

# PLANNING COMMITTEE

Council of the County of Maui

## MINUTES

January 10, 2002

Council Chamber

**CONVENE:** 2:05 p.m.

**PRESENT:** Councilmember Charmaine Tavares, Chair  
Councilmember Michael J. Molina, Vice-Chair  
Councilmember Alan M. Arakawa, Member  
Councilmember Robert Carroll, Member (Out 2:27 p.m.)  
Councilmember G. Riki Hokama, Member (In 2:12 p.m.)  
Councilmember Jo Anne Johnson, Member  
Councilmember Dain P. Kane, Member  
Councilmember Patrick S. Kawano, Member  
Councilmember Wayne K. Nishiki, Member (Out 3:30 p.m.)

**STAFF:** Wayne A. Boteilho, Legislative Analyst  
Camille Sakamoto, Committee Secretary  
  
James Johnson, Executive Assistant to Councilmember Jo Anne Johnson  
Kelly Arbor, Executive Assistant to Councilmember Jo Anne Johnson  
Michelle Anderson, Executive Assistant to Councilmember  
Wayne K. Nishiki

**ADMIN.:** Brian Miskae, Planning Program Administrator, Long Range Planning  
Division, Department of Planning  
Daren Suzuki, Planner, Long Range Planning Division, Department of  
Planning  
Edward S. Kushi Jr., Deputy Corporation Counsel, Department of the  
Corporation Counsel (substituting for Deputy Richard K. Minatoya)

**OTHERS:** Dick Mayer  
DeGray Vanderbilt  
Carl Freedman  
  
Teryl Vencel

**PRESS:** ?

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CHAIR TAVARES: . . .(*gavel*). . . Will the Planning Committee please come to order.  
We have Members of the Committee. . .Vice Chair Michael Molina in attendance;  
as well as . . .Councilmember Kane; Councilmember Arakawa;  
Councilmember Carroll; Councilmember Johnson; Councilmember Nishiki; and

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our Council Chair, Pat Kawano. Mr. Hokama should be along shortly. From . . . our . . . our Administration, Corporation Counsel, Ed Kushi Jr. On our Staff, our Legislative Analyst, Wayne Boteilho; and our Secretary, Camille Sakamoto. Good afternoon everyone, and Happy New Year since it's our first meeting of the year. I, I . . . hopefully--depending on how much conversation we have--this should be a relatively short meeting. And I know that we've had some long meetings this week, so we're looking forward to, you know, some rest before our Council meeting tomorrow. At this time, I'd just like to go over, the format for the meeting will be today--first, we will be accepting public testimony on PC-8, which is improving the process for updating the General and community plans. After that testimony, we'll have a presentation by the Administration through our Long Range Planning Division Chief, Mr. Brian Miskae, on the General Plan process and, the General and community plan process. After that part, we will be going over the report . . . that I'm submitting, that covers the second round of community meetings--those informal meetings that we held . . . in eight . . . or eight meetings that we had, or seven or eight meetings that we had. And this wraps up our rounds of community input regarding the General and community plan process. We are . . . only here today to, to have this report received by the Committee. We will be taking no action, and this item will be deferred after that. If you have any questions about the report, any questions, they should be specific to the report itself--not anything having to do with deliberation or a particular position you have on any one of the items. We will do that at the next meeting. Okay? Any questions about the format?

COUNCILMEMBER NISHIKI: No.

CHAIR TAVARES: Hearing none, thank you.

**ITEM NO. 8: IMPROVING THE PROCESS FOR UPDATING THE GENERAL AND COMMUNITY PLANS** (C.C. No. 98-51)

CHAIR TAVARES: We have two people here to testify. Both of them have been before us before and know our ground rules--three minutes and one to wrap up, or three minutes to conclude. State your name for the record when you come up and who you represent. And with that, I'd like to call the first testifier, Mr. Dick Mayer.

**NOTE:** *Pause while Mr. Mayer approached the podium.*

**. . . BEGIN PUBLIC TESTIMONY . . .**

MR. MAYER: . . . My name is Dick Mayer. Thank you. . . Charmaine. And Happy New Year to the whole Council. I'm gonna make it very quick. I don't wanna go over issues, but I do wanna talk about process for a minute. I've been attending some, many of your meetings on this. I've met with Charmaine at the community

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level. I've also been in attendance at the Charter Review Commission. And from what I, the feedback that I'm getting is that a lot of the things that you're doing and the directions that you may be taking will be very good. I also understand that the Charter . . . Review Commission is looking at a lot of issues and will probably will also make recommendations. I would urge that between now and your next meetings when you deliberate, that you ask your Staff to meet with the staff of the Charter Review Commission to sort of look over the, the whole range of proposals. Because some of the changes that will be recommended need to be done at the Charter level, some at the ordinance level. And it would be a pity if you folks both do, you know, go so far along that you're sort of interacting and fighting about this is ours, this is yours. And therefore what I would ask is that you, you, you list the things that you probably want discussed, some recommendations and let the Charter Review Commission do that. Let their staffs get together and say, yeah, this is definitely an ordinance change or this is definitely a Charter change that will be needed. And then each of you can go ahead and approve or not approve the various areas. Because it would be a real pity to waste a lot of time when you're doing the same things. Because we'll be wordsmithing at the end as to exactly how the wording should be on, on the various recommendations that you'll be making. So it's a process suggestion rather than a, any particular planning issue. Because I think both of you have heard great testimony. And from what I've heard, will probably be taking some good steps in the planning process.

CHAIR TAVARES: Okay--

MR. MAYER: Thank you.

CHAIR TAVARES: --thank you. Any questions for Mr. Mayer? Okay, thank you for being here, Dick.

MR. MAYER: Thank you.

CHAIR TAVARES: And just as a note, as we discussed on the phone, that the Charter Commission. . . Chair and I have already been discussing that, the fact that they're were kind of, we're kind of waiting for each other, or they're kind of waiting for us to see where we're going, and precisely what you're addressing--that we should we try and sort of look at what belongs with the Charter and what belongs with the ordinance. And we will be doing that. And thank you.

MR. MAYER: Excellent. Thank you, that's reassuring.

**NOTE: Pause.**

CHAIR TAVARES: . . . Okay, DeGray Vanderbilt?

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**NOTE:** *Pause while Mr. Vanderbilt approached the podium.*

CHAIR TAVARES: . . . Is there anyone else who wishes to testify that's in the audience, perhaps?

. . . Okay, thank you.

. . . Go ahead.

MR. VANDERBILT: Thank you, Madam Chair and Members of the Planning Committee. My name is DeGray Vanderbilt, a resident of Molokai. I was a member of the Molokai CAC and I'm usually around. . .involved in planning issues, especially where it involves the integrity of the process as far as the public's participation in that process. I think . . .

. . . this process. . .I, I would have. . .prepared some more focused testimony today on two things. One, the report, which I called two or three days ago and asked for a copy of whatever the handout is so we could focus testimony and not just get up here and wing it when something else may have been resolved or whatever. Uh. . .I was told that it, there would not be a copy of the report, it would be handed out at the meeting. And this makes it pretty tough on the public. I, I was over here, so I didn't have to fly over from Molokai. But it, it just makes it tough for the public to get out to these meetings, take time off from whatever they're doing, and, and present some meaningful testimony that focuses in on issues that you're gonna be talking about later in the meeting. But you'll have more time than three minutes. The other thing is. . .whether it's the planning commission or the Council--the agendas are really. . .a little misleading. . .uh. . .in that there's an item on here about the long range planning.

. . . I was. . .I wanted to talk a little bit about the long range planning process that everybody believed would be happening, especially on Molokai. And I think a lot of that goes--there's an article that came out a few months ago reporting on Brian Miskae being. . .appointed as Long Range Planner, and a real effort to get the community involved and everything else. There was gonna be three general plans--one for Maui, they've already started the smart growth on Maui with 20, 30, 40 people that were selected, and they've probably come up with a lot of good ideas. And there was an idea to come up with a general plan for Maui, also one for Molokai, also one for Lanai. I was asked to come up with a list of people that I thought might be good to be on that. . .on that group. Several months ago I put in a list of about 20, 30 people; gave their backgrounds, including people at Molokai Ranch that I thought would be good, some of their management people on the. . .thing. I guess Molokai Ranch got wind of it, they wanted to put in a list, so they put in a list. People were selected. Letters were gonna go out. People on Molokai knew this was gonna happen. Then after. . .mysteriously. . .word

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comes down from somewhere. . .let's leave Molokai and Lanai out of the loop. Now, maybe I'm off base. . .but I think what's gonna happen know is that. . .some people on Molokai don't want issues to come back to Molokai, especially after this contentious Molokai Community Plan hearings. Because people on Molokai are really getting to learn what happened. And I think some of the--

MR. BOTEILHO: Three minutes.

CHAIR TAVARES: DeGray, as the last testifier, you can just go on for another--

MR. VANDERBILT: Okay.

CHAIR TAVARES: --three minutes.

