

PARKS AND AGRICULTURE COMMITTEE

Council of the County of Maui

MINUTES

October 14, 2004

Council Chamber

CONVENE: 1:30 p.m.

PRESENT: Councilmember Jo Anne Johnson, Chair
Councilmember Robert Carroll, Vice-Chair
Councilmember Michael J. Molina, Member (In 1:45 p.m.)
Councilmember Joseph Pontanilla, Member
Councilmember Charmaine Tavares, Member

Councilmember G. Riki Hokama, Non-member (In 1:32 p.m.)

STAFF: Shelly K. Espeleta, Legislative Analyst
David M. Raatz, Legislative Attorney
Clarita L. Balala, Committee Secretary

ADMIN.: Glenn Correa, Director, Department of Parks and Recreation
Roxanne Teshima, Special Events/Grants Coordinator, Department of
Parks and Recreation
Eric Barsatan, Economic Development Specialist, Office of the Mayor
John D. Kim, Deputy Corporation Counsel, Department of the
Corporation Counsel

OTHERS: Michael Myers, Senior Vice President, KemperSports
Terryl VencI, Executive Director, Maui Visitors Bureau
Additional attendees (1)

PRESS: AKAKU – Maui Community Television, Inc.

CHAIR JOHNSON: ...*(gavel)*... The Parks and Agriculture Committee meeting of October 14th, 2004 will come to order. We have in attendance at our meeting today our Vice-Chair of the Committee, Mr. Robert Carroll. Mr. Molina will be joining us shortly. We also have Councilmember Joe Pontanilla and Councilmember Charmaine Tavares. From Administration, we have Ms. Roxanne Teshima from Parks; Parks Director, Mr. Glenn Correa; from Economic Development, Mr. Eric Barsatan; and Mr. Kim, J.D., who is from the Office of Corporation Counsel. I know last time I called you by another first name and I apologize. We also have with us Mr. David Raatz from Office of Council

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Services, Ms. Shelly Espeleta, and Ms. Clarita Balala. And in the audience we do have our resource people also as well.

ITEM NO. 15: AUTHORIZING A GRANT OF A LICENSE FOR THE MAUI INVITATIONAL BASKETBALL TOURNAMENT

CHAIR JOHNSON: So I would like to thank you all. We have the item, only one item on our agenda today, and that is Parks and Agriculture 15, which is authorizing a grant of a license for the Maui Invitational basketball tourna . . . and tournament.

We have previously met on this item on September 16, 2004, and we are considering a bill, which is before us, which is "Authorizing a Grant of a License to KemperSports Marketing, Inc. for the Maui Invitational Basketball Tournament". I don't know I'm tongue-tied today.

Having heard that we have only one testifier signed up at this point in time and that is Ms. Terryl Vencl. So without anything further, Ms. Vencl, if you could come forward, and give your testimony.

. . .BEGIN PUBLIC TESTIMONY. . .

MS. VENCL: Aloha, Chairwoman Johnson and Council members. My name is Terryl Vencl. I'm Executive Director of the Maui Visitors Bureau. I just am here today to once again ask for your support for this event and to thank you for the many efforts you've made in getting to this point. And I hope that you will move this out favorably. I'd like to thank Michael and Kemper for listening and being workable with this Committee. And I think we've got something that I hope we can pass out of here today and keep this event alive and well for Maui. Mahalo.

. . .END OF PUBLIC TESTIMONY. . .

CHAIR JOHNSON: Thank you, Terryl. Are there any questions of Terryl? Thank you very much. Seeing no one in the audience, the Chair will before the adjournment of this meeting . . . I will keep testimony open a little while longer. But at this point in time what I'd like to do is just give a little brief overview because there is also a companion bill before Budget and Finance Committee, which is "A Bill for an Ordinance Amending the Fiscal Year 2005 Budget for the County of Maui as it Pertains to the Charges for Current Services, Fee – Use of Park Facilities" and that is going to be dealt with at tomorrow's Council meeting of October 15. So that is one of the reasons of why we've kind of been moving in this direction.

There were some issues that were raised last time and because I, as the Chair, felt there was some new information, I wanted to do everything appropriately bringing forward everything at the same time so that we could meet all the deadlines so that there were no questions. Because so many times we always

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like to have the work done in Committee and not have any last minute glitches at the Council level where there were questions raised and then we would run out of time. So I made a judgment call that this was the better way to handle it. There will be also some overview given. Were you intending to do that, Eric? Would you like to give an overview of what's before us today and discuss some of this or would it be easier for the Parks Department to go through it. I'll leave it to either one of you.

MR. BARSATAN: You're talking about the exhibit?

CHAIR JOHNSON: Yes. We're talking about the actual item that we have before us.

