

# INFRASTRUCTURE AND ENVIRONMENTAL MANAGEMENT COMMITTEE

Council of the County of Maui

## MINUTES

July 15, 2013

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

**CONVENE:** 1:33 p.m.

**PRESENT:** VOTING MEMBERS:

Councilmember Elle Cochran, Chair  
Councilmember Stacy Crivello, Vice-Chair (out 3:36 p.m., in 1:37 p.m.)  
Councilmember Robert Carroll  
Councilmember Donald G. Couch, Jr. (in 1:34 p.m.)  
Councilmember Mike White (out 2:43 p.m.)

NON-VOTING MEMBERS:

Councilmember Gladys C. Baisa (in 1:44 p.m., out 2:27 p.m.)

**EXCUSED:** VOTING MEMBERS:

Councilmember Councilmember Don S. Guzman  
Councilmember G. Riki Hokama

**STAFF:**

Scott Jensen, Legislative Analyst  
Regina Gormley, Legislative Attorney (on call)  
Yvette Bouthillier, Committee Secretary

Ella Alcon, Council Aide, Molokai Council Office (via telephone conference bridge)  
Denise Fernandez, Council Aide, Lanai Council Office (via telephone conference bridge)  
Dawn Lono, Council Aide, Hana Council Office (via telephone conference bridge)

**ADMIN.:**

David Ching, Deputy Managing Director, Department of Management (IEM-13)  
Peter Davis, Lieutenant, Department of Fire and Public Safety  
Ricky Uedoi, Lieutenant, Department of Police  
Rowena Dagdag-Andaya, Deputy Director, Department of Public Works  
Nolly Yagin, Civil Engineer, Department of Public Works  
James A. Giroux, Deputy Corporation Counsel, Department of the Corporation Counsel

**OTHERS:**

S. Stanley Okamoto (IEM-12)  
Sylvia Kawashima (IEM-12)  
Karilee Yoshizawa (IEM-12)  
Richard Carr, Deputy Director, Habitat for Humanity Maui (IEM-12)  
Rosemary Robbins (IEM-13)

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Bruce Torda (IEM-12)  
Others (5)

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

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**CHAIR COCHRAN:** . . .(*gavel*). . . Will the Infrastructure and Environmental Management Committee, please come to order. It is Monday afternoon about 1:33, July 15, 2013. And I am Councilmember Elle Cochran, the Chair of this Committee. Before we begin, Members and people in the audience, please silence your cellphones or any other noise making devices and let me introduce the Members that are present here today. I have Vice-Chair of the Committee, Ms. Stacy Crivello.

**VICE-CHAIR CRIVELLO:** Good afternoon, Chair.

**CHAIR COCHRAN:** Good afternoon, aloha, and next to her is Bob Carroll.

**COUNCILMEMBER CARROLL:** Good afternoon, Chair.

**CHAIR COCHRAN:** Aloha, and also Mike White.

**COUNCILMEMBER WHITE:** Aloha, Chair.

**CHAIR COCHRAN:** Excused today would be Don Guzman and arriving shortly will be Councilmember Couch and also Councilmember Riki Hokama. At this point, let me introduce the administrative officials that are here. I have Rowena Dagdag-Andaya, Deputy Director of Public Works.

**MS. DAGDAG-ANDAYA:** Good afternoon, Chair.

**CHAIR COCHRAN:** Aloha, and I believe Nolly Yagin is here also in the audience, and I have looks like David Ching on behalf of. . .First Assistant, David Ching from Administration.

**MR. CHING:** Afternoon, Chair.

**CHAIR COCHRAN:** Aloha, Mr. Ching. I also have in the audience and will be called upon, let's see, we got Lieutenant Ricky Uedoi and also Lieutenant Peter Davis from the Maui Police Department and Deputy Corporation Counsel James Giroux.

**MR. GIROUX:** Aloha, Chair.

**CHAIR COCHRAN:** Aloha. And just joined us is Councilmember Don Couch.

**COUNCILMEMBER COUCH:** Good afternoon, Chair.

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CHAIR COCHRAN: Aloha, and my Committee Staff, ever present and ready, we have Legislative Analyst, Scott Jensen, and Committee Secretary, Yvette Bouthillier, and I believe on call will be Regina Gormley. We'll be taking public testimony in a few moments. For those that would like to testify, please sign up at the table out on the eighth floor here, outside our Chamber and if you're testifying from a remote location, please stick to the meeting agenda items for all testifiers, they will be, everyone will be allowed three minutes for testimonies with one minute to conclude. And when testifying, please state your name and any organizations or affiliations you may be representing, and for the district offices, please. . .I will start rotating through so we get fair coverage of all testifiers throughout Maui County. I shall check in with our Hana Staff, and at this point is Dawn Lono at the Hana Office?

MS. LONO: This is Dawn at the Hana Office and I have no one waiting to testify.

CHAIR COCHRAN: Thank you, Dawn. And on the Lanai Office, is Denise Fernandez there?

MS FERNANDEZ: Aloha, this is Denise Fernandez and we have no one waiting to testify.

CHAIR COCHRAN: Thank you, Denise. And our Molokai Office, Ms. Alcon, are you there?

MS. ALCON: Good afternoon, Chair, this is Ella Alcon on Molokai and there is no one here waiting to testify.

CHAIR COCHRAN: Thank you, ladies. Our lines will be open for you folks and if you do receive people for testimony, please let us know. So at this point, I shall turn the floor over to testifiers within the Chamber. And the first testifier is S. Stanley Okamoto, please come to the podium, testifying on Item 12, to the podium, sir, and speak into the microphone. Thank you. Go ahead, when you're ready.

***.BEGIN PUBLIC TESTIMONY. . .***

MR. OKAMOTO: My name is S. Stanley Okamoto and I reside at 269 Makua Street which abuts the spillway of the Wailuku Iao Stream, and I live just two houses away from the intersection and I am concerned about the parking on Kahawai Street from Market Street to Makua Street. At these. . .at this area is the area that we find that is very congested if they are parking on that street. So we would consider. . .we would appreciate your consideration on feeling out how the traffic should be diverted or regulated or whether parking should be allowed on Kahawai Street from the area from South Market, Market Street to Makua Street. I would appreciate that. Thank you.

CHAIR COCHRAN: Thank you, Mr. Okamoto. Members, any need for clarification of the testifier? Mr. Okamoto, I believe Mr. Couch has a question for you.

MR. OKAMOTO: Yes, sir?

COUNCILMEMBER COUCH: Hello, Mr. Okamoto, nice to see you again.

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MR. OKAMOTO: The pleasure is mine.

COUNCILMEMBER COUCH: Thank you for coming. When you talk about the parking on Kahawai Street, are you saying that if there is parking, there is more traffic. . .there's more congestion?

MR. OKAMOTO: Well, the parking on Kahawai Street would tend to cause traffic congestion, because the street narrows because of the vehicles that are parked on the levee side of the river.

COUNCILMEMBER COUCH: Okay. And then are there. . .is it residents that park there or is it during the day when people are in here working?

MR. OKAMOTO: Well, it's two ways. Residents are quite considerate and they do not usually park there, and there's people who work are parked there.

COUNCILMEMBER COUCH: Okay. So you would be supportive of no parking on Kahawai Street?