MR. VANDERBILT: And I, and I, and this might be speculation on my part, but I don't think our largest landowner wants the planning issues to come back to Molokai. So I, I think. . .you, and maybe I'm wrong. . .and maybe you can find out today, but I think the idea is not to have a general plan for Molokai but just go with what Community Plan was passed. And my only consultation [*sic*] there would be--I think you all know what went down on our Community Plan. And if anything. . .if there is gonna be a general plan for Molokai and Lanai and Maui as well, I think Molokai and Lanai. . .should have, be at the front of the, of the deal because it's gonna take, things are gonna be more drawn out on Maui. Go back and do what you're doing on Maui, do it on Molokai. . .and let's correct some of the. . .problems in the Community Plan. And I don't mean land use things, but I mean there's just some major text problems because changes were made without seeing how they affected other things and various things. But go back to Molokai. And if we're gonna do a general plan for each island, don't go with. . .with our Community **Plan** being our general plan, but go back and let's, let's get everybody back on the table. . .correct the, the things that were done in our Community Plan. Because I, I can tell you right now, the Planning Director, John Min did zero. Did zero work as far as his due diligence on our Community Plan and helping you guys find your way through this. What happens when there are policy statements with no implementing actions, and all of this other stuff? And there's a lot of that in our Plan. What about the conflicting statements in a law that you're passing? It just sets up a lot of contentious issue for our planning commission and our community in the future. So I haven't had time to read this report. I was at the meeting on Molokai. And one last comment. And. . .I, I was proud to say that Molokai had the largest attendance--even though it was on December 5<sup>th</sup>, right in the middle of the community plan and the holidays. We had the largest attendance of any of the planning meetings. I think there was a lot of good impact, input in there. I'm gonna say this again, and I mentioned it there--Molokai Ranch was not there for the . . .

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. . . the Planning Committee meeting because this bottom-up planning process just, they have more success coming directly and working from the top down. And I don't begrudge them that. If it works, it works. But I think it shows that the community really takes our planning seriously. And if you look back at the General Plan, which is now the General Plan for the County of Maui. . . Molokai put in a document that was done by a lot of people in the community and organizations got together. We proposed 76 amendments to the 1990 General Plan, 36 were adopted. The most from any other community planning area was 5. So we've had a big stake in the General Plan. We had more community plan meetings during our community plan review process than any other planning district, yet the Council made more major changes to our community plan than any other. And lastly, we also went through a process that took six months, involved 300 citizens in another review of where the community wants to go--and that was with the enterprise community. So Molokai will work with the Council. And they do a good job. But don't, don't let 'em get short-circuited because of something. . . I think Mr. Min is trying to push. And I don't know why he's trying to push it. But, thank you very much.

CHAIR TAVARES: Thank you, DeGray. Any questions? Ms. Johnson?

COUNCILMEMBER JOHNSON: . . . Yes, DeGray, I, I know that some of the people who. . . called my office, they were not able to come over for that last hearing. And some of them said that. . . they'd frankly didn't have the money. . . they. . . would have had difficulty even, as it was, getting over and, even if they did have the money and the. . . time. What. . . what are your thoughts as far as any community when we're. . . we're meeting on a community plan? Do you believe that all of our meetings that relate directly to that. . . community plan should be held in the community? Or would you be supportive if we could get some kind of teleconferencing set up so that they would be able to essentially be in the room at the same time but, you know, on closed-circuit television or something?

MR. VANDERBILT: Well, just. . . that, that meeting on the 17<sup>th</sup>--not only couldn't people get over here, but most people didn't know about it. It was only ten days after the first public hearing. And at the, if you were watching television on the December 7<sup>th</sup> first reading, there was no mention of it coming up that quickly. And there was so much new information and some Council people asked some of the testifiers to get back to 'em with some research on some information and everything else. So nobody expected it to be that soon. . . uh. . . to be frank with you. And. . . but teleconferencing, yeah, that's one way. I don't think every meeting needs to be held on Molokai. But I think that the meetings that **are** held on Molokai--the 35 public meetings during our community plan--some of the other situations should really be taken. . . into consideration. And. . . I guess in this whole planning process--and I'll just wrap it up real quick here--is that. . . the problem with the planning process is not the community. It's not the people of

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Maui County. It's the Council and the Administration. And I say that. . .because implementation, enforcement and following the general plans. . .I mean, there are really good statements in that General Plan and, and all of the community plans. But you can get around it because there's no enforcement. So if you wanna get around the community plans, you just go ahead and build it. You're gonna get a slap on the wrist. Or you go for conditional sales, conditional use permit. Which, if something's not allowed in the community plan, go for a conditional use because they all get. . .get approved almost. And. . .I know on Molokai we did deny one commercial one on the East End, but that never got to the Council because it was a special use permit. And. . .so the con, they denied it there, so the conditional use permit never came up. But I think there's just so many loopholes. And the community works from the bottom up. The big guys work from the top down. And there's gotta be some correction to that problem. And. . .thank you for letting me ramble on but.

CHAIR TAVARES: Okay.

COUNCILMEMBER JOHNSON: No, and, and I think--

CHAIR TAVARES: Jo Anne?

COUNCILMEMBER JOHNSON: --I have a sense of what you're saying, that basically the way that things move through come more from the community and then be consistent. . .and if there are major changes, then that should be done with the full input of all of the parties participating. And then the other thing, too, that I had a question about--because I know that we've gotten testimony about whether the community plan should be law or whether . . .(laughter). . . it's a guideline. And if I'm hearing you correctly, correct me if I'm wrong, but you're saying it should be law.

MR. VANDERBILT: I'm saying *it is* law.

COUNCILMEMBER JOHNSON: Yeah. I know, but. . .in, in the controversy that we seem to be going through at the present time. . .what the Charter Commission and also Charmaine's Committee, what we're looking at is stipulating. . .accepting that, putting language in that there's absolutely no doubt about it. So you'd be supportive of that being *law* and treated always that way?

MR. VANDERBILT: Well, that. . .if it's a law, that gives you a lot more enforcement powers. . .if, if you wanna use 'em. Yeah.

COUNCILMEMBER JOHNSON: Okay. Thank you very much, DeGray.

CHAIR TAVARES: Okay--

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MR. VANDERBILT: Thank you, Madam Chair.

CHAIR TAVARES: --thank you, DeGray. I see we have one more testifier. You can go ahead and testify and fill the . . .the thing out later. I did not formally close testimony, so. . .you can go ahead.

MR. FREEDMAN: Thank you. Sorry I was late. Hello, Council Members, Chairman. It's been awhile since I've been here. Uh, I wanted--

COUNCILMEMBER KANE: State your name, Carl.

MR. FREEDMAN: . . .*(laughter)*. . . My name is Carl Freedman. I'm a Haiku resident. Uh, first I wanted to thank and commend this Committee and the Chairperson for taking this particular matter all over the island. I know that was a lot of effort. I really like the . . .uh. . .suggestions that have been made. I haven't seen the latest report and the prior reports, and I'm certain it's gonna be worth the effort. I came with just one suggestion. And that was on the . . .question of whether or not the whole plan should be a matter of law or simply advisory and whatever. And my suggestion was to make it explicit in the plan which language *is* advisory and which language *is* explicit. Taken to an extreme, the general language about, you know, keep a rural character and. . .support agriculture--very general terms--should govern everybody's decisions and be advisory. But it could go to the extent of having very specific language that reads like an ordinance for that particular area that goes down to specifics. And as the Council approves the plan, you're. . .essentially. . .approving some language that has the specificity and weight of an ordinance. And in between then. . .in between there, it is necessary to address what type of exceptions the Board of Variances and Appeals might wanna look at. So it might say, you know, in case, you know in case of. . .this or that, the Board of Variances and Appeals will consider this. So I guess it's a simple suggestion. And instead of treating the whole plan as advisory. The whole plan. . .uh, it might make sense just to specify what is what because really in planning. . .the problem is that good plans take into account. . .objectives from specific to very, very general. And you do need a blueprint, you need to be, you need to cover all of the objectives and the ideals. And then the, the rub comes in that when you're that general, you don't have any specific guidance when it comes to specifics. So I doubt if you're gonna get to the specifics in everything. But maybe with some things there could be some language that's more specific. That's all. Thanks.

CHAIR TAVARES: Any questions for Carl?

. . . Thank you very--oh, yes, Mr. Kane?

COUNCILMEMBER KANE: Your reference is to the General Plan only or to community plans as well. . .just, just for clarification.



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MR. FREEDMAN: Well, either or both. Because I'm not sure at this time what the relationship between the two is gonna be.

COUNCILMEMBER KANE: And I guess that's what we have to discuss and figure out what kind of parameters we're setting for each.

MR. FREEDMAN: Right.

COUNCILMEMBER KANE: Thank you.

CHAIR TAVARES: Any other questions? Thank you very much for being here, Carl.

MR. FREEDMAN: Thank you.

CHAIR TAVARES: All right, at this time we will close public testimony. . .formally.

**. . .END OF PUBLIC TESTIMONY. . .**

CHAIR TAVARES: And. . .Mr. Miskae, are you about ready to go? We'll take a short recess while we bring the screen down . . .(gavel). . .

