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M I N U T E S
LAND USE COMMITTEE
COUNCIL OF THE COUNTY OF MAUI
COUNCIL CHAMBER
WAILUKU, MAUI, HAWAII
SEPTEMBER 30, 2009

APPROVED:

Andy C. Baisi
Committee Chair

Transcribed by: Tonya McDade

1 CONVENE: 1:30 p.m.

2 PRESENT: Councilmember Gladys C. Baisa, Chair
3 Councilmember Michael J. Molina, Vice-Chair
4 Councilmember Jo Anne Johnson, Member
5 Councilmember Sol P. Kaho`ohalahala, Member
6 Councilmember Wayne K. Nishiki, Member
7 Councilmember Joseph Pontanilla, Member
8 Councilmember Michael P. Victorino, Member

9 EXCUSED: Councilmember Danny A. Mateo, Member
10 Councilmember Bill Kauakea Medeiros, Member

11 STAFF: Carla Nakata, Legislative Attorney
12 Pauline Martins, Committee Secretary

13 ADMIN: James Giroux, Deputy Corporation Counsel,
14 Department of the Corporation Counsel
15 Ann Cua, Planner, Department of Planning
16 Clayton Yoshida, Planning Program
17 Administrator, Current Planning
18 Division, Department of Planning
19 Michael Miyamoto, Deputy Director,
20 Department of Public Works

21 OTHERS: Dick Mayer
22 Mercer "Chubby" Vicens, Board Member, Maui
23 Economic Opportunity, Inc.
24 Harry Johnson, Transportation Director, Maui
25 Economic Opportunity, Inc.
26 John Min, Projects Manager, Maui Economic
27 Opportunity, Inc.
28 Charlene Shibuya, Construction Engineer,
29 Maui District Office, Highways Division,
30 Department of Transportation, State of
31 Hawaii
32 Sandy Baz, Chief Executive Officer, Maui
33 Economic Opportunity, Inc.
34 Grant Chun, Vice President, A&B
35 Properties, Inc.
36 Brett Davis, Planner, Chris Hart & Partners
37 David Sereda, Landscape Architect, Chris
38 Hart & Partners
39 Jason Medema, Chris Hart & Partners
40 Jim Neiss, Maui Architectural Group
41 Stacy Otomo, Otomo Engineering
42 Phillip Rowell, Traffic Engineer, Phillip
43 Rowell and Associates
44 Plus (6) other people

1 PRESS: Akaku, Maui Community Television, Inc.
Chris Hamilton, The Maui News

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3 CHAIR BAISA: ...(gavel)... Good afternoon,
4 everyone. And will the meeting of the Maui County
5 Council Land Use Committee please come to order? It is
6 1:30, on September 30th, 2009. And we have a quorum --
7 quorum present this afternoon.

8 Before we start, I'd like to ask everyone in
9 the room, if you have any kind of a cell phone or a
10 pager, or anything that makes noise, if you would please
11 put it on the silent mode so that we will not have
12 disruptions during our meeting today. Thank you very
13 much.

14 I'd like to make introductions. First of all,
15 I am Gladys Baisa, the Chair of the Committee. And with
16 me today I have my Vice-Chairman, Mike Molina.

17 VICE-CHAIR MOLINA: Good afternoon, Madam
18 Chair.

19 CHAIR BAISA: Thank you, Michael. I also have
20 with me Member Jo Anne Johnson.

21 COUNCILMEMBER JOHNSON: Aloha.

22 CHAIR BAISA: Thank you. Member Sol
23 Kaho`ohalahala.

24 COUNCILMEMBER KAHO`OHALAHALA: Aloha.

25 CHAIR BAISA: Thanks, Sol. And Wayne --

1 Member Wayne Nishiki.

2 COUNCILMEMBER NISHIKI: Good afternoon.

3 CHAIR BAISA: Thank you, Wayne. And Joseph
4 Pontanilla.

5 COUNCILMEMBER PONTANILLA: Good afternoon.

6 CHAIR BAISA: Thank you, Joe. And, also, Mike
7 Victorino.

8 COUNCILMEMBER VICTORINO: Good afternoon,
9 Madam Chair.

10 CHAIR BAISA: Thank you very much. And I'd
11 like to thank my Members for being here and being on
12 time. I really appreciate it. You know, time is very
13 short here, so we've got to make good use of what we've
14 got.

15 Excused this afternoon is Member Bill Kauakea
16 Medeiros, and Member -- our Chair of the Council, Danny
17 Mateo.

18 Also with us this afternoon is our -- from the
19 Department of Corporation Counsel, we have with us
20 Deputy Corporation Counsel James Giroux.

21 MR. GIROUX: Good afternoon, Madam Chair.

22 CHAIR BAISA: Thank you, James. And Executive
23 Branch representatives, we have Ms. Ann Cua, Planner
24 with the Department of Planning.

25 MS. CUA: Good afternoon.

1 CHAIR BAISA: And we also have with us Clayton
2 Yoshida, who is the Deputy Director of Planning.

3 MR. YOSHIDA: I guess I'm the Planning Program
4 Administrator, but good afternoon.

5 CHAIR BAISA: Sorry. I just gave you a promotion.

6 COUNCILMEMBER VICTORINO: Take 'em. Take 'em.

7 CHAIR BAISA: You know, we have a
8 tremendous --

9 COUNCILMEMBER VICTORINO: Take the pay, not the
10 responsibilities.

11 CHAIR BAISA: Yeah, right. No pay -- no pay
12 change; just more work. But thank you much, Clayton,
13 for being here. He spends a lot of time with us. And
14 the Planning Department, as you know, is rather large.
15 And they have interesting titles. I can never keep them
16 straight, except Jeff Hunt, who is like a member of the
17 Council, he's here so much.

18 Also, we'd like to introduce to you some of
19 the other people. We expect Charlene Shibuya from the
20 State Department of Transportation. And we also expect
21 Mike Miyamoto, Deputy Director of Public Works.

22 And that should be the folks that'll be here
23 this afternoon.

24 We also have applicant representatives with us
25 this afternoon, a whole gallery. We have Sandy Baz, the

1 executive direct -- I'm sorry, he's not an executive
2 director. I guess we have your old title, Sandy. I
3 know you're a CEO of Maui Economic Opportunity. We also
4 have Grant Chun, the Vice -- Vice President of A&B
5 Properties. We also have Brett Davis, Planner with
6 Chris Hart & Partners. David Sereda, Landscape
7 Architect with Chris Hart & Partners. Jason Medema,
8 Chris Hart & Partners. Jim Niess, Maui Architectural
9 Group. Stacy Otomo of Otomo Engineering. And Phillip
10 Rowell, Traffic Engineer with Phillip Rowell and
11 Associates. There may be others, and, if they come up,
12 we'll be introducing them to you.

13 I also have my Committee Staff with me today.
14 I have Carla Nakata, my Legislative Attorney; and
15 Pauline Martins, our Committee Secretary.

16 We'll be accepting public testimony starting
17 in just a few moments. Those wishing to testify should
18 sign up at the secretary's desk. And you will note that
19 we have moved that out in the lobby. Testimony shall be
20 limited to three minutes. A yellow light will indicate
21 that you have 30 seconds remaining and should begin to
22 conclude. Testifiers are requested to state their name
23 for the record, and to indicate if you are representing
24 anyone besides yourself, like a group.

25 Members, today we have one item on our agenda.

1 That is Land Use 12, a Community Plan Amendment and
2 Change in Zoning for Maui Economic Opportunity, Inc.,
3 better known as MEO, in Kahului.

4 Public testimony: I will now accept -- the
5 Committee will accept public testimony now. And if
6 anyone else is wanting to testify, we'd appreciate it if
7 you signed up. Right now, I have two people signed up.
8 And our first testifier this afternoon will be Mercer
9 "Chubby" Vicens. And Mr. Vicens will be followed by
10 Harry Johnson. Good afternoon, Mr. Vicens.

11 ...BEGIN PUBLIC TESTIMONY...

12 MR. VICENS: Aloha, Chairman Baisa. My name
13 is Mercer "Chubby" Vicens. And I'm here today on behalf
14 of the -- as a board member of the MEO organization,
15 speaking on Item LU-12, which is a Community Plan
16 Amendment and Change in Zoning for the Maui Economic
17 Opportunity, Inc.'s transportation center.

18 The transportation center, Members, are -- is
19 a result of an exhaustive look at many different sites.
20 And I'll just give you an example of one site that was
21 the nearest that we considered. That was the site where
22 the armory is over in Puunene. And the difference in
23 the site that we chose and the site that was -- was
24 considered, on an annual basis, was approximately
25 \$600,000 additional cost to MEO because of the dead time

1 of going back and forth between that area and town,
2 where we served our -- our clients. So the decision was
3 made to try and -- and get a little closer. In
4 conjunction with working with Alexander & Baldwin, the
5 10-acre site was chosen. And it'll prove to be a boon
6 to this community as our buses will be housed,
7 maintained, transportation will be closer with a fixed
8 home.

9 So we're asking this Council to pass on to the
10 full Council the ability for us to change the zoning
11 from which is currently Ag to M-1, and -- and
12 support this initiative on behalf of MEO.

13 Thank you, ma'am.

14 CHAIR BAISA: Thank you, Mr. Vicens. Members,
15 any questions for Mr. Vicens? Thank you.

16 MR. VICENS: Thank you so much.

17 CHAIR BAISA: Seeing none, Chubby, thank you.
18 Our next testifier will be Harry Johnson. And if anyone
19 else is wanting to testify, please sign up, because,
20 after Harry, we've just got one more. Good afternoon,
21 Mr. Johnson.

22 MR. JOHNSON: Good afternoon, Mrs. Baisa, County Council.
23 My name is Harry Johnson. I'm speaking in behalf of
24 Maui Economic Opportunity. I'm the Transportation
25 Director for the Transportation Department of MEO, Inc.

1 And I also speak in behalf of a private citizen as well.
2 I'm here to request approval for what is being presented
3 to you this day.

4 MEO has been a part of my life for
5 approximately 14 years. I worked with the
6 Transportation Department, in specific, in helping
7 people changing lives in regards to youth, the elderly,
8 the disabled and the general public.

9 I think, looking at yesterday's event with the
10 tsunami coming from Samoa and the potential of that
11 arriving here on Maui itself, I speak clearly to help
12 you understand how important it is for this project to
13 take place. We are very close to the water's edge. And
14 with the amount of vehicles that we have -- as an
15 example, we were deciding to move the vehicles to higher
16 ground. And this goes on year after year, as we
17 continue to try to obtain approval for this project.
18 Yesterday is one of many situations where we try -- we
19 will try to evacuate to higher ground. And higher
20 ground meaning that the closest area that we will
21 probably transfer our vehicles to, to continue the
22 service, even during a disaster, would be probably to
23 the -- where the administrative building is located just
24 above the Cameron Center.

25 And so I'm here to testify the -- the value

1 that is placed in our Transportation Department and the
2 transportation services, and in this project, to help
3 you understand how important it is as we continue to
4 serve the people here in the community; not only in
5 Maui, but in Maui County as whole -- as a whole. That
6 as we go on and to look forward to this project, it'll
7 definitely be a benefit to the community that we serve.
8 And, as our promise, we'll continue to serve the
9 community wherever we are located.

10 And this is my testimony for you today. Any
11 questions?

12 CHAIR BAISA: Members, questions for the
13 testifier? I have a question for you --

14 MR. JOHNSON: Yes.

15 CHAIR BAISA: -- Mr. Johnson. What role does
16 MEO play? You mentioned about the disaster. What
17 happens, beside having to move the vehicles to higher
18 ground?

19 MR. JOHNSON: We are part of -- we have a --
20 a -- I should say, a chair or table with the EOC. And
21 we're -- we run that -- we coordinate that specific with
22 the Department of Transportation. In the event of a
23 disaster, and as the County sees the need, we would be
24 able to report to the County, to assist them with
25 evacuation, or whatever possibility that may be.

1 Yesterday, a high potential. I'm glad it
2 didn't occur. But there's always that potential.

3 CHAIR BAISA: Thank you very much. I -- I
4 think that's a really important understanding that you
5 do play a very important role in the community besides
6 taking seniors to where they need to go.

7 MR. JOHNSON: Correct.

8 CHAIR BAISA: I think there's also another
9 thing I'd like you to clarify, is you mentioned having
10 to move vehicles. How many?

11 MR. JOHNSON: We have approximately 90
12 vehicles. And we will probably have to move it about a
13 mile and a half off -- onto -- towards Kaahumanu Center
14 -- towards Kaahumanu Avenue, up towards the police
15 station. That would probably be the closest evacuation
16 area that we are able to place our vehicles and just
17 trying to get vehicles out of harm's way. But even that
18 is a problem in itself. There's not enough room there
19 as well.

20 CHAIR BAISA: I guess it's quite a fire drill
21 to move 90 vehicles.

22 MR. JOHNSON: It's a good thing that it's
23 during the day because we can monitor what's going on.
24 When it's during the evening or the early morning, if we
25 don't have drivers there, it's hard to move 90 vehicles

1 with several staff members.

2 CHAIR BAISA: Just one more clarifying
3 question on your testimony. And that is, can you give
4 us just a broad, quick overview of the kinds of people
5 that you serve? I know we all know you serve seniors,
6 but anybody else?

7 MR. JOHNSON: Actually, we do. We've had an
8 opportunity to serve the youth from Lanai, who actually
9 needed transportation here on Maui, to get to the
10 airport, as far as their baseball activity was
11 concerned. The youth throughout the entire community,
12 after-school programs, taking them to the youth centers,
13 boys and girls clubs. We also transport the Head Start
14 Program. The seniors are just a bigger group. And you
15 -- you already know about that as well. But more so, to
16 try to help the younger group as well and try to get
17 them going. Especially now that Fridays will be a day
18 where a furlough will take place. So that's even an
19 added adjustment for us as well.

20 CHAIR BAISA: You know, it had never crossed
21 my mind that that -- those Friday furloughs would affect
22 your transportation, also.

23 MR. JOHNSON: Yeah, it definitely will be.
24 It'll affect my Transportation Department as a whole, as
25 individuals who work there with their children, but,

1 also, with the community itself. And we're working
2 closely with the youth centers to try and coordinate
3 something to happen on those days.

4 CHAIR BAISA: Thank you very much,
5 Mr. Johnson. Members, any questions? Member
6 Pontanilla?

7 COUNCILMEMBER PONTANILLA: Thank you. I --
8 I -- I just needed to ask this question.

9 CHAIR BAISA: Sure.

10 COUNCILMEMBER PONTANILLA: The present
11 location that you're now located, I -- I know it's not
12 your home.

13 MR. JOHNSON: Correct.

14 COUNCILMEMBER PONTANILLA: It's presently --
15 is -- is it lease, or is it like a year-to-year with the
16 State of Hawaii?

