

BUDGET AND FINANCE COMMITTEE

Council of the County of Maui

MINUTES

October 13, 2009

Council Chamber, 8th floor

CONVENE: 1:33 p.m.

PRESENT: Councilmember Joseph Pontanilla, Chair
Councilmember Danny A. Mateo, Vice-Chair
Councilmember Gladys C. Baisa, Member
Councilmember Jo Anne Johnson, Member (in 1:39 p.m.)
Councilmember Sol P. Kaho`ohalahala, Member (in 1:54 p.m.)
Councilmember Michael J. Molina, Member
Councilmember Michael P. Victorino, Member (out 2:24 p.m.)

EXCUSED: Councilmember Bill Kauakea Medeiros, Member
Councilmember Wayne K. Nishiki, Member

STAFF: Gayle Revels, Legislative Analyst
Scott Kaneshina, Legislative Analyst
David Raatz, Legal Analyst (BF-47)
Yvette Bouthillier, Committee Secretary

ADMIN.: Frederick Pablo, Budget Director, Office of the Mayor
Jo-Anne Inamasu, Deputy Coordinator, Office of Economic Development, Office of the Mayor (BF-51)
Lori Tshako, Director, Department of Housing and Human Concerns (BF-47)
Tamara Horcajo, Director, Department of Parks and Recreation (BF-51)
Jason Lopez, Recreation Leader III, Department of Parks and Recreation (BF-51)
Traci Fujita Villarosa, First Deputy Corporation Counsel, Department of the Corporation Counsel

Seated in the gallery:

Jeffrey Ueoka, Deputy Corporation Counsel, Department of the Corporation Counsel (BF-51)

OTHERS: **Item BF-51:** Barry Takahashi

PRESS: Akaku: Maui Community Television, Inc.

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CHAIR PONTANILLA: ...*(gavel)*... Good afternoon, Members. The Budget and Finance Committee meeting is now in session. Today is October the 13, 2009 and the time 1:33 p.m. The Chair would like to introduce the Members that are present this afternoon. We do have Member Molina.

COUNCILMEMBER MOLINA: Good afternoon, Chair.

CHAIR PONTANILLA: Good afternoon. Member Baisa.

COUNCILMEMBER BAISA: Good afternoon.

CHAIR PONTANILLA: Good afternoon. Our Chairman, Member Mateo.

VICE-CHAIR MATEO: Good afternoon, Chair.

CHAIR PONTANILLA: Good afternoon. And Mr. Victorino, good afternoon, sir.

COUNCILMEMBER VICTORINO: Good afternoon, sir.

CHAIR PONTANILLA: Upfront representing the Administration is our First Deputy Corporation Counsel, Traci Fujita Villarosa; our Budget Director, Mr. Fred Pablo; and also the Director of Housing and Human Concerns, Lori Tshako. Supporting the Committee, we do have Staff, Yvette Bouthillier, our Committee Secretary; Scott Kaneshina, Legislative Analyst; and Gayle Revels, our Lead Legislative Analyst.

Okay, Members, we do have two items on the agenda this afternoon. The first one is BF-47, Amending FY 2010 Budget, Appendix A (Department of Housing and Human Concerns – United States Department of Agriculture Rural Development/Rural Business Enterprise Grant). And then the second item is BF-51, FY 2010 Budget Amendment (Revenues – Fees, Rates, Assessments and Taxes for Golden Baseball League); Type V Permit to Triple Play Group, LLC (Wailuku).

We do have one member of the audience that have signed up for public testimony this afternoon. At this time, Mr. Takahashi can move forward. And before Mr. Takahashi gives his testimony, if you could all turn our cell phones to silent mode or turn it off. And Mr. Takahashi, you have three minutes to provide public testimony and then the Chair will give you one minute to conclude.

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...*BEGIN PUBLIC TESTIMONY*...

MR. TAKAHASHI: Thank you very much. I wanted to come by today and share for the record with Council and the Committee that I think it's a good thing that the County and the Administration is looking at sports as an economic driver. However, I did want to take this opportunity to ask for the record to consider the following residual effects of bringing a professional baseball team to the island.

Right now we have five full-size, 90-foot diamonds that this league would be using within the County of Maui, accounting three on Maui, one Molokai, and one on Lanai. And the field repairs effects of having such an entity, it does offset some programming.

Another point that I did want to bring, before you folks discuss this, was the, the latest significant investment in a multi-purpose type of facility to house local programs and local kids and, and individuals such as the War Memorial Complex. And hopefully there will be consideration to developing maybe at a quicker pace alternate locations, to help service the community as far as being displaced or the side effects of whatever field repairs or modifications we're going to experience because of this new business coming in.

And then finally, the second thing would be a request or an emphasis to also expand looking at the local market for sports as an economic driver in developing more up-to-date or more fan- or user-friendly facility. We could also help add more income to our County, and businesses, and as well as County as an entity for leasing its facilities.

So, I hope this turns out. I think it's, it's a good lease agreement as far as what you will be holding the Golden Baseball League accountable to in the first year with firm deadlines and I'm excited to see how it proceeds. Thank you very much.

CHAIR PONTANILLA: Thank you, Mr. Takahashi. Members, any questions for the testifier? Member Victorino?

COUNCILMEMBER VICTORINO: Thank you. And thank you, Mr. Takahashi, for being here and spearheading this, this effort. A couple of quick questions and, Chair, if I stray off the subject matter, you bring me back in.

The first question I have. Will this afford opportunities for local talent to participate directly? I know there, there's talk about, you know, the numbers and

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the players and all that and outside and the way the league works. So, can you give us more of a detailed, a quick description of how this would work, and what, what impact beyond the economics to the local talent here in Maui County?

MR. TAKAHASHI: Sure and I'll borrow a statement from their press release saying these are forward looking statements and not by any means guarantees. So, if they do intend to take talent from the local community, they would become paid employees, professional baseball players per se, and have maybe an opportunity that they may not have had if this entity did not come into town. So, there is that added value with bringing this into town. Conversely, though, because this is an independent operation, it's not affiliated to any major league baseball clubs, the accountability of the players in the community might be something to pay close attention to as well, because say you have a bad stretch you really have nothing to lose if you're released here on Maui, and say you're from a neighboring country, or from the States for that fact. So, that's a major difference in my experiences with Hawaii Winter Baseball, which was developmental and affiliated.

