

**ECONOMIC DEVELOPMENT, ENERGY,
AGRICULTURE, AND RECREATION COMMITTEE**
Council of the County of Maui

M I N U T E S

Council Chamber

February 17, 2015

CONVENE: 1:35 p.m.

PRESENT: VOTING MEMBERS:

Councilmember Don S. Guzman, Chair
Councilmember Elle Cochran, Vice-Chair (arrived at 1:39 p.m.
and left at 2:55 p.m.)
Councilmember Stacy Crivello
Councilmember Riki Hokama (left at 2:55 p.m.)
Councilmember Michael P. Victorino
Councilmember Mike White (arrived at 3:11 p.m.)

NON-VOTING MEMBERS

Councilmember Robert Carroll

EXCUSED: Councilmember Don Couch

STAFF: Sharon Brooks, Legislative Attorney
Pauline Martins, Committee Secretary
Ella Alcon, Council Aide, Molokai Council Office (via voice
conference)
Denise Fernandez, Council Aide, Lanai Council Office (via voice
conference)
Dawn Lono, Council Aide, Hana Council Office (via voice
conference)

ADMIN.: Jeffrey Ueoka, Deputy Corporation Counsel, Department of the
Corporation Counsel
David Ching, Deputy Director, Department of Management

OTHERS: Sanae Masunaga
Nadya Wajima
Bill Greenleaf
Phyllis Robinson
Elan Goldbart
Mahina Martin
Plus (2) other people

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PRESS: *Akaku Maui Community Television, Inc.*

CHAIR GUZMAN: . . . *(gavel)* . . . Good afternoon. The meeting of the Economic Development, Energy, Agriculture, and Recreation Committee shall now come to order. I'm Don Guzman, the Chair of the Committee. Before we begin, may I ask anyone who has a cell phone, please put it on the silence mode. I'd like to introduce our Members for today, starting from my left would be Bob Carroll, --

COUNCILMEMBER CARROLL: Good afternoon, Chair.

CHAIR GUZMAN: --Councilmember Riki Hokama,

COUNCILMEMBER HOKAMA: Chairman.

CHAIR GUZMAN: --Councilmember Mike Victorino.

COUNCILMEMBER VICTORINO: Good afternoon, Chair.

CHAIR GUZMAN: Joining us later on will be Stacy Crivello as well as Mike White. Excused will be Don Couch. I'd like to also introduce the Administration that will be here today. It will be the Office of Economic Development, the Director or their representative, as well as the Managing Director and/or representative. We also have our Deputy Corporation Counsel, Jeff Ueoka, good afternoon. We have for our Staff, we have Legislative Attorney Sharon Brooks, as well as our Committee Secretary Pauline Martins. For those individuals who are wishing to testify, please sign up at the lobby and just a little bit of information. We'll be limited to today's agenda. When you approach the podium, you'll be limited to three minutes. I will, as Chair of this Committee, allow an additional minute for conclusion. When testifying, please state your name and/or organization in which you represent. I'm going to go ahead and check in with our District Offices to see if they're onboard or connected. Hana Office, are you there?

MS. LONO: Good afternoon, Chair. This is Dawn Lono at the Hana Office.

CHAIR GUZMAN: Good afternoon, Ms. Lono. Lanai Office, are you there?

MS. FERNANDEZ: Good afternoon, Chair. This is Denise Fernandez on Lanai.

CHAIR GUZMAN: Thank you, Ms. Fernandez. And Molokai Office, are you there?

MS. ALCON: Good afternoon, Chair. This is Ella Alcon on Molokai.

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CHAIR GUZMAN: Thank you, Ms. Alcon. I also would like to acknowledge the presence of Stacy Crivello.

COUNCILMEMBER CRIVELLO: Aloha, Chair.

CHAIR GUZMAN: Thank you. At this time, go ahead and call our first testifier if there's any in the Chambers.

. . . BEGIN PUBLIC TESTIMONY . . .

MS. BROOKS: The first testifier is Sanae Masunaga, and she will be followed by Nadya Wajima.

