

Minutes of the
Oahu Metropolitan Planning Organization

POLICY COMMITTEE

Thursday, May 28, 2009, 1:00 p.m.
Hawaii State Capitol, Conference Room 309
415 South Beretania Street, Honolulu, Hawaii

Members Present:

Councilmember Gary Okino, Chair
Representative Marilyn Lee, Vice Chair
Councilmember Todd Apo
Councilmember Romy Cachola

Councilmember Nestor Garcia
Senator Will Espero
Acting DTS Director Sharon Ann Thom
HDOT Director Brennon Morioka

Member(s) Absent: Councilmember Rod Tam, Representative Karen Awana, Representative Joseph Souki, Senator J. Kalani English, Senator Carol Fukunaga

Guests Present:

Dennis Galolo (CM Cachola)
Kainoa Kaumeheiwa-Rego (CM Djou)
Robert Sato (CM Okino)
Jared Yananuha (Senator Fukunaga)
Mark Au (DTS, TAC)
Elizabeth Fischer (FHWA, TAC)
Dave Arakawa (LURF, CAC)

Charles Carole (NB #10, CAC)
Tom Smyth (NB #13, CAC)
Coby Lynn (NB #23, CAC)
C. Mike Kido (Pacific Resource Partnership, CAC)
Charlene Ota (HCIL)
Tom Heinrich (NB #7)
Robert Whitaker (NB #7)

OahuMPO Staff Present: Gordon Lum (Executive Director), Randolph Sykes, Marian Yasuda, and Pamela Toyooka

Chair Gary Okino called the meeting to order at 1:07 p.m. A quorum was present.

I. MINUTES OF THE FEBRUARY 19, 2009 MEETING

There being no corrections or objections, the February 19, 2009 minutes were accepted as circulated.

II. FY 2010 OVERALL WORK PROGRAM

Handout(s): FY 2010 Overall Work Program (OWP) (Policy Committee Draft); Public Review of the Draft FY 2010 OWP - Comment Summary; Intergovernmental Review of the Draft FY 2010 OWP - Comment Summary

Executive Director Gordon Lum gave a presentation on the draft FY 2010 OWP, including the OahuMPO budget, FY 2010 consultant contracts, and comment summaries of the public and intergovernmental reviews of the draft FY 2010 OWP. Director Lum noted that 1) approval of the FY 2010 OWP allows the OahuMPO and its participating agencies to implement the work elements and any associated tasks such as consultant contracts and travel, and 2) the Department

of Transportation Services (DTS) had requested the deletion of work element (WE) 206.20-06 (Waterborne Transit Feasibility Study).

Senator Will Espero voiced his concern regarding the deletion of WE 206.20-06. He felt that the Hoakalei Ocean Pointe Marina area was the best and logical location for operating a ferry. Senator Espero asked that the work element be left in the OWP and a waterborne feasibility study be done at this location. He stressed the need to use waterways as a transportation option.

Acting DTS Director Sharon Ann Thom stated that Director Wayne Yoshioka was primarily looking at TheBoat and the issues surrounding the termination of that project. However, at one point, DTS did speak with Haseko about the possibility of using their new facility. From her understanding, this facility would neither be deep enough to nor have a pier that could accommodate large boats DTS was using, such as TheBoat. Also, DTS has not been able to reach a resolution with the military due to the military's security concerns.

Chair Okino asked if a meeting between Haseko, the City, and the State could be arranged to discuss the possibility of using that location for a public ferry system. Acting Director Thom responded that this meeting could be arranged. She noted that it was never the intention of DTS not to have a ferry system; DTS just needs a feasible port. Chair Okino requested that DTS arrange this meeting and send him a status report on the meeting before the next Policy Committee meeting.

Director Lum noted that this WE was programmed in the OWP in 2006. He was uncertain whether the City still has the local match for this WE. Chair Okino stated that that could be looked into.

In response to questions posed by Councilmember Nestor Garcia and Chair Okino, Director Lum stated that: 1) no projects will be jeopardized at this time if this WE is left in the OWP; all projects can be funded; and 2) a motion can be made to approve the OWP with the inclusion of WE 206.20-06 now and the OWP could be amended later, if it is decided to delete this study. Director Lum noted that the implementing agency (DTS) would need to buy-in to the work element in order for the study to be done.

In response to a question posed by Council Chair Todd Apo, Acting Director Thom stated that DTS has learned a lot in the past two years from the operation of TheBoat. In addition to that information, the feasibility study for this WE could study harbor facilities, how to ensure that the facilities support TheBoat, and the type of ridership needed to make it feasible. Council Chair Apo stated that he did not want to waste \$500,000 on a feasibility study if the information needed for another ferry system was already gathered and learned during the time that DTS ran TheBoat ferry system. If, following discussion with Haseko, the Hoakalei Ocean Pointe Marina is found to be an option, then DTS needs to look at final report on TheBoat for the last two years. This will tell DTS if future studies are needed to look at this facility or if DTS can just move forward on it.

