

**ECONOMIC DEVELOPMENT, ENERGY,
AGRICULTURE, AND RECREATION COMMITTEE**
Council of the County of Maui

M I N U T E S

Council Chamber

March 17, 2015

CONVENE: 1:37 p.m.

PRESENT: VOTING MEMBERS:
Councilmember Don S. Guzman, Chair
Councilmember Elle Cochran, Vice-Chair
Councilmember Stacy Crivello
Councilmember Michael P. Victorino

EXCUSED: VOTING MEMBERS:
Councilmember Don Couch
Councilmember Riki Hokama
Councilmember Mike White

STAFF: Sharon Brooks, Legislative Attorney
Clarita Balala, Committee Secretary

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

ADMIN.: Jerrie L. Sheppard, Deputy Corporation Counsel, Department of the Corporation Counsel
Butch Kaala Buenconsejo, Director, Department of Parks and Recreation
Robert Halvorson, Chief of Planning and Development, Department of Parks and Recreation
Seated in the gallery:
Guy Hironaka, Real Property Manager, Department of Finance

OTHERS: Plus (2) other people

PRESS: *Akaku Maui Community Television, Inc.*

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CHAIR GUZMAN: . . . (*gavel*). . . Good afternoon. I'm Don Guzman, the Chair of the Economic Development, Energy, Agriculture, and Recreation Committee. The time is 1:30 p.m., March 17, 2015. Before we begin, I'd like to ask everyone to put your cell phones on silence mode. I'm going to introduce our Members today, starting with our Vice-Chair Elle Cochran.

VICE-CHAIR COCHRAN: Aloha, Chair.

CHAIR GUZMAN: Good afternoon.

VICE-CHAIR COCHRAN: Good afternoon.

CHAIR GUZMAN: Member Stacy Crivello.

COUNCILMEMBER CRIVELLO: Good afternoon, Chair.

CHAIR GUZMAN: Good afternoon. And Member Mike Victorino.

COUNCILMEMBER VICTORINO: Good afternoon and luck of the Irish with you my friend.

CHAIR GUZMAN: Thank you, Mr. Victorino. I would also like to excuse Mr. Don Couch, as well as joining us later is Riki Hokama and Council Chair Mike White. I'm going to also introduce our Committee Staff. This is Legislative Attorney Sharon Brooks—good afternoon—and Committee Secretary Pauline Martins [*sic*], as well as from our Corporation Counsel, Deputy Corporation Counsel, Ms. Jerrie Sheppard.

MS. SHEPPARD: Good afternoon.

CHAIR GUZMAN: Thank you.

COUNCILMEMBER VICTORINO: Chair?

CHAIR GUZMAN: Yes, Mr. Victorino?

COUNCILMEMBER VICTORINO: Is Mr. Robert Carroll going to be joining us later also?

CHAIR GUZMAN: I believe Mr. Carroll is a non-voting Member.

COUNCILMEMBER VICTORINO: Okay. I apologize. I was looking at the wrong pager, wrong paper...sorry, sorry, sorry, sorry.

CHAIR GUZMAN: No problem. And anyone on, who's wishing to testify in the Chambers, please sign-up at the lobby. Today's testimony will be limited to the agenda items. Pursuant to the Rules of the Council, you'll have three minutes to testify. When you're testifying, please identify yourself and/or any organization in which you represent. At

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this time, I'm going to check in with our District Office. In Hana Office, are you there?

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

CHAIR GUZMAN: Good afternoon. And on Lanai Office, are you there?

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

CHAIR GUZMAN: Good afternoon, Ms. Fernandez. On Molokai Office, are you there?

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

CHAIR GUZMAN: Good afternoon, Ms. Alcon. And now we're gonna turn our attention back to the Chambers. Do we have any testifiers? Please call the first testifier.

MS. BROOKS: There are no testifiers in the Chamber.

CHAIR GUZMAN: Thank you very much. I'm going to turn back to our District Offices. In Hana Office, is there anyone wishing to testify?

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

CHAIR GUZMAN: Thank you, Ms. Lono. On Lanai Office, is there anyone wishing to testify?

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

CHAIR GUZMAN: Thank you, Ms. Fernandez. On Molokai Office, is there anyone wishing to testify?

MS. ALCON: There is no one on Molokai waiting to testify.

CHAIR GUZMAN: Thank you, Ms. Alcon. Seeing that there's no one wanting, wishing to testify in our District Offices, ladies, you may be excused. I'm going to turn our attention back to the Chambers. Is there anyone in the gallery wishing to testify? Seeing none, Members, at this time I'm going to, without objections, close public testimony.

COUNCILMEMBERS: No objections.

CHAIR GUZMAN: Thank you, Members. Public testimony is now closed.

