

# **DRAFT**

## **BUDGET AND FINANCE COMMITTEE**

**Council of the County of Maui**

### **MINUTES**

**June 29, 2010**

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

**CONVENE:** 1:32 p.m.

**PRESENT:** Councilmember Joseph Pontanilla, Chair  
Councilmember Danny A. Mateo, Vice-Chair  
Councilmember Gladys C. Baisa, Member  
Councilmember Jo Anne Johnson, Member (in 1:33 p.m.)  
Councilmember Sol P. Kaho`ohalahala, Member  
Councilmember Bill Kauakea Medeiros, Member  
Councilmember Michael J. Molina, Member  
Councilmember Michael P. Victorino, Member

**EXCUSED:** Councilmember Wayne K. Nishiki, Member

**STAFF:** Gayle Revels, Legislative Analyst  
Yvette Bouthillier, Committee Secretary

Leinaala Kihm, Executive Assistant to Councilmember Medeiros

**ADMIN.:** Frederick Pablo, Budget Director, Office of the Mayor  
Cheryl K. Okuma, Director, Department of Environmental Management (BF-90)  
Tracy Takamine, Chief, Solid Waste Division, Department of Environmental  
Management (BF-90)  
Michael Miyamoto, Deputy Director, Department of Public Works (BF-55, BF-90)  
Joseph Alueta, Administrative Planning Officer, Department of Planning (BF-65)  
Traci Fujita Villarosa, First Deputy Corporation Counsel, Department of the Corporation  
Counsel

Seated in the gallery:

David Taylor, Chief, Wastewater Reclamation Division, Department of Environmental  
Management (BF-90)

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**OTHERS:   Item 65:**       Jocelyn Perreira, Executive Director, Wailuku Main Street Association,  
                                  Inc./Tri-Isle Main Street Resource Center  
                                  Others (1)

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

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CHAIR PONTANILLA: . . .(*gavel*). . . The Budget and Finance Committee meeting is now convened. The date is June 29, 2010, and the time is 1:32. Good afternoon, Members. At this time, the Chair would like to introduce the Committee Members. We do have Member Molina.

COUNCILMEMBER MOLINA: Good afternoon, Chair.

CHAIR PONTANILLA: Good afternoon. Member Baisa.

COUNCILMEMBER BAISA: Good afternoon, Chair.

CHAIR PONTANILLA: Good afternoon. Member Kaho`ohalahala.

COUNCILMEMBER KAHO`OHALAHALA: Good afternoon, Chair.

CHAIR PONTANILLA: Good afternoon. Member Medeiros.

COUNCILMEMBER MEDEIROS: Aloha. Good afternoon, Chair.

CHAIR PONTANILLA: Aloha. Member Mateo.

VICE-CHAIR MATEO: Good afternoon, Chair.

CHAIR PONTANILLA: Good afternoon. Member Victorino.

COUNCILMEMBER VICTORINO: Good afternoon, and aloha, Chair.

CHAIR PONTANILLA: Aloha. Excused at this time are Members Johnson and Nishiki. Representing the Administration we do have our First Deputy Corporation Counsel, Traci Fujita Villarosa and our Budget Director, Mr. Fred Pablo. Supporting the Committee as usual we do have a Committee Secretary, Yvette Bouthillier and our Legal...Legislative Analyst, Gale Revels. At this time, the Chair would like to recognize the presence of Member Johnson. Aloha. Members, we have three items on the agenda, but before we dive into the items, is

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there anyone signed up for public testimony? There's no one signed up for public testimony this afternoon. Members, if there is no objections the Chair would like to close public testimony at this time.

COUNCIL MEMBERS: No objections.

CHAIR PONTANILLA: Thank you.

**ITEM NO. 90: OTHER DEPARTMENTAL SUPPORT REPORT  
(DEPARTMENT OF PUBLIC WORKS AND DEPARTMENT  
OF ENVIRONMENTAL MANAGEMENT)** (C.C. Nos. 09-87, 09-224,  
09-255, 10-8, 10-91, and 10-115)

CHAIR PONTANILLA: Good afternoon, Members again. Thank you for being here this afternoon. The first item on today's agenda is BF-90, Other Departmental Support Report (Department of Public Works and Department of Environmental Management). The Committee is in receipt of quarterly reports from the Department of Public Works, on support that is provided to the Department of Environmental Management, Wastewater and Solid Waste Divisions. This report is in compliance of a general budget provision section 7(A), which states effective July 1<sup>st</sup>, 2007. The Department of Public Works and Environmental Management, split into Department of Public Works and Depart...a Department of Environmental Management. Not, withstanding the provisions contained in section seven appropriations may be dispersed by the Department of Environmental Management to reimburse the Department of Public Works, and vice a versa, for the temporary assignment of employees provided that a report is translated to the County Council within 45 days after end of each quarter, of each position temporarily assigned and the program from which the position was assigned, a description of the work performed, and the amount reimbursed. At this time, the Chair would like to call forward Mr. Miyamoto, the Deputy Director for Public Works as well as Ms. Okuma, Director of Environmental Management. Members, you know, for your information this is the first time we're going to review this kind report.

UNIDENTIFIED SPEAKER: Yeah.

CHAIR PONTANILLA: We haven't done it since I've been here so, you know, bear with the Department and bear with the Chairman. At this time, the Chair would like to recognize Deputy Director Miyamoto for comments.

MR. MIYAMOTO: Thank you, Mr. Chair. These reports are as identified required by the budget ordinance, and the, the impetus of all of these reports was the fact that

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when the Department of Public Works and Waste Management separated into two Departments, the body at that time wanted to keep track on what services were being shared between the two Departments. And so quarterly we try to itemize what's being shared by the various districts within Public Works, and to whether it's the Solid Waste or the Environmental, the Wastewater Division. So we've tried to itemize all of that each quarter and provide you with a report. Thank you, Mr. Chair.

CHAIR PONTANILLA: Thank you. Ms. Okuma, you got comments?

MS. OKUMA: I have no comments, but I just want to mention that I have both Tracy Takamine, Division Chief of Solid Waste, and Dave Taylor, Division Chief of Wastewater Divisions in the audience.

CHAIR PONTANILLA: Thank you. Members, any questions for the Departments this afternoon? Member Medeiros?

COUNCILMEMBER MEDEIROS: Mahalos, Mr. Chairman. Yeah, if we look at the first report after the correspondence page, County communication for month of April and May, and then in my review of the rest of them it seems to carry the same pattern. Explain to me say for the month of May, April, I'm sorry that this report is other departmental support. So the figures we're seeing as far as amount of service provided is what is to...for Hana for instance. It is what support is provided to Hana? As refuse collection and land fill assistance and the amounts reflected are for that departmental support. Can...because this is the first time we're reviewing this. Can you explain that? Because Hana is the highest on every report and is that because it requires more departmental support? Is that what the figures indicate?

MR. MIYAMOTO: Thank you.

CHAIR PONTANILLA: Mr. Miyamoto?

MR. MIYAMOTO: Thank you, Mr. Chair. In Hana as you, as you are aware we do the refuse collection.

COUNCILMEMBER MEDEIROS: As, as Public Works Highways.

MR. MIYAMOTO: As Public Works, we do it as --

COUNCILMEMBER MEDEIROS: Okay.

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MR. MIYAMOTO: --we, we do the refuse collection and as you know, as you're aware the landfill is very...was very limited in its support, we provide the daily cover. We provide all the services for daily cover. We assist whenever the...at the time I think it was, they probably had one or two people out there. We would assist with any leave that they would have. We would have someone go over and help assist with the landfill. So, given the limited staffing they have there, and the, the remoteness of the location, we're the prime source for additional manpower.

COUNCILMEMBER MEDEIROS: Okay. So, in, in the next page on the back of that page we were just looking at, quarter, quarter totals. So, this is why Hana, has the highest amount is because of the highest probably department support?

MR. MIYAMOTO: For that particular quarter, yes. It can vary from quarter to quarter as you'll see in the rest of the, of the reports. There's a good variation.

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

CHAIR PONTANILLA: Thank you. Member Johnson, followed by Member Baisa.

COUNCILMEMBER JOHNSON: Yes, and, you know, 'cause, the, the, the one thing we also look at in reports is what do they tell us. And I hope that when we put this requirement in it was not just for our benefit but as kind of to see trends that are developing, and I've, you know, looked at this as well as other reports before. But from your perspective, doing this report, is there anything that you can actually glean if you were to chart something or if you were to look at trends? If you were to look at how this could be useful to you as a department and maybe whether it's budgeting or maybe it's some areas that are requiring a little bit more support than you have the capability to deliver. Is there any central message that the figures say one thing but I just want to know from your perspective, what, what that means to you if anything?

CHAIR PONTANILLA: Department?

MR. MIYAMOTO: The...in reviewing the numbers...*(clears throat)*...what, what really became obvious at the time is that remote communities really need our support for example Hana as we just were talking about. It would be very difficult for the Department of Environmental Management to send people out there to assist when someone is going out...calls in sick. It's hard to get someone out there. By the time they get out there the days almost over. And so, we realize that, you know, the Department of Environmental Management is working towards trying to get the manpower stabilized in that area. They did have a position for a landfill

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supervisor, and then you have an equipment operator, and then you have an attendant. So that helps with that kind of situation, the additional manpower. On Molokai and Lanai, you know, we've seen Lanai going down because they're pretty much handling Lanai fairly well. Most of our service for them are primarily garage services. We provide garage services out there. As far as Molokai we still do the refuse collection and it's only two days a week. We only do it on Thursdays and Fridays. And we're working with Department of Environmental Management, to adjust for the furloughs. Those days are on uku pau, so we lose our staff for those two days, but we're manned...we're powered...we're manpowered such that we can get things done, like we try to do the majority of the hard work early in the week. So it's helped us to manage better our manpower, because we know on Thursday, Friday, we're going to lose the guys doing refuse collection. We are working with Department of Environmental Management to eventually get those people over to their Department. Possibly sharing those people with the landfill, helping them to...having them to assist with the landfill on their other three days that they're not doing refuse collection. As far as Central Maui, where the...we've noticed that the numbers are going down. We obviously still have garage services that we provide for the, the department a lot. And they are working towards trying to get their own garage services, and they have enough equipment and manpower needs that they...they're working towards getting their own garage services for their heavy equipment. And we put them on a priority list because theirs is about safety. You know whether it be waste water or land fill, those issues are really health safety reasons that we put them up on the list. Refuse collections we try to respond immediately when we get those in. So it's helped us plan a lot better. And, we're, we're working with Director Okuma, to try and transition over. I mean in these tough times we understand that, you know, it...it's just not the right time to do it but at least we have the information to help us move in that direction to get across.

