

## SPECIAL PLANNING COMMITTEE MEETING

JULY 10, 2007

The Special Planning Committee Meeting of the Council of the County of Kaua'i was called to order by JoAnn A. Yukimura, Chair, Planning Committee, at the Council Chambers, Historic County Building, 4396 Rice Street, Room 201, Līhu'e, Kaua'i, on Tuesday, July 10, 2007, at 10:58 a.m., after which the following members answered the call of the roll:

Honorable Bill "Kaipo" Asing, Council Chair  
Honorable Tim Bynum  
Honorable Jay Furfaro  
Honorable Mel Rapozo  
Honorable Shaylene Iseri-Carvalho (present at 11:14 a.m.)  
Honorable JoAnn A. Yukimura

Excused: Honorable Ronald Kouchi

### APPROVAL OF AGENDA

There being no objections, the agenda was approved as circulated.

### WORKSHOP

The Kaua'i County Council's Planning Committee will be hold a workshop on the Kōloa-Po'ipū Area Circulation Plan (Draft final Report, April 2007). Mr. Jim Charlier of Charlier and Associates, who was the consultant for the plan, will brief the Council on the draft plan, with discussion to follow.

The workshop proceeded as follows:

Ms. Yukimura: With that, we'll...I guess you suspend rules for workshop, and ask Mr. Charlier to come forward.

There being no objections, the rules were suspended.

JIM CHARLIER: Aloha.

Ms. Yukimura: Welcome. We'll let you perhaps summarize or go over the plan, for the members of the committee, and then have questions and answers...if you would.

Mr. Charlier: Okay. Well, I know you all have read the plan, and I've presented it to you once before. So I imagine this could be a very brief

presentation. As you know, we began work on this about a year ago. We had extensive community involvement and coordination, including five very well attended public workshops at the Kōloa Community Center. The Kōloa Community Association board, the Po'ipū Beach Resort Association and its board, the landowners and developers in the area, a lot of community members, this Council, and staff of the county were involved in this project extensively. We completed work on this really...I think about the time I spoke to you last in January or so, and we...I'm in...on island this week. We met with the mayor yesterday, and his...he seemed, in that meeting, anxious to see this move forward and directed staff to begin work on the response to the questions that you had sent to the administration, and to begin work on framing some sort of advice to you about moving forward with the plan. So that's maybe something you already knew, or may not, and I'll let them obviously speak for that.

The plan, I think, is one that meets the needs for the area. It's expensive; it's almost 50 million dollars worth of work. Some people have told us that's far more than we think you should spend in that area and others have told us there's no way we can meet the needs with only that amount of money, so we must have the...we must have it about right. The costing was done to reflect unit cost on Kaua'i, and fair amount of detail went into the work on project costing, a little more than we would ordinarily do at what we would call a program level of estimation.

The plan provides you with the first chance to see what the cumulative impacts are of all of the traffic from the proposed developments in the area, your system of evaluating development projects has always only looked at the impacts of that specific project, and you've not had access to information on cumulative impacts. And the bottom line there was that the road system itself does not have to be oversized to meet the needs that we're predicting; in other words, it's not the level of need that would justify multi-laning of major road corridors. But the primary obstacle and challenge you face in the area is the lack of connectivity in the roadway network and the poor connectiveness and the lack of a network, and the fact that major areas have only one way in or out, or limited number of ways in and out. And that actually is more of a problem in the long term in terms of both safety and traffic capacity than the width of the major roadway corridors themselves.

We also recommended in the plan, and these things had strong community support and strong private sector support, a comprehensive program of pedestrian improvements, including sidewalks, crosswalks, safety improvements, and a fairly ambitious program of trail improvements, what we call in the plan multi-use pathways, multi-use trails. And there's a signature component to that—the Hapa trail, which we feel would be an important thing for you to move forward on in this short term. I know the people have sort of been comfortable thinking that it would happen eventually and they didn't need to worry about it, but our advice is that it would be a good thing to actually make happen in the short term, both to make sure that it does in fact happen. There are design challenges, there are ownership issues, there are things that have to be sorted out on that project. And also, that

once it's in place, it will change public perception about what's possible with trails. It will enable you to start doing connections to it, and it'll (I think) create a signature element to the whole area that will help both the Po'ipū end of it and the Kōloa end of it succeed both as places to live and as resort destinations.

We made recommendations for transit service improvements. The single most popular thing among the residents and the citizens who came to our meetings, on our project list was the Kōloa-Po'ipū circulator shuttle, which people really wanted to see, and which, since then, the Po'ipū Beach Resort Association has been working on and is anxious to...there's quite a bit of support in the resort community for that project as well. And we also believe that some time in the next couple of years it would be valuable to initiate some employee commute transit service to bring people into the resort area primarily from some of the...from places like Waimea and Kapa'a and some of the places that people live who come down to work in this area.

The funding was the big issue and how to make this plan implementable, and so we spent a lot of time and work on that. We did recommend in the plan: impact fees. Now, to actually...I know you know this, but just to make sure we say it clearly, for you to be able to move forward on impact fees, the county would have to hire somebody to write a draft impact fee plan and a draft ordinance. Since that wasn't part of our mission and wasn't part of our assignment and we weren't actually working for you, we couldn't do that. But we knew that the issue was very important; perhaps the most important issue in the whole plan. And so we wrote what we called a mini impact fee study and included it in the plan, and estimated what the fee level should be, and we recommended in the plan that you look at that fee level as being something called a fair share contribution. We had an indication from our contributors' group (the developers and landowners who funded the project) that they would be interested if the plan were adopted and implemented, they would be interested in paying their fair share contribution into the system. Now, we're nervous as a consulting firm that time is going by and the strength of that commitment may be fading, and part of what I spoke to the administration about yesterday was the im...the short shelf life of a document like this and the need to have implementation occur before...while it's still possible. That fair share contribution would generate, in the short term, a fair amount of money, assuming that there were a way to apply it both to Class IV permits and to building permits, and perhaps even, in one or two cases, to occupancy permits and certificates. And so all of that, I think, is controversial and in need of a lot of talking discussion by you and others.

So the plan is, I think, perhaps some soon going to sit on your table for some form of consideration by you. I realize that there are things in it that you may want to re-write or re-do or improve, add, or change. The contributors' group, at least some members of the contributors group, appear to be willing to fund some continuing work on our part to help support that, I personally would very much like to see the project through. And with that, I think... I know you know a lot about

the plan; some of you've read it many times, so I think I'll just conclude my comments and answer questions.

Ms. Yukimura: Thank you. Questions?

Mr. Rapozo: Thank you. First I want to apologize for being late. I was across at the Planning... I know I heard your presentation there this morning. I just wanted to apologize for everyone. I just was not aware that we didn't have quorum. I heard you mention at the planning commission briefing this morning about Maluhia that it was not recommended to widen Maluhia, and it's here on page 89. Is that something, do you know...I know you said you spoke to the mayor, but is that a plan that we're pursuing, because I...the last I heard was we were proceeding with the widening of Maluhia Road. But I notice in your recommendation you're saying it's probably not a good idea.

Mr. Charlier: I'm trying to remember whether it's in the current...the old land transportation plan or not. It may be...

Ms. Yukimura: I think it is.

Mr. Charlier: ...and that's probably the basis for that, what you say, Mel. But I am unaware of any active effort on anyone's part to plan for or design or anything additions or improvements in that...you know, widening of that corridor.

Mr. Rapozo: Okay.

Ms. Yukimura: Well, you know, I don't know if anything was said yesterday in the meeting with the mayor, and one of our ideas was to have a joint council/administration meeting so that we could really have that kind of dialogue in terms of what the administration is planning, and you know, how we're going to transition from some old tied plans to this newer plan, which is so well done and so community based and current. So that may be an issue that we...that may be a venue or an event that we might want to pursue in terms of a council/administration/consultant/community roundtable discussion.

Mr. Charlier: Okay.

Ms. Yukimura: Other questions of Mr. Charlier?

Mr. Furfaro: I have. I'll let Mr. Bynum go first.

Mr. Bynum: I'm interested in... Well, first of all, this fair share contribution is like an impact fee, right?

Mr. Charlier: Yes.

Mr. Bynum: But it's based on traffic.