CHAIR GUZMAN: You may come down to the podium, please. . . .(short pause). . . Right here at the podium, yeah. And you'll have three minutes for your testimony. And please state your name for the record.

MR. MASUNAGA: Okay. Good afternoon. I'm the president of the JUMPSmartMaui Project in Kihei, Maui and Hitachi. So today I would like to thank you for all of us to supporting our demonstration project, and today we'd like to share this thing here today's second agenda under EAR-25 that very appreciate and that it pass forward, it go forward. Thank you very much.

CHAIR GUZMAN: Thank you. Thank you for your...hold on a second. Members, do you have any clarifying questions for the testifier? Seeing none, thank you very much for your testimony.

MS. BROOKS: The next testifier will be Nadya Wajima.

MR. MASUNAGA: Nadya Wajima is also is my colleague in that same project and a member of JUMPSmartMaui Project.

CHAIR GUZMAN: Okay. Does he have anything else to add to the testimony? Okay, nothing further? Thank you very much. I would like to acknowledge the presence of Elle Cochran.

VICE-CHAIR COCHRAN: Aloha. Thank you, Chair.

CHAIR GUZMAN: Thank you.

MS. BROOKS: There are no further testifiers.

CHAIR GUZMAN: Okay, I will check in with our District Offices. Hana Office, Ms. Lono, is anyone wishing to testify?

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MS. LONO: The Hana Office has no one waiting to testify.

CHAIR GUZMAN: On Lanai Office, is anyone wishing to testify?

MS. FERNANDEZ: There is no one waiting to testify on Lanai.

CHAIR GUZMAN: And Ms. Alcon, on Molokai Office, is there anyone wishing to testify?

MS. ALCON: There's no one here on Molokai waiting to testify.

CHAIR GUZMAN: Thank you, ladies and good afternoon. Is there anybody in the gallery wishing to testify? Seeing none, Members, at this time, I will close public testimony without objections.

COUNCILMEMBERS VOICED NO OBJECTIONS.

. . . END OF PUBLIC TESTIMONY . . .

CHAIR GUZMAN: Thank you.

**EAR-18 MAUI COUNTY ARBORIST COMMITTEE, ARBORIST, AND LANDSCAPE
PLANTING (CC 14-136, 14-158)**

CHAIR GUZMAN: Members, let's turn to today's agenda, Item EAR-18, Maui County Arborist Committee, Arborist, and Landscaping Planting. The Committee is in receipt of County Communication 14-136, from Councilmember Riki Hokama, transmitting a proposed bill entitled, A BILL FOR AN ORDINANCE TO AMEND CHAPTER 12.24A, OF THE MAUI COUNTY CODE, RELATING TO LANDSCAPE PLANTING AND BEAUTIFICATION. The purpose of the proposed bill is to amend the membership for the Maui County Arborist Committee and to remove the position of the Maui County Arborist. The Committee is also in receipt of County Communication 14-158, from Councilmember Mike P. Victorino, transmitting a proposed bill entitled, A BILL FOR AN ORDINANCE TO AMEND CHAPTER 12.24A, OF THE MAUI COUNTY CODE, TO TRANSFER THE POSITION OF THE ARBORIST FROM THE DEPARTMENT OF PARKS AND RECREATION TO THE DEPARTMENT OF MANAGEMENT. The purpose of the proposed bill is to amend the membership for the Maui County Arborist Committee and to transfer the position of the Maui County Arborist from the Department of Parks and Recreation to the Department of Management. The Committee may consider whether to recommend adoption of either or both of the proposed resolutions with or without revisions, excuse me, the proposed bills. The Committee may also consider the filing of County Communications 14-136 and 14-158 and other related actions. Members, these two bills have been before the Committee since the last term. Both

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would make changes to the County Arborist position but have different ramifications. Mr. Hokama's proposed bill would change the constituency, the makeup of the Maui County Arborist Committee and abolish the position of the County Arborist. Mr. Victorino's proposed bill would transfer the position of the County Arborist from the Department of Parks and Recreation to the Department of Management. I would like to take this up on both items at the same time, and I would like for the introducers of the bill, in order to present their bill, first of all I would ask Mr. Hokama if he would present.

