station 4. At this time we have not, we are not

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identifying or have not identified any other site--which in our opinion should not be just temporary because that of course has been the issue. It needs to be a solid, long-term solution. Given our resources and our current efforts, we are focused on the planning and development of the Solid Waste Plan recommendations as I've reported on various occasions here. As mentioned before this Committee, we are in the midst of planning and development of a phased approach for curbside recycling and the material recovery processing facility. And as we move forward in that planning effort, we will keep in mind West Maui recycling services and see how that could be addressed. Thank you.

CHAIR MEDEIROS: Okay. Mahalo, Director Okuma. Members, the floor is open for discussion. Member Pontanilla?

VICE-CHAIR PONTANILLA: Thank you. Yeah. I know it's pretty difficult to find vacant land in Lahaina. Um. . .you know the old Olowalu Landfill site, right now you do receive trash in that area. I know it's away from Lahaina Town and, you know, just listening to you, some of the customers wait 90 minutes to, to enter the recycling area in Lahaina Town. What's the possibility of maybe locating that recycling center at Olowalu?

MS. OKUMA: You know that, that was, as I recall, one of those 27 sites that were looked at. There isn't very much space on there right now. If you drive by there, we already have a recycling service that's there. So there isn't that much, in fact there's no other room to add any other bins there. We have always been concerned because access is off of Honoapiilani Highway and it's a non-signalized intersection. And depending on if you're coming from the Lahaina area and trying to take that left turn or if you're trying to come out trying to take a right back into Lahaina, you know, it has always caused us somewhat of a concern. But the footprint that's available for Olowalu and that activities is very limited and we're builtout right now --

VICE-CHAIR PONTANILLA: Uh-huh, uh-huh.

MS. OKUMA: --on that.

VICE-CHAIR PONTANILLA: Well, that's the only site that I could think of, so--

CHAIR MEDEIROS: . . .*(laughter)*. . .

MS. OKUMA: Right.

VICE-CHAIR PONTANILLA: Jeez . . .*(laughter)*. . .

MS. OKUMA: We appreciate it.

VICE-CHAIR PONTANILLA: How about the, the, the wastewater treatment plant in those, in that area?

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MS. OKUMA: Yes. That was also--

VICE-CHAIR PONTANILLA: . . .*(inaudible)*. . .

MS. OKUMA: --one of the sites that was evaluated, and we took a hard look at that and went back several times to look at it. The issue really had to do with State Department of Transportation and their denial of us being able to move forward with that project because of concerns of their acceleration or . . .deceleration lane. We would need their approval, and I was even...there were several meetings with the staff and I was part of a conference call all the way back to Honolulu State DOT. And it was apparent that that was not going to work given their concerns with acceleration or deceleration access.

VICE-CHAIR PONTANILLA: So there's no chance as far as trying to enter from any of those traffic signal areas?

MS. OKUMA: No. That would not work. If we were to...there's that side, side street that kind of goes between the, where the car rental business is, I believe. And if we would try to take a left into that access, we would have to take out a couple of those businesses; and there's businesses there. It's a problem to go back, in the back through the cane road because that is still currently used by a company there, Ameron or Kaanapali Development, and there's heavy vehicles that come and go, plus there's utility crossing issues. So we did take a look all around in terms of various access. Yeah.

VICE-CHAIR PONTANILLA: Yeah. I would think, you know, I don't know if you guys pursued like, say, a road right-of-way or easement of some kind so that you can get in the back of the treatment plant, but.

MS. OKUMA: We, we did. It's a problem because as I said there would be conflicts with heavy vehicles coming and going back there. There is a operation in the back, plus it would involve crossing a couple, you know, crossing over into the cane road and then back into the back site over utility lines. We, you know, so there, there were a number of things that, that were a concern back there.

VICE-CHAIR PONTANILLA: Thank you. Thank you, Chairman.

CHAIR MEDEIROS: Mahalo, Mr. Pontanilla. Any other questions? Mr. Molina?