Mr. Charlier: It is, and project cost.

Mr. Bynum: In the other jurisdictions, impact fees cover more than just traffic. They're like police and fire and other community...

Mr. Charlier: Oh, I see what you're saying. Yes.

Mr. Bynum: So this is limited to just the circulation plan.

Mr. Charlier: Yes sir.

Mr. Bynum: And so if a consultant firm were doing a impact fee study on a more broad base, it would include other factors as well, right?

Mr. Charlier: Well, it... Obviously, that's a decision for the county to make, but I think you're asking my advice on it. So what I would say is that I think that the...an island wide all infrastructure issues impact fee, I'll let you gauge the political feasibility and the difficulty of doing that, that's not my area. Our thinking on this had been that one of the things that makes it very difficult to do an impact fee system is if the geographic areas are dispersed and have different issues and different development trends. It can make it very hard to do a comprehensive impact fee system, and so even in here in the islands, for example Maui and its draft ordinance...

Ms. Yukimura: Can people hear you? You might want to speak more into the mike, Jim.

Mr. Charlier: Oh really? Okay. Is that better?

Ms. Yukimura: That's better.

Mr. Charlier: Okay. I know even on Maui, although the ordinance is theoretically an islandwide ordinance, it really is only applies in Kihei and West Maui. And so our feeling had been that rather than try the perfect plan or the ultimate plan, what you may want to consider would be to develop an impact fee system for traffic in the Kōloa-Po'ipū area and get it on the books while...because there's some urgency, as you...as I know you know, to that. And then take the lessons learned and apply them. One of the challenges is that impact fee systems, if they're well designed, are designed to be updated as costs change and as development trends change. If you have a traffic impact fee system for Kōloa-Po'ipū area, that's a relatively straightforward task—it's actually a fairly minor task. Many of the jurisdictions we work with on the mainland have traffic impact fees which they update every two years or so, and it's almost an administrative

matter. If you have a comprehensive impact fee system for all infrastructure needs islandwide, that will be a fairly complex thing to update; it will be harder to do. My personal advice is somebody who we do a fair amount of impact fee work off and on is that if you did something just for traffic just in Kōloa-Po'ipū, it might help you kick the door open a bit, it might set the stage for things you might want to do elsewhere in the island, and it might be doable. But it's a political choice on your part.

Mr. Bynum: So the...in this instance, you'd talked about the short shelf life, and so there's some time constraints here about whether this whole plan will be successful or not. Can you say more about that?

(Ms. Iseri-Carvalho was noted present at 11:14 a.m.)

Mr. Charlier: Yeah. I think that's fairly urgent. The...I believe that the development community and the landowners in the Kōloa-Po'ipū area, the dozen or so entities that we worked with on this project, some very closely and others less so, at one point in time recently were inclined to voluntarily pay a fair share contribution in the interest of having their projects move predictably and through the pipeline. Now we have projects that are breaking ground and, you know, the...so I think the urgency is fairly significant. One of the challenges you have with impact fee systems is that the more of the development that occurs, then the less of the total remains, and it becomes more and more difficult to collect enough money through an impact fee system to actually have any significant...and the equity issues become tougher, because more and more people have worked their way through the system and they...you can't assess impact fees retroactively, as I know you know. And so the...I think you and I both know how urgent this is. So the idea of the voluntary fair share contribution is that because this was all a sort of agreement among the various parties to avert any continuing consideration or moratorium and so forth, all of those things, there was an inclination to try to meet halfway all of the various parties, and to do what seemed right to make the plan work. And I'm a little concerned that that becomes more and more ancient history with each passing month, and those commitments sound like more and more like old commitments. And so I do think there's some urgency. So the voluntary fair share contribution was intended to be a stop gap that you could...that the staff and the planning commission, through its actions, could begin using through a voluntary system, and I know there's some quotes around voluntary in that, but in the interim while you try to get an impact fee system in place.

Mr. Bynum: Okay. So part of what I hear you saying is you want to get more people in the room, so it's spread more equitably around, and that if we delay to soon, we'll have fewer players in the room and an increased burden on other people, and part of this is a recognition that the wheels of government turn slowly. Is that correct?

Mr. Charlier: Yes sir, they do. And impact fee systems require careful consideration, and you know, the system on Maui, I don't believe the ordinance is actually been enacted yet, and it's taken them a couple of years. The Hawai'i system, the latest effort, I think, moved forward in 12 to 18 months, something like that, but it was...that followed on the heels of previous efforts that took quite a while. So yes.

Mr. Bynum: So you're suggesting, in essence, that we move ahead with this on a voluntary basis prior to the enactment of ordinance based impact fees.

Mr. Charlier: Yes sir, that's exactly what we're...

Mr. Bynum: I just want to clarify that.

Mr. Charlier: Thank you.

Mr. Furfaro: Jim, thank you for being here and helping us again with this community-launched plan. I just want to confirm a couple things. First of all, as you said, it's very difficult that the point where the last permit is issued, we can't reach back and grab any funding. So this is driven then by a voluntary participation. But I guess I'm referencing page 71 that you have here, when we talk in terms of developer extractions that we are allowed to deal with, and I'm just going to take this kind of one line at a time. You have site specific improvements, you have in the private sector, contributions of 1-3-3-6-200, and I guess after evaluating the travel and the nexus related to these specific projects, there is somewhere a list that says to us... There's a list that says to us this is something that as these applications move forth, in the planning department, we should be putting these conditions to acknowledge and collect that million three.

Mr. Charlier: That's right. Although in...the fact is that in most cases, those were commitments that had already been discussed with both planning and public works, and so they're not... There may be one or two exceptions, but I don't really think there is anything significant in there that we identified that had not already been thought about. Yeah.

Mr. Furfaro: Okay. Now going further on this summary, you've identified 20 million, 178, 180 as being the regional development driven roadway impact that could in fact be allocated out as an impact fee for these particulars. And we have, I think, nine projects we've identified, of which I think about six of them are participating right now. But it is probably a question for the attorney if we would look at those other three and finding some way to get them to participate as a condition with our...for lack of any other word, our police power at making these extractions.

Mr. Charlier: Yeah, right. I know...we actually call them exactions because the extraction sounds so difficult.

Mr. Furfaro: Okay, well I will read it as exactions, okay.

Mr. Charlier: I'm teasing you, but the... I think the fact...the way your attorneys will tell you, and I'll practice law without a license if you let me, but what your attorneys will tell you is that what we're calling a fair share contribution in fact would be an exaction, and would function as such. In fact, the impact fee law is based on exactions law; it's basically just an extension of the case law around exactions. So I think it's an honest thing to say, and the fact is that while many of the developers and landowners would come in and say we're relieved that you've moving forward with the plan, we did agree to the fair share contribution, and so let's talk about...you know, there may be details they want to talk about, but they would be cooperative and anxious to help. There may be those who are not, and at that point, the issue is, does planning staff or planning commission withhold some further administrative stuff, and what's the legality of that. So those are difficult topics.

Mr. Furfaro: And that's why I framed it as saying something we probably have to consult with the county attorney on, but if... See, the problem with the partial participation is the fact that we end up with some participation, the law also says that we can't hold this money indefinitely, we have to trigger the work that it was intended for...

Mr. Charlier: May I comment on that?

Mr. Furfaro: Yes, please.

Mr. Charlier: We designed...we knew that that was an issue here, and you know, the fact is that impact fee systems, a lot does change over time anyway. Even in more ideal circumstances than the ones we have here, things change. Developments that we planned on don't occur, new developments are proposed that we didn't anticipate, costs change, things change. We could have a recession, you know, you just don't know. So we did not design an impact fee system, and we wouldn't recommend to you an impact fee system that's based on a specific project list. We used what we...what I call a VMT based system, a vehicle miles of travel based system, so that there's a cost estimation process that doesn't tie you to a specific project list, and that gives you a little more flexibility over time, and the importance of that relative to the question you were asking is that in the event that you simply weren't able to get the fair share contribution from certain projects, and you...but you still did have voluntary contributions from other developers, you would be able to spend the money as you...you know, within your priority system on projects that were part of the plan, and you would not have a generated need for county funds to match those funds because your overall formula didn't work out. You wouldn't be able to build all the projects, but the projects you

built, you could build without putting county general funds in to it. So one of the...there are many desirable things about a non-project based impact fee, but that's one of them is that it frees you up from the fear that we all have of impact fee systems where we have 80% of the money, but we don't have the 20% from the county general fund.

