

**INFRASTRUCTURE AND ENVIRONMENTAL
MANAGEMENT COMMITTEE**

Council of the County of Maui

MINUTES

March 2, 2015

Council Chamber, 8th Floor

CONVENE: 1:36 p.m.

PRESENT: VOTING MEMBERS:

Councilmember Elle Cochran, Chair
Councilmember Riki Hokama, Vice-Chair (in 1:38 p.m.)
Councilmember Gladys C. Baisa
Councilmember Robert Carroll
Councilmember Stacy Crivello (out 3:04 p.m.)
Councilmember Don S. Guzman (in 1:40 p.m., out 3:04 p.m., in 3:43 p.m.)

NON-VOTING MEMBERS:

Councilmember Couch (out 3:04 p.m.)

EXCUSED: VOTING MEMBERS:

Councilmember Mike White

STAFF: Michele Yoshimura, Legislative Analyst
Mark Pigao, Legislative Analyst
Raynette Yap, Committee Secretary

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

ADMIN.: David Goode, Director, Department of Public Works
Rowena Dagdag-Andaya, Deputy Director, Department of Public Works
Mark Walker, Deputy Director, Department of Finance
Richelle Thomson, Deputy Corporation Counsel, Department of the Corporation Counsel
Michael Hopper, Deputy Corporation Counsel, Department of the Corporation Counsel

In the gallery:

Brian Hashiro, Chief of Field Operations and Maintenance, Department of Public Works

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Eric Yamashige, Construction and Maintenance Superintendent, Department of
Public Works
Troy Kahalekai, Highway Construction and Maintenance Supervisor,
Department of Public Works
Guy Hironaka, Real Property Manager, Department of Finance

OTHERS: Joseph Blackburn
Bruce Erfer
Ladd Long
Jackie Harp
Roy Vandoorn
Tom Thomas
Mike Nobriga
Plus (7) Others

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

CHAIR COCHRAN: . . .*(gavel)*. . . Aloha, will the Infrastructure and Environmental Management please come to order. I'm Elle Cochran, the Chair of the Council and right now it's about 1:36 in the afternoon, March 2, 2015. And before we begin please silence all cell phones or any noise making devices. And the members that are here with us today. We have Mr. Bob Carroll.

COUNCILMEMBER CARROLL: Good afternoon, Chair.

CHAIR COCHRAN: Good afternoon. And Ms. Gladys Baisa.

COUNCILMEMBER BAISA: Good afternoon, Chair.

CHAIR COCHRAN: Aloha, and Mr. Don Couch.

COUNCILMEMBER COUCH: Good afternoon, Chair.

CHAIR COCHRAN: Good afternoon, and Ms. Stacy Crivello.

COUNCILMEMBER CRIVELLO: Good afternoon, Chair.

CHAIR COCHRAN: Good afternoon. Mr. Hokama, Guzman, and looks like Victorino are excused and White, oh White sorry are excused. And just a notation I believe Ms. Baisa and or Mr. Couch is a non-voting Member and he's here to participate. Thank you very much. We have from Administration, Corporation Council, Richelle Thomson. Hi, aloha, and from Department of Public Works, Director David Goode. Good afternoon and Deputy Director, Rowena Dagdag-Andaya. Aloha, thank you for being here. And I see we have quite a few of your staff people from your Department in the gallery to which maybe we'll be introducing later. Okay thank you, and from our Legislative Analyst, we have Mark Pigao. Thanks for being with us first time with

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us, we won't hopefully scare you too bad. And Secretary, Ms. Rayna Yap and to back us all up Ms. Michele Yoshimura. Thank you folks for being here. We have four, three items on today's agenda, Members. And the first one is IEM-14 which is about Pavement Preservation Program from Department of Public Works. IEM-60 AMENDING THE ACQUISITION AND DISPOSITION REQUIREMENTS PERTAINING TO INFRASTRUCTURE-RELATED PROPERTY. And IEM-59 DEDICATION OF EHA STREET, which is in Wailuku. And we shall be opening up the floor for testimony and please sign up at the desk here on the 8th floor at the front lobby and testify only on the agenda items listed here today. And also you folks will be given three minutes to testify. Please state name, organization, anybody you might be representing. At this point let me check in with our District Offices in Hana, Ms. Lono are you there?

MS. LONO: Yes. Good afternoon, Chair. This is Dawn Lono at the Hana Office.

CHAIR COCHRAN: Thank you, Ms. Lono. On Lanai, Ms. Fernandez?

MS. FERNANDEZ: Good afternoon, Chair. This is Denise Fernandez on Lanai.

CHAIR COCHRAN: Aloha. Thank you for being there. And on Molokai, Ms. Alcon?

MS. ALCON: Good afternoon, Chair. This is Ella Alcon on Molokai.

CHAIR COCHRAN: Thank you, Ms. Alcon. And Mr. Pigao, can you call our first testifier in the Chambers please.

MR. PIGAO: Sure, Chair. We have seven individuals signed up to testify.

CHAIR COCHRAN: Thank you.

MR. PIGAO: Our first testifier is Joseph Blackburn testifying on IEM-59. He will be followed by Bruce Erfer.

. . . BEGIN PUBLIC TESTIMONY . . .

MR. BLACKBURN: Honorable Chair --

CHAIR COCHRAN: Oh, hi.

MR. BLACKBURN: --Elle Cochran, Members of the Infrastructure Committee. Molokai, Lanai, and Hana. I am Joe Blackburn. I represent the Wailuku Parkside Community Association and their Board President Lester Leval. We are very supportive and excited to have this bill IEM-59, before this Committee today. It's been years and years, Wailuku Parkside the infrastructure has been crumbling. And basically the holdup was this easement on Eha Street. So just on behalf of the Board, and the 119 homeowners at Wailuku Parkside. We are just excited to be here and to be able to say we support this. We support David Goode's effort and please look into this very

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carefully 'cause it's very important to our homeowners at Wailuku Parkside. Thank you.

CHAIR COCHRAN: Thank you, Mr. Blackburn. Members, any need for clarification of our testifier? Seeing none, thank you for your time.

MR. BLACKBURN: Thank you, Chair.

CHAIR COCHRAN: Next testifier?

MR. PIGAO: Our next testifier is Bruce Erfer, testifying on Items 14 and 60. And he will be followed by Ladd Long.

MR. ERFER: Good afternoon, Councilmembers. I'm here strangely enough today to talk about the Pavement Preservation Program. It's something when I moved to Maui 16 years ago I couldn't believe we were not doing it. It is one of the best ways to preserve taxpayer monies. We are now doing a Pavement Preservation Program which seals the roads and makes them last much longer. My research shows that for approximately every dollar we spend on preserving the roads, it pays off from four to eight dollars in future savings. I don't think there's anything other than maybe changing oil in County vehicles that makes more sense. I wanna tell you that also that I believe it was the first attempt at sealing residential roads, was my neighborhood, Kaanapali Hillside. The roads were made 25 to 30 years ago. Done properly, County standards with curbs, with drainage, et cetera. The roads had deteriorated so badly that when the County preservation folks came in to do the crack seal when they were done it looked like some kind of strange art work because the cracks were everywhere. They sealed everything properly they came and they did the two, this was about a year and half ago I believe. They did two coats of this product, today it looks exactly the same as when they finished it a year and a half ago. The product is amazing. The results are amazing. The people in the neighborhood have literally a lot of them have a different attitude about the County because they saw the County doing something proactive and realized that it preserves our neighborhood, preserves our roads. And actually probably increases values of our property, which results in more money to the County through property taxes. So there's not much I can say more than just keep funding this program. Every dollar properly spent will come back four to eight dollars I believe in future savings. Plus the road looks good, drives good, stops deteriorating. The deterioration, I'm sure David will tell you is from basically the water seeping through and destroying things. But also just real quickly did such a good job of telling everybody because roads had to be closed.

MR. PIGAO: Three minutes.

MR. ERFER: You couldn't access your home by a car. Everything was done just so properly it was amazing and the cleanliness that they did. The way they sprayed the product and didn't hit the concrete curbs, everything was done as well as it could be. Real quickly on IEM-60, about the County, the Administration wanting greater authority and acquisitions of roads and real property easements, et cetera. I think it's another

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good thing to do. The Administration, especially with David Goode has proven that there's a need to get these things done quicker without coming to Council, without having Council to have to go through all the small issues. I just want to say that for the cost of government it certainly and I would be in favor of giving a little more authority to the County to acquire that type of road and easement. Anyway thank you for having me today, appreciate it.

CHAIR COCHRAN: Thank you, Mr. Erfer. Members, any need for clarification from our testifier, seeing none. Thank you, Mr. Erfer. Next testifier?

MR. PIGAO: Our next testifier is Ladd Long testifying on Item 59. He will be followed by Marvin Buenconsejo, Jr.

MR. LONG: Good afternoon, Madame Chair, Committee and Staff Members. I came as a homeowner from Iao Parkside. Although I should disclose I have other ties to the property. So I wanna speak in favor of the dedication of Eha Street in Wailuku, IEM-59 as provided for in the amended subdivision ordinance as being in the public's best interest. This section of roadway has long been considered a collector road in the community and is used by Maui Bus, school buses with designated stops for our children, commerce of goods and services of islandwide businesses, and as a vital route for emergency services. However, safety is of the greatest concern in our community. Since the death of Mr. Kim, while taking his morning stroll and multiple other pedestrian strikes, auto accidents, and untold near misses, we desperately need traffic enforcement and if you so accept dedication of the road that the public be made aware that speed laws can and will be enforced on Eha Street. Law enforcement and first responders' resources that are called upon when property is destroyed by unsafe drivers might also be reduced by the County's acceptance of the approval. I also have photographs illustrating some of the property damage along Eha Street if you're interested in viewing them. Thank you so much for your time, consideration, and continued care and service of Maui County.

