

**MAUI REDEVELOPMENT AGENCY
REGULAR MEETING
SEPTEMBER 19, 2008**

Approved 10-30-08

A. CALL TO ORDER

The regular meeting of the Maui Redevelopment Agency (Agency) was called to order by Mr. Ronald Kawahara, Chair, at 1:01 p.m., Friday, September 19, 2008, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Island of Maui.

A quorum of the Agency was present. (See Record of Attendance.)

Mr. Ronald Kawahara: We'll call the meeting to order. My name is Ron Kawahara. I'm the Chair of the Maui Redevelopment Agency. The time is 1:01 p.m.. So the agenda, if you don't have one, there's a copy is on that desk with the sign in sheet. So I'm going to pretty much follow the agenda.

B. PUBLIC TESTIMONY: Testimony will be limited to three (3) minutes per testifier. At two minutes, thirty seconds, a thirty second notice will be given. With the recommendation of the Chair, an additional three minutes may be granted.

- 1. Wailuku Main Street Association, Tri Isle Main Street Resource Center Report Update on Project Involvement Relating to Projects Listed in the Wailuku Redevelopment Plan.**
- 2. Wailuku Community Association report on upcoming events and projects.**
- 3. Other public testimony.**

Mr. Kawahara: Is there any – item B on the agenda, public testimony. We will defer Wailuku Main Street Association until after the Planning Department's report. But is there a report, Alexis, for the Wailuku Community Association?

Ms. Alexis Dascoulias: Good afternoon. It's very brief. I'm Alexis Dascoulias, President of the Wailuku Community Association. And we're excited to see the continued improvements on Market Street. And we had a very successful first Friday on September 5th. We have formed a first Friday Committee as a sub-committee of the Wailuku Community Association and that's going to have its first meeting on Monday, this coming Monday, September 22nd at 8:30 in the morning at Bohemian Boutique. And they are currently exploring extending the length of the time for the first Friday events or changing the time so that it starts later and goes later into the evening. And the next Wailuku Community Association meeting will be Wednesday, September 24th – that's next week –

at 6:00 p.m. at the Lao Theater. And the next first Friday event is, obviously the first Friday of the month, which is October 3rd. And I simply wanted to thank the MRA for its continued support.

Mr. Kawahara: Thank you Alexis. Any other public testimony? Thank you. Item C on our agenda – Community Clinic of Maui, Inc. Are there representatives, I'm certain are here who wants to lead off? That's right, the Planning Department. Go ahead.

C. PUBLIC HEARING ITEM

- 1. COMMUNITY CLINIC OF MAUI, INC. requesting to obtain approval to renovate an existing building to develop a community health center and request variances to various Wailuku Redevelopment Area Zoning & Development Code and Maui County Code Standards for a project located at 1870 Main Street, Wailuku, Tax Map Key: 3-4-012:011, (MRA 2008/0004) (Joseph Prutch)**

Mr. Joseph Prutch: Good afternoon Chair, Commission. I'll try and go ahead and be brief because I know the applicant is –

Mr. Kawahara: Please identify yourself for the record.

Mr. Prutch: I'm Joe Prutch with the Planning Department. I've got this MRA project for you. It's a Community Clinic of Maui at 1870 Main Street. The applicant is requesting to do some renovations to the existing commercial building, the former O`oka Supermarket, to include 88 parking stalls, two-loading zones, and various site improvements. The second thing they're requesting are five variances from the Wailuku Redevelopment Code and the Maui County Code.

A little bit about the project site, it's fronting East Main Street on the south and Nani Street on the north. Some of the surrounding uses on the north is Nani Street and Lokenani Hale, the Senior Housing Center; to the east is a commercial building, the architecture building, I believe it is, and some residents; south is East Main Street; and on the west side are some commercial buildings along Central Avenue.

As far as infrastructure at the site, for roadways, East Main Street is a two-lane county road with curbs, gutters and sidewalks. Nani Street is a two-way road with no curbs, gutters or sidewalks except on the north side, in front of the senior housing, there is sidewalk there. This project went to different agencies. One of the agencies, Department of Transportation, asked for a bus stop along Nani Street. And that bus stop is going to be incorporated in your plans that you have in front of you. As far as a description of the project, I'll let the applicant go into that with their slide presentation, so we'll get to that part.

I just did want to mention the variances they're requesting. A variance can be approved by your board when the variation is consistent with the objectives of conservations or economic revitalization, and when one or more of the following conditions apply – and there's four different conditions that you can apply towards approving a variance. And one of them is related to site topography. The second is related to local practices and customs that are long established in the area to ensure the continue market acceptance of the variation. The third is the design and plans for the site incorporate, improve or compensating features that will provide equivalent desired ability and utility. And the last one is the project will further the elimination of slum and blight; and forward the divisions, principals and objectives of the MRA plan. Of those four, the last three, B, C, and D, seem to fit the requested variances that the applicant is asking for.

The variances they're asking for. There's five of them. One of them is allow waiver of design standards for the distance between the driveways on Nani Street. I can't remember the exact. They'll go into that. But the distance between the driveways is substandard, but it's an existing condition from the old supermarket. They're requesting to waive that. The staff is support of that one. The second one is to allow a waiver for improvements to East Main Street and Nani Street because especially Nani Street is so small, they're requesting to waive those improvements standards. We're okay with not widening – our staff's opinion on this is we're okay with not widening Nani Street. There's no room for that. But we would like to at least see some sidewalks on that side since this is going to be used by a lot of people that might be walking to and from. The third one is allow waiver of design standards for yard set backs. On the south side, there's about a one foot setback between the edge of the building and essentially the edge of East Main Street. We feel that's okay. It's an existing condition. Staff is okay with that one. The fourth one is to allow dual use for one of the off-street loading spaces. They've got two off-street loading spaces. They're suppose to be loading only according to the redevelopment code. They're asking that one of them, the one closest to the entrance, be available for emergency drop-off as well. And staff feels like this isn't a major issue since there is a second loading zone, and there's not always going to be trucks at the loading site. And the last one is to allow of building height of 31 feet. The code requires a maximum height of 30 feet. The existing building is 31 feet. They're going to do some renovations to the building, and staff feels that keeping it at 31 feet is a fine thing to do and it's not going to affect any public safety issues or anything like that.

Staff is recommending approval of –. Let me first say that I did get – I just got these now. I got four letters from the public today. Three of them looks like they're in support. The fourth one, I can't tell if it's in support or denial – opposition I mean. I haven't time. It looks like it just has some concerns. One of them is traffic on Nani Street. They wanted some speed bumps to slow down. The second looks like they needed neighbor desiring sidewalks. It goes along with what staff is requesting. And the third one was for some kind of formal bus stop which I believe they're incorporating into the project, working with the

Department of Transportation.

Staff is recommending approval with 19 standard conditions for the design of the building. And we're also recommending approval of the variances with five conditions, with, of course a little tweak to the one asking for a complete waiver from the road improvements. We would like to at least see the sidewalks along Nani Street.

And as far as the applicant being here, I've got Karlynn I see. I believe Kyle Ginoza is here from – we've talked on the phone and haven't met each public yet. And our architect is here. And I believe the Executive Director of the clinic is here also. And they'll go ahead and introduce themselves as they come up. Thank you.

Mr. Kyle Ginoza: Thank you Joe. My name is Kyle Ginoza and I work for Munekiyo & Hiraga. And I also have Karlynn Fukuda from Munekiyo & Hiraga and we're assisting Community Clinic of Maui with the preparation – we've assisted with preparation and processing of this MRA variance application. We have a short presentation which is comprised of three parts. The first part will be a presentation of the Community Clinic of Maui, the organization, as well as their various clinics and what they propose for the Wailuku Clinic which is what we're here for today. And that will be presented by the Executive Director of the Community Clinic of Maui, Dana Alonzo Howeth. After Dana gives her presentation, Richard Miyabara, who is the project architect from GYA Architects will go over the designs of the renovated O`oka Supermarket Building. And he has a presentation as well as some poster boards to go over. After Richard is done with his presentation, Karlynn and I will go over the variances that we're requesting from this board. So thank you for having us today, and I'll turn it over to Dana Alonzo Howeth, the Executive Director of Community Clinic of Maui.

Ms. Dana Alonzo Howeth: Good afternoon. My name is Dana Alonzo Howeth, and I am the Executive Director for the Community Clinic of Maui. I've been with the clinic for 13 years, back when we started off operating out of the Ka Hale A Ke Ola homeless resource center, when we had seven employees. We have almost 85 now, so we are just really pleased to see that our project is continuing to expand and grow to be able offer services to more people. I'd like to take the opportunity to just give you folks a brief overview of who we are as an entity so you have sense of what we do, and what we will be bringing to the Wailuku Community.

First and foremost in a sentence if I could just say, if you remember one thing about who we are, we are part of the nation's safety net as a medical provider. We are one of about 1,000 community health centers in the nation that provides care to 17 million people in about 6,000 communities throughout the United States and its territories. Currently, there are 14 health centers in the State. We have ours here. And for our county, there's a new one on Lana'i that just opened up a couple of months ago, and also we have one on

Moloka`i, and one in Hana.

We are placed in areas where there is a few or no providers, in rural and urban communities, and even when there are providers such as in our communities, we are there because most of the time many providers do not see the patients that we typically see. Either because they don't accept Medicaid, they're uninsured or they have needs that these providers can not provide such as case management, care coordination, et cetera.

I think it's important to note that we are much like a Kaiser and a Maui Medical Group in terms of the fact that we provide comprehensive services under one roof, only we provide them to the under served, the working poor, immigrants, those who are homeless and those who just need that services that no one else will provide. We do offer extended hours so those who work can access us. Probably what's most important about what we do is that we are able to provide services for those who linguistic challenges and have cultural needs. Folks who, again, immigrants and those folks who need support in second languages. And I think, also, what's very different about our services from Maui Medical Group and Kaiser, is that we are able to provide services for those that are uninsured at a slightly discount so it based on ability to pay in terms of the income that folks make.

I think what is also a very powerful statement that of the 14 health centers that exist in the State, we are significant economic engines. We contribute to about 2,000 jobs and about \$165 million in an economic activity annually, and that's very powerful.

Our specific mission is to provide culturally sensitive – obviously given the folks that we do serve from different ethnic backgrounds – coordinated primary care under one roof. We emphasize education, prevention, and advocacy for folks who aren't able to speak and represent themselves. And again, it's all done regardless of their ability to pay.

We have three sites. We have our main clinic on Lono Avenue which will cease to exist once the O`oka operations begin. And we have our two satellite clinics which both exists – one is Wailuku and one in Lahaina, out of the homeless resource centers. Our hours are 8 a.m. to 7 p.m., at our main site. And we're open Saturday's 9:00 a.m. to 12 noon, and closed for lunch. And that is the hours that we will be open in Wailuku when we open up here. And our satellite clinics have shorter hours – 9 a.m. to 4:30 p.m., except on Tuesdays when we open at 10 a.m.

A little bit about the services because most people are always curious about what we do. There's a lot of misnomers about we're just about substance abuse and we're just about certain services. But again if you look at us, much like a Kaiser and a Maui Medical Group. We're very much like them except, again, for the under served. We provide health maintenance care which is your general preventative care; mammograms; pap smears; annual exams for men, children; treatment of common illness such as the common colds.

We have OB-GYN's on staff that care for our women and pregnancy needs of our women. Infant and children health care. We have two pediatricians on staff. All of our physicians are either board certified or board eligible. And we offer 24-hour physician on-call services and hospital services. And what's really important as you look across the nation with regards to the treatment of chronic diseases such as diabetes, high blood pressure, asthma and aids, we really provide a significant amount of services for those folks that have chronic conditions. And then there at the bottom, we have a little piece of what we do is mental health service delivery and some chemical dependency that we offer at our Wailuku clinic.

In 2007, we served about 8,000 patients. A portion of those, a little over 3,000 were males, and almost 5,000 were females, and we did that at about 30,000 visits. I think what's most notable again, what makes us very different from the other group practices is that many of our – not that different – a high percentage of the people that we serve are the working poor and they have incomes below the 200% of the federal poverty level, which is about \$47,000 for a family of four.

