

MINUTES
PUBLIC WORKS COMMITTEE
September 25, 2007

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, Lihu'e, Kaua'i, on Tuesday, September 25, 2007, at 9:05 a.m., after which the following members answered the call of the roll:

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

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

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.
[This item was deferred.]

MEL RAPOZO, PUBLIC WORKS COMMITTEE CHAIR: At this time I'll suspend the rules and I'll take public testimony first. Mr. Mickens?

There being no objections, the rules were suspended.

GLENN MICKENS: Thank you Mel. Pleasure to see you back in good shape again Mel. Before I start my testimony I just want to refer...you got a copy of my comprehensive exemption list for the State of Hawai'i. Went on the website and got this thing. Doug has mentioned that the bike path has this comprehensive exemption list. But if you read the section that I gave you, down on B, facilities, it states that resurfacing, sealing, and/or repairing of roadways, roadway shoulders, parking (inaudible) runways, walkways, bikeways, and harbor storage container (inaudible) anyway to me that's more specific. It doesn't say that if you are building a brand new bike path going to certain areas, you don't have to have an EA, and I believe that's what he was bringing up. But this is the only thing I could bring up today. Up here at the top of it, where it says exemption class I, operations, repairs, or maintenance of existing, existing structures, facilities, equipment, topographical features, etc., etc. So to me that's most clear. It doesn't say that they don't have to do an EA for this, but I'm sure this is...and you know in respect for Doug, he did say

that they went ahead and did an EA, but I tried to find out where this EA is, and all I've found out so far it's from Keālia or it's from Lydgate Park to Kapa'a. The rest of the thing they have no record of, so, I would say that that's worth investigating before we continue this.

Anyway, to my testimony that you have a copy of. So, PW 2007-3 is still on the agenda and since, after a year or more of no finality to it, it should be there. Thank you Mel and thank you Shaylene. First, let's label this path exactly what it is. Not a bicycle/pedestrian pathway, but a recreational path basically for people to walk on. This Council has heard expert testimony from at least two (2) serious bicyclists who have biked all over the world, and both said that this path as now planned would be a disaster waiting to happen, and you guys all heard him say that. Real bikers travel at 25 to 30 miles an hour, and obviously as the two (2) bikers testified, there's no way to mix these bikers with walkers, joggers, skaters, ADA people or young kids and expect anything but a serious accident to happen. With all due respect to JoAnn, I did research on usage of the two and a half mile path in Lydgate Park. Results show that other than a few tricycles and small kid bikes 99% of the path is used for walkers. The point here is that why are we spending millions of dollars on a walking path when the lawn, the sand, and the cane haul road was already there and available for those wishing to walk. To get the 80% federal funds for this path, I presume that the word bicycle had to be included, at least that's the way I understand it to somehow give the impression that the path was for all (inaudible) means of transportation and traffic could be lessened, all of course a complete fabrication.

Remember that what Joe Rosa, and he's...Joe is here today. Remember what Joe Rosa told this Council and Joe has the most expertise regarding this path of anyone you have heard testify, because he was part of the path laying project along the highway as well as the original path along the coast from Pono Kai to Otsukas. He told us that neither path was used enough to even have them maintained, and that spending millions of dollars more on a new path was insanity. Joe...

Mr. Rapozo: Glenn, hang on, hang on. I see that you have you know a whole other page. Is there anyone else in...Mr. Rosa? Why don't we let Mr. Rosa come up Glenn, you can come back and finish up right after that.

Mr. Mickens: Okay.

Mr. Rapozo: Thanks. Mr. Rosa.

JAY FURFARO, EX-OFFICIO MEMBER: I have a question for...

Mr. Rapozo: Oh, sure.

Mr. Furfaro: Yes, Glenn, good morning.

Mr. Mickens: Good morning.

Mr. Furfaro: Glenn, I just want to share with you, I appreciate the fact that you have submitted with your testimony this comprehensive exemption list from the State of Hawai'i.

Mr. Mickens: Yes.

Mr. Furfaro: Department of Transportation. Fortunately, or unfortunately the way you should look at exemptions list are there are a number of departments in the State that have you know like highways division, what is exempt from their requirement and then at the County level, there are other lists of exemptions depending on the departments. And so although this that you submitted is relevant to the State, I think the dialogue we were talking about is what is relative to the County project. And you need to be sharing with us and maybe we can ask Doug the exemption list for Kaua'i County Public Works.

Mr. Mickens: Is this...this is just as well, but I presume to the federal government that's paying 80% of that path right Jay?

Mr. Furfaro: I don't want you to get too excited here...I mean this money...okay, it's very early, okay, I want to state it because it's very important. There are exemption lists for roads, County roads...

Mr. Mickens: I understand.

Mr. Furfaro: Which say that if you're repairing an intersection, there are certain conditions that exempt you from an EA.

Mr. Mickens: Right.

Mr. Furfaro: There is an exemption list for Public Works, so the one (1) that was reflected on...in earlier testimony was the Public Works, County of Kaua'i exemption list. What you've submitted is relative to the State projects, not to the County projects, so I will ask Doug when he comes up if the committee chair allows, if we could get a copy of the Public Works County of Kaua'i exemption list.

Mr. Mickens: Okay.

Mr. Furfaro: And then we can make the appropriate comparison.

Mr. Mickens: Okay.

Mr. Furfaro: I just wanted to share that information.

Mr. Mickens: Right, well this was the only thing I came up on the website was the State thing. I found nothing under, you know under Public Works.

Mr. Furfaro: We need to be comparing apples with apples.

Mr. Mickens: Yes.

Mr. Furfaro: So we'll ask Doug for the County exemption list.

Mr. Mickens: Okay, I agree.

Mr. Furfaro: Thank you Mr. Mickens. Thank you Mr. Rapozo.

Mr. Rapozo: We'll see you in a little bit. Mr. Rosa?

JOE ROSA: Good morning members of the Council. Again, I'm here before you in regards of your bikeways and bike paths. I was hoping that Glenn Mickens would have his way, then I could have follow up. But you know a lot of questions remain, and I've talked to some of the fishermen around the Līhu'e area and all that. I said the bike paths, if it's going through as they say from Ninini Point to Ahukini, I don't know how they are going to do it. Because the Marriott owns just a segment of the property, at the tip at the end of the roadway, the rest is all airport, federal, government property, down to the pier. That's why Mr. John Barretto had to get out of that junk car business he had there, because when they made that north/south runway, the airport extended their right-of-ways all the way down to the landing. Now, the second thing about it is they are going to use and make a bike path...I don't know what they are going to use, because the rest is a haul cane road that used to be in there, that probably (inaudible) being busted up already, because nobody been caring for it for over 12 years. The plantation people at least they used to go in, kind of keep it up. With that, also now from your bikeways, when you are on your bikeway, how can you run laterals on airport property, from wherever the bikeway is going. Do they have a set course as far as the bikeways to be built from Ninini Point to the Ahukini? You know not all the things...bikeways, they like to have nice sort of straight paths, gradual curves, not s curves and stuff like that there. They want nice curves they can see ahead to, because like Glenn said, all of those cyclists they don't drive 5 miles an hour. They go 20, 25 miles with those 10 speed bikes. So you know things we got there, it's not being looked into yet. It's always going to be an after effect thing, that when things happen it's too late, it's after the fact. The County or whoever is going to be liable. You have to have a foresight on things like that there. And on the E...environmental impact study, I think if you look into the County ordinance there's that word that says shall, everybody shall get...have an environmental impact study. That's including our Mayor. He has to go and get one (1). That's why you having that problems out at Keālia with those cabanas over there putting it up. So you know that word is a big word. You go to court, that means everybody, the Council, the Governor, the Mayor everybody (inaudible) an environmental

impact study (inaudible). So there's no getting away. Like he goes before the Planning Commission that he made it sound like the County can be exempted for those cabanas, stuff like that there, but getting back to bikeways from Līhu'e to Ninini Point to Ahukini, I don't know how it's going to be a reality going to government property. And it's an isolated area, because I'm going to go little off the track because of an incident that happened...

Mr. Rapozo: Hang on Mr. Rosa, don't go too much off the track.

Mr. Rosa: Yea, and...

Mr. Rapozo: Okay, hang on real quick, because your three (3) minutes went off.

Mr. Rosa: Okay.

Mr. Rapozo: Any questions for Mr. Rosa? No questions? Can you wrap in...

Mr. Rosa: Yea, okay. Once (inaudible) just let me refer to what happened being that it's an isolated area. There was a state worker that was working with us in the state department when I was working. After his days of work he go down to the point there, he used to go fishing, and he was killed, and nobody knew about it until...because he went on a Friday, he didn't go home on the weekend, because he said he was going stay, do some fishing. He stayed there on a Friday, he didn't report to work on Monday, that's when they found out that he was dead and shot by somebody. This was almost 20 years ago when I was working yet. That's how isolated that area is. There was a guy from Hanamā'ulu, a boy that was...not off his rocker a little but...

Mr. Rapozo: Now we're going off the subject, okay. I think we got your point.

Mr. Rosa: Okay, yea, but that's what I mean, it's the isolation of that area, so...

Mr. Rapozo: And understood, I think that was one (1) of the concerns that this Council had.

Mr. Rosa: Yea, it is of great concern.

Mr. Rapozo: Any questions for Mr. Rosa? If not, thank you very much.

Mr. Rosa: You know I miss you in Līhu'e.

Mr. Rapozo: No, I know.

Mr. Rosa: And I know a lot of the...procedures, like, I can go on further maybe after Glenn Mickens.

Mr. Rapozo: Yea, you can have another three (3) minutes after Glenn.

Mr. Rosa: Yes, okay, thank you.

Mr. Rapozo: Thanks. Mr. Mickens?

Mr. Mickens: Okay, thank you again Mel. To pick up where my testimony was, Joe obviously has no dog in this fight, which to me, you look at partiality of people that are trying to get something done. He's completely unbiased. His expert opinion, so why is it that no one in power cares to listen to what he has to say, except maybe a few members of this Council. Think long and hard about what has been accomplished to date on this path. In three (3) or four (4) years we have one (1) completed two and half mile segment. We are stagnated and overwhelmed trying to get from Lydgate Park to Keālia, and then to Anahola. A one (1) way road crossing Kūhiō Highway to the mauka side getting through the Foodland/Safeway shopping center, and recrossing Kūhiō Highway again all remain as gigantic obstacles. And we still haven't began to address the route and the problems associated with coming from Nāwiliwili to Lydgate Park, just as Joe is testifying now. You remember Joe has been here from time one (1), so hey, I would hope that somebody again would listen to him. Please let's stop living in a dream world where we think that the millions of dollars spent on this path will be somehow be of great benefit to the masses of the people on Kaua'i. You think that this white elephant will be of any value to those on the north and south shores of this island that any but a small percentage of eastside people will ever use it? And what feedback do you think you will get from the other parts of this island, when their areas aren't considered for the use of these local and federal funds? Let's further our money and efforts into solving the traffic and infrastructure problems on Kaua'i. Addressing those problems will truly benefit everyone on this island. That's my testimony. Any questions?

Mr. Rapozo: Thank you Glenn. Any questions for Glenn? If not, thank you very much Glenn.

Mr. Mickens: Thank you Mel.

Mr. Rapozo: Anyone else wishing to testify? No, that's it? Okay, thank you. I guess Donald, Doug? Oh, Mr. Rosa, did you want to come back up?

Mr. Rosa: I had a few more things to say, but...

Mr. Rapozo: Okay, okay. I'm sorry I was...okay, I'm sorry Doug. Yea, please come up.

Mr. Rosa: There's some highlights I want to talk about (inaudible) done.

Mr. Rapozo: Okay. As long as it pertains to the bike path from Ahukini to Anahola.

Mr. Rosa: Yea, to the bike path.

Mr. Rapozo: Okay.

Mr. Rosa: Like I said earlier in my testimony, a lot of the things that are going on like I say, it's wasting taxpayer's money again, but you know you take the area in front of the Kapa'a Neighborhood Center. I don't see why the existing bikeways that were there was not widened it up and you won't have to worry about the erosion problem that's going on right now. Because I can tell you history right in that area of things what is happening, what is causing that erosion problem there that you spent hundreds of dollars paying consultants to come and tell you what's causing it. How many of you are aware on this Council that the area in front of that neighborhood center was dredged? And the coral that was taken out of that reef area was used by the LP, Lihu'e Plantation to build their roads from Kapa'a all the way to Lihu'e. That's why it's causing an erosion problem there. It changed the channel that was out front there to a different segment. That's why even the divers that go scuba diving out there came back and said the State jammed everything up for them because they have a different current. It's not because of the...like they say, the growing of the Waiakea and Mokuea canals. It caused a really big problem for those reef area over there. And that dredging of that area at that time where the Kapa'a Neighborhood Center is and also the Kapa'a swimming pool, the Kapa'a swimming pool is not supposed to have been a swimming pool, it's supposed to have been the Kapa'a Natatorium, just like they have out of Waikiki. From the park area you walk across to the Natatorium, where the thing was dredged out, if you're not aware of it. Kaipō wasn't here when that was done. He was with Hawaiian Telephone in Honolulu, but I worked with the State, and we did that and those things like that are causing the problems. I'm part of history. I can go back 56 years just like. I worked 36 years with the State DOT. I'm retired 21 years. I know the infrastructure of the...of this island, a lot of it. Like I said I worked on the bikeways. All this kind of stuff, so that's why...and then the bikeway from Waipouli to Otsukas, that's supposed to be taken care by the County, and it never was, that's why it's in the condition that it is. You got all (inaudible) with the drifting sand and the pine needles that fell down and made a pad over it then when I told Glenn Mickens you go get yourself a spade and you go dig about four (4) or six (6) inches you'll find it. And he did and he found it nearly as good as the day it was put in. So you know and that went all the way using the old railroad easement that was between Pono Kai and the beach area that you getting problems, and all the way to the Kapa'a Neighborhood Center. The bikeway passed between the former (inaudible) home and the existing swimming pool, that's where the bikeways went

through, not in the front.

Mr. Rapozo: Okay Mr. Rosa that was your second.

Mr. Rosa: Yea, so that's...by the way the main thing is like you know there's things that they should be aware. I don't even think Donald Fujimoto know about that erosion in front the...and the channel in front...that dredging in front the neighborhood center that was supposed to be for that Natatorium.

Mr. Rapozo: I appreciate the history. I know Mr. Rosa you have been speaking on this for years now.

Mr. Rosa: Yea because...it's just a waste. Like, you know I just told Glenn, I went to a funeral just yesterday at St. Catherine's I don't know where's all the cyclists in Kapa'a town. If there's a lot of cyclists like Glenn said, it'll take them out of the towns and put them in the bikeways, they'll be so many cycles maybe not going to know what size. So where's the proof?

Mr. Rapozo: Okay. Well thank you. Any questions for Mr. Rosa? If not, thank you very much.

Mr. Rosa: Thank you.

Mr. Rapozo: Okay, Donald and Doug?

Ms. Iseri-Carvalho: I know you weren't here at our last meeting. We had indicated in the follow up memorandum of September 18, 2007 that we would continue discussions beginning with question 16, and we would incorporate those questions that had not been answered prior to...at question 16.

Mr. Rapozo: Okay, I have a September 18 memo but it only goes up to 13.

SHAYLENE ISERI-CARVALHO: Yes, but before that we had the lengthy one (1) of July 17, 2007 that had those 25 questions.

Mr. Rapozo: Okay, yea that's the...yea, okay.