**ITEM 24: GRANT OF A UTILITY EASEMENT TO MAUI ELECTRIC COMPANY,
LIMITED AND HAWAIIAN TELECOM, INC. (CC 14-276)**

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CHAIR GUZMAN: Turning our attention to our agenda. Members, Item EAR-24, the Grant of Utility Easement to Maui Electric Company, Limited, Hawaii *[sic]* Telcom (Waiehu). The Committee is in receipt of County Communication 14-276, from the Interim Director of the Parks and Recreation, transmitting a proposed resolution entitled Authorizing The Grant of a Utility Easement to Maui Electric Company, Limited, and Hawaiian Telcom, Inc., Pursuant to the Chapter 3.44 of the Maui County Code. The purpose of the proposed resolution is to authorize the grant of the utility easement for power and communication lines to Maui Electric Company, Limited and Hawaiian Telcom, Inc. on portions of the County real property located in Waiehu, Maui, Hawaii, identified as TMK: (2) 3-3-001:001, consisting collectively of approximately 574 square feet. The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider the filing of the County Communication 14-276 and other related actions. Members, we first took a look up, look at this matter at our, I believe, our February 3, 2015 meeting. At that time, there were a number of unanswered questions, which I posed by letter via, by letter to the Director of Parks and Recreation. Mr. Buensejo *[sic]* provided a response. It's in your binder. It's dated March 2, 2015, which also included aerial photos and a detailed map of the easement property which is also attached therein. These are very helpful for, at least for the concept and description of the property. Also, the original deed of the property from the private landowner to the County is attached with, attached to the letter and set forth in the binder and also sets a few of the restrictions. Additionally, yesterday, this Committee received a memo from Corporation Counsel, adding information concerning the responsibility for the maintenance of the vegetation in the easement. So at this time, I would like to call upon Mr. Buensejo *[sic]* the Director of Public, the Director of Parks and Recreation to come down onto the floor, if you would like to say a few words or statements in regards to this matter. And then, after Mr. Buensejo *[sic]*, I will have our Deputy Corporation Counsel, Ms. Sheppard respond.

MR. BUENCONSEJO: Thank you, Chair Guzman and Councilmembers. Basically, on the parks of the, Park and Recreation what our comeback to was answering the questions that weren't answered at that time and as far as providing updated pictures as well for Council to review on a better scope of where exactly the easements will be located. From my understanding, that was the Parks' side of it and I think the other issue was as far as the language for the easement agreement which I believe was for Ms. Sheppard.

CHAIR GUZMAN: Okay. Ms. Sheppard, I think your memo is very on point in terms of what we were trying to, I guess, discuss or narrow the issues to. Just as a framework, Members, I believe that the easement itself was very general in terms of what the responsibilities of the, I guess, the Hawaiian Telcom and Hawaii Electric Company in management of the vegetation. So if you could proceed Ms. Sheppard.

MS. SHEPPARD: Thank you, Chair. After the meeting, I did have an opportunity to speak to Deputy General Counsel for Hawaiian Electric, Mr. Steve Nagata, and he confirmed for

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me that almost all of the utilities embraced under this grant easement are underground, so tree trimming issues or shrubbery issues become moot, except for where there is one pole with some lines attached to it that extends above ground. He provided a map, which I've provided with my memo to you, and he noted that Maui Electric will be responsible for any tree, shrubbery or vegetation trimming that may impact the integrity of that pole and those adjacent lines, so I provided a map and some photographs to help identify the location.

CHAIR GUZMAN: Okay. Thank you, Ms. Sheppard. Again, Members, do you have any questions in regards to this matter? Seeing none...

COUNCILMEMBER VICTORINO: ...*(Inaudible)*...

CHAIR GUZMAN: Thank you very much for that information. I believe that the Members, including myself, upon reading the easement itself was very general and not specific as to the, whether it was lines, poles hanging from the lines versus underground, so at least now we have something in writing that really puts forth the responsibility of the parties. So I thank Corporation Counsel for making that extra effort and if, seeing no other further questions from the Members, the Chair will entertain a motion to recommend adoption of the proposed resolution entitled Authorizing the Grant of Utility Easements to Maui Electric Company, Limited and Hawaiian Telcom, Pursuant to Chapter 3.44 of the Maui County Code; incorporating any amendments or revisions thereof; and filing of County Communication 14-276.

VICE-CHAIR COCHRAN: Thank you, Chair, and so moved.

COUNCILMEMBER CRIVELLO: Second.

CHAIR GUZMAN: Moved by Vice-Chair Elle Cochran and seconded by Member Stacy Crivello. Any further discussions? Seeing none, all those in favor, say "aye".

COUNCILMEMBERS VOICED AYE.

CHAIR GUZMAN: All those opposed, say "no"? There are no...there are four ayes, no noes, and three excused, Mr. Couch, Mr. Hokama, and Mr. White. Motion carries.

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of Parks and Recreation, Mr. Buenconsejo, if you can explain your responses and any updates that you may have.

MR. BUENCONSEJO: Okay. Thank you, Chair Guzman. As mentioned, you know, coming into this seat here, we have not gotten to that information that was requested due to the, it's a very major concept, in a sense, from the Parks Department that hasn't been done as far as breaking it down per facility per park and breaking down the cost as well with the way things are ordered through POs with bulking and then distributing to the different facilities or parks when it comes to maintenance of dirt, sand and other materials, breaking it down to individual sites, have not gotten to that point yet. Being there now, we definitely have that on our scope of work and also to get to that point, I think we'll take a step back as well and getting back to the permitting process, which is currently as well being overhauled to set that standard and follow a true set standard of that fees and permitting process. Regarding the district or County of Honolulu, currently from what we've got, we've gotten no true hard material from them as of yet; however, a lot of their operational expenses are very similar to ours as well. So to mirror theirs wouldn't be necessarily exactly what we're asking for here from the Maui County district, but again, it does give us a good idea of what the different counties are doing throughout the State. So again, we apologize for not having the information requested. It's just a point of, it's a major overhaul for the Parks Department, which we are going through currently, but we would love to request some extra time on getting that information to Council.