**RECESS: 2:25 p.m.**

**RECONVENE: 2:27 p.m.**

CHAIR TAVARES: . . .(gavel). . . Okay, Members, let's reconvene please. At this time, I'd like to introduce you all to a man who needs no introduction--Mr. Brian Miskae, who is now the Chief of the Long Range Planning Division of the Planning Department, who has a presentation for us this afternoon. Thank you, Brian.

MR. MISKAE: Good afternoon, Madam Chair and Members of the Planning Committee. Thank you for this opportunity to present to the Committee our PowerPoint presentation that we have started out on the road. We have made one presentation so far. We're expecting to make a lot more. What this presentation will provide to the Members is a framework of the process from getting to where we are to where we'd like to be. There are substantive details that are going to be. . .have to be incorporated as we move forward through this. One of the main ones is going to be the introduction to this. . .Committee and, and prob. . .I guess to this Committee, amendments to Chapter 2.80A, which is the section of the Maui County Code which provides for the decennial revision process of the, of the. . .General Plan and also of the community plans. It also provides the mechanics of revising community plans between the decennial revision process. So I would like to go through the. . .the PowerPoint presentation. I'll comment on

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a few places. And again, subject to the Chair, if there are any questions. . .at the end of this presentation, I would be more than happy to address them. Or at the pleasure of the Chair, if anyone wishes to stop me during the presentation, I would be happy to try and respond to those questions. So I'll just get going. Our Long Range Division program consists of. . .basically three of us: John Summers, Daren Suzuki, and myself. Uh . . .

. . . we're kind of starting off with something that our Mayor borrowed from Chief Seattle and kind of adapted it for Maui. But there's a lot of truth to this--that's it's been given to us by our father, not been given to us by our fathers, but is really on loan. . .from our children. So what we do today is gonna have. . .well, it could be positive or it could have negative impacts on our kids as time goes on. So the process is already started. We are updating our socio-economic forecast, our public facilities assessment, our infrastructure assessment. And we will be doing our land use forecast technical study following this. So our socio-economic forecast--which is, again, on going--is to do these things: it basically gives us, you know, kind of a, a crystal ball look at, at what's gonna happen in terms of, of population as time goes on. The horizon is 20 years, to the year 2020. The public facilities assessment. . .basically looks at what you've got on the shelf--recreation, education, libraries, et cetera. And then using national standards, we'll be able to compare what we have against current demands and basically be able to predict the expansion of these facilities for future demand. Infrastructure is kind of the same thing--it's an inventory of what we have, what's on the shelf. And hopefully in the end we will be able to develop a carrying capacity so that we can see where our weakest links are. So Maui's vision for the future. . .is defined by the dictionary as intelligent foresight, how will we see Maui a decade or more away, will we have a sustainable community? Sustainable is a. . .a word that probably has a lot of connotations, but essentially we wanna see something that's not gonna be degrading. And we, we wanna know of if we've been good stewards of what we have. So I've put these up on the screen for people to kind of have a look at. Most thought they were very interesting. Uh. . .and so just have a look at them--preserving agricultural lands. Here's another one--how about preserving desired quality of life? Here we are balancing growth demands again. How about discouraging further urban development of the shoreline? That one usually gets some applause. Recognize the need to maintain a healthy economy. . .address the development of resident housing as a major social need in our community. So I asked this question--why are these familiar? Well. . .because they're the five major themes in the. . .in the County General Plan that we have right now. Are they still valid?

. . . We believe they are, and should form the basis for our General Plan 2001 strategy. So community values--let's see, these are the questions that we're asking: what's important to you, is it parks? And we talk about walking. . .rather than having to get into your car. Mayor Apana at one point said that this is kind of an interesting society we live in where we get in our car to drive to someplace

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to go exercising on a bicycle that doesn't go anywhere. Is it traffic? Is it education? Or even is it consumption of land and resources for part-time residents? These are a lot of things that have been raised for discussion in, in our. . .in our community. So this is a little slide that I picked up from a magazine. And I, I thought this was interesting how this particular individual is basically trapped on an island in the middle of a very large roadway. So we showed them this. . .or is this. . .is this important. . .where we have the bulbouts, the marked crosswalks, mid-block crosswalks, roundabouts? Um . . .

. . . we feel that getting our people involved is important--using our residents as planners is a really good idea. Now the next slide is something you probably have to look at. I thought it was kind of funny because it illustrates sort of the competing entities in our, in our community.

**NOTE:** *Pause.*

MR. MISKAE: . . . So we kind of take it from there.

**NOTE:** *Pause.*

MR. MISKAE: . . . So a Smart Growth Task Force is something that Mayor Apana asked about 60 people to come together. Over the four meetings, by the end, we had, I don't know--Daren, about 17 or 18 that came to the last meeting? So we had four facilitating meetings. We used two University professors from UH to facilitate the meetings. Talked about a lot of things. In the end, a draft vision was presented. Although it wasn't unanimously adopted, but it was talked about, and a set of smart growth principals were also talked about. So we took those and we, we sort of plugged them in. This is a picture of the, the group as it ended up. And you might recognize some faces.

. . . So the draft vision that, that was, that was presented is this--again, our word "sustainable" is in here, but it talks about a connected network of communities to show that we are a series of independent neighborhoods or communities, but we are dependent upon one another for connecting with sewer and water and solid waste and. . .roadways--that sort of thing which I'll get into in a few minutes. But the big thing here is, of course, that we wanna have a better Maui for our children in the future. So there was nine guiding principals that, that arose from this particular process, this four-meeting process. And I'll just kind of run through these so you can kind of get an idea of what this group thought. And it was a very, very good cross-section of people ranging from our environmental groups to developers and pretty well everything in between. Not that developers don't have environmental concerns, but anyway that, that was the, the range of people at this, at these particular meetings. So there's a lot of good stuff here. Essentially very consistent with our. . .with our five themes in our General Plan as it stands right now.

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**NOTE:** *Pause for slide change.*

MR. MISKAE: . . . And there's three more.

**NOTE:** *Pause for slide changes.*

MR. MISKAE: . . . So every voice is important. So . . . I don't know, some of you may have seen it in the newspaper this morning. Our idea, then, is to go out and ask people what do you think you want; what makes you happy with Maui; what makes you unhappy with Maui. So we're inviting people to ask us to come to their meetings. We wanna use this vision as a basis. It doesn't necessarily have to be **that** vision at the end of the day, but it certainly something to start with. We wanna start setting values and then use the values as benchmarks. So the goals and objectives are . . . being created with the vision and community values, to achieve goals, and then go back and see how we're doing, get consensus. 'Cause it's really the people's plan. So what's our version of smart growth? Well. . . we set out to try and get a definition for smart growth. But really smart growth is really not any single thing. It's not a subdivision, you know, with nice. . . walkways and that sort of thing. It's not really a design of a park or any other single element. It's really a paradigm shift. It's, it's how we live. . . how we view things, a real vision of the future. And something that I've, I've. . . found through experience here. . . in the 20 years I've lived here is that I've never seen something come from the mainland out of the box ready to plug and play. We in Maui will have our own version of smart growth because of the diversity of, in our community. So it will subject to the, to the community. Consensus is gonna be something we're gonna be really striving for. And that will be **Maui's** version of smart growth. So I plugged these things in to kind of show people that there is laws. This is the State law that tells us exactly what a county general plan is supposed to do.

**NOTE:** *Very long pause.*

MR. MISKAE: . . . And this is a good one. This is something. . . fairly close to what I understand some members of the Charter Commission were looking at putting in our Charter.

. . . So it really starts to lay out the menu that's needed to . . . to constitute a general plan. And then this is the, the final statement in the State law. It talks about actions. So one of your, one of your testifiers talked about that--actions. You've got to have something to implement what you do. And then again, this, these are the two sections of the County Charter that talk about our General Plan.

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. . . So there's lots of law that talks about what we have to do . . . and, and in essence what, what we should be doing. So this is the process. The General Plan. . . we think the General Plan will be a regional component which will be developed by an islandwide citizen advisory committee. Then from there the community plans will be drafted by community citizen advisory committees.

. . . So what's the General Plan? It'll provide for Countywide polices. These will include islandwide polices and implementing actions. . . provide for community polices within the various community plans. So that's the set up: that we'll start with our General Plan. . . which will be very wide-based policies. . . going to, within the General Plan again, specific policies with respect to. . . these inter-relating pieces of the puzzle that I talked about earlier, those things that are needed to connect our independent communities. So we will be providing for an islandwide citizen advisory committee to prepare for this component of the General Plan. And this particular group of citizens will be empanelled for the duration of the General Plan process. We have, we have been working towards getting those amendments to Chapter 2.80A. And within this particular ordinance revision will be the formula for how this particular CAC will be set up. And we feel that this CAC should be recalled as appropriate--for if not annual reviews, at least every five years anyway to have a look and see what we're doing, how we're doing things. So the islandwide component of the General Plan will define urban and rural growth boundaries . . .

. . . identify lands important to preserve ag; identify lands that should be maintained in open space; policies to effectuate this, including how to do it--condemnation, transfer of development rights, real property tax incentives, et cetera. . . would also provide for a framework for future transportation alternatives, including mass transit, mixed use development. . . would provide for a strategy for the diversification of the island's economy. . . and also provide policies to guide overall growth on the island, how much, where and when. I think it's important once you have the information. . . that will be derived from the studies that I talked about at the. . . at the start of this, of this. . . presentation that you will know where and what part of the island can handle growth and what part can't.

