

MINUTES

PUBLIC WORKS AND FACILITIES COMMITTEE

Council of the County of Maui

Council Chamber

December 5, 2007

CONVENE: 9:05 a.m.

PRESENT: Councilmember Bill Kauakea Medeiros, Co-Chair
Councilmember Danny A. Mateo, Member
Councilmember Joseph Pontanilla, Member

EXCUSED: Councilmember Michael P. Victorino, Co-Chair
Councilmember G. Riki Hokama, Member

STAFF: Scott Jensen, Legislative Analyst
Pauline Martins, Committee Secretary

Lei Kihm, Executive Assistant to Councilmember Medeiros

ADMIN.: David Galazin, Deputy Corporation Counsel, Department of the
Corporation Counsel
Milton Arakawa, Director, Department of Public Works (Item Nos. 58 & 60)
David Taylor, Wastewater Reclamation Division Chief, Department of
Environmental Management (Item Nos. 63 & 64)
Wayne Ibarra, Acting Captain, Wailuku Patrol, Department of Police
(Item No. 58)
Stephen Orikasa, Administrative Sergeant, Department of Police
(Item No. 58)

OTHERS: James Basco
Plus (2) other people

PRESS: *Akaku Maui Community Television, Inc.*

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CO-CHAIR MEDEIROS: ... *(gavel)* ... Good morning, everyone. Today is Wednesday, December 5, 2007, and it is now about five minutes after 9 a.m. We have a quorum here of three Members of the Committee. This is the meeting of the Public Works and Facilities Committee and that, will it now come to order. First of all, I'd like to introduce the Committee Members that are here. We have Member Mateo, who's our Vice-Chair of the County Council.

COUNCILMEMBER MATEO: Good morning.

CO-CHAIR MEDEIROS: And we have Member Pontanilla--

COUNCILMEMBER PONTANILLA: Good morning.

CO-CHAIR MEDEIROS: --and myself, Co-Chair Medeiros. Excused today is Council Chair Hokama, who's also a Member of our Committee; and also the other Committee Co-Chair Victorino is also excused. The other introductions I'd like to make at this time is that from the Department of Corporation Counsel, we have Deputy Corporation Counsel David Galazin. Good morning, David. And from the Department Public Works, we have the Director here, Mr. Milton Arakawa. Good morning, Milton. And from our Council Services staff, we have Pauline Martins, our Secretary; and Scott Jensen, our Legislative Analyst. Thank you for being here, everyone.

And before we get started, I'd like to remind everyone to please turn off all electronic devices, cell phones, pagers, or any other noisemaking device that may interrupt our proceedings. Thank you.

Members, today, we have four items on our agenda. I will be presiding over today's meeting--the *entire* meeting--because, as indicated earlier, Committee Co-Chair Victorino is excused from today's meeting.

And just to set some ground rules on our testimony this morning. Public testimony will be accepted for each item on the agenda. Any member of the public not able to stay until their item is heard may provide testimony at this time. Those wishing to testify should sign up with the secretary's desk, which is down on the Chamber floor to my left. Testifiers are requested to state their name for the record and to indicate who they are representing, if it's other than themselves. Testimony shall be limited to three minutes. The yellow light will indicate that you have 30 seconds remaining and should begin to conclude. If testimony is incomplete, an additional three minutes may be provided after all testifiers have been heard. Before opening public testimony, I would like to first provide you an opening statement and description of PWF-58, our first agenda item.

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PWF-58 PROHIBITING PARKING ON ULUMAU PLACE (PAIA) (C.C. No. 07-313)

CO-CHAIR MEDEIROS: Members, PWF-58. The Committee is in receipt of County Communication No. 07-313, from Councilmember Molina, transmitting a draft bill, entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 10.48, MAUI COUNTY CODE, PERTAINING TO STOPPING, STANDING AND PARKING", to prohibit parking on both sides of Ulumau Place between Baldwin Avenue and Loko Place, Paia, Maui. I would like to draw the attention of the Members, to the correspondence dated December 3, 2007 that transmits a proposed bill, revised and approved as to form and legality, in your binders. So at this time, I will open public testimony; and we have signed up for public testimony this morning for PWF-58, we have Mr. James Bosco. Mr. Bosco, would you come down to the podium? Introduce yourself, and you have three minutes to provide your testimony. Good morning.

... BEGIN PUBLIC TESTIMONY ...

MR. BOSCO: Good morning. My name is James Bosco and I live on Ulumau Place. We've been having an ongoing problem with people parking on the side of the road--actually on the road itself--because there is no side of the road there. It's the people's property abut against the road. The road itself is very narrow. Two cars can barely scrape by. Normally, when two cars approach each other, somebody kind of pulls off and allows the other guy to go. But when you have people parking, it makes things--not only more difficult to pass by--it makes it impossible for fire engines and maybe the ambulance to get down the street. We've been having this problem because on our street we've got four transient rentals (bed-and-breakfast type situations) and while we're not addressing that problem at this time, that really has exasperated the problem a great deal. We need to get the signs up so that the police can ticket these people so that they don't park anymore. And hopefully, once people begin to see that the County is involved and the police is involved on the street, we're gonna be able to pull back on some of the more nasty problems that come with this kind of transient rentals so forth and so on type situations. Is there anything else?

CO-CHAIR MEDEIROS: Nope. Is that . . . does that complete your testimony?

MR. BOSCO: That's . . . that's pretty much it.

CO-CHAIR MEDEIROS: Okay.

MR. BOSCO: If anybody--and Milton has. Milton Arakawa has been down the street and he's seen how narrow the road is.

CO-CHAIR MEDEIROS: Okay. Thank you, Mr. Bosco. But remain there.

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MR. BOSCO: Okay.

CO-CHAIR MEDEIROS: If . . . any of the Members may have questions for you at this time. Members?

COUNCILMEMBER MATEO: Chairman, thank you.

CO-CHAIR MEDEIROS: Member Mateo?

COUNCILMEMBER MATEO: Chairman, thank you. Mr. Bosco, good morning and thank you for being here. Can you tell me--I've never . . . I don't, I'm not familiar with the street. Can you tell me how many residences are on this street?

MR. BOSCO: Offhand, I would say there's at least 20-25 maybe houses. It's a dead-end road.

COUNCILMEMBER MATEO: Okay. And homes are on both sides?

MR. BOSCO: Homes on both sides.

COUNCILMEMBER MATEO: And only with the recent new business, new operations moving into the street has parking become an issue?

