

INFRASTRUCTURE AND TRANSPORTATION COMMITTEE
Council of the County of Maui

MINUTES

November 29, 2021

Online Only Via BlueJeans

CONVENE: 9:01 a.m.

PRESENT: VOTING MEMBERS:

Councilmember Yuki Lei K. Sugimura, Chair
Councilmember Kelly Takaya King
Councilmember Alice L. Lee (left at 11:42 a.m.)
Councilmember Michael J. Molina
Councilmember Tamara Paltin
Councilmember Keani N.W. Rawlins-Fernandez

NON-VOTING MEMBERS:

Councilmember Shane M. Sinenci

EXCUSED: VOTING MEMBERS:

Councilmember Tasha Kama, Vice-Chair

STAFF:

Laksmi Abraham, Legislative Analyst
Lesley Milner, Legislative Analyst
Paige Greco, Legislative Analyst
Richard Mitchell, Legislative Attorney
Jean Pokipala, Committee Secretary
Lenora Dineen, Council Services Assistant Clerk

Roxanne Morita, Executive Assistant to Councilmember Gabe Johnson
Evan Dust, Executive Assistant to Councilmember Tasha Kama
Lois Whitney, Executive Assistant to Councilmember Tasha Kama
Davideane Kama-Sickels, Executive Assistant to Councilmember Tasha Kama
Axel Beers, Executive Assistant to Councilmember Kelly Takaya King
Sarah Pajimola, Executive Assistant to Councilmember Keani N.W.
Rawlins-Fernandez
Jordan Helle, Executive Assistant to Councilmember Yuki Lei K. Sugimura

ADMIN.:

Jennifer M. Oana, Deputy Corporation Counsel, Department of the Corporation Counsel
Rowena Dagdag-Andaya, Director, Department of Public Works
Jordan Molina, Deputy Director, Department of Public Works
John Smith, Chief of Field Operations and Maintenance, Department of Public Works
Paul Barany, Construction and Maintenance Superintendent, Department of Public Works
Michelle McLean, Director, Department of Planning

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Eric Nakagawa, Director, Department of Environmental Management
Shayne Agawa, Deputy Director, Department of Environmental Management

OTHERS:

Mike Moran (IT-22)
Kent Rayhill (IT-67)
Darlene Rayhill (IT-67)
Dick Mayer (IT-22)
Aja Eyre (IT-67)

Rob Bostrom, CDM Smith (IT-22)
Nathan Shay, CDM Smith (IT-22)

PRESS: *Akakū: Maui Community Television, Inc.*

CHAIR SUGIMURA: . . .*(gavel)*. . . Good morning everybody. This is exactly 9:00 a.m. and we're starting the Infrastructure Transportation [sic] Committee meeting. My name is Yuki Lei Sugimura. Welcome to the meeting. I hope all of you had a wonderful Thanksgiving, and welcome. Tasha Kama, my Vice-Chair, is excused from the meeting. Alice Lee, you want to give us our greeting for this morning?

COUNCILMEMBER LEE: Madam Chair, it is kushe, and from...this is from West Africa, a country --

CHAIR SUGIMURA: Kushe.

COUNCILMEMBER LEE: -- called Sierra Leone. Kushe, my dear colleagues. I'm home alone working from my home office.

CHAIR SUGIMURA: Kushe like *(audio interference)*. Thank you.

COUNCILMEMBER LEE: Yeah, kushe.

CHAIR SUGIMURA: Kushe.

COUNCILMEMBER LEE: Not...not crochet.

CHAIR SUGIMURA: Next we have...

COUNCILMEMBER LEE: Kushe.

CHAIR SUGIMURA: Kushe. What country did you say it's from?

COUNCILMEMBER LEE: Sierra Leone, and that is West Africa.

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CHAIR SUGIMURA: Okay. Thank you. Kushe. Thank you for always doing research and providing us worldly information. So appreciate that. Next we have Mike Molina. Good morning, kushe, Mr. Molina.

COUNCILMEMBER MOLINA: Good morning, aloha, and kushe to you, Madam Chair, and to my colleagues, on this beautiful Monday morning, November 29th. For the record, I'm broadcasting out of my residence here in Makawao, and my wife is in the other room. Aloha.

CHAIR SUGIMURA: Aloha. Kushe to you. Next we have Tamara Paltin from West Side. Kushe.

COUNCILMEMBER PALTIN: Kushe and aloha kakahiaka mai Malu 'Ulu O Lele. We have some rain today in West Maui. Amazing, amazing. And I'm broadcasting live and direct from the West Maui District Office with my aide Angela, who's more than six feet away.

CHAIR SUGIMURA: Kushe. Nice to see you, and yeah, we're all...we're all grateful that...we even have rain here in Upcountry. I was grateful for that also. Kelly King, kushe, Kelly King.

COUNCILMEMBER KING: Kushe and aloha kakahiaka. Even more amazing, we have rain here in South Maui.

COUNCILMEMBER PALTIN: Hey, all right.

COUNCILMEMBER KING: Almost never happens, so we're very excited about that. I am broadcasting from my district office.

CHAIR SUGIMURA: Yeah.

COUNCILMEMBER KING: And *(audio interference)*

CHAIR SUGIMURA: And you're from...

COUNCILMEMBER KING: What was that?

CHAIR SUGIMURA: Yes.

COUNCILMEMBER KING: Okay. The only other person here is Daniel Kanahele, my --

CHAIR SUGIMURA: Very exciting.

COUNCILMEMBER KING: -- District Staff *(audio interference)*.

CHAIR SUGIMURA: We look forward to learning more as you go along and utilize the facility, so kushe.

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COUNCILMEMBER KING: Okay. And...and Daniel Kanahele is here in the next room, in the outer offices.

CHAIR SUGIMURA: Very good. Kushe to him. And that's very exciting. And joining...oh. Okay. Thank you very much. And we...joining us this morning we have Shane Sinenci, and he can really tell us about rain. How is it...kushe, Mr. Sinenci. How is it in Hāna?

COUNCILMEMBER SINENCI: Kushe kākou mai kau'a lani ha'a ha'a, land of the low-lying clouds where we've been making water the last couple days here.

CHAIR SUGIMURA: Very good. We need you badly. So keep on making water for us, Mr. Sinenci. Joining us is our Council Vice-Chair Keani Rawlins-Fernandez. Kushe, Ms. Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha kakahiaka, Chair, mai Moloka'i nui a Hina. I am at the Moloka'i District Office here with...my daughter is with me today. Ka'ikena Rawlins-Fernandez, my helper today. And yeah, it's...we're having some nice consistent drizzle here. Welcomed very much.

CHAIR SUGIMURA: Very good. So you're freezing. But welcome, Keani and your daughter, to the meeting. Gabe Johnson is welcome to attend the meeting although he's not a...he's a Non-Voting Member. So welcome, everybody. I'd like to also say that Deputy Corp. Counsel Jen Oana, I guess, is on the call.

MS. OANA: Good morning, Chair.

CHAIR SUGIMURA: Department of Public Works, today we have Jordan Molina, Deputy Director; John Smith, Chief of Field Operations and Maintenance; Paul Barany, Construction and Maintenance Superintendent for the Makawao Baseyard or...the baseyards. Planning Department, we have Michele McLean for IT-22, the impact fees, as well as their consultants Rob Bostrom, CDM Smith, and Nathan Shay from CDM Smith. Committee Staff, thank you very much for working on this aggressive busy agenda. Laks Abraham; Lesley Milner, I really appreciate your *(audio interference)*; and our new Analyst Paige Greco; Clarita Balala, never ending support, really appreciate you; Richard Mitchell, Legislative Attorney; Lei Dineen, Council Services Assistant Clerk. Thank you, everybody, for attending today's IT Committee meeting. We have four items on the agenda. IT-22 Impact Fees *[sic]* submitted by Kelly King; IT-69 Rebuilding America *[sic]* Infrastructure with Sustainability and Equity, also called RAISE, Discretionary Grants; IT-67 Mitigating Makawao Baseyard Neighborhood Impacts; IT-70 Public Works' Master Plan for Baseyards. Those are the four items on the agenda. And I'm going to guess we have testifiers. Yes. So for public testimony, we have...you can either do it online or via phone or video conference. Testifiers wanting to provide video testimony should join the online meeting via the BlueJeans meeting link, bluejeans.com/886005668, as noted on today's agenda. You can also do audio testimony by dialing 408-915-6290 and enter meeting code 886 005 668, also

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noted on today's agenda. Written testimony is highly encouraged, and you may submit that through our eComment link listed on the agenda also. Individuals are free to provide testimony via eComment as...as many agenda...as on many agenda items as they would like. And moving on to oral testimony. Laks, we have oral testifiers today, right? People signed up to testify?

MS. ABRAHAM: Chair, we have five testifiers.

CHAIR SUGIMURA: Okay. So...very good. Five testifiers. Testimony is limited to three minutes per item. If you are still testifying beyond that time, I will kindly ask you to complete your testimony. When testifying, please state your name. If you're testifying in behalf of an organization or a paid lobbyist, please inform the Committee. Please be mindful of the use of chat during the Committee is not to be used to provide testimony or...or chat with other testifiers. If you're here to provide testimony, please be courteous to others by turning off your video and muting your microphone while waiting for your turn to testify. Once you are done testifying you will be asked to disconnect from the call; however, you're welcome to continue to view the remainder of the meeting on *Akakū (audio interference)*, Facebook Live, or on mauicounty.us. So let's see...only Councilmembers, Staff, and designated resource personnel will be connected to the video conference meeting once testimony concludes. I remind Committee Members, Administration, and the public to please be patient if we run into any technical *(audio interference)*.

COUNCILMEMBER KING: Oh, I think we have a technical difficulty. You just froze up, Yuki Lei.

COUNCILMEMBER RAWLINS-FERNANDEZ: I think the weather might be affecting all of our connections.

COUNCILMEMBER KING: Yeah, I think so. I think you're right. Ironical that she was just talking about technical difficulties.

COUNCILMEMBER RAWLINS-FERNANDEZ: And our...our Committee Vice-Chair is not here either to continue the meeting.

COUNCILMEMBER KING: Yeah, what do we do?

COUNCILMEMBER PALTIN: Call the first testifier.

COUNCILMEMBER LEE: Staff? Staff, please try and call Yuki Lei to find out the status.

COUNCILMEMBER MOLINA: Call for recess.

COUNCILMEMBER LEE: Yeah. I'll become the...how's that, I'll become the Vice-Chair for these purposes?

COUNCILMEMBERS VOICED NO OBJECTIONS.

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COUNCILMEMBER LEE: I will take a five minute...let's make it until 9:20 recess, okay, 9:20 recess. . . .*(gavel)*. . .

RECESS: 9:11 a.m.

RECONVENE: 9:21 a.m.

CHAIR SUGIMURA: . . .*(gavel)*. . . Welcome back to the meeting, everybody. Thank you for taking this short recess for my network problems that I was having. Let me get *Akakū* off the call. We'll now continue on with our meeting. Laks, for public testimony, can you please call the testifiers, and do the time for three minutes each.

MS. ABRAHAM: Yes, Chair. Our first testifier is Mr. Mike Moran. Mr. Moran, please unmute yourself and proceed with your testimony.

. . . BEGIN PUBLIC TESTIMONY . . .

MR. MORAN: Good morning, Chair Sugimura and Committee Members. Mike Moran for the Kihei Community Association. And yes, we have...Councilmember King made some lemonade from that lemon of the techno...technological problem by getting one of the very few rainbows we've had in the last several years in South Maui. So that looks refreshing. We're here to testify on Item 22, the impact fees, this morning. And we are in the support of the concept of it. We did not get through the entire plan from the Planning...from Planning Department, but we did scan it and picked up some highlights. And we wanted to...speaking for South Maui, we look at our current community plan from 1998. And the two issues that we have heard the...the most comments on, I guess disappointing comments from our community, is what happened to the walkable, bikeable community that's referenced in there? And the other is, what happened to the infrastructure being concurrent with development? We don't feel we're seeing either one come. And now it's exacerbated as we're discussing updating the plan. We're hearing those same strong comments from the community, what good is the plan if we don't have it in there. So we're very glad to see this...this concept in...in here of looking at infrastructure fees for development. And we did look at the...the two approaches that Planning has offered. One, looking at individual and then showing proposed fees, taking single homes as an...as a example, as well as grouping some of them together. And we generally, as a community association, are saying no, we want to look at things individually. But we did note that the small amount that is being...would be allotted to South Maui, comparatively small amount, we would get more if it was combined, about 100 bucks more. But you know, with other things, I'm sure that you can adjust. And when we see the purpose of setting these individual fees is based on how much more development, and of course we don't need much more development here, but we have a great need for infrastructure. So when you're looking at the two, we assume we're getting that lesser amount because we don't need so much development, but we certainly have a great need for the infrastructure that we haven't had all this time. So again, these are things that you

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will discuss and...and make adjustments to. But we think this is a very good first step in...in going forward in something that we have need for. We've looked at developments, proposed developments in South Maui for, you know, decades, and we generally hear the comment from the developer, okay, we've...we've had a professional traffic guy give us an evaluation, and we're either going to have no impact or just a manini impact. Well, it's...you know, it's the death by a thousand cuts. Each one says oh, ours isn't much, but in total, it is a great need, and that's how it's gotten here. And we looked at one particular...I won't name the development, but one particular development that went before the Planning Commission and said well, we're not going to have any effect because the intersection is already rated F, and we're going to add some traffic to it, but it can't get worse than an F, so we really don't have an impact. And the Planning Commission went along with that. . . .(timer sounds). . . Time up, and thank you very much for the opportunity to testify. Aloha.

CHAIR SUGIMURA: Thank you, Mr. Moran, for always being present. Appreciate you a lot. Anybody have questions for Mr. Moran? Tamara Paltin, and then Kelly King.

COUNCILMEMBER PALTIN: Oh, Chair, I'll yield to Kelly, this is her district. And then I'll go second.

CHAIR SUGIMURA: Okay. Thank you.

COUNCILMEMBER KING: Thank you, Tamara. So I just wanted to clarify something in your testimony, Mike. Thanks so much for being here, as always, and speaking up for the South Maui area. But I think one of the points you were making was that we've had a lot of development that hasn't come with the infrastructure, and possibly because of the exemptions that are always given for affordable housing. Is that what you were referring to?