COUNCILMEMBER MOLINA: Yeah. Thank you, Mr. Chairman. Well, first let me just start off by saying I, I know this was submitted by Councilmember Nishiki and he is not a Member of the Committee. But I would have certainly appreciated him being here on this Monday morning like the rest of us to at least hear his intentions as to why he has pursued this matter in light of the fact that this is in Lahaina and not in his district. But anyway good morning, Madam Director. Thank you for the status report. I was wondering if this could be submitted, your report could be submitted to us in writing for future reference as well, and certainly appreciate your comments. At this point, have

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you. . .cost, have you, maybe I missed it but is there, are there any, what are the cost factors that we're looking at --

MS. OKUMA: I'm sorry?

COUNCILMEMBER MOLINA: --with regards, the cost factor for a Recycling and Redemption Center.

MS. OKUMA: What would it cost?

COUNCILMEMBER MOLINA: Yeah.

MS. OKUMA: What would it cost to move forward, you're saying?

COUNCILMEMBER MOLINA: Yeah. Yeah. I mean any initial cost figures at this point you can provide us?

MS. OKUMA: Let me just make sure I understand. What would a general cost be--

COUNCILMEMBER MOLINA: Right.

MS. OKUMA: --in terms of moving forward--

COUNCILMEMBER MOLINA: Yeah.

MS. OKUMA: --if we were moving forward on this project --

COUNCILMEMBER MOLINA: Right.

MS. OKUMA: --or any other project?

COUNCILMEMBER MOLINA: Yeah.

MS. OKUMA: You know I think it would vary depending on --

COUNCILMEMBER MOLINA: On the site.

MS. OKUMA: --permitting, land site acquisitions. I, I kind of hate to throw just a single number out there because it may not be reflective. But I can tell you that the Kihei Recycling and Redemption Center, which was opened, I believe it was last year--that is our flagship--I believed that cost nearly, I'm going to say about a million, perhaps.

COUNCILMEMBER MOLINA: Okay. Okay. So generally we're looking, we *could* be looking at in a ballpark figure of about a million. . .

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MS. OKUMA: I think--

COUNCILMEMBER MOLINA: . . . give or take a few . . .

MS. OKUMA: I--

COUNCILMEMBER MOLINA: . . . thousand or so?

MS. OKUMA: I think depending. . .it could be between half, half-a-million to a million, somewhere in there. Again, there's a lot of factors it would depend on.

COUNCILMEMBER MOLINA: Okay. Thank you. And I question just so at least, you know, the Members and the public knows what we're looking at in these dire times that we're currently in with regards to revenue for any type of facility that the County's involved with. So anyway thank you for your report, Madam Director. Thank you, Chairman.

CHAIR MEDEIROS: Mahalo, Mr. Molina. I would say that we did make an effort to call Councilmember Nishiki's office, and his staff said he did call in and he didn't sound too good. I'm not sure if he's ill or what, but he, he wasn't going to be here. Member Pontanilla?

VICE-CHAIR PONTANILLA: Thank you. Director, have we ever thought about the idea of purchasing land from some of the large landowners out in that area?

MS. OKUMA: I think all options were open whether it was lease, purchase or otherwise, and we have not been able to find anything even suitable for purchase.

VICE-CHAIR PONTANILLA: So the large landowners were open to the idea of possibly?

MS. OKUMA: I can't, I can't speak for them if they were open. I don't know that I would take from previous conversations--there may have been--whether they were open or not.

VICE-CHAIR PONTANILLA: Okay. Thank you.

CHAIR MEDEIROS: Mahalo, Mr. Pontanilla. Any other questions? Member Kaho'ohalahala?

COUNCILMEMBER KAHO'OHALAHALA: Thank you, Chair. Director, the current area that the, the Recycling Center is located is part of an industrial park area.

MS. OKUMA: I believe it's right below that industrial park area, so you pass it actually as you go up to that business park industrial area.

COUNCILMEMBER KAHO'OHALAHALA: Okay. Is there any possibility that the industrial park area would be a--

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MS> OKUMA: We--

COUNCILMEMBER KAHO‘OHALAHALA: --site?

MS. OKUMA: We had, in fact, taken a look at it but. . .they, it didn’t seem like that was a compatible service given their covenants and conditions and restrictions. And I guess that was the other thing--it was too, too highly restricted.