Mr. Furfaro: So then it would be easy for us to fall back on what you have prioritized for us in the earlier pages.

Mr. Charlier: Or reorder the priorities as time goes by, you know it's a plan, it's a living document, it should be updated... I think their next opportunity to update it would probably be in the development plan.

Mr. Furfaro: Councilwoman, may I continue? I still have a few more questions.

Ms. Yukimura: Yes, go ahead.

Mr. Furfaro: Thank you. And then as we move down through this, I notice that you only put into the potential private sector participation on the north, you know, northern bypass extension, and this assumption I guess was based on you felt we would get 80% of the funding from the federal government?

Mr. Charlier: We think that the... Let me first say that the actual cost of that project is a much debated thing. We think that if you look at the alignment and you look at reasonable drainage provisions and so forth, that project is roughly a \$5 million project. And so this number is not a 20% estimate; it is a 100% estimate, and so the implication would be that you would try to obtain the 80% from the federal government in connection with that. Now, there are others who think...

Mr. Furfaro: ...and that's how I read this, Jim. You show the three, nine, one, four...but under the private sector you show 20%, which is the nine seventy-eight. Right?

Mr. Charlier: Exactly. Exactly. 90%. Thanks for correcting me very politely there. That project may be a \$20 million project. We've had people tell us it's a \$40 million project, and so as we looked at, and I know we talked about this with you before, but I should reiterate that in our opinion as a transportation planning firm, when we looked at the allocation of traffic that would result from the additional emphasis to the eastern bypass by reorienting the Maluhia eastern bypass intersection, the cane haul diagonal between Kōloa and the north end of the interior projects, and some relatively minor change in the town of Kōloa itself, we felt, and then ultimately of course the completion of the western bypass to Kōloa road, that the...if you...we weren't convinced that you absolutely had to have the northerly extension over to Maluhia Road. And so what we say in the plan is that if

it becomes very, very expensive, or if it looks like it's going to become more expensive and the federal funds will not be forthcoming, we feel that you could do without the project...you could go without the project. And that's another benefit of not having a project based impact fee system, because then that \$978,500 does not have to come back out of the impact fee system, because you still need that money based on your VMT forecast.

Mr. Furfaro: I see...because the nine seventy-eight was calculated when you came to the fair share calculations.

Mr. Charlier: Yes, that's right.

Mr. Furfaro: And as this thing moves forward, is that then one of the reasons that you put the northerly bypass as such a low priority like, I think it was in year 10, or...

Mr. Charlier: That's right, it is. Both that and the likely project development cycle on it, which is only now begun. Now there's another thing that I'm sure you're monitoring, but maybe it's helpful to have me describe what's actually going on and what the conversations on nationally. The federal surface transportation trust fund for all practical purposes is broke, and we expect it to change. It's hard to predict right now what'll happen politically, but we expect it to change fairly drastically within the next two to four years. The current secretary of transportation is going around the country meeting with State governors and directors of transportation proposing a plan to actually dismantle the surface transportation fund and have the funds stay in the States, keep the gas tax, federal gas tax sources to the fund, but do not collect the money and tell Washington simply have the money stay in the States. Obviously, for the donor States that sounds wonderful; for the net recipients States, it doesn't sound so great.

Ms. Yukimura: Which Hawai'i is.

Mr. Furfaro: We're recipients.

Mr. Charlier: Oh, I understand that, that's why I just...

Ms. Yukimura: No, I just want to make it clear to others that we get right now far more than we put in to the fund, but if you go to this other system, we'll only have what we get from our federal gas taxes on our traffic here.

Mr. Charlier: That's right. That's exactly right.

Ms. Yukimura: Okay.

Mr. Charlier: So the...personally, we felt that that was a bit of a questionable project, and just because of the fact that we feel that we can handle a

lot of the traffic circulation with the other projects in the plan, it made sense to give you time to work on that, and so that's why we showed it in the later phase. I mean we have... I don't think congress is going to want to give up the surface transportation fund. I just don't think they're going to want to do that. It's a major pork barrel opportunity for them; they've always been able to bring money home to their home States from that fund. I think it's very unlikely congress would go along with that. I think at this point in time, there's almost no way to predict what's going to happen.

Mr. Furfaro: My last question for right now is, there is a lot of emphasis, it seems, in the community input and priority put on the east-west cane haul road.

Mr. Charlier: Yes.

Mr. Furfaro: Could you expand on that a little bit more, and...

Mr. Charlier: Yeah, okay. Well, one of the concerns that the public raised with us and we felt was a real important and valid concern was that Kōloa town needs to be, in the future, envisioned more as a destination place—a place that people go to, as opposed to a place that people pass through. And now small towns and villages historically think they need the pass through traffic to generate business, but as you become more secure as a destination and that becomes more of a problem than it is a benefit, and you start looking for way to avoid the pass through traffic, and that's where we are in Kōloa today. Kōloa town people understand that they're not really benefiting from the pass through traffic. So we really...and Kōloa is the beating...you heard...you may have heard me say this before, but Kōloa town is the beating heart of this region. I mean it is the authentic village that carries a lot of Hawaiian character and so forth, and it's important. And so we felt that in the plan, one of the missing...there's the large Kiahuna area in between the eastern bypass and Kōloa Road that's not well connected at all today, and we felt having a crossroad across there would be really critically important. It also enables us to open up a connection from the north down in to the Kōloa plantation area, which is important, which we really worked hard, as you probably know, to look for...find a way to do. And so we do think it's important. It would enable people to come around the eastern bypass side and come directly down in to a variety of places. So the connectivity benefits of that road corridor are probably one of the key physical benefits of the proposed plan. The cane haul road, as I think you know, exists today. The corridor's probably...the alignment's reasonably close to what would work. There are a little bit of an issue on the west end, perhaps, that can be resolved, in my opinion. The landowner at the time we were working on the plan who was involved, the representative who was involved on our contributors committee, had indicated a willingness to see something like that shown on the plan. That's another element, however, that over time becomes an old commitment and an old understanding.

Mr. Furfaro: And just under the particip...there was a recent development where the Knudsen parcel that's identified as a participating contributor removed their application in front of the land use commission, so I guess that would change the configuration a bit. And who do you refer to in this plan as being the Kōloa Landing? I don't see the Kōloa Landing identified as a project in here, or unless they had it...unless they had a name change.

Mr. Charlier: No, I think...Jay, I'm not sure I know the detailed answer to that. That may be such an easy question I need Jacob to help me answer it, but the...it's possible that that project had already been withdrawn at the time. Isn't that one of the ones that...

Mr. Furfaro: No, no. Actually, they're going out with a big marketing piece now, and they were in front of the council recently making a marginal contribution into what we set up as a plan.

Mr. Charlier: Okay.

Mr. Furfaro: And I don't see them listed on there, and I suspect there's a name change.

Mr. Charlier: That's such an easy question, I'm going to let Teddy answer.

Ms. Yukimura: No, stay there please.

Mr. Furfaro: Stay there, Jimmy. Maybe Mr. Blake can just answer us.

TEDDY BLAKE: When we started this project, there were a number of contributors that participated and a number that didn't. And one of the ones that didn't participate was Kōloa Landing...the Kōloa Landing project. They were...they had mentioned that they had a \$250 fee that they were putting in, and that's the extent of their contribution. But they've...

Mr. Furfaro: Okay, I don't want to go much further than that. That is not the extent of their contribution; this council changed it. We made it understand... But see, we have these little assessments being made under good intent by the planning commission, but they are not... For example, the Village at Po'ipū under Knudsen Trust was the one that removed their application, but who is the Po'ipū Beach Villas? Is that now the Kōloa Landing? That's my question.

Mr. Blake: No. Po'ipū Beach Villas I believe is still the Knudsen.

Mr. Furfaro: It is? Okay. So those potential units were identified in the calculation. That was my only question. Teddy, thank you very much. I have no more questions at this point.