MR. MORAN: Well, that's certainly a part of it. And...and you know, we...we can understand that aspect of it. We all know we need affordable housing. But we do sometimes see some of these so-called affordable projects that come in and get...get that waiver on all these different things, then we see what happens. And they're not really what we would call affordable projects anyway. So that's certainly a part of it. But we...we mainly look at the need for the infrastructure. And we do applaud in here that...that the Planning Department is saying yes, they're looking at bicycling, they're looking at the entire infrastructure, not just motor vehicles. So we think that's important. And our greatest failing in...in South Maui is the lack of the North-South Collector Road, which is going...is proposed to be, you know, complete infrastructure. And we see that well, if some of these larger developments were paying something toward it, we could get...get that, at least in North Kihei. That segment is even ten years away. So yes, part of it is these so-called affordable developments, but it's the overall thing over the years that we've had major developments come in too, and we don't feel are...are paying a fair share.

COUNCILMEMBER KING: Okay. Thank you for that. And then just one more question, Chair, on the...the multimodal side that you're talking about. Have you had any

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response...I know the...the grant that was supposed to come through the South Maui District funds for the green bike lanes, seems like the OED is holding it up for response from the Department of Public Works. So have you had any response from Public Works on that?

MR. MORAN: Absolutely none, none. And we make a request every month. One of our board members sends in a written request every month for infrastructure, including that, and we don't get any response at all.

COUNCILMEMBER KING: Okay. So hopefully we can maybe follow up on that.

MR. MORAN: Yeah.

COUNCILMEMBER KING: Thank you. Thank you for the update. Thank you, Chair.

CHAIR SUGIMURA: What project? Kelly, what project is that that you're waiting for a response on?

COUNCILMEMBER KING: Well, you know, the...the community had wanted to...to put in green bike lanes where you paint the entire lane, not just a line, because they're not...the bike lanes don't really stand out as they are, and sometimes they get covered...parts of them get covered with sand. And that was put into the South Maui District Fund for this current budget, but they won't move on it until they hear from Public Works. So you know, the KCA, I think, has been trying to get Public Works to just answer some basic questions about how we would go about, you know, taping off, and what kind of paint to use, and things like that. So that's kind of where we're stuck.

CHAIR SUGIMURA: Sounds like a good project for MPO. Thank you very much, Kelly. Thank you very much, Mike.

COUNCILMEMBER KING: Want to get involved, we'd be happy to have you help push it *(audio interference)*.

CHAIR SUGIMURA: Yeah. Tamara Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Moran, for your testimony. I...I understand you said you didn't read the...all the 75 pages. I just wanted to clarify the part where you were talking about individual...when you were saying individual community, were...were you referring to the individual community plan area proposal? Because I thought I heard you say something about \$100, but when I'm looking at the...just the summary, it says, you know, if we go by individual community plan model, the Kihei-Mākena Community Plan area would be the highest charge for single-family homes at 1,454.87 per home. So I just was wondering if...if you...if that's what you had meant, or you were referring to something different?

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MR. MORAN: Well, I obviously...I must have misread that. I thought that the...where the commas were, and I thought that was for the prior. I don't have the document in front of me. But as it goes, I thought that that higher number was for the prior district, and the one for 200 and some bucks was...I think it was 273...I thought that was Kihei-Mākena, I may have misread it.

COUNCILMEMBER PALTIN: Oh no, you're right, you're right. I misread it. Thank you. Thank you.

MR. MORAN: Well, you're looking at all districts, I'm concentrating on one, so I should be...be able to get that part right. But thank you for clarifying that.

COUNCILMEMBER PALTIN: No, thank you. You helped me. Thank you so much. It was Pā'ia-Ha'ikū was 1,400. Thank you.

MR. MORAN: Okay.

CHAIR SUGIMURA: Thank you. Any other questions, Members? Seeing none. Next, Laks? Thank you very much, Mr. Moran, for always being present.

MS. ABRAHAM: Our next testifier is Kent Rayhill. Kent Rayhill, please unmute yourself and proceed with your testimony.

MR. RAYHILL: Good morning, everyone. My name is Kent Rayhill, and I'm going to be testifying concerning IT-67 concerning the Makawao Baseyard. I would like to thank Councilmembers Molina and Sugimura, plus their Staff, for their continued...continued efforts to help us with the issues at the Makawao Baseyard. . . .*(clears throat)*. . . Excuse me. I would also like to thank John Smith and Paul from the Highways Division, and Patrick from the baseyard, for meeting with concerned residents of our neighborhood last week. That was a really good meeting. During that visit, they had a chance to meet our neighbor who has lived on our street, Burns Place, for his entire life, 56 years. His father was raised on the street, and lived here until just a couple days ago when sadly, he passed away. He was like a grandfather to all of us who were lucky enough to be his neighbor. He took great pride in his home and this street. I bring this up because I think it's really sad that after a lifetime of living in this neighborhood, he had to live his remaining few years with the County not being such a good neighbor in return. I spoke with him many mornings while walking my dog. Each time he would first tell me a joke, and then he would look over towards the baseyard and say, this isn't right, it didn't used to be this way. Imagine a developer coming to you and saying, I would like to use five acres of County land that shares a border on three sides with residential homes to operate and park multiple 30-ton garbage trucks. These trucks will park only 20 feet from homes, where they will fill houses with thick exhaust while they warm up for 10 to 20 minutes every morning. When parked, the trucks will fill the air with the heavy smell of rancid garbage all day and night every day of the year. This might concern you, but then the developer says, I will also be parking and operating several large machines, like earth movers and massive dump trucks. These trucks will be loading and dumping asphalt,

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dirt, and gravel right behind homes. The trucks will be pumping out black exhaust and breaking noise laws. The sound of beeping trucks in reverse will be a constant sound in the neighborhood. You would ask what time this activity would start, and the developer would tell you, the first truck rolls out at 3:15 a.m. The garbage trucks will start up every morning at 4:45 a.m. Then around 7:30 a.m., all the heavy machinery will begin idling and operating so close to homes that the floors and windows will shake. You might start to get concerned about the impact on the surrounding community, but the developer would say, these massive trucks will have to pass through the main intersection of this tiny town repeatedly throughout the day, every day of the week, driving past countless pedestrians and children walking to and from school. A great portion of this added traffic will happen during rush hours. You might ask what the current zoning for this piece of land is, so the developer will explain, it is currently zoned for things like libraries, elementary schools, churches, and community centers. I would think at this point any reasonable person hearing this proposed land use would reject it, but our neighborhood is asked to live with all of this and more every day, and it just continues to get worse. Expending more money on a crumbling antiquated property located in the wrong place no longer makes sense, . . .*(timer sounds)*. . . especially...especially when the County has a much better location for this activity at the old Makawao Landfill. John Smith said...

CHAIR SUGIMURA: Mr. Rayhill, will you complete your testimony?

MR. RAYHILL: Yeah. One more...

CHAIR SUGIMURA: Your time is up. Thank you.

MR. RAYHILL: Okay. John Smith said that his division needs more money to do some proper planning, and I think this should absolutely be approved. The old landfill is 16 acres surrounded by ag field. The time is exactly right to move the heavy machinery and construction staging out of people's backyards and over to that land. Thank you. I appreciate it.

CHAIR SUGIMURA: Thank you very much, Mr. Rayhill. Anybody have questions for him? Ms. Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Rayhill, for your testimony. I just was wondering if you...what the exact zoning was called. Is it Public/Quasi-Public?

MR. RAYHILL: Yes, it's P-1, Public/Quasi-Public. And so as far as my understanding, I've read...I've read through it several times. You know, it does allow for government buildings, fire stations, police stations, things like that. But nowhere is any sort of construction or heavy machinery operation listed in that zoning.

COUNCILMEMBER PALTIN: And when...when you purchased your property, was the...you knew the baseyard was there?

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MR. RAYHILL: Yeah, of course. But since we've lived here, the activity has changed and increased dramatically. For example, behind our house used to just be a grassy field where the workers would park, and...and that has now turned into...well, basically what happened was the staging activity that used to happen at the old landfill was moved here. And so that included erecting...for the last three years we've had a 13-foot dust barrier running through our neighborhood. But that's when everything changed, and suddenly there was, you know, just basically construction activity all day long throughout the day.

COUNCILMEMBER PALTIN: And your house that you're on is zoned Residential?

MR. RAYHILL: I'm sorry, my house is zoned Residential, is that what you said?

COUNCILMEMBER PALTIN: I'm asking, yeah. Or is your --

MR. RAYHILL: Yeah.

COUNCILMEMBER PALTIN: -- your neighborhood is Residential, and then the property next to it is P-1?

MR. RAYHILL: Correct, yeah. So as...as far as I know. And...and this is also the only baseyard, I think, that exists in the State that shares physical borders with residential homes. So there's literally...you know, in some areas, the baseyard...there's just...there's not even a fence, it's just sort of like a small wire, you know, little fence that you'd see on a farm. And you've got garbage trucks that are backed 20 feet away from my neighbor's home. You know, it's...it's...

COUNCILMEMBER PALTIN: Just wondering, how long have you lived in this neighborhood?

MR. RAYHILL: So we've lived in this house for four years.

COUNCILMEMBER PALTIN: Okay. All right. Thank you, Chair. Thank you, Mr. Rayhill.

MR. RAYHILL: Thank you.

CHAIR SUGIMURA: Thank you. Anybody else have questions for Mr. Rayhill? Seeing none. Thank you very much. Next testifier?

MS. ABRAHAM: Our next testifier is Darlene Rayhill. Darlene Rayhill, please unmute yourself and proceed with your testimony.

CHAIR SUGIMURA: Darlene Rayhill?

MS. RAYHILL: Can you see me? I'm sorry.

CHAIR SUGIMURA: Oh, now we can see you, and we can hear you.

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MS. RAYHILL: Okay. Sorry about that. So actually, what you see behind me is...is a picture of our backyard. So that's the...that's the dust barrier that was described by Kent. So can you still see me, am I there? Okay.

CHAIR SUGIMURA: We can see and hear you.

MS. RAYHILL: So my name is Darlene...my name is Darlene, and I'm a resident of Burns Place in Makawao, and I'm testifying regarding item IT-67, Mitigating Makawao Baseyard Impacts. First of all, I would like to thank Councilmembers Sugimura and Molina and their offices for their ongoing assistance in getting this issue recognized. I'm also very thankful for their kindness and patience. Jordan of Councilmember Sugimura's office already submitted my emails as written testimony on this topic, and I encourage you to look them over. We had a community meeting with the Transportation Department [sic] last Monday, and I feel very encouraged by some of the upcoming changes that will be made. In my past testimony, I noted that the Makani Landfill would be a perfect place to move this offending activity. Thankfully the Transportation Department [sic] said they'd be moving the staging activity back to the Makani Landfill area. This is wonderful news, but also bittersweet because they told us that the staging was moving, but the trucks would remain behind our houses. The trucks being started up, warming up, and idling is a big part of the problem, it fills our houses and lungs with pollution on a daily basis. They also told us about the plans to make the entrance area safer, which is much needed. This neighborhood is surrounded by schools and churches, and the children are crossing the entrance to the baseyard. Funding is needed to rehab and rebuild a large structure as well. As I completely support the funding needed to plan the baseyard, I would like to see the Council approve funding for finalizing the post-closure plan of the Makani Landfill so that all of the 16 acres can be used as a new area for...a new area for a baseyard that supports this entire community. The EPA states that the post-closure is 30 years from the closure. So as August of 2021, the Makani Landfill can be used for activity other than what was stated in the post-closure plan. This amazing news is just as simple as filing paperwork. No more hiring a lawyer and doing amendments, all you have to do is get a few signatures. In that 16 acres, which is conveniently surrounded by 1,000 acres of ag land and not a residential area, you can plan an amazing new baseyard that houses both the Transportation [sic] and refuse departments, as well as a space for green energy. As far as the space here in Makawao, perhaps that could be used for admin offices for these departments or temporary storm greenway staging, which is what it's been used for in the past. As a neighborhood, we do see the need for this kind of activity from time to time, we're just simply tired of the daily activity. This is a very easy, most cost-effective solution to relieve the neighborhood of this offending activity. So in short, I highly encourage the approval of funding for planning a brand new baseyard at the Makani Landfill. Thank you for your time.

CHAIR SUGIMURA: Thank --

MS. RAYHILL: That's it.

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CHAIR SUGIMURA: -- thank you. Anyone have Member...have questions for her? Seeing none. Thank you very much, Darlene. Oh, sorry. Tamara?

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Ms. Rayhill. When you were mentioning the Department of Transportation, was that the County Department of Transportation you were speaking of?

MS. RAYHILL: Highways, I'm sorry. I think it's not Transportation but Highways Department [sic].

COUNCILMEMBER PALTIN: Oh, Public Works Highways.

MS. RAYHILL: Yeah.

COUNCILMEMBER PALTIN: Okay. Got it. Thank you.

MS. RAYHILL: Yeah. We had a...we had a nice meeting with them.

CHAIR SUGIMURA: Thank you. I see no other question. Thank you very much for testifying. Next testifier please, Laks.

MS. ABRAHAM: Our next testifier is Dick Mayer. Dick Mayer, please unmute yourself and proceed with your testimony.

MR. MAYER: Thank you. Aloha and kushe. Today's discussion of a traffic impact fee is long overdue and very much deserving of your attention and eventual implementation. Thank goodness it is arriving on your desks and in your Committee as a draft document because there are a number of errors in the document and a number of items that you will need to consider before implementing the proposed legislation. I'm going to list these. Number one, the list of proposed projects is very well done; however, the construction dollar costs are in many cases gross underestimates of the actual eventual construction cost. And for example, the estimated cost of the totally new mauka alignment of the highway from the Pali to Launiupoko will be far greater than the \$75 million. That's a totally new alignment. Number two, many of the proposed projects have district allocations which are incorrect. For example, and I'm going to give two, the intersection of Pulehu Road and Hansen Road gives a low allocation to Upcountry, Maui and an almost similar allocation to South Maui. South Maui is not the location and beneficiary of this project. A second and even more egregious misallocation is for the construction of the improvements of Olinda and Piihola roads. That is entirely an Upcountry project, and should not be placed in the Ha'ikū-Pā'ia District column. Number three, this draft only discusses the initial construction costs of highways and roads and intersections, and neglects to point out that thereafter, there will be considerable repair and maintenance costs on each of these projects. Somehow the traffic impact fees must consider this major additional expenditure that will be ongoing on these new projects. Number four, the use of electric vehicles will increase considerably over the next decade. Consequently, you will no longer be able to rely on gasoline taxes as a revenue source for the construction

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of roads and highways. Please factor that into your consideration of impact fees and transportation improvements. Please send this draft report to the MPO for their decisions...for their discussion of the issues which I have raised here, and there are other issues I could raise, and for a recommendation similar to the type of recommendation you get from the Planning Commission when you send them proposed legislation. Finally, if you ask me a question, I will tell you what the Planning Department's previous traffic impact advisory committee recommended. It was one I was on, and worked with several of the developers on this island, as well as environmental folks, and we came up with a recommendation which Mayor Arakawa refused for several years to send to the Council. And by the time it was sent to the Council, the numbers there were outdated. And I can give you some background on that, and their recommendations, which I think are important in this case. Thank you.

