

County of Maui Water
Supply

BOARD OF WATER SUPPLY

COUNTY OF MAUI

JOINT FINANCE/OPERATIONS REVIEW COMMITTEE MEETING

Taken at the Kahului Shopping Center Conference Room,
Kaahumanu Avenue, Kahului, Maui, Hawaii, commencing
at 10:00 a.m. on March 12th, 2002.

Reported By: Rachelle Primeaux, CSR #370

IWADO COURT REPORTERS, INC.

ATTENDANCE:

Members Present:

Jonathan Starr, Chair

Howard Nakamura

Mike Nobriga

Peter Rice

Kent Hiranaga

Orlando Tagorda

Staff Present:

Herb Kogasaka, Engineering

David Craddick, Director

Ed Kushi, Corporation Counsel

Fran Nago, Secretary

Wendy Taomoto, Engineering

Myles Fujinaka, Engineering

Mike Quinn, Fiscal

George Tengan, Deputy Director

* * *

CHAIR STARR: I would like to call the meeting to order. Okay. Welcome, everyone. This is a Joint Finance Committee and Operations Review Committee of the Maui Board of Water Supply. I would like to welcome everyone. Committee members are Kent

Hiranaga, Orlando Tagorda, Peter Rice, the Finance Chair Howard Nakamura, Mike Nobriga. I'm Jonathan Starr. We have Corp Counsel Ed Kushi, Jr., and it's quite a bit of staff as well as members of the public. Thank you for coming today.

We have one item on the agenda. And the item is the Director's Report 02-04 request approval to appropriate funds toward the study of water resources on Maui. I know there are no minutes to approve, and so we'll move right along to testimony from the public. And I believe that the requesters are here, and I would like to -- Ron Sturtz, would you like to start off, come up here and give -- right here is good. We just request that you speak loudly because the acoustics are difficult.

MR. STURTZ: Good morning. Thank you. I actually -- my name is Ron Sturtz, and I'm the President of Maui Tomorrow and speaking on their behalf. And I spoke with you a couple of weeks ago

sitting as the entire Board about the project, so I'm not going to take more time to explain what this project is. I'm sure you all remember. But this is the Ka Waiola water project, and the goal of the project is to do an in-depth survey of the water supplies for everyone's benefit to identify the sources, identify the uses and identify how best to utilize the resources for the entire island. I brought along the director of the project and the technical support director for answering specific questions if you have them.

We submitted additional information to you I believe at the request of one of your Board Members about the grants to get a better feel for our project. The question that I have is procedural. We see ourselves as assisting you in your job and assisting the community, and we see us all on the same page working together trying to get to the same goal. And we would like the assistance if possible if it's easy, if it's something you want to do, to assist us in accomplishing this goal in the form of a financial grant.

I'm not sure of the proper process, whether it should be in the form of a grant proposal or a procurement, competitive bidding proposal. I've gotten competing information from different sources as to what the law says as to whether you have to go through competitive bidding process or not, what the State says, what the County says. And I don't know what to say to you as the Board as to what the appropriate procedure for processing this in the way that you feel comfortable doing it. We're open to whatever you suggest in terms of the way to do this, and we appreciate whatever support you can give us in the process, so I won't say more than that right now. I believe that pretty well covers where we are at this point in time.

MR. RICE: Mr. Chairman. Ron, let me ask you a couple of questions. This project has already been started?

MR. STURTZ: Yes.

MR. RICE: And your staff is doing the work?

MR. STURTZ: One of our board members is the individual who started the process of seeking grants to do this as a committee and has retained a subcontractor to assist in the formatting and gathering information, the computer work and will be hiring other hydrologists and other people, other experts under this process, the committee designation to do the project.

MR. RICE: And you've gotten some funding already?

MR. STURTZ: We have.

MR. RICE: And that source, can you tell us the source of that funding?

MR. STURTZ: Yeah, the Hawai`i Community Foundation gave Maui Tomorrow \$30,000. And we

obtained a composite of \$10,000 from the Packard Foundation and other local private donors, so we're up to \$40,000 so far as of a few weeks ago.

