

MULTIMODAL TRANSPORTATION COMMITTEE
Council of the County of Maui

M I N U T E S

Council Chamber

February 11, 2019

CONVENE: 9:01 a.m.

PRESENT: VOTING MEMBERS:

Councilmember Yuki Lei K. Sugimura, Chair
Councilmember Tasha Kama
Councilmember Kelly King (in at 9:15 a.m.)
Councilmember Alice L. Lee
Councilmember Tamara Paltin
Councilmember Shane M. Sinenci

NON-VOTING MEMBERS:

Councilmember Michael J. Molina (in at 10:03 a.m.)

EXCUSED: Councilmember Riki Hokama, Vice-Chair

STAFF: James Krueger, Legislative Analyst
Stacey Vinoray, Committee Secretary
Nicole Siegel, Committee Secretary

Zhantell Lindo, Council Aide, Molokai Council Office (via telephone conference bridge)

Denise Fernandez, Council Aide, Lanai Council Office (via telephone conference bridge)

Mavis Oliveira-Medeiros, Council Aide, Hana Council Office (via telephone conference bridge)

ADMIN.: Michael J. Hopper, Deputy Corporation Counsel, Department of the Corporation Counsel

Lauren Armstrong, Executive Director, Maui Metropolitan Planning Organization ("MPO")

Rowena Dagdag-Andaya, Deputy Director, Department of Public Works

Kurt T. Watanabe, Civil Engineer IV, Department of Public Works

Michele McLean, Director, Department of Planning

Timothy Hodgins, Police Officer III, Department of Police

Taylor Kamakawiwo`ole, Police Officer III, Department of Police

Seated in the gallery:

Michael Du Pont, Deputy Director, Department of Transportation

Kenneth Kihata, Police Sergeant, Department of Police

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

Miguel B. Munoz, Police Officer III, Department of Police

John K. Kalama, Police Officer III, Department of Police

OTHERS: (2) others in the gallery

PRESS: *Akaku Maui Community Television, Inc.*

CHAIR SUGIMURA: . . . *(gavel)* . . . Welcome to the Multimodal Transportation Committee. Today is February 11th at 9:01 a.m., and I welcome all of you. Thank God we made it through the storm yesterday, right?

COUNCILMEMBER KAMA: Amen.

CHAIR SUGIMURA: What a, amen, that's, Tasha's perfect words. My name is Yuki Lei Sugimura, and I'd like to welcome all my Members. I have Shane Sinenci from Hana.

COUNCILMEMBER SINENCI: Good morning, Chair.

CHAIR SUGIMURA: Good morning. Alice Lee, from Wailuku.

COUNCILMEMBER LEE: Good morning, Chair.

CHAIR SUGIMURA: Tamara Paltin, from West Maui.

COUNCILMEMBER PALTIN: Good morning.

CHAIR SUGIMURA: Good morning, and Tasha Kama, from Kahului.

COUNCILMEMBER KAMA: Aloha kakahiaka, Chair.

CHAIR SUGIMURA: Aloha. Kelly King is on her way. Our Vice-Chair Riki Hokama is excused. We have quorum. I wanted to thank all of you for being here. Today we have three items on our agenda. I want us to have the overview of the Maui Metropolitan Planning organization. It's an organization that's very important for our roads and our connectivity for the island of Maui and I look forward to hearing that presentation by Lauren Armstrong. We also have a, two items which are part of the Public Works Commission regarding signage and our roads, prohibition of parking on our roads. Oh, at this time, oh good. I'd like to also welcome Nicole Siegel. She's passing out the MPO presentation to all the Members. Thank you, Nicole, for being here. Also, my Staff, James Krueger, who's my Legislative Analyst; and Stacey Vinoray, our Secretary; Michael Hopper, thank you very much for being here. And our District Offices are all present. Today on the agenda we have MT-10, which is a presentation from the Maui Metropolitan Planning Organization, MT-6 which is Amending Section 10.48.030, Maui County Code, Relating to Prohibitions of Certain Places, and MT-7 Amending Section 10.48.040, Maui County Code, Relating to the Parking Prohibitions on Certain Streets and Highways. For anyone wishing to testify,

MULTIMODAL TRANSPORTATION COMMITTEE
Council of the County of Maui

February 11, 2019

please sign up at the desk out in the lobby. At this time, do we have any testifiers? We have none? Thank you.

. . . BEGIN PUBLIC TESTIMONY . . .

CHAIR SUGIMURA: Mr. Krueger, do we have anybody from the District Offices, in the District Offices to testify?

MR. KRUEGER: Chair, we've received notification that there's no one in the District Offices signed up to testify.

CHAIR SUGIMURA: Okay. Let me just ask them. Hana District Office, Mavis Oliveira-Medeiros, do you have anyone there to testify?

MS. OLIVEIRA-MEDEIROS: Good morning, Chair. This is Mavis Oliveira-Medeiros from the Hana Office, and there is no one here waiting to testify.

CHAIR SUGIMURA: Thank you, Mavis. Lanai Office, Denise Fernandez, anyone wishing to testify?

MS. FERNANDEZ: Good morning, Chair. This is Denise Fernandez at the Lanai Office, and there is no one waiting to testify.

CHAIR SUGIMURA: Molokai Office, Zhanterell Dudoit Lindo, do you have anyone wishing to testify?

MS. LINDO: Aloha, Chair. This is the Molokai District Office. There is no one here to testify.

. . . END OF PUBLIC TESTIMONY . . .

CHAIR SUGIMURA: Thank you. Thank you, everybody. Any last call, any testifiers in the Chamber? Seeing none, Members I'd like to close public testimony.

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR SUGIMURA: Thank you. Thank you, everybody.

MT-10(3) OVERVIEW OF THE MAUI METROPOLITAN PLANNING ORGANIZATION

CHAIR SUGIMURA: At this time, I wanted to go over the Metropolitan Planning Organization, have a presentation from Lauren Armstrong. And the Metropolitan Planning Organization plays an important role on providing our and shaping our transportation. This presentation is important just for us to learn about what they do, what her long-range plans have been for the organization, and this will be pursuant to Rule 18A

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

for the Rules of the Council, I'm going to have Lauren be our presenter and our, designated as our resource person for this 7(B) presentation of the MPO Committee. So, Lauren, would you like to open up and say, tell us about what you're doing and, what you have been doing and what your future plans are?

. . . BEGIN PRESENTATION . . .

MS. ARMSTRONG: Okay. Good morning. Thank you, Chair, and, Committee Members, for having me here today. My name is Lauren Armstrong. I'm the Executive Director of Maui Metropolitan Planning Organization. Just a little background on myself, so, I grew up in Haiku. I graduated from Seabury in 2003. I have an undergraduate degree in Environmental Science, and a master's degree in Urban and Regional Planning. So, I worked in Honolulu for a few years as a private planner, and then in Northern California focused on sea level rise adaptation. So, I was very pleased to begin in September 2016 as the Executive Director at Maui MPO. It was kind of a dream for me to be able to move back to Maui and work with great people to help shape our future. So, thank you. So, today I'm going to share with you a little bit of background on the Maui MPO, how it was formed, and what our responsibilities are. So, in 2010, Central Maui's population reached 50,000 people. The Federal government required the State and County to form an agency to manage the Federal transportation funds. For Maui island, this is around \$30 million a year. So, without the MPO, Maui would not be eligible to receive any of these Federal transportation funds. MPOs are enabled by Federal, state, and county legislation. Our comprehensive agreement defines the responsibilities of each party for our continuous, cooperative, and comprehensive transportation planning. We also have an administrative agreement, and this is with the County Department of Transportation. Thank you, Michael Du Pont, our Deputy, for being here today. But this basically defines the administrative function of MDOT as our umbrella agency with the County for the purpose of budgeting our annual dues. And according to our finance supplemental agreement, 80 percent of our annual budget is coming from Federal Highway Administration, and Federal Transit Administration. So, these are annual grants that we receive. In order to do that, we need a 10 percent match from County, and 10 percent from the State. So, how is the MPO structured? Our Policy Board is the decision-making body for Federal transportation funds on Maui. Members include the County Directors of Public Works, Transportation, and Planning, our State Director of Transportation, and recently Senator Roz Baker, and Representative Troy Hashimoto, as well as three Councilmembers, Sugimura, Paltin, and Sinenci. So, we're very excited to work together with you. Our technical advisory committee provides recommendations to the Board. It's composed of staff from the same agencies. And I would note that I'm really excited about the collaboration that's happening in these committees, both between our County departments, a lot of really great conversations between Planning on the land use side, as well as transportation from Public Works and Department of Transportation. So, as Executive Director, I serve at the will of the Policy Board, and I provide information to assist their decision making. My one staff member is the financial specialist, and she provides administrative support, prepares our Federal reimbursement requests, and she also tracks our financial progress for monthly reports to the Policy Board. So, what is

MULTIMODAL TRANSPORTATION COMMITTEE
Council of the County of Maui

February 11, 2019

multimodal transportation planning? Imagine that you're a child who can walk or bike to school with friends, a kupuna who can safely cross the street, an employee who can catch the bus to work, or a person in a wheelchair who can access their daily necessities, maybe even a visitor who has great options for getting around the island beyond renting a car. So, we believe all of this is possible. Maui MPO's vision is for Maui communities to be connected by a safe, efficient, and sustainable transportation system. The facilities that we plan for include the bus, sidewalks, multiuse paths, roads, and bridges. So, we know that transportation solutions can be either projects or programs. On the project side, not all roads are eligible for Federal funding. The State and County go through a routine process to classify the roads according to the volume of traffic and their function within a network. So, State roads like Hana Highway, Honoapiilani Highway, are all eligible for Federal aid. They connect communities and facilities across the island. Some County roads, so those collect, are classified as a collector and above, can also receive Federal aid. So, for example, Papa Avenue, South Kihei Road, Baldwin Avenue, so some of our larger County roads. And just to be clear, the MPO does not construct projects, but we help manage the planning process that identifies funding for these projects. So, I'd like to briefly review our work elements. And so, these are the items that go into our annual budget, and also the structure of the annual report that this Committee and Council received. So, our unified planning work program, that's the annual budget, and once approved by the Policy Board and the Federal Highway and Federal Transit Administrations, that's what enables us to receive our Federal planning funds. This budget provides for personnel costs for two LTA positions and as well as consultant-supported planning studies that are managed by the MPO. I'll share some of Maui MPO's accomplishments. But I just wanted to say hello to Member King.

Note: Councilmember King enters Chambers.

CHAIR SUGIMURA: Oh.

COUNCILMEMBER KING: Aloha, good morning.

CHAIR SUGIMURA: Thank you, you're doing my job.

MS. ARMSTRONG: I was like, if I just keep talking then, you know, there's no chance, you know.

COUNCILMEMBER KING: Thank you.

MS. ARMSTRONG: Good to see you. Okay. So, our first work element is program administration. This includes all the activities that I and the financial specialists undertake to make sure that the MPO planning process is complying with all of our Federal, State, and County regulations so that we're all able to receive Federal funds. So, we prepare for, and staff a minimum of eight each meetings for the Policy Board and technical committees. All of those meetings are subject to Sunshine Law. So, we post the agendas and materials a week in advance. All of our plans and programs go through a public review period before the Policy Board approves. So, public

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

participation really runs throughout all of the MPO work. A major part of our role is to have a more transparent and public friendly process so people can understand how are we making decisions about these transportation funds. We do a combination of in person and online engagement. So, we have an e-mail newsletter with hundreds of subscribers. That's how I let people know about the upcoming MPO meetings, as well as any other opportunities to be engaged in the process. Our transportation improvement program, that is the four-year budget for all State and County facilities that will be funded in part using Federal funds. These are typically a 80 percent Federal contribution, and 20 percent either State or County. So, our most recent TIP was approved by the Policy Board in June of 2018, and then by the Federal government in September. It includes around \$15 million for buses, and maybe \$90 million for roads, paths, and intersection improvements. Some of the major State projects that were included are the Hana Bridge Preservation Program, Puunene Avenue improvements. Some of the larger County projects include Kaupakalua Road reconstruction, and the Kihei North-South Collector Road. So, during this process, all of the projects were made available online with our interactive map, with a link to a public survey. So, last spring we held two rounds of public workshops at various locations around the island. I remember seeing Councilmember Sinenci back then at the Hana meeting. So, it was great to get feedback from all these different communities as we went through the process. It's important to note that the TIP has to be financially constrained. So, we can only include projects on that list where construction funding as already been identified. So, this is where collaborating with our County and State legislators is very important. So, what happens after a project is on the Transportation Improvement Program? Our County and State engineers will initiate the planning, environmental review, and construction for the projects. There's an important shift happening in the way that the engineers are approaching their preservation projects. So, when they repave a road, they're looking at ways to make it safer for all types of traveler, so, whether you're walking, biking, catching the bus, or driving a vehicle. They are looking at ways to redesign the street to be complete. So, that's really kind of this balanced approach that's at the core of our complete streets and vision zero efforts. So, we've partnered with the Healthy Eating Active Living Coalition, the Blue Zones Project, as well as our County departments to get community input on what these new streets should look like. We did a walk audit on Onehee Avenue last spring, which is a Federal-aid project. And we did a lot of outreach at the mall and other locations. And just to have people share their input on what they want their streets to look like in the future. Our final work element that I want to share with you today is the Long-Range Transportation Plan. We're about half way through Hele Mai Maui 2040. We've been working with community members, as well as our technical committee, and our Policy Board to develop a vision for Maui's transportation needs and opportunities over the next 20 years. The final plan, which is due in September of this year, will include a prioritized list of projects, and a financial plan. So, this long-range plan will inform the Policy Board's decisions about which projects should be included in that four-year TIP the next time we update it. One of the initial products from the long-range plan is a fact book, which is a resource available online at mauimpo.org. This summarizes how people get around Maui now, and what they want for the future. So, one important fact to consider when we're planning for our future transportation system is our population growth. We anticipate

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

by 2040, there will be 33,000 more people living on Maui. We also know that visitor numbers are increasing. So, how can we accommodate this growth while maintaining a high quality of life here on Maui? We use census data to map where people live and work. So, the dark brown areas on the map show high density of residents and jobs. It's not surprising that it's Lahaina, Kihei, Central Maui. It's also interesting to note that a third of jobs are in the accommodation and food services industries, emphasizing the large role of the visitor economy, or visitor industry. So, the amount of people, the amount of money that people are spending commuting, and the availability of housing near where they work plays a major role in affordability. Traffic, everyone's favorite. So, the roads shown in red on this map have over 20,000 vehicles on them daily. We see that visitor traffic and residents commuting from all over, to South and West Maui in particular, shows up in the large number of vehicles. And we do know that traffic is beginning to impact our quality of life here. So, a big reason traffic is getting worse is that a majority of people drive alone to work or school. Maui also has the highest number of rental cars of any Hawaiian island. The Maui Bus began service in 2009 and reached its peak ridership in 2012. Declining ridership means more cars on the road. So, how can we address some of these challenges? We started by asking people what they value most in a transportation system. So, last summer we held a series of pop-up events at town Fridays and the mall where we heard from hundreds of people, mostly residents, who shared their mobility values to create a tapestry. We used these public priorities to create an evaluation framework for all of the projects being considered. So, for each project, how well does it help us move toward our goals, safety, health, cultural and natural resources, expanding mobility choices, our quality of life, and maintaining our assets for economic vitality? We've done a lot of work around mapping crash data to understand which areas are in need of attention. So, the high crash areas shown in red on this map could be improved using engineering solutions like roundabouts, sidewalks, and safer crossings. So, these safer facilities make it more convenient for people to get exercise walking or biking. Additionally, we've set a goal for vision zero, which is to eliminate traffic fatalities by 2040 through a combination of engineering, enforcement, and education. We also heard from people around the island that sustainability and resilience are very important for our future. So, what do these terms mean in the transportation context? We know sustainability is about balancing our current and future needs. So, by shifting to vehicles that use clean or renewable energy, we can help reduce carbon emissions contributing to climate change. But meanwhile, we know that climate change is upon us. I know many of us saw the high-water levels and, you know, as these storm events are getting more extreme, it's something we really need to plan and prepare for. So, we know from our recent Statewide sea level rise report, that over 11 miles of Maui's roadways are vulnerable to coastal erosion and sea level rise. So, this is something that the long-range plan will need to address. So, many of the projects that we're considering through Hele Mai Maui were already identified as priorities in previous planning efforts. Projects like the West Maui and the North Shore Greenways, Lahaina Bypass, Paia Relief Route, Honoapiilani Highway Realignment, and the Kihei North-South Collector Road, plus many more projects that we will be compiling and vetting over the coming months. So, finally I wanted to close with an announcement that we'll be having a public open house on February 23rd. This is a call for projects where people will have a chance to see maps of all of the

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

current proposed projects and add their future thoughts as well. We will also have this input available online. So, I hope you have a little better understanding of Maui MPO and what we do. I really look forward to working with all of you and thank you for having me today.

