

Minutes of the  
Oahu Metropolitan Planning Organization

**JOINT POLICY COMMITTEE & TECHNICAL ADVISORY COMMITTEE**

Friday, September 19, 2014, 10:00 a.m.  
Hawaii State Capitol, Conference Room 309  
415 South Beretania Street, Honolulu, Hawaii

**Policy Committee Members Present:**

Senator Will Espero, Chair	Senator Donovan Dela Cruz
Councilmember Breene Harimoto, Vice Chair	DOT Acting Director Jadine Urasaki
Councilmember Carol Fukunaga	DTS Director Michael Formby
Councilmember Ron Menor	HART Executive Director Dan Grabauskas
Councilmember Kymerly Pine	

**Policy Committee Member(s) Absent:** Councilmember Joey Manahan, Representative Henry Aquino, Representative Sharon Har, Representative Ryan Yamane, and Senator J. Kalani English

**Technical Advisory Committee (TAC) Members Present:**

Brian Suzuki, Chair	DTS	Lori Arakaki	DPP
Ken Tatsuguchi, Vice Chair	DOT	Randolph Hara (alternate)	DPP
Eugene Tian	DBEDT	Gordon Wong, ex officio	FAA
Rodney Funakoshi	DBEDT-OP	Elizabeth Fischer, ex officio	FHWA
Dean Nakagawa	DOT	Gareth Sakakida, ex officio	HTA

**TAC Members Absent:**

Eileen Mark (DTS), FTA ex officio (vacant), and A. Ricardo Archilla, ex officio (UH)

**Guests Present:**

Jamie Schaedel (CM Pine)	Brian Betlyon (FHWA Resource Center)
Keanu Young (Rep. Har)	Mayela Sosa (FHWA, HI Division)
Danielle Bass (Rep. Yamane)	Alex Cross (HART)
Barbra Armentrout (CAC, NB #5)	Elizabeth Scanlon (HART)
Tom Smyth (CAC, NB #13)	Kanani Iaea (vRide)
Alvin Takeshita (DOT)	Wes Frysztacki (Weslin Consulting Services)
Patrick Tom (DOT)	Dan Purcell
Theresa Hutchins (FHWA Headquarters)	

**Guests Present via Conference Call:**

Dwayne Meeks (FTA, Headquarters, Office of Planning)	Edward Carranza (FTA, Region IX)
Leslie Rogers (FTA, Region IX)	Ray Sukys (FTA, Region IX)
	Ted Matley (FTA, Region IX)

**OahuMPO Staff Present:** Brian Gibson, Randolph Sykes, Marian Yasuda, Lynne Kong, Marian Ching, Pamela Toyooka

*The meeting was called to order at 10:07 a.m. by Chair Will Espero.*

Quorums of both the Policy Committee and Technical Advisory Committee (TAC) were present. The members of both Committees introduced themselves.

Senator Espero explained that a joint meeting of the Policy Committee and TAC was being held so that the Federal Highway Administration (FHWA) representatives from the OahuMPO Certification Review team could present their findings of the OahuMPO Certification Review.

## **I. MINUTES OF THE AUGUST 18, 2014 POLICY COMMITTEE MEETING**

*Vice Chair Breene Harimoto moved and Councilmember Kymberly Pine seconded that the minutes of the August 18, 2014 Policy Committee meeting be approved as circulated. The motion was unanimously carried.*

## **I. MINUTES OF THE JULY 11, 2014 TAC COMMITTEE MEETING**

*Dean Nakagawa moved and Eugene Tian seconded that the minutes of the July 11, 2014 TAC meeting be approved as circulated. The motion was unanimously carried.*

## **II. CONSIDER THE FORMATION OF PERMITTED INTERACTION GROUPS**

OahuMPO Executive Director Brian Gibson stated that OahuMPO staff recommends that the Policy Committee and TAC each form a permitted interaction group (PIG) in order to address the Federal Certification Review corrective actions. He noted that each committee is restricted to a group of members that does not constitute a quorum. In response to Chair Espero, Director Gibson recommended that, at minimum, the group should consist of the State Department of Transportation (DOT) Director, the City Department of Transportation Services (DTS) Director, a State Legislator and a City Councilmember. In response to DTS Director Michael Formby, Director Gibson stated that alternates or designates would probably be allowed. Chair Espero stated that, if it's allowable, the members of the PIG may send an alternate and/or designate.