**COUNCILMEMBER JOHNSON:** I, I really appreciate that because I think, too, from Director Okuma's perspective too, if we know what we're going to be facing in budget, if there's trends. One of the things and, and you can, you know, I basically don't know if we spelled out. We just said we wanted the data. But I wonder if from your perspective and, you know, even for budgeting if it would help to graphically illustrate it so that you can...if there's certain different...well if there are different trends that are developing or if there are certain things that would help you, even during budget process to say look, here is a graphical illustration of what we're undergoing and these are the trends. Therefore we're, we're going to put or we're going to need more manpower in anticipation of that. Or Ms. Okuma, will need that transferred over. That is really helpful, but do you

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think having looked at this, do you think it's useful for you, and perhaps putting it in a graphic type of format?

MR. MIYAMOTO: It's interesting that you mention graphical format because I did do it for the end of the year to sort of see if there are any cyclical trends, or what have you. The one interesting trend that came out of all of this is it's decreasing.

COUNCILMEMBER JOHNSON: Okay.

MR. MIYAMOTO: So we're, we're, we're hitting a good trend that it's being reduced on the monthly basis. It...at its peak it was somewhere around 70-80,000 a month. And now it's getting down closer to the 40 to \$50,000, a month. So we did, we did notice a trend that it is coming down and we're, you know, we, we just understand that in those remote areas we just, we just can't say no, it's you just have to provide those things. And when the decision gets made about Hana, for example, the landfill. If it becomes a transfer station that would greatly reduce our support in the Hana district.

COUNCILMEMBER JOHNSON: I, I really appreciate it, and, you know, any time when we can look at a graph too, even if you present it, you know, I won't be here next budget, but I think Mr. Chair, it was really good and what I'm getting from the Department too is that it has served a useful purpose. And it's not for us to make more work. It's just simply to help identify where we need to budget in the future so. As, as long as you guys don't mind doing it, if it's useful for you I think that's, that's the most important thing for me. Thank you.

CHAIR PONTANILLA: Thank you, Member Johnson. You know, Michele from my office, did make a spreadsheet in regards to the 2010 Budget. And the supplemental transfers that we did in the budget, you know, proposal, the numbers are coming pretty close as, as of March 30...March 31<sup>st</sup>. This is from July to this March. So what was transferred to the refuse was \$220,000. We're, we're at about 217, so I know it's going to go over.

COUNCILMEMBER JOHNSON: That's good.

CHAIR PONTANILLA: And then on the landfill side it was 120 that we made supplemental transfers. We're hitting \$122,000, so we're going to go over that, but this kind data will provide us, you know, what you just said looking at are we budgeting right? Do we have the right manpower to assist either department? And these are the kind information that can tell us how when budget time comes around that whenever a request is made then there's documentation that can attest to those requests, so.

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COUNCILMEMBER JOHNSON: Yeah, I, I, I really appreciate that, and I hope it helped Mr. Pablo, too. 'Cause I know it's not easy doing what they do, but I thank them and I thank for gathering the data too, 'cause it really helps us as well. Thank you.

CHAIR PONTANILLA: Thank you. Member Baisa?

COUNCILMEMBER BAISA: Yes, Chair. Thank you very much. And I certainly appreciated the information from Mr. Miyamoto. It's very helpful, but I had one question and I wanted to see if Mr. Miyamoto, could talk about it just a little bit. In the letter...the cover letter from Mr. Arakawa, to the Chair in regards to this report. The last line is kind of interesting. He said this report also does not show the cost to DPW for loss productivity to the department. That could be significant 'cause we kind of heard about, you know, they have to, you know, jimmy their schedule to take care of the needs of the Environmental people. Mr. Miyamoto, any comments?

CHAIR PONTANILLA: Mr. Miyamoto?

MR. MIYAMOTO: Thank you, Mr. Chair. Typically, you know, when you look at the dollar amounts that the, the work that we support the other departments on, that's work that we could have been doing, doing our work and if we have to do overtime to make up that work we also lose that time, the time, the time and half that we're paying the staff to catch up with the...if we have drainage issues we have to resolve or if we have other work. You know, not necessarily pot hole patching but I think drainage is probably one of our bigger areas that we're behind slightly on, clearing the drainage ways that we're responsible for. We've made some great strides our Lahaina crew with those sedimentation basins have done a tremendous job clearing those up and keeping them in good shape. But those are the things that were, were intended to be mentioned.

COUNCILMEMBER BAISA: I see. And you don't have any kind of an estimate of what that, what that is? It's, it's just, you know, you know that you're losing productivity but you're not...you don't have a dollar amount even an estimate?

MR. MIYAMOTO: No, not at this point. You know it's minimum of whatever the dollar amount you see in the services provided. Except that these, if you look in the computations there's a certain amount of overhead that is also added because, for example like the refuse we lose the guys for uku pau, they come in they're done. Yet, we...and we're also responsible for the equipment like for example on, in Hana and on Molokai we have the equipment that we take care of.

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COUNCILMEMBER BAISA: Thank you very much. I think this is a very good report, Chair. I think very useful, thank you.

COUNCILMEMBER VICTORINO: Chair?

CHAIR PONTANILLA: Thank you. Members, before I recognize Member Medeiros, Member Victorino?

COUNCILMEMBER VICTORINO: Yeah. Thank you. The, the question I had, and, and, Mr. Miyamoto, if you could, you know, on the, you know, after the cover letter, the, those monthly reports. And I'm going to assume that that's 2008. 'Cause I had the last page says FY 208 [*sic*].

MR. MIYAMOTO: Yes.

COUNCILMEMBER VICTORINO: Okay.

MR. MIYAMOTO: April --

COUNCILMEMBER VICTORINO: I know you have . . . (*inaudible*) . . .

MR. MIYAMOTO: --April, May. April, May, June is the last quarter of 2000...FY 2008.

COUNCILMEMBER VICTORINO: Two thousand eight, and then same thing for 2009? You have here.

MR. MIYAMOTO: Yes.

COUNCILMEMBER VICTORINO: Okay. Okay. Alright, so, what I wanted, what was interesting when I was reviewing this is the fact that...and maybe you can explain. Let's use Wailuku, because it's...I looked at the other ones and generally speaking there weren't big variances but in Wailuku, for example in April, you used 122 man hours. Then you come to May you used 222 hours, man hours, I just using the man hours, yeah. And then you go to the month of June and you use 86. And, and so those fluctuations, and again there may be good reasons for it. You know, maybe more equipment came in for repair. I, I don't know, but, you know that was kind of curious because the other ones pretty much follow a pattern. They're fairly close, you know, even, even Hana the numbers stay fairly close, but that one seems to be, you know, up and down, large jump, small, you know. What, what's causing that? And, and is...and, and maybe

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'cause again is that something you guys take notice of also? That's the page right after the cover letter yeah?

MR. MIYAMOTO: Yes, and, and if you look, if you look further beyond that there's the details for each month and for each district.

COUNCILMEMBER VICTORINO: Right, right.

MR. MIYAMOTO: And for example you can see like for in the month of April there was seven pieces of equipment that came in, in the month of May there were nine pieces, and then in the month of June, there was seven pieces, but in the month of May there were emergency services for refuse trucks. We did additional garage services for the landfill. So pretty much the majority...generally we just do refuse collection vehicles.

COUNCILMEMBER VICTORINO: Right.

MR. MIYAMOTO: But then if landfill equipment vehicles come in it's a little bit more difficult, more technical to, to address those issues.

COUNCILMEMBER VICTORINO: Okay. And, and those...when, when you look at those kinds of numbers do they equate to overtime hours? You know in premium pay or are they still just the regular hours that are used in that Department?

MR. MIYAMOTO: Some of it, if you look in the details it, it really identifies because if it's during our regular work hours, it's regular work time.

COUNCILMEMBER VICTORINO: Right.

MR. MIYAMOTO: If it's an emergency call out, for example, a refuse truck at 5:00 in the morning we have to dispatch our, dispatch our guys to get out there 5:00 in the morning so it's on overtime.

COUNCILMEMBER VICTORINO: Okay. That's understandable. I just thought with the increase in hours if that meant overtime just on the regular hours. But if it, it is based upon...and the hours you report is just straight time right? Straight hours.

MR. MIYAMOTO: Yes.

COUNCILMEMBER VICTORINO: These are not --

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MR. MIYAMOTO: Yes.

COUNCILMEMBER VICTORINO: --premium overtime and all that so. An hour is an hour even though I know if it's 5:00 in the morning it's premium time versus --

MR. MIYAMOTO: Yes.

COUNCILMEMBER VICTORINO: --9:00 in the morning. Right?

MR. MIYAMOTO: Yes, as, as, as shown in May for example we had the emergency for the refuse trucks. The hours that we put in for that is straight, it...it's the straight number of hours but the pay obviously has been elevated to time and a half pay.

COUNCILMEMBER VICTORINO: And that's why the 100 hours increase in May?

MR. MIYAMOTO: Yeah.

COUNCILMEMBER VICTORINO: Okay. No, I just curious because there were, that was the only one that, Mr. Chair, that was...you saw that, that, that, that spiking and, and the up and down so. And all the rest seem to...and yet the justification, but when you go from seven to nine to seven, but then the overtime, I mean the call outs and the emergency one added to that so I, I'm thankful that you gave me that explanation. Okay, thank you, Mr. Chair.

CHAIR PONTANILLA: Thank you. Member Medeiros?

COUNCILMEMBER MEDEIROS: Mahalo, Mr. Chairman. Mr. Miyamoto, I, I know when I was working with the Department we always tried to see what costs that we were doing to assist other departments whether they were reimbursable. Any, any of the costs that shown on these reports reimbursable? To the Department? I know when we ask for reimbursables, if we did get it, it didn't go to the department it went back to the General Fund. So what is the situation now between the departments?

MR. MIYAMOTO: The one primary thing that the report isn't listing and showing you is for example in garage services parts. That automatically comes out of the, the department's...the Environmental Management's index codes. We get the index codes from the individual divisions and we use their index codes directly so that's not in here so that's totally reimbursed because it comes straight from them. Basically the time, this time is used to justify the, the inner fund transfers. The various fund transfers. And that's about basically everything you see here goes to justify the budget amount that gets transferred.

