

MINUTES

PUBLIC WORKS COMMITTEE

January 23, 2008

A meeting of the Public Works Committee of the Council of the County of Kaua'i, State of Hawai'i, was called to order by Councilmember Mel Rapozo, Chair, at the Historic County Building, Room 201, Līhu'e, Kaua'i, on Wednesday, January 23, 2008, at 9:40 a.m., after which the following members answered the call of the roll:

Honorable Mel Rapozo
Honorable Tim Bynum
Honorable Ron Kouchi
Honorable Shaylene Iseri-Carvalho
Honorable JoAnn A. Yukimura
Honorable Bill "Kaipo" Asing, Ex-Officio Member
Honorable Jay Furfaro, Ex-Officio Member

Minutes of the November 28, 2007 Public Works Committee Meeting.

Upon motion duly made by Councilmember Iseri-Carvalho, seconded by Councilmember Bynum, and unanimously carried, Minutes of the November 28, 2007 Public Works Committee meeting was approved.

Minutes of the January 9, 2008 Public Works Committee Meeting.

Upon motion duly made by Councilmember Iseri-Carvalho, seconded by Councilmember Bynum, and unanimously carried, Minutes of the January 9, 2008 Public Works Committee meeting was approved.

The Committee proceeded on its agenda items as shown in the following Committee Report which is incorporated herein by reference.

CR-PW 2008-3: on PW 2007-3

Communication (2/15/2007) from Mel Rapozo, Public Works Committee Chair, requesting that the Administration be present to give an update and status report on the County's bicycle/pedestrian pathway project which encompasses various segments from Ahukini to Anahola.

[Received for the record.]

MEL RAPOZO, PUBLIC WORKS COMMITTEE CHAIR: It is my intention to take up PW 2007-11 and 12 together. These are communications from Councilmember Iseri-Carvalho requesting an update on the Kapa'a Beach Revetment as well as the Moanakai Road alignment/Fujii Beach Revetment.

PW 2007-11 Communication (9/19/2007) from Shaylene Iseri-Carvalho, Public Works Committee Vice Chair, requesting that the Administration be present to discuss an action plan, timeline and cost proposal for the repair, removal, and/or maintenance of Kapa'a Beach Revetment; and

PW 2007-12 Communication (9/19/2007) from Shaylene Iseri-Carvalho, Public Works Committee Vice Chair, requesting that the Administration be present to discuss an action plan, timeline and cost proposal for the repair and/or maintenance of Moanakai Road alignment/Fujii Beach Revetment.
(These items were deferred.)

Mr. Rapozo: Mr. Fujimoto, I will suspend the rules at this time.

There being no objections, the rules were suspended.

DONALD FUJIMOTO, COUNTY ENGINEER: Thank you. Donald Fujimoto, County Engineer. Anyway, as far as an update, over the interim since the last meeting, the Administration has been looking at ways of exempting the design for those two (2) projects, but after looking at it in every which way, we don't think it is prudent to exempt the project. So we are going to handle these projects on the normal CIP process. We have submitted a money bill to Council that includes both of these projects and I think that is going to be on the agenda next week. Our plan is, again, to go through the normal procurement process to secure a consultant for design permitting on Moanakai/Fujii Beach. In the case of the Kapa'a Beach Park, we are going to be looking at performing, I guess a study that is probably going to extend over a one year period to ensure that we have... we account for the cycles both in and out on the sand migration and try to, hopefully, come up with a reasonable idea of what is really happening on the erosion. And based on that study, come up with a recommendation for a design (permanent solution).

Mr. Rapozo: Thank you. Any questions for Donald? Mr. Furfaro?

JAY FURFARO, EX-OFFICIO COMMITTEE MEMBER: So Donald, the 'Aliomanu piece, we actually have money in the budget as previously planned as well as some of the earlier stuff that we did. We are going to be seeing a money bill for both the Kapa'a Beach Revetment as well as the Fujii Beach Revetment. It is going to... the money bill is going to come over with estimates for design and repair?