COUNCILMEMBER HOKAMA: Chairman, thank you very much. My proposal does a few things as you mentioned earlier, Chairman, so I thank you for that. Regarding the Arborist Committee, I think it's important that we get input from all the districts, particularly the neighbor island districts that has unique needs and unique appreciation of those landscaping components as it regards to the Code. My experience with the Arborist Commission over the last few decades has not been one of I would say satisfying...maybe if I can use those words. I think there's ways we can improve it. I'll also talk about Lanai. Lanai is a unique community with unique type of landscape vegetation as it regards to our history from our ranching days, the Gay Family's ownership, to the Dole era, to the Murdock era and now to the Ellison era. For me, we need people who's going to make decisions on Lanai regarding our landscaping to have an understanding of why it is the way it is, what is the issues at hand, and, you know, for the life of me, I can't understand why a Lanai request trees to get cut down for termite, dry rot, safety issues that this County takes such a nonhuman side to this concern of mine. I've seen, for us on Lanai, our Community Center speared by Norfolk Pine or Cook Island Pine Branches. I don't need that happening to any resident on Lanai. For those of us that understand our trees the best, including our Department people on the island, I think we can, we understand that while the trees provide a major advantage for the community, it helps our watershed resource capabilities and whatnot, there's times when we need to have those hazardous trees removed or cut down. And we have always proposed, Mr. Chairman, from the community standpoint that for every tree we cut down, we would replace it by at least two, one for the tree that's coming down and one to enhance the overall watershed and landscaping advantages of additional tree planting. And so that's the main reason why. I think Lanai needs to have it done better. I think we need people who understand the situation to be making those decisions on Lanai to be done better, and so I have this proposal for the Committee to consider. And at the end of the day, worse comes to worse, I just want the Arborist off-limits with Lanai.

CHAIR GUZMAN: Okay.

COUNCILMEMBER HOKAMA: Thank you.

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CHAIR GUZMAN: Thank you, Mr. Hokama. May I ask the representative from the Managing Director's Office to come forward to be here as a source of information? Mr. David Ching? Please identify yourself.

MR. CHING: Thank you, Chair. Good afternoon, Committee. David Ching, Deputy Managing Director.

CHAIR GUZMAN: Mr. Ching, do you have any comments in regards to Mr. Hokama's bill?

MR. CHING: Actually, this bill kind of caught us a little bit by surprise and a little off-guard, but regarding Mr. Hokama's comments about being able to represent areas other than Maui satisfactorily, I think it is a difficult position to have one person doing that and really being able to make the right decisions at the right time. I myself have seen instances where the County is being prevented from taking similar remedial actions for safety, for health, to prevent damages, to, let's say vehicles in parking lots, we've been prevented from actually taking the actions of pruning trees or cutting back trees because of our Arborist's objections. So I have to agree. Over the time that I've spent in public service, I really haven't seen a point-of-view that's human, as Member Hokama puts it, versus being more, almost obstructionist when it comes to preventing possible accidents.

CHAIR GUZMAN: Thank you, Mr. Ching. Members, if you could turn to Mr. Hokama's bill, I believe it is in your packet as Communication 14-136, and we can go through it in terms of what are the amendments that are being listed. It is, basically the underlined is the additions, and the parentheses, the language in there will be deleted. I noticed that on the first sentence there, where it establishes the Arborist Committee, the Committee shall consist of nine members. Now Mr. Hokama is adding language that would include, each of these nine members would be, each would have a Council residency area, from each Council residency area. So this is basically the nine districts, I believe, which would be consistent, which would consider the consistency of the membership. And so if there's any discussion, I'm going to open up the floor for that amendment in terms of opening up the membership of the Arborist Committee to require that each is from a residency area, district area. Is there any discussion on this matter? Seeing...yes.

COUNCILMEMBER VICTORINO: Mr. Chair?

CHAIR GUZMAN: Yes, Mr. Victorino?