COUNCILMEMBER VICTORINO: Okay, and make one small correction. Barry, just so that you don't get, get into a bad habit, we are part of the United States, so mainland would be preferable and a correct statement, because as far as I know Hawaii is still part of the union although there's times maybe we should be somewhere else but let's leave that subject matter alone.

The other question I had and will there be housing or any of that ability for the players and local families to interact like a lot of minor leagues and, and, and other independent leagues tend to go to the community for assistance just for that same purpose of cultural as well as localizing the, the different cultures so that they can intermingle more closely? Will that be afforded or you're, you're not sure on that one?

MR. TAKAHASHI: I'm not sure and then also I'm not sure how they're going to manage housing their players once they're here. There might be something for, for others coming up. And then also, you're correct, yes, I was referring to nationals, say from Puerto Rico, Dominican, Mexico, and Canada, so, just to clarify that part.

COUNCILMEMBER VICTORINO: Yeah and I know what you meant but when you said the States, I know you meant the mainland, so, that's was all.

MR. TAKAHASHI: Okay.

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COUNCILMEMBER VICTORINO: And the last question I have for you is these improvements that they're referring to here and the money that will be brought in the 54, 54,000 from the United States.

CHAIR PONTANILLA: . . .*(Inaudible)*. . .

COUNCILMEMBER VICTORINO: Oh, oh, wrong one. We're in the wrong place, okay.

CHAIR PONTANILLA: Mr. Victorino, before you go any further I understand your questioning of, of Mr. Takahashi and thank you for your responses though. I, I think, you know, from the Parks Department and from Economic Development, I think, they can provide you with some of the answers that you've been requesting. I know Mr. Takahashi is trying to provide you that information but Economic Development as well as the Parks Department do have a lot of information regarding this particular venue for Maui County.

COUNCILMEMBER VICTORINO: Okay, you know, I can wait till then to get these other questions answered, and I think they're very important because as Mr. Takahashi has just mentioned, Mr. Chair, you know, I have more and would like to see more of this done for our local talent and all that stuff because, you know, where exactly I fall in this whole thing.

CHAIR PONTANILLA: Yeah.

COUNCILMEMBER VICTORINO: The bottom line is you brought up a good point. You bring players here with no affiliation, something happens, they're stuck here, and that could create other challenges. And I think this is something very important. And this is not like they can jump in their car or catch a train or a bus and go home. You're a middle. . .you're stuck in the middle of the Pacific and these are very important issues that we're going to have to make sure are addressed because I don't care if it's independent or not. I don't want this community to be impacted adversely. You know, all the other stuff is good but we are bringing in people from other areas, and if something does go wrong and they're released what guarantees do we have that they'll be assisted back to where they need to go or something like that? Or are they stuck here, so?

CHAIR PONTANILLA: And, and, I think, the Department can answer those questions because, you know, our responsibility is our facility here in Maui County, which is the stadium. So, if there's any more questions for Mr. Takahashi? Member Baisa?

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COUNCILMEMBER BAISA: Thank you very much, Chair, and thank you, Mr. Takahashi for being here this afternoon.

MR. TAKAHASHI: My pleasure.

COUNCILMEMBER BAISA: You peaked my interest in your testimony when you mentioned the idea it may be there were other opportunities for local sports to produce economic development. Do you have anything in mind? We certainly are receptive.

MR. TAKAHASHI: Well nothing concrete but more in the formulation and it is something that I, I tried to stay up on. One thing that I hear a common theme in conversations would be to promote the inter-island type of local sports, sports marketing with popular adult softball leagues, or could be youth competitive types of leagues. It might be something worth looking at to examine what type of revenue or event Central Oahu Regional Park had brought in to the City and County, and maybe examine where War Memorial Stadium might be lacking in some facilities or in amount of population that it can accommodate.

COUNCILMEMBER BAISA: Thank you very much. Just curious to pick your mind while we've got you here. Thank you.

MR. TAKAHASHI: My pleasure. If I do have anything else I'll share with . . . *(inaudible)* . . .

CHAIR PONTANILLA: Yeah. I just want to make a comment. Mr. Takahashi, regarding this statement about alternate locations and I'm sure, you know, it's as far as Maui County, we're expanding parks in Kihei as well in Kahului, and hopefully that we can provide alternate locations in regards to baseball fields that can accommodate not only the professional teams but high school and the open leagues. So, thank you, again.

MR. TAKAHASHI: Thank you very much.

CHAIR PONTANILLA: The Chair would like to recognize the presence of Member Johnson.

COUNCILMEMBER JOHNSON: Aloha.

CHAIR PONTANILLA: So, any more, Members, do you have any more questions for Mr. Takahashi? Seeing none, thank you, again.

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MR. TAKAHASHI: Thank you.

CHAIR PONTANILLA: Is there anyone out there that would like to provide public testimony that haven't signed up? Seeing none, if there's no objections, the Chair would like to close public testimony?

COUNCIL MEMBERS: No objections.

CHAIR PONTANILLA: Thank you.

...END OF PUBLIC TESTIMONY...

ITEM NO. 47: AMENDING FY 2010 BUDGET, APPENDIX A (DEPARTMENT OF HOUSING AND HUMAN CONCERNS - UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) RURAL DEVELOPMENT/RURAL BUSINESS ENTERPRISE GRANT) (C.C. No. 09-256)

CHAIR PONTANILLA: Members, the first item this afternoon is BF-47, Amending FY 2010 Budget, Appendix A (Department of Housing and Human Concerns - United States Department of Agriculture (USDA) Rural Development/Rural Business Enterprise Grant). Members, you should all have the revised bill from the Budget Director. The purpose of the revised proposed bill is to add the United States Department of Agriculture Rural Development/Rural Business Enterprise in the amount of \$424,000. The funds will be used to provide technical assistance to Ka Hale A Ke Ola to assist the agency to conduct a baseline of their facilities, and to educate staff on developing a maintenance schedule for the agency's property. Members, do you have your amended ordinance in front of you?

COUNCILMEMBER VICTORINO: Yes, we do.

CHAIR PONTANILLA: Thank you. So, at this time, the Chair would like to call on Ms. Tsuhako for some comments.

MS. TSUHAKO: Good afternoon, Mr. Chairman, Members. Thank you for having me this afternoon. The item before you today is a request from the Department to add grant revenue into our County budget, in Appendix A. Initially as our Department crafted our Fiscal Year '10 Budget, we anticipated and, and actually made a grant proposal to the USDA that totaled about \$430,000.