MR. BOSCO: Over the past two, three years, maybe, this problem has really begun to creep up. One particular house, they eliminated, you might say, all the parking, almost all the parking from their front because they converted the garage into a rental, so you eliminate that much parking. So they only can park like two or three cars on the property itself; and then it . . . when they have overflow (guests coming around, so forth and so on) they end up parking on the road. And because of the transient nature, you also have problems with drugs, so forth and so on. And we're dealing with that, you know, through the police and stuff; but in the meantime, these people park on the side of the road. And you know, police have said you can call us but we cannot do anything unless there's a sign. And once that happens, once we get the signs up and we get the police in there giving tickets, these people will become more aware that they cannot do what they're doing on this street.

COUNCILMEMBER MATEO: Okay. Do they . . . do the residents avoid parking on the streets?

MR. BOSCO: The residents, themselves, we have our own, our own property, and we park on the . . . on our own property. It's the, it's these transient-type situations that has the problem.

COUNCILMEMBER MATEO: Are you aware if the other residents that reside on the street also support the banning of parking on this street?

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MR. BOSCO: When Mike Molina came out and Mr. Arakawa came out, there was a number of us who met with them on the street; and these are the people who are . . . you, I guess you would say, have put down roots in the street. They own their own property. They own their properties and they care about what's happening, a long term and not just short term.

COUNCILMEMBER MATEO: Thank you, Mr. Bosco.

MR. BASCO: Thank you.

COUNCILMEMBER MATEO: Thank you, Chair.

CO-CHAIR MEDEIROS: Thank you, Member Mateo. Any other questions from the Members?

MR. BASCO: Thank you very much.

CO-CHAIR MEDEIROS: And Member Mateo, just for your information, I think attached to Member Molina's correspondence dated December 3, 2007, there is a copy of the letter from Mr. Basco with the other signatures and names of residents of the street that are also requesting this.

COUNCILMEMBER MATEO: Thank you.

CO-CHAIR MEDEIROS: You're welcome. Okay. If there are no other questions for Mr. Basco, thank you for your testimony this morning.

MR. BASCO: Thank you very much.

. . . END OF PUBLIC TESTIMONY . . .

CO-CHAIR MEDEIROS: Are there anyone else in the gallery that hasn't signed up to give public testimony that would like to give public testimony at this time. If not--and I don't see anyone moving forward--Members, without objection, the Chair . . . *(NOTE: Mr. Jensen explained that people are trapped in the elevator due to power surges caused by the inclement weather.)* . . . *(inaudible)* . . . Thank you. Okay. Staff has advised me that we're gonna keep public testimony open for the reason that we have some members in the elevator, and the elevator is not operating at this time. So we're not sure if there may be members of the public . . . *(chuckled)* . . . in there that came to testify. So we're gonna leave testimony open at this time, without objections.

COUNCIL MEMBERS VOICED NO OBJECTIONS.

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CO-CHAIR MEDEIROS: Thank you, Members. At this time, I'd like to . . . as I'm . . . give this as information. We were expecting the Police Department to also be represented here this morning. *(NOTE: He's referring to two police officers who were sitting in the lobby area outside of the Chamber, but stood up when the Police Department was mentioned.)* And I see someone. I don't know if they are from--is there a representative from the Police? Okay. Would you come into the gallery, please? Thank you, officers. And if you want to proceed down to the--yeah. . . . *(short pause, while officers approach Administration desk)* . . . And if you will introduce yourselves at this time.

MR. IBARRA: Hi. Good morning. Lieutenant Wayne Ibarra, the Acting Commander for the Wailuku Patrol Division.

MR. ORIKASA: I'm Sergeant Stephen Orikasa, Administrative Sergeant for the Wailuku Patrol Division.

CO-CHAIR MEDEIROS: Thank you, officers, for being here and representing the Police Department. As this matter was not communicated to the Committee by the Department of Public Works, no overview of this matter will be given. However, both the Director of Public Works (Director Arakawa) as well as the police officers that have introduced themselves are here this morning as resources, should the Committee have any questions for them at this time. And before I open up the floor for discussion, I just want to make note that Member Molina--who's not a member of our Committee but that, who submitted this communication--this is a street. Ulumau Place is a street in his district and he did do a site visit with Director Arakawa. And also as I mentioned earlier, a letter from Mr. Basco, who is a resident of Ulumau Place is in our binders. And so at this time, I'd open up--well, Director Arakawa, would you like to give any overview on this being that you did a site visit on it and your familiarity with the area?

MR. ARAKAWA: *(NOTE: Speaking from the Press desk, without a microphone.)* I can do it after the police.

CO-CHAIR MEDEIROS: Okay. Okay. Since the police is at the mikes, would you give us an overview of your comments regarding Ulumau Place, please?

MR. ORIKASA: We submitted a response back in, I believe, October regarding the concerns of parking because of the roadway width. There are varying roadway widths. I believe anywhere from 11 feet to 24 feet along the roadway. There was one suggestion to prohibit all parking on that roadway because of the concerns of ingress and egress of emergency services. A second suggestion was to mitigate the traffic and the parking by traffic control devices, whether through striping or signage.

CO-CHAIR MEDEIROS: Okay, thank you. Lieutenant, would you like to contribute any comments?

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MR. IBARRA: As a . . . just to reiterate what Sergeant Orikasa had mentioned, it is a viable option--whether or not we use signage or we prohibit--it's based on, you know, the overall of what you want to accomplish.

CO-CHAIR MEDEIROS: Okay. The bill we're discussing this morning would be to prohibit parking and a change in the ordinance. Okay. Director Arakawa, would you like to give us? You can pull your chair up to the side of that desk. *(NOTE: Mr. Arakawa moved his chair up to the Administration desk next to the police.)* Thank you. And am I correct to understand, Director Arakawa, that you did go on a site visit (with Member Molina) of the street?

MR. ARAKAWA: Yes, I did.

CO-CHAIR MEDEIROS: Okay. Would you proceed, please?

MR. ARAKAWA: Sure. I did have a chance to do a site inspection with Councilmember Molina some months back on this very issue; and basically, just give me some, give you some background information. Ulumau Place as you know is around, extends off of Baldwin Avenue in Paia Town. The first segment of Ulumau Place, which extends from Baldwin Avenue to Apo Place, is an eight-foot-wide right-of-way, a very narrow right-of-way. It's basically a one-lane roadway. Although, by necessity, the road accommodates two-way traffic. This particular segment of Ulumau Place is approximately 330 lineal feet in length, and Apo Place is basically a cul-de-sac which extends from Ulumau Place and is perpendicular to Ulumau Place. At that point, Ulumau Place becomes a twenty-foot-wide right-of-way and extends for another 160 lineal feet. Then Ulumau Place extends makai at around a ninety-degree angle for another approximately 450 lineal feet to its terminus, and some maps show this makai turn as Loko Place. However, in looking at our records, we show it as . . . just a continuation of Ulumau Place. So basically cars which park on either side of Ulumau Road, whether it's on the eight-foot-wide portion or the twenty-foot-wide portion, would greatly restrict automobile traffic on the road and of course would raise significant concern for emergency access. Our Department would support the intent of the bill. Since our records show that the makai turn in the road is identified as Ulumau Place, we would propose an amendment to the bill, which would read, that parking would be prohibited "on both sides of Ulumau Place between Baldwin Avenue and its terminus", and that concludes my comments.