MR. RICE: So this project is ongoing regardless of what this Board does?

MR. STURTZ: That's correct.

MR. RICE: So, Mr. Chairman, the reason this was on our agenda is that I'm the one who put it on the agenda, and I thought that because we are the Water Board in Maui County that we should be participating with them in this project because this information, even though Ron says the information is going to be distributed to the public, it is information I think we should have -- have a hand in helping to develop. So for the benefit of anybody who might have a question as to why it was on the agenda, that's why.

CHAIR STARR: Mr. Nakamura.

MR. NAKAMURA: I think in response to Mr. Sturtz's question about procedure not wanting to be presumptuous and dealing with any legal question, I think if we look at what we've done in the past, there's two things that need to be done. Number one is there needs to be an appropriation, and secondly, ultimately when we are prepared to disperse the funds, we need to approve a contract that sets forth the scope and the management criteria for how the grant is to be or how our money is going to be administered.

You know, that's the way we dealt with the miconia project. We made an appropriation, and subsequently, we approved the contract. I think that's the appropriate vehicle, but, you know, there could be a wiser -- I don't know.

CHAIR STARR: Members, any other questions or comments regarding this? Mr. Rice.

MR. RICE: Ron, would it be acceptable to you to

have somebody from our staff on your committee?

You're going to bring in a hydrologist and whatnot?

MS. DeNAIE: Well, it depends --

MS. NAGO: Lucienne, could you please come up?

She needs to --

MS. DeNAIE: I'll just take this very comfortable chair right here.

MR. RICE: You look comfortable.

MS. DeNAIE: Does it have a trick bottom?

CHAIR STARR: It's going to fall over backwards.

MS. DeNAIE: Lucienne DeNaie from Maui Tomorrow, and I'm the project manager of this project. It's not set up as a committee. It's set up as a working project where there are monthly objectives and goals

in the research realm. And, so, you know, Terry works on some of those. I work on some of them. We meet. We collate data. We go over to Honolulu. We go through files at the Water Commission, USGS. We, you know, look at charts and graphs and the whole idea is to try to take information that's actually out there but has never actually been assembled so that it's all in one place so somebody can understand where it would all stack together and do the math kind of. I mean that's a very simplified explanation.

So can a staff person be on the committee? A staff person could certainly be included in the process of determining what some of the research parameters would be. That would make a lot of sense. There really isn't a committee per se, you know. There's a project -- there's two people working on the project, and, you know, from time to time, anticipate that there would be other people that we would consult just because there are technical things that are beyond the scope of either Terry or my background, and we're the first to admit that.

MR. RICE: But you would welcome input?

MS. DeNAIE: Yeah, that would not be a problem.

In fact, it would be good guidance in what could help the Department fill in its information gaps.

MR. RICE: Thank you.

MS. DeNAIE: I hope that answers your question.

CHAIR STARR: Ms. DeNaie, were you going to give testimony today, or I was hoping you could give us just a brief -- a really brief outline of what the data is that you're looking to attain and to collate in a form that's usable and we could assimilate.

MS. DeNAIE: I would be happy to, and I'm sorry I missed your last meeting. I was off island at that time on something that had been set up months in advance to be off island. At any rate, the scope of the project is to take information that does exist

that is in a variety of sources and basically put it in a more manageable, accessible form. Now, some of what we've already done is just taken some of the database that the State has and make it into, you know, something that like when we were doing the well tour, we had a little chart to show where all the wells were located and when they were established and this and that, which was actually easier to read for some people than the flow chart that the County had, which didn't have a geographic component. And because there was a geographic sort of grid where you could look at this well is above this well and that sort of thing, it made it easier for the average person to follow who is not an engineer.

So part of this is translating data so every person can understand. But a big part of it is obtaining data that is somewhere but has not really been gathered into where it would be very accessible. Like, for instance, the inquiries that have been sent out by the State Water Commission about water easement in Iao and Waihee aquifer. They've gotten a pretty

good reply rate on those, almost 100 percent.