CHAIR COCHRAN: Thank you for your testimony. Members, any need for clarification? Seeing none, thank you again for your testimony. And before we go on, I'd like to recognize Councilmember Riki Hokama and Councilmember Don Guzman.

COUNCILMEMBER GUZMAN: Chair.

CHAIR COCHRAN: Thank you gentlemen for being here. Next testifier in the Chambers, then we'll go to our remote sites.

MR. PIGAO: Our next testifier is Jackie Harp, she will be followed, oh testifying on Item 59. She will be followed by Roy Vandoorn.

MR. HARP: Aloha, everyone. Thank you very much for this opportunity. I think that Ladd Long has, his presentation was excellent. He pretty much I think covered all of the issues and concerns. I'm a homeowner and I also serve on the Board of Directors. I've lived there 14 years and I'm right at the intersection of Waena Street and Eha Street.

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So unfortunately I get to hear and see everything that happens. And the speeding is a major problem and I want to stop and thank David Goode, Department of Public Works. He's listened to our problems and he's, he has a plan that would work wonderfully for us and solve many of these problems and provide safety that is so important to the residents there. So the dedication of Eha Street to the County is imperative, it is so important. I want to mention also our neighbors, they have a 112 units. Iao Parkside has 480 units so almost on any given day there can be up to 3,000 residents who access Eha Street. So it is extremely busy, well traveled road, and really needs our attention, very important at this time. So I thank you so much for hearing us and aloha.

CHAIR COCHRAN: Thank you very much, any need for...clarification on the testimony? Seeing none, thank you. And we'll go to our District Offices now. So in Hana, Ms. Lono, anyone there to testify?

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

CHAIR COCHRAN: Thank you, please notify us if you do. And on Lanai, anyone there to testify?

MS. FERNANDEZ: There's no one waiting to testify on Lanai.

CHAIR COCHRAN: Thank you, Ms. Fernandez. Please let us know if you do. And on Molokai, Ms. Alcon?

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

CHAIR COCHRAN: And thank you, Ms. Alcon. Ladies, if you do have people walk in for testimony please contact us. Next testifier in the gallery?

MR. PIGAO: Our next testifier is Roy Vandoorn testifying on Item 59. And he will be followed by Tom Thomas.

MR. VANDOORN: Thank you, Chairperson Cochran, Members of the Council, for the opportunity to provide my input on the dedication of Eha Street. Mr. Goode, I'd like to thank you and your staff for addressing this item and bringing it to the attention of the Council. My name is Roy Vandoorn. I live in Wailuku Parkside development. I work as a realtor as most of you know and I'm representing myself here today. I am very supportive of the County accepting the dedication of Eha Street. There are some Councilmembers that are much more historians about the history of the roads in this area than I am. However, I think we can all agree that the roads within the Wailuku Parkside development were never dedicated to the County in part because of the deed issues surrounding Eha Street. The dedication of Eha Street was and is a prerequisite for the County accepting the interior roads. I'm here today not only to support the dedication of Eha Street but also to request that the resolution be extended to include all of Wailuku Parkside. When the subdivision was built, clearly the roads met the requirements of the time; otherwise, the County would not have allowed, first of all the

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County would not have returned the developers bond. The road, the houses would not have been allowed to be built, sold, or occupied. Since the dedication of the interior streets was in part held up by the Eha Street dedication, it seems only right that these interior streets be included in this resolution. Based upon Mr. Goode's letter dated February the 10th of this year, in the future we can expect the County to upgrade Eha. If Public Works determines that the interior roads also need to be upgraded then it would be much more productive for all the work to be done at once and by the same crews. The County has enjoyed and saved money for not being responsible for the roads for the past 15 years. The savings over this time period should be more than sufficient to cover any of the costs that the County would have to incur for these upgrades. Thank you for your attention and thank you for considering extending the resolution to include all of the Wailuku Parkside development.

CHAIR COCHRAN: Thank you, Mr. Vandoorn. Members, any need for clarification of our testifier? Seeing none, thank you for your time.

MR. PIGAO: Our next testifier is Tom Thomas testifying on Item 59. And he will be followed by Mike Nobriga.

MR. THOMAS: Aloha everyone, my name is Tom Thomas and I live on, at Iao Parkside on Eha Street, right on the street. I'm in favor of the road being approved. And I'm also looking forward to the enforcement coming to the street. I live right on the street and as you know the Korean bars are all on the street, right on Main Street on Lower Main. And at 2:00 in the morning when they get off, when they get out of the bars, the motorcycles, the cars know that you can't be, you can't get in trouble on Eha Street. So they use Eha Street and they come down that street racing, sometimes I would say 80 to 100 miles per hour, 3:00 in the morning. It's pretty crazy sometimes and I know there's no police on the street there at 3:00 in the morning, just me being woken up. So thank you very much for listening and I hope it goes well.

CHAIR COCHRAN: Thank you, Mr. Thomas. Members, any need for clarification? Seeing none, thank you for your time.

MR. PIGAO: Our last testifier is Mike Nobriga testifying on Item 59.

MR. NOBRIGA: Good afternoon, everybody. Everybody looks so bright and cheerful right after lunch. I don't know how you guys do it, but fantastic. I'm here as the reigning current President of Iao Parkside Association of Apartment Owners. You know, in a land far, far away, long time ago, this County Administration removed some barriers on Eha Street. That action in and of itself provided our community with a guarantee that dedication was to follow. It never happened. Hopefully this resolution will rectify that and many other problems that we face with the so-called not my street Eha Street. That is my testimony. I'd like to thank David Goode for all his hard work. Like to thank these Councilmembers for their careful and intense deliberation on this issue. Thank you.

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CHAIR COCHRAN: Thank you, Mr. Nobriga. Members, any need for clarification? Seeing none --

MR. NOBRIGA: Yay, thank you.

CHAIR COCHRAN: --thank you. Thank you for your time. Any, was that our last testifier, Mr. Pigao. Okay. Anyone else in the gallery care to testify, if so please come on down and then you can fill out the forms later. Seeing none, Members, at this time I shall without objections close, oh did we, sorry, oh let me check in with District Offices. In Hana, did anyone show up for testimony?

MS. LONO: The Hana Office has no one waiting to testify.

CHAIR COCHRAN: Thank you, Ms. Lono. And on Lanai, anyone?

MS. FERNANDEZ: There's no one waiting to testify on Lanai.

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

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

CHAIR COCHRAN: Thank you, Ms. Alcon. Thank you very much, ladies, for being there. And at this point, Members, looks like no one else is looking to testify. So without objections, I shall now close public testimony.

COUNCILMEMBERS: No objections.

CHAIR COCHRAN: Thank you very much. So ordered.

. . . END OF PUBLIC TESTIMONY . . .

ITEM NO. 14: PAVEMENT PRESERVATION PROGRAM (DEPARTMENT OF PUBLIC WORKS) (MISC)

CHAIR COCHRAN: Members, we shall get into our first Item which is IEM-14 and this in regards to the Pavement Preservation Program. And it looks like we have a presentation that's gonna be provided by Department of Public Works. So the Committee is in receipt of a Miscellaneous Communication, dated May 29, 2013, from County Clerk, transmitting the matter relating to Pavement Preservation Programs in the Department of Public Works. This matter was referred from Fiscal Year 2014 Budget deliberations. And at this time I will turn the floor over to our Director, or Deputy Director to, if you have opening comments and then just jump right into the presentation.

MR. GOODE: Thank you, Chair, and good afternoon, Members. David Goode here, Director of the Department of Public Works. I'm gonna be turning over 99 percent of this

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presentation to my Deputy, Rowena Dagdag-Andaya. She's done a great job putting it together, she worked closely with our Highways Division's staff who is here today. I'd like to just make a quick introduction of our staff. Starting with the orange shirt directly across of me, Mr. Brian Hashiro, 30-plus years with Public Works. To his right, our left, Eric Yamashige, Superintendent of the roads, and to Brian's left in the can hardly see grey shirt, or so Troy Kahalekai is our new Pavement Preservation Supervisor, starting day today.

CHAIR COCHRAN: Wow.

MR. GOODE: First job assignment come to the Council. Congratulations, we're really excited about it. I know it's been awhile and I wanted to make sure that you folks understand Troy's gonna be in charge. That he, you know, he's gonna be here to listen and find out, you know, what the Council feels about this program. But to large, largely he's gonna be the face of the program moving forward. So I will stop talking and I will turn it over to Rowena. Thank you.

. . . BEGIN PRESENTATION . . .

