

HOUSING, HUMAN SERVICES, AND TRANSPORTATION COMMITTEE

Council of the County of Maui

MINUTES

January 7, 2016

Council Chamber, 8th Floor

CONVENE: 1:32 p.m.

PRESENT: VOTING MEMBERS:
Councilmember Stacy Crivello, Chair
Councilmember Gladys C. Baisa, Vice-Chair
Councilmember Robert Carroll
Councilmember Don Couch

PRESENT: NON-VOTING MEMBER:
Councilmember Mike White (in 1:34 p.m.)

EXCUSED: VOTING MEMBERS:
Councilmember Don S. Guzman
Councilmember Riki Hokama
Councilmember Michael P. Victorino

STAFF: Carla Nakata, Legislative Attorney
Clarita Balala, Substitute Committee Secretary
Ella Alcon, Council Aide, Molokai Council Office (via telephone conference bridge)
Denise Fernandez, Council Aide, Lanai Council Office (via telephone conference bridge)

ADMIN.: Donald Medeiros, Director, Department of Transportation
Marc Takamori, Deputy Director, Department of Transportation
Diane Yogi, Transportation Grants Administrative Officer, Department of Transportation
Rowena Dagdag-Andaya, Deputy Director, Department of Public Works
Michele McLean, Deputy Director, Department of Planning
Mark Walker, Deputy Director, Department of Finance
Edward S. Kushi, Jr., First Deputy Corporation Counsel, Department of the Corporation Counsel
Jerrie Sheppard, Deputy Corporation Counsel, Department of the Corporation Counsel

Seated in the gallery

Michael Miyamoto, Deputy Director, Department of Environmental Management

OTHERS: Lee Chamberlain, Maui Bicycling League
JoAnne Johnson Winer
Additional attendees (1)

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PRESS: *Akaku--Maui County Community Television, Inc.*
Colleen Uechi, The Maui News

CHAIR CRIVELLO: . . .*(gavel)*. . . Good afternoon. The meeting of the Housing, Human Services, and Transportation Committee will now come to order. It's about 1:32 p.m. on Thursday, January 7, 2016. Before we begin, may I please request that we all turn off or silence our cell phones or other noise-making devices. At this time I'd like to introduce our Committee, our voting Members. I'm the Chair, Councilmember Stacy Crivello and with us today is our Committee Vice-Chair, Gladys Baisa.

VICE-CHAIR BAISA: Good afternoon, Chair.

CHAIR CRIVELLO: Good afternoon. Member Bob Carroll.

COUNCILMEMBER CARROLL: Good afternoon, Chair.

CHAIR CRIVELLO: Good afternoon, Mr. Carroll. And Member, Mr. Don Couch.

COUNCILMEMBER COUCH: Good afternoon, Chair.

CHAIR CRIVELLO: Aloha. Excused today is Member Riki Hokama, Member Mike Victorino and Member Don Guzman. Our non-voting Member Mike White may be joining us later. At this time, I'd like to introduce our Administration representatives. With us is our newly appointed, I don't know how much it's been announced yet, Mr. Don Medeiros. Thank you for being here, Don. And our Deputy Director of Transportation, Marc Takamori. And our Grants Administrative Officer, from the Department of Transportation, Diane Yogi. Thank you for being here, Diane. And from the Department of Public Works, our Deputy Director, Rowena Dagdag-Andaya.

MS. DAGDAG-ANDAYA: Good afternoon, Chair.

CHAIR CRIVELLO: And our Director, well, we're expecting our Director from, someone from the Planning Department, as well as a representative from Finance. With us also, from Corporation Counsel, is Jerrie Sheppard, Deputy Corporation Counsel. Thank you for being here. And in the gallery is Mr. Ed Kushi. Committee Staff who do their due diligence on our behalf is Clarita Balala, Committee Secretary, and our Legislative Attorney, Carla Nakata. Members, we have a single item on the agenda today. So let's get started with public testimony. In reference to our District Offices assisting us, this afternoon from the Molokai District Office is Ella Alcon. Aloha, Ella.

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

CHAIR CRIVELLO: Thank you. And our Lanai District Office, with us is Denise Fernandez.

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MS. FERNANDEZ: Good afternoon, Chair. This is Denise Fernandez on Lanai. And there is no one waiting to testify.

CHAIR CRIVELLO: Thank you. We have no coverage for the Hana Office. Our aide from the Hana District Office is not available today. So for our public testimony, for individuals who will be testifying in the Chamber, please sign up at the desk located in the 8th floor lobby just outside the Chamber door. If you will be testifying from the remote testimony locations specified on the meeting agenda, please sign up with the Council Staff at the location. Testimony will be limited to the item listed on the agenda today. Pursuant to the Rules of the Council, each testifier will be allowed to testify for up to three minutes per item; with one minute to conclude, if requested. When testifying, please state your name and the name of any organization you are representing. At this time, thank you, Deputy Director from Planning, Michele McLean, for being here, thank you. And, Mr. Mike White, thank you as one of our non-voting Members. Thank you for being here. At this time, we'd like to call on our first testifier.

MS. NAKATA: Madam Chair, the first and only testifier to sign up in the Chamber is Lee Chamberlain. He'll be testifying on HHT-29.

. . .BEGIN PUBLIC TESTIMONY. . .

MR. CHAMBERLAIN: Aloha, Honorable Chairwoman and Councilmembers. My name is Lee Chamberlain, representing the Maui Bicycling League. I'm here today to voice my support for the bills under discussion to establish a Maui Metropolitan Planning Organization, also known as the MPO. On December 4, 2015, President Obama signed into law the Fixing America's Surface Transportation Act or FAST Act. It's the first law enacted in over ten years that provides long-term funding certainly for a surface transportation meaning states and local governments can move forward with critical transportation projects, like new highways and transit lines, with the confidence that they will have a Federal partner over the long term. The Federal partnership's role to the states is to provide funds, guidance, and standards. To do this, this is done by requiring that a Metropolitan Planning Organization be designated for each urbanized area with a population more than 50,000 people in order to carry out the Metropolitan Transportation Planning Process as a condition of Federal Aid. MPO's function is something of a counterweight to state local governments. This is important because different levels of government have different incentives in spending Federal transportation funds. Maui has its complexities with diverse places, urban and rural regions, neighborhoods, with some thriving and others more challenged. Effective, efficient transportation networks are key to a healthy, fully functioning community. Design of *...(inaudible)...* transportation networks is a complex problem requiring much focus, time and commitment. County Council's time and commitment to this issue can be greatly reduced with the confidence that the MPO bears great responsibility for accomplishing this task, leaving more time to address the many other issues throughout the year, beyond what is necessary to create the optimum transportation network. Metropolitan Planning Organizations bridge these challenges so the MPOs dedicate the time and use performance-based planning and programming which emphasis is a deliberate, thoughtful and structured approach that ensures

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transportation projects are based on full information and benefit the public. MPOs ensure that existing and future expenditures for transportation projects, programs are based on a continuing, cooperative, and comprehensive planning process. It is the objective of the Maui Bicycling League to promote the increase commitment to an investment in bicycle facilities and walking networks which have shown, help create communities that are cleaner, have healthier air, less congested roadways, and are more livable, safe, and cost-efficient. Other states that have adopted the Metropolitan Planning Organizations have either successfully significantly improved pedestrian/bicycle transportation networks that provide functional connections and enhance transportation choices. The Maui bicyclists' belief is that the MPO's function to serve an overall coordination consensus building role and planning and programming funds for ...(*inaudible*)... projects and operations will assist in the Maui Bicycling League's objectives by delivering safe, comfortable and connective pedestrian/bicycle networks. The MBL, Maui Bicycling League, supports the Metropolitan Planning Organizations and requests the formation of the MPO be required to have a Technical Advisory Committee or a Citizen Advisory Committee dedicated to bicycle issues.