17 MR. JOHNSON: I -- I think Mrs. Baisa could
18 ask -- answer that, but I'll -- I'll answer it to the
19 best of my -- my knowledge. We're probably sitting on
20 -- as squatters on this land. Basically, semi to say
21 that we're kinda homeless right now, just looking for an
22 opportunity such as this.

23 COUNCILMEMBER PONTANILLA: Good. Thank you.

24 MR. JOHNSON: Thank you.

25 COUNCILMEMBER PONTANILLA: Thank you.

1 CHAIR BAISA: Thank you for asking that
2 question. MEO's been squatting there since its early
3 days, under executive order from Mayor Carvalho. And
4 it's just been there ever since. And we need to get out
5 because there's been several threats where -- when they
6 were talking about swapping the land for the State park
7 at Makena. Also, we know that it's a very valuable
8 piece of real estate, probably one of the best that the
9 State has. And at some point, it's gonna be -- you
10 know, we're gonna be asked to leave. So it's prudent to
11 plan.

12 And I know MEO's been planning for many, many
13 years. And this is the closest that they have ever come
14 to actually being able to do it. So this is a very
15 important moment in history.

16 Members, any other questions? If not,
17 Mr. Johnson, thank you very, very much.

18 MR. JOHNSON: Thank you.

19 CHAIR BAISA: Our next testifier is Dick
20 Mayer, Mr. Mayer. And Mr. Mayer is the last person who
21 signed up to testify. So if anybody else is moved,
22 please, you know, hope you'll come up. Good afternoon,
23 Mr. Mayer.

24 MR. MAYER: Good afternoon. My name is Dick
25 Mayer. Thank you, Chair.

1 The things I say today are not in any way
2 intended to -- to detract from this project, but,
3 rather, to enhance it. I think this is an excellent
4 location.

5 Chubby and I were fortunate enough to be on
6 the GPAC. And we talked many, many times during the
7 GPAC, when we talked about transportation, that this
8 locale, this general area, is an excellent hub for
9 transportation facilities.

10 But I think that there is one issue that --
11 that deserves attention. And that is the access of the
12 project onto Hansen -- onto Hansen Road. (Testifier
13 walked away from microphone.) Let me illustrate.

14 CHAIR BAISA: Please stick -- stick with your
15 microphone or --

16 MR. MAYER: Okay.

17 CHAIR BAISA: -- we'll miss you.

18 MR. MAYER: And I'll just point for a second.

19 CHAIR BAISA: Yeah.

20 MR. MAYER: This route here is a route out to
21 Hansen Road. Hansen Road is totally inadequate to
22 handle the traffic that's there right now, as all of you
23 know. It's the main connector in many ways between East
24 Maui and Central and South Maui for a lot of workers in
25 the morning. It's, also, the main route for trucks

1 going up to the County landfill. And potentially, up
2 near that landfill, Maui Electric will have a power
3 plant up in that area. It's been designated for that
4 area. And they would have oil trucks going up Pulehu
5 Road. The problem is -- and I wish -- (Testifier walked
6 away from the microphone). Here's the site here.
7 Here's Hansen Road across -- across here. This is Home
8 Depot here. Hookele Road [sic] goes here. I think that
9 the access to this process -- project should not be onto
10 Hansen Road, but onto Hookele Road [sic] here. This is
11 gonna be a major road, it will be able to handle the
12 traffic. Hansen Road cannot be widened. The -- the --
13 at least in the -- in the documents on file, it says
14 that the land cannot be dedicated to widen that road.

15 It will have more traffic going through there
16 because Pulehu -- when Hookele is completed over to
17 here, Pulehu Road, which now goes down to the highway
18 here, is going to be cut off. And so all the rubbish
19 trucks will have to come through this area here. The
20 power company, if they ever wanna bring fuel up to their
21 power plant, would all have to come down this road here
22 and across Hansen Road. And it will cause all kinds of
23 problems in the future.

24 So what I'm gonna ask is that you require that
25 accent [sic] easement be obtained by -- from A&B for an

1 access on -- either along Puunene here or somewhere
2 through here, onto this road here. And it would make
3 much better access for this project. It would allow
4 egress and ingress to the -- to the project in many,
5 many ways. It, also, would then be coordinated.
6 Because one of the things that you'll see when you
7 finally get the maps for the Maui Island Plan is a
8 planned route from the airport to West Maui and down
9 into South Maui that, again, would come through that
10 corridor. And this would allow access to that route at
11 that point. And that would be a very important thing
12 for any bus transportation.

13 And, finally, the County itself would be able
14 to get a transportation center, I hope, adjoining it,
15 right here, to make a major transit station and
16 park-and-ride situation for people in Central Maui to
17 access both MEO vehicles as well as County vehicles,
18 whether they're run by Roberts, the County or MEO.

19 So I would hope that you would be able to
20 expand the transportation hub into this region right
21 here. Thank you.

22 CHAIR BAISA: Thank you, Mr. Mayer. Members,
23 questions for our testifier? Yes, Mr. Pontanilla.

24 COUNCILMEMBER PONTANILLA: Thank you. Thank
25 you, Mr. Mayer, for your testimony. I'm reading here a

1 condition of zoning, "Access to Hansen Road shall be
2 coordinated with the County of Maui project, Hansen Road
3 Realignment." I -- I know we've budgeted some monies in
4 regards to realigning Hansen Road, not all the way to
5 Pulehu Road, but a section of it, which will front this
6 particular area here. But just to let you know, I'll be
7 asking the Public Works Department in regards to that
8 particular project and -- and what it would entail in
9 regards to our project, the County of Maui project.

10 MR. MAYER: Thank you. Yeah, because it --
11 there -- it probably would come out near the post office
12 there, I believe. And, obviously, it's a very narrow
13 bridge there. And it would really have to make sure
14 that you could handle that through traffic onto that
15 road, with bug buses as well as the County rubbish
16 trucks, et cetera.

17 CHAIR BAISA: Members -- Member Johnson?

18 COUNCILMEMBER JOHNSON: Yes, Dick. Thanks
19 very much for coming. The area that you're looking at
20 as an adjoining parcel that we may, as a County, be able
21 to develop a transportation center, that's all on A&B
22 land, is that correct?

23 MR. MAYER: That would be right now, but it's
24 already zoned, I think, for -- for appropriate use, it
25 could be used. The County -- this is the -- sounds like

1 what A&B will be coming to you for Waiale project, the
2 huge project of -- in Central Valley. And this is
3 where, I think, some give and take by A&B, to get that
4 large access, to be able to develop those lands in
5 exchange for, perhaps, getting this sort of land would,
6 I think, be a win-win for A&B as well as getting, the
7 County, a transportation hub right where it should be
8 located. And I think the GPAC would've endorsed that
9 if -- if that had come to them. We talked about that as
10 being a transportation focus.

11 COUNCILMEMBER JOHNSON: Do you know about how
12 many acres you were suggesting as far as --

13 MR. MAYER: Well --

14 COUNCILMEMBER JOHNSON: -- adjoining?

15 MR. MAYER: -- they're asking for 10 acres.
16 And I think something comparable. But the only thing
17 that would be additional to that would be a park and
18 ride.

19 COUNCILMEMBER JOHNSON: Uh-huh.

20 MR. MAYER: This would allow for people in
21 Wailuku-Kahului and Upcountry to come to a location like
22 that, be able to park and ride to the other part, the
23 West Maui, South Maui, and be able to get so it would be
24 -- it would serve both to get cars off the roads as well
25 as being a -- a transit hub where people could transfer

1 from one to another.

2 I noticed on the MEO process, there's -- they
3 talk about a transfer station, where people are going
4 from one of their buses to another in the second phase,
5 not in the first phase. I would hope that that transfer
6 capability would be right from the very beginning, but
7 that's -- the -- I'm sure they have to phase it. But
8 I -- I would hope that the County, eventually, will use
9 that as a -- as the central transfer station for
10 passengers going from the various points.

11 COUNCILMEMBER JOHNSON: Okay. Thank you very
12 much.

13 MR. MAYER: I -- I can't give you the number
14 of acres per se.

15 COUNCILMEMBER JOHNSON: Appreciate it.

16 CHAIR BAISA: Any additional questions for our
17 testifier? If not, Mr. Mayer, thank you very much.
18 Thank you for being here.

19 MR. MAYER: And I'm glad MEO is doing this.
20 As they're -- they jumped ahead. The County should have
21 been doing this a long time ago. I'm glad MEO's doing
22 it. Please endorse it.

23 CHAIR BAISA: Thank you very much. Any
24 additional testifiers? Anybody wanting to testify?
25 Seeing none, Members, without objection, the Chair would

1 like to close public testimony.

2 COUNCIL MEMBERS VOICED NO OBJECTIONS.

3 ...END OF PUBLIC TESTIMONY...

4 CHAIR BAISA: Thank you very much. Members,
5 on our agenda today is Land Use 12. Before the
6 Committee are proposed bills to grant a Community Plan
7 Amendment from Agriculture to Light Industrial and a
8 Change in Zoning from Agricultural District to M-1 Light
9 Industrial District, to allow for the construction of a
10 transportation center for Maui Economic Opportunity,
11 Inc., and on approximately 10.041 acres owned by
12 Alexander & Baldwin in Kahului, Maui.

13 I have asked MEO and its consultant, Chris
14 Hart & Partners, to provide us with a short video of the
15 site to allow the Committee to view its pertinent
16 features. The video will be followed by a short
17 PowerPoint presentation. A printout of the presentation
18 has been distributed to the Members for their reference.

19 Members may remember that, originally, the
20 Chair had tried to schedule a site visit. And the
21 logistics of that proved to be very challenging. So the
22 Chair felt that it was appropriate to lose -- to use the
23 wonderful technology that we have this day, to go down
24 and have somebody take a video, and, instead of us
25 having to go, that it would come to us. And so we're

1 about to enjoy that this afternoon.

2 The Chair is going to call a very short recess
3 while we prepare the Chamber for the video and the
4 PowerPoint. The meeting is now in recess. ...(gavel)...

5 RECESS: 1:54 p.m.

6 RECONVENE: 1:55 p.m.

7 CHAIR BAISA: ...(gavel)... The meeting will
8 come back to order. Mr. Baz, I am assuming you're gonna
9 do the video, the narration.

10 ...BEGIN PRESENTATION...

11 MR. BAZ: Yes, Madam Chair. We're gonna be
12 narrating this video. Thank you for this opportunity to
13 provide this. I think this is the first time, maybe, to
14 the Council like this to do a site visit. It is fairly
15 hot down there. And there's some rough terrain to get
16 to the site. So at this point, this video should be
17 very helpful to you. I'll be narrating as we go along,
18 and then getting into the presentation.

19 So this is the access to the project site from
20 Hansen Road. If you're familiar with the gravel parking
21 lot across from the post office --

22 CHAIR BAISA: Yes.

23 MR. BAZ: -- and then just to the left over
24 there is the Feed My Sheep facility where they store all
25 of their products there.

1 This is Hansen Road. I'm standing there in
2 the driveway to the HC&S offices. And as you get to the
3 right, there is the bridge that will be reconstructed as
4 part of the -- the straightening project of Hansen Road.

5 Okay. This is from that road we just videoed
6 back towards Hansen Road. You see the HC&S offices
7 and -- and the dirt road there. This is that same road
8 going towards Home Depot. You'll see that it was a --
9 it was an existing road for many years, abandoned. And
10 this is the site looking towards Wailuku. And then,
11 going towards the south, those two trees right to the
12 right of the screen there are the edge of the property
13 there. So it -- it comes along there and then scoots
14 all the way back to -- this is the driveway access road.

15 This is the old Puunene Avenue and Hansen Road
16 intersection. You can see this is the new intersection
17 at Hansen Road and Mokulele Highway. This is the old
18 Puunene Avenue coming from the mill. And then going
19 back through towards Hansen Road into the project
20 entrance.

21 So same view, but looking towards down old
22 Puunene Avenue. It's in the abandoned state right now.
23 You can see that there is -- it's -- it's fairly clear
24 of rubbish. There are some items in there from a
25 drainage project.

1 This is, again, old Puunene Avenue. And this
2 is the remnant lot that was created when -- when
3 Mokulele Highway was created. You see the bike path
4 here. And getting back around to the project, you'll
5 see this is the end of the pavement of where old Puunene
6 Avenue used to be. The project in the background is the
7 storage and Home Depot area there.

8 It's fairly flat land. There are some
9 boulders and other features in there, but, generally,
10 it's a nice flat -- you see the plane coming overhead
11 there.

12 And this is the project site facing east. So
13 right along old Puunene Avenue, facing east, looking
14 from Walmart, stretching up to Haiku, Upcountry there.
15 And you can see the project as, again, a fairly flat
16 land looking towards the mill and old Puunene Avenue.

17 So we hope that this has provided you with a
18 brief overview of the site. And you didn't have to
19 tretch [sic] around in the -- in the grass and weeds and
20 the hot sun and wind that's out there.

21 CHAIR BAISA: Thank you.

22 MR. BAZ: We're gonna be using the hot one --
23 hot sun and wind a little bit later. So you'll see
24 that.

25 CHAIR BAISA: Thank you. And the Chair is not

1 crazy about hot sun and wind. Also, we were having
2 issues about where to post a sign for the meeting and
3 how to get there. And it just worked better to have
4 somebody go and take a video.

5 Are you just gonna go right in --

6 MR. BAZ: So --

7 CHAIR BAISA: -- to the PowerPoint?

8 MR. BAZ: Yeah. It's up to you. If you'd
9 like to have questions about the video. Otherwise, we
10 could go directly into --

11 CHAIR BAISA: No.

12 MR. BAZ: -- the PowerPoint.

13 CHAIR BAISA: We're gonna go straight into the
14 PowerPoint.

15 MR. BAZ: Okay. All right. Great. So as you
16 know, we're here today to discuss this MEO project. You
17 see the project site here. The new landmark on Maui,
18 Zippy's. And the project site is located here. Maui
19 Business Park Phase 2 is this area here. Walmart. Home
20 Depot. And you'll see the Hansen Road over here.
21 Mokulele Highway, which now redirects over there. Dairy
22 Road -- oh, Puunene Avenue and Kuihelani Highway
23 intersection.

24 Okay. So we're here today to request the
25 Community Plan Amendment be changed from Agricultural to

1 Light Industrial, and a Change in Zoning from
2 Agricultural District to M-1 Light Industrial District.

3 The current Wailuku Community Plan, as is
4 designated here, we are sandwiched in between Light
5 Industrial of Maui Business Park Phase 2, and Heavy
6 Industrial, the sugar mill and, actually, the sugar
7 museum is designated as -- as Heavy Industrial as well.

8 This is the MEO project site here. Old
9 Puunene Avenue, again. And this Mokulele Highway.

10 We are the currently in the Urban District of
11 a State Land Use. We're entirely in the Urban District
12 here, so we are not going to be asking for a State Land
13 Use change.