CHAIR GUZMAN: Thank you, Mr. Buensejo *[sic]*. The, Members, do you have any questions regarding this matter? Seeing none, I have a few questions. Can you, I know that we, this item was actually referred to this Committee to try to vet out the cost and the fees for, that are being charged at the use of our park facilities. You mentioned that there was a new system to track and monitor the maintenance cost? What is this new system?

MR. BUENCONSEJO: We're actually in the process of changing over our reservation system, so what we currently do all of our bookings for fields, for community centers and for the permitting process, we're going into Active Res *[sic]* which is a software that it's being used all over, but we finally are taking our old system from the permitting office and converting that into Active Res *[sic]* but it's a major overhaul, literally, the two softwares don't really talk to each other, so we have to take everything manually and go ahead and kind of in a sense put it into the new system. So that's currently being done for the month of March right now and with that being said as well is going back and really looking at the different types of permits, you know, from permit one, two, three, four, five, it was categorized that way and trying to see how we can implement it and going back to really setting a true implementation in a sense. Throughout the years of our community usage, you know, people have become adaptive to what they were paying, but it may not be always what they should have been paying. What I mean by that is certain leagues or events that are going on decades over the years, with the new implementation, you know, the right fees will be getting charged, and I

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think throughout that time, I think we've lost some of that. But getting back to that point is it's going to be a little bit of a growing pain and when I say that, it means, you know, from the different community groups that may have a higher increase now for park usage, from tennis courts to community centers to baseball fields, if we want to get onto this system and have a, an accountability aspect of dollar for dollar, you know, it will definitely affect some of our current group users that are using these facilities.

CHAIR GUZMAN: Okay. Members, do you have any questions? I have another question. So if, do you have any estimated numbers to determine the revenue that is generated from our fees and deposit...no, I guess we can't use the deposits, but any fees that are acquired --

MR. BUENCONSEJO: Yes, Chair, so...

CHAIR GUZMAN: --for our facilities?

MR. BUENCONSEJO: I have some generic numbers, meaning not per center, for district as a whole. We can break that down. To break it down per facility center, currently that would hopefully come in with the new system, but with just within the district itself. So for the Fiscal Year '14 for the West Maui District Office, currently the net revenue generated from facility use from the Parks Department was at 94,381 for the West Maui District. South Maui District was at 33,969. Our permit enforcement section, I'm assuming, I could be wrong on that, but I'm assuming that's our park ranger facilities with some of the parking tickets that they do write and enforcement section on that end is at 72,000. Our Molokai District Office as at 19,162; our Lanai Office facility costs are, net revenue is 3,700; our Hana Office is 16,235; East Maui District had a revenue of 42,272, and Central Maui District had a total net revenue of 95,413. So that's what we have here. Just looking at the numbers when I looked at it as well, I saw South Maui District stucked out as far as being only 33,000, so that's something for myself, I'm going to take a look at of where, why that's so low compared to everybody else in a sense of a district, 'cause they do have the community center there and some park space that, it should be permitted so. But that's basically the numbers as far as the net revenue from districts only.

CHAIR GUZMAN: So right now you're missing the itemization of cost per facility?

MR. BUENCONSEJO: Yes.

CHAIR GUZMAN: Okay. And when do we expect that to come about or at least?

MR. BUENCONSEJO: You know, Chair, I believe that was supposed to have, you know, taken place during the, over the past year, and I'll double check. It could be something there. Currently the Deputy Director is out of town and she may have some information more than I was able to gather this week. I'll double check with

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that. We did have some interns in here. Hopefully that was what their scope of work was as well. To answer your question, if we don't have anything, I would hope to have that, you know, hopefully done, you know, by the new fiscal year. I'm just kinda throwing that out there, you know, it could be earlier, but I just don't want to over-promise anything.

CHAIR GUZMAN: Okay. Just a heads-up, these questions may come up in the Budget and Finance Committee, so in terms of trying to allocate and figure out what the budgets are in each department, might be advisable to have some of this information available just to crunch the numbers, yeah.

MR. BUENCONSEJO: Perfect, appreciate that.

CHAIR GUZMAN: Thank you. Members, any other questions? Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair. So in addition to the actual community center facilities, there are fees for the usage of parks for organizations?

MR. BUENCONSEJO: Yes.

COUNCILMEMBER CRIVELLO: So Little League utilizes baseball parks under the County, so the Little League organization is assessed a fee, is that Countywide or?

MR. BUENCONSEJO: So that's been the kicker there. If it's a County-sponsored sport, so Little League, our Senior Softball, Menhune Basketball, those particular groups wouldn't pay a fee for the facility because it's County-sponsored.

COUNCILMEMBER CRIVELLO: I see.