CHAIR SUGIMURA: Thank you. . . .(coughs). . . Thank you, Mr. Mayer. Excuse me. Anybody have questions for him? Ms. Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Mayer, for your testimony. And I just wanted to clarify, when you said send it to the MPO, is it the technical advisory committee or the policy one or both?

MR. MAYER: I would think it...it's certainly technical, it's not so...and...but there are also some policy implications as well regarding how the allocate...how the impact fees should be allocated, whether by individual community plan districts, the whole island, or the third alternative. By the way, the third alternative, the one which combines all of Central Maui, West Maui...excuse me, Central Maui, South Maui, Upcountry, and Ha'ikū into one district, that is the one that our previous advisory committee recommended as probably being the fairest allocation. Now, you will...you will have to look at that, but I think that East Maui and West Maui are enough separate, sort of little islands almost, that they should have their own impact fee, whatever that might be. And Central Maui and Upcountry, et cetera, probably the traffic there is pretty much inter...interregional. But the MPO...to answer your question, the MPO, I think, has the staff and the ability to go through that, rather than taking up Council time going through the fine points of this proposal.

COUNCILMEMBER PALTIN: Thank you.

CHAIR SUGIMURA: Any other questions? Kelly King?

COUNCILMEMBER KING: Thank you, Chair. Thanks for being here, Dick, and for your dogging this. I know this is an old issue I think I put on the agenda back in 2017. But I'm not sure, I just wanted to clarify why the MPO...because the MPO is set up to spend Federal funds, so they could make recommendations possibly on the Federal infrastructure money coming in. But for...for local policy, they don't usually set that kind of policy. So...but you...you think that they would be a better body than, say, going to the Planning Commission for recommendations?

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MR. MAYER: Yeah. It's...it's a highly technical issue on the traffic and...and what are the correct...for example, what I was saying about the allocation of funds by district as to which district a project comes in. They...they would have the ability to take a look at that. Now they may need to supplement, they could call in their own staff, they could set up a community advisory committee of community leaders. They could set up...they could involve the State and...and the County officials. They could call in testifiers. I just think that they are better set up than your...your committees, which spend so much time taking public testimony that you oftentimes don't have the time to discuss important items such as this. And they probably can...can be more efficient about getting a recommendation back to you. If you feel that it would be...that you want to set up your own TIG committee made up of community members...and not necessarily a lot of Councilmembers, but community people who are involved in this. For example, the Public Works Department should be involved in this, not just Planning. This is...these are construction projects and certainly, you'd want their input. That's...I'm just trying to give you some ideas that this is a very important issue and I think...and I don't want to delay it. This is not to meant to delay it. I'm trying to expedite it and get...get it through because I think what the advisory committee previously did in 2012/'13 when we made our report, we recommended...and that's now been eight years that it just has been delayed, and therefore, we're falling further and further behind on infrastructure. Please accelerate this.

COUNCILMEMBER KING: Okay. Thanks for...for that explanation. I...I...I kind of...I agree with you it needs to be accelerated, and we need a body. I'm not sure the MPO...because the MPO has to take testimony too. So you know, they...they do have that public testimony requirement.

MR. MAYER: And it might be a TIG committee, which does not have to take testimony necessarily, can...can act and decide and discuss. Maybe...you have to find a way to do it. And I'm not sure, you know the mechanisms.

COUNCILMEMBER KING: Okay. Thank you. Thank you, Chair.

CHAIR SUGIMURA: Thank you. Mr. Molina has a question for you.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. Good morning, Mr. Mayer. And thank you for your testimony because I can agree with you in delaying moving forward with this today based on some of the, I guess, adjustments you were suggesting. Just very briefly, can you tell us why you believe the Arakawa Administration delayed implementing, I guess, the original bill back when you were on the advisory committee?

MR. MAYER: I...I many times went to both the...the Mayor and also to Managing Director and said, we, as a committee...and the committee was one of the fairest community committees I've ever served on. It included several people from the development community and Lucienne and myself, and I think several other people were there. And we made our recommendations, and then the Mayor sat on it. And I don't know

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the...I never could find out why. Maybe they just didn't want to upset certain people by tacking on fees, or whatever, but it...it really caused problems. And finally it went to the Council, I think, after much assistance on my part really to try to get them to send it. And then by that time, the Council, I think, looked at it and said, well, these figures are now three or four years old, we don't...we don't want to implement it at this stage. So I'm glad it's coming back. I think Michele, your Planning Director, has done a good job getting this to you now, and I would hope that you'll be able to act on it quickly.

COUNCILMEMBER MOLINA: Okay. Thank you very much, Mr. Mayer. Thank you, Madam Chair.

CHAIR SUGIMURA: Thank you. Thank you, Mr. Molina. Any other questions for Mr. Mayer? Seeing none. So Mr. Mayer, just so you know, the...Michele did a presentation to the MPO regarding the impact fees, and that was a couple of months ago. So just so you know, there's...there's a loop going on just for communication. Thank you. Thank you very much.

MR. MAYER: Well, I just would say somebody should go through and audit the...the numbers that are in there because I think there are a number of errors, and I think they should be pointed out by a group of people. I'd be glad to help, and others would be able to as well. So make...make sure that we get the right numbers in there.

CHAIR SUGIMURA: Thank you. Thank you very much. Thank you very much, Mr. Mayer.

MR. MAYER: You're welcome.

CHAIR SUGIMURA: Laks, the next testifier?

MS. ABRAHAM: Chair, our last testifier on the list is Aja Eyre. Aja Eyre, please unmute yourself and proceed with your testimony.

MS. EYRE: Kushe, this is Aja Eyre, and I'm actually testifying from my car. Unfortunately I was at home, but had to leave. As I...and I'm testifying on item IT-67. As I said in my testimony back in August, my family of seven has lived with the baseyard as our backyard for ten years. We also own a home on the north end of the baseyard, so I'm actually a neighbor on two of the three residential borders of this County baseyard. I would first like to thank Councilmember Molina, who's really put in the extra effort to address our concerns, and Councilmember Sugimura, who's been able to get a lot accomplished in the last couple weeks. On behalf of the more than 20 residents that have come together and produced reports and submitted information to the Department of Highways and the other departments that deal with the baseyard. And I also just want to thank the Rayhills because they really put in the effort on behalf of the neighborhood. A lot of us work during the day, and it's hard for us to get into these meetings. And they even were able to manage to have a meeting in the afternoon so we're able to have...the neighbors who aren't usually able to testify were able to be there with the Highways Department. And I know that this baseyard

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problem is a strange concern to bring to the County Council because a lot of what happens and what could change for the better is not under the Council's purview. But I would like to brainstorm a bit about how the Council has and could positively affect the issue. First of all, all of the work that Councilmember Molina and Sugimura have put in has...has brought us great results as kind of outlined by the Rayhills in their testimony. And with those great results, from this point on, we just really ask that this Committee and the Council as a whole continues to ask really hard questions of the departments involved in baseyard management. For example, this baseyard is not a Solid Waste Department [sic] baseyard, yet the Solid Waste Department [sic] parks half a dozen garbage trucks 15 feet from residential homes; drives at least 30 percent further than it needs to be on a daily basis because of where the baseyard is located, which wastes gas and manpower; and refuses to discuss any other baseyard parking options with the residents most affected. These sorts of daily operations that affect all of us on a daily basis will hopefully continue to be questioned by Councilmembers because you guys are doing a great job getting things actually acted upon so far. We've been working on this for three years since the increase of activity when more than...the number of trucks and activity was more than doubled at the baseyard. In the long-term, the bottom line here is that there is no planning or plan for the baseyards in the counties [sic] that we can find, and that's also what the divisions of Highway has let us know. These departments are asked to make do with snap decisions made by other departments, but no consideration is taken in this kind of emergency hustling, where are we going to put this material, where are we going to park these trucks now that, you know, this happened. But...but they can't take into consideration like how does this affect traffic at the busiest...you know, the busiest intersection Upcountry. What happens to the trucks idling into people's homes? You know, what happens when they pour concrete in the...in the parking lot, and that causes drainage issues for everybody downhill from them? You know, we're having like floods when we have major rains that we didn't used to have. I'm not talking about the March flood, but just a regular rain like today, we're having, you know, tons of water flow into our homes. And these are just things because there's not a plan and they just are acting according to emergencies. And while I would like to have all these issues addressed . . .*(timer sounds)*. . . as soon as possible--sorry, I'll finish up--I just want to ask the Council to take the steps necessary to have studies done on baseyard planning, and to be very mindful when you're dealing with County budget with these baseyard issues. Because a lot of these problems we can't just throw money at. It needs to be carefully planned, it needs to take in consideration the long-term plan for this area of Makawao, which according to the Maui County plan is actually supposed to be affordable housing, everything mauka and makai of the baseyard. And so we're...we have a baseyard that adds, you know, extra traffic to an area that's already very, very trafficked and surrounded by schools, churches, and residential areas. So I just thank you for your careful consideration and cautious questions as we proceed. Thank you.

CHAIR SUGIMURA: Thank you. Anyone have any questions? Ms. Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. I just wanted to clarify if you know the zoning of the residential neighborhood. Is this an ag subdivision?

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MS. EYRE: I...no, it is not an ag subdivision. It's Residential on our road. So the residents that are concerned are my road and Piikea, which is south of us. Those are just...I...I can't remember what our...they are, if there are...or...on the other sides, that's zoned Residential, but it's kind of like quasi ag. So on the...it would be the north side, it's kind of makai and mauka, it doesn't...you can't really tell. On the...on the other side, so the makai side of the baseyard, that is Residential. There's one...again, a subdevelopment there, and then also Ag. So there's a couple Ag bordering it, but it's mainly Residential that borders it. And then it's bordered by Makawao Ave. on the main street. And it's about 200 feet of footage on the main street.

COUNCILMEMBER PALTIN: And...

MS. EYRE: And it's five acres, if that helps too, for you to see that.

COUNCILMEMBER PALTIN: I pulled up the pictometry on the website, and I see the dust fence, and it...I mean it looks fairly large, five acres. Would it help if they parked the trucks on the side that doesn't have...I mean, are they parking the trucks bordering the houses, or can they just park --

MS. EYRE: But parking the...

COUNCILMEMBER PALTIN: -- *(audio interference)*

MS. EYRE: Right. Well, the...it's hard because we're dealing with two departments. So the Department *[sic]* of Highways has...they've moved an asphalt pile that was right backed up...I mean the asphalt was basically falling into the backyards of the homes. So they moved that, they moved some of the Highways parking, but it's also the Department *[sic]* of Solid Waste parks trucks right up next to the house, and they have not been willing to meet with us. They've actually been kind of angry and mean about it. So they park right up, and they don't want to move over anywhere, and they're like we've been parking here 25 years. And we're like yeah, and we're dealing with it, and we're trying to deal with it for 25 years, can you please move. I think you guys are going to be talking with the Highways Department *[sic]* and they have a different plan for parking. But again, it's just it's...it's a challenge to get anything changed if it's been done the same way for a long time, even if it's something that shouldn't have done that way in the first place. They shouldn't have been parking garbage trucks 15 feet from someone's house, for example. But the Highways Department *[sic]* is looking at ways to change it, it's just...like they have a building at the back that needs to be redone, and so they lose like an acre and a half of parking because there's an old decrepit building that no one can use or park back there, and it's backed up to ag land.

COUNCILMEMBER PALTIN: So if the Solid Waste folks were to park not on the building side of the property, the open space or the...I don't know if that's Ag on the other side, but it doesn't look --

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MS. EYRE: It is Ag, yeah.

COUNCILMEMBER PALTIN: -- from the pictometry that there's houses. Do you think that would --

MS. EYRE: Right.

COUNCILMEMBER PALTIN: -- alleviate the problem if they parked on the other side?

MS. EYRE: It would make...it would make a huge difference, especially because all the houses, Piikea and Burns are downwind from the baseyard. And so the further that they get from the streets, the less that the...that the exhaust and the garbage is going to, you know, waft into houses. And you know, the solution to pollution is dilution, as the environmental teacher says at K Kekaulike. So if we...even if it's just another 25 feet away, that extra air will keep the exhaust from just going straight into everyone's homes. And my...you know, it's a shame a lot of my neighbors can't be here because they're to the point where they can't...we can't open windows during the day at all because of the increase of truck parking.

COUNCILMEMBER PALTIN: So the trucks are far from the dust fence across the...the road in and out, but then the other trucks are closer to the dust fence or something, so if they just...

MS. EYRE: Yeah, well, there's...the dust barrier is new. The dust barrier --

CHAIR SUGIMURA: Tamara --

MS. EYRE: -- is new...

CHAIR SUGIMURA: -- and Aja, we're going to have the Department, who will --

MS. EYRE: Yeah. They'll explain it.

CHAIR SUGIMURA: -- provide some information, updated information for you. So if you would...if you would listen in later on, Aja, yeah --

MS. EYRE: Yeah.

CHAIR SUGIMURA: -- and Tamara --

MS. EYRE: Yeah.

CHAIR SUGIMURA: -- they can answer your questions.

MS. EYRE: Yeah. Yeah.

CHAIR SUGIMURA: Not to interfere, but...

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MS. EYRE: No, that's fine.

CHAIR SUGIMURA: Thank you. Thank you very much, Aja. Any other questions for her? Seeing none. Thank you. Thank you very much. Any other testifiers?

MS. ABRAHAM: Chair, we have no other testifiers at this time.

CHAIR SUGIMURA: Okay. Members, it's...it's 10:00 now and I actually had scheduled this one item to be later, and I'm going to continue on with the schedule. I'm going to bring on Michele McLean now to take up the first item, which is the impact fees, and then go into everything else on the agenda which involves Public Works. So at this time I'm going to close public testimony, Members, with your approval, and to accept all written testimony to our records.

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR SUGIMURA: Thank you, thank you.

. . . END OF PUBLIC TESTIMONY . . .

CHAIR SUGIMURA: So testifiers and observers who logged...logged or called in, you may now view the remainder of today's meeting on Channel 53 on *Akakū*, Facebook Live, or mauicounty.us on agendas.