. . . What did I do here?

**NOTE: Pause.**

MR. MISKAE: . . . I guess I can do that and that'll make it disappear. All right. The community plans. Maui, Molokai, and Lanai community plans. I, I would like to respond to your testifier just very briefly. Our original concept was to develop a regional component to our General Plan for each of the three islands--Maui, Molokai, and Lanai. Once I started into this process, the Planning Director felt that the community plans already adopted for Lanai and Molokai probably

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reflected the community's views fairly well. And this puts me between kind of a rock and a hard place. This morning, Mayor Apana instructed the Planning Director to *do* the island components for Molokai and Lanai and to develop the citizen advisory committees for each of those islands. So in effect, we will be doing exactly the same thing that we are doing for Maui on Molokai and Lanai. And we will be starting that immediately.

. . . So these are some of things that we wanna talk about in the community plans.

**NOTE:** *Pause for slide change.*

MR. MISKAE: . . . This is an important one--we feel that the CACs need to be professionally trained. We have to provide them with a specific funding and staffing, and really enable them to conduct public workshop sessions such that the community can get involved with a pen in hand and a map on a piece of paper and a table, and really get into it so that they're not just simply being talked to, but they should be listened to, they're talking at, and that our CACs are not going to be sitting at a table in the front of the room listening to. . .uh. . .a whole parade of developers wanting their, their whatever put into the community plans because it's the easiest way of doing it. And we feel that the CAC should be empanelled for the duration of the community plan process for which they are involved with. In other words, they won't have a specific time frame. When they're done, they're done. Our thought was, is that when a. . .when a majority of the members of the CAC have finished, in other words they have finished their report, then that's when their, that's when their plan will go. . .onto the next step. But they will stay there until such time as the Council adopts the community plan that they were involved with, regardless of the length of time that it takes. So our General Plan draft will be consistent with the values set forth throughout the community outreach process and with the technical data. The islandwide citizen advisory committee will define these policies we talked about for the islandwide component. And then our citizen advisory committees will get to work. So after the adoption of the plans, we feel this is necessary--there be an annual report to the public and to the Council . . .

. . . that community meetings be held at least annually to see what's going on, to see what they think, to. . .to get a report card from them; and that maybe this island citizen-wide. . .the citizen advisory committee should meet maybe annually to recommend revisions. Who knows what can happen in a year's time or two year's time that could, that could change the direction that a plan takes. A plan can't be etched in concrete. It's gotta have some dynamics to it. So this is some comments that you may have read that our Public Works Director published in his viewpoint in the newspaper. And I think they make a lot of sense.

**NOTE:** *Pause for slide change.*

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MR. MISKAE: . . . So, again, are you in agreement? Let us know if you would like one of staff attend a small group meeting--is what we're asking for. And we're getting invitations now. We feel this is the most important thing we can do. Planning is for the future. And, again, we thank people for allowing us to do the program and. . .again, that's our phone number. Madam Chair, that's the end of our. . .our presentation. If there are any questions, we'd be happy to try and field them.

CHAIR TAVARES: Okay. Thank you. Members, do you need to see any of the other. . .re, go back to the slides? Okay, we'll take a short recess. Just a minute--Mr. Kane?

COUNCILMEMBER KANE: Just a question if we're gonna be getting a hard copy of this particular presentation, since I noticed we didn't have one. And I only ask that because we were kind of blazing through and I didn't wanna. . .interrupt the, the flow that Brian was presenting.

CHAIR TAVARES: Would, would you be able to do that, Brian?

MR. MISKAE: Madam Chair, I'd be, I'd be pleased to. I was kind of. . .cueing in on what your, your comments where this would be a short meeting. I apologize for blazing through.

CHAIR TAVARES: . . .*(laughter)*. . . Okay. Thank you. Okay, we'll get a, a hard copy of that.

COUNCILMEMBER ARAKAWA: Question.

CHAIR TAVARES: Mr. Arakawa?

COUNCILMEMBER ARAKAWA: Are we gonna be discussing this to any length or next time we're gonna discuss it?

CHAIR TAVARES: For. . .for his, for his plan, we can ask questions about it. But I think we'll get into the discussions the next time.

COUNCILMEMBER ARAKAWA: Okay, because I'm kind of curious if we're discussing a planning process and he already seems to have a planning process that he's working on. Uh. . .you know, on what authority does. . .does he go out and starts creating all these C, CACs and community groups when we're trying to create a planning process to work with.

CHAIR TAVARES: Okay--

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COUNCILMEMBER ARAKAWA: So if we're gonna be doing a planning process, and all these meetings that we've had was to create one, I'm just kind of curious how this, how it, how it's fitting together.

CHAIR TAVARES: Yeah, well, I guess they're going out now with their process to get feedback from the community. And we'll be concurrently doing our work here. And, you know, some things may match and some things may not.

COUNCILMEMBER ARAKAWA: Okay, because later on I wanna find out from Corp. Counsel, you know, where the authority lies in creating the community plan process.

CHAIR TAVARES: I believe it's us.

COUNCILMEMBER ARAKAWA: That's what I think, too.

COUNCILMEMBER NISHIKI: . . .*(inaudible)*. . .

CHAIR TAVARES: Yeah. Wait, let me take a recess first and get back up to the podium . . .*(gavel)*. . .

**RECESS: 2:47 p.m.**

**RECONVENE: 2:47 p.m.**

CHAIR TAVARES: . . .*(gavel)*. . . Okay, the meeting will reconvene. Okay, Mr. Nishiki?

COUNCILMEMBER NISHIKI: Yeah, I, I know that everybody has a lot of questions, but what Alan just represented really concerns me from the fact that now this Administration's going out. I don't know how he's going to select members within the different communities. You've gone out and you've heard that, you know. . .some of the, myriad of people that they want it to be community-directed in how we plan our communities, not develop-oriented. And I'm really curious as to how this Administration is going to select its members and then come out with the thoughts. And I think it's . . .

. . . I don't know, I don't know productive it's gonna be with how we are moving this. . .into this area. And . . .

. . . I, I, I guess that's my problem. I, I. . . I understood that this area should be the Council's policy, Brian. How is the Administration finally gonna arrive with something and this is gonna be a document, what's it going to be? I don't understand.

CHAIR TAVARES: Well, whatever--



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COUNCILMEMBER NISHIKI: And--

CHAIR TAVARES: --process they're gonna--

COUNCILMEMBER NISHIKI: --confused . . . *(inaudible)* . . .

CHAIR TAVARES: --come up with will have to come in the form of, of an ordinance or amendments to that chapter that he, he referenced earlier, and that we are ultimately the decision makers. . . regarding how this. . . planning process will be changed or, or amended. I. . . I think that Mr. Miskae and Daren Suzuki have been to several of the communities meetings that I've been. . . that we have been holding. And have received cert, you know, certainly the same kind of information, they've been there. And. . . you know, they have their, they have their. . . their right to go out and, and formulate a policy or formulate a, an ordinance. But whatever it is gonna, whatever they're gonna submit to, submit has to come through us. So I don't think we have to wait to see what they're gonna produce. We can go ahead and, and look at our things and we're the ones who will be making the law. And the, if the Administration is. . . you know along the same lines or we're gonna consider what they have to offer, I think that that, you know, gets put on the table for us to make that final decision.

COUNCILMEMBER ARAKAWA: . . . Madam Chair?

COUNCILMEMBER NISHIKI: . . . I just. . . I. . . *(sigh)*. . . I, I guess it's. . . for our community it can get a bit confusing and, and again. . . you know, it's. . . somehow I see it duplicating what we're doing. But anyway, that's just my two cents.

CHAIR TAVARES: Uh-huh. Yeah, and it is, it is duplicating. I mean, we do the same thing in the budget, there's a duplication there, too. The Mayor goes out and has his hearings, and then we go out and have our hearings. So there are things going on, you know, sort of concurrently. I, I don't see harm in this, this. . . version or this method. I think the more information we get out to the community about how concerned both the Council and the Administration is about the planning process actually. . . it benefits all of us. We'll. . . we'll just have to wait and see where it goes from there and what we're gonna do. What we're gonna do *is* important. I think Mr. Arakawa first, and then Mr.--

COUNCILMEMBER ARAKAWA: Madam Chairman--

CHAIR TAVARES: --Hokama.

COUNCILMEMBER ARAKAWA: --you know, I just, I just think that we really need to make it clear and that Administration make. . . needs to make it clear to the public the **Council**. . . is the one that is gonna be doing the, the planning process, the

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final version of it and the discussion of it. I do see some harm because when I go around in public right now, you know, the Mayor has formed so many committees. . .and there have been so many reviews and re-reviews. People are just getting sick and tired of committees without real results coming out of it. Now, I've attended, personally, a number of planning. . .statewide visioning programs and County visioning programs. Most of what's there--if you look at the Ke Ala Hoku, the State visioning program, most of the stuff is there. Most of this is just rehashing things over and over to make it look and sound pretty. But the discussion, a lot of this has already occurred many times. And how we package it together. . .to come out with a real planning process that has some, some teeth and some muscle in it, to just say, well, you know however people feel is one thing. To be able to come out with policies on how you're going to actually get those implemented, I mean, that's what we're charged with. So the. . .I guess the pretty fluff stuff is okay for a presentation, but the reality is we have to come out with some real programs and policies on how we're gonna be dealing with the community as a vision. And I, I would. . .I would really hate to see the public getting misled into thinking that this *is* the process that is being presented, when in actuality what comes out of this Committee is gonna be the process.

