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M I N U T E S
PLANNING COMMITTEE
Council of the County of Maui
Council Chamber
September 5, 2002

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PC 9/5/02

2

1 CONVENE: 1:40 p.m.

2 PRESENT: Councilmember Charmaine Tavares, Chair
3 Councilmember Alan M. Arakawa, Member
 (Out 2:17 p.m.)
4 Councilmember Robert Carroll, Member
 Councilmember G. Riki Hokama, Member
 (In 1:58 p.m.)
5 Councilmember Jo Anne Johnson, Member
6 Councilmember Danny A. Mateo, Member
 Councilmember Wayne K. Nishiki, Member
 (In 2:01 p.m.; Out 2:35 p.m.)
7

8 EXCUSED: Councilmember Michael J. Molina, Member
 Councilmember Dain P. Kane, Member

9 STAFF: Wayne A. Boteilho, Legislative Analyst
 Camille Sakamoto, Committee Secretary

10 ADMIN.: Brian Miskae, Planning Program

11 Long Range Planning Division,
 Department of Planning

12 ADMIN.: Daren Suzuki, Planner, Department of

13 OTHERS: Lance Holter
 Ron McOmber
14 Dick Mayer
 Sean McLaughlin
15 DeGray Vanderbilt

16 Warren Suzuki
 Terryl Vencl
17 Mercer "Chubby" Vicens
 Scott Matsuura

18

19 PRESS: Akaku: Maui Community Television, Inc.

20

Administrator,
Planning

21 CHAIR TAVARES: (Gavel). The Planning Committee
please
22 come to order. This afternoon we have
23 Councilmembers Mateo, Arakawa, Carroll, and
Johnson
24 present. Excused are Mike Molina, Dain Kane,
Riki
25 Hokama for now and Wayne Nishiki for now. We do

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3 PC 9/5/02

1 have bare quorum this afternoon, but we will try
to
2 proceed without our other cohorts.
3 From the Administration we have Mr. Brian
4 Miskae, who I affectionately call our long
ranger.
5 He's head of the Long Range Planning Division.
From
6 our Staff, Camille Sakamoto, Secretary, and
Wayne
7 Boteilho, our Legislative Analyst.

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

10 CHAIR TAVARES: At this time I would like to have
members
11 of the public who have signed up to testify to
come
12 forward. If you wish to testify, please sign up

until 13 here and we'll keep the testimony portion open
to 14 everyone has had a chance to -- an opportunity
15 sign up.
Lance 16 Our first testifier this afternoon is
17 Holter, to be followed by Ron McOmber. You have
18 three minutes and the one to conclude or three
for 19 minutes to return afterwards. State your name
besides 20 the record, and if you represent anything
21 yourself or anyone -- anything -- anyone besides
22 yourself, please let us know.
23 . . .BEGIN PUBLIC TESTIMONY. . .
24 MR. HOLTER: Thank you, Charmaine. I'm speaking today
25 about the community plan update. I have two

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PC 9/5/02

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1 suggestions that I want to --
2 CHAIR TAVARES: Just state your name for the record,
3 please, Lance.
I'm 4 MR. HOLTER: Oh, I'm sorry. My name is Lance Holter.
5 from Paia, and I'm speaking in reference to the
6 community plan update. Two suggestions I have
to

7 make the process more community oriented would
be
8 that we require notification to the neighborhood
9 when any community plan update is proposed or
change
10 to the community plan. This notification would
be
11 done by registered mail to at least the
residents
12 within 500 feet of the proposed change.
13 Occasions happened the last few years --
I
14 believe one of them was in West Kuaiaha where
spot
15 zoning occurred, another one was in Crater Road,
and
16 so forth. We need to make sure that the
community
17 is aware of this. It's -- you are -- it's a
very
18 sophisticated thing, these community plan
updates.
19 The public is not aware of it, and they are
hoping
20 that you undertake this for them.
21 You might, for instance, feel that they
know
22 what's occurring and that they know what's going
on
23 in their neighborhood because someone may have
24 represented the spot zoning, but in actuality
this
25 may not have occurred at all. I know it's
happened

PC 9/5/02

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1 in my neighborhood. We understood, for
instance, we
2 were going to have R-1 zoning, and we were
amazed to
3 find out that in actuality we were going to have
R-2
4 zero lot line overlay imposed on our
neighborhood,
5 which was very unexpected.

6 The second item is final decision-making
7 sessions should occur in our community. We
should
8 hold these sessions and these voting sessions
should
9 be held where the change and -- community plan
10 update change is occurring. Why we need to do
that
11 is that people are working one, two, three jobs,
and
12 they -- for them to come down to the Council is
13 almost impossible for them to break away from
their
14 work, organize child care, especially during the
15 summer when there's no school in session. We've
got
16 to make sure that we include the community in
any
17 decision-making process. It's imperative.

18 The people that are perhaps making these

plan 19 plans or changing these plans or updating the
here, 20 who have their lobbyists and their attorneys
afford 21 they're paid to be here, but the public can't
final 22 to leave their job. So we need to make these
that 23 voting decisions in our community, and I think
when 24 you'll experience a great amount of information
the 25 you make this final change. And it's part of

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you 1 plan. It's part of the general plan. It's how
2 implement the plan and it's through the public
3 participation, and I know that --
4 MR. BOTEILHO: Three minutes.
5 MR. HOLTER: -- when you do this we'll have -- the
more we 6 include the community in any change or any
community 7 plan update, the less contested cases that we'll
8 have, the less opportunity for complaint and
9 difficulty in understanding what's taking place
in 10 your community. The -- it's imperative that the

11 public be included, and real smart growth begins
12 when you make community-based planning
decisions.

13 Thank you.

14 CHAIR TAVARES: Any questions for the testifier?
Lance,

15 hold on. Ms. Johnson.

16 COUNCILMEMBER JOHNSON: Yes, Lance, thank you for
coming

17 today. When notification is sent out to the
18 neighborhoods or the neighborhood members within
500

19 feet of wherever community plan amendment is
going

20 to be proposed, who do you believe should pay
for

21 that notification?

22 MR. HOLTER: In the case -- if it's an applicant, the
23 applicant, it's their burden to notify the
24 neighborhood. If it's in the case of a planning
25 decision from the Planning Department, then it's

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PC 9/5/02

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1 their burden, I believe, to notify the
neighborhood.

2 I believe the small expense involved in
notifying

cheaper 3 the neighborhood with registered mail is far
where 4 than having to go and endure a contested case
5 you have a whole community of aggrieved citizens
6 which have now found themselves in a battle for
the 7 quality of life that they always understood was
you're 8 secure, and by notifying the neighborhood,
9 going to find a lot simpler, more streamlined
10 planning process as will result.
11 COUNCILMEMBER JOHNSON: Okay. Thank you.
12 CHAIR TAVARES: Lance, have you had a chance to pick
up 13 the matrix?
14 MR. HOLTER: Yes.
15 CHAIR TAVARES: You have that?
16 MR. HOLTER: I haven't had a chance to look at it. I
17 really appreciate you doing that.
18 CHAIR TAVARES: Yeah, I thank our Staff for doing
that. 19 It makes it much easier to look at. You will
note 20 on page 19 that we've expanded -- or the
Department 21 has expanded the notification description to
include 22 the location with a map drawn approximately to
scale 23 with a street address so that it's not just a
TMK 24 that's noticed on there, and that also continues
on

about

25

the next page, which would be page 20, more

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PC 9/5/02

itself

for

the

community

surprising.

they

it's

contribute to

been

1

that. And I know that at one point we were

2

discussing having a sign put on the property

3

when it was -- that this property is considered

4

such and such so that there is more awareness in

5

community where this property is.

6

MR. HOLTER: That's ideal, because I know in our

7

changes have occurred and it's -- it's

8

The people, when they receive these mail outs,

9

think that it's already happened, that it's a

10

finished product. They don't realize that now

11

their duty to come back and, you know,

12

the planning process. They think that they've

13

notified that it's over with.

14

CHAIR TAVARES: All right. Thank you.

15

MR. HOLTER: Thank you.

16

CHAIR TAVARES: Any other questions for Lance? Okay.

17 Thank you, Lance.

18 Our next testifier is Ron McOmber, all
the
19 way from our sister island of Lana'i, to be
followed
20 by Dick Mayer. If there's anyone else who
wishes to
21 offer some testimony, please come forward.

22 MR. McOMBER: Good afternoon. My name is Ron McOmber.
23 I'm from the island of Lana'i, and curtesy of me
24 being here is because I just got off a Liquor
25 Adjudication Board meeting, so --

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PC 9/5/02

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1 CHAIR TAVARES: We planned this meeting for that.

2 MR. McOMBER: Oh, I'm glad you did. Again, I'd also
like
3 to express a thank you for the matrix. We just
went
4 through the process the last three -- last month
of
5 kind of prioritizing our community plan, which
kind
6 of brought into focus this plan that's been
7 finalized -- we thought was finalized almost ten
8 years ago, and we started to look at this as it
9 was -- as we were going through and prioritizing
it

things 10 how many things were already done, how many
11 have been negated, that really didn't come to
12 fruition because the plan hadn't been accepted
at 13 the time.
14 And it's -- and I know you're going to
hear 15 this time and time again. The time limit is too
16 long. You know that and I'll say it again. You
17 can't expect the public to come out and put
their 18 valuable time on the docket like this and then
to 19 have it just basically trashed by the
developers.
20 people Because that's what happens. They send the
21 saying, there. They listen to what the community is
22 and they start planning immediately what they're
23 going to do with that land, and particularly I'm
24 speaking about Lana'i in particular. We had
25 given specific land designations and specific things

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10 PC 9/5/02

1 to us through the development of Lana'i that we

community, 2 thought was going to come to benefit the
somewhere 3 and basically it's moved off to the side
negated 4 because the developer which owns the land
could 5 that by putting something else on it before we
6 get the plan finished.
and 7 So no matter how you do it, Madam Chair,
speedy, 8 how you guys do this, it would have to be a
to 9 speedy process, meaning that you go from there
10 the Planning Department or to the Council --
11 CHAIR TAVARES: Commission.
the 12 MR. McOMBER: -- I guess the Planning Department or
to 13 planning -- Lana'i Planning Commission and then
because 14 the Council in a very short amount of time,
community 15 it has nothing whatsoever to do with the
all 16 if the developer can jump in there and negate
can't 17 that. So please keep that in mind, and you
18 ask the public to come out and participate if
19 they're going to say, what did you come out for?
be a 20 And the other thing is there should not
21 deadline for the CAC or whoever they are. They
22 should go with the process all the way to
fruition.