14 We're in Agricultural zone. You'll see here
15 that this is Agricultural zone. You'll notice that the
16 zoning map shows the same color as Residential, which is
17 the other section of it. This was changed during the
18 Agricultural Zoning Ordinance in the nineties where they
19 just swept through. And then when the Community Plan
20 changed to Agriculture, the zoning changed to
21 Agriculture. And so that became Agriculture instead of
22 Residential.

23 This is a site photograph from a few hundred
24 feet up in a helicopter here. Mokulele Highway here.
25 Hookele Street. Zippy's area. First Assembly Church.

1 Dairy Road's in the background. And the project site
2 here.

3 The biggest question we usually get is, "What
4 is this work?" We haven't started work here yet.

5 This is A&B's force main sewer project.

6 Okay. Again, project site looking towards the
7 mill and Kihei off into the distance there.

8 It is a 10-acre site. It's, actually, 10.0041
9 acres. The site is the highest rated among six sites in
10 the MEO Multifunction Transportation Center Master Plan.
11 This was a -- a federally-funded plan that we had some
12 consultants come over and designate the sites.

13 One of the testifiers, Mr. Vicens, referenced
14 that project and looking at the different sites that
15 were available in Central Maui and the different cost
16 analyses related to those.

17 The site was previously in Residential use as
18 part of the Puunene Plantation Village. From the early
19 1900s until the mid-seventies, it was a Residential
20 project. During the mid-seventies, it went into
21 Agriculture for a very short period of time, probably a
22 little over 10 years or so, and then remained fallow
23 since the last 10, 15 years, or more.

24 For just a refresher here:

25 MEO, in 1969, began transportation services

1 for the elderly with a used van.

2 In 2009, we provide over 263,000 passenger
3 trips to services of the elderly, low-income, persons
4 with disabilities, persons with medical transportation
5 needs, preschoolers, youth and, actually, the general
6 public as well.

7 Today, we have a fleet of over 90 vehicles and
8 operate six days a week.

9 The fleet is currently located on leased State
10 land. And while we don't have a formal lease, we hope
11 they wouldn't kick us out right away. Mr. Johnson said
12 we were squatting on the land, which is fairly true.
13 Along Kane Street, near Queen Kaahumanu Shopping Center,
14 the maintenance facility is leased space. And that one,
15 we do have a lease for, on Alamaha Street. And these
16 facilities are both cramped and inadequate to meet
17 future needs.

18 And as you heard from Mr. Johnson, MEO is a
19 participant in the County Civil Defense Emergency
20 Operations Center.

21 So Phase 1 will be the site -- Phase 1A will
22 be the site work, relocation of existing portable office
23 buildings, construction of maintenance building, bus
24 washing, fueling station, emergency backup generators,
25 vehicle storage, parking areas, and landscape planting.

1 Phase 1B will be the three-story transportation
2 operation building.

3 So you can see here on the site plan, the bus
4 maintenance building. Then, you know, this, we're
5 planning on -- this'll be the core here and expanding to
6 -- with expansion as needed and as funding becomes
7 available. Also, the temporary relocation of the office
8 building here. All the parking and the bus storage --
9 most of the bus storage will be coming in here as well
10 as the fueling station, vacuum and wash. The -- the
11 unused portion of the land at this point will remain in
12 a grassed landscaped area.

13 So this is the overall project site plan. And
14 you heard Mr. Mayer refer to Phase 2 and 3. So Phase
15 1A, again, maintenance facility. Phase 1B, this
16 transportation operations building. Phase 2 is the
17 possibility of a bus transfer station. And this -- you
18 know, we're in discussions with the County Department of
19 Transportation and -- and others. And -- and the
20 relevancy and use of -- of a facility like this at this
21 point. You know, it would really depend on the County's
22 needs and our opportunities, as well as when we do, you
23 know, this bus transfer station and other activities, we
24 wanna make sure we coordinate it the best with what the
25 needs of the community are at the time.

1 Phase 3 is the optional future office
2 building. And this is a -- a very optional phase. You
3 know, when -- when we were told to look at an
4 environmental assessment, we were told look at all
5 possible uses of this facility. And this would only be
6 if, you know, our current facilities on Mahalani Street
7 are -- we're asked to leave there. And then we would be
8 able to build this building here.

9 This is a project rendering. It was done a
10 couple of year -- maybe a year and-a-half ago now.
11 Basically, the same area. You get a idea of what the
12 landscape facilities are gonna be look like. This roof
13 will go into a flat style roof. You do notice the
14 photovoltaic elements on there. And you can see how
15 it'll fit into the surrounding areas.

16 As far as infrastructure, the drainage plan
17 will retain all project-generated runoff in an offsite
18 detention basin located immediately to the northeast of
19 the project site. This is being developed by Alexander
20 & Baldwin, and they're developing it to include our
21 runoff in there as well.

22 Sewer. Our project would connect to a sewer
23 line located 580 feet north of the project, along
24 Hookele Street. And there is a eight-inch existing
25 waterline running very near to the project we will be

1 connecting to that connects to a 12-inch line in Hookele
2 Street.

3 This topographical -- topographic survey map
4 shows here our -- our project site here. Old Puunene
5 Avenue, again, Hansen Road access here. This is the
6 detention basin that we're talking about here, the
7 ability to -- to have our offsite drainage on -- in
8 there.

9 And, again, this is a photo of our project
10 site here. And offsite drainage detention would be just
11 adjacent to our property.

12 As far as traffic goes, the -- we did do a
13 Traffic Impact Assessment Report. And it has been
14 accepted by the State Department of Transportation's
15 Maui District Office by letter dated July 17, 2009. MEO
16 has agreed to update the TIAR for State Department of
17 Transportation review and acceptance prior to subsequent
18 development stages in Phases 2 and 3.

19 Project will be meeting the outdoor lighting
20 ordinance as well as be down-shielded. All the parking
21 lot will be down-shielded to reduce impacts to the
22 surrounding areas.

23 We are registered with this project with the
24 U.S. Green Building Council, and will seek LEED
25 certification of the project. Our LEED consultant is

1 here today if you guys have any questions about those.

2 MEO has filed a request for a use and
3 occupancy agreement with the State Department of
4 Transportation for a landscape easement adjacent to the
5 old -- adjacent and including the old Puunene Avenue.
6 Tree and hedge planting is proposed to soften the
7 project's visual impact along Mokulele Highway. And if
8 requested -- and we will agree to plant the same kind of
9 plants that are on Mokulele Highway, so it blends in
10 very well there.

11 The maintenance building will incorporate a
12 photovoltaic and/or wind systems and natural ventilation
13 and lighting. Recycled water will be used at the bus
14 washing station. Low-flow fixtures will be installed
15 throughout. Landscape planting along the perimeter of
16 the site will buffer the project from adjacent
17 properties. And, of course, we're gonna be using native
18 plants and species because it is dry and windy down at
19 that site.

20 Okay. So in conclusion, MEO -- existing MEO
21 facilities in Kahului are cramped and inadequate. And
22 the new facility will consolidate operations at one site
23 for improved operational efficiencies. The new MEO
24 transportation center will support a growing demand for
25 specialized transportation services for seniors and

1 persons with special needs, youth. Everything is
2 growing. The proposed site is ideally situated with
3 access to major highways serving all regions of the
4 island. And the facility will serve the long-term,
5 30-plus-year needs of MEO transportation's services.

6 And, Madam Chair, I wanted to thank you.
7 Chris Hart & Partners is our planners. We do have, as
8 you mentioned, a significant amount of staff here to be
9 able to answer, hopefully, all of your questions that
10 may come about.

11 And I just wanted to mention, you know, you do
12 hear from MEO a lot during the budget times. So we
13 didn't wanna bombard with you this short meeting time
14 with a lot of testifiers on our project. They wanted to
15 -- we went to the Planning Commission. The -- the --
16 actually, the clients wanted to do a petition to support
17 our project. And then we had over 2,800 signatures in a
18 matter of about a week or so supporting our project.
19 So -- and that was as far as the Planning Commission, as
20 far as part of their record there, too, as well.

21 So, Madam Chair, we're completed with our
22 presentation.

23 ...END OF PRESENTATION...

24 CHAIR BAISA: Thank you very much, Mr. Baz.

25 Members, we are going to be in recess just for

1 a little while here while we restore the Chambers so
2 that we can continue the meeting. Meeting -- so please
3 do not leave. Meeting is in recess. ...(gavel)...

4 RECESS: 2:09 p.m.

5 RECONVENE: 2:11 p.m.

6 CHAIR BAISA: ...(gavel)... Meeting will
7 please come back to order. Thank you very much for the
8 presentation and the video. They were both wonderful.

9 We're going to now have some opening remarks
10 from our Planner to cover the -- if we could have that
11 -- Ms. Cua, please? Yes?

12 COUNCILMEMBER PONTANILLA: Before you go any
13 further, I just like to let the Members know that I'm a
14 board member for MEO. And I wanna take -- listen and --
15 and take action on this particular matter. If there is
16 any objections from the Members, I -- I can recuse
17 myself. Thank you.

18 CHAIR BAISA: Thank you very much,
19 Mr. Pontanilla, for complying with the directions that
20 we have had from the Ethics Commission. I would like to
21 ask the Members if you have any comments, or the Chair
22 would entertain a motion to abstain -- to allow the
23 Member to abstain from voting on the matter.

24 COUNCILMEMBER VICTORINO: Madam Chair, before
25 you -- before we do that, I truly believe, in all the

1 years I've been on this Council -- and that's just as
2 long as you have been -- many of us belong to various
3 organizations, and we're there for the sole purposes of
4 doing good for the people of Maui County, none of us
5 receive any -- any compensation whatsoever, and receive
6 a lot of extra headaches, for which we're all grateful
7 for.

8 So I personally would vote against that. I
9 think Mr. Pontanilla has shown us -- and many -- and --
10 and many times -- an ability to be very fair, objective,
11 in all matters of this Council, and with the thought
12 process that so long as it benefits the people of Maui
13 County, and it's good for the people of Maui County, he
14 would support it. So I would -- I -- I would not
15 support asking him to abstain personally.

16 Thank you, Madam Chair.

17 CHAIR BAISA: Is there anyone else who would
18 like to also make any kind of a statement?

19 VICE-CHAIR MOLINA: Chair?

20 CHAIR BAISA: Yes, Mr. Molina.

21 VICE-CHAIR MOLINA: Yeah. Thank you, Madam
22 Chair. I, as well as my colleague, Mr. Pontanilla, am
23 also a board member for MEO. And I guess Mr. Pontanilla
24 also pretty much summarized what I was gonna say as
25 well. So, you know, I will -- I -- I believe there's

1 nothing we -- we can participate, but, however, if it is
2 your intent to come to a decision today, I do wanna
3 disclose to the body. And that if there are objections,
4 then I have, also, no problems with recusing myself from
5 voting on the matter as well.

6 Thank you.

7 CHAIR BAISA: The Chair, in order to deal with
8 this matter according to proper procedure, will
9 entertain a motion to permit the Members to abstain --
10 to have -- disclose their conflicts, as Member
11 Pontanilla and Member Molina -- from voting on this
12 matter. (Pause.) Okay. From voting on this matter
13 pursuant to Rule 8(C) of the Rules of Council. And I
14 will need one of you to -- is it one of them, Carla?
15 Will that work, or do I need to do them separately?

16 MS. NAKATA: It would probably make sense to
17 do them individually. I believe it's the Member that's
18 the board member who would request the motion, or who
19 would make the motion.

20 CHAIR BAISA: We will do them separately,
21 then.

22 MS. NAKATA: Thank you.

23 CHAIR BAISA: Okay. Chair will entertain a
24 motion to permit Mr. Pontanilla to abstain from voting
25 on the matter pursuant to Rule 8(C) of the Rules of

1 Council. Mr. -- Mr. Pontanilla, I need you to make the
2 motion.

3 COUNCILMEMBER PONTANILLA: I so move, Madam
4 Chairman.

5 CHAIR BAISA: Do I have a second?

6 COUNCILMEMBER VICTORINO: I'll second it just
7 for discussion purposes.

8 CHAIR BAISA: Thank you very much. Chair
9 understands how you feel, but this is a procedure and we
10 need to follow it. Any comments? Yes.

11 VICE-CHAIR MOLINA: Madam Chair, just -- so
12 for clarification sake, Mr. Pontanilla is making -- is
13 entertaining your motion to abstain from voting --

14 CHAIR BAISA: Correct.

15 VICE-CHAIR MOLINA: -- on --

16 CHAIR BAISA: Correct. So that if you are in
17 favor of it, then you vote for it; if you are not in
18 favor of it, you vote against.

19 VICE-CHAIR MOLINA: Okay. My -- my apologies.
20 I'm still not quite clear.

21 CHAIR BAISA: I -- I understand your
22 confusion. I went through all of this prior to the
23 meeting and was advised. And I'll be happy to get Corp.
24 Counsel to --

25 VICE-CHAIR MOLINA: Yeah. Thank you.

1 CHAIR BAISA: To put your minds at ease.

2 Mr. Giroux, can you help us out?

3 MR. GIROUX: Thank you, Madam Chair. I
4 believe you are using the right procedure. It does seem
5 awkward. It's just that the -- the way the rules are
6 written, that -- that a Member, once he's made a
7 disclosure, can only abstain if a majority of the body
8 votes to allow him to abstain. So we would have to just
9 dispose -- if the -- if the motion fails, then the --
10 the Member will be allowed to -- to participate and to
11 vote.

12 CHAIR BAISA: Are we clear?

13 VICE-CHAIR MOLINA: Yeah.

14 COUNCILMEMBER VICTORINO: Yeah.

15 CHAIR BAISA: Any more discussion on the
16 motion? Member Johnson?

17 COUNCILMEMBER JOHNSON: Yeah. And I -- I
18 believe that, basically, the rule is, do they benefit
19 personally in any way from this. I don't believe they
20 benefit personally. I think that it's a public duty or
21 service that they're doing. And we have made -- or had
22 requests made for the Members to participate in various
23 boards and commissions. So I will be voting against the
24 motion. Thank you.

25 CHAIR BAISA: Thank you, Ms. Johnson.

1 Mr. Nishiki?

2 COUNCILMEMBER NISHIKI: Yeah. Personally,
3 because I've been in a ethical circumstance, I would
4 just say that if someone feels that he or she should not
5 vote, then they make that decision, themselves. I
6 don't want to have to be the judge of that vote. And --
7 and that is my preference.

8 CHAIR BAISA: All right. Any additional
9 comments on this? Otherwise, the Chair will call for
10 the vote. All those in favor of permitting
11 Mr. Pontanilla to abstain from voting on this matter,
12 pursuant to Rule 8(C) of the Rules of the Council,
13 please say "aye". Those opposed, say "no".