Ms. Yukimura: Alright. Thank you. While we're on that page 29, I just want to say that I believe it's an error at Pa'anau to say that there's 60 proposed single family units; I believe those are multi-family units. That's a county housing project, and we may need to check with them, but...

Mr. Charlier: Thank you. I'll make sure we make a note of that.

Ms. Yukimura: Okay. Are there other questions from other Councilmembers? You have some too?

Mr. Furfaro: I still have questions. I just was sharing the time with the table.

Ms. Yukimura: I appreciate that. I guess I want to raise one question, and I raised it earlier before the meeting started. But I remember distinctly, and I'm sure the Chair and Councilmember Rapozo remember also, that when we dealt with the rezoning of Kukui'ula, there was an internal road that was conditioned in the bill to come out close to Spouting Horn and connect to Lāwa'i Road, and I was surprised to not see that in the network of roads for the area, because I saw that as a major road and part of the circulation. So...I mean I guess it's map 8.5 on page 87 that shows all the recommended transportation connections, all modes, and you know, I remember distinctly the Kukui'ula zoning map showing that road as an internal road that would come out at Lāwa'i. So that's another issue I think we just need to raise in terms of an accurate transportation plan for the future.

Mr. Charlier: Thank you. I know we spoke briefly about it prior to the meeting starting up, and I know that we felt such a connection would be important, and I have staff checking with Kukui'ula to redevelop the history of that...to determine what the history of that is, and the next time we speak together, I should know the answer to that.

Ms. Yukimura: Okay, thank you, and I just want to say that I have the law, it's bill number 2099 draft 2, and it does say on condition 7 that the applicant shall provide the following: improvements to the roadway system, a) construction of a connector road from Lāwa'i Road to the major project roadway, this proposed roadway connection from Lāwa'i Road to the major project roadway shall be subject to the following, and it says the roadway intersection shall be located near the eastern boundary of the national tropical botanical garden visitor center property in a safe location as approved by the department of public works.

Mr. Rapozo: That specifically...I remember the discussion, was in the original alignment, and the reason the specific alignment was put in, because the original alignment would have brought the headlights of the vehicles coming on to Lāwa'i Road into that residential area. So Kukui'ula agreed to move it to that edge of the botanical gardens where when the vehicles are coming down to Lāwa'i, there are no residences that would be affected by the headlights of the cars at night. So that was a condition.

Ms. Yukimura: Well, and you will remember that initially it was to be an emergency road to just be open in time of emergency, but the final outcome of all the discussions was a full connector road.

Mr. Rapozo: 24/7, yes.

Mr. Furfaro: I remember going on that excursion with you.

Mr. Charlier: So I think that there are things about the plan that as this comes back to Council for your consideration, and the if you refer it to planning commission, whatever, there will be things we can add and change and improve, and perhaps that's one thing we can correct.

Ms. Yukimura: Okay. I believe Councilmember Bynum, and then Councilmember Furfaro...anybody? Okay, go ahead, Councilmember Bynum.

Mr. Bynum: I appreciate the discussion that our finance chair was conducting, because he was answering a lot of the questions, and I know that he's read this document thoroughly. So I have some questions, but I kind of like to have Jay continue, if he...because he's probably going to cover what I had, and he's kind of on a role...if that's okay? And if they don't get answered, I'll come back.

Ms. Yukimura: Okay, go ahead, Councilmember Furfaro.

Mr. Furfaro: Thank you. Thank you. Jim, I noticed here as we talked about the building of the western bypass, you show, I think, round numbers, total projects here about 49 million, and you just...you put a credit in there for 15 million for the western bypass. That was in lieu of having any dialogue of...and this is probably a question for the county attorney, how we might handle any credits due to things that have already been discussed. Is that how you handle it? You show that as a very important part of the circulation plan, but you just show 15 million of that being paid by others. Is that how you approach this credit?

Mr. Charlier: What we did was we did not include the 15 million in the calculation of the impact fees. We continued to show it as being something that would be contributed by Kukui'ula through their agreement with you, but in the maps of projects, we regarded that as an important regional road connection. So that is what we did. Obviously, it was a challenging issue. And if we made it part

of the impact fee program and then credited Kukui'ula for its contribution to that, the...as I recall, the amount of the 15 million would exceed their portion of the impact fee program by about 5 million to \$7 million, something like that, and...

Mr. Furfaro: So was just a lot eas...cleaner, a lot cleaner.

Mr. Charlier: Yeah, and it didn't really hurt anybody financially. It just seemed like a simpler way to have you not have to wrestle with it as part of... The other presidential issue that it's a little bit of a...I mean you have your own opinion on it. I'm not sure what I think about it, but I think you know that they're proposing to generate that money from a community facilities district...

Mr. Furfaro: Yes, that's a separate discussion that we're having with them, and I saw it as a very...that and the roundabout as a very key component to the whole circulation plan for Kōloa-Po'ipū.

Mr. Charlier: They are, yes sir, I agree with you.

Mr. Rapozo: And therefore, you know, just within the legal parameters, I wanted to kind of ask how we handle that in the fair share.

Mr. Charlier: Yes, that's how we handle it. Again, this will come for your review, and things are changing as we speak, but that's how we handle it.

Mr. Furfaro: Okay. Jim, let me ask you. I'm sorry, I got all these big tabs on my book here; it looks like a flower, so... What do you think the shelf life is of this document we have in front of us right now?

Mr. Charlier: I don't...I'm sorry, I don't honestly know how to... I think the...the two greatest dangers you have are that in development, things change all the time, and so people are dealing with different realities as they move forward, and this document becomes more and more inconvenient, potentially, for a specific... The other thing is that the more somebody gets under construction, or the more they're actually building things and they're already...then this starts to see like, well, we're already in, and legally, you're on weak...a little bit of...in my...and I don't mean to... Perhaps I shouldn't even say this. I think it just makes it hard to take action at that point.

Mr. Furfaro: Yeah, yeah. I guess along that line as well, you know, we have other plans that are being developed, to go back to Mr. Bynum's earlier question, if we're looking for a total impact piece. You know, we now have, you know, a sewer and water capital plan that we can tie to. We now have, in our capital plan, public safety identifying fire and police through the islands, as well as a water 20/20 plan, so we've kind of created the framework to, you know, merge those in. But we could do that later, we could certainly do that later based on the urgency that's here.

Mr. Charlier: I know you bring that up because you're interested in my...

Mr. Furfaro: About the whole island...

Mr. Charlier: Yeah, I understand...

Mr. Furfaro: You know, the water plan, for example, I mean over the next 10 years is \$40 million. I mean it's a substantial...

Mr. Charlier: I just think in terms of administration that you'll be happier over the long term if you're not trying to do everything with a single device.

Mr. Furfaro: Understood. Understood.

Mr. Charlier: I just think it'll be easier for you to manage.

Mr. Furfaro: Thank you very much for that candid feedback. I'm good, Councilwoman.

Ms. Yukimura: Okay. Councilmember Bynum?

Mr. Bynum: I have some kind of big picture questions, and maybe this is for the public and for myself, and I'm going to ask some questions that might be naïve, but I want to get answers to them. I mean I hear...what I hear is a message that's...the way I also see this is we almost missed the boat on this, right? We almost waited too long, and all of this development would proceed without a traffic circulation plan. And now if we spin our wheels too much, try to make too many changes, we'll miss the boat entirely. Is that a fair analogy?

Mr. Charlier: Well, I think the most...the only part of the analogy that I... I want to make sure I understand what you're asking. I think that we should be able to respond with changes that you feel should be made to the plan. I don't think we... Unless they're just really, really fundamental to the plan. I would think we would be able to respond to them, again, without slowing you down. So I don't...the last thing I would want to imply would be that the plan should not perceive a good airing on your part and a good tweaking and making it your plan. We certainly don't feel that way, nor do the members of the community that we've been working with. Now, there's things that people want to fight for. There were things that people really want in the plan, and those could be controversial if you wanted to change one of those. But you know, making sure we get the connections right, making sure that we get some of these things that you're clarifying correct, and even maybe re-tooling the funding to match more closely what you think is the

right way to go. I would hope we could keep up with you without slowing that process down.