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COUNCILMEMBER MEDEIROS: Okay. And you, you, you brought up a point and I was just wondering if it's still done or not done, but I, I know when we used to supply personnel for refuse collection when the refuse collection side didn't have enough manpower. That if we tried to keep them after the uku pau to go back to highways to do their work it involved overtime. Is that the still the same situation?

MR. MIYAMOTO: By contract I think it is, I think the only place that we don't have uku pau is in, is in Hana.

COUNCILMEMBER MEDEIROS: Right.

MR. MIYAMOTO: I think Molokai, Lahaina. Lahaina I think it's been pretty much reduced because of automation. And Molokai we still do it. So Molokai is probably still uku pau.

COUNCILMEMBER MEDEIROS: Okay. So, so in Hana they, they work the eight hours to do their refuse collection right?

MR. MIYAMOTO: And, and also work for the...our Department.

COUNCILMEMBER MEDEIROS: Okay so when they're done with the routes they go back and work --

MR. MIYAMOTO: Yes, yes they do.

COUNCILMEMBER MEDEIROS: --for the highways? Okay, thank you for that information. Mahalo, Mr. Chairman.

CHAIR PONTANILLA: Thank you. Members any more questions for the Departments? If not the Chair has two. You know in the report dated May 26, 2010, for the months of January and February, in the Lanai district there are charges for highway personnel to drive refuse collection truck and assist with refuse collection. But during those months the truck was not operating so, can you explain the use of the personnel and also why couldn't we utilize the Lanai landfill employees for refuse collection, because that's part of their responsibility, during that time.

MR. MIYAMOTO: Thank you, Mr. Chair. Yeah, that was during an emergency position, I mean time, when the refuse collection vehicles were...vehicles down. And our staff run around and, you know, you know, Lanai, Lanai being a very

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remote community they are very community oriented staff out there. And they can't go around...they can't live there and not be asked why can't you help pick up my trash. So our staff, you know, voluntarily said, you know, hey let's do that so they used their flat bed truck and they went around and they, they primarily focused initially with the, the elderly because they weren't able to get their trash to the, to the landfill. So they focused on the elderly and then they just as they could expand it they slowly did. And we asked them to make sure that they at least took care of the core responsibilities during the week. You know, initially try to get it done in the morning. Take care of your core responsibilities, and at the end of the day if you have time to go ahead and take care of the, the, the refuse collection.

CHAIR PONTANILLA: Thank you, thank you for that information. You know, at least this gives us an idea, you know, during the time when Lanai had this issue that your personnel was actively involved in trying to collect trash. The other question that I had maybe for Cheryl, during our Fiscal Year 2011 Budget deliberations we were told that the Landfill Bulldozer Operator was promoted to the Working Supervisor position and that he would continue to do the operators position. First of all when did this promotion occur? And why is highway personnel continuing...continually need to fill in the landfill operators position?

MS. OKUMA: I'm sorry, this was for Lanai?

CHAIR PONTANILLA: Lanai, yeah.

MS. OKUMA: Lanai. I'm going to ask Tracy to come down I, cause I don't recall when that was, when that occurred.

MR. TAKAMINE: I'm sorry can you repeat the question please?

CHAIR PONTANILLA: Oh yeah. During our deliberations for Fiscal Year 2011 Budget, we were told the Landfill Bulldozer Operator was promoted to the Working Supervisor's position. And, and he continued to do the operation, he supposed to do the operation position as the Working Supervisor. But we continue to ask Public Works personnel to support the landfill operations.

MR. TAKAMINE: The...in Lanai, we had the promotion was effective, I believe, I want to say, April of this year. He was promoted from Bulldozer Operator to Working Supervisor. And I'm not sure in terms of your question about how we continue to get support from Highways but they do not support us at the landfill. We perform all the services at the landfill and Lanai the only service is the mechanics.

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

VICE-CHAIR MATEO: Chairman, and I don't know who may be able to respond, but I guess my, my in...and this is totally an interest because we, we're talking about more or less cross utilization of employees. And I don't know how...what the departments did in working with the unions to get approvals, so a Highways employee can do work with refuse and vice a...I don't know if it's a vice a versa. But, can you, can you tell us how this was arranged with, with union employees?

MS. OKUMA: I don't know that I know all the history of this, but my understanding is this has been the practice for many, many, many years. And it probably goes back to the time that all of these functions were all basically part of Public Works. And I believe Refuse actually or Solid Waste, parts of it actually came out of Highways. So it's probably a practice that goes back many, many years. And so can't really speak to what discussions there had been with the union. All, all I can say is this has been a common practice and is probably common throughout the State. I believe that this is the evolution of some of these functions. They basically came out of Highways.

VICE-CHAIR MATEO: No, and it...it's just really good because, you know, precedent is already set. So perhaps for the rest of the departments we can look at the possibility of cross training, you know, and especially if the unions had already, you know, are on board in this regard so there's potential for perhaps outside the box kind of a progression. Thank you Mr. Chair. Thank you Department.

CHAIR PONTANILLA: Thank you. Good point. Members any more questions for the Department? Member Kaho`ohalahala?

COUNCILMEMBER KAHO`OHALAHALA: Yeah, Chair, I just wanted to get back to Public Works and in terms of their support to the Lanai situation. And I did not understand where it is reflected in the reports that are here.

CHAIR PONTANILLA: What letter...what's the date of your letter, the one that you're looking at?

COUNCILMEMBER KAHO`OHALAHALA: Well I'm looking at all of the --

CHAIR PONTANILLA: Oh, okay.

COUNCILMEMBER KAHO`OHALAHALA: --sections so if you can give me the specific.

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CHAIR PONTANILLA: Yeah, try, try look at May 26, 2010, which is the latest. And then look for the month of January.

COUNCILMEMBER KAHO`OHALAHALA: The January 2010?

CHAIR PONTANILLA: The letter is dated May 26, 2010, but the report is for the...and in that handout the month of January.

COUNCILMEMBER KAHO`OHALAHALA: Okay. I don't show a May.

CHAIR PONTANILLA: Oh, oh maybe anyone that you can find Lanai on and then let us know which correspondence you looking at.

COUNCILMEMBER KAHO`OHALAHALA: Well the, the period of, of, of the, the breakdown was from November of 2009.

CHAIR PONTANILLA: Nine.

COUNCILMEMBER KAHO`OHALAHALA: Yeah. So, as I'm looking in the November 2009, I don't show anything being reflected so.

UNIDENTIFIED SPEAKER: Yeah.

MR. MIYAMOTO: Mr. Chair, in the January details, if you look further back in the...that quarterly report in the more detailed section in the back if you look in January for the island of Lanai.

COUNCILMEMBER KAHO`OHALAHALA: Which, which dated correspondence?

MR. MIYAMOTO: This is the one that the Chair is referring to May 26, 2010.

CHAIR PONTANILLA: Member Kaho`ohalahala?

COUNCILMEMBER KAHO`OHALAHALA: ...*(inaudible)*... Yeah.

CHAIR PONTANILLA: Oh you got it.

COUNCILMEMBER KAHO`OHALAHALA: I, I, I am missing that in my, my --

CHAIR PONTANILLA: Okay.

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COUNCILMEMBER KAHO`OHALAHALA: --binder.

CHAIR PONTANILLA: Can you provide that...*(inaudible)*...

COUNCILMEMBER KAHO`OHALAHALA: Okay, so does, does this reflect then beginning from your...the month of November then? At all?

MR. MIYAMOTO: No the prior report did not reflect the work. The staff being there we're doing part of it on their own time after work. Because they just saw the safety hazard they felt and they just wanted to do it.

COUNCILMEMBER KAHO`OHALAHALA: Okay so there's some time it's unaccounted for then is, is what you...

MR. MIYAMOTO: Yes.

COUNCILMEMBER KAHO`OHALAHALA: And then the rest of it reflects a, a charge then for their services all the way until, when are you ending this? Maybe Director Okuma the services were reinstated just recently, yeah?

UNIDENTIFIED SPEAKER: March, yeah.

MR. MIYAMOTO: Yeah. If you look at February also with which identifies that we did....the refuse collection on...in February also for the island of Lanai. And in March they didn't report any additional services.

COUNCILMEMBER KAHO`OHALAHALA: They did not?

MR. MIYAMOTO: No, not in March of 2010.

COUNCILMEMBER KAHO`OHALAHALA: Does that then...are we to assume that that was done as another kokua kind of thing.

MR. MIYAMOTO: No, I'll let Director answer.

MS. OKUMA: No, that's when we started back up and the truck was already back on Lanai and we were back in operations.

COUNCILMEMBER KAHO`OHALAHALA: In March?

MS. OKUMA: Yes.

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COUNCILMEMBER KAHO`OHALAHALA: What was the date in March? You know?

MS. OKUMA: I don't recall the exact date. I believe it was ...*(inaudible)*... March 3<sup>rd</sup>.

COUNCILMEMBER KAHO`OHALAHALA: March 3<sup>rd</sup>. Okay. Okay, thank you.

CHAIR PONTANILLA: Thank you. Members any more questions for the Department? If not the Chair's...Chair would like to make his recommendation.

COUNCIL MEMBERS: Recommendation.

CHAIR PONTANILLA: The Chairs recommendation is to file County Communication Nos. 09-87, 09-224, 09-255, 10-8, 10-91, and 10-115.

VICE-CHAIR MATEO: Mr. Chair, I move for the filing of County Communication numbers as you had just so referenced.

COUNCILMEMBER VICTORINO: Mr. Chair, I second the motion.

CHAIR PONTANILLA: Thank you. It's been moved by Member Mateo, second by Member Victorino. Members, any more discussion in regards to the filing of those County Communications? If not all in favor of the motion please say "aye".

COUNCIL MEMBERS: Aye.

CHAIR PONTANILLA: Motion is carried, with eight ayes, one excused, Member Nishiki.

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

**NOES:**       **None.**

**ABSTAIN:**   **None.**

**ABSENT:**   **None.**

**EXC.:**       **Councilmember Nishiki.**

**MOTION CARRIED.**

**ACTION:    FILING of communications.**

**ITEM NO. 55:   QUARTERLY STATUS REPORT ON COUNTY ROAD RESURFACING PROJECTS (DEPARTMENT OF PUBLIC WORKS) (C.C. Nos. 09-307 and 10-103)**

**CHAIR PONTANILLA:** The next item, this is for Public Works only so I, I want to thank Ms. Okuma for being here and Mr. Takamine. Members, the next item is BF-55. Quarterly Status Report on County Road Resurfacing Projects (Department of Public Works). The Committee is in receipt of status report of County road resurfacing projects. This report is in compliance with a budget proviso in the countywide road resurfacing portion of the Fiscal Year 2010 Budget that states provided the Department present a quarterly status report to the Council on the resurfacing projects that are being implemented. Such reports shall include but not limited to the name of the project, the district, the projected cost including matching funds, timeliness for implementation and justification for moving forward with the project. Again, Members, this is the first time we're going to be reviewing this kind of quarterly report, and not the last time either. At this time, the Chair would like to call on Mr. Miyamoto for some comments.