And then again, what's very, very notable for us is that 52% of the patient that we serve – and I think that this number is going to continue to grow with our economy being the way it is – are uninsured. And with our federal grant, we were able to provide almost \$900,000 in slightly fee discounts to patients.

And getting near the end, again, much like Maui Medical Group and Kaiser, we do submit claims to insurance companies – Medicaid, Medicare, private health plans – which represents about 59% of our payer mix. And then we have our federal grant which represents about 20%, and some State grants from the Department of Health, small county grants and some trusts and foundations that make up our payer base.

And again our target population are the uninsured - Quest, Medicaid, and Medicare – and to a lesser extent, private insurances because again there are physicians in the community that do care for the privately insured. But, we are certainly available for those who chose to come see our physicians. And I think that's it. Thank you very much for your time. Aloha.

Mr. Ginoza: Next, we'll have Richard Miyabara who's the project architect go over the design. Is there a cordless mic that he could?

Mr. Raymond Phillips: Ron?

Mr. Kawahara: One of the Commissioners has a question. Go ahead Ray.

Mr. Phillips: Is the Community Clinic a for-profit or non-profit organization?

Ms. Alonzo Howeth: We are a non-profit – 501C3 – yes. And as a federally qualified health center, 51% of our board members have to be consumers of our clinic.

Mr. Phillips: Okay, and do people subscribe to the service or do they carry like an HMSA card?

Ms. Alonzo Howeth: Some do. Again, we take all insurances. Our largest base of those that have insurance are probably Medicaid, Medicare and the Quest. But we do have a number of private insured – just a smaller percentage. For example, I have private medical insurance, HMSA, but I use the clinic. I'm a consumer of the clinic. So just a small percentage for those who choose to come to see us.

Mr. Kawahara: And can you tell us what your annual operating budget is?

Ms. Alonzo Howeth: It's a little over \$5 million right now.

Mr. Kawahara: Thank you.

Mr. Phillips: And this is for the entire island?

Ms. Alonzo Howeth: It is for the entire island. And as I noted previously, there are now health centers on Moloka`i and Lana`i, and we also have one in Hana. But certainly folks from anywhere in the State can access our services. It's not closed to anyone.

Mr. Phillips: That's great. And, again, the date of when the clinic started?

Ms. Alonzo Howeth: When we started?

Mr. Phillips: Yes.

Ms. Alonzo Howeth: 1993.

Mr. Phillips: Very good. Thank you so much.

Ms. Alonzo Howeth: Okay. You're welcome.

Mr. Richard Miyabara: Good afternoon. My name is Richard Miyabara from GYA Architects. First of all, I would like to explain about, as far as the site, where the community clinic will be situated. It's the old O`oka Supermarket. Here on the screen, this is the area where the market – the community clinic will be. And I have photos around it to show what the existing areas, around the neighboring areas, around the community clinic is like right now as well as what the O`oka Supermarket building looks like.

On the upper part, our left hand corner, looking down Nani Street, which is in this direction toward the Wailuku area, these are single-family homes. And further up is the Lokenani elderly housing, looking toward, on Nani Street, toward Central, this is Central Avenue here. Across the parking lot, looking towards Iao Valley direction, this west side parking lot is the Wailuku Florist building here, and the other business here. Here is the parking lot. Looking down towards Main Street, toward the Kahului direction, this is Main Street here. O`oka Market is – the building is right here now. Across the O`oka Market building is the Maui Realty building here. The existing building looks exactly like this – almost like this. This is an east elevation, looking from Nani Street. I`m sorry, this is the west parking lot, looking up towards – this the Nani Street right here. This is the existing building here. This area has been removed. This structure has been removed.

Along Nani Street, looking toward the market. This is the backside of the old building so this would be like the loading area for the O`oka Market. Along the parking lot, in the west side parking lot toward the entry of the building, this is what the building looks like right now. And on Main Street, looking towards the building in this direction, this is the O`oka Market building.

One of the requirements that we had to carry on with the design of the project on the exterior of the building was to carry on the character of like in the Wailuku Town area. And I`ve taken some photos of some of the existing buildings along Main Street such as these right here. And like on Vineyard Street, it`s like this building here. And along Market Street, which are these buildings at the corner of Central and Main Street. Most of these buildings as you can see has these characters of the facades of having more of a strong horizontal parapet walls on the top, and like canopies along the walkways like these right here. The other things are like fenestration through the buildings. There are like windows on the top like this above the canopies. You can`t see it here. But what we also tried to do is like our fenestration, we want to treat it with the doors and windows to have like this individual lights. As we go on further, I`ll illustrate that.

Along the – this is the view looking what we are planning as far as the improvements go on the exterior. This is a view looking towards the entry of the building. This is the west side parking lot. The exterior of the building – this is what we`re doing to kind of follow up what the character of the Wailuku buildings look like. The existing canopy here is going to be maintained with a concrete tile roof. The exterior of the finish is what we call a synthetic plaster on it. It`s going to be colored. The trim`s color will be a dark green on the top of the parapet walls, as well as the window treatments and the doors.

This is the elevation looking at the building from the Main Street, from the Fire Department side. The existing canopy along that Main Street will still be maintained. And we also carried on this character through the Main Street side on the building. The railing here right now is an existing pipe railing. We`ve taken that out and replacing it with a new aluminum

railing where the color is going to be matching as the windows as well as the trims around it.

Along Nani Street, along here, this is what use to be the loading dock area. What we – again, carrying the same theme, though, with like a parapet wall scheme. This is where the existing canopy of the building sticking out. And this is the walkway, leading back to the front entry is. The west side parking lot is here, and the east side is on this side here. We added a structure here up to the building. That's an exterior exit. It's a stairway exit. We're adding windows along the facade wall of the building. And the windows will have awnings, and the color will be the same green, dark green, as the trims and the windows. On the east side of the building – this is the east side parking lot and this is where Main Street is. Again, we're carrying the same theme throughout the top of the roof, adding windows here with the awnings, and the finish, of course, will be the same synthetic color plaster. I have the color sample of the finish here with me, and I'll show it to you when the lights are on – as well as the type of windows we are using – the color also.

This is a site plan of the building, of the community clinic. This is the east side parking lot, which right now is an open dirt area. And it's going to have parking stalls here as well as in the back side, we have a screened area around it, but we have this air-conditioning condensing units on the ground level. This is Nani Street here. Along Nani Street, we have these two loading zones. And also along the – we are reusing the existing driveways into the parking lot. We are adding this bus stop as requested by the Department of Transportation. Here's the entry of the building. There's a total of 88 parking stalls here, and two loading zones. Along the Main Street side, there was an existing entry, driveway entry, into the O`oka parking lot, but we decided to close that off. One of the main reasons is because of the – what we consider as like a traffic problem here where cars are coming through the parking lot and then be backing up into this busy street right here.

Along the edges of the parking lot and the property, we have this hibiscus hedges along here, mainly along here to at least screen off the parking here. Along the – also hibiscus hedges along the planting areas along Nani Street, and as well as the perimeter area. On this side here, we have bamboos that will be planted here with Lawai fern, and we are placing some landscape fabric to hold up and maintain the soil. There's a little difference in grade between here and here so we're maintaining the soil with this fabric to hold back any kind of fall off from the dirt.

The parking lot will have, as by County Code, like shade trees. We'll space it every five stalls or so within the parking areas – also along the side of the parking lots and on both sides. There's ground cover as well as shrubbery along the perimeter of the facility itself.

This is our landscaping plan. And I have the hard copy. The board here is showing the

type of planting we're using throughout the facility or what kind of canopy trees, the shrubberies, and all that. And I can also have it displayed here after. Also, it will be irrigated – automatically irrigated.

The plan for the facility when it's completely built out, what is going to be on the first floor, we have two major areas. This is the entry of the building. This is where the covered walkway is going to be. This is the lobby, and in this area, we call it like the adult care area. And this is where the pediatrics are. This is where the OB-GYN area is. This is the future area for the dental office. There's a pharmacy here. On the first floor will be primarily office area and staff area. These are all offices along here, facing the parking lot. And the financial area for the community clinic will be right in the middle here, and that's where all the medical records are kept and files. The executive office is on the second floor – the executive director and the rest of the staff along the perimeter. And you have a conference room for the community clinic's use.

On the type of light fixtures we plan to use in the facility is this somewhat – I would say an old style type of light fixtures which looks like this. It's about 12 feet high with a two-foot pedestal here, a concrete pedestal. The lights you have are reflectors shining the light down where the lamp is – right under that you need enough light spread to cover the parking area. The windows treatment we're planning to use if they were double-hung windows would be a green – these would be a fiber glass windows with a green solid – I mean, a dark green color which there are some – in the windows there will be what we call a grid system which simulates like a true muttens on the windows. What I did was, also included in some sections of the buildings, we're not adding to the height of the building at all. This is a section looking in from Nani Street and this is Main Street. This section here shows it going from the parking lot on the west side to the east side parking lot. That concludes my presentation so I'll turn it back to Kyle.

Mr. Ginoza: Again I'm Kyle Ginoza with Munekiyo and Hiraga, and we are assisting with the MRA variance application. So I'd like to go over the variances that we're here before you today for. So to give you a little background, the subject property is located with the Wailuku Redevelopment Area. And we recognize that this Board has jurisdiction over a lot of the requirements within this Wailuku Redevelopment Area, which is why we're before you today.

The community clinic is seeking five variances from, or waivers, from the Code requirements. It's primarily on existing, non-conforming layout; and also community input we've received for the following. And I'll briefly go over these five and I'll go over it in more detail in a moment. But the first one is design standards concerning the distance between the two driveways. The two existing driveways that are the main access for the parking lot of the former O'oka building. Also, road improvements to existing streets. The third one is regards to the minimum setback from the property line. The fourth one regards the dual

use of the off-street loading space. And the last one is an existing non-conforming for the building height, the maximum building height.

So the first variance request is to allow a minimum distance between driveways of 35-feet, when the Code requires 45-feet of separation difference. So you can see here's Main Street, Central Avenue is up here, and then Nani Street is here. So this is where you enter the parking lot, come around and this is where you can exit the parking lot. This distance right here, which is existing, exists at 35-feet. And we're asking that it be allowed to be retained at 35-feet, when the Code requirement now is 45-feet. The 35-foot separation distance is like I mentioned the existing configuration that was used by the former O`oka Supermarket. If we are to accommodate the larger separation distance, we'd have to reconfigure the parking which would be a quite significant modification of the parking layout. And we felt that by retaining the existing parking layout, it wouldn't alter the existing character of the neighborhood.

The second variance that we're requesting regards the retaining of abutting streets at their existing widths and configurations. In other words, no road improvements. And that's for Maui County Code Title 16. And we feel that what supports this variance request is that with other projects in the area, there has been previous support as well to keep the streets in their current configurations to maintain the local character of the area. And if we do so, in keeping with the current configurations, functionally we feel that it will retain that existing character of the neighborhood as well.

The next variance, the third variance, is regarding the side setback which is currently one foot when the requirement currently is six-feet. And I can show you on the next slide, on the site plan, where that is. Again, this is – same orientation – this is Main Street, Central and then Nani Street. In this eastern corner of the building, there's only a one-foot setback from the property line. And the current requirement is that it's six-feet. So we're requesting a variance to retain that one-foot setback.

The Community Clinic of Maui is utilizing the existing shell of the former O`oka Supermarket building which is an existing, non-conforming condition. They're not proposing to further encroach into that limited setback area, and as such, we don't feel that it will alter the existing character of the neighborhood because the community has grown accustomed to that portion of the building being close to the property line. If we were to make an alteration to recover that six-foot setback, it would be quite cost prohibited which is why we're pursuing this variance.

The fourth variance is to allow dual use of one of the loading zone, and this is per the Wailuku Redevelopment Area Zoning and Development Code. And in particular, here are the two loading zones, and this is the one that we're asking for in particular that it not only be a loading space for material loading and unloading, but also an emergency drive up

area. For instance if somebody wanted to drop off a patient and didn't want to have to park, and would be able to come up here and just drop somebody off. We felt that if the loading space was available, that we allow that type of activity to occur.