CO-CHAIR MEDEIROS: Thank you, Director. Members, floor is open for questions or discussion.

COUNCILMEMBER MATEO: You going? *(NOTE: He's asking Councilmember Pontanilla.)*

COUNCILMEMBER PONTANILLA: . . . *(chuckled)* . . .

CO-CHAIR MEDEIROS: Member Pontanilla?

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COUNCILMEMBER PONTANILLA: Thank you. What is the minimum requirements for County in regards to a roadway? You know, looking at eight feet, I'm assuming that because of the plantation days that roadways were--in this case--made to accommodate the plantation.

MR. ARAKAWA: I'm not sure of the date of this particular subdivision but it was done many, many years ago before the current subdivision rules are in effect . . . *were* in effect. If you're talking about a subdivision that's being done currently, the access road to the subdivision, you're talking about a minimum twenty-four-foot-wide right-of-way, twenty-foot pavement width. This is the access to the subdivision. That's a very, the bare minimum; and the actual roadway requirements itself would vary depending on the function of the road. Depending . . . if it carries more traffic, we would require wider rights-of-way.

COUNCILMEMBER PONTANILLA: Thank you. Chair, just one comment . . . or, or question in regards to--did we ever send something to the Fire Department regarding their comments? And if we did, you know, what was their response? Because the Police Department is over here and they're supporting this ordinance that we have a no-parking zone on Ulumau Place between Baldwin Avenue and its terminus. Well, according to Milton now, it's to, you know, to amend that to its terminus. Any idea?

CO-CHAIR MEDEIROS: Thank you, Member Pontanilla. No, we didn't. We may have been remiss in not including correspondence to the Fire Department or even to medical services (the ambulance service); but in the correspondence we received back from the Police Department, they mentioned, in their correspondence, that it would be difficult for emergency vehicles--both Fire, and ambulance, and police--to get in there if we continue to have parking on both sides. So yeah, we did not directly contact Fire or ambulance.

COUNCILMEMBER PONTANILLA: Thank you.

CO-CHAIR MEDEIROS: Director?

MR. ARAKAWA: I can respond to it generally. In new developments, generally, the Fire Department would want at least a twenty-foot-wide clear width for emergency fire access. The fact that we're proposing to prohibit parking on the street can only make the situation better for them. Although, eight feet is basically a, you know, a nonconforming access. There's nothing we can do about that at this point.

COUNCILMEMBER PONTANILLA: Thank you. Thank you, Chair.

CO-CHAIR MEDEIROS: Thank you, Member Pontanilla. Member Mateo?

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COUNCILMEMBER MATEO: Chairman, thank you. Mr. Arakawa, then because there are numerous subdivisions, old subdivisions with similar kinds of streets, in order for the Department to assess the need of restricting parking, is it totally complaint-generated? Or is the Department prepared to start addressing the old subdivision standards?

MR. ARAKAWA: We've pretty much done it on a complaint basis. And Paia has some--and other neighborhoods too--have some relatively older streets, which are very, very narrow. On-street parking, as you know, can be sometimes a little contentious because in some cases of course, you know, residents use that or need that on-street parking; and so we've basically tried to address it on a, you know, at least a case-by-case basis.

COUNCILMEMBER MATEO: Okay. Thank you, Mr. Arakawa. A question for the Police Department. On the Chief's letter to us, dated November 15, 2007, in the letter itself, when the Department went out to observe, the second paragraph in the letter indicates that at that time the "officers did not see any safety issues that warranted any 'no-parking' signs and the problem appeared to be a dispute between few neighbors who were in the process of finding a resolution". But the next paragraph indicates that when the officers went for further checks, then they confirmed, and they went into the specifics of the one-lane roadway and difficulty with cars parking on both sides of the street. What was done in that second check . . . in the second check that wasn't done in the first check that could come out with the same finding?

MR. ORIKASA: That letter of response was dated November 15, 2006?

COUNCILMEMBER MATEO: Seven.

MR. ORIKASA: Two thousand and seven?

COUNCILMEMBER PONTANILLA: The latest response.

MR. ORIKASA: Okay.

CO-CHAIR MEDEIROS: Member Mateo? I'm not sure if it's in our binders, but the police did have an initial letter for . . . earlier; and then this was like their second letter responding to this. I'm not sure if the first letter is in our binders. Is it?

MS. MARTINS: Yes.

CO-CHAIR MEDEIROS: Staff says the first letter is in our binders. Where they did say they didn't see any problem that, you know, "no parking" would be required. But this is a subsequent letter that just says what they did from the first check, and then now their second check indicates that they would support "no parking" for the reasons they stated.

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COUNCILMEMBER MATEO: Yeah. But I just was curious in finding out what was done in the second check that wasn't done in the first check, when they didn't see a safety hazard.

CO-CHAIR MEDEIROS: Police Department?

MR. ORIKASA: On the--part of it is the response . . . the letters of responses were made by two different people. I didn't consult with the person who wrote the letter back in April, and I was the one who prepared the response for November.

COUNCILMEMBER MATEO: Okay.

MR. ORIKASA: On the second check, we were basically just addressing the fact of the parking problem--whether to support or not to support and state reasons for supporting the measure.

COUNCILMEMBER MATEO: Okay, thank you. Thank you, Chairman.

COUNCILMEMBER PONTANILLA: I got a question.

CO-CHAIR MEDEIROS: Thank you, Member Mateo. And I think in the binders, yeah, is that letter from the Police Department dated November--

COUNCILMEMBER PONTANILLA: Seven, fifteen.

CO-CHAIR MEDEIROS: --fifteen, yeah, 2007; and I guess the subsequent letter was later. Or is that the same letter? . . . (*chuckled*) . . . It's not . . . I'm trying to . . . (*short pause as he looks for the other letter*) . . . yeah. There's one letter, April 16, 2007, from the police and one November 15, 2007. Okay. Member Pontanilla?

COUNCILMEMBER PONTANILLA: Thank you. I understand that Member Molina as well as the Public Works Director had gone look at this location. Did the Police Department accompany the Councilmember as well as the Director when they did their site inspection?