MS. DAGDAG-ANDAYA (*PowerPoint Presentation*): Thank you, Dave. And thank you, Chair, and also to the Committee Members for having us here today. So for today's presentation our purpose here is to provide you with some information and feedback on our Pavement Preservation Program. And we'll be discussing the following items, the current status, and current projects that we have, our strategies, what we currently do in Public Works, with respect to pavement preservation, our organizational structure, our CIP, or our 6-year budget, what we plan to do for the next 6 years with pavement preservation. And then we'll have some closing remarks. So this next slide what we wanted to show to all of you was the number of lane miles that we currently maintain. So in total we have about 480 miles, County network that includes the Maui island, Molokai, Lanai, and all the rural areas for a total of 961 lane miles. As of today our street conditions have slowly deteriorated in the last decade because of any deferral of pavement improvements. Today we monitor our road conditions using a pavement inventory database called iWorks. And in the last 5 years or maybe a little bit more our Public Works Staff both our Engineering Division and our Highways Division have been maintaining that pavement inventory system. And off of the suggestions from iWorks we've used different types of strategies for maximizing the effectiveness of our roadway maintenance. The techniques that we use include pothole patching, crack sealing, seal coating with a material called OptiPave, slurry seal, which we are about to, which we had just started this year, and thin overlay asphalt concrete resurfacing. And as today we received positive feedback from a member of the audience. One of the residents have been telling us how good the Pavement Preservation Program has been in their neighborhood. So we oftentimes receive a lot of positive feedback on the work that we do and as a result of that we continue to make any kind of changes to our program, try to find efficiencies in different areas. And we also want to provide good customer service and provide the best product for our community. Not only do we just do paving but we also do a lot of

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communication work with residents. In slide number five what we wanted to show here was the pavement condition index based on iWorks, off current, as current as February 24, 2015. So pavement condition index rates the condition of the surface of the road network. So it basically shows you the severity of the pavement distress or it shows you how smooth the road is. It provides the rating from a scale of 0 to 100. As is indicated here I don't, oh there's my arrow. So 0 to 24 roads that are given that score very poor, and would require any kind of rehabilitation or reconstruction. A poor rating would be between 25 to 49, fair to at-risk would require a two-inch overlay or asphalt resurfacing and that's given a score of 50 to 69. Good to fair and excellent to very good are between the numbers of 70 to 100 and that would either have or require pavement preservation of some sort or no treatment necessary. And the percentages here indicate the percentage of roads that fall in these categories. So 19 percent of our roads are between excellent to very good, good to fair 46 percent, fair to at-risk 32 percent, poor 3 percent, and surprisingly we have 0 percent at very to our very poor to fail roads. And again this is based off of approximately 4,300 road segments that the, a third party reviewer from iWorks had done. So on average the PCI score for Maui County is 77. So again just to recap some of our pavement preservation strategies, we do pothole patching. We also do crack sealing which the testifier had mentioned earlier. Seal coating with the OptiPave material, slurry seal, and resurfacing. And this chart basically shows the pavement preservations materials cost. Now in the next couple slides we're gonna go over the work activities for different types of applications. So we'll start off with seal coating. And as I mentioned earlier we do a lot of public notification. And we do at least two letters to the residents. We also try to go door to door letting the residents know about what's happening. We take phone calls or our staff also monitors any complaints that come in. And then we do crack seal preparation, which includes cleaning debris, and cleaning the surface in preparation for the crack seal material. And then we go ahead and do the crack sealing. Once that's done then the staff comes back in and does all the seal coat applications. Once the seal coating is completed, that takes about two preparations. So one day we'll spread out the OptiPave material, wait for that to dry and then come back in and do two applications of it. We also prepare temporary markings on the roads. So any stop bars or dividers, markings on the speed humps, the staff does in preparation for the permanent markings done by our traffic signs and markings crew. So Kaanapali Hillside was an area that we first completed and as you can see here we did some of the crack seal on this portion of the road. I would, I wanna call this the old side and then this is the new side. Then after that this is the final product. And I took a drive here maybe a couple months ago it still looked pretty much the same. I was very impressed with the way the work held up. Now our other type of application involves slurry and this is something that Troy will be overseeing in Troy's section, he is the Highway Construction and Maintenance Supervisor too. And under him there is a Construction Equipment Mechanic I, that both he and the District garages share. So any time the machines or the vehicles for our pavement preservation break down, that Construction Equipment Mechanic is there to assist. And then under Troy there are four other positions. A Highway Construction Maintenance Supervisor I, an Equipment Operator IV and two Laborer positions. So for Troy his work does a lot, is involves a lot of project coordination and planning. He also does the ordering of materials and he'll be pretty much our PR person when it comes to the project.

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Communicating with residents and working together with the PIO to make sure that the notices get delivered both to the residents and with the news media. He also supervises the preparation of the road service, the application of the seal work, and all of the other associated activities, when it comes to slurry seal. And also it involves crack seal preparation, the slurry application, and then the work culminates with the post application, the breakdown and cleanup of the area, the work zones, and making sure that the vehicles and the equipment are also cleaned up. Most recently we did some slurry seal in Wailuku Heights. This was one of the first applications of slurry seal that we did. And I know we had numerous comments about the way it looks. But we need to be mindful that the slurry seal application is another way to preserve the road, it's a lot thicker than the OptiPave material that you see in the seal coating done on Kaanapali Hillside. But it does a really good job of maintaining the road. So here's one view of it with the staff, and here's another view. After a while the material does settle into the roadway and provides, it's not very, it's not meant to be aesthetically pleasing at times but it does --

CHAIR COCHRAN: Sorry not to bother, Ms. Dagdag, we're having technical difficulties with the audio downstairs. So I'm gonna need to call a recess so they can correct the technical difficulties. Okay, we're now in recess. . . .*(gavel)*. . .

RECESS: 2:08 p.m.

RECONVENE: 2:16 p.m.

CHAIR COCHRAN: . . .*(gavel)*. . . Will the Infrastructural Environmental meeting please reconvene. And sorry for the interruption, I guess we're gonna scroll a little blurb saying that sorry for the audio technical difficulties but visual is there and we'll just continue on with our presentation. And we have hard copies if the general public would like to get the information that we're discussing right now that they can't hear. So thank you, Ms. Dagdag-Andaya, please carry on.

MS. DAGDAG-ANDAYA: Okay. Thank you, Chair. So our next application is resurfacing with the one-and-a-half-inch to two-inch overlay. And this is one of our current projects, our project out on Kahekili Highway. We created a Google map showing the area that we stated off with. So back in or some time last year. We started off where B is located, that's where the village, Kahakuloa Village is located, and then if we follow the road to A, that was our FY '14 project that I believe that was a span of eight lane miles or four miles in total. And then what our staff did this year was we started off here where we left off and are now working our way to Camp Maluhia. And for this project this in total is about six miles, six, little maybe a little bit over six miles or twelve lane miles. And here's, if you take a look at the application, pretty smooth. Here's another view of the work that they did, not bad. A lot of prep work was involved, currently the staff is fixing up a lot of the culverts, creating better drainageways or drainage for our roadway, improving the shoulder areas, and doing a lot of restriping. So in FY '14 with the paving the thin overlay, we spent about 1.4 million in materials, and were able to get about 17-and-a-half lane miles completed. This involved Kahekili Highway out in Kahakuloa, Awalau Road in

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Makawao, and Omaopio Road in Kula. We also did some OptiPave or seal coating for about a 170,000, this is only materials. Kaanapali Hillside, we also did some work in Kahului, Pukalani, Hana, and the last part of 2014 we started on the Paunau Subdivision, for a total of 9.1 lane miles. In FY '15 we're continuing off with Kahekili Highway. So as of last week we completed little bit, little over three miles, or about three miles. And then we also have some seal coating that was currently done in Lahaina in Ainakea Road, and the crews are now starting work out in the Villages of Leialii, and will continue on at the Hana Ag Park. For the rest of 2015 we anticipate completing the following projects for our slurry seal, we're gonna finish off on South Alu Road, and then work on Haliimaile Subdivision next. Seal coating will be done in Lahaina, Kihei, and then continuing off in Uwala Place and Maia Road, and then as far as our resurfacing finish up Kahekili Highway and then work on Pauoa Place in Lahaina. I made a note here that we may need to move this project to FY 2016 depending on how fast or how we're able to get Kahekili Highway completed. Some of the challenges that our crews faces, we have quite a few of them. The first of all we do have some staffing challenges. We're very appreciative of the Council for helping us get five positions to get our pavement preservation program started and I think that's a great start. Seeing how we move forward in the next couple years will kind of tell us whether or not we should expand the project or keep it as is. We currently use staff from multiple districts. For our slurry seal we use our Makawao District. Seal coating is mainly being done by our Lahaina District and sometimes when we do our resurfacing work out in Kahekili Highway we use crews from the different districts so Lahaina's been helping out, Makawao's been helping out. And then another challenge is the timing of the equipment purchases, the delivery. So we have to go out for bid for these large equipment items. We eventually want to get to the point where all six districts do seal coating. And that involves Molokai and Lanai as well. And what we'll need to be doing is training our staff on those islands to do their own seal coating work. Weather has been a very big challenge for us this year. With the recent rains that we've had, we've had to push back some of our seal coating and slurry seal projects. So for example on South Alu Road we had targeted to get that completed in January, but because of the large storms that we've had, crews have been out there doing a lot of cleanup work and so they haven't been able to get to those areas or to get to our slurry seal projects. Also scheduling, making sure that district responsibilities are met. Making sure that all of the work in the districts are being done so a lot of the brush cutting, pothole patching, any type of other maintenance work needed on our roads. We need to balance that out with our pavement preservation activities. And determine what our priorities are. Earlier when the gentleman from Kaanapali Hillside came to testify he had mentioned for every dollar that we spend in preservation that saves us from having to spend about four or more dollars with any kind of reconstruction or rehabilitation work. So this chart here kind of shows a large decrease in pavement condition after about 15 years. But if we concentrate our efforts in making sure that preservation is done we can eliminate that sharp decline and make it gradual over time. So that's one of our goals with our Pavement Preservation Program. Slide 25 is our six-year CIP budget. So in FY 2016 our total request for pavement preservation which includes slurry sealing, crack sealing, seal coating, the thin resurfacing or thin overlays and potholes patching would amount up to 2.1 million. And then over time we hope to decrease in the

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amount of spending for pothole patching and also in the thin overlay and concentrate more on the top part where you would see slurry sealing, crack sealing, and seal coating being done more. Slide 26 is just an overview of our six-year CIP request and what we achieve. So earlier we saw that PCI score of about 77, well we hope we get to 85 at some point. And then just in closing our goal is to reserve a portion of the budget for preventative maintenance and make sure that we're using the right treatment on the roads at the right time. The use of the iWorks program is really key for us because it helps us determine what roads need a certain type of application and how best to use our monies on our roadways. But we also need to keep in mind that using that database, that iWorks program isn't enough, that we need to also use our personal observations and also get input from the community. We continue to make improvements in our present, in our pavements that are in poor condition so that doesn't mean that we only focus on pavement preservation, we still have a lot of reconstruction work to do and will be, our engineering staff has been working very hard and trying to get Federal funds for those larger projects that involve reconstruction, and we also want to make sure that we prevent any further deterioration of pavements that are currently in good condition. So right now we have good roads that we need to keep in good condition. So with pavement preservation I think we're, we'll be able to make sure that our roads are in good shape.

