

PLANNING COMMITTEE
Council of the County of Maui

MINUTES

Council Chamber

August 14, 2014

CONVENE: 9:01 a.m.

PRESENT: VOTING MEMBERS:

Councilmember Donald G. Couch, Jr., Chair
Councilmember Michael P. Victorino, Vice-Chair
Councilmember Gladys C. Baisa
Councilmember Elle Cochran (arrived at 9:02 a.m.)
Councilmember Stacy Crivello (excused from 9:57 a.m. to 10:03 a.m.)
Councilmember Mike White (arrived at 9:21 a.m.)

EXCUSED: Councilmember Don S. Guzman

STAFF: Chancy Hopper, Legislative Analyst
Pauline Martins, Committee Secretary

Tina Thompson, Executive Assistant to Councilmember Crivello, assisting
at Molokai Council Office (via telephone conference bridge)
Denise Fernandez, Council Aide, Lanai Council Office (via telephone
conference bridge)
Dawn Lono, Council Aide, Hana Council Office (via telephone
conference bridge)

ADMIN.: Michael J. Hopper, Deputy Corporation Counsel, Department of the
Corporation Counsel
William Spence, Director, Department of Planning
Danny Dias, Planner, Department of Planning (Item No. 57)
Clayton Yoshida, Planning Program Administrator, Current Planning
Division, Department of Planning (Item No. 57)
Linden Joesting, Deputy Corporation Counsel, Department of the
Corporation Counsel (Item No. 50)
Rowena Dagdag-Andaya, Deputy Director, Department of Public Works
(Item No. 50)
Jo Anne Johnson Winer, Director, Department of Transportation
(Item No. 50)
Marc Takamori, Deputy Director, Department of Transportation
(Item No. 50)
Joseph Alueta, Administrative Planning Officer, Department of Planning
(Item No. 54)

PLANNING COMMITTEE

Council of the County of Maui

August 14, 2014

OTHERS: Jonathan Starr
Daniel Rezac
Plus (3) other people

PRESS: *Akaku Maui Community Television, Inc.*

CHAIR COUCH: ... (*gavel*) ... Good morning. The Planning Committee of August 14, 2014, please come to order. It is now 9:03. My name is Don Couch, I am the Chair of the Committee and I'd like to first tell everybody to turn off their cells or at least put them in silent mode.

COUNCILMEMBER BAISA: Glad you did.

CHAIR COUCH: Yeah. Remember that now, 'cause if it goes off, we'll wait.

COUNCILMEMBER BAISA: You'll buy the next cake.

CHAIR COUCH: Yeah. Okay. I want to welcome the Committee voting members, first of all, Vice-Chair of the Committee, Mike Victorino.

COUNCILMEMBER VICTORINO: Good morning, sir.

CHAIR COUCH: Good morning. And Council Chair, Gladys Baisa.

COUNCILMEMBER BAISA: Good morning, Chair.

CHAIR COUCH: And Council member Stacey Crivello.

COUNCILMEMBER CRIVELLO: Good morning, Chair.

CHAIR COUCH: Good morning. And excused for now are Councilmember Don Guzman and Mike White. And I also want to welcome Councilmember Elle Cochran.

COUNCILMEMBER COCHRAN: Good morning, Chair --

CHAIR COUCH: Good morning.

COUNCILMEMBER COCHRAN: --Couch.

CHAIR COUCH: Okay. From the Administration, we are going to have Public Works. They'll be in here a little bit later. Probably Rowena Dagdag-Andaya, Deputy Director and we will also have Jo Anne Johnson Winer, Director of Transportation for our item later. We have Will Spence, the Planning Director. Good morning.

PLANNING COMMITTEE

Council of the County of Maui

August 14, 2014

MR. SPENCE: Good morning, Mr. Chairman.

CHAIR COUCH: And then we have Planner, Danny Dias. Good morning.

MR. DIAS: Good morning, Mr. Chair.

CHAIR COUCH: And also, I don't know what your title is now, Clayton, but...

MR. YOSHIDA: Planning Program Administrator.

CHAIR COUCH: Planning Program Administrator, Clayton Yoshida.

MR. YOSHIDA: Good morning, Mr. Chair.

CHAIR COUCH: Good morning. And we have Deputy Corporation Counsel, Michael Hopper, good morning. And also for another item, a little bit later. Oh, Linden, there you are. Linden Joesting, good morning.

MS. JOESTING: Good morning, Mr. Chair.

CHAIR COUCH: And Committee Staff, we have Legislative Analyst, Chancy Hopper. Good morning. And Committee Secretary, Pauline Martins. Good morning. Alright. Items on today's agenda are PC-57 which is the Annual Compliance Report for the Maui Business Park Phase II Project and then PC-50 which are Requirements Imposed on the County for Compliance with Federal Metropolitan Planning Organization Obligations. And then PC-54 which is an item on Commercial Signs. Okay. We are going to start public testimony. We have two people from the Chambers ready to testify but first we'll go out to the District Offices. Assisting us from the Molokai District Office is Tina Thompson. Good morning. Hello, Tina, are you there? Is anybody there?

MS. THOMPSON: Sorry.

CHAIR COUCH: Oh okay.

MS. THOMPSON: Pressed the wrong button. Good morning, this is Tina Thompson at the Molokai Office and there is no one waiting to testify.

CHAIR COUCH: Thank you and from the Lanai District Office is Denise Fernandez.

MS. FERNANDEZ: Good morning, Chair. This is Denise Fernandez on Lanai and there is no one waiting to testify.

CHAIR COUCH: Thank you. And from the Hana District Office is Dawn Lono.

PLANNING COMMITTEE

Council of the County of Maui

August 14, 2014

MS. LONO: Good morning, Chair. This is Dawn Lono at the Hana Office and there is no one waiting to testify.

CHAIR COUCH: Thank you. Alright for those in the Chamber, if you are wishing to sign up for testimony, public testimony we have the three items. You may speak about the three items. Please sign up in the back. The testimony is limited to the items on the agenda today. Each testifier will be allowed to testify for up to three minutes. We will be using a lighting system. The green light will be on for three minutes. The yellow light will be on for one minute and when it is red, please finish your remarks. And when testifying, please state your name and the name of any organization that you are representing. Members without objections, I'll open public testimony.

COUNCIL MEMBERS VOICED NO OBJECTIONS.

... BEGIN PUBLIC TESTIMONY ...

CHAIR COUCH: Okay, first to testify is Daniel Rezac followed by Jonathan Starr. Is Daniel Rezac here?

MR. REZAC: *(NOTE: He's responding from his seat in the gallery.)* I am. I have nothing to say right now.

CHAIR COUCH: Well, this is the only chance you get to speak.

MR. REZAC: *(NOTE: He's responding from his seat in the gallery.)* That's fine.

CHAIR COUCH: Okay. Jonathan Starr?