CO-CHAIR MEDEIROS: Director?

MR. IBARRA: I know you folks were there, yeah? (*NOTE: He's asking Mr. Arakawa.*)

MR. ARAKAWA: No, the Police Department was not there at the site inspection that we conducted.

COUNCILMEMBER PONTANILLA: Okay, thank you.

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CO-CHAIR MEDEIROS: Thank you, Member Pontanilla. Yeah, I know it was . . . it's in the binder; and Member Molina's request was to the Director only. I don't see any correspondence where he asked for the Police to be there, right. Okay. Any further questions or discussion, Members? Okay. Before we go any further, now that we understand the elevators are back in service, I'm gonna ask again, you know, that since we had that little problem, if there is anyone in the audience that wishes to testify on PWF-58. And seeing no one come forward, without objections, Members, we will now close testimony on PWF-58.

COUNCIL MEMBERS VOICED NO OBJECTIONS.

CO-CHAIR MEDEIROS: Thank you, Members. So ordered. And also in attendance now, I'd like to introduce Michael Geers, who's our new Legislative Analyst. Good morning, Michael. So if there's no further discussion, Members, the Chair would like to give his recommendation.

COUNCILMEMBER PONTANILLA: Recommendation?

CO-CHAIR MEDEIROS: Thank you, Members. Being that the . . . we have heard from the police, and they are recommending the "no parking" in order to alleviate the problems on that street mainly because of the width of the street and because of the concern for emergency vehicles; and there is a concurrence from our Director of Public Works about that also. So the Chair will entertain a motion to recommend passage on first reading of the revised proposed bill and the filing of the communication.

COUNCILMEMBER PONTANILLA: So moved.

COUNCILMEMBER MATEO: Second.

CO-CHAIR MEDEIROS: Okay. It's been moved by Member Pontanilla, seconded by Member Mateo. Any further discussions? Okay.

COUNCILMEMBER PONTANILLA: Yeah, I have.

CO-CHAIR MEDEIROS: Member Pontanilla?

COUNCILMEMBER PONTANILLA: Although this is for Ulumau Place, understanding that Paia is a very old town and we've had numerous complaints in regards to some of these older streets that were built by the plantation at that time, so maybe the Department can provide us with some information for, you know, those streets that are, you know, that were built back in the thirties or forties, so that we can take a look at that--

CO-CHAIR MEDEIROS: Okay.

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COUNCILMEMBER PONTANILLA: --and see what the Department can do for us in regards to . . . because this is not the first complaint that's gonna come through.

CO-CHAIR MEDEIROS: Right.

COUNCILMEMBER PONTANILLA: I think we're gonna have some more.

CO-CHAIR MEDEIROS: Director, your comments?

MR. ARAKAWA: Certainly, Mr. Chair, we can do that. But just a clarification, the motion did include "no parking" to the terminus? Or was it the original bill?

CO-CHAIR MEDEIROS: It is my understanding, Director, that you said that that's all part of Ulumau Place--

MR. ARAKAWA: Yes.

CO-CHAIR MEDEIROS: --in your records?

MR. ARAKAWA: Yeah, no. I just wanted to clarify that the motion was to the . . . from Ulumau Place all the way to the terminus.

CO-CHAIR MEDEIROS: Well, we mention in the bill it's Ulumau Place.

MR. ARAKAWA: The bill mentions Ulumau Place from Baldwin Avenue to Loko Place.

CO-CHAIR MEDEIROS: Right.

MR. ARAKAWA: So, it would . . .

CO-CHAIR MEDEIROS: Let me ask our staff. Staff, can you clarify that, please?

MR. JENSEN: The resolution, the bill was submitted as proposed, and Loko Place is the side street prior to the terminus, but it's near. So I'm not sure, with the Director's earlier comment about the number of lineal feet involved in this roadway; but, as proposed, the bill is limited only until Loko Place. It heads in the makai direction.

CO-CHAIR MEDEIROS: Okay. Director, you have further comments on that, or recommendation?

MR. ARAKAWA: Can I ask for a brief recess?

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CO-CHAIR MEDEIROS: Certainly. We're gonna take a brief recess and convene at the call of the Chair. This meeting is now in recess. . . . *(gavel)* . . .

RECESS: 9:34 a.m.

RECONVENE: 9:38 a.m.

CO-CHAIR MEDEIROS: . . . *(gavel)* . . . Okay. We're reconvening the meeting of the Public Works and Facilities Committee. At this time, after discussion with staff and with the Administration, to make things more clear . . . because of the uncertainty of the Ulumau Place streets. And according to the Administration (the Director of Public Works) in their records, it shows Ulumau Place as being the entire street. And so, at this time, the Chair would entertain a motion for amendment to delete, in the bill, in C.8, to delete the words "between Baldwin Avenue to Loko Place" and that would remain just "on both sides of Ulumau Place".

COUNCILMEMBER PONTANILLA: Chair, I'll make the amendment. The new amendment would read "on both sides of Ulumau Place." and the deletion of "between Baldwin Avenue to Loko Place".

CO-CHAIR MEDEIROS: Correct. Okay. It's been amended by Member Pontanilla--

COUNCILMEMBER MATEO: Second.

CO-CHAIR MEDEIROS: --as described, seconded by Member Mateo. Any further discussion?

COUNCILMEMBER PONTANILLA: No.

CO-CHAIR MEDEIROS: Scott? *(NOTE: Short pause while the Co-Chair consults with Mr. Jensen.)*
Okay. At this time, without any further discussion, the Chair will call for the vote on the amendment. All in favor of the amendment, say "aye".

COUNCIL MEMBERS VOICED AYE.

CO-CHAIR MEDEIROS: Any "noes"?

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VOTE: AYES: Councilmembers Mateo and Pontanilla, and Co-Chair Medeiros.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmember Hokama and Co-Chair Victorino.

AMENDMENT CARRIED.

ACTION: AMENDING THE MAIN MOTION by deleting “between Baldwin Avenue to Loko Place”.

CO-CHAIR MEDEIROS: The amendment receives three “ayes” and zero “nays”. And now we’re moving to the main motion. . . *(end of tape, start 1B at 9:40 a.m.)*. . . All in favor of the main motion, as amended, say “aye”.

COUNCIL MEMBERS VOICED AYE.

CO-CHAIR MEDEIROS: And any “noes”?

VOTE: AYES: Councilmembers Mateo and Pontanilla, and Co-Chair Medeiros.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmember Hokama and Co-Chair Victorino.

MOTION CARRIED.

ACTION: FIRST READING OF REVISED BILL AND FILING OF COMMUNICATION.