MR. OKAMOTO: I would. . .yes. The question is, how the residents would take it, you know, if no parking is allowed on Kahawai Street, where would they park? And this is the question that arises. And in so much as there a State project for apartments here and residents and so there may be additional parking vehicles parked on Kahawai Street.

COUNCILMEMBER COUCH: Okay. Thank you, Chair. Thank you.

CHAIR COCHRAN: Thank you, Mr. Couch. Members, any further need for the testifier? Seeing none, Mr. Okamoto, thank you for your time.

MR. OKAMOTO: Thank you very much.

CHAIR COCHRAN: Next testifier in the gallery is Sylvia Kawashima. Ms. Kawashima is testifying also on Item Number 12.

MS. KAWASHIMA: Good afternoon, my name is Sylvia Kawashima, and I live on Makua Street and I am here to not only ask you but beg you to do something about the parking on Kahawai Street. We pass. . .well, we are on Kahawai Street four times a day at least taking my mother-in-law to daycare and picking her up. The traffic is just terrible. You can go almost any time of the day and drive on Kahawai Street and you are against the law, because the cars are parked on the side of Iao Stream and you have to cross the center line in order to get past them. It's very unsafe getting closer to Market Street, going from Makua to Market Street. If you are coming from Takamiya side, it is a real blind spot and there are many times that we have almost been hit by a car that is coming from that direction and turning onto Kahawai Street, because it's. . .there's. . .it's just blind there. We have a lot of older people that walk. That is the street that they're gonna have to walk on. There is a sidewalk on one side of the street, but there is also cars and trucks that are parked on the sidewalk. Therefore, sometimes they cannot even get through on the sidewalk. They have to go on the road in order to get there. We have another

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problem. Habitat for Hawaii, they are putting up a condo there, which will have--is that only me?---oh, okay, they're gonna have 16 extra parking. That's 16 extra cars that are gonna be there. If you. . .you all have pictures that Glenn Mukai has submitted because he couldn't be here today. If you look at those pictures, you can see it and I would like to ask all of you, this is for children too, as well as the older folks, please do something about this. I would like to invite all of you to take a drive, just drive down there. I want to see if there was a policeman there today when you're driving there how many citations he would get. They are very good about not giving the citations but eventually they will. And if you go, you can also see that on Mokuhau Street, they are putting up cones on the yellow strip so that they can divide that and so people won't be going across the center line. Thank you very much.

CHAIR COCHRAN: Thank you, Ms. Kawashima. Members, any need for clarification from testifier? Yes, Mr. Couch.

COUNCILMEMBER COUCH: Thank you and thank you Ms. Kawashima for being here. I'm looking at some pictures online as well. Are you. . .are all these vehicles, you think, as Mr. Okamoto said, residents living there or people who are people working somewhere in town?

MS. KAWASHIMA: There are residents that are coming off a short lane right where Habitat is building. There are people in there that park out on the street there and then there are cars from, you know, where Yori's Restaurant used to be. Well, the people there park in the street. A lot of times, you have one of them working on his truck. It's a wonder his legs haven't been run over, because his legs are sticking out into the road. We have called so many times and we have school buses that park there. These have to be residents from that area.

COUNCILMEMBER COUCH: Okay.

CHAIR COCHRAN: Thank you.

COUNCILMEMBER COUCH: Well, one of the reasons why I ask is 'cause that we could potentially put hours 8:00 to 5:00, but you would prefer 24 hour no parking?

MS. KAWASHIMA: Oh, this is. . .this goes on from 7 o'clock in the morning 'til midnight sometimes. . .just all the time.

COUNCILMEMBER COUCH: Okay. So a 24 hour ban would be best.

MS. KAWASHIMA: Yes. Yes.

COUNCILMEMBER COUCH: Okay. Thank you. Thank you, Chair.

CHAIR COCHRAN: Thank you, Mr. Couch. Thank you. Members, any further need for testifier? Seeing none, thank you, Ms. Kawashima. And I'd like to acknowledge Council Chair, Ms. Baisa, who has joined us.

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COUNCILMEMBER BAISA: Good afternoon, Chair.

CHAIR COCHRAN: Aloha, good afternoon. And Ms. Baisa is a non-voting Member of the Committee, but I take it that you're quite interested in our agenda items today so you're here with us.

COUNCILMEMBER BAISA: Thank you.

CHAIR COCHRAN: Alrighty, aloha. Next testifier is Karilee Yoshizawa also testifying on Item 12.

MS. YOSHIZAWA: Good afternoon, Chair and Council members, thank you for this opportunity to speak before you. My name is Karilee Yoshizawa. Although, I no longer live in Happy Valley, my parents and my grandparents do have property on Makua Street and Kuamoo Street right in the area. I'm here to request your support and approval to prohibit parking on a portion of roadway located on Kahawai Street between Makua and Market Streets. This request is being submitted to protect the health, safety, and welfare of the public. Kahawai Street is supposed to be a two lane street that extends from Market Street to Mokuhaui Park in Happy Valley. When I say supposed to be, it's because the roadway on Kahawai between Makua and Market Street turns into almost a one-way roadway if vehicles are parked along Iao Stream. This narrow roadway causes not only me but also other drivers headed towards Market Street to drive illegally by driving left of center and then forced to drive dangerously into oncoming traffic. While driving with my three-year-old and six-year-old in the vehicle, I personally have had many close calls driving in both directions on this portion of the roadway. Vehicles have driven towards me almost causing head-on collisions or at the minimum we came extremely close to exchanging driver side view mirrors. I've been flipped the finger or had drivers raise their hands up in what appear to be in anger for not giving them enough room on this portion of the roadway. These incidents happen when I try to make room for them by driving on the side of the roadway while they pass as they were actually in my lane of travel. My second concern is for the safety of those individuals who walk along this portion of the roadway. Vehicles parked on this portion have sometimes creatively parked on the sidewalk. Although, they are acknowledging that their vehicle would block a portion of the roadway by parking there, they are now thinking they are helping the situation by now parking on the sidewalk to remove a portion of their vehicle off the roadway. Although thoughtful, they are now creating a hazard for those who need to utilize the sidewalk. It's not only dangerous for any individual to walk onto the roadway, but I am especially worried and concerned for the safety of parents. I've seen pushing their kids in strollers, parents pulling those kids along in those radio flyer wagons, kids walking and the elderly who are now forced onto the roadway because the sidewalk is blocked. I've learned that MPD has been contacted regarding the parked vehicles and neighboring residence has spoken to them over this issue. Residents have been advised by MPD that the only remedy to rectify these unsafe situations is to address it with the Council and request to have the Council pass an ordinance making this portion of Kahawai Street a no parking zone. Although, this roadway might not be considered as a major roadway, the concern for pedestrian safety and vehicle safety due to parked vehicles should be the same. Thank you for your time.

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CHAIR COCHRAN: Thank you, Ms. Yoshizawa. Members, any need for clarification or restating of the testifier? Seeing none, Ms. Yoshizawa, thank you for being here. Let me jump over to our outlying districts. Hana Office, any one there wishing to testify, Ms. Lono?

MS. LONO: Our Office has no one waiting to testify, Chair.

CHAIR COCHRAN: Thank you, Ms. Lono. And over on Molokai, Ms. Alcon, anyone wishing to testify?