As I mentioned, there are two loading spaces located on site, and the dual use of that one space would allow greater accessibility for patients and to just help with mobility. And because it's off-street and in the property, we didn't think that it would pose as a health risk to the public.

The last variance is to allow a building height of 31 feet, where 30 is the maximum in that area. This is an existing non-conforming condition where Community Clinic will retain the existing roof line. And this request of one foot over is roughly – just over 3% of the Code requirement. And the other elevation or the elevations along the other or the heights along the other elevations will remain the same, so they will be conforming.

We did hold a public meeting in December of last year – December 18th of last year which we held at the Wailuku Hongwanji social hall. And there's a summary of that meeting that we prepared that is part of the application. But I wanted to just go over a few of the question topics that came up. I mean other things came up but these are some of the question topics that came up. One concerned the clinic operations. In particular, if there would be substance abuse centers or a lot of emergency, like ambulance type activity with the clinic. And the clinic will not have substance abuse centers or a substance abuse center at this Wailuku facility. There is substance abuse treatment at a couple of the other facilities, but it won't be at this facility. And regarding the emergency activity, it was mentioned that, I think over 2007, there were about two ambulance drive ups to the Kahului clinic, so it's rather infrequent. And it's not a 24-hour facility. As Dana had mentioned, generally speaking during the week, it's from like 8:00 in the morning until 7:00 p.m. that the clinic is operating, as well as 9:00 a.m. to 12:00 on Saturday. So it would be pretty much during the normal business hours that the clinic will be operating – some extended hours.

Regarding the road improvement, there was some questions about the County bus stop because when O`oka was open, the bus would go in and stop in the O`oka property. But in speaking with the County DOT, they preferred having a stop along the road so they wouldn't spend much time actually going into the parking lot and such. And subsequent to the meeting, the public meeting, we met with the Department of Transportation, the County Department of Transportation, to try to work out a solution that was amenable to them and to the clinic. And the configuration that Richard had presented was amendable to the Department. I actually spoke with the Department's Director Don Medeiros this morning to insure that he was okay with the configuration of the bus stop.

And then the last thing was the project schedule, and we had mentioned that once all the

necessary permits are obtained, it would take roughly an eight-month construction schedule. Right now, the building permit for the clinic is currently in process, and hopefully soon they'll get their building permit so that they'll be able to start the construction process in that eight-month process.

That's all we have, but we're here to field any questions that you may have. I also wanted to mention that we also have Kirk Tanaka, the civil engineer on this project, as well as Dawn Randenburg who's the project construction manager. Thank you.

Mr. Phillips: I have a question.

Mr. Kawahara: Go ahead.

Mr. Phillips: The Planning Department recommends one condition/change in the request to have no alteration and that is to install a sidewalk. Have you evaluated the cost for installing a sidewalk?

Mr. Ginoza: We haven't evaluate the cost, but we're okay with the condition that we meet with the Public Works Department to get a configuration amenable to that, that we can work out.

Mr. Phillips: It seems to be a recommendation coming out of Public Works as well.

Mr. Ginoza: Yeah.

Mr. Phillips: And one last question. As to the build out, is there funding available right now or would they have to go in and obtain funding?

Mr. Ginoza: I'd rather defer to Dana Howeth who could speak to that more accurately.

Ms. Howeth: The project was designed in phases. It's roughly an \$11 million project. And we currently have \$4.3 million raised for the project and that will be for the base bid that we'll build out approximately three-quarters of the first floor. And the remaining phases will come once the remainder of that funding comes into place. And we will be going out for a capital campaign shortly, probably in November. So yes, \$4.3 million for the project has been raised to date and we have that ready to go.

Mr. Kawahara: Bob?

Mr. Robert Horcajo: I have some few technical questions first, but I'm going to mention something to Joe. I noticed that you have the wrong parcel number on your report – parcel 11 – that's throughout the report itself.

I guess I'm going to start on the sidewalk because Ron had mentioned it and this might go to Kirk. I know in the report somewhere it talks about, I guess, the pavement width – 27 feet or 24 feet. What is the right-of-way width? And I realize that you said you're not going to look at cost, but you have something that shows the location of the pavement in relation to the right-of-way? Just to know if there's enough width for a sidewalk on the property side?

Mr. Kawahara: Bob, you want to speak into the microphone?

Mr. Horcajo: I'm Sorry. I've never did this before. Sorry. Do I have to repeat it?

Mr. Kawahara: No.

Ms. Betts Basinger: Yes, the whole thing.

Mr. Horcajo: I can't remember. So I guess that's my question about pavement width in relation to the right-of-way width of Nani Place, and the potential for a sidewalk.

Mr. Kirk Tanaka: Good afternoon members of the Maui Redevelopment Agency. My name is Kirk Tanaka. We're the project civil engineers on the project. To answer Commissioner's Horcajo's question, the existing right-of-way width of Nani Street is 30-feet. Property line to property line, Lokenani Hale to the current O`oka Supermarket site is 30-feet. The existing – and your second question was about the pavement width, yeah?

Mr. Horcajo: The pavement width just to know the pavement location within the right-of-way to know whether a sidewalk could be placed in what would be considered the shoulder of the right-of-way.

Mr. Tanaka: Currently, the sidewalks that are currently proposed for the community clinic site is on the community clinic property.

Mr. Horcajo: Oh, is that right?

Mr. Tanaka: Yes. And it's similar to across the street at Lokenani Hale. Lokenani Hale on the north side of the community clinic building, there is a concrete curb, there is no gutter. There's a planter and then sidewalks similarly is on the Lokenani Hale property. It's not within the County right of way.

Mr. Horcajo: So sounds like you folks have looked at the sidewalk a potential location. How does that impact the bus stop if now the bus stop is being planned where maybe the sidewalk would be?

Mr. Tanaka: We're proposing to install a sidewalk on the community clinic property between the upper and the lower proposed parking lots. In other words, you'd be able to walk from the upper parking lot where everybody parked at O`oka Supermarket before, and walk along Nani Street on the Community Clinic property, on a concrete sidewalk, to the lower parking lot.

Mr. Kawahara: So why – my question is why is this is variance then if you are going to provide the sidewalk? The impression we got was that there was going to be no sidewalk.

Mr. Tanaka: No. Not at all. Not at all.

Mr. Kawahara: So you are proposing a sidewalk?

Mr. Tanaka: Yes. The sidewalk does not go all the way to the Wailuku Florist building, and it does not go all the way down to the property that is makai of the community clinic parking lot – lower parking lot. So what it does is it just connects the upper and the lower parking lot as currently proposed.

Mr. Horcajo: So just along the building – the south end – the north boundary of the building.

Mr. Tanaka: So the parking lot would be – excuse me – this is all concrete sidewalk in the front, at the main entrance. The proposed sidewalk would go from right here to right there.

Ms. Betts Basinger: I have a question regarding that. For pedestrian traffic walking to the clinic, there is now no entrance to get through the parking lot from Main Street correct? Or from Central. So pedestrian traffic would have to go down Central if they're coming from Main, and then cross over and go down Nani to enter the property?

Mr. Tanaka: It's my understanding and please correct me if I'm wrong in that if you're walking along Main Street you could still come up this way, up the stairs, walk along this sidewalk and then enter the building that way.

Ms. Betts Basinger: Okay. And then the loading zone that will be dual use, is there an entrance there or do they still have to walk around to the front if a patient is dropped off?

Mr. Miyabara: There is an entrance here. This is where the loading zone is, and we have a double door here. The entrance is going back straight into the facility.

Ms. Betts Basinger: Okay. Good.

Mr. Horcajo: I want to add to that then. If I remember on the plan you've got that's a ramp

kind of, and before that, there's a freight elevator, so they're going to go up that ramp entry walk, down the hallway, go through that door to the entry?

Mr. Miyabara: This ramp here is – it's a ramp, but it's like a six-inch rise to it. And the accessible entry if there need – this is where the – there's an exterior stairway here which you can come through here if there's a need for – any kind of people that have needs and have physical assistance. I'm sorry, I didn't get the second part of your question.

Mr. Horcajo: I think you've answered the question. If they're going up the ramp versus the freight elevator.

Mr. Miyabara: This is a freight elevator. We have a new passenger elevator here in the front at the lobby. But going up to the second floor – the second floor, like I was saying, basically is not a patient area. It's more for staff area – where the financial records and everything is kept – and the offices are for the administration.

Mr. Horcajo: I have another question about that area because I like to mention the loading zone – it seems like that if you're in either loading zone, do they have to back up on Nani Street to go out?

Mr. Miyabara: No, they're –. No. This is a loading zone. There's an access here. Nani Street is on this side of the planter.

Mr. Horcajo: You can drive through then? There's enough –?

Mr. Miyabara: Yeah.

Mr. Horcajo: Okay.

Mr. Miyabara: There's no blockage. There's no interference with pedestrian and vehicular traffic.

Mr. Horcajo: You've got the landscape planter on the outside. You've got the sidewalk –

Mr. Miyabara: – along Nani Street separating that.

Mr. Horcajo: Oh, I see. The sidewalk is outside of the landscape planter.

Mr. Miyabara: This side.

Mr. Horcajo: The building side.

Mr. Miyabara: The building side.

Mr. Horcajo: So they drive over the sidewalk to go back out then on Nani Street is what you're saying?

Mr. Miyabara: I'm sorry.

Mr. Horcajo: So the person delivering would drive between the planter and the building, so over the sidewalk, to go out?

Mr. Miyabara: There's a planter stripe here. It's a loading zone here. They can back up and get out into Nani Street.

Mr. Horcajo: They wouldn't drive straight through you're saying?

Mr. Miyabara: No.

Mr. Horcajo: Okay. Thank you.

Mr. Kawahara: Ray?

Mr. Phillips: Question on signage please. In looking through the information that's provided to us, it appears signage for O`oka Market is still going to be on the facade?

Mr. Miyabara: I'm sorry. I didn't get it.

Mr. Phillips: Signage. Would you indicate where signage is going to be?

Mr. Ginoza: There's going to be the O`oka Supermarket – or right there – this signage would be up there and this business signage of Community Clinic of Maui would be on this canopy area.

Mr. Miyabara: And there's the same identical signage here on the bottom corner of the south-east – I'm sorry, on the Main Street side to say – at the Wailuku-Kahului corner of the building.

Mr. Phillips: Is it to memorialize that O`oka Market was there at one time as a historical –? Thank you.

Ms. Betts Basinger: I have a question about the double hung windows. Are all of the windows the double hung as you showed us and are they operable?

Mr. Miyabara: They are double hung. They're operable. There's (phonetics) windows in like around – to use an example, like a procedure rooms and the exam rooms in case the air-conditioning goes out, at least they can open it up. The double hung windows are more in the office areas. And like I was saying, this is the color of the existing – I was going to show it to you when the lights are on – what we're proposing for the walls of the buildings. This is just a cut away on the existing windows. These are fiberglass windows with a green painted finish on the outside, with the grill works that's in between. It's a double pane glass.

Mr. Kawahara: Any more comments from the Commissions? Questions?

Mr. Horcajo: I've got a few more actually.

Mr. Kawahara: Go ahead Bob.

Mr. Horcajo: If you don't mind I want to talk about the WMSA comments I guess. I guess, one, I appreciate the O'oka's signage, I guess, being put up and painting under that south sidewalk a little darker. The other three comments that they had was the access off of East Main and I'm not sure what to think about that. It does make sense that it would reduce the traffic on Nani Street. And especially knowing that it's only 30-foot right-of-way and you've got a bus stop that's going to encroach on the right-of-way when you park. That's somewhat of an issue for me, but I'm not sure what to think about that yet.

But the other two things was is there any reason why the existing trees weren't – what kind of tree?

Mr. Miyabara: Some of the trees are not in good shape – that's what my landscape architect was saying. So he's replacing those with some of the trees that are required – not required – on the (phonetics) – from the Water Department which we've requested. These are all new plants around, new trees around in the planting area. Like one of the – I know one of the comment says about keeping the Plumeria trees. But one of them what I saw was chopped off. It was broken down to – cutting it down to a couple of feet off the ground.