MR. STARR: Good morning, Planning Committee Members, Chair, Council Members. I'm really excited about one item on your agenda today, PC-50, which relates to the Maui Metropolitan Planning Organization which is being set up, and this is at least a decade overdue and it is really an important opportunity for the citizens of Maui County. Because it is seen for decades the transportation projects that are brought forward from the State using Federal money are things that kinda are picked out of a hat in Mars and dropped on us. And sometimes they're applicable and sometimes they're not and then things that are absolutely imperative to give one example, adding redundancy in lanes in the Pali, which we know how problematic that is to our very lifestyle is nowhere on the planning horizon for planning or funding or any opportunity to do something about it. The work product for each County is called a TIP, Transportation Improvement Plan. Then there's the State, then they're kinda put together into a Statewide plan and those are the projects that get funded. Right now, we are in a process, the State is in a process of updating the STIP. I had the great opportunity to attend a three-day seminar put on by Rutgers University last week and anyone who wants to know much more than they probably

PLANNING COMMITTEE

Council of the County of Maui

August 14, 2014

want to, I've got the booklets with me, and this is a great process with a lot of inside consideration and process for figuring out which projects are necessary. 'Cause the pool of funds is limited so they have to be prioritized and then a lot of public outreach and it creates the ability not only for Public Works and the professionals inside government and the Council to participate and make the best decisions within the public to be able to comment and it not only decides which projects but how they're done. The State has for quite a while kinda ignored some of the rational and more modern methods of creating our highways and roadways, and they're been bucking for the sake of convenience. Those things which would bring much greater safety to our pedestrians. We know that we are the most dangerous State in the entire country for senior pedestrians, and we see it when our intersections get faster and there are more lanes to cross without refuge every time a new road is done and that's not the way it should be done. Complete streets and the TAP program, which is a Federally mandated Transportation Alternatives Program which takes into account traffic coming, roundabouts, better sidewalks, and bikeability have not been implemented by the State. The State got in a bunch of hot water recently this year with the Feds for not doing the transportation planning in a, in an organic way with the communities and implementing these things, so right now basically, the State is being forced to allow the transportation planning process to become more grassroots at the county level. This is a great opportunity for us. I know it will be a hassle to set up and manage but it will be well worth it because we'll be able to build our future instead of relying on what is convenient to some bureaucrats. It may be good bureaucrats and engineers, but they are sitting in Honolulu and most of them have never been here. Thank you very much and anyone wants to see documentation or any more info, I'm around.

CHAIR COUCH: Thank you. Thank you, Mr. Starr, and I know some of our Staff went on that as well. Thank you. Members, any questions for Mr. Starr? Seeing none, thank you. Nobody else is signed up to testify. If anybody wants to testify come on down and then fill out the paperwork later. Seeing none. We have some hesitation over there. Okay, Members seeing none without objection, we'll close public testimony.

COUNCIL MEMBERS: No objections.

CHAIR COUCH: Okay. Public testimony is closed.

... END OF PUBLIC TESTIMONY ...

PC-57 ANNUAL COMPLIANCE REPORT – MAUI BUSINESS PARK PHASE II PROJECT REPORT (G.C. 14-5)

CHAIR COUCH: Alright here we go. First we are going to start with PC-57. That's the Annual Compliance Report for the Maui Business Park Phase II Project. Members your Committee is in receipt of the General Communication 14-5 from Grant Chun, Vice President of Maui A&B Properties Inc., transmitting the 2014 Annual Compliance Report for the Maui Business Park Phase II Project, Kahului, Maui, in accordance with Condition 19 of Ordinance 3559-2008.

PLANNING COMMITTEE

Council of the County of Maui

August 14, 2014

Okay. Ordinance, that ordinance is in the binders and it changed the zoning from Agricultural, M-2 Heavy Industrial, and R-1 Residential district to M-1, Light Industrial District for the Maui Business Park Phase II Project for properties situated at Kahului, Maui. We all know where that is, that project. The Change in Zoning was subject to 19 conditions. Condition number 19 of the ordinance requires an annual report on the landowner's compliance with the conditions of zoning imposed by the Council. This report is what we are reviewing today. Mr. Chun, unfortunately, is unavailable today to discuss with us but I believe the Planning Department has some comments and about this report. So, Mr. Spence or Mr. Dias or Mr. Yoshida, whoever wants to do it?

MR. DIAS: Thank you Mr. Chair. The Planning Department did receive this compliance report. We did review it and basically we feel that they are in compliance with all the conditions placed under approval. Thank you.

CHAIR COUCH: Okay. Members do you have any questions of the Department with this report? Kinda looking through it, you know we know pretty much where everything is, and the reason we have it here today was, I didn't have a chance to speak to Mr. Guzman to see if he just wanted to file it right away and he's not here now so apparently there is no issues, Members.

COUNCILMEMBER COCHRAN: Chair?

CHAIR COUCH: Okay, Ms. Cochran?

COUNCILMEMBER COCHRAN: Thank you. Well the one I always ask questions about and really want further detailed update, I guess, is the 40 acres for the affordable housing, that particular section, but I think it was a discussion between Department of Housing and Human Concerns with applicant. So I'm not sure, we have planning here today but no Ms. Ridao, and I see the latest saying that still trying to figure out the precise location. I do recall the original location had iwi discovered and what have you so was set back then.

CHAIR COUCH: Right.

COUNCILMEMBER COCHRAN: And now I'm still trying to, wanting to see where are the alternatives. And it is unfortunate that it doesn't really give a date, when to, you know, solidify where this location is, so now every year, I mean, it's like how many years later and we're still sort of up in the air trying to figure out where this precise location is for 40 acres of affordable. So just wanna, if, I don't know if Planning has any comments to this?

MR. DIAS: Council Member Cochran, we are familiar with what you're talking about. The applicant did come before the State Land Use Commission about 2012 and did get a district boundary amendment for their Waiale project. We know that's where the affordable housing will be. As far as what has happened since then, we are not exactly sure, to be honest with you. We do know that during that process the area that they did pick for the affordable housing, as you mentioned, there was concern about the iwi and as far as the progress that has been made from that point, we would have to defer to the applicant on that.

PLANNING COMMITTEE

Council of the County of Maui

August 14, 2014

COUNCILMEMBER COCHRAN: Okay. Yeah, well thank you and Chair, so that's the one thing that I keep looking towards and hoping to get, you know, more detailed and precise...

CHAIR COUCH: Would you like us to submit a letter to the Department of Housing and Human Concerns on that one?

COUNCILMEMBER COCHRAN: Yeah. If that would be helpful.

CHAIR COUCH: Okay.

COUNCILMEMBER COCHRAN: Sure. If Ms. Ridao has further information or applicant too, unfortunately, you know, Mr. Chun is not here today.

CHAIR COUCH: Yeah.

COUNCILMEMBER COCHRAN: But perhaps, I'd like to see if where the, if there's negotiations, I don't know, some type of more detailed assessment of what the --

CHAIR COUCH: Yeah, I'm sure that's what --

COUNCILMEMBER COCHRAN: --final decision could be

CHAIR COUCH: --yeah, that's what the Department they're working with is probably Housing and Human Concern.

COUNCILMEMBER COCHRAN: Okay, yeah. If you don't mind, Chair.

CHAIR COUCH: We'll send a letter, ask what the status is on Condition 7, the 40 acres for affordable housing purposes.

