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BEFORE THE MAUI REDEVELOPMENT AGENCY
COUNTY OF MAUI
STATE OF HAWAII

TRANSCRIPT OF PROCEEDINGS
REGULAR MEETING

Held at the Planning Department Conference
Room, Kalana Pakui Building, Wailuku, Maui, Hawaii,
commencing at 1:02 p.m. on Friday, May 25, 2007.

REPORTED BY: KATHERINE EISMANN, CRR/RDR/CSR #439
ATTENDANCE

COMMISSION PRESENT:

LLOYD POELMAN, CHAIRPERSON
RONALD KAWAHARA VICE-CHAIRPERSON
ALEXA BETTS BASINGER

STAFF PRESENT:

JOHN D. KIM, DEPUTY CORPORATION COUNSEL
WAYNE STEEL, MANAGER

ALSO PRESENT:

JOCELYN PERREIRA, WAILUKU MAIN STREET
ASSOCIATION; TRI-ISLE RESOURCE CENTER

(Friday, May 25, 2007, 1:02 p.m.)

* * *

CHAIRPERSON POELMAN: We'll call the Maui
Redevelopment Agency meeting of May 25, 2007, to order

5 and entertain a motion for approval of the April 20th,
6 2007, minutes.
7 BOARD MEMBER BASINGER: Move to approve.
8 CHAIRPERSON POELMAN: A motion has been made
9 to approve the April 20, 2007, minutes.
10 BOARD MEMBER KAWAHARA: Second.
11 CHAIRPERSON POELMAN: And a second. All in
12 favor.

13 (Chorus of ayes.)
14 The minutes are approved.
15 We will now open for public testimony in
16 regard to any item on the agenda, and then if someone
17 wants to wait until that particular item is called, they
18 can. We will take time with each particular agenda
19 item.

20 Is there anyone in the audience that wanted
21 to testify in regard to any agenda item or anything else
22 without going in order?

23 MR. KIMURA: Just wanted to -- Robert
24 Kimura. Just wanted to commend this organization MRA to
25 see it in the newspaper. And that sparked me in a way

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1 that the public will have a chance to get to know who,
2 what, and when MRA is, so that was a good idea relative
3 to the idea that I have in mind. Yeah.

4 Then I was feeling, I'm not a pusher, but
5 I'm a concerned person who is not a member, but just
6 concerned about what the objective of MRA is. And then
7 I found out that your time is much lost because of the
8 Sunshine Law.

9 So, I recommend, to beat that -- I know that
10 you all have the foremost project of the multilevel
11 parking structure in your mind as number one. That's
12 what I figure, and that has been about 11 to 14 years
13 already on that, somewhere in there.

14 We got all the information that we need at
15 Maui -- WMSA. They have been the steady association or
16 group that has been with the project from beginning to
17 end. And I would say at this point in time, I myself
18 being around in here as a Maui resident for a long
19 period of time, can say without bragging or pushing,
20 that the continuity of the information is with Wailuku
21 Main Street Association as an organization that has been
22 following that project from the beginning to now.

23 So, I would say that the answers are all
24 there, yes. Away from this charade, they got all the
25 architects together and to the point of a structure

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1 until the political situation came into the picture.
2 And I notice, in my experiences in working with the
3 concerns --

4 MR. STEEL: Thirty seconds, Robert.
5 MR. KIMURA: Okay. I will wrap it up. I
6 know, but I just want to let you know what goes through
7 my mind. And if there's anything that I have -- I have
8 stated to be of importance, yeah, use it. Like the
9 Sunshine Law is too strict, in simple words. You got to

10 have more executive meetings.

11 CHAIRPERSON POELMAN: Fine. Thank you,
12 Robert.

13 MR. KIMURA: Okay. You got the point?

14 CHAIRPERSON POELMAN: Yeah.

15 MR. KIMURA: Just nod your head. I would
16 appreciate it.

17 CHAIRPERSON POELMAN: Are there any
18 questions from any of the members? Thank you. Anyone
19 else wishing to testify under the general public
20 testimony?

21 MS. EDMONDS: Hello, Committee. I'm Teri
22 Edmonds, from the Wailuku Community Association,
23 speaking as president. I am now the president again for
24 this fiscal year, so I'll be seeing you guys a lot.

25 We just had a meeting with our general -- a

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1 general meeting with our committee, and -- let me get my
2 breath here. We are focusing this year on
3 beautification. That's our plan, beautification,
4 beautification.

5 We are going to follow in the steps of you
6 guys. Thank you so much for cleaning up Wailuku. I
7 can't tell you how much we appreciate it, even the
8 nonmembers. I canvassed the entire neighborhood,
9 passing out the flyers, and people are really excited.
10 They are feeling a little more inspiration, so I really
11 appreciate it.

12 And I'm clearly letting them know that you
13 guys are doing this. We are going to follow up after
14 you are done at the end of the month, and we are going
15 to plant plants. We have got volunteers. MEO is going
16 to step up and help us out with labor as well, and we
17 are going to head down to the end of Happy Valley.

18 And that leads me to my next item, which is
19 Happy Valley. I want to make sure that they are not
20 forgotten, so I'm going to remember them. We have a
21 strong -- I really impressed on some of the residents
22 there that they need to get involved if they want to
23 make sure that Happy Valley gets included.

24 And they do want it included, and they are
25 just -- that's definitely slum and blight down there.

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1 And I believe the State needs to step up and take part
2 in the housing project. I know one of the Council
3 members wants to pursue that. I would like to work on a
4 committee with him, which he has asked, so that is our
5 big plan.

6 So, I'd like it to look beautiful. I know
7 that the money has been returned that we were unable to
8 execute this year, and we would like to make a positive
9 influence this year and really be much stronger, so that
10 when we do go to ask for money again, we can actually
11 execute it.

12 I do appreciate the opportunity to have done
13 that though. And I hope I'm not missing anything, but
14 we are really here to play a key role with you this

15 year. So, if there's anything we can do to help, that
16 would be great.

17 My other issue is after talking to my
18 members, parking is really an issue. I am excited to
19 see the parking -- the minipark get developed just out
20 of shear beautification. However, I would like to say
21 that if -- if we do not address parking issues, it's
22 going to get ugly.

23 So, I know we can. One suggestion I had,
24 don't -- just throwing it out there, is maybe
25 converting -- in the County parking lot, if we are not

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1 going to do a big structure right now, maybe converting
2 a portion of those stalls to four-hour stalls, and I
3 think that would really help appease the merchant side
4 of this.

5 So, I think that would keep traffic turning,
6 and with Taguma here, we will definitely have parking
7 spots. So, that's my suggestion, and I would like to
8 again work closely on parking issues. So, do you have
9 any questions for me?

10 BOARD MEMBER BASINGER: Yes, Teri,
11 congratulation.

12 MS. EDMONDS: Thank you.

13 BOARD MEMBER BASINGER: How close is the
14 Wailuku Community Association to receiving its 501(c)3
15 status?

16 MS. EDMONDS: Very close. We have been
17 recognized now by the IRS, and we filed it on an old
18 form, I guess. We just missed it, so that's all we have
19 to do. But they have recognized us now, so we are
20 really close.

21 BOARD MEMBER BASINGER: Excellent.

22 MS. EDMONDS: I will say though the only
23 project I want to pick up this year is helping Uki Lei
24 with the Christmas festival and the beautification. In
25 that beautification, we are going to have volunteers.

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1 One of our projects is we have gotten the okay from
2 Susanne Hota to paint her building. So, we are going to
3 paint it plantation green. Community Workday is
4 donating the paint, and MEO is going to help us paint it
5 along with Quality Painting. So that -- those are
6 our -- kind of our three big projects.

7 BOARD MEMBER BASINGER: Also, did WCA have
8 any influence with the Aluli Trust for their brand new
9 painted building?

10 MS. EDMONDS: Oh, my gosh. Love it. I love
11 it.

12 BOARD MEMBER BASINGER: It's lovely.

13 MS. EDMONDS: I love it. And they did
14 communicate that they are going to continue moving down.
15 It may not happen really quickly, but they are going to
16 continue that, and we are very, very excited. It looks
17 so great.

18 BOARD MEMBER BASINGER: It does.

19 MS. EDMONDS: Thank you. And

20 congratulations yourself, Alexa.

21 BOARD MEMBER BASINGER: Thank you.

22 CHAIRPERSON POELMAN: Any other questions?

23 MS. EDMONDS: Thank you.

24 CHAIRPERSON POELMAN: If you would just stay
25 at the podium for a minute. I have a question of the

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1 manager, which is as far as the jurisdiction of the
2 County parking lot and setting the time limits, do you
3 know who has authority or control over that?

4 MR. STEEL: Actually, it looks like we do.
5 And the reason I say that is because in the Wailuku
6 Redevelopment Area Plan, one of the items is for us to
7 determine a parking -- I forget the exact wording of it,
8 but I believe it's us. And I will find the exact
9 section.

10 I believe that we have the jurisdiction to
11 implement whatever usage that we choose, and that --
12 that's something that -- because of Teri's testimony, I
13 have thought about that. I think that we might want to
14 visit that issue and determine how we'd like to address
15 it. Certainly we have the option of 208 stalls to
16 manipulate them pretty much as we -- as we choose.

17 MS. EDMONDS: I --

18 BOARD MEMBER BASINGER: There --

19 MS. EDMONDS: I'm sorry.

20 BOARD MEMBER BASINGER: There had been
21 previous discussions at -- by this body of doing just
22 that, minimizing some of the long-term stalls.

23 MS. EDMONDS: If I could also put in a -- I
24 just remembered to mention that speaking with some of
25 the merchants, some of the most vocal merchants, they

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1 are willing to help subsidize the validation, parking
2 validation, if you thought you might want to put one of
3 those automatic arms, and maybe we could start
4 generating some revenue in that ground lot. Anyway,
5 it's just an idea. I would also be willing to pay for
6 that. So, thank you for your time.

7 CHAIRPERSON POELMAN: Thank you. When we
8 get to the part of the agenda where we are going to set
9 the agenda for the next month, I'd like to possibly put
10 that on next month's agenda.

11 Any other general public testimony on any
12 item out of order?

13 MS. PERREIRA: Thank you. I was not going
14 to comment, except -- because Teri mentioned about the
15 parking lot and the stalls.

16 CHAIRPERSON POELMAN: Could you state your
17 name, please.

18 MS. PERREIRA: Jocelyn Perreira -- sorry --
19 Wailuku Main Street Association. I just was a little
20 surprised to find out that Maui Redevelopment Agency can
21 just, at will, change the parking stalls. That may very
22 well be true. I have to look at the Wailuku
23 Redevelopment Plan.

24 I do know that the current law that exists

25 relative to the municipal parking lot had to be done by
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1 ordinance and had to go before the County Council. So,
2 I just bring that up for your consideration, so that you
3 can check that out as well.

4 Because the current law that does exist in
5 the municipal lot now was done at the behest of the
6 merchants at the time to have longer parking, so they
7 wouldn't have as many tickets, and they didn't have to
8 keep getting in and out of their cars throughout the
9 day.

10 And that resulted from, I believe, Howard
11 Kihune was chairman of the Council at the time, and they
12 did take that on, and that is an ordinance. Thank you.

13 CHAIRPERSON POELMAN: Thank you. Any other
14 general public testimony?

15 I note on the sign-up sheet that other
16 people wanting to testify are wanting to testify in
17 regard to agenda item F. So, I'm going to move to
18 agenda item F. Is that all right? I want to go here
19 for these people.

20 MR. STEEL: All right.

21 CHAIRPERSON POELMAN: Agenda item F is
22 report on Council testimony regarding the resolution
23 concerning the MRA fiscal year '08 budget submission.

24 MR. STEEL: This is, I guess, in
25 relationship -- I think there are a number of people who

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1 wanted to testify regarding a proposed feasibility study
2 that Darla Palmer submitted to this agency, which I made
3 available to the commissioners and is also on the table.

4 There also is the Economic Development
5 Coordinator will be here in about 15 minutes, also in
6 regarding this item, so we might want to wait until she
7 comes.

8 CHAIRPERSON POELMAN: Okay. We will hold
9 off until she comes then. We will go to the next item
10 on the agenda, which is annual review of Sunshine Law to
11 be presented by Corporation Counsel.

12 MS. PERREIRA: Request, Mr. Chair?

13 CHAIRPERSON POELMAN: Excuse me?

14 MS. PERREIRA: Request, Mr. Chair?

15 CHAIRPERSON POELMAN: There's a request from
16 the audience, which is?

17 MS. PERREIRA: I know that there are some
18 people have their grandchildren or the children's
19 graduations, and if this item can be moved to the back
20 of the agenda, it would be much appreciated.

21 CHAIRPERSON POELMAN: Yeah, well, I was
22 attempting to go to F, which is why I think those people
23 were -- do the people who are here to testify for F want
24 to wait? We can handle the agenda as a whole if we wait
25 about 15 minutes.

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1 MS. PALMER: It would be great if Deidre was
2 here since she was part of the conversation.

3 CHAIRPERSON POELMAN: Yeah, we will wait

4 until -- what's her name?
5 MR. STEEL: Deidre Tegarden.
6 CHAIRPERSON POELMAN: Deidre Tegarden from
7 Office of Economic Development is here, then we will go
8 to item F. So, we will keep going down the agenda till
9 then.
10 D, annual review of the Sunshine Law by
11 Corporation Counsel.
12 DEPUTY CORPORATION COUNSEL: How many of you
13 had training in the open meetings laws? Everyone? Have
14 you had?
15 CHAIRPERSON POELMAN: I -- every year on the
16 Sunshine Law?
17 DEPUTY CORPORATION COUNSEL: Yeah.
18 CHAIRPERSON POELMAN: Yeah, I have, but were
19 you here when --
20 BOARD MEMBER KAWAHARA: Yeah.
21 CHAIRPERSON POELMAN: And Ron Kawahara has,
22 but Alexa Betts Basinger hasn't.
23 BOARD MEMBER BASINGER: Not as a Board
24 member.
25 DEPUTY CORPORATION COUNSEL: Okay. Well,

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1 the Sunshine --
2 CHAIRPERSON POELMAN: Before you go there, I
3 do have one question maybe for our manager, which is we
4 do have a vacancy. And do you know the status of
5 getting that vacancy filled is? Just if we get somebody
6 in here next month, we might want to hold off on this
7 presentation till next month.
8 MR. STEEL: Yes, the status is that likely
9 the person will not be in by next month. In the process
10 that it takes, the person's name has actually not been
11 submitted to Council yet, and that is going to take a
12 while. So, it probably would be -- I mean, unless you
13 are willing to put it off for a couple months, now would
14 be -- you know, that would be up to you.
15 CHAIRPERSON POELMAN: Okay. What I propose
16 is since Alexa Betts Basinger is the new member who
17 hasn't had an opportunity for the training while she's
18 been a member, she has indicated that she has heard the
19 training in the audience.
20 So, what I propose is that we might hold off
21 on this item until we have the new member, even if it's
22 a couple of months away, so it doesn't have to be
23 repeated again in two months. So --
24 DEPUTY CORPORATION COUNSEL: That's fine
25 with me.

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1 CHAIRPERSON POELMAN: Okay. Item E on the
2 agenda is creation of a resolution and vote to adopt a
3 resolution concerning the MRA's position on the
4 municipal parking lot redevelopment, a recommended
5 design, and recommended next steps.
6 MR. STEEL: This was an item that's
7 continued from past meetings. One of the -- if there is
8 no resolution that we'd like to bring forward at this

9 time, we could skip this one.

10 I know that a number -- there was a
11 committee that was going to testify before Council, and
12 that might be something -- this might be a time for them
13 to do that, talk about that. But unless there is a
14 resolution, we can move on.

15 As far as recommended next steps, this is a
16 planning function of this agency as to, you know, I open
17 that up for discussion each meeting. If we have next
18 steps, I can tell you something that the Mayor has asked
19 me to do in one of the most recent meetings, which I
20 sent you an e-mail about, suggesting that I put together
21 an RFP that includes the municipal parking lot among
22 other general items within the Wailuku Redevelopment
23 Area.

24 I'm in the process of putting together a
25 draft, and that's going to take some doing, because it's

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1 very broad conceptual areas including infrastructure,
2 and housing, and municipal parking lot, economic
3 development issues, and so on.

4 So, as time goes forward, I'll be narrowing
5 that down. Unless we get an approved draft, then I'll
6 be sharing that with you. But that is the only other
7 steps that I'm aware of as far as the municipal parking
8 lot goes that this agency is involved in.