CO-CHAIR MEDEIROS: Nope. And it passes with three “ayes” and zero “noes”. Thank you, Members, on that item. And thank you, Police Department, for being here.

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MR. BASCO: Thank you very much.

CO-CHAIR MEDEIROS: You're welcome. Thank you for being here.

PWF-60 ACCEPTING DEDICATION OF A ROAD WIDENING LOT FOR THE PULEHUIKI-KAMEHAMEIKI HOMESTEADS (KULA) (C.C. No. 06-83)

CO-CHAIR MEDEIROS: Okay, Members. We now move to the second item on our agenda, which is PWF-60. The Committee is in receipt of County Communication No. 06-83, from the Director of Public Works and Environmental Management, transmitting a proposed resolution entitled "ACCEPTING DEDICATION OF A ROAD WIDENING LOT FOR THE PULEHUIKI-KAMEHAMEIKI HOMESTEADS, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE". The purpose of this resolution is to accept the dedication of road widening Lot 8-B (as in Bravo) 3, along Lower Kula Road, Kula, Maui, consisting of approximately 471 square feet, TMK: (2) 2-3-02:portion of 009. I call the Members attention to the revised proposed resolution transmitted by correspondence dated July 11, 2006 in your binder. At this time, the Chair will allow for public testimony on PWF-60. Committee Secretary, we have anyone signed up? We have no one signed up. And seeing no one in the gallery except our staff members, without any objections, Members, the Chair would like to close public testimony on PWF-60.

COUNCIL MEMBERS VOICED NO OBJECTIONS.

CO-CHAIR MEDEIROS: Thank you, Members. So ordered. At this time, we'd like to ask the Director of Public Works for an overview on this matter. Director?

MR. ARAKAWA: Thank you, Mr. Chair. This item pertains to a proposed dedication of a road widening lot relating to the Pulehuiki-Kamehameiki Homesteads subdivision along Lower Kula Road in Kula. The subdivision was granted final subdivision approval on February 23, 2006, and the road widening lot to be dedicated is 471 square feet in area. As allowed under Section 18.20.040 of the Code, the subdivider has deferred roadway improvements by completing the requirements of a Three-lots-or-less Subdivision Agreement.

The Public Works Committee met on this item on July 31, 2006; and at that time, there was a concern raised by the Committee about a loose rock wall, a portion of which is located within the subject road widening lot. The Committee sent a letter to the State Historic Preservation Division requesting information regarding the loose rock historical wall. The Historic Preservation Division sent a response dated December 22, 2006. Basically, SHPD states that they do not have any documentation of the wall. Therefore, they are requesting that an archaeological inventory survey be done. They believe that information on the wall will likely

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contribute to an understanding of the history or the prehistory of the region, but it is unlikely that preservation would be recommended as it appears the wall is connected to the historic construction of the road and homesteads adjacent to the road.

In reviewing the matter with our staff, it was noted that most of the historic wall in this general vicinity is already located within the County right-of-way. Only a very small portion is located in the road widening lot. Our understanding is that the wall was built many decades ago to retain the roadway fill. Normally, we would require that obstructions such as a wall be removed from the road widening lot before the County accepts dedication. However, if we require removal in this case, we believe that the road base would be eroded over time and would lead to eventual damage of the existing pavement. Thus, we would recommend that the road widening lot be accepted with the existing wall, as is. Then the entire historic wall can be dealt with on a comprehensive basis at a later point in time.

The Public Works and Facilities Committee also met on this matter on June 13, 2007. At that meeting, a question was raised as to whether the subject property was in conformance with the general plan, community plan, zoning, and other laws relating to the use of land at the time the subdivision was approved. We provided a response to the Committee dated November 7, 2007. I would note that the subject subdivision involves the creation of a 2.86-acre lot, a 2.295-acre lot, and the 471-square-foot road widening lot. The land in the subdivision is in the State Rural District, the community plan designation is Agricultural, and the zoning is County Agricultural District. It's noted that Chapter 205, Hawaii Revised Statutes, generally requires a minimum lot size of one-half acre in the State Rural District. As it relates to the subject subdivision, the 2.86-acre and the 2.295-acre lots exceed the State Rural District minimum lot size requirements and are not contrary to State Land Use provisions. The proposed lot sizes also conform with County community plan and zoning provisions. Thus, we believe that the subdivision complies with Section 18.04.030 of the Code, which requires that the subdivision be consistent with the general plan, community plan, zoning, and other laws relating to the use of land.

A resolution, entitled "ACCEPTING DEDICATION OF A ROAD WIDENING LOT FOR THE PULEHUIKI-KAMEHAMEIKI HOMESTEADS, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE", has been drafted and is in your binder. The Committee's review and consideration of the proposed resolution is respectfully requested.

CO-CHAIR MEDEIROS: Thank you, Director. Members, open for questions or discussion at this time? Member Mateo.

COUNCILMEMBER MATEO: Thank you, Chairman. So Mr. Arakawa, the further archaeological needs, in addressing the historical asset . . . assessment of the wall itself, then becomes the County's costs? We will incur the costs to do the archaeological work on it?

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MR. ARAKAWA: Most of the wall is already in the County right-of-way, so “yes”. We would basically assume the cost of the wall that would be in the road widening lot.

COUNCILMEMBER MATEO: So the other segment of the wall that already exists on County right-of-way then, an assessment was already done on that portion of it?

MR. ARAKAWA: No, it was not. So basically, the wall was built many years ago--

COUNCILMEMBER MATEO: Yeah.

MR. ARAKAWA: --probably to provide support for the road itself; and so if we want to tear down the wall, we would have to do an archaeological inventory survey before any construction can be done.

COUNCILMEMBER MATEO: Okay. Is there a reason why the existing, prior to the dedication, that the owner would have to contribute in the assessment of the wall?

MR. ARAKAWA: We haven’t required the owner to do that. We were basically requiring him to just dedicate the land for the road widening lot itself.

COUNCILMEMBER MATEO: Okay.

MR. ARAKAWA: Which he is doing, basically, per County Code requirements; and he’s dedicating it, basically, free of charge. He, you know, it’s . . . a dedication requirement.

COUNCILMEMBER MATEO: Okay. Thank you, Chairman.

CO-CHAIR MEDEIROS: Thank you, Member Mateo. Member Pontanilla, any questions for the Director?

COUNCILMEMBER PONTANILLA: No. I just want to say thank you to the Department in regards to the information that he just completed, given us . . . because at that time (back in 2006) this was very contentious in regards to the wall and its history of the wall. So, thank you very much.

CO-CHAIR MEDEIROS: Thank you, Member Pontanilla. If there’s no further discussion, the Chair would like to give his recommendation.