14 COUNCIL MEMBERS VOICED NO.

15 VOTE: AYES: None.

16 NOES: Councilmembers Johnson, Kaho`ohalahala,
17 Nishiki, and Victorino, and Vice-Chair
Molina, and Chair Baisa.

18 ABSTAIN: Councilmember Pontanilla.

19 ABSENT: None.

20 EXC.: Councilmembers Mateo and Medeiros.

21 MOTION FAILS.

22 CHAIR BAISA: Chair will mark it that the
23 motion fails. And Mr. Pontanilla will then be allowed
24 to vote. And the Members abstaining because they're not
25 here, are excused, are Member Mateo and Member Medeiros.

1 COUNCILMEMBER PONTANILLA: Thank you, Madam
2 Chairman.

3 CHAIR BAISA: Mr. Molina?

4 VICE-CHAIR MOLINA: Okay. So I guess I'll --

5 CHAIR BAISA: Chair will entertain a motion to
6 allow you to abstain from voting on the matter before
7 us.

8 VICE-CHAIR MOLINA: So moved.

9 COUNCILMEMBER VICTORINO: I'll second it for
10 discussion purposes.

11 CHAIR BAISA: Thank you very much. Members,
12 you've heard the motion. Any discussion? If not, the
13 Chair will call for the vote. All those in favor of the
14 motion to permit Mr. Molina to abstain from voting on
15 this matter, pursuant to Rule 8(C) of the Rules of the
16 Council, please say "aye". All those opposed, say "no".

17 COUNCIL MEMBERS VOICED NO.

18 VOTE: AYES: None.

19 NOES: Councilmembers Johnson, Kaho`ohalahala,
20 Nishiki, Pontanilla and Victorino, and
Chair Baisa.

21 ABSTAIN: Vice-Chair Molina.

22 ABSENT: None.

23 EXC.: Councilmembers Mateo and Medeiros.

24 MOTION FAILS.

25 CHAIR BAISA: The motion carries with two

1 people absent. We -- I mean, excused today, we have
2 Mr. Mateo and Mr. Medeiros.

3 COUNCILMEMBER JOHNSON: Fails. The motion
4 failed.

5 CHAIR BAISA: I'm sorry. I'm so used to
6 saying "pass." Fails. Sorry. Okay. We got through
7 this. I thank you very much. I had to consult with our
8 Legislative Attorney, I'm sure, who consulted with
9 everybody, to make sure that we do these things
10 properly. It's very, very important that we follow
11 procedure, even though it is a little awkward. But
12 we've gotta do and we gotta do it right. So, Members,
13 thank you very much.

14 Okay. Moving on. We were about to hear from
15 Ms. Cua.

16 MS. CUA: Good afternoon, Chair, Members of
17 the Committee.

18 The Maui Planning Commission conducted a
19 public hearing on the applications in November of 2008,
20 November 25th, 2008. At the hearing, one person
21 testified in support of the application. And a petition
22 in support of the applications were received with 2,642
23 signatures. The Commission recommended approval of the
24 Community Plan Amendment with no conditions. Further,
25 the Commission recommended approval of the Change in

1 Zoning application subject to nine condition.

2 The first condition was that a separate
3 left-turn lane be provided for vehicles turning left
4 from northbound Hansen Road into the project at the MEO
5 main driveway. Said left-turn lane shall be a minimum
6 of 90 feet in length.

7 Condition 2: That all buses exiting the
8 project site shall be restricted to right turn only onto
9 Hansen Road.

10 Condition 3: That access to Hansen Road shall
11 be -- Road shall be coordinated with the County of Maui
12 project, Hansen Road Realignment, under the jurisdiction
13 of the Engineering Division.

14 4: That archaeological monitoring shall be
15 conducted during ground-altering disturbance.

16 5: That an updated Traffic Impact Assessment
17 Report shall be submitted to the State Department of
18 Transportation for review and required State Highway
19 mitigation measures shall be approved prior to issuance
20 of a building permit.

21 6: That full compliance with the requirements
22 of the State DOT as a result of its review of the
23 updated TIAR shall be rendered. And the TIAR is the
24 Traffic Impact Assessment Report.

25 7: That as each phase of the project is

1 constructed, the undeveloped portion of the property
2 shall be grassed, at minimum. And I believe you heard
3 from the applicant that that is the intent.

4 8: That additional shade trees should be
5 provided, possibly in the form of planter islands,
6 within the large bus storage area.

7 And, finally, that the project's drainage
8 system be designed to contain 100 percent of the
9 additional flow and 20 percent of the existing
10 stormwater runoff.

11 Since the transmittal by the Planning
12 Department to the Council, in January of this year, the
13 Council submitted a letter to the Department dated
14 September 10th, 2009, asking -- asking us to respond to
15 four questions. And I would like to go over our
16 response. It is dated September 29th, 2009.

17 Your first question dealt with this issue of
18 the TIAR, recognizing that a -- a revised TIAR was
19 submitted to DOT --

20 CHAIR BAISA: Ms. -- Ms. Cua, could you hold
21 on for one second?

22 MS. CUA: Oh, sure.

23 CHAIR BAISA: Let's make sure that everybody
24 has found this letter. If you have it, will you just
25 kinda raise your hand so we can go ahead here? It's a

1 letter dated September 29th.

2 COUNCILMEMBER JOHNSON: Last thing in the binder.

3 CHAIR BAISA: Yes. And it kinda looks like
4 this. It's like three or four pages. It'll be easier
5 for you to follow Ms. Cua if you can take a look at it.

6 MS. CUA: Thank you, Chair.

7 CHAIR BAISA: You know, often, because we have
8 it, we think everybody's on the same page. It makes it
9 difficult. Okay? Staff, can you help? There are a few
10 people that are still looking.

11 COUNCILMEMBER VICTORINO: I still looking for `em.

12 CHAIR BAISA: We wanna make sure that
13 we all have it before we proceed.

14 COUNCILMEMBER VICTORINO: It's okay. Ah, found that.

15 CHAIR BAISA: Got it?

16 COUNCILMEMBER VICTORINO: Yeah. Last thing in my book.

17 COUNCILMEMBER JOHNSON: It's the last item in your binder.

18 CHAIR BAISA: It's the last item, I think,
19 yeah. Okay, Ms. Cua, you can continue. Thank you.

20 MS. CUA: Thank you, Chair.

21 So back in December of 2008, the applicant had
22 submitted a revised Traffic Impact Assessment Report to
23 DOT. And your question references a July 17th, 2009
24 letter from DOT accepting the revised TIAR with a
25 provision that updated TIARs be submitted for their

1 review and acceptance prior to subsequent development
2 stages, Phases 2 and 3, of the project, or, any change
3 in use, size, or intensities of Phase 1 as represented in the TIAR.

4 You -- you are in receipt of a letter from the
5 applicant dated July 22nd, acknowledging DOT's letter
6 and agreeing to submit the updated TIARs for subsequent
7 phases of the project. And I believe you also heard
8 that from Mr. Baz as part of the -- the PowerPoint
9 presentation that he just made to you a little while
10 ago.

11 So with that, we were asked if we felt that
12 Condition No. 5, which deals with the Traffic Impact
13 Assessment Report, should be amended. And based on
14 DOT's correspondence, and, now, the applicant's
15 concurrence that they -- they intend to -- to comply
16 with that, we believe that that condition should be
17 amended to read that updated Traffic Impact Assessment
18 Reports shall be submitted to the State Department of
19 Transportation for review at each phase of development
20 and required State -- State highway mitigation measures
21 shall be approved prior to issuance of the first
22 building permit for each phase.

23 CHAIR BAISA: Ms. -- Ms. Cua, can you hang on?

24 MS. CUA: Okay.

25 CHAIR BAISA: Okay. Does everybody have a

1 copy of the nine --

2 COUNCILMEMBER VICTORINO: Yeah, this one right
3 here.

4 CHAIR BAISA: Yes. I pulled them out so that
5 we would be having them easily in front us. If we're
6 all looking at No. 5 --

7 COUNCILMEMBER VICTORINO: Yeah.

8 CHAIR BAISA: -- this is the one that she is
9 suggesting that we should change. And you heard the --
10 the recommended conditions that -- or the changes that
11 Ms. Cua is recommending. And it's in this letter that
12 we all have in front of us. The Chair would like to
13 deal with this at the moment, so that we deal with it
14 while we're all on the same page, and not get lost in
15 it. Any discussion about this? If not, Chair will
16 entertain a motion to amend Condition 5 to the wording
17 that is in the -- in the letter from Jeff Hunt.

18 VICE-CHAIR MOLINA: So moved.

19 COUNCILMEMBER VICTORINO: So moved.

20 CHAIR BAISA: We have a motion --

21 COUNCILMEMBER VICTORINO: Second.

22 CHAIR BAISA: Second, Mr. Victorino. Any
23 discussion, Members? If not, all those in favor, please
24 say "aye".

25 COUNCIL MEMBERS VOICED AYE.

1 CHAIR BAISA: Opposed, "no".

2 VOTE: AYES: Councilmembers Johnson, Kaho`ohalahala,
3 Nishiki, Pontanilla, and Victorino, and
4 Vice-Chair Molina, and Chair Baisa.

5 NOES: None.

6 ABSTAIN: None.

7 ABSENT: None.

8 EXC.: Councilmembers Mateo and Medeiros.

9 MOTION CARRIED.

10 ACTION: AMEND CONDITION NO. 5.

11 CHAIR BAISA: Motion carries. And we have two
12 excusals, Member Mateo and Member Medeiros. Thank you
13 very much.

14 Ms. Cua, proceed.

15 MS. CUA: Thank you, Chair. Your second
16 request or question dealt with an exhibit that was
17 referenced in our report. And I apologize that we did
18 not include that as part of our transmittal to you. It
19 was Exhibit 31-A. And Exhibit 31-A is a letter -- is
20 the applicant's response letter to the Office of
21 Hawaiian Affairs. If you look through our report, a
22 number of agency comments had been provided a response
23 by the applicant. And those are included as exhibits.
24 And so this Exhibit 31-A was actually inadvertently left
25 out of our report. And it was passed out to the
Planning Commission at its meeting. And so we've

1 distributed a copy to you. It's dated November 17th,
2 2008. And, again, it's responding to comments from the
3 Office of Hawaiian Affairs.

4 The third question dealt with the -- how the
5 project comports with the Maui Island Plan that's
6 currently being processed through the County. And so we
7 indicate that the MEO site is currently included in the
8 approved Maui Planning Commission's version of the Urban
9 Growth Boundary for the Kahului area in the Maui Island
10 Plan.

11 And, finally, you indicate that -- in our
12 report, we -- we reference that we're gonna discuss the
13 area of chemicals and fertilizers in a particular
14 section of our report. And that somehow inadvertently
15 got left out. And so, basically, the issue of chemicals
16 and fertilizers for this site, which needs to be
17 addressed as part of Chapter 19.510
18 is that as you heard in the PowerPoint, the property was
19 originally in Residential use for quite a number of
20 years, and then in Agriculture for approximately 10
21 years, and then the land was left fallow for the
22 remainder of the time. And according to the applicant,
23 the -- the site -- there -- there are no records, there
24 is no evidence of any soil contamination from previous
25 agricultural cultivation on the property. They also

1 have no records of -- or no records that any storing of
2 chemicals or any spillage of chemicals has occurred --
3 had occurred on the property.

4 And I think if you want any more historical
5 information, I -- I believe the applicant or one of
6 their representatives are prepared to address you on
7 that.

8 I believe that concludes the Department's
9 presentation.

10 CHAIR BAISA: Members, questions for Ms. Cua?
11 Ms. Johnson?

12 COUNCILMEMBER JOHNSON: Yes. Ann, when was
13 that letter from OHA transmitted?

14 MS. CUA: Which?

15 COUNCILMEMBER JOHNSON: You know, you
16 referenced a letter, an exhibit that had inadvertently
17 been omitted.

18 MS. CUA: Oh.

19 COUNCILMEMBER JOHNSON: And we're looking
20 through our binders, all of us, trying to find that
21 letter.

22 MS. CUA: Oh, it was attached to our September
23 29th --

24 COUNCILMEMBER JOHNSON: Oh, okay.

25 MS. CUA: -- letter.

1 COUNCILMEMBER JOHNSON: So --

2 MS. CUA: I'm sorry. I should have mentioned
3 that.

4 COUNCILMEMBER JOHNSON: Yeah. Thank you.

5 CHAIR BAISA: Any other questions for Ms. Cua?
6 Ms. Cua, essentially, can you share with everyone what
7 that letter said? That'll help.

8 MS. CUA: Sure. Again, it's -- it's a letter
9 from Chris Hart of Chris Hart & Partners to the Office
10 of Hawaiian Affairs providing a point-by-point response
11 to questions that they had.

12 The first question dealt with the Land Use
13 designation of the site. And the applicant responds,
14 since our previous communication to your office, the
15 State Land Use Commission has determined that the entire
16 10-acre MEO site is within the State Urban District,
17 based on review of an updated survey map. As noted in
18 the project's Environmental Assessment Report, the site
19 was previously in Residential housing as part of the
20 former Puunene -- Puunene Plantation Village.

21 The -- the second point dealt with the
22 designation of the Ag land. And the response is -- from
23 the applicant is that the 10-acre MEO site is not
24 designated as prime Agricultural land. The site is
25 classified as Unclassified under the ALISH and Urban

1 system under the State Land Use -- the State Land Study
2 Bureau rating system.

3 The third comment dealt with the use of
4 drought-tolerant plants. And it says, "Regarding the
5 suggestion to use drought-tolerant, native or indigenous
6 species common to the area, please be advised that the
7 landscape planting will extensively utilize such plant
8 species, including Hawaiian Kou, Milo and Alahee."

9 The final comment was dealing with the LEED
10 status of the project. And the applicant, as you heard
11 in the PowerPoint, indicates that the MEO transportation
12 center is now registered as a LEED project with the U.S.
13 Building -- U.S. Green Building Council, and will be
14 designed and constructed with the intent of qualifying
15 for LEED certification.

16 As noted in the Final EA, the proposed project
17 will incorporate a photovoltaic system and other
18 energy-efficient fixtures and design features.

19 CHAIR BAISA: Thank you very much, Ms. Cua.
20 Members, any questions in -- in regard to the letter
21 that she's shared with us? Seeing none --
22 Mr. Victorino?

23 COUNCILMEMBER VICTORINO: Well, really, not
24 question, I guess this is so thorough and, you know,
25 covered all the bases, I -- there's no questions I can

1 really ask. I mean, I'm -- I'm ready for the question
2 whenever you are ready, Ms. -- Madam Chair.

3 CHAIR BAISA: Hold on for a second. There's a
4 couple other people wanna talk, too.
5 Mr. Kaho`ohalahala?

6 COUNCILMEMBER KAHO`OHALAHALA: Thank you,
7 Chair.

8 And could you describe to us the -- the Ag
9 rating? I mean, you're making reference on how that's
10 determined, but can you explain what that is so that
11 others might get the benefit of what that process is?