9 BOARD MEMBER KAWAHARA: My understanding is
10 that the MRA has already taken a position several years
11 ago that the municipal parking lot is the highest
12 priority. The redevelopment of the municipal parking
13 lot is the highest priority of this agency. Unless
14 that's going to change, I think that's put to rest,
15 insofar as our position.

16 CHAIRPERSON POELMAN: Is there any public
17 testimony before we open it for discussion on item E,
18 which is creation of a resolution and vote to adopt a
19 resolution concerning the MRA's position on the
20 municipal parking lot redevelopment, a recommended
21 design and recommended next steps?

22 MS. PERREIRA: Jocelyn Perreira, Wailuku
23 Main Street Association, Inc. I believe Commissioner --
24 I know Commissioner Ron Kawahara's statement is true and
25 correct that that was the focus. It's also been

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1 something that the agency has worked through many, many
2 years.

3 In fact, it's probably the single most
4 important issue that launched the agency becoming an
5 autonomous agency, so that we could finally realize the
6 dream of that.

7 I think from the Main Street's perspective,
8 we would like to see the agency get back on track and
9 take the Power Point presentation, as we have said, to
10 share with the Council members as well as the
11 administration, and bring those bodies together, along
12 with the important stakeholders, and share a meeting of
13 the minds.

14 We don't have to reinvent the wheel. If the
15 currently on record PC-1 that was voided upon -- I
16 believe was February 2005 -- by the Maui Redevelopment
17 Agency, needs to be amended or changed somewhat, that
18 can be done once there's a consultation and a meeting of
19 the minds with all the parties that be.

20 But I believe that for the people of this
21 community, for most of the businesses in this community,
22 parking is their most urgent need, and we should stay
23 focused and try to get that accomplished. Thank you.

24 CHAIRPERSON POELMAN: And when you get
25 through testifying, please sign in for the court

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1 reporter.

2 MS. HALAS: I will do that. It's customary
3 to testify -- public testimony at the end after we hear
4 the discussion. I'd like to reserve my three minutes
5 for post-discussion.

6 CHAIRPERSON POELMAN: Would you state your
7 name, please?

8 MS. HALAS: My name is Susan Halas. I am a
9 resident of Wailuku Town.

10 CHAIRPERSON POELMAN: And in fact our custom
11 is generally to take public testimony --

12 MS. HALAS: I cannot testify until I have
13 heard what the discussion is.

14 CHAIRPERSON POELMAN: If I can finish the
15 sentence, our custom is to generally open it to public
16 testimony, so we can have that input before the members
17 discuss. We have also been fairly liberal as far as
18 always opening things up to public testimony. So, if
19 your preference is to wait until after we have
20 discussed --

21 MS. HALAS: Yes, sir.

22 CHAIRPERSON POELMAN: -- we will do that to
23 accommodate that.

24 MS. HALAS: Thank you.

25 CHAIRPERSON POELMAN: But our custom is to

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1 take public testimony first.

2 MS. HALAS: Thank you.

3 CHAIRPERSON POELMAN: Any other -- and if
4 you -- I forgot her name. Any other public testimony?

5 MR. KIMURA: Robert Kimura again. I take
6 this opportunity, because if I may be blunt and, of
7 course, across the board. Yeah.

8 As I mentioned, that we have been going at
9 this, the public multi-parking structure for 11 to 14
10 years. We got all the information that we need. All
11 you need -- if I may say so, I am going to get bold,
12 yeah, and say that the information is there, gather it,
13 and set your limits.

14 And generally speaking, get to know the
15 procedure, how you are going to get your money. And I
16 know there are ways. So, give me a break, you know, to
17 give you an idea. Nobody is perfect. Nobody is a
18 genius, yeah.

19 But, I've gone through it to know that the
20 restricted height that can be introduced, and the size,
21 and for what purpose. And I would say at this point in
22 time, there's no room for multi-use purpose, if you
23 think about the height and structure of the situation.
24 Because we have been going through all that, and the
25 repetition is going to throw the timing off. As

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1 Mr. Kawahara says, timing is very important.

2 If you don't know the procedure, also, as to
3 how to get the money, yeah, for example, matching funds.
4 I know that you can get matching funds for this project,
5 yeah. I will say it ahead of time, because I diligently
6 come to these meetings that MRA conducts, because I'm
7 totally concerned about Wailuku and the project, you
8 see.

9 And I'm not thinking about myself at all.
10 Not one bit. Otherwise, I will I stay from the --
11 from -- away from this meeting. Won't -- we won't have
12 any -- any reason why I should attend.

13 Okay. If I -- if I can't put it across well
14 enough to present or put across the importance of this
15 project. And if you don't time it right -- look at this
16 year, the budget system is gone. If you were ready at
17 this point this time, I'm quite sure we could have
18 gotten the money.

19 MR. STEEL: Thirty seconds, Robert.

20 MR. KIMURA: We were rich at this time. But
21 next -- next budget period maybe we will be down. And
22 the longer you wait, the costs will go up naturally.
23 That's elementary.

24 So, I would say duck the Sunshine Law. Call
25 executive meetings, you know, as you can and wish, and

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1 duck and sidestep the Sunshine Law.

2 I'm sorry to give you a bad thought,
3 relative to the Sunshine Law -- Sunshine Law. But
4 that's what it is. See, Wailuku Main Street
5 Association --

6 MR. STEEL: Thank you. Thank you, Robert.
7 That's enough.

8 MR. KIMURA: All right.

9 MR. STEEL: Thank you. Any other public
10 testimony regarding item E? We will open it up for
11 discussion with the members. Any discussion on agenda
12 item E?

13 BOARD MEMBER KAWAHARA: Well, my only
14 comment is kind of like going back to square one, you
15 know. It was the consensus of most people involved in
16 the -- who are interested in the County municipal
17 parking structure that the compromise plan was PC-1.

18 However, I understand that the Mayor is not
19 in favor of PC-1, but wants a multi-use structure. In
20 that respect, we are back to square one, which means we
21 have got to go out and hire a consultant, design the
22 whole process all over again. So, it's very
23 frustrating.

24 However, in a sense, we don't really have
25 much choice, because if we don't -- at least can't get
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1 the Mayor to deviate from her preferred plan, then I
2 think that's what we are faced with, which means that
3 the allocation would have to be the next fiscal year.
4 We can't do it this year.

5 BOARD MEMBER BASINGER: I think it was very
6 clear from the administration, at the removal of certain
7 funds for us to follow up on that project, that they
8 wanted to see something more comprehensive. And I agree
9 with Ron that our task this year is to do that and to
10 find collaborations perhaps, funding perhaps, get --
11 follow up on -- is it Eugene, Oregon's, great parking?

12 MR. STEEL: Bend.

13 BOARD MEMBER BASINGER: Bend, Oregon's,
14 great facility, and be able to get Council approval all
15 along with the administration. I would like to be
16 prepared at next year's budget well in advance, so
17 that -- we were a day late and a dollar short this time.
18 So, I think that should be our effort over the next 12
19 years -- 12 months.

20 CHAIRPERSON POELMAN: Okay. My input on the
21 discussion on item E is -- kind of dovetails with my
22 input when we get to item I, which is discussion of the
23 mission of the MRA.

24 And I would like a report also from the
25 Director regarding a seminar he did attend where it was
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1 mentioned about the Bend, Oregon, parking structure and
2 how they did things. That report might be helpful also.

3 What I'd propose we do is go on back to --
4 since all the people who I believe wanted to testify
5 regarding item F, which is report on Council testimony
6 regarding the resolution concerning the MRA fiscal year
7 '08 budget submission, including Deidre Tegarden from
8 Office of Economic Development is present now, I propose
9 we table E and take up F and open it to public
10 testimony.

11 BOARD MEMBER BASINGER: No objection.

12 MR. STEEL: The people who said they wanted
13 to testify on this item Darla, James, Anthony. You guys
14 want to testify, now is the time.

15 CHAIRPERSON POELMAN: Yes, and prior to
16 their testimony, my impression is that the people
17 wanting to testify are mostly wanting to testify in
18 regard to the Iao Theatre feasibility study proposal.
19 Is that correct?

20 MS. PALMER: Yes.

21 CHAIRPERSON POELMAN: And it appears as
22 though they are using -- item F is the closest place to
23 put that into the agenda, which -- unless there's some
24 problem with due notice, I don't have any opposition to.

25 BOARD MEMBER BASINGER: Chair, I do have a
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1 question, or counsel. FY08 budget submission is done
2 with and gone. So, I'm -- I'm curious as are these --

3 MR. STEEL: I am sorry.
4 BOARD MEMBER BASINGER: -- projects that are
5 requesting '09 or are these projects that --

6 MR. STEEL: My intention was to give
7 information, and maybe it should be under a different
8 agenda item.

9 My intention was to give a review of the
10 various budget items that we had spent money on out of
11 the \$95,000, and there had been some additional amounts
12 requested, the Iao Theater proposal. And I wanted to
13 bring that up before the -- before the membership here.

14 And it looks like I may have not made it
15 clear enough. Maybe, John, if you want to rule on that,
16 if I can just talk about those things without a separate
17 agenda item specifically naming the proposals.

18 DEPUTY CORPORATION COUNSEL: Is this in your
19 FY08 budget?

20 MR. STEEL: Oh, yeah, number three. It
21 should have been FY07 budget items on my report. That's
22 where my intention was, but I put FY08. It should have
23 been FY07, because that's the money that we are spending
24 now.

25 DEPUTY CORPORATION COUNSEL: That changes a
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1 lot. You are talking about a present budget versus a
2 proposed new budget, so I don't --

3 CHAIRPERSON POELMAN: You know what I might
4 propose would be we do -- we do have a policy of general
5 public testimony under item C.

6 And what I would say is we don't have a
7 particular agenda item for the members to discuss the
8 Iao Theater feasibility study proposal, but we could
9 take public testimony under the general item C, and then
10 we could reserve until next month to put it on the
11 agenda for the members to discuss any issues regarding
12 the Iao Theater feasibility study proposal.

13 But I don't think, under the Sunshine Law
14 and the notice we are required to give, that the MRA can
15 take much action this month. But if there's people here
16 to testify this month, then it might be a good time to
17 do that.

18 MS. PALMER: Maybe can I make a request
19 after I will introduce myself.

20 CHAIRPERSON POELMAN: Yes.

21 MS. PALMER: I'm Darla Palmer, consultant
22 for the Iao Theater on lease and building issues. And
23 that was my first question, actually, because I thought
24 from my conversations with Wayne that we were looking at
25 what was left in the '07 budget. So, I understand the
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1 issue, but it's going to create a real timing problem
2 if -- if we are going to take any action.

3 CHAIRPERSON POELMAN: Well, if it becomes
4 critical, then the members could consider a special
5 meeting, but we still have to give 10-days notice, I
6 believe.

7 DEPUTY CORPORATION COUNSEL: Six days.

8 CHAIRPERSON POELMAN: Six-days notice before
9 we could take any action.

10 MS. PALMER: I think what would be great is
11 if we had some dialog on -- to whether or not you think
12 this is a good course of action, and then, you know, you
13 can decide how to --

14 CHAIRPERSON POELMAN: What I'd suggest --

15 MS. PALMER: -- legalize it.

16 CHAIRPERSON POELMAN: What I'd suggest on
17 this would be that during the public testimony, the
18 general one, members can ask questions, and that might
19 give you some idea based on the questions.

20 MS. PALMER: Uh-huh.

21 CHAIRPERSON POELMAN: But as far as formal
22 discussion and trying to do something, we are -- we are
23 limited.

24 MS. PALMER: Uh-huh.

25 CHAIRPERSON POELMAN: But I think in the

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1 questions you might be asked, you might get some gist of
2 what the members might be thinking after you testify.

3 MS. PALMER: Okay. Well, that said, I am
4 testifying on our proposal for an Iao Theater
5 feasibility study. We really need to take the next step
6 forward with the Iao Theater, and we are requesting the
7 MRA designate 41,800 in marketing and development funds
8 for a feasibility study.

9 To meet the challenge of the Wailuku
10 Redevelopment Market Development Action item regarding
11 expanded use of the Iao Theater, the theater must be
12 rehabilitated. Even though the building looks better,
13 the floor is rotten, it's not accessible, there's no
14 proper space allocation for multiple use, no plan or
15 budget for repair or long-term maintenance, and the
16 building is not air-conditioned.

17 To expand the use of the theater, we need a
18 plan. We need to bring in professionals in theater
19 development, financing needs to be arranged. And the
20 advantages, there are many, many professionals available
21 in historic theater development and financing.
22 Government organizations, organizations such as Wailuku
23 Main Street, MCT and other interested parties are
24 valuable contributors to the plan.

25 We have an opportunity right now to hire a

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1 consulting team to move this project forward. Not only
2 are they well-versed in historic structures in
3 developing performing art centers, they have ties to the
4 Maui community. It's a very unusual set of beneficial
5 circumstances that these folks hold. This is the North
6 Group, and I gave you some information from their
7 website attached to your packet.

8 They have recently completed projects for
9 Maui Arts & Cultural Center including strategic
10 planning, fund raising feasibility, staff and board
11 retreats, capital and endowment campaigns, and they only
12 recently become available.

13 But our window of time to make an agreement
14 with them is by July. And as well, we would work with
15 assembling a team of other professionals and local
16 organizations that have an interest in the project. I
17 was asked, when we were discussing this, if this is
18 rushed because we were trying to allocate some -- some
19 funds from the '07 budget.

20 And no, if you follow the time line of the
21 history that I have given you, we have been working
22 towards this for four years, and feasibility is the next
23 logical step in this type of construction project. It's
24 where we are going to define where the money is coming
25 from. The needs assessment was done. We know the

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1 community wants it. This puts a real framework around
2 the plan.

3 Today we have a real opportunity to make a
4 difference and show the public that we are -- we are
5 moving forward. All of us are moving forward to
6 rehabilitate the theater.

7 Maui Community Theater intends to seek at
8 least \$20,000 on its own to add to this project. This
9 request is only part of the project budget. And we
10 aren't looking for an approval of the grant of this, but
11 just to have the MRA look and hopefully agree that this
12 is an appropriate use of funds under the Wailuku
13 Redevelopment Plan.

14 And again, I just wanted to mention that we
15 do have a timing issue. So, with the agenda issue, if
16 we are going to move forward and take advantage of this,
17 we would need to make a decision this month. Does
18 anybody have any questions of me?

19 CHAIRPERSON POELMAN: No questions by the
20 members. Thank you. Any other testimony?

21 MS. PERREIRA: Regarding?

22 CHAIRPERSON POELMAN: Regarding item F. No,
23 I'm sorry. I guess we are actually taking testimony
24 again under the public testimony of C. Sorry.

25 MR. LEVOY: My name is Anthony Levoy, and

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1 I'm the Board President for Maui Community Theater. I
2 just wanted to bring up the quality of the Board that we
3 currently have, as far as we have Will McThewson. He is
4 a well-respected architect here on Maui. James Loux,
5 electrical engineer. AnnaLena Zanolini, she's
6 vice-president of Bank of Hawaii.

7 As far as this project having to do with not
8 only the feasibility, but as we move forward into the
9 actual function of the redeveloping the physical asset,
10 myself, I'm the president of Peake-Levoy Commercial Real
11 Estate. We are one of the largest in the State of
12 Hawaii, and we are only on Maui. We have built it on
13 quality management.

14 So, this is the team that will be on board
15 through this entire project. Maui Community Theater,
16 doing business as Maui OnStage, we helped champion the
17 legislation that was recently signed by Governor Linda

18 Lingle in front of the Iao Theater that helps all
19 nonprofits enter into long-term leases, and we are
20 willing to champion this to its very end. Thank you.

21 BOARD MEMBER BASINGER: I have a question.

22 MR. LEVOY: Sure.

23 BOARD MEMBER BASINGER: What is the current
24 status of Maui OnStage's lease of the Iao Theater with
25 the County?

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1 MR. LEVOY: We are basically month-to-month
2 at this particular time.

3 BOARD MEMBER BASINGER: Okay. Thank you.

4 CHAIRPERSON POELMAN: I have a question. I
5 don't know if you are the one to answer it or Darla.
6 But what I'm coming to is the idea that what the Maui
7 Community Theater dba Maui OnStage is asking or is
8 wanting to ask is a request that some of our remaining
9 '07 budget be used for the \$41,800 that's needed for the
10 Iao Theater feasibility study budget? Is that -- is
11 that correct?