They're going to work on them over the month of March and we're going to meet them in early April and insert them into the database that we've been working on which includes Kahului as well as Wailuku -- I mean as well as a Waihee and Iao. So we're going to start to get a picture of, you know, who is using what and what their -- what their traditional use has been and everything, and this becomes like a permanent database where before it's like you can't ask the Water Department to track all those things. They're busy just trying to service, you know, the customers that they have a pledge to service. It's really not their mandate to track all these things. It's been nobody's mandate.

So these are the kind of things that we hope to do. We want to work with the various aquifers, the Kamole aquifer, the various West Maui systems. The East Maui systems and get pretty complete data because we feel that whoever is on the Water Board would need this to make decisions about where water projects should be, what capacity they should be and what

sources are going to be best suited to supply those needs.

You know, hopefully, I believe from what Mr. Craddick said that Honolulu in the old days did a lot of this tracking, their Board of Water Supply, and that's how they were able to plan for their future and then eventually the State took over and there was a good database. You know, Maui County has grown quite a bit in the last 25 years, but this body of information has not grown along with, you know, physical needs.

So I don't know if that's the kind of explanation you're looking for, but that's the kind of research. We're including this research, wastewater as well, so we can make a good evaluation how much wastewater we have, where it's going and we've been working with the Department of Health to do a database on their records of wastewater because that's part of the whole picture even though it's under your particular mandate. It's what our policy makers need to know.

CHAIR STARR: Thank you. Members, any questions?

MR. TAGORDA: Mr. Chairman.

CHAIR STARR: Orlando.

MR. TAGORDA: Thank you. First of all, let me say where I have a concern, Lucienne, about Maui Tomorrow requesting for this fund from the Board of Water Supply. First of all is that I want to make sure from you folks from Mr. Ron Sturtz that this is -- this request is not related to Maui Tomorrow's bringing a lawsuit against the Board of Water Supply in the last violation of the Sunshine Law?

MR. STURTZ: It's a very easy response. I can say, yes, absolutely, there's no relationship.

MR. TAGORDA: If the majority of the Board Members does turn down this request, will we be able

to see the lawsuit bring back to us by the Maui

Tomorrow, or it's dead there?

MS. DENAIE: No.

MR. TAGORDA: Whatever the result of the request is.

MR. STURTZ: So long as the --

MR. TAGORDA: Because the reason why I said that is the last meeting we have one testifier here that I listen intently, and I give him a lot of credit for opening up his mouth. And this is where I'm coming from. Again, Maui Tomorrow, the request to me seems very untimely, and what I said to myself is, ouch, \$30,000 for Maui Tomorrow.

MR. RICE: Mr. Chairman, can I?

MR. TAGORDA: That's my first feeling and concern when this request came about. However, the

idea is pretty okay helping us Board of Water Supply gather informations; however, again, because of Maui Tomorrow's -- because of Maui Tomorrow's opinion and sometimes -- help me here -- bias, you know, on issues in the community, this information that you gathered through some of our money might be used to conflict our information on hand and I believe this is only a onetime job that you guys are going to make with that Ka Waiola project. It's not an ongoing thing?

MS. DeNAIE: It's a two-year project.

MR. TAGORDA: You know, informations the Board of Water Supply, Department of Water Supply is ongoing over the past many years, and you cannot just base on the information that you took for two years that you are going to make your own decisive decision.

MS. DeNAIE: Well, I think that some information does change, Orlando, over the course of time. But some information is like a baseline indication of, you

know, useful facts to base things on. My understanding is that Mr. Rice suggested a mutual involvement. It wasn't Maui Tomorrow's idea.

CHAIR STARR: Ms. DeNaie. I just want to ask Mr. Sturtz to make one comment just to make sure there's no connectivity. Then I'm going to pass it to Mr. Rice who has some comments.