MS. NAKATA: Three minutes.

MR. CHAMBERLAIN: The Maui Bicycling League stands ready to be part of this committee or committees. Thank you.

CHAIR CRIVELLO: Thank you. Thank you, Mr. Chamberlain. Members, any need to have any part of the testimony rephrased? Any questions or comments? If not, thank you for being here, sir.

MR. CHAMBERLAIN: You bet.

MS. NAKATA: Madam Chair, no one else is signed up to testify in the Chamber.

CHAIR CRIVELLO: Thank you. I will check with our District Offices if there are any other testifiers since there are no testifiers in the gallery. Lanai District, any testifiers?

MS. FERNANDEZ: There is no one waiting to testify at the Lanai Office.

CHAIR CRIVELLO: Thank you. Molokai, any testifiers?

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

CHAIR CRIVELLO: Thank you. Since there are no more testifiers in the gallery or at our District Office, if there are no objections, I'd like to close testimony at this time.

COUNCILMEMBERS: No objections.

CHAIR CRIVELLO: Thank you.

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. . .END OF PUBLIC TESTIMONY. . .

ITEM-29: MAUI METROPOLITAN PLANNING ORGANIZATION (CC 15-294)

CHAIR CRIVELLO: Members, we will start with our agenda item, Maui Metropolitan Planning Organization, HHT-29. The Committee is in receipt of County Communication 15-294, from the Director of Transportation, transmitting the following: a proposed bill entitled A Bill for an Ordinance Amending Title 2, Maui County Code, to Establish the Maui Metropolitan Planning Organization. The purpose of the proposed bill is to establish the Maui Metropolitan Planning Organization in Title 2 of the Maui County Code, to meet Federal and State requirements for funding eligibility for transportation planning projects. A proposed bill entitled A Bill for an Ordinance Authorizing the Mayor of the County of Maui to Enter into an Intergovernmental Agreement with the State of Hawaii to Establish the Maui Metropolitan Planning Organization to Fulfill Federal and State Transportation Planning Requirements. The purpose of the proposed bill is to authorize the Mayor to enter into an intergovernmental agreement with the State of Hawaii to establish the Maui Metropolitan Planning Organization, so that the County is eligible to receive Federal funding for transportation planning and able to carry out coordinated and integrated metropolitan transportation planning. The Committee may receive a presentation on the proposed Maui Metropolitan Planning Organization, including the proposed intergovernmental agreement, and Federal and State requirements for funding eligibility for transportation planning. The Committee may discuss the proposed bill. And, Members, there's no legislative action that will be taken. We will receive today a presentation from the Deputy Director of Transportation, but before we do that, I'd like to also introduce Mark Walker, Deputy Director of Finance. Thank you for being here, Mr. Walker. And perhaps our newly appointed Director would like to say a few words to introduce. Mr. Medeiros?

MR. MEDEIROS: Thank you, Chair. Thank you for hearing this extremely important document that has, that can have very detrimental consequences with our funding if we don't move it forward. It is essential that we move this process along, because we're about three years behind the deadline to do this. Without further ado, I'd like to turn it over to Deputy Takamori to handle. Thank you very much again.

CHAIR CRIVELLO: Thank you. Mr. Takamori?

MR. TAKAMORI: Thank you, Madam Chair and Committee Members. Thank you for having us today to allow us to provide you with some information on what a MPO is and its functions. In this presentation, I'll be quickly going over the Federal laws that govern the Metropolitan Transportation Planning Process, what a Metropolitan Planning Organization is, what its required products are and what the potential structure of the Maui MPO may be. So before the Federal government can require states and counties to create the Metropolitan Planning Organization, they need to create authorization acts such as MAP-21 and most recently Fixing America's Surface Transportation Act, which establishes the funding program's maximum funding levels and eligibility

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requirements. These laws are found in the United States Code in both the Federal Highways Administration side and the Federal Transit Administration side. So what is a Metropolitan Planning Organization or MPO? Well, a MPO is a Federally-mandated and Federally-funded transportation policy-making organization. MPOs are triggered when the US Census designates a urbanized area of 50,000 people or more. Congress created MPOs in order to ensure that existing and future expenditures of governmental funds for transportation projects and programs are based on a continuing, cooperative, and comprehensive 3-C Planning Process. The MPO must cooperatively develop, update, and improve the required products. So this map outlines in the, outlined in the bold green color, shows the Metropolitan Urban Zone Area, which again is a census-designated urban area with a population of 50,000 residents or more. Because of the 2010 Census, the designation drew out the MPO's urban zone area, as well as the MS4, the Municipal Separate Storm Sewer System boundaries. The urban zone area here on Maui consists of the Kahului, Wailuku, Paia, Waihee, Waiehu, and Waikapu areas. The Metropolitan Planning Area is the boundary of which the Metropolitan Transportation Planning Process must be carried out. The current Metropolitan Planning Area for the Maui MPO is the island of Maui. At a minimum, the MPA, or the Metropolitan Planning Area, must include all of the census-defined urbanized areas and areas that are urbanizing and/or areas which are expected or urbanize in the next 20 years. There are four major planning products that is required of the MPO with population greater than 50,000 people. There are, they are the Unified Planning Work Program, the Long-Range Transportation Plan, the Transportation Improvement Plan, and the Public Participation Plan. The first planning product is the Unified Planning Work Program which is essentially the MPO's operational annual budget. It also identifies transportation-related planning studies, its sources of funding, schedules, and responsible agencies. It also includes Federally-funded studies that addresses Federal planning requirements. So such as, for example, monitoring the impacts of projects on low-income and minority populations. The Metropolitan Transportation Plan, or also known as the Long Range Transportation Plan for the Metropolitan Area, the Long Range Transportation Plan is a statement on the way the region plans to invest in the transportation system over the next 20 to 25 years. The current Long Range Transportation Plan is handled by the State of Hawaii; however, once the MPO is formed, it is the duty of the MPO to create and update the Long Range Transportation Plan for Maui. It covers at least 20 years when adopted and is updated between every 4 to 5 years. It must be financially constrained and makes progress towards National, State and County performance targets. Some of the things that are covered in the Long Range Plan is the identification of transportation facilities, system performance reports, financial plans, and transportation alternatives and associated transit improvement activities along with community input. The Transportation Improvement Plan or TIP is a prioritized listing of transportation projects covering a period of four years that is developed by the MPO as part of the Metropolitan Transportation Planning Process. Consistent with the Metropolitan Long Range Transportation Plan is required for projects to be eligible for funding under the Federal laws, under Title 23 USC and Title 49 USC Chapter 53. The TIP must be financially constrained by year. All projects on Maui Island in the Metropolitan Planning Area must involve public input, be reviewed, and then approved by the MPO and the Governor in order to be placed in the Statewide Transportation