12 MR. LEVOY: Yes.

13 BOARD MEMBER KAWAHARA: Which leads to my
14 question, how much do we have in unencumbered funds for
15 the fiscal year '07 budget?

16 MR. STEEL: I can't give a complete
17 statement, but I know for sure we do have the 41, and
18 just out of that 95. That's what I submitted a -- an
19 accounting of that. As far as our operating funds, I
20 don't have a definite figure for you.

21 CHAIRPERSON POELMAN: Are we legally allowed
22 to use some of that money for this?

23 MR. STEEL: Well, this is what we would need
24 to discuss, whether or not it falls under our plan. And
25 once again, we do have an item in our plan that says

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1 that we should encourage the use of the Iao, I believe
2 is the way that it's stated.

3 CHAIRPERSON POELMAN: My question is is when
4 we got the budget from the Council, did they itemize?

5 MR. STEEL: This was not part of the
6 itemization. However, if it falls within the marketing
7 area, which is what the 95,000 was for, I believe we
8 would have justification to spend it.

9 And under MD2, marketing development on page
10 40, the wording is expand the use of the Iao Theater.
11 And if it was our judgment that this project fell into
12 that area, we would be justified, I believe, in spending
13 the money.

14 BOARD MEMBER KAWAHARA: I thought we had
15 that question settled when we -- this agency gave a
16 grant to the Iao Theater for the seating. That was
17 about two or three months ago.

18 MR. STEEL: We did do that in the amount
19 of -- which is on your list there in the amount of Iao
20 chairs, 15,457.

21 BOARD MEMBER BASINGER: I mean, it looks
22 like these are pre-building kinds of costs. They are

23 not marketing costs. And so because we don't have our
24 full leftover budget in front of us, I think we should
25 defer this discussion until we have that information.

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1 BOARD MEMBER KAWAHARA: Well, I don't
2 necessarily agree with it. Time is of the essence. I
3 think the Iao Theater is an icon. I mean, as a kid I
4 used to go there, the 10-cent movies and all of that.
5 So, it's the one historic structure in Wailuku Town.
6 It's kind of like the anchor for Wailuku Town other than
7 the government offices. So, I think that --

8 CHAIRPERSON POELMAN: I am sorry. I am
9 going to interrupt. The Chair's concern is that if we
10 have much discussion, I think we might well be in
11 violation of the Sunshine Law --

12 MS. PERREIRA: That's right.

13 CHAIRPERSON POELMAN: -- which does require
14 notice regarding what our agenda items are going to be.
15 If the pleasure of the agency members is that we do
16 expedite discussion on this, then we could entertain the
17 idea of having a special meeting, as soon as we possibly
18 could, that provides for the six-day notice requirement.

19 We could have that meeting at the MRA
20 offices, so we don't have to worry about planning a time
21 for this room, and then we would be able to proceed with
22 this type of discussion, which the Chair's happy to do.
23 I just want to do it in proper procedure.

24 BOARD MEMBER BASINGER: I move that we do
25 call a special meeting for this, Chair, and have it at

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1 the MRA office, with all of the updated information on
2 the budget that we need to have.

3 MR. STEEL: I'm not --

4 BOARD MEMBER BASINGER: Six days you said?

5 MR. STEEL: When you request for updated
6 information, the marketing money that we are granted by
7 Council, that's what I would propose that we have
8 authorization from that pot of money, but not from
9 other -- other possible surplus in operations. Because
10 we are --

11 BOARD MEMBER BASINGER: I'd like to be able
12 to --

13 MR. STEEL: -- granted by Council certain
14 marketing funds, so -- and that's in front of you.
15 There's no more updating to do other than what's in
16 front of you, and that's -- so, I just want to let you
17 know that.

18 BOARD MEMBER BASINGER: Well, like Ron, I
19 love the Iao Theater and also went to the Saturday
20 double feature for a quarter. And so --

21 BOARD MEMBER KAWAHARA: You are younger than
22 I am.

23 BOARD MEMBER BASINGER: I would like to have
24 all that information and all the funding available, so
25 that this body can make a decision as to what we want to

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1 do and from where we want to take the money. So, if we

2 can do that in six days at a special meeting, I'd like
3 that.

4 CHAIRPERSON POELMAN: So, I understand the
5 motion is to have a special meeting of the MRA to
6 discuss the fiscal year '07 budget -- no?

7 BOARD MEMBER BASINGER: To discuss this
8 particular --

9 CHAIRPERSON POELMAN: Right. Well, that as
10 well as this request for basically monies from that
11 budget for the Maui Community Theater dba Maui OnStage
12 request for monies for their Iao Theater feasibility
13 study budget.

14 BOARD MEMBER BASINGER: I don't want to
15 limit it to just FY07 budget money.

16 CHAIRPERSON POELMAN: So, you just want it
17 so --

18 BOARD MEMBER BASINGER: I would like to
19 discuss the project.

20 CHAIRPERSON POELMAN: A special meeting
21 regarding this project.

22 BOARD MEMBER BASINGER: Yes, yes.

23 CHAIRPERSON POELMAN: Okay. Is there a
24 second to the motion?

25 BOARD MEMBER KAWAHARA: I'd second it.

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1 CHAIRPERSON POELMAN: Okay. Then we can set
2 a time after. Any discussion on the motion?

3 MR. STEEL: Yes, I do. The soonest we could
4 have it would be June the -- let's see. Today is the
5 25th. So, a six-day notice would be a week from Friday,
6 would be the 1st. I would say Monday, June 4th, which
7 is -- yeah.

8 BOARD MEMBER KAWAHARA: That's Memorial Day.
9 No, sorry.

10 MR. STEEL: Is that -- or any time during
11 that week following June 4th. The 4th would be the
12 soonest.

13 BOARD MEMBER KAWAHARA: That's a Monday?

14 MR. STEEL: Because I have to give six days
15 notice, yeah.

16 BOARD MEMBER BASINGER: I will move that we
17 have it on Monday the 4th of June.

18 CHAIRPERSON POELMAN: I just need to check
19 my calendar.

20 BOARD MEMBER BASINGER: Where is it?

21 CHAIRPERSON POELMAN: It's in my office. I
22 can call my office in two minutes, and then get back to
23 you on that. Is there a time on June 4th?

24 BOARD MEMBER KAWAHARA: I have mine in my
25 car.

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1 CHAIRPERSON POELMAN: Okay.

2 DEPUTY CORPORATION COUNSEL: Defer it.

3 CHAIRPERSON POELMAN: Yeah, why don't we
4 take a five-minute recess, and we will re-adjourn, and
5 the members can check their calendars. Given our
6 status, we only have four members now. We need a quorum

7 of at least three. So, we will take a five-minute
8 recess and re-adjourn. We will check our calendars for
9 June 4th. We will reconvene in five minutes.

10 (Recess, 1:49 p.m. Resumed, 1:57 p.m.)

11 CHAIRPERSON POELMAN: Okay. We will
12 reconvene the meeting, and there is a motion for a
13 special meeting. And while we were at recess, the time
14 that would work for the members, in order to create a
15 quorum, would be June 4th, 2007, at 2:15. And the
16 agency does have authority under Title MC-12 to call
17 special meetings under --

18 DEPUTY CORPORATION COUNSEL: Rule -- Section
19 12.701.10, Subsection F.

20 CHAIRPERSON POELMAN: Okay. So, under that
21 rule, there is a motion and as amended by that time,
22 specific time of 2:15. All in favor of setting the
23 special meeting at that time.

24 BOARD MEMBER BASINGER: Aye.

25 CHAIRPERSON POELMAN: Ron.

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1 BOARD MEMBER KAWAHARA: Yes, aye.

2 CHAIRPERSON POELMAN: Aye. Okay. The
3 motion carries. There will be a special meeting
4 June 4th, 2007, 2:15 at the MRA offices at the address
5 of --

6 MR. STEEL: 1980 Main Street.

7 CHAIRPERSON POELMAN: To discuss a request
8 by Maui Community Theater dba Maui OnStage for moneys
9 from the Maui Redevelopment Agency for the Iao Theater
10 feasibility study budget.

11 For continuity of the record and also so
12 that we are not on the edge of the Sunshine Law, the
13 Chair would suggest that unless someone is unable to
14 attend that meeting, that they reserve their testimony
15 that they might try and give under agenda item C, which
16 is a general public testimony, until that date and time.

17 Is there anyone else wishing to testify
18 under the general public testimony agenda item C at this
19 time?

20 MS. HALAS: My name is Susan Halas, and I
21 hope this is not too confusing. At this time, I'm
22 testifying as the co-chair of the Clean Up Wailuku
23 subcommittee of the Wailuku Community Association.

24 And my co-chair Teri Edmonds was unable to
25 stay for the rest of the meeting, and she would normally

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1 be giving this testimony. We would like to state -- we
2 would like to address the question of general public
3 testimony to the marketing funds for the Redevelopment
4 Agency.

5 And while we have no specific objection to
6 designating funds to the Iao Theatre or any other worthy
7 project, it is the sense of our membership, the will of
8 our membership that marketing funds go for much more
9 direct marketing, i.e., and things that can be seen
10 where the results can be seen more quickly or
11 immediately.

12 For example, we are very grateful to the MRA
13 for spearheading the cleanup drive, that we can see
14 people -- we see the impact of that immediately. I know
15 I see the difference in the street already, and this is
16 very, very beneficial to us in the neighborhood.

17 While I understand that there are other
18 projects that are very worthy, and our group understands
19 that, too, with the very limited marketing funds
20 available, we'd like to see that go to marketing, today,
21 now, immediately, advertising, other things that will
22 bring people to Wailuku that will make Wailuku visible.

23 And this is in no way to cast anything
24 negative on the worthiness of the Iao Theater project,
25 because we do believe it is a worthy project. But with

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1 the limited resources that this organization has and the
2 many people, the many, many people in Wailuku who need
3 things more immediately, this is our testimony that we'd
4 like to see.

5 And also, our feedback from the Council is
6 they want us to come back to them next year and show
7 them specifically where the money that they have
8 designated to this organization has gone to help the --
9 you know, the marketing, the selling of Wailuku,
10 hands-on, tangible stuff now. And I -- I think that
11 covers my point as the Cleanup Chair.

12 Again, thank you very much for your cleanup
13 efforts, and they are very appreciated.

14 CHAIRPERSON POELMAN: Thank you.

15 MR. STEEL: Mr. Chair, I asked Deidre
16 Tegarden to come to this meeting, and one of the things
17 that she will have comment on is the Iao Theater
18 proposal.

19 I guess in light of our special meeting, I
20 would ask that Deidre, do you -- if you cannot come to
21 that special meeting, that if you have information you
22 would like to share now, this would be okay. But
23 otherwise, come to the special meeting on that subject.

24 MS. TEGARDEN: I can do the special meeting
25 on -- on the 4th at 2:15.

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1 MR. STEEL: At 2:15.

2 MS. TEGARDEN: Yes, I would like to hear the
3 entire proposal.

4 MS. HALAS: I have the 7th. Is it 4th?

5 MS. TEGARDEN: Pardon?

6 MS. HALAS: I have the 7th, and you said the
7 4th?

8 MS. TEGARDEN: I heard June 4th, right.

9 CHAIRPERSON POELMAN: I am sorry. Can we go
10 off the record for a minute if there's going to be
11 discussion in the audience?

12 MS. HALAS: I didn't hear right for the
13 meeting. What is the date of it, the special meeting?

14 CHAIRPERSON POELMAN: The special meeting
15 will be June 4th, at 2:15, and it will be at the Maui
16 Redevelopment Agency office.

17 MS. HALAS: Thank you.
18 CHAIRPERSON POELMAN: Not in this room.
19 MS. HALAS: Thank you.
20 CHAIRPERSON POELMAN: Okay. Thank you.
21 MR. STEEL: There was one other item that I
22 asked Deidre to come for, and that was regarding the
23 website that is -- if it would be all right if we
24 skipped to item H.
25 CHAIRPERSON POELMAN: Okay.

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1 MR. STEEL: This had to do with the
2 ownership or authorization for the MRA to expend \$7,000
3 to maintain the site.
4 CHAIRPERSON POELMAN: Is there anyone else
5 who wants to testify, since we have gone back to item C,
6 open public testimony? And if not, we will go to item
7 H.
8 MS. PERREIRA: Item F. Jocelyn Perreira.
9 First of all, I just want a clarification on item F, I
10 think, where we had that '07 and the '08 problem.
11 CHAIRPERSON POELMAN: Well, in fact, that's
12 where we were, and then we went to C, general public
13 testimony again.
14 MS. PERREIRA: Right.
15 CHAIRPERSON POELMAN: After we complete C,
16 general public testimony, in fact, we are going to skip
17 to H, so that Deidre Tegarden can testify and then
18 leave, and then we will go back to F.
19 MS. PERREIRA: Okay.
20 CHAIRPERSON POELMAN: So, are you wanting to
21 testify under general public testimony?
22 MS. PERREIRA: Well, I guess, because you
23 reopened it up, there needs to be one comment that we
24 have to make on that.
25 CHAIRPERSON POELMAN: Okay.

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1 MS. PERREIRA: But what I want to get real
2 clear is what happens to FY07 discussion with the
3 amounts that we had? Is that going to be now for next
4 meeting?
5 CHAIRPERSON POELMAN: Yeah, I'm afraid that
6 it's going to have to move to next meeting, because --
7 MS. PERREIRA: Okay. Okay.
8 CHAIRPERSON POELMAN: -- it didn't get
9 noticed properly.
10 MS. PERREIRA: Okay. So, thank you for that
11 clarification, because I was very confused on that.
12 CHAIRPERSON POELMAN: Okay.
13 MS. PERREIRA: So, the only other thing I
14 would like to report to the agency is that there was a
15 task force convened for the marketing funding under
16 Office of Economic Development for Wailuku. And the
17 intent of the task force was not just for things that
18 can be done immediately now for just one particular
19 group in town, one group of -- one segment of the
20 community in town.
21 So, I just want to remind everybody of that.

22 If we have to go back to the record, we can pull back
23 the record, and that's why the specific items were
24 listed very carefully by a broad cross-section of
25 community members.

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1 They were well thought out, because the
2 monies were limited, and it was not intended to be a
3 slush fund for any one particular group or one
4 particular purpose. Thank you.

5 CHAIRPERSON POELMAN: Any other general
6 public testimony under agenda item C?

7 MS. KONG: Aloha. My name is Cherlyn Kong,
8 and I am a resident of Happy Valley. And I wanted to
9 kind of pose a question as well as make a comment.

10 It's my understanding that -- I know we
11 talked, but I just want it for the record. It's my
12 understanding that funds for the beautification section,
13 not the cleanup, but the beautification section of Happy
14 Valley has been cut out. Am I correct in that?

15 MR. STEEL: Actually, it's not that the
16 funds were cut out. It's that the funds that they had,
17 because of increased construction costs, will not cover
18 what they had hoped would originally be included in the
19 contract.

20 MS. KONG: Okay. So, rather than allocate
21 from another street, say, for instance, Wells Street,
22 they chose to cut off at Mill Street and not -- cut out
23 from Mill to Mokuahau; is that correct?

24 MR. STEEL: I cannot say exactly where the
25 cutoff is, but my understanding is that somewhere around

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1 Mill Street and all the way through to Mokuahau will not
2 be done in this phase of the beautification project.

3 MS. KONG: Okay. Will there -- is there a
4 proposal for it being included in the next phase,
5 without --

6 MR. STEEL: My conversation with the Public
7 Works Director is that, yes, they are planning to do it,
8 but he wouldn't give me a time line.

9 MS. KONG: Okay.

10 BOARD MEMBER BASINGER: My suggestion is
11 that you contact Department of Public Works directly.
12 They have their own team working on the beautification
13 project.

14 MS. KONG: That's Wendy Kobashigawa.

15 BOARD MEMBER BASINGER: Absolutely.

16 MS. KONG: All right. Thank you very much.

17 CHAIRPERSON POELMAN: Any other testimony
18 under item C, general public testimony? If not, we will
19 move now to item H, and then back to F.

20 Item H is determination of MRA ownership of
21 www.wailukumai.org and authorization for the MRA to
22 expend \$7,000 to maintain the site.

23 MR. STEEL: This is where I'd like to ask
24 Deidre, as the Economic Development Coordinator for
25 Charmaine Tavares administration, who has experience in

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1 having granted various organizations money to either
2 establish or update their website and the ramifications
3 of that on the concept of ownership. So, if you would
4 take it away, Deidre.