Mr. Horcajo: It's in somebody's yard now, right?

Mr. Miyabara: I don't know. But some of the plants there – the plumeria trees are not in great shape.

Mr. Horcajo: And then the last comment I believe they made was on more planting along East Main Street to show up at the parking lot I guess.

Mr. Miyabara: Yes. Along Main Street, we have this hibiscus hedge planned for that area. It's to screen off the parking lot from Main Street – the view – to screen it off or partially.

Ms. Betts Basinger: Is there a pedestrian access from the parking lot to the Wailuku Florist building or the Braynard and Black building?

Ms. Karlynn Fukuda: If I understand correctly – Karlynn Fukuda from Munekiyo & Hiraga – I'm still getting use to that – but there is, I believe, back door entrances for that Wailuku Florist building and the Braynard and Black building. But I do not believe that those businesses that are in there utilizes them as entrances.

Mr. Horcajo: I have more questions if you don't mind.

Mr. Kawahara: Go ahead.

Mr. Horcajo: I was curious on the parking situation. The first entry when you're coming up Nani going into the parking stalls I guess, that's a separate lot.

Mr. Miyabara: That's right.

Mr. Horcajo: Do they have an interest in that? A perpetual easement? What's the situation with that access?

Mr. Miyabara: They don't have any easement on that, do you?

Mr. Tanaka: Kirk Tanaka again. As I understand it, the Community Clinic has a half interest in that lot.

Mr. Horcajo: A half interest?

Mr. Tanaka: I believe so. I saw the title report that said – okay.

Mr. Horcajo: Well, he's got stalls on the right hand side when he drives in, but that's also access for you folks for the nine or 10 stalls on your left hand side. So I'm just curious if that building ever gets demolished and they decide not to build up to that back line, how would that affect your parking requirements? Unless you had a right to use that land anyway. Nobody has a true answer to that.

My last comment please, and this maybe – I'm not sure how to deal with this, but I know that it was brought up that there's not going to be any substance abuse programs there and that's not allowed I guess within the minor/medical services. But on your – whatever – slide you actually show that's one of the actual needs, but it's at different areas. I mean any

chance in the future – funding et cetera that, that could be moved up there. So I'm wondering whether that's a condition that we have to add on to an approval or it's not necessary or that's, I guess, for everybody's input?

Ms. Fukuda: Actually, if I could respond to that. Chair, if they do decide to change the use of the clinic and have that added, it would change the use of the clinic itself. And so a new MRA permit would need to be filed because a major medical facility is not permitted in that area right now. So they would have to apply for a variance.

Mr. Horcajo: That would be considered major?

Ms. Fukuda: Yes.

Mr. Kawahara: Go ahead Ray.

Mr. Phillips: Thank you. Was TIR done it? Traffic Impact Report?

Ms. Fukuda: There was a traffic impact assessment report done on the Lokenani Hale that also looked at the use of the – the different uses between the supermarket versus the community clinic. And the study basically concluded that the traffic is less of a generator for the clinic than for the supermarket.

Mr. Phillips: . . . (Inaudible. Did not speak directly into the microphone.) . . .

Ms. Fukuda: Yes.

Mr. Phillips: When was it done?

Ms. Fukuda: I believe it was in 2005 when the supermarket was still open.

Mr. Kawahara: Alexa? Ray? Bob? Any more comments or questions?

Ms. Betts Basinger: I do have a question. I'm still not quite clear about the number of parking lots you're proposing meets the requirement for the use of the building. These parking spaces that you have a half interest in is –

Mr. Tanaka: No just the access itself.

Ms. Betts Basinger: Just the access. Okay. No questions.

Mr. Kawahara: Does Wailuku –? Go ahead Kirk.

Mr. Tanaka: Chair, my I address to that? I can clarify that.

Mr. Kawahara: Yes.

Mr. Tanaka: And I think this slide is a little better. Commissioner Horcajo was talking about this property. This is a separate lot. It's actually a separate lot that is within the driveway where everybody is driving to O`oka Market that way. The clinic owns a half interest in this lot I believe. Not the Braynard and Black building. So the parking stalls, I believe, the pertinent parking stalls here for Braynard and Black building is on their property. Thank you.

Ms. Betts Basinger: I do have one more question about the clinic itself. How many employees will be added to Wailuku because of the clinic?

Ms. Fukuda: I'll defer to Dana.

Ms. Howeth: When we initially we're going to be opening with our existing staff. We're not going to be expanding any staff initially. And it probably won't be for another year before we add one more physician and then beyond that there may be – as we add our dental program and our pharmacy and x-ray, there may be a total of probably ten more employees added over the course of three to four years.

Ms. Betts Basinger: So your existing staff is how many?

Ms. Howeth: It's about 80.

Ms. Betts Basinger: About 80. And so over the course of 10-years, it could go up to –?

Ms. Howeth: Probably 90.

Ms. Betts Basinger: Thank you.

Ms. Howeth: And probably not much more than that.

Ms. Betts Basinger: Okay. Thanks.

Mr. Kawahara: Any more comments? Jocelyn is acting antsy over there, so I'm sure you have comments. You want to add anything to the letter you submitted?

Ms. Jocelyn Perreira: Jocelyn Perreira. Wailuku Main Street Association Inc. In light of the fact that there was a letter just issued out from some of the people involved on Nani Street. The one thing and trying to be responsive to current and up to the minute information, I

would just like to restate that we had previously, on October 20, 2007, talked about the elimination of the traditional access into the parking lot from Main Street. And I have to say that, that would make it really less traffic for the people on Nani Street. We still think that would have been a good idea if that would happen. But the comment about the employees and how many employees are associated with this particular project – I just want to restate again that this is more fuel to our fire for needing a municipal parking structure. Where are these employees going to park? Where are the patrons of the clinic going to park as Wailuku continues to have tremendous problems in finding parking. We would be remiss if we didn't express a concern for that.

And last but not least, since we had a recent review, I just wanted to reiterate where our parking – I mean, our professional architects are coming from when they were looking at the project as it sits in proximity in the relationship to the town. This is like the entrance into Wailuku Town. And so the way the building sits on the property, as you're driving up or as you're driving down, you see this looming parking lot and it would be nice it was more building than parking lot, and that was the reason why they offered a recommendation that some sort of street trees could be placed, it would soften that impact as an important element in the design aspects of retaining the flavor and character of traditional Wailuku Town.

So those would be the comments that I would like to make. We still think this is a wonderful project. It was our pleasure working with them through the design aspects. All of them are very qualified and I think they have the best interest in heart for Wailuku. We just hope that they can might reconsider the access from Main Street, and maybe something with the trees along Main. Thank you.

Mr. Kawahara: When you say "might" you don't have a strong position on that?

Ms. Perreira: Well if it's a deal breaker for the project, you know, we wouldn't say don't do the project if you don't put trees. But, you know what I mean? It's like, since they said they have quite a bit of money in the presentation, I thought, well maybe they can afford some street trees. And again, to be responsible to Wailuku, I think the comments and the questions about the parking, and especially that we have parking challenges already – you know, if we soften the impact of here's a parking lot, but people in town have no place to park, it would be of help. Thank you.

Mr. Kawahara: Thank you. Bob?

Mr. Horcajo: This is for – I don't know for whom – but back to this issue of keeping the entry I guess from East Main – a comment earlier was made –

Mr. Kawahara: Bob, microphone please.

Mr. Horcajo: I'm sorry. Back to issue of the entry from East Main – a comment earlier was made about being concerned about people backing out onto East Main Street – someone insinuated that was reason for kind of wanting to block that off. Is that a problem keeping that entry open I guess? From a financial standpoint, you have enough parking stalls. I guess, you loose two stalls.

Mr. Ginoza: I think we loose three stalls.

Mr. Horcajo: Three stalls.

Mr. Ginoza: Or four stalls. But it was a matter of, you know, you've got movements coming mauka on East Main, as well as this emergency – so people coming this way, and people coming this way and the entrance is right here which is an entrance only that there could be a little of cuing here depending on what's happening in here when this guy tries to turn in. And what we also noticed when just from our own experiences when O`oka was open was that even though it was an entrance only, people took the liberty of exiting there as well which I don't know how frequent that was, but it did occur at times. And so it was a matter of – this is under the State DOT's jurisdiction, they reviewed and approved the construction plans and we just felt that just for safety and traffic flows and to try to maximize the amount of parking that we could get were kind of reasons that we wanted to close off that area.

Mr. Horcajo: I appreciate you saying that you got DOT input. I guess that wasn't in the packet.

Mr. Ginoza: Well it's part of the building permit process versus the MRA because it wasn't an MRA variance that we're requesting.

Mr. Horcajo: I guess the standpoint I'm trying to sell us on the concerns. It would have been nice if those were in the packet. Because that was an issue brought up at your public hearing, Wailuku Main Street. Thank you.

Mr. Kawahara: Thank you. It was a good presentation. Any other comments from the public? Commissioners? If not, I think we should take a move on this. There's five variances that the applicant is requesting of our agency. Someone care to make a motion on each one or on all five.

Ms. Betts Basinger: Don't we want to hear the conclusion of the planner's report?

Mr. Kawahara: I think he made the conclusion.

Mr. Prutch: Public testimony as well.

Mr. Kawahara: We've had public testimony.

Mr. Prutch: There is one thing that I did want to add. Thank you. I noticed in one of the conditions in their presentation they mentioned the space between the driveway was 35-feet. In my condition # 20, I had it 36, so it's a minor change that I need to make in my staff report. I assume you're okay with that.

Mr. Horcajo: The plans show 36 as well.

Mr. Prutch: Yeah. I'll put 35. It's better to be one foot on the good side, than one foot shy.

Mr. Kawahara: All right. Someone care to make a motion?

Mr. Horcajo: I make a motion that we approve the five variances as requested with the understanding that there will be a sidewalk on the Nani Street side on the length of the north boundary to get from both, to and from, both parking lots.

Mr. Kawahara: Do I hear a second?

Mr. Prutch: Excuse me? May I interrupt? I'm sorry. If I can add one more condition, a standard condition, I must have left out. Standard condition requiring the applicant to submit a compliance report to the Planning Department for review and approval; and a final compliance report. I must have left that out in my conditions. So I would like to add that in as a standard condition. And then there was one more thing, I wanted to make sure the condition for sidewalks – let's see, how do I have this condition? – I'd say a sidewalk shall be constructed on the subject property along Nani Street to the satisfaction of Public Works Department. So I guess that leaves it open for the applicants to work with the Public Works staff to ensure where the sidewalks are going to be because to my understanding, I thought the sidewalk was going to stretch along Nani Street on the entire property line. But in the presentation, they show it only in front of the structure itself, not all the way out to the extent. I didn't know which way you felt on that. If we want to leave it to the Public Works Department, they can work with Public Works and Public Works can work where the sidewalk shall be. If that's okay with you.

Mr. Kawahara: Bob, you willing to amend your motion to include the standard compliance?

Mr. Prutch: Compliance report?

Mr. Horcajo: Yes I am. And I guess the addition of the comment on the sidewalk – to have them work with Public Works.

Mr. Kawahara: That may require –. Why don't we get a second and then we can discuss

the motion.

Ms. Betts Basinger: I'll second.

Mr. Kawahara: My comment, as I understand, the applicant just wants a sidewalk along the side of the building, rather than extending the full length of the property on Nani Street. So if the Department of Transportation – I mean, Public Works requires the full, then they're going to have to come back here. I mean, how important is it to have the sidewalk for the full length? I can see it for the building, but –.

Mr. Horcajo: What I remember, I mean, isn't there asphalt pretty much all the way down there now? There's really no shoulder. There's just the right-of-way and the existing asphalt that was used by the market. So now you're just putting landscape planters on part of that, so it seems like there's still a natural path in front of the western parking lot, and down by the eastern side, but I'm not real sure. I guess I'm not on the eastern parking lot.

Ms. Fukuda: On that back parking lot, in the – I believe that section is currently paved. And maybe Kirk, you can indicate where that, with the site plan, where the section of the sidewalk will be?