12 MS. CUA: Okay. I'm -- I'm sorry. Let me get
13 back to the letter. And I'm sorry. Could you please
14 repeat your question?

15 COUNCILMEMBER KAHO`OHALAHALA: Okay. You
16 pointed out in the letter the -- MEO is not designated
17 as prime Ag, and you cited in your -- in the statement
18 of the letter that it's determined as unclassified under
19 ALISH. So can you explain what that is?

20 MS. CUA: Basically, the -- the -- the land
21 has -- has not been classified. If it were classified
22 as prime Ag lands, then it would fall under a particular
23 category where it would need to be preserved as Ag. And
24 this, basically, indicates that the -- the property has
25 -- has not been classified. And so, therefore, it

1 doesn't fall under the same category as that of -- of
2 needing preservation as Ag.

3 COUNCILMEMBER KAHO`OHALAHALA: Okay. And then
4 the determination of that --

5 MS. CUA: Oh, that is done by the Land Study
6 Bureau rating system.

7 COUNCILMEMBER KAHO`OHALAHALA: Okay. Okay.
8 Just wanted to be clear that that's how we get to that
9 unclassified status.

10 CHAIR BAISA: Thank you very much. This is
11 good information. Ms. Johnson?

12 COUNCILMEMBER JOHNSON: And that's the ALISH
13 rating?

14 MS. CUA: That's correct.

15 COUNCILMEMBER JOHNSON: And that's
16 Agricultural lands of importance --

17 MS. CUA: The State.

18 COUNCILMEMBER JOHNSON: -- to the State of
19 Hawaii?

20 MS. CUA: Yes.

21 COUNCILMEMBER JOHNSON: Okay. And they have
22 their whole set of criteria established; soils, water,
23 flat area, all these things?

24 MS. CUA: Right. There are lands that if you
25 were to irrigate them, they would be better suited for

1 agricultural use. And the -- the ALISH system reflects
2 that as well.

3 COUNCILMEMBER JOHNSON: Okay. Thank you.

4 CHAIR BAISA: Any additional comments,
5 Members? Otherwise, the Chair would like to invite
6 Ms. Charlene Shibuya from the State to -- SDOT to join
7 us up front here and make some comments. Thank you,
8 Ms. Shibuya, for coming this afternoon. Somebody, would
9 you please help her get a spot? It gets kind of crowded
10 up here sometimes. Thank you, Mr. Yoshida.
11 Ms. Shibuya, go right ahead when you're ready.

12 MS. SHIBUYA: Yes, I'm ready. You wanted
13 to --

14 CHAIR BAISA: Yes.

15 MS. SHIBUYA: -- ask some questions after I
16 state my name?

17 CHAIR BAISA: Yes. Go ahead.

18 MS. SHIBUYA: Yes. My name is Charlene
19 Shibuya. I'm from the State Department of
20 Transportation. And I'm the Construction Engineer at
21 the Maui District Office.

22 CHAIR BAISA: Members, questions for
23 Ms. Shibuya? Start with Mr. Molina --

24 VICE-CHAIR MOLINA: Yeah.

25 CHAIR BAISA: -- my Vice-Chair, and then we'll

1 get to you, Ms. Johnson.

2 VICE-CHAIR MOLINA: Thank you, Madam Chair.
3 Good afternoon, Ms. Shibuya. Good to see you back here
4 again.

5 With regards to the characterization of this
6 being called a transportation center in the TIAR, does
7 this -- being that it's called the transportation center
8 in the eyes of the State DOT, does it -- is it assumed
9 that there will be a higher trip generation in terms of
10 vehicles? I was wondering if you could comment on that
11 as well as the amount of staff vehicles with regards to
12 the current TIAR. I don't know if -- was that all
13 accounted for in the initial TIAR?

14 MS. SHIBUYA: Yes. I mean, I don't know if
15 you're -- you're familiar with how many generations of
16 Traffic Impact Assessment Reports that was done.

17 VICE-CHAIR MOLINA: Uh-huh.

18 MS. SHIBUYA: Our Honolulu office, you know,
19 was involved with the reviews. And -- and they are
20 familiar with so-called transportation centers. And
21 except that they -- their view of a transportation
22 center was more like, you know, the bus system on Oahu.
23 So, you know, the applicant graciously and patiently,
24 you know, went through multiple submittals. And we did
25 address everything. And all those things were accounted

1 for.

2 VICE-CHAIR MOLINA: Uh-huh.

3 MS. SHIBUYA: You know, as far as, you know,
4 a -- a transportation center having more -- more so like
5 larger vehicles, you know, versus like a lot of
6 passenger vehicles, you know --

7 VICE-CHAIR MOLINA: Uh-huh.

8 MS. SHIBUYA: -- associated with developments.

9 VICE-CHAIR MOLINA: Okay. And -- and the
10 reason I ask that, because you folks are asking for the
11 applicant now to do updated TIARs for each phase. So
12 that's why, I just wanted to get clarification from the
13 State as to why you guys are, you know, asking for this
14 update.

15 MS. SHIBUYA: Yeah. Actually, we normally ask
16 it -- ask of that regardless of whether it's a
17 transportation center. Because, typically, when we get
18 phased developments, the traffic impact studies will
19 say -- you know, they'll give like horizon years, you
20 know, phase one, phase two, phase three. But then, in
21 reality what happens, because of economy or, you know,
22 other budget factors, they end up, you know, essentially
23 getting delayed. And what happens is when the -- the
24 phase two actually comes in, the background traffic is a
25 lot different from what the original traffic impact

1 study represented. So then we like to have essentially
2 checks and balances at different phases so that we don't
3 get caught, you know -- you know, with the development
4 actually ending up like maybe 20 years later instead of
5 10, and, all of a sudden, your existing traffic
6 situation's a lot worse, yeah, than what was represented
7 earlier.

8 VICE-CHAIR MOLINA: Okay. Thank you. Madam
9 Chair, it's good to ask because that expense will be
10 borne by, you know, MEO. And every time you do a study,
11 it's a lot of money. So, anyway, just food for thought.
12 Thank you.

13 CHAIR BAISA: Thank you, Mr. Molina.
14 Ms. Johnson?

15 COUNCILMEMBER JOHNSON: Yes. Charlene, thanks
16 very much for being here today to answer questions.

17 I don't know if you were here when Mr. Mayer
18 made a suggestion. Because Hansen Road is in -- you
19 know, I mean, it's really quite a narrow and almost
20 inadequate roadway. He had suggested that one of the
21 exit areas be onto, I think it's Hookele, or, you know,
22 the street that runs behind Home Depot and come out the
23 other way. So I guess my concern is that, you know,
24 when you looked at all these things, or when the State
25 Department of Transportation looked at all these

1 alternatives, do they ever make recommendations to the
2 applicant as to an alternative access, since -- Hansen
3 Road is not State road, right?

4 MS. SHIBUYA: No. It's a County --

5 COUNCILMEMBER JOHNSON: It's County. So I
6 know because, usually, you'll comment when it's -- well,
7 it eventually will come out on Puunene, which is State,
8 right?

9 MS. SHIBUYA: Yes.

10 COUNCILMEMBER JOHNSON: Yeah. And that's why
11 you're -- you're asked to look at this?

12 MS. SHIBUYA: Yeah. Actually, in the original
13 analysis, you know, that alternative wasn't brought up.
14 But I was present when he brought it up. So when -- you
15 know, when we looked at the study, you know, being that
16 we recent -- we very recently did, you know, the
17 Mokulele Highway widening.

18 COUNCILMEMBER JOHNSON: Uh-huh.

19 MS. SHIBUYA: So the infrastructure is there.
20 And in their traffic study, there is a recommendation
21 that they want the buses to come out towards our highway
22 versus going the other way, recognizing that the rest --
23 the rest of Hansen Road is narrow. So with -- with that
24 in mind, you know, we had no objections with them
25 proposing to come off -- to come towards our highway

1 because, you know, as I said, we -- we have a lot of
2 capacity. It's a double left turn out from Hansen Road
3 onto Mokulele/Puunene. And the left-turn pocket from --
4 coming from Puunene Avenue into Hansen Road is,
5 actually, very long, and it's, actually, longer than
6 what is calculated to be necessary in the TIAR.

7 So and -- and then, in our view, if you look
8 at the Hansen Road intersection connecting to Mokulele
9 Highway, it's a T intersection right now. T
10 intersections have a better operational capacity than
11 the existing Hookele, which is actually across, because
12 there's a -- there's a jug handle on the opposite side.
13 So, you know, just -- just in my looking at that
14 alternative, it would -- that intersection would
15 probably need some improvements, you know, coincident
16 with this development, for it to function at the level
17 that the existing Hansen and Mokulele has right now.

18 COUNCILMEMBER JOHNSON: Okay. So -- so you're
19 even saying that even if they went out the other way,
20 that would still pose some issues?

21 MS. SHIBUYA: Yeah. You know, just looking at
22 that alternative presented today, I mean, not to say
23 that it cannot be addressed, but I see a little more
24 work needs to be done at that intersection, whereas our
25 intersection is, you know, pretty much development-ready

1 at this point, yeah.

2 COUNCILMEMBER JOHNSON: Okay. Okay. And then
3 because they've done the TIAR on the basis that this is
4 the plan, if they were to go back to the drawing board
5 and look at that other alternative, that would require
6 another analysis, is that correct?

7 MS. SHIBUYA: Correct.

8 COUNCILMEMBER JOHNSON: Okay. All right.
9 I -- I just wanted to make sure of that. Thank you very
10 much, Madam Chair.

11 CHAIR BAISA: Thank you, Ms. Johnson.
12 Members, any additional questions for Ms. Shibuya?

13 COUNCILMEMBER VICTORINO: Yes.

14 CHAIR BAISA: Go ahead, Mr. Victorino.

15 COUNCILMEMBER VICTORINO: Ms. Shibuya, and I
16 -- I'm looking at the -- the -- the map on Page 16 of
17 the presentation. I thought that's probably the easiest
18 one to look at. No thought or no request was made by
19 the applicant to make any turn off of -- turn out and
20 right turn only off of the subject property onto
21 Puunene, to Mokulele, for the purposes of going south?
22 You -- you see the map I'm looking at right now, yeah?

23 MS. SHIBUYA: Yes. Correct.

24 COUNCILMEMBER VICTORINO: Okay. And so if you
25 see where the driveway is near the -- the -- the far

1 end, where you see Puunene Avenue.

2 MS. SHIBUYA: The old Puunene Avenue.

3 COUNCILMEMBER VICTORINO: The old Puunene
4 Avenue.

5 MS. SHIBUYA: Yes.

6 COUNCILMEMBER VICTORINO: Was any
7 consideration made for left turn only to come out and
8 then continue out to Mokulele? That would not be
9 feasible?

10 MS. SHIBUYA: No. The way it was proposed was
11 for the driveway to exit onto the old Puunene Avenue and
12 then come out right onto Hansen Road.

13 COUNCILMEMBER VICTORINO: Yeah, out to Hansen
14 Road.

15 MS. SHIBUYA: Yeah. Which, you know, we felt
16 wouldn't impact our facility as much as if we were to
17 allow left turns from Hansen Road into that old Puunene
18 because -- and -- and then we, you know, could
19 experience a backup towards our side. So -- and that's
20 why. The way it's proposed now, right turn --

21 COUNCILMEMBER VICTORINO: Okay.

22 MS. SHIBUYA: -- onto Hansen Road, we don't
23 have an issue with.

24 COUNCILMEMBER VICTORINO: I was questioning if
25 that -- that had been considered.

1 MS. SHIBUYA: I -- I think I -- you know, if
2 my recollection is correct, it may have been tossed
3 around earlier. And --

4 COUNCILMEMBER VICTORINO: Uh-huh.

5 MS. SHIBUYA: And we probably said, no --

6 COUNCILMEMBER VICTORINO: Okay.

7 MS. SHIBUYA: -- we don't -- we don't like
8 that --

9 COUNCILMEMBER VICTORINO: So --

10 MS. SHIBUYA: -- alternative.

11 COUNCILMEMBER VICTORINO: -- long as all
12 aspects are looked at, Ms. -- Madam Chair, you know,
13 that's -- that's fine. I mean, you know, whatever makes
14 it convenient and safe for the public is -- is
15 paramount, yeah. And so, you know, we're just -- I'm
16 just looking at the other alternative, if there was one.
17 So that's fine. Thank you, Ms. Shibuya. Thank you,
18 Madam Chair.

19 CHAIR BAISA: Thank you, Mr. Victorino.

20 Mr. Pontanilla?

21 COUNCILMEMBER PONTANILLA: Thank you.

22 Ms. Shibuya, the old Puunene Avenue, is that State
23 highway or County?

24 MS. SHIBUYA: The old Puunene Avenue, we --
25 we've still maintained jurisdiction.

1 COUNCILMEMBER PONTANILLA: Okay. You -- you
2 still do?

3 MS. SHIBUYA: Yes. Because there's some
4 utilities in there. So, you know, we just, basically,
5 kept -- kept the corridor.

6 COUNCILMEMBER PONTANILLA: Okay. That goes
7 all the way into -- towards Puunene Mill?

8 MS. SHIBUYA: Actually, we own the --

9 COUNCILMEMBER PONTANILLA: Up to the old intersection.

10 MS. SHIBUYA: -- section that was previously
11 under our jurisdiction. So when it goes all the way
12 into the -- I guess the old HC&S area, then it's not
13 under our jurisdiction.

14 COUNCILMEMBER PONTANILLA: Okay. Thank you.
15 Thank you, Chair.

16 CHAIR BAISA: Members -- Member
17 Kaho`ohalahala?

18 COUNCILMEMBER KAHO`OHALAHALA: Yeah. Thank
19 you. Again, just some clarification, because I -- I
20 know that Member Victorino asked the question about the
21 old Puunene Avenue connecting to the Hansen's [sic]
22 Road. And your response was that -- I mean, you earlier
23 commented and said -- said that you would have preferred
24 that the project direct their traffic towards Mokulele?

25 MS. SHIBUYA: Yes, in general. And then

1 that's the way their traffic study -- they have a
2 recommendation in there that they don't recommend their
3 buses to go the opposite way, you know, like from the
4 development towards Hana Highway, because they
5 recognized that Hansen Road is narrower down the other
6 area -- how you say, the east end, I guess, would be,
7 yeah.

8 COUNCILMEMBER KAHO`OHALAHALA: Okay. And
9 I'm -- I'm looking at this handout map. I don't know if
10 you have one.

11 MS. SHIBUYA: Yes, I -- I have.

12 COUNCILMEMBER KAHO`OHALAHALA: Okay. You know
13 when you're looking at the project area, and it has it
14 -- that little section that's connecting the project to
15 the old Hansen Road. It's like a yellow dotted line.
16 It does an L from the project.