5 MS. TEGARDEN: Yes. Thank you, and thank
6 you for giving me the opportunity to come before you all
7 this afternoon.

8 The Office of Economic Development has
9 funded various nonprofits through the years to grant
10 them money to start their own websites. Once we grant
11 that money, the website becomes ownership of the
12 grantee. So, it is not a County-run website. It is
13 truly the website of the grantee.

14 So, I think that that was one of the
15 questions. And while I was not involved from the
16 beginning with the granting of this funding, it is my
17 understanding that the money was granted to Lokahi
18 Pacific to begin a Wailuku website. And it is not the
19 County's -- it's not under a County ownership at all.

20 So, that's -- I think that clears up one of
21 the questions. And I was speaking with Wayne briefly,
22 and I know I'm preaching to the choir here, but websites
23 nowadays -- and I come from a nonprofit background
24 myself. You know, websites these days are not as
25 difficult to maintain as they -- as they have been in

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1 the past.

2 And I know I'm from Big Brothers, Big
3 Sisters. We were able to maintain our own website with
4 very little -- you know, none of us were computer
5 geniuses. So, you know, that -- I don't know who is --
6 is continuing to control the website, but just one of
7 the nice things to do is that they are so much easier to
8 update these days, and they also serve as such a
9 wonderful economic engine both for self-sustainability
10 and also for going out and finding funding by selling
11 banner ads on the website, or selling logo placements to
12 sponsors.

13 So, I don't know if that is -- if that
14 clears everything up, but regarding the ownership of the
15 website, it is -- it is not County -- it's not County
16 owned.

17 MR. STEEL: Deidre, one of the motions that
18 was passed in our meeting last month was the \$7,000 to
19 give to a particular vendor to maintain -- I'm not sure
20 all what their offer was, but the vendor was interested
21 in assisting whoever the owner was. And at that time,
22 it was a question about whether it would be the MRA or
23 Lokahi Pacific or whoever.

24 MS. TEGARDEN: Right.

25 MR. STEEL: Is it your experience that

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1 that -- well, I guess first question is, is there money
2 that OED could help, whoever the owner turns out to be,
3 to either train them in maintaining the website or
4 assisting them with other types of vendor assistance?

5 MS. TEGARDEN: Yes, OED would be very

6 willing, based on a good grant proposal, to assist with
7 another stage of either, as you say, getting a new
8 person trained on how to update their own website. Or,
9 you know, any general information that they might need,
10 we would certainly be looking to help again, and in the
11 hopes, of course, that that website then turns around
12 and is able to sustain itself, but also possibly help
13 with funding for the nonprofit.

14 MR. STEEL: Thank you. One other question.
15 The grant proposal that I distributed to all the members
16 from Lokahi Pacific, that your office actually was the
17 recipient of this grant request or proposal, states that
18 the initial lead with this project would be -- would be
19 by Lokahi, and they would partner with Wailuku Community
20 Association.

21 What is your take on how or if that should
22 happen, or does OED have any more to do with it once the
23 money has been spent and reimbursed?

24 MS. TEGARDEN: Unless I am -- I don't think
25 I'm speaking incorrectly, and Corp Counsel can probably

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1 steer me in the right way if I am.

2 But again, it is my understanding that once
3 the money has been granted to the grantee, and the money
4 has been reimbursed, it is truly the -- the grantee owns
5 the website. It's no longer -- it's not a County-owned
6 website. Am I correct, Corp Counsel?

7 DEPUTY CORPORATION COUNSEL: That's correct.
8 You may -- this money came from her office, but not to
9 her other office or other former affiliation.

10 MS. TEGARDEN: It came from OED.

11 DEPUTY CORPORATION COUNSEL: Yeah, it came
12 from OED to Lokahi Pacific, not Big Brothers Big
13 Sisters.

14 MS. TEGARDEN: No, no, no. I was just
15 giving an example. I like to throw that in.

16 BOARD MEMBER BASINGER: It was MRA marketing
17 money however.

18 MS. TEGARDEN: Yes, okay. It was just
19 granted through our office.

20 BOARD MEMBER BASINGER: It was part of a
21 95,000-dollar grant specifically for MRA marketing.

22 MR. STEEL: Okay. That's all my questions.

23 MS. TEGARDEN: Okay.

24 CHAIRPERSON POELMAN: Any other questions?
25 Any other public testimony?

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1 MS. TEGARDEN: Thank you.

2 MR. STEEL: Thanks for coming, Deidre.

3 MS. TEGARDEN: Thank you. Have a happy
4 Memorial Day.

5 MS. PERREIRA: Jocelyn Perreira, Wailuku
6 Main Street Association, Inc. It is moneys that were
7 intended for marketing of Wailuku through what's listed
8 in the Wailuku Redevelopment Plan. However, when some
9 of these grants were parceled out, they did not go on a
10 formal request for proposal.

11 Alexa and I sat in the office of Lynn
12 Araki-Regan when we first initially discussed a project
13 like this. And we made a contribution to expanding the
14 purpose, because Alexa had a real good idea on how to
15 get the visitors to come and whatnot.

16 And we said, well, it ought to not be just
17 to visit, but to work, and to -- living in Wailuku as
18 well as visiting. So, when she put out the grants, I
19 guess to every one of us, we didn't know who got what
20 grant or whatever, so we had no opportunity to express
21 concern.

22 But when we did talk about it, there was
23 very definite concern as to the who is the owner of this
24 site, because it could be given to Joe Schmoe down the
25 street, and then if they have -- they have the

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1 responsibility over the content, you could end up with
2 some major problems of misinformation, so on and so
3 forth that goes on on this site.

4 Our opinion and the belief of our
5 organization has been that Lokahi Pacific got the grant,
6 just as we got a grant to do a brochure. But once that
7 is done, it's turned over to the County, and it's the
8 property of the County, and we have to note the County
9 on there.

10 Furthermore, there was a press release that
11 was issued, and that also noted the contribution of, for
12 instance, the Wailuku Main Street Association as a
13 regular contributing member to the website.

14 So, in final analysis, I would like to say
15 it would be a concern of ours that the Maui
16 Redevelopment Agency doesn't own the site, because I
17 think the Maui Redevelopment Agency will insure that
18 proper information goes out by legitimate sources. And
19 if you want to -- if you want to sub out, you know, how
20 you get ads or what have you, you can do that, and you
21 can put out a request for proposal, so anybody who wants
22 to undertake that can present their -- what they are
23 able to provide -- the service they are able to provide
24 to you, and you could determine and choose who you
25 wanted to use for that.

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1 But as far as just giving the site to
2 somebody, because somebody merely did the initial part
3 of the project, we don't concur with that. Thank you.

4 CHAIRPERSON POELMAN: Any questions?

5 BOARD MEMBER BASINGER: Testimony.

6 MR. IVY: David Ivy, Revitalize Wailuku. I
7 just wondered if the website is up at all? Is it under
8 construction? Is there stuff on there?

9 BOARD MEMBER BASINGER: The website is
10 completed. We had -- we had a presentation of the
11 website at the MRA's last meeting.

12 MR. IVY: Okay. I am sorry.

13 BOARD MEMBER BASINGER: And that's when this
14 discussion about its future growth and maintenance and
15 where that ownership should lie began.

16 MR. IVY: Okay. Yeah, I just --
17 BOARD MEMBER BASINGER: It is
18 www.wailukumauui.org.

19 MR. IVY: Thank you.

20 BOARD MEMBER BASINGER: All of you have the
21 grant request in front of you, and it clearly states, as
22 we discussed at our last meeting, that this was done as
23 a collaboration primarily for the Wailuku Community
24 Association to take forward and maintain.

25 They did not yet have their 501(c)3 status,
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1 and Lokahi Pacific acted as an umbrella in that regard.
2 The Wailuku Community Association, as I asked today,
3 still does not have that 501(c)3 designation and does
4 not have the capacity to manage or grow this website.

5 The suggestion and the discussion and the
6 vote last month that it fits in line with the MRA's
7 mission, and that we voted that way, is to find
8 ownership for something that is there. And it is part
9 of the marketing of Wailuku, which is part of the MRA's
10 mission. And so I'm -- I'm curious as to why we are
11 having this discussion again.

12 BOARD MEMBER KAWAHARA: The reason is that
13 everybody is in agreement that -- and with Lokahi
14 Pacific, MRA should own the website. The problem was
15 that Corporation Counsel had a problem with that.

16 BOARD MEMBER BASINGER: Right.

17 BOARD MEMBER KAWAHARA: So, a question to
18 Corporation Counsel is can MRA own www.wailukumauui.org,
19 the domain name?

20 DEPUTY CORPORATION COUNSEL: MRA already has
21 a website within the County of Maui website. You could
22 expend these funds and probably own it. However, under
23 the State statute, there is no authority for you to own
24 a website.

25 BOARD MEMBER KAWAHARA: But there isn't one
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1 that prohibits us either.

2 DEPUTY CORPORATION COUNSEL: Yeah.

3 BOARD MEMBER KAWAHARA: So, I am saying at
4 this point --

5 DEPUTY CORPORATION COUNSEL: But you will be
6 going beyond the powers and duties given to you by the
7 statute, the State Statute 53 -- Section 53-5.

8 BOARD MEMBER KAWAHARA: Well, I think that
9 owning a website, in my opinion, is no different than
10 owning any other intangible asset. It's a domain name
11 that costs \$35 a year to register it, probably falls
12 under the de minimis rule or whatever.

13 But my feeling is that it makes sense for
14 the MRA or some other nonprofit that will have
15 continuity well into the future and has the funding
16 ability to maintain the website. So, taking into
17 account the Corporation Counsel's opinion, I'm going to
18 make a motion.

19 DEPUTY CORPORATION COUNSEL: The motion was
20 already carried.

21 BOARD MEMBER KAWAHARA: What motion?
22 DEPUTY CORPORATION COUNSEL: I think you
23 moved last time that you own the website.
24 BOARD MEMBER KAWAHARA: We did?
25 DEPUTY CORPORATION COUNSEL: At the expense
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1 of a thousand dollars.
2 MS. PERREIRA: That's right.
3 BOARD MEMBER KAWAHARA: I thought that was
4 subject to your opinion.
5 DEPUTY CORPORATION COUNSEL: Yeah, and you
6 can either listen to my opinion or not. And obviously,
7 the discussion is, it appears to me, that you are not
8 going to listen. So, that's up to you.
9 BOARD MEMBER BASINGER: I have a question
10 for Corp Counsel. Is there anything that prevents the
11 MRA from sponsoring a website that furthers its
12 marketing mission and furthers its own mission?
13 DEPUTY CORPORATION COUNSEL: No.
14 BOARD MEMBER BASINGER: I move then that the
15 MRA sponsor the website that was presented to us at last
16 month's meeting, and sponsor it in our budget as a line
17 item as discussed last month.
18 BOARD MEMBER KAWAHARA: Second.
19 MR. STEEL: Can I respond to that? The
20 discussion, as I recall, had to do with giving a
21 particular vendor -- maybe I'm mistaken about that -- a
22 particular vendor \$7,000 to maintain a website. That
23 was only maintain. Had nothing to do with any sort of
24 control over content.
25 BOARD MEMBER BASINGER: No, that's not
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1 correct.
2 MR. STEEL: Is that incorrect?
3 BOARD MEMBER BASINGER: Yeah, maintenance
4 was a small part of that whole amount. There was -- she
5 gave a very extensive report on fleshing out the
6 website, so that it would better explain the MRA's
7 mission, the things that the MRA was doing, including
8 more educational things about Wailuku, more inclusion by
9 organizations like Main Street Association and others.
10 So, the maintenance was just one part of that \$7,000
11 request.
12 BOARD MEMBER KAWAHARA: In her proposal --
13 MR. STEEL: The content -- if I understand
14 what you are saying, I am not a techie. So, are we
15 talking about making locations on the website? Is that
16 what she would do, so you could go to locations and
17 links to find things? Sort of the mechanics of it, is
18 that what we are talking about? But not content
19 specifically, she is not in charge of writing the
20 content.
21 BOARD MEMBER BASINGER: She was very clear
22 that she was not in charge of content.
23 MR. STEEL: Right. That's what I thought.
24 BOARD MEMBER BASINGER: That she would
25 operate and maintain the website per the requirements of

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1 the MRA, as the sponsor of this website, and it becomes
2 our duty as commissioners to manage that task.

3 I will be on this commission for five years.
4 I will volunteer. I'm sure others might volunteer as
5 well to make sure that -- we could even write what our
6 requirements are and how -- you know, we could write an
7 operations plan on how this body will manage this
8 sponsorship. But, I would like to go forward with what
9 we had done last month.

10 MR. STEEL: That was going to be one of
11 my -- my comments, is it would make me feel good, in
12 putting any kind of line item in any budget, as to what
13 specifically that money would be spent on. And if
14 it's -- and if it's volunteers that are going to be
15 doing a lot of the content or accepting and reviewing
16 content, making decisions about content, obviously, we
17 don't need money for that.

18 BOARD MEMBER BASINGER: I heard your
19 discontent with having to manage this last month, Wayne,
20 so --

21 MR. STEEL: I'm also curious about how -- if
22 merchants want to sell merchandise or advertise their
23 businesses or put money into this website, how that
24 could be managed through this agency, as it's not set up
25 to receive any money, nor is the County set up -- set us

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1 up to receive any money in respect to that, unless there
2 was a third party somehow that -- that did that.

3 So, I would like to see a full-on proposal
4 as to how this could be done that would maintain the
5 integrity of the MRA as well as the County. So, that is
6 my request. I appreciate you offering that.

7 BOARD MEMBER BASINGER: So, you would like
8 to see something more in depth than what we received
9 from the first vendor?

10 MR. STEEL: I think that her -- she
11 described her service, but it's not at all what I would
12 look at if I was wanting to put money out, especially if
13 I'm giving responsibility for content, for what type of
14 programs are going to be on that website, who will have
15 the right to say what prices are charged for what types
16 of banner ads or whatever.

17 To me, this is a marketing device, and it
18 could be an economic development engine. And I think
19 that ought to be part of whoever takes over this thing
20 ought to have that viewpoint, because that's really what
21 I think the thing is all about.

22 BOARD MEMBER KAWAHARA: If I can comment on
23 this thing. This website needs to be completed, because
24 it's incomplete as it stands. I counted 19 items on the
25 additional features and pages that's supposed to go into

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1 this website. The base maintenance cost is only 80 or
2 \$90 a month, so the bulk of the money is going to go
3 into developing the website.

4 BOARD MEMBER BASINGER: That's correct.

5 BOARD MEMBER KAWAHARA: None of her proposal
6 includes any ads. That's something that the
7 commissioners need to make a decision on. So, my
8 feeling is I don't want to do an RFP at this point. If
9 somebody is familiar with the website or the language,
10 they have done probably half of it. We need to complete
11 it.

12 So, my feeling is let's move forward on this
13 thing. It's an important marketing tool, the website.
14 I don't know that I'm comfortable with trying to sell
15 ads through our website. I mean, that wasn't the
16 purpose of it.

17 We are basically a nonprofit. It's an
18 informational website. It's got interactive maps,
19 historical data, the weather -- links to weather and
20 things like that, but there is nothing in this proposal
21 that's going to provide for links to, you know, banner
22 ads or whatever.

23 BOARD MEMBER BASINGER: That's correct. And
24 I remember from the minutes of last month's meeting,
25 that was the consensus of this body, that it was not

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1 going to be commercial in that regard.

2 It's an educational website focused on the
3 mission of the MRA. And what needs to be fleshed out
4 from what was already done are the things that the MRA
5 now would like to see that website do. So, the banner
6 ads come off.

7 But, Wayne, if you -- I hear you saying you
8 want to see a written proposal of how this is going to
9 work, and I'll be happy to work with the vendor to
10 provide that to you.

11 MR. STEEL: That would be great.

12 CHAIRPERSON POELMAN: What I would suggest
13 is that we have authority to assign committees, and it
14 could even be a committee of one, and for investigation,
15 and then report back to the MRA. So --

16 BOARD MEMBER BASINGER: You want me to
17 investigate?

18 CHAIRPERSON POELMAN: Yeah, I guess the
19 Chairman could ask people -- one member to investigate,
20 so would you investigate and report back?

21 BOARD MEMBER BASINGER: Yes, I'd be happy
22 to.

23 CHAIRPERSON POELMAN: Okay. Thank you.

24 BOARD MEMBER BASINGER: At the next
25 scheduled meeting, not the next special meeting.

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1 CHAIRPERSON POELMAN: Okay. And then we
2 will carry over that item on the agenda till the next
3 meeting until you report back?