Ms. Iseri-Carvalho: 25 questions. We had begun to answer a portion of those and had gotten to question 16, however there were responses that were not answered in...I have eight (8), seven (7), nine (9), 13, and 14 that was supposed to be incorporated into these new questions so that we'll all have them on one (1) sheet, instead of having to refer back to two (2) sheets. Unfortunately, we forgot to include the questions 13 and 14, so if we could go back to 13 and 14, and then continue on to the memorandum of September 18.

Mr. Rapozo: Okay, thank you. That...thank you for bringing me up to speed. Yea, I have been away, so Councilmember Iseri-Carvalho if you would like to pick up where you folks left off.

Ms. Iseri-Carvalho: Okay, and what I would do at this time is that it wasn't incorporated, the questions with respect to what is the physical size of the Keālia Beach comfort station, the Keālia Kai parking lot comfort station and the Lihi Park comfort station. Give a description of each amount of bathrooms, showers, storage, and if there were any changes that were made, please list the changes, the reasons, the dates and the cost savings obtained as a result of the changes. I had noted earlier that I saw in one (1) of your changes that were the Lihi Park were supposed to accommodate six (6) stalls and it was reduced to only four (4) stalls, and so that therein lies...you know those questions. So if you could go through them, and explain to us or answer the questions that I briefed you first.

JOANN A. YUKIMURA: Excuse me, where did this question...it's an additional question that...

Ms. Iseri-Carvalho: No, it was from last week, they weren't able to answer that question...

Ms. Yukimura: Oh, okay.

Ms. Iseri-Carvalho: Number 13 and 14...

Ms. Yukimura: Okay, got it.

Ms. Iseri-Carvalho: And what we were going to do was put it all on one (1) sheet as opposed to having to refer back to this.

Ms. Yukimura: I see.

Ms. Iseri-Carvalho: Unfortunately, we forgot about these, and so we're just going back to them to get the responses.

Ms. Yukimura: Understood, thank you.

Ms. Iseri-Carvalho: Thank you.

DOUG HAIGH, BUILDING DIVISION, DEPARTMENT OF PUBLIC WORKS: Good morning, Doug Haigh, Department of Public Works.

Mr. Rapozo: Good morning Doug.

Mr. Haigh: We continue. Basically exhibit item number 13 was provided as an answer. We provided you copies of the plans showing the original,

and the big conceptual, and then the actual plans that the project went forward with and then on the Keālia comfort station we provided the final plan, since we had changes there. And these plans show the number of comfort...the number of facilities, show the size of the facility, and all the information is there.

Ms. Iseri-Carvalho: And Doug the purpose for all these meetings is to educate the public as to the changes and that's why even though we have the responses, you need to verbalize those responses so that the people will have those answers as well.

Mr. Haigh: Okay. So starting with comfort station number one (1), floor plan at Lihi Park, the conceptual bid drawing shows a total of eight (8) fixtures, four (4) per side.

Ms. Iseri-Carvalho: I'm sorry, when you refer to eight (8) fixtures, what do you mean?

Mr. Haigh: I'm talking toilet fixtures.

Ms. Iseri-Carvalho: Okay.

Mr. Haigh: Okay...

Ms. Iseri-Carvalho: Were there any showers?

Mr. Haigh: So you have four (4)...and you have an outside shower area, actually two (2) outside shower areas at the Lihi.

Ms. Iseri-Carvalho: So it was...initially it was supposed to be eight (8) toilets and two (2) showers?

Mr. Haigh: That was the conceptual, the bid conceptual design by the design build team.

Ms. Iseri-Carvalho: Okay.

Mr. Haigh: Okay, um and then at the Keālia Beach Park, the bid conceptual design was the same.

Ms. Iseri-Carvalho: Okay.

Mr. Rapozo: You know what, why don't we...why don't we do the Lihi first, and start bid...the conceptual, and then go to actual, and then we move onto Comfort Station number two (2).

Mr. Haigh: Okay. And so then on the Lihi, during value engineering, the size of the comfort station was reduced to provide total, a total of four (4) fixtures, and one (1) shower area.

Mr. Rapozo: So it got cut in half?

Mr. Haigh: Yes, and with a significant cost savings. And the cost savings I had already given you quite some time ago, that was on the...actually that's with exhibit number seven (7), where we show the changes in construction, oh actually that was the bridge, actually it was in earlier...let's see, yea, on exhibit number seven (7), we have the cost breakdown of the bid, the contract, and the change orders.

Ms. Iseri-Carvalho: Okay, and again...

Mr. Haigh: So you can look at the price at Lihi Comfort station, the bid conceptual price was \$450,000 and we basically cut that in half to \$230,000 in the value engineering stage.

Mr. Rapozo: Where does that show in this exhibit seven (7)? How did...

Mr. Haigh: Exhibit number seven (7) there's a spreadsheet, and it's towards the bottom.

Mr. Rapozo: Yes, and I'm looking at the Lihi Park, you saying the bid, Jason Glover was \$450,000...

Mr. Haigh: Yes, and then the contract was \$230,000.

Mr. Rapozo: And that is the value engineering?

Mr. Haigh: That's correct.

Mr. Rapozo: So \$220,000 was saved by cutting the size of the bathroom in half?

Mr. Haigh: That is correct.

Mr. Rapozo: Okay.

Mr. Haigh: Okay...

Ms. Iseri-Carvalho: The showers.

Mr. Rapozo: Any other questions on the Lihi? Go ahead.
Councilmember Yukimura?

Ms. Yukimura: The savings was \$220,000, so and it was brought down to \$230,000, what was the original price?

Mr. Haigh: \$450,000.

Ms. Yukimura: Okay, okay.

Ms. Iseri-Carvalho: And...my question is, did that include the toilets as well as the showers?

Mr. Haigh: Yes, it's all included in that price.

Ms. Iseri-Carvalho: In one (1)? Okay. And I guess my question would be why would we want to cut down the public's uses of public facilities? I mean why?

Mr. Haigh: Because we were trying...

Ms. Iseri-Carvalho: As opposed to concentrating on...

Mr. Haigh: To provide facilities with funds that were available, so we are in a situation where the highest value proposal exceeded the budget. So we developed a team to review the project as we talked about the last couple of weeks, Mel Ventura, Steve Kyono, Alex Pascual, myself were on this team to review and work with the contractor to get the project to where we could move forward. So we are in the position of we don't do the project or we do the project. In order to do the project we had to reduce the cost, so we went through value engineering with the best value contractor as outlined in the procedures for the design build procurement.

Ms. Iseri-Carvalho: Again, I would say I do not consider value engineering when you're reducing the services to the public, especially necessary services, and then we're utilizing fancy bridges, and utilizing you know expensive other materials where we talk about increasing the aesthetics of what the bridge looked like, or other things that look like. You know I...again, I would be very hesitant...you use the term value engineering when we're talking about facilities that didn't exist at all, and then now do, and then we cut um in half. And so you know from henceforth, I mean if this is going to be the case, I think that we should be made aware of it, because I think the public would prefer these kinds of facilities as opposed to having a nicer bridge, or having a nicer railing, or having a pineapple on the railing, etc. So that is you know my personal opinion. I'm sure it's an opinion that has been shared by many, but we'll go on I guess.

Ms. Yukimura: I have a question.

Mr. Rapozo: Go ahead Councilmember Yukimura.

Ms. Yukimura: What was the projected volume of usage of this, these bathrooms?

Mr. Haigh: I do not have that number. Um...

Ms. Yukimura: But was any consideration given to that? I mean because I mean I was thinking of say Kē'ē beach, and the volume of usage there. I don't...which I think is probably larger than at Lihi, but I'm not sure. And I would think that would be the relevant factor if...in terms of cutting down. So that...I mean if...

Mr. Haigh: Well, some of that thought process that went on here, is immediately adjacent to the Lihi park, you have the Kapa'a boat ramp, which is a State facility, and that they hopefully in the future will upgrade their facility and be providing additional toilet facilities. So part of that thought in the value engineering, we realize that there will be an opportunity for more toilet facilities in the same general area that service the public.

Ms. Yukimura: And that's good, if there's a lack of toilets that's what I'm trying to figure out. What would actually be needed to meet the need now and in the future, and then my second question is do you make these bathrooms easily expandable? I mean so that you know that...you know there's a certain need you want to meet now, there's a certain amount of money you have now, as the need increases, you might want to expand the bathroom and have we thought about that in the design of these bathrooms is my question.

Mr. Haigh: And it will be wonderful when we have a park planner...

Ms. Yukimura: To look at those kinds...

Mr. Haigh: As part of the County staff to help us look at those more detailed long term planning questions.

Ms. Yukimura: Ah huh, ah huh.

Mr. Rapozo: So the answer is no, there is no plan. It's not expandable.

Mr. Haigh: I can't say that, I can't say that off hand because I haven't looked into that.

Mr. Rapozo: Okay.

Ms. Yukimura: But anyway, it wasn't a conscious thought and I think it's not usually a thought, so I'm just thinking that maybe in the future we might give some thought to that. And I do know that sometimes in institutional designs there's a lot of over designing. I think the Kilauea Bridge was an example of that, you know either over designing or not thoughtful design, and so when you go through this what do you call that...value engineering you can remove the excess without negative impact, and I think that's what you're trying to say you were doing, but without knowing what the proposed usage is, it's hard to really know, which is what I...what's in my mind is I try to evaluate what you guys have done here. And I'm doing it without judgment at this point, but just asking questions about what I think are relevant factors.

Mr. Rapozo: I have a question as far as process.

Ms. Yukimura: Thank you.

Mr. Rapozo: At what point does the value engineering and I apologize if this was answered while I was gone, but at what point does the value engineering occur?

Mr. Haigh: On this project, it occurred prior to contract award, and because of that, we were able to not have to share the savings. Normally if you execute a contract, then you do value engineering, you share the savings with the contractor. In this case, we could not award, because we didn't have sufficient funds, and within the design build procedures we identified the possibility that we would have to value engineer and so we did it prior to contract award.

Mr. Rapozo: Okay, was that after the public meetings? You know the...all the...you know when...

Mr. Haigh: This occurred after all the environmental planning process public meetings, which would be the three meetings held by the consultant and the various meetings with the Planning Department while we were getting the SMA permit.

Mr. Rapozo: Right.

Mr. Haigh: And also Conservation District Use permit meetings.

Mr. Rapozo: And this value engineering occurs after that?

Mr. Haigh: That is correct.

Mr. Rapozo: So the public doesn't have an opportunity to comment on the fact that their restroom is going to be cut in half.

Mr. Haigh: That is correct, and...

Mr. Rapozo: I don't think...that just doesn't make any sense, because when we out on the sales trip going out and telling the public how good this project is going to be, and then after we get all the okay, right on, going to have a nice bathroom at Keālia Beach and at the Lihi, and then we just decide to cut it in half and they don't have an opportunity to comment, I think that might be almost...it's not deceptive, but pretty...not so courteous.

Mr. Haigh: Okay.

Mr. Rapozo: I think.

Mr. Haigh: Well, there is a check for that in that prior to, and during the design process we're having public meetings, and during the design process we're submitting the plans to the Parks Division to review them. And so if there was great concern brought up during that process there would have been the opportunity to do change order to increase the size of the comfort station.

Mr. Rapozo: And how would the public know?

Mr. Haigh: How would they know? They would come to the public information meeting.

Mr. Rapozo: At what point in the...what stage?

Mr. Haigh: Well we...I believe we had at least two (2), maybe three (3), I forget now, but we try to get out during the conceptual design, and then prior to final design, at a public information meeting.

Mr. Rapozo: Okay.

Ms. Yukimura: Question?

Mr. Rapozo: Go ahead.

Ms. Yukimura: So in those design meetings or at any time did you actually discuss the number of bathrooms or in...I mean the number of toilets in these bathrooms?

Mr. Haigh: I don't remember that detail.

Ms. Iseri-Carvalho: And...

Ms. Yukimura: I mean I...you know there's a suggestion that people would be angry if it was reduced from four (4) to two (2) or whatever, but that's only if you actually went to that level of detail.

Mr. Haigh: Well, again is the cup half full or half empty. I mean you have zero now. There's zero, prior to this project there's zero toilet facilities for people at Lihi Park.

Ms. Yukimura: Um hum.

Mr. Haigh: So this project is providing (inaudible).

Ms. Yukimura: Two (2) additional.

Mr. Haigh: (Inaudible) facilities, so they get beat up for making the project work, and theoretically not having enough cut in half really is difficult for me, because we're giving more than there was.

Ms. Yukimura: Uh huh.

Mr. Haigh: I mean there never was, the County never saw a need to provide a comfort facility for Lihi Park.

Mr. Rapozo: Doug, we not beating you up. What I'm...

Mr. Haigh: And so now we're providing much more than there ever was...

Mr. Rapozo: Doug, what I'm saying is we went out to the public and said this is what we are going to build for you. We are going to build a bathroom, we're going to have eight (8) toilets, four (4) on each side, two (2) showers.

Ms. Yukimura: I don't know, did we say that?

Mr. Rapozo: Well it's in the plans.

Ms. Iseri-Carvalho: It's in the plans.

Mr. Rapozo: I mean that's what the people review.

Mr. Haigh: No, the people did not...

Ms. Yukimura: I don't think so.

Mr. Haigh: Review the bid conceptual plan. This was confidential information and was not released until after contract award, because we were in the design build procurement process...

Ms. Yukimura: So basically...

Mr. Haigh: And we don't release this design. Now in the environmental assessment drawing, in the environmental assessment process we did have conceptual plans and to be perfectly honest I can't remember exactly how many stalls we required for Lihi, but I...so this drawing was not released to the public. There was never a...you know told to the public.

Ms. Yukimura: Right.

Mr. Rapozo: And I'm not sure what...I don't remember reading the Lihi one (1). I remember looking at the Keālia Beach, and I'm almost positive it was eight (8) stalls in the EA drawing, so that's why I bring that up.

Ms. Yukimura: Okay, okay.

Mr. Rapozo: The public was seen, was shown that.

Ms. Yukimura: Okay, that was my question, what level of detail was the public given.

Mr. Rapozo: Okay.

Ms. Iseri-Carvalho: And if I could...

Mr. Rapozo: Any more questions on Lihi?

Ms. Iseri-Carvalho: No, I, you know I just find it offensive that Mr. Haigh comes here and says that you know we really don't have a right, we went from zero to two (2). But we could have gone from zero to eight (8), you know in that same breath. It's a matter of looking at what's going to be used. I know I go to Lihi Park a lot in fact and there's a lot of fishermen, I mean now that the canal hasn't been dredged, I mean they can barely get out, but there's a lot of people that use that park. And it is nice that they finally have a shower, and they finally have a toilet, but eventually, I mean if the County chose not to, this was where it chose to do so. I mean there are a lot of funds that are limited, and so you know we pick and choose where certain priorities are, but to come up here and claim that you did a great job simply because you cut down the toilet and cut out \$220,000, I mean maybe that was something that could have gone out to the public at an informational meeting, or it could have come here. I mean you guys do it all the time when you come here and ask for more money for certain things. You guys did it for Lydgate. You guys went from...you ask for a half a million dollars more after

the contract was awarded. So I mean don't give this song and dance and give this misperception about us trying to say well you know we got something, and it's better than nothing. You know I just find that totally offensive. We've been looking at this project intently for the last I would say at least for the last year, and one (1) of the things that we...I strongly advocate is to give full, fair, and comprehensive information so people can make an informed decision. You know and there's a lot of these. When I look at this and it says well Mo'ikeha Bridge fishing lanai land was reduced to minimize cost. Well did the people want to do that? Because that's where they do 'oama fishing. You know you talk about Kapa'a Stream Bridge, they took off the whole no fishing lanai, need to reduce load since design bridge designed as a single span. I mean there's a lot of other things where people use as a culturally significant area that you guys just decided to cut out, and now they cannot go 'oama fishing, they cannot drive their trucks to go down by scenic route, go catch fish in there, go lay net. So you know I mean I think more importantly is that you should look at the culture and the community on what would preserve that as opposed to cutting out all of these resources and saying that that's value engineering. I think that term is a misnomer now that I see how it's being utilized. I can see the definition being used...if we use the definition of value engineering as that which would not as Councilmember Yukimura said that you remove it without any negative impact, then that's probably value engineering, but I don't consider this value engineering.