Mr. Horcajo: I want to bring up a point too. If we agree that Ron is correct that you have come back if Public Works says to extend it from boundary to boundary.

Mr. Kawahara: Your motion Bob is just to approve with the sidewalk as presented, just along side of the building.

Mr. Horcajo: Exactly right. But I'm saying that if Ron is correct in his question that if Public Works say go along the whole Nani Street frontage and you have to come back, I guess you need to consider now whether you rather –

Mr. Phillips: Can we amend this to say –

Mr. Horcajo: – go all the way down.

Mr. Phillips: Bob, can you amend this to say whether it was in compliance to Public Works because that's what it's going to come down to.

Mr. Horcajo: Right.

Mr. Kawahara: No.

Mr. Phillips: Well, we have to –

Mr. Horcajo: But, no, even though I said that Ron is saying that if Public Works – if I'm saying – amend it by not including –.

Mr. Phillips: Like saying we're in agreement that if it requires a sidewalk in compliance with Public Works.

Ms. Betts Basinger: They haven't asked us waive that requirement for their project.

Mr. Phillips: Okay, fine.

Ms. Fukuda: Actually we have. I mean, we've asked for a waiver from that entire section of the County Code which include sidewalks, curbs, gutters. And what I believe the Planning Department has done in condition # 21, proposed condition # 21, is to say that sidewalk would be provided along Nani Street. And I guess actually if we could suggest an amendment to this to condition #21, we can take out East Main Street because for that portion we are closing the driveway on East Main Street, we would be providing concrete curb, gutter, sidewalk – or concrete sidewalks – sorry, concrete curb and sidewalk. So we can strike East Main Street from that condition.

Regarding Nani Street, you know, there is only that one portion there. I agree with the Chair's point that should Public Works say no, we want it the whole way of Nani Street and community clinic is not able to afford the cost of the improvement, we would probably have no choice but to come back before the board and ask for a variance from that. And so if the board felt strongly about allowing us to provide for the sidewalks we are proposing, I believe this condition could be further amended to say, as represented in plans presented at today's meeting, that sidewalks would be provided along Nani Street.

Mr. Horcajo: I guess my only comment is – first I apologize for not reading condition #21 properly, but as I read it, if my motion is amended to accept #21 as written except eliminating East Main Street – if Public Works Department says that they want the sidewalk beyond what you've got on the plan, but to be along the whole frontage. Then if you have the money, you folks would do it, and not have to come back to us unless you want a variance. Is that correct?

Ms. Fukuda: I believe that's the case. And you know what, I'm sorry, I also have read condition #21 wrong. We should not strike East Main Street from that because I just realized it starts with no road widening lot shall be created along Nani Street. So I apologize. That is my error.

Mr. Horcajo: So in our discussion then I would rather amend my amendment. I guess just remove what I proposed and accept what is here as condition #21. Does that make sense?

Mr. Phillips: So we would be fore the condition?

Mr. Horcajo: Right. Exactly.

M. Phillips: And so provide a variance on the other four?

Mr. Horcajo: Right. Alexis seconded it so she has to waive.

Mr. Kawahara: Why don't we – Alexa, I'm going to recommend you –

Ms. Betts Basinger: I withdraw my second.

Mr. Kawahara: – withdraw your second. And let us restate the motion just so it's very clear to everybody. Why don't you restate the motion Bob.

Mr. Horcajo: My motion is to accept all the variance, the five variances – that's it I guess.

Mr. Kawahara: Subject to the standard conditional permit.

Mr. Horcajo: Subject to the standard condition of the adding of the requirement of the compliance report.

Mr. Kawahara: Compliance report –excuse me. Okay, Alexa?

Ms. Betts Basinger: Second.

Mr. Kawahara: Any further discussion? If not, all those in favor, please say "aye."

Agency Members: "Aye."

Mr. Kawahara: Oppose, "ney?" It's carried unanimously.

It was moved by Mr. Robert Horcajo, seconded by Ms. Alexa Betts Basinger, then unanimously

VOTED: To approve the project and the five variances as presented, and added a standard condition in which the applicant shall submit a compliance report to the Planning Department.

Mr. Kawahara: Thank you for you presentation. It was very well done.

Ms. Fukuda: Thank you very much!

D. PLANNING DEPARTMENT UPDATE

- 1. Update on Proposed Projects and Enforcement.**
- 2. Project Manager Work Plan, Draft RFP.**
- 3. Cash in lieu update.**

Mr. Kawahara: You're all welcome to stay for the most exciting part of the agenda. This is the Planning Department update. We have Clayton Yoshida from the Planning Department in place of Joe Alueta, our liaison. Clayton?

Mr. Clayton Yoshida: Thank Mr. Chairman, members of the Redevelopment Agency. I guess I'm subbing for Joe, as the Chairman said, who is out sick today. Relative to the proposed projects, we're continuing to process applications in the redevelopment area. I believe we have a public hearing item scheduled for next month on the Mynah Pub at Hart's Corner. No?

Mr. Prutch: For the Mynah Pub I had planned to have that for next month, but Jordan Hart didn't get the noticing out in time. So it's going to be pushed back to November. I just found this out yesterday.

Mr. Yoshida: So we don't have public hearing item for the next meeting in October. If there aren't any questions on that, I guess we did circulate the draft project manager work plan for the Wailuku Municipal Parking Lot Master Plan dated March 12, 2008.

Mr. Phillips: Clayton, you're going recruit for this manager? You're recruiting for this manager?

Mr. Kawahara: Yes.

Mr. Phillips: You have a RFP on this?

Mr. Yoshida: Probably Joe would know better.

Mr. Phillips: Joe, you're recruiting –. The Planning Department is recruiting an individual to be this manager that's going to be overseeing?

Mr. Yoshida: It's Joe Alueta.

Mr. Prutch: That would be Joe Alueta.

Mr. Phillips: It's going to be Joe.

Mr. Prutch: I'm the other Joe.

Ms. Betts Basinger: Joe is not the person.

Mr. Kawahara: Alexa –

Ms. Betts Basinger: We're putting an RFP out.

Mr. Kawahara: Alexa, why don't you give us a little back ground on that?

Ms. Betts Basinger: This is the same situation where we did actually meet with Jeff Hunt the Planning Director, and Joe Alueta. And Ron and I shared the applications that we had received for this position. We're in the process now of writing an RFP that will be put in the paper. And we had hoped that would have been done by now. And I'm sorry Joe is not here, so we don't know the status of it.

Mr. Phillips: So they'll be working for the Planning Department?

Mr. Kawahara: Yes.

Mr. Phillips: An employee of the Planning Department?

Mr. Kawahara: No, they'll be an independent contractor.

Ms. Betts Basinger: They are an independent contractor who's sole responsibility will be to the parking structure project, and will be reporting to the MRA. And I guess this is the manager's work plan that was submitted.

Mr. Horcajo: Mr. Chair?

Mr. Kawahara: Bob?

Mr. Horcajo: I guess I like the draft. I see it somewhat mirrors what Chris Hart office had prepared. My only comment is, I'm not sure the project criteria should be included in this particular scope of work because that's part of phase one which is the finalize conceptual design.

Ms. Betts Basinger: Where are you Bob?

Mr. Horcajo: I'm on page 3, Wailuku Municipal Parking Lot structure project criteria which

was added to the resolution. I'm just saying I'm not sure that should be part of this scope of work. That should be part of what goes through the review process in finalizing the conceptual design which is phase one of this project.

Ms. Betts Basinger: It's my understanding as well that the RFP that's going out for a consultant has a 12-month time frame. So clearly everything in this is not going to be accomplished in 12-months so it's a phased project and we will have to renew the contract or we would have to secure funding, or the Planning Department would have secure funding to keep a contractor in this position.

Mr. Phillips: It runs out to 2013.

Ms. Betts Basinger: No our money right now runs out June 30, 2009.

Mr. Phillips: Yeah. I mean, but the schedule runs out to 2013.

Ms. Betts Basinger: At least.

Mr. Phillips: Right.

Ms. Betts Basinger: So the schedule is as long as it takes to get it built. But the funding for this position expires.

Mr. Horcajo: I'd kind of go down my list here – three year funding from 2010. In this case, four-year funding. It says body prepared to deal with the budget hearing processes.

Ms. Betts Basinger: That's a really good idea.

Mr. Horcajo: That's going on right now with the administration.

Ms. Betts Basinger: That's a very good idea because we will be going with the Planning Department before the Mayor for this funding. And to have it multiple years is better than running out in June.

Mr. Kawahara: All right. So what do we want to do about our budget for fiscal year beginning July 1, 2009?

Ms. Betts Basinger: Well we were suppose to have in our packet for this meeting a current budget that included all of our expenses last year to date. And we didn't get that, so I guess it's going to have to be postponed till the next meeting.

Mr. Horcajo: Chair, it's not on the agenda too right, so we need to add it the agenda for the

next meeting?

Mr. Kawahara: Yes.

Ms. Betts Basinger: Discussion – it's item F on the agenda, but the budget was not presented.

Mr. Horcajo: I see. Last year's budget? This year's budget?

Mr. Kawahara: Next item on the agenda, under the Planning Department, is a cash in lieu update. You know, I'm very concerned about this item simply because this has been on the back burner of the MRA for I don't know 10-years. I mean we have to provide certainty to developers as to whether we're going to have a cash in lieu and what's going to happen.

So just a brief background is that under the current County ordinance, developments within, I think, 100-feet of the municipal parking lot, you don't have to provide parking. However, under the Wailuku Redevelopment Area, we can and have made a proposal in the past to have the County Council adopt the resolution, the cash in lieu resolution, whereby the funds from the cash in lieu would go to MRA for its working capital needs. And that resolution was passed out by Joe to the Board members. So the first thing that I think we need to discuss this perhaps not at this meeting, but we need to set up a special meeting to discuss this because on the one hand we're trying to encourage development. And on the other, our MRA cash in lieu makes sense for the MRA until we can obtain a secure source of funding. And the big question is if we do adopt a cash in lieu ordinance, and if we do get the funds as working capital, the question is how is that going to be imposed? I know numbers have been thrown as high as \$20,000 per lot for an office building or one lot per 500 square feet. That could come to anywhere from 15 to 20 percent of the total construction cost. It makes it not feasible. So I'd like the Commissioners to think about alternative needs, such as a percentage of the building permit cost perhaps. But what we need to do, I think, is to maybe set a meeting where we can put this to rest. Think about it. It's not fair to developers to keep going without knowing what they're going to be assessed in the future. So let's come out and accept public testimony, and maybe at the next meeting, we will give more time to this thing.

Mr. Horcajo: Mr. Chair? You had mentioned the resolution that Joe Alueta submitted to this?

Mr. Kawahara: I will submit again – the ordinance itself – the ordinance as was proposed.

Mr. Horcajo: This was a proposal a long time ago?

Mr. Kawahara: Yeah. Way before my time.

Mr. Horcajo: As far as giving the Commissioners a history as to what happened, why it died, who can provide that?

Mr. Kawahara: It was never presented to the County Council.

Mr. Horcajo: It never got to Council. Okay. My next comment, I guess, is for Counsel. Is there any record somewhere, where administration or Council, is against having in lieu fee being given to the MRA for the purpose of operations or can that be researched?

Mr. James Giroux: Personally I don't know off the top of my head if there's been any official action or discussion on that area. I could work with Joe to see if there was any proposal that went up to the Council, and we could try to see if we could get a hold of some minutes or something like that. But I'm not sure. I know that there's been a lot of – this issue also has run parallel a lot of times with the parking structure issue. And I know that it has made some jumps up to the Council. But I don't know if you want to rely on past discussion to formulate a strategy now.

Mr. Horcajo: Well, frankly, I just want to get some history, number one. And again, this is my first meeting, but I've talked to other past MRA Members and even current one, looking at the big picture that the MRA really doesn't do much. I guess if you look at HRS, Chapter 53, they can supposedly do a lot of stuff. But it doesn't seem like that there's a real connection between the rules and practices of this Board and Chapter 53, as oppose to the HCBA in Honolulu that has developed Kakaako, and has the statute specifically telling them what they have to do. So for me, I'd rather – the in lieu fees is kind of part of the – that's just a small part of the big picture here of us not doing nothing except for reviewing plans. So that's where I'm headed. Either we get support or, I guess, I would want to know sooner than later.