MR. STURTZ: I can easily say there's no relationship between the two. The lawsuit has been resolved and language has been agreed to, and so long as the rule passes, the case is over. If you can't get the rule passed, we'll have to talk more I guess. But basically, from our perspective, and Mr. Rice can give his perspective, the case is settled. Were it not settled, it would be unethical for me to try to tie the two together anyway. We don't play it that way. Where some people see bias, other people see perspective or balance or whatever. We have different views of different issues.

In this particular case, the timing, while

uncomfortable, is just the timing. You know, this project is going now. This happened a year ago. We don't pick it. It's what the need is right now. That's what's happened. Despite the discomfort here, there's absolutely no connection between these two events.

CHAIR STARR: Mr. Rice and Mr. Tagorda afterwards if you have more.

MR. RICE: Mr. Tagorda, Corp Counsel attended the meeting when we met with counsel for Maui Tomorrow, and he can relate to you that this issue wasn't part of our discussion in terms of the settlement. It was simply the rule which it wasn't requested it be a rule, but as it turned out, it has to be a rule and some reimbursement. And that was it.

And actually, there was a document that was drafted, as we said to Mr. Smith at the last meeting, that's available to anybody that wants to look at it.

And it wasn't my suggestion that this item be put on the agenda.

CHAIR STARR: Mr. Tagorda.

MR. TAGORDA: Thank you. Again, the other reason why I think I'm not in favor of going along probably with the majority of the Board Members here in granting that request is that the scope of work of Ka Waiola is just a repetition of all these agencies that you got their information. So that's not really expert on your part to gather informations different from the Department and the staff. But what I mean is all these agencies that you have in mind to gather information. You just have to compile it in one. So all these informations are already accessible to the community.

MS. DeNAIE: They are if you're willing to put a lot of work into finding them, which is what we're willing to do. Every agency we've approached about

this has been overjoyed that someone is interested in doing this collation because we don't have time. We went to the Department of Health. We met with their clean water branch. We met with the Director of the Department of Health. We met with Gary Guild from the environmental branch. We met with the USGS Warren Tribble. We met with Charlie Rice and Linnel at the water commission staff. Everybody was very happy to find out that someone was going to take the time to do what they never had the time to do, which was take what they had in terms of information, combine it with other information that were in other places and, you know, make it accessible. They all do have information, and it is nobody's mandate to take it and put it in one place.

MR. TAGORDA: Lucienne, Ron, help me understand about the \$40,000 in grant funds that Maui Tomorrow received from Gerbode Foundation, how was that fund expended if you guys don't mind telling us how you expended that?

MS. DeNAIE: This is Hawai`i Community Foundation. This is the grant through the Packard Foundation, and those funds have not been expended. They are in the process of being used. They were used to do things like purchase a GIS system so that as this information is tracked, it can be put in a form that is, you know, kind of basic lingua franca of all planning right now, which is GIS. It was used to create displays and materials, to Xerox reports like this, to fund airfare to go to Honolulu and sit in little rooms with files and, you know, look for hours.

MR. TAGORDA: Why is it that this fund is not expended yet since this fund was granted in '96 to Maui Tomorrow?

MS. DeNAIE: No, this fund was granted in November of this year.

MR. TAGORDA: In 1966, Maui Tomorrow received

\$40,000 grant funds from the Gerbode Foundation.

MS. DeNAIE: That's an old grant. This is our grant history. That Gerbode grant was for designing our communities. And that was a workshop and report that we did in conjunction with David Blaine and Main Street Association. We made presentations all over the island in '96 about how the planning process worked, and I think a lot more people are involved in the planning process today because those series of presentations were made in '96 and '97. That's a previous project of Maui Tomorrow.

MR. TAGORDA: Were you able to accomplish all the goals set in that grant fund?

MS. DeNAIE: That went fairly well. I was not on the board at that time. I came on the board a year after that. But I did attend a number of the presentations, and I thought they actually went very well. David Blaine is a very engaging speaker, and he

took some of the stuff that's pretty dry about the planning process and made it interesting for people. And these were presented all over the island, and the accountability on that, you know, was basically how many presentations were done during the time period and that was carried out as was stipulated in the grant, yes.