Vice Chair Marilyn Lee stated that the Mililani Neighborhood Board (NB) had voted down the Castle & Cooke proposal to do Koa Ridge Mauka on the basis of traffic concerns. Vice Chair Lee asked about a past Legislative appropriation to do a traffic study and why it was never done. Hawaii Department of Transportation (HDOT) Director Brennon Morioka responded that

monies were never requested for a study for Central Oahu, because the Central Mauka Road is a regional connector road. The Oahu Regional Transportation Plan (ORTP) would be relied upon to discuss that and do an evaluation of traffic impact and traffic demand on Central Oahu. It did not make sense to spend \$1 million to basically duplicate the study. Vice Chair Lee asked Director Morioka to make that clear to the NB. Director Morioka responded that HDOT has sent multiple letters to the NB with that explanation. Director Morioka stated that DOT would respond to the resolution if and when they receive it.

Chair Okino asked if anyone wished to testify on this agenda item. No one offered testimony.

Chair Okino recommended that the Policy Committee approve the FY 2010 OWP, with the inclusion of WE 206.20-06 (Waterborne Transit Feasibility Study).

In response to Chair Okino, Acting Director Thom stated that DTS is committed to not proceed with WE 206.02-06 until they receive the go-ahead from the Policy Committee at its next meeting, after providing a status report of the DTS' meeting with Haseko and the State.

The FY 2010 OWP, including WE 206.20-06, was unanimously approved.

III. OAHU REGIONAL TRANSPORTATION PLAN 2035 VISION, GOALS, AND OBJECTIVES

Handouts: ORTP 2035 Update: Proposed ORTP 2035 Vision Statement; Proposed ORTP 2035 Goals and Objectives

Vision Statement

Director Lum gave a presentation on the draft vision statement for the update of the ORTP to Year 2035. Director Lum noted that the draft vision for 2035 differed significantly from the earlier 2030 vision. Although the proposed draft vision is wordier than he would like to see, Director Lum said that it reflected the desires and buy-in from the Citizen Advisory Committee (CAC) and Technical Advisory Committee (TAC).

Chair Okino asked if anyone wished to testify on this agenda item. No one offered testimony.

There was discussion regarding changes to the verbiage of the vision statement.

Chair Okino recommended that the Policy Committee adopt the vision statement for the update of the ORTP to year 2035, which includes suggested verbiage from Council Chair Apo and Councilmember Garcia as follows:

In 2035, Oahu will be a place where we will have efficient, well-maintained, safe, secure, convenient, appropriate, and economical choices in getting from place to place. Our transportation system will move us and the goods we use in a manner that supports the island's high quality of life, natural beauty, economic vitality, and land use policies by supporting appropriate density development and avoiding urban sprawl. This system will promote energy conservation and economic sustainability as well as the protection of our ports of entry, preparation for emergency situations and changes in global climate patterns.

The vision statement for the update of the ORTP to year 2035, including the additional verbiage

suggested by Council Chair Apo and Councilmember Garcia, was unanimously approved.

Goals & Objectives

Director Lum gave a presentation on the draft goals and objectives for the update of the ORTP to Year 2035, which included an objective supporting economic development and vitality as well as the CAC and TAC changes in verbiage following their reviews.

In response to a question by Councilmember Garcia, Director Lum stated that the establishment and identification of the performance measures are not being brought before the Policy Committee. They are basically benchmarks, identifying how to achieve the objectives. There is a list of 30 performance measures that will use quantitative or qualitative assessment approaches to evaluate various scenarios, 2007 conditions, baseline conditions, and also the plan itself. This information will be presented to the Policy Committee as a one-shot deal. The assessments, using the performance measures, will provide the Policy Committee with some indication of whether or not they move in the direction the Policy Committee feels is important.

In response to a question by Councilmember Garcia, Director Lum stated that there will be opportunities where the Policy Committee will be informed of progress of the activities. These would occur at the times when certain information has been developed, after TAC reviews and/or public reviews. Along with the information, the presentations would include any technical evaluations, plus any comments from TAC and/or the public.

Chair Okino asked if anyone wished to testify on this agenda item. No one offered testimony.

Chair Okino recommended the adoption of the goals and objective for the update of the ORTP to year 2035. The goals and objectives for the update of the ORTP to year 2035 were unanimously adopted.

IV. CITIZEN ADVISORY COMMITTEE MEMBERSHIP REQUESTS

Director Lum introduced two actions that were being requested of the Policy Committee: 1) approval of CAC membership requests from Hawaii Center for Independent Living (HCIL) and Manoa Neighborhood Board (NB) #7; and 2) reinstatement of nine CAC member organizations whose memberships were revoked on May 20, 2009.