COUNCILMEMBER PONTANILLA: Recommendation?

CO-CHAIR MEDEIROS: Thank you, Members. The Chair will entertain a motion to recommend adoption of the revised proposed resolution and the filing of the communication.

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COUNCILMEMBER PONTANILLA: So moved.

COUNCILMEMBER MATEO: Second.

CO-CHAIR MEDEIROS: It has been moved by Member Pontanilla, seconded by Member Mateo.
Any further discussion on the motion?

COUNCILMEMBER PONTANILLA: No.

CO-CHAIR MEDEIROS: Seeing no and hearing none, the Chair will call for the vote. All in favor of
the motion, say "aye".

COUNCIL MEMBERS VOICED AYE.

CO-CHAIR MEDEIROS: All opposed?

VOTE: **AYES:** **Councilmembers Mateo and Pontanilla, and Co-Chair
Medeiros.**

NOES: **None.**

ABSTAIN: **None.**

ABSENT: **None.**

EXC.: **Councilmember Hokama and Co-Chair Victorino.**

MOTION CARRIED.

**ACTION: ADOPTION OF REVISED RESOLUTION AND FILING OF
COMMUNICATION.**

CO-CHAIR MEDEIROS: The motion carries with three "ayes". Thank you, Members. And thank
you, Director Arakawa, for your time this morning.

COUNCILMEMBERS MATEO/PONTANILLA: . . . *(inaudible)* . . .

CO-CHAIR MEDEIROS: Members, we have completed the two first agenda items and we have two
more left.

COUNCILMEMBERS MATEO/PONTANILLA: . . . *(inaudible)* . . .

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CO-CHAIR MEDEIROS: Members, do you need a short recess to take care of personal needs? Or would you like to continue?

COUNCILMEMBER MATEO: Let's go.

CO-CHAIR MEDEIROS: Let's go through it. Okay. All right.

PWF-63 ACCEPTING DEDICATION OF SEWERLINE EASEMENTS AT KEHALANI SUBDIVISION (WAIKAPU) (C.C. No. 07-317)

CO-CHAIR MEDEIROS: So Members, we will now be on PWF-63. The Committee is in receipt of--before I do that, let me introduce . . . from the Wastewater Division, we have Mr. Dave Taylor here. Thank you for being here, Mr. Taylor. The Committee is in receipt of County Communication No. 07-317, from the Director of Environmental Management, transmitting three proposed resolutions as referenced on this morning's agenda. Those three resolutions are: 1. Accepting dedication of sewerline Easement B (as in bravo) for Site 10 at Kehalani Subdivision, pursuant to Section 3.44.015, Maui County Code; 2. Accepting dedication of sewerline Easement D (as in delta) for Site 10 at Kehalani Subdivision, pursuant to Section 3.44.015, Maui County Code; and 3. Accepting dedication of sewerline Easement E (as in echo) for Site 10 at Kehalani Subdivision, pursuant to Section 3.44.015, Maui County Code. The purpose of the proposed resolutions is to accept sewerline Easement B (as in bravo) approximately 2,298 square feet, Easement D (as in delta) approximately 2,129 square feet, and Easement E (as in echo) approximately 1,948 square feet, respectively, in the Kehalani Subdivision, allowing the County to construct, reconstruct, maintain, operate, repair, and remove an 8-inch sewerline running through the subject properties along Kuikahi Drive, Waikapu, Maui, TMK: (2) 3-5-01:portion of 076. At this time, the Chair would like to open the floor for public testimony. Secretary? No one signed up. And I . . . we see no one in the gallery except a staff member. So without objections, Members, the Chair would like to close public testimony on PWF-63.

COUNCIL MEMBERS VOICED NO OBJECTIONS.

CO-CHAIR MEDEIROS: Thank you, Members. So ordered. At this time, I would like to ask Mr. Taylor to provide an overview of this matter. Mr. Taylor?

MR. TAYLOR: Thank you, Mr. Chair. This item relates to a number of sewerline easements to be accepted by the County. This is a project being built by a private developer. Most of the sewerlines within the project are within what will be County roads once they're accepted. Eventually, all the wastewater will get to another County road; but to get there, the sewerline has to transverse a small piece of private property. So this easement covers these pieces of private

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property so that we have contiguous ownership from A-Z of the entire sewerline. So that way, although it says "construct", the developer will be constructing it. It allows us to go in and repair and do maintenance, and things like that. So that's what these easements are for, and it's a pretty standard item that comes up regularly with these types of subdivisions.

CO-CHAIR MEDEIROS: Okay. Thank you, Mr. Taylor. Members, floor is open for questions, discussions. Member Pontanilla?

COUNCILMEMBER PONTANILLA: Thank you. Good morning, David. The subdivision is already pau, yeah?

MR. TAYLOR: Let's see, there. This subdivision and the next on your agenda, I know that on one of them, people are already moved in. On the other one, they aren't. I'm not sure which is . . . I'm not sure who is living in which, but I know all the work is finished. I don't know who is . . . whether or not the homes are occupied yet.

COUNCILMEMBER PONTANILLA: Okay, fine. Thank you.

CO-CHAIR MEDEIROS: The Chair has a question and . . . for Corp. Counsel. Exhibit A of each easement describes the easement as a waterline and a sewerline easement. Is this in fact both a waterline and sewerline easement, maybe both for Corp. Counsel and for the . . . Environmental Management?

MR. GALAZIN: Yeah. I'll let . . . I'll let Wastewater take this because I believe he just spoke with the Water Department.

MR. TAYLOR: I actually just spoke with our staff engineer, who did confirm that the . . . there is going to also be a waterline within this easement.

CO-CHAIR MEDEIROS: Okay. Corp. Counsel, would you have any comments on this . . . because the easement describes a waterline and sewerline easement? And if it's indeed only a sewerline easement, Mr. Taylor, you were mentioning?

MR. TAYLOR: Yeah. Actually, again, our staff engineer, who worked on this, just told me a few minutes ago, that there is indeed also a waterline to be installed in the same . . . in the same--

CO-CHAIR MEDEIROS: Easements.

MR. TAYLOR: --easement.

CO-CHAIR MEDEIROS: I see. Corp. Counsel, any further comments?

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MR. GALAZIN: Yeah. I mean I believe we can, you know, just take the easement as it is describing and just for the sewerline purposes. And then, you know, the description that they have indicates that they want to have a similar easement also in favor of the County, but just for the waterline. You know, we could either deal with that separately. Or, you know, revise the resolution in order to include the waterline but I don't think that that's necessarily a requirement that we do it at this point.