MR. BUENCONSEJO: But say we had a softball tournament that was sponsored by Kaala, you know, those certain groups would pay a fee based on the type of event, as well as using the field, say for a concert, you would pay for that facility use. Yeah.

COUNCILMEMBER CRIVELLO: Okay. Thank you for the clarification.

CHAIR GUZMAN: Thank you. Is it possible to get a itemization of what is being currently charged in the different facilities in terms of the fees, if that's possible?

MR. BUENCONSEJO: Yes, Chair. And it also is in the Code, as well, but we can have that for you for sure.

CHAIR GUZMAN: Okay. And another question is, when was the last update for the fees, any amendments to the fees?

MS. SHEPPARD: It's amended annually in the Budget. There's no increase ...*(inaudible)*...

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MR. BUENCONSEJO: Yeah. You know, according to Corp. Counsel, it is every year amended. I personally, I can find out when was the last time we actually changed a fee.

CHAIR GUZMAN: I know that all the time that I've been in office, we haven't changed any park fees.

MR. BUENCONSEJO: I don't think a fee has been changed, honestly, just from hearing from past data, past conversations, which is why we're kinda looking at the fee structure. And so again, yeah, I believe to be the true as well. I don't know when the last time a fee was actually implemented.

CHAIR GUZMAN: Thank you.

COUNCILMEMBER VICTORINO: Chair?

CHAIR GUZMAN: Mr. Victorino.

COUNCILMEMBER VICTORINO: If I recall correctly, 2012, we had a massive change. That's when they went into the one, two, three, four, five classifications. They broke it down to utility, whether you had air-conditioning or no air-conditioning for our community centers. I remember it was a massive re-doing of all of our fees and how they were being appropriately done, whether it was softball and baseball, all kinds of factors were thrown in. So and I remember back in '012 was the, the, 2012 was when we did the first big one, and I think the 2013 Budget was the one we accepted it in, but I may stand corrected as far as that is concerned, but I pretty certain was in that timeframe that we made massive changes and even changing the categories because those categories, some of them hadn't been changed for 20 years.

CHAIR GUZMAN: Right.

COUNCILMEMBER VICTORINO: Yeah. So I know we've done it in more recent time, not to say an update is not necessitated, but I think, you know, that was not that long ago that we made these revisions.

CHAIR GUZMAN: Okay.

MR. BUENCONSEJO: Chair, what I can do is I can go back and find out exactly when those last times was for the fees, and if it was actually changed or we actually started, I mean--I hate to say it--started enforcing it is what the biggest thing was, is trying to get that enforcement of what the Charter actually states. And I think that was a lot of dilution as well that hasn't been happening, was the actual enforcement and the fee structure of what should be charged for a particular event. But again, I'll double check as well.

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CHAIR GUZMAN: Mr. Victorino.

COUNCILMEMBER VICTORINO: I think, Kaala, that a lot of that enforcement has come to fruition because now we require nonprofits that hold events at our various County facilities to carry insurance, you know. And politicians when we have fundraisers, we've gotta carry insurance, so I can tell you, it has changed, you know. Enforcement has been highly scrutinized now so. But again, it's always good to look back and then try to see where we need to go from this point forward. But we have made what I call, substantial changes due to the need and to, really was in our minds to make the user pay more of the necessary expenses to use the facility, and that was the whole premise when we had done this back in 2012. So thank you, Mr. Chair.

CHAIR GUZMAN: Thank you, Mr. Victorino. And so we'll, we'll just go ahead and, Members, if there's any other questions? Ms. Cochran, do you have any questions? Okay. Without any objections, Members, I'm gonna defer this matter.

COUNCILMEMBERS VOICED NO OBJECTIONS. (Excused: DC, RH, and MW)

ACTION: DEFER PENDING FURTHER DISCUSSION.

CHAIR GUZMAN: Thank you.

**ITEM 16: REDESIGN OF THE SOUTH MAUI GYMNASIUM IN KIHEI TO A
MULTI-PURPOSE CENTER (MISC)**

CHAIR GUZMAN: Moving on to the next item. Agenda Item EAR-16, the Redesign of the South Maui Gymnasium to a Multi-Purpose Center. The Committee is in receipt of Miscellaneous Communication, dated May 28, 2014, from the Deputy County Clerk, relating to potential redesign of the South Maui gymnasium to a multi-purpose center. The Committee may discuss the matter. The Committee may also consider the filing of Miscellaneous Communication and other related actions. Members, this is another matter referred to by the Committee, by the Council, on the recommendation of the Budget and Finance Committee. The intention was for us to evaluate the feasibility and the expansion of the project scope to create a multi-purpose facility capable of hosting conferences, tournaments and other events that can generate economic activity. At our meeting on October 28, 2014, we received a presentation from the Interim Director of Parks and Recreation, regarding the potential designs of the facility to be more of a multi-purpose center, with recreational components including indoor/outdoor court space, workout centers, fitness areas and different types of rooms that can be rented out or used for recreational purposes. Upon our inquiry about the design status, Mr. Buenconsejo advised by letter dated March 2, 2015, that additional revisions have been made to the plans that he, that the Department had previously shown to us. Mr. Buenconsejo, can you please provide us with an update of the progress of this project? Also in, on the floor we have Mr. Robert Halvorson.