COUNCILMEMBER COCHRAN: Yes, yes.

VICE-CHAIR VICTORINO: Chair? Chair?

COUNCILMEMBER COCHRAN: Thank you.

CHAIR COUCH: Yes, Mr. Victorino?

VICE-CHAIR VICTORINO: You know, along with that, that concern and along with that same thing the community center and the three-acre park. If we can get that, oh, that's from Parks Department, I know that they have been working on. They have some sites in mind but I'd like to see a tangible update from that Department as far as where they are with that.

PLANNING COMMITTEE

Council of the County of Maui

August 14, 2014

CHAIR COUCH: You want it from the Department or...?

VICE-CHAIR VICTORINO: Department of Parks.

CHAIR COUCH: Okay and a letter to them, too.

VICE-CHAIR VICTORINO: Yeah, yeah.

CHAIR COUCH: Okay.

VICE-CHAIR VICTORINO: Because those two would come concurrently for the community center and as well as the three-acre park parcel that they were gonna put in as part of the Waiale project.

CHAIR COUCH: Okay and we will cc the petitioner as well.

VICE-CHAIR VICTORINO: Yeah.

CHAIR COUCH: The developer.

VICE-CHAIR VICTORINO: Yeah.

CHAIR COUCH: So that they can respond if necessary.

VICE-CHAIR VICTORINO: Oh, we'd like a, like to get a response from both, you know, both the Department and the developer themselves.

CHAIR COUCH: Yup.

VICE-CHAIR VICTORINO: I think A&B.

CHAIR COUCH: You got it.

VICE-CHAIR VICTORINO: I think for both what Ms. Cochran and I are both asking I think would be appropriate to get a response from both --

CHAIR COUCH: Sure.

VICE-CHAIR VICTORINO: --entities, yeah.

CHAIR COUCH: Thank you.

VICE-CHAIR VICTORINO: Thank you, Mr. Chair.

CHAIR COUCH: Alright. Members, any further discussion? Okay, Chair Baisa?

PLANNING COMMITTEE
Council of the County of Maui

August 14, 2014

COUNCILMEMBER BAISA: Just want to add my approval or my support of this request. I think it is a good idea. You know, Chair, we're constantly told, you guys talk and you guys do nothing so I think it is really important that we try to get a timeline here. And I think more and more as we move forward those of us who have been around here a while are reaching that point where we want to know when. We know how, we want to know when because you know, it's year after year, month after month and we want to see something done. Thank you.

CHAIR COUCH: Okay. So, Members, hearing all of this, it might be better to just go ahead and defer this and --

VICE-CHAIR VICTORINO: Yes.

COUNCILMEMBER BAISA: Perfect.

COUNCILMEMBER COCHRAN: Yeah.

CHAIR COUCH: --either bring them back when we can have all those departments here or --

VICE-CHAIR VICTORINO: When we, Mr. Chair?

CHAIR COUCH: --with the letters. Yes, Mr. Victorino?

VICE-CHAIR VICTORINO: Yeah, yeah, I would ask you, if when and if we get those responses, not if, I should say, when we get those responses, having a meeting to go over the responses and to bring in the applicant at that point --

CHAIR COUCH: You got it.

VICE-CHAIR VICTORINO: --to confirm timelines, like Ms. Baisa has mentioned.

CHAIR COUCH: Sure.

VICE-CHAIR VICTORINO: I think that is very important. It's really difficult when they are not here -

CHAIR COUCH: Yeah.

VICE-CHAIR VICTORINO: --to ask specific questions. And I don't want to throw the owners under the Planning Department because they are only secondhand. I mean they are getting information from somebody else.

CHAIR COUCH: Right.

PLANNING COMMITTEE

Council of the County of Maui

August 14, 2014

VICE-CHAIR VICTORINO: And that's not fair. They'll say something and the applicant will say oh, I didn't say that. So let's hear it from "the horse's mouth itself".

CHAIR COUCH: Don't tell Mr. Chun that.

VICE-CHAIR VICTORINO: No, no. I mean, you know come on, stop it. Thank you, Mr. Chair.

CHAIR COUCH: Alright, Members, without objection, we will defer this item.

COUNCIL MEMBERS: No objections.

COUNCIL MEMBERS VOICED NO OBJECTIONS.

ACTION: DEFER.

CHAIR COUCH: Okay, that item is deferred.

**PC-50 REQUIREMENTS IMPOSED ON THE COUNTY FOR COMPLIANCE WITH
FEDERAL METROPOLITAN PLANNING ORGANIZATION OBLIGATIONS
REPORT (MISC)**

CHAIR COUCH: Next item is PC-50, which is the Requirements Imposed on the County for Compliance with Federal Metropolitan Planning Organization Obligations. So if we can have the Department of Transportation come down and Department of Public Works. Even though it says Planning, I don't think we need Mr. Spence for this one, do not, although it says planning in the title, so maybe. Thank you. Alright, Members, the Committee is in receipt of Miscellaneous Communication, dated May 28, 2014, from the Deputy County Clerk, referring the matter relating to requirements imposed on the County for compliance with Federal Metropolitan Planning Organization obligations. This matter was referred to this Committee out of Budget Session. We met on this item on June 19, 2014. We have with us today the Departments of Public Works and Transportation. They are joining us to continue our discussion on MPO requirements or/and obligations. At our June 19th meeting, we had some discussion on the financial impacts of MPOs. After the meeting, I wrote to the Mayor, requesting a response on anticipated financial impacts, net funding expected to be received by the County per year with the MPO, and a comparison to current funding. The Departments of Transportation and Public Works have each sent us a response to my request. And thank you for that. Also we want to remember that we all know that Councilmember Hokama is the President of National Association of Counties, NACo, and in the Budget Session, Mr. Hokama mentioned that NACo's ability to work on legislation in the area of MPOs if necessary. So and that's why we're here for this meeting, trying to see what we want to do with the MPO, Metropolitan Planning Organization designation. So what I'd like to hear from first is Public Works and then Transportation. So, Public Works, Ms. Dagdag? Thank you for being here. We introduced you when you weren't here.

PLANNING COMMITTEE
Council of the County of Maui

August 14, 2014

MS. DAGDAG-ANDAYA: Okay. Thank you Chair Couch and good morning to all the Council members. Just as a continuation of the discussion that we had the last time, for us to be a part of the MPO, it wouldn't really impact our operations that heavily. We will still receive Federal funding as long as the funding is still made available to us through the Highway Trust Fund. We have a STIP for FY '15 to FY '18 that is, that will be, or has already been discussed in community meetings and will be implemented sometime in September. So we have identified projects up until 2018. That will remain the same as we move forward with the MPO. One of the things that will change is the way we make decisions on those projects, so instead of having a process where the County and State DOT prepare their list of projects and send it to the State for review, under the STIP what we'll need to do is have a community process that involves community meetings. It will also involve a technical review committee and it'll also go before the MPO Policy Board which involves the departments such as Planning Department, Transportation, and Public Works. A good thing about doing that is that we look at transportation in terms of economic development, in terms of land use, in terms of making sure that we have safe roadways for communities and making sure that we have a good input from the community as well. So I think that's one of the benefits in moving forward with this MPO is that, in the past, you know, we did have participation amongst the three departments but it will be a, there's a greater involvement now. And again, as I stated before as for the Department of Public Works, we don't anticipate losing any funding, Federal funding from taking part in the MPO. I did identify in our letter to Chair Councilmember Don Couch that we do have monies for FY '15 to '18. There may be a slight decrease in one of the years because in previous years what happened was we had these bigger projects like the Lahaina Bypass and Mokulele Highway that kinda took away from the other counties, so just to be fair, there is gonna be that one year where we'll have a little less so that the other counties can also catch up with their projects. But other than that, if you have any other questions, I am here to discuss.