IT-22: TRAFFIC IMPACT FEES (CC 17-261)

CHAIR SUGIMURA: So at this time I'm going to take up the first item on the agenda which is IT-22. And I'm going to ask Kelly King to say a few words. She was the person who submitted this County Communication 17-261 relating to traffic impact fees. And then bring on Planning Director Michele McLean, transmitting the final draft report of the Maui Traffic Impact Fee Study addendum. We're going to be also looking at a proposed bill entitled "A BILL FOR AN ORDINANCE...ORDINANCE AMENDING TITLE 14, MAUI COUNTY CODE, RELATING TO IMPACT FEES FOR TRANSPORTATION IMPROVEMENTS ON...ON MAUI--island only--HAWAII." The purpose of the proposed bill is to consolidate existing six traffic impact fee chapters in Title 14, Maui County Code, into a single, simplified chapter and to provide a fair and equitable method for new development on Maui island to pay for its fair share of public transportation system infrastructure through the imposition of impact fees. Thank you. So Michele McLean...oh, first...first, Kelly King, you want to say a few words, and then Michele McLean. Thank you, Kelly.

COUNCILMEMBER KING: Thank you, Chair. Yeah, thank you. I really appreciate it. Yeah, this has been what, four years ago that I...I put this on the agenda because of how old back then the...the previous traffic impact fee study had been. So we...we've gotten

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some new information now, which is great, but I think there still needs to be some more discussion on the plan and the...and the actual fee structure. But I also want to say that because this is...this item is...is fairly old, and it was old when I asked to have it put on the agenda, there's a lot of infrastructure that has kind of gone by the wayside. So just addressing new infrastructure for new developments is going to be problematic for a lot of these areas because a lot of them have had...especially South Maui has had a lot of approval of...of affordable housing which came with exemptions for impact fees. So we've been spending a lot of years not doing anything, and...and this is a good first step to look at impact fees going forward. But we also have to discuss the issues of the exemptions and where the exemptions have been happening. And also, on the positive side, the infrastructure funding that may be coming in from the Federal Government and how to use that to catch up on old infrastructure needs. So that...that's kind of all I wanted to say. You know, we're...we're...I...you know, I'm glad we're finally addressing it because it was originally put on there, you know, after discussions with Dick Mayer, and so I appreciate his constant involvement with this issue as well. Thank you for --

CHAIR SUGIMURA: Thank you.

COUNCILMEMBER KING: -- my opportunity.

CHAIR SUGIMURA: Yeah. Thank you very much, Kelly, for giving us your historical summary and for diligence. So at this time I...I want to introduce our Planning Director, Michele McLean. And I will also like to just tell you that Michele also did a presentation of this several months ago to the MPO, so Lauren Armstrong is involved in this also. Also with Michele, if there are no objections, I'd like to designate Mr. Ron Bostrom and Mr. Nathan Shay of CDM Smith, the company that conducted the traffic impact fee study, as a resource...as resource personnel according to Rule 18(A) of the Rules of the Council.

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR SUGIMURA: Thank you. Thank you very much. So at this time...thank you very much, Michele, for, you know, sticking through this and making this happen. I appreciate all your work. So would you like to do some introductions? And I know you also have a presentation.

MS. MCLEAN: Yes, Chair, thank you. And kushe, Chair and Members.

CHAIR SUGIMURA: Kushe.

MS. MCLEAN: Dick Mayer covered some of my introductory comments, so thank you for that, Dick. The...a fee study report was originally prepared in 2013. And the reason it's prepared is that in order to assess traffic impact fees, there has to be a study performed to establish the basis for those fees. So that study was conducted through a very long and involved process. It involved the advisory committee that Dick Mayer served on. And then it did eventually make it to Council, although it was delayed, that

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is true. And then Council didn't act on it, they didn't even meet on it, they just filed it at the end of the term. So in 2020 we received funding in our annual budget to update the fee, and we were lucky enough to chase down Rob and some of his colleagues since they were the principals on the original study. So it was a lot easier to just update the work that they had done using the same methodology, but with some changes. You'll see that they separated out the State and County because there were concerns, and actually objections, for the County to accept the fees for the State, project changes in costs, et cetera. We've also transmitted an enabling ordinance. There are already enabling ordinances in the County Code. They were adopted some time ago, and this...and...and there are separate enabling ordinances for each region, which they don't need to be separated like that. It's proposed that they all get combined because they're all following the same method. At least that's what's proposed at this time. But I do believe that the ordinance should be reviewed again by Finance and Public Works since both those departments would have involvement. Chair, I know you were anxious to get the discussion on this going. So we can have those things going on parallel tracks, yeah. They can be reviewing the ordinance while the Committee discusses, you know, the substance of the fee study. And Chair, since you also chair the MPO, you know, deferring to you on...on what kind of involvement you'd like the MPO to have. But I don't think it's a bad idea for there to be a second pair of eyes on the numbers, although there was collaboration with the MPO with the demand model that...that Rob and Nathan will also be reviewing. So I think that's really all I have to say by way of introduction. We appreciate the Council funding this update in 2020, and glad it's finally before you. So Chair, if I can pass it off to Rob and Nathan, they'll be giving a PowerPoint that I believe was transmitted to the Committee so you folks should also have it. And then after that, we'll all be available for questions.

CHAIR SUGIMURA: Thank you very much. Thank you, Rob.

MR. BOSTROM: Thank you, Chair. Nathan is going to be the driver on this PowerPoint. I do want to say kushe, aloha, and Mele Kalikimaka at this time of year.

MR. SHAY: Sure. Aloha, everyone. I'm Nathan Shay with CDM Smith. I'll be presenting with Rob today.

MR. BOSTROM: Next slide, Nathan. I think Michele did a really good job on...on the background. This is a continuation of that 2013 work, which also included research and the methodologies, development of a travel demand model, and a...really, kind of an independent long-range transportation plan. Michele has...is our County...is the County project manager. And the CDM Smith team is a mixture of old and new and...and different states. We have three people from the original work, including two people that are in other firms, with myself as the project manager, and then we have Nathan leading, really, the development of the fees and the technical aspects, and...and Boyang Zhang, who did the model. We're going to talk briefly about the model and...and how...its importance in this process, then go over the traffic impact fee progress, and then take more questions and comments. I don't think we'll be prepared to answer the questions of Dick and...and Mike today. Good questions and

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comments but, you know, probably will want to do that...discuss that with Michele offline, I would think. Next slide. So the travel demand model is a technical tool for...for getting traffic on the roads and...and...and looking at the...both the current year and the future years. We used the current year of 2019 because it was thought that COVID traffic was...was really untypical, and so we went back to 2019. And then we had future years of 2025, 2030, and 2045. Because Maui is going to be using this model for other things other than impact fees, there's a host of applications that the model can be used for, such as scenario planning, updates to the Long-Range Transportation Plan, environmental analyses, traffic impact studies. But under that TDM project, which was an MPO project actually, we developed a model update documentation and model users' guide. And Boyang provided training in August. Model was completed on September 16th, and the documentation on the 30th. That caused a bit of a lag on this work, maybe a couple months, just because we...it was so important to use the final model results. Next slide. I'm going to throw this in there. I know it sounds like a bit of an advertisement, but other people could do it as well. Having a modeling on-call contract we think is very useful because you're going to be using this model for a lot of different purposes, and you really don't want it getting out of date. And so the MPO and the County can use their consultant to run it. I don't think they have the expertise in house, but there's...there's always new projects. I think Dick indicated that, you know, are all the current projects in there? So we suggest a model improvement plan to include necessary data collection, other enhancements, and...and decide, you know, in five years, six years should the model be fully updated and enhanced. And...and we recommended some inexpensive software for looking at the files. Next slide. So now we're on to the...the core of this presentation, the Maui Traffic Impact Study. Again, we're updating the 2013 impact fee, so this is really an addendum, not...not a whole study since we are using that same methodology. We're not...not redoing the literature search or some of those other aspects of the study. We did update the highway and transit networks. We didn't actually have a bike network per se, we...we put one in there, but it's not assignable. So I think there was a comment from Mike about the bikes, and so I think we're moving in that direction, but we're not really there and have the tools for that yet. We updated the travel demand model under another contract. We used the...a Long-Range Transportation Plan as a source for future projects and...and costs, they were factored, but that's something, you know, we can certainly revisit. And then updated the framework tools and spreadsheets in order to do the work. I think Michele indicated that we presented already to the MPO tech, and...and our...our goal is to finalize this report and present results to the Council. The next slide. We had a kickoff back in September 2020, and there was various questions that needed to be resolved before we fully dug in on this. For instance, should we look at community plan areas, an island-wide area, or the aggregated areas? I think Dick really liked the aggregated areas, which do have a lot of sense. But we ended up opting to look at all ten of those possibilities. You know, the one...the community plan area as being six, aggregated three, and island-wide being one. We looked at the transportation projects within the...the Long-Range Transportation Plan. We also updated the cost. There were some projects in there that just weren't appropriate for modeling. And...and we used an island-wide approach, Nathan will talk about that. We looked at the lane use and growth updates. As we mentioned, our planning period is 2019 to 2030. It was

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thought that a ten-year period, and so it's basically in 2019 to start, 2030, was a good period to model and...and do analysis. It's not too short and not too long. It's not really mandated, but that's what we did eight years ago. And as Michele indicated, State and local costs were calculated separately, but you can certainly add them together. Next slide. And you can see the...the various areas here, the island-wide, of course, speaks for itself, and the community plan areas are on the left, and the aggregated community plan areas are on the right. Next slide. Now, at this point, Nathan is going to take over and go over this equation and all the pieces of this equation. But this equation is really the...the guts, if you would, of...of the process. This is how the fees are calculated. And...and Nathan did...along with our subs, did most of the work on this. So he probably has more understanding of this than anyone on this earth today. So take her away, Nathan.

MR. SHAY: Sure. Thanks, Rob. And aloha again, everyone. As Rob indicated, this equation on the...the screen is just the...the basic idea of how you calculate an impact fee. You've got to figure out what portion of your capital cost is attributable to new growth because based on all the kind of legal precedent, that's the only portion you can actually charge the impact fee for. And then you just basically divide that by the number of new units you expect to get your impact fee. So overall it's a pretty simple equation, but as we'll get into a little bit in the next couple of slides, it can get pretty technical. So...so bear with me a little bit here. But there is the report out there that's under County review right now that has every detail in it, so definitely a second set of eyes, any comments back on that are welcome. And the...the main purpose of the presentation today is just to give you an idea of kind of the complexities that go into this, but to make it clear that how kind of robust of a process it was to make sure we...we get the right numbers for you guys. So first, we'll...we'll focus on the capital costs attributable to development and how figured that component out for the fee. So here's a little flow chart, how we get to the capital cost. Again, the big output here that we're trying to get is how much of each of the...each of a project's cost is attributable to each of the benefit zones within that kind of planning period of 2019 to 2030 that Rob indicated. So we started on...on this project, which we'll talk a little bit more about each one of these aspects in the coming slides, but we started with the Hele Mai Maui Long-Range Transportation Plan as the source of projects this time around. And we'll talk a little bit again about how that impacts what comes out the...the back later on in the slides. And we used that updated travel demand model that...that Rob presented on to answer two key questions that we need to answer to develop the impact fees. Where are users of projects coming from? And how much or how many users are coming during that growth period that we're trying to assess the fee for, that 2019 to 2030 period? Because that is the portion of users that are attributable to new development that can be...basically the...the impact fee has to be based on. And that's what gets us to the capital costs. So I'll...like I said, I'll go a little bit more into each one of these things briefly here. So as I mentioned, the Hele Mai Maui Plan was the source of the projects for this update, and specifically we have to focus on those projects that support growth. So we excluded any maintenance-exclusive projects from the...from consideration for the impact fee. Secondly, to kind of narrow down in on that planning period, we took the near and midterm projects from the plan, which are...have a kind of short enough horizon to be built within the

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2019 to 2030 range that we're aiming for. So those long-range parts of the plan are not considered in the impact fee numbers that we'll...we'll be showing today and that are in the report. And then the last piece of the cost, we...we used those cost estimates from the Long-Range Transportation Plan that...that that plan...is published in that plan, but to account for the inflation of when these projects would be constructed based on the near or midterm status. We used a growth rate based on a...FHWA's National Highway Construction Index to inflate those costs to ensure that enough is gathered with the impact fee to actually kind of pay what that cost would be in that future construction year. And on the right-hand of this slide here, you just have a bit of a summary of the different types of projects, new connections, multiuse paths. So as Rob said, and...and I'll touch on it again in a second, some of these projects actually are in the model, and others don't really have an impact on...on the...the tool we're using for the model, but were still considered for the impact fee, and...and we'll touch a little bit on how...how that was done in a moment too. So just for a little more context, here's a map of the projects from the Hele Mai Maui Plan. In a couple of our examples coming up, we'll...we'll touch on the...one of...well, we use one of the projects, the Imi Kala Road extension in this area of the island, and then the Honoapi'ilani roadway realignment in this part of the island will be two examples coming up, and forgive my mispronunciation, I'm sure. As Rob indicated, and I just mentioned a moment ago, only certain projects actually have much of an impact within the modeling framework, and those are largely the ones that add capacity. Those...those tend to impact...with the tool we have, those are the ones that have the most impact on our forecast travel patterns. So these are just those projects listed that were actually added to the model, those new connections projects as indicated by the...by the plan. So that's where we got our projects. These are the projects that we got into the model. The next couple slides are how we answered those two important questions that we have about the cost of these projects. There's where are the project users coming from, and what portion of those users are new users between 2019 and 2030? So on the slide here we have an example of how we answer the question of where those users are coming from. So as I mentioned, this is the Honoapi'ilani Highway realignment project highlighted in yellow on the screen here. And what's shown here is an analysis that comes out of the travel demand model called the select link analysis. I know an analysis similar to this was done for any of the projects that the primary users are drivers. So this basically enables us to track back to the origins of trips or the destinations of trips to determine where those users are coming or going. On those transit and non-motorized projects, since those trips are typically shorter, those costs were attributed 100 percent to the community plan area within which they are...are proposed to be built. And then for some of the island-wide projects that don't have particular locations, we used area trip growth of the target users. So for instance, there's an island-wide program that targets transit, and there's one that targets non-motorized users. So the model does produce transit and non-motorized trip demand. And the kind of differential growth, the area that grows the most in transit was attributed the most of the transit program, for instance. And then this...this piece, a little more complicated, but this is just how we get that portion of traffic that's attributable to 2030...the 2019 to 2030 growth. So we compare the 2019 volume for a project to the 2030 volume to get that incremental growth. And then this is looking at the Imi Kala Road extension, for an example, but this is done

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again for all of the roadway projects. And we see how much of the capacity of that project is being consumed by existing users, so those that are coming in 2019, so that's how much the project is benefitting those who are...are using the corridor. And then how much is actually benefitting those that would be new users added in that...that future year scenario. So those are the users that are experiencing that...that are basically the result of new development between 2019 and 2030. So we do this for each one of the projects to get to these percentages at the bottom, which basically tell us for this project, for example, 35 percent of the users are actually...would be people who are currently using or...are currently exist in the network, or would exist under current development. And then between 2019 and 2030, we increase that by about 4.4 percent, so that's the...the proportion that's...that's attributable to growth within our planning period. And then there would be excess capacity in this...this case for future development post that 2030 forecast.