COUNCILMEMBER VICTORINO: Thank you, Chair. And conceptually I don't have a problem with that. Again, having residency representation I think is good. But I think, for me personally, I would like to see where Lanai and Molokai would have their own Arborist Committees, because as Mr. Hokama has stated, who knows the island better than the people that live there? I think that would make more logistical sense in my mind. The Arborist is another issue, you know. So we're talking right now two different

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issues. So let's stick with just the Arborist Committee. I would prefer, if I was to make a recommendation, is to have both Lanai and Molokai have their own Arborist Committees. Maybe smaller ones, maybe five members, three members. You know, you don't have to have nine members. I mean, you know, that would be a decision that this Council and others could make, but Mr. Hokama has put it very poignantly, who knows better than that community? And why should somebody from the outside come in and try to tell us what to do? Now, when it comes to expertise on trees and wood rot and damage and all that, now that's a different scenario. But I'm saying when it comes to an Arborist Committee, having a large committee like that, nine with one from Lanai, one from Molokai, one from Hana, I have no problem with that. But that calls for time for them to come in to get together. I'd really like to see the neighbor, the outlying districts or the district areas have their own Arborist, and Maui itself continue to have their Arborist Committee. So it actually we'd have three Arborist Committees, one Lanai, one Molokai, and one on Maui. You know, that's what I would like to see us do. But I'll let the others speak to the, to what's occurring right now. Thank you, Mr. Chair.

CHAIR GUZMAN: Thank you. Thank you for that point of interest. The only thing that I would see that would be an issue would be funding our budget would be, would we be able to afford or be able to appropriate another committee in the different districts, specifically Molokai and Lanai. And another issue would be if we do that, are we now opening up the floodgates for other committees or other commissions to have their own separate entities on Molokai and Lanai. So those are the two issues that we need to think about as well.

COUNCILMEMBER VICTORINO: Well, Mr. Chair, we already do that with the Planning Commissions. So it's not the floodgates because we've done it before. And I think this is things that there are certain committees as we move along may have to be looked upon in that respect, because there are definite differences between Maui and Lanai and Molokai. And Mr. Hokama has stated that unequivocally. So that's why I'm saying, you know, I mean it's not like we've not done this before. Now, we also have representation for all the different committees from the outlying districts also. I have no problem with that. But there are certain ones, and like this Arborist Committee I think is one of those that I think makes good sense because it has a very profound impact and how often do they meet? How often does the Arborist Committee meet here on Maui?

CHAIR GUZMAN: I'll ask...

COUNCILMEMBER VICTORINO: Do they meet every month?

CHAIR GUZMAN: I think Mr. Ueoka, can you respond to that question?

MR. UEOKA: Thank you, Chair. Yes, they meet monthly.

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COUNCILMEMBER VICTORINO: Okay. Okay, so I mean who's to prevent them from doing that on Lanai and Molokai or meet as needed. I don't know. I have no idea. But anyhow, I believe that scenario of we're going to open the floodgates, I kind of disagree with you, Mr. Chair. I'm sorry but I really believe when it comes to these defining issues, who knows better than the area? Now, how are the Maui guys going to understand what's happening on Lanai and Molokai unless we send them over there to have an understanding of that? And that will cost us a lot of money to send seven members to those areas. I don't know, just some food for thought, Mr. Chair. Food for thought.

CHAIR GUZMAN: Let me ask Corporation Counsel if they have any statement in regards to the logistics of expanding the committee to in a sense create a subsidiary to the standing committee.

MR. UEOKA: Thank you, Chair. It's primarily a policy decision on the part of the Council, and I think the Administration can assist with making it happen. I guess if, for my own comments, I will say logistically it may be difficult for the Parks Department to get staffing on to, for the, if you made separate committees on the sister islands. It might be difficult to get staffing there and even like Corp. Counsel to get over there might prove difficult, so just logistically those are some of the hurdles. Thank you.

CHAIR GUZMAN: Ms. Cochran, do you have any questions?