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Improvement Plan or STIP. The State of Hawaii currently is doing this for us; however, once the MPO is in place, the MPO must take over this task. The last product of the MPO is the Public Participation Plan or PPP. The plan is the process by which interested and affected individuals, organizations, agencies, and government entities are consulted and included in the decision-making process. It will help promote the continuing, cooperative, and comprehensive transportation planning process. The public process will be integrated throughout the development of all MPO activities and work products. The Maui MPO structure: so in the Comprehensive Agreement, the proposed Maui MPO structure is as shown. The Comprehensive Agreement will pave the way for the creation of the MPO since the MPO Policy Board shall be the decision makers for the use of Federal-Aid transportation funds for the Maui Metropolitan Planning Area. The Policy Board would appoint and determine the powers and duties of the Executive Director. The Policy Board would also be able to establish advisory committees, such as the Technical Advisory Committee; and you can't forget about the public, as public participation is vital in the Metropolitan Planning Process. The Policy Board is responsible for developing the Metropolitan Transportation Planning Process and must act as an independent, decision-making entity in order to receive and administer Federal Transportation Planning funds. Currently, the proposed make-up of the Policy Board is seven members: the Hawaii State DOT Director, three members from the County Council with two ex-officios, and the County Planning Public Works and Transportation Directors. Per HRS 279D, each Policy Board shall appoint a full-time Executive Director of the Metropolitan Planning Organization which shall be independent of the State and County agencies. And lastly, the Technical Advisory Committee will most likely be, at a minimum, be comprised of representatives from the State DOT, County Planning, County Public Works, and County Transportation departments. However, the structure will be determined by the Policy Board. The Technical Advisory Committee shall keep the Policy Board informed as to the technical merits and issues of any plans, studies, projects, or other products or processes of the Maui MPO. The Policy Board also has the ability to create other committees, I guess based on if they feel it is necessary. So that is determined by the Policy Board as well. In closing, there are essentially two things that is important to remember – due to the 2010 Census and the designation of the new Urban Zone Area here on Maui, we are required by Federal and State law to establish a MPO. If we aren't able to move forward with the establishment of a MPO, all Federally-funded transportation-related products on Maui, including both County and State projects, would lose funding. Currently in the STIP, it is approximately \$186 million allocated over the next five years, so that's quite a lot of money to potentially lose if we aren't able to move forward with the MPO. Thank you.

CHAIR CRIVELLO: Thank you. Members, we have before us our resource people also, as I mentioned earlier, Department of Public Works, Department of Planning, Department of Finance, and I will open up the floor for questions for our representative from the Department of Transportation, Members. Mr. Couch then Ms. Baisa.

COUNCILMEMBER COUCH: She had her...

VICE-CHAIR BAISA: No, that's okay.

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COUNCILMEMBER COUCH: No, go.

CHAIR CRIVELLO: Ms. Baisa?

VICE-CHAIR BAISA: Of course, there's many questions and I'm sure more questions than answers at this point. Any time we're kicking off something, it's kind of let's just plunge in and see how it all works out and I think you got the right person in the, as the lead dog here. I'd like to congratulate Mr. Medeiros on his appointment. I've worked with him before and I know he's going to do an outstanding job for the County, particularly in this area. And this is a big undertaking because we starting something new and of course, when it involves the Feds and the State it gets very complicated. I was wondering, does anybody have any idea where this is going to be located because it looks like there's a new staff that's going to have to be taken care of somewhere. And it's an independent body, right? If I understand this correctly, Chair?

CHAIR CRIVELLO: Mr. Takamori or Mr. Medeiros? Department of Transportation?

MR. TAKAMORI: It basically, once a Comprehensive Agreement is able to move forward, the Policy Board would be able to determine where their new organization would potentially be housed. So it's a little difficult for me to say because I guess I'm not really on the Policy Board. And so, it's a little too early to say because of the Federal monies that we would receive for the operational budget for the MPO, I guess the best way to get the most bang for our buck would be having the County provide some type of resource to the MPO so we can use more of those Federal monies to do more studies.

VICE-CHAIR BAISA: No, I think that's really great and, you know, that's a good answer. So we would have Federal monies to assist with these costs or is the County going to have to cough up money?

MR. TAKAMORI: Yes, the County would need to provide the, I guess the County match. So, at maximum, mostly it would be like the 20 percent. But also, if the County, which will be at the table because most of our projects here on island are County projects, a lot of the staff members that would be helping with the MPO from the various departments could be used as in-kind match as well.

VICE-CHAIR BAISA: I see, so the match can be in-kind or cash?

MR. TAKAMORI: Correct.

VICE-CHAIR BAISA: That's good. That's really helpful 'cause I'm sure the County will give a lot of in-kind. It's just a matter of documenting and keeping track; been there, done that. Chair, I'll defer to Mr. Couch, but I'll come back again, if it's okay with you?

CHAIR CRIVELLO: Yes, thank you. Mr. Couch?

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COUNCILMEMBER COUCH: Thank you, Madam Chairman. And thank you, Ms. Baisa, for your comments because some of those were the questions I had. For instance, you mentioned that the employees, the Executive Director and any staff would be underneath the Policy Board, so that's not a State, Federal, or County function, it's its own separate function. Is that how that works?

MR. TAKAMORI: Yes, so the Policy Board would be the entity that would hire the Executive Director and the Executive Director would be the person that would hire its staff. So I guess based on the amount of monies allocated by the Policy Board for operations will determine I guess how much is allocated for the Executive Director and staff.

COUNCILMEMBER COUCH: Sure.

MR. TAKAMORI: And potentially, if the County provides some type of office space as a in-kind match, I guess the...okay wait, I lost my train of thought.

COUNCILMEMBER COUCH: Well, while you're thinking about that that leads into my other question. The funding is going to come from, partially from the County and you're suggesting 20 percent? The rest comes from the FAST money?

MR. TAKAMORI: Yes, it would be from the Federal government.

COUNCILMEMBER COUCH: Is there a limit to that? I mean, if we want to spend \$10 million and the County's willing to give 2.

MR. TAKAMORI: Oh no, it's a formula fund. So basically, the planning funds that we get from the Federal government is actually shared Statewide so we would be taking a allocation from that monies that's shared with the Oahu MPO.

COUNCILMEMBER COUCH: Okay.

MR. TAKAMORI: Yeah.

COUNCILMEMBER COUCH: And lastly, would this be, would these folks be civil service or would they be, is this a completely separate entity and not subject to HRS 76?

MR. TAKAMORI: They would, the employees would not be civil service employees. I guess if they're housed in the County, they would not be civil service, they would be exempt.

COUNCILMEMBER COUCH: Okay. Thank you. I have a whole bunch more, but that's good for now.

CHAIR CRIVELLO: Oh, okay. Mr. Carroll, any questions?