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The grant was submitted because Deputy Director Ridao and I saw a trend where many nonprofit agencies were having to either do renovations on their properties or were working on construction projects for which they were not very well prepared. They were getting mired in a lot of the process. It took them away from doing the programming that was so important to our community. And in an effort to provide assistance to those nonprofits who are working on building projects, we applied for this USDA grant that would indeed provide for them to get technical assistance from a construction project manager, who could work with the agencies individually and, and help them chart their projects along.

Our hope was that these projects could be done more efficiently thus costing the agencies and ultimately the community less money and that in the consultation with this construction manager that the agencies would build capacity within their own organization so that in the future when they had additional building projects or renovation projects they would be better equipped to handle those projects on their own, would be much more efficient, and ultimately benefit the community. I would note that after our grant was submitted, the USDA considered our grant initially and they made a decision to fund it out of a different pot of money. So, initially in the budget ordinance it appeared as a Rural Community Development Initiative Grant and subsequently was funded through, through the Rural Business Enterprise Grant.

I also want to note that the grant, the letter of findings from the USDA, came in two parts. In very late August, we were notified that the USDA had approved our grant for approximately \$54,000. We were told that this decision was made by USDA staff in Hawaii, and that the balance of our request was forwarded to Washington D.C. for consideration by others. So, the grant actually came in two parts. First for 57,000 and more recently on October the 5th, the Department was notified that the additional funding of approximately \$370,000 was approved by Washington, D.C. staff. So, we have a grand total of about \$424,000.

Ka Hale A Ke Ola was identified as the, the recipient or the, the grantee recipient of that first lesser amount of \$54,000. The, the help given to them would be to help them develop a maintenance schedule for their facility so that even accommodating a staff turnover they would have a manual to rely on so that they could renovate their facility and do the upgrades necessary as they went along rather than allow it to deteriorate and need a whole lot of money to fix it up.

Additional recipients of this consultation grant will be the J. Walter Cameron Center that's undertaking a very large renovation project; the Family Life Center for the same purposes as Ka Hale A Ke Ola, because they're doing a renovation project right now and they need to have help determining a maintenance schedule

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and developing a maintenance procedure for their facility; Habitat for Humanity, which is redoing their restore building in Wailuku. And initially, I want to also let you know that the ARC of Maui was identified as a potential grantee because they were working on their Maunaloa Group Home, and we felt that, that, you know, we said this before their programming is very strong but they didn't have any experience with building.

We submitted ARC of Maui as a potential recipient of this grant but we have since learned from the Department of Agriculture that, that agency is not eligible to receive this help, the reason being that their assets are higher than are allowed under the USDA rules. So, we have removed ARC of Maui for that purpose from . . . as potential recipients of this help and included the Maui Food Bank, which is undertaking a very large renovation of their current warehouse and office space.

So, we're here to ask you to accept this grant funding so we can help these agencies move their projects along. Thank you.

CHAIR PONTANILLA: Thank you, Ms. Tsuhako. So, one, two, three, four, five nonprofit organizations will be receiving funding. Am I right?

MS. TSUHAKO: That's correct, Mr. Chair.

CHAIR PONTANILLA: Thank you. Mr. Pablo, you got any comments?

MR. PABLO: No, sir, no comments at this time. Thank you.

CHAIR PONTANILLA: Thank you. Members, any comments or questions for the Department? Member Mateo?

VICE-CHAIR MATEO: Thank you, Chairman. Ms. Tsuhako, just to follow up on the information you just provided us. The technical assistance that you refer to, what is the Department's involvement in terms of working directly with these nonprofits to either create or to enhance what already may exist for these nonprofits?

MS. TSUHAKO: If I answer, if I understand your question correctly, you're asking how involved will the Department be in the actual consultation between the consultant and the agencies?

VICE-CHAIR MATEO: Correct and, and not only involved but in terms of actually trying to create the technical components in enhancing their programs.

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MS. TSUHAKO: I don't know that yet, sir. I think that we're working, we're working right now concurrently, while we wait for this budget amendment to go through, on the scope of services for the consultant. I think that one of the hardships that we have at the Department is that there's nobody in our Housing Division who can necessarily take this grant and run with it. I think that we're close to being able to hire people to do this and expand our own capacity. But for right now, the Deputy Director and I are trying to work on the, the contract with the consultant and also meet with the nonprofits to ensure that there's open communication between the consultant, the grantee agencies, as well as the County, 'cause the County will actually be the grantee, and we will pay the consultant to do the work with the agencies.

VICE-CHAIR MATEO: Okay, no, thank you very much, and thank you for that clarification, and that was why I asked because when you've appeared, you know, in front of this body you have continuously reminded us of the limitations because of the lack of manpower.

MS. TSUHAKO: Yes.

VICE-CHAIR MATEO: So, this just creates another, another need for another body, so to speak, and I was just worried about who was going to actually work with the five nonprofit organizations. So, thank you for clarifying. Thank you, Mr. Chair.

CHAIR PONTANILLA: Thank you.

MS. TSUHAKO: If, if I may respond, Mr. Chair?

CHAIR PONTANILLA: Oh, go ahead, Ms. Tsuhako.

MS. TSUHAKO: It, it does, thank you very much for highlighting that because we do have a shortage in our Housing Division, but we will for the, the purposes of this grant revenue we're going to be grant managers. And so to the extent that we are able to help the nonprofits directly with developing their own capacity, we will, either the Deputy Director or I or somebody that we can find in Housing pending the hiring of, of new employees, we'll be able to help with that process. We're very determined to do that.

CHAIR PONTANILLA: Thank you. Member Baisa?

COUNCILMEMBER BAISA: Thank you, Chair. I wanted to ask for a very brief recess, just a minute or two.

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CHAIR PONTANILLA: Okay, before I call a recess the Chair to . . .failed to recognize the excusal of Members Kaho`ohalahala, Member Medeiros, as well as Member Nishiki. So at this time, the Chair is going to take a very short recess. . . .(*gavel*). . .

RECESS: 1:54 p.m.
RECONVENE: 2:02 p.m.

CHAIR PONTANILLA: . . .(*gavel*). . . The Budget and Finance Committee meeting is now reconvened. Thank you, Members, for that recess. At this time, the Chair is going to remind the Members that are present this afternoon. We do have several Members that belong to some of the board that was identified of the organization that was identified by Ms. Tsuhako earlier. At this time, I would like to have our legal analyst, Mr. Raatz, provide us with some information regarding the memo that Mr. Victor. . .Council Chair Mateo had circulated regarding Members sitting on various Boards and Commissions. Mr. Raatz?