CHAIR COUCH: That's why we have you here.

MS. DAGDAG-ANDAYA: Yup.

CHAIR COUCH: Thank you very much and I want to recognize the presence of Councilmember White. Good morning.

COUNCILMEMBER WHITE: Good morning, Chair.

CHAIR COUCH: Okay. Transportation, you are up.

MS. WINER: Yes and I just wanted to add one thing, I know that Rowena, because of the situation that occurred with regard with the storm. One of the things that we had happen in a recent Metropolitan Planning Organization class that was nationally sponsored is that there was some disagreement at a recent STIP meeting with regard to a project, the Paia Bypass and I believe one other project being included. One of the clear advantages that was pointed out and unfortunately, Rowena was not able to attend that section of the class. The TIP which is produced by the Policy

PLANNING COMMITTEE
Council of the County of Maui

August 14, 2014

Committee, the Transportation Improvement Program is fiscally constrained and it must be incorporated into the STIP. Therefore right now, the State has a slight difference of opinion in the way things are moving forward. So I think that was one of the things that came out which I basically had not previously considered and it was a real life experience that you know, we would have benefited from being able to have that ability to basically charter our own course. So that is on, not on the Transportation side, it is more on the Public Works side. But I thought it was really important that, that actually did occur as one of the items that was in our discussions for the Metropolitan Planning Organization training. I also want to thank Linden Joesting, Corporation Counsel for attending because she is helping us draft the Metropolitan Planning Organization Intergovernmental Agreement. I think your Staff, Chair Couch, as well, their participation, Mr. Starr's participation and you know, various people from the community and the different departments, it was really important to have this kind of training. And what our mantra was basically that we do not want to reinvent the wheel with the Metropolitan Planning Organization. We want to integrate the process that I feel is very good right now with our civic engagement. But do it on a more effective basis and super impose the Metropolitan Planning Organization structure on what I believe is already a very good program that we have. But build on the strengths of our program. As opposed to reinventing the wheel, so I think the trainers who came from the mainland who were also involved in many different aspects of the transportation and transit industry, they were very supportive of that and they seemed to agree that we are going about things in a proper way. So I just wanted before I, you know, kinda tell you from our transportation perspective where we are. The information that we have transmitted to you we did our best to, and in some cases because of the fact, we don't have a crystal ball, about what is happening with funding, as you may be aware the Federal Government did authorize until May more monies in the Highway Fund. So we're alright until May rolls along and then we are in a similar position where we do not know how long that fund is going to be solvent so that's why when we predicated some of our responses, it's based upon that fund remaining solvent assuming that it does. The breakdowns, you know, if there is any, I guess, any questions that you have we tried our best to kind of even break down further because there were subsets of questions within the main questions. So if everyone received that, if there any questions specifically to that, that are not clear, I'd certainly be more than welcome to try to respond to them. Thank you.

CHAIR COUCH: Thank you. Corporation Counsel do you have anything to add to all this since you attended as well?

MS. JOESTING: Morning, Mr. Chair.

CHAIR COUCH: Morning.

MS. JOESTING: And other members of the Committee. I really appreciate the opportunity being able to attend the training. It was very useful for me since I had no background in this, or very little background in this area and I have no other comments.

CHAIR COUCH: Okay. Thank you. Members, questions? Chair Baisa?

PLANNING COMMITTEE

Council of the County of Maui

August 14, 2014

COUNCILMEMBER BAISA: Thank you very much, Chair. At the last and first meeting we had, of course, I'm very supportive of the moving ahead of with this MPO because of my prior experience with transportation. And I too had the opportunity to attend the most recent round of STIP meetings. I attended the one at, that was held at King Kekaulike High School. And it was a really good meeting. I was very pleased the folks that came were very nice, easy to talk to and Maui County, of course, was well represented. I was very happy that we had David Goode there, representing Public Works. And of course, I was there and they were very complimentary. I wanted to say this publicly that they said that if any county was doing a good job of responding and getting projects done because they don't want money to go back. Because when it goes back, you know, we lose it. And they said that Maui County had been very together, very ready, very willing and that we had done a good job of using the Federal funds, then the State funds, our own funds that come for projects. So I wanted to give kudos to the folks and of course they were very impressed that we had everybody there to try to work with them. However, I have had previous experience with this STIP thing and I have been disappointed many times by the choices that they make and for me, the important part of moving ahead with this, I don't care what, you know, there are some costs involved, but there are bigger costs involved if you don't get all the money and that you are available, that it might be available if we're not ready and we don't have our MPO together. So I am very much in favor of moving ahead. I'm excited that we had the workshop. I really wanted to go but there was something going on here and none of the Members could go so we sent Staff and I am very happy they went. Because they're the ones who generally do all the groundwork behind the scenes. But I've had experience where we've had this difference of opinion with them about what the project should be, when they should be funded and so I want to see the home rule, I want bring it to Maui County. We need to be the captain of our ship. We need to be in charge. And so, Chair, I strongly, strongly urge us to move ahead with this. Thank you.

CHAIR COUCH: Thank you. Members, anybody else? I do have a couple questions.

COUNCILMEMBER COCHRAN: Chair?

CHAIR COUCH: Oh.

COUNCILMEMBER COCHRAN: Chair.

CHAIR COUCH: Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you. Yeah. I do recall the discussion at NACo in regards to this and concerns and also, you know, you have a list of pros and cons. So I'm trying to distinguish though I guess, I know, the dollar amounts are sort of guesstimations and it's all according to what's from Fed, the Federal government, whatever. But with or without is the bottom line for me. Are gaining or losing? I mean and maybe that's, there is no direct answer to that and that's how we have a few pages to answer kinda the question. But I'm try to weigh, cause the first two bullet points in regards to 5311 funds, with MPO, without it looks like we are going to lose a mil from the 5307 funds. So I mean, I'm just trying to get a guess a sort of more

PLANNING COMMITTEE
Council of the County of Maui

August 14, 2014

simplified version of, if that's possible and I don't know perhaps there isn't a short and simple answer to this.

MS. WINER: Mr. Chair, would you like me to address it or?

CHAIR COUCH: Please.