23 There should be somebody, because we were told,
24 thank you very much, you no longer have anything
to
25 do with this, but some of us are persistent and
we

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1 follow the series all the way through, but not
2 everybody did because everybody was told it was
over
3 with. So I think it's very valuable that the
4 community continue to follow the process right
up to
5 and the time that the community plan is
accepted.

6 CHAIR TAVARES: In the revision -- in this revision,
that
7 is what's provided for here is that the CAC
would
8 stay intact until the plan is adopted. One of
the
9 Charter amendments before the public this year
would

10 be to make the CAC permanent so they would be
11 monitoring it throughout its lifetime.
12 MR. McOMBER: And that's the way it should be, because
13 that's who's -- the most important are the
public,
14 and they're the ones that put their time and
it's

through
deny
speak,

15 their community and they need to follow it
16 and be the people that are there to okay it or
17 it. So it's --
18 CHAIR TAVARES: Thank you.
19 MR. MCOMBER: I appreciate that.
20 CHAIR TAVARES: Thank you.
21 MR. MCOMBER: And again thank you for letting me
22 and I'm sure I'll be before you again some other
23 time.
24 CHAIR TAVARES: Questions? Ms. Johnson.
25 COUNCILMEMBER JOHNSON: Yes, Ron, thank you for coming

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12 PC 9/5/02

1 over, even though it was for something else. I
2 wanted to find out -- because you did say that
you
3 were on the Citizen's Advisory Committee.
4 MR. MCOMBER: I was co-chair.
5 COUNCILMEMBER JOHNSON: You were co-chair. One of the
6 things that we were hearing from a lot of the
people
7 that had served, you know, on CACs was exactly
what

8 you had stated, was they felt that there was
this
9 disconnect and there was no continuity with what
10 they had actually adopted and then what came
out.
11 What -- what also was the feeling in the
discussions
12 that you went through from any of the people
that
13 you still maintain contact with on the CAC with
14 regard to the community plan being law or being
just
15 a guideline?
16 MR. McOMBER: Well, we were told by several people
that --
17 we expected it to be law. It was -- it was
supposed
18 to be a document that they were supposed to look
at
19 if something came up in the community, that the
20 community plan was going to be looked at and see
how
21 that related to the development or the parcel to
be
22 developed, and the reason that this is happening
--
23 it's the same thing that we did with the Water
Use
24 and Development Plan. We hoped that people
would
25 look at the Water Use and Development Plan as a
tool

13

at
that's
1 to do the rest of the development. So you look
2 that, how has that water been allocated, and
3 what we're going to have before -- pretty soon
4 before the Council, maybe next year.

there
you
people
5 But we were hoping that the CAC, the
6 community plan, was law, that you would have to
7 follow what the community -- then you go from
8 and whatever process it takes, but it's just --
9 can't negate it. It was my feeling and the
10 on the CAC, we thought that this was going to be
11 law, and that's the way it should be, I think.

a
that
of
wanting
things,
adhered
not
12 COUNCILMEMBER JOHNSON: And along those same lines as
13 follow-up to what you just said, do you think
14 that is one of the primary reasons for this lack
15 participation on the part of the public for
16 to come out again and participate in these
17 because they felt that these laws were not
18 to or that what their intent and purpose was was
19 being served?

20 MR. McOMBER: Most of the public does not understand

public 21 what's going on anyway. 90 percent of the
12, 22 has no idea. It's the same -- you see the same
23 15, 18 people that are before you all the time.
24 It's the same people. You don't see a cross
like 25 reference. The only time I saw an influx was

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14 PC 9/5/02

gobs of 1 the -- the vacation rentals, when you've got
the 2 people you've never seen before come out. But
it, 3 same people in every community, if you look at
4 there's a nucleus of 10 or 12 people that know
5 what's going on and nobody else in the community
6 understands that.

people 7 And that's a bad part about choosing
8 to put on the Planning Commission in small rural
and 9 areas, is that those people have to be educated
for 10 it takes about a year and a half to two years
community, 11 them to understand what's going on in the

12 because mostly people never get involved
politically
13 in anything, and it's really tough for us that
have
14 been going through this process for years and
years
15 to educate them. And so when the CAC was
through
16 and when they -- when the Planning Department
tells
17 you this is it, you're done, I mean, this is the
end
18 of this, you're terminated, now it's going to go
19 through the process, it's frustrating for people
20 like myself to go to the Planning Commission
meeting
21 and see the same people that came before us in a
CAC
22 with a whole different application than what
they
23 showed us when they -- they didn't have the
courtesy
24 to give us the same application or the same book
or
25 the same maps or whatever at the CAC. They
really

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15 PC 9/5/02

1 did not take us serious.
2 I think they took it as a process they
had to

3 go through, and then when it came before the
4 Planning Commission, then they came out with the
5 maps and they came out with all the drawings and
6 they came out with all the technical data to
support
7 what they wanted to do on the island, and it's a
8 shame, because I think the CAC should command
that
9 respect from those people that you're asking to
come
10 and give them your input on what do you think is
11 going to happen in your community, and didn't
happen
12 in this last round, I can tell you that right
now,
13 not on Lana'i anyway.

14 COUNCILMEMBER JOHNSON: Well, that's what I think that
15 Chair Tavares is trying to achieve, is bringing
more
16 of those people in and empowering them to at
least
17 feel that they are still playing an active role.
So
18 I really hope that you can give us some
suggestions
19 too.

20 MR. McOMBER: I really appreciate the process you
folks
21 are going through, and particularly the
Chairman. I
22 think she's done a great job. Because this is
not
23 an easy -- this is not an easy thing to do. I'm
24 sure you've been hit and beat up and beat on and

community 25

everything else, but for the part of the

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16 PC 9/5/02

1 that needs to participate and you're asking to
2 participate and then saying good-bye is not fair
to
3 the community, because you're to get -- pretty
soon
4 you're going to get complacency and they're
going to
5 say, what the hell am I doing here? So I really
6 believe that they -- you've got to get some
teeth to
7 it.

8 COUNCILMEMBER JOHNSON: Thank you very much, Ron.
9 CHAIR TAVARES: Thank you. Any other questions for
Ron?

10 Mr. Arakawa.
11 COUNCILMEMBER ARAKAWA: One just short question, Ron.
You
12 know, if you want the community plan to be law
and
13 there are zoning issues that come up, do you
think
14 that zoning should be automatic following the
15 passage of the community plan? Whatever the
16 direction is in the community plan, if we say we

the
17 want something in this area, we should create
18 possibility to have it actuated?
19 MR. McOMBER: See, that's what we asked when we went
20 through and we asked Bill, our person from the
21 County, that if we do this, are we going to run
into
22 a zoning problem? And most of the time he said,
23 yeah, I think you will. So maybe there's
something
24 we need to address in that. Because we asked
those
25 questions before we actually sat down and said
we'd

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17 PC 9/5/02

1 like to see this done here.
2 COUNCILMEMBER ARAKAWA: And I'm asking you, in your
3 opinion, do you think we should do that?
4 MR. McOMBER: I think we should, because I think with
the
5 guidance of the people that know what the laws
are
6 and the applicable laws that go with it and
what's
7 the consequences of that, yes, I think you
should,
8 because they sit there and make that decision.

that 9 COUNCILMEMBER ARAKAWA: Okay. Because in the process
10 we had, we had the CA -- the Citizen's Advisory
11 Committee, the Planning Department, Planning
advisors 12 Commission, the Council, and all the other
13 looking at the plan at one time, or supposedly
at 14 one time.
15 MR. McOMBER: Supposedly.
16 COUNCILMEMBER ARAKAWA: And if we were to do that,
similar 17 to that, it would be the most intense review of
a 18 single piece of property by as many
organizations as 19 possible, and if we're going to make it law, as
you 20 stated, then that's why I've been asking your
21 opinion as to whether you would be in favor of
just 22 creating the opportunity to make it real, in
other 23 words, if we have to do zoning, zone it, or
whatever 24 action needs to be done to make it so that it
can be 25 done.

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the
way,
if
and
that's
developer
what

1 MR. McOMBER: If your community sits there and spends
2 time and says I want my community to look this
3 I think you should take that very serious, and
4 that's what it takes to make a law to do that
5 have them have the power to change that, then
6 what it should be, because without that, a
7 can come in and do whatever he wants and negate
8 that. And we saw that on Lana'i already. There
9 were parcels that should have been reserved for
10 we asked it to be reserved for.

11 COUNCILMEMBER ARAKAWA: Okay.

12 MR. McOMBER: Okay.

13 COUNCILMEMBER ARAKAWA: Thank you, Ron.

14 MR. McOMBER: Thank you.

15 CHAIR TAVARES: Thank you. Any other questions?
Thank

16 you, Mr. McOmber.

17 MR. McOMBER: Thank you.

18 CHAIR TAVARES: I'd like to recognize the presence of
19 Councilmember Hokama. Thank you, Riki.

20 COUNCILMEMBER HOKAMA: Thank you.

21 CHAIR TAVARES: Okay. Dick Mayer will be followed by
Sean

22 McLaughlin.

23 MR. MAYER: Thank you, Charmaine. My name is Dick
Mayer.

to

24 I'd like to address several issues that relate
25 the new planning process, a couple of technical

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19 PC 9/5/02

plan

1 things and then a more general thing. In the
2 it talks about growth boundaries. I would urge
3 to also include in there community boundaries.
4 People in Maui will take a much more interest in
5 their own community if they know in what
6 they live.

community

between

7 For example, where's the borderline
8 Makawao and Pukalani? Where's the borderline
9 between Kihei and Wailea? We talk about South
10 in a general area, but I think what we need to
11 is actual community boundaries separate from the
12 idea of growth boundaries. Growth boundaries is
13 planning thing, but the plan should also include
14 area so that people know in which community they
15 live and to -- what the community organization

Maui

have

the

an

they

16 might belong to is, et cetera.