MR. BARSATAN: Okay. I'll go ahead. With the exhibit, actually now what we have, some of the changes that we made is that the total use of the premises would be now be 12 days from 13 days. And the breakdown on that is, let's see, seven days in setting up, three days of the actual event, and two days of the tear down. So with the item before us, the license agreement, we've made those changes again from three days to two days in Article Subsection D and then the Article 3, Subsection E, we've changed it, I'm sorry, actually that would be the actual change. Let's see . . .

CHAIR JOHNSON: Members, are you able to follow along? You have the documents before you? Anyone not able to follow? Okay, thank you. Just continue, Eric.

MR. BARSATAN: Just continue? Okay. So again that would make it the 12 days actual use of the facility in comparison to 13 days that was used before. And then we made further changes in the Article 6, Subsection A, that is now for 2004, the rental fee is 2,400, but thereafter to 2012, it's 4,800, and that is due to the T-4 rate of \$400 a day times the 12 days.

CHAIR JOHNSON: Okay. The custodial deposit and the key deposit, those didn't change from the first resolution?

MR. BARSATAN: Right. They'll remain the same.

CHAIR JOHNSON: Okay. Is there any other portion that we should be highlighting? Those were just the changes?

MR. BARSATAN: That's pretty much it.

CHAIR JOHNSON: Okay. Parks Department would you have any comment?

MR. CORREA: None at this time.

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CHAIR JOHNSON: Okay, and Roxanne, you have no comment either? All right. J.D., did you have an opportunity to look over the document and make certain that everything is in order in terms of the granting of this particular agreement?

MR. KIM: I personally did not review this document. I believe this document was drawn up and for approval by James Giroux from my office.

CHAIR JOHNSON: Okay. So, but it was . . . it was reviewed by somebody in the Office of Corporation Counsel?

MR. KIM: That's correct.

CHAIR JOHNSON: Okay, thank you. Members, are there any questions of either the Parks Department and also Mr. Myers is in the audience if you would have any questions of him. I know that we went through this last time, at least in substance, and many of the issues that you had addressed I believe are currently reflected in this change that is before us. Seeing no questions, I would also like to welcome Councilmember Riki Hokama to our meeting.

COUNCILMEMBER HOKAMA: Thank you, Chairman.

CHAIR JOHNSON: Councilmember Hokama, do you have any questions or comments inasmuch as there is a pending issue before your Committee, actually before the Council tomorrow, as well?

COUNCILMEMBER HOKAMA: Thank you for this opportunity to participate in your Committee meeting this afternoon, Chair Johnson. I would say . . . my comments would be just that I would like to express appreciation to Mr. Myers from KemperSports for his willingness to work with the County and with the Administration to put forward this proposal this afternoon. And I also give thanks to the Parks Department and the Office of Economic Development in working with Mr. Myers to present to us today what I believe is a very reasonable proposal that I'm also happy to support when it reaches the Council level. And that it is my intention tomorrow at tomorrow's Council meeting to move forward for Council consideration the appropriate reading of approval for the Budget amendment through the ordinance process. Thank you.

CHAIR JOHNSON: I really appreciate that Councilmember Hokama. I think it's really important that when we do have these issues, even though they're in separate committees, that I have to say it was really gratifying to be able to discuss this with Councilmember Hokama so that we would both be working in tandem with one another so that we could move this very important resolution and a license agreement forward. And I want to thank also Eric and Economic Development and also Councilmember Tavares who was able to help with her past experience lend some of her wisdom to this whole process and Staff. So everybody had a

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hand in this including Parks. So I want to thank everyone for their work on this. Because this is not, you know, the . . . let's put it this way, because this is not at this point in time something that there should be a lot of questions about because this had been previously discussed, this is just the work product of what happened at our last meeting and also the coordination between Budget and Finance and also some of the issues that were brought up last time. I would at this moment entertain a motion to pass on to the full Council the . . . and let me get the wording exactly right, that the resolution entitled "AUTHORIZING A GRANT OF A LICENSE TO KEMPERSPORTS MARKETING INC. FOR THE MAUI INVITATIONAL BASKETBALL TOURNAMENT" be approved by this Committee.

VICE-CHAIR CARROLL: So moved.

COUNCILMEMBER TAVARES: So moved.

COUNCILMEMBER PONTANILLA: Second.

VICE-CHAIR CARROLL: Oh, second.

COUNCILMEMBER TAVARES: Sorry.

CHAIR JOHNSON: So it has been moved by Councilmember . . .

COUNCILMEMBER TAVARES: You can have him make the motion.

CHAIR JOHNSON: Yes. Oh, well, actually because Councilmember Tavares has been very gracious, we will recognize the seconder of the motion as Vice-Chair Robert Carroll and . . . or the mover of the motion as Councilmember Carroll and the seconder or the second as Charmaine Tavares. Is there any further discussion on this item? Yes, Councilmember Tavares.