MR. RAATZ: Thank you, Mr. Chair. As the Members probably realize, the Board of Ethics is really the only entity that can offer a conclusive determination on ethical matters, but Council Chair and Staff have provided guidance based on prior Board of Ethics Advisory Opinions. And the basic standard is that if a Member feels that he or she has a conflict then the appropriate step would be to request to be recused from voting and then let the body decide whether there is an actual conflict that would prevent the Member from ethically fulfilling their duties. This came up recently in the Land Use Committee in the context of a zoning application, and at that time the, the body determined that Members who sat on the board of the entity seeking the Change in Zoning were not conflicted and were allowed to vote. There is a Board of Ethics opinion on appropriations when the Council is directly providing money to an organization. In that case, the Board of Ethics said that a Member who sits on the board of the organization should be recused from voting on that particular appropriation.

On, on the facts before us today where, as I understand it, it's funding that will provide in-kind of services to organizations,. we don't have a Board of Ethics opinion directly on that point. So, again, it would be up to a Member who feels that there may be a conflict to ask the body to vote on recusal and make the determination.

CHAIR PONTANILLA: Thank you, Mr. Raatz. Members, any questions for Mr. Raatz? Member Baisa?

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COUNCILMEMBER BAISA: I don't have a question for Mr. Raatz but I would like to move that I be excused from voting on this issue because I'm on the Board of J. Walter Cameron Center.

CHAIR PONTANILLA: Thank you, Member Baisa. We do have a motion by Member Baisa requesting recusal of the item that's before us, Item BF-47.

COUNCILMEMBER MOLINA: Chair? Chair? Second for discussion.

CHAIR PONTANILLA: Thank you. Second, seconded by Member Molina. Members, any discussion? Seeing none, Member Molina?

COUNCILMEMBER MOLINA: Yeah, thank you, Chair. I . . . personally I don't see any conflict for Member Baisa. So, I will be voting against the motion. I see no conflict and I'm okay with her voting on the matter, Mr. Chairman. Thank you.

CHAIR PONTANILLA: Thank you. Members, any more discussion? Member Baisa?

COUNCILMEMBER BAISA: Chair, this may sound contradictory but, you know, process is process. And I personally don't feel that I'm going to benefit personally from this appropriation. Although I will say it's an excellent program and I want to commend whoever went after this money and the idea of helping the nonprofits, because many of them have facilities and unless those facilities are kept in great shape what happens is the deferred maintenance doesn't happen and then later on instead of coming for thousands they coming for millions. So, I'm very much in support the issue but I am not in support of my motion.

CHAIR PONTANILLA: Thank you. So, Members, you. . . Member Kaho'ohalahala.

COUNCILMEMBER KAHO'OHALAHALA: In discussion, I just wanted to get a clarification from Mr. Raatz. When you said that the body can, can make a decision on behalf of the, the Member, you're saying that we make a decision as to their ability to participate in the, the business before us?

CHAIR PONTANILLA: Mr. Raatz?

MR. RAATZ: Thank you, Mr. Chair. Yes, that's the process laid out in the Rules of the Council. It, it's based on, on principles of the Code of Ethics in the Charter and that's the process that this body has decided on based on adopting the Rules of the Council.

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COUNCILMEMBER KAHO`OHALAHALA: And then by the body making that decision then we are in fact what?

MR. RAATZ: Well if you were to, for instance, approve this motion you would be allowing the Member to, to not vote. There's actually a responsibility under the Rules of the Council for the Members to vote and you would be relieving Member of that responsibility, because your determination is that would put her in a conflict and in violation of the Code of Ethics.

COUNCILMEMBER KAHO`OHALAHALA: Okay, and so the motion before the, before us today is to...?

CHAIR PONTANILLA: The motion before us right now is from Member Baisa move to recuse herself from voting on this matter, BF-47.

COUNCILMEMBER KAHO`OHALAHALA: Okay.

CHAIR PONTANILLA: So, a "yes" vote will have Member Baisa being recused. A "no" vote will have Member Baisa taking action on this item that is before us.

COUNCILMEMBER KAHO`OHALAHALA: Okay, thank you.

CHAIR PONTANILLA: Thank you. Member Mateo?

VICE-CHAIR MATEO: Chairman, thank you very much and this is one of those very difficult votes that we all today and, you know, future dates will have to deal with as more nonprofits appear before us and more funding become available. It's not only financial funding. It's also real estate as well. I am going to support Member Baisa's motion and I am going to support the motion because it is my personal belief that a conflict does exist with all of us serving on boards and commissions, period. When you serve on boards and commissions there's two mem...there's two masters and it's really hard to separate both of them. I support the nonprofits but the difficulty for us that this is being the decision-maker that has to decide who gets funding and how much funding occurs. That for myself, Mr. Chairman, I'm very uncomfortable with and hence I will be supporting your original motion. Thank you, Mr. Chairman.

CHAIR PONTANILLA: Thank you. On the motion at hand from Member Baisa moving to recuse herself from this matter, all in favor of the motion, please say yes.

VICE-CHAIR MATEO: Yes.

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CHAIR PONTANILLA: All opposed say no.

COUNCIL MEMBERS: No.

CHAIR PONTANILLA: Okay, motion is denied, with one yes, six ayes [*sic*], and two excused. Motion dies.

COUNCILMEMBER MOLINA: Six noes.

UNIDENTIFIED SPEAKER: Six noes.

CHAIR PONTANILLA: I'm sorry, six noes. Motion dies.

VOTE:	AYES:	Vice-Chair Mateo.
	NOES:	Councilmembers Baisa, Johnson, Kaho'ohalahala, Molina, Victorino, and Chair Pontanilla.
	ABSTAIN:	None.
	ABSENT:	None.
	EXC.:	Councilmembers Medeiros and Nishiki.

MOTION FAILED.

COUNCILMEMBER VICTORINO: Mr. Chair?

CHAIR PONTANILLA: Member Victorino?

COUNCILMEMBER VICTORINO: Mr. Chair, I would also request the same consideration for myself because I am a member, board member of MECC, and feel the same as Ms. Baisa that, you know, I should recuse myself, and I will leave it up to the body to decide. So, I move that I be recused from this matter.