Mr. Fujimoto: Um, right now, the request is only for the design phase and the studies. I believe in the case of Moanakai, the budget is \$200,000. In the case of the Kapa'a Beach Park, the one year study analysis is the budget that we got is about \$300,000 and then the design another \$200,000.

Mr. Furfaro: Okay, I want to be very careful when we say the budget is \$200,000.

Mr. Fujimoto: Well, the budget... the amount that we are requesting...

Mr. Furfaro: The amount you are requesting because, quite frankly, there isn't anything in the appropriation right now.

Mr. Fujimoto: Right.

Mr. Furfaro: But your approach is going to be designed and then from there, try to price out what the actual repair will be?

Mr. Fujimoto: Right.

Mr. Furfaro: And we should be seeing that in about a week.

Mr. Fujimoto: And I would just like to clarify that the Kapa'a Beach Park actually extends from the end of the Pono Kai seawall all the way to the Kapa'a Library (inaudible)... the piece that goes out. It is not limited to just a small piece in front the old park. It is the whole area because that whole area is... we have problem with erosion. Anyway, we did have some theories, you know, some ocean engineers did provide some theories which was kind of interesting and they felt that the sand is actually going out through the Waiakea Canal side. It is actually pulling back that way and everybody thought that the sand was going the other way, but if you look at some aerial photos and what was interesting is the guys had actually found several aerial photos of that area. And based on the time that the pictures were taken, I think the theory looks pretty... looks like it has some merits and until they actually put sensors and stuff in the water, they won't be able to, you know, prove or confirm that theory.

Mr. Furfaro: Donald, this is a repeat of an old question and I will ask it again. Have we, in fact, shared any of this information with the State in the event that there is an opportunity because the channel was for, obviously, for the small harbor entrance. Have we shared anything with the State at this point because we may be asking them for some joint funding on the actual repair?

Mr. Fujimoto: No, we have not.

Mr. Furfaro: Okay, and I do want to also thank you for putting in some temporary blocks in the pool parking area in Kapa'a just as some short term measures to address that. Thank you.

Mr. Rapozo: Thank you. Councilmember...

BILL "KAIPO"ASING, EX-OFFICIO MEMBER: Can I ask a follow up question to the question that was just asked by Councilmember Furfaro. Your statement Donald of not attempting to work with the State to see if we could possibly have joint funding. The purpose that Councilmember Furfaro asked for was made in reference to the, I guess, small boat launching ramp area, but my concern is not only the launch boat area, but the beach park area. And, you know, as we all know, the beaches are State and we talk about beach park area, I would think that they should share in some of the responsibilities when it makes reference to the beach area. It is specific to the beach area on the Kapa'a Beach Revetment wall, so I would think that we would want to at least make an attempt to work with the State for both issues.

Mr. Fujimoto: Right. Good point, and I think the study that we performed will confirm, you know, if there is any direct effect from that Waiakea Canal. There is no doubt that that in itself has a direct impact to it, but to what extent, we won't... we will be able to prove with the study I guess. We will be able to confirm.

Chair Asing: Well, I would suggest that we communicate with the State prior to because we should let them know, you know, what we are doing.

Mr. Fujimoto: Correct, and I think that is a good point. I mean they are going to perform a project I think this year to actually dredge the Waiakea Canal and they already have contacted us as far as giving us all the surplus sand that is coming out of there.

Chair Asing: Okay, thank you.

Mr. Rapozo: Councilmember Yukimura?

Ms. Yukimura: Yes, so you are actually going to be doing a study and that is really the first step.

Mr. Fujimoto: Right.

Ms. Yukimura: And then the reconstruction or the repairs will be designed based on the study.

Mr. Fujimoto: Right.

Ms. Yukimura: Okay, so the bill that is coming before us next week is for the study portion.

Mr. Fujimoto: Well, study and design. I think we have like half a million for the Kapa'a Beach Park area and \$200,000 for Moanakai and Fujii Beach. That one is...

Ms. Yukimura: So it includes planning study, design, and construction... not construction?

Mr. Fujimoto: No.

Ms. Yukimura: Yea, okay.