Mr. Rapozo: Thank you. Can we move on to comfort station number two (2), which is the Keālia Beach Park.

TIM BYNUM: Councilmember?

Mr. Rapozo: Oh, I'm sorry.

Mr. Bynum: Before we move on to other ones, I still don't have clarity about the timing of these, so at the informational meetings, did the public see floor plans of restrooms?

Mr. Haigh: I can't specifically say that. I would believe it had been done, but I don't remember exactly (inaudible) went on at the meeting.

Mr. Bynum: And which floor plans would they have seen?

Mr. Haigh: They would have seen the ones that were the contract award.

Mr. Bynum: So the ones that we're hearing, the original bid contract, or the bid conceptual drawings, in this instance they had eight (8) stalls, that's not the ones the public saw when they came to informational meetings?

Mr. Haigh: Excuse me?

Mr. Bynum: So the bid conceptual drawings, right?

Mr. Haigh: Um hum.

Mr. Bynum: Those came before award of contract.

Mr. Haigh: That's correct.

Mr. Bynum: And so the public didn't see those with eight (8) stalls.

Mr. Haigh: That is correct.

Mr. Bynum: Okay, and so...

Mr. Haigh: Now let me just verify...in the environmental planning process we did have conceptual designs for those comfort stations, and I believe in the environmental planning documents we identified how many stalls we were planning on each. If not in the planning document in the design build bid documents I know we clarified the number of stalls we were requiring in each.

Mr. Bynum: In the design bid build documents.

Mr. Haigh: Yes, which would have been a public information document, but wasn't something that was reviewed with the public, in a public informational meeting.

Mr. Bynum: Okay, so but some of the design meetings that were held with the public happened after contract award right?

Mr. Haigh: That is correct.

Mr. Bynum: And so that's where public would have seen...I foresee this as important as we are going forward because Councilmember Rapozo appropriately brought up the question, what did the public see and what did eventually get built? You know and so...and I still don't have clarity on that. At the design...once the contract awarded there was design meetings, like two (2) or three (3) right?

Mr. Haigh: Correct.

Mr. Bynum: And at those meetings, had the value engineering already been done?

Mr. Haigh: Correct.

Mr. Bynum: Okay, so they would have seen the...at those meetings they would have seen the...what was seen...

Mr. Haigh: That was the intent of those meetings. I don't remember precisely if the meeting went into that specific detail. But the intent of the meeting was to provide public information.

Mr. Bynum: So just so we don't get hung up in words...

Mr. Haigh: Yea.

Mr. Bynum: Several people submitted bids, a person was chosen, and then the County went through a process of looking at what was conceptually put forward by the contractor right? And in that process you negotiated you said, we don't want to...we want to find ways to cut costs, and one (1) of those ways was to look at the design that the builder had conceptualized, and see if modifications could be made right?

Mr. Haigh: That is correct.

Mr. Bynum: So this term value engineering is kind of like a negotiation to save costs right?

Mr. Haigh: Correct.

Mr. Bynum: Okay, and so, and that resulted in certain decisions that we're going through these restrooms one (1) at a time, but I think some clarity to eventually to see what was presented to the public at informational meetings, because I attended those meetings, I don't recall you know exactly what was presented at each one (1) of them, but I know that there was time for questions and answers about all of these amenities and what the scope of them were, and so you know, and I think it's important that when I see these conceptual designs at Lihi for instance, eight (8) stalls and six (6) or eight (8) showers, I think would be excessive for that area. You know so, but eventually it would be nice to have some clarity of what did the public see versus what actually got built, because I don't think they saw these elaborate plans which were fairly early in the process negotiated to a more moderate sized restroom. Right?

Mr. Haigh: Correct.

Mr. Bynum: Okay, thank you.

Mr. Rapozo: Go ahead Councilmember Iseri-Carvalho.

Ms. Iseri-Carvalho: Yes, and we also have to say right off the bat we could have saved \$1.2 million if we went with the contractor that had the lowest

bid, so I mean you know when you are looking at costs here, let's not forget to inform the public that, that we didn't take the lowest bid, and in fact took the bid that was \$1.2 million higher.

Mr. Haigh: And when the...during the design build process, when the selection was made, the team that reviewed the proposals did not know what the costs were. They reviewed the proposals specifically on value. And then the costs came in as a mathematical calculation, so there never was an opportunity, and then you have a total rating number of points, and we had to award to the person with the highest number of points. So, per the design build procurement process, we didn't have the option to go back and say, oh this guy is so much cheaper, let's change our mind. We were already locked into a process that had been explained and committed to the people who had proposed. If we had done that, we would have been very much vulnerable to liability, because we would have gone outside of the process that we told them we were going to use.

Ms. Iseri-Carvalho: And again Doug, in light of all the issues and the problems that have arisen because of this bike path, it is my opinion and even after looking at the prior design build contract of the Police Station that is now falling apart, that this process doesn't work.

Mr. Haigh: Okay, and it's very clear that you and I have very different perceptions of the world and how things work.

Ms. Iseri-Carvalho: Well, I'm here to save the County money. I don't know about you.

Mr. Haigh: I think if you look at my years of service, I have contributed tremendously to the County of Kaua'i in my years of service and I am very proud of that and I will continue to work at that in spite of continual, seeming to me harassment, which is just my perception, may not be true...

Mr. Rapozo: Okay, you know...if...you know we need to continue, and let's move on to Comfort Station number two (2), Keālia, and Doug, why don't you just give the conceptual and the actual, and...

Mr. Haigh: Okay, Keālia the conceptual was again a total of eight (8) fixtures. And now on that one (1), the...okay, wait, wait, wait, wait, wait, now I'm sorry. Yea, and then on that one (1) on the contract, it had been cut all the way back to just four (4), and that we were concerned about. And the decision made in VE (value engineering) was well, if we're going to...we need to make this project work, and we know we are cutting way back for Keālia, because we know Keālia is a busy beach, but, we'll assume that in the future the County will build another comfort station... (change side of tape)

Mr. Haigh:comfort stations at the other end of the beach, because

it is a very long beach, and could have more than one (1) comfort station along the beach to service the public. But, as the project moved forward, we were able to see some savings in the project, and we said the first place we wanted to apply these savings is to increase the size of Keālia because we know that's a very popular beach. So we got it up to six (6), a total of six (6) total toilet fixtures.

Mr. Rapozo: Three (3) for the men, three (3) for the women?

Mr. Haigh: That is correct.

Mr. Rapozo: And initially you had two (2) showers, and you went down to one (1) shower?

Mr. Haigh: That is correct.

Mr. Rapozo: Okay, I know that restroom...that one (1) I know there was a concern, because I did receive calls because it's obviously as you drive past, it's relatively small, and I think the public was expecting a lot more. So I...I haven't heard anything about the Lihi one (1), and really the proof will be in the pudding tomorrow when or after the people see this show, this meeting. Because I think a lot of people are expecting the eight (8) stalls, and you know, so and I understand what you're saying Doug as far as the value engineering. I'm just...you know I guess I'm disappointed because of the planning. As we...you know we had an opportunity to build out these things now, and I just think we should have, but you know considering the theory of value engineering, you know I think the intent was so save money and that's what happened. But in...the tradeoff now is if we got to go build another restroom, the cost is just a lot higher, because it's a brand new structure, brand new infrastructure, brand new plumbing, whereas if we had done it, and I don't know whose call, I don't know who's on the design team, I'm not sure what the priority was, was it just to save money or to...if they actually believe that this...the restroom of this size will adequately take care of the beachgoers at that beach. You know I mean, right now, we have some portables I believe, and in fact I've heard that they lock the portables because only the lifeguards can use the portables, I've heard that story as well. But you know I think a lot of people are using the bathroom in the water, a lot of people are using the bathroom in the bushes, a lot of people are digging holes and burying um up, I mean that's just what's happening. And this is an opportunity for us to really service the community in that area, so...Councilmember Yukimura?

Ms. Yukimura: Yes, I've gotten calls...this is before the bike path was actually under construction about bathrooms at Keālia Beach just because the need is as Councilmember Rapozo has detailed is so great. And I was really happy to tell them that along with the bike path there was going to be put into place a public bathroom, so that is in fact a gift of the bike path, that it could be an ancillary feature of the bike path. I think there is a planning issue, which is do you make a large one (1) at that end of the beach, or do you make two (2) smaller ones like we

have at Lydgate. We found a need to have more along the way, so that is an issue and a park planner, whatever would be helpful in that case, but even if you just stay with the present location, it seems to me we might have joined in the trend, which is I think just beginning, where you do twice as many toilets for the women's side as for the men's. I mean you could get six (6) then...

BILL "KAIPO" ASING, EX-OFFICIO MEMBER: Where did that come from?

Ms. Yukimura: Oh, in some jurisdictions it's the law now.

Chair Asing: Really?

Ms. Yukimura: The women have lobbied, because you know mens have urinals, they don't need the toilet per se, whereas women have children, and women need the toilets much more frequently...I mean than men, so there is actually a...in some jurisdictions that's the new law where you have double the number of toilets, and here if we had six (6), you could do four (4) for women and two (2) for men and maybe that would have served more people ultimately you know. So it is a factor we should look at. And then the other thing is the question I brought up before. If we were going to stay there and expand, have we thought about the expandability in the design of the first unit? So maybe at least we can use this as a learning for future, not just bike path, but future restroom planning wherever we have the need.

Mr. Rapozo: JoAnn, for your information the Keālia restroom, the women side has three (3) toilets and the men side has only one (1). So...it's...

Ms. Yukimura: Keālia or Lihi?

Mr. Rapozo: Keālia. You folks have three (3), we only have one (1).

Mr. Yukimura: I thought it was going to be...

Mr. Haigh: It has two (2) urinals.

Mr. Rapozo: Right, but it's hard to sit on a urinal if you got to go number two (2).

Ms. Yukimura: Wait, you're talking about the design we're talking about now...I thought you said you went up to six (6).

Mr. Haigh: Yea, well total of six (6) toilet fixtures, which I'm referring to urinals and toilets.

Mr. Rapozo: Three (3) toilets on the female side, one (1) toilet on the men side...

Ms. Yukimura: Oh, so we're already in that trend.

Mr. Haigh: Well...I know what you're saying and...

Ms. Yukimura: Thank you. I didn't even look.

Mr. Rapozo: Well I mean...and that's...you know it is what it is and...

Mr. Haigh: Yea.

Ms. Yukimura: Okay, okay, so we are already doing that, that's...I mean, which is appropriate because the...

Mr. Rapozo: But it wasn't because of the (inaudible), it's because of value engineering.

Ms. Yukimura: Well, better yet for value engineering. Thank you.

Mr. Rapozo: Okay, any questions? Go ahead Councilmember Iseri-Carvalho?

Ms. Iseri-Carvalho: Yes, I have a question. You're saying the one (1) at Keālia Beach park went from four (4) stalls to six (6)?

Mr. Haigh: Correct.

Ms. Iseri-Carvalho: Well, I'm looking...

Mr. Rapozo: No, it went from eight (8). I think he said it went from eight (8) to six (6).

Mr. Haigh: No, no.

Ms. Yukimura: Eight (8), to four (4) to six (6).

Mr. Haigh: And then the contract had only four (4), and then we did a change order to increase it to six (6).

Mr. Rapozo: Correct.

Ms. Iseri-Carvalho: Okay, because you know again, in the EA, which is the final EA that I'm looking at, page 46, it says the comfort station is supposed to be from six (6) to eight (8), so...

Mr. Haigh: Yea.

Ms. Iseri-Carvalho: You know I mean, again, this was provided to the public, they had that in...you know understanding that it was going to be that much. I'm glad that you guys didn't go from eight (8) to four (4), well actually you tried to, and then it went back up to six (6). But again, any time to me that you sacrifice functionality for aesthetics but not engineering.

Mr. Haigh: Thank you for verifying that. We are within what we told the public during the environmental processing, that we did provide six (6).

Ms. Iseri-Carvalho: And yes, they would have been really upset if you came out with four (4), that's my point.

Ms. Yukimura: Yea.

Mr. Haigh: Yea, and we were very cognizant of that.

Ms. Yukimura: Yea, question?

Mr. Rapozo: Go ahead.

Ms. Yukimura: So that's why you call it fixtures rather than toilets, because they refer to either toilets or urinals.

Mr. Haigh: That's how I've been using the term, yes. Actually when you say fixtures, it also can include sinks when you're doing code work.

Ms. Yukimura: I see.

Mr. Haigh: But in this...today I've been using fixtures, toilet fixtures which would include urinals.

Ms. Yukimura: I see.

Mr. Haigh: That may just be a quirk of my own vocabulary.

Ms. Yukimura: Okay, I mean because I thought toilets, I mean Councilmember Iseri-Carvalho said you know let's explain it so people in the audience understand what we're talking about, but I can see how you were trying to use it for both, and anyway, it has been clarified for me. Thank you Councilmember Rapozo.

Mr. Rapozo: Thank you. Any more questions regarding Keālia...

Ms. Iseri-Carvalho: How much showers?

Mr. Rapozo: One (1) shower.

Mr. Haigh: Yes, one (1) shower area. Actually and this one (1) we have four (4) shower heads coming off an independent shower area.

Ms. Yukimura: Um hum.

Mr. Haigh: And one (1) of them is an ADA compliant shower too with a (inaudible). This, following the current outdoor recreational (inaudible) standards is my understanding. They worked closely with DCAB to develop that shower.

Ms. Yukimura: Great, so...may I ask a question?

Mr. Rapozo: Sure.

Ms. Yukimura: So when you say one (1) shower, it actually means it's a shower that can service four (4) people at the same time?

Mr. Haigh: That is correct.

Ms. Yukimura: Okay.

Mr. Haigh: And I believe the Lihi is going to have the same shower type.

Ms. Yukimura: I see.

Mr. Haigh: So you can do four (4). Now at the Keālia Kai, I think we only have two (2) showerheads, but I could be wrong on the Lihi, I'd have to...looks like...looking at our contract drawing we do have that independent shower area for...let me just verify that.

Ms. Yukimura: And the...

Mr. Haigh: Yes, at the Lihi, we should have an independent shower.

Ms. Yukimura: Okay, so and when you have the four (4), you have one (1) that's shorter or...

Mr. Haigh: Yes, the one (1) that's ADA compliant, it has a little grab bar there.

Ms. Yukimura: Um hum.

Mr. Haigh: That people can use.

Ms. Yukimura: Right, okay, thank you.

Mr. Rapozo: Okay, any more questions for...

Ms. Iseri-Carvalho: Yes, I got a question. Are these showers the one (1) at Lihi, the one at Keālia Park, and the one (1) at Keālia Kai, are they in the...like in a closed area where you could...

Mr. Haigh: No, they are not.

Ms. Iseri-Carvalho: They are all open?