**MR. MIYAMOTO:** Thank you Mr. Chair. As you have in front of you the two quarterly reports, if you notice between the second and third quarter there has been some changes. There's been some additional issues that have come up that we've had to make changes in some of the roadways that were selected. Not major changes but some of the funding issues also. We've had to combine your funds to try and stay within state...try to maintain the amount of roadway that we had projected on doing. And I...I'm here for questions.

**CHAIR PONTANILLA:** Thank you. Members, any questions for the Department? Member Molina?

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COUNCILMEMBER MOLINA: Chair, yeah just procedurally are you going to just go down with each Member I guess follow the report go by districts, I guess, or you just going to leave it everybody free for all just asking questions?

CHAIR PONTANILLA: As, as you raise your hand I'll --

COUNCILMEMBER MOLINA: Okay.

CHAIR PONTANILLA: --recognize you.

COUNCILMEMBER MOLINA: Alright, thank you. Good afternoon, Mr. Miyamoto. Just a...I guess we're working off the report that's attached to the May 3, 2010, letter; I guess that would be the latest. Question on for Fiscal Year 2010, Kokomo Road portion. I noticed that's been crossed off. And Fiscal Year 2011, Haiku Road, West Kuiaha Road. Could I get updates on that, and I guess the Kokomo Road that was crossed off I presume was the design already completed? It's under Paia, Haiku District.

MR. MIYAMOTO: Yeah I'm looking at the third quarter report. That's one I'm going to have to get back to you on. I'm not sure if we tried to use some of the ARRA funds to, to handle that, but I'd have to find out more details on that one. I'm sorry about that one.

COUNCILMEMBER MOLINA: Okay. And, and then could I get updates on Haiku Road, and West Kuiaha Road?

MR. MIYAMOTO: What specifically would you like about Haiku, would you like to know the, the limits? Or?

COUNCILMEMBER MOLINA: Yeah. I guess where...what, what portion of Haiku Road at this point? I know it's a pretty long stretch.

MR. MIYAMOTO: Yes, we're in the process of doing a lot of the surveying work.

COUNCILMEMBER MOLINA: Okay.

MR. MIYAMOTO: As you recall, during budget we were down on the Surveyor...Surveyor I and we're still recruiting so we're using actually our Surveyor II who usually does the office work to help go out in the field and collect the data.

COUNCILMEMBER MOLINA: Okay. And as far as West Kuiaha?

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MR. MIYAMOTO: Okay. For Haiku Road it's the portion...the segment from the intersection with Pauwela Road --

COUNCILMEMBER MOLINA: Okay.

MR. MIYAMOTO: --all the way up to where Haiku Road splits from Kokomo Road.

COUNCILMEMBER MOLINA: Okay.

MR. MIYAMOTO: And the West Kuiaha, is identified as Hana Highway to Luakine.

COUNCILMEMBER MOLINA: Okay. Thank you. 'Cause I have a lot of interested constituents in getting that update on that Haiku Road as, as well so. Something that I can report back to my constituents. Thank you. Thank you, Chair.

CHAIR PONTANILLA: Thank you. Members, any more questions for the Department? Member Medeiros?

COUNCILMEMBER MEDEIROS: Mahalo, Mr. Chairman. Mr. Miyamoto, looking at the first County Communication 09-307, which is the October 7<sup>th</sup>, 2009, correspondence. And then looking at the report as far as how you broke it down. So the backside of that report would have the Hana report. Help me understand, so in Fiscal Year 2008, construction complete. So that was on a portion of Piilani?

MR. MIYAMOTO: Yes.

COUNCILMEMBER MEDEIROS: Okay. And looking at the report it seems that we're doing half a mile at a time. In phases of half miles. Is that correct?

MR. MIYAMOTO: Yes. That's how much the funds would allow us to do.

COUNCILMEMBER MEDEIROS: Oh, okay. And, and so if we go to Fiscal Year 2009, it says out to bid. So was it completed in 2009? Or did it roll over to 2010 for completion?

MR. MIYAMOTO: In the third quarter report it shows the 2009 being completed...the construction being completed.

COUNCILMEMBER MEDEIROS: Oh, okay. Okay, because I'm looking at--if you're on the same page as I am right--the first County communication and the backside

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of the report which has the Hana section. So in 2010 it says that Piilani, again, Hana Road. And it shows the next phase of the mile post markers that would be covered which was 27 to 27.5. But it says initiating design. So am I to understand when we do the fiscal year that we're completing that half mile every fiscal year? Or we're going to different phases of design, out to bid and so forth?

MR. MIYAMOTO: In the budget process we established a new procedure, and what we're trying to do is be ahead of time so that for example we're already designing the next year's '011. So, if you look at the report that you're looking at shows that we initiating the design in FY '10.

COUNCILMEMBER MEDEIROS: Correct.

MR. MIYAMOTO: If you look at the third quarter it says design in progress. We're almost done with that design. The surveying crews have been out there and we're trying to...we're working with the district superintendents from the highway section to determine the limitations, you know, how wide, how far, how, how much wide...more asphalt do they want to see out there. So we're trying, we're working with the individual district superintendents.

COUNCILMEMBER MEDEIROS: I see. So, you...you're referring to the third quarter?

MR. MIYAMOTO: Yes.

COUNCILMEMBER MEDEIROS: Yeah, okay I'm looking at that now and yeah understanding it better. So, as far the resurfacing go, I know that we still have portions of Piilani Highway between Kaupo and Ulupalakua that are still unpaved. Is that correct?

MR. MIYAMOTO: Yes.

COUNCILMEMBER MEDEIROS: So the resurfacing we doing is we're resurfacing the paved section already? Or are we doing the dirt road sections? The unpaved sections.

MR. MIYAMOTO: I think in the areas that we can do the, the, you know, the computer software program that we had, we did a conditioning study, and that's what we're using to determine where we should be doing. And I think this area is towards the end of the paved area.

COUNCILMEMBER MEDEIROS: Okay.

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MR. MIYAMOTO: I think mile 27.

COUNCILMEMBER MEDEIROS: In, in north or south, towards Ulupalakua end? Or, towards Kaupo end? Because I think the unpaved sections were more towards the Kaupo end.

MR. MIYAMOTO: Yes there in the area of the Manawainui area.

COUNCILMEMBER MEDEIROS: Oh, okay. Alright. Thank you for that information. Mahalo, Mr. Chairman.

CHAIR PONTANILLA: Thank you. Member Mateo, followed by Member Victorino.

VICE-CHAIR MATEO: Thank you Mr. Chair. Mr. Miyamoto, how, how do streets get listed?

MR. MIYAMOTO: If you recall, we...a couple years back we initiated a program, a software program that we contracted a consultant to go out and do a pavement assessment of all the roadways, the County roadways. And at...we put all that into a program and that program does prioritizing for us at this point. And basically it's that program that does the prioritization, but based on road surface. As we resurface a roadway we update the database. We say that roadway is in good condition. And so that's what we're using at this point. That and a little bit of also judgment because of the high traffic areas I think that's where we also added a little bit of additional priority on the high traffic areas.

VICE-CHAIR MATEO: Okay. And the only reason I ask is because we still have Iliahi Street. Iliahi Street has been a request since Chairman Kawano's time. And the response has always been it would be too costly to repair that street because it is a, a, a high incline in the heights area, and we've never got further response as to when the heights streets were going to be redone. Especially Iliahi, because for the last number of years all we've done was paved over, paved over, and paved over. And with the rains and the runoff on the sides of the road, it's totally eaten up. So, there's drops on, on both sides, and Iliahi, you know, is, is not listed still so I was just kind of concerned how they get on there. And for the smaller communities, we're still paving not every year, but is it still every other year?

MR. MIYAMOTO: Given the, the, the amount of money that's allotted for the various...the, the remote areas, to really make something of substance, yeah we've been doing it every other year. We're trying to combine two years to get more roadway done basically. We're trying to do the whole segment since we,

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we don't want a piecemeal, like for example we did, Gay Street. We don't want to piecemeal Gay Street. We don't want to piecemeal these other streets, so we're trying to save enough so we can do the whole length of it. That way we only pay mobilization once for a contractor.

VICE-CHAIR MATEO: So, no additional from Countywide could assist in any repaving?

MR. MIYAMOTO: Pretty much we do if the bids come in higher. We're fortunate that it's coming in lower now that we have more competition. So we may start stretching out the, the amount of roadways that we do.

VICE-CHAIR MATEO: Thank you. And then on, on another note if you can somehow at a later time follow up with Iliahi Street for me please.

MR. MIYAMOTO: We will.

VICE-CHAIR MATEO: Thank you. Thank you, Mr. Chair.

CHAIR PONTANILLA: Thank you. Member Victorino?

COUNCILMEMBER VICTORINO: Thank you, Chair. I just, you know, the, the one I'm going to start off right away with is our famous West Main Street. I mean just yesterday Ms. Baisa and I were talking with a constituent and they're still asking why? When? You know. I see over here pending retaining wall project at Iao, and I'm assuming that by passing there the last week or so I see these barriers. Am I to be assuming correctly that that wall is finally being completed?

MR. MIYAMOTO: It's very near completion. We're hoping either late July, early August to get the other work started.

COUNCILMEMBER VICTORINO: Okay. I want *The Maui News* to report that please. That's very important everybody laughs but man that road has been waiting for more years than I can count for resurfacing.

MR. MIYAMOTO: Yeah. We've, we've...there were also water, water improvements that we waited for. We wanted to coordinate and not have them tear up our new roadway so we've been waiting for a lot coordination to get done.

COUNCILMEMBER VICTORINO: I understand the Water Department is finished with that --

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MR. MIYAMOTO: Yes.

COUNCILMEMBER VICTORINO: --that segment. So just this wall and we can then resurface West Main Street for the first time in more years than I can count.

MR. MIYAMOTO: Yes.