Mr. Bynum: Okay. And then...so when you look at the overall bill of 48 million and in your chart, roughly 29 million of that comes from the private sector, and 18 million comes from the public sector. And so your...so basically I assume you're confident that if we proceed that there's \$29 million in identified revenue based on the projects that are listed in this.

Mr. Charlier: I'm confident in our calculations. I am concerned about the projects that are moving forward and that are assumed in that revenue calculation, yes. But I'm confident in the calculation.

Mr. Bynum: And that's part of the time constraint, like let's...(inaudible, change side of tape)... on the table, let's capitalize on it.

Mr. Charlier: Right.

Mr. Bynum: And so the other thing, when I just look at the charts, and this is kind of an overall observation, because I'm also making the assumption that...and I'm thrilled that this is a circulation plan and not a traffic plan, right. I think the community was thrilled that we were looking at public transportation, at pedestrian, bicycles, multi-modal transportation plans. I think the community got educated about the issues of connectivity, and you know, that is a lesson that we need to apply all over the island. All of those things are great, so the plan to be successful and not need four lanes on Maluhia, and to not maybe perhaps need the northern extension of the western bypass, we need to implement not just the roadway part of the plan, but the public transportation and pedestrian and bikeway...it needs to be implemented multi-modal. Is that correct?

Mr. Charlier: Yes sir, I think so.

Mr. Bynum: And so when I look at these charts, I get a concern, because the 29 is basic...29 million is basically all roadway improvements that's funded by the private sector; the 18 million is what you've termed community livability investments...or a big portion of that, which is really the transportation and you know, the public transportation and pedestrian and multi-modal part of the improvements. So just kind of in a big picture, I think, oh, what if we only fund the roadways and what we end up with is just the roadway system we need, and we don't fund the multi-modal portion, right? So is that a legitimate concern?

Mr. Charlier: I think so. We share your concern. Now of course there are legal and fundamental reasons for why it's written the way it is. It's virtually impossible and perhaps even especially so in Hawai'i to impose impact fees for transit capital costs or the bicycle and pedestrian components of the plan. And we didn't want to put you on a shaky legal basis there. Certainly some of that could

be revisited in your impact fee study once you got somebody onboard to do that and you took that step. If you didn't agree with that assessment, you could re-do that a different way, but our advice had been that we felt it was questionable that you would be able to succeed at that, and I know that what you're pointing out is that we describe two funding sources for that group of projects, which are the community facilities district tool and the tax increment financing tool, both of those are questionable sources of funds for just practical reasons. I don't know to what extent we have support on the part of other players in this for the tax increment financing tool, and we don't currently have a Kaua'i specific enabling ordinance on that that I'm aware of. You do have an enabling ordinance on the community facilities district that was written for a slightly different purpose; it probably works okay for this, but there's not universal support for the CFD concept either, and so the... I know those are questionable items. Those projects are important. They were important to the community. The Hapa trail is in there, the Kōloa-Po'ipū shuttle is...no, that's not in there. Some of the other...transit needs are in there, the Kōloa-Po'ipū shuttle is actually in the private sector...

Ms. Yukimura: I think almost all the transit is...under private sector.

Mr. Charlier: Yeah. I know the shuttle is, for sure.

Ms. Yukimura: Yeah.

Mr. Charlier: Some of those... I guess our advice as a multi-modal planning firm would be that those projects are as important as the roadway improvements, and they're critical. They don't have quite the time...with maybe one or two exceptions, they don't have quite the time sensitivity that the road projects do. As we've learned, I think, in this area, but we learned it everywhere, if a connection isn't made and development occurs, then it's virtually impossible to make it later. And so we...even though our firm is known for pushing pedestrians ahead of cars in prioritization, and for example, in this project we recommended a stop sign transitioning into a traffic controlled signal intersection at the Kiahuna Plantation Drive, Po'ipū Road intersection as opposed to the roundabout that had been in the plan. The reason we did that was because we felt that the pedestrian crossings of the road at that point should have priority over traffic circulation, traffic flow, through that intersection. So in many ways, we tried to write a plan that gave priority to pedestrians and to trail users and so forth, and transit. But to be quite honest in this situation, the road issues are the ones that are in danger of not happening, and... I mean I'm concerned about Hapa trail; I do think that should move forward quickly, but sidewalks, we can do sidewalks, we can add sidewalks, trail segments we can do, but if the corridor doesn't exist, we don't have anything to add sidewalks or trails to. And so little bit uncharacteristic of us as a firm, we did end up highlighting the road projects as being the most urgent need in this plan.

Mr. Bynum: I appreciate that answer, but I did want to underline this, because I don't want to go 20 years down the road and have the citizens in Kōloa-Po'ipū say, oh, you know, we went through this wonderful planning process, we made it clear our priorities on public transportation, and we didn't get any of those. And, you know, who are the decision makers about those community livability investments?

Mr. Charlier: Yeah. I think it's the county...

Ms. Yukimura: Us. They're us.

Mr. Bynum: That's right... Well, I want to hear him say that.

Ms. Yukimura: The mayor and the council.

Mr. Charlier: Yeah, and I think there that, you know, the CFD may be the best way for you to go, and I think that's doable. I think there may be gerrymandering issues that you have to wrestle with just to get the boundaries written in a way that works. And again, the other thing about that is that impact fees have to be done before the development occurs, but CFDs can be applied whenever they're applied, and they basically become a feature of the property tax, and so they basically run with the property, and so they're not associated with the developer per se, I mean they may be initiated by the developer, but they're not tied to the developer per se, and so you have a little more...the urgency may be slightly less on that funding source than it is on the fair share contribution.

Mr. Bynum: And so you're focusing on Hapa trail for, if I hear you correctly, because it's a high value component, and it's also a learning that component that seeing that accomplished is going to help educate the community to the value of these kind of multi-modal systems.

Mr. Charlier: Yes sir. Our experience in Boulder with the creek path, which is our spine, was that once the creek path occurred, there was an enormous increase in the level of credibility and understanding for trail projects and trail connections in the community, and it served to organize people's understanding about what we were trying to do. I also, however, think that we do, I think you know, a fair amount of work in resort communities around the country, and we do a lot of work on trail networks, and that facility would be of the sort that...you know how today when you get a guidebook on Kaua'i and you open it up and there's a picture of the tree tunnel road and they talk about that, I think the marquee page and photograph and conversation would be the Hapa trail in the future, because it would be such a significant opportunity for people to...and we also know about what's happening in resort communities today...resort destinations today is that people are looking for opportunities to be physically active. That's becoming the direction the industry is going, and so walkable village, pedestrian village, those are the buy words of resort development these days. And so for this

region, this area, of Kaua'i to be competitive long term, I think you will need other things that people can do to be physically active. And so I do think the Hapa trail is a very important project.

Mr. Bynum: So just to underline what you said that...I mean the totality of this is the pressure really is on government to honor the community's work and move in a timely manner on these issues and to step up in the public sector funding for some of these projects. Is that correct?

Mr. Charlier: That's how they're expressing it to me. Yes.

Mr. Bynum: Okay. Thank you.

Mr. Rapozo: It's more on process. JoAnn brought up the Kukui'ula leg that's not showing up on the plan. How would...because it's part of an ordinance, how do we get that put in your plan?

Mr. Charlier: I think...well, so the document is entitled draft, and before it was adopted as a plan, I think this would be fairly typical of how you would do this. You would request changes to the document, and those would be incorporated as part of your review and approval. That could happen at planning commission level, it could happen coming back up to you, and...

Mr. Rapozo: But I guess I'm curious. When the discussion...I'm sure Kukui'ula participated in the discussion as well.

Mr. Charlier: Yes.

Mr. Rapozo: Was it the intent for the plan to eliminate that leg that was set in the ordinance, or...

Mr. Charlier: I'm unclear. I made a quick call when JoAnn raised the issue, and we...the choice was made over a year ago, and our memory just aren't sufficient. So we're going to try to chase down the answer to that question.

Mr. Rapozo: Okay, because I...

Mr. Charlier: We'll let you know if there's a real issue. If it's an oversight on our part, it's easily corrected.

Mr. Rapozo: I just want to make sure it wasn't...you know, a way to get out of an obligation...

Mr. Charlier: Understand.

Mr. Rapozo: ...that I think this was...