Mr. Haigh: They are all open, but what we did do for changing, and this was kind of unique, is within the ADA stall, we added a little bench, so that you actually have a changing room within the ADA stall, so you are getting combined use. At first DCAB was kind of concerned about it, but we worked with them and made sure we had all the clearances, so you could get that combined use, so you do have an opportunity to have privacy to change if you need to.

Ms. Iseri-Carvalho: And is this at both Doug?

Mr. Haigh: I know this is at...

Ms. Iseri-Carvalho: Oh only Keālia?

Mr. Haigh: Keālia, let me...no we did not do it at the Lihi, only at...well I have to change...I'll have to defer on that. I'd have to look at the final drawings, because I think I insisted on at all of them, but I'm not sure.

Mr. Rapozo: I don't think there's one (1) at Keālia, because I went down...well it would have been a couple of months ago, and the shower was exposed, it wasn't there was no...

Mr. Haigh: Right, well what I'm saying it's within the ADA comfort station...

Ms. Iseri-Carvalho: In the stall, the ADA stall.

Mr. Haigh: In the ADA stall...

Mr. Rapozo: Oh.

Mr. Haigh: We have provided a bench and robe hooks to allow people to use it as a changing room also.

Mr. Rapozo: Okay.

Mr. Haigh: And I'm trying to think...I'm not sure on the Lihi or not, I'd have to double check that.

Mr. Rapozo: Thank you. Okay, moving on to Comfort station number three (3), which is the Keālia Kai subdivision parking lot. That one (1) conceptual shows two (2) toilets for the women, one (1) toilet and one (1) urinal for the men, and one (1) common shower area.

Ms. Iseri-Carvalho: On the conceptual?

Mr. Rapozo: Yes, that's the conceptual.

Mr. Haigh: And we built it as per that drawing.

Mr. Rapozo: So there was no change on that one (1)?

Mr. Haigh: That is correct.

Mr. Rapozo: Okay.

Ms. Iseri-Carvalho: So what was the cost that we spent on the Keālia Park?

Mr. Haigh: Excuse me?

Ms. Iseri-Carvalho: Stalls?

Mr. Haigh: On Keālia comfort station?

Ms. Iseri-Carvalho: Yes, do they cost kind of about the same? I mean are they about the same size? Like eight (8) if you divide by \$450,000, that's how much it would be?

Mr. Haigh: The savings?

Ms. Iseri-Carvalho: No, I mean the total cost like you said of eight (8) stalls, and the Lihi Park was \$450,000 yea?

Mr. Haigh: Yes.

Ms. Iseri-Carvalho: So, they would be similar?

Mr. Haigh: Well, actually Keālia Kai parking lot, since it was smaller was \$350,000 at the bid, but we value engineered it down to \$234,000.

Ms. Iseri-Carvalho: To \$234,000?

Mr. Haigh: That's correct.

Ms. Iseri-Carvalho: And that was the same, so, that one (1) was (inaudible).

Mr. Haigh: Yes, but we were able to...I think we took off some of the gingerbread, you know the fancy stuff.

Ms. Iseri-Carvalho: Oh, okay, the aesthetics?

Mr. Haigh: Yea, and then on Keālia Beach, started at \$600,000, at the contract we're at \$273,000, and to...

Ms. Iseri-Carvalho: Okay, hold on Doug, try go slower. What you said, we started at...

Mr. Haigh: Keālia Beach Park comfort station, the bid was \$600,000. The contract amount was \$273,000, then we added approximately \$40,000 to add the additional toilet fixtures, but then we really got killed when we had to move it back away from the center of the beach, and that was almost another \$200,000 to relocate it back to where it originally was.

Ms. Iseri-Carvalho: And we had to move it back because...

Mr. Haigh: Because we went...we identified this as a significant change to the SMA permit, so we went back to Planning Commission for approval of a site plan modification and they were not that receptive of the change, and so then we moved it back to where it was originally.

Ms. Iseri-Carvalho: Okay, and then that cost \$200,000 you said.

Mr. Haigh: Well, \$194,000.

Ms. Iseri-Carvalho: We also at Keālia Park has the maintenance building right?

Mr. Haigh: Well, this comfort station was designed to provide both storage or maintenance and lifeguards. So there's a storage area for the lifeguards, and a storage area for the maintenance and we were actually just out there yesterday with parks, and they were looking at it, and they are going to be staging their worker out of there.

Ms. Iseri-Carvalho: Okay.

Mr. Rapozo: Thank you. Councilmember Bynum?

Mr. Bynum: I just highlight this restroom back and forth for a minute. You know it was originally it was thought to be where it is right now. Right? And then the Fire Department I know and other people's observation was that putting it closer to where the lifeguard stand is now, right, would make it closer to the center of the beach so people that were using the beach it would be more centrally located, the Fire Department was interested in having their storage close to where the fire worker, where the fire...where the lifeguards, it was also...

Mr. Haigh: And having that toilet facilities...

Mr. Bynum: And having toilet facilities, and it was also closer to you know ADA parking and other things. So it was like convenience factor was the main reason for wanting...and there was cost savings because the grade was easier, you didn't have to do as much site prep yea?

Mr. Haigh: Correct.

Mr. Bynum: So that's the reason that I remembered you called all those rationales and meetings. And then the Planning Commission reviewed that and their...what they said was for aesthetic reasons they'd prefer it to be at the end of the beach right? That they didn't want it...

Mr. Haigh: That's correct.

Mr. Bynum: They thought that that structure near the lifeguard tower was more obtrusive in terms of the view, and so they didn't okay that move right?

Mr. Haigh: Well, yes...they were...they...when we went to them they were...they expressed their concern, and didn't approve it at the first meeting, then when the Administration went back and reviewed their concerns, and decided to just withdraw and put it back where it was, because we didn't want to push the issue. Because they were talking about redesigning it with a lower roof and stuff, which would have been compromising the aesthetics of the building and so the decision was to move it back, and that's what we did.

Mr. Bynum: Right, but again in the decision making process there were pros and cons for both sites.

Mr. Haigh: Yes.

Mr. Bynum: There was some significant pros to putting it there, and...but that's part of the public process, and a decision was made and you know some people felt like it would have been better to move it, other people were happy where it was, but you know that was the way it ended up. Yea?

Mr. Haigh: That is correct.

Mr. Bynum: Okay, thank you.

Ms. Iseri-Carvalho: The next question. I'm going to be taking over, the Chair has stepped out for a minute. The...what is the status of all of these bathrooms at this point?

Mr. Haigh: We did a punch list inspection yesterday on the Keālia and Keālia Kai comfort stations. Parks Department right now is trying to decide when they want to accept the comfort station. There is still landscaping work that needs to be done, site grading work, and they are going to work...they need to get back to me on when they are going to be ready to take it over. It's a question of whether or not we want to open it up and still have some landscaping work going on, wait until the landscaping work is all done and then open it up, but I can tell you, people are already using the showers at Keālia, because while we were there, people just coming and going.

Ms. Iseri-Carvalho: And one (1) of the concerns I think was brought up by Ms. Obatake was about the runoff, of you know the shower because it sits like on a hill yea?

Mr. Haigh: Yes.

Ms. Iseri-Carvalho: Has that been adequately addressed? I mean is there a drain where it's going to or is it going back to the water?

Mr. Haigh: Well I...it's going into a planting area, and being used by the...I mean it is...we did not provide a separate sewer drain for the showers. Our intent was to shed the water off into a planting area and have it utilized by the plants.

Ms. Iseri-Carvalho: Okay. And the Lihi Park?

Mr. Haigh: Lihi Park, that is under construction still. That one (1) got a slow start. We had problems getting the offsite water improvements approved, and so that delayed it considerably.

Ms. Iseri-Carvalho: Okay. Um, then we'll shift to the next set of questions, September 18.

Mr. Rapozo: Hang on, hang on. Councilmember Iseri-Carvalho, real quick, Mr. Chair?

Chair Asing: Yes, Doug, let me clear up the committee, prior to awarding the project, you have a review committee am I correct?

Mr. Haigh: That is correct.

Chair Asing: What is that called, that committee? Is there a name for that committee?

Mr. Haigh: I forget what term we used, but it's the design build review committee, evaluation committee, something...

Chair Asing: Okay. Once the contract is awarded, is the committee disbanded?

Mr. Haigh: Actually once the selection is made...

Chair Asing: Yea.

Mr. Haigh: The committee was...no longer had any purpose to meet, so once they made their selection, rated the design build proposals for value and aesthetics, then that was the end of their work.

Chair Asing: Okay. So prior to the contract being awarded, the function of that committee is to determine which bid we should accept, am I correct? That's the function of that committee.

Mr. Haigh: Their function was to review the design and value, not considering cost.

Chair Asing: Yes.

Mr. Haigh: We kept the cost totally out of their decision making process. It was kept in secret and was applied mathematically to the final selection process.

Chair Asing: Okay, then their job is done, they're all pau?

Mr. Haigh: That is correct.

Chair Asing: Okay, so when there is...the bid is now...has been...the bid has been awarded, so you don't have a committee involved anymore, this committee is all pau.

Mr. Haigh: That's correct.

Chair Asing: Okay, which means that when you start value engineering, then because the committee is all done, all pau, then you have the project engineer as the person that makes the decision on value engineering?

Mr. Haigh: That is not correct. The Deputy County Engineer made the recommendations to the Director of Finance of a committee to negotiate, a negotiating committee. The Director of Finance approves the negotiating committee and then the negotiating committee...

Chair Asing: Hold on now, hold on, wait, wait, wait, wait, wait. The selection committee is done yea?

Mr. Haigh: Correct.

Chair Asing: So they are out of the picture, so is there another committee then?

Mr. Haigh: Okay, when, and the design build procurement was set up for this. If the highest value proposal exceeds available funds, there was a provision in the design build procurement to allow for negotiation value engineering to take place with the number ranked design build team. So that's what occurred. And now the Director of Finance needed to approve the people who will be sitting on that negotiating committee, because we're all...we're working under the Director of Finance. He is our boss on contracts, so...

Chair Asing: Wait, wait, Doug. We're through with all that.

Mr. Haigh: No we're not through yet, because we're trying to award...

Chair Asing: Well there's another committee then?

Mr. Haigh: Yea, a new committee, a negotiating committee established.

Chair Asing: So you had a committee that evaluated all the bids right?

Mr. Haigh: Correct, and maybe the selection would be the appropriate term.

Chair Asing: Yea, okay, selection committee. Okay, so the selection committee, once the bid is awarded, their function is terminated and they're all done.

Mr. Haigh: Well like I mentioned, in this case it was even before award. They just do their selection, and once they do their selection, and they are telling the Director of Finance this is a team that we think is the best to do the job based on what we reviewed. Their part is done. They made their recommendation to the Director of Finance.

Chair Asing: Okay, okay, I...and that's fine then. So we don't have a committee now right?

Mr. Haigh: Correct.

Chair Asing: Okay, now that the contract has been awarded, and you go through the process there is another committee that is formed?

Mr. Haigh: Okay, it's prior to award. See, we didn't have available funds for the bid that was made, so we couldn't do an award.

Chair Asing: Okay.

Mr. Haigh: We didn't have the funds to...

Chair Asing: Tell me, give me a little bit background on this other committee now.

Mr. Haigh: So this other committee, recommended by the Deputy County Engineer to the Director of Finance, and on this committee were Mel Ventura, Steve Kyono, Department of Transportation, Alex Pascual, engineer with the Engineering Division and myself. Were the negotiating committee...

Chair Asing: Hold it right there now. Okay, these people...I thought that that's the committee that was the selection committee?

Mr. Haigh: No. We had a broader group of people in the selection committee, and I was not part of the selection committee, and I don't believe Alex was either. Steven Kyono and Mel Ventura were part of the selection committee.

Chair Asing: I thought...yea, I thought I heard those same names that you mentioned that were on the selection committee.

Mr. Haigh: No, there were more people on the selection committee and I specifically excluded myself from the selection committee, because I was kind of organizing the process at that time.

Chair Asing: Okay, so you have a selection committee, and their portion is done once the contract is awarded, and then you also at the same time had formed another committee besides the selection committee?

DONALD FUJIMOTO, COUNTY ENGINEER: Yes, I think it wasn't award, they just make a recommendation for selection. In this case it was not awarded. Prior to awards there was another step, and the step is what Doug is trying to explain, which is the negotiation committee.

Chair Asing: So you have two (2) committees.

Mr. Fujimoto: Yes, basically you have the selection committee that makes the recommendation on who to select, based on criteria, and based on that criteria, they made the recommendation. But as part of the next step, which was available funding, if the contract did not exceed the available funding there was another process, which would be to negotiate with the contractor to see if you could cut the cost down. Is that...

Mr. Haigh: Correct.

Chair Asing: And that committee is called...

Mr. Haigh: Negotiating committee.

Chair Asing: There's a negotiating committee. And you have a list of all those people that are on the negotiation...

Mr. Haigh: Those are the four (4) people that I've been mentioning. And they make a recommendation to the Director of Finance and he makes the final decision to move forward.

Chair Asing: And these people on the negotiating committee, continues their...to be functional until the project is completed?

Mr. Haigh: No, only until their recommendation to the Director of Finance, which then after award, so once it's awarded, they are no longer functioning.

Chair Asing: Okay, so when the bid is finally awarded, the bid has now been awarded, there is no committees left then?

Mr. Haigh: That is correct.

Chair Asing: Okay, now we getting some place. The bid has been awarded, no more committees right?

Mr. Haigh: Correct.

Chair Asing: Isn't this the time that value engineering is done?

Mr. Haigh: In many projects value engineering is done after award. In this project, we did the value engineering before award because we specifically put that option in the design build procurement procedures that were developed for this project.

Chair Asing: I...I'm not sure...I don't think that...you know I get the feeling Doug that the value engineering was done after the committees were disbanded. Am I wrong?

Mr. Haigh: The value engineering occurred with the negotiating committee, because the purpose of the negotiating committee was to re...to get the project within available funds.

Mr. Fujimoto: And let me clarify too. I believe we're using...

Chair Asing: I know, I know. Go ahead Donald.

Mr. Fujimoto: I believe we're using the wrong (inaudible). It should not be called value engineering. I think you know for all the reasons what Shaylene said, it's a cost reduction. It's a negotiation to reduce the costs. In value engineering, you actually retain your scope of work, while just compromising, maybe building materials or something like that, but you keep the same purpose, you keep the same function, and that is not what happened apparently. So it's definitely not value engineering, and value engineering is also a process after award, where the contractors submit all the reasons why this would work, and they would actually have to prove why this value works and everything, and then based on that, you would share half of that savings with the contractor. That process happens after the award.

Chair Asing: And that's what I'm trying to drive at and make clear. So all I'm trying to do is clarify that this so called value engineering or whatever term you want to use is done after the contract has been awarded, and there is no committees left over to do this work, but that work is being done by the project manager then. Would I be correct?

Mr. Haigh: Yes, under the direction of the Department Head and the Director of Finance.

Chair Asing: Yes, okay. So, I think that's what I want to make clear, and then it's clear now that the public don't know that. You know once you make the so called value engineering, the supposedly size of the restroom that was cut down was done at that particular time, so the public don't know that. That's all I'm trying to clarify.

Mr. Fujimoto: Right, and that was really during the negotiation...

Chair Asing: Okay.

Mr. Fujimoto: The effort to reduce the costs.

Chair Asing: Okay, thank you. That's clear.