. . . END OF PRESENTATION . . .

CHAIR COCHRAN: Thank you. And our sound is back up I hear so everything's good. We're looking good, we're sounding good right now. Members, we are now open for discussion with the Department. Thank you very much for that wonderful presentation. And I wanted to do this to get us prepped up for this upcoming budget, which is coming down the pipeline pretty quickly here, so with that, Members, I shall open up the floor for discussion with the Department...Mr. Guzman, you had?

COUNCILMEMBER GUZMAN: Oh. Thank you. Thank you, Department for being here today. I know that this might be a budget issue but how much in your presentation you said you're gonna reserve portions of your maintenance for the budget. How much of your budget are you going to be reserving or anticipating requesting?

MS. DAGDAG-ANDAYA: Chair?

CHAIR COCHRAN: Yes, go ahead.

MS. DAGDAG-ANDAYA: So if you take a look at slide 25 and it's in your handout as well, in our FY '16 budget and yeah I don't mean to get into a lot of budget topics 'cause we'll be discussing that in a couple weeks. But we do have an item for pavement preservation as it relates to slurry sealing. So that's about 400,000 with our resurfacing and pavement preservation item in our CIP. That is currently at 5.5 million but that also involves all of the work that Engineering Division is doing with the resurfacing program. So out of the 5.5 what they'll do is give us, or give the pavement preservation section 1., let's see about I think about 1.3 to do the thin

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overlay seal coating, crack sealing. And then pothole patching is shared among the districts and that comes out of operations for a total of 2.1 million.

COUNCILMEMBER GUZMAN: And any of that is separated for equipment as well, is that any ___?

MS. DAGDAG-ANDAYA: No, Councilmember.

COUNCILMEMBER GUZMAN: Oh okay, thank you.

CHAIR COCHRAN: Okay. Thank you, Mr. Guzman. Members, any other comments or questions for our Department at this time? Looks like we don't have any questions right now. But probably more to come during budget but I just wanna say that yes, I've had great comments in West Maui in your folks' projects there and looking forward to being part of the crew one day to observe the slurry sealing that's occurring over there too, just trying to find the time. But thank you for the invite and I will take you folks up on that. And with that, Members, no further discussion on this item, without objections, I shall defer.

COUNCILMEMBERS: No objections.

COUNCILMEMBERS VOICED NO OBJECTIONS. (Excused: MW)

ACTION: DEFER pending further discussion.

CHAIR COCHRAN: Thank you very much.

ITEM NO. 60: AMENDING THE ACQUISITION AND DISPOSITION REQUIREMENTS PERTAINING TO INFRASTRUCTURE-RELATED PROPERTY (CC 13-34, CC 14-187)

CHAIR COCHRAN: Let's jump into IEM-60. And this is AMENDING THE ACQUISITION AND DISPOSITION REQUIREMENTS PERTAINING TO INFRASTRUCTURE-RELATED PROPERTY. And this is County Communication 13-34, which came from Councilmember Victorino. And he transmitted a proposed bill relating to the conveyance of road-widening lots and related easements. County Communication 14-187, from Director of Public Works, transmitting a proposed bill relating to conveyance, exchange, and appraisal requirements pertaining to infrastructure-related property. Correspondence dated February 23, 2015, from myself Elle Cochran, the Department of Corporation to, Department of Corporation Counsel, transmitting a revised proposed bill entitled A BILL FOR AN ORDINANCE TO AMEND THE ACQUISITION, EXCHANGE AND APPRAISAL REQUIREMENTS PERTAINING TO INFRASTRUCTURE-RELATED PROPERTY. And the purpose of this bill is to improve the County's infrastructure by granting Administration greater authority to acquire real property and easements. So, Members, with that we may do revisions, amendments, consider filing and what have you. At this point this...the bill also

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provides a comprehensive revamp of Chapter 3.44 and the Maui County Code to improve clarity, consistency, and conform as with the Legislative drafting standards. Also the language in Chapter 3.44 has remained unchanged since 1986, when the last overhaul of Chapter 3.4 was done. Today's discussion will be to introduce the bill to the Committee and the public and review the considerations being sought by departments and I believe we have a member too that has some amendments. With that I will turn the floor over to Director Goode. And yup, and if you have some opening comments.

MR. GOODE: Okay. Well thank you, Chair. I do have a few comments I think it's important to kind of walk through the bill --

CHAIR COCHRAN: Yup.

MR. GOODE: --as best as I can, not word by word but conceptually to start with, and first I wanna thank, there's a lot of people to thank to get to this point but actually Councilman Victorino, ironically is not here today who is actually in this Committee a couple years ago we were doing a road-widening lot dedications. We had two or three of 'em on the agenda and I think he brought up the concern of kind of basically well why are we doing this. Isn't there an easier way? But well no, the Code says old dedications gotta come through the Council. And so he offered a bill which we looked at and kind of chewed on. And then I kind of sent out to broader dissemination within the County, all the various departments including other sections in our Department. And we thought he was on to a good idea so we wanted to expand a little bit more. And, you know, I did, I looked too back at the research and looked in, it was in 1986, it was last time this particular section of the Code was overhauled. Although there have been a number amendments since then, one for Parks, one for Water, one for setting dollar amounts, one for Housing. And so we sat down with Housing, Water, DEM, Parks came in kind of last minute. And then actually I give a lot of credit to Jordan Molina, in Council Services, who I think understands from the Council Services side how its processing has to be done. But also really took a look at the bill and tried to make it, I think he not only tried, I think he succeeded in making it as user friendly and clear as possible. So that's the bill you have before you today. We really I'd say more than anything here, while the proposed bill does transfer if you will some authority to the Administration it's not because we wanted, necessarily want that. We still process these anyway, it's really a streamlining matter. I mean if, I'm gonna go through it a couple of examples here and it shows you how many hoops are jumped through and hoops are avoided because of timing considerations. But does still give the Council oversight which I still think, I think we all think is important. So looking at the bill, one of the first things the bill does is to raise the threshold for Council approval on dollar amounts from 100,000 to 250,000. That \$100,000 was set in 1998. So just using inflation alone we'd go to like 150,000. But if you're using inflation of real property in Maui, 100,000 and 250,000 is I think very reasonable. I talked about the organization of the bill for consistency. It makes clear the Director of Finance is responsible for all the purchases. While each individual department does all the background work. Department of Public Works would also review any acquisition. Our review, if it's typically it's done for say DEM or DWS always goes,

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always looks at the metes and bounds of the property being described, any easements there and to make sure it's consistent, that it's properly worded, that the boundaries close, and that they're consistent with approved subdivision maps. Corp. Counsel of course would review it to make sure it's, meets form of the gallery requirements. And we can, we make that consistent for all the departments. So it will allow the departments to through the Director of Finance to acquire property under certain conditions and send an annual report to the Council. Currently our Department sends an annual report to the Council. We just sent one a month ago on power pole placement. Some of you may require, may recall that particular ordinance seemed to have been buried in Maui County Code was uncovered. It said all power pole placements had to be approved by the Council. Well, we kind of all knew that wasn't practical. So we changed the, worked together, changed that Code, we send you an annual report. And that's been going on for years and I think that's been very successful. It would amend in our Department Public Works the acquisition of roadway type lots and related easements, drain lines, et cetera in a number of ways. It will essentially allow us to do it administratively when the roads and road-widening lots meet our standards. So we're not talking about ones that don't meet our standards like the next item on the agenda and that were required as part of a subdivision or a commercial building permit. We're also looking for lots that are part of an approved Capital Improvement Project. So one that you already appropriated the funds for that we need to acquire some property to move forward on. If those exchange, if those acquisitions are over 250,000 we would be back here. But to make it clear that it's already been approved through the CIP approval. Exchanges, we've had a number of cases here, one was Hansen Road, we got another one coming up in Lanai. Where roadways are not where there supposed to be over the years, we need to exchange. You give us a little bit of land, we'll give you back a little bit of land. Those ones we should be able to handle administratively, that's almost always, almost equal exchange of property. Council approval would still be required again if it doesn't meet our standards so like the next item on the agenda. The Eha Street agenda item. If the purchase is over 250,000 or if say for whatever reason our Department say refuses to process one of these dedications, the constituents could obviously work with the Council to have the item on the agenda. For DWS, they currently have a quarterly report standard so they'd be looking to change to an annual report. DEM is largely I think not mentioned in the bill, in the current law, so they would want to mirror DWS's existing ordinance and proposed changes. And the Parks Department would also mirror the DWS review process internally. There's some cleanup languages on the disposal by auction, sealed bids, and negotiations, to kind of make it consistent with other similar ordinances in the County Code. And those are the substantive changes within the bill. Even since working on this with Jordan, we've come up with a couple of other things, which we can talk about on a future bill. One example would be old remnant lots, there's a lot of, not a lot, there's a number of remnant lots floating around that are sometimes owned by some of the older ag companies that are adjacent and actually sometimes part of our County road. We'd like the ability to just get those. They typically have almost nil value. And we often come across cases where we're acquiring property that's very small and the cost of the property is one-tenth the cost of the appraisal. Yet we're required to go get appraisals. And so there's gotta be some way to look at that where we don't have to spend the time and money on an