Mr. Furfaro: But it's in an ordinance.

Mr. Rapozo: Right. Well, but then if we accept the plan, then that would probably mean we would have to amend the ordinance.

Mr. Furfaro: But you know, I mean, this is where we're at right now. The administration has...first needs to send this plan over to us with a letter acknowledging that we accept it as a gift. I mean that still hasn't happened. Now, you've had a good meeting with the mayor, the administration, that's fine, but that still hasn't happened since the last time we met. Then I would assume, when the administration tells us we've acknowledged it as a gift, we would then want to merge it with the Kōloa-Po'ipū-Kalāheo updated plan and use this as the transportation leg. And JoAnn, I'm not saying this is cast in cement; I'm saying what the procedure is.

Ms. Yukimura: I want to just input on that. I see it a little differently. I think we do have to accept the gift, but then we have to approve the plan in order that we can begin implementing it.

Mr. Furfaro: Yes, I understand all of those parts.

Ms. Yukimura: And then, when we have the Kōloa-Po'ipū plan come up to us, we need to merge the two.

Mr. Charlier: Well, I think what Councilman Furfaro may have been suggesting is that, and I don't know if you've had prior discussions, I don't know if this is a real disagreement or not, but just to make sure the conversation is clear, I think he was suggesting perhaps in the interim you could use this as an interim update to the existing development plan, and then as a new development plan, which is probably two or three years away from landing on your table, comes through, then you wouldn't have to wait for that.

Ms. Yukimura: Well, I think I was saying the same thing that...

Mr. Charlier: I thought so too.

Mr. Furfaro: So we're on the same page.

Ms. Yukimura: ...that if we're approving this plan, I mean, it can be seen as an implementation of the 82 Kōloa development plan.

Mr. Charlier: In support of that, let me say that around the country when we work on transportation plans for communities, it's very common for the...as the comprehensive planning process is, which is what we usually call

those, come along, it's very common to update the transportation plan in 1996, and update the full plan two years later in 1998, and re-update the transportation plan in 2001. This is very common for that to be an iterative process. I really don't see any conceptual reason why that couldn't...

Ms. Yukimura: But the main thing that I feel is important is that we go through the process of deciding, both as a mayor and a council, as the policy makers of the island, that this is the plan we want to follow with respect to transportation as related to the land use issues that come up, and you know, as our current guiding document. I think that's what we want to make clear. We don't want to leave it in a never never land kind of limbo place where we're not sure about its official status.

Mr. Furfaro: Well, before we get to the limo land here, JoAnn, all I'm trying to say is to tie this together. Your plan is implying maybe a CFD, maybe you know a incremental tax piece...

Mr. Charlier: Right.

Mr. Furfaro: ...your piece is suggesting impact fees, but there's a lot of work that needs to be done...somebody. Either it's the council has to draft some of the suggested ordinances, or we need to look towards an outside group to help us draft these particular pieces, but you know, we're a ways out and the first step is us seeing a commitment from the administration—let's accept this gift that the community has worked so hard on; let's frame it down at the planning department. And it's almost eight months ago I wrote an internal memorandum suggesting just that. It gets to the planning department of which you've given them a briefing today, I understand, and from there, you know, we begin drafting the ordinances. And in the meantime, those developers that understand from accepting it as a gift and sending it to planning can now participate on a voluntary basis to make contributions into this plan.

Ms. Yukimura: Okay, so I think we just need to... I not sure we have agreement on acceptance and approval. I saw it as a two step: we accept the fact that the community has funded this plan and now wants to contribute it to the county, this draft plan, and then we have to go through the process of approving the draft plan to say that this is now the official planning traffic...area circulation plan of the county, and then we begin to implement it with passage of various ordinances that are recommended in terms of...and that's one of the questions I want to ask the administration, beginning to apply this fair share contribution system in all the permits that come through with the Class IV permit applications that come through, and the community, and the development community beginning to implement those portions that, you know, those first quick portions of the intersections at Kōloa-Po'ipū road and Ala Kinoiki and Maluhia Road. I mean that's how I see the sequence.

Mr. Furfaro: Well, that's exactly what I was suggesting, JoAnn, but by sending it to the planning department, that's the procedure. They pay and nay it as well, and it comes back to us, but we're on the same page, JoAnn. I think we are.

Ms. Yukimura: Okay, good. Yeah.

Mr. Charlier: I hope this isn't out of line. One thing that you could consider is asking for expedited review too. I mean it's up to you, of course, and certainly the public process is incredibly important, but in this case, there's been a fairly extensive amount of public process. And I think some of the concern that has been expressed to me is if this is a summer and fall of planning commission meetings leading back to winter and spring of council...you know...

Ms. Yukimura: I'm sorry, I didn't get your last point.

Mr. Charlier: It's just that that process of approval of the plan could take a long time, unless, you know, you decided that you wanted to expedite it and have it...

Mr. Furfaro: Put some urgency on it.

Mr. Charlier: Yeah, because I know there are many competing priorities.

Ms. Yukimura: Well, I think the council would pass it as quickly as we could. We have the public hearing requirement, which takes some...and first...and two readings, but we would pass it... We would just need to get that kind of commitment from the planning department and the planning commission as well.

Mr. Charlier: Absolutely.

Ms. Yukimura: Okay. Other questions?

Mr. Bynum: Real quick. This plan is available to the public on the website?

Mr. Charlier: Yes, I believe so.

Mr. Bynum: And that's koloapoipu.com or?

Mr. Charlier: It's koloa-poipu.net...koloa dash poipu dot net, I believe.

Mr. Bynum: Kōloa dash Po'ipū dot net. Thank you.

- Mr. Charlier: Thank you for helping me make that clear.
- Mr. Rapozo: Was someone from planning going to be here today?
- Ms. Yukimura: We asked them to be here.
- Mr. Rapozo: Oh, okay.
- Mr. Furfaro: Thank you, Councilwoman. Obviously, within the laws of assessing fees and so forth, we can't do things for operation cost...
- Mr. Charlier: Right.
- Mr. Furfaro: ...we can't do things for repair and maintenance...
- Mr. Charlier: Right.
- Mr. Furfaro: ...but when it comes to the circulation plan and the bus portion, which would be very beneficial to the resorts there in having the appropriate equipment, since those are capital cost items, they as capital items could be incorporated into the plan.
- Mr. Charlier: We think so. There have been impact fee systems around the country that have assessed impact fees for the capital components of transit system expansion.
- Mr. Furfaro: Okay, but you did not approach that from reading the narrative. There was no...
- Mr. Charlier: That's not how these tables were built.
- Mr. Furfaro: ...there was no equipment identified as a...
- Mr. Charlier: We've identified the equipment cost. We did not...
- Mr. Furfaro: Incorporate it in the...
- Mr. Charlier: ...put them in that column.
- Mr. Furfaro: ...the fair share contribution.
- Mr. Charlier: And you know, there was a lot of discussion on that, and there was debate about it, and I don't think there's big opposition to doing that. If you feel that that's the right way to fund those, I don't think that's a

terribly...I don't think that'll lead to a lot of conflict. The costs aren't large, for one thing.

Mr. Furfaro: Thank you, Councilwoman.

Ms. Yukimura: Thank you. I have a few questions, and first a comment. I finished reading the plan last night, and I have to say it's one of the best plans I've seen, and I've been around for a while. It's really full of valuable, relevant information. It's got to much in terms of educating all of us about transportation planning principles, and there was a model public education and participation component, which I'm not lifting up to others who are doing the planning process. And so I want to thank you, Jim, and your firm, and I want to thank the citizens of Kōloa-Po'ipū who initiated this, and I want to thank the development community, some of whom are here today, for their extraordinary participation as well. It was this very unique combination that put forth this plan, and I guess the most important thing about this plan is it reflects the goals and values of the community. It's really teaching me how to do a good plan. So thank you for that, and I wanted to recognize Teddy Blake and Louis Abrams who are here representing the community today, and then Eric Crispin and we're lucky to have some of the Starwood higher ups, Dennis Ebro and Jim Dishinger, and Tom Sunabort. Thank you all for being here. And then Greg Kamm is also here and has been a really key part, and Mike Belles representing Kukui'ula. So thank you all, and those who aren't here, who you represent...those of you who are me.