Ms. Betts Basinger: Well one of the concerns was that the in lieu fee – those dollars would go directly to help in the construction of the parking facility, not to the operation of this body, so that's a new twist as our Chair presents it now. It is a hurdle for revitalization and redevelopment. And what developers go by now is what exists, that there is no cash in lieu. There was only ever a threat of it.

Mr. Horcajo: Chair?

Mr. Kawahara: Yes. Jocelyn? This cash in lieu – just a second Jocelyn – this cash in lieu parking lot ordinance was dated – Joseph Alueta – looks like in March 18, 2005. So here's a resolution that Joe passed out to all of us. This was when Kimo Apana was the Mayor. It was dated July 10, 2002. It's been sitting on the back burner. We haven't taken action on this as far as I know.

Ms. Betts Basinger: Chair, could you explain why you're bringing it up as a priority? I don't understand the goal.

Mr. Kawahara: Our goal is to encourage development and redevelopment in the Wailuku Redevelopment Area. Part of the development, any development, in the County requires parking. So right now when people agree to develop they have to agree that they're going to pay a parking, a cash in lieu assessment, at some point in the future in order to allow the development at this point. There's one major project on Main Street that apparently is going to owe, I don't know, six figure income, when we adopt the cash in lieu ordinance or if we even adopt it. The permit was given on the condition that this cash in lieu would be paid. That is my understanding.

Ms. Betts Basinger: Except there's no ordinance that authorizes the cash in lieu.

Mr. Kawahara: Except there was a conditional permit that when the MRA adopts the cash in lieu that they would pay that assessment. To me, I mean, that's just like a big bomb hanging over your head.

Ms. Betts Basinger: That's right. It doesn't sound legal to me Corporation Counsel.

Mr. Kawahara: But I believe that's the case.

Mr. Horcajo: I understand that to be true that the Promenade and also Doug McLeod has got that building on Vineyard and Market, he told me that yeah, he's got a one-stall requirement of in lieu fee if and when the ordinance gets passed.

Ms. Betts Basinger: If and when.

Mr. Horcajo: If and when, at whatever amount.

Mr. Kawahara: But can you imagine if you're trying to do a development and now you don't know what this number is going to be. But then you've got to move forward so you agree reluctantly to sign this. It's not a way to encourage development.

Ms. Betts Basinger: I would really want to look at the reasoning behind that chaviot on the permit and whether or not that was a chaviot to granting that building permit. Because on what authority can you put something like that into a permit legally?

Mr. Kawahara: Well it was done. That's my clear understanding.

Ms. Betts Basinger: Right. I understand, but it doesn't mean it needs to continue to be done that way.

Mr. Kawahara: No, but the question is are we going to adopt a cash in lieu ordinance or not? If not, it's a moot issue, and we need to so state that any developments in the Wailuku Redevelopment Area will not be subject to the – will only be subject to the parking requirement as is in the current ordinance. However, if we adopt one, we need to determine what that amount is going to be so we can give certainty to developers. That's really the point. And I think from 2002 till now, I mean, we've got to act. It's a very difficult and controversial issue, but we should put this to rest. Before my term expires, I'd like to put it to rest.

Ms. Perreira: Thank you Mr. Chair.

Mr. Kawahara: Jocelyn? I'm sorry. Go ahead Alexa.

Ms. Betts Basinger: I think if we wanted to address this issue seriously, we would have to and we do have funds, we would have to have some really good research - legal, engineering and all kinds of research – done to advise us. And I agree with you, we should settle it once and for all.

Mr. Kawahara: And I think Joseph – I mean Joe Alueta has a great deal of back ground, probably the single one person who has the most background on this thing and can quote the laws and ordinances for us. So I think we should start preliminary discussion in the next meeting, just start it and maybe set a special meeting to put this to rest. Go ahead Jocelyn. Sorry.

Ms. Perreira: I have some information that will probably be clear. I've been looking through minutes of the MRA meeting. As you know I have minutes back to 1987. This issue on the cash in lieu started before Mayor Apana. It actually started in the Lingle Administration. The planner that has the most information regarding is this because Joe just picked it up from a former planner is Mr. John Summers. Along with Mr. John Summers, my recommendation because we have provided testimony that is a part of your record, but I would definitely call upon a couple of the former Chairs on the Maui Redevelopment Agency that they can put forth from their term what, you know, their understanding was.

As for the question that Alexa put forth about on who's authority? I believe the authority was from the Maui Redevelopment Agency that's suppose to have some very unusual powers, and they were assisted all the way through by the Corporation Counsel that was staffing the MRA at the time. They started with a large number, a large number for parking, as I recall, that was going to cost a lot of money. And there was some resistance from some of the property owners that were directly affected and impacted. And then they started to look at what number was more reasonable, and the way, my understanding and recollection of where it was left off, was that there was an ordinance that was prepared and the MRA was suppose to set the cost per stall. And the discussion regarding that, and the

different points of view never got fully discussed because it was kind shelved because you had one administration to the next, somebody might have one idea that supports it, someone else may have another idea that doesn't support it. But the fact of the matter is the Maui Redevelopment Agency has the unusual powers and that you do have laying out there, permits that were given for buildings and projects that are up, that we given only because they had a waiver that allowed them to put it up, upon which time they would have to when the parking structure was to be built, they needed to pay into that.

And the last thing I'll say is if you have a new reso, we would like to have a copy. We make a request at this time. Because our understanding is that the monies from all parking waivers for cash in lieu should go to a parking structure, not for working capital. And the last thing was you can not kind of divorce yourself from this cash in lieu issue because of the fact that the Wailuku Redevelopment Zoning and Development Code, when they talk about parking and the relaxing standards and the percentage of less amount that's due and what not, they also address a section in there on cash in lieu of parking. So it was kind of like adopted as part of a tool for the MRA to work off of. So there is such a thing as if a property owner out there wants to try and see if they can come in with a property and utilize the cash in lieu concept, that it is addressed in there. So I can not see how you can not have to deal with the issue and we thank you for trying to deal with the issue.

Mr. Kawahara: Well, I stand corrected. Maybe it was wishful thinking that the money would come to the – as working capital because I always have that in mind. But, Alexa is absolutely correct that the funds as drafted would go to the municipal parking structure.

Ms. Perreira: So can we have a copy of that new reso?

Mr. Kawahara: The one that Joe passed out to us?

Ms. Perreira: Yeah, we would especially because it maybe something that's after the fact and we have our own information too so if we have something to share, we can bring it to you as well. Thank you.

Mr. Kawahara: I will pledge to have it sent to all of the commissioners. The resolution that was proposed back in 2002.

Mr. Horcajo: So Chair, I guess, for our future in-depth discussion as it's talked about, can there be like a workshop format? You know, we're all sitting around, with John Summers, the Council, with whoever, and just talk as oppose to somebody standing up answering a question.

Mr. Kawahara: Well not really because under the sunshine law, only the two of us can get together.

Mr. Horcajo: No, but it could be at a meeting like this. But just a workshop style versus a testimony style.

Mr. Kawahara: In fact we already have precedence for this back in June when we talked about the parking situation. I think that's how it should be.

Mr. Horcajo: Okay, and then my other comment to Corporation Counsel I guess – this is just maybe for future discussion, but I noticed at a recent GPAC meeting – I think you're Counsel for GPAC – there was a term called investigative committees or something like that. Does that still pass muster I guess?

Mr. Giroux: Yeah, that's also a tool you can use if you're going use less than quorum to have an investigatory type of meeting. Basically you would have to follow the sunshine law procedure which would be you would agenda that you're going talk about creating an investigatory group. And then you would vote on who the members would be and you would delineate what the responsibilities would be. And then that group could meet without an agenda, without minutes, without a court report, and you could meet with somebody with expertise or you could meet in different locations in order to meet the objective of the investigation. And then you would put together a report. And at another meeting, it would be on the agenda that the investigatory group would be convening to present their report. At a subsequent meeting to that report, you would then on another agenda state that you would be deliberating and taking action on the report that was given by investigatory group.

Mr. Horcajo: I guess I'm bringing that up because when I was sitting at a public hearing of MRA a couple of months ago, Ron you had, Chair, wanted to have these subcommittees. So I'm –

Mr. Kawahara: There can only be – investigative committee can only be composed of two members.

Mr. Horcajo: Which is fine. So I'm heading there to say that maybe on the next agenda we can talk about that for parking issues – short term parking issues – maybe we can discuss that.

Mr. Kawahara: But the cash in lieu, Bob, perhaps we can start now. Appoint an investigative committee to research this cash in lieu issue. So I'm asking for volunteers.

Ms. Betts Basinger: I have a suggestion. Members, if we all look at the Wailuku Municipal Parking Structure and Mixed Use Redevelopment Project schedule that was part of this master plan submitted. And on page 2 of attachment A, as it talks about the line item tasks that need to be done under each phase. Page 2, phase 3, which is develop funding strategy and obtain financing for the parking structure. Down in item B, one of the dot

points is an option to look into cash in lieu fees for funding the structure along with County funding, not limited to Federal funding, establishment of a benefit assessment district, or BID, tax increment financing, parking fees, lease parking stall, et cetera. So cash in lieu really looked at from this perspective becomes just one small option in a real big project. And I think our focus, and I think it was Mayor's efforts to get our focus on the parking structure that we should wait till we have this person in place. I think we should prepare as much information as we can for this person. But we should take it in the order that's been defined. I just kind of want everyone to understand where cash in lieu really sits in the whole scope of developing the parking structure. And whether or not there is someone on Main Street that could potentially owe "gabillions" of dollar, I mean, that's not really our issue here. Our issue is to get a parking structure built and how are we going to fund it? So members, I would ask if we could use this as kind of our schedule.

Mr. Kawahara: Alexa, I'm going to disagree with you because whether we discuss cash, whether we set the amount if we adopt cash in lieu and we set the amount today or in 2009 like this project schedule calls for is irrelevant. The fact is there's people who want to develop. But they can't proceed until they have a number. And the number – so it's forcing people to sign this conditional permit with this number hanging over their head and not knowing what that could be.

Ms. Betts Basinger: So did Maui Clinic –

Mr. Kawahara: They already have adequate parking.

Ms. Betts Basinger: Okay.

Mr. Kawahara: I'm talking about five, six, seven thousand square foot non-standard lots.

Ms. Betts Basinger: Similar to the Lokahi Pacific lot?

Mr. Kawahara: Yeah, that kind of thing.

Ms. Betts Basinger: But that building got built and other buildings have gotten built and can get built because this agency has the power to waive those requirements.

Mr. Kawahara: Let me just put it in a different perspective. If you want to redevelop, remodel, or do a tear down and construct a new building, in order to get financing because I don't think anybody's got cash or wants to put their full cash into a development, you need to do a plan. A significant cost is to provide parking. Now on a substandard lot you can not provide parking, and the Planning Department generally discourages you to put parking on these substandard lots. So if your cost is – I'm going to give you some numbers because I own a property in Wailuku that I ran into this in 2001 – and the number that got

thrown out by Mr. Summers, of the Planning Department, was use \$10,000 per lot. At that time, that came between 15% and 20% of the construction cost. Yeah, it just didn't make sense. So, but I did not develop it because there was other reasons. But the point is I went through this process. I know other people have gone ahead with the conditional permit. So this Board has a responsibility not keep putting this thing off, and off, and off. Whether we make the decision or some future Commissioner makes a decision, the sooner the decision is made about this needs to be done. I feel that – I look at this from a development standpoint. If our goal is to encourage development within the Wailuku Redevelopment Area, we need to stream line the process of doing this. And cash in lieu, we're actually super imposing the MRA's decision on cash in lieu over and above the current municipal parking ordinances. So I'm not against the cash in lieu. In fact I'm in favor of it. But the point is what is that amount going to be? So we need to have a full discussion on this. Why is this thing being put off?