. . . END PRESENTATION . . .

CHAIR SUGIMURA: Thank you, Lauren. Thank you very much. I'd like to formally welcome in Kelly King. Welcome to the meeting. So, Members, I'm really glad that Lauren presented this. And thank you for giving us a little bit about your background growing up here on Maui. And I didn't realize you had your master's degree with, and your understanding of the sea level rise is so perfect for where we are. Before I turn the floor over to the Members with, for questions, I wanted you to kind of speak about, I know that in the past the Legislature has worked with, designating which projects will be funded and releasing those funds, and determining it based upon whatever community input they get at the Legislature. So, how is that process different from what you do with the MPO?

MS. ARMSTRONG: Okay. Great question, so, I think the role of the MPO is to really coordinate the different processes. So, we have technical inputs that are coming from our agencies, whether State or County, and then, we also have public input coming via legislators, constituents. And so, the MPO is really a forum for all of the parties to be at the table and discuss, you know, which projects are a priority. We have this framework to help kind of guide and make that process more objective. It really does have to be coordinated because for the State match or the County match for a project, that has to go through the local budget process. But it also needs to be identified in the Transportation Improvement Program, which is our Federally mandated process to make sure that we're balancing, you know, our current and future needs. And from the Federal side, the emphasis has really been on preserving the system that we have. So, we kind of, you know, over the past decades as a country got ourselves into a place where we were just building lots of new roads, unable to keep up with the maintenance, and also realizing that this was contributing to sprawl, which is just not sustainable for a government, for a community in terms of traffic. So, this process is really a way for us to have that dialogue about, you know, how can we really support our land use goals, having a more compact walkable development while protecting our rural areas. And this is, you know, these are really difficult conversations to have. So, we're right in the middle of it.

CHAIR SUGIMURA: As a follow-up to that, so, are there State projects that happen that do not have to be, that do not go through your MPO process?

MS. ARMSTRONG: Yeah, so, projects that are receiving Federal funding must be included on the TIP. If they're of regional significance, they are also supposed to be on the TIP. So, for example, Lahaina Bypass North, there was a lot of community interest in seeing this project included. However, there was not enough Federal funding available to cover all of the, you know, system preservation needs, as well as an additional large capacity project. So, we were fortunate that our State legislators were able to secure

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

additional State funding by raising the rental car surcharge. So, right now, we're working with our, you know, State department of transportation to see if they're able to issue a bond or have the State issue a bond to be funded using the rental car fees. So, these are the type of conversations that, you know, they're quite challenging and, you know, everybody wants to make sure the key projects are moving forward. So, that's one example. But, you know, it has to be coordinated.

CHAIR SUGIMURA: So, depending on the project? My last question is, how much is the County, when you said there's Federal funds, State funds, and then, we have to put in our match. So, how much is the, our amount?

MS. ARMSTRONG: So, historically, or I guess for our most recent TIP, the County programmed around \$13 million per year, which equates to around \$2½ million of County match. In the future, for example, in the year 2022 for Kihei North-South Collector, there's a mechanism you can use called advance construction, which is essentially borrowing Federal funds from a future year. But that really does mean the County has to put up more funds to do the construction. So, this is where I think looking at additional revenue sources, I know there's been some conversation around a GE surcharge, toll roads, different ideas. This is where we're really looking to your leadership in terms of meeting the needs of our island's infrastructure.

CHAIR SUGIMURA: Thank you. Members, anyone else have questions? Ms. Lee?

COUNCILMEMBER LEE: Hi, Lauren, again, thank you for your presentation, very, very informative. I have just a couple of general questions. I did have the same questions as the Chair about the funding. First of all, MPO has to do with metropolitan areas of 50,000 or more yeah? So, I'm not sure how this works. Central Maui has 50,000, but we can use it in the outlying areas, the monies?

MS. ARMSTRONG: Correct. So, our comprehensive agreement defined the metropolitan planning area as the entire island of Maui. So, that was a decision that was made when they were setting up the MPO. So, the Federal transportation funds are used island-wide. Projects...

COUNCILMEMBER LEE: What about County wide?

MS. ARMSTRONG: Well, projects on Lanai and Molokai, those go through the Statewide process that's managed by State Department of Transportation. So, they do have some facilities on Molokai that are still eligible for Federal aid. But they're not covered through the MPO planning process.

COUNCILMEMBER LEE: So, you said the breakdown is 80/20 --

MS. ARMSTRONG: Correct.

COUNCILMEMBER LEE: --10 for the County, and 10 for the State, right?

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

MS. ARMSTRONG: That's for the MPO's operating budget. So, depending on, so, for example, if we had \$400,000 of Federal planning grants available in a given year, we would request dues through the County budget process of \$62,500, and that's to match half of the Federal funds. The other half is matched by State.

COUNCILMEMBER LEE: Okay. But let's say we have the plan and there is a project. How do you get, how do you apply for the funds for the project itself? You're like, now, you're talking about as you mentioned \$30 million yeah, \$30 million that's for a project, right?

MS. ARMSTRONG: That's for all of the projects.

COUNCILMEMBER LEE: All of the projects on Maui?

MS. ARMSTRONG: Yes. That's the Federal-aid portion for all of the projects on Maui.

COUNCILMEMBER LEE: Right, so, does that amount change every year?

MS. ARMSTRONG: So, the formula that's set for distributing Federal funds Statewide, that's based on our vehicle miles traveled, and the lane miles of road. So, the target for budgeting purposes for Maui's highway system is \$25 million per year. Now, depending on Statewide needs, that can change slightly from year to year. So, after the Policy Board passes the TIP for Maui, that needs to be included in the Statewide TIP, and they need to balance it so that they're not exceeding their annual obligation amount, which is 170 million Statewide.

COUNCILMEMBER LEE: So, is it possible if let's say, another island is not using their full share, that we could ask for more?

MS. ARMSTRONG: Yeah, so it is balanced out by year. And for example, when Lahaina Bypass Phase I, B2, which was completed last April, that was made possible in part through other islands not being able to spend their funds in time. And so, it goes both ways, right? It's from our end making sure that environmental review, all the public engagement is done correctly. And that gives us a better chance that when Federal funds are available, that we can really take advantage of that.

COUNCILMEMBER LEE: So, this new funding is already earmarked for the extension of the Lahaina Bypass?

MS. ARMSTRONG: That's being discussed right now in the State DOT based on the projected State revenues from the rental car surcharge.

COUNCILMEMBER LEE: Alright, thank you.

CHAIR SUGIMURA: Ms. King, you have the floor.

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

COUNCILMEMBER KING: Thank you. Thanks for being here, Lauren. It's familiar, but it's good to have that presentation for the new Members, especially. I have a few questions, one of them, since you mentioned the GE surcharge, have you looked at the companion bills that came with the GE surcharge on the tax credit for the lower income?

MS. ARMSTRONG: I haven't looked at them in much detail, but I have heard from our State legislators about that as a --

COUNCILMEMBER KING: Okay.

MS. ARMSTRONG: --a mechanism to relieve some of the impacts on lower income people.

COUNCILMEMBER KING: Right, I think that's going to, just urge you to look at that because I think that's kind of what I was talking about as far as addressing the regressive, you know, the folks that are afraid this is going to be a regressive surcharge. I also had a question about the, because I'm tracking a lot, we're tracking hundreds of pieces of County legislation through our Legislative tracking at the Council, even though they're not on the HSAC in the Maui packages. But there's one House Bill 757 HD1 that's requiring the State and counties to adopt vision zero. And I know that we already did through a resolution. I don't know if we need to update that resolution for the Council because it was the previous Council that passed it, and the previous Mayor that made that proclamation. But did this come from the MPO or from you, do you know?

MS. ARMSTRONG: No, yeah, and we have been tracking some of that vision zero legislation. So, the State DOT is, currently goes through their strategic highway safety plan that has a goal of towards zero deaths, and you're correct, our previous Mayor Arakawa did proclaim vision zero as a target for Maui. I would certainly be interested in sharing a resolution with this Committee to consider around vision zero for Council to consider supporting.

COUNCILMEMBER KING: Okay. I'm just wondering if it came from you because I'm reading the, just the short description of it and it doesn't say anything about funding. So, it looks like another unfunded mandate. But, you know, I just kind of wanted to get your thoughts on that.

MS. ARMSTRONG: Yeah, I think it may have come from the public health arena.

COUNCILMEMBER KING: Oh, from DOH?

MS. ARMSTRONG: Yes, it's, yeah.

COUNCILMEMBER KING: Okay. And then, my last question, Chair, if I may, I just wanted to ask Ms. Armstrong if you could consider for our HSAC conference in June, the theme is hot topics in sustainability. So, if you could consider putting together something on sustainable transportation because this is our one chance to have all counties, all four counties present at the same time and it might be, we're putting out

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

a call for presentations this week. So, I'm just, I wanted to kind of put that in front of you.

MS. ARMSTRONG: Thank you.

COUNCILMEMBER KING: And other than that --

CHAIR SUGIMURA: So, who's...

COUNCILMEMBER KING: --thank you for your presentation. I will say that the one salient piece that jumps out at me is the, on the multimodal options slide that 72 percent of our people are driving to work alone, you know. And I think this is maybe even a low percentage because I know when I first got involved in renewable energy I started looking around at every time I had to stop at a stop light and I'd look around and pretty much nine out of ten people, if not ten out of ten people were in their cars alone going somewhere. So, I think that is a real issue on our island and why we have, you know, not just the traffic problems but also, we haven't been addressing our responsibility in reducing greenhouse gas emissions. So, thank you for noting that.

MS. ARMSTRONG: Thank you.

CHAIR SUGIMURA: Thank you, Ms. King. Alice, Ms. Lee, or, Tamara Paltin, do you have a question?

COUNCILMEMBER LEE: I just had a really quick one.

CHAIR SUGIMURA: Go ahead, Ms. Lee.

COUNCILMEMBER LEE: That meeting that you talked about on February 23rd, could you send me an e-mail --

MS. ARMSTRONG: Yes.

COUNCILMEMBER LEE: --about that? Because I'd like to share it with our Waikapu Community Association on whom I'm meeting with tonight.

MS. ARMSTRONG: Great, thank you, I will.

COUNCILMEMBER LEE: Thank you.

CHAIR SUGIMURA: Thank you. Ms. Armstrong, can you share that with all of the Members?

MS. ARMSTRONG: Yes, I can.

CHAIR SUGIMURA: We can send it to my Committee and then we can post it. Ms. Paltin, do you have any questions?

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

COUNCILMEMBER PALTIN: Just a couple. Is the rental car surcharge aimed at supporting the overall reduction of cars on the road or it's just to get money?

MS. ARMSTRONG: Well, the bill that was passed last year indicated that the revenues are directed toward State highway capacity projects. So, I think it does seem a bit counterintuitive to tax something that you would like to see less of, or it's not going to generate as much revenue if we're trying to reduce the number of rental cars. However, our current reality is that we have over 20,000 rental cars on Maui and that's a significant revenue opportunity.

COUNCILMEMBER PALTIN: Is there any possibility we could cap it at what it is currently?

MS. ARMSTRONG: To cap the surcharge?

COUNCILMEMBER PALTIN: The number of rental cars on Maui currently.

MS. ARMSTRONG: Oh, oh.

COUNCILMEMBER KAMA: Amen.

MS. ARMSTRONG: I would have to --

CHAIR SUGIMURA: That sounds like a private...

MS. ARMSTRONG: --look into that and let you know. I don't think so. But I can research.

CHAIR SUGIMURA: That would be interfering with business. But...

COUNCILMEMBER PALTIN: Or maybe like some triggers, like, you know, 'cause of the capacity that we have now, cap it until we increase the capacity by building these roads such as the northern bypass is finished, or the realignment of the highway is finished.

MS. ARMSTRONG: Well, I think...

COUNCILMEMBER PALTIN: Like the infrastructure come before the addition of too much --

MS. ARMSTRONG: Yeah, I can --

COUNCILMEMBER PALTIN: --that we can handle.

MS. ARMSTRONG: --appreciate your concern about that. I think the MPO's approach has been trying to create better options for visitors. So, if there were, so for example, Representative Hashimoto introduced a bill that would use part of the TAT revenues to run shuttles from the airport to resort areas. So, this kind of idea where you're, you

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

know, offering people a convenient alternative I think can help reduce the number of rental cars.

COUNCILMEMBER PALTIN: And then, you know, I don't know if you can answer the question, but I was wondering ultimately, how are the controversial decisions made like, you know, I think there's several discussions about which route for the Paia relief, or, you know, when we start discussing the route for the Honoapiilani realignment there may be more than one option. So, ultimately, what is the process when these decisions are controversial, how it can be made with public input and transparency and looking to the long-term effects?

CHAIR SUGIMURA: Ms. Armstrong?

MS. ARMSTRONG: Sure, so, ultimately the decision is made through environmental review process by the agency that will be constructing the facility. But I do think that there is an important role for Planning to make sure that that environmental review process is considering everyone who is affected by the project, you know, giving a chance to understand the critical information. So, for example, the Honoapiilani Highway realignment, we need to consider erosion, sea level rise data, cultural sites, land ownership, all of these factors that would be considered through environmental review. And that is the opportunity for community to understand those factors and give their input.

COUNCILMEMBER PALTIN: Thank you, Chair.

CHAIR SUGIMURA: Thank you.

COUNCILMEMBER PALTIN: Thank you, Ms. Armstrong.

CHAIR SUGIMURA: I think the, just a comment on that, one of the things that Lauren Armstrong and the MPO has done a great job on is community outreach. And by going through the last two years being on the MPO along with Ms. King, and we have been able to go to these community meetings and heard from the voices in Paia for example, very frustrated about the transportation needs. And we had DOT there, Lauren Armstrong, Public Works was there, and just hearing what the community is saying. And I will tell you that that tax, oh that is a \$2 tax, I think it was proposed to be a \$4 tax, the rental car tax, and the way that the bill was written and passed for \$2 per rental car, it is for expansion of existing roads, for road expansion. So, it's to address things like the Lahaina Bypass, as well as the Paia Bypass. I think those were the major ones that they were hoping to generate more funding. It is started, it started January right, this new tax started in January. So, it sounds like you're having more discussions on it. There is a bill also proposed in the Legislature that is adding, suggesting a \$1 tax more on rental cars. And that would be for roads as well as, but it looks like they're, or for beautification and the way it's written is for abandoned cars, so removal of abandoned cars. So, creatively, the Legislature is looking at the problems we're having in the community and trying to figure out how to solve some of these problems. But anyone else have any more, oh I'm sorry, Ms. Kama?

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

COUNCILMEMBER KAMA: So, I just wanted to continue the discussion where Councilmember Paltin left off about maybe putting a cap on rental cars but also when you're trying to figure out who in this country does stuff like that? I mean, I thought Martha's Vineyard actually had some kind of provision, I'm not sure of if and how they control the population and how they control their visitors. But I'm not sure, but that would be some place to check. But also, I was thinking about, you know, the reason why our buses don't have a lot of riders is because we don't offer a lot of routes maybe, but also because the ridership is not there. But I think if you got rid of rental cars you'd force some of our people to actually ride the bus. I mean, I know my car breaks down and I have to rent a car I'll go rent a car. But if there was a bus I'd probably, if there wasn't that many rental cars to rent, and there's been times when we've gone on neighbor islands, no more car for rent right? So, we got to get on a shuttle or call somebody. But I think sometimes you have to almost force people to do things they would not normally do so that we can get the results that we want. I mean, that's not a nice thing to do. But when you come into a crunch sometimes, you know, you just got to do what you got to do. And I'm not sure if it's legal to do that, but that's why we have our Corp. Counsel. But when we have those controversies I mean, but the thing that you spoke about that actually brought my attention was that the amount of money people spend commuting and the availability of housing near where they work plays a major role in affordability. So, you're talking about the affordability of the riding of the transportation, or you're talking about the affordability of the housing?

MS. ARMSTRONG: Both.

COUNCILMEMBER KAMA: Both? Okay.