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appraisal for property that's one-tenth the value of the appraisal. So the bill does have a lot of advantages I think for streamlining the way we do things...we talked about the land acquisition portion. There's, there was an example recently where there's an opportunity for the County to pick up a little bit of parking space here in Wailuku. The property was in foreclosure, it went out to auction and guess what the auction stopped at \$101,000. And it was a real quick, there was no time to get Council approval, boom, we lost out. So if we had \$250,000 it probably, we probably would have had a much better chance requiring that small piece of property and getting some needed parking. Federal Aid, often times at Federal Aid projects, if we don't show we have total land control at a certain part in the process we could lose all the money. And if that approval process takes a long time or can take longer than wanted forecast we know that we have the chance of losing funds. Can also happen in County CIP projects where we if we lose a project and we gotta come back, et cetera. When we do a resolution, if you were to track internally just a resolution to acquire property or have people dedicate property you might be kind of amazed, you know, it's just part of just the bureaucratic process to make sure things are done properly, but it touches not only our floor starting to say with our floor the third, fourth floor, it will go down to the third floor once we ask for a resolution. And as soon as we do that, I mean Corp. Counsel's gotta draft the resolution, they gotta give it back to us, we gotta package it, write a letter through the Mayor to the Council, place it on their agenda. Council Services may have questions about the resolution before it even gets there. That can go back and forth. Course it gets on your full Council agenda, it goes to Committee, certain Committee, the Committee report has to be made, it goes up to the full Council, pass the resolution, to the Mayor, in some cases, back to us, and often times that can be for 40 square feet and months. And sometimes the owners need to move on that piece of property, we're holding them up, it's essentially a cloud on their title as well. You know, 'cause they're in negotiations to sell a portion of their property. We still have all the work we have to do before we get the reso and after, but that whole reso process consumes the time of the third, fourth, seventh, eighth, ninth floors. If we do have delays sometimes in projects of course it could lead to costs of, increased costs of labor, materials, and services, and the land itself. We've had cases where people were ready to dedicate and can dedicate for free but it's actually makes more sense is for us to just pay 'em. Just find out how much it's worth, if it's \$300, we gotta buy an appraisal, we can just pay 'em, it's under a \$100,000, and we're done. So it's been interesting working through this bill over the last actually year and a half, two years kind of with fits and starts, but once we got focused on it we started moving. I wanna thank the Chair for I think putting the focus on it. So we knew we had a, you know, potential of hearing this bill as to everybody look at it again and, you know, the more we thought about it, the more instances we saw there was a lot of potential savings here. 'Cause ultimately nothing, there's nothing like saving time. It's not just to rush the process but I think it's the time, you know, myself as the Director, you as Council people, Corp. Counsel's time, it's extremely valuable, and if there's a way to do it and still protect the public interest then I think we really gotta look at that, look at that process as best we can. So Chair that's a little long-winded but that's I think it was important for me give that background.

CHAIR COCHRAN: Yes.

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MR. GOODE: Thank you.

CHAIR COCHRAN: Okay. Thank you very much, Director Goode. And I'd like to notate that we have Deputy Director Mark Walker in the audience and also Mr. Guy Hironaka here. If we need them for assistance in our discussion purposes they are here. And, Members, the floor is now open for further discussion with Director Goode or any of the Administration I just mentioned too. Mr. Couch?

COUNCILMEMBER COUCH: Thank you, Madame Chair. Are you gonna go through the language now and are you anticipating taking a vote on this today? 'Cause I do have some questions on the language and then also on an amendment if necessary.

CHAIR COCHRAN: Okay that's fine. Is there a section that you wanted to go towards? 'Cause I think Director Goode did a good overall --

COUNCILMEMBER COUCH: Yeah, he did.

CHAIR COCHRAN: --overview of the substantial changes. I also have and maybe I can have this distributed to you folks but it's about a two-page sort of summary of the big changes that has, have occurred kind of all, you know, in a big, in a printout. But it is all the underlined stuff but it kinda condenses and summarizes it. It gives you --

COUNCILMEMBER COUCH: Oh, good.

CHAIR COCHRAN: --the general broad gist of what's the changes are. And it is about expediting, it's about streamlining.

COUNCILMEMBER COUCH: Yup.

CHAIR COCHRAN: So you wanna just jump to your section?

COUNCILMEMBER COUCH: Sure.

CHAIR COCHRAN: Members, it's up to you, do you wanna go line by line --

COUNCILMEMBER COUCH: Not line by line, oh no, no.

CHAIR COCHRAN: --just to get better clarification. Oh, okay. Alright Mr. Couch, go ahead towards the section.

COUNCILMEMBER COUCH: The first question is on 3.44.015 where you say, you know, from 100,000 to 250 is that enough? Or are we gonna be seeing you in another 5 years or whoever saying let's go to, now let's go to 350 or 500. I just wanna make sure that, that's enough of a cushion but not enough, you know, for you to go buy houses and stuff.

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MR. GOODE: I think for us that's plenty. What it does it kinda recognizes that in 1986 the Council, you know, put that in and thought it was important. And so it's just kinda recognizing the inflationary value of real estate here. I, you know, if we had one of those a year for us I'd be surprised it would be over 250. But like purchases of land that you folks deal with, you know, that open space type land that you folks have, all that would still come for sure. You know, and I forgot to mention there's, the second part I neglected in my comments to mention Housing really wanted to raise the buyback provision on their affordable Housing projects from 150 to 500. And the 150 came in 1999.

COUNCILMEMBER COUCH: Wow.

MR. GOODE: But I think that we know you could buy a 1999 for 150 what you can buy for 500 now. So on behalf of Director Ridao that's where that number came from.

COUNCILMEMBER COUCH: Okay. You know, Madam Chair, other Members, since I'm a non-voting if they have other questions.

CHAIR COCHRAN: Yeah, okay. Mr. Hokama, did you have? Oh sorry, go ahead.

VICE-CHAIR HOKAMA: I'm not convinced on this proposal yet, Chair. I strive to maintain a strong Council type of County government. So I'm not into giving away more powers. We have a job to do, I don't have a problem doing it. So streamlining is okay, Chair. So show me an organizational chart that I can lump off three personnel positions or something so I can get savings I wanna 'cause the streamlining works. I don't wanna hear terms and not see nothing when it comes budget that shows me that it makes sense besides a nice narrative. So when comes budget they cannot show me numbers about cutting positions, saving money, and whatnot, then I'm gonna tell you I don't have a problem sinking this proposal. And that's where I am.

CHAIR COCHRAN: Thank you, Mr. Hokama, for your comments. Members, anyone else besides looks like, Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair. Yeah, I have reservations in terms of this proposal, specifically in Section 3.44.060 on the exchange of real property section C. It appears that notwithstanding the foregoing provisions of this section the Director of Finance may exchange real property for private property for road-related, bridge-related, and drainage-related improvements without public notice. That is concerning to me in terms of it's very general and I don't know what the specifics are and then so are we just dealing with if it's over what is it 200, 250,000 for the exchanges, the value of the exchange? I...someone needs to explain this section to me because I'm a little bit concerned with allowing the Director of Finance that much authority to exchange property without going through the Council.

CHAIR COCHRAN: We have, and we have Director here. So Mr. Goode, would you like Director to come down to chime in on this section?

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MR. GOODE: He's maybe not familiar with it as much as I am.

CHAIR COCHRAN: Oh, okay.

MR. GOODE: Well in general, in the way that this I think existing law is that the Director of Finance basically does all the acquisitions, right, so even we, Public Works, acquire property, we work through the Director of Finance. So if we write an offer letter to someone, it's signed by Director of Department of Finance. And so exchanges in this particular section have to do with road-related and bridge-related, drainage-related improvements. So typically this is the example of Hansen Road which was recently in this Committee where we realigned it. So we had to take property from this case, Sugar Mill and we gave them back property on the other side. And so in those cases it's pretty much an exchange like-for-like for property. And that's what we see when we say road-, bridge-, and drainage-related, it's often for correcting deficiencies in where the road is or for changing where the road's gonna be. We have a current case coming up in Lanai. Same thing, the interesting thing with the exchanges actually requires an existing ordinance which we're not changing is that there's a notification process to the public that's published three times or two times in typically *The Maui News*. But all the other items we don't have that for in this laws. We kept that but we basically said for exchanges again it's, if we had to do the public notice it's not that big a deal but we just feel it's like one step that really seems unnecessary. What is that serving that isn't served otherwise? So and it would be contained in our annual report.

COUNCILMEMBER GUZMAN: But Chair, I always believe that public notice is always a important component of what we do on the Council and is what we do as a government. So we're gonna have to look at some of that language.

CHAIR COCHRAN: Thank you, Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you.

CHAIR COCHRAN: And then, Director Goode, in B of the same section, that public notice is just for the, what the exchange is, I mean the like, and exchanges are always like for like in a sense or not necessarily?

MR. GOODE: The ones that I'm familiar with have always been it's like for like. It might be 1,700 square feet or 1,600 square feet. But they're very close, because we're talking about the realignment of a road. And the changes in B we're proposing as instead of publishing for three successive weeks just two successive weeks. I think you'll find the two successive weeks in other sections of the Maui County Code so it'd just be consistent with that. I think like BVA, even when you publish your budget ordinance I don't know if that's down three times versus two times. Three times just seems excessive.

COUNCILMEMBER GUZMAN: So, Chair. May I?

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CHAIR COCHRAN: Go ahead.

COUNCILMEMBER GUZMAN: So there's actually when we go exchange for exchange we're not determining I guess the limit of 250,000?

MR. GOODE: I don't think we are...

COUNCILMEMBER GUZMAN: Well I'm trying to follow my rationale, because in Section 3.44.015 it allows the Finance Director to I guess purchase property and as amended if it were, if it doesn't exceed 250,000. But when we go to the exchange of real property, you're just saying that there's no dollar amount, there's no minimum, there's no cap, as long as the property is exchanged for the same value like to like. So it's almost like he gets a full reign of value.

MS. THOMSON: Chair, if I may?

CHAIR COCHRAN: Oh yeah, sorry.

COUNCILMEMBER GUZMAN: I, yes, go ahead

CHAIR COCHRAN: Corporation Counsel.