Mr. Rapozo: You know...thank you Mr. Chair. The whole purpose of value engineering is really an incentive for the contractor. If the contractor can come up with ways to save money, they share in the savings, they make money, they get half. And so I thank the Chair for clarifying that, because I was going to bring up the response that talked about the so called value engineering that the team negotiated an 18% cost savings, with a minimum reduction in the scope of work, and that is simply not true. I mean the scope of work was drastically cut, I mean when you cut a restroom in half, that's a big cut. When you cut two (2) restrooms in half, that's a bigger cut, there were many more cuts. And again, my question is...and I heard Doug say that it was...that's the way this specific type of procurement is done. If the design team or the selection committee, they do not take a look at the cost, in other words the cost factor, bid amount has nothing to do with this.

Mr. Haigh: Well it...it's factored into the final selection, but the selection team does not know the cost.

Mr. Rapozo: Right, so the selection team only looks at whatever, value, qualification and so forth, and they make a recommendation, but if the lowest bid is over a million dollars less, why...if in fact we had a million dollars more, right? Because the contractor, the low bid was a million dollars less, that would have eliminated the need to value engineer or cost reduce the restrooms. So I guess the question is that...and I don't know if it's appropriate to ask it in open, but is that legal? Is that...I mean can we do that? Can we go with a higher bidder and then negotiate the contract down? That doesn't seem fair.

Mr. Fujimoto: Let me try to...see if I can do this some justice. In design build, the whole purpose of getting a person that is best qualified, that has a proven track record that is familiar with what you are trying to accomplish. Sometimes getting the cheapest person is not the cheapest. In the end you end up paying more. You are going to have to retrofit things, like what we did...exactly doing now you know? Yes, exactly, so can you imagine that maybe this other guy, who had not even put in anything, maybe he wouldn't even recommend...

Mr. Rapozo: Well you know Doug...I mean Donald, one (1) of the things...we cannot assume what would happen or what the other guy would do.

Mr. Fujimoto: That's right.

Mr. Rapozo: I don't want to assume, I mean the earlier statement about you know maybe the State going to come up and build a bathroom at Lihi, I don't really...that's not going to happen.

Mr. Fujimoto: Yes, right...yes, yes...right.

Mr. Rapozo: I'm just saying that if in fact this is the policy, the process, I just see a suspect because if Kaipo and I are bidding for a job, and I bid \$500,000, he bids \$300,000, you give me the job and then I...I'm the highest bidder, but then we negotiate the contract down to \$300,000 or...

Mr. Fujimoto: Okay, well the analogy would be this, and I'm not sure this is a fair analogy, but it's almost like someone is looking for an investigator. With all your experience and stuff, you might be a little bit higher, but you know definitely somebody would feel more comfortable going to the higher person, than going to somebody who just graduated college, has no field experience, and charges a lot less. So this is...

Mr. Rapozo: And that make sense.

Mr. Fujimoto: This is the whole idea, is that in this value design build process, the whole objective is looking for the person that is the most qualified to do the job. And there's no doubt that we all going agree that there's a lot of times that we pay the cheapest, but we don't necessarily get the best product. And the value engineering is actually to look for the best value, so you might pay a little bit more, but you are going to have something that is a lot more functional, a lot usable, last longer, that will be more appropriate to what you need. And that's why they select based on criteria versus price.

Mr. Rapozo: Yea, and I guess at the end of the day though the taxpayers end up with short end of the stick, because they get less than what the original plan was.

Mr. Fujimoto: Yes, again, we can always second guess the process, but without even having to go through this process, we really don't know.

Mr. Rapozo: Yea.

Mr. Fujimoto: We don't know that the cheapest person would have given us the same thing, they could have given us something that is a lot less functional, or something that may not last as long.

Mr. Rapozo: Okay, thank you. Any other questions pertaining to that discussion?

Ms. Iseri-Carvalho: Thank you Donald.

Mr. Rapozo: Thank you. Next is number 16 on the original. Please provide dates that work had been halted, the reason for the stoppage, the date that work was expected to continue, and the date that it expected...it is expected to be completed.

Mr. Haigh: Okay. Work on all six (6) rest areas stopped on September 30, 2006. Work was temporarily suspended on...

Ms. Iseri-Carvalho: I'm sorry, Doug, you need to go a little bit slower so the people can keep up, including myself.

Mr. Haigh: So work on the six rest areas stopped on September 30, 2006. Work was temporarily suspended on February 21, 2007 pending legal issues. Work, except on the six (6) rest pavilions was deemed legal and resumed on March 15, 2007. And this answer is out of date, work is actually restarted on the six (6) rest areas. And I forget the exact date that that restarted.

Ms. Iseri-Carvalho: And completion?

Mr. Haigh: I don't see that answer here. I think at that time we couldn't really say because we didn't know when the rest areas were going to get the go ahead, and we still don't have a...we can't...so now we can probably get you that answer.

Ms. Iseri-Carvalho: Okay. So we'll have staff follow up with that question.

Mr. Rapozo: The question wanted to ask for the reason for the stoppage, what was the reason for the September 30?

Mr. Haigh: Okay, that was when we had the Councilmember and the Mayor were expressing concern about the six (6) rest areas, and we were reviewing what was...how it went through the SMA process and what was really there, and then actually I got the original consultant who did the EA to...and the SMA permit to take a look at it, and he came back and about that date, informed me that the original EA and SMA did not show roofs for those six (6) rest areas, and then we immediately made an appointment with Councilmember Iseri-Carvalho and Councilmember Mel Rapozo, informed them of that and stopped the work at the same time. Working with the Planning Department on how they wanted to handle this issue, and Planning made the decision that they would want to go back and review it, and look at an amended SMA to deal with the issue and have it go back to...the Planning Department wanted it to go back to the Planning Commission for them to review and comment on the amendment.

Mr. Rapozo: Okay, and then the February '07...was it the similar...

Mr. Haigh: The February 21, 2007 I really don't know why work was suspended at that time. I wasn't here at the Council meeting when the decision was made, and I haven't really quite understood why the decision was made, but it was suspended.

Mr. Rapozo: Donald do you know? I honestly don't remember.

Mr. Haigh: That was about the question of an SMA permit and whether or not it was illegal. The certified shoreline I thought was the...you know there's a Supreme Court case now, and so we had wanted a decision by a County Attorney in January, stated on the floor, and then on the floor you asked the County Attorney who wasn't as familiar with this issue to make a decision on the Supreme Court case ruling and then for some reason the two (2) came to different conclusions and all of a sudden...

Mr. Rapozo: Okay, so that was the reason.

Mr. Haigh: And then Councilmember threatened Donald that he would go to jail if he proceeded, and a lot of stuff happened.

Mr. Rapozo: Well that was...not this Councilmember.

Mr. Haigh: No.

Mr. Rapozo: Okay.

Ms. Iseri-Carvalho: No.

Mr. Rapozo: And...

Ms. Iseri-Carvalho: But I don't think it was a threat either. You know I think...I don't know what happened to you Doug today, but you're making a lot of statements that really aren't accurate.

Mr. Fujimoto: Yes, I would like to review the minutes of that meeting to actually get the gist of that because it has been a while, but my understanding was it was based on legal...a legal issue.

Mr. Rapozo: Right.

Mr. Fujimoto: Whether we...(inaudible).

Mr. Rapozo: And I was just trying to recollect what...and if...and now if that's the one (1) then that's fine. We're not going to go into that whole SMA debate here today, no way. We just not, but I just wanted to clarify that the Council cannot stop the job. I think that needs to be made clear to the public, because I've read enough letters and enough newspaper articles that have been provided to me that the Council has stopped the job, and that the Council has cost this County so much money. And the reality is we voiced our concerns, and I did, very loudly, and...but it's ultimately the decision of the Administration to determine whether or not the job continues, not this Council. And so I just want to make that clear. I did

at...that Councilmember that spoke with the Mayor was myself, and I did encourage him to you know, until we get some definite answers maybe we should stop the work, and that was the suggestion that I made. But at the end of the day, it's not my decision, it's not this Council's decision, so I just want to make that clear, because I've read again how we've cost, these seven (7) people have cost the County thousands, and thousands, and thousands of dollars because we stopped the project, and that is simply not true.

Mr. Fujimoto: Yea, I'd like to confirm that. My understanding is that we basically have the authority to cancel the work, but at the same time I think the Council did bring up some very legitimate issues that required us to consider the suspension. And that was the basis of us suspending the project, and I think you yourself confirmed that you did recommend to the Mayor that we actually suspend the project.

Mr. Rapozo: Quite strongly. We had a long discussion and I told the Mayor that why would we move forward...

Mr. Fujimoto: Right, and so based on those issues, the project was suspended at that time.

Mr. Rapozo: Well thank you for that clarification Donald.

Ms. Iseri-Carvalho: I also wanted to make another clarification that although Mr. Haigh states at this point that the attorney was not familiar with the issue, or as familiar, I think that is totally inaccurate and I don't think he has any basis to make that statement.

Mr. Haigh: I apologize for making that statement. That was not appropriate. Thank you for pointing that out.

Ms. Iseri-Carvalho: So that is unfortunate that...

Mr. Rapozo: Okay, moving on. Number...now we get to the September 18 memo.

Ms. Iseri-Carvalho: No?

Mr. Rapozo: That was it right? That was the only two (2) that you guys did not cover, or that was not attached to the September 18 letter.

Ms. Iseri-Carvalho: We continue on 16. In addition to continuing the discussion beginning with section, question 16.

Mr. Rapozo: Oh I see.

Ms. Iseri-Carvalho: Those were prior to 16.

Mr. Rapozo: Oh, okay, so we got to go back then?

Ms. Iseri-Carvalho: Yes.

Mr. Rapozo: Okay, so 17? Revised complete of the contract.

Mr. Haigh: Again, this is...the answer is outdated. At the time we wrote this letter the revised...the completion contract is August 24, and that has changed and part of what's extending the contract is awaiting the rock fall hazard study which should be forthcoming any day now. And then exhibit 17 provided information on contract time extensions, and the contractor is held responsible for work to be completed by the revised contract completion date. And the contractor is responsible for completing the work by the most current contract completion date which includes any possible delays solely attributable to the contractor. And then like I said exhibit 17 has copies of the change orders.

Ms. Iseri-Carvalho: Okay. Question?

Mr. Rapozo: Go ahead.

Mr. Haigh: Contract time extensions.

Ms. Iseri-Carvalho: Okay, you're saying that the August 24, 2007 date has changed.

Mr. Haigh: That is correct.

Ms. Iseri-Carvalho: So it is indefinite at this point, until we receive the rock fall hazard study?

Mr. Haigh: That is correct.

Ms. Iseri-Carvalho: Okay, and then you're saying that...

Mr. Haigh: Let me correct that. There's probably currently a specific contract completion date. I'm not sure what that is, but what would probably occur, if we haven't resolved the rock fall hazard issue is, prior to completion we would suspend the contract to allow us to resolve the rock fall hazard issue, but we would make sure that all current contract work is completed prior to doing that type of suspension.

Ms. Iseri-Carvalho: Okay, and so it has been your assessment, and have you discussed this with the County Attorney with respect to the liability regarding the suspension of the contract pending the rock fall hazard study?

Mr. Haigh: We haven't gotten to that point yet, no. Normally those type of letters, we go to the Director of Finance, and it's a concurrent suspension of contract time agreed upon between the County and the contractor, and approved by the Director of Finance.

Ms. Iseri-Carvalho: So that hasn't been negotiated (inaudible).

Mr. Haigh: No that has not been.

Ms. Iseri-Carvalho: And so we really don't have an answer.

Mr. Haigh: That is correct.

Ms. Iseri-Carvalho: Okay.

Mr. Furfaro: Excuse me Mr. Chair?

Mr. Rapozo: Yes?

Mr. Furfaro: Maybe if Joe and Mr. Mickens are going to continue their conversation they could step outside. Mr. Mickens, Mr. Rosa, if we could ask you if you are going to continue your conversation in the front seat, if you could just step out for a moment. Thank you very much gentlemen.

Mr. Rapozo: Thank you. I guess he's here so often I don't even hear him. Wow, or maybe just my hearing is going bad, I don't know. Okay. Anything else on number 17?

Ms. Iseri-Carvalho: I guess, Committee Chair, we just need to send over this question to get an updated response, and then we'll also have that question referred to like you said, like the Finance Director as well as the County Attorneys.

Mr. Rapozo: Thank you.

Chair Asing: I have a follow up question on that. I guess Donald or Doug is it possible that we may have to pay extra for extending the contract due to the rock wall hazard study? Is it going to cost us now?

Mr. Fujimoto: Well I think the study was an amendment.

Chair Asing: Not the study, because we're going to extend the contract.

Mr. Fujimoto: Only if we require them to act upon, or actually include additional work.

Mr. Haigh: This would...it's very different from the previous suspension because it's...they are completing all their existing contract work and now...so they they're not going to have charges incurring while we're waiting for the rock wall hazard, because they have already reallocated their people. There may be some minor costs to remobilize and go complete this section of the path from Kuna Bay to Keālia, but we don't expect any significant challenge.

Chair Asing: What is your definition of minor costs?

Mr. Haigh: My...it's hard to say, but my definition is under \$10,000.

Chair Asing: Okay, I just have some concerns that we doing this rock wall study and then...

Mr. Rapozo: The rock fall.

Chair Asing: The rock fall, rock wall.

Mr. Rapozo: The Keālia Kai...

Chair Asing: Yea.

Mr. Fujimoto: I think...can I clarify that? I think it's the study that provided recommendations for addition work, i.e., retaining walls, and stuff like that that we may have to negotiate some additional work.

Mr. Rapozo: Yea, I think is pretty accurate.

Chair Asing: Okay, thank you.

Mr. Haigh: ... this Council within the next couple months with preliminary information on land acquisition and road modifications that were required for this phase and we hope to be having our first public informational meeting during the design process within the next couple of months.

Mr. Rapozo: Okay, any idea of how much land you are looking at?

Mr. Haigh: It is existing that... for the total project?

Mr. Rapozo: For this spur?

Mr. Haigh: For this spur it is State land and actually the land already have been dedicated to the County by executive order for low income housing. Also, there is an existing easement on that land for a pedestrian path. Basically, we are modifying that existing easement to try to maintain ADA grades

for the path through that area. It is in the lower steeper portion of the land, so it should not at all interfere with the proposed low income housing that the existing executive order has been structured for. I am still waiting for a response from Department of Land & Natural Resources on what they want us to do as far as getting... do we need a modification of the executive order to include this path as part of that... to use on the parcel and I am still waiting for a response from DLNR on that.

Mr. Rapozo: Okay, so just State land and no private land that we...

Mr. Haigh: That is correct.

Mr. Rapozo: Any other questions?

Ms. Iseri-Carvalho: Yes, do we have funding for this spur at this point for the land acquisition (the design and the construction)?

Mr. Haigh: It is part of the funding that is for the Lydgate to Kapa'a phase and we are expecting today or first thing tomorrow morning for the final obligation of those construction funds and design funds.

Ms. Iseri-Carvalho: So the answer is yes?

Mr. Haigh: As of the end of today, hopefully it is yes. I had concurrence two (2) weeks ago that everything was in place for it to move forward. Actually, that is for the design money and the construction money is in the next year STIP and that money will be finally obligated once they approve the final design.

Ms. Iseri-Carvalho: Okay, so we would know, so we will follow up just to get a final response I guess. It will come this afternoon.

Mr. Haigh: Hopefully.

Mr. Rapozo: Okay, thank you... status of the Wailua Houselots spur...