CHAIR PONTANILLA: Thank you. There is a motion by Member Victorino to recuse himself from voting on this particular matter at hand. Member Baisa?

COUNCILMEMBER BAISA: I second the motion.

CHAIR PONTANILLA: Thank you. Members, any more discussion? All in favor of the motion, please say aye.

VICE-CHAIR MATEO: Aye.

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CHAIR PONTANILLA: All oppose please say no?

COUNCILMEMBER MOLINA: No.

COUNCILMEMBER BAISA: No.

CHAIR PONTANILLA: Motion dies with one yes, six noes, two excused.
Member Medeiros and Member Nishiki. Again, motion fails.

VOTE:	AYES:	Vice-Chair Mateo.
	NOES:	Councilmembers Baisa, Johnson, Kaho`ohalahala, Molina, Victorino, and Chair Pontanilla.
	ABSTAIN:	None.
	ABSENT:	None.
	EXC.:	Councilmembers Medeiros and Nishiki.

MOTION FAILED.

CHAIR PONTANILLA: Okay, back to the main motion and the main motion is to
approve the amending of Fiscal Year 2010 Budget.

COUNCILMEMBER MOLINA: Chair? Chair? ...*(end of tape 1A)*... Chair?

CHAIR PONTANILLA: Member Molina?

COUNCILMEMBER MOLINA: Yeah, thank you, Chair. If I could ask Ms. Tsuhako
just again for clarification and I apologize if I missed it. Can you name again the
entities that will be receiving this amount or will be benefiting from this amount
that we're considering?

MS. TSUHAKO: Thank you, Member Molina.

CHAIR PONTANILLA: Ms. Tsuhako?

MS. TSUHAKO: The entities that are slated to receive the consultation are the J. Walter
Cameron Center, Family Life Center, Habitat for Humanity, the Maui Food Bank,
and Ka Hale A Ke Ola.

COUNCILMEMBER MOLINA: Okay, thank you. I just wanted to make sure that I
didn't belong to any one of those organizations, so I would have to do a
Member Baisa, Member Victorino thing. Thank you, Chairman.

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CHAIR PONTANILLA: Thank you.

COUNCILMEMBER VICTORINO: Covered all the bases, yeah?

CHAIR PONTANILLA: Members, any more questions for Ms. Tsuhako? If not, the Chair's recommendation is for passage of the revised proposed bill entitled "AMENDING FY 2010 BUDGET, APPENDIX A (DEPARTMENT OF HOUSING AND HUMAN CONCERNS – UNITED STATES DEPARTMENT OF AGRICULTURE RURAL DEVELOPMENT/RURAL BUSINESS ENTERPRISE" on first reading and filing of County Communication 09-256.

VICE-CHAIR MATEO: Chairman, I move for the passage of the bill on first reading and the filing of the communication.

CHAIR PONTANILLA: Thank you.

COUNCILMEMBER VICTORINO: Mr. Chair, I second that.

CHAIR PONTANILLA: Thank you. It's been moved by Member Mateo, second by Member Victorino. Members, any more discussion? Thank you very much. All in favor of the motion, please say "aye".

COUNCIL MEMBERS: Aye.

CHAIR PONTANILLA: Any opposed? Motion is carried with seven ayes, two excused, Members Medeiros and Member Nishiki.

VOTE:	AYES:	Councilmembers Baisa, Johnson, Kaho`ohalahala, Molina, Victorino, Vice-Chair Mateo, and Chair Pontanilla.
	NOES:	None.
	ABSTAIN:	None.
	ABSENT:	None.
	EXC.:	Councilmembers Medeiros and Nishiki.

MOTION CARRIED.

ACTION: FIRST READING of revised bill; and FILING of communication by C.R.

CHAIR PONTANILLA: Okay, Members, before we . . .the Chair takes the second item, the Chair would like to recognize the presence of Member Kaho`ohalahala.

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ITEM NO. 51: FY 2010 BUDGET AMENDMENT (REVENUES - FEES, RATES, ASSESSMENTS AND TAXES FOR GOLDEN BASEBALL LEAGUE); TYPE V PERMIT TO TRIPLE PLAY GROUP, LLC (WAILUKU) (C.C. No. 09-272)

CHAIR PONTANILLA: The second item is BF-51, FY 2010 Budget Amendment (Revenues – Fees, Rates, Assessments and Taxes for Golden Baseball League); Type V Permit to Triple Play Group, LLC (Wailuku). And if we can have the Parks Department, as well as Economic Development come down. So Chair is going to ask comments from Economic Development first and then Parks, okay. Joining us today from Economic Development is Jo-Anne Inamasu, office, again Office of Economic Development and from the Department of Parks and Recreation, Jason Lopez. Ms. Inamasu?

MS. INAMASU: Thank you. Good afternoon, Committee Chair Pontanilla and Members. Thank you for the invitation to come before you to share an opportunity that will be beneficial to our community and our economy.

The Golden Baseball League was established in 2005 and currently has 11 teams across Canada, California, Utah, Arizona and Mexico. Along with the Maui-based team there are four other teams currently in the works for the 2010 season, which will begin in May of 2010 and run through August 2010. There is a potention [*sic*] of a league, excuse me, there is a potential of the league expanding to a total of 16 teams for the upcoming season. Their game schedule for the Maui team is expected to include a total of 88 games of which 44 will be home games played right here at our own Iron Maehara Baseball Stadium.

The request for the special Type V permit and budget amendment before you today requests special consideration for the Golden Baseball League as they plan to establish a professional baseball team here in Maui County. It provides an agreeable initial option for their organization to contribute to improvements and/or upgrades to the Maehara Stadium. This option is provided to them for the first two years; thereafter, there will be an applicable per-game fee assessed.

In a time when the County funds are less, there is an opportunity to invest in stadium improvements and/or upgrades that all other users of the facility can utilize. It will not solely be for the use of Golden Baseball League. This is part of their community contribution and investment into a community where they look to call home.

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Mr. Rick Berry, who is the current General Manager of the St. George Roadrunners in Utah and a partner in The Triple Play Group, LLC, believes very strongly in getting involved with the community and working with the youth in our schools. He has developed successful programs for his team in St. George, Utah and plans to replicate these similar programs here in Maui County.

With our current economic climate, it is hopeful that Golden Baseball League can provide our community, both visitors and residents alike, the opportunity to witness professional baseball right here in our own backyard.