COUNCILMEMBER CARROLL: Not at this time.

CHAIR CRIVELLO: Okay. Ms. Baisa?

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VICE-CHAIR BAISA: We stated that they're not going to be civil service employees, so can somebody explain, what is the legal structure of this MPO? What is it considered? It's a corporation? It's a NGO? What is it?

CHAIR CRIVELLO: Ms. Sheppard?

MS. SHEPPARD: I believe that this Policy Board and this MPO organization are an individual entity. I don't know that they have a business type. There are going to be a Policy Board making...planning, coordination, recommendations to the County's planning branches and the County's planning branches participate in the Maui planning organization, the Metropolitan Planning Organization. So it's sort of like a co-existing committee and the bill is designed to allow the County to acknowledge the existence of this organization so that it can be funded through Federal monies, passed down to the State and the County and then it's just a standalone organization created for compliance with Federal law.

VICE-CHAIR BAISA: I don't know, that's kind of disconcerting to me, you have this thing floating out here. Well, who is it responsible to?

UNIDENTIFIED SPEAKER: The Policy Board.

MS. SHEPPARD: It's not really responsible to anybody. It's responsible under the Federal law for coming up with planning recommendations.

VICE-CHAIR BAISA: Okay.

CHAIR CRIVELLO: I would think there would be some sort of --

VICE-CHAIR BAISA: Legal entity.

CHAIR CRIVELLO: --if I may ask, some sort of structure for business. When you say planning, does it come under Planning? You're gonna have, independently, this Policy Board as well as their Executive, or its Executive Director, and who does that person report to? Or better yet, how will funding, what conduit will the funding be going through? 'Cause it's not a nonprofit, unless the Board will establish such. What is said in the intergovernmental agreement as to the type of structure that we will set up for its functionality?

MS. SHEPPARD: I see my illustrious boss approaching. Mr. Kushi, this is your chair.

CHAIR CRIVELLO: Thank you, Mr. Kushi.

MR. KUSHI: Madam Chair, I really don't want to be here. The way I understand the setup is to get to Ms. Baisa's question is it's not a nonprofit entity, it's not a third-party corporation, it's nothing like that. It's a government agency created by pursuant to Federal law. It's a standalone board or commission created by Federal law and State

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law. The details of the makeup is in your packet under the intergovernmental agreement, which has the composition of the Board itself.

VICE-CHAIR BAISA: I saw that.

MR. KUSHI: The funding would come from the Feds with some County matching, but it's not our idea to create this. It's a Federal government regulation. I compare this Board to similar boards we have like the MRA, the Council on Aging, Status on Women; these are all created pursuant to State or Federal laws. It wasn't the County's idea. We need to place them somewhere in our County Code to get an organization. If that helps.

VICE-CHAIR BAISA: Well, Chair, moving on with it. So it's gotta be accountable to somebody. Somebody's gotta watch it. Who does that? Who has that job? The Feds?

CHAIR CRIVELLO: That's the question I've asked, you know, who are they accountable to? And I guess, I'm going to ask later as we, if Transportation can sort of brief us with the intergovernmental agreement. Summarize it at least. But in answer to our question, the organizational structure we understand is Fed but who does it report to?

MR. TAKAMORI: Basically all of the I guess projects that, planning projects that are being done on Maui in the Metropolitan Planning Area, would I guess, if it's fiscally constrained, it would make it, it will be made onto the Transportation Improvement Plan, which would then go into the STIP. So once those projects are finalized in the TIP, the Policy Board will vote for that and if everything looks good from the Policy Board standpoint that is then transmitted to the Governor which then the Governor and the MPO have to sign off on that to make it into the STIP. So basically anything that is happening down at the policy or MPO level still needs to go up to the Governor has to approve it as well as the Federal Highway and Transit side, they also have to approve it.

CHAIR CRIVELLO: I understand what you're saying about approving the actual structure, but it doesn't give us a fine line as to who the Policy Board, as well as, the MPO, ED or staff reports to.

MR. KUSHI: Maybe I can clarify. In terms of who does this Board report to or who would the Board be accountable to, if that's the question?

VICE-CHAIR BAISA: Yes.

MR. KUSHI: At this point in time, and this is new for us and it's new for the State too, I would say, taking a guess, nobody. But if you don't comply, you don't get the money. It's accountable to the Governor because the Governor administrates, administers the State monies through the, the Federal monies through the State. If we don't comply, then the Governor would tell his Director of Transportation don't give Maui a dime. It's accountable to the Feds because if we don't set up this organization properly, then

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we don't get funding. So in terms of the hierarchy of who has the last say, I would say nobody, but the regulations are in place.

CHAIR CRIVELLO: Ms. Baisa?

VICE-CHAIR BAISA: Okay. Now I'm more nervous. If we have this MPO and the Feds are gonna fund it, who is the check written to? Is it written to the County? Is it written to the MPO? They have their own separate books and money or how does this work?

CHAIR CRIVELLO: Mr. Takamori?

MR. TAKAMORI: In the intergovernmental agreement, there's a section that allows the MPO to set up a agreement with Department of Transportation or County Department of Transportation as an administrative function so that any monies that will, any planning funds that would come down through from the Feds through the State, it would go through the County, through our Department as a grant to the MPO.

VICE-CHAIR BAISA: So it kind of sounds like whether it's not formal or not, that you would be kind of paying attention to what they're doing. I mean, I'm concerned about it because we're talking about Federal money and we want to make sure that it's administered properly because we have audit regulations and, you know, if something goes, well who pays? Does the County pay or does the MPO pay or who's stuck? I think it's important for us to have a comfort level about how this is going to be monitored.

MR. TAKAMORI: If I may?

CHAIR CRIVELLO: Yes, please.

MR. TAKAMORI: Basically the makeup of the Policy Board, the decision-making body of the MPO are members from County Council, State DOT designee and County Directors from Transportation, Public Works, and Planning. So technically, it's basically if this MPO needs to come in front of any County Council committees, I'm sure that they will be happy to do so as well to answer any questions, I guess, should the County Council have any questions or concerns.

CHAIR CRIVELLO: So does this make sense that once the Policy Board is established or set up, they would set up the structure and then get the approval or submit their recommendation? Does it go to the Governor for approval, the Feds, or the County?

MR. TAKAMORI: Yes, once the Comprehensive Agreement starts to move forward, which establishes the Policy Board, the Policy Board will determine what they feel is necessary and how they feel that, well how they need to structure I guess the MPO. Basically, they need to follow all State and Federal requirements so the, so basically the State and the Feds are still gonna be looking down to see what the Maui MPO is up to and if it's not meeting their expectations, they can definitely cut off any funding to the MPO.

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CHAIR CRIVELLO: We understand that. Ms. Baisa?

VICE-CHAIR BAISA: Chair, when I look at this, this is what I'm looking at, and it's very clear, you know, once we have a Policy Board and we have an Executive Director and we have technical committees and people like, I assume, like yourself will be a member of this Policy Board because it says the Councilmember who's involved with the subject committee, and that's you. And then we have somebody who's in charge of Public Works so I imagine that would be Councilmember Cochran and then one member, additional member from the County Council appointed by Chair. But the question is who is in the spot above this, it's not clear. Okay. Where's the box over this, that's what we're discussing that I think we don't, we're not kind of sure.