COUNCILMEMBER VICTORINO: Okay. And then I can take it off the list worst than Hana roads?

MR. MIYAMOTO: Yes.

COUNCILMEMBER VICTORINO: Okay. Thank you. No offense to Hana district. No offense. The last one I wanted to ask you is going over...I see Church Street and Vineyard to Wells scratched out. And then I see design in progress. Could you explain that design in progress specifically for Vineyard to Wells?

MR. MIYAMOTO: Usually when we say design in progress we've already done the surveying. The land surveying is probably the hardest part. Once we get the base data we can work with the districts to see what additional work we need to include. So it's just a matter of developing the specs which is pretty standard. Just coming up with the plan with...and working with the district, the various district supervisors to come up with the...more of the feathering of the edges and things like that.

COUNCILMEMBER VICTORINO: Okay. And, and, and that's nothing to do with, with the, the encroachment that I was told by certain properties, you know, that there's some private owners had encroached onto to County right-of-away and vice versa. As that's, that's been taken care of? That's been straightened out?

MR. MIYAMOTO: That's a separate issue of we've seen in *The Maui News*, we've seen...we have a person who handles those separately.

COUNCILMEMBER VICTORINO: Okay. Okay, so we can rest assured that that somehow will be taken care of?

MR. MIYAMOTO: Yes.

COUNCILMEMBER VICTORINO: 'Cause I get tired of the calls and, you know, the complaints yeah? And then finally the Hansen Road one which is in 2011, I realize that, but that's been scratched out and the post office to Hana Highway, I

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guess that's the section of Hansen Road that they were referring to in this, in this portion?

MR. MIYAMOTO: Yes.

COUNCILMEMBER VICTORINO: Okay. The only question I have is that road is very heavily travelled now.

MR. MIYAMOTO: Yes.

COUNCILMEMBER VICTORINO: Probably as heavy as any most any place, cause a lot of us come, upcountry people using Hansen Road to get to Mokulele to shoot down to Kihei. Why was that scratched off, what was the rationale for that one?

MR. MIYAMOTO: As you're aware we did do a realignment project that, that helped fix a portion of it, and in doing that project we discovered that part of Hansen Road when...probably when it was originally built was not properly built in our right-of-way, so we have right-of-way issues that we need to resolve prior to doing any kind of resurfacing.

COUNCILMEMBER VICTORINO: Okay, so, so that's the cause of that being pushed off for a little while until we can get those right-of-way.

MR. MIYAMOTO: Right-of-way issues yes.

COUNCILMEMBER VICTORINO: Because, again that's another area that get a lot of people, you know, questioning, you know, because it's such a heavily traveled road and why no repairs are being done, but now at least the public can understand that it's a, a right-of-way issue and that we do not own the right-of-way at this time and we need work . . . *(inaudible)* . . .

MR. MIYAMOTO: Just portions of it, I mean we own the majority of it. The.. --

COUNCILMEMBER VICTORINO: Yeah.

MR. MIYAMOTO: --the road may have slid out the right-of-way in some areas.

COUNCILMEMBER VICTORINO: I see, I see, okay. Well thank you. Thank you, Mr. Chair, for that opportunity.

CHAIR PONTANILLA: Thank you. Just like Christmas, man.

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COUNCILMEMBER VICTORINO: Yeah. . . .*(laughing)*. . .

CHAIR PONTANILLA: Member Johnson followed by Member Baisa.

COUNCILMEMBER JOHNSON: Yes, and I know there's only just a couple in West Maui but just on that very last page, the 4/28/2010 the Fiscal Year '09 says use for job No. 07-58 (Fiscal Year '08). I'm assuming that job was one of the ones that was the roadways that are outlined there. Is that correct?

MR. MIYAMOTO: Yes.

COUNCILMEMBER JOHNSON: Okay. And then on Fiscal Year 2010 you've got Kapunakea Street, A`a Street (Kaniau to Aipuni), design in progress, and I noticed on the previous one I don't think you had that listed, did you? I...well, I know you had it there but it was a different, it just said initiating design. And so, that's, that's...that tells me that's progressing is that correct?

MR. MIYAMOTO: Yes.

COUNCILMEMBER JOHNSON: Okay. And then the last one is Lahainaluna Road (Front Street to Honoapiilani), Lui Street (Aki to Pikanele) and initiating design in the old one it just showed them, but it did show a little bit more money. So was that because there was only 300,000 for the budget allocated for all of West Maui for the last two years? Well, I guess it would be 300,000.

MR. MIYAMOTO: Given the time of --

COUNCILMEMBER JOHNSON: And...

MR. MIYAMOTO: --the correspondence the 4/11 that was our proposal, I think that was what we've estimated at the time it would cost based on the current rates at that time and what we get in the budget. If we don't have enough then try to look to the Countywide to supplement the additional amount needed.

COUNCILMEMBER JOHNSON: Okay, and do we have a timeline on this? You know because I know the design in progress for example for Kapunakea Street and A`a Street do we have timelines on those about when they would initiate construction?

MR. MIYAMOTO: Those should be...

COUNCILMEMBER JOHNSON: Or when the design will be through.

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MR. MIYAMOTO: Yeah the...in talking with the engineering staff the designs are pretty close, we just have to make sure that the, the district supervisors agree with what we design. It's problematic we found that if our engineers don't talk with the superintendants of the district that we have two different expectations, and so we're trying to work those types of things out, smoothed those out. And we, we have the limits established and we're working on those to finalize the contract so we can put these out to bid sometime I think it's this summer they're projecting they can go out to bid.

COUNCILMEMBER JOHNSON: Okay, and are you coordinating? 'Cause I know some of the work is going on of course for the widening of the highway I mean you go through the gauntlet every morning, but are we working then with the State so that, you know, I 'cause I noticed they're digging, digging, digging a lot and, you know, they're burying all kinds of drainage structures. So is that another reason why we're kind of holding off on these until they finish their work? 'Cause I, I also don't want to dig up their stuff.

MR. MIYAMOTO: Yeah. No the majority of these segments are outside of the --

COUNCILMEMBER JOHNSON: Okay.

MR. MIYAMOTO: --the States area. Lahainaluna is probably the closest we'd come to work that they're doing because their project actually runs from I guess just south of Lahainaluna Road where they have the four lanes and then they tie into the, the new work that they're doing.

COUNCILMEMBER JOHNSON: Right.

MR. MIYAMOTO: So we're not...we're coming from the Lahainaluna Road project is Front Street to Honoapiilani.

COUNCILMEMBER JOHNSON: Right.

MR. MIYAMOTO: We're probably not going to even touch the intersection, because technically the State has the right-of-way at the, the jurisdiction of the intersection so we tie into that.

COUNCILMEMBER JOHNSON: So you're up higher than or you're actually I guess --

MR. MIYAMOTO: Makai.

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COUNCILMEMBER JOHNSON: --from Front to Honoapiilani so you're, you're makai of that?

MR. MIYAMOTO: Yes.

COUNCILMEMBER JOHNSON: Okay, alright. Yeah and then the you know it's not on here but I'm going to ask it anyway. The lower road phase four is that like out there in never, never land or somewhere? . . .*(laughing)* . . .

MR. MIYAMOTO: I'm surprised you haven't gotten phone calls. We've sent the letters out that was required by the budget ordinance letting the people know that we're having an intent to collect, and surprisingly we haven't heard any response as of yet. I mean technically it's just to let them know that, you know, we have this active project and we will be at some time in the future coming to collect the...on these deferrals. So we haven't heard much from those people, and so we're progressing, we're trying to resolve the right-of-way issues at this point and that's been a challenge. That's probably the biggest challenge we've had on this project is right-of-way issues.

COUNCILMEMBER JOHNSON: Yeah that's, that's taken I think what about the better part of eight years we've been dealing with that. Well, I hope that the money doesn't go away in the meantime, and I hope that the people got the letters. Please do not call my office. . . .*(laughing)* . . . Because I'm the one along with severally the other Members that you know when you owe money you have a bill we just want to put you on notice that the payment time is drawing near.

MR. MIYAMOTO: Yeah.

COUNCILMEMBER JOHNSON: So it may be inconvenient, but it has languished on for eight years.

MR. MIYAMOTO: Yeah we...in those letters that we did send out we sent the agreements that were recorded at the Bureau of Conveyances on that subdivision. We sent the subdivision map so that they can see this...when this deferral was done, and we also sent the tax map key to identify their property. You are the owner of this property, you're a part of this subdivision, here's the recorded document, and so maybe including all of those information really helped minimize the amount of concern that was raised, but...

COUNCILMEMBER JOHNSON: Yeah and how long ago did those go out?

MR. MIYAMOTO: Probably within the last two months.

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COUNCILMEMBER JOHNSON: Okay. Yeah and it could still be going through the pipeline because the next batch of letters we'll get will be from their attorneys so, you know, anyway thank you.

CHAIR PONTANILLA: Thank you. Member Baisa?

COUNCILMEMBER BAISA: Yes, thank you, Chair, and thank you, Mr. Miyamoto, for the report. Of course I'm looking at Makawao-Pukalani-Kula and focusing on the third quarter resurfacing update dated April 28<sup>th</sup>, and I see one lonely little road Mano Drive and amount of \$300,000. Can you tell me what that means?

MR. MIYAMOTO: In that subdivision, Mano Drive was the last roadway to be...that's going to be resurfaced. If you look in FY '11 we have the other, the other roadways online, being Maka Place, Makai Place.

COUNCILMEMBER BAISA: So that means that \$300,000 will be spent to finish Mano Drive?

MR. MIYAMOTO: Yes. We thought, you know, we could finish all of those streets that were listed, but given the monies that...the way it's stretching at this point Mano Drive is rather long. I've...I didn't realize it was sort of a horseshoe-shaped type roadway. I thought it was just one of those short segments like the other streets, but actually Mano Drive horseshoes around and sort of crosses twice. So it took up all, all the funding.

COUNCILMEMBER BAISA: Now based on that experience, we have a whole list for 2011, Mauka Place, Makai Place, Kau Street, Manu Street, initiating design, and we have \$330,000, is that realistic? The reason I'm asking is because I get asked everywhere I go, you know, road resurfacing is probably an issue that most constituents complain about the most.

MR. MIYAMOTO: Yeah, when you look on a map I, I have all...I have this on a map, the Mano Drive when you add the full length of Mano Drive touching Ka Drive twice basically just looping around, it loops around all of these other roadways, and if you add the, these roads in FY '11 they're pretty close in length to that of the Mano Drive.