CHAIR TAVARES: Right. We have the hard part.

COUNCILMEMBER ARAKAWA: We've got the hard part.

CHAIR TAVARES: . . .*(laughter)*. . . Mr. Hokama?

COUNCILMEMBER HOKAMA: . . . Are you considering allowing Mr. Miskae to answer questions this afternoon or do you--

CHAIR TAVARES: Yes.

COUNCILMEMBER HOKAMA: --prefer just . . .

CHAIR TAVARES: No, if you. . .he offered to, if you have questions. . .either now or I was gonna ask if he would be present at our next meeting in case after we got the hard copies and people might have other questions, too. But. . .if you want to, go ahead and ask a question now.

COUNCILMEMBER HOKAMA: Okay. Well, let, let me just share my comments as regarding to what is currently be, being discussed on the floor, Chair. Uh . . .

. . . well, you know, basically because it's been done and it is part of the process that has been accepted by both branches of government as well as the community regarding the budget--I understand that the Mayor goes out in his formulation to get ideas, inputs, and see if he. . .will make it part of his budget

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submittal, and then we go out and we either reconfirm or make the adjustments to the request. But we make the final decision.

CHAIR TAVARES: Right.

COUNCILMEMBER HOKAMA: While I can appreciate this is something that I think Mr. Miskae stated from the very start when he accepted this formidable task of long range planning--that he would go out and spend the hours and times to get. . .community input--uh . . .

. . . that, I, I also have a concern that the community needs to know that this is the way that the Administration is **seeking** information, but it may not be the way we do it next year or the following perhaps. And I, I can see the point because policy is our job. The Mayor can assist us in formulating it with the community's input, but it's for them to implement the policy that Council. . .through its review and wisdom will. . .enact something to be followed. Regarding that. . .I would. . .is it part of your plans, Brian, as part of when, when you go out and seek things, to also provide the financial side of what is being proposed? And I bring this up, again, because I heard it today at. . .at a luncheon that Dr. Leroy Laney presented to the Chamber regarding. . .the forecast and economy for the State as well as the County . . .(end of tape, start 1B). . . in particular of what, you know, Maui should have. And then because we're so. . .dependent upon what the State decides, maybe we should ask for, like a type of independence and ask for our own taxation powers and we provide for the schools and we provide for all the roads in the County, and we provide for. . .certain things that is now part of the State's responsibility. We wanna take this a step further--when. . .you provide let's say. . .Lanai. . .with ideas, and we say, okay, we don't want anything more on the island. And. . .but I think you should be able to say with Finance Department's support. . .that if that's what you want. . .then, no, this is what you generate and this is what it takes to pay for it. Because I feel that even if we can justify supplementing the deficits of certain regions, I think it is incumbent of those regions and all of us to show those who have to pay for that bill, that as best as we can, everyone pays their fair share.

. . . Because that's what I hearing about roads. That's what we hear from West Maui--that they're not getting their fair share from the taxation they generate. This is what you hear from Waikiki to the rest of the State in general excise tax--that they're not getting their fair share. Well, if that's the case, somehow . . .

. . . not everyone can pay for everything that they need. . .whether it be police, fire, or wastewater. But I think if you, well, I'm gonna ask--do you think it, it. . .it would be more helpful if people find out what it takes. . .in, in dollars and cents? Because I take that into consideration when I make a decision.

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MR. MISKAE: Councilmember Hokama. . .the matter of, of. . .how the economics work, I think, is a critical part of the strategies that this Council will. . .will in the end, at the end of the day adopt. I think that's what's important about us going out into the community and talking about tolerances. . .about walking to parks, about what is your level of service tolerance for roadways. Because. . .all of the things that you talk about in terms of improving quality of life that, that apply to capital improvement programs cost money. They cost lots of money. Uh. . .we, we certainly do have discrepancies with respect to amounts of money that are generated from the various parts of our community. With all due respect to Chairman Kawano, you know, the rest of us pay quite a bit towards maintaining Molokai. I mean, that's just the way it is. Because we are a community. We are. . .we are what we are. We, we support each other. We look at each other as best we can as a community to support each other. But I think the bottom line, or at the end of the day. . .if, if people decide that they wanna improve a particular--just for example, a piece of infrastructure that's gonna cost "x" number of dollars, it's, it's kind of like you. . .this body is going to take out a loan that your grandkids are probably gonna end up making the payments on. But that's a decision **you're** gonna have to make now. And I think that's important for us to understand in this planning process, that the things that we talk about--improving our lot, improving our quality of life. . .improving traffic, improving water, improving sewer, improving, improving, improving--improving has dollars signs attached to it. Are we prepared to sign that note, that loan that our kids and our grandkids are gonna end up paying for? And is it money well spent for them in the future? So, I mean your point is well taken about putting dollars figures on these things. Yes, it is critically important that we do this. And part of our infrastructure assessment is going to be looking at the increased demands on our infrastructure--what do we need to increase, where are our weakest links, and what are the dollars that are gonna be involved with it. These, these will be things that will be critical in your final deliberations as to, as Councilmember Arakawa says, you're gonna set the policies, not the Mayor. **You** are gonna set them. It's gonna be the plan that you develop because you represent all the people. So probably a long answer to your short question, but I, I agree with you that there's gotta be numbers in the plan, yes.

COUNCILMEMBER HOKAMA: You know one, one thing in your presentation that was . . .

. . . interesting--and I say "interesting" because I'm not too sure if any reviews of the General Plan is, is good or bad. But you mentioned that, you know, possibly one would be an annual review of the, of the General Plan to make recommendations. . .to, to adjust it. And at the same time, I would agree with you that it needs to have some level of flexibility in the dynamics of changing situations and, and circumstances.

**NOTE:** *Long silence.*

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COUNCILMEMBER HOKAMA: . . . If we were to have that, you know, I'm just trying to balance off. . .to when does over-detail become a detriment?

. . . 'Cause you can detail something whereby in the end you not gonna do anything 'cause you cannot satisfy every single detail, so nothing's gonna happen. And this County cannot maintain its position--from what I've been told today--of being the only County in the State that is, may not be facing any sort of recession. . .uh. . .as, as the numbers come to an economist . . .

. . . to avoid if there's a hundred details to satisfy and we only do 99 and that one. . .remaining detail. . .sinks the ship because we're not gonna be able to float.

MR. MISKAE: The, the nine of you. . .uh, face these challenges every Council meeting that you're at. You can never please everybody all the time. It is necessary that all of you collectively come up with the policies and the visions that you need in the best interest of this County. I don't think anybody can tell any one of you what's gonna happen tomorrow. I don't think anybody knows that. You just have to act on the best information you can get. And our job is to try and provide you that information as best we can.

COUNCILMEMBER HOKAMA: You still believe, Brian, that a ten-year. . .forecast of, of where we wanna be ten years from now is, is a smart planning period? Or do you think it might be shorter or might be even longer that would. . .be more reasonable because of the time it takes to go through a process?

MR. MISKAE: Well, our planning horizon for this work that we're doing is gonna be 20 years. The, the Charter requires. . .revisions of the General Plan at least. . .it says **at least** every 10 years. It doesn't say you have to **wait**. It says--

COUNCILMEMBER HOKAMA: Uh-huh. Uh-huh.

MR. MISKAE: --**at least** every 10 years.

COUNCILMEMBER HOKAMA: Uh-huh.

MR. MISKAE: The Council did in fact amend the 1990 General Plan in 1992. They didn't late, wait ten years. They, they revised it the next year because of the airport situation. It was revised because of. . .you know, a particular situation that arose in the community. So you know, a plan doesn't have to just sit on the shelf. And I think I, I talked about that before--is that we've gotta be very careful that we are not absolutely married to our process and that once we've completed the process we think our job is done. It's not done. We've gotta act after that. We've got to implement those things that we've put in. It may not be all nine of

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you that end up actually implementing some of these things, but there has to be a plan set out and budgeted for to implement these things. Otherwise, we won't have a plan. So . . .it, it's important to understand that none of us have a crystal ball that's infallible. But we have to do--

COUNCILMEMBER HOKAMA: Uh-huh.

MR. MISKAE: --the best we can with the information we have at hand.

COUNCILMEMBER HOKAMA: So if I may ask one, one, one more question because this is, as it relates the plan to the budget?

. . . Then, Brian. . .what the Mayor in, in. . .let's take it a step and we're at the next level. Then do you foresee the Mayor and, and. . .and the Administration then developing. . .primarily almost the whole budget except for the few things he might get from a regional meeting coming from the plans for police. . .you know, what, what we expect for police, what we expect for fire, what we expect for roads, what we expect for parks. . .those things we'll be basically generating numbers from approved regional plans?