CHAIR CRIVELLO: Right. Mr. Kushi or Ms. Sheppard?

MR. KUSHI: Not to me. First time I've seen this chart.

MR. TAKAMORI: Basically, from the trainings that have been given on the Metropolitan Planning Process, basically, the Policy Board or the MPO is really overseen by the public. Because this whole structure is based on the, I guess the planning process for the island of Maui, I mean, it is very important that the public is involved in kind of helping along the various projects. So technically, if the MPO is doing something that the public doesn't like, I mean, that's a big flag in the sense that the Feds created this to make sure that public input is vital.

CHAIR CRIVELLO: We understand that. But we're just trying to find, in the organizational structure, who it reports to. Ms. Sheppard?

MS. SHEPPARD: These products that the MPO will be producing will be submitted to the State to be incorporated with the State's Transportation Plan. They're also communicated to the Federal government and based on all of that, as long as they're complying with the comprehensive, on-going requirement to cooperate in this universal transportation planning process, then we continue to receive the monies. When we stop doing that, we stop getting the monies. Does that help?

VICE-CHAIR BAISA: I understand what you're saying, but I have been around for a very long time, and I have dealt with multiple boards and all of these organizations and I have been burned many times. When it's everybody, somebody, and nobody, everybody has an excuse; well it was the State should've looked at it, the Feds should've looked at it, somebody should've looked at it; but then it comes here to the Council about us not watching what's going on in our community. So it's important to me, I want to see this MPO established ASAP. It terrifies me that we're three years behind time and we could lose Federal money if we don't move quickly. But I would really be happy if there was one entity that would have the responsibility to oversee and pay attention to what this Policy Board does because the fact that they have jobs to do doesn't mean it's going to happen. I'm sorry, I've been around too long.

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CHAIR CRIVELLO: Mr. Kushi, and then Mr. Couch.

MR. KUSHI: Yeah. You know, I don't think we have an answer for you, Member Baisa, as to who's above this Policy Board. But I believe the intent of the Federal legislation was that before Federal monies are spent it needs the public input. So they created this, in my mind, another level of bureaucratic nonsense, but, you know, they created this requirement for this Policy Board and it's answerable to themselves based on the regulations that are set in law. But, and it's not a matter of do we want to do it or not, I think the Feds are saying we have to do it. You know so, again, the Policy Board is on its own, three or four Members of this body will be on it and they're really, I think they're trying to be independent of the State or Federal...local...county governments, administratively.

CHAIR CRIVELLO: So as I, if I may ask, when I look at the agreement under Composition and Authority, it mentions members of the Policy Board, advisory committees or subcommittees shall be subject to part I of Chapter 92, Hawaii Revised Statutes. Can you clarify, for me, on that?

MR. KUSHI: That's the Sunshine Law.

CHAIR CRIVELLO: Oh, okay. And, so it doesn't, it just says that, doesn't say the authority. Mr. Couch?

COUNCILMEMBER COUCH: Thank you. Maybe I can help. And, correct me if I'm wrong, we're making this ordinance with this agreement, so I think, ultimately it's the Council because we can change the ordinance --

CHAIR CRIVELLO: Right.

COUNCILMEMBER COUCH: --at any time, in my opinion. But we are also looking at this from a Maui County point of view; they're all over the country and I'll give you Portland, for example. Portland has multiple cities in multiple counties and they have one Metropolitan Planning Organization that sits above them, not responsible to anybody, it's whoever puts the members on the Board. And in some cases, that, the MPO organization has a little bit more authority over all the cities and counties around there because they're the ones that have to make sure that the roads connect. The problem is here, we don't have multiple cities and counties and everything. We have Maui County and the State. We already have that kind of agreement, sort of, we have disagreements occasionally; but, it's one of those things where it's just going to be us, people, Maui County Department, so if we put it here, in the language, I would think we would be able to change that language. Is that right? We don't know?

MR. KUSHI: We can always amend your ordinance.

COUNCILMEMBER COUCH: Yeah. We can always amend the law, so.

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MR. KUSHI: I mean if you create this now and it doesn't work out or there's some problems on it --

COUNCILMEMBER COUCH: Right.

MR. KUSHI: --do an amendment, subject to Federal approval now.

COUNCILMEMBER COUCH: So this is subject to Federal approval too?

MR. KUSHI: Well, I mean, we're trying to comply with the Federal law now.

COUNCILMEMBER COUCH: Right. Okay.

MR. KUSHI: Any amendments to it. We've passed this draft on to the Feds, correct, the Hawaii Federal agencies and they said okay this will comply.

COUNCILMEMBER COUCH: So in a far, you know, and I don't want to say roundabout way, but I'm going to have to say it, roundabout way, the Feds have kind of some oversight via the State/Federal Highway Administration; but we have the capability of changing the composition of the Board, changing some of the agreements, but the State has to agree to it.

CHAIR CRIVELLO: Right.

COUNCILMEMBER COUCH: So, it's kind of a nebulous thing, like I agree with Mr. Kushi a little, unnecessary red tape, but only because the way we are set in Maui County, or any of the Counties in the State of Hawaii are completely different from the mainland and we're being shoved into that little box that doesn't really fit, but we have to make it work.

CHAIR CRIVELLO: Right, right.

COUNCILMEMBER COUCH: So there is no real one person says no, you're doing the wrong thing, it's...

CHAIR CRIVELLO: And I guess it's how we're going to --

COUNCILMEMBER COUCH: Yeah.

CHAIR CRIVELLO: --develop our ordinance. Mr. White? And then Ms. Dagdag-Andaya.

COUNCILMEMBER WHITE: What is the makeup of the Honolulu MPO?

CHAIR CRIVELLO: Mr. Takamori?

MR. TAKAMORI: Okay. Hold on, let me...

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CHAIR CRIVELLO: Yes.

MS. DAGDAG-ANDAYA: Chair?

CHAIR CRIVELLO: Yes, maybe, Rowena, you can answer that?

MS. DAGDAG-ANDAYA: Off the top of my head, it's an Executive Director, and then you have their staff. They also have planning staff. I believe they have a transportation planner, a community relations type of person, one person who handles all the financial or administrative type of work. But they operate separately from the City and County of Honolulu. So above the Executive Director, Brian Gibson, is the Oahu MPO and that, or the Policy Board and that is a pretty big board. You have several Councilmembers that are voting, five Councilmembers. I believe you also have State legislators taking part in that Board. Then you have your directors of Transportation, Planning, and the State. And --

COUNCILMEMBER WHITE: Public Works, I would imagine.

MS. DAGDAG-ANDAYA: --Public...yeah, I think it's their transportation, they have a, the way they're structured in City and County is very different from ours. But that was one thing I wanted to mention, is that Oahu has their own Board and they've been in existence for over 20 years now, I believe. So it's been a while since a, an MPO was formed in the State of Hawaii and part of our challenge in trying to find a good model is, you know, we're separated by water. Our roads do not connect directly with Honolulu and their transportation issues are much larger. They are considered a large Transportation Management Area because they have over a million...