MS. ALCON: No one's here on Molokai waiting to testify.

CHAIR COCHRAN: Thank you. And on Lanai?

MS. FERNANDEZ: The Lanai Office has no one waiting to testify.

CHAIR COCHRAN: Thank you ladies. Okay, jumping back to our Council Chambers, we have Richard. Is it Carr? Mr. Carr is here and he is also testifying on Item 12. He is a representative of Habitat for Humanity, the deputy director. Aloha, Mr. Carr.

MR. CARR: Aloha, thank you for allowing us to come today.

CHAIR COCHRAN: Yes.

MR. CARR: Habitat is currently building a 16-unit affordable housing condo complex on Kahawai Street and we are in full support of the neighborhood. Before we even sent this to Planning and everything, we met with the neighborhood, and their biggest complaint from that lane to Market Street, the road actually narrows and the parking spots narrow, so there isn't enough parking to actually park a full size vehicle on the side of the road. With this, once our building is built which we will contain our own parking in the ground floor of our unit. . .

CHAIR COCHRAN: Sorry, sir, can you just state your name for the record.

MR. CARR: Sorry, Richard Carr with Habitat for Humanity.

CHAIR COCHRAN: Thank you.

MR. CARR: Sorry about that. Once our building is built and our sidewalk goes across the front, the people that are now going on the shoulder of the road to allow cars to pass won't be able to do that because there will be a curb and a handicapped accessible sidewalk there. So these cars parking there is a huge issue for the residents of this neighborhood that are trying to safely come and go from their homes, so we're in full support of the neighborhood and the community and their wishes to have that parking removed.

CHAIR COCHRAN: Thank you, Mr. Carr. Members, any need for clarification from our testifier? Yes, Mr. Couch.

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COUNCILMEMBER COUCH: Thank you, Mr. Carr, for being here.

MR. CARR: Thank you.

COUNCILMEMBER COUCH: So you say your parking by Code, I think, requires. . .your project requires all the parking to be contained inside plus some, yes?

MR. CARR: We have 20 parking stalls and only 16-units so that no parking will be done on the street or on the road.

COUNCILMEMBER COUCH: Okay. Alright, thank you. Thank you, Chair.

CHAIR COCHRAN: Thank you, Mr. Couch. And Members, further discussion? No? Seeing none, Mr. Carr, thank you for your time.

MR. CARR: Thank you very much.

CHAIR COCHRAN: And next testifier is Rosemary Robbins who is testifying on Item 13 and she is representative of a concerned citizen.

MS. ROBBINS: Hello, everybody, again.

CHAIR COCHRAN: Hello, Ms. Robbins.

MS. ROBBINS: Yes, Item 13, amending Chapter 10.76, relating to parking lots and piers, the Old Wailuku Post Office and parking along Kaohu Street. Four of the five items on today's agenda for this Committee deal with one straight, head-on clear thought. The fifth one deals with two areas rolled into one ordinance. Beware, beware, beware, possibly. This one issue was brought in by the Managing Director and we're hearing from people in the community that it's too prompt a request from the Administration. Last week, we had a number of meetings right under this ceiling and we came away from those meetings with a clearer wind as with the situation of the Old Wailuku Post Office is an unresolved issue at this point. People out there are very concerned that their folks from the Administration who want to get one more foot in the door to establish a reality for something that has already been identified for less than a week to be sure, but nonetheless what's the hurry, so I couldn't answer that when people ask me, what's the hurry?. I would recommend if that can be and I think it can be for Chapter 10.76 to have two amendments to it. Folks would like to recommend eliminating the parking restrictions in the County parking lot along Kaohu Street out here fronting this building that we're in. That means that we won't be racing around to move our cars at one hour and fifty-five minutes or else we get tagged for \$40. Good idea, let's change that one. We would like people to, like you folks, to think about separating that from the other part of this and Item 13 and to delay. . .defer doing anything about that County Post Office parking lot. They think that it's an invitation to--bless you--to make sort of teacher's pets of the people who will be able to get in there to park. They've never been able to do that until the last month, so it's not like we're offending an old



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tradition that's been around forever. So with whatever the powers that you are that can adjust that 10.76 instead of putting one more bullet under there, put two, one of them available as soon as this is done, the decision made today if that were to be and the other one to wait. Thank you.

CHAIR COCHRAN: Thank you, Ms. Robbins. Members, any need for clarification from our testifier? Seeing none, Ms. Robbins, thank you for your time.

MS. ROBBINS: You're welcome.

CHAIR COCHRAN: Okay. I have another testifier in the chambers. Looks like Bruce Torda testifying on item 12.

MR. TORDA: My name is Bruce Torda, regarding Item IEM-12, I'm in favor of implementing creative parking with prejudice, however I would like to say at least two parallel parking stalls placed at the farthest end at the end of the sidewalk on Kahawai Street that faces that plaque and landmark there would be that 45 degree angle extended sidewalk, if you will. Being unreasonable doubt because of the dynamics of the road infrastructure and the setback where the radius. . .there's a small stone wall and from the radius inwards I see at. . . from my observation and experience driving there being an unreasonable doubt it poses no potential traffic problem whatsoever. I would think that it would benefit the project because I was just notified that there would be. . .there were some applicants who are handicapped that would. . .had applied. I know there's a formula rate way where it's factored into the building's design where with x amount of units being built, there's x amount of parking stalls that you have to provide. I feel that with the two extra stalls it would be beneficial if all stalls would be filled. We do two additional stalls placed on the very top as to reiterate it doesn't pose any problem. People go there all the time to take pictures and as recent as July 11<sup>th</sup> at 12:05, I counted 18 people who were there who were taking pictures and there was a minibus parked there and I observed that it posed no problem whatsoever as I was coming up. So whether you're coming up or down, the area that I'm proposing where two parallel parking stalls each would take up about 43 feet or so would not impact traffic or cause any hazardous conditions whatsoever. Again, to reiterate with those two stalls implemented, maybe would benefit Habitat as well as people who like to take pictures of the river. Thank you.

CHAIR COCHRAN: Thank you, Mr. Torda. Members, any need for clarification or restating of the testimony? Seeing none, Mr. Torda, thank you for your testimony. Members, Mr. Torda was the last person to sign up for testimony. Is there anyone in the gallery who wishes to testify? If so, please come on up to the podium and you can fill out the form later with our front desk clerk. And seeing no one with a mad dash to the podium, Members, I don't believe there anyone in the gallery but let me double check with our outer lying districts of Hana. Any testifiers?

MS. LONO: The Hana office has no one waiting to testify, Chair.

CHAIR COCHRAN: Thank you, Ms. Lono. Lanai Office?

MS. FERNANDEZ: Lanai Office has no one waiting to testify.

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CHAIR COCHRAN: Thank you, Ms. Fernandez. And Molokai Office?

MS. ALCON: The Molokai office has no one waiting to testify.

CHAIR COCHRAN: Thank you, Ms. Alcon. Ladies, thank you very much. Members, without objection the testimony period will now close.

COUNCIL MEMBERS: No objections.

CHAIR COCHRAN: Thank you, so ordered.