COUNCILMEMBER KAHO‘OHALAHALA: What are those covenants and restrictions?

MS. OKUMA: You know I don’t recall *exactly* what they were, but we did take a look at that.

COUNCILMEMBER KAHO‘OHALAHALA: Okay. It would be, I mean if we’re trying to assess what is available, it would be helpful, when you say that there’s covenants and restrictions, for us to understand what that it is so we can come to the same conclusion perhaps that you have. But it would seem an appropriate, central-located area within the West Maui. Olowalu, as you say, I agree, is, is a difficult place. It’s farther out of town for people just trying to recycle daily recyclable materials, and then moving out farther to the Honokowai area *is* also a very, a long distance just to take recyclables. And if we really want to get that to go, we should have it centrally located, and it seems that the *industrial* area provides some potential. There’s a lot of space out there, yeah.

MS. OKUMA: Right. And, and just to mention we did take a very hard look at that, and as I recall, as I recall, this was not a compatible use with the desire of that park association.

COUNCILMEMBER KAHO‘OHALAHALA: Okay. I would be interested in knowing what that is. You know, I remember when we set aside that area for, for industrial use, it was to encourage and it was part of an Enterprise Zone area that would allow for businesses that would be given credit for setting up. So I don’t know the current status --

MS. OKUMA: Right.

COUNCILMEMBER KAHO‘OHALAHALA: --but if we could get information about that it would be helpful.

MS. OKUMA: All right. And I guess the other thing is we were looking at something that’s long-term and something that’s more within the control of the County. Obviously, if we could get land on which there’s no restrictions, no future assessments that we need to worry about--‘cause that’s the other thing, is there would be financial assessments as I recall. It was, it would be a lot better for us not to even get into that kind of situation. And again, I think we’d like to go through the planning and development of our Solid Waste Plan and see how we can reasonably fold in some of these issues--such as what’s happened out in West Maui--into an overall coordinated plan rather than to try to do everything piecemeal.

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COUNCILMEMBER KAHO‘OHALAHALA: Okay. Chair, I think it would be good for the Committee to have the kinds of information that the Director is making mention of so that we have also an idea of what is . . . potentially available, and that we might also want to make an assessment as well based on, on their information. As far as I’m hearing today, it’s a no-win situation everywhere we go. So at this point, I don’t know any options that are available. So, Director, do you *have* any options available?

MS. OKUMA: As I said, given what our resources are right now and given the desire to move forward with the recommendations of the Solid Waste Plan, of which one of the goals is to increase our recycling from 30 to 60 percent, we are *focusing* our efforts to move that Plan *forward* in terms of the elements that we *can*. And as we go through that, we will certainly consider what is going on, the needs out in, in West Maui. But the other thing I also do want to mention is we’re aware that, I believe, there is a private vendor right now that does provide HI-5. I believe there’s, they started up in the Napili location somewhere. That is not *County-run*; that is strictly private. So, you know, if in time there’s private sector that does come in, that *helps*. And as I said, we will be mindful of that as we move forward to do planning and development of our *overall* recycling plan.

COUNCILMEMBER KAHO‘OHALAHALA: Okay. So, so far you’ve presented me with no alternatives then, oh, except that there’s a private vendor in Napili. Yeah, I . . . you know you talked about the flagship redemption center in South Maui. We should probably take from that and try to see why we not, we’re not able or why shouldn’t be able to replicate something in West Maui. And give the, the residents of West Maui the alternatives that we have tried to provide for Central and South, and Upcountry Maui as well. So I’m trying to look for directions, but I’m not getting any and that’s my, my frustration at this point. So, so, Chair, I think more information coming forth from the Department would be helpful perhaps to the Committee so that we might be able to, to consider some of the potential options. So thank you.

CHAIR MEDEIROS: Mahalo, Member Kaho‘ohalahala. And I will direct our Committee Staff, under my signature, to send correspondence to the Department of Environmental Management for, you know, an update and also on questions that have been raised today for response. Any other, Members, discussion or questions? The Chair has a couple, Director Okuma. And you may have, you know, said this or covered this, but what is the footprint size that you need for a center similar to South Maui?