COUNCILMEMBER TAVARES: Yes, thank you, Madam Chair, and thank you for recognizing all the efforts that people have put into this particular agreement. And I'd like to echo my thanks to Mike and to the folks who worked very hard on this and sometimes I think I don't know if I helped the Parks Department or I make it worse for them, but I think in this case it came out a little better. And I think we're going to have now the enjoyment of an event that we know will be here for the next 12 years and we look forward to the participation of the teams that are coming. They are always first-rate, high quality.

I think as I've mentioned before, I'm usually on the mainland during the time of the tournament so I get to watch it on a big screen TV at some place and notice the enthusiasm of the crowd that watches, watches it on ESPN, and it is like the place is packed. You know, you would think it was the Super Bowl, and I'm

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talking about the bigger sports venues where I visit. They always, you know, you hear comments from people as they're sitting around talking and watching the game and many, many times I hear, you know, we just gotta get to Maui, we just gotta get there, you know, I'd like to see this in person someday.

So it does do a lot for us as far as encouraging more travel to the West Side and to help bolster our tourist industry on the West Side, as well as all of the other companies, businesses, that benefit from having people come to Maui for such an event as this. So I'm very happy to support this. I think it's a situation that's beneficial to everyone and I encourage Mike and his group to continue the work that they're doing, especially with our nonprofits. We just came from a Senior Center blessing on the West Side where it's, you know, the whole thing about being here on Maui is the partnerships like was said in some of the speeches. But it's true, it's not just lip service. I've been in many communities and there's nothing like here as far as people working together, public and private sector, in partnership toward a common goal. And I think we continue to show the rest of the world how it can be done and I'm very proud to support this. Thank you.

CHAIR JOHNSON: Thank you very much. Thank you for your hard work, too, Councilmember Tavares. Vice-Chair Carroll.

VICE-CHAIR CARROLL: Thank you, Chair. I would like to commend you first of all for sharing this in such a timely manner because I think it is very appropriate, and also Mr. Hokama and the Budget Committee for processing this in the way he has done. I would like to just read the seventh whereas in the resolution, "WHEREAS, the Council of the County of Maui has determined that a License Agreement with Licensee is both necessary and in the public interest because the activities to be conducted under the license will bring publicity, economic benefits, and good will to the community." And I'm very happy to see this pass out of this Committee. Thank you.

CHAIR JOHNSON: Thank you very much. Councilmember Pontanilla.

COUNCILMEMBER PONTANILLA: I just want to echo my thank you to Mr. Myers for agreeing to this new contract. I look forward in supporting this resolution through the Council and hopefully, that the teams that are coming to Maui would see the NCAA champion.

CHAIR JOHNSON: Thank you very much. Would you care to comment, Councilmember Hokama?

COUNCILMEMBER HOKAMA: Chairman, I just had one question. I reviewed the revised--

CHAIR JOHNSON: Yes.

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COUNCILMEMBER HOKAMA: --license agreement, which was indicated from your memo, excuse me, from Corporation Counsel's memo to you. I was just wondering if there were any revisions made to the resolution itself and if they were, if Staff can assist you, Chair, with informing the Members this afternoon of what changes, if any, did occur?

CHAIR JOHNSON: Yes, and I think that's a point well taken.

COUNCILMEMBER HOKAMA: Thank you.

CHAIR JOHNSON: Thank you, Councilmember Hokama. Either Shelly or David, would you like to comment?

MR. RAATZ: Thank you, Madam Chair. In substance, the resolution is essentially the same, authorizing the Administration to proceed based on the attached license agreement. The license agreement has been changed and that's probably the critical part. But the resolution has been redrafted primarily for stylistic purposes to make it a little bit clearer and to explain more the benefits of the tournament to the County.

COUNCILMEMBER HOKAMA: Thank you, Chair.

CHAIR JOHNSON: Thank you very much. And I'd like to also recognize Councilmember Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. My apologies for being late.

CHAIR JOHNSON: Thank you, no, and we're just . . . we're in . . . we have not yet taken the vote and I have not yet closed public testimony. I'm doing that for a reason because we are being filmed on AKAKU today and after we take the vote on this, without any objections from the Members, I would like to have Mr. Myers just address the wider community if that's appropriate, and really just give a little publicity. But I'll have you do that right after we take the vote and then after your testimony I will then close public testimony. Also, this includes the filing of this particular item. So the motion . . . just take that into consideration. So Councilmember Molina did you have anything to offer in terms of your manao on this particular resolution?

COUNCILMEMBER MOLINA: Well, I had a couple of questions, but I did monitor the meeting so pretty much my questions were answered. Thank you.