4 MR. STEEL: The ownership item?

5 BOARD MEMBER BASINGER: I don't know that
6 this has to be a continuing agenda item. We are not
7 going to own it. We are going to sponsor it.

8 CHAIRPERSON POELMAN: And the owner is going
9 to be --

10 BOARD MEMBER KAWAHARA: The MRA.
11 BOARD MEMBER BASINGER: I don't know the
12 answer to that. I know that Lokahi Pacific was asked to
13 continue this, but it's outside of their realm really.
14 We did it on behalf of the Wailuku Community
15 Association.

16 BOARD MEMBER KAWAHARA: But you are saying
17 even if they achieved their 501(c)3 designation, that
18 they would not have the capacity to maintain this?

19 BOARD MEMBER BASINGER: Well, if the MRA
20 were sponsoring it, they would, and they would take a
21 different tact. So, if MRA wants to be in control of
22 content and that it be the voice of our mission, then we
23 have to be -- we have to collaborate with a party that
24 understands that, the party that would own the -- what
25 do you call it -- the domain name.

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1 CHAIRPERSON POELMAN: I need to have my
2 memory refreshed. We have a motion. I know it's
3 seconded. The nature of the motion is what again?

4 BOARD MEMBER BASINGER: To sponsor.

5 CHAIRPERSON POELMAN: Okay.

6 MR. STEEL: And the motion that we have from
7 last meeting that was tabled until we determined
8 ownership, to spend \$7,000, I assume that would be in
9 the area of sponsorship. But I don't know who, under
10 our certain -- until we receive a proposal, who that
11 money would go to.

12 Also, the 7,000 that we spend that kind of
13 money would need a number of bids under procurement law.
14 Consequently, I don't think we can designate a specific
15 vendor to get the money.

16 MS. PERREIRA: That's right.

17 BOARD MEMBER KAWAHARA: I thought the
18 procurement law -- I mean, the need for bids was 25,000.

19 MR. STEEL: That's for RFPs. But we would
20 need at least three either written or oral quotes, and
21 we'd have to give them some scope of work.

22 BOARD MEMBER BASINGER: It could be phased.
23 We talked about phasing it, so that it remains under
24 that limit until it gets going.

25 MR. STEEL: Purchasing agent frowns on

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1 phasing.

2 BOARD MEMBER BASINGER: Well --

3 MR. STEEL: I don't know if that can happen.

4 BOARD MEMBER KAWAHARA: You know, it seems
5 like, you know, we always come up with reasons why we
6 can't do things, and that always bothers me. You know,
7 everybody agrees on the concept. We want to put our
8 mission statement on this website. We want to put our
9 project schedule. We want to put our priorities.

10 It's a great tool for tourists, for people
11 who want to move here, and yet we can't seem to move
12 forward. So, I'm just suggesting that we move forward
13 and find solutions to the problem rather than reasons
14 why we can't do this.

15 BOARD MEMBER BASINGER: I agree. So, in
16 addition, Manager Steel, to wanting to see a proposal of
17 how this would work and how we would manage content, you
18 want -- also want to see a breakdown, line item of the
19 various phases and between maintenance and content and
20 so on, and I will provide that for you. But I think the
21 body makes the decisions, does it not, Chair?

22 CHAIRPERSON POELMAN: Right. That's right.

23 BOARD MEMBER BASINGER: Thank you.

24 CHAIRPERSON POELMAN: The question I have
25 for the members in regard to this discussion is, as far

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1 as a website for the purposes we have talked about,
2 promoting Wailuku, and also the mission of the Maui
3 Redevelopment Agency, and possibly other nonprofit
4 organizations, whether they have IRS standing as
5 501(c)3s or not yet, including the Wailuku Community
6 Association and possibly Tri-Isle Main Street
7 Association on the website, I want -- I won't ask it in
8 the form of a question. I will really give my opinion.

9 My opinion is this. Is the problem with the
10 MRA owning things and the problem with the MRA being in
11 charge of things is that the MRA is encumbered by due
12 process, and notice, and hearing. And that if we could
13 just grant money to an entity, that isn't under the
14 Sunshine Law, they could probably get something done and
15 make it move forward.

16 And I think that is -- that is -- that's
17 what -- I mean, that's where it sometimes does get slow
18 and difficult and frustrating with the Maui
19 Redevelopment Agency, is because I think sometimes we
20 are trying to act in a way that's not in our best
21 structure.

22 What we are organized for is to do things
23 that require due process. For example, nobody should
24 take somebody else's property, eminent domain, without
25 notice, and hearing, and all due process. And Chapter

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1 53 anticipates that an organization like the MRA could
2 do something like that.

3 But Chapter 53 doesn't really talk about
4 having -- creating organizations that could do the type
5 of promotion that we are now trying to incorporate into
6 the MRA.

7 And my opinion is is that the MRA, if we
8 have a budget and we want to do things, that the best
9 thing we could do with that money, rather than trying to
10 figure out what do we do with this money and how do we
11 supervise this money, which requires all this due
12 process before we can turn around or do anything, is
13 that we let our discussion be who do we think, outside
14 of the MRA, would be the best entity to funnel our money
15 to, so that they could do these things, and that they
16 wouldn't be strapped with due process, RFP, three
17 requests for bids and proposals and on like that.

18 BOARD MEMBER BASINGER: I agree. And I
19 think that collaboration with the community is fabulous.

20 And so part of what I'll do, in my report back, is look
21 for an entity that may be willing to serve in that
22 capacity.

23 CHAIRPERSON POELMAN: Yeah, that would be --

24 BOARD MEMBER BASINGER: Okay.

25 CHAIRPERSON POELMAN: Right. In my opinion,

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1 that would be great. I mean, if there was --

2 DEPUTY CORPORATION COUNSEL: I have to
3 caution you though.

4 CHAIRPERSON POELMAN: Yeah.

5 DEPUTY CORPORATION COUNSEL: You are under
6 the gun for FY08 budget, and you want to make this a
7 line item for next year's budget, you will be
8 scrutinized by Council and asked the question, if you
9 already have a website, why are you sponsoring another
10 website with your money when you can explore putting out
11 these other links, or you may be able to have the
12 opportunity to do so through your County website. And
13 so you may be shooting yourself in the foot, basically,
14 by expending --

15 BOARD MEMBER KAWAHARA: But this is a County
16 website.

17 DEPUTY CORPORATION COUNSEL: I understand
18 that.

19 BOARD MEMBER BASINGER: And this is FY07
20 dollars.

21 DEPUTY CORPORATION COUNSEL: I understand
22 that. Okay. I already told you on the 53-5 of HRS,
23 there is no provisions for you to own a website. Be
24 very careful what you do. You will be before Council,
25 and you will be scrutinized, and that's my two cents.

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1 BOARD MEMBER BASINGER: Just want to add in
2 addition to that, that the money that was used thus far
3 to get this website started was part of the County
4 budget and was approved by Council and administration
5 for MRA marketing. So, it's just furthering something
6 that they have already done.

7 MR. KIMURA: Mr. Chair. Mr. Chair.

8 CHAIRPERSON POELMAN: So, there's a -- a
9 motion that the MRA sponsor the website
10 www.wailukumau.org, and there's a second. Any other
11 discussion on the motion?

12 BOARD MEMBER BASINGER: I'm not sure,
13 Counsel, if we have to first change the motion that is
14 illegal, in your view, from last month to own it? Would
15 we have to do that?

16 DEPUTY CORPORATION COUNSEL: Well,
17 Mr. Kawahara was the maker of that motion. He could
18 accept a friendly amendment at this point.

19 BOARD MEMBER KAWAHARA: What is the
20 amendment from?

21 DEPUTY CORPORATION COUNSEL: From ownership
22 to sponsorship.

23 CHAIRPERSON POELMAN: From ownership to
24 sponsorship.

25
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BOARD MEMBER KAWAHARA: From ownership to

1 sponsorship. I will agree to the change provided that a
2 suitable agency own the website.

3 CHAIRPERSON POELMAN: Well, the Chair
4 proposes that we table the motion until next meeting,
5 and Alexa can come back with an investigatory report.

6 BOARD MEMBER BASINGER: Okay.

7 CHAIRPERSON POELMAN: Any objection to
8 tabling the motions until the next meeting?

9 BOARD MEMBER BASINGER: No objection.

10 CHAIRPERSON POELMAN: Okay. We will table
11 the motion and agenda item H until the next meeting.

12 So, we are now back to agenda item F, which
13 is report on Council testimony regarding the resolution
14 concerning the MRA fiscal year -- this says '08 budget
15 submission. I understand that that should have been
16 properly fiscal year '07.

17 MR. STEEL: No, this is correct.

18 CHAIRPERSON POELMAN: This one is correct.
19 Okay. Okay. So, fiscal year '08 budget submission.

20 MR. STEEL: The two members were going to go
21 to Council and testify, and this would be a report on
22 what occurred.

23 BOARD MEMBER BASINGER: What occurred was
24 that we found out that we were too late to testify in
25 the budget process. And because -- because of various

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1 testimony during budget by other former Commission
2 members, we felt that there was enough confusion amongst
3 Council that at an extraordinarily late date, we just
4 didn't want to do that.

5 Instead, we decided it might be better that
6 we spend this year refining the MRA vision, defining the
7 tasks, in addition to the municipal parking lot,
8 periphery tasks that we might be able to accomplish and
9 be prepared for the next budget.

10 CHAIRPERSON POELMAN: What was the outcome
11 of the budget? I know there was a budget passed.

12 MR. STEEL: There is no -- it hasn't been
13 officially passed. But unofficially, what the Mayor
14 asked for this agency has been approved. I mean, it
15 hasn't been -- the Council didn't come back and cross --
16 cross out anything that the Mayor asked for. That's
17 what I understand.

18 There is no final budget document generated
19 yet for me to be able to say this is exactly what was
20 approved.

21 CHAIRPERSON POELMAN: Okay. I thought I had
22 read in the paper that the budget was all done.

23 MR. STEEL: Well, it's done except for the
24 official adoption by the Council.

25 CHAIRPERSON POELMAN: All right. Any other

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1 discussion regarding agenda item F?

2 Then to item -- oh, in fact, I am skipping E
3 altogether, right? We want to go to E, which would be

4 creation of a resolution and vote to adopt a resolution
5 concerning the MRA's position on the municipal parking
6 lot redevelopment, a recommended design, and recommended
7 next step. So, back to item E. Any public testimony?

8 MS. PERREIRA: Jocelyn Perreira, Wailuku
9 Main Street Association. Our new Chairman of the Board
10 is John Min. He's the former Planning Director with the
11 County of Maui.

12 He led a discussion with our Board and had a
13 discussion with the Mayor recently to just give her --
14 inform her of the status of MRA implementation projects.
15 And in looking at it, it is clearly noted that there's a
16 lot yet to do on the Wailuku Redevelopment Plan. Very
17 premature to kind of revise it or amend it at this point
18 because of the lengthy process.

19 However, it appears -- well, first of all,
20 it's very important to engage not only the
21 administration but to also engage the Council in
22 discussions relating to this matter so we can actually
23 make this matter move.

24 A top priority for our organization remains
25 to be the messenger to stay focused and get the

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1 municipal parking -- multi-use, multilevel sensitively
2 designed parking structure, make it a reality.

3 However, it does appear that there need --
4 that there will be need to resolve a legal issue
5 regarding HRS Section 53-13. That does note, and this
6 is after looking at past minutes from -- comments from
7 Corp Counsel and their opinions and so on and so forth,
8 that it notes that new construction by the agency --
9 Redevelopment Agency may not erect new structures upon
10 any of its property except structures to be held and
11 used by the government for public purpose, emphasis
12 added.

13 The MRA was verbally advised by a Deputy
14 Corporation Counsel in 2006 that a parking structure did
15 not qualify under this criterion, since the parking was
16 intended to benefit businesses in the area.

17 So, all the more reason to engage now the
18 County Council in defining the redevelopment parameters
19 for this property by the -- by a Council resolution, and
20 that's where you folks were headed before you got
21 derailed, so to speak.

22 Because there was a Power Point presentation
23 prepared, probably still needs to go to Council, so they
24 are let in on this discussion. It was the feeling of a
25 lot of people that we consulted, even in consulting with

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1 the Mayor, that perhaps the law that has tied your hands
2 here needs to be amended.

3 The law needs to be amended, so that you can
4 do a lot of the things that you all have said. Because
5 you have been going in the right direction, but this
6 particular is like a -- is like a stick in the mud. You
7 know, it's similar to the concession law that made it so
8 cumbersome for everybody else.

9 So, I guess one of our recommendations is is
10 to try to pursue that section of the law that is
11 hampering you and seek and have a discussion with the
12 Council, as well as the Mayor, to see if this particular
13 law cannot be amended.

14 So, since this year is a transition year,
15 where the Mayor is deciding, you know, to what level and
16 what extent the MRA is going to be in the future, as you
17 will be also, and hopefully, you know, some of our
18 comments as well, perhaps it is a time that you can work
19 on some of the -- you know, defining the -- just some of
20 the things that Alexa had alluded to earlier.

21 In the meantime, it is important that you
22 continue to engage the Council in defining redevelopment
23 parameters for this property by Council resolution, such
24 as preferred number of additional parking stalls,
25 preferred uses and estimated square footage required by

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1 the County, preferred building height limits, funding
2 options, and to seek agreement on a concept
3 Redevelopment Plan.

4 And Ron was right when he said, at the
5 former meetings, that MRA does have a plan. So, it's
6 not like you are out there, and, boy, they don't even
7 have a plan. That was not correct. You do have a plan,
8 good, bad or indifferent.

9 You did adopt PC-1. If PC-1 is not the cup
10 of tea of the Mayor, and we know it has problems with
11 the Council, and we have concerns with it, too, the
12 intent back then was to break ground, so we could start
13 the project and design it to meet the expectations of
14 all the important stakeholders.

15 Unfortunately, that discussion -- that
16 meeting -- and Wayne Steel has said this on many
17 occasions. He said it at least three meetings that
18 there needs to be a meeting with the important major
19 stakeholders, a meeting of the minds with them and the
20 Council and the Mayor, to go in the right vision of what
21 do we want out of this particular structure.

22 Then the WMSA recommends that in your next
23 budget that you probably consider hiring a team, which
24 would consist of a financial person, an engineer, an
25 architect, whatever, so that then you can put and

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1 articulate it all together.

2 If you would like, I can lay out the
3 recommendations -- recommended plan that we recommend to
4 the MRA in a form to proceed.

5 And finally, I have a note here from my
6 Board Chair, need to remind the MRA that this is a
7 priority action. So, thank you for this opportunity to
8 offer input. The many, many people that we represent in
9 the greater Wailuku as well as the core of Wailuku have
10 waited long. This is a project long in waiting, and it
11 just gets more expensive every day.

12 It's not -- and the blame should not be laid
13 at the footsteps of the MRA, because there is something

14 that is problematic with the law that has made it tie
15 your hands, so to speak. Thank you.

16 CHAIRPERSON POELMAN: Any questions by the
17 members? I have a question.

18 MS. PERREIRA: Okay.

19 CHAIRPERSON POELMAN: Reading Chapter 53-13
20 that you talked about, which says that while the MRA
21 will promote the revitalization, realization of the
22 redevelopment plan, and it can grade, drain and
23 construct streets and install necessary utilities, such
24 as sewers, water and lights, but it may not erect new
25 structures upon any of its property, except structures

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1 to be held and used by the government for public
2 purposes, is the MRA the best organization to spearhead
3 the forward movement of the municipal parking structure,
4 or would it possibly be better to have another entity
5 that doesn't have the due process notice and hearing
6 requirements that the MRA has, such as the Wailuku Main
7 Street Association, for example, to take more of a
8 spearhead of this, and then the MRA could simply pass a
9 resolution saying, yes, we support this?

10 MS. PERREIRA: You know, I haven't
11 investigated that and haven't had a chance to discuss it
12 with, you know, our team of professionals, because
13 that's not the way we had envisioned it.

14 We really fully support the powers of the
15 agency to do some really significant things, and we
16 viewed ourselves as a partner to assist the agency to do
17 this.

18 The fact is, you may be right, but that
19 wasn't something that we ever entered -- entertained the
20 thought of to this point. But one of the things that --
21 one of the reasons why it's important and compelling for
22 you to go have a discussion with the Council and what
23 have you, is so that you can resolve this.

24 But frankly, from my personal perspective,
25 after not talking to the professionals and my Board and

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1 what have you, I really think that the whole reason that
2 the MRA is supported and continues to be supported is
3 cuz good, bad or indifferent, you folks have been
4 determined -- and we are responsible in part for that --
5 to be the agency by which we will accomplish this
6 particular project.