CHAIR SUGIMURA: Okay. Nathan? Nathan?

MR. SHAY: Yeah?

CHAIR SUGIMURA: So this is...you are definitely the expert in this, and thank you very much for the explanation. We're like half an hour like over schedule, so --

MR. SHAY: Okay.

CHAIR SUGIMURA: -- can you kind of summarize it?

MR. SHAY: Sure. Sure. Yeah.

CHAIR SUGIMURA: *(audio interference)*

MR. SHAY: Yeah, go ahead. Did you have something? No? Okay. Yeah. So that's...that's how we get the...the cost component. The last piece is the number of development units, which again, we used components of the travel demand model and also references, including the previous study and housing data and trip generation manual, just kind of industry standard stuff to understand how that growth in trips translates to development units, which might be multifamily housing dwelling units or square footage of different types of property, retail, office, et cetera. Again, incremental trip growth, that's...that's what we start with in this process, but we have to go through those to the growth in trips that the model tells us to a growth in trips per land use category, and then translate that finally to how many development units we would expect. And that's what gets us that second piece of the puzzle of the number of new development units. And just speeding along here, that gets us to...once we have those two components, that gets us to our proposed impact fee. For demonstration purposes today we're just showing the island-wide, but the report does include the two other alternatives that have individual fees for each of the community plan areas, and then one for the aggregated community plan areas. This is rounded to the nearest \$10. The...the report has the kind of full decimals just to kind of show our work there. And again, reemphasizing the State portion of the costs here are shown

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just for reference because the...the State, basically it hasn't agreed to participate in the program with the County as of now. A couple notes here on how these fees differ from what was developed in 2013. They are slightly lower than what was developed in 2013, but that's largely attributable to the types of projects that were included. As Rob mentioned in his intro, in the 2013 study we almost did an entire kind of needs assessment and developed projects from scratch to basically serve existing demand at an acceptable level of service throughout the island. And then basically roll that forward and figure out the level of investment needed to get that future traffic served at an acceptable level of service of...of D. Whereas on this project, we started with the LRTP projects which, because of limited...like a fiscally constrained plan are not meeting everyone's needs all the time, it's...so a lot of those future projects are actually serving existing deficiencies essentially. In addition, the previous study was more heavy on transit and highway projects, and there were more lower cost projects included in this one since we pulled in some of those non-motorized facilities from the LRTP into consideration. So that is my last slide. I have one last slide for Rob with the next steps, and then we'd be open to questions.

MR. BOSTROM: Thank you, Nathan. So scope-wise, you know, we've presented to you guys, and...and we're hoping that the Council and...and the...the County and...and whoever else should be reviewing this will review these draft impact fees, and then approve the addendum report. I guess we have set...you know, we're...we're hoping we can get this all done in the next month, but you know, we can...we want this to be done right. And like you guys, we were frustrated that in 2013 we did all the work, and it really didn't...it really didn't happen. So we're...we think it's a real opportunity to...to create a fair way of generating some more money. And...and so with that, Michele and Chair, we're finished. Mahalo.

CHAIR SUGIMURA: Yeah, no, good job. Great information. Nathan, thank you for, you know, dissecting this and making it some kind of quantifiable number that, you know makes sense. And as...as policymakers, we see projects come through. And I guess my...my question for Michele is, did the Department use this kind of method to...to decide on numbers, or how does it happen without this impact fee study being implemented?

MS. MCLEAN: Rob and Nathan, if you could stop sharing your screen, I think that will facilitate discussion a little bit. Thank you. Right now, in terms of assessing new developments for transportation improvements, we rely on the commenting agencies. So we'll send projects to the State Department of Transportation and to Public Works, and then they'll offer comments that are specific to that project. And it's really, you know, the nearby intersections. Traffic studies, as you know, don't just look at the main intersection that serves the project, they look at other intersections that could be impacted by the traffic that that project generates. But there really isn't a way to collect those fees. I mean, there could be an impact on an intersection two blocks away, and that's proposed to be upgraded in five years, but there's not a mechanism to collect for that. So right now, you know, the focus is really on the immediate intersections and turning lanes and whatnot. But...but that gets assessed by the

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commenting agencies. The Department doesn't make its own recommendations, we rely on comments.

CHAIR SUGIMURA: Wow, this is...to me, this is so important. And thank you for, you know, updating and giving us the presentation today. Nathan, sorry that I kind of rushed you.

MR. SHAY: No problem.

CHAIR SUGIMURA: But Members, it's 10:30 and it's now the time that we normally take a break. Do you guys want to go through one...one round of questions, couple rounds of questions and then come back for your break? Any preference? You want to take a break?

COUNCILMEMBER MOLINA: Break.

CHAIR SUGIMURA: Break. Okay. So sorry, Rob and Nathan, Michele's kind of used to us. So we're going to take a short break here, Members, and then we'll come back for couple rounds of questions. I think this is like so critical. And apologize to the other...the Makawao Baseyard and the...you know, that whole discussion with Public Works. But I...I would like to go through questions so that we can get ready for the...for a future meeting on this again. So it is right now 10...let's see what my clock says, 10:35 and we'll come back at, if you don't mind, 10:45, Members. So I'm now taking a recess. Thank you. . . .*(gavel)*. . .

RECESS: 10:35 a.m.

RECONVENE: 10:47 a.m.

CHAIR SUGIMURA: . . .*(gavel)*. . .

COUNCILMEMBER LEE: Can't hear you.

CHAIR SUGIMURA: Oh, you can't hear me. Sorry. Thank you. Welcome back. So I...during the recess I apologized to Nathan and Rob for me speeding them along on their important presentation and update of this impact fee study, but I do plan on deferring this item and continuing this discussion. So...but at this time...so we hope to hear from you again. At this time I wanted to ask the Members if they had any questions for the Department or for Nathan or Rob. Any questions, Members? Kelly King?

COUNCILMEMBER KING: Thank you, Chair. And thank you for the presentation, Nathan and Rob. I guess my...I have three major concerns, and I don't know if you can address them as to how you looked at them. One was the...the balance between multimodal, bus transportation, and traffic, if there was any...when you looked at the multimodal, if there was an offset for what the traffic could or should be if we had a better...you know, more bus routes. The second was catching up with the delinquency

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we have because we have...we're so backed up in South Maui that I almost feel like we should stop developing until we get caught up. And the third was how to compensate for the exemptions that we give out for affordable housing.

CHAIR SUGIMURA: So Nathan or Rob or Michele?

MR. SHAY: Yeah, I can --

MR. BOSTROM: I don't think --

MR. SHAY: -- I can answer...

MR. BOSTROM: -- I don't think we got into the exemptions. I mean, that wasn't...to start with the...the last one first. On the delinquency, you might need to...are you talking about unmet demand or, you know, maybe latent trips or something? I'm...I'm not...

COUNCILMEMBER KING: Well, for...I'll give you one instance. You know, when we...way back when we approved the Kaiwahine Village up at the top of...you know, which is one of the best affordable housing projects we've had in South Maui, but there were a couple of Members back then that voted against it who aren't on this Council anymore, but because of traffic. And you know, my point was we're supposed to...that was back when the North-South Collector Road was slated to be finished in '22 or '23, then it got pushed back to '24 and now it's pushed back to '25. And so, you know, we have these...these delinquent projects that we've been basing development on, and actually, the need...the cost is growing. So how do you (*audio interference*).

MR. BOSTROM: That's...that...that...that's a good comment, and Nathan can get into it in more detail. But essentially, our period is...is going out through 2030. And so if it's built, you know, in 2024, we...we have it. The only...the only caveat is...as Nathan will explain from the equation is that we're only getting maybe six years of...of...of impact because it's going to 2030. And so the longer it delays, you know, it...it gets a smaller share of that...that...that ten-year period. And so...but, you know, I'm sure you could make allowances for it. I mean, I think this is a process that you can override part of it and make some judgments as long as they're sound judgments. And then the last one, transit, I think I'd best leave that entirely to Nathan.

MR. SHAY: Sure. So yeah, just to...just to go through that there. So the projects considered and the timing of those projects within our study is all based off of the LRTP from the MPO. So the projects we're considering are whatever...new connections projects, transit projects, non-motorized projects from the LRTP. So that kind of addresses kind of both your first and...and second question to some extent. So the...it doesn't...it doesn't include a...any more of a robust transit system than would be funded via the LRTP, let me put it that way, I guess. And as far as the delinquency, or kind of delayed projects issue, this is taking the LRTP schedule and saying if it's a near-term project, the LRTP says it should be built in the next one to five years, it's saying okay, on average, that means it'll be two-and-a-half years out, and the...the midterm, same kind of process for the 6 to 11-year projects.

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COUNCILMEMBER KING: So does that drive the impact fee up then if it's...if it's near...if it's like within the next year or two? Is that how that affects the impact fee?

MR. SHAY: So the further out the project gets, the more inflated the cost is based on the inflation to construction year dollars. But as...what Rob was getting into is where...how much we can attribute the cost to the growth is essentially a product of how much development is happening around that project specifically in the 2019 to 2030 time frame. So if...if . . .*(timer sounds)*. . . these projects are aimed at further out growth, then not a large portion of that project's cost would be captured by the impact fee, if that makes sense.

CHAIR SUGIMURA: Okay. So...

COUNCILMEMBER KING: Well, I think my time's...I...I...if we get a second round I want to follow up on that, Chair. But --

CHAIR SUGIMURA: Okay.

COUNCILMEMBER KING: -- because I wasn't really asking about the projects, I was asking about the proposed infrastructure that's been --

CHAIR SUGIMURA: Okay.

COUNCILMEMBER KING: -- delayed and delayed and delayed.

CHAIR SUGIMURA: Okay. So Mr. Molina, three minutes.

COUNCILMEMBER MOLINA: Yeah, thank you very much, Madam Chair. I have no --

CHAIR SUGIMURA: Kelly, we'll come back to you.

COUNCILMEMBER MOLINA: -- questions for the presenters at this point, but I want to thank them. I sure wish I had a degree in mathematics and statistics. I'm just amazed how you guys can calculate these formulas. But we do have one Councilmember who has a mathematics degree, and that is Member Paltin. But...but moving forward here, I just have questions first for Director McLean, to be followed with a question for Corporation Counsel. First for Director McLean, the...assuming the bill passes, one, how often will the impact fee study be reviewed? And will the fee cost be reevaluated at any point in time? I guess that's one question, all put together in one. So if I could get a response from Director McLean. And then for Corporation Counsel, if...I notice the bill is not signed as to form and legality yet. Can I get some comments from Corporation Counsel with regards to that? So I guess we'll start first with Director McLean.

CHAIR SUGIMURA: Yes.

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MS. MCLEAN: Thank you, Chair. Thank you for the question. The fees...the impact...an impact fee itself would be established in the annual budget. The enabling ordinance calls for that. And so that fee needs to be based on the study. And depending on when that happens, I believe the recommendation is to update the study around every five years, and I see Nathan nodding. So that would be something that we would budget every five years, you know, modest funds to update the study continuously to give fresh numbers to then be added to the budget after that.

COUNCILMEMBER MOLINA: Oh, okay. Thank you, Madam Director. And then could we hear from Corp. Counsel with regards to providing comments on the bill at this point?

CHAIR SUGIMURA: Oh, there's Jen. Okay. Jen?

MS. OANA: Thank you. So with regard to the bill, I notice that, you know, it was...it's in a format and font that we haven't used in a really long time, so I'm not sure whether this was reviewed by Mike Hopper. His name is on it, but I'm not sure if he even reviewed it yet. Because I can't tell you right now, but we can find out.

MS. MCLEAN: Chair, if I may comment? When the whole package was transmitted to the Council back in, I don't know, 2014 or so, it had been reviewed by Mr. Hopper at that time. We did make some minor edits to it based on the current situation and the revised study. But Corp. Counsel has not yet reviewed it this go around. And as we had discussed, or as I had mentioned, Chair, having Finance and Public Works also review would also be needed before we would recommend the Council's consideration of the bill.

CHAIR SUGIMURA: We definitely will do that. So thank you very much, Michele. And Mr. Molina, you have more questions?

COUNCILMEMBER MOLINA: Yeah. Just before my three minutes are up. So the fees that are collected, again, could you establish what fund that would go into? I guess that would be for Director McLean. And also, would the developer have any flexibility to pay the impact fee over the course of, you know, over several months or years? Any comment to that? . . .*(timer sounds)*. . .

MS. MCLEAN: Again, that'll depend on the wording of the final ordinance. Right now, it does call for the Finance Director to establish a fund. And again, that fund would either be six different funds if it's done on the individual region approach, or three funds for the combined approach, or one fund for island-wide. So that'll depend on which direction the...the Council goes. And for the Public Works Department to assess and collect the fees at...at the building permit stage, I don't believe there's an allowance currently for a payment plan, but I would imagine that there would be some trigger from the Public Works side as to when this would have to be paid.

COUNCILMEMBER MOLINA: Okay. Great. Thank you very much for your responses, Director and Corporation Counsel. Thank you, Madam Chair.

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CHAIR SUGIMURA: Thank you very much, Mr. Molina. Anybody else have questions? Ms. Paltin and...oh, Alice Lee raised her hand. Chair Lee?

COUNCILMEMBER LEE: Did you mention Member Paltin first? Okay. Thank you. I do have to drop off the call at 11:45.

CHAIR SUGIMURA: Okay. Please then.

COUNCILMEMBER LEE: I just wanted to know, either from Director McLean or the resource folks, whether in your calculations of the formula for the traffic fee, do you also consider that we will be receiving Federal, State, and other County funds? And my second question is, to what level are you striving for? Is it level C, is it level...what level, traffic level? Thank you.

MR. SHAY: Yeah, I can...I can take those, if you don't mind, Michele. The level of service question first. Level of service D is what we used as our reference point. And then the previous question...sorry, can you remind me what the...the first part of the question?

COUNCILMEMBER LEE: Do you take into consideration that we will receive Federal, State, and other County --

MR. SHAY: Right.

COUNCILMEMBER LEE: -- funds?

MR. SHAY: Sure. So the LRTP estimates that we used include the construction cost estimate, but it also includes potential funding partners. So when those projects were indicated to be receiving Federal funds or State funds, we made assumptions based on traditional practice of the kind of 90/10 splits or whatever the traditional split is for that project type. And we actually worked with the...with Lauren at the MPO to verify that that's the typical split for those projects. And so what we're showing as the impact fee is just the County's contribution to these projects.