COUNCILMEMBER BAISA: So you kind of feel that all of those together will be pretty much the same cost as what we've spent on Mano Drive?

MR. MIYAMOTO: Yes.

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**COUNCILMEMBER BAISA:** Okay, well it's really sad, folks Upcountry, if you're paying attention I'm sorry I can't give you better news, but what we've got is what we've got. And thank you very much, I hope that these bids come in lower so that maybe we'll have a little more money. Thank you.

**CHAIR PONTANILLA:** Thank you. Chair has several questions. First of all it's not a question, but just to commend you folks in trying the concrete at Kaahumanu Ave between Puunene and, and...

**COUNCILMEMBER VICTORINO:** Kam Avenue.

**CHAIR PONTANILLA:** I'm sorry Kam Avenue between Puunene Avenue and Hana Highway. That road surfacing or the surface...the concrete surface is, is really working well. You know, I, I drive up Wailuku every morning and the one that I want to complain to you--and hopefully you have a project pretty soon--is fronting the Fire Department from Market Street down to Main Street, that one segment, you know, when you make that turn all you, all you have is pavement on pave...repaired pavement on repaired pavement. It's so bumpy that I, I don't know if people complain to you in regards to the possibility of doing something.

**COUNCILMEMBER VICTORINO:** Mr. Chair, that's Kinipopo.

**CHAIR PONTANILLA:** Kinipopo.

**COUNCILMEMBER VICTORINO:** Yeah, that's Kinipopo, which yeah I was going ask next round, but thank you for bringing it up.

**MR. MIYAMOTO:** As a resident of Wailuku, I can appreciate that, the...those comments. Given the, you know, the roadway and the design of it we have to sort of do a little bit more engineering, because if, if I'm thinking of the same street right in front by Wells Park right in front by the fire station it's a turn and it's done under...it's coming downhill there's a slight turn. There's additional pressure that really play a havoc on that, that segment of roadway. You know, concrete might be a great option there because that's a little bit more rigid. Asphalt, you know, as the heat it, it...it's a more flexible paved surface, it can tend to shift, move, rut, and that's probably what we really caused a lot of that problem is the rutting, you know, because of the, the turning motion, the speed. It causes a lot of rutting so we're going to be looking at some kind of maybe even the rigid surface of concrete possibly to try and make it stable and last a lot longer.

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CHAIR PONTANILLA: Good. You know in the Fiscal Year 2011 Budget we budgeted for road resurfacing a lump sum amount, and how do you distribute that lump sum by going to different community plan areas or by different districts or, you know, utilize the money in, in doing road resurfacing in major roads and a longer length?

MR. MIYAMOTO: Well, historically we've, we've tried doing more longer roadways for example like in the Upcountry we did Piiholo-Olinda roadway. In Wailuku we, we took some money out of Kahului and did Market Street, and so given the reaction we got we're trying to be more equal and share this big pot of money equally to the various community plan, the community plan areas as we had done in previously, you know, try to take this pot and give everybody a fair amount so that we can do some roadways in these various areas. As we did mention at budget if we wanted to resurface every piece of roadway once every 20 years it would be about a \$22 million a year based on the more recent cost for asphalt, and since, you know, that's a really hefty amount going to concrete made it possible because it should last 30 to 50 years. We're trying additives into, you know, trying to make concrete a little bit more...last a little longer, but yeah we tried to separate it to...or divide it up...divide this pie evenly the way it was done previously the larger districts obviously would get a larger amount to of the pot.

CHAIR PONTANILLA: So you don't go with a priority list then?

MR. MIYAMOTO: We prioritize by the various districts.

CHAIR PONTANILLA: Okay. Half a mile. . . .*(Laughing)*. . . Before I call on Member Kaho'ohalahala, I, I just got one more question. Your memo dated May 3<sup>rd</sup> from Director Arakawa states that it has been a revenue...there is a revenue shortfall for Fiscal Year 2010 therefore, you know, there will...you folks will not be able to spend \$800,000 of the 4.3 that we appropriated for Countywide road resurfacing. But, on March 15<sup>th</sup> when the budget was presented to us there was a carryover savings of \$4.4 million. So can you explain carryover, and, and why the \$800,000 wasn't reduced at that time so that we could have \$800,000 more to do road resurfacing.

MR. PABLO: Chair, let me see if I, I understand your question. When Finance Director Kalbert Young and I came down in February, we, we projected a shortfall in the highway section I think it was about 2.2 million or so. I...and this was due to the projections last year on the increase in the weight tax where it was projected for a year, but actually according to the Hawaii Revised Statutes the effective date can only be on January 1<sup>st</sup>. So, we did go back to the departments and asked what

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could they cut back on so that we could match the reduction and expenditures with a reduction in revenue, and so I believe this 800,000 was part of that.

CHAIR PONTANILLA: The \$800,000 was part of that trying to accommodate the . . . *(inaudible)* . . .

MR. PABLO: I believe we...the, the amount was--I don't have it here in front of me unfortunately--but I believe the shortage...the shortfall that the Finance Director projected was 2.2 million I believe. And so we looked at various projects where we could save 2.2 million.

CHAIR PONTANILLA: I'm looking at some reports over here and I know the weight tax the one cents per pound for vehicle over six...\$6,500...or 6,500 pounds would have brought in at least 8...\$900,000, and the increase of the five cents per pound for other vehicles would have brought in 2.7 which equates to 3.5. And I, I know that we could only take half a year of that. So that would have, you know, equivalent to one point whatever it was, but again you saying that because of the shortfall that you and the Finance Director came across this \$800,000 was removed from the Countywide road resurfacing area?

MR. PABLO: That's correct. I recall it was a number of projects including the, the Countywide road resurfacing. I could get that information for you, but I recall it was several projects which we, we decided to hold off on in order to cover the shortfall.

CHAIR PONTANILLA: Yeah I think we got that information. So I thought I'd ask the Deputy this question. Thank you. Members, any more questions for the Department? Member Kaho'ohalahala?

COUNCILMEMBER KAHO'OHALAHALA: Yeah, thank you, Chair. I just wanted to get through the Lanai section on, on your updates here, and my only question is that looking at the third quarter resurfacing update for Lanai in FY '09 you're saying then that the funds that were set aside there are being used to supplement FY '08?

MR. MIYAMOTO: Yes, for Houston and Ilima that in the FY '08, the asphalt prices were very high at that point, and when we started putting the project out to bid we just didn't have enough funds so we combined the two years so we could do the entire street of Houston Street from, from Eighth Street to the State highway. And we also did...

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COUNCILMEMBER KAHO`OHALAHALA: So you did both the Houston and Ilima Streets?

MR. MIYAMOTO: Yeah Ilima we started from Tenth Street.

COUNCILMEMBER KAHO`OHALAHALA: So you have the other half that's not, not being planned then, on Ilima?

MR. MIYAMOTO: Yes, at this point. The condition...that section was conditioned...considered better than the, the other segment at this point.

COUNCILMEMBER KAHO`OHALAHALA: So then am I to understand then that just to do the Houston and half of the Ilima was \$600,000, then?

MR. MIYAMOTO: Yes.

COUNCILMEMBER KAHO`OHALAHALA: Okay. And then what you're projecting then for FY '010, is that there's going to be another...this is design in progress then for the Gay Street one. So that's for 200,000, and then you're saying then that in the FY '11, that the proposed funding for that is going to be shifted again to Gay Street?

MR. MIYAMOTO: Yes, so it would be a total of \$340,000 that we are projecting to shift to Gay Street. Which will run from the Eighth Street to the State Highway?

COUNCILMEMBER KAHO`OHALAHALA: ...*(Inaudible)*... Okay. Okay. And then as a follow up question to Member Johnson I'm happy to hear that you're sending notices for, for collection. Now that you're doing that you must have some idea on what is the, the amount of money that are...that's owed in terms of deferrals. Is that, is that information that you have available for us?

MR. MIYAMOTO: No. That money will be determined when the design of those segments got...what we noticed in all of those deferrals, we actually did cut out the road widening lots already. So, the majority of those I think there were four subdivisions that got deferrals. The roadway widening lots had already been cut out so there...the roadway...the right-of-way already there for us. It's just a matter of when we go through the design process and come out with a cost estimate. Which will probably be...we won't use our cost estimate, we'll use the actual bid dollars and determine the amount based on the bid. So if you, if you can get those out in this good climate, we can probably get a lower bid.

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COUNCILMEMBER KAHO`OHALAHALA: Okay. Well would be good for us to know at some point in time when you get up to that decision what that amount is. Thank you, Chair.

CHAIR PONTANILLA: Thank you. Last question for me. Mike, when do we use slurry seal? Slurry seal, rather than repaving?

MR. MIYAMOTO: Generally slurry seal is used to...on the relatively fresh road, maybe about five years old. Because then what you do is, you know, you start getting some shrinkage cracks and you want to seal those before water can get in and start kicking out some your . . .(*inaudible*) . . . from underneath the roadway and then you just get a cascading effect that deteriorates the road. So we're looking at that also. Like for example on Kanaloa is one that's prime for it, and another one being the portion of Lower Main that was widened to four lanes. So those are two prime roadways that we're looking at, at this point.

CHAIR PONTANILLA: Okay, thank you. Member Medeiros?

COUNCILMEMBER MEDEIROS: Mahalo Mr. Chairman. Just a few more questions that I want to follow up on. So in the Piilani Highway section, from Kipahulu to Ulupalakua, Mr. Miyamoto. Do, do you know how, how many miles we have left of unpaved roads, dirt roads? And the reason I'm asking this is when we closed the road on that side because of the repair work that was done by the earthquake, vehicles...especially rental vehicles, tourists coming to Hana would have to turn around after Kipahulu and go back out the same way. And that caused a great problem on our roads for local drivers. Because normally they drive through Hana and Kipahulu and Kaupo and go out Ulupalakua. Even though rental cars are not supposed to drive on unpaved roads as stated in their rental agreements they still do. But it, it's helpful if the roads are all paved so that the rental cars can go continuously around the island. Because then it lessens the traffic going back out to Wailuku from Hana the same way. And then it really interrupts the local traffic that usually schedules...local families schedule...travel that road either very early in the morning, like five o'clock, or coming back at night, maybe from seven o'clock on. But when we close the roads and the traffic tourist driver turned around and went out that same time then it got really congested. So, do you know how many miles of unpaved roads we have until we get it all paved?

MR. MIYAMOTO: Looking at the mile markers I'd have to guess, you know, showing that the end of the Manawainui areas about mile marker 28.