MS. WINER: Okay. Basically, you know, from my understanding and keep in mind that this is a learning process for all of us. So one of the things from a structural perspective, which I believe, is a win is as Council Chair Baisa pointed out. The ability to prioritize and fiscally constrains the projects that we as a community feel should be brought forward. That to me, even though it may not have a cost, it does have a social cost and it may not be something that we necessarily have to have a huge disagreement with the State on. But at least even our State representative on you know, that would be the way we are proposing it now which would be Mr. Cajigal from the State DOT who is our Maui person, he does not agree with the STIP at the State level. So he has a voice on the Policy Committee. There would be voices, you know, Council representation, Transportation, Public Works, Planning, you know, that is really critical and that I believe is one of the wins --

COUNCILMEMBER COCHRAN: Okay.

MS. WINER: --from a very strong perspective and from an organizational structure. The con to that would be, yes, we have to go out for more public meetings, we have to do other things, but that is where the planning funds that we would be sharing with the City and County of Honolulu, or actually the Oahu MPO. That is where those monies would help facilitate that, so financially it should not really be a huge burden, you know, on us from a financial perspective. So that will help to fund those additional meetings, but as we spoke about at the Metropolitan Planning Organization training, part of the meetings, I know how we do CDBG currently. Part of the attractiveness for us is that we would superimpose that and either do a meeting immediately before like CDBG does so that it would be less awkward and then we already do, and I know because Council Chair or Councilmember Couch, he ends up with the Kihei Community Association always gathering input. So this is just a way to help facilitate gathering the information from the community organizations as well and that I think is really critical because then there is a buy-in. If people know that there is a mechanism and way for them to officially participate and have a voice that is part of the beauty of this process, so, you know, even though yeah no one likes to have time delays or extra work to do, I really felt that the message that came across loud and clear from the structural perspective of this is grass roots up management. This is doing what is going to be in the best long-term interests of the community. As far as the fiscal portion we would gain on the planning monies, both for Public Works as well as Transportation. So that's split, that is a negotiation. That it will, I believe that document will come and it will also have to be because it is again, an intergovernmental agreement, it will come before the County Council. So it would have to, I believe, have the approval but, you know, these are all legal things, and so I'm not the person to ask that question to.

PLANNING COMMITTEE
Council of the County of Maui

August 14, 2014

COUNCILMEMBER COCHRAN: Right.

MS. WINER: The other thing would be the 5307 money, which would be for bus purchase or bus facilities. Right now, everything we do has to be through the State. We are not, as a transportation entity, we're not a direct recipient. So one of the issues that we've always had with the State has been the length of time, the, you know it's like having a middleman but they are understaffed, they take a huge, long time to respond to you, to get a response. And even on our 5310 money, which the nonprofits such as MEO benefit from and Kaunoha get buses through that mechanism, that all is very onerous and it's so time consuming that if we became a direct recipient, we would be able to substantially cut down on that time and we would be dealing directly with the Federal government. So that is a gain in time and it's a gain roughly of, I'm gonna guess, probably about at least 1.5 million to possibly you know, cumulatively 2 million dollars per year, and it depends again on the Federal Highways funding. So that is a formula every year that is disclosed, but right now we have an accumulation from the year that we became an Urban Zone Area which would be, I believe, now, it's the third fiscal year that we're in. So that accumulation is substantial for us because that would be three years worth of Federal funding that we would lose if we do not form the MPO. From Public Works side, Rowena has basically explained that for them right now the projects that are in the STIP it probably would not make a whole lot of difference and Mr. Cajigal did indicate that he would try very hard to designate projects that are within, outside the Urban Zone Area should we choose not to or should we become ineligible to do an MPO at some point. So he'd work with us. But again, that is one person. He may, you know, whoever succeeds him, I don't know if they would have the same, you know, kind of feeling. As the Urban Zone Area core grows, the area we're funding will be unavailable to us would be growing wider and wider so that would be more and more difficult to do. So we would have to do projects in the rural area outside there. So to me, personally, I think that it is worth the tradeoff. Financially, I think there is a substantial benefit at least from the Transportation side, a little bit perhaps from the Public Works side, but then from the structural side, what I did like and what did learn is that the civic engagement and the communication and the ability to know that from the beginning of a project, you're not gonna have people coming out just as about the time that you are ready to break ground that there's protest signs and we don't want this, not in my backyard. And we know other projects recently that have, you know, maybe those people were not engaged in the process as soon as they might have been, but, you know, again that to me was really important.

COUNCILMEMBER COCHRAN: Okay. Thank you, Ms. Winer.

CHAIR COUCH: Okay.

COUNCILMEMBER COCHRAN: And yeah, and that does help. But I think the bottom line is that whole home rule, you know, your grass roots planning like you mentioned, the civic engagement is truly, truly, I think one of the most important things in any type of planning whether it is for transportation or a development or anything. So, for me, if that helps, you know, enhance that participation, involvement of the community then all for it 100 percent. And you know, I know there's areas and I think Mr. Starr mentioned, you know, the Pali Highway that we have here.

PLANNING COMMITTEE

Council of the County of Maui

August 14, 2014

It's not on anybody's table to discuss and it's like one of the main, I think, hot topics, it ought to be but money and all that, so hopefully we can assist in, you know there's turnoffs that I'm looking to get through, have to lobby the State to explain why and to our beach parks into West Maui that are very, very dangerous right now. And little by little they're starting to hear it but every time it just dies on the wherever on the STIP, and hopefully this can give us again that more home rule and stronger voice to make it happen. So definitely if this is urging that, Chair, then I'm all for moving this along and getting implemented, so thank you --

CHAIR COUCH: Okay.

COUNCILMEMBER COCHRAN: --for the opportunity.

CHAIR COUCH: Thank you. Chair Baisa.

COUNCILMEMBER BAISA: Yeah. I wanted to ask one more question about, you know, we're looking at the benefits of this. Again, my information is dated, I may have the wrong names on these things, but I remember that we had trouble with in this area with the State being in control on training funds. Now, we used to call it RTAP, I don't know what it is called now. And that would be a real problem. Because whenever we wanted to send somebody to training we had to get permission from the State and then we would wait forever for reimbursement as long as two years. We'd get a check and we'd say what is this check? And it turned out that they were reimbursing us for sending staff to a training program. Any comments, Director?

MS. WINER: Yes and sadly that is not one of the things that we'll benefit from because that is the rural transportation --

COUNCILMEMBER BAISA: I see.

MS. WINER: --you know programming money, so what they've done is they've converted that now into a scholarship fund though, which we offer to anyone in the community who wants to avail themselves of transit education classes, classes here, classes on the mainland, travel.

COUNCILMEMBER BAISA: Really.

MS. WINER: Yes. So that is available scholarship money. The State was not really using it perhaps as efficiently as they should have.

COUNCILMEMBER BAISA: That's an understatement.

MS. WINER: So that's why they converted it strictly to a scholarship program and we actually have. You know we've had Maui Economic Opportunity. We've had -- because it's not limited just to nonprofits -- Roberts, the trainers, training the trainers so that money is still available. The only difference would be that if we do the formula, I think because the RTAP is separate from that, I don't think that's impacted in the same way that the other monies would be such as the 5339 or

PLANNING COMMITTEE

Council of the County of Maui

August 14, 2014

5311 money which we share with the other counties. The RTAP money would not be affected by that.