When establishing a business, or should I say in this case a professional baseball team, in a community it not only takes capital investment but commitment to contribute positively to the livelihood of those that reside here. The Golden Baseball League and The Triple Play Group, LLC is committed to doing just that. Their plan is to hire a minimum of four full-time employees that will occupy office space here in on Maui year round. They also anticipate hiring between 30 and 45 seasonal staff, all local residents, for their four-month season. This doesn't include the stadium security staff, trainers, grounds crew, and a few others. There will also be fundraising opportunities that will be provided to local organizations.

With the news articles that have been in the media, Mr. Berry has already been contacted by local players and families wanting their. . .wanting to be able to either try out for the team or see how they can be involved. Businesses have also stepped forward in contacting Mr. Berry on opportunities that they can partake in as well.

Another economic benefit we will. . .will be with the visiting teams from the league. They will be staying here on Maui anywhere between six to eight nights, playing two-, three-game series, with a day off in-between. While on island it is anticipated that these visiting teams will be enjoying the various activities that make Maui the best island in the world, pumping needed dollars into our economy. Along with the teams come their media and not to mention their booster club members as well. Many of these individuals, both players and supporters, will be first-time visitors to Maui, and per Mr. Berry, the excitement is growing.

So, with this I would like to humbly ask your favorable consideration of the special Type V permit and budget amendment on the agenda today. Thank you very much for this opportunity and I look forward to answering any questions that you may have. Mahalo.

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CHAIR PONTANILLA: Thank you, Ms. Inamasu. Mr. Lopez, you got comments, opening comments?

MR. LOPEZ: Thank you, Mr. Chair. No, no comments. Ms. Inamasu has spoken for both of us. Thank you.

CHAIR PONTANILLA: Thank you. Members --

COUNCILMEMBER VICTORINO: Chair?

CHAIR PONTANILLA: --questions for the departments? Member Victorino?

COUNCILMEMBER VICTORINO: Thank you and thank you, Ms., Ms. Inamasu, for the information and, and I look forward to something like this. I think it's long overdue since our days with the, the Hawaii Winter League. Maui sorely miss professional baseball.

The question I have for you is and, and I was asking Mr. Takahashi and, and then, you know, the Chair asked me to make sure I ask you folks. First of all, the improvements that they're talking about and we were keenly aware of, and at least I was, that when Maui had the Winter League a lot of improvements were paid by the Winter League and in also co-sponsored and co, co-expensed with the County. So, what we will be looking forward to as far as improvements to our stadium, which could use a number of improvements, Ms. Inamasu?

MS. INAMASU: Thank you, Councilmember Victorino. Initially if you look at the amendments that's in front of you, the first two years we're looking at an investment on a minimum of \$15,000 from the Golden Baseball League and all of, you know, that, that is minimal as far as any type of improvement. But the initial thing that they're looking at is actually the food concession and the food concession booth. It is set up, as you talked about from previous leagues, as a temporary structure and being the timeframe that we're looking at and MIL starting to use that in January, it will remain at this point a temporary fixture or a temporary booth, but there will be some improvements done there and that's currently in the talks between the Parks Department and Golden Baseball League. Nothing has been finalized because all of this is on table at the moment.

COUNCILMEMBER VICTORINO: Okay and then other site improvements. I tried to look for, I didn't see anything in the regards of locker room, because I think that was another issue that kept being brought up, really no facilities for, for the players. Is there any thought of putting any kind of facility and share cost in that respect?

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MS. INAMASU: That issue is recognized by Mr. Berry and the Golden Baseball League. At this point though, it has not been something that is solid that we . . .they will look at doing. They're actually wanting to evaluate if there are other needs is there that they're not only for them to benefit as the league but also that other leagues can benefit from as well. And they haven't set that as the initial priority but not to say that it could be.

COUNCILMEMBER VICTORINO: And so and I'm looking at this schedule over here, I see locker rooms. Is that the intent to use the locker rooms at the War Memorial Football Stadium, is that what the intent is at this point?

MS. INAMASU: You are correct, Council Member.

COUNCILMEMBER VICTORINO: Okay.

MS. INAMASU: And they are agreeable to that.

COUNCILMEMBER VICTORINO: Okay.

MS. INAMASU: He has done a site walk and a site visit here.

COUNCILMEMBER VICTORINO: And he feels that, that's adequate for, for, for his team?

MS. INAMASU: That is correct.

COUNCILMEMBER VICTORINO: For the visiting team?

MS. INAMASU: And if you would like to add more to that, Mr. Lopez?

MR. LOPEZ: Councilmember Victorino, yes. We met with Mr. Berry on-site and he did say that he wanted to use the locker rooms and they were feasible for his team.

COUNCILMEMBER VICTORINO: At this point, okay. Again and last question I'll ask and I'll let other Members ask is as we know next year the, next May, the State tournament is being held up here, right? The Hawaii High School Association is holding their baseball tournament here, the State tournament, right?

MR. LOPEZ: Yes, that is correct.

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COUNCILMEMBER VICTORINO: And I'm sure you guys have made considerations 'cause, I know, you got 88, 44 games at home and 44 games on the road. Has considerations been made to play around that as far as the State tournament is concerned?

MR. LOPEZ: Yes, as of right now Mr. Berry and the Golden Baseball League's season will not start until after the HHSAA season has been completed.

COUNCILMEMBER VICTORINO: Yeah, in other words the State tournament?

MR. LOPEZ: Yes, correct.

COUNCILMEMBER VICTORINO: Okay and as far as the other leagues, you guys are going to work with them as far as Little League and all the rest have, I know, have expressed concerns as, as a shared, shared basis as far as they're being able to use for tournament and regular season?

MR. LOPEZ: Yes. We do have a number of current users at the facility and we have spoken with each of them and notified them. They're also very eager to work with Mr. Berry and us as well to get this thing going. So, we have been accommodating everyone so far.

COUNCILMEMBER VICTORINO: Okay, thank you. Thank you, Mr. Chair. I'll allow the other Members to ask questions. Thank you.

CHAIR PONTANILLA: Thank you, Mr. Victorino. Member Molina?

COUNCILMEMBER MOLINA: Thank you very much, Mr. Chair. Good afternoon, Ms. Inamasu and Mr. Lopez. Thank you for presenting this exciting opportunity to the body. My first question is, I know, I appreciated you mentioning about the players staying here contributing to the local economy in terms of, I guess, we can look at them as visitors, the visiting teams. Have you had a chance to network with Ms. Vencl from the Maui Visitor's Bureau? Because I'd like to see them maybe partner with the County in this because, you know, maybe at least help with an advertising blitz. That's one way they can contribute as well as, you know, to stimulate the visitor industry since these guys are going to be coming here, and who knows, they may be bringing their families here. So, I certainly would like to see some involvement from the Maui Visitor's Bureau on this and they do receive appropriations from us. Can I get your comments on that?