COUNCILMEMBER MEDEIROS: Okay.

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MR. MIYAMOTO: And closer towards...

COUNCILMEMBER MEDEIROS: And this would have to go to Lelekea.

MR. MIYAMOTO: Probably around...

COUNCILMEMBER MEDEIROS: Just, just about the end of Kipahulu.

MR. MIYAMOTO: And that's, I think that's around 38 if, 38 --

COUNCILMEMBER MEDEIROS: So,

MR. MIYAMOTO: --mile marker . . .(inaudible) . . .

COUNCILMEMBER MEDEIROS: How many miles?

MR. MIYAMOTO: It's about ten miles.

COUNCILMEMBER MEDEIROS: About ten more miles.

MR. MIYAMOTO: But within the ten miles there's a few gorges as you...you're aware of that.

COUNCILMEMBER MEDEIROS: Right.

MR. MIYAMOTO: We just can't pave because they, they go through the stream area.

COUNCILMEMBER MEDEIROS: Right. And then my other question is because there's different thicknesses of resurfacing that is done depending on the road grade and so forth and what kind of traffic is traveled. What is the difference in cost for asphalt from repaving in Kahului, as far as repaving in Piilani in the Kaupo area? Because of the distance from --

MR. MIYAMOTO: Yeah.

COUNCILMEMBER MEDEIROS: --the plant and so forth?

MR. MIYAMOTO: I think I can't give you the exact number. I'm not aware of the exact number, but it's primarily in the mobilization cost, because fortunately we're on Maui so it's easier to get than Lanai and Molokai. So it's primarily in the mobilization, they can send...the people out in that side have been great to help provide land for these people to, to use as a base.

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COUNCILMEMBER MEDEIROS: To park their equipment. Right.

MR. MIYAMOTO: Yeah.

COUNCILMEMBER MEDEIROS: And, and is it usually around two inch resurfacing thickness? Or is it less or more depending on where you're doing it?

MR. MIYAMOTO: Typically it's about two to three inches.

COUNCILMEMBER MEDEIROS: Two to three. Okay. Okay, thank you very much. Mahalo, Mr. Chairman.

CHAIR PONTANILLA: Members, any more questions? If not the Chair would like to make his recommendation.

COUNCIL MEMBERS: Recommendation.

CHAIR PONTANILLA: Thank you. The Chair's recommendation is to file County Communication Nos. 09-307 and 10-103.

VICE-CHAIR MATEO: Mr. Chairman, I move that County Communication Nos. 09-307 and 10-103 be filed.

COUNCILMEMBER VICTORINO: Mr. Chair, I second the motion.

CHAIR PONTANILLA: Thank you. It's been moved by Member Mateo, and second by Member Victorino that we file County Communications No. 09-307 and 10-103. Members, any discussion?

UNIDENTIFIED SPEAKER: Nope.

CHAIR PONTANILLA: All in favor of the motion please say "aye".

COUNCIL MEMBERS: Aye.

CHAIR PONTANILLA: Motion is carried, eight ayes. One excused.

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

**NOES:**       **None.**

**ABSTAIN:**   **None.**

**ABSENT:**   **None.**

**EXC.:**       **Councilmember Nishiki.**

**MOTION CARRIED.**

**ACTION:    FILING of communications.**

**ITEM NO. 65:   STATUS ON THE WAILUKU MUNICIPAL PARKING STRUCTURE (C.C. No. 10-5)**

**CHAIR PONTANILLA:** At this time, the Chair would like to thank Deputy Miyamoto, for being here. This has been a pretty interesting review so far. Okay, Members, we have one more item on the agenda. And I'm aware of the time. If any of you need to take a break.

**COUNCILMEMBER VICTORINO:** No.

**CHAIR PONTANILLA:** Go ahead? Okay, fine.

**COUNCILMEMBER VICTORINO:** Let's go ahead.

**CHAIR PONTANILLA:** Okay, Members, joining us this afternoon is Mr. Alueta. He's the Administrative Planning Officer from the Planning Director...from Planning Department. Our final item this afternoon is BF-65. Status of the Wailuku Municipal Parking Structure, \$400,000 was appropriated in Fiscal Year 2010 Budget for the Wailuku Municipal Parking Structure with a proviso that read provided that the Department of Planning provides a status report on the Wailuku Municipal Parking Structure Plans by December 31<sup>st</sup>, 2009. It is June 29<sup>th</sup>, 2010. So, at this time the Chair would like to call on Mr. Alueta for comments.

**MR. ALUETA:** Thank you, Mr. Chair. As you can see from our transmittal we did send you a letter on December...dated December 31<sup>st</sup>, 2009, with the update. I will report that since this letter was done in the last six months we have gone out to an RFQ process for the selection of the, of the lead architect and structural as well as the environmental assessment. For them we are in the final stages of selecting that contractor that will take over the project and bring the, the design and

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environmental documents for the parking...Wailuku Municipal Parking Structure into more of a finalized form. Once we initiate or select the contractor and our lead architectural firm, the project will pretty much go through, like I say your standard environmental assessment and what...as well as will become more of a Public Works infrastructural project. And will be...that type of interaction will be handled by the Department of Public Works, and Planning will handle with...primarily with the Land Use permitting, as well as. . .through the MRA, and what not.

CHAIR PONTANILLA: That's it?

MR. ALUETA: That's all I have.

CHAIR PONTANILLA: Thank you. Members, questions for Mr. Alueta? Member Victorino?

COUNCILMEMBER VICTORINO: Thank you. And thank you for that update. You know, I've read in the paper lately some, some challenges in that respect, and, and again you can't make everybody happy I guess, Mr. Alueta. We figured that out already. But in this process that you're referring to, once it's completed where and then would we go out as far as now the next step is the money part? I mean, you know, I, I know we've worked and had private partner proposals, we've had all kinds of stuff. And I've saw more proposals for that Wailuku Municipal Parking Lot than Custer had Indians at the Little Big Horn, you know what I mean? But realistically once we get through this process, what are we looking for at that point? Do we know, do we know that it comes back to us and then we've got to go to the Feds and the whoever else to try to find the money? Is that what the process would be at that point?

MR. ALUETA: Yes, once we come up with a finalized design through the...and the environmental process as well as through their review...design review process with the, the MRA, ultimately whether or not the project goes further is determined on funding. There's a wide variety of funding sources that we are looking at. Primarily there is again the Federal government, there is general obligations bonds, there's also the cash in lieu ordinance that we are drafting which is, you know, as you build the capacity within the municipal parking structure that allows for people who are surrounding within the MRA to potentially have buy in or pay for a portion of, and that's called a cash in lieu. So rather than providing the parking on site they would provide it...we would provide that parking...required parking in the municipal parking structure. And so that...that's part of our master plan or design for the town rather than having postage stamps of parking lots, you know, two or three stalls on...as you know

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really small developable parcels. It's better to centralize all of your parking within the parking structure. Those, those developers would pay into and that would offset part of the development cost, as well as there's also a tax incremental improvement, meaning as there's no cost to the existing...to the County as a whole besides general...if they go through general obligation bond or one funding sources as tax...property tax rise that incremental, increase in, in property revenue is earmarked to cover the cost or to pay off the bond for the municipal parking structure. So there's a variety of funding sources once you finalize the design and have a viable project.

COUNCILMEMBER VICTORINO: And would we be able to...and I know this is futuristic, and again it all depends yeah, Mr. Chair, what, what would be available at that point and time, but there was talk at times of some Federal dollars, as far as the structure was concerned. Is that part of the plan yet? I mean I...I've heard all these, you know, the bonds and all that, but if there was an opportunity would we be looking at that as another viable option?

MR. ALUETA: All funding sources will be looked at once we get a finalized design.

COUNCILMEMBER VICTORINO: Okay. And, and that's what I want, no door...no stone unturned. How's that sound?

MR. ALUETA: That, that is...

COUNCILMEMBER VICTORINO: I think that's very important, because this has been long awaited by this community. So, I, I, I really believe, you know, at for once my district really needs to get something done. Because I think it has a profound effect...impact not only for the businesses but also our governmental workers. 'Cause I think once that is completed, I think that will be another augmentation for parking in this area. Instead of street parking, you know, and maybe shuttles and all that. We've talked about other options, you know, and let's not get the cart before the horse at this point, but, you know, I think this is very important for the total development, not only for businesses but our governmental agencies right here in Wailuku town. So, thank you, Mr. Chair. And thank you, Mr. Alueta, for the update.

CHAIR PONTANILLA: Thank you. Members, any more questions for Mr. Alueta? Member Mateo?

VICE-CHAIR MATEO: Chairman, thank you. And, and, Mr. Alueta, perhaps just your additional comment. I, I think the...one of the major concerns from the businesses was during the potential shutdown, when the existing area will be

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under construction, the elimination of all those parking stalls. More of a hindrance to business than anything else, and I don't think nobody can afford losing business for up to a year. Any, any discussion as to what options could potentially be available for the merchants in Wailuku?

MR. ALUETA: Well as...thank you, a great question, because it did come up numerous times including as you know there was a market based study done by a group called PUMA. And one of our plans is to come up with a comprehensive parking plan for before, during, and after the, the development of the municipal parking structure. We have looked at a variety of things and that's part of that study and we'll look at, so there could be potential shuttles using the municipal bus system. There's also numerous landowners that...or one landowner in particular who has expressed interest in redevelopment of his property, and they have about equal size of...to the municipal parking structure, parking lot. And they would be willing to clear or demo most of their property and use that as temporary parking. It is within central Wailuku so it would serve as a temporary parking location that would replace the existing stalls while we build the structure, and then once the structure is up and running he would then be able to redevelop their property and use the parking lot as a cash in lieu. And so we're...there are a numerous...as you know there are several smaller vacant lots around Wailuku and we would hope to secure through lease...temporary leases these lots that are within, and set up a temporary parking situation during the construction phase. And our parking coordinator, we, we have a parking coordinator that would help to facilitate the County in establishing a, a...those leases and those parking arrangements. And again we're going to look at all different options, like I say the bus system, MEO, existing satellite parking with in the town as well as trying to arrange maybe for the County and State employees to shuttle from War Memorial. You know, there's a wide variety of options that we have.

VICE-CHAIR MATEO: Okay. Thank you. Thank you, Mr. Chair.