**...END OF PUBLIC TESTIMONY...**

**ITEM NO. 13: AMENDING CHAPTER 10.76, RELATING TO PARKING  
LOTS AND PIERS (OLD WAILUKU POST OFFICE AND  
PARKING ALONG KAOHU STREET) (CC 13-155)**

CHAIR COCHRAN: Alrighty, so let's move on to the items. We have five items on our agenda today and all relate to parking. Three of the five items have been previously heard by this Committee during previous terms. Although each was deferred given that all three of these items were referred to the Traffic Safety Council. These items have not auto filed at the end of the term and instead have been auto referred. Two of these items are in their third Council term and I intend to either recommend that these items be filed or passed following today's discussion. We'll also be discussing two items referred to this Committee this year, one from the Managing Director, and one from Councilmember Victorino. First item we shall be addressing is IEM-13 and this is amending Chapter 10.76 Related to Parking Lots and Piers (Old Wailuku Post Office and Parking along Kaohu Street). This is...this Committee is in receipt of County Communication 13-155 from Managing Director, transmitting a proposed bill entitled, A Bill for an Ordinance Amending Chapter 10.76, Maui County Code, Relating to Parking Lots and Piers. The purpose of the proposed bill is to eliminate the parking restrictions at the Old Wailuku Post Office parking lot and County parking lot along Kaohu Street fronting Kalana Pakui Building at 250 South High Street. We, this Committee, may consider whether to recommend passage of the proposed bill on first reading with or without revisions, the Committee may also consider filing of this County Communication. At this point, I shall refer over to...we have David Ching here in place of Managing Director, I believe. Mr. Ching, I shall turn the floor over to you. And also we have Rowena from Public Works, too.

MR. CHING : Thank you, Chair. Good afternoon, Committee, I am going to leave opening remarks to Deputy Director Rowena Dagdag.

CHAIR COCHRAN: Thank you, Mr. Ching. Yes, go ahead, Ms. Rowena Dagdag.

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MS. DAGDAG-ANDAYA: Thank you, Chair. Rowena Dagdag for the Department of Public Works. This item actually came about while we were reviewing Chapter 10.76, regarding parking in general so what. . .in our Department, we've been making it a point to review our current ordinances just to make sure they're current and up-to-date. And so during our review this came at a time during the work over at the Old Wailuku Post Office site, so it prompted us to make an inquiry and then also to notify the Managing Director's office of the existing ordinance and to propose any changes to it. So the bill before you today actually has two objectives. The first one is regarding the Kaohu Street parking lot and this is under Section 10.76.010. The Kaohu Street parking lot is that nine stall parking lot that fronts Kalana Pakui where the Planning Commission office is. In the current ordinance, that. . .the current ordinance limits parking to 120 minutes and with the nine parking spaces there, they're actually being used for County Vehicles or existing employees to park the County Vehicles there. So for some time now this parking area has been marked as employee parking, and so we bring this up for deliberation today because we feel that the reference in this Chapter for two hour parking perhaps no longer applies only because we've. . .that area that those nine parking stalls are currently used for County vehicle parking. And then the second objective is the parking over at the Old Wailuku Post Office. That is under Chapter 10.76.030, so with the removal of the Old Post Office building, temporary parking will be given to employees farthest up on the waiting list and this is in the memo from the Managing Director to the Chair, and the proposed bill would eliminate in its entirety the restrictions in the Old Wailuku Post Office or restrictions on parking at the Old Wailuku Post Office. So with that, Chair, those are the only comments I have regarding these two items.

CHAIR COCHRAN: Thank you, Ms. Andaya. Members, floor is now open for some discussion or questions that you may have for Department. Mr. Couch?

COUNCILMEMBER COUCH: Thank you, Madam Chair. Ms. Andaya, the nine on Kaohu Street, they're marked, I think they're yellow, aren't they?

MS. DAGDAG-ANDAYA: Yes, they're all yellow.

COUNCILMEMBER COUCH: So that's also available for pass holders.

MS. DAGDAG-ANDAYA: Right, and in fact, I believe. . .oh, I'm sorry, Chair.

CHAIR COCHRAN: Go ahead.

MS. DAGDAG-ANDAYA: I believe sometimes we have commission members who use the parking spaces when the County vehicles aren't parked there.

COUNCILMEMBER COUCH: Okay. Thank you. Thank you, Chair.

CHAIR COCHRAN: Thank you, Mr. Couch. Members, any further discussion, questions from Department? Yeah, Mr. Carroll.

COUNCILMEMBER CARROLL: Just a comment if the Chair would allow.

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CHAIR COCHRAN: Sure.

COUNCILMEMBER CARROLL: I'm so happy to see that we have. . .excuse me. . .a little bit. . .we can add a little bit of parking over here. That's been the hardest thing for employees and looking further than that, it's really hard on the people that live in this area and people that want to. . .need parking, business and otherwise, so it's really good that we have a chance to alleviate some of the parking over here and for not only our employees, but for the general public, thank you.

CHAIR COCHRAN: Thank you, Mr. Carroll. Members, any further discussion? I have a. . .I want to drag Corporation Counsel into this right now, if possible, Mr. Giroux, and the. . .in regards to the Old Wailuku Post Office and another ongoing item in another Department. Do you see this as being kind of, I don't know, if there's any type of conflict or direct negative impact of any kind in regards to the whole demolition Post Office issue that's ongoing, Mr. Giroux? In your best, I don't know, comment.

MR. GIROUX: Yeah, I'm probably not the best person to ask but I really don't see the. . .as far as. . .because what the old ordinance is it's controlling a section of that parking lot. So by taking it out, it doesn't take any power out of the hands of the Council to further look at what kind of ordinances it wants to regulate that area. I think right now the way that Public Works is looking at it is that the way it is being used now it doesn't match what the ordinance is stating because that's not what's on the ground at this time.

CHAIR COCHRAN: Thank you. Members, any further discussion? Seeing none, I'll make my recommendation.

COUNCILMEMBER COUCH: Recommendation.

CHAIR COCHRAN: I will entertain a motion to recommend passage on first reading of the proposed bill and filing of County Communication.

VICE-CHAIR CRIVELLO: So move.

COUNCILMEMBER CARROLL: Second.

CHAIR COCHRAN: It's been moved by Ms. Crivello, seconded by Mr. Carroll. Members, floor is now open for discussion. Seeing none, all those in favor, say "aye".

COUNCIL MEMBERS: Aye.

CHAIR COCHRAN: All those opposed, say "no". Motion carries with six ayes. . .oh, wait, hang on. . .that's my count, six ayes, two excused. Oh, sorry. Five ayes and two excused. Motion carries. Okay, got it.