120 17 The time limits in the plan talk about
the 18 days for the community plan to be developed by
19 community. I believe that's much too short. It
20 also calls for seven public hearings during that
little 21 period of time. That's going to leave very
that's 22 time for them to do the meaningful discussion
23 needed to develop the proper plan. The Planning
24 Commission apparently has no time limits on it
and 25 the Council takes, as we know, several years

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20 PC 9/5/02

-- 1 sometimes to get the final product done.
2 So I would like to see the community plan
3 the community groups, the advisory groups being
4 given more than 120 days, probably at least 180
even 5 days, or maybe as it was in the past I think
6 eight or nine months to come up with the plan so
7 that we can do it right and get the proper input
and 8 have the proper discussions. It takes that long

the 9 just to gear up the committee so they understand
10 parameters.
11 The term island-wide is used here, and I
12 would remind us that the reason why that's
important 13 is on this island we have six community plans
that 14 probably need some kind of integration. Lana'i
and 15 Moloka'i, the community and the island are the
same. 16 I think you're creating a whole bunch of extra
work 17 for a lot of people by saying that this should
be an 18 island-wide plan and a community plan for Lana'i
and 19 Moloka'i. I would urge you to integrate the
island 20 benefits of whatever you think will be in the
islands 21 plan into the community plans on those two
22 and let that small -- those small islands with a
23 lower number of population, people all know each
24 other, they can probably come up with one good
plan 25 rather than having two separate layers.

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plan
domain.
plans
a
right
that
pattern
or
the

1 I'm concerned also that the island-wide
2 may have an effect that's not really being
3 considered, and that is it may usurp some of the
4 things that the communities now think their
5 I know the idea is to integrate and to get the
6 to work together, but I could see this becoming
7 little bit of a question of home rule, to what
8 degree do the people of South Maui or Kahului or
9 Wailuku or whatever the area might be have the
10 to determine their own community as being told
11 they have to follow within some island-wide
12 and that's where all the people are going to go
13 that's where all the shopping is going to go,
14 whatever. We have to be very careful of the
15 relationship between the island-wide plan and
16 particular community plan.

is

17 The last item that I want to talk about
18 something that I --

19 MR. BOTEILHO: Three minutes.

the

20 MR. MAYER: I'd like to come back for three minutes at

21 end.

22 CHAIR TAVARES: Okay. Thank you, Dick.

23 MR. MAYER: Thank you very much.

24 CHAIR TAVARES: Okay. Mr. McLaughlin, and Mr.
McLaughlin

25 is the last person to sign up. If there's
anyone

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22 PC 9/5/02

1 else who would like to offer testimony, please
come

2 forward, and also I would like to recognize

3 Councilmember Nishiki. Thank you, Wayne.

4 Go ahead, Sean.

5 MR. McLAUGHLIN: Aloha, Chair Tavares and members of
the

6 Planning Committee. I'm here just on my own

7 testifying as an individual, although I did feel

8 like I went to school a little bit as a member
of

9 the Charter Commission and hearing a lot of the

same

10 issues that you're trying to address here. I

really

11 just stopped by to see how you're doing and

offer my

12 moral support. I think this is such a critical,

13 important area.

14 To me, a lot of the division and anxiety
that

15 you -- that you address on a day-to-day basis in

-- 16 terms of land use, water allocations, and a lot
17 transportation, all these huge quality of life
18 issues that you're dealing with on the ground
really
19 in kind of a micro level, if you get this right,
the
20 rest of your life is going to be so much better
and
21 easier. Because the rifts in our community are
22 around what we -- do we have a shared vision?
Is
23 the community really behind a coherent plan that
24 we've all bought into?
25 And I've been personally involved in a
lot of

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23 PC 9/5/02
23
1 discussions about this, on both the
environmental
2 side and the development side, just saying you
know
3 what, if we all love the general plan, then the
4 fringes of the group -- there's extremes in
either
5 end of the community, the fringes start falling
6 away, because really we have a lot more
consensus in
7 our community than we probably realize, but
because

trying 8 we don't have this coherent set that you're
know 9 to work on -- so anyway, I know you probably
and 10 all this. I just wanted to try to verbalize it
deal in 11 affirm it for you as someone who's trying to
12 the community kind of as you are.
13 And I have three small observations or
talking 14 comments to make about parts of what you're
15 about. The first is, obviously, the public
under 16 participation element that you've described
important, 17 technical plans and studies is so very
18 and I just had this realization after the Smart
where 19 Growth Conference that the oohs and ahs and
was 20 the whole group kind of had this energy going
had 21 around the mapping and the visualizing. And we
22 this amazing opportunity with GIS and the high
23 technology of the super computing, modeling that
Remember 24 shows you and here's what this looks like.
25 that, those of you that were there? And it was

24

1 like, wow, and you didn't have to be an expert
to
2 get what kind of vision for the future you
wanted.
3 So I think the public participation supported by
4 sort of the new technology, the mapping, the
5 modeling, the extent you can integrate that in
these
6 public discussions I think is really going to
7 advance us amazingly. And so I encourage your
8 adoption of those media and technologies in that
9 public participation process.

10 Under the socioeconomic forecast section,
11 under that same technical studies, I was hoping
to
12 see a little more about nonprofit service
sector.
13 There are a lot of nonprofit needs that can be
14 projected. There are areas that need services.

I
15 think the only one I really saw identified was
16 health care, but there are a lot of other kinds
of
17 social services and human services that probably
18 need to be mapped into a plan. If you only have
one
19 homeless shelter on the island, that's an issue
for
20 the whole -- for the plan, as an example, but
there
21 are a lot of other examples in the nonprofit
service

22 sector.
23 And finally, another small note that's
near
24 and dear to my heart under infrastructure,
water,
25 and public facilities assessment, I hope that
you

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25 PC 9/5/02

1 will include telecommunications as one of the
basic
2 core infrastructures that's going to impact our
3 long-term success as a community. So it may be
4 imbedded and implied under public facilities,
but
5 you have a lot to say about requiring easements,
6 conduits, and access that are going to make it
easy
7 for new providers to come into the marketplace.
We
8 all get real excited about new technology, but I
9 tell you what --

10 MR. BOTEILHO: Three minutes.

11 MR. McLAUGHLIN: I can finish in about 30 seconds.

12 CHAIR TAVARES: Okay.

13 MR. McLAUGHLIN: Not all of the new technology is
going to

look 14 be available everywhere. In the industry you
income 15 at two issues, red lining, that is some low
then 16 areas are not going to be equitably served, and
17 cream skimming, that is other areas are going to
18 have super fan --
supercalifragilisticexpialidocious
role 19 telecom services, and I think there is a proper
policy 20 in the planning to say as a matter of public
21 you want -- we want equitable communications
22 infrastructure available Countywide. So thank
you 23 very much for this opportunity.
Sean? 24 CHAIR TAVARES: Thank you, Sean. Any questions for
they 25 Is that the digital divide or something that

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26 PC 9/5/02

1 talk about?
2 MR. McLAUGHLIN: Yes.
3 CHAIR TAVARES: Yeah, thank you. Any other questions
or
4 comments for Sean? Thank you very much, Sean.
I

5 especially appreciate your moral support. And
to
6 finish up his testimony, Mr. Dick Mayer.
7 MR. MAYER: Thank you very much. I wish Sean had
finished
8 up, because he ended up on a very positive note
and
9 unfortunately mine's not going to be so
positive.
10 I'd like to scold the Council for what happened
this
11 morning. This morning at the Public Works
Committee
12 chaired by Councilmember Mike Molina you voted
13 against the Upcountry Community Plan. It was
clear.
14 Many questions were asked about it, and yet the
vote
15 was unanimous seven to nothing against the plan.
I'm
16 The community plan Upcountry calls for -- and
be
17 saying this on TV because I want the public to
given
18 aware of it -- called for first priority to be
19 to Hawaiians, Hawaiian homeland areas, and to
20 agriculture for the use of water Upcountry.
21 An ordinance was passed this morning or a
with
22 rule was passed in Committee saying the hell
that
23 the plan. We're going to use the priority list
allocate
24 was established by the Water Department to
25 water, completely against the wording in the

27 PC 9/5/02

Committee 1 Upcountry plan. So as you talk in this
have 2 about the planning process and improving it, we
3 to find some way to make sure that the plan is
4 followed.

or 5 So often we hear that it's the John Min
was 6 the Planning Department that's at fault. This
was 7 something at the Council level where the plan
at 8 not followed, and if we can't follow the plans
9 this level, how can we expect the Civil Service
plan 10 staff and the various departments to follow the
11 when they see at the very top level it's not be
12 being followed?

13 I urge you strongly do what you can to
for 14 enforce the plans that we have. Citizens worked
You 15 months. Planning Commission worked for months.
16 folks worked for months and sometimes years on
violating 17 adopting these plans and then knowingly

figure 18 the planning. I think what we need to do is
Thank 19 out how we're not going to let that happen.
but 20 you very much. Sorry to end on a negative note,
21 I think that needed to be said.
this 22 CHAIR TAVARES: Okay. I don't want to debate about
23 item. It's not in this Committee. The
references 24 to --
25 MR. MAYER: The process.

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28 PC 9/5/02

community 1 CHAIR TAVARES: -- the process and the fact that
2 plans are not being enforced, and I know we've
3 talked about this and we've heard in all of the
4 communities we've gone to that part of the
problem 5 is some of the plans are unenforceable, and if
we 6 look at -- you know, we could go back and look
at in 7 the community plan what was the implementing
action 8 for that particular policy and see where we are
with

9 it. And, you know, I appreciate your
frustration

10 about it, and I did share that part way and I
think

11 some other members, like Mr. Arakawa, also
shared

12 that.

13 So, you know, I don't want to get into
that

14 because it was the other meeting, and also I
know

15 you've participated with us all along and you
have

16 had excellent suggestions, and I hope you see
that

17 we've incorporated a lot of your recommendations
18 into this document, because you knew -- were
very

19 dear to heart and you spent many, many hours, so
I

20 appreciate your input, and your continued input
is

21 important for us.