MS. OKUMA: I think ideally we were looking at an acre.

CHAIR MEDEIROS: One acre. Okay. And there wasn’t any potential for land availability from the former sugar cane lands that are *not* in operation anymore? Was there an inquiry with that landowner of the former sugar cane lands? It used to be Pioneer Mill.

MS. OKUMA: As I recall through the history of this site search and evaluation, there had been discussions with Pioneer Mill, but. . . I would have to go back through the report and see what land that actually was.

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CHAIR MEDEIROS: Uh-huh. Because I'm not sure what the company's or the owner's plans are right now, but seems like a really nice location is the old Pioneer Mill site itself. As far as I know, most of it is still vacant except for, you know, at one time they had kind of a swap meet operations on that property. And I know there, Kaanapali Coffee has an office there in the former Pioneer Mill office. But it seems like that, that property extends from Lahainaluna Road almost to Kahoma Stream, and I was just wondering if inquiry was made on that particular site.

MS. OKUMA: My, I believe that that's where there's currently some sort of recycling service going on there, and again that would probably involve some sort of short-term lease. And, you know, quite frankly we're looking at something that's more permanent and solid, because when we, when we do these one-year leases, we have to go through this effort all over again. That, that's a lot of resources that we expend and use for something that's temporary. So at this point in time, given that this was a ten-year effort, given that this was an identification of 27 sites, it was time to step back, evaluate, and as mentioned, see how we can integrate West Maui as part of our effort to plan and development our Solid Waste recommendations particularly in terms of the goal of recycling.

CHAIR MEDEIROS: Okay. Director, you, you mentioned how difficult it was to find any location available--whether it was lease or purchase or even donated by landowners. So what about the consideration, because of the difficulty of acquiring land, of eminent domain?

MS. OKUMA: . . . Well, I suppose. . .you know, the . . .government and the County has that available as far as its *authority*. The question is if there is a suitable and appropriate *site* for this kind of facility, then the question would be. . .the support for eminent domain--

CHAIR MEDEIROS: Uh-huh. Okay . . .

MS. OKUMA: --or condemnation, I guess, you're talking about.

CHAIR MEDEIROS: Right. And I, I just bring that up if that wasn't considered. The former Olowalu Landfill site, is that still under County jurisdiction and the Department of Environmental Management?

MS. OKUMA: That is executive order land, State executive order land. That is the responsibility, due to the 30-year maintenance responsibility we have after closure of a landfill--that sits pretty much in the back of the current Olowalu Center. And yes, the answer to your question is it, it is under *authority*, but not *ownership* of the County of Maui.

CHAIR MEDEIROS: And where are we on the 30-year. . .maintenance requirement?

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MS. OKUMA: You know, I can't recall when the closure was. . .exactly. I would have to ask, go back and check into that and see where we are.

CHAIR MEDEIROS: Ah. . .well, I, I left Lahaina in 1986, and it had closed prior to my leaving, so. . .it goes quite a bit, way back. And the reason I ask that is on the very top where we've had our final. . .site to cover the cells and all of that, that would seem to be a good place to have it if we could use that property. Because that's exactly what we're doing is, you know, we're trying to recycle and divert as much as we can away from landfills. So was that property ever considered? Not where the recycling exists today, but above that on the plateau area of that site. That's a large area.

MS. OKUMA: Right. I, I don't recall if the consultant report addressed it, but I do know that we've actually gone out and looked at that area as we were also taking a close look. Obviously, there would be environmental considerations. I believe there's hesitancy to build structures on an old landfill where the public is going to be coming onto that landfill. So there's various environmental and safety considerations. We would ideally want a flat area. And as we sit here, I don't recall, I think that was part of the issue, problem was whether we had that kind of flat location in the size that we would need it. And that's in addition to the environmental issues that we would need to get past. And Olowalu, as you know, did go through a situation of, of subsurface fire. So I'm not sure that that this is an ideal location.

CHAIR MEDEIROS: Okay. Thank you, Director. Members, any further--

VICE-CHAIR PONTANILLA: Yeah.