Director Lum introduced the CAC Chair Dave Arakawa. CAC Chair Arakawa introduced Charlene Ota from HCIL and Tom Heinrich and Robert Whitaker from the Manoa NB #7.

Chair Okino asked if anyone wished to testify on this agenda item. No one offered testimony.

Senator Espero moved and Vice Chair Lee seconded that the membership requests from HCIL and Manoa NB #7 be approved.

Councilmember Garcia stated that he would like to ensure that the CAC provided necessary accommodations in order for HCIL to be afforded full participation. CAC Chair Arakawa and Ms. Ota indicated that such accommodations have been provided.

The motion was unanimously carried.

Director Lum requested that the Policy Committee reinstate the membership of nine CAC

member organizations whose memberships had been revoked. Director Lum explained that, in accordance with Part II of the Sunshine Law, the quorum requirement for the CAC is the majority of all members to which the committee is entitled. Once this requirement was brought to OahuMPO's attention, the Bylaws of the CAC ("Bylaws") were amended to reflect the accurate quorum requirements. Under the previous Bylaws, the quorum requirement was 30% of the total membership (16 members). For the amended Bylaws, the quorum requirement is 50% plus one (27 members). Because the more stringent quorum requirement would be more challenging to achieve consistently, a provision was embedded in the amended Bylaws allowing the Chair to revoke the membership of organizations with the lowest attendance credits during the fiscal year, thereby allowing the meeting to convene with the number of members present.

At the May 20, 2009 CAC meeting, the CAC Chair Arakawa revoked the following nine organizations' memberships in order to be able to hold that meeting:

1. Sierra Club (0)
2. Charley's Taxi (1)
3. Hawaii Highway Users Alliance (1)
4. Hawaii Transportation Association (1)
5. Kalihi-Palama NB #15 (1)
6. North Shore NB #27 (1)
7. Waianae NB # 24 (1)
8. Federal Rental Assisted Tenants Association (2)
9. Waianae Coast Transportation Concerns Group (2)

Director Lum explained that the number of attendance credits accrued by these organizations during FY 2009 (indicated in parenthesis) would not allow them to retain their full membership in the CAC (six attendance credits were required). If reinstated, these nine organizations would be placed on probation and allowed to retain their membership upon attending four of the next six meetings. This approach was being recommended because the Bylaws were recently amended.

In response to a question by Chair Okino, Director Lum stated that it requires Policy Committee action to restore the memberships.

Council Chair Apo expressed his concern that this effort was skirting the Sunshine Law and noted that the nine organizations have deficient attendance credits and faced certain probation and possible removal within the next seven months. If reinstated, these same organizations could be removed again to achieve quorum at another meeting. In response to a question by Chair Apo, Director Lum stated that, if these members are not reinstated, they would need to attend four meetings over the next twelve months to reapply for CAC membership. Senator Espero concurred with Council Chair Apo's concerns.

In response to a question by Director Morioka, Director Lum explained that the Policy Committee approves the Bylaws of the CAC. In the past, the CAC played a major role in drafting its Bylaws. Director Morioka expressed his desire to make the requirements for reinstatement more stringent than for those of new applicants. He stated that the membership revocation and reinstatement compromise the integrity of the CAC.

Councilmember Romy Cachola suggested that the member organizations be permitted only two revocations and two reinstatements before being banned from membership to the CAC.

Chair Okino requested that language be crafted with regards to the membership requirements and policies, so that the Bylaws may be amended to reflect the wishes of the Policy Committee.

Chair Okino asked if anyone wished to testify on this agenda item.

Testimony

Tom Smyth, CAC representative for Downtown NB #13, testified and stated that there is no limit to the number of CAC members at this time. The importance of good policies and procedures increases, as does the difficulty of achieving quorum, with the rise in membership numbers. The Bylaws subcommittee for the CAC worked very hard to balance encouraging participation, while addressing the difficulty of meeting the Sunshine Law requirements.

Chair Okino stated that the Policy Committee wants to encourage these members to become more earnest in their participation in the CAC.

CAC Chair Arakawa stated that the Bylaws subcommittee crafted the revocation policy somewhat begrudgingly. The intent was to allow as much public participation as possible and still conduct the meetings technically within the law. The CAC is heartened by the position of the Policy Committee and looks forward to additional policy to address this issue.

Councilmember Cachola moved that the memberships of the nine organizations be reinstated. There was no second to the motion. The motion died.

Director Morioka moved and Councilmember Garcia seconded that the membership of the nine organizations not be reinstated, and that the Policy Committee review and amend the Bylaws for the CAC to make it more difficult for member organizations that have been removed from the CAC to be reinstated.

Senator Espero stated that, since the nine organizations are not currently on the CAC, it is unnecessary to make a motion in the negative to deny reinstatement.