7 CHAIRPERSON POELMAN: Uh-huh.

8 MS. PERREIRA: And I think that the Council
9 members are banking on this as being your flagship
10 project.

11 CHAIRPERSON POELMAN: Right, right. I guess
12 my question is based on the fact that, you know, having
13 been on the agency for four years, and when I became a
14 member of the agency, I know one of the goals that I
15 spoke to at the County Council, when I was appointed as
16 a member, was to say that I saw that the municipal
17 parking structure was a top priority.

18 And I know we have had other members with

19 the same vision when they became members, and I know we
20 had Member McLeod, who was here and resigned, because I
21 think he felt like the agency wasn't that effective
22 in -- in promoting that -- you know, getting something
23 to really happen. And I don't have a question there. I
24 just have a general comment, I guess.

25 MS. PERREIRA: If I can respond.

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1 CHAIRPERSON POELMAN: Yes.

2 MS. PERREIRA: I don't think that the
3 members of this agency or anybody else that has
4 undertaken, embarked on this significantly important
5 project to Wailuku should be feeling bad about the
6 progress on this project. A lot has been accomplished.

7 I testified to the Council after your former
8 agency member got up and spoke, because we were very
9 much in fear that the project was going to go south, and
10 so was the MRA because of that.

11 We spoke to the point that this project has
12 a lot of the dots -- connect the dots in place. This is
13 a doable project. This is a project that we can
14 accomplish. I believe that we have a two-year window
15 that can make this happen, because never before has the
16 stars been aligned so closely to have --

17 (Laughter.)

18 CHAIRPERSON POELMAN: We won't have
19 interruption from the audience, please. Thank you.

20 MS. PERREIRA: To have a Mayor and a Council
21 Chair both have the desire and the will to make this
22 project happen.

23 It is something we believe is very doable.
24 We stand by all of the professionals that have worked
25 long and hard on this, and on behalf of all of the

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1 people that have supported us, continued to support us
2 to advocate for this.

3 BOARD MEMBER BASINGER: I have a question,
4 Chair.

5 CHAIRPERSON POELMAN: Okay.

6 BOARD MEMBER BASINGER: So, your
7 organization -- exclude the parking lot for right now.
8 What are the other issues that your organization has
9 identified that the MRA must -- that are left on that
10 undone list?

11 MS. PERREIRA: Yeah, I have the list. I can
12 submit it to you.

13 BOARD MEMBER BASINGER: Okay. Thank you.

14 MS. PERREIRA: We normally report on it --

15 BOARD MEMBER BASINGER: Great.

16 MS. PERREIRA: -- when we have our portion
17 of the agenda. But there are some items that needs to
18 still be accomplished. And I think while you are trying
19 to get the law changed so you can do this significant
20 project, you might be able to hit some of these other
21 areas.

22 BOARD MEMBER BASINGER: Well, what I would
23 like to say is that the MRA has been significantly

24 single focused in the last decade that I have been on
25 that side of the issue.

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1 And in the development of and revitalization
2 of Wailuku, the MRA is aligned singly with the municipal
3 parking lot, and that's been to its detriment, because
4 there are a lot of other responsibilities that the MRA
5 was tasked with a long time ago.

6 So, as I said last month and I will repeat
7 again, I think that it's incumbent on us, as a group, to
8 define those things that are still current, that still
9 need to be done, address -- you know, the last report we
10 have was done in what, 1999?

11 Bring it current. What things still need to
12 be done in the MRA area and focus on those. I think
13 also we need to be lawful. If it -- if it is a fact
14 that under our guiding law we cannot build a municipal
15 parking lot, we have to face that fact.

16 We could work at trying to change the law,
17 but there may be other agencies, other private/public
18 collaborations, other County agencies, other Federal
19 agencies that may very well be absolutely in line to do
20 the kind of mixed use parking structure that the Mayor
21 is envisioning and that Council Chair is envisioning.

22 So, I will again repeat that I would like to
23 see our effort, when we write this resolution, be on
24 redefining or more clearly defining all of the things we
25 need to do.

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1 MS. PERREIRA: Yeah.

2 BOARD MEMBER BASINGER: And full on facing
3 the fact that the parking lot project took a whole lot
4 of energy and time, but perhaps it's not something that
5 we can follow up on right now until the law changes.

6 MS. PERREIRA: Yeah.

7 BOARD MEMBER KAWAHARA: Well, I don't agree
8 that the law needs to be changed.

9 BOARD MEMBER BASINGER: Maybe not.

10 BOARD MEMBER KAWAHARA: We had one opinion
11 from the previous Corporation Counsel. I was not in
12 agreement with that.

13 MS. PERREIRA: That's right. That's right.

14 BOARD MEMBER KAWAHARA: But according to our
15 present Corporation Counsel, public structure includes a
16 public parking facility owned by the County. So, it's a
17 different, 180-degree opinion, which I fully support.

18 So, I don't believe the law needs to be
19 changed. That we have the authority to do it. We have
20 the prestige. We are part of the -- to do it. To have
21 a nonprofit organization that's not connected to try to
22 do this on their own would be very difficult.

23 MS. PERREIRA: Yes.

24 BOARD MEMBER KAWAHARA: I think the MRA has
25 to take this on. I believe we have the authority.

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1 BOARD MEMBER BASINGER: I agree with you,
2 the authority for a parking structure that would be

3 municipality owned and used. But the community, through
4 Council and through administration, is clearly saying
5 today they want to see something mixed use. They want
6 to see -- they want to see commercial and retail.

7 And that does not fit into our function.
8 Perhaps maybe some -- they could subdivide, and there
9 could be one area that's just municipal parking.

10 MS. PERREIRA: Excuse me. I need to make
11 one clarification. When I stated the position from the
12 HRS 53-13 --

13 CHAIRPERSON POELMAN: Yes.

14 MS. PERREIRA: -- I was reading from what
15 was Corporation Counsel's, directly their comments. As
16 Commissioner Ron Kawahara stated, we do not necessarily
17 agree with that interpretation.

18 However, I was reporting on a discussion.
19 If you gave credence to what was formerly told to this
20 agency by Corporation Counsel that you couldn't do this,
21 then you would certainly have to amend the law.

22 And in conclusion, just in response to
23 Commissioner Alexa, this agency has done far vastly more
24 than focus on the municipal parking lot. They have
25 done, and it's clear, a lot of different things for

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1 Wailuku.

2 What has not moved quickly enough, because
3 it's the 900-pound gorilla that everybody has a -- every
4 time you almost get it over the line, you got somebody
5 that pulls it back, the minority, the vocal minority.
6 What we have not done is focus enough on getting the
7 municipal parking facility, multi-use facility built.

8 And I think that Mr. -- Commissioner
9 Kawahara is exactly right. That we need to move it
10 forward. It's something that the agency can do. But I
11 do -- the only thing, the whole message was please have
12 this discuss with the Council as well, so all of the
13 stakeholders are in one room, and we don't have all this
14 different messages all over the place. Thank you.

15 BOARD MEMBER KAWAHARA: And also, Alexa,
16 with respect to your comment about what our priorities,
17 Wayne prepared on March -- I don't know if you got a
18 copy of it.

19 BOARD MEMBER BASINGER: I do.

20 BOARD MEMBER KAWAHARA: All of the projects
21 that MRA is faced with and the status. So, I think it's
22 a pretty comprehensive plan. We can always add to it,
23 but I don't know that we are going to take anything out.

24 BOARD MEMBER BASINGER: And I think we need
25 to get started on those things. We need to check off

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1 accomplishments, and I think we need to, in today's
2 climate, pick our fights carefully.

3 And although the municipal parking lot is
4 such an important part of the development of Wailuku, we
5 have a lot of other important tasks. So, it's my single
6 personal goal that we can accomplish a whole bunch of
7 them and not spend too much time encumbered by the lack

8 of movement on the municipal parking lot.

9 I do agree that we need to engage Council
10 members and administration further. I do agree that we
11 need more than a verbal Corp Counsel -- what do you call
12 it? More than a verbal --

13 CHAIRPERSON POELMAN: Decision.

14 BOARD MEMBER BASINGER: Decision as to what
15 we can build and what we can't build, and maybe that's
16 what we should do.

17 Write a letter saying we would like, in
18 writing, a definitive answer to whether or not it is
19 within our purview to build for the County a mixed use
20 structure that includes a municipal parking lot.

21 And if not, and we know that all we can do
22 is a municipal parking lot, then start focusing on,
23 perhaps, some things that will work, where some other
24 part of it might being mixed use.

25 In other words, we could divide the County

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1 space. And under our, you know, abilities and our
2 rights, we can go ahead and build a municipal parking
3 lot. Let the County build a mixed use structure next to
4 it through their own agencies or their own partnerships.

5 But I just don't want to see us dragged down
6 year after year with this -- this big elephant of a
7 parking structure at the loss of us getting other things
8 done. And if it's so difficult to even just get a
9 website up to -- to get our mission out, I'm getting a
10 little worried here. So --

11 CHAIRPERSON POELMAN: I'm wondering if as
12 far as if the MRA does something, if it means to have
13 that go on a little faster track would be if we had a
14 two member investigatory committee that would have
15 authority to discuss, talk with the member, figure out
16 what it is the MRA can do, should do, might consider
17 doing, report back, on a regular basis, and then it
18 would always be on the agenda until more happened, one
19 way or another.

20 And then that two member investigatory
21 committee, I would expect, would have the, you know,
22 authorization to talk with Council members, to get their
23 input, and to represent themselves as we are a two
24 member investigatory committee of the Maui Redevelopment
25 Agency that's wanting to figure out what the role of the

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1 MRA is going to be, and also what the feelings of the
2 County Council members might be as far as what the MRA's
3 role ought to be, what the County Council members'
4 opinions are regarding the parking structure, if they
5 are more inclined for multi-use, to talk with the Mayor
6 under that.

7 I think the Mayor and some of the Council
8 members are hesitant to talk with members as a -- you
9 know, just as the MRA. But if they are in the realm of
10 an investigatory committee to report back, not as a
11 decision making, but to investigate, that that might be
12 a way we could keep moving things forward.

13 Because then the investigatory committee
14 would come back to the MRA, and there would be the due
15 process notice and hearing on the agenda. And then we
16 could maybe get more done by breaking it down into an
17 investigatory committee of limited to two people.

18 BOARD MEMBER BASINGER: I agree with that a
19 hundred percent. I think if we are going to keep it on
20 our agenda, it needs to be moving forward, not just on
21 the agenda every month and we just talk about it every
22 month.

23 CHAIRPERSON POELMAN: Right.

24 BOARD MEMBER BASINGER: So, if Corp Counsel
25 thinks that that's doable, I would want to -- I would

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1 like to see every member of this commission, at one time
2 or another, be a part of that ability to go talk story
3 and investigate.

4 CHAIRPERSON POELMAN: Right, but we are
5 limited to only two on a committee at a time.

6 BOARD MEMBER BASINGER: Right, but can it be
7 any two at a time, or do they have to be specifically
8 assigned?

9 DEPUTY CORPORATION COUNSEL: How would you
10 know when any two was assigned?

11 BOARD MEMBER BASINGER: Well, we would
12 assign, you know, like this month Ron and I would do it.
13 At the next meeting, we'll say, well --

14 DEPUTY CORPORATION COUNSEL: That's kind of
15 hard. I would suggest you make it for a year. That's
16 my suggestion.

17 BOARD MEMBER BASINGER: Well, we have so
18 many absent members. What if an absent member was on
19 for a long time? If it could be any two, and we decide
20 each month --

21 DEPUTY CORPORATION COUNSEL: No, I don't
22 think you can make it any two and you would decide each
23 month, because then you would have a violation of open
24 meeting law, and there would be a problem.

25 BOARD MEMBER BASINGER: Can we change it

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1 each month?

2 DEPUTY CORPORATION COUNSEL: You could,
3 but --

4 CHAIRPERSON POELMAN: No, I mean not legally
5 what we can do. I just think as far as cohesion and
6 making it really happen, I would say we should appoint a
7 two member committee.

8 And not have it be ad hoc and switch out
9 every month, but have it be two members with the
10 enthusiasm and the vision to try and get as much done in
11 between meetings as they can, by investigating and then
12 coming back, and reporting, and making recommendations,
13 and letting it be open for discussion.

14 And then -- and then resolutions and motions
15 that the MRA is taking positions and doing something.
16 And that I see as a means to maybe move this forward,
17 given the entity that we are working with.

18 MR. KIMURA: Mr. Chair.
19 BOARD MEMBER BASINGER: We are a three
20 member Commission.
21 CHAIRPERSON POELMAN: Right.
22 DEPUTY CORPORATION COUNSEL: That would be
23 quorum.
24 CHAIRPERSON POELMAN: No, if we had two on
25 the committee. No, she's saying right now we have three
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1 here today.
2 BOARD MEMBER BASINGER: Right. And a fourth
3 member has been unable to attend for --
4 CHAIRPERSON POELMAN: Five months.
5 BOARD MEMBER BASINGER: -- five months.
6 MS. PERREIRA: She's back.
7 BOARD MEMBER BASINGER: We are still waiting
8 to fill the position of a fifth member. So, I think
9 that's an extremely huge responsibility to put on two
10 for life sort of.
11 That's the only reason I suggest whether we
12 could, from time to time, change the members of that
13 parking structure committee, so that every commissioner
14 has an opportunity to get a taste, feel of pushing this
15 project forward.
16 CHAIRPERSON POELMAN: Right, right. I think
17 legally we could. I think --
18 BOARD MEMBER BASINGER: Okay.
19 CHAIRPERSON POELMAN: -- my understanding of
20 the hesitation of Corp Counsel is that if it's switched
21 out too often, then you are really just playing games
22 with the Sunshine Law, because you are actually having
23 meetings of more than two people. Do you know what I am
24 saying?
25 BOARD MEMBER BASINGER: No.
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1 CHAIRPERSON POELMAN: Like if you switch out
2 who's on the committee so regularly, then really you are
3 having everyone participate, off the record, with trying
4 to, quote, unquote, investigate, when really they might
5 be making decisions and not just coming back and
6 reporting with suggestions. So --
7 BOARD MEMBER BASINGER: Well, another way to
8 look at it is that we have hired staff, and if it could
9 be staff with a member.
10 CHAIRPERSON POELMAN: Yeah, like if we had a
11 staff member whose job was to investigate or do these
12 things, and they come back and report to the MRA, that
13 would be great, I think.
14 BOARD MEMBER BASINGER: I'm all for hands on
15 here. I agree with you, but I think it should be, you
16 know, spread across the board, and this is a big issue.
17 CHAIRPERSON POELMAN: Uh-huh. So, Manager
18 Steel, we have staff budget money left over, because I
19 know we had a clerk position. Are we allowed to use
20 that money to try and hire somebody or direct the
21 manager to try and do what we are talking about?
22 MR. STEEL: There's a number of questions

23 there. As far as asking me to do specific things to
24 relate with Council, it's certainly well within your
25 power to do that.

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1 As far as trying to use money to purchase a
2 person, either as a County employee or as a contract
3 employee, I think that's going to be a very difficult
4 sell, in that the Mayor has already taken out people of
5 our budget and has asked me not to hire a secretary
6 until she, you know, has this year to really look at
7 where the MRA is going.

8 And for me to come back and say, well, can
9 we hire somebody to talk to Council members I think will
10 be a very difficult sell.

11 CHAIRPERSON POELMAN: Then --

12 MR. STEEL: And unlikely.

13 CHAIRPERSON POELMAN: I guess the question
14 then for you would be if the members wanted you to do it
15 as manager, are you up to the task, or do you see your
16 role more as just organizing the agendas and making
17 certain that we have meetings, as opposed to taking
18 specific directions and then trying to spearhead that?

19 MR. STEEL: Well, I have made it my job to
20 go talk to Council members if there's specific issues
21 that you folks want to have discussed beyond where we
22 are now.

23 You have to remember the position I'm in
24 with the Mayor is don't go to Council unless you have a
25 plan, specifically, unrelated to the parking structure.

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1 So, that's kind of a mandate from the person who pays
2 me.

3 At the same time, I'm under the approval of
4 you folks for the direction of my job. And where
5 there's a conflict, we have real problems. And so I
6 guess as an overview, I would say, yes, go ahead. I
7 have time that I can do things, and it's not only just
8 preparing these meetings, but I have a number of
9 projects which I will be telling you about that I'm
10 doing.