Mr. Rapozo: Councilmember Yukimura, I don't know if you recognized Barbara Pendragon here as well, from housing.

Ms. Yukimura: Oh yeah. Thank you.

Mr. Rapozo: At least...I mean I'm glad the housing...because you guys, housing, does play a major role and is a big component in the circulation plan, so thank you, Barbara, for being here.

Ms. Yukimura: Barbara was part of the planning department until recently and was part of this whole process. So yes, thank you. Now, I just have a few questions. One is on the transit funding, is the development community or the resort community committed to doing this transit portion of the plan, and 2) I'm worried too about the sustainability of or the practicality of this plan in terms of transit, and are there models of transit systems that are run by resort communities that are working models...showing longevity and sustainability.

Mr. Charlier: Oh yes, ma'am, many. We probably point you first to the ski resort communities of the mountain States where it's fairly...almost any combination you can imagine has been...is being used. In Aspen, the Aspen Ski Co which owns four mountains there, Aspen Highlands, Buttermilk, and Snowmask, they hire Roaring Fork Transit Authority, which is the regional transit agency that

provides transit service in that area. They negotiate a contract with them annually to provide ski shuttle services so that they don't have to do it as a company. In other places, you have private sector companies that provide that service either under contract to lodging companies or under contract to ski resorts and so forth. In Brackenridge, the Brackenridge Ski Co actually write an agreement annually with the Brackenridge city...town of Brackenridge, and they operate a system that's a blended system of both of their vehicles. And so now on Maui, Starwood, who's been participating in this project and is my client on other projects, they have...they're actually running a guest shuttle on West Maui that runs from the Kaanapali area down into Lahaina, very high level service, very nice vehicle, and they're just jammed full of people. We carried...we've had a couple of special events where we carry thousands of people in a single day, and...Halloween and Fourth of July, and we've had a month where we carried almost 10,000 people, and what that's done, on a peak day in Lahaina, and of course, you know, let me say that I very well understand that Kaua'i does not aspire to become West Maui, so I'm not trying to...but the...and Kōloa does not wish to become Lahaina, but the...I do understand that, but just so you know the impact. In Lahaina, we're estimating that on a typical weekday, we're reducing parking demand in Lahaina by 200 cars with that single guest shuttle from that single set of properties. So yes, there are many, many models. There's lots...it's a kind of thing where it's just not that difficult to design something that works for you. And I know that the Po'ipū Beach Resort Association is very anxious to move forward with the Kōloa-Po'ipū shuttle. They're working on that. I don't know all the details, because they're basically taking charge, and they're moving with it. There issues with that, of course, in terms of transit costs start becoming immediate and monthly, and if you are not actually open for business yet, those are...it's pretty expensive. I mean we all understand that. So the timing of when the service should start up and who's available to actually fund the service is sort of tied to the development process once again, and so there's an interrelationship there that I think we have to be sensitive to. But every time I run into somebody from the PBRA and Gregg Kamm who's obviously directly involved in that is here today, they're asking me questions about how they can do this or how they can do that, how they can move forward. So I think the commitment's very real. Also, we know a number of the resorts, we know that obviously the manager of the Sheraton quite well, and the resort...the resort managers, as employers, are really anxious to see the commuter services go in, because their employees are indicating...and we're moving forward with Starwood, just to mention that Sheraton with increased ride sharing and other kinds of things that can benefit the employees. So yeah, I think those are all very real.

Ms. Yukimura: And I guess the benefits as you pointed out are the fact that the parking requirements are lessened...

Mr. Charlier: That's one of many.

Ms. Yukimura: ...including for the workers. I mean I heard that in one hotel they had 600 parking spaces in Waikīkī set aside for employees, and that's a...

Mr. Charlier: That sounds expensive to me, yes.

Ms. Yukimura: That's very expensive.

Mr. Furfaro: Very expensive, yes...at Waikīkī prices.

Mr. Charlier: Yes. I think that the best plans are the ones that benefit all of the participants to the plan, and there are benefits to employers and to employees, and benefits to resorts and to visitors, from having good transportation, and that's...to me, that's just a key to a good idea.

Ms. Yukimura: Okay, thank you. My other question is regarding the fair share contribution plan. I just wondered if it...and this is part of...I mean my...if we had the administration here, I wouldn't have to ask you, but in your conversation with the administration yesterday, did they indicate a willingness to move ahead with this?

Mr. Charlier: Well, I don't want to step where I shouldn't in terms of representing... Let me say that the mayor said to me that he was...he felt this plan needed to move forward, he was concerned about that very issue that projects were moving forward without having fees assessed, and that was a critically important issue to him.

Ms. Yukimura: Uh huh.

Mr. Charlier: And that's the direction he gave to staff. I don't know much about what kind of follow-up we'll see from that.

Ms. Yukimura: Okay. I mean we can try to have that conversation with the administration.

Mr. Charlier: I was directed to work directly with the public works director, and I will be meeting with him Thursday morning to talk about some of those implementation components.

Ms. Yukimura: Okay, but this is a planning issue in terms of Class IV zoning permits. So it's...it needs to include the planning department as well.

Mr. Charlier: I'll convey that.

Ms. Yukimura: Okay. Any other questions? I have one more. There is, and I think it may be due to the planning district, but I feel... There aren't no bike...bikeways of any sort shown for Kōloa Road or Maluhia Road.

Mr. Charlier: I think they're anticipated as Kōloa Road...I don't think there's anything shown for Maluhia; I think that's right. For Kōloa Road, I thought we planned lanes, bike lanes, but...

Ms. Yukimura: Maybe right...the part of Kōloa Road that's in the town itself, but not the part of Kōloa Road that goes up to 'Ōma'ō.

Mr. Charlier: I think that's right. And that is...I think it's fair to say that the connections to 'Ōma'ō and then on over to Waimea and places like that did not get the emphasis in this plan that the circulation between Kōloa and Po'ipū did...is perhaps a weakness of the plan is...it's something that could be addressed in the development plan when it comes to (inaudible).

Ms. Yukimura: Okay, I hope that gets done. And then lastly, you have a recommendation in terms of next steps and policy strategies on your last page of a downtown Kōloa community design workshop, which is a excellent idea. What kind of cost would we be looking at in terms of, you know, if we wanted to put into the budget moneys for such a workshop?

Mr. Charlier: I would...I think it's important to do those well, and I think the charrette format is a good format. The way that we...and this is not just our firm, there are a lot of people around the country to do this kind of work, and so we're all sort of learning together and sharing. So I think this represents where the discipline is right now. The sense is that you could do this in a week. You wouldn't have everybody come to meetings all day every day for a week, but there would be key components...key times when people did come. It'd be very important for you as a council to commit to be present for a portion of this. One of the things that weakens projects like this is if the elected leaders do not commit to be actively be involved—they'll say, we'll wait until it comes to us. You need to be there to see and hear the public involvements, so that's one of the things that we usually try to design in to it. There's a need for a report that comes out of very quickly that documents what happened in the charrette. Now charrette...you all are familiar with that term; it's a intense design workshop. It's important to have a good problem statement, a clean problem statement. It's important...I guess I...yeah, I guess we've worked together on a charrette...

Ms. Yukimura: You did do a... You did actually show us...

Mr. Charlier: The most unreliable component of this is my own memory. But the...and so, doing that well, getting a good, clean report published quickly that's made available to the public to nail and document the outcome of the charrette. The advance stakeholder interviews, the coordination with property

owners, making sure that the invitee list is aggressively carefully developed, doesn't leave anybody out, and then recruiting people to come to the meeting for a project like this would probably be somewhere in the range of 120 to \$140,000. It's an expensive thing to do, but it tends... The reason to do something like this is that when you do it, you accomplish about two to three years worth of work in a few weeks, and because you...the design of the process is to bring all of the players to the table together, you avoid the sort of circular process that typically goes on where you talk to somebody, you reach some understanding about what might be possible, you go talk to somebody else, you have a different idea, and you sort of circular...it's very difficult. But you get everybody together at the same time, council says, well we think this is likely to be available with respect to funding, or with respect to issues of say design, district, or something, and other members say, well we think this is important, everybody's listening to everybody else, and you come to a conclusion...you force it to a conclusion. We just...again I'm not advertising us to be the contractor for this. We just completed one of these for the Lahaina area on West Maui that was really, really successful. I think that it was the first time the county and a group which has been strengthened by this, which is called Lahaina Bypass Now, which is a citizens group. Now, probably the closest thing we have to that here is Kōloa Community Association. I think they were significantly strengthened by the project. The recent story in the *Honolulu Advertiser* talking about an issue on West Maui quoted Lahaina Bypass Now as the authoritative entity, hopefully not insulting the county thereby, so I do think that it's a worthwhile thing to do, and it's a good way to move forward, but they are expensive to do well.