CHAIR MEDEIROS: --questions? Member Pontanilla?

VICE-CHAIR PONTANILLA: Thank you. So what I'm hearing is that you want to locate this thing in a central location, and there's no place in Lahaina Town right now that you can at least acquire some piece of land. Now we're looking at going towards Olowalu, we're looking at going towards Honokowai, and all between, well, between Lahaina and Honokowai you have developments already being planned, Hawaiian Home Lands. So you got to look out, you know, someplace close to the treatment plant if you want to build some recycling facility. Now if you're going towards the other direction, you know, you do have a large landowner that owns all the way up to Olowalu, so you got to negotiate with those guys if you want to come closer to Lahaina Town. You know I'm hearing that Lahaina is out as far as a recycling center in that vicinity, centrally located. So I, I hope your concentration would be, you know, the treatment plant area or going towards north, going towards Kihei, you know, talking to some of those large landowners that is between Olowalu and the Lahaina Town to see if you can get a site. So I, I know it's difficult but, you know, just hearing you, you know, provide us this information, I'm almost saying that Lahaina is out in regards to a recycling center. So thank you, Chairman.

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CHAIR MEDEIROS: Thank you, Member Pontanilla. Members, any other questions?  
Member Baisa?

COUNCILMEMBER BAISA: Thank you very much, Chair. It appears to me that where we're at is that we need to permit the Staff to continue to do what they're doing. Because I agree with Councilmember Pontanilla that something located in central Lahaina obviously is not going to work. But we do have several very large landowners, who I think can be asked to help us with the right persuasion, because they, they're the ones who own the land and should be able to help the community. So we'll leave that until you can come back to us with a proposal. I think it's a better use of our time. But thank you very much. I know you have a terrible job before you. It's not an easy thing to try to find a place to put that *kind* of activity, 'cause it's the "don't bring it by me" and all the environmental concerns and the traffic and everything that goes with it. But yet reality is we really need one. Thank you.

CHAIR MEDEIROS: Mahalo, Member Baisa. Members, any further questions? Seeing none, and because of the comments and requests for further information, and I think I'd like to give Member Nishiki an opportunity to be here at a next scheduled meeting. The Chair would like to make his recommendation at this time.

COUNCIL MEMBERS: Recommendation?

CHAIR MEDEIROS: Thank you, Members. Without objection, the Chair will defer this item.

COUNCIL MEMBERS: No objections.

CHAIR MEDEIROS: Thank you, Members.

**COUNCIL MEMBERS VOICED NO OBJECTIONS.**

**ACTION: DEFER pending further discussion.**

CHAIR MEDEIROS: We have completed the business of the Infrastructure Management Committee. But at this time before I adjourn, I'd like to ask Planning Committee Chair Kaho'ohalahala--if you would announce the meeting this evening for East Maui and Hana?

COUNCILMEMBER KAHO'OHALAHALA: Thank you, Chair. The Planning Committee meeting will be reviewing the, the General Policy Plan for Maui County in Helene Hall this evening at 6 o'clock. And if you're able to participate from the East Maui community, we would invite you to join us this evening. Thank you, Chair.

CHAIR MEDEIROS: Thank you, Planning Committee Chair Kaho'ohalahala. And we encourage the people in East Maui, especially the closer communities of Keanae, Hana, and all the way to Kipahulu to participate in this meeting. And Helene Hall is down at

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Hana Bay. So without any further announcements, Members, the Infrastructure Management Committee meeting of Monday, September 14<sup>th</sup>, 2009 at 10:10 a.m. is now adjourned. . . .(gavel). . .

**ADJOURN:** 10:09 a.m.

APPROVED:



BILL KAUAKEA MEDEIROS, Chair  
Infrastructure Management Committee

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Transcribed by: Daniel Schoenbeck

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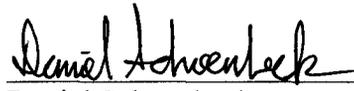
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CERTIFICATE

I, Daniel Schoenbeck, 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 the 17<sup>th</sup> day of September, 2009, in Pukalani, Hawaii.

  
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Daniel Schoenbeck