COUNCILMEMBER BAISA: Okay. Thank you. I was just trying to find another benefit and you know, being able to control that would be wonderful but it's different money. Thank you.

CHAIR COUCH: Thank you.

COUNCILMEMBER BAISA: Thank you, Chair.

CHAIR COUCH: Mr. Victorino?

VICE-CHAIR VICTORINO: Thank you. And...

CHAIR COUCH: Oh. I'm sorry. Before I do that, Ms. Dagdag wanted to --

VICE-CHAIR VICTORINO: Oh, okay. Yeah fine.

CHAIR COUCH: --respond to that same question.

VICE-CHAIR VICTORINO: No problem.

CHAIR COUCH: Thank you.

MS. DAGDAG-ANDAYA: Regarding assistance in training, we have a, what's called the LTAP. The Local Technical Assistance Program and that wouldn't change. That is basically a training program that the State provides using Federal funding. So we've had workshops regarding work zone safety that we send a lot of our crews to. Recently we had a training session on Native Hawaiian Rights and how to work with different native Hawaiian groups in planning for these transportation projects. So those, that those monies are still available to us. That type of assistance is available.

CHAIR COUCH: Okay.

COUNCILMEMBER BAISA: Thank you.

CHAIR COUCH: Thank you. Mr. Victorino.

VICE-CHAIR VICTORINO: Thank you. I concur with my colleagues and I think this is something long overdue as far as the home rule issue and other important benefits that we will derive from it. Well my question to you is because we just have a small area that is considered urban in Maui, the vast effect, all the rest of Maui is still considered rural, how does this plan affect the rural areas? Now I understand the metropolitan. But we only have a very small corridor which is considered metropolitan here on Maui. So, you know, I don't know which one would like to

PLANNING COMMITTEE
Council of the County of Maui

August 14, 2014

answer that. So that people outside that are listening from Hana or from Molokai or even Pukalani, how does this assist them as far as their transportation needs?

MS. WINER: I'll answer first and then Rowena can add to it.

VICE-CHAIR VICTORINO: That's fine.

MS. WINER: One of the things that this current Urban Zone Area does is that is where largely the fiscal portion is tied to that area. That is right now a relatively narrow area. But what we did in the initial, I guess, it would be in the formation of what we would designate the areas that we currently because they are not contiguous we did not include Lanai and Molokai, but in terms of the planning area because eventually the population will grow we felt that we should include entire island of Maui. So that's what we did. So when we do have the civic engagement it will be basically island wide because many times roadways are tied.

VICE-CHAIR VICTORINO: I'm sorry.

MS. WINER: Even from, you know, the discussions we've had about the traffic impact fees. There was a huge discussion about that, about where they go and because roadways are all interconnected that's where I'm going to turn it over to Rowena.

VICE-CHAIR VICTORINO: Okay. Thank you.

MS. DAGDAG-ANDAYA: From the Public Works prospective and I think I can talk on behalf of the State DOT, there wouldn't be any change to what we currently have existing. So, therefore, I mean, what I mean is that the monies that we currently have for projects in Hana or like on Hana Highway or in Molokai. Those projects wouldn't be affected. The only way it would affect us is if in the urbanized area so if, if we don't have an MPO, we lose out on any kind of Federal funding for that but it wouldn't affect the rural areas at all.

VICE-CHAIR VICTORINO: Well, that's what I want clarification on and I thank you for that because that was one of my concerns is that we don't take from Peter and hurt Paul, you know and that has seems to happen at times when we make these changes so I'm glad to hear that. Because I will be heading up to DC in the next month for the Rural Action Caucus Leadership meeting. And some of these issues are coming up as far as transportation especially in the rural areas because that is our forte, and it has been neglected for many years and monies tend to go to urbanized versus the rural. But anyhow, I just wanted to make sure that this had no profound effect or no effect actually on our rural communities and that it would only enhance our urban. And which eventually, some of these communities could become urban but I hope not too soon. If you know what I mean. So, thank you very much, Chair, for allowing me to ask those questions.

PLANNING COMMITTEE
Council of the County of Maui

August 14, 2014

CHAIR COUCH: Thank you. I have a couple questions. You did answer one. I heard some rumblings that whole island may be part of the MPO but you're saying it's, it's essentially, it really isn't, it's your grassroots outreach will be islandwide but not the MPO itself, is that?

MS. WINER: Yeah. It's basically, we designated the island as the area that would receive the civic engagement but the funding is only limited to the area within the Urban Zone Area.

CHAIR COUCH: Gotcha.

MS. WINER: That's designated under the census.

CHAIR COUCH: Okay. So it sounds like we, another question I have is that sounds like we have the MPO started up, already?

MS. WINER: No. What we did was we had to send a letter because we were being requested, what are you going to do? We sent a letter first, saying that we weren't going to do it and then we sent another letter saying that okay, this is our understanding now, we are gonna lose money, so we're going to try to go through the process. But the process now is that we have to and that's what Linden is helping us with, the actual intergovernmental agreement on how the MPOs are going to be structured and formed. That's being drafted and that's what will be presented.

CHAIR COUCH: Okay. Go ahead. You want...

MS. JOESTING: The intergovernmental agreement is with the State of Hawaii and the County of Maui.

CHAIR COUCH: Okay.

MS. JOESTING: That's who are going to be the parties to the agreement.

CHAIR COUCH: But ultimately, shouldn't, isn't the MPOs going to be a, another government agency of some sort?

MS. WINER: The MPO staff will be hired by the Policy Committee and it will be funded, that's what we put in for the funding request. It will be funded more than likely and that's what has to be spelled out in the intergovernmental agreement. The way that Oahu MPO and they have an executive director and they have several staff. Those individuals are, they serve at the pleasure of the Policy Committee. The split right now is 10 percent paid for by the County, yeah, it would be the County, 10 percent paid for by the State, and then the remaining 80 percent paid for by the Federal government --

CHAIR COUCH: Okay.

MS. WINER: --through the funding.

PLANNING COMMITTEE
Council of the County of Maui

August 14, 2014

CHAIR COUCH: Okay. Do you have an idea who might be on this MPO? You sounded like you were forming that idea.

MS. WINER: Well. Well, what we submitted to Corporation Counsel was a draft agreement that we borrowed from Anchorage, Alaska. But their governmental structure is not the same as ours. So we wanted to do something very simplistic that superimposed it on our existing process. Largely, you know, the, we are not a Transportation Management Area, so that would have put an additional threshold on who has got to serve, because generally those areas are more than just one county as we are, and we are not a large Urban Zone Area so we don't have to do that, but what we did was we formed a framework. We're submitting it or we did submit it to Corporation Counsel for finalization and that is what would be presented to the County Council, I believe for your approval, because I was informed that the intergovernmental agreement has to be signed off on by the Council.

CHAIR COUCH: Okay.

MS. JOESTING: Mr. Chair, if I may?

CHAIR COUCH: Sure.

MS. JOESTING: The Policy Committee that Madam Johnson Winer is referring to has five members. It would be the Maui Director of Transportation, the Maui Director of Planning, the Maui Director of Public Works, perhaps a State DOT designee and a Maui County Council Member as designated by the Council Chair.