### **Formation of a Policy Committee Permitted Interaction Group**

*Vice Chair Harimoto moved and Councilmember Pine seconded that the Policy Committee create a permitted interaction group to address the Federal Certification Review corrective actions.*

The members of the group would consist of the DOT Director, DTS Director, Chair Espero, and Vice Chair Harimoto. Chair Espero asked if any of other members would like to serve on the PIG.

Dan Purcell asked that the PIG's report to the Policy Committee be placed on the website and be made available to the public.

Director Gibson stated that, once the PIG reports back at a Policy Committee meeting, the Committee must wait until its next meeting to take action.

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

[Councilmember Ron Menor arrived at 10:17 a.m.]

### **Formation of a Technical Advisory Committee Permitted Interaction Group**

In response to TAC Chair Brian Suzuki, Director Gibson stated that, due to the number of corrective actions, the TAC PIG may need to meet frequently, as needed.

TAC Vice Chair Ken Tatsuguchi stated that different types of working groups would need to meet for different corrective actions; he asked how that would work. Director Gibson responded that the PIG may invite others from outside the TAC to join in the discussions.

In response to Mr. Nakagawa, Director Gibson stated that there are corrective actions where it would be necessary or ideal for the TAC PIG to make recommendations to the Policy Committee. Director Gibson confirmed that the focus of the PIG is to address the corrective actions.

*Vice Chair Tatsuguchi moved and Rodney Funakoshi seconded that TAC form a permitted interaction group to address the Federal Certification Review corrective actions. The motion was unanimously carried.*

### **III. FEDERAL PRESENTATION OF THE OAHUMPO TMA CERTIFICATION REVIEW REPORT**

*[Handouts: Program Review Oahu Metropolitan Planning Organization (OahuMPO) TMA Certification Review – Final Draft Report (September 17, 2014); presentation slides]*

Chair Espero stated that the officials from FHWA will present the final draft OMPO TMA Certification Review report.

Ted Matley noted that the Certification Review was a joint effort, with both FHWA and FTA participating in the review process and coming up with its findings, corrective actions, and recommendations.

Theresa Hutchins recognized areas where the OahuMPO is doing very, very well – the OahuMPO Citizen Advisory Committee (CAC) program, the work and knowledge of OahuMPO staff, and the work of the OahuMPO TAC.

Ms. Hutchins went over the corrective actions and recommendation, as well as the consequences of not addressing or meeting the deadlines for the corrective actions.

### **Questions and Answers**

Director Formby asked if there were templates for best practices that could help guide OahuMPO as they work through the process. Ms. Hutchins responded that there are templates that can be provided. She also stated that she and Mr. Betlyon already met with OahuMPO staff to start working on an action plan for every tier and corrective action – identifying the steps that need to be taken, task deadlines, points of contact, etc. on the staff side. Next, TAC will be given the action plan and will also be going through this exercise. TAC will be figuring out how their

departments fit in and what step their departments can take to support the activities, and identifying points of contact. The Policy Committee will then be given the action plan and will also be going through this exercise. The Policy Committee will be figuring out what steps it can take and assigning those roles and responsibilities to individuals on the Policy Committee.

In response to Councilmember Menor, Ms. Hutchins stated that a December 16, 2013 letter from FHWA to the OahuMPO (Appendix C of the report) listed the major areas of Hawaii Revised Statute (HRS) 279E that need to be addressed – including, but not limited to OahuMPO’s decision-making role, its membership, and its funding.

Regarding Tier 1 Consequences, Director Formby asked about the \$12 million per year that may be withheld if the Tier 1 corrective actions are not resolved by the compliance deadline. In response to Director Formby, Ms. Hutchins acknowledged that the \$12 million was an aggregate of both FHWA and FTA funds, and stated that the break out was a little higher on the FTA side than the FHWA side.

Councilmember Pine asked if the fact that the City has no ability to make the changes to a State law would be considered in the application of consequences if the deadline is not met. Ms. Hutchins responded that FHWA and FTA both support the consequences that are stated in the report.

Mr. Betlyon stated that the clock begins to tick once the final report is issued next week. He and Mr. Matley noted that both FHWA and FTA are committed to being resources and providing assistance to help the MPO move forward.

[Honolulu Authority for Rapid Transportation (HART) Executive Director Dan Grabauskas arrived at 11:09 a.m.]