MS. INAMASU: Thank you, Councilmember Molina. Yes. I have been in contact with Ms. Vencl with the Maui Visitor's Bureau as well as with Ms. Reimann, Maui

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Hotel Association, and we will start to discuss all of that and the impact and what we can do as the opportunity that we can take forth.

One of the things that as the Golden Baseball League moves forward, one of their full-time staff and it may be up to three is corporate sales. And with the sales comes sponsorships and the opportunity that lies for the local and I, I look at more of the hotel properties or different visitor attractions that can be incorporated into some of these sponsorships is the ability or the opportunity I should say to market in these other ballparks, not only here on Maui that you market to your customers here, but the opportunity to also market in Canada, in Utah, in California, different parts of California, and Arizona. So, there, there are different opportunities there. But, yes, I, we, we have been in conversation and we will take it a little further also including Mr. Berry in that conversation.

COUNCILMEMBER MOLINA: Okay, thank you, and I guess what, what spurred me on to ask you that question was on a recent trip to the State of Nevada I went out to one of their Triple A baseball games, and I saw billboards up in the outfield, Golden Nugget Casinos and all some other hotels. So I thought this would be a great opportunity for our visitor industry to help stimulate our economy in that area. And in terms of the, the agreement, so they're going to do improvements this one year and then at a later point if it's our decision to extend, you know, this entity to continue using our fields then it will be based on a monetary deal per game or per or for the use of. . .is their permit. . .a permit fee will be assessed?

MS. INAMASU: Thank you. If I may just clarify that point. You, you are somewhat correct. The first year and the second year. . .well the first year they'll do it. It is based on the monetary value for improvements and they're putting that into the stadium. The right to renew for the second year is pending on, wrong word maybe I am using is good behavior. And it's the same thing that would be on the County's behalf. They initially wanted a five-year contract but in the matter of this being a new venture and wanting to take it down and making sure it's a successful venture for both parties involved, looking at that option, and they were agreeable to that also for their protection. The second year looking at the renewal would be the same type of term, the matter of the improvements to the stadium. Thereafter, from the third year, fourth and fifth year, as you'll see the schedule will be on a per-game fee basis.

COUNCILMEMBER MOLINA: Okay and we will not have our own team then? Basically, it's just the league coming here and doing a home game on Maui or we will have our own home team?

MS. INAMASU: It will be a Maui-based team.

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COUNCILMEMBER MOLINA: Okay.

MS. INAMASU: They're looking at 22 players per se and they will have an opportunity as Mr. Takahashi, you know, one of his desires is a matter of an opportunity for local players to also try out. So, that is some of the excitement that's stirring, not only from Maui individuals, but from Statewide, and we do have the talent here.

COUNCILMEMBER MOLINA: Yes, that, that certainly is true. And my, my final question relates to the concession stands. Now, typically what is the arrangements with letting, I guess, I'm trying to recall from memory with the Hawaii Winter Baseball League, you had various nonprofits throughout the community operating the food concession stands. Is that typically rotated with different nonprofits or is it just exclusive to only certain nonprofits to operate the concessions?

MS. INAMASU: The concession stand normally would be left to the person that actually utilizes the stadium.

COUNCILMEMBER MOLINA: Okay.

MS. INAMASU: In this case with Golden Baseball League, there is opportunity there for him to work with local nonprofits. As far as that scheduling or how he plans to do that, we have not spoken about that.

COUNCILMEMBER MOLINA: Okay and my final, final question about, I guess with, from Mr. Takahashi's testimony, in terms of the players, they're from all of the place, all over the world, cultural assimilation, if you will, to get them to become familiarized with local culture. Is there some type of program you're working with Mr. Berry on or some folks to, to get the players from other areas to become comfortable in the community? 'Cause I know we want those players to leave a good impression with the community. Can, can you expand on that? Is there. . .has there been discussions on that?

MS. INAMASU: Thank you, Councilmember Molina. Yes, there has been some discussion on that. Nothing solid at this point as far as the plan but that will also be part of my discussion with Ms. Vencl and Ms. Reimann looking at possible sources for this help with the acclimation with culture but that has also. . .that we've already discussed that with Mr. Berry and as, as an issue. I shouldn't say as an issue but something that would help them as well as help us.

COUNCILMEMBER MOLINA: Okay, thank you. Thank you, Chairman.

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CHAIR PONTANILLA: Thank you. Members, any more questions regarding this item?
Member Baisa?

COUNCILMEMBER BAISA: Yes, Chair, I just wanted to be sure that we are very clear about this, because I have a tremendously long email about this from someone who apparently is very familiar with the schedules and who plays where and which leagues play where and I have to. . .I confess I'm not that conversant with athletics, particularly who's playing in what field, when. It's been a long time since I had a baseball player in my house. But there is concern about overlapping schedules, use of the fields, and will it affect Senior Leagues? Will it affect Little League? And I just want to be really sure that we've worked this out before we charge ahead here and then we're going to have the people that are already playing upset with us. So, I just like more assurance. The, the writer of the email says that a schedule is forthcoming for this independent league but only after all is finalized. Until their schedule is produced we cannot judge how doable or workable it is to keep our youth sport program from being smothered. So, I'd like just to talk about that for a little bit. I want to be. . .have a little more reassurance. And I believe the testifier mentioned that there would be some dislocation and I didn't know what he was referring to.

CHAIR PONTANILLA: Thank you. Maybe Mr. Lopez?

MR. LOPEZ: Thank you, Councilmember Baisa. And I did see the memo that you are referring to. So, we have been in contact with them. As of last week, I've been following up with them. I believe that memo came out a little while ago, so I've been following up with them and I've also been speaking with Mr. Berry and he has assured us that they will work in the community's best interest not to displace anyone. As far as Mr. Takahashi's comments earlier, we will if anything displace, it will be the Golden Baseball League. They will be moving while they are here on Maui, perhaps to the Maui High field, while we have events going on at the baseball stadium. So, they will not require anyone to be moved from the baseball stadium. So, I have been in contact with those people and we have been working around everything. So, Mr. Berry has been very cooperative and he understands that we do have users and they do not have exclusive rights to the stadium.