Director Morioka amended the motion to have the Policy Committee review and amend the Bylaws of the CAC to make it more difficult for member organizations that have been removed from the CAC to be reinstated. Councilmember Garcia seconded the amended motion. The motion was unanimously carried.

V. FYS 2011-2014 TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

Handouts: FYS 2011-2014 TIP: CAC Recommendations for the FYS 2011-2014 TIP; Freight Survey Report for the FYS 2011-2014 TIP and 2035 ORTP

Director Lum stated that the FYS 2011-2014 TIP will be developed shortly. It is anticipated that, between October and December 2009, the City and State transportation departments will be submitting projects for inclusion in the FYS 2011-2014 TIP. The Policy Committee is expected to act on the TIP in July 2010.

V.A. Freight Survey Early Input

Director Lum gave a presentation on the freight survey report for the FYs 2011-2014 TIP and 2035 ORTP. The Hawaii Transportation Association assisted the OahuMPO in disseminating the freight surveys to the freight movers. Out of over 150 distributed, four responses were received. Feedback from the surveys included priority rankings with regard to project type, travel corridor, freight concerns, and vehicles used.

In response to the members' concerns voiced regarding the low number of responses, Director Lum noted that, even though there were only four responses, the responses received were very consistent with what was received in the ORTP 2030 survey responses. So, it was decided that a follow-up effort to garner more responses would not be attempted. Director Lum added that HDOT and DTS will notice the low number of responses and take that into consideration.

Chair Okino recommended that the Policy Committee acknowledge receipt of the Freight Survey Report for the FYs 2011-2014 TIP and 2035 ORTP and request that it be transmitted to HDOT and DTS for their consideration. There being no objections, Policy Committee acknowledged receipt of the Freight Survey Report for the FYs 2011-2014 TIP and 2035 ORTP and requested that it be transmitted to HDOT and DTS for their consideration.

V.B. Citizen Advisory Committee Early Input

Director Lum gave a presentation on the CAC Recommendations for the FYs 2011-2014 TIP. Director Lum noted that a memo was received from Policy Committee member Senator Carol Fukunaga, who was unable to attend today's meeting. In the memo, Senator Fukunaga states her support for project S22 in the TIP (Interstate Route H-1, Lunalilo Street Off-ramp and On-ramp). Also, Senator Fukunaga found the Piikoi/Pensacola Street Reversal Couplet project to be highly controversial and recommended that, before the Policy Committee take on the CAC recommendations, DTS complete a traffic analysis, as well as allow for public comments.

Director Lum noted that the action being requested of the Policy Committee was to acknowledge receipt of the CAC recommendations and forward them to HDOT and DTS – not indicate support or non-support of the recommendations. That being the case, Chair Okino stated that this requested action would be inappropriate at this time. Director Lum stated that, along with the CAC's recommendations, the Policy Committee could choose to also forward Senator Fukunaga's memo to HDOT and DTS.

Councilmember Cachola asked if a recommendation could be added to the CAC's recommendations. Chair Okino responded that this is the CAC's recommendation and that Councilmember Cachola was free to send his own recommendations to HDOT and DTS.

Director Lum stated that, through the OahuMPO process, the only avenue for early public input is through the CAC. Once the draft TIP document is developed, then the public may make comments during the public review period. Director Lum suggested that Councilmember Cachola's community submit their concerns to the Councilmember, who, in turn, could submit those comments to HDOT and DTS.

Chair Okino recommended that the Policy Committee acknowledge receipt of the CAC Recommendations for the FYs 2011-2014 TIP and request that it and Senator Fukunaga's memo be transmitted to HDOT and DTS for their consideration. There being no objections, Policy Committee acknowledged receipt of the CAC Recommendations for the FYs 2011-2014 TIP and

requested that it and Senator Fukunaga's memo be transmitted to HDOT and DTS for their consideration.

V.C. Transportation Enhancement Project Status

Director Lum stated that, normally, when a new TIP is developed, there is a call for transportation enhancement projects. However, many of the transportation enhancement projects that were submitted during the call for projects while the FYs 2008-2011 TIP was being developed are still being worked on. So, there will be no call for transportation enhancement projects with the development of the FYs 2011-2014 TIP.

VI. CITIZEN ADVISORY COMMITTEE (CAC) MEETING HIGHLIGHTS

Chair Arakawa gave highlights of the three CAC meetings that have been held since the last Policy Committee meeting. The CAC had: 1) heard presentations on the HDOT Freeway Service Patrol Program; the draft ORTP 2035 vision, goals, and objectives; and an update of the Honolulu High-Capacity Transit Project; and 2) approved the CAC subcommittee's recommended list of projects for the FYs 2011-2014 TIP.

There being no other business, the meeting was adjourned at 2:52 p.m.