22 MR. MAYER: Thank you, and I appreciate the comments
and I

23 think you've done a lot. This measure will go a
24 long way towards correcting a lot of the
problems,

25 but in the end we still have to ask the question
how

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can
1 do we make sure the plan is enforced? And we
2 have all the guidelines, all the rules, all the
3 great plans, but if they're not enforced
properly,
4 it's all in vain.

5 CHAIR TAVARES: Did you have a question for Mr. Mayer?

6 COUNCILMEMBER ARAKAWA: Yes.

7 CHAIR TAVARES: Go ahead, Mr. Arakawa.

I
8 COUNCILMEMBER ARAKAWA: Pretty much the same question
9 asked our great illustrious planner from Lana'i.
In
10 doing this -- the planning, a lot of times, you
11 know, there was a lot of confusion about whether
12 there should be force of law or this should be a
13 strong suggestion as to direction. Now, I want
your
14 opinion on whether when we have properties that
we
15 want going to a certain zone and we so indicated
in
16 the community plan, whether we should
automatically
17 zone that or not.

18 MR. MAYER: I think that the plan brought -- and
perhaps
19 you can give guidance to those developing the
plans
20 below so that when they come to you, you will
see
21 what part the Citizen Advisory Group, the
Planning

would 22 Commission would like to see in law and which
Every 23 be more broad, more general recommendations.
24 word in the plan may not have exactly the same
25 level, and that's why we sometimes use the word

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30 PC 9/5/02

cases 1 recommends or suggests this or that. In other
X 2 we say no construction should take place within
3 number of feet of a school or something of that
clearly if 4 sort, in which case that would -- it says
against 5 nothing -- this should not happen or it's
law. 6 the law to happen, so in that part the plan is
should 7 In other places it recommends that we
8 try to make access for the handicapped more
9 accessible. That doesn't mean that every single
to 10 intersection, every place automatically is going
to 11 be done, but that's the direction we would want
12 go. So I think that it's both, and the plan can
13 indicate in its verbiage what's law and what's

14 recommendation.

15 COUNCILMEMBER ARAKAWA: Okay. But those parts such as
16 zoning where we're looking at specific uses --

17 MR. MAYER: Okay, right.

18 COUNCILMEMBER ARAKAWA: I know that there is verbiage
for

19 general concepts in the planning process as
well,

20 and I believe what you're saying about the
general

21 concept type situation is more suggestion than
22 direction, but where we have very specifics and
when

23 we're looking at the map, would you favor going
24 through and whatever the final result of the
25 community plan is, going for automatic zoning of

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31 PC 9/5/02

a 1 that so that we can actuate that and there's not
too 2 whole lot of possibility to then try and deviate
3 much of what the final plan is?

to 4 MR. MAYER: I would think so. My preference would be
if 5 be more definite, rather than less definite, and
zoning, 6 it means actually going ahead and doing the

7 again, a plan may say actually in it we
recommend
8 that the following area within an urban growth
9 boundary be immediately zoned this way. Areas
10 outside that area we recommend that that be kept
in
11 some kind of reserve, that this is our general
12 intent. In other words, the plan itself could
13 indicate where it wants the zoning done and
where it
14 should be done immediately, and that might be an
15 important thing to say.
16 COUNCILMEMBER ARAKAWA: Okay. And again, I'm just
asking
17 for guidance, because in a lot of the discussion
18 that we've heard, or I've heard, there's this
19 confusion that, you know, once we adopt the
plan,
20 then we go about and try and change a lot of
this
21 and it doesn't become law, and I'm trying to
find a
22 way to make it law. By actually doing the
23 compliance part of it right up front, I believe
we
24 get it to where we want it, which is law.
25 MR. MAYER: I would like it that way generally.

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1 COUNCILMEMBER ARAKAWA: Okay. Thank you.

2 CHAIR TAVARES: Ms. Johnson.

3 COUNCILMEMBER JOHNSON: Yes, Dick, on your earlier

4 testimony when you were talking about the 120
days

5 and seven meetings being too short, what do you
feel

6 would be a reasonable period of time in order to
let

7 the Citizen's Advisory Committees go through the

8 initial go around?

9 MR. MAYER: Probably around seven months,
approximately, a

10 little bit longer. Six months I think was --

11 there's one difference between this cycle and
the

12 last cycle. In the last cycle the community --
the

13 Citizen Advisory had to develop the plan from

14 scratch and do the whole thing. Now it changes.

15 The Planning Director presents the Citizen
Advisory

16 with a plan. It's not something I like and I
don't

17 think many people in the community like that,
but

18 that's the way the rules say right now. So that

19 short circuits a lot of the initial work,
because

20 now we're reacting to a draft essentially.

21 Given that, I don't think it has to be
quite

22 as long as it was last time, but I know at the
very
23 end we rushed to get things done, and what
happened
24 was we ended up making decisions about
individual
25 parcels, this is good, this is bad, but we never
had

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33 PC 9/5/02

1 the time to go back and look at what is the
overall
2 effect of what we have done, and that never
3 happened, and that's unfortunate with regard to
how
4 much land do we put into this area of
residential or
5 light industrial or whatever it might be.

6 So I think I'd rather err on an extra
month,
7 rather than short changing the citizen's group,
8 because these are people who come together who
don't
9 know each other and then have to get a feel for
each
10 other, have to have the meetings, have to get
maps
11 prepared. 120 days I think is much too short.

12 COUNCILMEMBER JOHNSON: Okay. And then that would
13 essentially mean that it would be one meeting a

14 month, you know, for the seven-month period.
15 MR. MAYER: Well, it could be two meetings a month,
16 because that's the seven public meetings that
they
17 have to have with the public.
18 COUNCILMEMBER JOHNSON: Okay. I see what you're
saying.
19 MR. MAYER: And then, as you know, you hold your
public
20 meetings and then you have to have time for
21 discussion, and we'll have people coming up just
22 like you have, we're allowed to have as many
people
23 who want to testify to the group as possible,
they
24 have to be each given their whatever three
minutes,
25 whatever we decide would be it. So we won't
really

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34 PC 9/5/02

1 get into the decision-making mode until after
the
2 seven meetings, and if you do that -- try to do
that
3 in 120 days, we're not going to have a good
process,
4 I think.
5 COUNCILMEMBER JOHNSON: Okay. Well, in line with what

6 you're saying, then, instead of doing seven
months,
7 would eight months --
8 MR. MAYER: That would be my preference, something in
the
9 order of eight months, and then of course the
10 commission -- the committee would not be
disbanded
11 but would be allowed to continue through the
process
12 with the Planning Commission and into the
Council to
13 represent the community and its ideas. So in a
14 sense even though their plan is presented after
15 eight months, they would have a chance to
resonate
16 back and forth with the Planning Commission and
with
17 the Planning Director and with the Council.
18 COUNCILMEMBER JOHNSON: And I think if I'm hearing you
19 properly, what you're basically saying is that
going
20 into the process, that is perhaps one of the
most
21 critical times is during that initial planning
phase
22 and discussion phase. Therefore, we should
maybe
23 weight that more heavily with the citizen
24 participation at that level.
25 MR. MAYER: I think so.

35

your
1 COUNCILMEMBER JOHNSON: Okay. I really appreciate
2 input.

3 MR. MAYER: Thank you very much. Thank you all for
4 wrestling with this problem. It's by no means
easy.

5 My castigating you all was something I just felt
as
6 a reaction to this morning's experience with the
7 plan.

8 COUNCILMEMBER JOHNSON: Well, we take it, I think --
or at
9 least I take it with a -- in the vein of
10 constructive criticism.

11 MR. MAYER: It is, it's meant that way. Thank you.

12 COUNCILMEMBER JOHNSON: Thank you.

13 CHAIR TAVARES: Thank you, Mr. Mayer.

14 MR. MAYER: Thank you very much.

15 COUNCILMEMBER HOKAMA: I have a question for him,
please.

16 CHAIR TAVARES: Oh, just a minute, Dick. Go ahead,
17 Mr. Hokama.

18 COUNCILMEMBER HOKAMA: Thank you. Mr. Mayer, I was
19 listening to your response to Mr. Arakawa's
question
20 about the zoning, and I would be assuming -- is
this
21 irregardless of the current status of the
parcels or

zoning
22 are you more concerned about the interim zoned
23 properties that would go for comprehensive
24 after a community plan revision or any zoned
25 property would be comprehensively rezoned?

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36 PC 9/5/02

a
apartment
that
have
have.
1 MR. MAYER: My preference would be comprehensively
2 rezoned. The problem, of course, is the legal
3 question are you doing the taking. Somebody has
4 parcel that's urban and set aside to be
5 housing and now the plan comes along and says
6 should be agriculture or whatever, and is that a
7 taking? Is it legal? And that's where you'll
8 to rely on your lawyers to see what rights you

sometimes
intensive
windfall
9 My long-term preference is -- and this is
10 something -- I was on the Planning Commission 30
11 years ago, over 30 years ago now, is that
12 we up zoned a piece of property, a more
13 use and a landowner would immediately get a

the
County
property
tax
to
hotel
back
right
to
zone

14 of millions of dollars. Well, that money that
15 landowner might get is something I think the
16 can either tax somewhere in the form of the
17 tax, increase value or something in its property
18 thing. If you allow this piece of property now
19 be worth \$5 million more because you gave it a
20 or apartment, that money could be used to buy
21 areas that you want to down zone.
22 In other words, if the County has the
23 to up zone and make money, they should have the
24 ability to capture some of that gain to be used
25 down zone. Because very often when you down

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37 PC 9/5/02

or a
ability

1 you actually increase the value of some other
2 properties around it by making it a green space
3 park or a church or whatever it might be. So I
4 think that the County should investigate the

5 both to up zone and to down zone land and to use
6 that fund that way. It could be used for buying
7 open space, parks.

would 8 For example, if you allow a -- on Maui
in 9 be a useful example, if you allow a hotel to go
and 10 in an area, it might overcrowd beaches nearby,
that 11 wouldn't it be nice to take some of the money
up 12 you made by allowing that hotel to go in to buy
13 park land around an adjoining beach or something
14 like that? That would enhance the value to that
goes in 15 hotel of having an area so not another hotel
16 next door. So there's some real win-win for the
17 property owners as well by using that kind of a
18 concept.

world 19 COUNCILMEMBER HOKAMA: And I would say in a perfect
would 20 I can see it happening, Dick, and most people
I 21 say fine, until it comes down to their property.
22 mean, let's be real about it.