MS. ARMSTRONG: Yeah, cost of living. So, it's housing and transportation are some of the biggest costs that people face. So, I think having housing that you can afford close to where you work as an option is really important for affordability.

COUNCILMEMBER KAMA: Right, so when we start to plan, we would like our housing to be developed, we also should be looking then you're saying is how we're going to also develop our transportation roadways and pathways, right?

MS. ARMSTRONG: Correct.

COUNCILMEMBER KAMA: So, those two things almost have to lineup, right --

MS. ARMSTRONG: Right.

COUNCILMEMBER KAMA: --for the next 40, 20 years --

MS. ARMSTRONG: Yeah.

COUNCILMEMBER KAMA: --right?

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

MS. ARMSTRONG: And like we talked about with the transit-oriented development, so, for Maui, how could we invest in our bus network so that it's attractive to have housing along that network. You know, it would be really nice for people to have a walkable community focused around the bus transportation.

COUNCILMEMBER KAMA: Right, right. Thank you, Chair.

CHAIR SUGIMURA: Thank you, Ms. Kama. Yes, Ms. King?

COUNCILMEMBER KING: Thank you, Chair. So, I wanted to thank you for your comments, Ms. Armstrong. I wanted to kind of go back to the idea of the \$2 fee and what, and the expansion of roads. And I know that we've had some wonderful presentations in the MPO and what I keep hearing is, you expand the roads you encourage more cars. So, maybe expansion of roads is not the right terminology, or not the right focus. But I would really love to see that money go towards more shuttles because I think that's the way to get cars off the road and not just expand the road to accommodate more cars. That's part of I think the concern of capping rental cars. I had a conversation with then DOT Director Ford Fuchigami back when they were building, they started building that, you know, expanding on the, in the airport rental facility. And my comment to him was, if we're sitting here trying to figure out how to get more cars off the road, why are we building a facility that looks like it would hold twice as many rental cars? And so, he promised to me that that was not their goal. Their goal was not to add more rental cars. It was supposed to be more parking space and some offices and things. So, I don't think that was necessarily the goal. And I don't know if you can legally, if we can do this in the County, legally cap the number of rental cars. But I think we can address it through other ways. And one of them is this parking code that we just passed which was a little distressing to me. And I voted against it in committee because we're increasing the requirement for hotels for parking spaces, which basically is to accommodate more cars. And what I'd like to see is, going forward is addressing maybe even just leaving it like it is. It used to be one parking space for every three units. Then it went to two units, and now it's one for one. And maybe what we need to do is have a, an exemption for hotels that create that shuttle, the airport shuttle, or come up with some creative ways to get them to, you know, to allow them to have less parking spaces if they can encourage those types of multimodal transportation. But we need to figure out some way, as Ms. Kama said, if people aren't doing, you know, aren't taking the bus or aren't looking for multimodal ways or, you know, there's twofold. There's one is the traffic issues, and another one is the greenhouse gas emissions. And then, you know, one of my favorite quotes from the sustainable design architect William McDonough is regulation is the sign of failure. So, if people don't do the right thing, then you have to regulate it, and that's where all these laws and rules come into play. So, what I would like to see, and I know you've been doing a great job of public, doing those public meetings, but a bigger push on advertising and PR for the bus system. Because a lot of people don't think about taking it because it's not right in front of them all the time and they don't have the schedule out there all the time. I do know that when gas prices, I mean, that's probably what affects the bus ridership the most. Because when gas prices soared, the ridership increased, and people who were appreciating ridership, even though they

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

weren't riding the bus themselves, were actually creating events to appreciate the people who rode the bus. I mean, they would go to the bus stop and give cookies to people getting off the bus just to thank them for riding the bus because the, and this goes to our tax dollars too. This is why it's so important to fund the bus system, or even if you don't ride it, every person on that bus is one person who's not driving a car right next to you and part of that traffic issue. So, I think we have to look for really creative ways to promote the bus system, promote the multimodal agenda and talk about how it benefits all of us, not just the people riding the bus. And that's why we need to support it as well if we're not taking the bus ourselves. So, I appreciate all your efforts in this area, and I look forward to having some new members on the MPO and in moving forward with the whole, you know, multimodal agenda. Thank you. Thank you, Chair.

CHAIR SUGIMURA: Thank you. Ms. Kama?

COUNCILMEMBER KAMA: One last thing, I was just thinking about when I used to live on Oahu, I used to have to catch the bus a lot because I didn't drive. But one of the things that I was, always impressed me was that I'm not sure, it probably wasn't, but, you know, the bus drivers when they drive, they would actually share history, they would talk about the culture, they'd just talk, you know. And the tourist on the bus would get so enthralled and they get so excited, then they start having conversations. I think when you ride a bus and you have those kinds of conversations, hey, that makes you want to continue to ride the bus. So, I think sometimes I just wish that I don't know if you all ride the bus and what that bus ride is like, but don't you think the bus rides are so much more exciting when people on the bus are talking and the bus driver is giving you a tour, or giving you some cultural history or background? I mean, those are the kinds of things when I think about when I go to the mainland, I ride a bus I'm talking to the bus driver, I'm not even sure if he can even talk back to me. But I'm thinking, God, what a wasted opportunity not to share our culture and our history 'cause isn't that why tourists come here, you know, to get that kind of stuff? And how much more better to get it than from a bus driver, a local bus driver born and raised here, you know, and telling all about his tutu man and tutu lady, and what that used to be before they all started to come. But nonetheless, I just think sometimes we have to be creative about what we do in our jobs. Thank you.

CHAIR SUGIMURA: Thank you. So, that sounds like, Ms. Kama, you went on a Robert's tour for visitors where you got to talk to the bus driver. I've had that experience through a visitor perspective, but not necessarily when I rode TheBus in Honolulu.

COUNCILMEMBER KAMA: It was in Washington D.C., and the bus company was owned by an Indian tribe.

CHAIR SUGIMURA: Oh, that's very interesting. Miss...oh, I'm sorry, Mr. Sinenci?

COUNCILMEMBER SINENCI: Oh, yes, Chair. Yes, thank you, Chair. Thank you, Lauren, for coming and for visiting us out in East Maui, too. I appreciate the community outreach. For us, yeah, we probably out in rural East Maui we probably get most of

MULTIMODAL TRANSPORTATION COMMITTEE
Council of the County of Maui

February 11, 2019

the rental cars that come out there. And so, for us that drive the road daily, commute daily, you know, there's certain times that we need to drive just to avoid those rental cars. I think if there was just a few and not major changes, but you know, just extra signage for parking, I know a lot of the tourist stop in places where it's either dangerous or there's no parking available. We tried to get some extra signage for turnouts, you know, 'cause, because the road is just a two-lane road for 50-some miles, you know, there's no places to turn out. So, for those slower traffic, you know, that sometimes they get caught with some of the local traffic that wants to get home after work, so, you know, there's a little bit of road rage sometimes just to try and pass. And at times it actually gets dangerous when locals pass on areas that are unsafe. So, there's only a few places I think that are safe for locals to pass. But I think if there were more turnouts and more signage then that way then we can, you know, there's, you talked about the quality of life, so, you know, then we can be more sympathetic to our visitors that just want to enjoy the ride. I had a couple other questions. You mentioned 11 miles affected by sea level rise. Would that be in West Maui?

MS. ARMSTRONG: Also, on North Shore like Kahului Beach Road is vulnerable --

COUNCILMEMBER SINENCI: Oh, okay.

MS. ARMSTRONG: --portions of Hana, yeah.

COUNCILMEMBER SINENCI: Alright, and then...

MS. ARMSTRONG: And South Maui.

COUNCILMEMBER SINENCI: And South Maui? You also mentioned that, or the question was, does the State determine where the Federal portion of the funding comes from? I mean, it will go to?

MS. ARMSTRONG: So, it has to come from both sides. The State, in their budget process, will put the State match, the 20 percent, and then the MPO would have to program the Federal funds so it...

COUNCILMEMBER SINENCI: And so, does the State determine where the Federal funding is, goes to, or what projects that goes to?

MS. ARMSTRONG: It has to be coordinated, yeah.

COUNCILMEMBER SINENCI: Okay. Alright, thank you.

MS. ARMSTRONG: Thank you.

CHAIR SUGIMURA: Thank you, Mr. Sinenci. Anyone else have any questions? So, I have some questions that we'll have Staff follow up on. Your comment regarding the turnouts or signage on Hana Highway, I'm going to have Staff ask, I think that's a

MULTIMODAL TRANSPORTATION COMMITTEE
Council of the County of Maui

February 11, 2019

DOT is State highway, I mean, that is a State highway, right, DOT, not necessarily us? But we can ask that question.

MS. ARMSTRONG: Yeah, between, yeah, from here...

COUNCILMEMBER SINENCI: So, from between Hana and Ulupalakua would be County, and then, you know, even some of the students in other states like Washington along Highway 30 going out to the Olympic Peninsula, they actually have a law where it's illegal to hold up five or more cars. You need to pull over if you have five or more cars behind you.

CHAIR SUGIMURA: Wow, I know people who drive that Hana Highway are pretty good at maneuvering, as well as we have some Staff members who are pretty good at that. When we go to your Budget hearing meetings.

COUNCILMEMBER SINENCI: Yeah, we're going to drive during Budget.

CHAIR SUGIMURA: Yes. We're going to ask for information regarding the new Department of Transportation airport structure. So, you can get information on capacity. Staff, if you could do that just for our information. The question on capping the number of rental cars, James, we have to research that. I think we'll run it through some legislation that we need to think about. Bus advertising, so, that comment regarding advertising more our bus schedules, we have Michael Du Pont here from Department of Transportation with our buses. But we'll send a question to you on what is existing, and what more can you possibly see that we could do. I do know that in Kula when I asked Don Medeiros that question a year ago about advertising the Kula bus schedule because it rides so infrequently, he said that's kind of true, right, he said the best advertising for the bus is the bus as it goes up and down the, you know, Kula highways. And, but that's one form of advertising that's pretty evident. But we may ask for more information on that. And I want to make a note that the County has a responsibility for MPO to, right now, the last Budget cycle we put in \$62,500. So, as a budget item, that's the amount that we would need to continue with our MPO administrative responsibilities. Is there anything else budget-wise that you see? I think you mentioned 13 million, or was it 2.5 that we put in? I mean, that's for projects.

MS. ARMSTRONG: So, the Department of Public Works will include in their budget request the amount needed to match the County's Federal projects.

CHAIR SUGIMURA: Okay. So, they'll tell us what that is?

MS. ARMSTRONG: Yeah, they will tell you.

CHAIR SUGIMURA: I see Rowena in the back nodding.

MS. ARMSTRONG: Yes.

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

CHAIR SUGIMURA: And sea level rise, 11 miles of vulnerable areas for sea level rise, you mentioned Kahului Beach Road, can you mention the other areas?

MS. ARMSTRONG: So, South Kihei Road, as well as North Kihei Road. There is an online map, the PacIOS [sic]. I'd be happy to e-mail that link --

CHAIR SUGIMURA: Could you?

MS. ARMSTRONG: --to this Committee.

CHAIR SUGIMURA: Could you share it with us?

MS. ARMSTRONG: 'Cause it's really nice. You can see at 3.2 feet of sea level rise, you can see which roads would be inundated.

CHAIR SUGIMURA: Thank you. Thank you for that information. And let's see, and then we can look into Martha's Vineyard. I'll have Staff look into Martha's Vineyard, Ms. Kama, just so that we can see what maybe other municipalities are doing regarding bus ridership, or...yes, Ms. Paltin?

COUNCILMEMBER PALTIN: Even I think Catalina Island, they don't allow cars either. Everybody drives around on golf carts I heard.

CHAIR SUGIMURA: It must be a different kind of community. But, okay, we can, thank you for that.

COUNCILMEMBER SINENCI: Chair?

CHAIR SUGIMURA: I will...yes, Mr. Sinenci?

COUNCILMEMBER SINENCI: Kauai, I believe Kauai down _____ side, at one point they turned around some cars where there was just too much traffic. The area couldn't handle the traffic.

CHAIR SUGIMURA: Thank you, Mr. Sinenci. I will tell you that all these comments are perfect for this multimodal transportation, and that's exactly what we're looking at. So, it's nice to hear that all of you are kind of in the same mindset, trying to address some of our problems. An item that I have in, that will come to this Committee is, or did come to the Committee is a Regional Transportation Plan for Central Maui to look at what our transportation, our cars are and what our bike lanes are. We're trying to look at things more comprehensively so that we know what our current situation is, as well as that so when we look at development projects that come before us, we know what kind of challenges we have to face as a community. Ms. Kama?

COUNCILMEMBER KAMA: So, while we're looking at the Regional Transportation Plan and we're looking at bike lanes and cars, what do we do for people who are on their

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

scooters, you know? Not the, I mean, handicapped, or the physically challenged who are riding their --

CHAIR SUGIMURA: Oh, handicap.

COUNCILMEMBER KAMA: --wheelchair scooters, or whatever you want to call it. I'm not sure what you call them.

CHAIR SUGIMURA: The electric wheelchairs.

COUNCILMEMBER KAMA: Yeah, there you go, electric wheelchairs. Do we have something like that in...

CHAIR SUGIMURA: Do you have information on that? We can send you a question.

MS. ARMSTRONG: Sure, I can just comment briefly that when the County and State do improvements to a facility, they'll make sure it's ADA accessible, and in terms of planning, I think that engaging those stakeholders who are limited in mobility is really important. So, hearing from them where are the most key places they need to reach, what are the obstacles that they see, and make sure that we include that in the planning process. Yeah.

CHAIR SUGIMURA: Very good question. Ms. King?

COUNCILMEMBER KING: Chair, thank you. So, I'm going to re-pitch my previous idea that I've been talking to you about. But I think we really need some public education on rules of the road because those questions are going to come up, you know, if you see a scooter on the sidewalk is that legal, and why is that legal and not legal to have a bicycle on the sidewalk and, you know, the, I think people don't, still don't understand that pedestrians are supposed to walk against the traffic, you know, bicycles are supposed to go with the traffic, things like that. And I see a lot of confusion about the sharrows and, versus the bike path. And so, I think there's a real need for public education on what all these things mean, what, there's now, you know, where, what's legal for a skateboard, where, you know, what avenues are legal for that versus skating, versus all these other types of mobility methods that people have. I think my kids when they were little at one time got asked by a police officer to get off the sidewalk when they were roller skating. And I said, you're supposed to roller skate in the street? You know, I mean, I just don't know what the legal rules of the road are. And I think there's a lot, whole population out there that also doesn't know. But it also would be a way to bring together more of the bicycling community with the motorist community and try to get a better sense of how we all share our roadways and our sidewalks and things like that. So, thank you.

CHAIR SUGIMURA: Thank you. That's a really good point. So, you're talking about education. So, next on our agenda we have Public Works and Police will be here. So, maybe that's really, we can find out what, as part of the discussion, so, we're in Sunshine maybe that they can tell us if they already have that. Members, any other

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

questions? Seeing none, I'm going to...thank you, I'm going to move on to the next item. Thank you, Ms. Armstrong.

COUNCILMEMBER LEE: Madam Chair?

CHAIR SUGIMURA: Yes, Ms. Lee?

COUNCILMEMBER LEE: On the next item, another item, could we recognize a former Councilmember Rick Medina right behind me?

CHAIR SUGIMURA: Oh, Mr. Medina, hello, Mr. Medina, nice seeing you.

MR. MEDINA: Can I have a parking pass?

COUNCILMEMBER LEE: No.

CHAIR SUGIMURA: No. He's still the same, isn't he?

COUNCILMEMBER LEE: Yeah, Madam Chair, I just want to share a very short story with you when in my first year as a Councilmember, my colleagues included Rick Medina --

CHAIR SUGIMURA: Thank you, Lauren.

COUNCILMEMBER LEE: --and Wayne Nishiki, and they were constantly fighting, constantly. They sat next to each other and they were constantly, and they were so annoying. And then, so what I did was, as a new Member without asking anybody, I moved my chair between them and to keep them apart. And from then on, they behaved. So, thank you very much.

CHAIR SUGIMURA: Okay. With that story, we, Members, with your permission I'd like to defer this item MT-10(3). Lauren Armstrong, thank you for being here. So, we can close this item out and we will continue with, at another time. Thank you.

COUNCILMEMBERS VOICED NO OBJECTIONS. (Excused RH)

ACTION: DEFER.

CHAIR SUGIMURA: Thank you. I'm going to take a short recess so we can change out. Thank you. . . . *(gavel)* . . .

RECESS: 10:04 a.m.