MR. MISKAE: I can probably answer it this way--when I read how this County is described legally, it is a municipal corporation. No corporation would ever develop plans the way sometimes we do and hope that, you know, the money is gonna come later. I mean, you have to establish a plan that you follow. So in, in those terms, I would have to say that the plan has to provide for at least a reasonable capital improvement program over the duration of the plan, setting out the sources of funding as best you can and the implementation and priorities of those particular capital improvement programs. So in terms of, of police expansion, a fire station expansion, these things are tied directly to what you do in terms of directing population, in terms of how you manage growth. If we continue to allow haphazard development of Maui County, we are gonna continue being behind the curve and trying to play catch-up. Being reactive to things all the time. And you as Budget Chairman know the pitfalls of that. You, you can't do that. We have to have a plan paramount, a paramount plan that we follow, and we follow it religiously.

**NOTE: Silence.**

COUNCILMEMBER HOKAMA: . . . That was great, Brian. That's what I wanted to hear . . .(laughter). . . Thank you.

CHAIR TAVARES: . . .(laughter). . . Ms. Johnson?

COUNCILMEMBER JOHNSON: . . . Brian, thanks so much. One of the audience members. . .and we all know how that is . . .(laughter). . . you know, our friend

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DeGray. I'm gonna try to, you know, consolidate some of the questions because I think that. . .you know, other Council Members and you know even during the testimony, I think people, they do get a little bit of confusion about what's happening and the, the timelines are. But as it relates to both Molokai and Lanai, your intention is to go ahead on the same basis that you're going ahead and set those meetings up in the same framework that, that you've already done. And can you give us some idea of the time-line?

MR. MISKAE: . . . I guess to respond to a comment that was made earlier by, by one of the Members--we are currently bound by the provisions of Chapter 2.80A which sets out how the community plan process works, how the General Plan. . .process works. In terms of how we collect information, I think using a citizens advisory committee islandwide is something the Mayor would like to do. I would like to see. . .in your actions with amending that Chapter 2.80A that you would decide how the citizen advisory committee is to be made up. An example might be--there's six community plan areas within Maui County, maybe the nine of you would like to choose two from each area so that you've got 12, maybe the Mayor would like to add six. I don't know. It's up to you how you set that up. But. . .in terms of how we're going to set up Molokai and Lanai, obviously we don't need as large a group for each of those islands. We thought maybe seven or nine people possibly. But we had actually set up a list prior to--and, again. . .here I am between a rock and a hard place here. We had thought that the Mayor had given direction to go ahead and do three. . .DeGray called them "general plans", they're not. They're "**island** plans" which would form **part of** the General Plan. When we got into the process, the Director felt that probably the, the process that had already taken place for Molokai and Lanai was current enough that there was no need to go and do. . .anything again for awhile. The Mayor, this morning, after considering it. . .said to the, to the Planning Director, no, I want to have the same thing done on Molokai and Lanai as for Maui, I want you to go ahead and, and set up these citizen groups on Molokai and Lanai--not the Planning Commissions, but citizen groups. . .and really start talking about just where you are with this. Because, you know, as I said to, to Member Hokama--the more information you have, the better infor. . .better decisions you can make. So, yes, we're gonna do that immediately.

COUNCILMEMBER JOHNSON: That. . .and I, and I think that pretty much answers the question and in. . .you have no preconceived notion of how you're gonna formulate those groups at this point in time?

MR. MISKAE: Un, unless this Committee and the Council comes up with specific direction under, under amendments to Chapter 2.80A, we will proceed with, with simply asking a group of people. Uh. . .none of them will have. . .decision-making abilities--you know as set out, for example, now in 2.80A, that the citizen advisory committees actually have, you know, a system and recommending authority. But you know we will try and set this up. We, we

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feel that we shouldn't wait much longer. We should move forward with the process. I think the, the Committee Chair talked about tweaking things. When they're tweaked, we can certainly revise what we're doing. But I think in, in terms of what my presentation was called--it's a **strategy**. It's not necessarily a plan, it's a strategy. You will make the **plan**. And once you have the plan in place, we'll follow it. But we feel that we've gotta get started now and start getting the public involved in this process.

COUNCILMEMBER JOHNSON: So and if, if I could just, you know, follow up on what Brian is saying? Then it would be something similar to what you did with the transportation--you know how the Mayor's committee went out on that and just gathering all the input and the data and consolidating into similar way that what Charmaine has done--so it's in some readable, logical format, so then we can take what we want out of that or you can take what you want out of it and then. . .you know, present it for our consideration. Is that sort of what I'm understanding?

MR. MISKAE: I, I believe that would be the situation. What, what Mayor Apana wants to do is to get as much of the. . .as **many** of the public--

COUNCILMEMBER JOHNSON: Uh-huh.

MR. MISKAE: What's the proper term--as much, as many?

COUNCILMEMBER JOHNSON: Many.

MR. MISKAE: . . .*(laughter)*. . . as many of the public, members of the public as we possibly can. Because public consensus in a plan like this is critically important. So it's not jammed from the top down, but rather it comes from the bottom up.

COUNCILMEMBER JOHNSON: And, and I really wanna thank both the Chair and you, Mr. Miskae. I know I have a little bit different. . .maybe a. . .a business background in viewing things. And as much data as you can gather and consolidate. . .as long as it's clear what the purpose is--that, you know, something that somebody expects out of a process is not what they're gonna get at the end. As long as that's really clear, I think the more input that you get, the more valuable it becomes. Because during our transportation infrastructure planning workshop, basically they took all the information from all the different groups. And I think it helped them to kind of already have the data there to help frame some recommendations and set a direction. And I think that the direction. . .as you point out, it's up to the people. You're gonna implement what we put down, you know, on paper. But it's all based on what the citizens want. And I. . .I think that that's really good because that's the way government should be working--it should be reflective of what the citizens want. So. . .I don't believe it's a duplication. I think that it may be running on a parallel path, but I think that



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it's healthy. And I think that it does provide balance. Because, you know, you may have totally different citizens on your participation group than Charmaine might have. So I, I don't find fault with that. I, I think it's a lot of work . . .(laughter). . . but I think that it will ultimately lead to a better product. And I do appreciate it.

CHAIR TAVARES: Mr. Molina?

VICE-CHAIR MOLINA: Thank you, Madam Chair. Good afternoon, Brian. As part of your selecting your members for your CAC. . .what, is there a criteria that you're gonna be looking for in selecting your four members, I guess. . .per community? The, the reason I bring this up, because I've heard from people. . .have told me that, you know, in a lot of communities, only old guys on this, you know, on the CACs . . .(laughter). . . you know, I guess--well, this was from the, a college student that mentioned this to me. And it. . .his feeling was just that the CACs are just made up of people well over the age of 21 or everybody past 30. So, so the, the feeling that I'm getting out there is younger people wanna participate in this process. So I'm just curious--are you. . .have it set as to where you wanna just go out for older people out there or are you gonna be inclusive of, you know, young adults?

MR. MISKAE: . . . Over the next three to four months, we're hoping to stimulate substantive public. . .response to our request to have us actually go out and visit with people, to listen to what they've got to say. We don't expect to commence this citizen advisory process until after we've done this community outreach. Hopefully by that point in time, this Council will resolve how they wanna do this. . .how they wanna set this up. It may very well be that you don't want an islandwide citizen advisory committee in the end. I, I don't know. Um. . .we feel fairly strongly that. . .there is, there is one function that you can take from the mainland and, and. . .and try and apply it here. And that's the, the county system on the mainland whereby the counties contain multiple. . .independent political subdivisions, towns and villages that essentially control their own destiny under, you know, probably a state mandate, but nonetheless they do control their own destinies. But what's important is that the **counties** that, that they are contained within supply things like buses and solid waste and a, a variety of other things. So we're, we're kinda hoping that, that maybe using that concept is that we can start with an islandwide conceptual plan as to how we can deal with our roads and set up a program to develop these things beforehand, rather than try and react afterwards. So this is the reason why we thought an islandwide citizen advisory committee would be. . .would be important and representing. . .in Maui's case, all six of the community plan areas. Maybe that's a good idea. Maybe it's not. Again, we're not gonna have to address that for a little while yet. But. . .this is gonna be something that, that you folks are gonna resolve. I'm sure it's . . .(laughter). . . another one of your challenges, but. . .how we're gonna choose these people, I, I'm not positively sure. The. . .we don't have very good luck in

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putting advertisements in the newspaper for our boards and commissions. I mean, normally that ends up having to come to, a lot of cases, to you guys and ask, you know, do you have a recommendation of somebody from your area. It's not an easy task to get people involved. What I've been finding. . .again, I'm sorry for being a little long-winded, Madam Chair. . .what I found in going out to, to these organizations in the last short while is that people are very skeptical about getting involved because they say they're never listened to. . .just go ahead and do what you're gonna do anyway. As a matter of fact, the last meeting that I, that I did, there were individuals at this organization from the mainland--high, high up corporate executives and people that lead corporate, you know, retreats and that sort of thing. And they said to me, why do you even wanna get citizens involved in this thing, why don't you just write the thing and pass it, if you did what you're doing in the corporate world, you'd be bankrupt by now.