Mr. Bynum: Those Kawaihau spur, this will connect the current pedestrian path that is in Kawaihau down to Keālia and Kapa'a Town, so for those people who live in Kawaihau and for people (inaudible)... live in the housing there, it will provide a safe pedestrian access down that steep grade, is that correct?

Mr. Haigh: Correct and it also provides a critical connection to the Kapa'a Schools, Mahelona Hospital and Saint Catherine School. I know my wife teaches second grade at Saint Catherine and they do an annual thing down to the beach there and if she had a safe path, it would make it much easier for her.

Mr. Bynum: So the purpose is to bring Kaua'i people down safely into Kapa'a Town and the beach area.

Mr. Haigh: Correct.

Mr. Bynum: Thank you.

Ms. Yukimura: Question.

Mr. Rapozo: Go ahead.

Ms. Yukimura: But it is not just a pedestrian path, it is also a bikepath.

Mr. Haigh: It will be multi-use path. Currently, it is.. the current easement is barely pedestrian.

Ms. Yukimura: Right, it is quite steep, but it has been used for centuries probably.

Mr. Haigh: The Saint Catherine kids, they walk down to the swimming pool once a week (the upper grades).

Ms. Yukimura: And it is the only safe way for a pedestrian to get up and down that hill basically.

Mr. Haigh: Kawaihau is a narrow road in that area with dangerous curves, yes.

Ms. Yukimura: Yes.

Mr. Rapozo: Doug, that Kapa'a spur would connect from Kawaihau Road... it would cross the highway right there?

Mr. Haigh: Correct.

Mr. Rapozo: Will it be signalized or...

Mr. Haigh: I think we are looking at a... we haven't finalized the design yet, conceptually, we are looking at a flashing warning sign, something like that.

Mr. Rapozo: Any other questions? Okay, go ahead.

Ms. Yukimura: Thank you. I mean, you know, there has been much question about the bikepath being pedestrian versus work, school, daily life related and this leg more than ever will be one that links people from places of work and

play and study to other areas of the town that are... their destinations, right. It sounds like a really good stretch. Thank you.

Mr. Rapozo: Okay, Wailua Houselots?

Mr. Haigh: That has been... we have taken that phase out of any planning for this project. I mean, we are not planning any future design or construction for that phase.

Mr. Rapozo: Okay, thank you. The difference really between this one and the Kawaihau, this one was going to be going right through a neighborhood. I think that is what sparked some of the concern from the residents of the houselots, whereas, the Kawaihau project is really going on an existing path.

Mr. Haigh: My personal feeling is that it is a missed opportunity for that community because now for them to use the path, they are going to have to drive to it and their kids to go to the beach are going to have to get a ride or walk down a road. But that was a decision made and we are moving forward.

Mr. Rapozo: Thank you.

Ms. Iseri-Carvalho: That was also a decision made by hundreds of people that attended that meeting, so you are right that there are people that had different views than you do (hundreds of people).

Mr. Haigh: Hopefully more than that.

Mr. Rapozo: That is the value...

Ms. Iseri-Carvalho: It is probably more than that.

Mr. Rapozo: And that is the benefit of that community process because... and that is why I get concerned when we talk about the public informational meetings because most people won't go unless they know that it affects them. And it was only after the media blitz that the County put on... that you folks put on for the houselots meeting that these people all came out and said we didn't know.

Mr. Fujimoto: I would just like to say that I think we have to be a little bit more proactive in the education because the perception was that this would be an intrusion. It is actually the other way around. This is a feeder for the people to safely get to the spine to the main bikepath and it is unfortunate that they took it the other way.

Mr. Rapozo: Because that is how they feel and that goes back to the users of the bikepath. I think if you look at that subdivision that was going to be

affected which is houselots, there are a lot of older people there. There is a lot of people that would not use the bikepath and, really, if the people don't want it, why would we spend money to put it there because we feel... I tend to agree that it... I think it is a missed opportunity in some respect if it was for a community that wanted it. For a community doesn't want it, no, then you don't put it there. I think that is the lesson that we learned. Go ahead Mr. Bynum.

Mr. Bynum: I just... you know, I think in... what I have learned is the power that defines something is the power to control perceptions and, you know, there were many people in houselots who did want this path, they lobbied for it, and they came to numerous public meetings. The purpose of the path was to bring people who live in the houselots safely down to the beach. I know kids who grew up in the houselots. I would have loved to have had a path that brought them safely to the ocean, to Foodland, to Safeway. You know, many, many times I walked with them just to walk them across the highway to go fishing at the beach or, you know, because we lived within that area. We rode through the cane fields to Foodland in Kapa'a and picked up our milk and played at Fun Factory and to have that path, but the definition... it got defined as an intrusion and something to bring tourist into the houselots that were in fear got... brought up, oh, people are going to come. Why would we want to bring tourist in the houselots? Why would tourist want to go to the houselots? The purpose of the path was to bring pedestrians down and I agree that it is a missed opportunity, but, you know, that fear was there and people came and spoke. The Administration made a decision. I value the public process and I accept that decision just like I have accepted other decisions as I was involved in the public process that you get a chance to express your views and then you go with the decision that is made in the structures that are made. Thank you.

Mr. Rapozo: Thank you. Next question number 20. When is the Keālia/Kapa'a path expected to open? I think you touched on that a little while ago.

Mr. Haigh: I did on the comfort stations. Hopefully, they are finalizing the landscaping along the... from the Lihi to Keālia Beach. They have some approaches to the bridges that they are finalizing, but hopefully very soon, it will formally be open. They have signage issues that they need to get taken cared of, so I can't give you an exact date now, I would have to get with Engineering and see what the current completion date is.

Ms. Iseri-Carvalho: We can follow up with the other question.

Mr. Rapozo: Okay, thank you. I mean you would never guess that is closed. There are quite a few people using it. Okay, number 21, please provide a copy of the entire bike/pedestrian contract (inaudible) includes all contract bids received. I am not sure if...

Ms. Iseri-Carvalho: And I had spoken with Clint Saiki and had been able to review a lot of the contract files and the cost, so he was more than happy to

provide whatever documents I needed and thank you Clint and your department for allowing us to review that.

Mr. Rapozo: Okay, number 22, please...

Ms. Iseri-Carvalho: And if anybody else wants to review any other portions of the contract, Clint is very amenable towards providing... he can find it very easily too, so utilize his service if you need to.

Mr. Rapozo: Thank you. Please provide a copy of all attendance sheets of the public information meetings that is attached in exhibit item number 22 and thank you for that. Next. Number 23, please state all the beginning dates for construction, anticipated completion dates and funding sources. Again, this is attached as exhibit number 23. Are there any questions?

Ms. Iseri-Carvalho: And I think the questions we were awaiting were for funding that needed to be obligated, so we will have a follow up once, you know, is that the only one that we are waiting for? There are others, yes?

Mr. Haigh: The Lydgate/Kapa'a is the only one we are waiting for. The others are... the funding situation has changed radically in the State of Hawai'i as far as funding for transportation projects. They used to have a surplus of money. Now, they have a surplus of projects. The Federal Highway fund is based on a fixed tax gas tax. The cost have gone way up, but the tax hasn't changed, so funds are getting more scarce. Also, the other counties are introducing a lot of TE funded projects that they would like to move forward with bikepaths and whatnot, so it is going to be our future funding is going to be a real challenge. Glenn Mickens might be happy about that.

Ms. Iseri-Carvalho: I think Councilmember Yukimura, you had brought up about the Federal funds by next year or...

Ms. Yukimura: The Federal Highway fund is going bust by 2008/2009.

Mr. Rapozo: Please provide all locations of any signage along the bikepath and attach a copy of the wording. I heard Doug say that you guys are still waiting for the signage issues.

Mr. Haigh: And let me just clarify one item. We have a pending... we have a change proposal from the contractor to greatly enhance our signage both in content and in presentation. We have been working closely with DLNR, Hawaiian cultural people to address this correctly and it is a... it is an inexpensive change. It is over a \$100,000 to do this and we are waiting to... once we finalize the rock fall hazard study, then we are going to take a total look at the completion in the project and we are going to have to be going back to Federal Highway for some additional funds to complete everything. So we are waiting to get the whole package.

Mr. Rapozo: I know because we have a couple of rock walls on the agenda.

Mr. Haigh: Rock Fall Hazard Study, so this funding issue, we will be coming back to Council and on the signage thing, we will be coming back to Council on this issue.

Mr. Rapozo: Okay, thank you and that also covers question number 25. You are talking about the change order and the...

Ms. Iseri-Carvalho: Cost.

Mr. Rapozo: Yes.

Mr. Haigh: And I actually included a copy of that change order proposal for you folks. You can review that in the exhibit which shows the additional signage that we would like to do and I am recommending approval of that because I think it really does address some issues that need to be addressed. One in particular is the monk seal issue, the bird issue... funny I can't remember the name.

Mr. Rapozo: The Newell shearwater.

Mr. Haigh: Yes, and also cultural issues.

Mr. Rapozo: I know that we had gotten some testimony from Ms. Olry(sp.), so that, I would assume is to her division's satisfaction?

Mr. Haigh: We work closely with her and her boss on getting the right sign, the amount of signs and the location of the signs, but actually they are providing some of the signage and we are just providing the display frame for their signage.

Mr. Rapozo: Councilmember Yukimura?

Ms. Yukimura: Regarding the shearwater, what is the issue related to the bikepath?

Mr. Haigh: Well, it is just providing public information along the way. They actually have a shearwater release box alongside the bikepath by Kumukumu area, so... and they want people to... because we are in an environment where you could find fallen shearwaters and we want to inform the public what to do.

Ms. Yukimura: But the bikepath doesn't have any lights that are of concern, right? And that is a relief to know.

Mr. Haigh: And our comfort stations, the exterior lights were reviewed to be appropriate for the shearwater issue because we do have exterior lights.

Ms. Yukimura: Excellent, good. I hope they are energy efficient lights as well.

Mr. Haigh: We always try. Compact fluorescent and T-8's.

Ms. Yukimura: Good, thank you.

Mr. Rapozo: Thank you. Councilmember Iseri-Carvalho?

Ms. Iseri-Carvalho: (Inaudible). Sorry B.C. I would hold my question. Thank you.

Mr. Rapozo: Thank you. This is where we are at. We are about due for a caption break. We still have the September 18 memo. We have a ton of stuff on the agenda, so I am going to recommend that we defer this and then add on... there is a couple more clarifications I guess to Finance that we have to do because I do want to get through the agenda. I know, today, many of you, if not all of you are flying out to conference on the Big Island, so I know we have to end early, so I know that we are going to end up deferring quite a bit of stuff. So without objection, I would ask that we defer this communication at this time and pick up in two (2) weeks.

Ms. Yukimura: Okay, so they are done and we are bringing it back to the meeting?

Mr. Rapozo: Correct, unless anybody has questions for them before we do that.

Ms. Iseri-Carvalho: I have a question.

Mr. Rapozo: And it is on the next page, but we had asked about that rock fall study. Do we know an anticipated date because that kind of holds up a lot of...

Mr. Haigh: It was supposed to have been done a week ago, so I am expecting it any day now.

Ms. Iseri-Carvalho: So we will ask you to do a briefing on the rock fall study the next time that we come back and hopefully you will have that report available. If it is available earlier, if you could give it to us to review before the meeting, it will go much quicker.

Mr. Haigh: Okay.

Mr. Rapozo: Any other questions? If not, thank you very much gentlemen, appreciate it and I will call the meeting back to order.

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

Mr. Rapozo: Any discussion? Hearing none. Oh, go ahead Mr. Bynum.

Mr. Bynum: No, sorry.

Upon motion duly made by Councilmember Iseri-Carvalho, seconded by Councilmember Bynum, and unanimously carried, PW 2007-3 was deferred.

Mr. Rapozo: Let us take a caption break at this time and we will be back at 10 after 11. Thank you.

There being no objections, the Committee recessed at 11:00 a.m.

The meeting was called back to order at 11:15 a.m., and proceeded as follows:

CR-PW 2007-23: on Bill No. 2235 AN ORDINANCE AMENDING
ORDINANCE NO. B-2007-657 AS
AMENDED, RELATING TO THE CAPITAL
BUDGET OF THE COUNTY OF KAUAI,
STATE OF HAWAII, FOR THE FISCAL
YEAR JULY 1, 2007 THROUGH JUNE 30,
2008, BY REVISING THE SURPLUS
ESTIMATED IN THE GENERAL FUND
(\$500,000 Kapaia Bridge Replacement)
[Approved.]

PW 2007-10 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 'Aliomanu Seawall and 'Aliomanu Road.
[This item was deferred.]

Mr. Rapozo: Hang on Donald. I will suspend the rules. Public testimony first. Anybody wants to testify on this matter, now is your chance.
Mr. Rosa?

There being no objections, the rules were suspended.

JOE ROSA: Good morning again to the Council.

Mr. Rapozo: Just for your information Mr. Rosa, we are on the 'Aliomanu...

Mr. Rosa: Seawall. Well, I am going to give a little bit brief history and get to that because it concerns the erosion problem there. A lot of you are new and young on this Council and I am an old, old timer. Erosion has been a problem here on Kaua'i and it was with DOT and even up to now, it is still a problem. In 1949, '50, '51, the State had an erosion problem in front of Coco Palms. Right coming off the Wailua Bridge first and '57, '58, '59 in front of Coco Palms where that seawall and retaining wall is now. Now, when you look at that there in Wailua Bay, the erosion was caused by nature because you go out to Wailua Bridge, there is no (inaudible), no seawalls, no breakwaters, but they had an erosion problem starting from way back as I said '48, '49. And then in '57, '58, '59 and the same thing was going on at Kalihiwai Bay. Like I told Mr. Furfaro one time, the old Kalihiwai Road (inaudible)... there are only boulders. The County had the problem with beach erosion out at Kalihiwai Bay (inaudible)... no breakwaters, no seawalls (inaudible) caused that erosion. In '57, '58, the same time in front of Coco Palms, the County had that problem and the State had that problem. The State had to haul boulders from McBryde Sugar Plantation fields to protect the road over there. There was about 10 to 12 feet deep where the ocean was eroding the roadside and wasn't for that 24-hour road that the State did to preserve that road, we wouldn't have a road. The same thing like being with the County. The County was taking their boulders from the Anahola cane fields. I can recollect this because when we started to work on the new Kalihiwai Bridge... at times when we passed the old Kalihiwai Road, the ocean used to run under our cars (inaudible). The Policemen didn't stop us because we were working (inaudible)... out at 'Aliomanu now, the residents that had put up a seawall to protect their property which we were paying tax for (inaudible)... out there, there is the same problem. It is an erosion problem that when you look at it, you can say that the seawall didn't cause that problem there because you don't have a seawall at Kalihiwai, you don't have a seawall at Wailua Bay. You Council people can go there and look at it in Wailua Bay and Kalihiwai Bay and you can see that there is nothing to have caused that erosions all during the years. The same thing happened now at 'Aliomanu... a couple of farmers are crying that, oh, the seawall caused that. I told the late Albert Morgan before he died... a couple of weeks before he died. I said, gee, they are getting after you guys because you guys (inaudible). Now, some people rich in land and rich in money wants somebody else to build for them for free.

Mr. Rapozo: Mr. Rosa, the time went up in your first. No, I appreciate the history. I mean some of us weren't here in 1957.

Mr. Furfaro: Well, I was one in 1949.

Mr. Rosa: (Inaudible).

Mr. Rapozo: Any questions for Mr. Rosa? You will have an opportunity to come back Mr. Rosa.