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**VOTE:**        **AYES:**        **Chair Cochran, Vice-Chair Crivello, and Councilmembers Carroll, Couch, and White.**

**NOES:**         **None.**

**ABSTAIN:**     **None.**

**ABSENT:**      **None.**

**EXC.:**         **Councilmember Guzman and Hokama.**

**MOTION CARRIED.**

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

**ITEM NO. 45:  BILL PROHIBITING PARKING ON FRONT STREET (BETWEEN SOUTH TERMINUS ON HONOAPIILANI HIGHWAY TO SHAW STREET) (CC 12-47)**

CHAIR COCHRAN:  Alrighty, moving on to next item, IEM-45, and this one is a bill prohibiting. . .thank you, Mr. Ching, nice to have you on the floor, take care. That’s quite rare. So next item, IEM-45, this is County Communication 12-47 from Director of Public Works, transmitting a proposed bill entitled, A Bill for an Ordinance Amending Section 10.48.040, Maui County Code, Relating to Stopping, Standing and Parking in Lahaina District. And the purpose of this bill is to prohibit parking on both sides of Front Street from Honoapiilani Highway north toward Shaw in Lahaina and this Committee may consider passage of this bill on first reading with or without revisions and also consider filing of this County Communication. We have again, Ms. Dagdag-Andaya, here from Public Works and I shall turn the floor over to you for some comments on this item.

MS. DAGDAG-ANDAYA:  Okay. Thank you, Chair, and thank you, Members. This item actually came before you about a year ago on July 30, 2012, and since then we’ve actually made some improvements at the area along Front Street. And I believe. . .and I’m not sure if this is in your binders, but back in July of last year, the Director, David Goode did provide you with a map showing the areas that where parking is currently prohibited. The yellow areas in that map identify or indicate the areas that are going to have or now have the signs, the No Parking At Anytime signs, and there are some blue areas there, I believe there’s one, two, three, four areas where parking can be accommodated. And so back in July of last year, the item that’s before us today was actually deferred, I believe there was some request by the Committee to have more input from the community and also to see how these signs have actually worked. And so most recently, well, I guess back in February of this year, the Director did go and take a look and he indicated in the letter to the Committee Chair Cochran that the No Parking signs seem to have a more positive effect on the community, that people are now able to walk, there’s

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more. . .it's. . .the road is a lot more enjoyable, safer. Pedestrians, joggers and bicyclists seem to coexist much better, and generally we've been getting a lot of positive responses. We have been working with members of a community group called, I believe they're called the Shark Pit Group and so we're in close contact with them. I know our engineering staff has been and so they provide us with updates as to how things are going. The item was actually initiated because of some safety concerns that Members had. I do believe in reading the minutes and hearing of some of the stories, that there have been some close calls around the area. There have actually been one accident that led to a fatality if I'm not mistaken and so that was the impetus for putting these No Parking signs out there. So with that those are the only notes that I have, but again I'm available for any questions. I also have with me our engineer from our traffic section, Nolly Yagin, who can also answer questions.

CHAIR COCHRAN: Thank you, Ms. Andaya. Yes, Mr. Couch, you have questions.

COUNCILMEMBER COUCH: Sure. On the little note or the colored chart here, as you say there's four spaces, four areas where it's reasonable to park there. I guess it may be more of a Police Department's question is, you know, if you allow parking in just those four spaces, how much of that is gonna spill over into the No Parking and, you know, is it. . .would it be better and more effective to just say no parking on the whole street?

CHAIR COCHRAN: Mr. Couch, sorry, and I do have Police here, if. . .did you have, wanna address. . .

COUNCILMEMBER COUCH: Sure if they want to come down and discuss that with us.

CHAIR COCHRAN: Did you want to come and join us, please? Thank you, Mr. Uedoi. And I also have Fire if you wanna have questions maybe for purposes of, you know, fire trucks. . .

MS. DAGDAG-ANDAYA: Chair, I'm sorry.

CHAIR COCHRAN: Yeah.

MS. DAGDAG-ANDAYA: I also wanted to add that by passing the bill then that would allow us to have the entire. . .allow us the opportunity to put the signs in these areas and prohibit parking in those so. . .but I'll defer to Police Department for other matters.

COUNCILMEMBER COUCH: So I guess the question is, I mean, if we were to allow just those four areas, just minor areas to park, wouldn't that just be more of a hassle for both the residents and everybody because there would be spillover and there will be fights over the spots? Would it be just more effective for you guys and everybody concerned just to ban parking on the whole street?

MR. UEDO: Yeah, currently right now as you go down that area on Front Street, it can be confusing. There's a lot of signs in different areas and --

COUNCILMEMBER COUCH: Right.

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MR. UEDO: --I can see your concern where people might be confused, and the easiest remedy would probably be to just restrict parking that entire length.

COUNCILMEMBER COUCH: Okay. Thank you.

CHAIR COCHRAN: Thank you, Mr. Couch.

COUNCILMEMBER COUCH: And I do have a question for the Chair actually since this is your area. What are your thoughts on. . .I know we had a three - three vote last time but two of the Members are no longer here.

CHAIR COCHRAN: Yeah. I. . .at first there were concerns but then once you folks moved forward in the areas that you didn't need Council approval there hasn't been, as Ms. Dagdag-Andaya mentioned, no real huge negative repercussions and comments from the community and the people there so --

COUNCILMEMBER COUCH: So you're supportive of this. . .

CHAIR COCHRAN: --so far. Yeah, I mean, so far it's worked and I believe, Ms. Andaya, the, it's, you're looking to add the prohibition onto those four sections at this point?

MS. DAGDAG-ANDAYA: That is correct.

CHAIR COCHRAN: Okay. Yeah, so, you know, as a surfer there's a good surf spot out front and there's. . .if that gets prohibited all the way down, that's gonna be really tough for people who don't actually live in the area and want to go to the beach and surf. So that would probably be my biggest concern in the voice that I represent out on the Lahaina community.

COUNCILMEMBER COUCH: Are those spots close to. . .I don't think they're close to any beach access, I think the beach access is way down by the Lahaina Shores.

CHAIR COCHRAN: There's one, I believe, more in the center sort of area.

COUNCILMEMBER COUCH: Oh, there is one in the center.

CHAIR COCHRAN: Yeah. So you can and you can, yeah, there's ways to get down, but anyways we'll keep the discussion open.

COUNCILMEMBER COUCH: 'Cause the bill. . .I believe the bill prohibits it at all on Front Street completely, right?

CHAIR COCHRAN: That is what Department's looking for.

COUNCILMEMBER COUCH: Okay. Thanks.

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CHAIR COCHRAN: And Members, any further need for Police Department or any questions? Yes, Ms. Crivello.

VICE-CHAIR CRIVELLO: I just have a question. So is there alternative parking, I mean, is the Front Street parking utilized quite a bit and if it is and there's no parking and is. . .are there alternative parking areas in that area?

CHAIR COCHRAN: Go ahead, Ms. Andaya.

MS. DAGDAG-ANDAYA: Chair and Councilmember Crivello, I am not very familiar with whether or not there's additional parking or alternative parking. I would defer that or I, we can check but I'm not. . .I can't say right now.

CHAIR COCHRAN: As far as my knowledge of the area, there really isn't, and I know there's a letter sent in by a person, I guess they were visiting. . .they live in Kahana and Oregon and come back here that they would like to see if we eliminate parking, where can we add in some other area. You know, you got the pay parking down on the corner of 505, Shaw in front, and then other than that, I mean, there's no real official public type of parking, and this is why people are sort of going into subdivisions and parking in front of homes and residential areas. So it's going to be a little getting used to for some people, but so far with the four spots still there for parking, people seem to be okay and now Department's asking to prohibit in those four sections at this point so that's our discussion, people. Members, any further discussion or need from Fire maybe to chime in at this point or Police? Yes, Mr. White.