CHAIR STARR: You have a question for the testifiers, David?

MR. CRADDICK: No, I don't.

CHAIR STARR: Okay. Then do we have any other testimony?

MR. CRADDICK: Yes.

CHAIR STARR: I'm asking for testimony from the public.

MR. CRADDICK: I have testimony, and I'm part of the public.

MR. NAKAMURA: I have a question.

CHAIR STARR: Go ahead.

MR. NAKAMURA: You mentioned this is a two-year project.

MS. DeNAIE: Yes.

MR. NAKAMURA: And the request is for \$30,000 to fund the activities of Mr. Reed for one year. Are you anticipating those services would extend into the second year? Are you looking at coming back to the Board for additional funding in the future?

MS. DeNAIE: Possibly. We are certainly applying for other grant funding. This was something that was kind of unexpected, yet it seemed an opportunity. It seemed an opportunity to build a bridge, I'll just be honest, from an organization that we took a legal posture with to working together in some fashion. So, you know, Maui Tomorrow for all its reputation in the community has always sought to work

with policy makers and to, you know, have some influence in decision-making, not just nip at the heels and say we don't like this and we don't like that.

So, you know, our legacy is Makena State Park. We worked with everybody to create Makena State Park. It wasn't just saying we don't like that somebody is going to build there. It was saying we want to see it preserved. So the long answer to your question, we may be back to this Board, but we certainly are seeking a variety of funding to make sure this can be completed over a two-year range.

CHAIR STARR: I see Mr. Friedman is here. Were you going to give any comments? Because I know you're involved with the water use and development plan. I was wandering whether you would have any comments whether this would be helpful.

MR. FRIEDMAN: I came today to listen to learn more about what it is. Certainly there is a lot of

information that we are gathering presently, and some of it is relevant, overlaps, but I'm not sure the level it overlaps, precisely the scope of work, so I just came to listen.

CHAIR STARR: Mr. Craddick.

MR. CRADDICK: This item came about as a result of a director's report called Cooperative Program of Maui Tomorrow. And I'll confirm what Peter said, this came about as a result of a meeting the Board had on Iao aquifer. And that was my understanding that that was what this project was about to collect data about sources that are in Iao aquifer or affect Iao aquifer, not a general mapping of all sources in the island and which would we would have a very serious security concern over and we would highly recommend following the procedures that Board Member Nakamura has suggested in getting a contract with them and following the normal process.

And that alone, even though people say it's not related to that court case, that would have the

ability to remove all color of that by following that process, so again, we would highly recommend doing what Board Member Nakamura suggests to the Board.

CHAIR STARR: Okay. Members, what is your pleasure with this? Any discussion? Any comments?

MR. NOBRIGA: I kind of would like to see the process followed, the outline proposed by Mr. Nakamura where we create an appropriation some via finance, checking with Mike Quinn and see where we have available resources and then maybe forward a letter of intent from the Board to Ka Waiola to come up with some kind of a contract including the scope and financials as outlined by Mr. Nakamura.

CHAIR STARR: Mr. Nakamura.

MR. NAKAMURA: I would just like to say, you know, in my suggestion that we enter into a contract ultimately. You know, I'm looking at it purely from

the management perspective and financial kinds of issues. You know, it's I think, as a public agency, we have the obligation to be sure that our funds are spent appropriately. It's not any -- the intent is not to, you know, influence in any way the findings, but I think we have an obligation to know how our money is going to be spent, how it's going to be spent, have some time lines, some monitoring of the expense, not necessarily again the findings, but the process.

MS. DeNAIE: Most grants are actually set up that way. It's a very standard procedure.

MR. NAKAMURA: There would be reports and things like that. I think that's important.

CHAIR STARR: Go ahead, Mr. Nobriga.

MR. NOBRIGA: The only thing, I don't see the paperwork in front of us. I've heard various members

refer to a \$30,000 request. I really don't read any exact sum into any of the paperwork. And because it was kind of brainchild of our Chairman. I thought maybe the Chairman had some actual figure.