Mr. Fujimoto: In the case of Moanakai, it is pretty straight forward. It is obvious that that revetment is holding. It is just that there is not enough (inaudible) behind it to prevent this leaching of the materials through the rocks.

Ms. Yukimura: Uh huh.

Mr. Rapozo: Councilmember Iseri-Carvalho?

Ms. Iseri-Carvalho: So (inaudible)... thanks B.C. In the interim, what is the plan before we get the study?

Mr. Fujimoto: Right now we are working with the Police Department and we just got the authorization from the Police Chief to put signs, no parking signs along Moanakai just to limit our liability just in case there is these sink holes.

Ms. Iseri-Carvalho: I am sorry and what stage are we at that? I know you had talked with the Police Department.

Mr. Fujimoto: I think we just got that sign last week, so we are in the process of making the signs. Again, in looking at the timeline, I think we are going to be coming to Council for a longer term. I think the Police Chief's authority is limited to one year I think, so I think we are going to have to come to Council anyway to extend the signage.

Ms. Iseri-Carvalho: So that would be on 2007-12 which is the Moanakai portion?

Mr. Fujimoto: Yes.

Ms. Iseri-Carvalho: And then on the 2007-11 which is the Kapa'a Beach Revetment portion... well, before we go into that, so you think the sign should be up... what kind of timeline are we talking, a month?

Mr. Fujimoto: Yea, within the month.

Ms. Iseri-Carvalho: Within a month, okay. And then on 2007-11 which has to deal with Kapa'a Beach Revetment... in the interim, what do we plan to do before the one year study?

Mr. Fujimoto: Okay, there is no doubt that we have to monitor the situation and I am working with Bernard on his recommendations on what kind of preventive or what we need to do to address the liability. I mean there is no doubt that there is liability by the exposed rocks in that area and I guess debris from the demolition of the old structures. So I am going to be working with Bernard, you know, and we can provide whatever support, but I think we should... I am kind of... I would like to defer to Bernard as far as his recommendations as far as the operational and the maintenance of that area.

Ms. Iseri-Carvalho: Because right now, do we have any signs in that area advising of the dangerousness of the situation?

Mr. Fujimoto: I am not aware of it. The last time I went out there, I don't believe that there were any signs.

Ms. Iseri-Carvalho: So did you guys consult with the County Attorney's Office as to...

Mr. Fujimoto: Yes, I believe Bernard is working with, again, the County Attorney and the Police I think on how best to prevent people from going in that area.

Ms. Iseri-Carvalho: Because there is nothing blocking it, yea, right now?

Mr. Fujimoto: No, but, you know, I mean everybody can see that it is in unsafe condition. It is real obvious, but to prevent... to save people from themselves, I guess we may have to put a physical barrier no doubt.

Ms. Iseri-Carvalho: And we will keep in contact with Bernard and yourself that the signage is something you guys are going to recommend the type of signs and I think it has to be approved. I guess on the State land, there is something of signs too that... thank you Donald.

Mr. Rapozo: Mr. Furfaro then Mr. Bynum.

Mr. Furfaro: So for the purpose of this discussion Donald, just this discussion today as well as the fact that we have a little bit of a timing issue coming up with our next budget and capital improvement plan. I am... I would like you...

even when you come back for the money for the sand migration study and/or the design piece, for this meeting, I am going to presume that if you do have a number for the actual repair, there is a very good chance that that will show up in the CIP budget because that will be a future repair?

Mr. Fujimoto: Um, yea, and (inaudible) purposes, the Kapa'a Beach portion is hard to... I guess we could guesstimate, but that is a big stretch you know.

Mr. Furfaro: I understand that that is an engineering question, but I am talking from a financial standpoint. I do not want to see us create a new budget and then find us asking for big dollars that aren't on the radar screen for CIP.

Mr. Fujimoto: I think for all practical purposes, again, the Kapa'a Beach Park portion will not come out until the 2010 budget because it is going to take one year anyway just to come up with the study. So I am not sure if we want to allocate the funds now knowing that it is not going to be until the 2010 year, that fiscal year.