COUNCILMEMBER LEE: I see.

MR. SHAY: Yeah.

COUNCILMEMBER LEE: Thank you. Thank you, Chair.

MR. SHAY: Yeah, no problem.

CHAIR SUGIMURA: Good job, Nathan, you thought of everything. And Tamara Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. I just had...before I ask my question I had some clarifying questions, just to make sure I'm understanding it correctly. So we're...the parameters of this study, we're only allowed to charge for expansion, or like

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those types of projects like multimodal modernization. We're not allowed to charge for just any type of roadway work; is that correct?

MR. SHAY: So our understanding of the kind of legal precedent essentially is that the impact fees should be exclusively for projects that are kind of necessitated by development. So we tried to exclude any of those projects that basically you'd have to do regardless. So for instance, there's like a guardrail replacement program, for instance. But those projects that either increase capacity or increase kind of operational efficiency, such as like signal modernization, for instance, were considered, and...including the non-motorized expansions and the...the transit expansions.

COUNCILMEMBER PALTIN: And so you just completely threw out the year 2020, or did you look at it...any bit whatsoever? Because I mean a lot of the capacity improvement that we need is due to tourist accommodations, I would imagine. I mean, minus the school traffic and like that, what we saw during 2020 is we didn't have a great need for capacity expansion, I mean, except for probably around school areas. So I just was wondering, any comments on that?

MR. SHAY: Yes. So we...we didn't consider 2020 traffic conditions.

COUNCILMEMBER PALTIN: At all.

MR. SHAY: The impact fee does include specific fees for visitor accommodation units. So the model does have a developed component that models that visitor traffic. So that kind of traffic associated with hotels and...and whatnot should be considered as...as part of the...the model. So...but...but no, we didn't analyze 2020 conditions because we believe them to be atypical and assume that hopefully eventually we get back to some semblance of normal where...where that travel resumes.

COUNCILMEMBER PALTIN: And then, you know, for...any...any thought put into like the conversion of say like a single-family home to a transient accommodation, or a an apartment complex into a...say, a condotel? Or the ones that have happened, say, since 2014, they've already left the coop and we can't recoup those funds?

MR. SHAY: So I'm not sure how that would be handled legally. I can let Michele or someone speak to...to that component of conversions. But essentially our calculations are...are based off an estimate of what the increase in visitor, in population, and trips that are forecast in the models would translate back to an increase in visitor units or dwelling units or square footage. So it's kind of back calculated. So whether that growth includes kind of change from one...one type of land use to another isn't kind of explicitly stated within the modeling part of the study that we're doing. But how that can be treated on the kind of impact fee collection side, I'll let someone else speak to that.

MR. BOSTROM: Well...well, one thing, just want to clarify, within the impact fee process, that doesn't come out, but within the modeling process it could come out, just not under the current structure of the model. So you have the model now, and...and you

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could tweak the model to...to improve future land use. And...and...and say out of single-family homes, say if you had a thousand single-family homes, you could create another category, and 900 of them are single-family and 100 are some other use. And so...and...and that could be treated within the...the impact fee process as multifamily units probably...is...is probably where it'd fall. But certainly within the model --

COUNCILMEMBER PALTIN: I have limited time, so I'll --

MR. BOSTROM: -- you can make those changes.

COUNCILMEMBER PALTIN: -- move on to my next question.

MR. BOSTROM: I...I don't...I don't think you want to do that --

CHAIR SUGIMURA: Oh...

MR. BOSTROM: -- every year.

COUNCILMEMBER PALTIN: I wanted to move on --

CHAIR SUGIMURA: Yes.

COUNCILMEMBER PALTIN: -- to the next question. I just was wondering if there's any comment to the testifier Mr. Mayer that some of the district allocations were incorrectly attributed to a different district. What...did you have any comment on that one?

CHAIR SUGIMURA: That would be a Michele question, I think.

MS. MCLEAN: Yeah. I...we heard that testimony obviously, and because the Chair intends to defer the item, we can review those...those figures again with the MPO Staff, Executive Director, and just make sure the numbers are right and the allocations are in the right (*audio interference*) and we can collaborate with Rob and Nathan on any needed changes.

COUNCILMEMBER PALTIN: Okay. And then I guess my last question would be for you, Chair. If we have other questions, can we submit them to you in writing to then pass on to the consultants? Because I feel like we're just a little bit scratching the surface.

CHAIR SUGIMURA: Yeah, such an important subject. I agree. Please everybody do that, send your questions. And as I said earlier, what I'm going to do is defer this item and bring it back up. As you know, besides having the study and the...the updated study, there was a proposed ordinance attached to the transmittal from the Department. And I'm going to be sending that...the Committee will be sending it to Corp. Counsel, to Michael Hopper, to again look at, as well as take the recommendation from the Department so that Public Works, as well as Finance, can look at it to come back with recommendations. And then I want to bring it up before budget. And speaking of

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budget, Keani is having technical problems, so she is watching on *Akakū*, and she said a lot of her questions were asked by you, Members, so she has no further questions for this moment. But Keani and any one of the Members, if you have further questions, please do send it to us and we'll send it to the consultants or the Department. And...and as you can tell, this is a very important discussion, and I intend to bring it up before...before Council takes up budget March of next year. So the beginning of the year, January or February if I could, I want to bring this up once we get the ordinance looked at, the proposed ordinance looked at, and...and see if we can, you know, pass something so we have the enabling legislation ready for budget in March of next year. So thank you very much, Rob. Thank you very much, Nathan. Michele, very good presentation, and for keeping this together all these years. My goodness, it's been a long time, a long time coming. So Members, if...with your approval, I'm going to defer this item, and I will bring it up again at the beginning of next year sometime so we can take it up before budget. Yes, Ms. Paltin?

COUNCILMEMBER PALTIN: Oh, I just was wondering if you had a time frame or like a deadline that you wanted us to get the questions to you to get together to send to them?

CHAIR SUGIMURA: Yeah, so if you could...can I say ASAP? So we could get it moved on because I really would like to...okay. So Keani is saying that she will send any additional questions for this item. She's watching on *Akakū*, she's having technical difficulties as I had earlier today. That's one of the challenges of working during this COVID times. But appreciate your patience, everybody. And so if you could send me your questions, and then my Committee will send it forward. Yes, Kelly?

COUNCILMEMBER KING: Just wanted to...thank you, Chair. Just wanted to know your thoughts on how to move forward, if you plan to do all the work on this bill and the impact fees in Committee or...or, you know, have a TIG look at it, or the MPO, send it to them for...

CHAIR SUGIMURA: Yeah. So you know, during the recess I did speak with Lauren Armstrong, and Lauren has been working with Michele on this. As you notice, that Hele Mai project was used as a basis for data to put this impact fee together. And the questions that were brought up during testimony, Lauren was listening in, as well as Michele saw it, and they will work on the questions and get back to...Mr. Mayer was the one who brought it up, so we'll get back to that. Because I think some of the data or...that he was questioning is...is current and...and we'll...we'll get...we'll get those answered, Kelly.

COUNCILMEMBER KING: Okay. And I hope some of our questions as well.

CHAIR SUGIMURA: I'm sorry, what?

COUNCILMEMBER KING: Hopefully some of the Council questions as well.

CHAIR SUGIMURA: Yeah, yeah. So please do send it as soon as you can.

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COUNCILMEMBER KING: Okay. Because I felt like...yeah, I'm kind of midway through feeling like my questions were answered, but I'll...I'll try to reiterate them in a document.

CHAIR SUGIMURA: Oh, did you want to take another...you want to take...

COUNCILMEMBER KING: Well, I just...I...I think there was a misunderstanding about the question I was asking about future...what was happening with future projects, I wasn't talking about development projects but, you know, infrastructure projects, like the North-South Collector Road which keeps getting pushed back. So I wanted to know how the impact fee...how that was affecting the impact fee, which you're proposing for South Maui, why that would be different. Does that make it less or does it make it more? The fact that it's going to cost more later, but then we're not even looking at getting it done for five years and then completed by 2030. So...and you know, people in South Maui aren't even believing it's even going to get done anymore because it keeps getting pushed so...so...so often.

CHAIR SUGIMURA: So we can submit that question. But also, just to let you know who's going to come on next is Jordan Molina, he's going to talk about the RAISE grant. So I already talked to him about that...this North-South Collector may come up as a possible question because of the RAISE grant. So maybe you can --

COUNCILMEMBER KING: Okay.

CHAIR SUGIMURA: -- ask him.

COUNCILMEMBER KING: Okay.

CHAIR SUGIMURA: Yeah.

COUNCILMEMBER KING: I thought he was talking about...yeah, I'm happy to ask him . . .*(inaudible)*. . .

CHAIR SUGIMURA: Yeah, because then it's...and...and we can include that in for this impact fee study also.

COUNCILMEMBER KING: Okay.

CHAIR SUGIMURA: But he can probably give you an up-to-date response. So Member, any...any other Members have questions? Okay. So at this time, thank you very much, I'm going to defer this item. I'm going to send the proposed ordinance to Corp. Counsel, Finance, Public Works. Send questions from the Members to the consultants, as well as to the Department. And I plan to bring this up again before budget so that in case we do have the enabling legislation ready, we can have it in...included in the upcoming budget, if appropriate. So thank you very much. Thank you very much. I'm going to defer this item and go on to the next.

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COUNCILMEMBERS VOICED NO OBJECTIONS. (Excused: TK)

ACTION: DEFER PENDING FURTHER DISCUSSION.

CHAIR SUGIMURA: So thank you, Rob, thank you, Nathan, and thank you, Michele. So the next item...

MS. MCLEAN: Thank you, Chair.

MR. SHAY: Thank you.

MS. MCLEAN: Thank you, Members.

CHAIR SUGIMURA: Thank you. Very, very interesting.

**IT-69: REBUILDING AMERICAN INFRASTRUCTURE WITH
SUSTAINABILITY AND EQUITY (RAISE) DISCRETIONARY GRANTS**
(CC 21-394)

CHAIR SUGIMURA: The next item on the agenda is the RAISE grant, it's going to be short. We'll bring on Jordan Molina and...who worked on the RAISE grant that was submitted. And you can give us a brief update, as well as I want to take up the Makawao Baseyard, which are the two remaining items if I can squeeze it in. So Jordan Molina? There. Okay. So IT-69 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grants. If you could give us an update. I know that November 22nd was the day that the grants were awarded. And I just wondered if you could just give us a brief summary, and then answer Kelly King's question regarding the North-South Collector Road. Thank you.

MR. MOLINA: Thank you, Chair Sugimura. Good morning, Members of the IT Committee. Jordan Molina, Deputy Director with the Department of Public Works. Sound check, is my audio okay?

CHAIR SUGIMURA: Yes.

MR. MOLINA: Okay. Okay. So the real brief update is we didn't get it. We...Maui did...was awarded, but our project for Waiale Road extension did not receive it. Instead the State DOT's project to realign Lower...or Honoapi'ilani Highway was awarded \$22 million of the approximately \$90 million for that (*audio interference*). We will be trying again next year and I think we can even do a third attempt based on the construction schedule to try and hopefully get some of those Federal funds to support the Waiale Road extension. So that was all I had to offer at this time for the RAISE grant. Thank you.

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CHAIR SUGIMURA: Thank you. Short and sweet. So Honoapiʻilani Highway, did it get 25 million?

MR. MOLINA: It only got 22.

CHAIR SUGIMURA: Oh, 22. Okay. Thank you for working on that, and congratulations. Waiale, you'll try to submit again next year, is that what you said? The Waiale Road --

MR. MOLINA: Yeah.

CHAIR SUGIMURA: -- extension.

MR. MOLINA: Correct.

CHAIR SUGIMURA: Okay. Thank you. So Kelly King has one question.

COUNCILMEMBER KING: But it sounds like the...thank you, Chair. It sounds like the North-South Collector Road wasn't really in that grant, it wasn't...it wasn't considered as one of the applications?

CHAIR SUGIMURA: It wasn't ready.

MR. MOLINA: Yeah, we did not prepare a grant for North-South Collector Road.

COUNCILMEMBER KING: Okay. What's your...can you send...can you maybe offline send me your plan for that? Because every year it gets pushed back another year, and it doesn't feel like anything's been happening on that. But you know, a couple of years ago we were told that it was in design, which I would have thought it would have been...the...the next phase would have been completed by now. So what is the reason it got pushed out from '24 to '25?

MR. MOLINA: The short reason is these projects aren't simple. And unfortunately, abutting property owners do not support it all the way through. There's...

COUNCILMEMBER KING: Is that...is that something new?

MR. MOLINA: Yeah, I guess it's not new in terms of doing these kinds of projects, but the specific issues are new when we encounter them.

COUNCILMEMBER KING: Right, but this has been going for ten years at least, so you know, it just seems like there's one thing after another. At what point do we have all the issues under our belt and we figure out how to go forward?

CHAIR SUGIMURA: So you know, I think what I'll do is, Kelly, we'll send your questions to the Department, and hopefully in future years we can submit the North-South Collector Road as a RAISE or whatever it's going to be called. So thank you. Thank you, Kelly.

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COUNCILMEMBER KING: Okay.

CHAIR SUGIMURA: Send...send your questions forward.

COUNCILMEMBER KING: Yeah, it needs to...it needs to be considered. I mean these issues seem like open-ended issues, and they need to be considered when we're considering development. Because development keeps marching forward, and that this road is not, so that's a real disappointment to South Maui at this point. But I appreciate your following up with that. Thank you, Chair.

CHAIR SUGIMURA: So we'll get a...we'll get a follow up. Mr. Molina has a question.

COUNCILMEMBER MOLINA: Yeah. Thank you, Madam Chair. Just out of consideration for your time, and I know we got the Makawao Baseyard and I'd like to certainly get to that, just maybe as part of, I guess, if you could, under your signature, ask the Department if they have considered any other projects besides Waiale and North-South Collector Road for these funds as well. And that can be added to your line of question.

CHAIR SUGIMURA: Thank you, Mr. Molina. Okay.

COUNCILMEMBER MOLINA: Okay. Thank you.

CHAIR SUGIMURA: So any other...any other projects. Thank you. Oh, look, here's Keani. You have a question, Keani? No? Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: No, I don't. Mahalo, Chair. Sorry about that.

CHAIR SUGIMURA: Oh, no.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yay, it's finally working.

CHAIR SUGIMURA: Yeah, good. And we know Tamara doesn't have a question because her project got funded. So at this time, Members, I'm going to defer this.