VICE-CHAIR COCHRAN: Yeah, quite interesting, I hear Mr. Hokama's plea there in regards to the issues on that island, and of course Lahaina has its tree, you know, issues here and there. So I understand the importance of having someone that's familiar with the particular area and district to chime in so yeah, I have to think both of these proposals out and figure out which is the best route. But definitely there needs to be equal representation for the different districts. And of course Hana would have its own, you know, world of trees and the way things grow and it needs to be kept up there, so it's every part of not just this island but of course our regional islands too are quite unique in itself. Those are just my comments thus far, Chair. Thank you.

CHAIR GUZMAN: Thank you. I would like to have at least a comment from Ms. Crivello in terms of the, you know, is there a need for an Arborist Committee on Molokai?

COUNCILMEMBER CRIVELLO: No, I don't think...Chair, thank you. I personally don't see a need to have it separate, because first of all, you're going to, my understanding is you will have your Arborist there to make some sort of determination if or recommendation that this tree is good or not good. So, however, but to have representation from the districts is to me very helpful when all of the minds are on the table, you know, so to speak, so that you're throwing it all out and having that conversation, but you're also learning from one another and in turn recognize what Lanai may value or what Molokai may or may not value, likewise with Maui as well as Hana and the outlying

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districts. I don't think it's meant to be separation but rather representation as a whole from the districts. Yeah.

CHAIR GUZMAN: So I get it that you're okay with the nine members having a requirement for each of them to be residents of the various districts?

COUNCILMEMBER CRIVELLO: Yes. And Chair, if I may ask, then if we will have, move with what Councilmember Victorino is suggesting, will that still remain a nine commission or do you, does it become nine, do we write, re-write the whole, the Code as it stands? So that's just my question.

CHAIR GUZMAN: Mr. Ueoka? What's that? Oh, quick recess. I believe Corp. Counsel needs to speak to me. Two minutes. . . .(gavel). . .

RECESS: 1:38 p.m.

RECONVENE: 1:38 p.m.

CHAIR GUZMAN: . . .(gavel). . . The EAR Committee shall now reconvene. I would like to ask Mr. Ueoka if he could place a little bit of his analysis on the record in terms of the obligations of the Arborist Committee.

MR. UEOKA: Thank you, Chair. Just wanted to just clarify. The Arborist Committee, they were created in 12.24A.030, and in there it doesn't really clearly state anywhere that their job is to advise the Arborist. Their primary duties and responsibilities are in relationship to the Landscape Planting Plan and the Exceptional Tree List and advising the Department of Planning for consistency with the Landscape Planting Plan. So a lot of these issues currently in, you know, on my read of 12.24A.030 aren't necessarily included, so I'm not sure if you guys want to expand what's in here or just move forward. I just wanted to point that out. Thank you for the opportunity, Chair.

CHAIR GUZMAN: Thank you, Mr. Ueoka. Ms. Crivello?

COUNCILMEMBER CRIVELLO: Thank you, Mr. Ueoka. So it does say, which shall consist of nine members, and I guess what Mr. Hokama is trying to do is to expand on the nine members to include the, all the districts, I guess, or is it just Lanai and Molokai and Hana?

CHAIR GUZMAN: Yeah, that's my understanding.

COUNCILMEMBER CRIVELLO: Okay.

CHAIR GUZMAN: That that's what's the intent of Mr. Hokama's amendment here --

COUNCILMEMBER CRIVELLO: Okay.

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CHAIR GUZMAN: --in terms of the representation from each district.

COUNCILMEMBER CRIVELLO: Okay.

CHAIR GUZMAN: And so if there's no other...

MR. CHING: Chair?

CHAIR GUZMAN: Yes, Mr. ...

MR. CHING: If I may make a suggestion? Rather than expanding our, the size of our commissions or making more commissions, I'm wondering if this body would consider consolidating the responsibilities of the Arborist Committee and maybe putting it in the Planning Commissions from the different islands instead of creating three Arborist Committees. That way I think some of the duties are very similar and that way the individual islands or the individual planning commissions who know their districts best can make the decisions. And then it would be easier for us as administratively to staff, because then we wouldn't have to find new commission members.