17 MS. SHIBUYA: Oh. Let's see. Wait. Let me
18 get my bearings straight.

19 COUNCILMEMBER KAHO`OHALAHALA: So --

20 MS. SHIBUYA: So you're looking at the -- oh,
21 the L that goes towards the Hansen Road?

22 COUNCILMEMBER KAHO`OHALAHALA: Like it's
23 heading south, yeah.

24 MS. SHIBUYA: Towards Hansen Road?

25 COUNCILMEMBER KAHO`OHALAHALA: Towards Hansen

1 Road. So I'm assuming that that's the proposed entrance
2 and exist into the project area right now.

3 MS. SHIBUYA: Yeah, that's -- that's their
4 main --

5 COUNCILMEMBER KAHO`OHALAHALA: Yeah.

6 MS. SHIBUYA: -- exit and entrance.

7 COUNCILMEMBER KAHO`OHALAHALA: Yeah.

8 MS. SHIBUYA: And they have a secondary one
9 off of the old Puunene Avenue.

10 COUNCILMEMBER KAHO`OHALAHALA: And then, from
11 there, they would connect the Hansen's [sic] Road onto
12 Mokulele, then?

13 MS. SHIBUYA: Correct.

14 COUNCILMEMBER KAHO`OHALAHALA: Okay. Now, is
15 -- is that section in Puunene where the Hansen's [sic]
16 Road connects to the -- this proposed connector or
17 driveway, or whatever, is -- is that a problem because
18 you -- you're -- is it narrow -- narrower? Within -- it
19 looks like it's gonna go right around the sugar museum.

20 MS. SHIBUYA: No. The -- the traffic study
21 actually talks about Hansen Road going, I guess, east,
22 east towards Hana Highway. Because we actually widened
23 a little bit of Hansen Road, you know --

24 COUNCILMEMBER KAHO`OHALAHALA: Right.

25 MS. SHIBUYA: -- past the old Puunene Avenue.

1 And then, of course, you know, the connection that they
2 proposed is, actually, outside of our jurisdiction.
3 It's -- it's in the County's jurisdiction, which they've
4 asked to coordinate with their -- the County's
5 improvements --

6 COUNCILMEMBER KAHO`OHALAHALA: Okay. So
7 you --

8 MS. SHIBUYA: Future improvement.

9 COUNCILMEMBER KAHO`OHALAHALA: You widened
10 Hansen Road from Mokulele toward the --

11 MS. SHIBUYA: Well, it's -- we -- you know, as
12 you know, between Mokulele -- the new Mokulele Highway
13 and the old Puunene Avenue, we actually widened up
14 Hansen Road. Plus, we actually transitioned back with a
15 little bit improvements in front of the museum area.

16 COUNCILMEMBER KAHO`OHALAHALA: So is it wider
17 at that point?

18 MS. SHIBUYA: Slightly. And then, after that,
19 it's the County's jurisdiction.

20 COUNCILMEMBER KAHO`OHALAHALA: Okay. And then
21 my -- my question then would be, the Puunene Avenue that
22 connects to that area that you widened to link up to
23 Mokulele, is that an -- an area that would be considered
24 for access?

25 MS. SHIBUYA: They have a right turnout off of

1 that old Puunene Avenue onto Hansen Road.

2 COUNCILMEMBER KAHO`OHALAHALA: They have a
3 right turnout, okay. And then your concern would be a
4 left turn onto that road?

5 MS. SHIBUYA: Yeah. Which -- which is not
6 proposed. They -- they have it only as a right turnout,
7 so that it doesn't impact our facility.

8 COUNCILMEMBER KAHO`OHALAHALA: And then if
9 they -- if they were to look at a left turn there, then
10 what would that present to you?

11 MS. SHIBUYA: Oh, well, we wouldn't -- we
12 wouldn't allow it because it, you know, could back up
13 onto our highway if -- if there was a queue, you know,
14 from the buses. And that's why they propose that right
15 turnout.

16 COUNCILMEMBER KAHO`OHALAHALA: Okay. So you
17 would propose them only doing a right turn out of there,
18 but no --

19 MS. SHIBUYA: Which is --

20 COUNCILMEMBER KAHO`OHALAHALA: -- left turn?

21 MS. SHIBUYA: -- what they have.

22 COUNCILMEMBER KAHO`OHALAHALA: Okay. Okay.
23 Thank you for that clarification.

24 CHAIR BAISA: Thank --

25 COUNCILMEMBER KAHO`OHALAHALA: Thank you,

1 Chair.

2 CHAIR BAISA: Thank you, Mr. Kaho`ohalahala.
3 Mr. Nishiki?

4 COUNCILMEMBER NISHIKI: Thank you. Charlene,
5 off of Mokulele, left turning into Hansen, how long is
6 that storage lane?

7 MS. SHIBUYA: I don't have the figure off the
8 top of my head, but the traffic impact study actually
9 has the length a lot longer than what's necessary to
10 accommodate their traffic.

11 COUNCILMEMBER NISHIKI: No, no, no.

12 MS. SHIBUYA: Yeah. I could --

13 COUNCILMEMBER NISHIKI: My only --

14 MS. SHIBUYA: -- look it up.

15 COUNCILMEMBER NISHIKI: -- concern is -- is --
16 is the backup there, because I don't know what the
17 signalization time is.

18 MS. SHIBUYA: Oh. And that's why we looked at
19 the analysis provided in the TIAR, 'cause that -- that
20 would have been, you know, one of our obvious -- obvious
21 concerns, which they did address. You know, they --
22 they show that required length needed.

23 COUNCILMEMBER NISHIKI: Right.

24 MS. SHIBUYA: And then what's there already is
25 more than adequate. And that's including the time

1 you know it's a common, you know (inaudible).

2 COUNCILMEMBER NISHIKI: Well, yeah. I -- I --
3 I was just curious, if I were to ask you point blank on
4 a type of vehicle -- like just say cars, how many cars
5 can be stored in that left-turn lane before it creates a
6 problem with Mokulele Highway?

7 MS. SHIBUYA: Well, I don't have the -- I
8 don't have the length off the top of my head. I would
9 have to look back at the -- at the traffic impact study.

10 COUNCILMEMBER NISHIKI: I think that that is
11 a --

12 MS. SHIBUYA: Yeah.

13 COUNCILMEMBER NISHIKI: -- a -- a number
14 that --

15 MS. SHIBUYA: Yeah. But my recollection is
16 that the actual length that's there is -- it's well in
17 excess of what's needed with the development.

18 COUNCILMEMBER NISHIKI: Okay. Okay. So
19 that's not a problem there. And the County -- I guess
20 we'll talk to Milton when we talk about the portion of
21 Hansen Road, Madam Chairman. Okay. Thank you.

22 CHAIR BAISA: Okay. Members, any additional
23 questions for Ms. Shibuya? Seeing none, Ms. Shibuya,
24 thank you very much for being here. I'd appreciate it
25 if you can just hang with us a little bit more. I mean,

1 even though we may not have you up here, if you would
2 stay, we'd like you to stay, just in case.

3 MS. SHIBUYA: Yes. As long as they don't put
4 a chalk mark on my tire.

5 CHAIR BAISA: Oh. Well, if you have to do
6 that, I'm sorry, I cannot get you out of that.

7 MS. SHIBUYA: (Inaudible.)

8 CHAIR BAISA: I can't get myself out of it.

9 MS. SHIBUYA: I got 10 minutes more, but,
10 yeah, I can -- I can move the car.

11 CHAIR BAISA: When you have to -- when you
12 have to go, please go. And thank you very much for
13 being here with us today.

14 MS. SHIBUYA: Thank you.

15 CHAIR BAISA: We appreciate it. Members,
16 we're going to continue with our review of the
17 application. We have other things to work on this
18 afternoon.

19 I'd like to call Mr. Miyamoto. I see him
20 sitting up there very patiently waiting. Mr. Mike
21 Miyamoto, thank you very much. I know Members have some
22 questions for you. Thank you very much for being here.

23 Member Molina, I noticed you're ready to go.

24 VICE-CHAIR MOLINA: Yeah. Thank you, Madam
25 Chair. Just, basically, one question for Director

1 Miyamoto. The issue of Hansen Road, as Ms. Shibuya had
2 mentioned earlier, that after that widening of Hansen
3 Road that the State did, the rest of the jurisdiction
4 falls under the County now. Do you folks -- I know
5 there was an issue with regards to road widening that
6 Public Works initially had wanted. Has that matter been
7 -- now been resolved? Can you -- can you comment?

8 MR. MIYAMOTO: Thank you. Our Engineering
9 Division has completed the design of the portion of
10 Hansen Road that we will be realigning to straighten out
11 the roadway. There's a couple bridges that are kind of
12 sharp turn that we're gonna be straightening out. And
13 that project starts about 1,100 feet from the old post
14 office that's the currently along Hansen roadway, and
15 stretches east towards Hana Highway. That project is
16 about to start construction in October.

17 Throughout this process, we have been in
18 contact with the applicant's engineering consultant,
19 Mr. Otomo there. He has a copy of our completed plans
20 and is working with their requirement for this left-turn
21 lane, to see how they can get it to fit into our design
22 plans at this point.

23 VICE-CHAIR MOLINA: Okay. And then in terms
24 of is there -- what kind of cost will the applicant --
25 the applicant will be sharing in the costs with the

1 County on this road widening, or is this just totally
2 strictly all County?

3 MR. MIYAMOTO: The portion for the left-turn
4 lane will be the applicant's responsibility. As far as
5 the alignment, that's the project that Member Pontanilla
6 had mentioned earlier that we had funded, and we are in
7 the process of getting done.

8 VICE-CHAIR MOLINA: Okay. Thank you. Thank
9 you, Madam Chair.

10 CHAIR BAISA: Members? Member Nishiki?

11 COUNCILMEMBER NISHIKI: Approximately where on
12 Hansen Road is this exit going to occur? Is it past the
13 post office?

14 MR. MIYAMOTO: As the video that the applicant
15 had showed, it's just slightly past the post office. So
16 their -- their area of impact is gonna be somewhat in a
17 transition area of where we start the realignment.

18 COUNCILMEMBER NISHIKI: Okay.

19 MR. MIYAMOTO: When we try to straighten out
20 that area.

21 COUNCILMEMBER NISHIKI: And -- and -- and you
22 were told the type of vehicles that are going to be
23 using. So are you -- you confident that these vehicles
24 can make those turns with the land that is available
25 there?

1 MR. MIYAMOTO: Yes. In working with the
2 engineer, they know the design type vehicle for the
3 application. And that's why we estimated about a
4 90-foot storage lane for the left-turn vehicles.

5 Typically, on a bus facility like this, the --
6 the buses generally don't come in and out during the
7 peak hour of the -- the roadway. Generally, the buses
8 come in earlier or leave earlier from the facility,
9 before the roadway peak hour. And in the afternoon,
10 when they do their shift changes, they're usually mid --
11 mid to late day type changes. And that doesn't coincide
12 specifically with normal traffic on a typical commuter
13 roadway like this. So the 90 feet is what we came up
14 with.

15 COUNCILMEMBER NISHIKI: Okay. Give me an idea
16 on what Hansen Road will look like. Will it be just a
17 two-lane road?

18 MR. MIYAMOTO: Basically, Hansen Road is
19 typically a two-lane roadway. The -- the lanes aren't
20 quite 12 foot. I think they're somewhere between 10 and
21 12 foot wide.

22 COUNCILMEMBER NISHIKI: Okay.

23 MR. MIYAMOTO: In this area of the -- their
24 driveway, their access, we would require the third lane,
25 that left-turn lane, to allow, you know, through

1 vehicles to get around buses that need to get in and out
2 of the driveway, or passenger cars that get in and out
3 of that driveway. So we would have a third line right
4 at their -- their entrance.

5 COUNCILMEMBER NISHIKI: Similarly, the -- the
6 entire roadway going towards Mokulele, all those road
7 widths would be how wide?

8 MR. MIYAMOTO: Currently, the existing
9 conditions from old Puunene -- the old Puunene Avenue to
10 -- through this area is just, basically, a two-lane
11 roadway. As Charlene had mentioned, they did some
12 transitioning. As you do some kind of widening, you
13 need an area of transition. So they did do some
14 transition from old Puunene -- old Puunene Avenue
15 towards Hana Highway. So there is a small area of
16 transition that is a little bit wider than the normal
17 two-lane roadway.

18 COUNCILMEMBER NISHIKI: Well, in -- in -- in
19 the area that they -- they created, you've got, as she
20 pointed out, two roads going left and then one going
21 right. So it's, actually, three lanes.

22 MR. MIYAMOTO: Yes. At the intersection with
23 Mokulele Highway from old Puunene Avenue --

24 COUNCILMEMBER NISHIKI: Right.

25 MR. MIYAMOTO: -- through that short -- that

1 short section, they did do the widening where they
2 provided that many -- the additional number of lanes.

3 COUNCILMEMBER NISHIKI: Okay. And -- and,
4 obviously, there's a reason for two lanes going left.
5 My question is, how is our portion of Hansen Road coming
6 towards Mokulele going to look like? Is it going to
7 mirror what they've got there? Obviously, they see
8 where there is enough traffic, if they had to put two
9 left-turn lanes. And I'm sure that you talked to them.
10 So is it going to be similar?

11 MR. MIYAMOTO: No. The -- the Hansen -- the
12 intersection on Hansen roadway, with the entrance to
13 this facility, will be un-signalized so that traffic on
14 Hansen Road will be free-flowing. So between the
15 entrance and old Puunene Avenue, Hansen Road will be one
16 through lane that's unobstructed. So when you get to
17 the intersection with Mokulele roadway --

18 COUNCILMEMBER NISHIKI: Yes.

19 MR. MIYAMOTO: -- the reason you have the
20 double left turn is because you have a traffic signal.
21 As the demand on Mokulele Highway is so heavy, you --
22 you're demanding a lot of that green time in that
23 traffic signal. So in order to maximize processing from
24 Hansen roadway, that is why the State has put in the
25 double left turn, to try and get as much traffic out of

1 there and minimize the impact to Mokulele traffic. And
2 since Mokulele Highway has four lanes or two lanes in
3 each direction, it can accommodate the two left-turn
4 lanes. So that helps shorten the amount of green time
5 that Hansen Road requires. And then the traffic on
6 Mokulele Highway can be optimized in volume.

7 COUNCILMEMBER NISHIKI: So -- so your analysis
8 of -- of Hansen Road, and the amount of people that may
9 come off of Omaopio Road, or whatever, and then going to
10 their workplace in Kihei-Makena, is -- is -- is going to
11 not mandate any type of road widening of Hansen Road
12 from where the bus facility is going to enter or exit?
13 All of that area is not going to create a possible
14 three-lane road?