?: . . .(laughter). . .

MR. MISKAE: But we all know we can't do that. So the more people we can get involved, the better. And **how** they're chosen, Councilmember Molina, I'm not sure. We've got some ideas we've been kicking around, but I'm not sure yet.

VICE-CHAIR MOLINA: . . . Thank you.

CHAIR TAVARES: Thank you. You had a question, Wayne?

COUNCILMEMBER NISHIKI: Yeah, last one.

. . . How, what's the timetable? When does it start and when does it end?

MR. MISKAE: We expect--well, it's started now. We expect that the community outreach process should end in three to four months. At that point, we've gotta get down to work and start drafting policies and a General Plan. We expect that we should probably be finished with this process by about mid-2003, about a year-and-a-half. . .for the General Plan. And that depends on now. . .from that point, Councilman Nishiki, it depends on how you folks wanna deal with the community plan process. Much of what I've heard and is in your documents that you've got transmitted, people wanna talk about **villages**. . .rather than whole community plan areas. So there's lots for you to. . .to digest, I'm sure lots for you to debate at your next meeting in that respect.

**NOTE: Silence.**

CHAIR TAVARES: . . . That's it, Wayne?

COUNCILMEMBER NISHIKI: Yeah.

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CHAIR TAVARES: Okay. Thank you. Alan?

COUNCILMEMBER ARAKAWA: And, Madam Chairman, you know. . .as we're, as we're going about in this Committee, we're trying to formulate a community plan process and a General Plan process. I just wanna make sure and. . .with the Mayor's Long Range Planning Director is going out in the community and having all these meetings. . .we may be done with trying to create the process before he gets three-quarters the way done with his meeting. And if he's looking at 2003, I'm sure you're not looking at delaying this particular topic that long. So I wanna make sure that when he's portraying it to the public, that it is an accurate portrayal of, of what the effect is going to be. Because we're going through a process and we're trying to create a planning process that is workable. And all that citizen input that he may have, you know, if it's geared toward coming back and being able to give us some suggestions on how we're gonna do our planning process, if it's after-the-fact. . .it's sort of pointless. The. . .lot of the discussion, for instance--and I think Councilmember. . .Hokama hits it on the head. In one of the things that I've learned in the past. . .you know, I sat on the Wailuku-Kahului CAC. We were not **allowed** to have inter-regional discussions with other CAC members. And it's, it's **imperative**. And I, I refer back to what Councilmember Hokama said--you need to be able to plan the **budget** to actuate the plan, otherwise all the discussion and talk are almost meaningless. And I'll give you a good example that we're coming across--and that's our highways. You know, we talk about how we're going to have all these transportation systems to be able to protect all of our communities, but the dollars, if they don't follow, the roads don't get fixed. We're, we're looking at various competing entities within our community. And if there's one thing I've heard from every smart growth conference that I've attended, it's. . .set the plan, work the plan. If we're gonna say we're gonna be doing a community here, we have to make sure that everything is in place to actuate the plan. And as an overall community. . .in the last CAC process, we were told dream the biggest vision you have, who cares if it's practical. . .and that's. . .you know, we'll work it out. That may be part of it. But the practical part has to come into play. And I, I'm very much, you know, wanna make sure that as we're telling the citizens dream the dream. . .we're also saying dream the dream, let's try and be able to actuate what we actually come out with, there has to be some practical aspect of it. So if we cannot budget for it, if we, for instance we say open space and we wanna preserve open space, are we gonna, are we prepared to buy half the property in Haiku and Kula to preserve the open space? If the citizens are thinking that this is how we're gonna preserve all the open country areas--which is what you know I'm hearing a lot of. . .we want to preserve all of our open, natural space--and yet we're filing in hundreds of houses in these areas. . .where is the plan to do that? So those are the kinds of things we're gonna be looking and, and discussing, I'm sure. . .in how we do our planning process. But we need to make sure that the Administration is also following in line that they're gonna complete their process

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prior to our completing our process, or they're not gonna be included. Um. . .their end, end result is gonna come out after. . .and much too late, it's not gonna be included in our, our thought process. Thank you.

CHAIR TAVARES: Thank you. Okay, any other questions for Mr. Miskae? Mr. Kawano?

COUNCILMEMBER KAWANO: Thank you, Madam Chairman. Miskae, I heard you earlier said Lanai, Molokai may be a smaller group. And then the Mayor, the Mayor came in and said no. But. . .who's idea was that and what, why was that idea brought up?

MR. MISKAE: Mayor Apana initially wanted all three islands to have a component in the General Plan because each has different characteristics. The Planning Director felt that because Molokai Plan was just adopted like a matter of weeks ago, the Lanai Plan very, very recent as well, maybe didn't have to have that process because the policies contained within those community plans were already very current and they could be just simply adopted into the process. The Mayor felt differently. He said, no, Mr. Min, I want Molokai and Lanai to have the same exercise as what Maui island does. Now in terms of the size of those particular committees, again, that's probably gonna be up to the County Council, too, as to how you want to set this up. We felt that you didn't need, probably, a huge number of people for Molokai and Lanai. But. . .the list that we got from DeGray--and we got some list from Ron McOmber and from Lanai Company for Lanai and Molokai. . .we felt probably 15 to 20 people we would likely work with. Again, it depends on how you set, you set it up. But we felt we needed to move forward now to try and get at least the public involved in the process to know that something's happening.

COUNCILMEMBER KAWANO: You know when you first presented the thing, I looked at it as a duplication of what's. . .the Chairman of the, this Committee is trying to do. But. . .so even, but it. . .it's almost like a duplication, too, that we gotta carry the Mayor's budget around. However, I think the more information you can get would be better. And I think that's what the public was screaming about. So. . .I just wanted to share that.

MR. MISKAE: Thank you.

COUNCILMEMBER KAWANO: Thank you, Madam Chair.

CHAIR TAVARES: Thank you. Ms. Johnson?

COUNCILMEMBER JOHNSON: I just have one real quick question. And. . .this is in regard to something that also Mr. Hokama was mentioning, and that's, you know, cost. . .benefit. . .*(laughter)*. . . ratios, you know, analysis, whatever you wanna

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call it. In a lot of the things--and I think I had given this to John Min. One of the organizations, and I'm sure there are many that do this, but I know that American Farmland Trust has a very good process of coming up with the cost for every tax dollar taken in, how much it costs in certain services--like your fire, your police, whatever. Are you going to be using, perhaps, some of these tools or maybe avail yourself--I think it was like \$12,000, the cost, from American Farmland Trust--in helping to provide some of those real costs so that we also. . .you know, would be able to know what we've kind of got coming in eventually from different kinds of developments?

MR. MISKAE: Madam Chair, Council. . .member Johnson, you folks gave us some money in the supplementary budget. We are proposing to hire an outside consultant to help us do just things like that.

COUNCILMEMBER JOHNSON: Okay, great. Thank you very much.

CHAIR TAVARES: Thank you. If we have no further questions for Brian at this time. . .I'd like to thank you very much for sharing with us what Administration is, is up to. And. . .good luck on your meetings. And I, and I think the. . .the information will help all of us.

MR. MISKAE: Thank you, Madam Chair.

CHAIR TAVARES: Okay.

COUNCILMEMBER KANE: Madam Chair?

CHAIR TAVARES: Yes, oh--

COUNCILMEMBER KANE: And just a reminder--

CHAIR TAVARES: --Mr. Kane?

COUNCILMEMBER KANE: --regarding the hard copy, if that can be sent to you or your Staff and that can be distributed to the Members.

CHAIR TAVARES: Yes.

COUNCILMEMBER KANE: Thank you.

CHAIR TAVARES: Thank you, Brian All right, Members, the other, only other thing we have is the. . .the report to the Committee regarding the. . .the findings or the information that came out of the second round of informal community workshops. And. . .our Staff. . .Wayne Boteilho has done an excellent job in summarizing in the Executive Summary. And then there's a breakdown--you'll see by

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communities. And it does say how many people were in attendance at each of those community meetings. Uh. . .and then some attachments on things that were submitted during any one of the meetings. And I guess by. . .process we're not supposed to deliberate on this, but if you have any questions regarding what's in here, I could try to answer it or. . .better yet, I think if you had time to review it. . .if you would review this and the report from the first round of community meetings as well as, you know. . .(laughter). . . like all the stuff that's in your binder under Number 8. . .then I think we can get into some real, start some discussions on what we want to do as far as changing the process and changing the. . .the Code and possibly what things we might want to see in the Charter. So I think Ms. Vencl is, is here as an interested party from the Charter Commission. See, because they are getting the same kinds of testimony about the planning process that we've been getting. So they're quite interested in the planning process also. Mr. Arakawa?

COUNCILMEMBER ARAKAWA: Uh, yeah. . .just a question on what was presented--

CHAIR TAVARES: Yes?

COUNCILMEMBER ARAKAWA: --or given to us in the report. That, that's the direction you wanna go right now?

CHAIR TAVARES: Yes, uh-huh.