RECONVENE: 10:15 a.m.

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

MT-6 AMENDING SECTION 10.48.030, MAUI COUNTY CODE, RELATING TO PROHIBITIONS IN CERTAIN PLACES (CC 17-474)

CHAIR SUGIMURA: . . . (*gavel*) . . . Multimodal Transportation Committee will come back to order. Thank you, everybody. I'd like to welcome Mike Molina.

COUNCILMEMBER MOLINA: Good morning, Madam Chair.

CHAIR SUGIMURA: Good morning. You are visiting, and not a voting Member. But thank you for being interested in this discussion. So, the next item on our agenda, Members, is Amending Section 10.48.030, Maui County Code, Relating to the Prohibitions of Certain Places. It is MT-6 on the agenda. And a bill for an ordinance amending what I just read, and I wanted to welcome Rowena Dagdag, our Deputy Director for being here. And I will turn over the discussion to her. Thank you, Kurt Watanabe, engineering, you are an IV, Engineering [*sic*] IV with Department of Public Works, as well as we have Sergeant Hopkins [*sic*], Hodgkins [*sic*] here from the Police Department. Thank you. So, at this time, Ms. Dagdag, would you, could you open this discussion because this relates to the next two items? Can you tell our Committee a little bit about the makeup of the Public Works Commission, who is it made up of, and what it does, how you get information, how the decisions are made basically, until you come to this point where you're before the Council? Thank you.

MS. DAGDAG-ANDAYA: Thank you very much, Chair. And thank you, and aloha and good morning, Councilmembers. My name again is Rowena Dagdag-Andaya. I'm with the Department of Public Works. I'm the Deputy Director. And I want to thank you for having these two items, Chair, scheduled for your agenda this morning. The items that the Public Works Department, whenever we get requests for traffic ordinance changes or safety items relating to traffic come before us, we generally send them to the Public Works Commission for a review and recommendation to the County Council. As some of you may know, back in 2012, I believe 2011 to 2012, there was a study done by the Cost of Government Commission. And in that study, they identified the, several commissions that may benefit from having, from consolidating all of them. So, at one point we had Traffic Safety Council; the Commission on Naming Streets, Parks, and Facilities; the Subdivision Engineering Standards Committee; and the Outdoor Lighting Standards Committee all in separate commissions that were under Public Works. But in the early part of I guess 2011, 2012 the Cost of Government Commission identified, you know, maybe it would be beneficial if you combined all of these commissions together. That way, you have one body doing the function of several. And so, in 2013, we sought an ordinance creating the Public Works Commission and making sure that all of those, the functions of those different committees were under that one body. So, the Public Works Commission consists of nine members, and two alternates. All of the members are appointed by the Mayor and confirmed by the Maui County Council, and no less than three members are, shall be registered as professional engineers, and one member also needs to be knowledgeable in the Hawaiian language. This is to assist us with the naming of streets, parks, and facilities. We also require that there be one member who is a resident of Lanai, and another member, a resident of Molokai. So, we've had this

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

commission I believe since 2014 and we've been working with the County Council on passing resolutions and ordinances relating to traffic safety. We've also had outdoor lighting ordinances come before them, as well as several street naming, and park naming facility requests. So, that's a, just a brief overview of what the commission does, Chair.

CHAIR SUGIMURA: Thank you. So, before you move on, so, if a member of the community would like, or has a complaint from what we're seeing today, a complaint about their street and they would like to have no parking on one side or better signage, then they would send the request to Department of Public Works, to David Goode and yourself, Rowena Dagdag. And then, you would refer it to the, this Public Works Commission, is that correct?

MS. DAGDAG-ANDAYA: Yes, Chair. So, we do receive requests from the Councilmembers as well. And whenever we receive either a request from you or a constituent, we'll have our engineering staff do an investigation, do some research, and work with our Police Department to identify if there have been any issues in the past. And from there, we'll either work with both the Prosecutor's Office and with Corporation Counsel to develop an ordinance. Once that ordinance, that draft ordinance is developed, then we'll have the Public Works Commission review and recommend either approval or denial. And then, we transmit that recommendation to the County Council and it then becomes or gets referred to Committee.

CHAIR SUGIMURA: Thank you. Ms. Paltin?

COUNCILMEMBER PALTIN: Does that include the flashing crosswalk signs?

MS. DAGDAG-ANDAYA: Chair?

CHAIR SUGIMURA: Yes?

MS. DAGDAG-ANDAYA: Typically, those, they do get reviewed by our Department. It's, and then, when we do make a request for the flashing crosswalk signs it becomes a budget item. So, in, I guess in about a month or so when you see our budget request, there will be an item in there for the flashing crosswalks at several areas. However, you know, prior to that, we will be, we generally work with the public either, you know, a community group or with a Councilmember's office to, you know, to identify if there are any issues at the crosswalk and, you know, run some studies to ensure that, you know, this is an appropriate location before we bring it to the Council for review.

COUNCILMEMBER PALTIN: Like if the County bus runs somebody over, then a flashing crosswalk sign could happen?

MS. DAGDAG-ANDAYA: I'm sorry, can you repeat that again?

COUNCILMEMBER PALTIN: If the County bus ran somebody over in a crosswalk area, then that would warrant a flashing crosswalk sign?

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

MS. DAGDAG-ANDAYA: You know, I think there's several factors that go into, you know, ensuring that this is an appropriate location for a flashing crosswalk. But maybe I can defer that to our, Kurt from our engineering staff.

CHAIR SUGIMURA: Kurt, Mr. Matsumoto, Watanabe, I'm sorry.

MR. WATANABE: Hello? Okay. Hi, good morning. So, regarding the flashing crosswalk signs, you know, if there's a request that comes in, then we'll take a look at it and see if, you know, that is the proper mediation, I guess, or solution for that problem. So, you know, if, in the case of, you know, say the Maui Bus hit, ran somebody over in a crosswalk, you know, we'll also look at lighting and kind of even the accident report on, you know, whether the person was, kind of who was at fault, you know, yeah. So, it's not a, it's not the first solution that we'll go to. But we'll have to look into it, and if, you know, we feel that it is a good location for it then we'll put it in.

CHAIR SUGIMURA: Thank you. Ms. Andaya?

MS. DAGDAG-ANDAYA: And, Chair, thank you, and just to add on to what Kurt had mentioned, you know, there are other solutions that we can look at besides a flashing crosswalk, you know, and he mentioned one of them being lighting. There's also other things like chicanes or what we call bulb outs, you know when we extend the curb out to reduce the length of the crosswalk. So, there's several different engineering elements that can be added to an intersection to make it safer. And just, yeah, sometimes the flashing crosswalk is good, it depends though on what the location, where that location is.

CHAIR SUGIMURA: Ms. King?

COUNCILMEMBER KING: Chair, yeah, I think the question was, so that doesn't go to the Commission?

MS. DAGDAG-ANDAYA: Chair?

CHAIR SUGIMURA: Yes?

COUNCILMEMBER KING: So, was that what you were, was that your answer?

MS. DAGDAG-ANDAYA: Yes --

COUNCILMEMBER KING: It does not?

MS. DAGDAG-ANDAYA: --it generally doesn't. No, if it requires an ordinance change, then we would bring it before the --

COUNCILMEMBER KING: Okay.

MULTIMODAL TRANSPORTATION COMMITTEE
Council of the County of Maui

February 11, 2019

MS. DAGDAG-ANDAYA: --the Public Works Commission.

COUNCILMEMBER KING: So, anything that requires an ordinance change. Okay. And then, my other question about the Commission is, do we have other residency requirements or efforts to make sure that it's geographically balanced so that there's somebody from South Maui, someone from West Maui on that Commission, and someone from East Maui, I mean, along with Lanai, and Molokai requirements?

MS. DAGDAG-ANDAYA: Chair?

CHAIR SUGIMURA: Miss...yes.

MS. DAGDAG-ANDAYA: I believe at this time we don't have any other residency requirements. But when the Mayor's Office does accept applications, my understanding is that they typically look for a balance, geographical balance. It would depend on the number of applicants that come in, the interest in the board. So, I think generally speaking, we do have a pretty good balance of community members from different places. I think we have one person from Upcountry, and as I mentioned, one from Molokai, one from Lanai. I think we might need to staff the Commission with someone from West Maui and Hana. But we also understand too, that getting to the Commission meetings might be a challenge for some individuals. I have one example, our member from Molokai and Lanai, our members there, they have to either catch the boat or the plane, and sometimes transportation isn't reliable. So, they'll get to the Commission meeting at 10:30 in the morning, or they'll plan to get there early in the morning but, say their flight is delayed. So, with that delay, they either end up not coming, or by the time they get there, there's only five minutes left to the meeting. So, it's sort of, you know, we try to get that balance. But for most people, sometimes they have a difficult time trying to get to the meeting on time.

COUNCILMEMBER KING: Chair, just to --

CHAIR SUGIMURA: Thank you. If I could...

COUNCILMEMBER KING: --I just wanted to follow up with that thought if I can?

CHAIR SUGIMURA: I would like to maybe have Mike Molina speak on this, because he handled the boards and commissions.

COUNCILMEMBER KING: Right, but I, can I follow up on my question, Chair?

CHAIR SUGIMURA: Okay. What is your question?

COUNCILMEMBER KING: I still have the floor. Well, you know, I would just urge you to look for ways to get that balance instead of excuses for why it can't happen because there's interactive communication, you can change your meeting time so that, you know, the other members from the neighboring islands can make it. I would, you know, I'm hoping that there's somebody from South Maui. I don't know if there is,

MULTIMODAL TRANSPORTATION COMMITTEE
Council of the County of Maui

February 11, 2019

West Maui, Hana, Upcountry, and just look for, you know. There are ways to make it happen and make it available with interactive communication if we really want to have that balance. So, let's try to look for ways to solve the problem, instead of reasons why it doesn't work. I'd just appreciate that.

MS. DAGDAG-ANDAYA: Sure. And just for your information, Chair. There is a member from South Maui on the Committee.

CHAIR SUGIMURA: Thank you. Mr. Molina, you have the floor.

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair, and I appreciate you allowing me to speak on this as a non-Member. But just to add further clarification to Council Chair King's question and the response from Ms. Dagdag from Public Works, my experience as the boards and commissions person for the previous Administration, correct, it was stated that there is no geographical requirement for this particular board or commission, just a requirement for Molokai and Lanai, and also for a member to be knowledgeable in Olelo, or the Hawaiian language. However, it does not prohibit any one of us from working with the new Administration to offer a suggestion to have someone from our district. So, that's one way, and I can tell you from the, my past experience, this was one of the commissions that didn't generate as much interest as say, the Planning Commission or Liquor Commission. So, it does sometimes, some commissions can be a challenge, and, but any way to get the word out is certainly helpful. So, it's not only incumbent upon the Mayor, but also us to work with the Mayor, because it is the Mayor's prerogative as to who he wants to put in there, and then, of course, it's up to us to confirm or deny. So, I just wanted to add that. So, I believe Mayor Victorino is, would be very open to hear from any one of us to get someone from our districts on this commission if there is no representation. And if I'm correct, this is a seven-member committee, Ms. Dagdag? I believe so.

CHAIR SUGIMURA: Ms. Dagdag?

MS. DAGDAG-ANDAYA: Chair, there's a, it's a nine-member committee --

COUNCILMEMBER MOLINA: There's nine. Okay.

CHAIR SUGIMURA: Nine member?

MS. DAGDAG-ANDAYA: --with two alternates. So --

COUNCILMEMBER MOLINA: With the two alternates?

MS. DAGDAG-ANDAYA: --in total, there are 11.

COUNCILMEMBER MOLINA: Eleven? Okay. Thank you.

CHAIR SUGIMURA: Great.

MULTIMODAL TRANSPORTATION COMMITTEE
Council of the County of Maui

February 11, 2019

COUNCILMEMBER MOLINA: Thank you, Madam Chair.

CHAIR SUGIMURA: Thank you. And I knew you were going to be taking this up in your Committee. Thank you, Members, for letting us get a little bit, more education just about this Public Works Commission just for our information. So, that now, we can go into the next two items. So, Ms. Dagdag, if you would talk about the, a Bill for an Ordinance Amending Section 10.48.030, Maui County Code, Relating to the Prohibitions of Certain Places. The next item is about streets so, in places, could you talk to us about this? The ordinance change, Members, on Granicus is there, and if you look on item number 19, it's talking about in a medial strip. So, if you could talk to us about this. Thank you.

MS. DAGDAG-ANDAYA: Thank you very much, Chair. So, the impetus for this bill comes from various issues experienced at grassy or curbed medians throughout Maui County. Our office received calls from members of the public who reported safety issues and requesting enforcement. The Department worked with the Maui Police Department regarding these issues and discovered that no Code exists at this time that would prevent motorists from parking on medians or median strips. And for your information, a medial strip is defined in Section 10.48, as a strip or area lying along the middle and between the paved portions of a highway, which is designed to divide vehicular traffic on such highway into two opposite directions. The term shall not include traffic lines painted on a highway. So, in drafting this ordinance, we did also reach out to the Prosecutor's Office for some guidance. And after the ordinance was drafted, you know, we also consulted with our Corp. Counsel, and both sets of attorneys found the ordinance to be sufficient. So, the following changes are recommended. So, the first one is to omit gender references. In Section 10.480.030 part 3, we're requesting the deletion of the word "he," and replacing with the words, "the driver." Another similar change can be found in Section B of same ordinance. And number two, there is an addition of number 19, to include the words, "in a medial strip." So, this ordinance applies only to vehicular traffic, and the Public Works Commission heard this item at their meeting on October 25, 2017. At that meeting, they voted unanimously to recommend approval of the proposed amendment. As such, the matter was forwarded to the County Council on November 13, 2017 and is now before you today for review and action.

CHAIR SUGIMURA: Before I turn the floor over to the Members, Mr. Watanabe, do you have any comments you would like to add? No? Police Department, from the Police, Mister...how do you say your last name?

MR. HODGENS: Hodgens.

CHAIR SUGIMURA: Hodgens, Hodgens, Officer Hodgens. It's good, so, it's something that you would be able to enforce? Yes? The one place I think that we did see people parking on the medial strip was at the new Maui Lani Park on weekends. So, is that something that we can enforce? Is that owned by us or is that private, do you know?

MS. DAGDAG-ANDAYA: Chair?

MULTIMODAL TRANSPORTATION COMMITTEE
Council of the County of Maui

February 11, 2019

CHAIR SUGIMURA: Ms. Andaya, yes?

MS. DAGDAG-ANDAYA: So, the Maui Lani Parkway is part of our road system. That road was dedicated to the County, I can't remember, I think in 2015 or 2016. So, we do have oversight of that road.

CHAIR SUGIMURA: So, we would have enforcement ability?

MS. DAGDAG-ANDAYA: Yes.

CHAIR SUGIMURA: Okay. Thank you. Ms. King?

COUNCILMEMBER KING: Thank you, Chair. I feel like part of this, some of this is my fault with the sunflowers because we did have people parking on the median strip. But because that is on a State roadway, is that being enforced by the DOT? Because it was the DOT that actually approached my husband and said, we have to put up no parking signs and you have to put up no trespassing signs. But how does that work when, I'm assuming this addresses State highways, or is it just public, County roadways?

MS. DAGDAG-ANDAYA: Chair?

CHAIR SUGIMURA: Ms. Andaya?

MS. DAGDAG-ANDAYA: My understanding is, so, there's Hawaii Revised Statutes that apply to both County and State roads. But I think for this, and I might want to defer to Corp. Counsel on this, but it would only be for County.

COUNCILMEMBER KING: County median strips? Okay. And then, just maybe you can address this to Mr. Hopper, is that I think you said earlier that it was just vehicles. But the introductory paragraphs refers to no person shall stop, stand, or park a vehicle. So, that means if you were standing in the median that that would also be illegal?

CHAIR SUGIMURA: Mr. Hopper?

MR. HOPPER: I think they are all, I'm sorry, Madam Chair, I believe that they all refer to a vehicle, because I mean, the first prohibition is on a sidewalk. And so, that's clearly not telling people that they can't stop, stand, or park on a sidewalk. So, this is referring to where you have vehicles. So, they're not talking about people. It's a bit confusing the way it says. But it's, no person shall stop, stand, or park a vehicle. So, I think that's stopping a vehicle, standing a vehicle, which is a bit awkward, and probably has some historic significance, or park a vehicle. Because if you read, you know, a sidewalk, people are allowed to stand on sidewalks.