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He's the Chief of Planning and Development of the Parks and Recreation Department.

MR. BUENCONSEJO: Thank you, Chair. As discussed, the PowerPoint presentation you folks did have, we do have a current map of that particular diagram there. So this is what you folks currently were presented with at that time. As you can see to the left, so originally there was only so-called one-stadium court which was to the right with the bleachers and the left side would have had no stands for seating for that particular court. In the most, as far as everything else it stayed status quo, it was just revisions to the court that was being made for the new updated plan and Mr. Halvorson will pull up the most revisions. So as you can see here, there is still that center stadium court which is to the right with seating. That total seating in the whole gym now is at about, just over 1,000. I think about 1,000 -- what was it, 1,100 -- it's 1,061. The main court will hold just about 700 of that 1,000 seats. To the left of the new diagram, you see about 300 seats there, 150 on each side. Also on that revision, I'm not sure if it's a revision, but to the right of that will be the main wood court and so the main bleachers stayed in will be the wood court, to the left will be the, yeah, the sport court similar to the one over at Lahaina at the tennis courts, that sport court kinda feel. So those are the only revisions done from what the presentation showed a while back.

CHAIR GUZMAN: Thank you, Mr. Buenconsejo. Members, do you have any questions?

VICE-CHAIR COCHRAN: Chair?

CHAIR GUZMAN: Ms. Cochran.

VICE-CHAIR COCHRAN: Thank you. And thank you, Department, for being here. So multi-purpose, not meaning not just for sports-type activities, right, so what other purposes will be used, is this the facility, the whole floor plan and within, I don't know, you're gonna have conventions and banquets and things or no?

MR. BUENCONSEJO: Thanks, Chair *[sic]* Cochran, I think as far as the multi-purpose isn't as much as I think, it was the original plan for the multi-purpose. We do have two small conference rooms in the front of the building that will show there. As far as the gym itself, you know, it could be converted to, you know, senior fairs or types like that where you could lay a mat on the courts to protect it and you can go and open it up. But as far as having convention-type of arrangements, I believe that is no longer feasible or going to happen in this timeframe for the gymnasium. Going to be smaller conference space towards the front end and again, with the configuration of that, it'll be mainly a gymnasium. It's basically going to be a community gymnasium.

VICE-CHAIR COCHRAN: Okay. So Chair, is that what, I mean, the subject heading is redesign.

CHAIR GUZMAN: Yes, yes.

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VICE-CHAIR COCHRAN: Gym into a multi-purpose, so I'm...so are we not then, we're keeping it as gym?

CHAIR GUZMAN: I agree, Ms. Cochran. I believe that the, this item was referred to our Committee and in October 28, 2014, a presentation was provided to us and the issue there was, how do we redesign it to create economic activity, may it be conferences, renting rooms, things like that to create a multi-purpose facility, but it appears that the design as presented on the floor has only included benches or --

UNIDENTIFIED SPEAKER: Bleachers.

CHAIR GUZMAN: --I believe bleaches, bleaches [sic] ...(chuckles)... and also two multi-conference rooms. I don't believe that was in the design initially, but I don't think it's something that we were anticipating. I think we were looking at a much grander scale, but Mr. Victorino.

COUNCILMEMBER VICTORINO: No, you're absolutely correct, Mr. Chair, you know, that's something we had discussed. But I think many of us, I know the South Maui representative and I know we have talked a number of times that the feeling was that we wanted a facility for which the residents would be the benefactors. If we were to build what we're talking about, a multi-purpose convention/sports center and all that to generate revenue, how many days of the week or how many days of the year would that be taken up by these activities, grant you, now we've got revenue, grant you, that's great, but what was the purpose? This is the only community from Maalaea to Makena, which is almost a good fourth of this island, has no gym facilities in their area, the only one. Every other community has sometimes two and three. So this is why there was, the feeling was and from the people there, is we want a gym. And I think that's what we're getting back to is we're want to provide a facility so that the youth can play basketball, volleyball and other activities and you still could have, you know, a college game or high school game 'cause you could put in a 1,000-plus people if you want to in the facility itself. So I believe the concept, although I'm not totally against it, would cost us expodentially [sic] a lot more money, take a lot more time to redesign and more importantly, would it take it out from the public's use and the public has been clamoring for a gym since I got on this Council eight-a-half years ago and I can say even long before that because there is no gym facility, like I said, from Maalaea to Makena. There's nothing and that community really, really deserves that. Yeah, I know, some people say, well, what about the high school and all that, well, you and I both know, Mr. Chair, by the time the high school does in the next five to seven years, fine, there'll be two gyms. But that's not the point. The State doesn't always allow us to use their facilities. This is for the people of South Maui. Thank you, Mr. Chair.

CHAIR GUZMAN: Thank you, Mr. Victorino. Is there any more questions? Ms. Cochran.

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VICE-CHAIR COCHRAN: Yeah. So Chair, to the Department, the response March 2nd, it states revisions were made to...from the October 28th presentation as a result of community meeting held later that evening, so is this, as Mr. Victorino's eluding [sic] to, is this the consensus of community at the time that they wanted it more to the specs that you have on the board? Is that why the changes in this fashion?

CHAIR GUZMAN: Department?