CHAIR COUCH: Okay.

MS. JOESTING: And those would be the people who would be on the Policy Committee and who would manage and run the Maui MPO. Right now the Oahu MPO is an attached entity to the State Department of Transportation and they get their legal counsel from the State Department of the Attorney General.

CHAIR COUCH: So the Maui MPO would be attached to us or to?

MS. JOESTING: I'm not sure that it would need to be attached to an agency in order to operate. I don't know that answer quite yet.

CHAIR COUCH: Okay. 'Cause I'm sure they're gonna need some sort of Corporation Counsel or --

MS. JOESTING: Yes.

CHAIR COUCH: --counsel of some sort.

VICE-CHAIR VICTORINO: I would think so.

PLANNING COMMITTEE
Council of the County of Maui

August 14, 2014

CHAIR COUCH: Okay. And you mentioned Freddy Cajigal; he's retiring at the end of the year. So does that gonna throw...

MS. WINER: It would be whoever their designee is. We also have another gentleman we've been working with at the State level, Ken Tatsuguchi.

CHAIR COUCH: Okay.

MS. WINER: You know. So he's very good. And he's completely supportive of this because there are some structural irregularities in the Oahu MPO that are not in total compliance with Federal law.

CHAIR COUCH: Okay. And lastly, kind of two-part question here. One of the testifier, well the testifier, talked about TAP funds and are those available to the MPO and if so, how would we use those?

MS. DAGDAG-ANDAYA: Regarding the TAP funds, because of the size of our MPO, we don't qualify for the funds to be directly sent to us. So we when have projects that we want funded through TAP funds, it would have to go through that State process. Sort of what we do right now with the STIP.

CHAIR COUCH: But through the MPO? And by the way, TAP is Transportation Alternative Program?

MS. DAGDAG-ANDAYA: Alternative Program.

CHAIR COUCH: Okay.

MS. DAGDAG-ANDAYA: So for example, Oahu MPO, they get their funding directly and then they make the decisions as to what their projects would look like, I mean, funded through the TAP. For Maui, because of our size, if we wanted TAP monies, then we would need to send our projects to the State, they would make the decisions, and that's how the decision would be made at the State level.

CHAIR COUCH: Would that be Maui County or the MPO?

MS. DAGDAG-ANDAYA: Sorry. That would actually be Maui County, Public Works or it could be Planning Department or Transportation.

CHAIR COUCH: But not the MPO?

MS. DAGDAG-ANDAYA: Not the MPO.

CHAIR COUCH: Okay. So that's another subject that why aren't we going after that?

PLANNING COMMITTEE

Council of the County of Maui

August 14, 2014

MS. DAGDAG-ANDAYA: Yeah. And it's because of the size of the MPO.

CHAIR COUCH: Okay. Would the MPO be required to deal with things like the bikeways master plan? I want to acknowledge that we have some bikeways guy here in the audience being very, they're listening very intently on this.

MS. DAGDAG-ANDAYA: For when the planning funds are used, we'll need to create that work project. I'm sorry. There so many acronyms that I can't seem, sometimes it's hard to figure out what the P stands for.

MS. WINER: The Unified Work Plan.

MS. DAGDAG-ANDAYA: Yes. The Unified Work Plan would involve the different types of projects that we would be using the monies toward. So we would have a long-range transportation plan. We would also have a bike plan or any other plans that would enhance or help us in our decision making.

CHAIR COUCH: Okay. Members any further questions on this subject? And I hear what the Members are saying. I think it's probably best to move forward with this as opposed to asking that we figure out a way to get out of it. Is that what I hear --

COUNCILMEMBER BAISA: Yes.

CHAIR COUCH: --everybody kinda saying?

VICE-CHAIR VICTORINO: I think, Mr. Chair.

CHAIR COUCH: Yeah?

VICE-CHAIR VICTORINO: I think after this explanation, because I think when they first brought it to us; the concern was another layer of bureaucracy.

CHAIR COUCH: Correct.

VICE-CHAIR VICTORINO: You, know, I think that right away came to all our attention.

CHAIR COUCH: Yup.

VICE-CHAIR VICTORINO: And so, now they've explained it more thoroughly, and the benefits versus some of the drawbacks and that's fine. There's always some kind of drawback. But so long as our island and our County will benefit, I think that's very important and not only fiscally but in other areas, improved planning always is a big part of it so, Mr. Chair, I can support moving this forward. I think all of us feel that this will be a plus in the overall scheme of things for right now, there are still a lot of unknowns, a lot of questions that need to be answered but

PLANNING COMMITTEE
Council of the County of Maui

August 14, 2014

some of that will be answered as we progress. So my feeling is let's do it and let's see how this all pans out. I think in the long run some of us may not be sitting in these seats in a few years; however, I think for the County of Maui and the people this will be a big plus. Thank you, Mr. Chair.

CHAIR COUCH: I tend to agree with that. Much as it pains me to agree with Mr. Victorino. But that's...

VICE-CHAIR VICTORINO: You will never, never, never go anywhere when you disagree with me, Mr. Couch. Thank you. Aw, my god.

CHAIR COUCH: Okay. Well then, Members, my recommendation would be to file this and since we don't...

COUNCILMEMBER WHITE: Chair?

CHAIR COUCH: Yeah, Mr. White?

COUNCILMEMBER WHITE: I wanted to let the senior statesman in the room have his say first.

VICE-CHAIR VICTORINO: Oh, senior now, oh my god.

COUNCILMEMBER WHITE: Anyway, I appreciate the, both Departments coming in and providing a much more robust explanation than we heard earlier, and I think it, this does make a lot of sense and adding up the withs, the with MPO column and the without MPO column, the difference over, the annual difference is about 1.5 million.

CHAIR COUCH: Can you get a little closer to the mike?

COUNCILMEMBER WHITE: Sorry about that. The annual increase in funding is \$1.5 million and over a 10 year period, obviously it's about \$15 million --

CHAIR COUCH: Fifteen.

COUNCILMEMBER WHITE: --of added support. So, I appreciate the level of detail that the Departments have provided us this go-around, and I think we're all in a much more comfortable place than we were with the explanation during Budget.

CHAIR COUCH: Okay.

COUNCILMEMBER WHITE: Appreciate that.

CHAIR COUCH: Alright. Any further comments? Alright, so I'll entertain a motion to file the Miscellaneous Communication, dated May 28, 2014, from the Deputy County Clerk.

PLANNING COMMITTEE
Council of the County of Maui

August 14, 2014

the location of signs. It would change Section 16.13.070 of the Maui County Code, to remove the requirement for at least one business identification sign to be located on the entrance side of a business. We have a revised bill here dated, where is that? August 7th and there should be some markup here. Alright. Take a look on page, where did it go? I saw it, I was just looking at it. Oh, there it is. Page 1 of the bill. Corporation Counsel did look at it for form and legality, and also please note that the title of the bill has been revised to reference the section instead of the chapter. But aside from that, I'd like to hear from the Department of Planning first on the changes that we're making and why.

