

Minutes of the
Oahu Metropolitan Planning Organization

POLICY COMMITTEE

Wednesday, August 14, 2013, 10:00 a.m.
Honolulu City Council Committee Meeting Room, Room 205
530 South King Street, Honolulu, Hawaii

Members Present:

Councilmember Breene Harimoto, Chair		DOT Director Glenn Okimoto
Senator Donovan Dela Cruz, Vice Chair		DTS Director Michael Formby
Councilmember Carol Fukunaga		HART Executive Director & CEO
Councilmember Kymberly Pine		Dan Grabauskas
Senator Will Espero		

Member(s) Absent: Councilmembers Joey Manahan and Ron Menor; Representatives Henry Aquino, Sharon Har, and Ryan Yamane; and Senator J. Kalani English

Guests Present:

Valerie Sadural (CM Manahan)		Charles Carole (CAC, NB #10)
Rachel Rojo (Sen. Chun Oakland)		Tom Smyth (CAC, NB #13)
L. Blake Harvey (Sen. Espero)		Michael Golojuch (CAC, Palehua Townhouses)
Kathy Sokugawa (TAC, DPP)		
Joseph Magaldi, Jr. (CAC, Committee for Balanced Transportation)		Shahin Ansari (SWCA Environmental Consultants)
Corazon "Betty" Bedillion (CAC, HAB)		Crysttal Steiner (UHM)
Carole Milner (CAC, HAB)		Kanani Iaea (vRide)
Andrea Anixt (CAC, Kaaawa Community Association)		

OahuMPO Staff Present: Brian Gibson, Marian Yasuda, Pamela Toyooka

Chair Breene Harimoto announced that the meeting could not be convened until enough members were present to constitute a quorum.

The meeting was called to order at 10:53 a.m. by Chair Harimoto. A quorum was present.

Chair Harimoto stated that the quorum would soon be lost, since one of the State members needed to leave shortly. Because of this, Chair Harimoto requested that the agenda items be taken out of order. There were no objections.

III. FEDERAL CERTIFICATION REVIEW & ACTION PLAN

[Handouts: U.S. Department of Transportation Joint Certification Review of the Oahu Area Metropolitan Transportation Planning Process, Final Report (May 2013); OahuMPO Federal Certification Review Corrective Action Plan, Draft Plan (July 2013)]

Due to time constraints, OahuMPO Executive Director Brian Gibson gave an abbreviated presentation regarding the Federal Certification Review (review done July 2011; final report released May 2013) and OahuMPO's partial certification. Director Gibson stated that the OahuMPO has 90 days from issuance of the final report (i.e., August 16, 2013) to develop an action plan to address the corrective action and recommendations. Director Gibson stated that approval was recommended by the OahuMPO Technical Advisory Committee (TAC) and Citizen Advisory Committee (CAC).

Director Gibson only presented the corrective action portion of the proposed action plan. The corrective action states that: 1) OahuMPO is directed to work with the appropriate agencies and legislative bodies to bring State statutes, local ordinances, and the Comprehensive Agreement into alignment with the current Federal statute and regulations. 2) OahuMPO, Hawaii Department of Transportation (HDOT), and the City should develop clear and understandable ways to document the respective agency roles and responsibilities they have in the planning process; identify what the agencies do and how they should collaborate; and identify who is responsible between the agencies and within the agencies for key decision documents.

Director Gibson stated that a lot of the language regarding the MPO in State statutes and local ordinances was developed in 1975, when the MPO was formed. Federal regulations have evolved since then; the local rules and laws have not. The action plan that staff is recommending is to perform a legal review and comparison of current federal regulations, State statutes, local ordinances, and the Comprehensive Agreement to identify any inconsistencies; recommend revisions to rectify any inconsistencies; revise inconsistent portions of the Comprehensive Agreement; revise inconsistent State statutes and/or local ordinances; complete the Planning Process Review; and develop supporting documents identifying participating agencies' roles and responsibilities.