CHAIR PONTANILLA: Thank you. Yeah when you look at your shuttle between War Memorial and Wailuku, one of the reasons why it didn't work the last time is because of scheduling the time, you know, rather than every 15 minutes probably it was like every half an hour or 45 minutes, which is inconvenient to most people. You already decided the design of this particular structure?

MR. ALUETA: Not, not the, the final design. We have preliminary designs that were presented in the master plan as PC1, that was the one that was selected by the MRA at the time, as well as the general public and stakeholders, and that was supported. We did have...as you all know we've met with all of you individually. You've expressed your concerns and your support which we greatly appreciate, as

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well as your input as to what could make the design better. And that was including going with two extra...one or two extra decks on the proposed design. So right now the initial design was a surface with three decks on top, and we could potentially go...so that would give you four layers of parking. We're looking at doing a fifth and sixth deck on top of that as well as incorporating PV or having neighborhood electric vehicle charging stations to facilitate the use of that. So that's what the design right now on our preliminary design that's being called upon by the architect as well as the structural engineers that will be going into...they'll be looking at doing a potentially...the potential for a sixth level. We will keep with the mass...the main plan of having four levels, and then look at the cost and design of going up to six. That way, you know, financing comes into issues, we can either scale back but still have the potential down the road if we wanted to add decks later on. And that was some good suggestions that came in from the, from the Members here that suggested that we look at going larger. But again this has to go through an EA process. Once the design is...the...the...that final design or preferred option through the EA process is done we'll go back to MRA for approval on the final design. They have a preliminary design, an architect will stay within those design guidelines as far as the fenestration of the structure itself. So it's just a matter of finalizing how wide, how tall, and but...and then establishing what are the various environmental impacts based on that.

CHAIR PONTANILLA: Thank you. I, I like the idea of the additional five and six, you know, it would serve the County best in regards to space. Members...Member Johnson?

COUNCILMEMBER JOHNSON: Yeah. I just wanted to...just in reading your transmittal, Mr. Alueta, I just wanted to make sure, you're, you're kind of moving ahead with what the community wanted, but then in the last sentence here on the first page you say, once favorable consideration of the reso is provided by Council then, you know, you're going to go forward. So, I, I don't know which comes first the chicken or the egg. So, is this something that you're waiting for us for guidance or you're just going to move ahead and then present plans to us?

CHAIR PONTANILLA: Go ahead.

MR. ALUETA: That's a, that's a good question. I apologize in that the letter was sent December 31<sup>st</sup>. We had talked with...the, the resolution was scheduled, or was sent to the Committee; however, due to your, your, your schedules --

COUNCILMEMBER JOHNSON: Yeah.

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MR. ALUETA: --and your budget as well as your other pressing matters that resolution was pushed onto the back burner. To meet our deadlines and scheduling and given the fact that we have Federal funding that we need to expend on this we felt it was prudent to go forward, because I, I did meet with eight of the...eight out of the nine Council Members. All of you had pretty much given me--I don't want to say the go ahead--but you said you supported the project in various forms based on what it was. And the resolution was, was a recommendation by Chair Mateo that I...that we draft up and send up to you, and that's what we did. But we did, we did feel we needed to move ahead with the selection, especially with the RFQ and negotiations with the final contractor. We have not finalized anything by any means, but we are, we'd like to still continue to proceed on it and expend, get the monies expended and hopefully stimulate some jobs.

COUNCILMEMBER JOHNSON: Yeah, and when you say RFQ, that's like RFP, right? Request for proposal, or is it request for quotation?

MR. ALUETA: Request for Qualifications. We originally --

COUNCILMEMBER JOHNSON: Oh, okay.

MR. ALUETA: --we originally going down for an RFP out, however because the County has a certain procurement requirements we had, we had...we already gone out with a list of qualified architects. We had relisted it with for architects who had more specialization with parking structures, and we did get a lot of people submit, and like again we're in the final stages of selecting the final candidate --

COUNCILMEMBER JOHNSON: Okay.

MR. ALUETA: --before we negotiate and potentially award the contract.

COUNCILMEMBER JOHNSON: Okay. Thank you. And I hope that at some point to that if that design does change radically or there...a concept, from what you're saying it's not going to though. It's just the final architectural design and plan. Is that correct?

MR. ALUETA: Correct. The, the monies that we have allocated for this will take us to design as...I mean, finalize design, environmental assessment, and then construction docs. So we'll get...at the end of the whole process we'll have an EA or an EIS completed with the accepting authority being Public Works, and then one of those gigantic roles with all your structural detail of how the thing is going to be done. And from that point we will be able to move forward funding

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permitted to basically turn over to Public Works. Give me a building permit and we can go ahead and build the thing.

COUNCILMEMBER JOHNSON: Yeah. You know, because I'm not an architect or, you know, construction engineer. I, I get a little confused sometimes about, you know, the whole scenario, and I guess when we were kind of looking at the designs which were the PC1. Okay, when we're looking at that basically from my understanding that's pretty much what you're going to go with, and then you're going to pick an architect to do the final plans, or could that change again? And then be a newer, you know, a better design, architectural design?

MR. ALUETA: The architect when we went out for bid knows that the design that we have is fixed.

COUNCILMEMBER JOHNSON: Okay.

MR. ALUETA: It's, it's been agreed to by the community as a whole --

COUNCILMEMBER JOHNSON: Community.

MR. ALUETA: --as well as the MRA in the preliminary review, and they can not deviate dramatically from it. Again but the only thing that we have told the architect that we do want them to do is make it taller, for the most part.

COUNCILMEMBER JOHNSON: Okay. As an option.

MR. ALUETA: As an option --

COUNCILMEMBER JOHNSON: Okay.

MR. ALUETA: --because again that has been the overriding theme from many of the Council Members that we'd like you to put more stalls in there if possible. funding permitted, and so we want to leave that door open. And then that final design will add, you know, 10 percent, 30 percent design level we'll go to MRA for final, make sure we're on the right track and that this design meets design guidelines of the MRA.

COUNCILMEMBER JOHNSON: Okay. Okay. Yeah. I just wanted to make sure in my mind that all of a sudden, you know, 'cause every architect, you know, they have their ownership over things if, you know, it's proprietary and oh this is my design I, I understand that concept but this is not that kind of architectural thing. It's the design is fixed, it's just like whoever comes in and can execute it properly

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and do it on a timely basis under funding or, or let's say not necessarily...will you go with the lowest bid?

MR. ALUETA: Being...with RFQ you negotiate the...with the qualified architects you negotiate the, the price --

COUNCILMEMBER JOHNSON: The price. Okay.

MR. ALUETA: --as to how they're going to do. And, and again the most important thing that we're looking for when we're reviewing these contractors is their total team. One of the main things we're looking at is 'cause this is concrete is it structural.

COUNCILMEMBER JOHNSON: Right.

MR. ALUETA: So that's...

COUNCILMEMBER JOHNSON: Right.

MR. ALUETA: They have to have a very good structural engineer. And that's pretty much what we're looking at.

COUNCILMEMBER JOHNSON: Yeah and the structural soundness, so that's...that would...wouldn't be in a traditional sense that you're thinking of oh we're going to go pick an architect and then they're going to come up with a whole new thing. I just want to make that clear, because sometimes, you know, I'm like anybody else, I don't know what the drill is until, you know, I, I see it myself, so I figured I ask the questions 'cause I'm sure I'm going to get asked too. Anyway, thank you.

CHAIR PONTANILLA: Thank you What, what is the accurate number again RF what?

MR. ALUETA: RFQ.

CHAIR PONTANILLA: RFQ.

COUNCILMEMBER JOHNSON: Request for Qualifications.

MR. ALUETA: Request for Qualifications.

CHAIR PONTANILLA: Oh okay, and then what's the difference between value engineering?

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MR. ALUETA: Value engineering, I'm not an architect or an engineer. Value engineering is where you, you try to save the money, meaning you have a design and it's...you've gone over budget what the bids come in and try to look at where you can try to save it and you try to design the structural as well as the cost to meeting the best...to meet what you want it to do in the lowest standards without over building your project. So if you need a two foot footing and the guy is pouring a four foot because you over engineered, when you value engineer you try to get it back down to what do I really need for the...to make this thing work.

CHAIR PONTANILLA: Yeah my understanding is that once you give a number, that's the number you work with, without coming in for any change orders.

MR. ALUETA: ...*(Laughing)*... Yes.

CHAIR PONTANILLA: So in regards to the architect, he doesn't, you know, Request for Qualification, the qualification doesn't take you from the design through construction. In other words I --

MR. ALUETA: Yes.

CHAIR PONTANILLA: --I affirm that's going to do the, the design architectural work, and, and if I do have a counterpart that is also a construction...in the construction business to build parking lots and offices. You know, work as a team to come out with a number for this particular project and have several of these guys that qualify to provide estimates to this County.

MR. ALUETA: We, we went...we're not doing...that's called a, a design bid...a design build where you had worked together. This one we only have funding for the design, environmental assessment, and construction plans at this point.

CHAIR PONTANILLA: Okay, thank you. Questions, Members? If not, thank you very much, Mr. Alueta.

MR. ALUETA: Thank you.

CHAIR PONTANILLA: Chair's...Chair would like to make his recommendation.

COUNCIL MEMBERS: Recommendation.

CHAIR PONTANILLA: And the Chair's recommendation is to file County Communication No. 10-5.

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VICE-CHAIR MATEO: Mr. Chair, I move to file County Communication No. 10-5.

COUNCILMEMBER VICTORINO: Mr. Chair, I second the motion.

CHAIR PONTANILLA: Thank you. It's been moved by Member Mateo, second by Member Victorino that we file County Communications No. 10-5. Any more discussion? If not all in favor of the motion please say "aye".

COUNCILMEMBERS: Aye.

CHAIR PONTANILLA: Motion is carried. Eight Ayes. One excused, Member Nishiki.

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

**MOTION CARRIED.**

**ACTION: FILING of communication.**

CHAIR PONTANILLA: Thank you, Members. This is all we have for today, Budget and Finance Committee. I would like to thank Administration as well as our support staff for being here this after, this afternoon. This meeting is now adjourned. . . .(gavel). . .

**ADJOURN: 3:08 p.m.**

APPROVED:



JOSEPH PONTANILLA, Chair  
Budget and Finance Committee

bf:min:100629:clb

Transcribed by: Cynthia Los Banos

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**CERTIFICATE**

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

DATED the 21<sup>st</sup> day of July, 2010, in Pukalani, Hawaii

A handwritten signature in cursive script, reading "Cynthia Los Banos", written over a horizontal line.

Cynthia Los Banos