Mr. Horcajo: Chair, I guess, from standpoint, I agree that we should restart the dialogue as soon as possible, I mean, just because we should because aside from the dollar amount, there's implications of where the money goes, who controls the money – there's some issues where Council may have some issues there. So I agree with your point, but along the same lines – for Corporation Counsel – at a meeting I attended as a citizen a while back, there was a comment made from the public that the previous MRA Board made a decision to not give any more waivers. Now I want to know, or need to know, or want to know I guess whether that decision – I guess whether we can over ride that decision.

Mr. Kawahara: Of course. Certainly.

Mr. Horcajo: I want Counsel to confirm that I guess so it's not an issue.

Mr. Giroux: Yeah because you're looking at – right now I guess the system that you have is that you're looking at your redevelopment code and you're using the powers of the MRA under HRS 53 to basically administrate your code. And that's usually where an applicant will come in and state all of the problems he has with this project. And like we saw today, you have five or six variance, usually projects within the Vineyard and Market area have about 60 variances that they need. So what you're doing is you're actually doing an ad hoc evaluation of a property. You're not prommegating an ordinance, you're not prommegating a statute. There's nothing that binds you to look at what is the reasonableness of a variance or a design. Those are the two things that you're looking at. You're looking at does it meet your Wailuku Design Guidelines and then the other part of the work that you do is you're looking at your Code and how that project fits within your Code. And you've adopted a lot of the standard Codes under your Code. And what prior Corporation Counsels have advised is that under that you can give variances, and it's with your variances that you're looking at the parking. Parking would come under the variance because the County Code is very restrictive in a sense that it requires a certain amount of

lots per square foot based on use. So then you're asked for a variance from that. And so the short answer is yes, you can over ride it. But just so you understand the analysis behind of it is.

Ms. Betts Basinger: My thinking and thank you very much for explaining that again. My thinking on this is that we're now in a forward moving position with this administration to build a parking structure. And so therefore, if we're goal oriented and there is going to be a parking structure, it makes it easier to waive development right now because we're working really hard on getting adequate funding for the structure. You know cash in lieu is never going to pay what it's going to cost for this parking structure, so it's like looking at nickels and dimes for a multi-million dollar project. So personally I see it as a forward movement and we should bring ourselves up to speed on cash in lieu but as it relates to the parking structure and not anything more. We have the right to provide variances. So if there are developers that have property and they come forward – to me that's an incentive for people to develop their lots.

Mr. Horcajo: My last comment about the cash in lieu, again, not having any history but hearing that the intent was for the parking structure. I mean, I see for me the parking structure as written in this. The schedule is at least five years out – plus. For me, the MRA has a responsibility to look at short term needs too – short term opportunities. And if we can use the in lieu funds that are already there for the purpose of the MRA leasing, developing lots for parking, satellite things, we should do that. So my point being is the sooner the better and let's see where the chips fall. But it's not just for parking structure, it's parking in Wailuku Town, is my thought.

Mr. Kawahara: Well I think at the next meeting, we need to discuss whether we even want to do a cash in lieu or we just want to waive the parking requirements with the Wailuku Redevelopment Area. I don't know if there's anything in between. So I think that's a spring board for discussion and if we're going to waive the parking, if that's the feeling, it's not cast in stone, decisions can be reversed in the future. But my position is that we probably should adopt the cash in lieu. But the devil is in the details – at what amount? And it's not "manini" in the sense that the promenade building is going to owe approximately \$200,000 from what I gather.

Mr. Phillip: Well, Ron, to take a look at what the structure is going to come up to – it's \$20 or \$30 million – no offense – \$20,000 or \$30,000 which is going to stop a developer from doing a project is going to have no impact whatsoever. I can appreciate what Bob is having to say – personal opinion – I could appreciate what Bob has to say is if it can assist us in any other additional parking in the neighborhood, that makes a difference. But as for throwing at the parking structure, I mean, I think it's a huge detriment. I'm a developer. I've done it in the past. I've been doing for 20 years. And it would certainly stop me to come in and take a look at \$20,000 for every parking space.

Mr. Kawahara: It would stop you?

Mr. Phillips: It certainly would.

Mr. Kawahara: Well that's the point. If they say, well, if you want to develop, you have to sign this conditional use permit, the cost of which the MRA will decide at some point in the future.

Mr. Phillips: Certainly, that's right. So what Alexa is contending is that there is – you're being alleved of that responsibility at the time you come in as part of your variance process. You're looking for that to happen. Otherwise, if there is a cost in lieu, it should be as for what Bob is saying. You know, let's look at other alternatives, but not saying it's for specifically.

Ms. Betts Basinger: But I don't think that should be charged to the developer either. I do agree that it's the responsibility of the MRA in the interim while this parking project gets developed and built to provide temporary satellite parking. And we're going to do that. That's part of our mandate. So I agree with you there. Whether cash in lieu is appropriate for that, I'm not sure because – but it's worth the discussion.

Mr. Phillips: Well if we do that, let's set up a discussion time when we have enough time to do that, and let's not have it at a regular meeting.

Ms. Betts Basinger: We do need to go before the Mayor during this budget hearing time with our budget for our budget request with the Planning Department for next year. So that's real high because we would want to put in some funding to go along with this task list that they've proposed so that we can be able to plug in temporary parking as these certain phases start coming to furison. One of the first things we really need to focus on is cleaning up the existing municipal parking lot. Maybe re-striping it. Maybe re-timing it. And those things we can do by writing an ordinance also for Council. And that could also be something that's temporary while we're in the process of this five or eight year period of building the structure. But those, I think, where as a body we should be putting our energy.

Mr. Horcajo: So Chair, so back to the thing about the investigative committee. Maybe on the agenda next month, we can talk about forming one for short term parking issues and I'll update that spread sheet I had a long time ago.

Mr. Kawahara: Good. I still have it. All right, next on the agenda is the Wailuku Main Street Association.

E. Wailuku Main Street Association, Tri Isle Main Street Resource Center Report

Update on Project Involvement Relating to Projects Listed in the Wailuku Redevelopment Plan.

Ms. Perreira: Good afternoon Commissioners. Just before I get into this.

Mr. Kawahara: Who are you?

Ms. Perreira: I'm sorry. Jocelyn Perreira – Wailuku Main Street Association, Tri-Isle Main Street Resource Center. I do want to – there was one other point on this cash in lieu – urgently – you need to address to whoever got the waiver if they sell their building in the mean time because they did receive a parking waiver, to get their buildings built. Now they could conceivably sell their building and they you guys are left high and dry collecting their money, and that's an issue and that was the one last thing I wanted to remind you folks as to one of the reasons why you want to try to stay on top of this.

Now, in addition to the cash in lieu, which by the way, I offer our assistance to go track down some of this information and share with you when you set up your workshop so that we can bring to the table what we have as well in cash in lieu of parking. I want to invite all of you to the Wednesday in Wailuku. The next one which is this coming Wednesday. We want to make sure that when the County has the Maui Island Plan that it is well aware of the importance of Wailuku Town. And in particular, as well as urban growth boundaries that we need, that we need rural growth boundaries around Wailuku. It is going to definitely impact on what happens in the area. The last time, we were just jammed packed, no room, even standing was tight. So please call early if you want to get in.

We've also looked at project reviews. You've seen the Community Clinic of Maui. And there's one that's coming up, the Mynah Bird Pub which some of our people are really excited about getting a pub in Wailuku. And we have one that hasn't come in to even submit a formal application, but we urged them to do so. Because after working with them for while – our professionals have been working with them for a while – is Kahikili Terrace. They're going to do an exterior physical improvements and have consulted with our people extensively. They're going to have a sit down discussion to make sure that they get the finer points. But I recommended that they start the application process with the MRA in the meantime so that they just save some time to come.

And then there's new businesses coming into Wailuku. Not the least of which – Bob, I'm sorry, I can't remember the one right next to your office – what was the name?

Mr. Horcajo: . . .(Inaudible. Did not speak directly into the microphone.) . . .

Ms. Perreira: The Maui Thing. Yeah, I already bought some nice stuff over there. And Summerhouse is coming in where Kozo Sushi.

Mr. Horcajo: . . . (Inaudible. Did not speak directly into the microphone.) . . .

Ms. Perreira: Well, then you have a little bit more current. But I just want to reassure everybody because there seems to be paranoia that – just some elements may want to put out there – that there is concerns for these small towns becoming ghost towns and they're not. They are quite viable. They are responding to challenges of changing times, and tremendous challenges of what's happening within the world, with what's happening with economic impacts, the airlines, greedy landlords at times, challenges with – to me – parking requirements and other requirements and all of that. And there are people that are either having musical chairs as we call them if they go from one part of one town to another part of another town, but they're staying in the town. Or there are other businesses lined up to get into the areas that have vacancies. So it's not like our towns are going to be shutting down any time soon. But I do know that there are some businesses that are having tremendous challenges and I think restaurants are the hardest hit. And that's because of the visitors. And that includes, you know, what people have heard that transient vacation rentals and bed & breakfasts – they're all part of –. But no different than any where else. The malls are – I've visited the malls – malls are having challenges too. But I did want to report that to you all so that you do know that we are all trying to respond.

So consultations are taking place. We had a consultation with the people who are conducting the Wailuku campus study. And I'm sure they're be bringing that project to you very shortly. It may have some impact on what we're doing relative to the municipal parking structure. And I think at the appropriate time when you place it on the agenda, we can have a quality discussion on that.

Mr. Horcajo: Excuse Jocelyn.

Ms. Perreira: Yes?

Mr. Horcajo: Like if he's preparing that, and is that for like the old civic area including –

Ms. Perreira: It's much broader than that.

Mr. Horcajo: It's much broader.

Ms. Perreira: Much broader. What it is is they're trying to take stock of all of the County used property that they have leased outside of Wailuku, this area, and taking a look at how much money that they're spending outside for rentals. And then taking a look at what property they do own in the Wailuku, broader Wailuku area, and trying to see, I guess, how County can be conservative – like conserve some of its funding and keep it on properties that they own. So they present some positives but also some negatives too. They're accomplishing maybe some of our goals and at some point in time we'll have a broader

discussion.

Mr. Kawahara: And what is the status of the presentation – the power point presentation to the County Council? It has been deferred.

Ms. Perreira: Yes, you're right. It's ready to go. We're all ready. From our Main Street standpoint, all of our professionals are waiting in the wings with their testimonies. We are ready to go, but we are waiting on the tarmac for a rescheduling by Council member Mateo in the Policy Committee. We had been slated to come before the Policy Committee, but the Council lost quorum because I think Mike Victorino was sick with the flu that day so they had to cancel. So we're waiting for rescheduling. And I guess, it's a question of you know, they are dealing with important issues like Molokai and what have you, so I guess it's just a question of priority.

Mr. Kawahara: And you will notify us when it –

Ms. Perreira: Absolutely. The moment we know anything. Because I do think we have to be prepared. We are concerned about some of the happenings on Market Street. And Yuki is well aware of this too because there actually is a petition to try to stop the beautification project – the planters – to remove the planters and what not. You know, people have been just not happy with that project and part of it is, from our understanding is in talking with some of the – Chris Hart & Partners, Bill Mitchell is their landscape architect – is that when they went to dig in and do the project, they ran into some real problems that you can not anticipate like the power lines and water lines and what not. So obviously that created the need for change work orders. And I know the merchants keep saying they weren't told, they weren't consulted but frankly, they have been consulted about this project for many years now. But they were not consulted about the change work orders as we were not either. Because I guess it's like when you hire a carpenter to go remodel your house, and he gives you a price and he gives you a date. But once he breaks open the wall, he got to deal whatever he finds there. And that's what happening. So what we're trying to do is just try to tell everybody to just try to bear with the situation and put the emphasis and the focus on the municipal parking structure because frankly the way we are right now with revenues and the Council is tight on monies and everything else, and they're trying to do due diligence of what is priorities here, we can not afford any kind of – that we're not all together in something. We have to not only be in the same book, we have to be on the same page and on the same line, if not the same word so that we can make this municipal parking structure happen. So that's that.

And thank you for this opportunity to continue to work and provide you guys with good information. And I will be happy to assist if you need to contact the prior commissioners if you're going to have a cash in lieu discussion because I know this has been a long time, and I think we have to get it right. We can not afford not to get it right. Thank you.