Chair Harimoto noted that the final report and the draft corrective action plan were circulated to the members for their review in advance of the meeting; Director Gibson had not received any questions or concerns.

No testimony was offered. There were no questions or discussion on the part of the members.

Senator Will Espero moved and Councilmember Kymberly Pine seconded that the OahuMPO Federal Certification Review Corrective Action Plan be approved. The motion was unanimously approved.

I. MINUTES OF THE JULY 9, 2013 MEETING

There being no objections, the minutes of the July 9, 2013 meeting were approved as circulated.

II. CAC MEMBERSHIP APPLICATION

Director Gibson stated that the Hawaii Association of the Blind and the Kaaawa Community Association have applied for membership to the CAC. Both organizations have attended the required number of meetings.

Senator Espero moved and Councilmember Pine seconded that the Hawaii Association of the Blind and the Kaaawa Community Association be appointed to the CAC.

Andrea Anixt, from Kaaawa Community Association, and Carole Milner, from Hawaii Association of the Blind, both introduced themselves.

A vote was taken on the motion. The motion was unanimously carried.

V. FILLING STAFF VACANCY

Director Gibson stated that the Policy Committee appoints all members of the OahuMPO staff. He requested permission to advertise for, select, and recommend for hire a person to fill the current vacancy in the OahuMPO office.

Councilmember Pine moved and Vice Chair Donovan Dela Cruz seconded that the OahuMPO Executive Director be given permission to advertise for, select, and recommend for hire a person to fill the current vacancy in the OahuMPO office. The motion was unanimously carried.

Chair Harimoto thanked Senator Espero for staying as long as he could.

[Senator Espero left the meeting at approximately 11:02 a.m. A quorum was no longer present.]

Chair Harimoto noted that a quorum was no longer present. Per the Sunshine Law, the members may continue to receive presentations and testimony. However, the members may not enter into deliberations or take action on any items.

IV. TRANSPORTATION ALTERNATIVES PROGRAM DEVELOPMENT

[Handouts: Transportation Alternatives Program (TAP) for Oahu – May 2013 Draft]

Director Gibson continued his presentation on the TAP from the previous meeting. He reiterated that TAP is new program from the Federal Highway Administration (FHWA); it is a consolidation of old programs – the Transportation Enhancement and Safe Routes to Schools programs. He created the draft process as a starting point – looking at TAP programs in other states and MPOs, and pulling together what he thought were the best pieces in a way he thought made the most sense. Before going further, he wanted to at least get policy-level agreement that he should keep going on the track that he is on. He went over the draft process.

In response to Director Gibson, Chair Harimoto clarified that, due to a lack of quorum, the Sunshine Law allows the committee to receive testimony and presentations, and ask questions; however, they cannot deliberate or make decisions.

Director Gibson stated the following with regard to the formation of the evaluation committee and his suggestions for members on the committee:

- Per the Federal regulation, the MPO selects the projects. However, Hawaii Department of Transportation (HDOT) is in charge of administering TAP funds; OahuMPO does not

touch the funds. Because of this, it makes sense for HDOT to be involved with the evaluation of the projects.