23 MR. MAYER: No, and I am real. I think -- if I own a
zoned 24 piece of property and somehow it's been down
worth, 25 but in the process now it's gone from being

PC 9/5/02

38

1 let's say, 2 million down to where it's 100,000,
if
2 the County were to come along and say to me as
the
3 landowner you're going to be given \$2 million
for
4 this because -- just like eminent domain, it's a
5 need by the community to make for a better
6 community, then we have this -- to me it's like
7 eminent domain. It's taking for the benefit of
the
8 larger community. Eminent domain shouldn't be
used
9 just to build a road. It should be used to make
for
10 a better community. So, yeah, I think what we
11 should try to work for is a more perfect world.
If
12 we don't have it now, let's do what we can as
13 legislators to do that. That's what you're
14 representing us to do.

15 COUNCILMEMBER HOKAMA: Yeah, and again, it comes down
to
16 when you're talking about whose property and
what --
17 I can see if you're talking about ceded lands,
that
18 might not be the way it's going to turn out.

19 MR. MAYER: I'm not saying everything will be
automatic

the
can
always
you

20 and legal. Obviously it will have to be within
21 law. It will have to be legal, but I think we
22 should stretch our mind a bit and to think how
23 we do this thing that is still legal. And it
24 doesn't always mean we do it the way we've
25 done it for the past 50 years. This community,

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39 PC 9/5/02

it
a
If
the
counted
at
did
to

1 know, in the past when we had 35,000 people, as
2 had when I moved to the island, you know, we had
3 lot of place to knock around. Now we've got
4 probably on this island today 190,000 people.
5 you count the people who are in second homes,
6 tourists, the residents, the surfers and all the
7 other people who are here who aren't being
8 by the census, we're up to 190,000. Just look
9 the traffic. We can't make decisions the way we
10 X years ago. We now have to be looking at ways

11 make sure this community can handle it.

12 COUNCILMEMBER HOKAMA: Thank you, Dick.

13 MR. MAYER: Thank you very much for listening.

14 CHAIR TAVARES: Thank you. You give us much food for
15 thought.

16 MR. MAYER: I hope we can eat it and digest it.

17 CHAIR TAVARES: Thank you. Mr. Vanderbilt, go ahead
and

18 testify first and then you can sign up after.

19 MR. VANDERBILT: Thank you, Madam Chairman and members
of

20 the Planning Committee. Charmaine asked me the

21 other day if I had seen the planning matrix and
I

22 really haven't, but I just had some general

23 comments, and one that was --

24 CHAIR TAVARES: Just state your name for the record,

25 please.

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40 PC 9/5/02

1 MR. VANDERBILT: Oh, my name is DeGray Vanderbilt from
2 Moloka'i.

3 CHAIR TAVARES: Thank you.

4 MR. VANDERBILT: Where we were given ten minutes to
5 testify. Nah, nah. I'm just kidding. No, but
one

6 of the things that really concerned me after the
7 last round of community plan revisions where the
8 community -- that's their community plans, so
the
9 community should be the high priority -- was
that
10 the 180-day period for the CACs to hold meetings
11 throughout their communities, and Moloka'i might
be
12 a more spread out community than some, but it's
--
13 was reduced from 180 days to 60 days and now
there's
14 some talk about 120 days. It should be a
minimum of
15 160 days. We had 21 meetings in a hundred and I
16 don't know how many days. We got an extension,
but
17 we had 21 meetings on the CAC and 17 meetings
before
18 our Planning Commission and they were all well
19 attended and they were in different parts of the
20 island, and many times we couldn't make a
decision
21 here or there because we weren't able to get
certain
22 information too.

23 I know in the latest round of Charter
24 amendments the Planning Department is asking
that
25 the Council have 180 days for community plan or

41

a
lot
were, of
doesn't
them,
think
the
through
that
golf
on a
causes
kind
just

1 zoning changes or whatever and if you don't make
2 decision, it becomes law or something. Well, a
3 of times you're at the mercy, and I know we
4 when we asked for things it takes a while to get
5 information there. So the community just
6 hold these meetings for the sake of holding
7 and it's a very important document. And so I
8 the 180 days is an important thing.

9 And then there ought to be something for
10 developers that just hang back and don't go
11 the process. On Moloka'i we had one developer
12 hung back on several major projects, a major
13 course project. They just withheld information
14 major subdivision and a lot of other things, and
15 then they come in after the fact and it just
16 all kinds of havoc. So there ought to be some
17 of -- for community plan amendments that they

18 shouldn't be allowed just to come in any old
time.
19 And as far as down zoning or whatever, I
know
20 we tried to do that at the Kaluakoi Resort, and
even
21 with the down-zoned hotels left there, that at
65
22 percent occupancy we could handle 500,000
tourists
23 and we only handle 66,000, but that thing didn't
go
24 through. And then when Dick Mayer was talking
about
25 down zoning sometimes can add more value to the

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42 PC 9/5/02

1 property, we tried to put a 600-foot open space
2 buffer around the undeveloped lands on the west
end
3 of Moloka'i. We didn't see that as a taking.
We
4 saw that as a way to show that Moloka'i cared
about
5 its environment. It was following the general
plan
6 that said increase setbacks.
7 Our SMA was only a few feet from the
8 conservation district, so we didn't have any

9 protection there, and we thought that, you know,
if
10 everybody built 600 feet back, you had this nice
11 buffer zone that's -- as I like to say, 600 feet
is
12 once around the bases and back to third. It's
not
13 that far. Some people like to make it sound
farther
14 by saying it's two football fields, which sounds
15 more, but anyway, it's -- and that -- we were
acting
16 on implementing directions from the general
plan,
17 and that's the way the process is supposed to
work.

18 The general plan sets out general visions
for
19 the County and then the communities are supposed
to
20 refine those so they apply more detail to their
21 community, and that's what we try to do. And so
22 that's -- that's another thing that I don't know
if
23 that's considered a down zoning or whatever, but
--
24 and then there was another property on Moloka'i
25 which was the Junior Roping Club that the Ranch
just

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1 claimed if that got down zoned from light --
down
2 designated from light industrial to park it was
3 going to cause an economic collapse for them,
yet 60
4 days later they went out and spent 15 million to
buy
5 two major properties on Moloka'i, but it
wouldn't
6 have because the County would have had to buy
it,
7 just like it bought their ball fields for
\$27,000 an
8 acre. I doubt if any buyer fair market --
9 MR. BOTEILHO: Six minutes.
10 MR. VANDERBILT: Oh, six minutes, okay. Well, anyway,
11 gee, my favorite time must be somewhere between
six
12 and ten. I didn't even make ten minutes last
time,
13 but anyway, that's some of the things, but the
14 community -- in this whole planning process, the
15 community side of it isn't broken and they're
16 dedicated, and so I would do everything else
that
17 you can to give them a legitimate time, and I
think
18 180 days with a chance to extend it a little bit
if
19 needed, if they're doing their homework and have
20 timely meetings, that should be a fair ball
game.
21 So anyway, that's just a few comments.
22 CHAIR TAVARES: Thank you very much, DeGray. Any

23 questions for DeGray? Ms. Johnson.
24 COUNCILMEMBER JOHNSON: DeGray, earlier -- and I don't
25 know if you were here or not when Mr. Mayer was

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44 PC 9/5/02

citizens 1 talking about the length of time that the
ask 2 had to review. I asked him a question and I'll
on in 3 you the same thing. Do you believe that early
4 that process that it is more critical during the
5 citizen's involvement with formulating what they
larger 6 want to see go out for consideration to the
critical 7 community? Do you believe that's a more
about 8 time and needs more time? And we were talking
9 maybe eight months.

10 MR. VANDERBILT: I'm sorry, I didn't understand --
11 COUNCILMEMBER JOHNSON: Okay. Early on in the process
more 12 Mr. Mayer was saying that he believed it was
13 critical for the citizens to be involved in that
and 14 early phase where all the planning is going on

the 15 there's more discussion and the formulation of
the 16 actual community plans and addressing a lot of
17 issues that may be of particular concern to the
18 community.
19 MR. VANDERBILT: Was that during the CAC review?
initial 20 COUNCILMEMBER JOHNSON: That would be during the
21 phase of that CAC review. He felt that was more
22 critical, and it kind of is going along with you
23 saying that, yeah, the citizens need more time,
that 24 the 180 days would be the minimum. What we were
25 talking about at that point was eight months.
Would

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45 PC 9/5/02

view? 1 that be something that would be better in your
2 MR. VANDERBILT: Well, I think at least -- at least --
then 3 that's the time when we had the most input, and
4 it goes to the Planning Department and they put
Commission 5 their input and then it goes to Planning
6 to see if they want to go along with the
Planning

add 7 Department or stick with what the CAC said or
8 something else to it, but by the time the
Planning 9 Commission gets it, there's a lot of backup
10 material, but you get a lot of community input.
So 11 like I said, 180 days with a chance for a couple
of 12 month extension like we did, as long as the
13 communities are moving forward, but we had 21
14 meetings in 207 -- I don't know, it was a lot of
15 meetings, though. It was three -- three a
month.
16 COUNCILMEMBER JOHNSON: Right, well, I think you're
17 essentially --
18 MR. VANDERBILT: I agree with Dick.
19 COUNCILMEMBER JOHNSON: I think you're essentially
saying 20 the same thing that he's saying, is that we do
need 21 that time going in, a little bit more time.
22 MR. VANDERBILT: Right, right.
23 COUNCILMEMBER JOHNSON: Okay. Thank you.
24 CHAIR TAVARES: Thank you. And I'm sorry our two
earlier 25 testifiers left. Thank you, DeGray.

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1 . . .END OF PUBLIC TESTIMONY. . .