MR. HALVORSON: That's correct. Mr. Victorino put it very succinctly.

VICE-CHAIR COCHRAN: Okay. Thank you. So Chair, you know, in D.C., seeing Mr. Couch and stuff I'm like and somehow this subject, we were just talking and I'm like, oh, you trying to take away the Maui Classic from West Maui or what's going on? And he's going, no, no, no, that's not the issue, you know, it's a multi-purpose, so it's looking like it could hold and be a lot more happening for, you know, I don't want the Classic moving over to South Maui...I'm sure Mr. Buenconsejo can agree with me on that one, but anyways, yeah, so again, definitely the needs of the community is number one, but I, just for some reason I recall a whole different picture in my mind --

CHAIR GUZMAN: Yeah, right.

VICE-CHAIR COCHRAN: --as a multi-purpose facility and it was brought up during Budget and it was the amount of money we were going to put into such a facility to have it yes, provide this, but also more so because of the hotel accommodations that end of the island and you know, we can just utilize that much more, generate more visitors to come and you know, bring in functions and what-have-you so I guess it's up for discussion. Budget's here again and we'll see. So that was just my recollection of our discussion initially of this.

CHAIR GUZMAN: Yeah, I agree with you. You're on point because the, when we were in Budget, that was an extensive conversation about, oh, should we be partnering with private entities to try to create a multi-purpose center or a stadium-type or I remember a very detailed, Mr. Hokama going through that and so as it is, we were, that item was referred to us for vetting and I guess the people, I mean the input that was provided to the Department via the community outreach was that they did not want this type of facility, a multi-purpose type at a grander scale?

MR. BUENCONSEJO: Yeah. Chair, to my knowledge, again, I wasn't there for that particular meeting, but to my knowledge, this is what the community was as Mr. Victorino said. It's just having that facility. And just a quick note, you know, it is, it's definitely a very multi-purpose gym. The center of that, the two courts, there'll be a curtain in a sense that will block off the two courts, so you could literally have a basketball game going on on one end and volleyball games going on in the other and you would be totally separated into two. So it's a very highly used multiple court. You have four basketball courts that could run horizontally and then you have the two

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main courts as well. So I mean, I think that's what the community was definitely wanting over the years. You know, Kalama Park did its duty with the outdoor courts and I think this is definitely what they've been waiting for and to rebuttal what Ms. Cochran said, yes, the Classic will not be moving to Kihei. It definitely wouldn't accommodate it anyway regarding with the attendance and the way it's situated, with the way the court structure is. It wouldn't be able to really hold that big of a revenue-generating event, so it is definitely a very community-based gymnasium that we've decided to go with based on community input.

CHAIR GUZMAN: With all those bleachers added, Department, is there parking that would accommodate that many more persons attending an event?

MR. BUENCONSEJO: Yes, Chair, there's actually numerous parking. It is also with the field, you know, as far as all the new softball fields and with the additional parking, you know, at any sold-out event, parking is an issue, but for the most part, there's an abundant of parking stalls that shouldn't be any issue.

CHAIR GUZMAN: With these additional, I guess, amendments or revisions, would that increase the budget on this project?

MR. BUENCONSEJO: From my understanding, no. We're still under that, what are we at, we're at that 22, the 22 million.

CHAIR GUZMAN: Twenty-two mil?

MR. BUENCONSEJO: Yes.

COUNCILMEMBER VICTORINO: Mr. Chair?

CHAIR GUZMAN: Yes, Mr. Victorino.

COUNCILMEMBER VICTORINO: Thank you. And if you look on the presentation, right at the bottom, it says 225 stalls and then, neat the way they have, you know, the stalls based upon the number of seats.

MR. BUENCONSEJO: Yeah.

CHAIR GUZMAN: Yeah.

COUNCILMEMBER VICTORINO: That's how they equated it, you know, so like you have shower, 400 feet, you got one stall. I didn't know you, if you put in a shower, you get one stall. But you know, you read down at the very bottom, look showers, it says 400-some odd feet and there's one stall that is connected to the showers but okay, I got it. So 225 is what you're basically talking about within that area, right? This is within the area and then you still have the--

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MR. BUENCONSEJO: The park.

COUNCILMEMBER VICTORINO: --park area and the adjacent soccer and all those parking areas?

MR. BUENCONSEJO: Yes.

COUNCILMEMBER VICTORINO: Okay so.

MR. BUENCONSEJO: We'll also have an overflow as well.

COUNCILMEMBER VICTORINO: Yeah. Yeah. Oh, yeah, overflow, thank you, that's the term we use, overflow parking. Thank you.

CHAIR GUZMAN: Very good. Members, any other further questions? Seeing none, without objections, Members, I'm going to defer this matter.

COUNCILMEMBERS VOICED NO OBJECTIONS. (Excused: DC, RH, and MW)

ACTION: DEFER PENDING FURTHER DISCUSSION.

CHAIR GUZMAN: Thank you very much, Members. Moving on to the last item on today's agenda, EAR-19, Kanaha Beach Park Renovations.