Mr. Horcajo: Chair, I have a question. Excuse me Jocelyn, do we get written reports from WMSA and WCA? Is that kind of standard normal?

Ms. Perreira: We are inundated. We always give verbal reports.

Mr. Horcajo: Is it possible to get written report that comes with that?

Ms. Perreira: It's very difficult for us to do that if not impossible. Even when we're doing our board of directors meetings, we have last minute stuffs that we're putting together. And sometimes there are things that happen to us the minute we walk in or somebody presents something to us. So our report is documented in the minutes and it gives you all of the information, but I can not give you something before hand. We give ample information. As to whatever we're going to talk about is listed among the elements on the Wailuku Redevelopment Plan. In other words, we have events and all kinds of different stuffs that we do everywhere else as well, and that's not part of what you're getting.

Mr. Horcajo: Well, no, I'm talking more about the projects like this update on project and involvement. It would have been a page or something.

Ms. Perreira: I'm sorry, but that is not something that we have –

Mr. Horcajo: – you've ever done.

Ms. Perreira: Yes. We have never had a written one. I generally try to give you guys a yearly on each segment of the plan. I give you a yearly update, and I give a yearly progress report and you've had that in writing.

Mr. Kawahara: Thank you.

Ms. Perreira: Thank you for allowing us to help present and assist you in the best way possible. Mahalo.

F. Discussion on FY 08 and FY 09 Budget breakdown

Mr. Kawahara: Item F on the agenda - discussion of the fiscal year 2008 and 2009 budget. So as far as the expenditure of year to date and how much we have available, I guess Joe is going to present that next week – next month. And we need to start work on the fiscal year 2009 budget because that's got to be, hopefully, part of the Mayor's budget. So Alexa I'm asking you to volunteer to start the process.

Ms. Betts Basinger: I'm sorry Chair. I have been trying for months to get the budget data from Planning Department, and I was more than willing and volunteered at that time to do

it. But the Mayor's almost finished with her community hearings and we don't very have a current budget, so I can't be – the time restraint is too strict. I can't do it.

Mr. Kawahara: Do we need the old budget?

Ms. Betts Basinger: I can put forth the old budget that we had. I'll dig that up and bring it. But, between now and our next meeting, something is going to have to be written and submitted to budget department.

Mr. Horcajo: So Chair, just by clarification, you mean the 2010 budget is what you're talking about? And then #2, is that something that Joe Alueta could be asked to get that as staff?

Ms. Betts Basinger: We've been asking him for about nine months.

Mr. Horcajo: You have been asking Joe Alueta okay.

Mr. Kawahara: It's no reflection on Joe, but we know how his time constraints that he has. This is why it just re-emphasizes why the MRA needs its own staff. I mean I don't want to dwell too much on this. We went through this process but so many of these things we rely on the Planning Department, and they're just understaffed. It's the issue. So it's difficult to carry out our mission unless there's paid people that devote their time exclusively to what we do. Anyway that's just for comment purposes. But the budget, we need to move on this. We just can't just not do anything because the way we proceed and I think the budget should be presented on the basis of staffing. I mean, we've got to do this.

Ms. Betts Basinger: Well it's not just on staffing Chair, the MRA has on-going projects that it does in Wailuku, and all of those things need to be funded. In addition to this project manager, that comes out of the MRA money in the Planning Department. So our budget is extremely important. And not knowing where we stand from month to month to month is just not good business.

Mr. Kawahara: That's right. We need to get a monthly financial report, hopefully prior to the meeting so we can review it. In any event, we should probably schedule a meeting with the Mayor.

Ms. Betts Basinger: Did you want to discuss our meeting with Mayor last month?

Mr. Kawahara: Yes, why don't you go ahead and –

Ms. Betts Basinger: We had a lovely meeting with the Mayor last month or right after our last meeting. She is very amenable to meeting with representatives of our agency every month, and we suggested and she agreed that those be scheduled the week after we hold

our meetings. So I think that's what Ron was referring to in our next meeting with the Mayor. And perhaps if two of us can pull out of the files our last budget, could we submit that to her at our next meeting?

Mr. Kawahara: I think it's important that Alexa attend most of the meetings if she can make it simply because she's going to be the incoming – well, perhaps I'm speaking out of term, but I think she'll be the incoming Chair. So I think the background is so important and we should have two people. So I would like to have a volunteer to go with Alexa. I went to the last one and I think the meeting should be to present that budget. So will you volunteer to do that next week?

Ms. Betts Basinger: Yes.

Mr. Kawahara: And she's more than willing to meet with us. You know, she's willing to give us a half an hour of her time. So?

Mr. Horcajo: I'll volunteer.

Mr. Kawahara: Thank you Bob. Very good! So we want to schedule a monthly meeting with the Mayor to give her an update on the goings on.

G. MRA Web Site Presentation.

Mr. Kawahara: Next item on the agenda – MRA Website.

Ms. Betts Basinger: Again, this was going to be dependent on the budget discussion so –

Mr. Kawahara: We'll just defer it to the –

Ms. Betts Basinger: Yeah. I can't really move ahead with our designer until we know what we can afford.

H. Format for Meeting Minutes.

Mr. Kawahara: Let's keep it on the agenda so we don't forget it. And format for – Item H – format for meeting minutes. The only change that I'm aware of is that Wailuku Main Street Association has been asked to be put on the agenda after the Planning Department which I concurred with.

Ms. Perreira: . . . (Inaudible. Did not speak directly into a microphone.) . . .

Mr. Kawahara: Well I think –

Ms. Betts Basinger: We made that decision.

Mr. Kawahara: The decision was that it would be too hard for the Planning Department to try to do – what's the term I want – summary minutes. And that's fine. That means that I got to do the executive summary since we don't have a paid staff.

I. Setting of the Agenda.

Mr. Kawahara: So item I on the agenda – so what I have – please put this down and we can always email to Joe – but what I have is I would like to get a financial report on the MRA expenditures; report on the budget; the cash in lieu discussion; status of the project manager – the RFP status; website presentation; and Clayton I'll email Joe.

Ms. Betts Basinger: The website presentation that really won't come until after we set the budget, but we can leave it on.

Mr. Kawahara: But I will need you to remind us to put it on the budget. So we can leave it off then.

Ms. Betts Basinger: Okay.

Mr. Horcajo: How about the investigative committee?

Mr. Kawahara: Cash in lieu.

Mr. Horcajo: Or that and short term parking issues.

Mr. Kawahara: Well standing item, I always want to have the Wailuku Municipal Parking Structure in case we ever – because we can't discuss it unless it's on the agenda.

Mr. Horcajo: Right.

Mr. Kawahara: So we'll put Wailuku Municipal Parking Structure and Parking, just in general, Parking Issues.

Mr. Horcajo: Counsel, should would specifically add the term "investigative?"

Mr. Kawahara: No, that's an appointment that we can make right?

Mr. Horcajo: I just want to make sure we can talk about it if we don't have it specifically called out.

Mr. Giroux: I believe if this is with the Mayor, there may be an exception – hold on. There's an exception – "discussion between the Governor and one or more members of a board may be conducted in private without limitation or subsequent reporting, provided that the discussion does not relate to matter of which a board is exercising it's (phonetics) function." It says Governor, not Mayor. So I would have to call OIP to see if we fall within.

Mr. Horcajo: I wasn't questioning that. I just wanted to be sure on – to be on the agenda for next week.

Mr. Kawahara: But I don't believe. I believe I can appoint as the Chair an investigative committee composed of two or less members.

Mr. Horcajo: Right, so you can do it at the meeting –

Mr. Kawahara: Yes.

Mr. Horcajo: – even if the agenda next week does not basically say that we're going to talk about an investigative committee?

Mr. Kawahara: Sure. We can appoint to investigate.

Mr. Horcajo: Okay. That's what I wanted to know – just to be sure that we could talk about it and you can appoint.

Ms. Betts Basinger: In order to talk about it, though, it needs to be on the agenda.

Mr. Horcajo: The words Investigative Committee?

Ms. Betts Basinger: The topic.

Mr. Kawahara: The topic.

Mr. Giroux: Because you're going to want to develop the scope and the authority of that scope.

J. NEXT MEETING DATE: October 17, 2008

Mr. Kawahara: Very good. So any other items that need to go on the agenda for the October – the 3rd Friday in October's meeting, please email me and I'll see that Joe gets it.

Ms. Betts Basinger: What date is that Chair?

Mr. Kawahara: Who has a calendar? October 17th.

Ms. Betts Basinger: I will not be here.

Mr. Kawahara: Will you be here on the 24th?

Ms. Betts Basinger: No.

Mr. Kawahara: Why not?

Ms. Betts Basinger: I'll be out of the country and out of my mind.

Mr. Kawahara: So when do you plan to leave?

Ms. Betts Basinger: We leave on the 15th and we return on the 26th.

Mr. Kawahara: I think it's important that you be here. We can always move the meeting date. What are your thoughts Bob and Ray?

Mr. Horcajo: Well, you leave on the 15th, the 14th is a Tuesday, the 13th is a Monday.

Ms. Betts Basinger: I'm probably really jammed. I think I'm more jammed with work before I leave than with the packing.

Ms. Perreira: . . . (Inaudible. Did not speak directly into a microphone.) . . .

Mr. Kawahara: So I just want to make sure that – because this will be a fairly important discussion particularly on the budget side. Shall we leave it the same then?

Mr. Horcajo: When do you get back?

Mr. Kawahara: The 26th.

Ms. Betts Basinger: The 26th. That's a Monday. I believe that's Monday.

Mr. Phillips: 26th is a Sunday for October.

Mr. Kawahara: And then Friday would be October 31st.

Mr. Phillips: 31st is a Friday. 30th is a Thursday.

Ms. Betts Basinger: Any time. I'll make myself available.

Mr. Horcajo: . . .(Inaudible. Did not speak directly into a microphone.) . . .

Ms. Perreira: . . .(Inaudible. Did not speak directly into a microphone.) . . .

Mr. Kawahara: I understand your concern Jocelyn, but my first priority is try to get as many commissioners to the meeting. I can make my time available since I'm self employed, but let's come to a consensus.

Mr. Horcajo: I have to be up in Makawao at 4:30 on Wednesday, so I could either do Thursday or –

Mr. Kawahara: Or we can do a morning meeting. Morning meeting at 9:00 a.m.

Ms. Betts Basinger: Yes.

Mr. Phillips: Friday's afternoon is part of the dedication of time to do this.

Mr. Horcajo: So are we saying Thursday afternoon is not an option?

Mr. Kawahara: No it's open. I'm just trying to get as many commissioners to attend these meetings so that we can all have input.

Mr. Phillips: Chair, afternoons are good.

Mr. Kawahara: Afternoons are better for you?

Mr. Phillips: Afternoons are much better for me.

Mr. Kawahara: All right, so pick a day. Bob?

Mr. Horcajo: Thursday or Friday.

Mr. Phillips: Thursday or Friday is fine.

Mr. Kawahara: Thursday.

Mr. Phillips: And the date is again?

Ms. Betts Basinger: 30th or 31st.

Mr. Kawahara: That's the 30th right? It will be Thursday because October 31st is Halloween and I don't think that's good time. Thursday, 10-30-08 at 1:00 p.m. here. Sorry Jocelyn.

Do the best we can okay? 1:00 p.m. here.

Mr. Phillips: Unless the room is taken, you'll let us know.

Mr. Kawahara: All right, so no further business? I'll call the meeting adjourned at 3:25 p.m..

K. ADJOURNMENT

There being no further business brought forward to the Agency, the meeting was adjourned at approximately 3:25 p.m.

Respectfully submitted by,

LEILANI A. RAMORAN
SECRETARY TO BOARDS AND COMMISSION I

RECORD OF ATTENDANCE

Members Present:

Ronald Kawahara, Chair
Alexa Betts Basinger, Vice-Chair
Raymond Phillips
Robert Horcajo

Members Excused:

Katharine Popenuk

Others:

Clayton Yoshida, Planning Program Administrator
Joseph Prutch, Staff Planner
James Giroux, Deputy, Corporation Counsel