CHAIR JOHNSON: Okay, great. Thank you very much. I just want to say on a personal note that everything that we do in this County, everything in this community is really for the benefit of the people that we serve. When Mr. Myers

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really came forward and I know he did so both at great inconvenience because he was here at our last meeting and I hated to have him to fly in all over again just to make this particular meeting. But I want to thank Councilmember Hokama because I think with having the reading let's say tomorrow for the October 15th meeting, at least it meant that Mr. Myers didn't have to make another plane trip yet again because he could both attend this meeting as a resource person and also attend tomorrow's meeting. Because I think it's really important that we really try to work with the public as much as we can because we are here to serve and that's why I thank all of you. Even though Lynn Araki-Regan is not here I know that she helped to put this whole thing together too. She did a really great job. So it just shows what happens when we all pull together for the right reasons and for the benefit of the community. So thank you. With no further comments, are there any . . . is there anything further? Seeing nothing. All those in favor of the resolution or the motion, please signify by saying aye.

COUNCIL MEMBERS: Aye.

CHAIR JOHNSON: And the Chair votes aye so it will be unanimously passed along to the full Council.

VOTE: AYES: Councilmembers Molina, Pontanilla, Tavares, Vice-Chair Carroll, and Chair Johnson.

NOES: None.

ABSTAIN: None.

EXC.: None.

MOTION CARRIED.

ACTION: Recommending ADOPTION of revised resolution and FILING of communication as it relates to the resolution.

CHAIR JOHNSON: Do we have an idea of when this will be heard, Staff?

MS. ESPELETA: Chair, it will be heard on the November 5th full Council meeting.

CHAIR JOHNSON: Okay. So and that will be in enough time to make all of our deadlines? Okay, thank you. And again without objections, I would like to have Mr. Myers really come forward and give a little shameless publicity for your event because I think it's really a great event.

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...BEGIN PUBLIC TESTIMONY...

MR. MYERS: Thank you, Madam Chairwoman and Council members. And it's certainly not our event, but it's our event in the greater scheme of things. First of all, let me please thank all of you here for your support throughout this process. I see it as a very positive one from beginning through end even with some of the debate and I think it was a very positive debate that was going on as to how to come up with the best result for the County of Maui and for all concerned. And I think we've done that here and we look forward to this being a continuation of what has been a long-term relationship and what I expect will be a very, very long-term relationship for many years to come. We are very proud of the relationship between the Maui Invitational and the County of Maui and it is the Maui Invitational for many very good reasons. I don't think it could be anywhere near the success that it has become and will continue to be without certainly the representatives in this room and the County at-large for its support and its involvement. I think at every step of the way we try to be very sensitive to that involvement and look for ways to truly be a part of this community and a part of the greater County. And I think that's very important for any event that takes place within the County whether it be one that we're involved with as a sports management firm or any of the other events that have the good fortune of taking place here. No ka oi means a lot to us, as well, even those of us who may live in the mainland who have had the good fortune of spending enough time here. And without being long-winded about it, I appreciate all of your support. We do, and we look forward to this being another step in what I expect to be a very, very long-term relationship. Thank you again for your time.

CHAIR JOHNSON: Thank you and can you give the dates again so that you at least have an opportunity to announce to the community.

MR. MYERS: I'm always happy to plug the dates of the tournament. It is always Thanksgiving week, Monday through Wednesday of Thanksgiving week. It's November 22nd through 24th at the Lahaina Civic Center. And we have . . . since you're giving this opportunity, it's a terrific field and we have secured fields for the next few years, which are truly, truly outstanding in the realm of top college basketball teams, as well as very strong mid-majors, which has always been the strength of this tournament. It's an opportunity for teams of a wide range to be able to meet on a neutral court in what happens to be paradise and compete at the highest level of this sport. So it's a treat not only for the fans here and for the County, but for college basketball in general. So I thank you for allowing us to continue to be a part of it and for opening up your home to this event for many years to come.

CHAIR JOHNSON: Thank you very much, Mr. Myers. Is there any other questions or things that we have to address? Well, I just wanted to make one comment. You

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forgot the most important thing. People will now be able to go to the tournament in air-conditioned comfort.

MR. MYERS: Yes. Thanks in no small part to the people in this room and to those that you represent. So thank you again.

...END OF PUBLIC TESTIMONY...

CHAIR JOHNSON: Thank you. Thank you very much. Public testimony will be closed at this time. So having no other business, are there any announcements on the part of Council members? Seeing none. I want to thank each one of you for whatever role you played in this and I do appreciate everyone's attendance today. So thank you. With that, this meeting is adjourned. . .*(gavel)*. . .

ADJOURN: 1:52 p.m.

APPROVED:



JO ANNE JOHNSON, Chair
Parks and Agriculture Committee

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Transcribed by: Clarita L. Balala