- In addition to a transit representative from Department of Transportation Services (DTS), a bicycle/pedestrian (bike/ped) representative should be on the evaluation committee. Most of the TAP projects will probably be bike/ped-related. So, having someone from the DTS who is knowledgeable about both the bike plan and existing facilities will be important in the deliberation process.
- Since improving non-motorized connections with rail is an important component of TOD, Honolulu Authority for Rapid Transportation (HART) should be part of the deliberation process.
- A CAC representative could attend the TAP meetings and carry the information back to the CAC.
- Since coordinating land use and transportation planning is a goal for the Department of Planning and Permitting, there is functionality in DPP serving on the evaluation committee.
- Since the Department of Design and Construction is responsible for major roadway repairs, which may include implementing some TAP projects, there is value in having them at the table, looking at the projects and helping to evaluate them.
- Since the Department of Facility Maintenance could be responsible for maintaining City and County TAP projects, it is probably a good idea to have them at the table.
- Although, he's not sure that an individual Department of Education school really has the experience or knowledge to handle a federal grant, they could be encouraged to work closely with a bigger project sponsor.
- Since there is a strong environmental link to alternative transportation, and the State has a goal to reduce energy consumption, having Department of Land and Natural Resources at the table seems to make sense.
- Since there is a strong connection between alternative transportation and public health, having Department of Health at the table seems to make sense.
- TAP projects could be proposed for City parks and green spaces. However, he was unsure about whether Department of Parks and Recreation should be at the table.
- Hawaii Bicycling League is a knowledgeable and important advocate and contributor to transportation decision-making, so including them at the table probably makes sense.
- Since all TAP projects must be ADA-compliant (Americans with Disabilities Act of 1990), he recommended that the Policy Committee strongly consider including an accessibility representative in the evaluation process.
- In terms of Non-voting Members, he recommended a representative from OahuMPO and a representative from FHWA. The Policy Committee may also want to consider having one of its members on the evaluation committee.

Chair Harimoto stated that the members may ask questions. However, because the Committee may not get into deliberation and discussion, he asked that members frame their thoughts into questions.

Councilmember Pine asked about the Federal funding. Director Gibson responded that it's a Federal grant to the State; the State is required to suballocate 50% of it. So, 50% of it gets suballocated based on population, essentially, around the State. The biggest chunk of it, \$776,000, is for the urban area. The State has generously also allocated rural and small urban area funds. It's about a \$1.5 million in TAP funds per year.

The process, as drafted, would include an annual call for projects. The applications and proposals would be evaluated, then prioritized. Then the Policy Committee would select the projects up to the available funding.

Another possible process would be similar to what is done in North Carolina. They don't have a proposal period; they accept applications anytime someone has a project proposal. The proposals would be evaluated as they come in. Since using this process, they have found that the quality of the applications have gone up. Previously, in order to meet the deadline, towns and counties were submitting proposals for projects that weren't ready.

Department of Transportation Services (DTS) Director Michael Formby asked about potential conflicts of interest. For example, if DTS sponsored a project and is also an evaluator, do they need to recuse themselves from evaluating their own proposal? Director Gibson responded that he would recommend that this question be put to the evaluation committee and let them make a recommendation regarding the process to the Policy Committee.

In response to Chair Harimoto, Director Gibson confirmed that the project sponsor needs to front the funds for the project, and then request reimbursement for those funds. Chair Harimoto stated that, if one of the City agencies agrees to be a sponsor, they would need to budget the funding even though they don't yet know if the project will be selected. He asked how the timing would work for this example. Director Gibson responded that he did not know how it would work. He suggested two approaches:

- Approach #1: If it is an important project, the City could allocate the funding for the project, regardless of whether or not they will receive federal funding. Once that decision is made, a project proposal for TAP is submitted; and you hope for the federal reimbursement. If you get it, it's great; then you get some of your money back. If not, then you're already committed to doing the project anyway.
- Approach #2: The other possibility would be to propose the project without the previous decision being made about the budget. He was not sure, from a federal perspective, where that puts the project in terms of commitment of a local match. He thinks that the federal government would prefer to see the money budgeted upfront.

Director Gibson stated that it seems as though the City really needs to act in terms of making the commitment to the project first; then you roll the dice and hope that it rises to the top in the evaluation process and it qualifies for federal reimbursement.

No one offered testimony on this agenda item.

[Director Dan Grabauskas left the meeting at 11:20 a.m.]

VI. CAC HIGHLIGHTS

CAC Chair Joseph Magaldi, Jr., summarized the last two CAC meetings held since the prior Policy Committee meeting.

No one offered testimony on this agenda item.

VII. OTHER BUSINESS (ANNOUNCEMENTS ONLY)

There being no other business, the meeting was adjourned at 11:21 a.m.