MS. THOMSON: The way that I read is that the cap would apply, so if it was an exchange and it wasn't equal value if the value were greater than 250 --

COUNCILMEMBER GUZMAN: Then it would go to Council.

MS. THOMSON: --Council approval would be necessary.

COUNCILMEMBER GUZMAN: Okay, thank you for that clarification, maybe it could possibly be more specifically stated in that Section 3.44.060. So that the 250,000 cap would be, I mean the trigger would be also applied to exchanges of real property. So thank you.

CHAIR COCHRAN: Yes, Mr. Couch.

COUNCILMEMBER COUCH: Thank you and on that section that was my next question, I had those exact same concerns. If I would echo Mr. Guzman's thoughts on making sure that it is a bit more specific and they are more pointed. Because right, the way I looked at it, it's like wow, that's no dollar limit, what the heck. So I just wanna make sure that, that's clarified and of course, you know, we always have this thing with notice in the newspaper and we all know that newspapers are living on the edge at the moment. So is there anything that we can put in--this is more towards Corporation Counsel--is there anything we can put in there to say, you know, in case, you know, the unthinkable happens and we lose the newspaper? All of a sudden, we won't be able to give notices and we pretty much have to stop until Council comes in here and changes stuff.

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MS. THOMSON: Chair, I can look into that for the next go-around.

COUNCILMEMBER COUCH: Yeah, 'cause that's I mean not only here but in all our other things that require notice, we pretty much would have to stop. So that's, that was a thought. And then Madam Chair, if I may I have a, I passed out a, an amendment request. You know, when we had the some of the issues with appraisals, there was a concern and it was brought up by a testifier as a matter of fact, that they weren't using the same numbers potentially. Especially the discounted, I believe is discounted rate, one appraisal used one rate, one other used another rate and that changes the price. So I at the request of a constituent I wanted to bring this up to the Members to see if they'd be interested in adding that if there are more than one appraisals that they all have to use the same discount rate, discount rate for the money. And if we could ask the Department of Finance to say to weigh in on something like this. I don't know if they've seen this yet. Give 'em a chance to take a look at that and see if that makes sense from their point of view.

CHAIR COCHRAN: Okay.

COUNCILMEMBER COUCH: If that's okay with the Members, again I'm a non-voting so.

CHAIR COCHRAN: Right, Members, have you all received a copy of Mr. Couch's amendment? And then also to Administration, I think Director and Mr. Hironaka, if you folks have received and if you folks would like them to chime in and give comment toward this. Okay.

COUNCILMEMBER GUZMAN: I also have.

CHAIR COCHRAN: Mr. Guzman?

COUNCILMEMBER GUZMAN: Thank you, Chair. If you could indulge me I also have issues with the and it's sprinkled all over, not well all over, but in some sections it basically says that the Director of whichever Department, Water Supply or Public Works, can reject the conveyance the Council may accept the conveyance under Subsection C. So the rejection of any conveyance would then trigger our authority that I have issues with that. So in basically we couldn't even reject the conveyance until the Department rejects it first. Are you following me?

CHAIR COCHRAN: Yeah, is that how you read it, Director Goode?

MR. GOODE: I guess that's one way to look at it.

COUNCILMEMBER GUZMAN: I mean we couldn't outright reject it--

CHAIR COCHRAN: Or Corporation Counsel?

COUNCILMEMBER GUZMAN: --we would have to wait until the Department rejects it first --

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MR. GOODE: Well.

COUNCILMEMBER GUZMAN: --in order for us to then have action --

MR. GOODE: Right.

COUNCILMEMBER GUZMAN: --or the authority to do action on it.

MR. GOODE: Right, so let's say it's a road lot that whatever reason we're saying it's not ready, we're not gonna, we can't accept it, and that person who owns it says well, I want the Council to look at it. Okay fine. They can go to you folks and you can decide I guess yea or nay. If the road meets our standards currently we're going to send it up to you folks right. There's a provision in HRS 264.1 that's says the Council has to accept it. So in, you know, in reality is for road lots it's a formality. If they've met all the standards and they've gone through the process that's been laid out before them you folks have to accept it.

COUNCILMEMBER GUZMAN: Okay, well. Thank you for that clarification --

MR. GOODE: So if it doesn't...

COUNCILMEMBER GUZMAN: --I would just need more detail on that, I'm following you, it's just --

MR. GOODE: Yeah. There's a lot to it.

COUNCILMEMBER GUZMAN: --it's a little bit, you know, convoluted at least in my mind how that works, you know, so but probably need some time to speak with you directly --

MR. GOODE: Yeah, I'd be happy to do that.

COUNCILMEMBER GUZMAN: --on how it operates, okay thank you.

CHAIR COCHRAN: Thank you. And I'll tell you this has been on my agenda for a while, right, Mr. Goode. And I've always I've had the same issues like I don't know about this trying to relinquish our authority and our power to these guys I mean who knows, you know, we might like you now, Mr. Goode, but who knows who's gonna replace you and all our other directors in the future. And but as infrastructure and we're looking at things road-related, bridge-related, drainage-related, those types of Infrastructure that aren't normally hugely controversial. Lot of items that come through my Committee are, you know, routine, I don't wanna say housekeeping but a lot of times they are and we go okay and you come and we vote and you go and it's kind of like that. So that's what I was hoping to vet through this in order to streamline. But and that is tough to give power more away here. But for these types of issues, you know, I've been yeah, vetting through and because its infrastructure-related things that we kind of depend

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on Public Works anyway to give us, you know, the direction on what's needed and all that, it sort of felt I can be more comfortable with that. So anyways, Members, we'll... we have, Ms. Baisa, you have some comments?

COUNCILMEMBER BAISA: Yes, thank you very much, Chair. And I wanted to say that I think you expressed how I feel about this very accurately, you know, a lot of these matters I just feel like you have to have the background, the technical knowledge in order to, you know, have a position on these things. And yes, we don't wanna give our power away, that's why people put us here so that they could hold us accountable. But I feel that there's many times that we have to rely on people like department directors and, you know, engineers, and people who have that technical knowledge to make recommendations. I also am very tired of hearing the public complain about our process and how long things take. And we all talk about streamlining and this is one of the ways we actually do that is by letting the experts tell us okay, this is what you need to do and trusting them and holding them accountable. And so I'm with you, thank you.

CHAIR COCHRAN: Okay. Thank you for your comments, Ms. Baisa. Mr. Couch will go, oh Mr. Guzman, did you have comments? Okay. Mr. Couch, we'll go back to you.

COUNCILMEMBER COUCH: I just --

CHAIR COCHRAN: Oh.

COUNCILMEMBER COUCH: --if --

CHAIR COCHRAN: Oh Department have Director of Finance come done?

COUNCILMEMBER COUCH: --right, if Department has a comment on this at all.

CHAIR COCHRAN: Okay, yeah if you don't mind, Director, or Mr. Hironaka, whoever would like to come down and chime in on the amendment. I'd probably like to know exactly what industry average discount rate means. Personally I don't quite know exactly what that means.

MR. WALKER: Madam Chair, Committee Members, that makes two of us that don't know what it means.

CHAIR COCHRAN: Oh, okay.

MR. WALKER: I don't, I didn't know there was an industry average. So I'm not an appraiser but I would be more than happy to refer this to RPA and get them to weigh in and comment and get back to you on how that would be determined and where you go to look and find it, et cetera.

COUNCILMEMBER COUCH: Okay.

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MR. WALKER: I mean I understand your request so would just wanna pass on to the experts in our Department.

CHAIR COCHRAN: Okay and any further comments about the amendment, no?

MR. WALKER: No.

CHAIR COCHRAN: Not this far. Okay, well, thank you for your time, Mr. Walker. Mr. Couch, did you have anything further?

COUNCILMEMBER COUCH: No that's, I mean I just wanted to hear and that's a good point, I mean if your Department or I guess it would be Real Property. Yeah, have it...take a look at it. If the Members are even interested in having that as a potential amendment to this.

CHAIR COCHRAN: Perhaps, I don't...Ms. Crivello, did you have some comments?

COUNCILMEMBER CRIVELLO: Yeah, I understand this is more in discussion with the infrastructure, Chair. But under 3.44.015 the acquisition of real property, item B where it, Council approval is not required for the purchase of housing units for less than and we delete 150,000 and we add 500,000, I think Council should have some say in that. I think the price is rather high.

CHAIR COCHRAN: Okay. Thank you, Ms. Crivello.

COUNCILMEMBER CRIVELLO: And I can understand perhaps, you know, by then the deal is got 30 days for Council to work on it and I can understand. But I think consideration for the 500,000 and I'm not sure if this is in regards to maybe with housing if they would look at buyback on a foreclosure or what have you. But I think there should be more consideration into that particular.

CHAIR COCHRAN: Okay. Thank you, Ms. Crivello. We can get them to chime in on this to explain why they bumped it up, not a problem. Okay, anyone else have further discussion, comments, questions? Okay, it looks like we, Mr. Goode, probably not gonna do the pass through today here.

MR. GOODE: Oh yeah.

CHAIR COCHRAN: So, but I'm thank you for the discussion and the hard work, I know Jordan has put a lot of time and energy along with you in this. And we've put it through the Members, and we've gotten comments and feedback and we shall revisit. So, Members, without, if there is no further discussion then without objections, I shall defer this item so we may come back and work on it and hopefully pass this through.

COUNCILMEMBERS: No objections.

COUNCILMEMBERS VOICED NO OBJECTIONS. (Excused: MW)

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ACTION: DEFER pending further discussion.

CHAIR COCHRAN: Thank you very much. And last but not least on our agenda or, Members, are you would you like to take your midday break? Is everyone okay? Are you okay? Yeah, we'll do a 10-minute break, okay, we'll be in recess for 10 minutes. Ten we'll be back at 3:15. We are now in recess. . . .*(gavel)*. . .