MULTIMODAL TRANSPORTATION COMMITTEE
Council of the County of Maui

February 11, 2019

COUNCILMEMBER KING: Right, so, why do we have those two words in there, the stop and stand?

MR. HOPPER: That was before my time, Madam Chair. I'm not sure of that. I think it's probably traditional language that's been used there. But that's a...

COUNCILMEMBER KING: Okay. Would it be just as effective if we took those two words out?

MR. HOPPER: Probably, but before doing that, I would want to look at a bit about the history of why this is in there --

COUNCILMEMBER KING: Okay.

MR. HOPPER: --and also, I'm not certain that's really, it's a bit broader of a scope of the ordinance as originally posted. So, I'm not comfortable doing that right now. But that's something, that's certainly something worth taking a look at --

COUNCILMEMBER KING: Okay.

MR. HOPPER: --to clarify.

COUNCILMEMBER KING: Okay. Thank you.

CHAIR SUGIMURA: Thank you.

COUNCILMEMBER KING: But other than that, it's just basically, Ms. Dagdag we're just adding the medial strip to the existing ordinance? Is, 'cause when I first read this, I thought it was addressed, it was addressing a sit, lie law.

CHAIR SUGIMURA: No, it's not.

COUNCILMEMBER KING: But I, when I reread it, it just looked like it's just adding the medial strip to this ordinance.

MS. DAGDAG-ANDAYA: Yes, Chair, that's, or yes, the stopping a vehicle in a medial strip or --

COUNCILMEMBER KING: Okay.

MS. DAGDAG-ANDAYA: --parking a vehicle as well.

COUNCILMEMBER KING: Okay.

COUNCILMEMBER KAMA: Questions, Chair?

CHAIR SUGIMURA: Yes, Ms. Kama?

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

COUNCILMEMBER KAMA: So, I, I'm sorry, so, I understand that if you read the sentence correctly, it would say no person shall stop, or park a vehicle, no person shall stand or park a vehicle? I mean, if you left out those two words, so, what are we really saying is you cannot park a vehicle on the medial, is that what we're saying?

CHAIR SUGIMURA: Mr. Hopper?

COUNCILMEMBER KAMA: That you cannot park? Is that what we're, I just want to be real clear about what we're saying in this language because who's going to read this? Us, or you, or our public? And whatever it is that we do, we need to make sure that the public understands, 'cause they're the guys that's going to get into trouble if they don't understand what they're reading. And then, we end up in court because I think it's says this, you think it says that. We don't want to do that, we want to make it clear to our citizens who went to school just like all of us. They didn't have to go to college to understand that. But it says, you cannot park a vehicle on a medial strip. Is that what we're saying?

CHAIR SUGIMURA: Mr. Hopper?

COUNCILMEMBER KAMA: Thank you.

MR. HOPPER: That's correct, and you cannot stop a vehicle on one either. So, that would be the prohibition, as you cannot park on a, park your vehicle or stop your vehicle unless, and the exceptions are listed here --

COUNCILMEMBER KAMA: Right.

MR. HOPPER: --unless except when necessary to avoid conflict --

COUNCILMEMBER KAMA: Yeah.

MR. HOPPER: --with other traffic...

COUNCILMEMBER KAMA: But can we stand a parked vehicle? That's what I'm getting at is that can we stand a parked vehicle?

MR. HOPPER: To...

COUNCILMEMBER KAMA: 'Cause that's what it says, it says, no person shall stop, stand, or park a vehicle. I understand you're not supposed to stop a parked vehicle or park a vehicle. But how do you stand a parked vehicle?

MR. HOPPER: I think the idea...

COUNCILMEMBER KAMA: That's what I'm saying.

MULTIMODAL TRANSPORTATION COMMITTEE
Council of the County of Maui

February 11, 2019

MR. HOPPER: Yeah, Madam Chair --

COUNCILMEMBER KAMA: Thank you.

MR. HOPPER: --I think the idea behind standing may refer to if you essentially have your vehicle running, maybe not parked, but it's, you're still in the vehicle, it's still running, you haven't left. So, you haven't really parked.

COUNCILMEMBER KAMA: That's considered standing, if it's running and you're sitting in the car?

MR. HOPPER: I think that is a way of referring to having your car running on the vehicle. And again, Councilmembers, if this is an issue where you'd want to, for this item add additional clarification we certainly can because we're here with the legislation now. But as currently phrased, you cannot stop a vehicle on a median, you cannot park a vehicle on a median, or stand, which I believe refers to having your vehicle there, being in your vehicle, and so, someone can't come and say, oh I'm not really, I'm not parking, I'm just kind of, I'm not sure what you would be doing there --

CHAIR SUGIMURA: Hanging out.

MR. HOPPER: --but I think it's to keep that median clear for safety purposes so that you would not have any safety issues there.

COUNCILMEMBER KAMA: So, just say that. Thank you, Chair.

CHAIR SUGIMURA: Thank you. I would love to hear, if I could, hear from the Police Department because you're the one that has to do enforcement. So, with this discussion, what would the Police Department do, Officer Hodgens, on this issue?

MR. HODGENS: . . . *(inaudible)*. . . Good morning, Chair, Councilmembers. That area actually has no parking signs established. So, when we do issue citations, we're using the Section 13 which is a kind of a general catch-all. It says any place where official signs prohibit stopping. But by adding Section 19 there, it would allow us to add the standing, which basically means, people who like pull up, they'll unload a vehicle real quick and they run back. And we're going to cover all that and exactly he said, traditional wording, stopping, standing. But it is a little confusing. So, it would be a nice idea to clear up the wording for future use. I agree with that.

CHAIR SUGIMURA: Okay. Yes, Mr. Hopper? Thank you.

MR. HOPPER: And, Madam Chair, there's also, we have conveniently a definition of stop stopping, or standing. It States in the definition section, it means any stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer, or traffic control sign or signal.

MULTIMODAL TRANSPORTATION COMMITTEE
Council of the County of Maui

February 11, 2019

CHAIR SUGIMURA: Okay.

COUNCILMEMBER SINENCI: Chair? So, that...

CHAIR SUGIMURA: Wait, one moment. So, you're, that's within the chapter and it's not printed here, but it's part of the chapter for definitions correct?

MR. HOPPER: Correct, Madam Chair. This is, it's printed in the Code. So, it's existing Code. So, it's not being altered by this section. But it is in Chapter 10 of the Code.

CHAIR SUGIMURA: Okay. Can you read that again? The definition?

MR. HOPPER: Stop, stopping, or standing means any stopping or standing of a vehicle, whether occupied or not, except when necessary, to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.

CHAIR SUGIMURA: Thank you. That's what Officer said. So, Mr. Sinenci?

COUNCILMEMBER SINENCI: Yeah, just for clarification, Mr. Hopper. So, like for emergency purposes, if a fire truck or an ambulance is coming through, we can use the median to pull over to let emergency vehicles go? That's what you're saying?

MR. HOPPER: Right now, it states in the current ordinance 10.48.030, except when necessary to avoid conflict with other traffic, or in compliance with the law, or the direction of a police officer, or traffic control device in any of the following places. And then, the definition of stop, stand, stopping, or standing states that similar language, or in compliance with the direction of a police officer or traffic control sign or signal. As to whether or not a emergency vehicle, I mean, if there's no other place to pull over to in that situation, I would see that as being a very difficult to cite the person for, as long as they properly, you know, leave after the emergency vehicle comes there, I think it'd be very difficult to cite that person for moving into the median, particularly if there's no other place to go. Now, I defer to Police and Prosecutor's Office as to how they would read that because they would have criminal enforcement in those cases. But my reading of that would say that's most likely a justification for stopping there, you know, not for parking there for any period of time, but for stopping there.

COUNCILMEMBER SINENCI: Okay. Thank you for that explanation. My second question was, you know, at times, especially at the airport, when there's hardly any parking available, so, some people would park in the median and it's not on a regular basis, but say for instance there might be a funeral service or something that's going on where certain areas would, you know, attract more visitors for a couple hours. Would, I mean, I would think that, you know, most people would seek Police to, you know, extra signage or something for that purposes. But I was just thinking, you know, in those special circumstances, you know, would you still get ticketed?

CHAIR SUGIMURA: So, if I, you're saying that if there's a situation where it's being, the traffic is being created...

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

COUNCILMEMBER SINENCI: Parking is not available, and some people will actually, you know, overflow parking into some of these areas for just some special events like that.

CHAIR SUGIMURA: So, and you're talking, okay, so, somebody would park there temporarily because of the inconvenience of not having parking. So, it sounds like they're doing something illegal. But maybe we can hear from Officer Hodgkins [sic].

COUNCILMEMBER SINENCI: Thank you.

MR. HODGENS: Right, like the problem we're having like at Maui Lani, you have that sports complex field behind Pomaikai School. That parking lot has probably 20 stalls, and on some days, weekends, they'll have a flag football, or rugby, or some event going on. So, people, even though the signs are clearly marked no parking, you'll have 50 to 100 cars parked on the median strip 'cause there's not enough parking available. And the problem we're coming across, is you have pedestrians and kids now running across the road, and you've got numerous vehicles coming through that area. So, it is kind of a, it is more of a safety issue. So, it's, but yeah, allowing people to park there just allows them to break the law. So, we're there to enforce it. So, I remind people, hey, do not park here, and so, it is a rough area, that section.

COUNCILMEMBER SINENCI: Chair?

CHAIR SUGIMURA: Thank you. Mr. Sinenci?

COUNCILMEMBER SINENCI: Yeah, are you talking about the, at the end of the parking and then there's grass area that continues at the very end of the parking? We were there last Friday, is that the median you're talking about?

MR. HODGENS: Correct, I live in the immediate area, and some weekends from that dogleg where the Mormon church is, they'll park from there, all the way down to --

COUNCILMEMBER SINENCI: Oh, that median.

MR. HODGENS: --where the grass ends --

CHAIR SUGIMURA: That hill, the middle grass area.

MR. HODGENS: --I mean, that place just gets overwhelmed with vehicles.

COUNCILMEMBER SINENCI: Alright, thank you.

CHAIR SUGIMURA: Thank you. So...

COUNCILMEMBER KAMA: Chair?

CHAIR SUGIMURA: Ms. Kama?

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

COUNCILMEMBER KAMA: So, we have this huge regional park with 20 parking spaces. And then, we go ahead and put the medial strip off limits to parking. And yet, we want our kids to participate so that they can do stuff with their time and want their parents to participate so they can do the family thing. And yet, we don't create enough parking spaces? We need to do something so that they can park legally. We cannot keep telling our people you're illegal, you're illegal, you're illegal. Let's think about ways how they can be legal. So, that's our job, right? That's our job. So, let's look for how Public Works can create more parking spaces in this humongous regional park that we must've known needed at least 100 parking stalls. So, that's my whole sense of stuff. Let's not criminalize our people. I mean, they're citizens, they pay our salaries, they work hard, they want to take care their family, their kids. They want to get involved in our community. Let's give them the opportunities to participate --

CHAIR SUGIMURA: Thank you.

COUNCILMEMBER KAMA: --to the best of their ability.

CHAIR SUGIMURA: Oh, sorry.

COUNCILMEMBER KAMA: Thank you.

CHAIR SUGIMURA: Thank you, Ms. Kama. So, before you answer, I guess this is kind of leading into other areas for need for parking at a County facility or this County park in particular. But, Ms. Andaya, would you like to make a comment?

MS. DAGDAG-ANDAYA: Yes, thank you, Chair. So, the Department of Public Works doesn't enforce parking, and that's a park facility. So, I think when the park was being developed, we did suggest to the Department, Parks Department, to consider adding some additional stalls. You also have an ordinance that requires parking as well. So, we, we're generally focused with this ordinance on, you know, overall with respect to medians throughout the County of Maui and making sure that they're safe. I also understand too that since that issue had been happening, Parks Department had opened up some of the other areas within that park facility to allow for parking in the grassy areas. So, that kind of accommodation has been taking place. However, for today's, the purposes for today's amendment, it's to look at, in general, just the medians and how we can make them safer.

CHAIR SUGIMURA: Thank you, Ms. Andaya. Ms. King?

COUNCILMEMBER KING: Thank you, Chair. Yeah, I think, thanks for that comment because I think that, you know, we should focus on the safety issue with the medians. And if we want to refer the issue of additional parking to the committee that handles parks, or land use about the parking, you know, our parking ordinances, we should do that. But I agree that we have to, that safety comes first. And I've seen firsthand, not on the County, but I think maybe on a State highway what happens when people park in the median and then they walk across the highway. And so, I do think that we

MULTIMODAL TRANSPORTATION COMMITTEE
Council of the County of Maui

February 11, 2019

need to address that in this particular issue. My only concern with this bill is it just, it doesn't make it clear that it's just about vehicles because the idea that no person shall stop, stand, or park a vehicle, I mean, if you took that word stand alone it would be like you can't stand in a median too. And some the crosswalks stop in the median and then they go across. You know, you have to stop there because the light turns red. So, that's my only concern. If it's well understood that this is a motor vehicle regulation, then I don't have as big a problem. But there's, it's just that wording.

CHAIR SUGIMURA: Thank you. Mr. Molina?

COUNCILMEMBER MOLINA: Yeah, thank you, Madam Chair. I just want to make sure all of your Members had the opportunity to ask a question before I did. First of all, I think Member Kama brings up a good point, and so does Council Chair King because I think we have to prioritize safety. But at the same time, I've gone through that area during, you know, the soccer games and have witnessed people parking in the median and it is a concern 'cause, you know, you see parents crossing and with kids. So, whenever this measure passes out and when it gets to full Council if there is a way to provide some education to all the soccer teams and everybody else. So, that way people are not totally surprised, that they're made aware maybe through our schools the word can get out. So, advanced notice that this is the new law. If I may ask, Ms. Dagdag, what are the penalties currently right now? So, should this pass, what kind of penalties is someone subject to, how much, a big fine and any other thing?

CHAIR SUGIMURA: Mr. Hopper, do you have that information?

MR. HOPPER: . . .*(inaudible)*. . .

MS. DAGDAG-ANDAYA: Chair?

CHAIR SUGIMURA: Oh, I guess we'll...

MS. DAGDAG-ANDAYA: Chair, I'll defer to either --

CHAIR SUGIMURA: Corp. Counsel?

MS. DAGDAG-ANDAYA: --. . .*(inaudible)*. . . Police.

MR. HODGENS: Yeah, that section's a \$35 fine.

CHAIR SUGIMURA: Thirty-five dollar fine?

COUNCILMEMBER MOLINA: Thirty-five dollar fine?

CHAIR SUGIMURA: So, go ahead.

COUNCILMEMBER MOLINA: Yeah, I'm just, wow, that's, I mean, for a violation like that to me, just my personal feeling 'cause I don't know if that'll really, that's enough to deter

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

someone from violating the law, especially with the median issue. 'Cause, you know, if you're going to be irresponsible to take your kid, run across the street like that, you better think twice because it's a real safety issue. So, it's just \$35, I'm like, okay, so...

CHAIR SUGIMURA: You think it's not steep enough?

COUNCILMEMBER MOLINA: Yeah, I'll, I guess maybe leave it as is for now and see what happens. But I just hate to see a tragedy happen and someone just, you know, you have irresponsible people out there that'll just take chances, break the law, and then subject themselves and a loved one to getting into an accident. So, just my thoughts. And with regards to other counties, do they have that, this something similar to what we're proposing today, maybe either through Police, or Ms. Dagdag, or Mr. Hopper?

CHAIR SUGIMURA: Any of the departments, do you know that, similar legislation?

MS. DAGDAG-ANDAYA: Chair, offhand I don't know if that, there's anything similar. But we can take a look at that prior to any further meetings regarding this matter.

COUNCILMEMBER MOLINA: Yeah, and also look if they, if other counties have that, see what their penalties are as well. So, it's under, maybe under your signature --

CHAIR SUGIMURA: So...

COUNCILMEMBER MOLINA: --Madam Chair, as a request.

CHAIR SUGIMURA: Thank you.

MS. DAGDAG-ANDAYA: And we can look into that, too.

CHAIR SUGIMURA: Okay. So, we will do a letter and we'll do an inquiry on that. So, on what other municipalities are doing, what the other fines are. And that would be a whole other discussion that's not part of this meeting. If we were to pass this ordinance today, I hear from Member Molina the concern about education so that people who have been going to the park, parks, or whoever was using it would know about it. Is there a period, or how long would this take before it would go into effect?

MS. DAGDAG-ANDAYA: Chair, I believe once you pass the matter with the County Council, it takes effect immediately after signature of the Mayor.