COUNCILMEMBERS VOICED NO OBJECTIONS. (Excused: TK)

ACTION: DEFER PENDING FURTHER DISCUSSION.

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IT-67 MITIGATING MAKAWAO BASEYARD NEIGHBORHOOD IMPACTS
(CC 21-392)

IT-70 PUBLIC WORKS' MASTER PLAN FOR BASEYARDS (CC 21-418)

CHAIR SUGIMURA: And I'm going to move on to the next item, which is item number IT-67 Mitigating Makawao Baseyard Neighborhood Impacts, and also IT-70, which is Public Works' Master Plan for Baseyards. I want you to know that the...Mike Molina and I went on a site visit to the baseyard, Makawao Baseyard, and the Department came out in full force just to kind of explain and to share with us what was going on. Patrick, who's your manager there, was very, very helpful, and has been trying to answer questions that have come up from the neighbors and mitigate it as much as he could. So I want to commend your Department for working on this, as well as the Environmental Management, for what you're doing, understanding, you know, the...the clashes that have been going on for the baseyard, which has been there...this is what I learned, since 1945. So it's something new. And there are old families and new families who have moved in next door, and trying to work out mitigations and solutions, finding solutions. So thank you very much for that. You want to take it away and bring on whatever speakers who may be interested? I see there's also Eric Nakagawa here listening, and Shayne Agawa, as it involves the Department of Environmental Management. So at this time, Jordan, you want to start off and just tell us what you've been doing...or what your Department has been doing?

MR. MOLINA: Sure, Chair. We prepared a brief presentation, I can walk through that.

COUNCILMEMBER PALTIN: Maybe if you can just talk a little bit louder. I mean we can hear you, but I guess when you point your face the other way it gets softer.

MR. MOLINA: Okay. Okay. Thank you. All right. So real briefly on the Makawao Baseyard issue. So yeah, so as Committee Chair Sugimura mentioned, the baseyard's been in operation since the '40s. The earliest records I could find from the property tax site was 1946, which showed most of the buildings you see there now, except for the one on the far left, which is the newer garage built back in the '90s. From Public Works' standpoint, we typically operate from 7:00 a.m. to 7:30 p.m. Monday through Friday, the exceptions being, of course, our street sweepers, which run out early in the morning to beat all the traffic, and of course when storms hit, we're working until the roads are clear and the condition is stabilized. Also, up here in Makawao we have the refuse collection operation for Upcountry. As you guys may know, Public Works did include Wastewater and Solid Waste as part of its operation prior to the Charter amendment. So this is kind of a remnant of that previous consolidated department. They...they typically operate from 5:00 a.m. to 2:00 p.m. Monday through Friday as well. So this photo shows us the property tax website that shows the overlay of the zoning districts in the area, with our Makawao Baseyard called out there as Public/Quasi-Public P-1 zoning. And just a note that some of the uses...the intensive uses allowed in P-1 include wastewater treatment facility. It's a notable use allowed in P-1. And then to the left, of course, you see the Burns Place where the neighboring residents have expressed their concern with some of the impacts of the operation

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there. So yeah, last July there was an RFS submitted relating to dust control from the cold plane pile, which is in the area to the left of the photograph. Noise, of course, from our operation of all the trucks and equipment coming in and out for the daily operation, concerns about idling. The storage of the refuse trucks near the property line. Just general traffic complaints from the operations. So in response to that, we were able to do some short-term mitigations. We did put up that dust fence to help control the dust. We also had the...the pile sprayed with hydro mulch at one point, in addition to getting that pile out of there altogether. Trying to accommodate the operation within the baseyard to try and keep those disturbances away from the property line as best we can. And just to modify how we operate as well, to try and minimize *(audio interference)*. Longer term, we are working to try and get back use of Makani Landfill, working with Solid Waste Division. This would allow some aspects of the operation to move, but we would not be able to relocate the entire *(audio interference)* down to Makani *(audio interference)*. That would be a larger effort to get that accomplished. But in this upcoming budget, we do plan to put some monies into the budget for master planning, not just here, but at all our baseyards as for the most part we've grown out of the space we've had...we've been living with all these years. In addition, we do have some specific money called out for Makawao sort of as a more immediate address...to address the concerns of the neighbors that will free up some space so we can kind of further modify our configuration there at the baseyard and hopefully lessen the burden on our neighbors. And yeah, that's real briefly just where we're at with this situation up in Makawao Baseyard.

CHAIR SUGIMURA: Thank you. Thank you, Mr. Molina. I wanted to ask the other Mr. Molina, district...our district representative, if you want to say a few words. This...this was introduced by you to our Committee, to this Committee.

COUNCILMEMBER MOLINA: Yes. Thank you very much, Madam Chair, and thank you for bringing this matter to Committee. And I want to mahalo the Rayhills, as well as Aja Eyre, for sharing this concern with us. We were contacted early on, and we relayed the concerns to the Public Works Department. And as you mentioned, we had a site visit, and so it was very helpful to us. And so I'm glad to see at least some movement is being made to address some of the concerns, but of course, there's other concerns that will probably provide more challenges as we look, you know, towards the future. And I was born and raised in Makawao and, you know, I remember when Makawao was a very, very sleepy little town back in the 1960s, and certainly it's grown over the years. And you know, as you get more people, you have to have more equipment for...for refuse service and whatnot, and other matters. So it's just one of those things, as the community grows then...then so...so do the concerns. But it is what it is and, you know, we need to do whatever we can to do to address some of the concerns that the residents have. Mr. Director, thank you for being here. Just one question on the trucks. Now, the reason for the idling, it's not just to warm up the engines, but my understanding with these high-tech refuse trucks, it also has something to do with the air brakes as well? Can you elaborate on that?

MR. MOLINA: Yeah, real generally. I mean, these are complex, large equipment. They run a lot of hydraulic system, air brakes. They're not passenger vehicles where you can just

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start up and start driving immediately. That is all typically part of the best...best practices for operating the equipment, ensuring they last as long as they can last. But yeah, anything more specific, I would defer to DEM on the refuse trucks.

COUNCILMEMBER MOLINA: Okay. And thank you for meeting with the...the residents. You know, at least keeping them, you know, updated on what's happening. And how many...you know, the garbage pickups are what, five days a week the Department is in operation? They have to start up every day, or is it just only a few days a week?

MR. MOLINA: Thank you. I'll defer to DEM on the specifics of their schedule at this time.

CHAIR SUGIMURA: I see --

COUNCILMEMBER MOLINA: Thank you.

CHAIR SUGIMURA: -- Director Nakagawa or Shayne Agawa, I saw...there, Shayne Agawa, I saw you on. There. Okay. Shayne?

MR. AGAWA: Hi. Yeah. We're operating six days a week. We have approximately five trucks that are active at a time...with a backup vehicle, sorry.

COUNCILMEMBER MOLINA: Okay. Okay. Madam Chair, I'll yield the floor to my fellow colleagues. I may have another question or two if we have a second round. Thank you for the responses.

CHAIR SUGIMURA: Okay. Thank you very much. Three minutes, next, Tamara Paltin.

COUNCILMEMBER PALTIN: Oh, thank you, Chair. I guess my question would be for DEM. I just was wondering about like the place that the vehicles are parked. It looks like...I'm not sure what direction it is, but one side of the property has like no houses, and one side has houses. And I just was wondering about possibly parking the truck on the side of the property without houses.

MR. AGAWA: Yeah. Thank you for that question, Member Paltin. We did have discussion with Public Works about swapping location of their vehicles, Public Works' vehicles versus our vehicles. Unfortunately, the area you're talking about, I believe is unfenced. It's not secure. There is stalls that are on...fairly on the opposite side, but as you know, that strip of land is really narrow, so we're only going to gain maybe about 30 feet, 40 feet or so. But we have been in talks with them, and that's something that we can possibly try out, swapping locations. But they do have their vehicles there as well, Public Works' vehicles. So it'll be a swap, yeah.

COUNCILMEMBER PALTIN: Uh-huh. And any estimate as to the cost of just building a security fence?

MR. AGAWA: We haven't looked into that.

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COUNCILMEMBER PALTIN: And . . . *(timer sounds)*. . . any...any...any talks scheduled with the neighbors, or no need from your perspective because you already understand the issues?

MR. AGAWA: We haven't really been contacted directly by anybody for any follow-up meeting. We have addressed concerns in the past via written responses to the neighbors' requests. We have worked with Public Works as well to mitigate some of the concerns. If they would like, we would more than happy to meet with them.

COUNCILMEMBER PALTIN: And then the...the landfill, the reason why you cannot do it over there anymore is that's where it used to be, and then now it's moved over there because not allowed at Makani Landfill anymore? I'm --

MR. AGAWA: So...

COUNCILMEMBER PALTIN: -- totally unfamiliar with that whole area.

MR. AGAWA: So the history with that is Makani is a closed landfill. And as some of you may know, the County is responsible for a 30-year closure plan after the closure. During that time, my understanding was that there was certain uses at that landfill by Public Works, whether it was stockpiling of materials or vehicles, whatnot. We had Corp. Counsel look into that, and they found that there was...I don't want to call it violation, but it was against the regulations of a closed landfill to do that kind of operation. . . . *(timer sounds)*. . . So operations ceased, and then Public Works was notified to move their stockpiling and vehicles, I guess, back to the baseyard.

COUNCILMEMBER PALTIN: And...and you don't know what kind of violation, if it's County, State or Federal?

MR. AGAWA: It's a State Department of Health regulations.

COUNCILMEMBER PALTIN: Oh, okay.

MR. AGAWA: Yeah.

COUNCILMEMBER PALTIN: Okay. My time is up. Thank you.

CHAIR SUGIMURA: Thank you. Anybody else have questions for Environmental Management or Public Works? Okay. I have a question, Mr. Agawa. Then bringing up the Makani Landfill, the...the...can...can it be used again? I guess there's discussions from the neighbors that they're thinking that the Makani Landfill now would be available to do this, you know, moving of facilities or operations there. Can you give us an update as to what is legal, what can we do, and if there's any discussions to try to mitigate some of the concerns?

MR. AGAWA: Thank you for the question, Chair Sugimura. Yeah, so there are some uses for a closed landfill once the post-closure plan has been completed. Unfortunately,

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they're kind of limited. So when Corp. Counsel looked back at that Makani Landfill closure plan, the uses for post-closure was for open space, meaning parks. I think there was a potential for like a solar farm or...or whatnot, but it wasn't for like industrial-type uses as in baseyard. Definitely not for residential, that type of thing. It was dedicated for open space.

CHAIR SUGIMURA: So you...there...there wouldn't be an opportunity to move some of the operations from the Makawao Baseyard then into this Makani Landfill?

MR. AGAWA: There is a potential. Our Solid Waste Division is looking into it right now. There could be a potential to utilize a portion of the landfill where there isn't trash sub...you know, before the surface. But for areas that have trash below the surface, due to settling, there is landfill gas monitoring equipment that cannot be disturbed, infrastructure under the ground. But to answer your question, there could be some areas, but not the full footprint of the landfill. It would have to be areas where trash...it wouldn't be underneath the ground. And we're looking into that right now, what...what the boundaries of that are. So we'll be working with Public Works to see what's available, and then what can be moved over.

CHAIR SUGIMURA: Okay. So it's in discussion, no final plans have been made yet?

MR. AGAWA: That's correct. Until we can --

CHAIR SUGIMURA: Okay.

MR. AGAWA: -- you know, figure out the final boundary of the non-trash areas.

CHAIR SUGIMURA: Okay. Very good. Because we need to file...file...follow guidelines that are established. Mr. Molina has a question.

COUNCILMEMBER MOLINA: Yeah. Thank you, Madam Chair. You know, all this talk about the old landfill brings back...I think it was a song that was made about the old Makawao dump. I think Alice can remember that too. We were both in radio back in the day. But yeah, it was a very popular song, the Makawao dump. But you know, with regards to the trucks itself, that seems to be one of the major concerns. I would guess that you folks are looking at the possibility of staging the trucks there possibly, at least just...just the trucks. But I...I know that you may need another...potentially a building to service the trucks nearby. Am...am I correct with that assessment, Mr. Agawa?

MR. AGAWA: I...thank you for the question, Member Molina. I haven't personally been in any conversation regarding relocation of the trucks to the Makani Landfill. There was talk with Public Works that I had with Highways and with Director Dagdag-Andaya in possibly in the future relocating our trucks on the opposite side of the lot where that abandoned building that they're thinking about refurbishing. Deputy Director Molina referred to that. Obviously, that's not going to be in the near future, but there has been talks about relocating to another place on the lot. And just to give you an idea

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with the trucks, we have changed some of the protocol. We actually used to drive forward into the parking stalls, which caused early morning beeping as they're reversing. So now we reverse into the stalls, we've eliminated the early morning reverse beeping. And we also clarified the time that they're warming up the trucks. And from our Staff at Solid Waste at the...the baseyard, the trucks aren't warmed up until 4:45. And you are correct, it is mainly for the air brake, charging of the air brakes. But we verified that we haven't been starting the trucks at 3:00 a.m. in the morning.

COUNCILMEMBER MOLINA: Okay. Thank you very much for your response. And Madam Chair, just one quick question for Director Molina with regards to a potential security gate for the baseyard. Is that still on the Department's radar at this point?

CHAIR SUGIMURA: Director Molina? That's a very good question. Did you hear?

MR. MOLINA: I guess we would need to clarify what exactly we would need to be securing. So everything within the fenced area is secured. So expanding that to beyond the fenced area would have to be in coordination with what equipment would be moving there to be secured by that fence.

COUNCILMEMBER MOLINA: Okay. Thank you, Mr. Director. Thank you, Madam Chair.

CHAIR SUGIMURA: So anybody else have questions? Keani Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Before I lose connection again, just a quick question. Do we have any kind of master planning, like master planning for baseyards for Public Works and DEM, like Countywide that exists?

CHAIR SUGIMURA: So that is also on the agenda. Director Molina, you want to take that?

MR. MOLINA: Sure. Public Works has not...I just see we lost her. Hopefully she can still hear.

CHAIR SUGIMURA: Yeah.

MR. MOLINA: But we...we don't have any. The closest one we did was the...Department of Management did the consolidated baseyard study for the lands out in Waikapu. I don't recall, though, that that addressed the outlying districts, or master planning for the outlying districts.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR SUGIMURA: Yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, I guess for DEM too. Did...oh, I'm sorry, I kind of lost connection.

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MR. AGAWA: Yeah, we did --

CHAIR SUGIMURA: I see.

MR. AGAWA: -- have discussion regarding relocation of our refuse trucks to the Central Maui Landfill, but we don't have any official master plan at this time to do so.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo both deputy directors. Mahalo, Chair.