RECESS: 3:04 p.m.

RECONVENE: 3:25 p.m.

CHAIR COCHRAN: . . .*(gavel)*. . . Will the Infrastructure Environmental Management meeting please reconvene.

ITEM NO. 59: DEDICATION OF EHA STREET (WAILUKU) (CC 13-28)

CHAIR COCHRAN: And, Members, we are on our last and final item of the day. It is the dedication of Eha Street which is in Wailuku and this is County Communication 13-25 *[sic]*, which came from Councilmember Victorino. And it transmits the matter relating to the dedication of a portion of Eha Street for use as a public roadway. Correspondence dated February 10, 2015, from Director of Public Works, transmits a proposed resolution entitled ACCEPTING DEDICATION OF A ROADWAY LOT FOR THE EHA STREET EXTENSION SUBDIVISION PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE. And the purpose of this proposed resolution is to accept Lot 10, consisting of 2.910 acres, containing the portion of Eha Street located makai of Wailuku Post Office and mauka of the Velma McWayne Santos Community Center, Wailuku, Maui, Hawaii. A proposed resolution entitled ACCEPTING DEDICATION OF ROADWAY LOTS FOR THE IAO PARKSIDE SUBDIVISION PURSUANT TO SECTION 3.44.015, Maui County Code. The purpose of the proposed resolution is to accept Lot 8 which is 2.835 acres and Lot 9, .030 acres containing the portion of Eha Street located makai of Velma of McWayne Santos Community Center and mauka of Alua Street and Lot 35, 29,012 square feet containing the portion of Waena Street adjacent to Velma McWayne Santos Community Center, Wailuku, Maui, Hawaii. And with that we may consider adoption, revising, and filing of this County Communication. This matter has been pending on this Committee's master agenda the whole time I've been here and probably and then some before I even got here. It's been held up because of title issues that have finally been resolved, and there are also an issue with the road not adhering to County standards. This is still a concern, but no longer prevents County from acquiring the road. However, should the Council ultimately accept the property there is a need to improve the road to acceptable standards which will require funding appropriations. At this point, let me turn the floor over to Director Goode, and I know he knows this thing inside and out, upside down, and forwards and backwards. Mr. Goode the floor is yours.

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MR. GOODE: Okay, alright. Thank you, Chair. And, Members, it's good to be here today on this item. So this is a long awaited dedication of Eha Street and a portion of Waena Street in Wailuku. And I'd like to give you a little bit of background in addition to what the Chair had. For the most part the dedication process of these roads been held up for years. First, due to a clouded title issue that arose on one of the road lots that took a number of years. Once that was settled, there had been subsequent changes in our County roadway standards which led to a dispute as to whether or not the new standards should be installed, then finally we had the completion of neighboring projects and the wrap-up of the entities that built the projects and their desire to dedicate it as is with no further improvements. Then finally we had a change to our Subdivision Code here in this Council about a year and a half ago, where we brought this up as one of the potential cases where the Council can consider adopting roads that do not meet our standards if it's in the public interest. And finally once that was done, we had reviewed the deeds which included a lot of old encumbrances that either needed to be removed, modified, or simply just better understood. And for that I need to thank Mike Hopper now for helping to plow through all that as well as our staff. We think these roads meet the criteria of being in the public interest for the reasons laid out in our June 14, 2012 letter, in that we've not had to maintain the roads for about 20 years. The roads connect to work and housing areas that provided needed traffic circulation as well as access to County Parks, our community center, access to our Iao Stream flood-control project, and access to the Post Office. And today we heard from a testifier, it's also part of the Maui Bus route, and school buses use it. We, so there's two separate resolutions in front of you, and some of the maps that we attached is part of our standard maps, they're very detailed maps 'cause they're large properties. They didn't copy too well. So I did pass out prior to the meeting some better copies of those maps showing in red some of the areas that didn't copy too well from the first go-around. So the first resolution is the Eha Street extension, this is from KLD Holdings, LLC, which is a Stanford Carr entity. This basically starts up at the top where the Millyard ends so by Maui Disposal and goes all the way down to the mauka side of Iao Parkside. So kind of where Iao Parkside and Wailuku Parkside join that's about 2.9 acres, it also includes a waterline easement, benefits kuleana water users that are along this parcel and also further makai. These so there are kuleana waterlines in there, they're serviced by Wailuku Water, I did call and confirm that. I believe this was the parcel that had the clouded title issue which has been removed. The second reso is to accept from Iao Partners, and Iao Partners is a partnership between KLM Holdings who we just talked about who owns the extension piece and DR Horton. And that's to accept the remainder of Eha Street. So starting up there, the top of Iao Parkside and down to the mauka side of Wailuku Industrial, and it would also include Waena Street fronting the Velma Santos Community Center. So there's three parcels totaling 3.35 acres in that resolution. Also included in that resolution are easements for waterline again for kuleana users. We've almost, almost worked out an arrangement whereby the current owners of the roadways, KLD holdings and Iao partners will continue to insure the roads for a period of two years while we design and construct the improvements. The insurance amounts have been set by Risk Management. We felt this was key in that this particular case we're acknowledging the roadways don't meet our standards, primarily as signage, striping,

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ADA curb ramps, sidewalks that have been lifted by neighboring trees or some vegetation, couple of other items that there's, that should be insured, you know, before we make the improvements to minimize our risk. We think that the total cost to do the improvements would be about \$300,000 so should the Council move forward on these resos we will be requesting funds for those improvements. So again it's a situation that's has a lot of different factors. I think we heard today from some of the folks that live along there that also call us and we've talked to them. They're real keen on moving forward with this, making some improvement to Eha Street to make it safer, which we can do a lot of that via striping. We'll also look at whether that intersection with Waena should be a three-way stop. Can't commit to that yet, but we'll look at it. And we're I think, on the Department side, the Administration side, we're pleased to offer these resolutions. Thank you, Chair.

CHAIR COCHRAN: Thank you, Director Goode, and Members, yes, Mr. Hopper first and then Mr. Hokama.

MR. HOPPER: Just to open, Madam Chair, I wanted to state for the record that I would advise because the roads are, have been considered substandard roads that they be improved during the time period in which, well first of all, that they be accepted only upon the condition that the roads be insured and that that protection stay in place on the part of the current owners for a period of time that is sufficient to bring the roads up to standard. To have that funding in place I believe that David, or Director Goode, is has discussed a two-year time frame potentially for the continuing insurance and that the, I would advise that the acceptance be conditioned upon that being in place and that during that period that the repairs be completed so that once the road is fully responsible, the County is fully responsible for the road, that it be that it meet the County standards. That's the general advice I would give with any roadways including this one. It's not specific to this roadway but would apply to this roadway. So again those are the, those are I think important criteria to have prior to acceptance of the road and it sounds like that is proceeding but that essentially would request that prior to first reading that be in place and that during that time frame, presumably a two-year time frame, that the repairs be completed, funded and completed within that time period.

CHAIR COCHRAN: Okay. Thank you, Mr. Hopper. Mr. Hokama?

VICE-CHAIR HOKAMA: Yeah, I thank the Counselor for his comments, I think that's a great recommendation for the Committee, Chair, to follow up on, and I would ask that we work with Director Goode to make sure that it can be constructed and completed within the time frame that the Counselor has recommended for us to consider. Just tells me that with this though am I making one commitment to one CIP project already? 'Cause this comes with funding. But I think what I would like to know is if this was a condition of zoning to fulfill and they have to build the roads and streets to standards for the County to accept and now we are going to do some remedial work. Can I then take it that they did not conform and meet the condition of zoning?

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MR. HOPPER: Madame Chair, I'm not sure about a condition of zoning. We could look into that. As far as a, the roads being to standard, I think that's normally a subdivision requirement. Now, I think what happened with this one and I wasn't around for the full history was that the road was designed to standards, the standards changed prior to dedication and then therefore with the new dedication the standards as they are often were updated, and then during that time frame the roads became substandard because the standards had changed and then the dedication became problematic because there was additional work that had to be done. As far as the zoning condition as to make the roads to a certain standard, I'm unfamiliar with the particular condition but I think the subdivision requirements before getting subdivision approval would have been to have the roads to County standards. As far as exactly what happened, I think that my account is relatively accurate but maybe Director Goode or his staff could look back at that particular history as to why the roads at that time immediately weren't submitted for dedication and dedicated pursuant to the previous standards.

MR. GOODE: Clouded title.

MR. HOPPER: I think it was the clouded title issues what it sounds like so.

VICE-CHAIR HOKAMA: Yeah, no, I understand Counselor, and I, you know, I appreciate that, finds me interesting after it got constructed then the question of title. I mean usually you deal with the title question before you construct. I mean it's just kind of bizarre. But just let me be clear with Waena, it's from that stoplight currently I would say, the old Nazo's intersection, the old Jan's Drive Inn, all the way till the end of Wailuku Community Center or McWayne Community Center, is that an understanding for the Waena portion, Director?

MR. GOODE: Madam Chair, Mr. Hokama, the actually we I think we already own that section of Waena, so the map...it's called Map 5 here, it's actually only a few hundred feet from the intersection with Eha. So I believe it's pretty much the length of the Community Center frontage. But the rest of it had already been accepted by the Council.

VICE-CHAIR HOKAMA: Okay. And the portion we went ask for Eha just so we're clear, my, and I may be wrong. Is it from the Post Office, Maui Disposal site all the way down to where the industrial starts?

MR. GOODE: Yeah. So the bottom of Maui Disposal. So if you come out of that intersection with Wili Pa Loop.

VICE-CHAIR HOKAMA: Right.

MR. GOODE: It's actually County as far as the industrial subdivision, so the makai boarder of Maui Disposal all the way down to Wailuku Industrial. And then Wailuku Industrial we repaved 'cause that's ours.