2 CHAIR TAVARES: Because what I wanted to say was that
if
3 you've picked up a matrix and you have time to
look
4 at it more in detail and taking your time to
look at
5 it, please feel free to send any comments
regarding
6 sections of the matrix to us. Don't wait until
the
7 next time this is scheduled for the meeting, so
that
8 we can take some of those ideas into
consideration
9 and start some internal work amongst the
Committee
10 members. So I invite everyone to do that. If
you
11 need a copy of the matrix, please contact our
12 Council Services Office, Wayne Boteilho. I'm
sure
13 he'll be happy to send one -- send one out to
anyone
14 who might be interested in commenting, and
please
15 feel free to duplicate it for other members of -
-
16 Dick, you know, the Kihei Community Association
17 people, some have been active and would probably
18 like to look at that.
19 And I would really want to -- I really
20 appreciate having the input, because this is
what's

with
members
some
not
system

21 got us to this point, is having those meetings
22 the communities, and many, many former CAC
23 attended those meetings and they had, you know,
24 wonderful input from, you know, practicalists,
25 the theorists. I mean they went through the

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47 PC 9/5/02

of

1 and they suffered through it and knew what some
2 the pitfalls were, and that's the kind of
3 information I think is real valuable to both
4 Administration and to the Council. So I really
5 appreciate that input from especially the two of
6 you, because you've had experience on the CAC,
so
7 that's great.

any
and

8 Members, at this time did any of you have
9 areas that you wanted to point to in this matrix
10 discuss something about it or want additional
11 information or backup that maybe Mr. Miskae can
12 provide for you at this time? Ms. Johnson.

down, 13 COUNCILMEMBER JOHNSON: I had a few notes written
from 14 but one of the things that I did make a note
the 15 last time, and I know that this was one of the
16 things that we had discussed, it's on page 3 of
17 matrix.
18 CHAIR TAVARES: Yes.
had 19 COUNCILMEMBER JOHNSON: And it's down under B, where I
projected 20 highlighted, "based on the distribution of
County." 21 population and economic growth within the
that 22 And I had made a note to myself to just delete
about 23 section because I think there was some concern
24 that particular -- the reasoning why we're doing
entirety. 25 that and just strike that language in its

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48 PC 9/5/02

1 CHAIR TAVARES: So the growth patterns for 20 year
2 planning period should be based on what?
"management 3 COUNCILMEMBER JOHNSON: Well, it just says,
existing 4 and directed growth plan, a description of

for 5 and future land use patterns and planned growth
the 6 the 20-year planning period," and then leave out
7 base part, because ostensibly what we would be
we 8 doing is we would be basing it on whatever data
gathered. 9 had gathered or the Citizen's Advisory had
10 So if they're looking at all the various types
of 11 data that -- you know, could be carrying
capacity 12 studies, it could be our resource availability,
13 whatever it might be.
that 14 CHAIR TAVARES: You're saying to leave it general so
15 we're not specifically --
not 16 COUNCILMEMBER JOHNSON: Just leave it general so we're
17 pigeon holed into that one thing.
the 18 CHAIR TAVARES: Okay. So we would look at deleting
19 section starting with the word "based"?
20 COUNCILMEMBER JOHNSON: "Based," yes.
21 CHAIR TAVARES: Okay.
much 22 COUNCILMEMBER JOHNSON: Because I think there is so
23 more than just looking at the distribution of
know. 24 projected population and economic growth, you
25 You know, it's other factors. Maybe we don't
want

49 PC 9/5/02

1 how we anticipate growth to occur. Maybe we
want to
2 constrain growth in ways through our urban
growth
3 boundaries or maybe we want to increase
densities in
4 some areas. So that's sort of like the tail
wagging
5 the dog. You know, if we're going to plan, then
we
6 also need to maintain a certain degree of
control
7 over that. So that would be my suggestion, and
8 leave it more open. If somebody else has
additional
9 wording that they'd want to work on, I would
just
10 like to get that section deleted, though, at
this
11 point in time.
12 CHAIR TAVARES: Okay. So we can look at reworking
that
13 section, because I think the following sentence
14 would have to be changed if we're going to
delete
15 the prior phrase. So that's a good point.
16 COUNCILMEMBER JOHNSON: Okay. Thank you.
17 CHAIR TAVARES: Do you have any others on your little
18 list?

19 COUNCILMEMBER JOHNSON: The other section that I had
was
20 on I guess it would be page 6, and I had
highlighted
21 in Section C, "The studies shall include but not
be
22 limited to an assessment of infrastructure,
public
23 facility, water, health care systems, et
cetera,"
24 and I thought that was very good, but I also
wanted
25 to include in there some language about
directing

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50 PC 9/5/02

1 these particular aspects of the infrastructure.
You
2 know, more or less looking at, again, what our
role
3 is in controlling these particular areas, the
4 various parts of infrastructure, but also maybe
5 setting some parameters on where we wanted to do
6 that. So I thought the basis was really good,
but I
7 thought we might be able to at least include a
8 little bit more responsibility in how we are
really
9 going to direct how that infrastructure is
assessed.

10 COUNCILMEMBER TAVARES: Well, I think this part might
be
11 written that way because it's under the heading
of
12 technical plans and studies. So I think this
13 section -- and correct me if I'm wrong,
14 Mr. Miskae -- is outlining what those kinds of
plans
15 and studies would look like and then using that
16 information would go into more detail on another
17 section.

18 Mr. Miskae, do you care to comment?

19 MR. MISKAE: That's correct, Madam Chair.

20 COUNCILMEMBER JOHNSON: Okay. So, you know --

21 CHAIR TAVARES: You know, it's this -- this is always
a
22 challenge because you want to start out first,
you
23 know, with general statements and then refine
them
24 and then you've got a nice little tree started,
and
25 then sometimes you go back to, you know, maybe
the

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51 PC 9/5/02

1 second branch and want more detail in that one,
but

in 2 to me it's got to be a logical progression. So
3 some place -- it's just like you have
definitions in 4 the beginning of an ordinance and then from
those 5 definitions then you go into what you're talking
6 about in detail. So sometimes if we put too
much 7 detail in the front, we might get lost with, you
8 know, what the purpose was of that particular
9 section.

I 10 COUNCILMEMBER JOHNSON: And I totally understand, and
11 think more of what I was looking at in the last
12 sentence -- I'll just read it. It says, "Where
13 existing capacity or service deficits or
excesses 14 relative to the national or appropriate
standards 15 and future population projections," once again
we're 16 getting into future population projections.

17 I'm looking at, well, where do we want to
go? 18 If we're looking at just everybody coming to our
19 island, we do live on an island. It's a little
bit 20 different than Chicago, and so there are certain
21 constraints that I believe we have to look at
within 22 the whole planning process, and if we just say -
- 23 well, if everybody says, well, we're growing at
a

have 24 rate of 7 percent population per year, well, we
25 to figure then ten years from now, 70 percent

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52 PC 9/5/02

all 1 increase. What I'm looking at is saying, well,
we 2 right, where do we want growth to occur and do
do in 3 want growth to occur? Or what are we going to
can 4 a realistic way to constrain growth so that we
where 5 plan? Part of planning is also managing, and
6 I'm looking at this is trying to say not just
7 reacting to what we project, but actually doing
8 something and putting plans in place that will
community 9 actually achieve a goal that we have as a
10 in mind, and not just reacting.

When I 11 So that's kind of where I'm looking.
a 12 look at language like that, I look at it more as
something 13 reactive kind of statement, as opposed to
just a 14 that is -- that we're directing. And that's
15 comment. So that's the way I'm -- it may be

16 something totally different. Maybe I'm reading
17 something into it that really isn't there.
18 COUNCILMEMBER TAVARES: I think maybe it's intended to
19 make sure that it becomes part of the discussion
on
20 managing and planning, and, I mean, I don't --
you
21 know, at some point, I mean, that's why, you
know,
22 England and Portugal and all those other
European
23 countries went out to conquer the world was
because
24 they had already filled up their capacity. So
at
25 some point in time, you know, growing at a
certain

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53 PC 9/5/02

1 rate as you described, there is going to be no
more
2 room for people.
3 COUNCILMEMBER JOHNSON: Right.
4 CHAIR TAVARES: And where do we go next, or where is
our
5 population going to go or the kids that we
produce,
6 where are they going to live? And it's -- you
know,

7 it's a bigger question than just Maui. You
know,
8 it's all over the world, but I think we need to
have
9 that information about what the projected growth
is
10 so we know where exactly -- if we don't do
whatever
11 it is that this is indicating, that we've got to
12 figure out something else to do, whether that
means
13 building higher density or allowing only higher
14 density to occur so we don't swallow up every
piece
15 and square foot of land or what. I mean, maybe
16 we've got to buy people one-way tickets to
places.
17 I mean, you know, that -- there's all
kinds
18 of questions, but I think that its appearance
here
19 is to make sure that we don't forget or that
this
20 does become a critical part of the discussion.
We
21 do have to look at those growth projections
based on
22 our past history, and I think that -- you know,
23 we've seen a lot of times projections, ten years
24 ago -- didn't we exceed the projections from ten
25 years ago? What they said ten years ago, our

1 population was going to be, didn't we exceed it?

other

2 MR. MISKAE: We're pretty close in some areas and

3 places we've exceeded, other places --

doing

4 CHAIR TAVARES: Not, uh-huh, okay. So, I mean, not

5 it every ten years, like I think Brian has been

6 saying all along, that we need to follow up, you

three

7 know, in intervals. Maybe it's one or two or

8 years to see how are we comparing what actually

we

9 happens with what the projections were so that

Miskae.

10 don't get caught off guard too much. Mr.

11 MR. MISKAE: Two years.

recommending,

12 CHAIR TAVARES: Two years. I think he was

13 yeah, two years that we look at where we are and

14 where we said we thought we were going to be and

the

15 that gives a pretty good indication of some of

16 direction.

know, it

17 COUNCILMEMBER JOHNSON: And I think it all -- you

also

18 all ties in, because what I'm talking about is

19 philosophical.

20 CHAIR TAVARES: Right.

not

21 COUNCILMEMBER JOHNSON: You know, some of it really is

beyond
there
in

22 anything you -- that's a hard number. It's
23 continually changing, and if there are events
24 our shores that affect population growth or if
25 were to be conditions existing here, or anywhere

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55 PC 9/5/02

was
are
we're
all

1 the world for that matter, that would mean there
2 an exodus of our population, well, these plans
3 only as good as, you know, the reality that
4 dealing with at that particular time. And
5 projections, for me, it's a best guess. That's
6 we're doing, and as you say, they're just
7 projections.