MR. SPENCE: Good morning Mr. Chairman. We consider this a tweak of the signed ordinance and you know, we have many things within our signed ordinances, some of our older ordinances that needs slight adjustments, but overall comments and explanations I'm gonna leave to Mr. Joe Alueta. He's our sign expert.

CHAIR COUCH: Okay.

MR. ALUETA: Morning, Chair. This basically is an administrative clarification. We have a policy basically that allows for if you have a, if your entrance faces like say, within a mall, it is not visible from a public right-a-way or an adjacent property, but the backside, say your non-entrance side is along a roadway, we have allowed for business identification signs to be located on that side of the building, and that would be the one sign that they're allowed as a business. And therefore, that policy sort of conflicts with the language that's being deleted where it says it must say be located above the entrance side, but then, so then you have this kind of gray area where if the sign is located above the entrance side, but it's not visible, is it a sign and it's not technically a sign 'cause it's not visible from a...so it gets, so to clarify it just gets sort, it's easier to delete that requirement and allows signs, businesses then to decide where they want to have that, if they're allowed one business identification sign where it would best suit them for their advertisement. The sign still has to be located or has to be attached to the business entity. The change does not give them any additional signage. So it's, it just allows them, they decide where they want to put their sign as long as it's attached to their business unit.

CHAIR COUCH: Okay. Members, any questions? Any concerns? As he said it is kinda ministerial. Go ahead Mr. Victorino:

VICE-CHAIR VICTORINO: Yeah. These we have been, we have reviewed in the past. Isn't this the same? We reviewed these in the past, right? I kinda remember you coming, we talking about some of these items. We had discussions in the past about that and there some changes that you were in favor of Mr. Alueta.

MR. ALUETA: Yeah. I think this might have been one of the grandeurs, you know, like we talked about some easy changes that we wanted. This was kinda of, I guess the low-hanging fruit.

VICE-CHAIR VICTORINO: Right.

PLANNING COMMITTEE
Council of the County of Maui

August 14, 2014

MR. ALUETA: And again, because it's a Title 16 not 19 does not need to through the whole commission process. It just comes to the Planning Committee and it's something that we feel was an easy amendment to take.

VICE-CHAIR VICTORINO: Okay. Thank you. I just, I thought we had kinda gone over this at one time or another.

CHAIR COUCH: We had a different section of it.

VICE-CHAIR VICTORINO: But, but yeah. But some of the review was based upon some of these items also, right?

CHAIR COUCH: Uh-huh.

VICE-CHAIR VICTORINO: Yeah. Okay. Thank you.

CHAIR COUCH: Okay. Chair Baisa?

COUNCILMEMBER BAISA: It appears to me that this makes perfect sense. I think it clarifies a lot of stuff. You know, there's a lot of confusion about business signs and a lot of talk about it, lately, the whole subject of signs. So, I am in full support of doing this change. Thank you.

CHAIR COUCH: Okay. Members, any further discussion?

VICE-CHAIR VICTORINO: Chair, just one more.

CHAIR COUCH: Mr. Victorino?

VICE-CHAIR VICTORINO: And Mr. Alueta, so in a nutshell, this will help businesses, you know, comply a lot easier that been having a difficult time because of the way the ordinance was been structured.

MR. ALUETA: That is correct. It's gonna help those businesses that one, either their entrance faces internally to a mall setting or is not, their main entrance is not visible from a public right-a-way or adjacent property. So it allows them the flexibility or to relocate the sign still attached to their business unit but not necessarily on an entrance side or above their entrance. The second businesses are where you are either a single tenant or a property where their entrance may face the parking lot but not the roadway and therefore it's technically, the sign would still be visible from an adjacent property but they feel it would be better to have the sign on the side of the building facing the roadway where the people would drive in and then they would just have a normal entrance sign or another sign that would indicate how to get into the building. And so it allows, and again it's just more of you're allowed, every business has basically the right to have a business identification sign to identify their business where they choose that's best suited for them is, can be their choice. And so we're not mandating it has to be like it is now.

PLANNING COMMITTEE

Council of the County of Maui

August 14, 2014

VICE-CHAIR VICTORINO: I think this is fabulous. I think this helps a lot of businesses, especially small businesses that, you know, have these very unique situations and problems. This will give them the out. So, I am very, very supportive of this idea and I think it's long overdue so let's get it done.

CHAIR COUCH: Okay. Thank you. Members, any further comment?

COUNCILMEMBER BAISA: Recommendation?

CHAIR COUCH: Okay. My recommendation is that I'll entertain a motion to recommend passage on first reading of the revised proposed bill entitled A Bill for an Ordinance Amending Section 16.13.070, Maui County Code, relating to signs authorized in Airport, Hotel Resort, Business Commercial, Apartment, and Industrial Districts; and also to allow Staff to make nonsubstantive revisions; and the filing of County Communication 14-185.

VICE-CHAIR VICTORINO: Mr. Chair, so moved.

COUNCILMEMBER WHITE: Second.

CHAIR COUCH: Okay. It's been moved by Mr. Victorino and seconded by Mr. White. Any further discussion? All those in favor, please say "aye".

COUNCIL MEMBERS VOICED AYE.

CHAIR COUCH: Opposed? Let the record show that it's six ayes. It passes with six ayes and zero noes and one excused, Member Guzman.

**VOTE: AYES: Chair Couch, Vice-Chair Victorino, Councilmembers
 Baisa, Cochran, Crivello and White.**

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmember Guzman.

MOTION CARRIED.

**ACTION: FIRST READING OF REVISED BILL AND FILING OF
 COMMUNICATION.**

PLANNING COMMITTEE

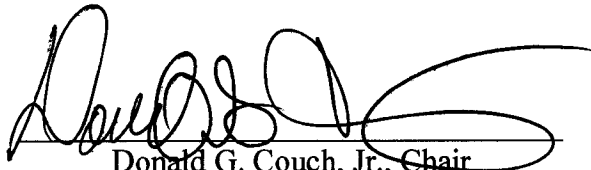
Council of the County of Maui

August 14, 2014

CHAIR COUCH: Alright Members. That is the end of our meeting. I want to thank the Departments for a good, healthy discussion on MPOs, and thank you, Staff, for getting all the information for us. And thank you folks for being here. With that this meeting is adjourned. . . . (*gavel*) . . .

ADJOURN: 10:10 a.m.

APPROVED BY:

A handwritten signature in black ink, appearing to read 'Donald G. Couch, Jr.', written over a horizontal line.

Donald G. Couch, Jr., Chair
Planning Committee

pc:min:140814

Transcribed by: Bernadette Haupu

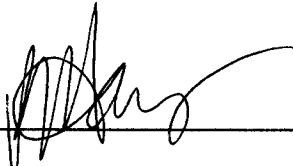
PLANNING COMMITTEE
Council of the County of Maui

August 14, 2014

CERTIFICATE

I, Bernadette Haupu, hereby certify that the foregoing represents to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 8th day of September, 2014, in Haliimaile, Hawaii

A handwritten signature in black ink, appearing to read 'Bernadette Haupu', is written over a horizontal line.

Bernadette Haupu