15 MR. MIYAMOTO: Based on the -- the information
16 provided in the Traffic Impact Assessment Report, we
17 feel that the additional -- that short turn left-turn
18 lane into the site should be sufficient to handle the
19 traffic demands.

20 COUNCILMEMBER NISHIKI: Yeah.

21 MR. MIYAMOTO: If you look at the long-term
22 impact of this site, you're talking about the
23 Kihei-Upcountry connector, which may alleviate,
24 relieving Hansen Road of a lot of traffic from the
25 Upcountry area that may headed -- head towards South

1 Maui or West Maui, for that -- that fact.

2 COUNCILMEMBER NISHIKI: Oh. In the -- in the
3 long term, you see area residents that go from Upcountry
4 to Kihei not using this road?

5 MR. MIYAMOTO: Not necessarily not using it,
6 but it may be more advantageous to use that
7 Kihei-Upcountry road that's the currently in design.
8 That roadway is expected to come -- tie into Piilani
9 Highway somewhere near Kaonoulu, which is right in the
10 middle of the employment center in that area. And it
11 would be a quicker route to get to the other South Maui
12 resort areas.

13 COUNCILMEMBER NISHIKI: Okay. Just because I
14 -- I -- I see Upcountry people going to work right
15 now -- and I don't know if you're gonna have a beard
16 when you -- when you talk about this road, seriously.
17 And -- and -- and that's the reason why. Because I know
18 Upcountry people, coming to -- to go to work don't go
19 down Hana Highway and then turn on Dairy Road. That
20 place is gridlocked. It's crazy.

21 MR. MIYAMOTO: Yeah. I agree.

22 COUNCILMEMBER NISHIKI: And -- and you got
23 rude people there, also, in -- in that area. You know,
24 just because you got people hurry-scurrying to catch the
25 damn airplane, you know, on -- on the roadway. So

1 that's why I'm just saying, despite of all of these
2 improvements, I -- I -- I think that -- not I think. I
3 know, because I use it myself personally, that that road
4 backs up. And -- but you don't -- you don't really see
5 it being necessary for you to look at how wide we create
6 the roadway there at Hansen?

7 MR. MIYAMOTO: The backup you're referring to
8 is heading towards Mokulele Highway. So you're talking
9 about putting an extra lane towards Mokulele Highway?

10 COUNCILMEMBER NISHIKI: Yes.

11 MR. MIYAMOTO: That, I think, is not gonna be
12 -- that is gonna be really expensive to purchase the
13 right-of-way along that whole frontage area.

14 Whether it's warranted or not, I think the
15 traffic signal has been optimized, and two -- the double
16 left turn does allow a lot of that -- the so-called
17 queue to clear during the cycle time. If the cycle
18 doesn't clear, typically, then you say -- well, you look
19 at other alternatives as to how to mitigate that. For
20 example, on Kahului Beach Road, in the evening, that --
21 that double left turn doesn't clear that traffic. So
22 you think, "Well, what are the alternatives?"

23 But I think, on Hansen Road, you don't have
24 that situation where the queue doesn't clear. Because I
25 think the State has actuated that double left turn to

1 increase -- to maximize, you know, the capacity of that
2 double left turn to process that volume of traffic.

3 COUNCILMEMBER NISHIKI: Okay.

4 CHAIR BAISA: Members, Chair would like to
5 call our afternoon break. I think we could all use one.
6 We'd like to thank you for all of your participation up
7 until now. The Chair's hoping that we'll be in recess
8 until about quarter after three. If you would please
9 return promptly, we'd like to finish reviewing this
10 matter today. Thank you very much. The meeting is now
11 in recess. ...(gavel)...

12 RECESS: 3:02 p.m.

13 RECONVENE: 3:16 p.m.

14 CHAIR BAISA: ...(gavel)... The Land Use
15 Committee will come back -- meeting will come back to
16 order, please. Members, we're moving right along here.
17 We are gonna be losing one of our Members at 4:00, so
18 Chair is very aware of the time. There's a few more
19 things that we need to discuss and make decisions on.

20 One of the things that many of you, I --
21 Members, I hope all of you have the letter from Mr. Baz.
22 It has the MEO logo on it. It's dated September 24th.
23 And it is in response to my letter of September 10th.
24 Do we all find that?

25 COUNCILMEMBER VICTORINO: Yeah.

1 CHAIR BAISA: It helps when we have the MEO
2 logo. Easy to find. Okay. If you go to the second
3 page -- and I don't know if yours is two-sided copy, but
4 it may be there, so you can find it.

5 COUNCILMEMBER VICTORINO: Yeah.

6 CHAIR BAISA: You'll note that No. 2, No. 3,
7 No. 4 and No. 5 are things that we might wanna take a
8 look at. One is that Mr. Baz says that the status of
9 the access easement for the abandoned portion of Puunene
10 Avenue owned by the State of Hawaii, MEO is finalizing a
11 draft Use and Occupancy Agreement for submittal to the
12 SDOT Maui District Highway Office. And I'm sorry that
13 Ms. Shibuya has stepped out, but, Mr. Baz, can you kind
14 of give us an update, or Mr. Min, or any representative
15 from MEO?

16 MR. BAZ: Thank you, Madam Chair. MEO has
17 filed a Use and Occupancy Agreement application that we
18 can submit a copy to you, if you'd like. It's a
19 quarter-inch-thick document.

20 CHAIR BAISA: No. We don't want it.

21 MR. BAZ: And with the State Department of
22 Transportation for use of the old Puunene Avenue area,
23 the easement of, and the surrounding for landscaping
24 and -- and access. And Ms. Shibuya has just stepped
25 back into the room. So if you wanna contact her for --

1 CHAIR BAISA: Ms. -- Ms. Shibuya, if you could
2 please come back just for a minute. We want to ask you
3 about the status of the access easement for the
4 abandoned portion of Puunene Avenue owned by the State
5 of Hawaii. It says, MEO is finalizing a draft Use and
6 Occupancy Agreement, submittal to SDOT Maui District
7 Highways Office. And we'd like a status on that,
8 please.

9 MS. SHIBUYA: Yes. Actually, they've
10 submitted all the draft stuff. I'm -- I'm gonna have to
11 process it. It takes a while. But we've been in
12 communication all this time on this use and occupancy.
13 Because, as you know, DOT, we don't have a really good
14 history on maintaining areas. And that area has been
15 historically a dumpsite all the time.

16 CHAIR BAISA: Yes, it has been.

17 MS. SHIBUYA: HC&S has had to clean it out a
18 lot of times. So -- so, conceptually, we've, you know,
19 basically, approved it. It's just that I have to
20 process the documents through our right-of-way branch in
21 AG's office in Honolulu. And, unfortunately, that
22 office takes some time.

23 CHAIR BAISA: Thank you very much. We wanted
24 a status update. Members, any questions for
25 Ms. Shibuya? If not, thank you, Ms. Shibuya. And thank

1 you for coming back. We hope we won't have to have you
2 up again.

3 MS. SHIBUYA: Yeah. I just had to check the
4 chalk on the tires.

5 CHAIR BAISA: I hope you didn't get a ticket.

6 MS. SHIBUYA: No.

7 CHAIR BAISA: Thank you. Okay. Also, 3,
8 "Status of the landscape easement from the State
9 Department of Transportation - MEO is finalizing a draft
10 Use and Occupancy Agreement for submittal to" -- wait a
11 minute. SDOT --

12 MR. BAZ: Madam --

13 CHAIR BAISA: District Highways. Now it's
14 landscaping.

15 MR. BAZ: Yeah. Madam Chair, the two are
16 related in the same application.

17 CHAIR BAISA: Same thing?

18 MR. BAZ: Yeah.

19 CHAIR BAISA: Ms. Shibuya, same? We need you
20 -- I'm sorry. I shouldn't have excused you. I didn't
21 realize they were both you. You're a popular lady this
22 afternoon. We're gonna make you honorary member.

23 MS. SHIBUYA: Yeah. Sorry. I guess I came in
24 late, so I didn't realize. I automatically assumed it
25 was together, the Use and Occupancy, and the access over

1 the --

2 CHAIR BAISA: So the same as the status on
3 Number --

4 MS. SHIBUYA: Yeah. It's -- it's in a package
5 together. And then, as I said, conceptually, you know,
6 we've approved it on district level. We just need to
7 process all the paperwork.

8 CHAIR BAISA: So, hopefully, the next picture
9 we see of that area not gonna have rubbish, right,
10 because MEO's gonna --

11 MS. SHIBUYA: Yeah.

12 CHAIR BAISA: -- keep it clean?

13 MS. SHIBUYA: Yeah.

14 CHAIR BAISA: Mr. Baz?

15 MR. BAZ: Yes, MEO will keep it --

16 MS. SHIBUYA: And they gonna have nice
17 landscaping that kind of meshes in with what we have
18 there, minus the grass.

19 MR. BAZ: Yeah.

20 CHAIR BAISA: Okay. Thank you, both of you.
21 Thank you, Charlene.

22 Mr. Baz, No. 4, "Driveway access easement to
23 the MEO lot from Hansen Road - MEO is working with A&B
24 Properties to finalize the easement alignment from the
25 driveway access from Hansen Road to the MEO lot."

1 MR. BAZ: Madam Chair, from the initial
2 discussions with Alexander & Baldwin regarding the
3 property site and its location and access, they have
4 indicated they would like us to direct access onto
5 Hansen Road. Based in -- on the drawings that you've
6 seen, we've done topographic surveys and maps. And our
7 engineers have created those for your view there.

8 We do have Mr. Grant Chun, Vice President of
9 A&B Properties, here to discuss that, if you'd like.

10 CHAIR BAISA: Mr. Chun, could we have you come
11 up, please? We'd just like to get it on the record that
12 you're saying yes or no. Thank you, Mr. Grant Chun.

13 MR. CHUN: Good afternoon, everyone. Would
14 you like me to speak to --

15 CHAIR BAISA: Just comment on that, please.
16 M-E --

17 MR. CHUN: Yes.

18 CHAIR BAISA: -- A&B's position.

19 MR. CHUN: Yes, Madam Chair. Mr. Baz'
20 representation is correct. We -- we're working together
21 to identify the alignment of that easement. And we're
22 confident that we'll be able to arrive at a mutually
23 agreeable scenario that'll work well for the project.

24 CHAIR BAISA: If you could hold on a second.
25 Members, questions? If not, while I've got you up here,

1 let's deal with the next one, because it involves both
2 of you.

3 MR. CHUN: Okay.

4 CHAIR BAISA: "Information on Puunene Pump No.
5 5 - This brackish water well is located within the
6 larger parcel that the MEO lot is currently contained
7 within and will be reactivated for use as a brackish
8 water irrigation well, in conjunction with -- in
9 conjunction with A&B's Maui Business Park Phase 2
10 project. MEO is working with A&B Properties to include
11 its irrigation requirements, as part of Pump No. 5
12 brackish water system." And your letter dated September
13 23rd confirms that you are proceeding with the well
14 project. Is that a -- a good statement?

15 MR. CHUN: Yes, ma'am.

16 CHAIR BAISA: No change?

17 MR. CHUN: No change.

18 CHAIR BAISA: Thank you very much. Members,
19 questions for Mr. Chun in regard to that matter?

20 Mr. Kaho`ohalahala?

21 COUNCILMEMBER KAHO`OHALAHALA: Hi, Grant. I'm
22 just looking at -- at this map that's right there on --
23 on the board. And it shows that you've got a blue line
24 extending the Hookele Street and moving that toward the
25 Hana Highway. And my question was, the red area that --

1 that's in there between Hookele Street and the MEO site,
2 you have as south -- can't -- south project area. What
3 is -- what is being planned for that particular area?

4 MR. CHUN: That area will be subdivided lots
5 comparable to what's -- kinda like where Ballard
6 Mortuary is, that same sort of concept with individual
7 Light Industrial lots.

8 COUNCILMEMBER KAHO`OHALAHALA: And then do you
9 see any -- a need for an extension of the -- I can't
10 read the -- is it -- is it Paukala? You know, the
11 entrance to the --

12 MR. CHUN: Right where Walmart is?

13 COUNCILMEMBER KAHO`OHALAHALA: Walmart, yeah.
14 Do you see that -- that road being extended into that
15 subdivided south project area?

16 MR. CHUN: You know, they're still working on
17 the subdivision design for that -- for the -- for the
18 area that's surrounded by red, the red line.

19 COUNCILMEMBER KAHO`OHALAHALA: Uh-huh.

20 MR. CHUN: I -- and -- and there are interior
21 streets that will be included in that subdivision. I'm
22 not sure how Paukala Street is -- is treated in that --
23 in that plan.

24 COUNCILMEMBER KAHO`OHALAHALA: Okay. 'Cause
25 I'm -- I'm just wondering whether or not even that

1 becomes a future alternate route for MEO in terms of
2 moving their -- their traffic or buses onto the -- the
3 Dairy Road as well as the airport access road as a
4 future -- because you've got -- it seems to be a major
5 road moving into your subdivision for -- for those
6 areas. And it's just a matter of connecting -- like you
7 have your blue line extended across from Mokulele.
8 Maybe you drew -- draw a white line extending Paukala
9 Road south, you know.

10 Anyways, just a -- a question. Just wanna
11 know how -- how that is gonna look like in the future.
12 Because it might -- might be something that could
13 benefit this --

14 MR. CHUN: Yeah.

15 COUNCILMEMBER KAHO`OHALAHALA: This --

16 MR. CHUN: I'm not sure, but I could -- I
17 could submit our conceptual plans to date, if that would
18 be helpful to the Council.

19 COUNCILMEMBER KAHO`OHALAHALA: Okay. That
20 would be good, Madam -- Madam Chair.

21 CHAIR BAISA: Thank you, Mr. Kaho`ohalahala.
22 Members, any additional questions for Mr. Chun, or I'll
23 excuse him? Mr. Chun, thank you very much.

24 MR. CHUN: Thank you, ma'am.

25 CHAIR BAISA: Members, we have one more item,

1 and then I'm sure some of you have others, that I would
2 like to have a little bit of discussion about. And that
3 is on the issue of wastewater, Mr. Baz. Has a decision
4 been made on how the project's wastewater will be
5 handled? Would onsite sewer pump station require an
6 additional environmental document?

7 MR. BAZ: Yes, ma'am. The -- the wastewater
8 treatment -- well, the wastewater will be handled
9 through a gravity-fed wastewater -- a sewer line from
10 our project site 580 feet north to Hookele Street, to
11 the existing sewer treatment -- or to the sewer line
12 going to the Kahului Wastewater Treatment Plant.

13 CHAIR BAISA: Thank you very much. Members,
14 questions? If not, the Chair would like to direct the
15 Members' attention to the page of Conditions of Zoning
16 that I had copied for each of you. It's a loose sheet.
17 And I'd like to call your attention -- we already
18 amended No. 5. I'd like you to look at No. 6. And I'd
19 like to ask Ms. Cua if she could comment?