11 But, yes, I think that you are well within
12 your power to ask me to do other things, and I can tell
13 you if I can do them or not, or if there's a conflict,
14 but they have to be very specific.

15 BOARD MEMBER KAWAHARA: I think it's a
16 classic Catch-22, right? The Mayor doesn't want us to
17 go to the Council without a plan, but she won't give us
18 money to develop the plan.

19 But I don't know that in every circumstance
20 the manager or the executive director is the right
21 person to appear before government officials, simply
22 because it's expected of them. You know, the psychology
23 of it, if it's lay people or people that are directly
24 interested have a greater impact.

25 But I think we can defer the discussion in

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1 lieu of the time, because we are not going to -- we have

2 got to develop the plan to meet with the Council people
3 and administration to get to buy into this thing, so
4 when the budget process comes up, it's not fresh. It's
5 at the top of everybody's mind. It's not just one
6 meeting. It's multiple meetings with the same
7 individual by different commissioners.

8 BOARD MEMBER BASINGER: Mr. Chair, are you
9 saying that in order for different commissioners to have
10 these meetings, that we have to be considered an
11 investigative team or a committee, or can we just have
12 these meetings and bring back information?

13 CHAIRPERSON POELMAN: Well, my suggestion
14 would be that it be with some authority, and my
15 suggestion would be --

16 BOARD MEMBER BASINGER: Right.

17 CHAIRPERSON POELMAN: -- that we do it as an
18 investigative committee of two, then that's understood
19 with, you know, what authority.

20 I think our problem is, is that by the time
21 this -- unless this agency were meeting every day and
22 had full-time staff, and we just don't -- we are
23 volunteers, so it's not like we have the luxury to meet
24 every day and try and figure something out.

25 So I -- you know, if we had the blood, and

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1 the energy, and the life to get two members who would
2 want to be on the committee to try and just keep pushing
3 things forward and figuring out what's the next thing to
4 be done. Because, you know, talking in these meetings,
5 nothing, other than making resolutions, and motions, and
6 hearing, and voting doesn't really get done.

7 BOARD MEMBER BASINGER: Is two a legal
8 number? Like it can't be three?

9 CHAIRPERSON POELMAN: No, it can't.

10 BOARD MEMBER BASINGER: It can't be one?

11 CHAIRPERSON POELMAN: No more than two.

12 BOARD MEMBER BASINGER: Okay.

13 CHAIRPERSON POELMAN: No more than two.

14 That's by the Sunshine Law.

15 BOARD MEMBER BASINGER: Okay.

16 CHAIRPERSON POELMAN: Okay. Well, looks
17 like we have a little excitement from the audience. We
18 will open it up for public testimony.

19 MR. IVY: Are you --

20 CHAIRPERSON POELMAN: Yes.

21 MR. IVY: David Ivy.

22 CHAIRPERSON POELMAN: We need to have you
23 sign up on our testifier list also.

24 MR. IVY: Okay. I just want to give my
25 impression of this last hour's discussion. It seems

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1 like what everybody wants to do is figure out a
2 consensus.

3 You want to figure out what the Mayor wants,
4 what Council wants, what you guys want, what the
5 community wants, what Wailuku Main Street wants. And
6 Wailuku Main Street is a great organization that's

7 willing to spearhead a movement to bring people
8 together.

9 Are they bound by any Sunshine Laws? I
10 don't think so. Can you guys come together with Wailuku
11 Main Street Association? Can they invite all of you and
12 can they invite Council? No.

13 CHAIRPERSON POELMAN: No, not without it
14 being a meeting.

15 MR. IVY: Okay. If it's a meeting, if it's
16 an open public meeting, an open public forum, can all of
17 these people come together and decide or not -- no, not
18 decide. Can they come together and feel each other out
19 and try to find a consensus?

20 It seems like some kind of consensus process
21 where everyone comes together and expresses their ideas
22 is important. Two of you going around to all different
23 people and coming back and reporting could take months,
24 years to come to some kind of consensus report.

25 You know, you are going to just be doing the
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1 same thing, going around in circles. I just -- I just
2 don't know. I'm just trying to figure it out myself,
3 but is there some way for us to have an open public
4 meeting about the parking structure, bring all the
5 parties together, everyone discuss it and try to figure
6 out a consensus. Figure out where we agree, where we
7 disagree, where we can compromise.

8 Does that make sense?

9 BOARD MEMBER KAWAHARA: Well, if I may
10 comment, there already is a consensus.

11 MR. IVY: Yeah.

12 BOARD MEMBER KAWAHARA: As Jocelyn points
13 out. So, I don't think we want to revisit that issue.

14 MR. IVY: Okay.

15 BOARD MEMBER KAWAHARA: We came to consensus
16 on a specific design for the County.

17 MR. IVY: Right.

18 BOARD MEMBER KAWAHARA: And that was fine up
19 until the current administration.

20 MR. IVY: Okay.

21 BOARD MEMBER KAWAHARA: So, the ball is
22 thrown back in our court. The current administration is
23 saying that what they want is not the PC-1 design.

24 MR. IVY: Right.

25 BOARD MEMBER KAWAHARA: But a multi -- a,
0097

1 quote, multi-use parking structure. I'm not exactly
2 sure what the definition of that is, weather the
3 multi-use is offices, or retail space, or a combination
4 or whatever. But, that's what it is.

5 MR. IVY: Okay.

6 BOARD MEMBER KAWAHARA: The MRA's position
7 is that in order to achieve that, we need to get funds
8 to design and to come up with a new consensus plan.

9 MR. IVY: Right.

10 BOARD MEMBER KAWAHARA: Okay. So, we don't
11 have those funds in the current budget or the budget

12 that was just approved.

13 So, we need to build -- I don't want to use
14 the term consensus, but we need to make this a
15 conscious, top-of-the-mind issue by the administration
16 and the Council when we go in for the budget request in
17 the next budget year. That's the point.

18 We already have consensus. The general
19 consensus is that, yes, we want the parking structure.
20 And up until the current administration, we did have
21 consensus on a specific design. Unfortunately, we can't
22 proceed with that specific design under the current
23 administration.

24 So, this is what we are talking about. What
25 Alexa is pointing out is that we need to have

0098

1 commissioners, for want of a better term, lobbying the
2 Council people and the administration to make this
3 happen to get funds to start the design of a multi-use
4 parking structure.

5 MR. IVY: And in line with PC-1 or --

6 BOARD MEMBER KAWAHARA: Looks like PC-1 is
7 not going to fly at this point. I mean, everybody spent
8 hundreds of hours, if not thousands of hours coming to a
9 compromise on PC-1. All of the organizations, the
10 majority of the business owners compromised and agreed
11 that PC-1 was the design.

12 But that is not -- it does not appear that
13 that's going to be built, at least according to the
14 current administration. So, in that sense, we are kind
15 of starting over.

16 MR. IVY: Right.

17 BOARD MEMBER BASINGER: Also, David, there
18 have been many, many community meetings.

19 MR. IVY: Right.

20 BOARD MEMBER BASINGER: With lots of
21 different representatives that have come together over
22 this parking structure issue.

23 The MRA, however, as an agency, we have to
24 operate under certain kinds of conditions and rules and
25 laws, and we have this really great guy here to make

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1 sure that we do that.

2 The consensus that has to happen is within
3 the MRA itself. The commissioners have to go out and
4 talk to everybody and come back, as he was saying, and
5 report. And then we have to come up with this new what
6 we think is going to represent the community and also be
7 lawfully within our purview.

8 MR. IVY: Right.

9 BOARD MEMBER BASINGER: So, I wish we could
10 do it that way. You know, raise your hand group and --

11 MR. IVY: Everybody -- everybody in favor,
12 aye.

13 CHAIRPERSON POELMAN: Well, I tell you what
14 I wish. I wish that someone in the executive branch,
15 like the Mayor's office or the Mayor appoints somebody
16 to be in charge of this municipal parking lot structure,

17 and make it start to happen.

18 And that my concern is is that sometimes
19 people think that if anything is going to happen, it's
20 going to be the MRA that does it. And we are such a
21 cumbersome body, we ought to maybe get ourselves out of
22 the way.

23 And we might be better serving the whole
24 idea of getting something to happen if we had a
25 resolution that says the MRA is in support of a parking

0100
1 structure. The MRA supports the Mayor coming up with a
2 plan to give to the Council proposing what they -- what
3 the Mayor wants done with the parking structure.

4 And that's what we want. That we want some
5 executive to take on the job and do it. That's -- and
6 then when things aren't happening, it won't be, well,
7 the MRA has been sitting on this for five, 10, how many
8 years, but it will be the MRA has passed a resolution
9 begging the Mayor to take this -- take charge of this
10 and do what -- whoever the Mayor is to do it.

11 BOARD MEMBER BASINGER: Based on HR 53 point
12 whatever that says we can't do anything other than a
13 municipal parking lot.

14 CHAIRPERSON POELMAN: Right. We have
15 limited --

16 BOARD MEMBER BASINGER: Based on our
17 inability to get funding.

18 CHAIRPERSON POELMAN: Right. So, if what
19 the Mayor comes up with is, well, my plan is let's have
20 the MRA take control of this and follow through with
21 this plan, that this design go through, you know,
22 then -- then we will.

23 But to sit back and say the MRA is going to
24 come up with the funding, the ideas, the means, the
25 resources, the plan, the structure, the architects,

0101
1 pictures, that I think we have been trying to do that,
2 and we haven't gotten anywhere.

3 And I think that if we just said MRA has
4 done its job. We've had public testimony. We've had
5 public hearings. And what we have come up with is that
6 someone take charge, and the most likely place, I say,
7 to look to take charge would be the executive branch,
8 you know, the Mayor's office.

9 You know, MRA moves, resolves that the
10 municipal parking structure is a number one priority,
11 and the MRA strongly requests the Mayor's office to do
12 something about it. Come up with a plan, go to Council,
13 push it, and look to the MRA as being an assistant to
14 whatever the executive wants.

15 BOARD MEMBER BASINGER: In however we can
16 help.

17 CHAIRPERSON POELMAN: In however we can
18 help, yeah.

19 BOARD MEMBER BASINGER: Under our laws.

20 MR. IVY: I haven't been in here for a
21 while, but I am not really quite clear on what happened

22 to the RFP? What happened to the proposals that you got
23 from the private sector?

24 CHAIRPERSON POELMAN: Well, they were
25 considered, but they didn't --

0102

1 MR. IVY: They didn't meet the criteria?

2 BOARD MEMBER BASINGER: That actually was an
3 effort by the administration.

4 CHAIRPERSON POELMAN: Yeah, right, the
5 former administration to do something.

6 BOARD MEMBER BASINGER: The former Mayor in
7 an attempt to try and move the project forward put out
8 the RFPs through the Office of Economic Development, and
9 maybe someone more knowledgeable than me can tell you
10 why it didn't fly, but it didn't fly.

11 MR. IVY: You guys didn't make those
12 decisions though. Someone --

13 MR. STEEL: Both of the projects included
14 selling -- giving the property to --

15 BOARD MEMBER BASINGER: Council, yeah.

16 MR. STEEL: -- somebody else, and that's why
17 it didn't fly.

18 MR. IVY: And Council didn't want to --

19 MR. STEEL: They didn't want to divest
20 themselves of the property.

21 MR. IVY: Isn't the MRA able to take
22 property from the County?

23 CHAIRPERSON POELMAN: I don't think the
24 County would let us take their property. I don't think
25 we do have that kind of power.

0103

1 MR. IVY: I actually think you do.

2 CHAIRPERSON POELMAN: I think we can condemn
3 private property.

4 MR. IVY: No, I think you can condemn public
5 property for purposes of urban renewal.

6 CHAIRPERSON POELMAN: I'd have to reread it.

7 MR. STEEL: You can only do it with
8 Council's approval.

9 CHAIRPERSON POELMAN: Yeah, you also have to
10 have money. I mean, you can't condemn without paying
11 just compensation for --

12 MR. IVY: No, I'm not saying that's what you
13 should do. I'm saying that I believe that you do have
14 the power to do that though.

15 BOARD MEMBER BASINGER: And I believe the
16 County can deed the property to the MRA. This was
17 something that was discussed last year.

18 CHAIRPERSON POELMAN: Right. And I think
19 the MRA is willing to take whatever role we legally can.
20 I just don't know that we are the entity to spearhead
21 action. We are more of a due process body than an
22 action body.

23 BOARD MEMBER BASINGER: The law said that if
24 we do take property, we can't keep it forever. It will
25 then belong to whoever --

0104

1 MR. IVY: Right.
2 BOARD MEMBER BASINGER: -- developed it.
3 Wasn't that the consensus? So, I think this issue came
4 up with the Iao Theater.
5 MR. IVY: I think in reading Chapter 53 just
6 the morning, I kind of went through the whole thing. It
7 looks to me like you guys can take property, and put out
8 RFPs, and decide on someone in the private sector or the
9 public sector to take over the project and own it. Real
10 Estate Housing Agency or --

11 CHAIRPERSON POELMAN: Commenting back to
12 that, I appreciate the idea, but I think when you read
13 Chapter 53, it's best to keep in mind that it was
14 created when there was lots of Federal money available.

15 MR. IVY: Right.
16 CHAIRPERSON POELMAN: And the reason it was
17 created was because the Federal law was requiring that
18 there be entities like the MRA where that money could be
19 funneled through. And now there's not the Federal
20 money. So, while we might have the authority, you can't
21 really do something unless you have the money.

22 MR. IVY: Exactly, or you can ally with
23 private sector -- private and public sector money and
24 form partnerships to get things done, which was kind of
25 what they were trying to do with the RFPs on the parking
0105 structure with the last administration.

1 Would it be possible to revive that or to
2 find out if it could be revived, the idea of a
3 public/private partnership?
4

5 BOARD MEMBER BASINGER: If this -- if this
6 Commission is going to designate a committee of two to
7 investigate, I suspect that will be one of things that
8 we will look into.

9 MR. IVY: Thank you for your time.

10 CHAIRPERSON POELMAN: Thank you. Any other
11 public testimony?

12 MS. PERREIRA: Thank you. Oh, Jocelyn
13 Perreira. Before we start getting facts not correct and
14 people in high places read the things that is not the
15 case, it's important to understand that the attempt by
16 the past administration at trying to float requests for
17 proposals to the private sector was their own
18 initiative. It had nothing to do with the Council.

19 The Council had nothing to say about the
20 requests for proposals. And the MRA developed a Power
21 Point presentation to take down to the Council to let
22 them know what your progress and all the hard work you
23 were doing, and that never happened.

24 So, the Council never had a discussion about
25 what direction you should go, or there was no
0106

1 collaboration. So, I want to make that very clear. And
2 every time we bring in the private sector RFPs, it is as
3 though it had validity of sorts.

4 It wasn't something that the community
5 had -- had talked about that we really got to go to the

6 private sector, because as far as we were concerned, if
7 they wanted to try to attempt to go and do a private
8 sector RFP, that was fine. But we never veered off the
9 fact that the Council -- it's a County-owned property,
10 and the County had a responsibility to the people that
11 they displaced from that property. So, it's a
12 multi-faceted issue.

13 Okay. Now, on this investigative
14 committees, I just want to express caution, because this
15 has been attempted before with some commissioners, and
16 they have come back with their version of their
17 discussion with this person or this person, and it's not
18 frankly a very good idea.

19 The best idea that I think we would support
20 is to go and ask the Council to have a meeting in their
21 chambers, dust off -- I know Wayne is in a predicament,
22 because he gets paid by the Mayor, and he's pushed this
23 way and that way.

24 But the decision of the MRA was to take that
25 Power Point presentation, which is your work, which

0107

1 demonstrated that there was a lot of work put into
2 investigating, researching, and whatnot, and not by a
3 few individuals, but a whole lot of people. And let
4 them enter into the discussion. Let them enter into the
5 plan, so it is a collaborative plan.

6 It's not our plan, your plan, their plan,
7 whatever. It is a collaborative plan, so that everybody
8 can buy into the plan, because they gave the input that
9 made the plan be developed.

10 And as Ron has said, Commissioner Kawahara,
11 then you are in the best position, the strongest
12 position to go back for the next fiscal year to ask them
13 for the money to prepare a revised plan, complete with
14 parameters of what they expect to have on that plan,
15 costs, et cetera, et cetera.

16 So, I would have to say we would express
17 very strong concern about commissioners in just by
18 two-by-two going to have independent discussions. It's
19 at the exclusion of, first of all, your MRA manager,
20 which I think is very vital. He's the vital link
21 between all of the members, whether you are here or not.