COUNCILMEMBER ARAKAWA: Specific questions. In the. . .I guess it's the second to the last page, Maui County Plan Process Recommendations. And you have the various organizations and structures. In that structure, you have Mayor recommend and Council approve. . .and I assume that's the membership of the committee--

CHAIR TAVARES: I'm sorry, I. . .what page are you on?

COUNCILMEMBER ARAKAWA: Second to the last page.

COUNCILMEMBER KANE: . . . Maui County Plan Process Recommendations.

COUNCILMEMBER ARAKAWA: Yeah, Maui County Plan Process Recommendations.

COUNCILMEMBER KANE: . . . The second to the last page.

COUNCILMEMBER ARAKAWA: I, I'm--

CHAIR TAVARES: Oh . . .

COUNCILMEMBER ARAKAWA: . . .(inaudible). . .

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CHAIR TAVARES: . . . okay, I'm sorry. Fourth, I thought they were all numbered, but . . .(inaudible). . .

COUNCILMEMBER ARAKAWA: There's no, the numbering system is all messed up.

CHAIR TAVARES: Uh-huh.

COUNCILMEMBER ARAKAWA: So the . . .in this you have . . .the structure, the Mayor recommends, Council approves. Um, I was just kind of curious where that came from. I know that . . .one of the things that I had considered, and I think might be . . .should, and should be considered is that, the fact that what Brian was saying is, you know, the Mayor is having a hard time. . .or they're having a hard time getting members for the commissions and committees. . .perhaps the Council Members should . . .select members and . . .recommend the members for these various committees. I think that there's, that we should have some discussion on that--

CHAIR TAVARES: Uh-huh, we will be--

COUNCILMEMBER ARAKAWA: --at some point.

CHAIR TAVARES: --having that discussion.

COUNCILMEMBER ARAKAWA: But . . .

CHAIR TAVARES: The attachments at the back are things that were submitted at the meetings as testimony. And I'm not sure--Wayne, do you know who submitted this one in particular?

MR. BOTEILHO: Yeah, I'm not sure myself. Uh. . .I'd like, uh. . .Buck. . .Buck Buchanan--

CHAIR TAVARES: Yes, it--

MR. BOTEILHO: --just to take a guess.

CHAIR TAVARES: Right. I, I'll look it up in my notes as to who. . .I thought we wrote it down on the paper, but this was something submitted by a member who had come to the meeting--

COUNCILMEMBER ARAKAWA: Oh. . .okay.

CHAIR TAVARES: --a community member.

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COUNCILMEMBER ARAKAWA: Okay. That--

CHAIR TAVARES: Yeah.

COUNCILMEMBER ARAKAWA: --then. . .yeah, we're gonna, we gonna  
. . .*(inaudible)*. . . detailed questions.

CHAIR TAVARES: Right. Okay.

COUNCILMEMBER ARAKAWA: So I just wanted to know where that came from.

CHAIR TAVARES: I'm sorry, I'll, and I'll get that notice to you. Uh. . .Dave Chenoweth  
submitted the one just prior, so I'm, I'm suspecting that Buck Buchanan--

?: Buck?

CHAIR TAVARES: --gave the second one 'cause they kind of were together.

COUNCILMEMBER ARAKAWA: Okay. I would like to have discussion on that when  
we have our next meeting--

CHAIR TAVARES: Sure.

COUNCILMEMBER ARAKAWA: --discussion.

CHAIR TAVARES: I'm looking forward to lots of lively discussion about this. All right,  
Members--uh, yes, Mr. Kane?

COUNCILMEMBER KANE: Is this the binder copy or can I walk away with this when  
this meeting is adjourned.

. . . I can take 'em?

CHAIR TAVARES: You--

COUNCILMEMBER KANE: Thank you.

CHAIR TAVARES: --can take it . . .*(laughter)*. . .

ALL: . . .*(laughter)*. . .

COUNCILMEMBER KANE: I no like get scolding from Staff, so--

ALL: . . .*(laughter)*. . .



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CHAIR TAVARES: Okay. Right.

COUNCILMEMBER ARAKAWA: . . . *(inaudible)* . . .

CHAIR TAVARES: If you would rather it go into your binder now, just leave it on your desk. But if you wanna take it now, go, please go ahead and take it.

COUNCILMEMBER KANE: Thank you.

CHAIR TAVARES: We'll make sure a copy gets into your binder. Yes--

VICE-CHAIR MOLINA: You know one of the things--

CHAIR TAVARES: --Ms. Johnson?

COUNCILMEMBER JOHNSON: --that you do so well, and I don't know if would be too cumbersome or not, but. . . sometimes when it's helpful for me because we have these things all helter-skelter, when, when you put things in a matrix like, if you have number of citizens . . .

CHAIR TAVARES: Uh-huh.

COUNCILMEMBER JOHNSON: . . . you know, on the advisory committee, and then you have like maybe choices . . .

CHAIR TAVARES: Yeah.

COUNCILMEMBER JOHNSON: . . . that's real helpful for me when I look at it in a matrix because then I kind of know if I can look at that and then go back and refer to the other things. That I find particularly helpful because I kind of see. And, and you did that. . . I think it was for--

CHAIR TAVARES: Yeah.

COUNCILMEMBER JOHNSON: --the community planning process . . . *(laughter)* . . . too.

CHAIR TAVARES: Right . . . *(laughter)* . . .

COUNCILMEMBER JOHNSON: So if there is any way--and, and if it's too much of a burden, you know, we don't have to have it. But--

CHAIR TAVARES: Well, we'll, yeah, I'll work with Staff and see what would be the easiest way. I think the last time we went through it, we sort of had an outline that we followed--

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COUNCILMEMBER JOHNSON: Uh-huh.

CHAIR TAVARES: --that I think made it very easy to stay on track and to get the information that we needed for that particular topic so we weren't jumping all over.

COUNCILMEMBER JOHNSON: Right. And, and--

CHAIR TAVARES: So we'll try to get it and--

COUNCILMEMBER JOHNSON: That's kind of. . .that's kind of what I'm alluding to--

CHAIR TAVARES: Okay.

COUNCILMEMBER JOHNSON: --whether it's in a matrix form or not, but you know something like that because then it's real hard, it, it, otherwise it's hard for me . . .(laughter). . . to--

CHAIR TAVARES: Right.

COUNCILMEMBER JOHNSON: --pull all these things out and say, oh, where did I see--

CHAIR TAVARES: Okay.

COUNCILMEMBER JOHNSON: --that. So--

CHAIR TAVARES: Okay.

COUNCILMEMBER JOHNSON: --I appreciate it.

CHAIR TAVARES: All right. Thank you. Members, and we'll get the, that next meeting scheduled. . .as soon as, as soon as possible. Not the next meeting, the one after that. It would depend on how much work will have to be done by our Analyst to, to get the. . .discussion information ready for you. Thank you. Mr. Arakawa?

COUNCILMEMBER ARAKAWA: Yeah, just as a. . .between now and, and the next meeting, would you like us to submit. . .areas of discussion that we'd like to get into in the--

CHAIR TAVARES: Sure.

COUNCILMEMBER ARAKAWA: --planning process?

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CHAIR TAVARES: Yeah. And then we'll make sure that those are included in the, the general discussion paper. Would that be. . .something you folks would want as a, a general outline with information of the discussion areas as brought forth by the community and also your own areas? Any objection to that?

COUNCILMEMBER KAWANO: No.

CHAIR TAVARES: Okay. Mr. Kane?

COUNCILMEMBER KANE: Yeah, I just wanna understand that--are you talking about when you post an agenda. . .and we'll be limited to what is submitted for our general discussion or--

CHAIR TAVARES: No, it's our--

COUNCILMEMBER KANE: Okay, I, I--

CHAIR TAVARES: --discussion . . .*(inaudible due to interruption)*--

COUNCILMEMBER KANE: --just for clarification--

CHAIR TAVARES: Yeah.

COUNCILMEMBER KANE: --because I don't wanna come to a meeting and, and I wanna talk about something that I didn't send in . . .

CHAIR TAVARES: Right. No, no, no, no--

COUNCILMEMBER KANE: . . . and you tell me, well, it's not on the agenda, so you can't talk about it.

ALL: . . .*(laughter)*. . .

COUNCILMEMBER KANE: You know? So I, I'm just trying to understand what you're trying to do.

CHAIR TAVARES: Our agenda item will still be PC-8, which is the entire planning process. What we're referring to is a discussion *paper*--

COUNCILMEMBER KANE: Thank you.

CHAIR TAVARES: --for the Members.

COUNCILMEMBER KANE: Thank you.

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CHAIR TAVARES: Okay. . .is that clear? Thank you very much. And thank you for your suggestions and. . .recommendations and for your thoughts. I look forward to a very productive and lively discussion on this subject matter on the next few meetings. If not, this meeting is adjourned . . .(*gavel*). . .

**COUNCIL MEMBERS VOICED NO OBJECTIONS.** (excused: RC, WN)

**ACTION: DEFER pending further discussion.**

**ADJOURN:** 3:32 p.m.

APPROVED:

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CHARMAINE TAVARES, Chair  
Planning Committee

pc:min:020110

Transcribed by: Camille Sakamoto