MR. RICE: That's where that number came from, your Chairman.

CHAIR STARR: Mr. Rice.

MR. RICE: Yeah.

CHAIR STARR: I have a procedural thing. If everyone is satisfied, I would like to very quickly recess this meeting, call the Operations Committee to order, recess that and then come back to order.

So are all members satisfied with that? Okay.

This meeting is in recess to the call of the Chair.

(Recess taken.)

CHAIR STARR: Did I do that right?

MR. RICE: Concur.

CHAIR STARR: I okay. David is showing me something where it says the \$30,000 came from. It says from the Ka Waiola proposal. I -- my own feeling is I think we're going in the right direction with this. I'm a little bit lacking in how to put it together, so I'm looking for -- I'm looking for a suggestion on what our next step should be.

MR. RICE: So you would probably make a motion to recommend to the Board an appropriation. That would be the motion to make and then subject to a review of a contract with the organization.

CHAIR STARR: Okay. But I think we're skipping one -- is Mr. Quinn here?

MR. NOBRIGA: Yeah.

CHAIR STARR: There he is. Could we ask him, because I know that was brought up, if it were to pass and be put into process.

MR. QUINN: I would recommend that you amend the professional services portion of the budget to reflect the anticipated amount of \$30,000. I just have one question. I'm not sure if there's a procurement issue here. Dave is the chief procurement officer. Dave, do you think there's a procurement issue here?

MR. CRADDICK: I, you know, if the Board is going to call it a grant with -- well, let's just put it this way. If it is a flat out grant, I don't believe we have to follow any procurement process. But, as I said, you know, if we're going to come up with a contract and because the issues Orlando has raised, it just -- you know, to me, it just removes all color of the issue of that court case and this matter if you do follow the normal procurement

process. And I would recommend, and I don't know how Maui Tomorrow feels about it, if they don't have any objection to it. I mean I don't believe anybody could probably do it any cheaper than they could. The information would be useful to us. It is something we need, and that's all I can say about it. I believe if the Board just flat out calls it a grant, I believe there may be some way around the procurement process.

MR. RICE: Mr. Chairman.

CHAIR STARR: Yes, sir.

MR. RICE: I take exception to the Director's comment about avoiding the procurement process. If we wanted to do a project, this Board wanted to do a project, and they then agreed at a meeting to do it, the procurement process would be the appropriate method. This isn't our project. That's their project. That's why I asked the question did they have funding, and it's ongoing. Just like other

projects that come to us for financial assistance.

We don't and never have in my short tenure here discussed procurement as a method of approving funds for financial assistance to other projects. And so, you know, I don't know how that is related to this. The discussion of the merits of the donation is appropriate and in everyone's opinion counts, and that's, you know, the chips fall as they may. I don't have a problem with that, but I don't know how the procurement process affects this.

CHAIR STARR: Mr. Tagorda.

MR. TAGORDA: Mr. Chairman, I can try to listen to Mr. Rice's statements. This is not a financial assistance for a donation to Maui Tomorrow by the Board of Water Supply, okay. I think Mr. Nakamura had a point that this public money should be seen and whether or not it's appropriately expended, so that's why I think I'm if in favor of giving them a contract like what the Department has been doing, a grant, that

they enter into contract with us with a scope of work of what they can accomplish.

CHAIR STARR: I know I see it -- I see it as similar to where we have the miconia or different watershed projects. I hate to put it to a process that's going to cost more than a \$30,000 amount because I believe that a standard procurement process cost that much. Ms. DeNaie.

MS. DeNAIE: Point of information that might be useful. I've applied for and received a number of grants, and many of them come with contracts. They're grants, but they come with a simple contract that you sign that outlays the obligations on each party. And if one party does not fulfill the obligations, the contract is void.

CHAIR STARR: So the Chair is requesting some action.

MR. RICE: My motion would be that the --

CHAIR STARR: Go ahead, Mr. Rice.