CHAIR SUGIMURA: Okay.

MS. DAGDAG-ANDAYA: But we can also look into doing like a press release, or some sort of public service announcement --

CHAIR SUGIMURA: Okay.

MS. DAGDAG-ANDAYA: --relating to this matter.

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

CHAIR SUGIMURA: And the other item that we'll do then, is send the discussion about having additional, 'cause really what's happening is there's not enough parking stalls. We all saw it when that park went in. It's a beautiful park, but very limited parking. I think it's good that it has a restroom. I, let's send that item for discussion through another committee about parks. So, Members, today we have before you this ordinance. I would like to make a, entertain a motion to recommend passage on first reading of the proposed bill entitled, A Bill for an Ordinance Amending Section 10.48.030, Maui County Code, Relating to Prohibitions in Certain Places; and incorporating any non-substantive revisions; and the filing of County Communication 17-474.

COUNCILMEMBER LEE: So, moved.

CHAIR SUGIMURA: Thank you.

COUNCILMEMBER KING: Second.

CHAIR SUGIMURA: Thank you. Motion by Member Lee, second by Member King. Any discussions?

COUNCILMEMBER KING: Chair?

CHAIR SUGIMURA: Yes?

COUNCILMEMBER KING: I wanted to make a motion to amend this and then maybe we can have Corp. Counsel give comment on it before it gets to Council. But I'd like to move to amend it to say, no persons...under the first paragraph, "no person shall stop or park a vehicle except when necessary." So, just eliminating the comma and the word "stand" and that second comma.

CHAIR SUGIMURA: Okay. I hear...

COUNCILMEMBER LEE: Second for discussion.

CHAIR SUGIMURA: Okay. Great. So, the amendment would be then to change the 10.40...48.030 Prohibiting in Certain Places, A, no person shall stop --

COUNCILMEMBER KING: Or...

CHAIR SUGIMURA: --eliminate the comma, stand, or, and/or park a vehicle. So, we're just eliminating --

COUNCILMEMBER KING: So, it would read no--

CHAIR SUGIMURA: --the word "stand."

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

COUNCILMEMBER KING: --yeah, "no person shall stop or park a vehicle except when necessary to avoid conflict." And for me, Chair, that, what that does is it also makes it clear that it's just about vehicle, you know, the, and not persons stopping or standing in any of these areas, just for clarity.

CHAIR SUGIMURA: Mr. Hopper?

MR. HOPPER: Thank you, Madam Chair.

CHAIR SUGIMURA: Would that be consistent?

MR. HOPPER: Just a couple of issues with that, one, we take this language...after doing a bit of research sort of on the fly here. We do, we take our, the language from this section from State law 291C-111 refers to stopping, standing, and parking. And that's where we get some of our authority to regulate this issue and it uses the phrase "standing." And that section makes clear perhaps more so than the County's section. Although I think the County's section is most likely clear here. But that makes clear that they're talking about stopping, standing, or parking of vehicles. It only refers to vehicles. But I think the phrase, "stand," and we can do again more research on this because it appears to be a historic term, may prohibit some activities that the County may want to continue to prohibit. And by deleting the word "stand" from this section, that would not only allow someone to stand a vehicle, based on that historic word, in a medial strip but it would also allow standing of a vehicle in all of the other prohibitions in the Code section. So, without researching that a bit more I'm a bit hesitant to have that change as applied to all of this. If there's other language to make clear we're talking only about vehicles though, we can certainly look to add that --

UNIDENTIFIED SPEAKER: Okay.

MR. HOPPER: --to make clear we're not talking about pedestrians. And that sounds like the goal, the ultimate goal here.

COUNCILMEMBER KING: Right. So, can we add a, would it be more prudent then to add a reference to that description to either HRS or the County ordinance definition?

MR. HOPPER: Something like that, or, you know, a crude way to do it perhaps would be to say stop a vehicle, stand a vehicle, or park a vehicle, or something along those lines --

COUNCILMEMBER KING: Okay.

MR. HOPPER: --to have any of that confusion taken away, or look at other language, or you could say pursuant to, you know, the State law section if that's --

COUNCILMEMBER KING: Okay.

MR. HOPPER: --that's a potential way to do that.

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

COUNCILMEMBER KING: Yeah, that's just my main thing is I just don't want it to get confused with people standing in a median themselves, you know. So, what would be the best way to do that? Do you...

CHAIR SUGIMURA: Mr. Hopper, are you recommending then from what I'm hearing, that we do not eliminate that word, but your suggestion would be, shall stop a vehicle, stand a vehicle, or park a vehicle, just to make it clearer to the Members, but not eliminate the word is what you're suggesting because of the reference to HRS 2.91.111 [sic]?

MR. HOPPER: Essentially because if you delete stop, and that has a unique meaning, or I'm sorry, if you delete stand --

CHAIR SUGIMURA: Stand.

MR. HOPPER: --and that has a unique meaning, that will be deleted from this whole section and standing would be allowed for all of the other items. So, I would recommend if the intent is just to clarify that we're talking only about --

COUNCILMEMBER KING: Just...okay.

MR. HOPPER: --vehicles, to clarify that. And the wording I suggested would be I think potentially one way to do that.

COUNCILMEMBER KING: Okay. So, I guess I withdraw my motion --

CHAIR SUGIMURA: Thank you.

COUNCILMEMBER KING: --and make a motion to amend to say, no person shall stop a vehicle, stand a vehicle, or park a vehicle. That makes it clear that it's about vehicular, it's addressing just the...

CHAIR SUGIMURA: Okay. Ms. Lee?

COUNCILMEMBER LEE: I will withdraw my previous second and add a second to this motion.

COUNCILMEMBER KING: Thank you.

CHAIR SUGIMURA: Very efficient. Mr. Hopper, is that okay with you, if we amend that first paragraph?

MR. HOPPER: I think that that would be sufficient if that's the intent. The acting Deputy Director had suggested perhaps changing the order of the words to saying, no person shall park, stop, or stand a vehicle, to make clear that stand refers to the vehicle as well, which is another way, so you don't have to repeat vehicle three times.

COUNCILMEMBER KING: Okay.

MULTIMODAL TRANSPORTATION COMMITTEE
Council of the County of Maui

February 11, 2019

MR. HOPPER: If that's sufficient as well.

CHAIR SUGIMURA: Members, are you okay with that? We just amended the amendment. So, Mr. Hopper, I just want to make sure, just because we are focusing on the medial strip as it relates to the rest of 1 through 18, by us making the change, does it also, does it change any of the other items listed in this ordinance before we made this medial change?

MR. HOPPER: Madam Chair, I think that if you're referring to...I don't think you're changing the way this ordinance actually applies. I think you're clarifying --

COUNCILMEMBER KING: Clarifying the language.

MR. HOPPER: --that this refers to vehicles only. I do not think Police are currently, and they can talk about this, applying this to pedestrians. I don't think that parking on a or stopping on a sidewalk is something you can get a citation for. Maybe that's something Police can clarify if this has historically applied to pedestrians. But I do not believe pedestrians have been used, have been prohibited from standing on, in these areas.

MR. HODGENS: Correct, this is pertaining to vehicles.

MR. HOPPER: Yes, so --

CHAIR SUGIMURA: Only vehicles.

MR. HOPPER: --having that clarification that we're not actually changing what's, substantively what's happening but clarifying because of some of the Members' concerns what the section requires.

CHAIR SUGIMURA: So, the amendment is going to read then, no person shall park, stop, stand a vehicle, is that what you said?

MR. HOPPER: A person shall park, stop...

COUNCILMEMBER KING: Chair? Chair, point of order. We have an amendment on the floor that hasn't been...

CHAIR SUGIMURA: That's what we're trying to get clarification for.

COUNCILMEMBER KING: Right, so, the amendment is right now, no person shall stop a vehicle, stand a vehicle, or park a vehicle. That's the amendment on the floor.

CHAIR SUGIMURA: And, okay, so, didn't you withdraw that?

MULTIMODAL TRANSPORTATION COMMITTEE
Council of the County of Maui

February 11, 2019

COUNCILMEMBER KING: No, I withdrew the first amendment. But this is the second amendment.

CHAIR SUGIMURA: Okay. And then, okay, discussion is on that then, so, you seconded that amendment? Discussion was the suggestion from Ms. Andaya was for clarification, what did you, what was it? No person shall...

MS. DAGDAG-ANDAYA: No person shall park, stop, or stand a vehicle --

CHAIR SUGIMURA: Okay.

MS. DAGDAG-ANDAYA: --to reduce the repetition of the word, "vehicle." I'm sorry, I taught English. So, I don't like using the words --

COUNCILMEMBER KING: Okay.

MS. DAGDAG-ANDAYA: --over and over again in a sentence.

COUNCILMEMBER KING: Alright, okay, so --

CHAIR SUGIMURA: So, the...

COUNCILMEMBER KING: --I will withdraw one more time, and I will --

CHAIR SUGIMURA: And you withdraw, Ms. Lee?

COUNCILMEMBER KING: --move to amend it, because I'm also an English major, to say, no person shall park, stop, or stand a vehicle.

CHAIR SUGIMURA: Okay. I like that.

COUNCILMEMBER KING: Okay.

CHAIR SUGIMURA: You second that, right, Ms. Lee?

COUNCILMEMBER LEE: Yes.

COUNCILMEMBER KING: Okay.

CHAIR SUGIMURA: Okay. All in favor, Members, of this amended, amended motion...

COUNCILMEMBER KING: Discussion?

CHAIR SUGIMURA: So, it's going to read, no person shall park, stop, or stand a vehicle except when necessary. So, that clarifies it? Is that fine with you? Police Department will be fine and Public Works will be fine.

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

CHAIR SUGIMURA: So, back to the main motion, Members, all in favor say “aye”.

COUNCILMEMBERS VOICED AYE.

CHAIR SUGIMURA: Opposed? So, we have six “ayes,” one excused, and we have passed this. We are also filing County Communication 17-474. Motion carries.

VOTE: AYES: Chair Sugimura, Councilmembers Kama, King Lee, Paltin, Sinenci.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Vice-Chair Hokama.

MOTION CARRIED.

ACTION: FIRST READING of revised bill and FILING of communication.

CHAIR SUGIMURA: Thanks for the good discussion. Now, we have the last item.

COUNCILMEMBER KING: Do you need a motion to file?

CHAIR SUGIMURA: Oh, we, I did filing of County Communication 17-474. So, the motion passes. Thank you.

COUNCILMEMBER KING: That was in the original motion?

CHAIR SUGIMURA: Thank you. Okay. Next item we have on the agenda is the last item on our agenda is for MT-7, Amending Section 17.48.040, Maui County Code, Relating to Parking Prohibitions on Certain Streets on Highways. And I’m glad that Member King and Member Lee are here because the prohibitions, or these changes are within your districts. So, at this time, we, are you going to stay here for the, oh you’re going to switch? Okay. I’m going to call a short recess. Members, stay here. We’re just going to switch out Maui Police Department. . . *(gavel)* . . .

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

RECESS: 11:04 a.m.

RECONVENE: 11:06 a.m.

CHAIR SUGIMURA: . . . *(gavel)* . . . Okay. Calling back to order the Multimodal Transportation Committee. We're on the last item, and we're actually going to be talking about roads that are being impacted with changes. So, we have, Wailuku has one road, and Kihei has three.

MT-7 AMENDING SECTION 10.48.040, MAUI COUNTY CODE, RELATING TO THE PARKING PROHIBITIONS ON CERTAIN STREETS AND HIGHWAYS (CC 18-394)

CHAIR SUGIMURA: So, at this time, Ms. Andaya, would you like to open up this discussion?

MS. DAGDAG-ANDAYA: Thank you very much, Chair. So, the, this bill proposes amendments to Section 10.48.040 of the Maui County Code. And it does two things, the first thing is it prohibits parking in a number of areas. So, if you, let's see, I think we can take a look at 10.48.04 --

CHAIR SUGIMURA: Zero.

MS. DAGDAG-ANDAYA: --0, number 47, on the north side of Onaha Street, beginning approximately 265 feet south east from the intersection of Makamua Street extending a distance of approximately 145 feet towards Haiki Place. If you look at the map here where the icon, the little hand is located, this is the intersection of Makamua Street. And then, beginning approximately 235 south east would be right around here. And it would extend a distance of approximately 145 feet towards Haiki Place, which is this cul-de-sac at this location. One of the issues here is that when cars are parked on both sides, it limits site distance. So, if you look at the next slide, so, this is Onaha Street, and this area here fronting this residence with this white car, this is generally where the no parking signs will be installed. And here's a different view continuing on towards Haiki Place.

CHAIR SUGIMURA: Thank you.

MS. DAGDAG-ANDAYA: Okay. So, that's the first item.

CHAIR SUGIMURA: Wait, one moment. Ms. Lee, this is your district.

COUNCILMEMBER LEE: Thank you, Madam Chair. I need to leave in about five minutes because I have the distinct honor of saying the opening words for the blessing of the first kiosk for DMV at Safeway. So, and that's the reason why I have to leave. So, I am familiar with this road, and I would hope that the Members do support the recommendation of Public Works.

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

CHAIR SUGIMURA: Okay.

COUNCILMEMBER LEE: It's pretty obvious that site distance is impaired at that corner. And for safety reasons, we need to support the ordinance. Thank you.

CHAIR SUGIMURA: Okay. Thank you. So, we're going to take up the vote probably after you leave. But I appreciate your input on that. And thanks for doing that dedication of that kiosk. Next item is number 48. Ms. Andaya?

MR. DAGDAG-ANDAYA: Thank you, Chair. For number 48, this would prohibit parking on the west side of Kaiola Street in Kihei, between East Alulike Street, and Kenolio Road. So, the map on the screen shows a yellow line along Kaiola Street between East Alulike and Kenolio Road. So, it would be in this section here. Street view section would show this. You can see that when there is parking, it does reduce the travel space for vehicles. Here's another area. And just for your information, these photos are taken off of Google Street View. And this is another area towards I believe Kenolio Road.

CHAIR SUGIMURA: So, Ms. Andaya, this ordinance change then, would, no parking would be on one side of the street?

MS. DAGDAG-ANDAYA: Chair, yes, it would be on the west side of Kaiola Street. So, it would be on, I believe on this side, I'm trying to get the curser here, on this side of the road.

CHAIR SUGIMURA: And currently, the residents are parking there? There's no...

MS. DAGDAG-ANDAYA: According to these street view maps. But I can also defer to Maui Police Department for their input.

CHAIR SUGIMURA: Police, oh --

COUNCILMEMBER KING: Our Kihei...

CHAIR SUGIMURA: --our Kihei specialist is coming down. When you come down, you can introduce yourself and talk to us about this street, and maybe you can stay here also because the three items you both can work together. Could you introduce yourself?

MR. KAMAKAWIWO`OLE: Hi, good morning, Ms. Chair, good morning, Councilmembers. My name is Officer Taylor Kamakawiwo`ole, Kihei CPO. In addressing this situation, yeah, we would be in support of having the signage, and the fact that there's a lot of residents that park vehicles on both sides of the roadway which congests the roadway, you know, probably making it tough for emergency vehicles, and also sight distance for pedestrian traffic as well.

CHAIR SUGIMURA: Okay. Thank you. Ms. King?

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

COUNCILMEMBER KING: Thank you, Chair. Thanks for being here, Taylor. So, was this prompted by a Police concern, or by some residents' concerns?

MR. KAMAKAWIWO`OLE: I mean, honestly, this was prompted by a community concern that was not, it didn't reach our office, in fact. It, the only way that we found out about it was, you know, this e-mail that invited us to this meeting this morning. But --

COUNCILMEMBER KING: Okay.

MR. KAMAKAWIWO`OLE: --you know, we have been conducting enforcement when the public does voice their concerns to our office and whatnot.

COUNCILMEMBER KING: Okay.

MR. KAMAKAWIWO`OLE: And we do follow up on it.

COUNCILMEMBER KING: Right, so, what is the, involved and then, are, is it signs on a pole, are you planning to paint the curb, how do they, or maybe that's Public Works' --

CHAIR SUGIMURA: Yeah.

COUNCILMEMBER KING: --question.

CHAIR SUGIMURA: Mr. Watanabe?

MR. WATANABE: Hi, yes, it would involve signs on a pole, or --

COUNCILMEMBER KING: Okay.

MR. WATANABE: --it is kind of against our policy to be painting curbs for no parking.

COUNCILMEMBER KING: Okay. Just wondering because that's a little more involved I think because you have to actually install, how many would you install along that area?