UNIDENTIFIED SPEAKER: Two hundred thousand.

MS. DAGDAG-ANDAYA: Yeah, over 200,000 people. Whereas, in our case, for our urbanized area, we had just 50,000 or more and that's how we got that designation. So it correlates with the MS4, I mean, after the US Census, that's where we got kicked into MS4 and MPO status. But speaking from a Public Works' perspective, we recognize that there are some consequences if this MPO structure is not developed. We have been working with Federal Highways and the State in developing our STIP since 2013 when the talk of an MPO had started. So since then, you know, we've been still following that same process of the State coordinates our, or the transportation meetings as they, you know, develop the projects that are, or as we all develop the projects that are Federally-eligible. And then, oftentimes we'll make amendments to the STIP, through the State, and we've kind of incorporated the interim MPO as part of that process. But the difference that we see is that, well first thing, funding won't change. We neither gain nor lose additional monies. I think we're locked in for Federal funding. I'm not sure what the Federal funding is going to look like after 2018, but from now until 2018, it still remains the same. If we kick into the MPO, it neither gains nor loses. But the difference would be the way we plan our projects. There would be greater public participation through the Policy Board. There would be greater review and coordination with our departments, so now you have Planning

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Department, Public Works, Transportation, and the State working together to review the projects that are State projects and County projects that are Federally-eligible. There is a public component through the Public Involvement Plan. Right now, that Public Involvement Plan is through the State, but what we would have to do is come up with our own plan. That's one of the work products that Marc had mentioned earlier. He also mentioned earlier the Long-Range Transportation Plan. That was, I think, or the one that just got created was done in 2014 so we have a break from now until 2020 when we have to go back and do it again. Right...that plan was done by the State; when the MPO gets formed, it becomes our or the Maui's responsibility through the MPO. So it's a challenge trying to think in that way. Okay, MPO, is that a government agency? Is that through County? How is this independent? But the way I see it, it's, there is oversight by the Federal government. They create the Federal law that triggers the need for us, the requirement for us to do an MPO and we have some work, or the MPO has some work that they need to do. If they don't follow through with that work, then funding is either, I mean, there's consequences to the funding, both projects and the planning operational funds. Another thing I wanted to point out is that now there's a greater communication, I'm hoping, because now you have, on the Policy Board, Councilmembers, Administration, and the State working together so it's kind of what I wanted to say, but I, I mean we do support the formation of an MPO. I think it'll be positive. There are some questions and I know we won't be able to get to the questions during this time. Perhaps a suggestion, maybe, to have someone from Federal Highway Administration or State Department of Transportation, their planning branch, attend future meetings so that we can all discuss how this comes together. But I'm just going to leave it at that, so.

COUNCILMEMBER WHITE: When you mention that the funding remains the same, were you referring to Maui County's funding or State funding, in total?

MS. DAGDAG-ANDAYA: It would be both. So through the...when we go in for our STIP, you have the Federal monies that are allocated, there's a formula that's used to determine how much Federal funding the State gets. So you have your Federal monies for your Federal-Aid projects and then you have the local match; so for example, the roads in Kahului, in the Urbanized Area, we had a Lono Avenue, or I'm sorry Wakea Avenue reconstruction. So we had the Federal monies and we had County of Maui match to it. When I say that remains the same, that's what I mean, the local monies that have been designated from 2018 to 2015, both, I'm sorry, Federal and local monies, they remain the same. There wouldn't be, just because we're an MPO doesn't mean we gain more monies, so, or we lose more monies, it stays the same. I'm trying to come up with a better way to say this now, let me backtrack a little bit, so the State of Hawaii gets a big pot of money through the Surface Transportation Program. And then it gives State Department of Transportation has, they oversee how that money gets allocated, there's a formula to the different counties. So the formula is used; Maui gets a portion, Oahu gets a portion, Kauai, the Big Island. This is Federal Highway side and I believe it's the same for the Transit side as well, but that money for us, it stays the same even if we do an MPO or...yeah.

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COUNCILMEMBER WHITE: Okay, but that indicates that there's no, is that County funding or Federal funding that is going to State highway projects? 'Cause there's a lot of projects on Maui that are handled by the State and not the County, so does the State allocation to Maui for State highways remain the same? Or is that... 'cause it seems to me that they need to have flexibility to move the money where they most need it throughout the State.

MS. DAGDAG-ANDAYA: Right. That money stays the same. It will, their allocation would stay the same.

COUNCILMEMBER WHITE: Their allocation in total or their allocation for Maui County?

MS. DAGDAG-ANDAYA: When you say allocation, not County projects, State projects right?

COUNCILMEMBER WHITE: Yeah, State projects in Maui County.

MS. DAGDAG-ANDAYA: Right. That's what my understanding is. That wouldn't change. Like I mentioned earlier...

COUNCILMEMBER WHITE: And then I guess the other question, Chair, is now that we have an MPO, which is basically Kahului, Wailuku, and Paia, is there a priority given to the urban area over the non-urban areas in respect to funding for projects? The reason I bring it up is because we've got the Honoapiilani Highway widening and realignment project from Maalaea to Puamana. It's a very expensive project. I can't imagine that we can afford to do that if there's no flexibility in the funding.

MS. DAGDAG-ANDAYA: That would be, again, a discussion with the MPO Board, the Policy Board. And then you'll have your Technical Advisory Committee providing input to help the Board make its decision. Working with the State, they've developed a set of priorities for congestion management, creating...or additional, well, just take for example, congestion management that's one of their priorities. So they'll put priority on those types of projects, but again, I think it'll all go back to what the public input received and then working with the State and also the Federal Highway Administration, what their priorities are --

COUNCILMEMBER WHITE: Okay.

MS. DAGDAG-ANDAYA: --for the monies.

COUNCILMEMBER WHITE: And, Mr. Takamori, on the makeup of the Honolulu Board, are the Councilmembers on the Honolulu Board all voting Members or are there Members that are ex-officio?

MR. TAKAMORI: There, based on the structure, there are five City Councilmembers all appointed by the Council Chair. It doesn't...I believe they're all voting. There's actually 13 Members total on their Policy Committee, but I guess part of the reason

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why they must have so much people on their Policy Committee is because they are a, I guess, a large urban area which...

COUNCILMEMBER WHITE: Yeah, I don't have a problem with the number.

MR. TAKAMORI: Okay.

COUNCILMEMBER WHITE: Our number being smaller. I'm just interested why we --

MR. TAKAMORI: Okay.

COUNCILMEMBER WHITE: --the presentation shows that of the three Councilmembers on the committee, two are ex-officio and non-voting, so that --

MR. TAKAMORI: Yeah, we...

COUNCILMEMBER WHITE: --I would have a challenge with that.

MR. TAKAMORI: Okay. The reason behind that is because we felt that just keeping it as small as possible would be best and then we felt that having the inclusion of the, of more Councilmembers to be a part the process, to know what's going on in the MPO, we figured just add a few more and making them ex-officio. So that was kind of just the thought process, initially we started with one voting and then we figured oh, well we should add a few more just because then subject matter experts could be part of the MPO process.