ITEM 19: KANAHA BEACH PARK RENOVATIONS (KAHULUI) (CC 14-159)

CHAIR GUZMAN: The Committee is in receipt of County Communication 14-159, from me, referring the matter relating to the Kanaha Beach Park renovations. The Committee may discuss the matter. The Committee may also consider the filing of County Communication and other related actions. Members, at our meeting on August 12, 2014, we received a presentation emphasizing the need for on-going dune restoration at the beach from Tara Owens. She is the Coastal Processes and Hazards Specialist from the University of Hawaii Sea Grant College Program. We also heard citizens that came forward regarding the park closure and the work at the keyhole sand dunes and parking area. By letter dated August 21, 2014, I requested the Department to provide us with a description of the work needed and timeline to complete the plan as well as a copy of the Master Plan related to the Kanaha Beach Park. Mr. Buenconsejo advised by a letter dated March 2, 2015, he stated that additional revisions have been made to the plans shown to us previously. The Department also stated that it planned to employ a consultant regarding the completion of the Master Plan and Environmental Assessment by February 2015 and have anticipated a timetable for completion of the work. The Department also provided a copy of the draft Master Plan and program study prepared in 2004.

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Mr. Buenconsejo, would you please tell us what work remains to be done and what is the timeline or timetable for that and has the Department employed a consultant?

MR. BUENCONSEJO: Chair Guzman, if you don't mind, I'm going to pass that to our Chief of Planning and Development, Mr. Robert Halvorson, who definitely has a lot more knowledge on this project than I do.

CHAIR GUZMAN: Okay. Thank you. Mr. Halvorson...

VICE-CHAIR COCHRAN: Chair, real quick.

CHAIR GUZMAN: Oh. Yes?

VICE-CHAIR COCHRAN: Real quick, sorry, not to interrupt.

CHAIR GUZMAN: Ms. Cochran.

VICE-CHAIR COCHRAN: Sorry. But the letter you're referring to with the responses, is that been in, is that submitted to our binders?

CHAIR GUZMAN: I...

VICE-CHAIR COCHRAN: 'Cause the last letter that what you read off was in our item, but this, the one...

CHAIR GUZMAN: Oh, the March 2, 2015?

VICE-CHAIR COCHRAN: Yeah, my latest insert is November 7, 2014.

CHAIR GUZMAN: Okay. I think...

VICE-CHAIR COCHRAN: So I was just wondering if we...

CHAIR GUZMAN: Let me get that, Staff, is that March 2, 2015 letter in the binder?

VICE-CHAIR COCHRAN: I don't have it ...*(inaudible)*...

CHAIR GUZMAN: Members are indicating it is not within the binder.

VICE-CHAIR COCHRAN: But we can move on and maybe get a copy--

CHAIR GUZMAN: Yeah, why don't we have--

VICE-CHAIR COCHRAN: --so we have, we're up to date on our binders.

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CHAIR GUZMAN: --we'll work on that right now.

VICE-CHAIR COCHRAN: Okay.

CHAIR GUZMAN: And then we'll try to get an update from Mr. Halvorson.

VICE-CHAIR COCHRAN: Okay. Thank you.

CHAIR GUZMAN: In terms of the work that's being done at the Kanaha Beach Park.

MR. HALVORSON: The Department is currently contracting with a planning firm to complete the Master Plan and to do the Environmental Assessment. We should have that contract, the, we should have a copy of the completed contract anytime now, this week or next week and then we can issue a Notice to Proceed for the planning firm to start their work.

CHAIR GUZMAN: Members. Ms. Cochran.

VICE-CHAIR COCHRAN: Okay. No. I don't have any.

CHAIR GUZMAN: Okay. Was there any, I guess, work completed or that has begun prior to this event...I mean, prior to seeking out a consultant?

MR. HALVORSON: You mean planning work or actual physical construction?

CHAIR GUZMAN: Yeah, both, I suppose you can...

MR. HALVORSON: Well, neither.

CHAIR GUZMAN: Number one, physical.

MR. HALVORSON: Neither has happened. We had been doing some minor improvements there, but with the public not wanting to change until we have the Master Plan, we haven't done anything physical there other than just general maintenance.

CHAIR GUZMAN: So on, in regards to the Master Plan, is there maybe Corp. Counsel could shed some light on, on the Master Plan, is there a process in which we have to proceed to get the Master Plan approved and is there public hearings on the Master Plan, just for FYI for our Members, as well as myself, what is the, if you know, what is the process of approving a Master Plan or putting input into the Master Plan?

MS. SHEPPARD: I'm sorry, Chair. I don't know the details of that, I'll have to look into that for you.

CHAIR GUZMAN: Okay. If you could, thank you very much. Ms. Crivello.

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COUNCILMEMBER CRIVELLO: Thank you. Thank you, Chair. So we're hiring a consultant, is that, the consultant is to, Mr. Halvorson, we're hiring a consultant and as the idea for the consultant is to implement this plan or to facilitate a new Master Plan with the community and people involved?

MR. HALVORSON: To generate the Master Plan, then it would come before this body or the some body.

COUNCILMEMBER CRIVELLO: So when, excuse me, so when you say, generate, there's one from 2004 in my binder here.

MR. HALVORSON: That was never completed.

COUNCILMEMBER CRIVELLO: Okay. So.

MR. HALVORSON: Or submitted to Council.