Ms. Yukimura: Okay, thank you. Other questions?

Mr. Furfaro: No. I know you had done this earlier, but Mr. Charlier, I do want to thank you and your entire staff working so closely with individuals that were involved, and I know Councilwoman Yukimura recognized Mr. Blake, as well as Mr. Abrams, earlier, but to everyone and the developers that have come, it's just been a very good, collaborative effort for all the right reasons, for all the right people, and I just wanted again say thank you so much.

Mr. Charlier: It's been an honor to be part of it.

Ms. Yukimura: So if there are no questions, then I'll...yes, thank Mr. Charlier and Jacob, your firm, and all others who were in support of it for a really excellent plan, and we will move quickly to approve it so we can implement it. Thank you.

The workshop is back in session...oh, well no. Before I bring it back to session, I'm going to ask if there are people who want to testify? Louis Abrams?

LOUIS ABRAMS: Louis Abrams with the Kōloa Community Association. Two specific things. One, the Kukui'ula roadway there, that is hooked up, that is a condition, we would not let them out of that, but that is there. I believe

a lot of these...the interior roadways are not shown on these maps mainly because they are developer generated...

Ms. Yukimura: Can you talk into your mike, Louis?

Mr. Abrams: Excuse me. But it is on there. I have their sales maps that they use right now that they're marketing with, and that connection road is there. The second thing in regards to the bikeway on Kōloa Road through town, that is actually being re-routed, because we feel that Kōloa Road where it intersects with Po'ipū is too dangerous at that point, and also has physical constraints in there, and at that point we'll deal with that when we get to our internal town one. But right now, most of the bike paths would be coming up Hapa Road and then coming through Weliweli. On the western side of Po'ipū, the bike path would be up the western bypass.

Ms. Yukimura: And so in Kōloa town, actually that would be an issue for the charrette process...

Mr. Abrams: Yes, yes.

Ms. Yukimura: ...in terms of how those bikeways would interconnect and where and how they would avoid the...

Mr. Abrams: We have sidewalks... Probably our biggest challenge for the county right now is an ongoing sidewalk up Po'ipū Road. That was expressed by the community that's there. The right-of-way is very tricky and we were not sure how that was going to work, but we decided that also going up Po'ipū Road for having bikes come up that way that we would rather encourage them to use other alternatives to get into Kōloa town than just going straight up Po'ipū Road. Now, maybe, and I would suspect that as traffic gets diverted away from Po'ipū Road that it may not be as congested as it is now, and perhaps it can be accommodated that way. But right now we've got right-of-way constraints.

Ms. Yukimura; Okay, thank you. Any questions?

Mr. Furfaro: Mr. Abrams, I just...you know, Mr. Abrams, I just want to share with you... Thank you for clarifying that the Kōloa Community Association had no concerns that would relieve that ordinance earlier, but it is in fact an ordinance and it could only be relieved by this council.

Mr. Abrams: Absolutely.

Mr. Furfaro: It's not something that, you know, if the community association wanted to that they could come and petition us obviously, but I too spent many hours with Mr. Rapozo on that dirt end...dirt road excursion, but it is an ordinance, it is in place, and it is only the council that could relieve them of such.

Mr. Abrams: Right. And if they did, we'd be calling you up quickly.

Mr. Furfaro: Yeah, thank you.

Ms. Yukimura: I think the main thing is that it has to be reflected in this plan...

Mr. Furfaro: Yes, so that could be just simply an oversight, but I don't want us all getting excited about something that might just be an oversight, is what I'm trying to say. But Louis, I wanted to personally thank you for spearheading this with the community association. You are the president now?

Mr. Abrams: Yes.

Mr. Furfaro: Yes. Well, congratulations on those duties, but clearly, I did want to thank you and acknowledge you for that. Thank you, Councilwoman.

Ms. Yukimura: Thank you.

Council Chair Asing: I have a question for Louis. Louis, has the group put any thought, and has there been discussion within the group, regarding the policy and proposed uses of the pedestrian bike path itself in totality? How fast can the bikes go, who has the right-of-way, right-hand side, left-hand side, any type of discussion, because down the road, it is going to be a problem, there is no question in my mind. Who is allowed to walk, to ride, how fast, who has the right-of-way, there's so many things that you talking about a...I don't know, maybe 10 feet, 6 feet, what is it, is there going to be a dotted line in the center, no dotted line, nothing. And I think it's something that's going to be a...not a major problem, but a problem that should be addressed, talked about, so that they'll have an idea as to what exactly is this path going to...how is it going to operate.

Mr. Abrams: That's an excellent suggestion, and we will get working on that as we get more detail. I know that one of our major corridors, which is bike and pedestrian, does not...Hapa, we're not encouraging vehicular, and at some point we may be back to you in regards to Hapa, which the current policy right now is vehicular and emergency only. We may want to take that out, but to have it going up that way, but to have some rules, but that's where we're encouraging most of the non-vehicular routing to go up through that area, which is sort of immune from the vehicular side, yeah.

Mr. Furfaro: You know, I think the chair is bringing that to your attention now as an association to talk about, because we've had people come in front of us to talk about the existing bike path, and there are people that perceive it

as bringing, you know, Tour de France, and you know, 30 mile an hour right-of-ways, so it is...

Mr. Abrams: You got to have speed bumps for bikes? But anyway... Thank you. We'll get working on that.

Ms. Yukimura: Well, and I think part of it is also making sure that public works address it if it's a public works construction project. That's where that kind of design and planning will be important.

Mr. Abrams: Yes, and you might also note on some of the bike paths and...they're already... For instance, Hapa Road is a condition of the Moana permit with the Poipulani permit which survived that where that is to be improved as an exaction entirely by the developer all the way up to Weliweli Road. So we've yet to sort of ferret through those particular issues, but there apparently has to be a plan in place and ready to go, so we are just starting discussions with public works and planning. We'll share that with you with whatever we have. Thank you.

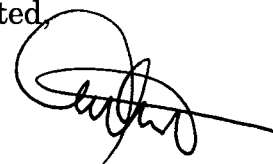
Ms. Yukimura: Thank you. Other questions of Mr. Abrams? If not, thank you very much. Is there anyone else who wishes to speak? If not, this bring us to the conclusion of the workshop. We'll come back into order. Would anyone like to...is there anyone who wishes to say anything?

Mr. Furfaro: I would like to say thank you to you, Councilwoman Yukimura, for your focus on this in your committee as the chairwoman. But I think all of us equally have been able to go down and spend some time. I know with Councilman Rapozo, we've looked at some of the things, and been to meetings with Councilwoman Iseri, and all of us have participated in things with the Kōloa community, and it's just so refreshing to see the community participation, and thank you for your leadership on this committee.

Ms. Yukimura: Thank you. I just want to thank everyone. This is a major step forward in terms of planning on Kaua'i, and we appreciate all the effort and hard work and money that's gone into creating this, and it's given us a good way to move ahead. And I also want to mention the presence of Frances Yamada who's part of the Starwood group that's here today. And with that, there being no further business, our workshop is adjourned. Thank you.

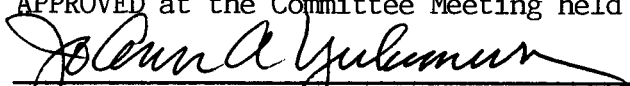
There being no further business, the Chair adjourned the meeting at 12:27 p.m.

Respectfully submitted,



Aida Okasaki  
Council Services Supervisor

APPROVED at the Committee Meeting held on August 1, 2007:

  
JOANN A. YUKIMURA, CHAIR, PLANNING COMMITTEE