

COUNCIL OF THE COUNTY OF MAUI
POLICY COMMITTEE

July 6, 2012

Committee
Report No. _____

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Policy Committee, having met on October 19, 2011, and June 26, 2012, makes reference to County Communication 11-164, from the Planning Director, requesting that the process to establish Community Plan Advisory Committees (“CPACs”) for the Molokai and Lanai Community Plan Areas be initiated.

Your Committee discussed the general approach for soliciting applications for the CPACs, and decided to phase the recruitments for the Molokai and Lanai CPACs, starting first with Lanai.

Your Committee notes that Section 2.80B.080, Maui County Code, provides that the CPACs shall be composed of 13 members, 9 appointed by the Council and 4 appointed by the Mayor. The Lanai CPAC shall consist of residents of the Lanai community plan area (the Island of Lanai), with all of its meetings to be held on Lanai.

According to the Maui County Code, the CPAC is “charged with reviewing and recommending revisions to the community plan” regarding the proposed decennial update to its community plan area. The CPAC shall hold at least seven public workshops at times and locations convenient to the general public to allow public participation in the process. The CPAC will have 180 days from its first meeting to forward its recommended revisions to the Planning Director. Additionally, the CPAC does not dissolve until the updated Lanai Community Plan is enacted by the Council.

Your Committee solicited applications from Lanai residents. Your Committee posted a Lanai CPAC information sheet and application form on the County website and also made the information sheet and application form available at the Lanai Office of Council Services. Your Committee issued press releases to inform the public of the opportunity to serve on the CPAC. Your Committee received 20 completed applications by its deadline of June 15, 2012.

By correspondence dated June 19, 2012, the Chair of your Committee transmitted a proposed resolution entitled “APPOINTMENTS TO THE LANAI COMMUNITY

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PLAN ADVISORY COMMITTEE”, along with completed application forms for the 9 applicants recommended by the Chair. The purpose of the proposed resolution is to appoint the following 9 members to the 13-member Lanai Community Plan Advisory Committee, pursuant to Section 2.80B.080(C), Maui County Code: Jeofrey Baltero, Christine Costales, Deborah dela Cruz, Joseph Felipe, Reynold (“Butch”) Gima, Ernest Magaoay, Matthew Mano, Ron McOmber, and Stanley Ruidas.

The Chair of your Committee explained the basis for his recommended appointments, noting that he had recommended individuals who are familiar with the roots of the island, its history, what the community has hoped for, where it has fallen short, and what has been achieved through the process. The Chair stated that he recognized Lanai has a number of residents who have a strong desire to serve. He noted that he did not support any effort to divide the people of Lanai into factions. The Chair further noted that he does not wish to inhibit anyone who would like to participate in the Community Plan process, and looked forward to new ideas and a new beginning with a new major landowner.

Your Committee noted that the applicants represent a cross-section of the Lanai community, and are individuals with a multi-generational commitment to the island.

Your Committee notes that, on June 20, 2012, *The Maui News* announced the sale of 98 percent of the land area on the Island of Lanai to Lawrence Ellison, Chief Executive Officer of Oracle Corporation.

Your Committee discussed the CPAC process, and questioned how the transition to a new landowner would be handled. The Deputy Planning Director noted that the Department hoped the Community Plan would be reflective of the community, not solely the landowner. Since the sale was announced, the Department has discussed the timing of the Lanai Community Plan update process. She noted that the Mayor would still need to appoint his 4 nominees, and that the 180-day time frame within which the Lanai CPAC would work does not start until the CPAC’s first meeting. She indicated that the Department hopes to have an opportunity to consult with the new landowner before the first CPAC meeting.

Your Committee recommended that the proposed resolution be revised to provide that certified copies of the resolution would be transmitted to the Council’s appointees to the Lanai CPAC, in addition to the Mayor and the Planning Director.

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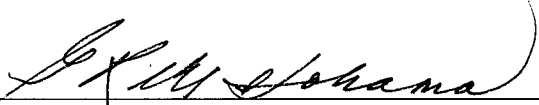
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Your Committee voted 8-0 to recommend adoption of the proposed resolution, as revised. Committee Chair Hokama, Vice-Chair Carroll, and members Baisa, Cochran, Couch, Mateo, Pontanilla, and Victorino voted "aye". Committee member White was excused.

Your Committee is in receipt of a revised proposed resolution, approved as to form and legality by the Department of the Corporation Counsel, incorporating your Committee's recommended revisions.

Your Policy Committee RECOMMENDS that Resolution _____, attached hereto, entitled "APPOINTMENTS TO THE LANAI COMMUNITY PLAN ADVISORY COMMITTEE", be ADOPTED.

This report is submitted in accordance with Rule 8 of the Rules of the Council.



G. RIKI HOKAMA, Chair

Resolution

No. _____

APPOINTMENTS TO THE LANAI COMMUNITY PLAN ADVISORY COMMITTEE

WHEREAS, Section 2.80B.080, Maui County Code, provides as follows:

"A. Each of the County's nine community plans shall, to the extent practicable, be updated within ten years (decennially) of the respective plan's adoption. The decision as to the order of updating the nine community plans shall be decided by the council.

B. There shall be a community plan advisory committee for each community plan area set forth in section 2.80B.070.B. Except for the community plan advisory committee for the Kahoolawe community plan, each community plan advisory committee shall consist of residents of the corresponding community plan area and shall hold all meetings in the corresponding community plan area.

C. Each community plan advisory committee shall be composed of thirteen members, nine appointed by the council and four by the mayor. Prior or current service as a member of a general plan advisory committee shall not disqualify an individual from serving on a community plan advisory committee. Each community plan advisory committee is charged with reviewing and recommending revisions to the community plan for its community plan area. The mayor and council shall appoint the members of each community plan advisory committee in accordance with the timing established in subsection A."; now, therefore,

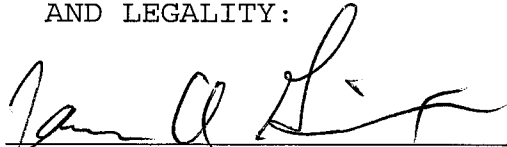
Resolution No. _____

BE IT RESOLVED by the Council of the County of Maui:

1. That the following nine Lanai residents are appointed to the Lanai Community Plan Advisory Committee:
 - a. Jeofrey Baltero
 - b. Christine Costales
 - c. Deborah dela Cruz
 - d. Joseph Felipe
 - e. Reynold ("Butch") Gima
 - f. Ernest Magaoay
 - g. Matthew Mano
 - h. Ron McOmber
 - i. Stanley Ruidas; and

2. That certified copies of this resolution be transmitted to the Mayor, the Planning Director, and the Council's appointees to the Lanai Community Plan Advisory Committee.

APPROVED AS TO FORM
AND LEGALITY:



JAMES A. GIROUX
Deputy Corporation Counsel
County of Maui

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