COUNCILMEMBER WHITE: Just to be clear, the bill as drafted eliminates the parking in the blue areas on the map, is that correct?

CHAIR COCHRAN: Yes. It's looking to prohibit parking on Front from the south here from basically, yeah, that whole stretch basically, from south clear up to north, which is Shaw Street. So that is what's on the floor here before all of us today. And, Ms. Andaya, you mentioned that you had been in contact with the Shark Pit Neighborhood Watch as of recently, or do you have a idea of when was the last communication or dialogue you've had with the group?

MS. DAGDAG-ANDAYA: Chair, I believe it's. . .I can't really say for sure. I did see some e-mail communication back in perhaps October or November of last year and since then I'm not. . .as far as documented e-mail, but I, we might have gotten some phone calls and there haven't been any negative responses either that have come from the community, just generally positive ones from that group.

CHAIR COCHRAN: Thank you, Ms. Andaya.

MS. DAGDAG-ANDAYA: To my. . .I'm sorry. . .to my knowledge.



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CHAIR COCHRAN: Okay. Alright, thank you. Members. . .Mr. White, any further comments or questions?

COUNCILMEMBER WHITE: No. If you're comfortable with that then I'm happy to support it.

CHAIR COCHRAN: Okay. Alright, Members, I'll make my recommendation.

COUNCIL MEMBERS: Recommendation.

CHAIR COCHRAN: Thank you. I move to recommend passage on first reading of the proposed bill and filing of County Communication.

COUNCILMEMBER CARROLL: So moved.

CHAIR COCHRAN: Thank you.

VICE-CHAIR CRIVELLO: Second.

CHAIR COCHRAN: It's been moved by Mr. Carroll, seconded by Ms. Crivello. Members, any further discussion? Seeing none, all those in favor, say. . .wait one second, sorry.

MR. JENSEN: Madam Chair, just to clarify, this bill was submitted last year so there's some minor nonsubstantive changes that would be needed, changing the bill date from 2012 to 2013. You'll also see a few changes in there to quantify numerically hours and other sections, and that's already been adopted by an ordinance that was submitted after this was submitted so just wanted to make sure that we can make some nonsubstantive changes.

CHAIR COCHRAN: Okay. And we'll add in and also nonsubstantive changes.

COUNCILMEMBER COUCH: And file. . .did you get file?

CHAIR COCHRAN: Sorry?

COUNCILMEMBER COUCH: Did you get the filing of the communication.

CHAIR COCHRAN: And filing of County communication.

COUNCILMEMBER WHITE: Yeah, she had that.

COUNCILMEMBER CARROLL: Yes.

CHAIR COCHRAN: Oh, okay. So it's been moved by Mr. Carroll, seconded by Ms. Crivello. And Members, the floor is now open for discussion. Seeing none, all those in favor, say "aye".

COUNCIL MEMBERS: Aye.

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CHAIR COCHRAN: All those opposed, say “no”. Motion carries with three. . .five ayes and two are excused. Thank you, Members.

**VOTE:       AYES:       Chair Cochran, Vice-Chair Crivello, and Councilmembers Carroll, Couch, and White.**

**NOES:       None.**

**ABSTAIN:   None.**

**ABSENT:     None.**

**EXC.:       Councilmember Guzman and Hokama.**

**MOTION CARRIED.**

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

**ITEM NO. 7:   PARKING ON ONAONA STREET, WAILUKU (CC 09-115)**

CHAIR COCHRAN: So again, you know, referring back, these have been on the books for a while and just trying to clean the slate here so we can get off to a really good fresh start on. . .in this particular Committee. Moving on to IEM-7, parking on Onaona Street, Wailuku, and this one in particular County Communication 09-115 is from Director of Public Works once again and it’s a bill entitled, A Bill for an Ordinance Amending Section 10.48.04, Maui County Code, Pertaining to Stopping, Standing, Parking on Onaona Street in Wailuku. And the purpose of this bill is to prohibit parking on both sides of Onaona in Wailuku. This Committee may consider passage on first reading, with or without revisions and also filing of this communication. At this point, I shall turn the floor over once again to Ms. Andaya to give us comments.

MS. DAGDAG-ANDAYA: Thank you, Chair. This. . .the street. . .the subject street is actually located near this area, near the County building off of Kaohu Street, and it’s one of those smaller subdivision or smaller streets that were established prior to the, our Subdivision Codes. And so there has been communication on this item since 2009 during the last Administration, and these, I believe there have been a number of Committee meetings relating to this particular item. There has been some research done on the size of the street. I believe that it’s. . .well, it’s classified as a minor street, it’s less than 44 feet in right-of-way, and I believe the travel width or the actual width of the road may be at about 12 feet or little bit more than 12 feet so they’re really tiny. And we have not heard any communications either for or in support or not in support of this particular measure, but it’s before you today for review and discussion and possible action.

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CHAIR COCHRAN: Thank you, Ms. Andaya. Members, any questions for departments, any department, Fire, Police, and Public Works? Yes, Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Madam Chair, you know there's a . . .this is all that whole little back area behind the County building here. What about the other streets, is there no parking on those streets? It appears from a June 16, 2009 correspondence from then Director of Public Works, Milton Arakawa, that there is parking allowed on those streets. Has something changed since 2009 to prohibit parking on those street as well?

MS. DAGDAG-ANDAYA: Chair.

CHAIR COCHRAN: Yeah, go ahead.

MS. DAGDAG-ANDAYA: I don't have any. . .since then or since 2011, I can't. . .I don't recall any changes in that area. I might wanna call up my Traffic Engineer for further discussion on that.

CHAIR COCHRAN: Mr. Nolly Yagin, could you join us please? Thank you. Thank you, Mr. Yagin.

MR. YAGIN: Councilmember Couch, what was the question again? Sorry.

COUNCILMEMBER COUCH: The other streets in that little neighborhood over there, are they. . .is there parking prohibited on those streets as well? It appears from a June 16, 2009 correspondence that it doesn't look like there is prohibited parking there, and I was just wondering if we should include all those streets in this 'cause it is awfully tight and if there is parking on there, it's scary.

MR. YAGIN: Yeah, we haven't passed. . .we haven't prohibited parking on those streets, and we understand that the width. . .they're all very similar and they range between 12 and, I think, as wide as 16 feet in some areas. Yeah, we typically we react whenever a resident brings up wanting to restrict parking so it's only Onaona Street that was brought up before us.

COUNCILMEMBER COUCH: So. . .that look says it exactly and I'd sure like to have. . .I know he's not on the Committee but I'd like to hear from the representative from that, the Council member in that seat. Having driven that, those streets quite a bit and walked it a little bit, my guess is if as long as we're there, we might as well do everything, and I don't know how that affects this bill and I don't know how you would wanna proceed from that. But I would think if the Department is okay with that, that would be something that we should consider, but of course, it's up to the other Members as well.

CHAIR COCHRAN: Right. Thank you, Mr. Couch. Yes, Ms. Andaya.

MS. DAGDAG-ANDAYA: Chair and Councilmember Couch, I do see here that under Section 10.48.040, relating to parking, there's I believe there's a restriction on the south side of Palua Street in Wailuku from South Church Street to South Market Street, and Palua Street is adjacent to Onaona. I wish I had a map to show you but that's one, and I'm trying to look for the

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other ones as well. There's Pakahi Street, Pakolu Street and Uluwehi Street, all surrounding Onaona, and then Napua Street is another one just off of Kaohu that leads to Onaona. So . . .