20 MS. CUA: Thank you, Madam Chair. In light of
21 the fact that the Committee has already amended
22 Condition No. 5 to deal with the updated TIARs that were
23 requested by the -- the State Department of
24 Transportation, you may want to also consider amending
25 Condition No. 6. Because Condition No. 6 still talks

1 about an up -- an updated TIAR, which was already done,
2 given to DOT, and DOT came back and they said, we accept
3 this -- this revised TIAR, but we want additional TIARs
4 for each subsequent phase. So may we suggest that
5 Condition No. 6 be amended to read that full compliance
6 with the requirements of State DOT as a result of their
7 review of the updated TIARs shall be rendered?

8 CHAIR BAISA: So you're essentially suggesting
9 we add an "S" to T-I-A-R, an "S" to plural?

10 MS. CUA: Correct.

11 CHAIR BAISA: Members, Chair will entertain
12 such a motion.

13 VICE-CHAIR MOLINA: So moved.

14 COUNCILMEMBER VICTORINO: Second.

15 CHAIR BAISA: Thank you very much. It's been
16 moved by Member Molina and seconded by Member Victorino
17 that that change be made. Any discussion?

18 COUNCILMEMBER VICTORINO: No.

19 CHAIR BAISA: If not, all those in favor,
20 please say "aye".

21 COUNCIL MEMBERS VOICED AYE.

22 CHAIR BAISA: Opposed say, "no".

23 VOTE: AYES: Councilmembers Johnson, Kaho`ohalahala,
24 Nishiki, Pontanilla, and Victorino, and
Vice-Chair Molina, and Chair Baisa.

25 NOES: None.

1 ABSTAIN: None.

2 ABSENT: None.

3 EXC.: Councilmembers Mateo and Medeiros.

4 MOTION CARRIED.

5 ACTION: AMEND CONDITION NO. 6.

6 CHAIR BAISA: The motion is carried. And we
7 have two Members who are excused, Member Mateo and
8 Member Medeiros. And the Condition will be so amended.

9 Members, these are the Chair -- the changes
10 and the concerns that the Chair wanted to bring up. Is
11 there anything else that you would like to discuss
12 before we get into the process of approving the changes?

13 VICE-CHAIR MOLINA: Madam Chair?

14 CHAIR BAISA: Yes.

15 VICE-CHAIR MOLINA: Just one -- one question
16 for Mr. Baz.

17 CHAIR BAISA: Sure, Mr. Molina. Go right
18 ahead.

19 VICE-CHAIR MOLINA: Good afternoon, Mr. Baz.
20 Just on the issue of -- first of all, I wanna commend
21 you for, I guess, registering with LEEDs [sic] and the
22 green building principles. It is, you know, a cost
23 saving down the road. But initially, up front, it's --
24 there's a lot of money involved. Do you have any
25 initial estimates at this point what the project will

1 cost at least, you know, by the time the third phase,
2 assuming you get to the third phase?

3 MR. BAZ: You're asking for total project
4 cost?

5 VICE-CHAIR MOLINA: Yeah. Just a general
6 estimate at this point. Because you're -- you're
7 LEED-certified and there's green building principles.

8 MR. BAZ: Generally, LEED experts say that
9 there -- there's about a five percent increase in the
10 cost of the project for like a LEED Silver designation.
11 Depending on the projects itself and the different
12 criteria. I'm -- I'm getting a complete education from
13 our LEED consultant, who's actually here today, if you
14 have any detailed questions. But what we're looking at
15 is, you know, we have filed an application with the U.S.
16 Green Building Council, registering the project in LEED.
17 They're, of course, different levels. There's LEED
18 baseline, which is a certain number of points, then
19 there's LEED Silver, Gold, Platinum, all those different
20 levels. And, also, different categories. And this
21 would be new construction. And we're looking at -- at
22 the project itself.

23 In the different criteria that are designated
24 for LEED, there are some things that we can do that cost
25 us nothing. There's some things that we're doing

1 already. There's some things that, yes, if we -- that
2 may be able to cost us just maybe one or two percent
3 more. And there's other things that could cost us 200
4 times more depending on -- on what the product or -- or
5 the -- the points are.

6 So we have actually contracted with the
7 systems analyst to look at -- at our project and -- and
8 kind of designate where we can get these points to be
9 able to meet different standards. And we -- we're
10 looking at hitting at least the baseline and then
11 possibly the Silver certification, without additional
12 too much cost to the project. We -- we understand that,
13 you know, we wanna be as efficient and green as
14 possible, but costs-wise could reduce that ability.

15 VICE-CHAIR MOLINA: Okay. Well, it looks like
16 it may be the largest facility in Central Maui that's
17 LEED-certified, with green building principles down the
18 road, yeah.

19 MR. BAZ: So, yeah. I mean, that would be
20 nice, when it comes to Budget, if the County wants to
21 help us with that investment, in being the largest
22 LEED-certified project. We'd like that.

23 VICE-CHAIR MOLINA: Okay. Thank you, Mr. Baz.
24 Thank you, Madam Chair.

25 CHAIR BAISA: Mr. Kaho`ohalahala?

1 COUNCILMEMBER KAHO`OHALAHALA: Thank you.
2 Sandy, this -- seeking this LEED Silver status, does
3 that make you more sustainable?

4 MR. BAZ: I don't -- I don't know for sure
5 that there's a complete correlation between green or
6 efficiency and sustainability. There are different
7 things that we're learning in -- as part of the -- the
8 LEED certification. You know, it's Leadership and
9 Energy and Efficiency Design. It's not necessarily
10 sustainability.

11 There are certain things that we're -- we
12 would like to work towards sustainability as far as our
13 own power generation, those kind of things, so that we
14 can operate, you know, with -- without, necessarily, a
15 grid, if we didn't have to. But there are also certain
16 regulations and things that prohibit us from -- from
17 doing what we'd like to do to be completely sustainable.
18 So maybe -- I -- I don't -- I probably didn't answer
19 your question, but --

20 COUNCILMEMBER KAHO`OHALAHALA: Well, I think,
21 you know, LEED is -- is -- is incorporating some
22 efficiencies --

23 MR. BAZ: Yes.

24 COUNCILMEMBER KAHO`OHALAHALA: -- in your
25 operations, in your building, in your design, lighting,

1 air cooling. That's all what you're talking about?

2 MR. BAZ: Correct.

3 COUNCILMEMBER KAHO`OHALAHALA: Okay. So does
4 that make you more self-sufficient in terms of your
5 energy requirements? So that your operations will, in
6 fact, be reduced tremendously without -- my next
7 question has to do with renewables, so --

8 MR. BAZ: Okay. Well, as related to
9 renewables, we are planning on reducing our energy
10 dependence on, you know, Maui Electric system actually
11 producing our own energy through photovoltaic and as
12 well as wind. It's a very windy area over there and
13 lots of sun. So if we can generate as much electricity
14 as possible, that will be able to reduce our electricity
15 usage, or at least demand on MECO's system.

16 We are also incorporating things like natural
17 ventilation in the maintenance facility, you know,
18 natural lighting in the office buildings, and things
19 like that. So, actually, reduce our energy uses, to
20 begin with. Because if you can start off energy
21 efficiencies by reducing your usage first, and then
22 adding things in like photovoltaic or -- or wind, you're
23 -- you're gonna be a better project that way, and more
24 efficient.

25 COUNCILMEMBER KAHO`OHALAHALA: Okay. And then

1 that is your ultimate long-term goal, then?

2 MR. BAZ: Yes. To put in photovoltaic and --
3 and wind system.

4 COUNCILMEMBER KAHO`OHALAHALA: Renewables?

5 MR. BAZ: Yes.

6 COUNCILMEMBER KAHO`OHALAHALA: Okay. Thank
7 you.

8 CHAIR BAISA: Thank you, Mr. Kaho`ohalahala.
9 Members, anything else? The -- the -- we're going to be
10 able to go into the approval process shortly, but
11 there's one more little thing the Chair neglected to
12 take care of. And I had discussed it with Ms. Nakata
13 earlier. And that is, on Condition No. 3, I just wanted
14 to clarify something there. It says, "Access to Hansen
15 Road shall be coordinated with the County of Maui
16 project, Hansen Road Realignment, under the jurisdiction
17 of the Engineering Division." And the Chair wanted to
18 include in there the name of the entity. Is it the
19 State or the County, so that it's clear? Ms. Cua, can
20 you help?

21 MS. CUA: It would be the County Department of
22 Public Works, Engineering Division.

23 CHAIR BAISA: Okay. So, Members, I would like
24 to add in there, before "Engineering," County of --
25 County Public Works Division? Engineering Division?

1 What?

2 MS. CUA: It would -- it would -- it should
3 read "County Department of Public Works" --

4 CHAIR BAISA: Okay.

5 MS. CUA: -- "Engineering Division."

6 CHAIR BAISA: So I need a motion to that
7 effect, please, so we can add that.

8 VICE-CHAIR MOLINA: So moved, Madam Chair.

9 COUNCILMEMBER VICTORINO: Second.

10 CHAIR BAISA: Thank you very much. We have a
11 motion by Mr. Molina and a second by Mr. Victorino to
12 insert the words "The County Department of Public Works"
13 before "Engineering Division" in the condition. Is
14 everybody okay? All those in favor, please say "aye".

15 COUNCIL MEMBERS VOICED AYE.

16 CHAIR BAISA: Opposed, "no".

17 VOTE: AYES: Councilmembers Johnson, Kaho`ohalahala,
18 Nishiki, Pontanilla, and Victorino, and
Vice-Chair Molina, and Chair Baisa.

19 NOES: None.

20 ABSTAIN: None.

21 ABSENT: None.

22 EXC.: Councilmembers Mateo and Medeiros.

23 MOTION CARRIED.

24 ACTION: AMEND CONDITION NO. 3.

25 CHAIR BAISA: Motion carries. And we have two

1 Members excused, Member Mateo and Member Medeiros.

2 And that ends the work on the conditions
3 unless there's something else that anybody would like to
4 bring up. If not, Chair would like to -- will very
5 gladly enter -- entertain a motion to recommend passage
6 on first reading of the proposed bill entitled "A BILL
7 FOR AN ORDINANCE TO AMEND THE WAILUKU-KAHULUI COMMUNITY
8 PLAN AND LAND USE MAP FROM AGRICULTURE TO LIGHT
9 INDUSTRIAL FOR PROPERTY SITUATED AT KAHULUI, MAUI,
10 HAWAII."

11 VICE-CHAIR MOLINA: So moved.

12 COUNCILMEMBER VICTORINO: Second.

13 CHAIR BAISA: We have a motion by Member -- by
14 my Vice-Chair, Member Molina, and Member Michael
15 Victorino. Any discussion?

16 COUNCILMEMBER VICTORINO: No, Madam Chair.

17 CHAIR BAISA: Well, it looks like we're ready
18 to vote. All those in favor -- let me read the motion
19 again so we're absolutely sure what we're voting on. "A
20 BILL FOR AN ORDINANCE TO AMEND THE WAILUKU-KAHULUI
21 COMMUNITY PLAN AND LAND USE MAP FROM AGRICULTURE TO
22 LIGHT INDUSTRIAL FOR PROPERTY SITUATED AT KAHULUI, MAUI,
23 HAWAII." All those in favor, please say "aye".

24 COUNCIL MEMBERS VOICED AYE.

25 CHAIR BAISA: Opposed, "no".

1 VOTE: AYES: Councilmembers Johnson, Kaho`ohalahala,
2 Nishiki, Pontanilla, and Victorino, and
Vice-Chair Molina, and Chair Baisa.

3 NOES: None.

4 ABSTAIN: None.

5 ABSENT: None.

6 EXC.: Councilmembers Mateo and Medeiros.

7 MOTION CARRIED.

8 ACTION: FIRST READING OF BILL.

9 CHAIR BAISA: Motion carries. And we have two
10 Members excused, Member Mateo and Member Medeiros.

11 The Chair will next entertain a motion to
12 recommend passage on first reading of the proposed bill
13 entitled "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM
14 AGRICULTURAL DISTRICT TO M-1 LIGHT INDUSTRIAL DISTRICT
15 (CONDITIONAL ZONING) FOR PROPERTY SITUATED AT KAHULUI,
16 MAUI, HAWAII" incorporating any amendments made at
17 today's meeting, and to file County Communication No.
18 09-44.

19 VICE-CHAIR MOLINA: So moved, Madam Chair.

20 COUNCILMEMBER VICTORINO: Second, Madam Chair.

21 CHAIR BAISA: I have a motion made by
22 Vice-Chair of the Committee, Mike Molina, and, also, by
23 Member -- seconded by Member Mike Victorino. Any
24 comments or discussion on this motion? Seeing none, the
25 Chair will ask for the vote. All those in favor, please

1 say "aye".

2 COUNCIL MEMBERS VOICED AYE.

3 CHAIR BAISA: All those -- all those in favor,
4 say "aye." All those opposed, say "no".

5 VOTE: AYES: Councilmembers Johnson, Kaho`ohalahala,
6 Nishiki, Pontanilla, and Victorino, and
Vice-Chair Molina, and Chair Baisa.

7 NOES: None.

8 ABSTAIN: None.

9 ABSENT: None.

10 EXC.: Councilmembers Mateo and Medeiros.

11 MOTION CARRIED.

12 ACTION: FIRST READING OF REVISED BILL AND FILING OF
13 COMMUNICATION.

14 CHAIR BAISA: Well, the motion carries. And
15 we'll mark it that we have two Members who are excused,
16 Member Mateo and Member Medeiros.

17 And that pretty much concludes our business
18 for today. Are there any announcements? If not, the
19 Chair would like to thank very much all of the Members
20 for your hard work today. I'd like to thank my Staff
21 for their work. Thank all of the people that are here
22 today, all the consultants. I'd like to commend you,
23 Mr. Baz, job well done, and wish you the best of luck in
24 getting this transportation center up and running. Of
25 course, you know this is only Committee approval and we

1 still have first and second reading at Council level to
2 get you there. So, again, thank you very much,
3 everybody. And this meeting is now adjourned.

4 ... (gavel) ...

5 ADJOURN: 3:38 p.m.

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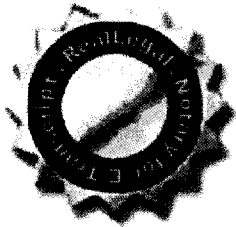
CERTIFICATE

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I, TONYA MCDADE, do hereby certify that the electronically-recorded proceedings contained herein were, after the fact, taken by me in machine shorthand and thereafter reduced to text, by means of computer-aided transcription; and that the foregoing represents, to the best of my ability, a true and accurate transcript of the provided electronically-recorded proceedings had in the foregoing matter.

I further certify that I am neither an employee, nor an attorney for any of the parties hereto, nor in any way concerned with the cause.

DATED this 23rd day of October, 2009.



Tonya McDade

Tonya McDade