Mr. Rosa: That is what I mean see. There are things that we are going to hire consultants and we are going to pay them \$100,000, you can give them \$100,000. Like I said, just take a lot at those two (2) (inaudible)...

Mr. Rapozo: You might want to go talk to Donald and maybe you can submit your resume.

Mr. Rosa: (Inaudible) when he was going the University.

Mr. Rapozo: Donald is a young man. Anybody else want to...
Mr. Mickens, do you want to... really, really. Okay, great, perfect. Donald?

Mr. Fujimoto: Okay, Donald Fujimoto, County Engineer. I put together a real short presentation again on this... I think the best way of going over this project, I guess is through some pictures. I will just cover some brief history and present our present situation, our action plan and the timeline. Back in 2002, 'Aliomanu Road actually was undergoing erosion and I think in response to that, the County put some boulders. They pulled the boulders from... along the coast and tried to put it up against the shoulder of the road. That was a DLNR violation (inaudible) issued a citation and (change side of tape)...

... to try to put back the boulders and to replenish that shoulder area with sand. In November of 2006, 'Aliomanu Road underwent some severe erosion from the high surf (high waves). In January 2007, we put in the CIP funding and I think it was approved in March or April for the new budget. We do now have \$250,000 for design. In August 2007, Oceanit actually... in their assessment of Pono Kai also looked at 'Aliomanu and cited 'Aliomanu as an emergency.

Okay, this shows a picture. This is back in August I think... excuse me, November of last year or December... actually, early December and the reason why I know is that the person in the picture is actually Sam Leemo and he came out and at that time, we asked him what can we do. Could we fix this road you know under what conditions. Basically, he said that we couldn't do any kind of work under an emergency. The only time you can do emergency work is under a Governor's proclamation. He strongly recommended that we start the process and go through the conservation district permit which would require your EA, Army Corp permits, your 401 water quality. He indicated that this would not be dependent on an SMA. An SMA is really an independent permit, but it is a required permit from the County side. So this was December 2, I believe of 2006. So as you can see from these pictures, those barricades were already in place, so the erosion actually started in November. The present situation, so from December of last year to, I

think I have some pictures of July 31 when the Oceanit people came in. We are going to see the road as it is, so the tree in the other picture was just leaning and now it is down. If you can see along this shoreline, it is a lot more severely eroding. In fact, I am going to show you some pictures where this... where the dirt was not... out here is now undermined under the road and you can see the pocket is buried right there. That is Dr. Bucher and Dr. "V" I guess.

So the action plan is that we are requesting a recommendation from the County Attorney on signage (immediate warning signs and what the other recommendations that they may have)... you know, by allowing this road to be open I guess. We are looking, we are pursuing a temporary bypass through Hawaiian Home Lands to see if we can at least bypass this temporarily while we are looking at the permanent repair. We secured a consultant for design and permitting. We are actually waiting for his proposal and we plan to contract them under emergency procurement. They are... as part of their work, they are going to provide us with recommendations on short term repairs and get us all the necessary permits in order to do that as well as provide us with the long term design and securing the permits for that process.

We have actually acquired the surveyor to commence with at least the shoreline survey and the shoreline certification because it is required for these permits (the SMA and the CDUA permit). As we speak, that work is being done.

Finally, we are going to have to acquire a contractor to complete the work. So this timeline doesn't appear too well, but as you can see, there is quite a bit of milestones and things that we need to do. You know, we definitely need the consultants, so that we can start the process. We are looking at getting whatever permits we need to do temporary repair. Temporary repair could be sand bags... they called it... I forget what the term was, but basically a gauge where you put in rocks or (inaudible) or whatever that you have that could contain some of these erosion. But the real challenge is really the permitting process because we are going to need to get the Conservation District permit that is foremost. And that would require the EA, Army Corps, water quality permits and I think coastal zone permit and along with the SMA permit. They both can run concurrently, so if we... what we are hoping that this consultant and, again, talking to DLNR, DLNR has indicated that they would also allow us to do emergency temporary repairs to alleviate liability. If that is the case, we are targeting to at least have something in place by December, I believe, of this year. Again, we still have to go through the process for the SMA (I think even temporary repairs). We looked at long term alternatives, potential realignment... the mauka landowners are Hawaiian Home predominantly, Lihu'e Plantation has some... is listed in a piece and then individual owners wherever we are going to traverse their property, but this kind of shows a good area photo of the area. The area on the (inaudible) erosion is right here and this road... this whole road actually is a demarcation of Lihu'e Plantation on this side and Hawaiian Homes all on this side. This kind of shows an old road. I believe this is an old cane haul road, but, again, I am not sure what the chances are for

Hawaiian Homes to actually say they will give us permanent realignment for that area. But right now, we are pursuing, you know, access to at least the shoulder areas, so we can do some immediate bypass work on this side to get away from the shoreline. With that said, any questions?

Ms. Yukimura: Mr. Chair, I have a question. You know, in terms of a long term solution, it doesn't seem wise to just rebuild the road in its present alignment because the ocean is just eating away at it. It seems... so are you going to... you are going to have the consultant look at some alternatives?

Mr. Fujimoto: Yes.

Ms. Yukimura: Okay. So right now, you are... in terms of an action plan, it is just your temporary protection.

Mr. Fujimoto: Right.

Ms. Yukimura: Okay, good. And all that land along the road is DHHL land?

Mr. Fujimoto: Yes, in that area where it is eroding severely.

Ms. Yukimura: And there was an alternative access... an old alternative access?

Mr. Fujimoto: Well, yes. Actually, you know, again, I should have taken more pictures, but if you remember the pictures that I had originally... the land actually slopes upward.

Ms. Yukimura: Yes.

Mr. Fujimoto: You know, so right at the edge of the road, you already have a grade change.

Ms. Yukimura: Right.

Mr. Fujimoto: So just by using the shoulder, we could safely gain quite a bit of safety or... just by going off to the side.

Ms. Yukimura: Right.

Mr. Fujimoto: The long term solution, again, we are going to have to negotiate with Hawaiian Homes and I am not sure how Hawaiian Homes if they can even give us access.

Ms. Yukimura: Well, they may do it in exchange for something. Maybe for housing or something, you know.

Mr. Fujimoto: Yes, okay. While, again, that is definitely a long term fix that I don't think we are going to settle immediately or within the scope of this project, let's put it that way.

Ms. Yukimura: But you will in the scope of the long range plan, you will address that?

Mr. Fujimoto: Yes. Well, when you say long range, what is your timeframe?

Ms. Yukimura: Well, final long term design. That is your...

Mr. Fujimoto: Well, that is... the short term plan is like, for example, sand bags and you know that sand bags is very expensive if you don't build something more permanent because you are constantly going to have to replenish it. So the time... the longer you wait, the more expensive that short term repair becomes, so at some point, we need to do something to stabilize that shoulder while we look at the even longer term which possibly could be a realignment.

Ms. Yukimura: How long was the stretch that is vulnerable to the ocean?

Mr. Fujimoto: My guess is that about 500 feet. The immediate area right now is about 100 feet, but I'd say that you probably have to go maybe 100 feet more towards the rock and then...

Ms. Yukimura: It is like a tenth of a mile.

Mr. Fujimoto: Right.

Ms. Yukimura: That is not very long though.

Mr. Fujimoto: Yes, when you think about it.

Ms. Yukimura: And an alternative road further up could really solve your problems more permanently.

Mr. Fujimoto: Definitely. Again, I think the complication becomes... because we are dealing with Hawaiian Homes, Hawaiian Homes... my understanding is, you know, Hawaiian Homes is not your normal person. Like anybody else, you can exercise eminent domain and Hawaiian Homes you cannot do that.

Ms. Yukimura: Well, we are not talking about eminent domain. So how many people or families does the road service?

Mr. Fujimoto: We did not get that information, but my guess is about 20, easily 20.

Ms. Iseri-Carvalho: Do not live in the area and use it for like fishing or swimming and snorkeling, so I think there is also around that area monk seals that you can see from within a rather close distance by being on the road. So I think there is a lot of tourist usage as well as residential uses for, like I said, for doing those kinds of things that people do on the weekends. I know that I have gone down that road and you see cars in and out. Thank you again Donald. Another great report. I know all of these came at one time at you, so I appreciate the PowerPoint presentation and the pictures. I guess my question is, we had secured the services of Oceanit already and...

Mr. Fujimoto: No, we... actually, for Pono Kai, we are still... it is kind of frustrating, but we are waiting for the proposal in order for us to proceed with the emergency procurement.

Ms. Iseri-Carvalho: Waiting for the proposal from Oceanit to establish it as an emergency.

Mr. Fujimoto: Yes, to get the scope of work and to also get the price to...

Ms. Iseri-Carvalho: Can you find out what is going to be like a deadline? I mean I know they were here two (2) weeks ago and...

Mr. Fujimoto: Yes, we just met with them. They were hoping to get us a number last week, but they just realized that because this is a road that they also need a structural engineer to look at the road issue. It is not only a wall that they are working with, so they are waiting for a consultant.

Ms. Iseri-Carvalho: I know that we had appropriated funding as you indicated in your slide for \$250,000, but clearly, we are going to exceed that.

Mr. Fujimoto: Yes.

Ms. Iseri-Carvalho: That appears to be simply the cost for the design and permitting.

Mr. Fujimoto: Correct. Once we get the scope of work from Oceanit and once it proceeds and they give us their recommendation, they will also give us a

rough budget on what they think it would cost because this is something far beyond our capabilities. I don't think our estimates would be accurate, so we are kind of deferring this to the specialist, especially the temporary repair work and stuff like that.

Ms. Iseri-Carvalho: And so, again, that \$250,000 was only for design and permitting and not for any of the temporary work nor the construction based upon the recommendation.

Mr. Fujimoto: Yes.

Ms. Iseri-Carvalho: Okay, thank you.

Ms. Yukimura: Could I ask that in the final long term design, you really have our consultants at least sketch out poten... approximate cost of another alignment. I mean it seems to me whether we speak in Hawaiian Homes or not, to have that information about how much it would cost. I mean, it probably is going to be cut and fill, right?

Mr. Fujimoto: I think we are talking about... yes, I can ask them to do that. Basically, we are looking at these people because they are the specialist on ocean design. They are not civil... they are not planners, so for them to go in that light, they would probably have to get a subcontractor or we could ask another firm to do that.

Ms. Yukimura: Okay, it seems to me... I mean given issues of global warming and the fact that this thing is already being attacked by the ocean that we need to really cost out what a real solution would be just so we know. I mean it might turn out to be so astronomically expensive that we just forget it and that the lifecycle costing will be... even though you have to keep, you know, fixing a wall or whatever, cheaper than doing the... moving it back and up, but, I mean, it seems like we should get some ballpark figure, so we can either eliminate it right away or think that in the long run, we need to do it.

Mr. Fujimoto: Yes, we plan to... we hope to get that... as they do the design to also have a price. So if it is exorbitant or something that we might feel that is... because we are going to have to come to you guys for the funding. You know, at that point, we may say, yes, maybe we should look at another option.

Ms. Yukimura: Well, we should at least know the comparative cost. I mean, what is the cost of a one time construction that is going to put the road high and away from the ocean or, you know, one that is going to fix it, but then every five (5) years you are going to have to go back and fix it, you know, and over the time of the life of that alternative, the cost and headache...

Mr. Fujimoto: Just to give you an idea...

Ms. Yukimura: ... and liability might just not be worth it.

Mr. Fujimoto: Envelope type numbers... I mean just for your... just to give you a general idea of what we are talking about is... I think they were talking about \$200 per foot, so if you are talking 500 feet, it is...

Ms. Yukimura: Which alternative is this? For moving it up and...

Mr. Fujimoto: No, that is just to do the revetment work and to rebuild your road.

Ms. Yukimura: \$200...

Mr. Fujimoto: Per foot at 500 feet is a million dollars.

Ms. Yukimura: Well then, for sure we should look at what would be the cost of building a road slightly up and away.

Mr. Fujimoto: But in the meantime, that does not include your temporary repair and the cost to stabilize that road. So at some point, you know, you are paying because you are stabilizing that area. You are trying to save that coast. Over time, that road will not... right now, everybody acknowledges that is a road that is worth saving. DLNR, in fact, has said that this is no doubt that you could do your emergency repair because this is a road and everybody is entitled to saving their property because people do that, you know, along the beaches. They put (inaudible) emergency repair because they are trying to save their houses and stuff like that.

Ms. Yukimura: But the emergency repair is only good for, I think, like six (6) months or they have a limit, right, on how long...

Mr. Fujimoto: Yes.

Ms. Yukimura: So they expect you to come back with a permanent repair proposal.

Mr. Fujimoto: All I am saying is that your long term solution definitely goes beyond our scope of work. You know, we are lucky if we can get a land deal settled in one year.

Ms. Yukimura: But even so, what I am saying is, without looking at the land deal, let's just look at cost, so I am wanting to encourage you to at least get that cost figure if we can.

Mr. Fujimoto: Yes, and definitely we will. I am just saying on the other option, I don't know how you measure cost because time is worth money. So is it now that this 20 people are going to have to walk like these people at Kapaia for a period of time until we have that permanent solution.

Ms. Yukimura: No, I am not thinking... I mean, I thought that is the purpose of a temporary solution.

Mr. Fujimoto: Yes, but you just said that it is good for six (6) months or it could be good for two (2) years or whatever, but you have to remember that you are paying for that.

Ms. Yukimura: Well...

Mr. Fujimoto: It is expensive to maintain.

Ms. Yukimura: But I also think that when you go back for a permanent repair, the DLNR is going to ask and I think even our shoreline setback might ask, what is the permanent solution.

Mr. Fujimoto: Yes, and...

Ms. Yukimura: They might not allow you to harden it on a long term permanent basis.

Mr. Fujimoto: Right now, they did... they have indicated that that is a reasonable solution.

Ms. Yukimura; As a long term solution?

Mr. Fujimoto: Yes.

Ms. Yukimura: Oh, okay. Well, then that is different because the way I understood...

Mr. Fujimoto: It is obvious that in order to save the road, we would have to do a permanent rock revetment or rock seawall.

Ms. Yukimura: So they are actually changing their position when they told you that it had to be falling... it had to be basically broken before you could...

Mr. Fujimoto: No, that is still there. They can't do anything under emergency. They are just saying that in order for us to do this, we have to go through the process... (inaudible) applying for the Conservation District permit which means getting the EA's and getting all of your ducks in a row before we can actually do it.

Mr. Rapozo: And they are saying that a possible solution would be a wall?

Mr. Fujimoto: Yes, that is obvious. They acknowledge that the wall is your logical solution, but you have to go through the process.

Mr. Rapozo: Councilmember Furfaro?

Mr. Furfaro: Yes, as a non-committee member, Donald, I want to go back and visit on some of the particular money pieces here. I remember during the budget, we talked about this. You gave us a number of a quarter of a million dollars for some design planning and permitting. You know, this group is here now... obviously, they went out to take a look because it needs work opportunity for them when they give us a bid on doing the job under the emergency scope. It sounds like the fact of the matter is although your number you gave us was an early estimate, it may not be enough and looking at what we budgeted in the CIP, I wanted to put this kind of in the same category under the comprehensive road... long term maintenance plan which we all fought for to put in the budget, but there is some money there in case we exceed this amount. Have you started any work on that? Have you issued that to anyone to do this comprehensive long term plan? A shake of a aye or nay is fine. Okay, so you are going to get back to us when you get a number from the emergency response engineering group with Oceanit and we might have to revisit that number at that time. If I missed this Councilmember Iseri-Carvalho, excuse me, but how long did you say before we might hear from them?