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VICE-CHAIR HOKAMA: Right.

MR. GOODE: A couple years ago.

VICE-CHAIR HOKAMA: So that would include the single family as well as the multi-family units along Eha Street?

MR. GOODE: Correct.

VICE-CHAIR HOKAMA: Only?

MR. GOODE: Correct.

VICE-CHAIR HOKAMA: So as part of our acceptance are we able to...either recommend or tell us, see my issue with Eha is I see it as a very good collector road. I don't wanna see any overnight parking, period, during any day in that area. So what does it take to make that happen?

MR. GOODE: Well, I think assuming we are able to accept it. It becomes a County road. We'll immediately notify the Police Department and let them know that. My understanding is when people park there currently almost always their driver side tire is over the white line. So now its ticket-able and that 'cause we own it. So I think that will be the first action. If need be we'll work with the Police if they want additional no parking signs. We can place no parking signs on that stretch of the road.

VICE-CHAIR HOKAMA: And no parking boats either. You know, I have an issue when the boat is halfway in a line, in a lane. Just bad, bad parking practices. But we can do that once we accept ownership, Director?

MR. GOODE: Right.

VICE-CHAIR HOKAMA: Not until then, right?

MR. GOODE: Right. So I'll work with MPD first.

VICE-CHAIR HOKAMA: Okay. Thank you for allowing my questions, Chair.

CHAIR COCHRAN: Okay. You're welcome, Mr. Hokama. Members, any further need of clarification, questions, comments for Director? Yeah, Ms. Baisa?

COUNCILMEMBER BAISA: No, I just wanna say that I'm extremely happy to be here today. I know that this has been something that's been here for a very long time and I know that the folks really, really want it. We heard our testimony and I share Mr. Hokama's comment about obviously we better put some money aside to take care of what we need to. But I think we need to get it done. Thank you very much for bringing it up and pursuing it.

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CHAIR COCHRAN: Sure. Thank you very much, Ms. Baisa. And, Mr. Carroll?

COUNCILMEMBER CARROLL: Thank you, Chair. I'm going to support this and I would like to compliment the Department and Staff. I know this, that the records available to us go all the way back to 1944, which is 70 years ago, the documentation if you'll go to the back of your binder. And I would like to compliment them on being so thorough. Thank you, Chair.

CHAIR COCHRAN: Thank you, Mr. Carroll. And, Mr. Guzman, did you have any comments for Eha Street?

COUNCILMEMBER GUZMAN: I'm in support of the dedication. I think it's long overdue. Thank you.

CHAIR COCHRAN: Okay, very good, thank you. Yes, Mr. Hokama?

VICE-CHAIR HOKAMA: So Chair, I would just ask if you would as the Chair of this Committee, one, ask Mr. Goode to kind of help tighten up the potential budgetary request that we would need to consider within the, I'm not gonna hold us to two years 'cause I think that's something Mr. Goode needs to kind of confer with us and whatnot whether two years is sufficient with the budgetary process for him to go out and get the bids done and the actual construction completed before the, what do we call it, warranty or the insurance wears out, but, you know, I think Mr. Hopper brought a very good point that I wanna support, and then secondly, also send a letter to Planning Department asking them if there's any conditions of zoning that we should be aware of prior to final approval of this proposal regarding the zoning for that project over there.

CHAIR COCHRAN: Okay, very good.

VICE-CHAIR HOKAMA: Thank you.

CHAIR COCHRAN: Mr. Pigao, did you get those queries?

MR. PIGAO: Yes.

CHAIR COCHRAN: Okay thank you very much. And yeah, I guess, Mr. Goode, in regards to the remedial work such as striping and what have you. You already, you have a ballpark figure of around 200 to 300 thousand, you're saying in your letter?

MR. GOODE: Correct.

CHAIR COCHRAN: Okay and so I was, you know, just say wondering how long this has been dragging out and the developer, ownership of this place could have forked out couple grand, couple 100,000 to get to up to par for us to finally take over but in the end here we are footing the bill on that. But that was sort of eye opening for me to think I thought we were looking in the millions of dollars and that's why the big standoff here.

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But okay we shall get those queries addressed and so at this point, Mr. Hopper, we should then hold off then in accepting until we can get that actual language?

MR. HOPPER: Well, Madam Chair I, well, if there's a determination of how long the time frame would be, that may be something to consider. What I was thinking and this is up to the Council if the roads aren't dedicated then the associations and the land owners are still responsible for continuing to maintain them until such time they're, the dedication is accepted. The proposal would be that for some period of time and perhaps prior to first reading of this resolution, not, there's only one reading, so prior to action on the resolution, that a, an agreement be in place whereby the owners of the roads for a certain period--the period I understand that was being discussed was a two-year period--would continue to insure the road, name the County as an additional insured and protect against if there are claims against the County for injuries related to use of the roadway that the insurance cover those claims for a certain period. Obviously if the roads are not dedicated, well, the current owners are still responsible for that. If they're dedicated the request would be that for a period of time that the owners continue to have that responsibility until the repairs could be made. So that what I was thinking was that prior to this being heard at the full Council, that that agreement be in place with both of the owners that for a period of two years that they name the County as additional insured and essentially cover the costs for that insurance policy and that that insurance policy be sufficient to cover claims that may be brought against the County as the new owner of the land, the new owner of the Street, that may be brought by, by anybody.

CHAIR COCHRAN: Okay thank you Mr. Hopper. And Director Goode, do you think the current ownership would be amenable to that, those comments?

MR. GOODE: Yes, I've had, well, KLM Holdings has said they'll do the two years. Iao partners which is made up of KLM--is it KLM--KLD Holdings and DR Horton, they were checking with the DR Horton folks for that commitment. But I'll be happy to report to them after this meeting that, you know, essentially this is not going forward till they provide this insurance agreement.

CHAIR COCHRAN: Yeah. Okay.

MR. GOODE: And we could hold the matter at the Clerk's Office till we get the, get what we need there. I don't foresee any strong resistance, if they really want to move forward this is a small thing to do.

CHAIR COCHRAN: Okay. Yeah I just want some kind of assurance that, that's gonna happen and so until then, Members, I suppose we need to hold off or you think it's okay to pass this through and then have it done, all this side work being completed by first reading?

MR. HOPPER: Madam Chair, I think that if the Council passes this with that I guess as a condition or that with the understanding that it will not be scheduled for to be heard in front of the full Council until that agreement is in place, that that would be

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sufficient, it is of course up to the Committee how they would like to proceed. So if they would like to defer it's up to them. But I don't see that as being required provided that there's that requirement that prior to that reading and obviously the Council is free to act now or not act or obviously to act or not act at full Council if it believes that the agreement that's that would be reached would be, wouldn't be sufficient or something along those lines.

CHAIR COCHRAN: Okay. Well then with that, Members, I feel pretty confident that we can get this, it will be the kicker to get it going and to finalize it. So I'll make my recommendation.

COUNCILMEMBERS: Recommendation?

CHAIR COCHRAN: Thank you. The Chair, I will entertain a motion to recommend adoption of the proposed resolutions entitled ACCEPTING DEDICATION OF A ROADWAY LOT FOR EHA STREET EXTENSION SUBDIVISION PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE; and ACCEPTING DEDICATION OF ROADWAY LOTS FOR THE IAO PARKSIDE SUBDIVISION PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE; and incorporating any nonsubstantive revisions; and filing of County Communication 13-28.

VICE-CHAIR HOKAMA: I make that motion.

COUNCILMEMBER CARROLL: Second.

CHAIR COCHRAN: It's been moved by Member Hokama and seconded by Member Carroll to recommend the adoption and resolution of filing of County Communication. Members, at this point do we have some discussion on the floor? Yes, Mr. Hokama?

VICE-CHAIR HOKAMA: Chair. I would say on the Committee's behalf, we would ask you then to ensure one, prior to either signing off the Committee report to be posted for Council consideration, that one, the document be executed and recorded. I think it's critical it be recorded. I want that in Land Court binded to that line for that two-year period. I want the County to be on solid grounds on protection. So I would prefer that it be an executed and recorded document. That goes along with this resolution and if they do not provide that, well, then I would ask that you just defer this item until, either produce a document or they can wait till they choose to do otherwise, Chair.

CHAIR COCHRAN: Yes.

VICE-CHAIR HOKAMA: And that will allow us the time to get the responses, one, from Mr. Goode on the more accurate time, construction time plan and Planning Department's comments on whether or not there's any concerns regarding conditions of approval. Thank you.

CHAIR COCHRAN: Yes. Okay, very good. Thank you, Mr. Hokama. Any further need for discussion? Seeing none, all those in favor, say, "aye".

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COUNCILMEMBERS: Aye.

CHAIR COCHRAN: Anyone opposed, say, "no". Seeing no opposed, motion carries with two, four, five "ayes", two excused.

VOTE: AYES: Chair Cochran, Vice-Chair Hokama and Councilmembers Baisa, Carroll, and Guzman.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmembers Crivello and White.

MOTION CARRIED.

ACTION: ADOPTION of resolutions.

CHAIR COCHRAN: And we, Members, any need for any discussion? Looks like we have completed our agenda items for today. Thank you, Director Goode, for all your good work, and Mr. Hopper, for being here, Staff and everyone, appreciate all the hard work we all do, and with no further business, this meeting is adjourned. . . *(gavel)* . .

ADJOURN: 3:51 p.m.

APPROVED:



ELLE COCHRAN, Chair
Infrastructure and Environmental
Management Committee

iem:min:150302:jp

Transcribed by: Jean Pokipala

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

March 2, 2015

CERTIFICATE

I, Jean Pokipala, 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 20th day of March, 2015, in Wailuku, Hawaii

A handwritten signature in cursive script, appearing to read "Jean Pokipala", is written over a horizontal line.

Jean Pokipala