Mr. Furfaro: Okay, I will have a discussion with Mr. Rezentes because I want it on the radar screen. It is not like this County has never carried funds over from one capital project to the other.

Mr. Fujimoto: Right, right.

Mr. Furfaro: But, you know, these are big dollars that we are requesting from the surplus and I just want to make sure it gets on the radar screen. So I appreciate your honesty and the fact that it may not be the 2008-2009 budget, it may be future, but some portion of it may be in there as we actually go forward. Thank you Donald.

Mr. Fujimoto: I would also like to add that what makes it hard is that we don't know what the recommendations will be until we actually do the study. It might be just sand replenishment on an ongoing basis versus hardened shoreline.

Mr. Furfaro: I want to reassure you Sir that I am not asking you to be hard fast to a number. All I am asking is that I want to presume that it is going to get on our radar screen. Now, we have some numbers that were estimates from the original piece. There were some numbers roughly for sand replenishment. I don't think they will change much in the sense of what the round numbers are, but, you know, we can't have big capital items like this that just pop up later as a special request. We need to get it on the radar screen. Thank you.

Mr. Rapozo: Mr. Bynum?

Mr. Bynum: I just want to... I know it is the State's responsibility, but do you have an ETA on the dredging of the Waiakea Canal?

Mr. Fujimoto: I can get back to you. I know that they are real close. I know they were putting together the bids and I think they actually put it out to bid if I am not mistaken, so it should be like soon.

Mr. Bynum: Recreational boaters basically can't use that facility right now, so if you have some timeframe, let me know and I will appreciate it. Thank you.

Mr. Rapozo: Thank you. Anymore questions? If not, Donald, the only question that I have is what impact does this have on the bike path project that runs through these areas because I know the last time we went out on a site visit, we were talking about moving light poles and widening the street. What impact does this have on that project?

Mr. Fujimoto: You know, again, without... we are going to... well, it was our hope to try to defer that portion of the bike path (the Moanakai bike path) until we actually do the seawall first. But in looking and reviewing that right-of-way, I think we might have enough area in width where the bike path would actually serve as our bypass during construction because it is on the mauka side. The plan for the bike path was on the mauka side, so, again, to be prudent, I think it is wise that we try to hold off the bike path, the actual construction of the bike path in that section until the mitigative work is done first on the seawall. But if it can't happen, I don't see a real problem with continuing with the bike path and then closing that down for a period of time when we do the actual repair of the seawall.

Mr. Rapozo: Donald, Pono Kai taught us a lesson. You know, we don't lay the concrete until we know the extent of the repairs that is going to be needed.

Mr. Fujimoto: Right.

Mr. Rapozo: And that is the kind of answer that I was hoping to get was that we are not going to do any work in that area until we get the study back. Why would we go lay concrete and then find out later that we have to go dig it up to fix the seawall or to bring in heavy equipment and so forth. And I think that is my concern is, please do not do what we did at Pono Kai when we knew, in fact, that there was going to be a problem, but we insisted on laying the concrete anyway. We know now that to go in and repair that...

Mr. Fujimoto: Again, we could do... it is very prudent to do it your way like you said, but one of the advantages of doing the bike path first actually is part of that job is relocation of the utilities more towards the property line, so that would give us actually more room for a bypass if we worked on the seawall section.

Mr. Rapozo: So what if the study comes back and says like what was one of the suspicions of one of the doctors that were there that the undermining

may be under the road... the undermining of that area (the sand and the water) may be under that roadway. In fact, what if the resolution is to dig out the roadway and replace the roadway, then what? We don't know that and that is one of the doctors...

Mr. Fujimoto: And I think fortunately we should get that answer way before we start construction on the bike path.

Mr. Rapozo: And that is my question, but I am hearing you saying that is the most prudent thing to do, but we have enough room and we can actually build a bike path first, so I guess I am confused. What is the plan for...