Chair Espero stated that Director Gibson will be the OahuMPO point person who will ensure that the action plan is completed.

In response to Senator Dela Cruz, Chair Espero stated that the scope of the investigation of the PIG is the OahuMPO TMA Certification Review report. The PIG will be looking at the corrective actions in the tiers and deciding how to handle the issues that need to be addressed (fixed or improved). The action plan will be a key tool that will guide OahuMPO and its multiple stakeholders in what needs to be done.

In response to Senator Dela Cruz, Chair Espero agreed that if, for example, the PIG was going to research potential legislation that they want OahuMPO to support in the upcoming legislative session, the result of that research would be reported to the full Committee.

Chair Espero noted that the PIG will not necessarily meet on every item and issue.

In response to Director Formby, Chair Espero stated that the PIG will consist of four to six members, as long as the group does not constitute a quorum.

Councilmember Menor asked if the issue regarding the obligation of State and City transportation agencies to fund and implement projects approved by the Policy Committee was resolved. He also asked if this type of issue will be addressed in the corrective actions. Ms. Hutchins responded that the issue Councilmember Menor referred to had been resolved. She added that the concept of sub-agreements was recommended in order to address this type of issue in the future.

Chair Suzuki noted that TAC has already started to address some of the concerns, such as holding monthly meetings and having bylaws. TAC will be working with OahuMPO staff to resolve some of these issues and to move forward.

Ms. Fischer noted that the action plan does not just identify agencies, legislative bodies, and committees, but it also identifies specific names of people who will be the responsible persons for actions or steps. Everyone has a role and responsibility.

Councilmember Carol Fukunaga urged the Policy Committee members to set their next meeting date soon, since the next State legislative session, where a revision to HRS 297E will be acted upon, is coming up soon.

Regarding scope of the PIG, Senator Dela Cruz stated that everything in the corrective actions for Tier 1, including the drafting of legislation and bylaws, will need to be addressed soon by the PIG. The legislative session is only four months long.

Chair Espero stated that, per Director Gibson, OahuMPO staff is already working on a draft bill.

In response to Senator Dela Cruz, Chair Espero stated that the action plan will outline the tasks and steps that need to be taken. Ms. Fischer stated that the action plan will be finalized in the next two weeks. It will then go to staff, then TAC PIG, then the Policy Committee PIG. The Policy Committee will decide who gets what responsibility for the Policy Committee members.

In response to Senator Dela Cruz, Chair Espero stated that he, himself, would call the PIG meetings.

Director Formby suggested a larger membership for the PIG. Councilmember Pine and Director Grabauskas both volunteered to serve on the PIG.

Ms. Sosa clarified that the action plan is not a federal plan; it is an OahuMPO plan. The federal agencies are laying the groundwork – providing a template; suggesting the tasks that need to be done and the specific people that could be assigned to these tasks; working with the staff, agencies, and committees to schedule tasks in the template in order to ensure that deadlines are met. It's everyone's template – the staff, agencies, and committees need to make it their own.

Chair Espero agreed that nothing gets done unless the State and City stakeholders get it done. The federal agencies are here to assist us; they are the evaluators, the reviewers. The action plan belongs to OahuMPO.

Ms. Sosa noted that Ralph Rizzo will be coming on board in early-November as the Deputy Division Administrator of the FHWA Hawaii Division. She and Mr. Rizzo will be very engaged in the process. He is currently at the FHWA Resource Center; he is planning expert, so he will be a great resource in this effort.

#### **IV. CAC HIGHLIGHTS**

Neither the CAC Chair nor the Vice Chair was present to give the presentation.

#### **V. OTHER BUSINESS (ANNOUNCEMENTS ONLY)**

There was discussion regarding the setting of dates for the next Policy Committee.

Regarding the PIG agenda item, Mr. Purcell stated the PIG is required by law to report back (written or oral) to the board. He requested that the Policy Committee PIG provide a written report of their meeting(s) and that it be made available to the public in advance of the next Policy Committee meeting. Chair Espero responded that OahuMPO tries to be as transparent as possible. However, it remains to be seen whether a report will be available prior to it being given to the Policy Committee.

In response to Chair Espero, Mr. Betlyon stated that final OahuMPO TMA Certification Review report will be available next week, along with a formal transmittal letter from the federal agencies. Director Gibson stated that the final report will be posted on the OahuMPO website.

*There being no other business, the meeting was adjourned at 11:43 a.m.*