22 Also, just because a commissioner is not
23 here or not yet appointed, it doesn't mean that they are
24 precluded from being appointed to be on a research team.
25 But in this -- and I don't mean that you cannot have

0108

1 investigative committees for other things. You did very
2 well in doing that.

3 But I think for this particular issue, it's
4 such a hot issue, and people are so concerned about who
5 says what, and -- you know, I mean, we actually had --
6 may I remind you -- a commissioner float a proposal for
7 a municipal parking structure privately and put the
8 MRA's name on it.

9 So, that's why I have to urge caution.

10 Thank you for this opportunity to offer testimony on

11 this.

12 CHAIRPERSON POELMAN: Other public
13 testimony?

14 MR. KIMURA: Mr. Chair, I am, if I may
15 boldly say, I am -- not tired, tired of the subject
16 matter, because simply put, if I may be given the
17 permission -- Robert Kimura. Sorry.

18 Yeah, I can see this clearly, because I have
19 been there. Okay. And I am not the kind of person that
20 would like to be called -- I'm the kind of person that
21 wants to be called Mr. Anonymous, because I have a boss,
22 a boss that you can't beat.

23 I have had many bosses while working for the
24 County and the State, yeah. But I don't want to go into
25 that, but I will cut it short and be practical about it.

0109

1 I take myself back to common sense. The
2 question is, just the other day I came out with the
3 request and the subject matter of identity, yeah. We
4 have not proved -- not we. I don't belong to you
5 people. And that's why, to be blunt about it, I hate to
6 say it, but that's why I don't want to be a member of a
7 commission or commissioner, yeah.

8 And I'm telling you the fact of life, yeah,
9 yeah. As old as I am. I am 83 years of age, and if I
10 don't have really a bucket full of practical experiences
11 to transmit and pass on to you young ones, I'm not worth
12 anything at all. I ask my main boss, does he still need
13 me? Yes, he needs me.

14 And then patients is one of the things
15 that's required. Government built in the patience.
16 That's why the Sunshine Law is too much. Yes, there has
17 to be laws to restrict people. But how many people,
18 yeah, for all of us? The good people suffer on account
19 of the stringent choking of the law.

20 Now, what if you go to the executive
21 community law, so to speak. You can have anytime you
22 want to -- even after this meeting, you can have an
23 executive session or meeting. Leaving your
24 commissioners together and out the public goes.

25 Okay. You can plan your next meeting

0110

1 accordingly. You don't have to sign up, reserve, and
2 stuff like that, you see.

3 In other words, I am here to give you an
4 idea to help, because I sympathize with you people, you
5 know, for patiently trying to find the answer to it.

6 Now, my next question is this. Again, I
7 have lost sleep on the cause of you people. For you
8 people, not for me.

9 MR. STEEL: Thirty seconds, Robert.

10 MR. KIMURA: Thirty?

11 MR. STEEL: I have lost sleep, too.

12 MR. KIMURA: Okay. All right. I will round
13 it off. Yeah. I will round it off in the sense that
14 please find out in 1949 the law that Chapter 53 was
15 create. It's a State law, and it doesn't say who the

16 MRA belongs to. See?

17 It's a voluntary situation. The way that
18 the County Charter system or the County administrative
19 and the Council members, yeah, all together, yeah, can
20 decide not -- not to go the MRA way.

21 Now, if anyone here can tell me what the
22 true intent of the law has been, number one, true intent
23 of the law. There must have been a reason. Okay. And
24 the thing about it is --

25 CHAIRPERSON POELMAN: Robert. Robert,
0111

1 that's three minutes. Ten seconds to wind down.

2 MR. KIMURA: Okay. All right. Okay. I'm
3 surprised that you are not any examples that Oahu has
4 used. I know they are using their renewal part of
5 Chapter 53.

6 CHAIRPERSON POELMAN: Thank you. Thank you.
7 That's the 10 seconds. Thank you.

8 MR. KIMURA: May I have --

9 CHAIRPERSON POELMAN: No, that's all the
10 time. Sorry.

11 MR. KIMURA: In other words, you want me to
12 finish up within the next 10 seconds.

13 CHAIRPERSON POELMAN: That was the 10
14 seconds. Thank you. Thank you.

15 MR. KIMURA: May I have time to apologize?

16 CHAIRPERSON POELMAN: No. Thank you.

17 MR. KIMURA: I will shut up then.

18 CHAIRPERSON POELMAN: Thank you.

19 MR. KIMURA: Thank you, Mr. Chair. Because
20 I think you people are not man enough, yeah, to take
21 what is the true -- truth is. I feel sorry.

22 MS. PERREIRA: Robert, Robert, don't do
23 that.

24 CHAIRPERSON POELMAN: Thank you, Robert.

25 Any other public testimony? Any other

0112

1 discussion by members?

2 Having heard all that we have heard, my
3 strong opinion is that what the municipal parking
4 structure needs is some vision somewhere, and my
5 experience in life is vision usually is like one person
6 has one set of eyes, and they visualize something, and
7 they try and make it happen.

8 And then there could be consensus or
9 modification, because it's going to take a consensus,
10 but nothing starts to happen until at least one person
11 has a vision and then moves on that vision.

12 And that's why I was proposing that we kick
13 the ball to someplace somewhere that -- on the hands of
14 one person that has the vision, be it the Mayor. Other
15 possibility would be if the MRA had a manager with the
16 vision given to it by the MRA that really pushed things
17 through in that direction. That might be another
18 possibility.

19 It could be a member of the County Council,
20 you know, who really had the vision and had an idea and

21 kept pushing and pushing, and then opened it up to
22 consensus. But what's -- what's missing is that person
23 with the vision to keep it going and then build the
24 consensus. That is what I think.

25 And, you know, one thing we can do is we can
0113

1 go into an executive session and talk about our
2 personnel, which is the manager. And if -- and then
3 decide whether the manager has the vision that the MRA
4 has.

5 And if not, then the MRA might want to
6 consider getting a manager that has the vision of the
7 MRA or have a resolution of the MRA to kick it to the
8 Mayor and say, Mayor, get the vision. We want you to
9 get the vision or whomever.

10 But someone needs to get the vision, and
11 then consensus happens or things get changed and work
12 from there. But I think after seeing this for this
13 long, committees don't have visions.

14 BOARD MEMBER BASINGER: I agree, Chair, to
15 having -- to going into executive session regarding that
16 issue, if you choose at the end of our agenda or at your
17 choosing.

18 CHAIRPERSON POELMAN: Okay. Are we going to
19 go till 4:00 o'clock today, or what's the court
20 reporter's limit? Sometimes that -- do you have to pick
21 anyone up at the airport?

22 THE REPORTER: 5:00 o'clock.

23 DEPUTY CORPORATION COUNSEL: I am not going
24 to be here. I am going to leave.

25 CHAIRPERSON POELMAN: At?

0114

1 DEPUTY CORPORATION COUNSEL: Pretty soon. I
2 have graduation, my son's first graduation.

3 CHAIRPERSON POELMAN: Okay.

4 MS. PERREIRA: You may defer our item.

5 DEPUTY CORPORATION COUNSEL: It's cutting it
6 close.

7 CHAIRPERSON POELMAN: Okay. Is there
8 anything else on the agenda that's critical at this
9 time?

10 MS. PERREIRA: Mr. Chair, you may defer our
11 item, G.

12 CHAIRPERSON POELMAN: Okay. Well, unless I
13 have an objection from a member, I suggest we go into
14 executive session. And then if we have more time left,
15 then we can pick up the rest of the agenda.

16 And if not, we will carry over the items on
17 the agenda not dealt with until the next meeting. And
18 then before we go into executive session, at the very
19 least, we should set the agenda for the next meeting.

20 And that would include any items on this
21 month's agenda not covered, and then also on next
22 month's agenda, I had a note for discussion regarding
23 and possible resolution regarding parking time limits at
24 the County parking lot as it currently exists.

25 BOARD MEMBER BASINGER: I'd like to add to

0115

1 the agenda for next meeting.
2 CHAIRPERSON POELMAN: Yes.
3 BOARD MEMBER BASINGER: I don't know, maybe
4 this is something that has to be in executive session.
5 Our options for replacing absent board members, or I
6 think it's important that we get up to full speed.
7 CHAIRPERSON POELMAN: Right.
8 MR. STEEL: I have a report on that.
9 BOARD MEMBER BASINGER: Thank you.
10 CHAIRPERSON POELMAN: Also possibly a
11 resolution regarding -- first I need the manager to give
12 us some report about what our authority is. If we are
13 limited to just making a resolution, or if we can
14 actually set rules saying if a member misses, you know,
15 four meetings in a calendar year, then they are --
16 BOARD MEMBER BASINGER: Yes.
17 CHAIRPERSON POELMAN: -- to resign, that
18 they are deemed -- I don't know if we have authority to
19 kick somebody off, for example, if they don't attend.
20 BOARD MEMBER BASINGER: I know the manager
21 does have a report on that. Were you planning to give
22 it today?
23 MR. STEEL: Well, I have information about
24 it, yeah.
25 CHAIRPERSON POELMAN: That would probably

0116

1 just take a few minutes. Do you want to get that today?
2 BOARD MEMBER BASINGER: No.
3 CHAIRPERSON POELMAN: Okay. Next meeting
4 then.
5 BOARD MEMBER BASINGER: Yeah.
6 CHAIRPERSON POELMAN: Okay.
7 MS. PALMER: Mr. Chairman, would you
8 consider public testimony before you go into executive
9 session?
10 CHAIRPERSON POELMAN: Yeah, we will take
11 last public testimony before we do.
12 MS. PALMER: Okay.
13 CHAIRPERSON POELMAN: Any other agenda items
14 for the next meeting at this point in time?
15 Okay. We will open it again for public
16 testimony, then we will go into executive session.
17 MS. PALMER: Thank you, Darla Palmer. I was
18 waiting for item G, but if we could do this under public
19 testimony, it's again regarding the Wailuku Mini-Park
20 design.
21 And really, I had a couple of questions. It
22 says in the agenda that it's review of recommendations.
23 So, if you have recommendations, I'd like to get a copy
24 of it.
25 And in the last meeting, one of the

0117

1 directors asked if the person in the County that drew up
2 the plans had any conversations with the theater at all,
3 and I think that that's really appropriate, being a
4 neighboring property, and there is just no discussion.

5 So, you know, we have got some major issues
6 with that design cutting off access. And if there is
7 information, if you are making recommendations, it would
8 be great to get a copy and somehow get a dialog going
9 with the County on the design.

10 CHAIRPERSON POELMAN: Thank you.

11 BOARD MEMBER BASINGER: Mr. Manager, we had
12 a presentation did we not by the designers of the
13 minipark.

14 MR. STEEL: Yes.

15 BOARD MEMBER BASINGER: And we still have
16 their information and the discussion at that meeting in
17 our minutes.

18 MR. STEEL: Yes, the --

19 BOARD MEMBER BASINGER: Those are the --

20 MR. STEEL: The only thing that is in
21 writing as far as recommendations came from Darla.

22 BOARD MEMBER BASINGER: Okay.

23 MR. STEEL: And this item was to decide on
24 whether or not -- which of those, and if there were any
25 other recommendations we wished to make to the Tanaka --

0118

1 the engineers who were putting together the design, if
2 we wanted to have them incorporate any of the
3 suggestions that we discussed at that meeting as well as
4 Darla's into that design. And that's what this agenda
5 item was for.

6 MS. PALMER: And I certainly don't mind if
7 you table this to another meeting, but I also have
8 graduation to go to, and I don't want to miss your
9 discussion. So --

10 BOARD MEMBER KAWAHARA: I think we should
11 just simply direct Tanaka Engineers to initiate
12 discussions with Iao Theater Group and see if a
13 compromise can be worked out or plans amended. I mean,
14 that's basically what's -- it's no point she complain to
15 us, we recommend, they come back to us. You know, just
16 have the --

17 BOARD MEMBER BASINGER: You are so
18 efficient.

19 CHAIRPERSON POELMAN: That's a good idea
20 though.

21 MS. PALMER: Way too practical.

22 CHAIRPERSON POELMAN: And it's yet on the
23 agenda for the next meeting.

24 MS. PALMER: Okay. Great. I will see you
25 then.

0119

1 CHAIRPERSON POELMAN: Thank you.

2 MS. PALMER: Thank you.

3 MR. IVY: One more.

4 CHAIRPERSON POELMAN: Okay. Short.

5 MR. IVY: David Ivy. Just that the mission
6 of the MRA is going to be on the next agenda.

7 CHAIRPERSON POELMAN: Yes. And then a
8 question for Corp Counsel. When we go into executive
9 session, the minutes, can they just be not -- I mean, do

10 they have to be transcribed in word-for-word minutes, or
11 do they just have to be a report-type minutes?

12 DEPUTY CORPORATION COUNSEL: Since this is
13 being transcribed, I suggest you transcribe those
14 minutes.

15 CHAIRPERSON POELMAN: Okay.

16 DEPUTY CORPORATION COUNSEL: But you need to
17 have a reason under Chapter 52 to go into executive
18 session.

19 CHAIRPERSON POELMAN: Right. What was that
20 number?

21 MR. STEEL: What are you looking for?

22 CHAIRPERSON POELMAN: Executive session.

23 MS. PERREIRA: May I make an announcement
24 while you are looking for that to save time, because she
25 can pick it up on record.

0120

1 CHAIRPERSON POELMAN: The exceptions to go
2 into executive session include, two, consider and
3 evaluate -- under Section 92-5(2), Hawaii Revised
4 Statutes, to consider the hire, evaluation, dismissal,
5 or discipline of an officer or employee or of charges
6 brought against the officer or employee, where
7 consideration of matters affecting privacy will be
8 involved; provided that the individual concerned
9 requests an open meeting, an open meeting shall be held.

10 So, that is the one I think we were going to
11 go under executive session for.

12 BOARD MEMBER BASINGER: If that's what you
13 think, Chair.

14 DEPUTY CORPORATION COUNSEL: You need to
15 move and also have a motion to do so.

16 CHAIRPERSON POELMAN: Yeah, we need a
17 two-thirds approval to go into session. And I'm
18 inclined not to make a motion, if there's a motion to go
19 into executive session.

20 BOARD MEMBER BASINGER: Could you read the
21 rule behind it?

22 CHAIRPERSON POELMAN: Yeah. To -- well,
23 it's to discuss the hiring, evaluation of an officer or
24 employee, so that -- our only employee is the manager.

25 BOARD MEMBER BASINGER: Does it include

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1 duties?

2 CHAIRPERSON POELMAN: Well, I was saying
3 there is in the hire. I mean -- I mean, as far as an
4 employee -- at will employee, I would think that goes
5 into if the vision is the same, then there's not a
6 problem.

7 If it's not the same, there needs to maybe
8 be discussion about that, so that goes in line with
9 duties, what we imagine the duties to be versus maybe
10 what the employee's imagination of duties might be and a
11 possible discussion with the employee about what that
12 vision is.

13 BOARD MEMBER BASINGER: So move, Chair.

14 CHAIRPERSON POELMAN: Is there a second?

15 BOARD MEMBER KAWAHARA: I will second.
16 CHAIRPERSON POELMAN: Any discussion? All
17 in favor.
18 (Chorus of ayes.)
19 Okay. We will go in to executive session.
20 DEPUTY CORPORATION COUNSEL: You have to
21 leave.
22 MS. PERREIRA: I just want --
23 DEPUTY CORPORATION COUNSEL: No, you have to
24 leave.
25 MS. PERREIRA: Okay. I intended to leave.

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1 Don't worry.
2 DEPUTY CORPORATION COUNSEL: Thank you.
3 (Regular meeting recessed 3:47 p.m. Resumed
4 4:53 p.m.)
5 CHAIRPERSON POELMAN: Okay. No one is
6 there. The MRA meeting is also adjourned.
7 (Adjourned 4:53 p.m.)
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1 CERTIFICATION
2 I, KATHERINE EISMANN, CSR 439 in and for the
3 State of Hawaii, do hereby certify:
4 That the proceedings were taken by me in
5 machine shorthand and were thereafter reduced to print
6 under my supervision by means of computer-assisted
7 transcription; that the foregoing represents, to the
8 best of my ability, a true and correct transcript of the
9 proceedings had in the foregoing matter.
10 I further certify that I am not an attorney
11 for any of the parties hereto, nor in any way interested
12 in the outcome of the cause named in the caption.
13
14 Dated this 4th day of June 2007.

12

13 Katherine Eismann, CSR 439
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