CO-CHAIR MEDEIROS: So in your assessment, we can keep the bill as . . . as it stands?

MR. GALAZIN: Yeah. I'm sorry. Can you repeat that real quick?

CO-CHAIR MEDEIROS: Well, the way it's described in our agenda and . . . would we keep it the same as it is, and deal with the, as you mentioned, the waterline separately?

MR. GALAZIN: Yes. I believe we could just do that. And I don't know this for certain, but I believe that perhaps waterline easements do not go through the same process.

CO-CHAIR MEDEIROS: Okay. Thank you. So we'll just proceed as we have it on our agenda. Members, any further discussion?

COUNCILMEMBER PONTANILLA: Yeah.

CO-CHAIR MEDEIROS: Member Pontanilla?

COUNCILMEMBER PONTANILLA: Just a question for Corporation Counsel. I know when we do, when developers develop, they provide easements for water as well as sewer. They also provide easements for . . . like say, telephone, electricity, and cable. In our case, I'm sure . . . I'm sure both water and the sewerline is in. And how come we don't come in with a resolution to take care both of `em at one time?

MR. GALAZIN: Again, as I said, I don't know the exact requirements of how the Council, if at all, handles the waterline easements. So, I'm really not sure the answer to that one.

COUNCILMEMBER PONTANILLA: Thank you. And maybe Chair, if you could write a memo to Corporation Counsel to at least look at that and then . . . so that we don't have to come back again and take care of the water because I know the waterline is in there right now . . . *(chuckled)* . . . as well as the sewerline. So, you know, we'll do it one time.

CO-CHAIR MEDEIROS: Okay. So, Member Pontanilla, are you requesting a letter to Corp. Counsel on this particular item?

COUNCILMEMBER PONTANILLA: No.

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CO-CHAIR MEDEIROS: Or . . .

COUNCILMEMBER PONTANILLA: Not . . .

CO-CHAIR MEDEIROS: Or in--

COUNCILMEMBER PONTANILLA: Not this item.

CO-CHAIR MEDEIROS: --on future items?

COUNCILMEMBER PONTANILLA: I can go ahead and move on this item.

CO-CHAIR MEDEIROS: Okay. All right.

COUNCILMEMBER PONTANILLA: But in future easement requests or acceptance, that we take a look at all of the County needs.

CO-CHAIR MEDEIROS: Okay. Yeah. Staff, would you make a note of that? Staff, would . . . you have some comments?

MR. JENSEN: Yes, Mr. Chair. The Legislative Attorney--who advises the Committee--had been under the impression that perhaps this was due to the fact that water easements can be approved administratively, and only sewerline easements need to be subject to Council approval; but we'll be happy to draft a memo clarifying this with Corporation Counsel.

CO-CHAIR MEDEIROS: Thank you, staff.

COUNCILMEMBER PONTANILLA: Thank you.

CO-CHAIR MEDEIROS: Does that satisfy--

COUNCILMEMBER PONTANILLA: Yeah.

CO-CHAIR MEDEIROS: --your request, Mr. Pontanilla?

COUNCILMEMBER PONTANILLA: Thank you.

CO-CHAIR MEDEIROS: Okay, thank you. Okay. Any further discussion? Okay. Seeing none, the Chair would entertain a motion to recommend adoption of the proposed resolutions and the filing of the communication.

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COUNCILMEMBER MATEO: So moved.

COUNCILMEMBER PONTANILLA: Second.

CO-CHAIR MEDEIROS: It's been moved by Member Mateo, seconded by Member Pontanilla. Any further discussions? Hearing none, the Chair will call for the vote. All in favor, say "aye".

COUNCIL MEMBERS VOICED AYE.

CO-CHAIR MEDEIROS: Any opposed?

VOTE: AYES: Councilmembers Mateo and Pontanilla, and Co-Chair Medeiros.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmember Hokama and Co-Chair Victorino.

MOTION CARRIED.

ACTION: ADOPTION OF RESOLUTIONS AND FILING OF COMMUNICATION.

CO-CHAIR MEDEIROS: Okay. It passes with three "ayes".

PWF-64 ACCEPTING DEDICATION OF A SEWERLINE EASEMENT FOR OHIA AT KEHALANI PHASE II (WAILUKU) (C.C. No. 07-318)

CO-CHAIR MEDEIROS: Thank you, Members. We move now to the final agenda item, PWF-64. The Committee is in receipt of County Communication No. 07-318, from the Director of Environmental Management, transmitting a proposed resolution entitled, Accepting dedication of sewerline Easement D (as in delta) for Ohia at Kehalani Phase II, pursuant to Section 3.44.015, Maui County Code. The purpose of the proposed resolution is to accept sewerline Easement D (as in delta) of approximately 2,878 square feet in the Kehalani Subdivision, which would allow the County to construct, reconstruct, maintain, operate, repair, and remove an 8-inch sewerline running through the subject property along Komo Ohia Street, Wailuku, Maui, TMK: (2) 3-5-26:portion of 045. At this time, the Chair will open testimony

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(public testimony) on this agenda item. Secretary, anyone? No one signed up and no one is in the gallery. So without objections, Members, the Chair would close testimony (public testimony) on PWF-64.

COUNCIL MEMBERS VOICED NO OBJECTIONS.

CO-CHAIR MEDEIROS: No objections. Thank you, Members. So ordered. At this time, I would like to ask Mr. Taylor, from the Environmental Management Department, to provide an overview of this matter.

MR. TAYLOR: Thank you, Mr. Chair. As with the last item, this is another sewerline easement allowing the County and the Department to have contiguous ownership of the sewerline from what will be County roads through private property and back into County public right-of-way.

CO-CHAIR MEDEIROS: Thank you, Mr. Taylor. Any questions, Members, or discussion on this matter? Okay.

COUNCILMEMBER PONTANILLA: Yeah.

CO-CHAIR MEDEIROS: Member Pontanilla?

COUNCILMEMBER PONTANILLA: Thank you.

CO-CHAIR MEDEIROS: Is it because you used to be . . . *(chuckled)* . . . Public Works Chair--

COUNCILMEMBER PONTANILLA: Oh, no. . . . *(chuckled)* . . . No, no.

CO-CHAIR MEDEIROS: --that you have all this knowledge? . . . *(chuckled)* . . . Go ahead, Member Pontanilla.

COUNCILMEMBER PONTANILLA: I worked with easements before. You know, the easement request is for sewerline; but when you look at the map, Easement D for sewerline and access purposes. I don't know if the easement for sewerline will also take care of the access of that particular facility that's buried.

CO-CHAIR MEDEIROS: Mr. Taylor, would you have a response for Member Pontanilla?