COUNCILMEMBER COUCH: So parking is prohibited at . . .that's only on certain sides of the street though, right?

MS. DAGDAG-ANDAYA: Yeah, on the south side. It says on the south side of Palua Street in Wailuku.

COUNCILMEMBER COUCH: Yeah, I mean, if it's the will of this body that or this Committee that we take a look at all the streets in that area and just combine them into one deal. I don't. . .you know, we'd have to study a little bit as to see what the residents would like, but still even if they would like it it's very narrow and one. . .I think there's pictures in here showing that even if it's what 14 or 16 feet wide, you park your car, you're still not standard width and there certainly can't be two way. So I don't know, Madam Chair, I think we should take a look at the whole area and get it all done at once.

CHAIR COCHRAN: Thank you. Thank you for your comments, Mr. Couch. Yes, Mr. Jensen.

MR. JENSEN: Just to point out to the Committee, this matter for notice and other reasons is unique to that particular roadway. These types of bills are required by the Code to go before the Traffic Safety Council and so basically I think this Committee is looking at this particular bill as proposed today. Should the Committee desire to file this item and submit a separate bill that could be referred to Traffic Safety Council that has more global implications, that may be something that the Committee or the District representative, Councilmember Victorino may want to pursue.

COUNCILMEMBER COUCH: Right.

CHAIR COCHRAN: Thank you, Mr. Jensen.

COUNCILMEMBER COUCH: Madam Chair, that's kind of what I was thinking is that. . .not do it piecemeal but do it all at once if everybody else agrees.

CHAIR COCHRAN: Right. I, you know, again my intention has been. . .this has been around since 2009 and it's been through the hoops and it's been through Traffic Safety. I sort of wanted to address it here and see, is this still pertinent, is this still a concern in this community? And I understand, I don't like piecemealing either, but unfortunately this particular item is about just this road and so I would like to address this and then let's go more globally and address it all where needed. And of course, I am. . .yeah, I wish Mr. Victorino was here, but I believe that it's on his radar and he's spoken, you know, about this and that it has been a concern of his constituents. So I would prefer to just address what is here and then again take your comments to heart and move on on a bigger, you know, bigger picture view later. So at this point then, do we have further questions for Department or Mr. Yagin or Ms. Andaya? 'Cause we do have Fire

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and I believe in here it states that Fire needs a 16 foot minimum 16 foot width for trucks to pass through and this one doesn't quite get up to muster in certain parts of it so. . .

UNIDENTIFIED SPEAKER: Yeah, if we could have Fire up.

CHAIR COCHRAN: Yeah, Mr. Fireman. . . *(laughter)*. . . Isn't it Davis? If you don't mind.

MR. DAVIS: Thank you.

CHAIR COCHRAN: Thanks for being here.

MR. DAVIS: Lieutenant Peter Davis on behalf of the Department of Fire and Public Safety.

CHAIR COCHRAN: Thank you.

MR. DAVIS: Chair, what was the question?

CHAIR COCHRAN: Yeah, just in regards to the. . . maybe inadequacy of the road width and nature of it for your folks Department.

MR. DAVIS: Okay. Chair and Councilmembers, absolutely the road is already substandard as it is. As far as the Fire Code is concerned, we actually need a clear width of 20 feet, but I'm not sure who mentioned the 16 feet. The 16 feet would be our minimum for one of our larger vehicles to be able to do its operations, but like I stated earlier, the road is already substandard for by the Fire Code already. So any additional parking on the road would hamper that even further.

CHAIR COCHRAN: Thank you. Members. . . Mr. Couch.

COUNCILMEMBER COUCH: I guess that was the question is I mean how do you handle it now? I know there's one burnt-out house on one of those streets. How did you get in there?

MR. DAVIS: Fortunately for that house or unfortunately for that house, depends on how you look at it, the house was pretty badly burnt because of our access issues and that was actually one of the bigger roads in that area. It was right adjacent to the Wailuku Gym which has a little bit more space to maneuver in there, and actually the adjoining street getting on to that was a little bit easier for us to with a turning radius enough for us to actually get on that road. So I believe this street here has issues with us actually turning on to that road as well. So the way we address something like that is, we will get there however we can, if we have to drag hose in, you know, it's all time consuming if that's the case. We'll be able to park on an adjacent street and actually drag our hose in, but that's all time lost as far as when an emergency situation occurs.

CHAIR COCHRAN: Thank you. Further questions, Members? Yes, Mr. Carroll.

COUNCILMEMBER CARROLL: Thank you, Chair. I realize that we have problems in a lot of our streets, especially off the lower road and the old subdivisions over there and all of that, but I

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think this will go, at least we can handle one of them today, at least we can make it a little bit better over there, and I'm hopeful that we can pass this out. In the same time, since we were talking about it I would hope that we can address some of these other streets that are potentially dangerous. Thank you.

CHAIR COCHRAN: Yeah. Thank you, Mr. Carroll, for your comments. Members, any further questions for departments? Seeing none, thank you, Fire and Mr. Yagin, for joining us here today. Okay, so I shall make my recommendation.

COUNCIL MEMBERS: Recommendation.

CHAIR COCHRAN: Thank you. I will entertain a motion to recommend passage on first reading of this proposed bill and filing of County Communication.

VICE-CHAIR CRIVELLO: So move.

COUNCILMEMBER COUCH: Second.

CHAIR COCHRAN: It's been moved by Ms. Crivello, seconded by Mr. Couch. Members, any further discussion? Yes, Mr. Couch?

COUNCILMEMBER COUCH: Thank you, Madam Chair, and I just would like to and I don't know maybe if we can make this as an item or whatnot is just to continue with the rest of the things so this doesn't sit for another five years.

CHAIR COCHRAN: Yeah.

COUNCILMEMBER COUCH: Okay.

CHAIR COCHRAN: So noted, Mr. Couch.

VICE-CHAIR CRIVELLO: I have a . . .

CHAIR COCHRAN: Yes, Ms. Crivello.

VICE-CHAIR CRIVELLO: Thank you. So this was also reviewed and approved by the Traffic Safety Council?

CHAIR COCHRAN: Yes.

VICE-CHAIR CRIVELLO: Okay.

CHAIR COCHRAN: Okay. Any further discussion? Mr. Jensen? Oh and nonsubstantive changes, too. Alright, so . . . Ms. Andaya?



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Vineyard and in the vicinity of the old Ooka Supermarket where it's now the I believe the Community Health Clinic, and this matter did also go before the Council in several occasions. There has been a review done by the Traffic Safety Council and in fact there was a letter dated June 15, 2009, where the Chairman at the time, Mr. Thomas had indicated that the committee was informed that the County right-of-way in this area varies from 12 feet to 20 feet, and that residents have been concerned that the road is too small for parking. Members at that time, at the Traffic Safety Council concurred that the parking should not be allowed on this portion of the roadway.

CHAIR COCHRAN: Thank you, Ms. Andaya. And any comments that Fire Department might want to chime in on? You familiar with the road side?