COUNCILMEMBER CRIVELLO: So we are contracting a consultant to facilitate a new Master Plan or a continuation of this Master Plan? I'm just trying to understand what the intent is, although we have here restoration of the beach park at Kanaha.

MR. HALVORSON: To complete that Master Plan that was never completed and to update it 'cause it's quite old.

COUNCILMEMBER CRIVELLO: Okay. That's what I'm trying to understand. Thank you.

CHAIR GUZMAN: Thank you, Ms. Crivello. I'd like to follow up with those questions. As indicated, the Master Plan and program study was in 2004 and you mentioned that it was never completed? How come it wasn't completed? And also, why did we spend the money if it wasn't completed to create the Master Plan and program study in 2004?

MR. HALVORSON: I can't answer that directly. I could speculate, but that might not be a good idea.

CHAIR GUZMAN: Okay. Is there any way you can find, maybe Corp. Counsel, do you have any indication as to why this 2004 Master Plan and program study was not completed? But it appears that it's completed. I'm kinda confused 'cause the packet that we have here, the plan itself seems like it's completed.

MS. SHEPPARD: I'm sorry, Chair, I don't know the answer to that question.

CHAIR GUZMAN: Okay. Okay.

COUNCILMEMBER VICTORINO: Chair?

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CHAIR GUZMAN: Yes, Mr. Victorino.

COUNCILMEMBER VICTORINO: I'd just like to request that they give us the history on this whole issue.

CHAIR GUZMAN: Yes.

COUNCILMEMBER VICTORINO: Just simple as that and I would like to find out because I have, like Mr. Halvorson, I can speculate because I was told a number of things, but let's get the facts on the table.

CHAIR GUZMAN: Yes.

COUNCILMEMBER VICTORINO: Thank you, Mr. Chair.

CHAIR GUZMAN: Thank you, Mr. Victorino. Is there a possibility that we can, this Committee can request a history of the background of the 2004 Master Plan and program study and why the Department feels that it was not completed and if it was completed, why was it not submitted to the Council? So that way we can have a report and get some facts down on the record. Okay.

VICE-CHAIR COCHRAN: Chair?

CHAIR GUZMAN: Ms. Cochran.

VICE-CHAIR COCHRAN: So going back, some notes in our binder, August 21st communication, we were in Committee on August 12th and noted that \$250,000 was appropriated for completion of this plan and that's when we started asking these same questions back then and here we are again asking the questions and again with no answers so where's that 250,000 and how was it expended and for what is the other and here we are rolling into Budget again and this is where we talked about it back, you know, then and we're gonna be revisiting again, still wanting to know. So yeah, 11 years later and we're sitting here wondering it's, what the status is is sort of, yeah.

CHAIR GUZMAN: No, I agree, Ms. Cochran, it's very concerning in terms of 250,000 was appropriated for a Master Plan and program study back in 2004, it appears that the Department is saying that it's never been completed, so what was the point in having a...I apologize.

VICE-CHAIR COCHRAN: I thank...

CHAIR GUZMAN: No, I get it and I think we need to get more of a detailed response from the Department.

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VICE-CHAIR COCHRAN: Right. And it looks like, Chair, on November 7th, we did have I guess some responses and it states that February of this year, we would have the consultant contracted and then, thereby, they'd be able to come up with their timetable and completion and so on, but so we're still --

CHAIR GUZMAN: No, I agree because that's what I --

VICE-CHAIR COCHRAN: --waiting.

CHAIR GUZMAN: --that's why I brought it forward --

VICE-CHAIR COCHRAN: Right.

CHAIR GUZMAN: --on the agenda because the last meeting we had with the Department, they did indicate that February, 2015 they would set forth hiring the consultant. They would have a timetable of the work that would be completed so again, we are going to have to wait on the Department. I think this is something that would probably be brought up again in Budget and Finance Committee because this item was referred to us from that Committee. So we will try to again request if the Department can work with us and try to get more of a background on what's going on. Just another heads-up, this could come up during Finance and Budget Committee and so just I would hope that the Department would be prepared to answer at that point in time. But without any objections or any further questions, Members, I would like to defer this matter.

COUNCILMEMBERS VOICED NO OBJECTIONS. (Excused: DC, RH, and MW)

ACTION: DEFER PENDING FURTHER DISCUSSION.

CHAIR GUZMAN: Thank you. This item will be deferred. Members, this will conclude today's items on today's agenda. And I'd like to thank the Department, as well as Corporation Counsel, and the Staff, and the Members for attending this afternoon. Mahalo and have a great day. Adjourned. . . . *(gavel)* . . .

ADJOURN: 2:27 p.m.

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APPROVED BY:



DON S. GUZMAN, Chair
Economic Development, Energy,
Agriculture, and Recreation Committee

ear:min:150317

Transcribed by: Joanne Bista

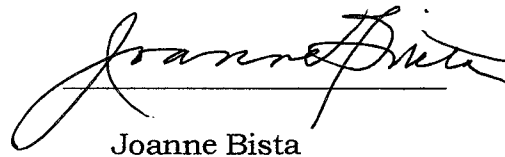
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CERTIFICATE

I, Joanne Bista, 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 31st day of March, 2015, in Kahului, Hawaii



Joanne Bista