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

CHAIR CRIVELLO: Mr. Takamori, but it also means, you can also change that or amend that to have just one voting Member and no ex-officio, I mean, one representative from the Council. Or you can have three voting Members, right? It's still...

MR. TAKAMORI: That can be amended. We can...

CHAIR CRIVELLO: --It's still work in progress.

MR. TAKAMORI: Yeah, correct. It's still a work in progress.

CHAIR CRIVELLO: Alright. Thank you. Mr. Couch and then Ms. Baisa.

COUNCILMEMBER COUCH: Thank you. And as I mentioned before, I think this is, I mean we're here, we can change this.

CHAIR CRIVELLO: Right.

COUNCILMEMBER COUCH: If we decide to make three Members and no ex-officio.

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CHAIR CRIVELLO: Right.

COUNCILMEMBER COUCH: We can do that, right?

CHAIR CRIVELLO: Right.

COUNCILMEMBER COUCH: Okay.

CHAIR CRIVELLO: I guess.

COUNCILMEMBER COUCH: Thank you.

MR. TAKAMORI: May I?

CHAIR CRIVELLO: Yes.

MR. TAKAMORI: So I think based on the five City Councilmembers, I believe, on Oahu they are, the City Councilmembers are voted based on their district so I think that's part of the reason why, because on Maui everybody is voted in island-wide, it...

UNIDENTIFIED SPEAKER: ...*(inaudible)*... represent the whole ...*(inaudible)*...

MR. TAKAMORI: I think...

CHAIR CRIVELLO: You don't know that for sure, though.

MR. TAKAMORI: Oh.

CHAIR CRIVELLO: Is that something you know for sure? Or is that part of the structure for ...*(inaudible)*...

MR. TAKAMORI: Well, I mean I guess that can be changed but I think under my understanding of part of the reason why it was done that way is because I guess on Oahu, Members are not elected at-large and so we figure...

COUNCILMEMBER WHITE: No, we represent the whole island so, but we shouldn't vote.

CHAIR CRIVELLO: Yeah.

COUNCILMEMBER WHITE: Yeah, no make sense. Sorry.

CHAIR CRIVELLO: We have full representation. I'm sorry. Ms. Andaya, then Ms. Baisa.

MS. DAGDAG-ANDAYA: I wanted to also add Oahu, I think this is what I remember, Oahu MPO or OMPO, they've had some quorum issues because their Policy Board is --

CHAIR CRIVELLO: Too large.

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MS. DAGDAG-ANDAYA: --pretty large. So that's one thing you'd want to consider in the makeup of the Policy Board is ensuring that we do have quorum for these meetings because, you know, sometimes the Committee meets maybe quarterly or maybe even less than once a year, so I would want to consider that in your decision-making, the ability to get quorum and I believe that's one of the reasons why it was suggested that a, two Members from the Council be ex-officio. However, you know, there was an intent to get more participation from Councilmembers.

CHAIR CRIVELLO: Thank you. Ms. Baisa?

VICE-CHAIR BAISA: Yeah, I may be wrong, but I think the Honolulu City Council has nine Members like us, right?

COUNCILMEMBER COUCH: Right.

CHAIR CRIVELLO: Right.

VICE-CHAIR BAISA: So, they have the majority of the Council sitting on this Board, and I, unlike what I think Mr. Takamori is saying, I look at this as an obvious attempt to have the majority of the Council sitting on the Board and then, of course, being in support of whatever happens so I think that's a good idea. I mean, you know, if you have five Members, you've got the majority and they're gonna support, you know, whatever the MPO needs, which is good because we want the MPO to have what it needs so it can do what it needs to do. But I'd like to also take a look at Page 11 of this Agreement. Down at the bottom, there is B, Fiscal and Funding Responsibilities. Let everybody find that. Okay. It says the funding of the Maui MPO shall be identified in the Maui MPO Unified Work Plan which shall be developed by the Maui MPO in accordance with the guidelines set forth in Federal regulations and shall be submitted by the Chair of the Policy Board for FHWA and FTA approval. Okay, that's okay. But how do they request money, the County money, that we need as matching? It doesn't mention that here. They only talking about these monies. It appears that County is going to have to come up with some money too.

CHAIR CRIVELLO: Mr. Takamori?

MR. TAKAMORI: Yes. If I could make one correction on the Oahu MPO structure, I've been looking at a PowerPoint that must be dated, but from their Comprehensive Agreement, dated June 17, 2015, they actually only have three Members from the Honolulu City Council. So I'm sorry about that. So I just wanted to make that correction.

VICE-CHAIR BAISA: Okay. Good, well, that puts them in a different light, but what about this thing?

MR. TAKAMORI: Okay. In the MPO Unified Work Plan, in that document, it would show, I guess, the various agencies that would have matching funds. So it would be within that work plan. Is that your question?

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VICE-CHAIR BAISA: No, not really. What I'm trying to figure out if, is if you have a method and you identify how they're going to get the Federal money, or probably, I don't know what this FHWA, I understand FTA, what is FHWA?

COUNCILMEMBER COUCH: Federal Highways Administration.

MR. TAKAMORI: Highways, yeah.

VICE-CHAIR BAISA: So, it's only about Federal money that this Policy Board is going to submit. But what about how, we don't mention anywhere in here how they get money from the County is what I'm trying to say.

MR. TAKAMORI: Oh.

VICE-CHAIR BAISA: And they need money from the County 'cause they gotta match.

MR. TAKAMORI: In my...I believe, that on Page 11 under the Supplemental Agreements for Administrative Assistance, I think in there is where that County matching funds would come in. Because an agreement would have to be done between, I guess, our Department and the MPO to allow for the pass through of those funds.

VICE-CHAIR BAISA: But it doesn't specifically refer to funding like the next bullet, the section does.

MR. TAKAMORI: I understand.

VICE-CHAIR BAISA: It says may enter into Administrative Supplemental Agreements but it doesn't say for financial purposes or for budget or whatever. I just find it strange that it's the Federal funding is specifically addressed, but not the County money. 'Cause we're going to have to cough up County money for this. So that was one of the questions I had.

CHAIR CRIVELLO: Maybe that comes with the different departments, I'm not sure, but we will...can you make a note so that we will do more research on that matter.

VICE-CHAIR BAISA: Chair?

CHAIR CRIVELLO: Yes?

VICE-CHAIR BAISA: I'd like to make a suggestion. Would it be helpful, and I know you're trying all you can to get this thing through, but would it be helpful if we could get somebody, maybe from Oahu, for the next time we get together so we can ask them --

CHAIR CRIVELLO: Yes.

VICE-CHAIR BAISA: --directly what's going on?

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CHAIR CRIVELLO: I'm sure.

VICE-CHAIR BAISA: I think it would be very helpful to us to understand what they're doing.

CHAIR CRIVELLO: What the Department of Transportation, as well as the MPO.

VICE-CHAIR BAISA: I understand it's different, yeah, I understand --

CHAIR CRIVELLO: Yeah.

VICE-CHAIR BAISA: --it's different and it's bigger and whatever, but we can just scale it down to us.

CHAIR CRIVELLO: Yeah. Yeah. So, Staff will put that on the side for us to follow up on and we'll collaborate that with Department of Transportation. Mr. White?