MR. DAVIS: Thank you, Chair. I am familiar with this road side and once again this road is substandard like the other one as far as the Fire Code is concerned, so any additional parking on the roadway will hamper our response efforts.

CHAIR COCHRAN: Thank you. Okay, and now I shall open the floor up for Members, discussion or questions you might have of departments at this point. I have a question in regards to the Board of Variances and Appeals, and Ms. Andaya, are you familiar with the, with that, or Mr. Yagin, maybe you were around then for this project or this road in regards to the project that's associated with the parking on Wailani?

MS. DAGDAG-ANDAYA: Chair, I'm not very. . .I'm not familiar with the. . .for the, for that project. I don't know.

CHAIR COCHRAN: Mr. Yagin? I think the Maui Redevelopment Agency was involved and if parts of it. . .my question is and I've been trying to get through this. . .the four-story building was to be. . .I guess parking was to be on Wailani for that building, so if we're looking to prohibit part of the parking, was that not part of the condition of the building?

MS. DAGDAG-ANDAYA: I need to look into that, Chair. So. . .I don't have that in my file, but that's something that we can definitely or we would like to take a look at.

CHAIR COCHRAN: Okay.

MR. JENSEN: Madam Chair?

CHAIR COCHRAN: Yes, Mr. Jensen.

MR. JENSEN: I direct the Members' attention to the letter from the Department of Planning dated August 30, 2010. In there it references the subject project's parking and states a couple of things, one that, given that Wailani Street, excuse me, it is the understanding of the Department that the bill as proposed would not affect the parking on private property adjacent to Wailani Street, because the parking that was mandated occurs on the project's property, but they also



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referenced that the recommendation was, were further consideration of this matter that the bill be reviewed by the MRA.

CHAIR COCHRAN: Okay. Thank you. Okay, so I guess the prohibition does not affect them, the part of the variance that was given. Yes, Mr. Couch.

COUNCILMEMBER COUCH: Mr. Jensen brought up another question. Did the MRA review this bill? I guess, Madam Chair, it says, please let me know if the Committee would like to transmit the bill to the MRA for review and comment. I don't know what your thoughts on that.

CHAIR COCHRAN: Well, what I'm hearing is that we have a substandard road to begin with and there's safety hazard. . .

COUNCILMEMBER COUCH: And I don't mind passing it out as is. If you look at the Exhibit 3 on that same document, the parking is parallel to it, it's on their property it appears. So I'm guessing that it would better to just have that, because it is substandard, to have that restriction put it.

CHAIR COCHRAN: Yeah, I'm feeling, I'm veering towards that same sentiment, Mr. Couch. So Members, any further discussion or clarification needed from departments? Seeing none, I shall. . .we shall move on then and I will make my recommendation. I shall entertain a motion to recommend passage on first reading of this proposed bill and filing of the County Communication. Mr. Jensen, do we need nonsubstantive changes? And along with nonsubstantive changes.

VICE-CHAIR CRIVELLO: So move

COUNCILMEMBER COUCH: Second

CHAIR COCHRAN: Thank you. It's been moved by Ms. Crivello and seconded by Mr. Couch. Members, any further discussion needed? Seeing none, all those in favor, say "aye".

COUNCIL MEMBERS: Aye.

CHAIR COCHRAN: Any opposed, say "no"? Motion carries with four ayes and looks like three excused.

**VOTE:       AYES:       Chair Cochran, Vice-Chair Crivello, and Councilmembers Carroll, and Couch.**

**NOES:       None.**

**ABSTAIN:   None.**

**ABSENT:    None.**

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**EXC.: Councilmember Guzman, Hokama, and White.**

**MOTION CARRIED.**

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

**ITEM NO. 12: PARKING ON KAHAWAI STREET, WAILUKU (CC 13-30)**

CHAIR COCHRAN: Members, thank you. Now. . .

COUNCILMEMBER COUCH: Madam Chair, just for the record, it's Mr. White excused.

CHAIR COCHRAN: Yes.

COUNCILMEMBER COUCH: Okay.

CHAIR COCHRAN: For the time being. . .and let's see, moving on, last but not least, we've had quite a bit of testimony in regards to the next item which is IEM-12, and this particular item. . .it's County Communication 13-30, and it was forwarded by Councilmember Victorino referring to the matter of prohibiting parking on Kahawai Street from Market to Makua Lane in Wailuku and this Committee may consider filing of the County Communication. I just want to explain to the members of the public at this point that this item was submitted to this Committee without any type of legislation attached to it, so basically it's an item that we are here to discuss and hear your concerns which we did. I thank you for that and that another time. . .we would have to basically defer this item at this point in order to draft legislation to address what it is that the community is concerned about and also our departments who have issues with, you know, the width and the safety hazard of this particular area. So at this point I will turn the floor over to Public Works for discussion and comments, Ms. Andaya.

MS. DAGDAG-ANDAYA: Thank you, Chair. And as you mentioned, this matter didn't have any legislation attached to it; however, I guess what the process would be is once. . .if there is proposed legislation for this particular item, this is something that we can review in our Traffic Safety Council, and I believe there. . .I mean another way it could also be brought up in Traffic Safety Council is if a letter is written from the community so they could also do that as well as an alternative. But if you do have a proposed bill to prohibit parking attached with a map then that's something that we can definitely review in our committee.

CHAIR COCHRAN: Thank you, Ms. Andaya. Yes, Mr. Couch.

COUNCILMEMBER COUCH: I'm just curious how you wanted to handle that. Did you want to from this Committee draft the bill or have one of us do a PAF? How do you want that to go?

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MS. COCHRAN: Mr. Jensen?

MR. JENSEN: Sure. One recommendation maybe once Councilmember Victorino, who submitted this, can review the minutes of today's meeting including the testimony that maybe two parking spaces be allocated for use as one of the testifier's mentioned, and he himself may, you know, more or less recommend a proposed bill for the Committee to consider, and that could go before Traffic Safety as the Deputy Director has mentioned.

MS. COCHRAN: Thank you, Mr. Jensen. Yeah, I'd like to defer as I mentioned earlier, you know once Mr. Victorino returns back to us and. . . 'cause he did propose this to begin with, so I'd like him to continue and he'll I'm sure look up the testify, the testimonies that have happened today. And it looks like Department of Public Works is very willing and open to receive and we can run it through Traffic Safety, and we can take action and move on it as quickly as possible. So I am looking to go ahead and do that. Members, any further need for discussion with departments or any of our departments that are here today? And I thank everyone's time here. Seeing none, so without objections then, Members, I shall. . . I'm asking for deferral on this item.

VICE-CHAIR CRIVELLO: No objections.

COUNCILMEMBER COUCH: No objections.

MS. COCHRAN: Thank you, so ordered. And let's see. . . I guess this is the last item on our agenda today, and I wanna once again thank the departments for being here and also yourselves, Members, for, for being here with us and the public. With that this meeting is adjourned. . . .(gavel). . .

**ACTION: DEFER pending further discussion.**

ADJOURN: 2:50 p.m.

APPROVED:  


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ELLE COCHRAN, Chair  
Infrastructure and Environmental Management Committee

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**CERTIFICATE**

I, Michelle Balala, 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 5<sup>th</sup> of August, 2013, in Kahului, Hawaii.

*Michelle Balala*

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Michelle Balala