MR. RICE: Did you want to say something?

MR. KUSHI: Well, Mr. Chair, if I may try to say something about this whole process so maybe it would be clear. To me, the issue here is whether it's a grant or it's a contract. If it's a grant, it's basically assisting an ongoing program like a nonprofit, which they are to assist their program, the public purpose being that the information obtained is within your jurisdiction.

Independent contractors is accomplishing a mission of the Department through a separate third party. If you're an independent contractor, then the procurement process applies, any request for proposals, et cetera. You need to outline your scope of what you want. I believe Chair Nakamura when he mentions the contract, correct me if I'm wrong, is that the contract is the grant agreement, not the

independent contract.

MR. NAKAMURA: That's right.

MR. KUSHI: Which is what you're saying is correct.

MS. DeNAIE: Yeah, more or less we're saying the same thing.

MR. KUSHI: In terms of my short tenure with this Board, the miconia situation. That was money, \$200,000 funded to a third-party nongovernmental nonprofit agency. Did you go through the procurement process for that? No, but it was budgeted. So you need to take the first step in terms of budgeting monies.

What Quinn said is if you go through with this, it shouldn't be in the professional services because then you're thinking about procurement, whatever other funds that can accompany it, if it's a grant. It's still my position that the Board is authorized to grant monies for public purposes. But if you're going

on an independent contract, then the Director's position of a procurement applies.

MR. RICE: Our grant monies are in professional services.

MR. KUSHI: Oh, it is.

MR. QUINN: Yeah, that's where we have them.

CHAIR STARR: Okay. Mr. Rice, you have the floor.

MR. RICE: I would move that this committee recommend to the full Board that an appropriation be made for participation in the project and that the budget be amended to reflect that appropriation of \$30,000.

CHAIR STARR: Is there a second?

MR. NOBRIGA: Sure.

CHAIR STARR: Second from Mr. Nobriga. Any

discussion? Okay. Ed, go ahead.

MR. KUSHI: Mr. Chair, if I may, last statement on this. If it helps the Board when this matter comes before the full Board for the final approval, if the applicant can submit a grant agreement so we can look at it and specify where the monies will be spent, et cetera, and the Board will be informed where this money will be involved. And in terms of the Director's concern about confidentiality, we can work that out in the agreement.

MS. DeNAIE: Could this Board appoint perhaps a representative to consult on that contract with us so we don't have to go through endless loops and wheels, we can all be on the same page at the same time?

MR. RICE: Well, I think the first --

Mr. Chairman, I think the first step would be to make

the appropriations and be subject to approval of the contract and we would then take it to the committee would be the appropriate method and then they would finish it.

CHAIR STARR: Okay. But I would hope that Mr. Rice has already been helpful and Mr. Quinn can be helpful. I'm sure this can be made not an onerous process. Anyway, are we ready to call the question?

MR. HIRANAGA: Mr. Chair, just a comment. I'm not against this project, but I guess because of the various concerns of members regarding where the funds will be obtained from, at this time, I'm not prepared to vote in favor of the motion.

CHAIR STARR: Okay. All in favor, please say "aye."

VOICES: Aye.

CHAIR STARR: All opposed, say "nay."

MR. HIRANAGA: Nay.

MR. TAGORDA: Nay.

CHAIR STARR: The Chair also voted aye, so that's four to two. It passes.

MS. NAGO: Jonathan, because it's a written record, if you could just say who voted against, it would really help.

CHAIR STARR: Mr. Tagorda and Mr. Hiranaga voted against, and for were Mr. Rice, Nakamura, Nobriga and Starr voted for. Okay. That's our last order of business. Meeting is adjourned.

(The meeting adjourned at 10:45 a.m.)

IWADO COURT REPORTERS, INC.

"By Water All Things Find Life"

Department of Water Supply
County of Maui
P.O. Box 1109
Wailuku, HI 96793-6109
Telephone (808) 270-7816
Fax (808) 270-7951

[\[Back\]](#)