COUNCILMEMBER WHITE: Thank you, Chair. The, what is the State...what is the allocation from the Federal government for the MPOs in the State? The Oahu MPO's been under operation for 20 years or so, so they've got a fixed budget, I would...or maybe not fixed, but a large budget. If you take the money out for the Honolulu MPO from the total Federal funding, what's left for Maui? What are we looking at as a budget for this operation?

MR. TAKAMORI: The funds would come from two places. One from the Federal Highway side, they're gonna be providing some funds and then from the Federal Transit Administration side; so based on our calculations from the, from what we think the amount of monies are gonna come to the MPO, called planning funds that can be used for operations as well as studies, those would be around \$400,000 a year.

COUNCILMEMBER WHITE: And so we would match it with 800,000?

CHAIR CRIVELLO: No.

MR. TAKAMORI: Twenty percent of 400,000.

COUNCILMEMBER WHITE: What did I say?

COUNCILMEMBER COUCH: Eight hundred.

MR. TAKAMORI: Yeah.

COUNCILMEMBER WHITE: One extra zero.

MR. TAKAMORI: Yeah.

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CHAIR CRIVELLO: . . .(gavel). . . Okay. Members, I think we can take a break. If you don't mind, there's some of us that needs to break. Okay, so short recess. . .(gavel). . .

RECESS: 2:40 p.m.

RECONVENE: 2:47 p.m.

CHAIR CRIVELLO: . . .(gavel). . . The Housing, Human Services, and Transportation Committee will now reconvene. I would like to ask if our representatives from Finance, as well as from the Department of Planning, would like to make any comments. Ms. McLean?

MS. McLEAN: Thank you, Chair. Even though planning is in the title of this organization, the Planning Department doesn't have as much of a stake in this process as Transportation and Public Works because we do not plan specific transportation projects and we do not implement transportation projects and transit projects. So, even though planning is in the name and this is part of a planning process, the reason that Planning isn't playing a more prominent role is because it's really Public Works and Transportation that are currently very much involved with Federal funding and coordinating with the State. We're happy to be involved and participate on the Policy Board and so forth and in the first meetings that we started attending when this came to us, we really tried to structure an organization that was as simple as possible and that would allow our existing process to continue as much as possible. As Councilmember Chair pointed...Councilmember Couch pointed out...I've been with you too long today.

COUNCILMEMBER COUCH: Yes, you've been here too long.

VICE-CHAIR BAISA: We've all been here too long.

MS. McLEAN: As Councilmember Couch pointed out, we don't have a variety of municipalities that need to be coordinated together. It's relatively simple here compared to other places and so trying to come up with a structure that allows our existing process to carry on as much as possible and yet still be compliant with the Federal requirements, that was the goal. That doesn't mean that there still can't be modifications and tweaks made to it, but that was what we were endeavoring to do. And so that's why there isn't a more rigid structure and hierarchy. The Policy Board is who the Executive Director, and if there's any staff, who the staff would answer to, but the Policy Board, the makeup of the Policy Board, those people have people that they report to. Councilmembers are accountable to the public. The directors are accountable to the Mayor and accountable to the Council. And, you know, on the State side, accountable to the Governor and to the Legislature, so even though that entity all by itself doesn't have a specific person or entity above it on an org chart, those individuals are public officials who individually are accountable. And all of these projects go through the Council budgeting process at some point so there's also that accountability as projects move forward.

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CHAIR CRIVELLO: Thank you. Any questions for Ms. Mclean? Thank you. I'd like to know if, Mr. Walker, you have any comments from the Finance Department?

MR. WALKER: Thank you, Chair. Not really. We're here at your request, the Finance Department, and I had not heard of an MPO before yesterday afternoon so I'm here as a resource, what that is I'm not exactly sure, but we appreciate the invite. Thank you.

CHAIR CRIVELLO. Thank you. Thank you for being here. Members, any questions for the Department, or any of our resource people representing the other departments or any further comments or...yes, Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Madam Chair. So this document was created by the Department of Transportation? Is that correct?

MR. TAKAMORI: The Comprehensive Agreement was developed primarily through our Department with input from Public Works and Planning. And it kind of, it follows the basic structure of what the Oahu Comprehensive Agreement --

COUNCILMEMBER COUCH: Okay.

MR. TAKAMORI: --looks like, yes.

COUNCILMEMBER COUCH: So it wasn't done in a vacuum?

MR. TAKAMORI: We didn't just write it however we wanted to. Yeah, no.

COUNCILMEMBER COUCH: Okay. I just wanted to make sure that there's similar items. And, Madam Chair, I, you know, as far as comment, I would think that the Members, any Councilmembers that were on that will all be voting Members, that would be my preference, anyway.

CHAIR CRIVELLO: We can have that further discussion when we deal with this, yes. Any further comments, questions, or further discussion? Mr. Takamori?

MR. TAKAMORI: Yes, thank you. I just wanted to point out that per the HRS 279D, they actually have a section, Annual Reports, and they require the Metropolitan Planning Organization to submit an annual report to the Legislature of all activities conducted by the organization during the year immediately preceding the submission of the report, so that could be something that is also submitted to the Council. We can definitely write that in so that you guys know what's going on as well.

CHAIR CRIVELLO: Yeah.

VICE-CHAIR BAISA: Yes, yes.

COUNCILMEMBER COUCH: No objections.

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CHAIR CRIVELLO: Thank you. Thank you. Thank you for that. Thank you, Members. And before I put in my recommendation, I'd like to thank our retired Transportation Director for taking out the time and spending her afternoon here in the gallery, thank you. And I see here we also have our Department of Environmental Management in the gallery, thank you for being here. Members, without objections, I plan to schedule this for a future meeting, or a real soon meeting, and for now we'll defer this matter, if you have no objections?

COUNCILMEMBERS VOICED NO OBJECTIONS. (Excused: DSG, RH, and MPV)

ACTION: DEFER PENDING FURTHER DISCUSSION.

CHAIR CRIVELLO: Thank you. Our agenda...we have completed today's agenda. I'd like to thank the representatives from the Administration and the Department of Corporation Counsel for their participation, as well as for Carla Nakata and Clarita Balala and their support. At this time, the January 7, 2016 meeting of the Housing, Human Services, and Transportation is now adjourned. Thank you, Members. . . .(gavel). . .

ADJOURN: 2:54 p.m.

APPROVED:


STACY CRIVELLO, Chair
Housing, Human Services, and
Transportation Committee

hht:min:160107:kt

Transcribed by: Kimberly Tabon

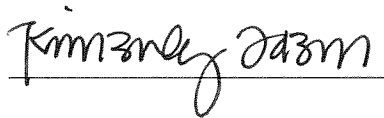
**HOUSING, HUMAN SERVICES, AND TRANSPORTATION COMMITTEE MINUTES
Council of the County of Maui**

January 7, 2016

CERTIFICATE

I, Kimberly Tabon, 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 22nd day of January, 2016, in Kahului, Hawaii

A handwritten signature in black ink, appearing to read "Kimberly Tabon", written over a horizontal line.

Kimberly Tabon