Mr. Fujimoto: Hopefully this week, by the end of this week.

Mr. Furfaro: Okay, and I just caution us on the number of emergencies that we have had already this year that we have to be very prudent in our approach to where we find money. Thank you Mr. Chair.

Mr. Rapozo: Thank you, very good point. Go ahead Councilmember Iseri-Carvalho.

Ms. Iseri-Carvalho: Yes, Donald, and just for clarification. When I looked at your responses and it is only estimations about the timeline. You have three (3) months to secure additional emergency funding, temporary repair (six (6) months), design and permitting (a year), advertising, award contract, preparation and construction (18 months), is the total timeline predicted at 18 months and it is not compounded, right?

Mr. Fujimoto: No, actually it is sequential.

Ms. Iseri-Carvalho: 28 months you are talking?

Mr. Fujimoto: Yes.

Ms. Iseri-Carvalho: Wow.

Mr. Fujimoto: Yes, so if we went through the process and we had to do everything, then it would take 28 months, but I think I put in there the temporary repair. I hope I...

Ms. Iseri-Carvalho: Yes, it is six (6) months.

Mr. Fujimoto: Yes, and I am hoping that at least that would address our immediate needs and even that kind of worries me because, you know, six (6) months... well, it has been six (6) months from that picture to this picture, so hopefully six (6) months we will still have the road, but there is that process that we have to go through.

Ms. Iseri-Carvalho: And, you know, I guess for closure of the road, who makes that determination regarding safety? Is it the State Highways? Is it the County?

Mr. Fujimoto: I think at some point, yes, we do bear that responsibility on whether we should close the road or not. Right now, it is tenuous... it is definitely a borderline situation, but, again, we have left it open because we feel the benefit to the public outweighs the (inaudible).

Ms. Iseri-Carvalho: Yes, and then I just want to, again, to thank you Donald for bringing forth this and trying to move now as quick as possible because you basically inherited all of these issues. I mean, this issue, we knew about 2002, the Pono Kai issue we knew about from... at a minimum 2003 and, you know, at least now we are at a point where we are actually taking action and trying to resolve these issues. Again had we taken care of these issues before, we might not be in this situation as bad as we are facing what Councilmember Furfaro was saying. You know, that we have to expedite everything and when you do that, the cost (inaudible) increase as well as we have seen on Kapaia Bridge. That was also another situation which we had knowledge about, you know, at least a year or two (2) years ago. So I am glad that we are moving on this action and hopefully we will... instead of doing catch up, you know, try to keep abreast and take care of the problems as they come up immediately as opposed to waiting three (3) or four (4) years down the line when we are forced to take extreme measures as opposed to trying to really make some good planning decisions and cost effective proposals.

Mr. Rapozo: Thank you. Any other questions? Mr. Chair?

BILL "KAIPO" ASING, EX-OFFICIO MEMBER: (Inaudible - mike is off)... 18 months, so 18 month is temporary, am I correct?

Mr. Fujimoto: No, 18 is your permanent... well, actually, 28 is your permanent to complete... to actually benefit from all of the work that... when the last rock is placed or whatever. We will probably start the process in about a year to 13 months... excuse me, 15 months, 18 months before we actually start construction.

Ms. Iseri-Carvalho: I think there is some confusion because of the timeline that you put up. I think when I totaled from the first date, September 24, 2007 until April 2009, it comes out to like 19 months, but actually, it doesn't include I guess maybe the period for construction, but you are saying that it is compounded and it is 28 months.

Mr. Fujimoto: Well, my Microsoft project schedule, that is more accurate I think if you look at that timeline.

Ms. Iseri-Carvalho: Okay, well, that timeline, Donald, then goes from September '07 until April '09 which I think I added correctly, 19 months.

Mr. Fujimoto: Okay, that is correct then.

Ms. Iseri-Carvalho: So it is not 28 months, it is 19 months.

Mr. Fujimoto: Right, okay.

Chair Asing: Yes, 19 months.

Mr. Fujimoto: So we are hoping that we can do it within that timeframe, right, yes.

Chair Asing: Oh, okay.

Mr. Fujimoto: The temporary, we are hoping to get that done by the end of this year. I had six (6) months or end of this year I think.

Ms. Iseri-Carvalho: For the...

Mr. Fujimoto: Emergency short term repairs.

Ms. Iseri-Carvalho: Six (6) months you said, so temporary repairs probably by... it says October '07 when you make a recommendation and by the time you do your permits, probably by January '08.

Mr. Fujimoto: Yes, January '08.

Ms. Iseri-Carvalho: I know that is an aggressive schedule and a lot of times we fall back on the schedule, but it is... I think the thinking is right to expedite it as quickly as possible.

Chair Asing: So the 18 months would complete the road repair.

Mr. Fujimoto: The revetment too. That would include the stabilization right of the shoulders.

Chair Asing: Then after you get through with that, you are going to now look at permanent work?

Mr. Fujimoto: No, that actually addresses our immediate needs and a long term for that road, but I think if I understand, JoAnn, Councilwoman Yukimura's position is that she is looking at the long range alternative, someplace beyond this.

Chair Asing: And that is the question that I have because if you are going to take that long to do it, why don't we try to get the additional land and do that instead?

Mr. Fujimoto: Again, we can look at that, but, again, I am not sure how long Hawaiian Homes takes to decide these issues and not only that, but now we have to do an EA and a design for the new roadway alignment, so that in itself is going to take us way past three (3) years.

Chair Asing: So you are not even going to look at that then?

Mr. Fujimoto: No, I think that is definitely worth looking at, but I think that is in the long range plan. I don't think that addresses our immediate needs under this situation unless, I mean, you know, again, it is prudent to look at the long range plan knowing that we do have problems along this coastline, but at the same time, I think to address the problem at hand, you know, I am not sure if we can do it within the timeframe that we are trying to accomplish.

Chair Asing: I was just looking at how much money we are going to end up spending and then after we get through with that, then we are going to move the road further in.

Mr. Fujimoto: Again, let's say that we decide to do a mauka alignment. I mean, we are going to have to pay for that road, there is no doubt and I am not sure if we are talking a mile, two (2) miles, three (3) miles. You are talking \$2 million per mile, so that is \$6 million not to mention the design, engineering cost, your EA process for that. I think the biggest challenge will be trying to work with Hawaiian Homes.

Chair Asing: Okay, thank you.

Ms. Iseri-Carvalho: But we have engaged in those discussions at all
or...

Mr. Fujimoto: We may have started. We have actually started and asked them to see if they would at least allow us to temporarily use the shoulder portion, so we can at least bypass traffic in case that road gets worse, you know.

Ms. Iseri-Carvalho: Do we know what the erosion rate is in that area?

Mr. Fujimoto: I am not sure.

Ms. Iseri-Carvalho: Based just on your recent pictures, it looks like...

Mr. Fujimoto: Yes, so I say one foot in 18... within one to two (2) feet in six (6) months, let's put it that way, so, you know, in six (6) more months, we are going to be maybe two (2) feet more in...

Chair Asing: Let me ask another question. My apologies I wasn't here when you showed the PowerPoint. Has the Oceanit consultants given any indication that the erosion cause could be related to the seawall that was built a number of years ago adjacent to the property?

Mr. Fujimoto: They have not actually looked at or given us or tied in the cause. Right now, they are just focusing on the repair.

Chair Asing: Okay, thank you.

Mr. Rapozo: But they can?

Mr. Fujimoto: Yes.

Mr. Rapozo: And is that our intent to...

Mr. Fujimoto: I did ask them. You know, I said as part of the EA, they would have to look at that anyway. What is the long term effect and the impact of this wall? They are going to have to address that at some point, so I think, you know, again, they will be addressing that issue and they know that we are... I mean, we are doing... we would like to know, you know, and it doesn't make sense if... I mean nature is just too powerful if that... if all of the forces are focusing in then why do anything at all, but at least address the short term issues. When I say short term, I am talking, you know, to stabilize that road, so that we can use it safely that they can address those issues.

Mr. Rapozo: So part of their contract will be to determine the cause of the existing erosion?

Mr. Fujimoto: Yes, and they are saying that is a... they are doctors. Dr. Fletcher came in and he gave his theory about the Pono Kai area. These guys are doctors and they came in and they gave their theories. To me, they are both very different, so even though they have theories, I mean, without a long term study, it is really hypothetical.

Mr. Rapozo: Yes, well, I think Dr. Fletcher study and his erosion study is really based on photos.

Mr. Fujimoto: Right.

Mr. Rapozo: And we still haven't gotten the photos, but Oceanit, they are more of the scientific factual I would say interpretation of what is going on out there with the tides and so forth, so I think they serve two (2) different purposes. I think for what we are using or what we are needing, Oceanit is probably the better suited consultant. Now, I think I heard you say that their numbers should be in soon?

Mr. Fujimoto: Yes. I am hoping that we do have that... actually, we wanted to get that last week and...

Mr. Rapozo: You know, and, again, as much as they have done for us and as much as I respect them, if they are holding up the process and we are not limited to Oceanit and there are other consultants that we can be using. So, in fact, they have to go find a consultant that can work with them, maybe we need to start looking at another consultant because it is pretty important. If you are going two (2) feet a year erosion out there, eventually, you know, we are going to have no choice, but to look at condemnation now. Can you condemn Hawaiian Home Lands?

Mr. Fujimoto: I am not sure. I don't think so.

Mr. Rapozo: I don't know, cannot? ... that would JoAnn's long term solution would be the H-5 which would be right over the Pali. Any other questions for Donald regarding 'Aliomanu? Donald, we are going to leave... I am sorry, hang on. We are going to leave the item on the agenda because of the updates obviously that we are still waiting for, so we will be deferring this at the end of the day. Any other questions? If not, Donald thank you. I saw a gentleman raise his hand and I don't think he was here. We took testimony upfront and you weren't here and I will take you Sir. Why don't you come up.

BEN WELLWARNE, LANDMARK CONSULTING: I am familiar with the 'Aliomanu area and I believe back in the late 80's, 'Aliomanu Road used to connect and cross 'Aliomanu Stream and that may very well be within the public right-of-

way. So it is possible that maybe the long term solution is to re-span the stream and just forego that section of roadway. It is currently two (2) dead ends, so we are (inaudible)... you are just kind of moving the dead end, but that might be worthwhile solution because that crossing is mauka of private property and maybe worth considering.

Mr. Rapozo: Thank you very much. I know that Councilmember Iseri-Carvalho is exploring that. She has requested the legal... (inaudible) feel that we still own that right of way across. They are some homeowners there have taken upon themselves to create beautiful golf course grass pretending that or taking ownership of that land. Legally, if we don't go back and reclaim it, they may have a legal claim to that property, so I know Councilmember Iseri-Carvalho has been working with Donald and Donald has been very receptive and working to re-establish that ownership, so thank you very much for that. Any other discussion? Mr. Rosa, come up.

Mr. Rosa: Well, I am back again, but I am not an engineer, but I am going to give some input. I was going to say what the gentleman just before me had something to say because I am familiar with that area because that bridge that connected north 'Aliomanu Road with the south 'Aliomanu Road. There was a bridge that in 1946, it got wiped out by the tidal wave. It was restored and then in 1958 tidal wave, out again and it has never been restored. I say this because I used to work for Mr. Ray (inaudible)... maybe you wasn't working under him yet, Hawaiian Telephone Manager and I used to mow his yard, 'Aliomanu and it was just before the bridge. He had a house makai side and, to me, that would be a quick solution for Donald. Go back there, relocate those abutments (inaudible) of 'Aliomanu Stream, put a couple of high beams across, put some 4 by 12 timbers and you have a temporary relief and then we can look on the long term for the roadway because that is what it is. That (inaudible) across the roadway that is eroding only serves from the Lizamas and Lemkes that side and that bridge if it is restored across 'Aliomanu Stream would solve that problem for those people and give you time to work on the other side where that (inaudible) is causing the erosion. Part of the erosion is not only from the ocean, it is coming from this Hawaiian Home subdivision because there is a little ravine there that comes down and (inaudible)... one time had put concrete across that (inaudible)... to maintain that (inaudible)... because they had pineapple fields all in the back of 'Aliomanu Stream this side, so they used to use that road too. Like I said, I used to work in the 'Aliomanu area and I know of that bridge that connects north 'Aliomanu Road with the south 'Aliomanu Road. The north side is where the Esaki Farm comes up and the Kakimoto Farm. That is the north side. The south side is the existing (inaudible) coming in, so if you want to look for a fast solution like the gentleman said, go work for those (inaudible)... hook up high beams across, put some timber bridges like they do at Wainiha where we have a (inaudible). I am not an engineer, but some time with the State when I was to work (inaudible)... This is money now and it is immediate relief (inaudible)... just look at the abutments, expand it with some high beams, put

something across and you will get those people taken care. I wanted to say Wikiwiki.

Mr. Rapozo: Thank you.

Mr. Rosa: (Inaudible).

Mr. Rapozo: Any questions for Mr. Rosa? If not, thank you very much Sir. Thank you. Alright Sir. Please state your name for the record please.

KARL TESHIMA: My name is Karl Teshima and I will back up Mr. Rosa's words. I am not going to tell you how old I am, but that was a counter road and that was a concrete bridge abutment there and what Donald thinks was the cane haul road was the old road to the north side. In 1946, I did travel that road with my Dad and he was a Policeman here on the island and was responsible for the Northshore and that concrete bridge abutment was gone. It is no longer there and we had to go through the cane roads to get to the north. If you (inaudible) that is the old County road and where... if you drive up the road, you will see where there is indentations into the hills which was also caused by the 1946 tidal wave. It was completely wiped out. That has always been a source of erosion and replenishment throughout the years. It is one of those places on this island where, if you take seasonal pictures, you will see where there is replenishment and it also takes it away. I am not going to tell you how old I am though.

Mr. Rapozo: Thank you very much Karl. Anyone else? If not, the meeting is called back to order.

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

Mr. Rapozo: Any further discussion on this? Like I said, we will defer it pending the updates from Donald as we get them.

Upon motion duly made by Councilmember Bynum, seconded by Councilmember Iseri-Carvalho, and unanimously carried, PW 2007-10 was deferred.

Mr. Rapozo: We will have to take a lunch break. Let me just ask the Committee. We have two (2) more items on Public Works. One is the update on the Kapa'a Beach Revetment and the other one is the Moanakai Road alignment. Is it the wishes of the Committee to do this today? Can we defer? I know we have a 1:30...

Ms. Iseri-Carvalho: Do we have the written responses? I would like to get the written responses if they have that.

Mr. Rapozo: Did you submit that Donald?

Ms. Iseri-Carvalho: I have the one that you just submitted for 'Aliomanu.

Mr. Rapozo: We had one for the first item. Staff...

Ms. Iseri-Carvalho: So that will give us time to review it Donald and that is fine to defer it until the next Committee meeting.

Mr. Rapozo: Okay, let me just take the items up.

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 and there was no discussion.]

Mr. Rapozo: I will take the two (2) items. Can I have a motion to defer?

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

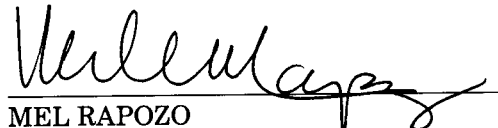
There being no further business, the meeting was adjourned at 12:28 p.m.

Respectfully submitted,



Lisa Ishibashi
Council Services Assistant

APPROVED at the Committee Meeting held on October 24, 2007:



MEL RAPOZO
Chair, Public Works Committee