Mr. Fujimoto: If the study actually indicates what you mentioned, so we have to re-evaluate how we are going to do this. Again, just from the cursory review of the geographics of that area, there is a reef right in front of it, so it is an assumption that that reef extends below the roadway and we could easily hit the solid rock ledge without affecting or without actually encountering the condition that you mentioned. I mean we are very hopeful that is not going to be the case where the thing is actually migrating under... there is a layer way beneath.

Mr. Rapozo: So no construction will be done until we get the study? Is that what you are saying?

Mr. Fujimoto: Yea, and for all practical purposes, yea, I think that is... I don't think we are going to be in the construction phase... I am pretty sure we should be well done...

Mr. Rapozo: Who makes that call?

Mr. Fujimoto: Well, I guess both projects are independent, but based on the timing, we should have the design plans way before we actually start construction on the bike path. I mean it shouldn't take us longer than a year and I don't see us starting the bike path in one year. We are still in the planning process. We are still doing the EA.

Mr. Rapozo: You still haven't answered my... you think... I think you understand my concern.

Mr. Fujimoto: The reason I am trying to be so non-committal is because the STIP funds are drying up and I would hate to jeopardize that project if we can proceed with it by not obligating the funds for construction.

Mr. Rapozo: But then who pays for the reconstruction if, in fact, we have to go back and fix it. The STIP funds are not going to pay for that, then it becomes General Fund.

Mr. Fujimoto: Yes.

Mr. Rapozo: So, I mean, we have to make a decision here that what happened in Pono Kai and I think it is a good example and we have to learn from that.

Mr. Fujimoto: Yes.

Mr. Rapozo: And STIP funds are not going to go pay when we have to go fix Pono Kai and we have to possibly remove that bike path or damage the bike path. You are not going to be able to fix Pono Kai without some damage to that bike path, you just not, so, I mean, we just have to make wise use of the funds (STIP funds), but we cannot let that determine... have us make irrational decisions going forward because we might lose the money. I think the reality is, if, in fact, the construction may cause a future problem for our funds, our General Funds, that is more of a concern for me. I mean the STIP funds if we lose it, we lose it, but I don't want to put our taxpayers in a position where they have to go pay because of a mistake that we made several years prior, but that is just my opinion.

Mr. Fujimoto: Well, I agree with you and we will do everything possible to try to avoid work in that area until that work is done first.

Mr. Rapozo: Thank you. Anymore questions for Donald? If not, thank you Donald. Anybody in the public want to testify on this matter? If not, Mr. Mickens?

GLENN MICKENS: Thank you Mel. Mel, I am off the topic, but I just want to sincerely thank this Council and Ron in particular for having Tommy (Lasorda) here. He is a long, long time friend and I just want to say my appreciation. Tommy has been a long time friend of mine and he was one heck of a pitcher. He is only 5'8", but he wouldn't care whether it was King Kong at the plate, it would knock 'em down if he thought it was going to win a ball game for him. He was that tough a guy and now he is a motivationally type of a person and he does these things. But, again, I really appreciate... it took a lot Ron, you know this... it took a lot to put this thing together to get him over here to come here and then you Councilmembers all giving him that certificate. So I just wanted to make sure that I acknowledge my appreciation for getting him over here. I think he is great for these kids. His speeches... like he said, he is motivated from Police Departments and every place you can imagine. He has been responsible for his motivational thing. That was one of his big assets and I told Ron that I used to sit in the clubhouse and listen to all these stories for nothing. Now you have to pay a \$1,000 to hear him tell these same things to the public. Anyway, thank you very much.

Mr. Rapozo: Thank you Glenn.

The meeting was called back to order, and proceeded as follows:

Mr. Rapozo: Any discussion? If not, I will entertain a motion to defer.

Upon motion duly made by Councilmember Bynum, seconded by Councilmember Iseri-Carvalho, and unanimously carried, PW 2007-11 and PW 2007-12 were deferred.

There being no further business, the meeting was adjourned at 11:32 a.m.

Respectfully submitted,



Lisa Ishibashi
Council Services Assistant

APPROVED at the Committee Meeting held on February 6, 2008:



MEL RAPOZO
Chair, Public Works Committee