MR. WATANABE: I guess the signs would be spaced probably about 100 feet or so --

COUNCILMEMBER KING: Okay.

MR. WATANABE: --75 to 100 feet. So, looking at this, maybe somewhere between seven to eight to ten.

COUNCILMEMBER KING: Yeah, I think it's, Chair, I think it's a, it is a safety issue. I mean, I have it on my road. But I also think it's an education, you know, opportunity for the public because that, trying to drive a fire truck down some of the roads in Kihei that are, you know, a lot of them are this narrow, and they have parking on both sides. So,

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

sometimes you're trying to even just a car through can be dangerous, especially if you come around a curb and there's a car parked right there. So, I would support this. But I also would ask that there be education in that part of the neighborhood.

CHAIR SUGIMURA: Thank you. Any other comments? You're fine? Ms. Andaya, you're fine? We can move on to the next one?

MS. DAGDAG-ANDAYA: Yes, Chair.

CHAIR SUGIMURA: Yeah, okay. So, on number 49, on the east side of Hua Place in Kihei.

MS. DAGDAG-ANDAYA: Yes, Chair, and again, if you look at the map on the screen, the line indicates where Hua Place is located. It's off of Walaka Street along South Kihei Road. It's between Kanani Road and Walaka Street. And here's a street view. It would be on this side of the road. Right next to it is a condo. The rocks indicate where the condo's property line is located. And here's another view of the street. So, on the opposite side of the street, it's a vacant lot and there are cars that are parked on that side as well.

CHAIR SUGIMURA: Thank you.

COUNCILMEMBER KING: Chair?

CHAIR SUGIMURA: Ms. King?

COUNCILMEMBER KING: Thank you. So, has there been a problem with people parking on that grassy area? Is that where the complaint came from?

MS. DAGDAG-ANDAYA: Yeah, I'm going to defer this to our engineer who took the call.

CHAIR SUGIMURA: Mr. Watanabe?

MR. WATANABE: Thank you, Chair. Yeah, we've, the, I guess the homeowners association from the condo was the one that reached out to us. You know, right now you don't see any cars parked. But, you know, at night, you know, I guess a lot of it is due to, you know, these units having multiple cars and not enough parking. It, you know, it does restrict access. That is a turnaround over there, I guess in the back where you see the, I don't know if you can see the County vehicle kind of on the right side facing us. But that is an emergency turnaround for Fire, also garbage uses that as well. So, yeah, this would kind of just be to free up kind of space on the road.

COUNCILMEMBER KING: Okay. But that spot on, to the left of the rocks is all County property?

MR. WATANABE: Yes.

COUNCILMEMBER KING: Okay. Is there intent of putting sidewalks in there at some point?

MULTIMODAL TRANSPORTATION COMMITTEE
Council of the County of Maui

February 11, 2019

MR. WATANABE: Not at this point --

COUNCILMEMBER KING: Okay.

MR. WATANABE: --but...

COUNCILMEMBER KING: 'Cause I guess I have mixed feelings. I mean, I'll support the Department's recommendation. But, you know, if this is the condo complaining about it, they're basically telling, saying that their people need to park on other people's property instead of in front of their own condo. So, that's a, I mean, at some point if that lot gets developed, that empty lot, then where are those condo people going to park? It's really the responsibility of the condo to provide that parking or do shuttles, or something. But isn't it a, isn't it illegal anyway for, to have cars parked overnight on most of our roads?

MR. WATANABE: Yes --

CHAIR SUGIMURA: Mr. Watanabe?

MR. WATANABE: --yes, it is. But it's not just that condo, the Kalama Terrace condo, it, you know, that whole area is condos. So, it's --

COUNCILMEMBER KING: Right.

MR. WATANABE: --you know, you can't just specifically say it's for them and their --

COUNCILMEMBER KING: Right, no, but I think it's a...

MR. WATANABE: --tenants. But it, you know --

COUNCILMEMBER KING: Yeah.

MR. WATANABE: --it's, you know, street parking is kind of a --

COUNCILMEMBER KING: But maybe at some point --

MR. WATANABE: --premium.

COUNCILMEMBER KING: --they need to look at buying that abandoned lot and putting extra parking in or something, because that is, yeah, and charging their own condo people because basically, they're saying leave our area in front of our condo alone and go park on somebody else's property. So, that might be a conversation that needs to happen in that area with Public Works is what is your plan for going forward for parking? 'Cause this is a typical problem in Kihei since we have so many condos, you know, then as we, as the Planning Department has gone forward in increasing its

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

requirements for parking, all these other condos are grandfathered in. So, they're all still at the old ratio. Okay.

CHAIR SUGIMURA: Okay. Thank you.

COUNCILMEMBER KING: Thank you.

CHAIR SUGIMURA: Any other comments?

COUNCILMEMBER SINENCI: Question.

CHAIR SUGIMURA: Oh, yes, Mr. Sinenci?

COUNCILMEMBER SINENCI: Yeah, does the, so, what is the Public Works, you know, so, for certain amount of condos, is there a certain number of parking lots that have to be provided? I mean, I guess they got the permits, they got the requirements.

CHAIR SUGIMURA: Ms. Andaya?

MR. DAGDAG-ANDAYA: Chair? As I Stated earlier, the Parking Code falls under the Planning Department. So, Planning Department, they recently passed an ordinance that was mentioned earlier by Chairwoman King, and so, they administer the parking requirements. And we don't have any rules that would govern as to how many parking spaces. It would all fall under Planning Department.

COUNCILMEMBER SINENCI: And you said this was a County road. Does the County require to have like shoulder, like a shoulder space on the side of the road?

CHAIR SUGIMURA: Ms. Andaya?

MS. DAGDAG-ANDAYA: Chair, the grassy area here fronting the rocks, that's the shoulder area. So, according to our Code, I think it's in Chapter 12, the adjacent landowner is responsible for making sure that it's free and passable. So, in this instance, the homeowners association, they're responsible for this shoulder area. And they have been maintaining it according to and been compliant in accordance with the Code.

CHAIR SUGIMURA: Mr. Sinenci, you're fine? Okay. Thank you. Any other questions? Ms. Paltin?

COUNCILMEMBER PALTIN: Thank you. Sorry, I just had some questions about the previous slides, the previous road, sorry. When, did the Public Works contact the residents of those areas to say that we were looking into prohibiting parking in front of their residences?

MS. DAGDAG-ANDAYA: Chair?

CHAIR SUGIMURA: Ms. Andaya?

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

MS. DAGDAG-ANDAYA: We did not go door to door. However, we did have a Public Works Commission meeting regarding the matter. It did come from a constituent concern. So, that, to that extent that's our, I mean, that was our I guess you could say outreach through Public Works Commission and hopefully through the County Council, or Committee meeting agendas that we can reach out to the public.

CHAIR SUGIMURA: So, it's Sunshined?

COUNCILMEMBER PALTIN: I just am concerned, like I see the safety concern. But I, like for me, I never even heard of the Public Works Commission before. And I just was wondering like if you know all the addresses, maybe like you could've done a mailer. 'Cause if it's a constituent concern, maybe the residents would have a constituent concern that all of a sudden they're not allowed to park in front of their houses anymore. And while I think we're having an affordable housing crisis, maybe we're also having a parking crisis because people are crammed into small houses. And I'm not sure I have a solution. But I don't want to make more people upset, or more constituents upset if one person complained, and then, the whole street can't park in front of their house and they're all upset as well. So, I mean, I think we kind of saw it with the zipline thing when the County just does things without communicating to the affected parties. And I just would hope that we just kind of do our due diligence. If we don't walk door to door, but we kind of know what their addresses are, and we can make an effort to outreach them that it's going to be personally affecting them where they live.

MS. DAGDAG-ANDAYA: Sure. Yes, Chair, thank you, and thank you, I appreciate that comment. And that's the beauty in this process, the Legislative process, is that we hear those concerns and we also bring them out to the floor. So, if there is a concern about community outreach, you know, we can like work with the Councilmembers in reaching out to these different communities and --

COUNCILMEMBER KING: Chair?

MS. DAGDAG-ANDAYA: --my computer just...

CHAIR SUGIMURA: Thank you. One moment, Mr. Molina wanted to --

COUNCILMEMBER MOLINA: Yeah, thank you, Madam Chair --

CHAIR SUGIMURA: --answer that.

COUNCILMEMBER MOLINA: --and I certainly echo Member Paltin's concern because as a resident, if I was not aware some major change was going to be done to my street, I would be very upset. And I certainly appreciate the safety aspect, but I think just as a courtesy to all of the residents, and I know the Department mentioned, you know, Public Works Commission's meeting. But, you know, how many people might have

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

the time or be aware of when this meeting is going on. So, I don't know if the question can be directed to Ms. Dagdag about --

MS. DAGDAG-ANDAYA: Chair?

COUNCILMEMBER MOLINA: --notifying the public if there's other ways maybe through a leaflet. If I use that as an example, the Planning Department, if somebody wants to put up a TVR or a bed and breakfast, they have to notify the residents within so many feet, like maybe 500 feet that this could be happening in your neighborhood. So, I think that's ample notification when it comes to matters like that. Now, when it comes to making a major street change, or putting a major street ordinance where now you're told only one side of the street people can park and the other side now no can, so, is there a mechanism the Department has to notify affected residents along that street?

MS. DAGDAG-ANDAYA: Chair? At this time, no.

CHAIR SUGIMURA: Ms. Andaya?

MS. DAGDAG-ANDAYA: There is none.

COUNCILMEMBER MOLINA: So, there is nothing? So, you know, although I'm a non-voting Member, but I would hope the Department takes the direction to get the word out to residents more so at least you get...if I may ask, when any of these streets, did people come out to testify for or against at the Public Works Commission meetings?

MS. DAGDAG-ANDAYA: Chair, no. No, there wasn't. But I do appreciate this comment --

COUNCILMEMBER MOLINA: Yeah, so...

MS. DAGDAG-ANDAYA: --that you bring up.

COUNCILMEMBER MOLINA: Yeah, that's an example, I mean, you know, not to be demeaning or anything, see, this is why it's in, you know, the meetings are in the day, many people are at work, and for whatever reasons maybe the word is not getting out to them whether by choice or not. So, which is why I would really encourage the Department to maybe look at how Planning does it, maybe put a sign up there for the residents to see that, you know, there is a proposed ordinance to restrict parking on one side of the street so anybody who goes through that street they can see that. So, whatever will help. So, this way, the Council doesn't get complaints later on and say hey, we never know this went up in our community, how come, you know. So, just to avoid any future miscommunications and, but the intent is certainly good. I just want to say that.

CHAIR SUGIMURA: Thank you.

COUNCILMEMBER MOLINA: Thank you.

MULTIMODAL TRANSPORTATION COMMITTEE
Council of the County of Maui

February 11, 2019

CHAIR SUGIMURA: Ms. King?

COUNCILMEMBER KING: Yeah, I just wanted to say I don't like, I guess I didn't voice it strong enough. But that was my concern. I did ask them to do community outreach. And maybe what we need to do, because right now we're taking the first step, and then it has to go through two Council meetings. So, there is opportunity for community outreach. This is not a done deal once we vote on it today. But I do think that it needs to be, you know, that that notice should go out probably, not just this street, but all these streets. You know, everybody who lives in these areas and we, that's why I asked the question of whether it came from a constituent or a neighborhood concern, because we really have to be careful when we make decisions based on one person's complaint, and we got to make sure that everybody on that, because people don't know, just because no one comes out to a Commission meeting doesn't mean that nobody cares. A lot of them don't even know that this is coming up. So, if we want to hold it, Chair, we can hold it for further discussion. If we want to go ahead and pass it out, I think we should be very cautious about sending this to the full Council before those outreach efforts have been made for all of these streets.

CHAIR SUGIMURA: Ms. Andaya?

MS. DAGDAG-ANDAYA: Chair, and...

CHAIR SUGIMURA: Regarding outreach?

MS. DAGDAG-ANDAYA: Yes. Chair, and we can certainly do that before or prior to scheduling of the item. Say it does pass out of Committee today, and what we can do is make that effort prior to first reading or second reading.

COUNCILMEMBER KING: Okay. And it also may be that we need to have a broader discussion, rather than just adding one street at a time. Maybe we need to have a broader community discussion in, you know, across the island and maybe across the County on what these ordinances mean, what is legal and what is not legal. Because right now it's illegal to have your car parked overnight on most streets. And yet, we see it, nobody ever gets tickets on my street and they're all overnight all the time. So, I think there's a question of why we're giving, we would be giving tickets for someone who's violating this ordinance of being parked there during the day, and yet, we have all these cars parked overnight. And so, maybe it needs to be looked at a little more holistically as far as what ordinances are being enforced and which ones are not, and why we're, you know, maybe each neighborhood needs to come to an understanding of what they want in their neighborhood, instead of just reacting to individual complaints. It's getting to be an island-wide issue, I think.

CHAIR SUGIMURA: Thank you. Mr. Sinenci?

COUNCILMEMBER SINENCI: Yeah, I just wanted to agree with Councilmember King. This could be any neighborhood on the island. I mean, it surely is in my neighborhood where we have multiple parking because there's no room in the garage. So, right, I

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

agree, I would support like a Countywide discussion on this topic. I know that in Paia, they already put cones in front of their houses just to save their parking because while some of them, they live right next to some vacation rentals. And so, the vacation rentals take up some of these parking. So, if you go down Paia side, you'll see a lot of cones just to save their own parking in front their houses.

CHAIR SUGIMURA: Thank you. This is a great discussion. Maybe this is a separate item that we can have a discussion with Police, as well as with Department of Public Works on how we can, this is a communication and community outreach discussion. Ms. Andaya?

MS. DAGDAG-ANDAYA: Thank you, Chair. And I really appreciate this discussion that we're having today. And one of the things that, I know for my Department, we would really like to work with the Councilmembers, because you know a lot about your district, you know about the people in your district. So, if there is any way for us to work together in reaching out to these residents, that would be very helpful. And it doesn't necessarily mean swaying residents to, you know, to be in favor of a matter or an ordinance change. But it's just a way to educate the public, educate your constituents on what's happening, what's going on with any proposed ordinances.

CHAIR SUGIMURA: Thank you. Yeah, I would love to do a community outreach with my Kula Community Association. So, before I go to the last item, oh, Mr. Molina?

COUNCILMEMBER MOLINA: Yeah, thank you, Madam, I just wanted to add in to what the Director stated about, you know, action being taken and residents maybe not getting the word. You and I went out to Meha Place in Makawao last year with residents that stated changes were made to that street, and they weren't notified, they were unaware of it. So, a perfect example about how, you know, we need to find ways to work with the Department to get the word out, communication out, so everybody who's being affected gets the word. So, we don't have this problem and, you know, residents getting upset with the Police Department, Public Works, and us as Councilmembers about not getting the full story as to why changes were made. So, I just wanted to add that to the record, Madam Chair.

CHAIR SUGIMURA: Thank you.

COUNCILMEMBER KING: Chair?

CHAIR SUGIMURA: Ms. King?

COUNCILMEMBER KING: Yes, thank you. I'm not sure, I just wanted to ask why we're having this, you know, where the delineation is between, on this issue between this Department and Planning, because Planning, like you said, Planning Department really addresses the parking Codes and brought before the, I think it was Land Use Committee last time the changes in the Code that they were proposing for hotels. And so, are we, should we be referring this to the Planning, to the Planning and Land Use Committee, or is it something, you know, I'm not sure because I think I heard

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

Planning say that they do enforce but now I'm hearing that the Police really are the ones who enforce. So, who enforces the parking Codes?

CHAIR SUGIMURA: Ms. Andaya?

MS. DAGDAG-ANDAYA: So, Chair, it's, so, Planning has the Parking Code with respect to parking requirements, how many spaces you have for your business, or how many spaces you have for your, in the residential area for each home. The, what we're looking at is Chapter 10 with respect to Traffic Code.

COUNCILMEMBER KING: Okay.

MS. DAGDAG-ANDAYA: And that is Police Department oversees or has oversight and enforcement of that Chapter. And as Public Works, we are involved because, you know, we, we're the ones putting, installing the signs and doing all the engineering work behind it. So, I think that's kind of where the line is.

COUNCILMEMBER KING: Okay.

MS. DAGDAG-ANDAYA: So, again, the business district, for example, your business has, you're required seven parking stalls. So, Planning Department would look at your plans and, you know, let you know you are required to have these many stalls. Now, once your parking is overflowing out onto the street and it becomes an issue or a safety concern that is against Chapter 10, then you have Police Department coming in to do enforcement.