COUNCILMEMBER PONTANILLA: Access for our workers to get there.

MR. TAYLOR: The easement does include language for our staff to access the site.

COUNCILMEMBER PONTANILLA: Okay.

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MR. TAYLOR: That's correct.

COUNCILMEMBER PONTANILLA: Thank you.

CO-CHAIR MEDEIROS: Thank you, Member Pontanilla. Any further discussion? Hearing none and seeing none, the Chair will entertain a motion to recommend adoption of the proposed resolutions.

COUNCILMEMBER MATEO: So moved.

COUNCILMEMBER PONTANILLA: Second.

CO-CHAIR MEDEIROS: Thank you, Members. And if there's no further discussion, we'll take a vote. All in favor of the motion, say "aye".

COUNCIL MEMBERS VOICED AYE.

CO-CHAIR MEDEIROS: Opposed?

VOTE: AYES: Councilmembers Mateo and Pontanilla, and Co-Chair Medeiros.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmember Hokama and Co-Chair Victorino.

MOTION CARRIED.

ACTION: ADOPTION OF RESOLUTION.

CO-CHAIR MEDEIROS: Okay. Three "ayes" and zero "noes", and the measure passes. Members, we have completed our work this morning on the four agenda items. At this time, I'd like to ask if any of the Members have any announcements? Member Mateo.

COUNCILMEMBER MATEO: Chairman, yes I do.

CO-CHAIR MEDEIROS: Thank you.

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COUNCILMEMBER MATEO: This evening at 5:30, in Lahaina, at the Lahaina Senior Center, there is a public meeting that involves or concerns Hawaii Public Housing facilities and it is being run by the State. The Executive Director of Hawaii Public Housing will be in part running the meeting so we invite the public to come out and share your concerns or issues regarding public housing. Thank you.

CO-CHAIR MEDEIROS: Thank you, Member Mateo. Yes, and I have to say that the meeting last night was a productive meeting, and tonight's meeting should be, you know, another meeting where the people can come out and give their . . . express their feelings and their suggestions. Member Pontanilla?

COUNCILMEMBER PONTANILLA: Thank you. I just want to pass my mahalos to the Public Works people for taking care our roadways, drainage, because of these heavy rains that we've been having for the last several days now. I know it's pretty hard on them whenever they need to go out, you know, late at night to resolve issues. So again, thank you very much.

CO-CHAIR MEDEIROS: Thank you, Member Pontanilla, for mentioning that. I appreciate it. Member Mateo?

COUNCILMEMBER MATEO: Chairman, I . . . I just was handed a memo that indicates that due to the inclement weather, the Hawaii Public Housing meeting in Lahaina has been postponed.

CO-CHAIR MEDEIROS: Okay, Member Mateo.

COUNCILMEMBER MATEO: My evening . . . (*chuckled*) . . .

CO-CHAIR MEDEIROS: Thank you for that update. Members, I do have some announcements. But before I do that, I may have been remiss in our last item . . . not to say that "it was also including the filing of the communication". Without objections, we'll so order that. Members?

**COUNCIL MEMBERS VOICED NO OBJECTIONS. (PRESENT: MATEO,
PONTANILLA AND MEDEIROS)**

ACTION: FILING OF COUNTY COMMUNICATION NO. 07-318.

CO-CHAIR MEDEIROS: Thank you, Members. And also dealing with our weather, urgent weather advisories. Significant weather events continue to impact Maui County. County Civil Defense has some advisories that I'll read. Civil Defense Notifications are in effect:

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HIGH SURF ADVISORY FOR NORTH AND WEST FACING SHORES: A high surf advisory means that surf along the affected shores will be much higher than normal, resulting in hazardous wave action and dangerous rip currents. Surf along north facing shores will be 18 to 20 feet today. Surf along west facing shores will be 10 to 15 feet today. Although the current swell is diminishing, another swell will be impacting the islands on Wednesday (which is today) this afternoon, possibly in the high-surf-warning range. Precautionary measures: residents and visitors are urged to avoid entering the water during the hazardous wave action and strong rip currents.

HIGH WIND WATCH: A high wind warning means a hazardous high wind event is expected or occurring. Sustained wind speeds of at least 40 mph or gusts of 58 mph or more can lead to property damage. A vigorous storm system passing to the north will drive a cold front across the Islands yesterday and today. Strong and possibly damaging southwest winds are expected ahead of and during the frontal passage. Southwest winds at Haleakala summit will increase to 40 to 50 mph with gusts up to 75 mph after midnight. Travel to the summit is strongly discouraged. Precautionary measures: the winds will be strong enough to blow around unsecured objects like rubbish cans, lawn furniture, and holiday decorations. Some damage to trees can also be expected and scattered power outages are possible. Make sure you have flashlights in the event of a power failure. Winds this strong can make driving difficult, especially for high profile vehicles.

FLASH FLOOD WATCH: A flash flood watch means that flash flooding is possible, but not imminent. A strong frontal system approaching the Hawaiian Islands will produce heavy rains and possible flash flooding through Thursday. Furthermore, rainfall over the past several days has saturated the ground in many areas and has increased the flooding risk. The rains will move eastward to Maui County in the early morning hours on Wednesday, which we're experiencing today. Precautionary measures: Be prepared for flash flooding. You should determine whether you are located below a dam or slope that could give way. Take precautions now to protect life and property. Be prepared to take quick action if a warning is issued, and if you observe heavy rain. The National Weather Service urges you to avoid driving through flooded areas. Many deaths result from people trying to cross flooded roads. Report flooding to police and civil defense officials for relay to the National Weather Service.

And finally, members of the public, Maui County Civil Defense staff will continue to monitor the situation. Stay abreast of changing conditions by calling 986-1200 to hear prepared prerecorded advisories and notifications or by visiting the Maui County website at www.mauicounty.gov. That number again for the prerecorded advisories is 986-1200.

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And a further advisory, members of the public, is to be sure that you check with the schools if there will be school for tomorrow for any of your children or grandchildren that you may be caring about or receiving information on. So please, members of the public and community, you can also go to the front portion of your telephone directories for guides on preparing for natural disasters or warnings.

Members, anything else . . . you would like to bring up? And seeing none, this meeting of the Public Works and Facilities Committee of . . . *(end of tape, start 2A at 10:11 a.m.)* . . . December 5, 2007 is adjourned. . . *(gavel)* . . .

ADJOURN: 10:12 a.m.

APPROVED BY:



BILL KAUAKEA MEDEIROS, Co-Chair
Public Works and Facilities Committee

APPROVED BY:



MICHAEL P. VICTORINO, Co-Chair
Public Works and Facilities Committee

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Transcribed by: Pauline Martins