CHAIR SUGIMURA: Thank you. So on the agenda today...Kelly, I'll take you next. On the agenda today is the baseyard master plan. So hopefully in the budget, Keani, you'll see hopefully that it'll be included in the upcoming budget for the Department to create a master plan for baseyards as we're running into these kinds of questions. And then hopefully the same thing with the Central Maui...or the landfills also, to get a better feel of, you know, where we are with what we need. So departments, you have any comments regarding a master plan for Keani's question? Oh, here's Eric. Eric?

MR. NAKAGAWA: Thank you, Chair.

CHAIR SUGIMURA: Hi.

MR. NAKAGAWA: Hi. I can take this one. So essentially, so for our master plan, as you...all you guys...you guys allowed us to and we did purchase the 59 acres at Central Maui Landfill, right? The landfill diversion was on the 40 acres, which was already permitted, went through the State Land Use Commission. So yes, we...on the 59 acres we did not do a master plan yet, but this is part of the concept in the future was a consolidated refuse baseyard. The...I guess hopefully in...in the near future we'll have that, as soon as we go in for our EIS and our State Land Use Commission application, right, which is, I think, was on your agenda to get support from Council, yeah, to do that. But other than that, I mean that's the only master plan we have for Solid Waste, yeah. I don't know if you...like Wastewater and that kind of stuff, I mean, those are kind of little bit different, but we do have master plans for those, yeah.

CHAIR SUGIMURA: Okay. So Director, if I could, then I think Kelly had a question after. But then for the 59 acres or...I know that you wanted us to assist with...so we can get the State Land Use Commission question done, or land use item completed for the Central Maui Landfill. So are you working with a tight schedule, you need us to act on that? Is it before budget or...

MR. NAKAGAWA: Yeah. So no...thank you. Yeah, sorry. Yeah, so no, I mean, there's...I don't think there's anything right now that we need to...and the last time we met, I think Jordan Hart, Deputy Director for Planning, kind of laid out a time frame. I think the ball's in our court right now. We're trying to figure out getting a simple master plan, working on some of the EIS documents, and then I believe...I figure what the...there's like three or four steps, right? Like amendments to the planning document and...the Maui Plan document and then something else, and then after that we go back to State Land Use Commission, then come right back. Yeah. So --

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CHAIR SUGIMURA: Okay.

MR. NAKAGAWA: -- I'm sure you guys are well more versed in all the different steps than me. So...but yeah --

CHAIR SUGIMURA: Okay.

MR. NAKAGAWA: -- so I think we're...the ball's in our court, and we're...we're working on it.

CHAIR SUGIMURA: Okay. Very good.

MR. NAKAGAWA: And definitely, we'll reach out when we need the help.

CHAIR SUGIMURA: Very good. So budget-wise, Keani, I guess you're going to see this master plan for the baseyard hopefully in the Mayor's budget, and we'll take it up at that time. Kelly, sorry about that, you had a question?

COUNCILMEMBER KING: That's okay. Actually, I wanted to bring up the baseyard issue since Keani brought up the idea of a master plan. I hadn't heard anything from Jordan about the South Maui, but we...we did have money in the budget last year for the South Maui Baseyard, and trying to consolidate the Public Works and Parks Department, which would have been, I think, much more efficient. There's land up there by the police station. I thought that was . . . *(inaudible)*. . . So is there anything in the Public Works' plan about that? Is there any comment you can make about that, what happened to that project?

CHAIR SUGIMURA: Director Molina?

MR. MOLINA: Thank you, Chair. I believe that funding was allocated to the Parks Department *(audio interference)*.

COUNCILMEMBER KING: So you didn't work with them at all?

MR. MOLINA: I haven't had any updates recently.

COUNCILMEMBER KING: Okay. Because that was...the plan was to try to consolidate, you know, to save money, but to actually get a baseyard in South Maui so that you wouldn't have to be driving equipment all the way from Wailuku back and forth all the time. You...you...I'm...I'm kind of disappointed you haven't heard anything about it because that was discussed extensively when we put that in the budget.

CHAIR SUGIMURA: Okay.

MS. DAGDAG-ANDAYA: Chair? This is Rowena.

CHAIR SUGIMURA: Oh, Rowena.

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MS. DAGDAG-ANDAYA: Yeah, so my understanding with the...the South Maui Park...well, the study, the Parks Department did engage with our Highways Division for initial comments, and that Parks is undertaking the...or facilitating the...the contract for that study. So I don't...we haven't had any recent discussions about it. My understanding was that it's currently in place, and there was discussion with our Highways Division for...we're requesting information about needs and...and, you know, other questions about needs and resources. So that's...that's where it's at, at this point. But I do recall --

COUNCILMEMBER KING: Okay.

MS. DAGDAG-ANDAYA: -- in a separate Committee meeting, there was a question regarding the progress of that contract, so I'm not sure if it was in...in IT or if it was in another Committee meeting. But I think perhaps a letter or some kind of correspondence asking for an update would be...would be warranted.

COUNCILMEMBER KING: Okay. You mean a letter to Parks?

MS. DAGDAG-ANDAYA: Yeah. Because they're --

COUNCILMEMBER KING: Okay.

MS. DAGDAG-ANDAYA: -- yeah, they --

COUNCILMEMBER KING: *(audio interference)*

MS. DAGDAG-ANDAYA: -- they're facilitating the contract for that work.

COUNCILMEMBER KING: Okay. But you guys are...are amendable to moving ahead as...for a consolidated baseyard?

MS. DAGDAG-ANDAYA: Yeah. We...of course it's going to require, you know, just that study. We are asking for...you know, we have that updated...that master plan effort that we'd like to undertake. So you know, seeing what makes sense, what the future needs are, and you know, what the...the best ways to accomplish our goals and objectives, you know, through that study. I think, you know, we'll take a look at that and see what's...what would be the best course of action. But we are amendable to...to making any changes to our operations and relocating if possible.

COUNCILMEMBER KING: Okay. All right. Thank you for that. I think it just makes a lot of sense.

CHAIR SUGIMURA: Okay. So we'll send a letter, Kelly --

COUNCILMEMBER KING: Okay. Thank you.

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CHAIR SUGIMURA: -- to the Departments. Yeah. Thank you very much. And it'll tie into the master plan. Rowena, nice seeing you here. I didn't expect to see you here.

COUNCILMEMBER KING: Thanks for being here, Rowena.

CHAIR SUGIMURA: Yeah. So Tamara, you have a question?

COUNCILMEMBER PALTIN: No, I...I think it got answered. I just...I guess maybe...I was looking at the slideshow and the TMK pictometry. It might be a question for Deputy Director Molina. But it seems as though the frontage part of that baseyard, the five acres, is kind of used to stockpile materials at this time, and...and there's no security fence around that. I just was wondering about the usage of that front area of the facility. It looks like abutting maybe the...it's...it's an owner-occupied lot, but the house isn't at that portion as you enter the...the baseyard. And I just was wondering if we can utilize those portions of the five acres where there isn't houses directly. It may be cheap enough just to build security fencing and move things around and utilize those areas of the baseyard that aren't abutting houses.

CHAIR SUGIMURA: Department? Or is it...is it...which...which department is it? Public Works or Eric Nakagawa? Whose equipment is there?

COUNCILMEMBER PALTIN: Both.

MR. NAKAGAWA: I'll relieve Jordan of his duties. Nah, nah, nah. I think the bigger picture, I mean, kind of we talked about it, right, like I think that front area is not fenced. So if...yeah, I mean technically we could, you know, put in some type of fencing, I guess, for that. And obviously that's Public Works, not my Department. But I think the main thing is trying to figure out that stockpiling of that material and that kind of stuff, right, that activities that's actually going on over there. So that ties into us, right, and I...as Deputy said is like...I know testimony, they kind of made it sound like yeah, you just do this, but technically it's...that doesn't meet our regulations per DOH and EPA, right. So there are certain limitations that we can do, and that's what I think Mike Kehano, who's our new Division Chief for Solid Waste, he's already working with John Smith from Public Works. They've located some areas, and they're trying to do that right now. So I guess it's a matter of as long as we can remove that material or remove that activity, then that allows a little more area for us to...to go there, right. Within the entire parcel, you know, and Deputy Director Shayne already kind of talked about the internals of just trying to figure out how do we best be good neighbors, right, and try to minimize it as much as possible. But yeah, on top of that, I mean as long as there's some type of funding for it, I mean right, and the permitting process goes through. I mean obviously, you know, that it's not a...it takes a while, right, in order to do that kind of CIP project, so...but I think we're all open and willing to try to figure out something.

COUNCILMEMBER PALTIN: And just to clarify, so that stockpiling of those materials is a P-1 allowable usage? Is there any other zoning that is conducive to the stockpiling of the uses besides P-1? I mean, I guess P-1, P-2, or whatever. Like ag or...

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MR. NAKAGAWA: Yeah, Jordan's better at the zoning stuff.

MR. MOLINA: We would have to work with Planning, but I think it would be, for the most part, limited to either P-1 or Light Industrial, right, zoned lands, of which there aren't many in Upcountry.

COUNCILMEMBER PALTIN: And does...

MR. MOLINA: I guess just to tag along to Eric's response a little, we don't necessarily want to just throw fencing without really a plan in place. And with our operation, you can't...I mean, we just can't just go do things. Like we got to make sure like if it's going to be a designated parking lot now for refuse trucks, are we controlling the runoff, is it going to the appropriate location, do we need to do site work to develop appropriate parking spaces. It's not just throw a fence and move trucks now. So I mean yeah, we...we can, but we got to...you know, we got to do a little bit more homework to plan that out.

COUNCILMEMBER PALTIN: And the County doesn't own any other lands in that area that could do like a Change in Zoning or anything like that, that would be appropriate? Because it's all like surrounded by residential, that if the County owns other lands?

MR. MOLINA: I think the next best spot...I...so I briefly looked at what options are out there. I think the next best potential is encroaching into Parks' area at Eddie Tam space. I think they had the appropriate zoning if I'm *(audio interference)*. The other issue with Upcountry is water. If we go to any new site, do we have water service to support the operation, or are we going to go drill our own well *(audio interference)* development of baseyards.

COUNCILMEMBER PALTIN: I guess --

MR. MOLINA: That's kind of the big ones.

COUNCILMEMBER PALTIN: -- we see how Parks and Public Works partner in South Maui and maybe replicate at Eddie Tam.

MR. MOLINA: Yeah. I mean again, those other impacts you start introducing, and then we got to evaluate that because now we got to drive through a bit more neighborhood to get there than we do currently. So yeah, can't just move one piece without looking at how all the other pieces get affected.

COUNCILMEMBER PALTIN: Okay. And then I guess my last question would be for Corp. Counsel. Similar to like the Brown house, this is just kind of like an informational update for us, because we don't do...tell these guys what to do, that's the Mayor's authority. And they just come to us if we need...they need money to accomplish the goals? Because we cannot pass legislation on where the baseyard is or anything like that, right? Kind of just an update thing?

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MS. OANA: I'm...I'm not familiar with any Council-generated projects. But you're correct, you know, the Administration...you give the Administration money, and then they, you know, do the projects that they discuss. Yeah, I'm...you can ask me a different question, but yeah. But I understand.

COUNCILMEMBER PALTIN: We don't...we don't tell them what to do, we're just getting information from them. Okay. Just clarifying that.

CHAIR SUGIMURA: Yeah, thank you. So good discussion, Members and departments. And I think what we're going to end up...what I would like to end up is maybe summarizing some of this and letting the residents know where we are. Because by their testimony that they submitted, it sounded like that we had some definitive plans moving forward, but I think we have to go through a process. We have not only the, you know, EPA or Department of Health kind of requirements with Makani Landfill, but we also have union employees and, you know, all these different regulations that the departments have to follow in order to operate, as well as a growing community. So Members, I'm going to...I'm going to defer this item in case the departments would like to bring up the Makani Landfill baseyard item again. Mr. Molina, what would you like us to do with this? On the baseyard, the Makawao Baseyard, I'm sorry.

COUNCILMEMBER PALTIN: Which Mr. Molina? Which one?

CHAIR SUGIMURA: Oh, I'm sorry. The...the...I'm sorry, the district representative --

COUNCILMEMBER MOLINA: Okay.

CHAIR SUGIMURA: -- Member Molina.

COUNCILMEMBER MOLINA: Thank you for that clarification, Madam Chair. Well, I guess maybe defer it to see what the latest is. Keep it open --

CHAIR SUGIMURA: Okay. Okay.

COUNCILMEMBER MOLINA: -- rather than just filing it. I think just for...just for the residents' concerns, maybe best to just defer it and see what transpires from the Department's meeting as to what other concerns they can potentially mitigate. And of course, looking long term with regards to the baseyard, if there is indeed a consensus from the Department and the Administration to relocate at least a portion of the operations, if that is feasible down the road. So I would suggest deferring if there are no objections.

CHAIR SUGIMURA: Okay. So we'll defer...we'll defer that, which is IT-67, the Makawao Baseyard Neighborhood Impacts.

COUNCILMEMBERS VOICED NO OBJECTIONS. (Excused: TK and ALL)

ACTION: DEFER PENDING FURTHER DISCUSSION.

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CHAIR SUGIMURA: And then the other one, which is the master plan, which is IT-70, I hope this comes up again during budget. Well, we won't know until we get the budget from the Mayor in March of next year. And...or no further discussions. Any way we can help DEM and Public Works because I know this is an important issue for both of you. So Members, I'm going to...without your...with your approval, I'm going to defer these two items.

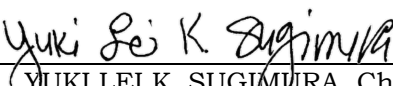
COUNCILMEMBERS VOICED NO OBJECTIONS. (Excused: TK and ALL)

ACTION: DEFER PENDING FURTHER DISCUSSION.

CHAIR SUGIMURA: And Alice Lee has already left the meeting earlier, so she said she had to leave at 11:45. Members, any more questions on these two items? No? Okay. Thank you very much, departments, as well as Mr. Molina. I got to remember there's two Molinas here. Once I had a meeting with three Jordans, and that was kind of interesting. But thank you very much, all of you. The meeting is now adjourned. . . .(gavel) . . .

ADJOURN: 11:57 a.m.

APPROVED:



YUKI LEI K. SUGIMURA, Chair
Infrastructure and Transportation Committee

it:min:211129:ds

Transcribed by: Daniel Schoenbeck

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CERTIFICATION

I, Daniel Schoenbeck, hereby certify that pages 1 through 52 of 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 3rd day of January 2022, in Kula, Hawai'i

A handwritten signature in cursive script, reading "Daniel Schoenbeck", is positioned above a horizontal line.

Daniel Schoenbeck