COUNCILMEMBER KING: Okay.

MS. DAGDAG-ANDAYA: Yeah.

COUNCILMEMBER KING: And at that point it becomes a traffic issue, versus a Planning? Because I have, you know, I have people on my street who have plenty of off-street parking, but they choose to use on-street parking. So, that's a, to me that's a violation of the parking Code because you're supposed to have this off-street parking, and you even have it, but you're not using it. So, I'm just trying to figure out where the lines, you know, where, who, which department is responsible for enforcing the codes.

CHAIR SUGIMURA: Thank you. Ms. Kama?

COUNCILMEMBER KAMA: So, I'm not sure how you do your outreach. So, Chair, is it done in a multiple fashion like e-mails, public notices, public hearings and things like that? And would they do it in the evening when people are more apt to be able to attend these meetings?

CHAIR SUGIMURA: So, the question is on to notify people, right --

COUNCILMEMBER KAMA: Right.

MULTIMODAL TRANSPORTATION COMMITTEE
Council of the County of Maui

February 11, 2019

CHAIR SUGIMURA: --as we're talking about communication? So, I, it sounds like we don't really have a formal way of notifying people when these changes occur. But Council meetings or the Public Works Commission meetings which are both Sunshined, are vehicles, I guess, to notify the public. And there's also like Kihei Community Association. So, I wonder if they took this up? They took up this discussion, Ms. King?

COUNCILMEMBER KING: I don't think they did. And, you know, and the problem is that when you look at this ordinance, it's got all these individual streets named on it. And so, really, the, I think the onus is on the Department to notify the people on those streets when something's coming up on their street that's going to change their ability to park the way that they've been able to park. But as I said before, I think it's a bigger issue. I think it needs to be community discussions, community by community about the parking ordinance and, you know, the restrictions on overnight parking. People that I know, I know people, areas where the Police started enforcing against overnight parking on, you know, a friend's cul-de-sac because someone complained. But they're not enforcing everywhere. I mean, it's almost impossible to enforce everywhere on this island until we make it known to everybody on this island. A lot of people don't even realize it's illegal to park on their own street overnight. And so, there's a lot of education I think that has to be done. But taking it piecemeal like this like street by street is problematic for a community association. I think they'd be taking up half their meetings every time just talking about these individual streets because it's very personal to people. It's going to be a really long discussion if you try to have it like that if you don't do the broad strokes first about why this is an issue, about why we're going to these streets and looking at these safety issues. I mean, you don't know until a fire truck starts, tries to come down your cul-de-sac and can't turn around, or it can't do the work it needs to do. And by then it's too late. But that's why I feel like it needs to be a, brought before we, you know, keep going through it like this, addressing everybody's concern because the people on the other side of the street would probably argue that the parking should be prohibited on that side of the, on the other side of the street, not their own. And so, that's what we're going to get is those, you know, the people saying well, you know, I didn't know I could complain and change the law that way. So, rather than having individual complaints that, you know, maybe that's the way we should approach it at this point.

CHAIR SUGIMURA: Thank you. Ms. Andaya?

MS. DAGDAG-ANDAYA: Sorry, just to add one more thing. So, with the Public Works Commission, they look at the technical aspect of the Code. That's why you have so many engineers. And then, we also deal with other issues and matters as well. But I also wanted to also, you know, again, just reiterate how important it is that we work with the Councilmembers, much like how our Department worked with Councilmember Sugimura when there was an issue on one of the streets in her district that, you know, they, we actually walked, or we had staff walk the district. You know, we also had in several instances with other Councilmembers in the past when an item like this came before them, they would actually ask, you know, they

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

would also work with the Department to try to find members of the, their constituents in that district, hey, what do you think about this matter? Because that, you know, just knowing what your constituents were, you know, what their concerns are would be helpful to us as well. So, I think, you know, as, I guess what I envisioned is, you know, Councilmember input from your constituents, if you're able to reach out to people that would be helpful to us as well.

COUNCILMEMBER KING: That would be helpful. But, you know, all these were brought to our, to the Committee without you reaching out to me. So, it's a two-way street, you know, I need to hear from you when you, when these issues come up and then I'm happy to help out. But, you know, there's no Councilmember that can keep track of every street in their district and, you know, know what's coming up before you guys. So, it's really incumbent upon the, you know, your, you, your Department, your Commission to reach out to the Councilmembers about these individual areas.

CHAIR SUGIMURA: Thank you. Good discussion, right, because we're talking about our, how this, our decision today will impact the people that we live with. And of the four streets we're looking at, the last one, you want to take up the last one? We didn't talk about the Lipoa Street, which is between Piilani Highway, and South Kihei. So, this is where the Kihei Community Center is, and it goes all the way down, right, Kihei community --

MS. DAGDAG-ANDAYA: Yes, Chair.

CHAIR SUGIMURA: --all the way down to Kihei, where Saint Theresa's Church is.

MS. DAGDAG-ANDAYA: Yes, and actually, this item is already in the ordinance. If you look at the last page --

CHAIR SUGIMURA: Yeah, it's the last, they just moved it up.

MS. DAGDAG-ANDAYA: --it's bracketed. And the reason why it's bracketed is because this street falls under Kihei District Section G. And when the Department was looking at the proposed revisions to the Code, we realized that the, there are other sections in this Code that...well let me backtrack a little bit. This is the only section in 10.48 that has a separate section for Kihei District. There are several other sections in this Code that include all of the Kihei roads into the Wailuku District. So, if you take a look at the first, let's see, the first page of the proposed ordinance, you'll notice that under the first paragraph in 10.48.040 you have A, Wailuku District. And then, it goes from numbers 1 to 50, and it includes the roads, this section includes roads that are in Kihei, that are located in Kihei. When staff looked at the rest of Section 10.48, and 10.36, 10.56, 10.60, we realized, we recognized that some of the Kihei roads fall under, or all of the Kihei roads fall under Wailuku District. So, we just wanted to be consistent with all of the other codes. This also falls in line with how our Highways Division maintenance districts are organized. So, we don't have a separate Kihei District for maintenance district. Everything, all of Kihei actually falls in Wailuku or Central District. So, I, that's, you know, we did contact MPD to ask if they had any

MULTIMODAL TRANSPORTATION COMMITTEE
Council of the County of Maui

February 11, 2019

issues with us deleting this subsection and there were no objections. And again, Public Works Commission reviewed it at their last meeting, or September 26, 2018 meeting and they found no issues as well. But again, you know, in rereading this section, I, you know, we did want to have this discussion with Council. So, if you have any questions on this?

CHAIR SUGIMURA: Thank you, Ms. Andaya.

COUNCILMEMBER SINENCI: I have a question.

CHAIR SUGIMURA: So, basically, if I could, and then I'll turn the floor over to the Members on that, actually, number 47 that we're talking about is in Wailuku, but 48, 49, and 50 is actually in the Kihei District.

MS. DAGDAG-ANDAYA: Right.

CHAIR SUGIMURA: And none of the other items before that are in Kihei right? These are the only three that are in Kihei?

MS. DAGDAG-ANDAYA: Yes, Chair.

CHAIR SUGIMURA: So, why couldn't we just leave it as Kihei District --

MS. DAGDAG-ANDAYA: You could, you could leave it as Kihei District.

CHAIR SUGIMURA: --for clarity?

MS. DAGDAG-ANDAYA: But it's in the rest of the Maui County Code under Chapter 10, there are several other sections that have Kihei roads listed under Wailuku District. So, if you look at 10.36 --

CHAIR SUGIMURA: Oh, I see.

MS. DAGDAG-ANDAYA: --.072 under 30 mile per hour residential district exception, you'll have the Wailuku District, and then it will also include Kihei roads. Ten point three six zero point nine zero, 45 mile per hour limit, all of the Kihei roads are listed under Wailuku District. Ten point four four, stop required through street intersection or intersecting. The Kihei roads in that section are listed under Wailuku District. And there are several other areas that have the Kihei roads under Wailuku District. Now, that came before us, I think that's one of the, we, for our purposes, it was just to, it was just a cleanup matter --

CHAIR SUGIMURA: Cleanup.

MS. DAGDAG-ANDAYA: --and just to be consistent throughout the Code. However, you know, if the body feels that, you know, you want to keep the Section G intact, you know, we have no concerns over that as well.

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

CHAIR SUGIMURA: So, you would be able to keep Section G and add the other, these other two streets 48, 49 under G, and leave Lipoa in G, correct?

MS. DAGDAG-ANDAYA: Yes, Chair, we can do that. That'd be fine.

CHAIR SUGIMURA: So, does that affect the way Police reacts to the law? No, not at all right? 'Cause you, your title. Okay. Member King?

COUNCILMEMBER KING: Thank you, Chair. Yeah, I would rather have you go through the other sections and create a South Maui District, or Kihei District because it makes it really difficult for people in Kihei to find those ordinances in our area. So, I don't know why, 'cause we have Lahaina District, we have a Makawao District, you know, in this ordinance and there's extensive, you know, numbers of streets that are addressed under, Lanai has its own district, Molokai. And so, I would say keep the Kihei one. But I do think that, Chair, I do think that we should defer these items until we get that community outreach happening. And, you know, for myself and my district, I think we need to have a broader discussion with our local Police, Kihei Police, you know. I really appreciate officer --

CHAIR SUGIMURA: Kamakawiwo`ole.

COUNCILMEMBER KING: --I'm just going to call you Officer Taylor 'cause that's easier to say than your last name. But, you know, the community, I think the KCA has a really good relationship with our Police force and our community police officers. And to have that broader discussion and bring up these streets within that discussion I think would be really beneficial before moving ahead with it.

CHAIR SUGIMURA: So, Members...Mr. Sinenci?

COUNCILMEMBER SINENCI: Yeah, so, just for clarification, it's not these four streets, it's all these streets listed on here, this bill, yeah? 'Cause I get Hana District on Keawa Place --

CHAIR SUGIMURA: Oh, those are done. So, the --

COUNCILMEMBER SINENCI: --fronting...

CHAIR SUGIMURA: Only the items we're talking about are the underscored.

COUNCILMEMBER SINENCI: Oh.

CHAIR SUGIMURA: That's on Page 4 that we're talking about today. The rest are all existing.

COUNCILMEMBER SINENCI: And so, is that, are those part of the bill, all of the existing ones as well? And so...

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

CHAIR SUGIMURA: Yes, but the only change that we're making are underscored.

COUNCILMEMBER SINENCI: We're adding these four?

CHAIR SUGIMURA: Adding, yeah, and trying to, suggesting to delete the Kihei District on the last item and to consolidate it in Wailuku.

COUNCILMEMBER SINENCI: Oh, okay. Thank you --

CHAIR SUGIMURA: That's what we're doing.

COUNCILMEMBER SINENCI: --for that clarification.

CHAIR SUGIMURA: So, Members, I hear what you're saying. And I can understand that we probably need to defer this until we have this discussion about the community outreach. I will open up another item to talk about community outreach and to kind of try to fit that into a priority for the Department to look to establish. Mr. Hopper, that would be a whole other section that we'd need to establish for this?

MR. HOPPER: Madam Chair, you're talking about the...

CHAIR SUGIMURA: Under the Public Works Commission.

MR. HOPPER: For outreach?

CHAIR SUGIMURA: Yeah, outreach, as well as --

MR. HOPPER: If it's going to be something that's required by --

CHAIR SUGIMURA: --...*(inaudible)*... Public Works Department.

MR. HOPPER: --Code, I mean, currently the Public Works Commission is not actually required to review these --

CHAIR SUGIMURA: Right, I meant...

MR. HOPPER: --it's sent to them for review because of the Department.

CHAIR SUGIMURA: Right.

MR. HOPPER: Because the Department decides to send it to them for review. So, anything that's going to be required by law to be done, then yes, that would have to be a Code change.

CHAIR SUGIMURA: Okay. So, we'll, I'm sorry, I meant to say the Department. So, before this will take effect, I'm just wondering if we defer this, what is the impact of this.

MULTIMODAL TRANSPORTATION COMMITTEE
Council of the County of Maui

February 11, 2019

This is from 2017. But if we don't take action today, what is the impact of this in terms of the reason that this communication came to us? Is there a, is this Police, or does Public Works have any comments on that if nothing happens until we take it up again and take action?

MS. DAGDAG-ANDAYA: Operationally, it wouldn't have an effect on our Department. I don't know, however, if there are any existing safety issues that need to be addressed.

CHAIR SUGIMURA: Okay. So, maybe that's Police Department. Are there safety issues that are pressing that we need to address?

MR. KAMAKAWIWO`OLE: Honestly no, I mean, if we, if you folks did defer at this point, you know, to reach out to the community and get their input, their feedback, honestly no, it would not impact. But we're just looking at potential safety concerns later on. But as Councilwoman Kelly King, you know, had said that this is probably the symptom of a bigger issue that we need to address in the future.

CHAIR SUGIMURA: So, Officer Kamakawiwo`ole, if I could even attempt to say your beautiful name, I'm sorry about that, but so, any of these streets then you're saying if we don't address it today, it would not be critical to safety at this moment? I mean, it's been since 2007 [sic] it's been --

MR. KAMAKAWIWO`OLE: Yeah.

CHAIR SUGIMURA: --sitting here in the Council . . .(inaudible) . . .

MR. KAMAKAWIWO`OLE: Exactly, I mean, if I had to prioritize it, Kaiola Street would be the most important at this point.

CHAIR SUGIMURA: Kaiola?

MR. KAMAKAWIWO`OLE: Yes.

CHAIR SUGIMURA: Okay.

MR. KAMAKAWIWO`OLE: But, like you said, it's been out here since 2017 --

CHAIR SUGIMURA: Yeah.

MR. KAMAKAWIWO`OLE: --so, I mean, yeah, it won't be that critical if a decision was not made today or not.

CHAIR SUGIMURA: Okay. So, thank you, because you have the hard job of enforcement and communication. So, I'm sure that the better job that we do with communicating with those that are involved, it'll help you in the long run. So, Members, I'm going to defer this. I'm also going to open up a separate item in terms of community outreach

MULTIMODAL TRANSPORTATION COMMITTEE

Council of the County of Maui

February 11, 2019

and input for communication on street changes such as this that we're talking about. Anybody have any comments or concerns?

COUNCILMEMBER PALTIN: I just wanted to say thank you, I really appreciate that.

CHAIR SUGIMURA: Thank you.

COUNCILMEMBER KING: No objections to the deferral.

CHAIR SUGIMURA: Thank you. So, Members, at this time I'm going to defer this item.

COUNCILMEMBERS VOICED NO OBJECTIONS. (Excused RH)

ACTION: DEFER.

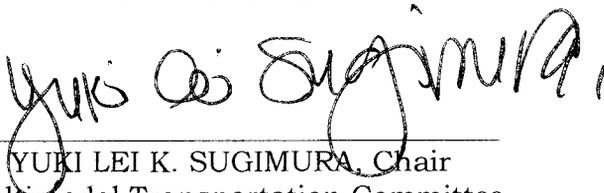
CHAIR SUGIMURA: I will bring it up at another time. I really appreciate Police, you were here in force to help us address this, and I will open up that separate item so that we can talk about communication and community outreach when we do make decisions that will involve parking or any kind of signage changes. Yes, Ms. King?

COUNCILMEMBER KING: Chair, in that discussion, I don't know if you need to add it to the communication, but could we also have a brief presentation by the, either the Public Works Department or the Planning Department on what the broad ordinances are for parking on the street. Because I think it needs to be reviewed that we have these laws like no parking overnight, and then, we have these individual streets that have no parking during the day should be a broader discussion when we talk about enforcement.

CHAIR SUGIMURA: I appreciate that. Thank you. Did we get that? Yeah? Okay. So, at this time, Members, this will end my meeting. Thank you, everyone, for being here, great discussion. I look forward, this Multimodal Transportation is such an interesting Committee, and appreciate all your comments and we will make a difference. So, this meeting is now adjourned. . . . *(gavel)* . . .

ADJOURN: 11:50 a.m.

APPROVED BY:



YUKI LEI K. SUGIMURA, Chair

Multimodal Transportation Committee

MULTIMODAL TRANSPORTATION COMMITTEE
Council of the County of Maui

February 11, 2019

CERTIFICATE

I, Marie Tesoro, hereby certify that the foregoing represents to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 7th day of March 2019, in Wailuku, Hawaii

A handwritten signature in cursive script, appearing to read "Marie Tesoro", is written over a horizontal line.

Marie Tesoro