8 CHAIR TAVARES: Okay. Brian.

9 MR. MISKAE: Madam Chair, I understand completely what
10 Member Johnson is saying. Santa Barbara, for
11 example, built in a tremendously effective
12 development constraint. They just didn't bring
13 water in. I mean, there are things you can do
to

my 14 constrain development in the future. I may bite
15 tongue when I say this, but, for example, making
probably 16 light rail corridors. Light rail requires
17 30 dwelling units per acre. You build them in.
18 You're going to need the density. All of a
sudden 19 you've invited that kind of density. If that's
what 20 you want for Maui County in the future, you'll
21 probably get it. So, I mean, you have to think
22 about these things in the future.

23 But to respond briefly, Madam Chair, to
24 Member Johnson's comments about the technical
25 studies, you kind of have to look at the
evolution

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56 PC 9/5/02

1 of this particular bill, starting off with a
vision 2 statement; going then to a managed and directed
3 growth plan; then an action plan, what are you
going 4 to do; the capital improvement element, what's
going 5 to be done to do that action plan; the financial
6 element, how you're going to pay for it; and the

7 implementation schedule, when you're going to do
it.

8 The technical studies really give you a
basis
9 for what you have on the shelf. The population
10 projections, as I mentioned at the last meeting,
11 this crystal ball stuff is beyond me. I mean,
12 they're basing our entire projection --

projections
13 on tourism, because that's our main industry,
and I

14 don't think that's going to change, but
nonetheless,

15 it is a single element that they base their
16 projections on. And it's up to us to tweak
those
17 things.

18 And that's why I talked about a managed
and
19 directed growth plan. I talked about
establishing
20 urban growth boundaries not necessarily
consistent
21 with what our people are saying they're going to
put
22 population here, there, and whatever,
23 indiscriminately I guess you might even say, but
24 actually where you want the growth to take
place.

25 And that's of course going to step on, you know,

57

1 Mr. Mayer's comment that, you know, maybe some
2 communities might say I don't want this, but if
we
3 looked at Maui as a whole, which is what the
4 island-wide plan intends to do, that's really
what
5 this Council's going to have to look at. All
nine
6 are going to have to look at Maui and the outer
7 islands as well as a whole to make sure that we
have
8 a community that we're going to be proud of,
that
9 our quality of life will be better, and that's
the
10 purpose. I'm talking a little flowery now, but
11 that's the purpose of this planning process, but
to
12 keep the community involved right from the
13 beginning.

14 The idea of having the Planning Director
15 prepare the plans ahead of time I think answers
16 DeGray's comment and also Ron McOmber's comment,
17 because they are then -- the CACs are going to
get
18 all of the information that the Planning
Department
19 used to create the draft in the first place,
whereas
20 the last time they kind of started from scratch.
21 Now they're going to get the whole package they
can

22 work with. So I think it's better.
23 COUNCILMEMBER JOHNSON: And I agree. I think that
even
24 just having the discussion and getting the
input,
25 too, from the public has been very good, but I
think

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58 PC 9/5/02

I
are
because
of
or
but
people
really

1 that we have a lot of homework ahead of us, and
2 really do appreciate everything that you both
3 doing, the other Council members as well,
4 when we all participate together, what comes out
5 it in the end is something that's going to bring
6 more people in instead of just that core that
7 Mr. McOmber talked about. Just having those 15
8 18 people in a community, that's not what I call
9 good. It just really isn't.
10 These people are dedicated to doing this,
11 they need a life too, and I think the more
12 that you bring into the process, I think it

13 makes it much healthier, because then it gives
14 people that have been involved in it a long time
a
15 little bit of a respite from doing this, because
it
16 does -- it does wear on you after a while and it
17 does get frustrating. And I think that as we
make
18 it more attractive and more appealing for other
19 people to come in and participate in the
dialogue,
20 the end product is going to be something that's
21 really very good, and it will attract more
people.
22 Maybe it might create more problems, but, you
know,
23 I think that dialogue is good.
24 That's all, Madam Chair, that I'm going
to
25 deal with right now because the other comments I

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59 PC 9/5/02

1 have I'll just put in writing because I want --
I
2 don't want to use -- you know, just usurp
everybody
3 else's time. Thank you.
4 CHAIR TAVARES: Are there any other members that have
some

5 points? Mr. Mateo.

6 COUNCILMEMBER MATEO: Thank you, Madam Chair. Perhaps

7 just to continue where the testifiers left off,

8 because their recommendations and suggestions
were

9 all really very good. I believe the proposal

10 already addresses some of the concerns, such as

11 public participation and public notices, but
there

12 is additional -- for example, Mr. Mayer's

13 recommendation of including community boundaries
is

14 a real interesting opportunity for us to be real

15 specific so there's no questions as to where one

16 community begins and the other ends. This
should be

17 a consideration.

18 The consideration of increasing the 120
days

19 to a longer term is one that I think is -- it
really

20 must be included in the proposal. On the

21 infrastructure, Sean indicated the inclusion of

22 telecommunications. Even though the proposal

23 identifies public facilities, I think in order
to

24 avoid an assumption that telecommunications is
part

25 of that, we should be specific and add it in.

60

1 And just to add, DeGray's comment that
the
2 community side of the process is not broken,
that
3 really sets the tone to the urgency in being
4 inclusive with the proposal. Thank you, Madam
5 Chair.
6 CHAIR TAVARES: Thank you. Mr. Carroll, any comments
at
7 this time?
8 COUNCILMEMBER CARROLL: Thank you, Chair. As we move
into
9 the planning process, I think everybody's
touched on
10 the things that we're really concerned with, not
11 only addressing our community -- individual
12 community's unique needs, but incorporate it
into
13 the whole of Maui, Moloka'i, and Lana'i. And at
14 some point we are attempting at this time to
address
15 a community's needs strictly. There is very
little
16 consideration of the whole, and unless we have
that
17 some place in this document and we -- to address
it,
18 and I really don't know how to put that in at
this
19 time, we are going to have real problems.
Because
20 every community wants to stay the same and let

do 21 everybody else change around them, and we can't
22 it that way. We are going to have to -- as the
going to 23 communities do their general plans, there's
24 have to be some process where we address the
25 concerns of Maui County. And I say Maui County

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61 PC 9/5/02

1 because what happens on Maui directly impacts
2 Moloka'i, directly impacts Lana'i, Kahoolawe.
done. 3 I think there's a lot of work yet to be
4 I'm very happy with this document as I see it so
and 5 far, but I think we probably need to go further,
6 if it's said that I think that if we cannot come
to 7 the ultimate solution and we cannot work out all
of 8 the details of integrating the different
we 9 communities, we should still proceed with what
year 10 can put together, because we can continue next
I 11 and the following year and we can work on this.
and 12 don't want to see us held up and this not pass

13 we -- because we can't solve every problem with
the
14 planning process.
15 CHAIR TAVARES: Right.
16 COUNCILMEMBER CARROLL: So I hope we do the best we
can,
17 we do address this, we do recognize this, but if
we
18 can't solve every problem in this, I still think
19 that we should do the best we can and pass out
this
20 document. Thank you.
21 CHAIR TAVARES: Thank you. Mr. Hokama, would you like
to
22 share with us your meetings on Lana'i?
23 COUNCILMEMBER HOKAMA: Thank you, Chair. For some of
us
24 that's been following this for many decades, and
I'm
25 sure many people have, that one of the
advantages is

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62 PC 9/5/02

1 we've basically completed the full second phase.
2 We've revised the original plans for many
districts
3 and we're going to now the next phase. And I
think

through 4 what is positive about our County is that
and 5 each phase, the process has always been reviewed
that 6 comments have tried to improve it, and I think
as 7 is by itself a healthy self review of who we are
this 8 a County, as individual islands that make up
9 County, as well as review of who we are as a
10 community in each respective region.

point 11 I think Mr. Miskae brought up a good
you 12 about needing maybe more periodic -- I believe
while 13 said two years, Mr. Miskae, and I view that as
in 14 people have made comments that we need to be --
15 specific areas more -- prioritization should be
I 16 better, implementation should be more specific,
required 17 think we are also trying to keep a level of
planning 18 flexibility, Chair, that is needed in the
19 process. Take like for Lana'i, the original
base 20 community plan worked on the primary employment
that 21 as agriculture, the plantation, pineapple, and
the 22 we wanted to diversify that. Upon completing
23 second -- or updated community plan, we have no
24 longer an agrarian industry on the island.
We're

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PC 9/5/02

63

1 community or island.
2 What concerns me is things are happening
3 quickly on a global scale, Chair. The ability
to
4 have some flexibility is critical, in my
opinion, to
5 maintain, and while we're doing the best we can
with
6 projections and we understand the 800-pound
gorilla,
7 as our Finance Director tends to present the
visitor
8 industry, we all know what's happening in the
world.
9 And should we enter in armed conflict, should
the
10 United States expend over \$100 billion of U.S.
11 resources to fight this conflict, should the
world
12 change and say we are going to restrict and
limit
13 who can fly, where you can fly, and when you can
14 fly, we will be impacted by situations we have
15 little or no control over, Chair. And can the
plan

16 still address and be flexible enough to adjust
to
17 this ever changing times at the speed that it's
18 changing? That concerns me, Chair.

19 It is good to follow a distinct,
20 straightforward path knowing that certain
for 21 circumstances will not change, and it's easier
22 decision makers in the community to move forward
23 because certain things remain static. We are
now 24 living in a world that has reduced that level,
25 whereby, again, may not be the Middle East, it
may

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64 PC 9/5/02

going 1 be some place in India or Pakistan and we're
United 2 to have a regional conflict not including the
3 States but may impact us regarding the fuel, the
in 4 fossil fuel that we need to generate and operate
of 5 our County. What happens if we have a reduction
we 6 that capability to have energy resources until
do to 7 develop new alternate sources? What does that

8 our County? What does that do to our growth
9 patterns and ability to provide still yet
10 opportunities for our ever growing younger
11 generations?