COUNCILMEMBER BAISA: Thank you very much for a very straight-forward answer. I think it's important that, you know, when we have people that are concerned that we address their concerns. At least they know that we're paying attention to the emails we get. So, thank you very much.

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MR. LOPEZ: Thank you.

CHAIR PONTANILLA: Thank you, Member Baisa. Mr. Lopez, just a fast question. I know Maui High School has a regular baseball field. Do we have any more regular baseball fields here in Maui County?

MR. LOPEZ: Yes, actually we do. We have two additional fields. One is at the Eddie Tam Complex and one is in West Maui at the Lahaina Complex, two additional baseball fields.

CHAIR PONTANILLA: Thank you. I understand that the proposed park in Maui Lani, is that going to be a regular baseball field?

MR. LOPEZ: Thank you, Council. At this time, I don't have information on what kinds of fields we're going to have at the new complex.

CHAIR PONTANILLA: Okay, fine, thank you. Members, any more questions for the Department? Member Molina?

COUNCILMEMBER MOLINA: Yeah, thank you, Chair. Typically, how much do they charge per games for. . .I guess this is for a Single A league? What's the normal price of admission?

MS. INAMASU: Thank you, Councilmember Molina. This actually a league of play is Double A that they're coming in.

COUNCILMEMBER MOLINA: Oh, Double A.

MS. INAMASU: And he is planning to keep that very reasonable, similar to the fee structure that was what experienced with Hawaii Winter Baseball, anywhere between \$5 to \$7.

COUNCILMEMBER MOLINA: Okay.

MS. INAMASU: As far as entry. So, it still will be a reasonable cost as far as family entertainment.

COUNCILMEMBER MOLINA: It's cheaper than going to the movies, yeah. Yeah, I'm just looking at entertainment.

MS. INAMASU: They might get hotdogs too.

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COUNCILMEMBER MOLINA: Yeah, especially in these tough economic times. And in, in terms of the baseball field, so, they have no specific requirements as to what kind of field or how much seats should be made available at each game? 'Cause I, I mean at. . .these, most of these games typical, typically their attendance ranges from what 500 to 1,000 people? 'Cause I know our stadium capacity is what, maybe 2,000? Three thousand?

MS. INAMASU: Our stadium capacity here is a little over 1,200, 1,269 to be exact. With the additional bleachers that Parks has been willing to put in on both sides, your first base line and your third base line. We'll be adding in an additional 500 seats, so a little over 1,700 that we'll be having there. As far as what their attendance have been if that was your question in. . .granted that they don't have a track record here, but back in Utah where Mr. Berry is, granted again, different size stadium, their seating there is about maybe 2,200, and their average attendance this past year has been about 13 for that, and it peaks. There's peaks and valleys but that's about the average that he has received at his field. And again, audience different, so.

COUNCILMEMBER MOLINA: Okay, yeah, I just brought that up because if the game was, if the game was, say, moved to Maui High then I don't know if they would have any issues with locating it to that field. So, if they don't, we'll then, I guess, that's, that's fine for us. We can, you know, prioritize our youth events at the stadium and then they can. . .they're willing to relocate to a smaller venue, I think, that, that will be fine.

MR. LOPEZ: Excuse me, Council Chair?

CHAIR PONTANILLA: Mr. Lopez?

MR. LOPEZ: Just a clarification on Mr., Councilman Molina. If they were to relocate, it would be during their practice or their spring ball. Their games it won't be relocated but we found no conflicts with any of the events during their season that we'll have to move their games. So, it would just be for their practices that they would relocate to Maui High.

COUNCILMEMBER MOLINA: Oh, okay, thank you for that clarification. Thank you, Chair.

CHAIR PONTANILLA: Thank you. Sounds great. Members, any more discussion? If not, the Chair would like to make his recommendation.

COUNCIL MEMBERS: Recommendation.

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CHAIR PONTANILLA: Thank you. The Chair's recommendation is to accept the proposed resolution entitled "AUTHORIZING THE DEPARTMENT OF PARKS AND RECREATION, COUNTY OF MAUI, TO ISSUE A SPECIAL TYPE V PERMIT TO THE TRIPLE PLAY GROUP, LLC, FOR A PERIOD EXCEEDING THREE CONSECUTIVE DAYS, PURSUANT TO SECTION 13.04.130, MAUI COUNTY CODE" and also for the passage of the proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2010 BUDGET FOR THE COUNTY OF MAUI, AS IT PERTAINS TO THE REVENUES – FEES, RATES, ASSESSMENTS AND TAXES FOR GOLDEN BASEBALL LEAGUE" on first reading and also the filing of County Communication No. 09-272.

VICE-CHAIR MATEO: Chairman, I move for the adoption of the proposed resolution as you have so recognized as well as the passage of the proposed bill on first reading as you had so recognized, and also including the filing of the communication as well.

CHAIR PONTANILLA: Thank you.

COUNCILMEMBER JOHNSON: Second.

CHAIR PONTANILLA: It's been moved by Member Mateo, second by Member Johnson. Members, any more discussion? If not, all in favor of the motion please say "aye".

COUNCIL MEMBERS: Aye.

CHAIR PONTANILLA: Any opposed? Seeing none, motion is carried with six ayes, three excused, Member Medeiros, Nishiki, and Mr. Victorino.

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VOTE: **AYES:** **Councilmembers Baisa, Johnson, Kaho`ohalahala, Molina, Vice-Chair Mateo, and Chair Pontanilla.**
 NOES: **None.**
 ABSTAIN: **None.**
 ABSENT: **None.**
 EXC.: **Councilmembers Medeiros, Nishiki, and Victorino.**

MOTION CARRIED.

ACTION: ADOPTION of resolution; FIRST READING of bill; and FILING of communication by C.R.

CHAIR PONTANILLA: Members, that's all we have for today's agenda. At this time, the Chair would like to thank all of the Members that are present, Administration, as well as Staff. The Budget and Finance Committee meeting of October 13, 2009 is now adjourned. . . .(gavel). . .

ADJOURN: 2:37 p.m.

APPROVED:



JOSEPH PONTANILLA, Chair
Budget and Finance Committee

bf:min:091013:

Transcribed by: Delfey Fernandez

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CERTIFICATE

I, Delfey Fernandez, 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 3rd day of November 2009, in Wailuku, Hawaii.


Delfey Fernandez