12 So I'm being more philosophical, Chair,
but
13 we still need a proper balance between the idea
of
14 planning and improving, yet still dealing with
the
15 uncertainty of challenges that may come up by
16 tomorrow and then the very next day. So I am
17 optimistic we have enough more than capable
brain
18 power in this community, in our County. We have
a
19 lot of willing volunteers that are committed to
20 their communities that I look forward to
21 participating with us, and I'd just like to,
again,
22 bring up the point that we are now, whether we
think
23 it's good or bad, part of a global situation,
and
24 global conflicts, global impacts will affect
those
25 of us in Maui County. Thank you.

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thoughts.

practical

My

we

Lana'i

it

time

We

because

numbers

from

grew

very

affects us

the

1 CHAIR TAVARES: Thank you for sharing your deep

2 I thought you were going to be more on the

3 level about your experiences in last night's

4 meeting.

5 COUNCILMEMBER HOKAMA: That is something else, Chair.

6 only comment is while it's good to rehash how

7 certain things are where we are today, sometimes

8 tend to forget that for -- especially with

9 community plan that was adopted in 1998, Chair,

10 was proposed and put together as a snapshot in

11 during 1993 and we are a totally -- not totally.

12 are a very dramatically changed community,

13 between 1990 and the new census, although by

14 it may seem very small to maybe my colleague

15 West Maui or South Maui, percentagewise Lana'i

16 over 50 percent. Okay. Percentagewise we grew

17 much, not in numbers.

18 But the impact, nonetheless, still

19 both positively as well as negatively because of

20 change in the dynamics now of what makes up our

21 community by age brackets, by income levels, you

22 know, and so while the plan still has very good
23 basic foundation that we need to follow, the
whole
24 makeup of who we are now on Lana'i is not what
we
25 were in 1993, and that's part of the plan I find

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66 PC 9/5/02

1 dynamic, and, again, the need to be flexible to
2 still adjust to that kind of changes, Chair,
that
3 we've initiated and we've helped create to bring
4 about the changes that we have influence over.
So
5 thank you for letting me share a few points this
6 afternoon.
7 CHAIR TAVARES: Such philosophy on a Thursday
afternoon
8 after a very long week for some of us on
different
9 islands having meetings late into the night and
even
10 on this island, but I appreciate the comments
from
11 the members and keep them coming. I know that
we've
12 had a very busy schedule and you may not have
had

any 13 time to write your thoughts down, but please at
you 14 time that you've got some precious moments where
to 15 can actually make some comments about revisions
Wayne 16 what's presented here, please submit them to
17 Boteilho.
for 18 And what I'm going to ask at this time
19 our Staff to do and in conjunction with or in
this 20 consultation with Mr. Miskae is to rearrange
21 document. We talked the last time about
22 restructuring the document so that all the
general 23 plan things -- items are together and all the
24 community plan items are together so that we
don't 25 have to go back and forth, because some of the

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67 PC 9/5/02

1 sections -- I know Mr. Miskae was following the
2 current format so that we could see how it
compared
3 with the existing ordinance, but I think we've
now
4 gone beyond that. I think everybody understands

existing

5

its -- this proposal's relationship to the

as

6

ordinance and nothing has jumped out at anybody

can

7

being totally out of whack. So I think now we

ordinance.

8

massage this further and get it into a more

9

understandable and logically developed

10

And I would ask Mr. Boteilho -- and I did

11

talk with him briefly and he's willing to take a

then

12

crack at restructuring this whole ordinance and

them

13

he will be talking with Mr. Miskae and both of

time

14

put their heads together, and I think at this

have

15

we would send it to Corporation Counsel once we

new

16

I think one more meeting where we'll review this

17

format.

you

18

And if we could ask, Mr. Boteilho, when

19

include some of the changes that the members are

20

suggesting, that maybe we should highlight that

know,

21

section rather than use underlines and, you

22

brackets, because we already have underlines and

23

brackets in this one. So to show further that

you

24

there's more Committee work, maybe highlight --

25

know, like if we wanted to change a word or a

68 PC 9/5/02

1 section or delete something, that that be
2 highlighted and then a note put on the side or
3 something to indicate where that change was so
we
4 know where the change occurred, maybe help us.
5 We're going to need a legend pretty soon to tell
6 us -- guide us through the document.

7 But I'm very pleased at the progress
we're
8 making with this particular ordinance --
proposed
9 ordinance. I think it really, really helped
10 immensely to have Mr. Miskae or someone from his
11 staff accompany us in our community meeting so
we
12 all heard the same thing, and I think the
changes
13 are going to be probably minimal. There's some
14 areas where we have some agreements or some
15 disagreements, but I think most of it is minor.
We

16 can focus on the major parts and then we --
until
17 after the general election and see what the
18 community tells us what they want us to do, and
19 Mr. Miskae has set this up in such a way that
should

our 20 whichever amendment passes, we can easily change
that 21 proposed ordinance if we haven't adopted it by
22 time.

not 23 Just for your information, members, I am
the 24 planning to have a meeting on the 19th. Is it
25 19th of September? I'm not planning to have a

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69 PC 9/5/02

1 meeting on the 19th of September, neither am I
2 planning to have a meeting on October 3rd, the
3 Thursday of the fair parade. I think that would
4 be -- there would only be a few of us in here
that 5 day, but because the traffic is closed and we
want 6 everybody to go and enjoy the County fair, we'll
7 postpone that meeting, but right after that
we'll 8 get right back into the swing for working on
this. 9 So we have a little while.

adjourn 10 Okay, any other comments before we
11 the meeting?

12 COUNCILMEMBER HOKAMA: One last one, please, Chair.

13 CHAIR TAVARES: Yeah.

14 COUNCILMEMBER HOKAMA: Thank you. And I'm glad you
15 refreshed my mind. First I want to thank
16 Mr. Miskae, his Long Range Division of the
17 Department of Planning, Mr. Min, of course, and
the
18 Mayor because I think what they're trying to do
with
19 this -- I guess an advisory committee on helping
to
20 prioritize implementation, parts of the
community
21 plan which we just went through on Lana'i last
22 night, and I believe it was our final meeting,
23 Mr. Miskae, that I am looking forward to see how
24 this will assist not only the Administration but
the
25 Council during budget review and the process of
how

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PC 9/5/02

70

1 to allocate County resources.

2 And, again, being able to present through

the

3 prioritization of implementation requests, then

4 Council can go back and say, well, we're willing

to

5 do one in every district, but the price tag is
this
6 much, then will the people be willing to pay
that
7 level of taxation to implement those top
priorities
8 within each district? And so I'm, again,
thankful
9 that we are looking to improve not only the
planning
10 process but also how we can improve the
budgetary
11 process in allocating resources. So I find it
12 dynamic again, and I look forward to the
positive
13 movements forward and adjustments that we will
be
14 able to make in a very short near future,
Chairman.

15 Thank you.

16 CHAIR TAVARES: Members, do you have any objections to
17 Mr. Mayer coming back to offer another thought?

18 COUNCILMEMBER JOHNSON: No.

19 COUNCILMEMBER HOKAMA: No.

20 CHAIR TAVARES: No, okay.

21 MR. MAYER: Could someone turn the light off, please.

22 Greatly appreciate the chance. One thing that
just

23 occurred to me, because I went through it down -

-

24 CHAIR TAVARES: Could you pull the microphone a little
25 closer to you.

PC 9/5/02

71

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Maui

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Moloka'i

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that

be

implementation

the

1 MR. MAYER: As I listened to your comments, which I
2 thought were excellent, all of you, in terms of
3 concept of island-wide, I said it briefly, that
4 Moloka'i and Lana'i are different than Maui.
5 has the six plans, and in here right now you
6 the island-wide thing and it's in the section
7 dealing with the general plan, which is made up
8 the 32 members who would be making up the
9 plan. I'm not sure the people on Lana'i or
10 would want 28 people from off island making the
11 island-wide plan.

12 And so I would urge you to consider
13 just somehow deleting Lana'i/Moloka'i from the
14 island-wide section and then include some of
15 section in the community plan area for those two
16 islands. So that you have one plan that would
17 island-wide and community plan with
18 actions, all the things that would be done, but

and 19 island-wide section refer really to Maui island
and 20 separate from the other two. I think Moloka'i
that 21 Lana'i will come out much better by doing it
22 way. Thank you for letting me speak.
the 23 CHAIR TAVARES: Yeah, thank you, and I think that was
24 intention originally, was to recognize that the
25 community plan for Moloka'i and Lana'i were the

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72 PC 9/5/02

look 1 island plans, and so we -- we'll take a closer
2 at that.
the 3 MR. MAYER: Yeah, I think it's a question of moving
4 word. I think your intention is excellent.
It's 5 just making sure that the sections read that
way. 6 Thank you very much.
for 7 CHAIR TAVARES: Thank you very much. Any questions
8 Mr. Mayer? Okay. Thank you a lot.
members? 9 Okay. Any other closing comments,
10 Staff, do you have any comments?

11 MR. MISKAE: No.
12 CHAIR TAVARES: He's ready to go, Brian. All right.
13 Thank you very much. This meeting's adjourned.
14 (Gavel).
15 COUNCIL MEMBERS VOICED NO OBJECTIONS. (excused: DPK and
16 ACTION: DEFER pending further discussion.
17
18 ADJOURN: 3:07 p.m.
19
20
21
22
23
24
25

MJM)

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73 PC 9/5/02

1 C E R T I F I C A T E
2 STATE OF HAWAI'I)
3) SS.
4 CITY AND COUNTY OF MAUI)

5
6 I, Jessica R. Perry, Certified Shorthand
Reporter

and

7 for the State of Hawai'i, hereby certify that the
8 proceedings were taken down by me in machine shorthand
9 was thereafter reduced to typewritten form under my
10 supervision; that the foregoing represents to the best
11 of my ability, a true and correct transcript of the
12 proceedings had in the foregoing matter.

of

13 I further certify that I am not attorney for any
14 the parties hereto, nor in any way concerned with the
15 cause.

of

Honolulu,

16 DATED this 9th day of October, 2002, in
17 Hawai'i.

18

19

20

21

22

23

24

25

Jessica R. Perry, CSR NO. 404
Notary Public, State of Hawai'i
My Commission Expires: 5/11/03 (gavel).