COUNCILMEMBER CRIVELLO: So, if I may ask?

CHAIR GUZMAN: Yes, Ms. Crivello.

COUNCILMEMBER CRIVELLO: So the Code recommends or, for Planning Commission, how many members? For the Planning Commission?

MR. CHING: Planning's nine, I think. I'm not sure.

COUNCILMEMBER CRIVELLO: I think it's set too, yeah?

MR. CHING: I think so. I believe it is.

CHAIR GUZMAN: I'm not quite sure how many --

COUNCILMEMBER CRIVELLO: Yeah.

CHAIR GUZMAN: --members we have on the Planning Commission.

COUNCILMEMBER CRIVELLO: I mean, what is the difficulty of one or two of the nine or three of the nine have representation for the districts? I, you're not going to expand. You're going to, you have six non-voting members, right, in the Arborist Committee?

MR. CHING: Right.

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COUNCILMEMBER CRIVELLO: Oh, it's, you know, ex-officio sort of and as long as representation is included in that nine, not expanding it. I don't, understanding this. So, and the Planning Commission is also nine.

CHAIR GUZMAN: Well, I guess the other issue would be if it's, the Planning Commission is a commission and the Arborist is a committee. And it's also listed in HRS, Hawaii Revised Statutes as a committee. So if we want to go and take that leap and create them as a commission, I think we're going to have to revamp the whole structure of the Arborist Committee, and I'm not even sure if we can do that since they are, via HRS specifically describes the Arborist Committee. Mr. Ueoka, do you have any comments on that?

MR. UEOKA: Thank you, Chair. I'm trying to find the specific HRS which creates the Arborist Committee, but I don't, I'm not sure if it dictates to the counties that they must create an Arborist Committee or if they must create a group to handle the Exceptional Tree process. So I'm trying to check that out for you right now. Thank you.

CHAIR GUZMAN: So why don't we go ahead and move forward as Mr. Ueoka is looking up some of that legal issues. On the next amendment that Mr. Hokama is proposing is that aside from the members shall be residents of the County, with at least three having professional or other interests in landscaping beautification. So basically, Members, out of the nine, three of them will be required to have some sort of professional or other interests in landscaping beautification. I think the other interests, the wording other interests would, that, it's a little bit more general but specifically professional, looks like, or other interests. So, Mr. Hokama, is there justification for, or the intent for having three professionals on there?

COUNCILMEMBER HOKAMA: My purpose was to have the Committee have some sense of professional input prior to making a decision. And that was just to assist the, you know, what I had hoped the current Arborist would have done was given them his professional analysis and professional comments, but at the end of the day I would prefer the Committee make that policy decision of to approve or not to approve.

CHAIR GUZMAN: Okay. Members, are there any discussion that you wanted to bring up in regards to that amendment? At least three of the members should have professional or other interests in landscaping beautification. I don't see any other...

COUNCILMEMBER VICTORINO: Mr. Chair?

CHAIR GUZMAN: Yes, Mr. Victorino?

COUNCILMEMBER VICTORINO: Thank you. And this one I can concur with Mr. Hokama, but again I guess the question comes up in my mind are we giving adjudication power to this group to override a decision by the Arborist? And I'm not sure if I'm reading or

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heard correctly from Mr. Hokama. So maybe some clarification. Because again, I think Mr. Ueoka, you stated earlier that the Arborist Committee, its duties is not so much to tell the Arborist yea or nay, more or less to Exceptional Trees and all the different issues that we've been talking about. Is that correct? I'm getting confused because I'm hearing two mixed messages. Mine is pretty simple. What I'm saying is put it under Management where it should be, because the Arborist does everybody and everything now, not just Parks any more. There is many others, like Public Works and all that. So I don't want the two getting mixed up. That's why I kept saying mine is to talk about the Arborist entirely, not the Arborist Committee.

CHAIR GUZMAN: Yeah, that's correct, Mr. Victorino.

COUNCILMEMBER VICTORINO: So.

CHAIR GUZMAN: And let me clarify in terms of what I'm doing.

COUNCILMEMBER VICTORINO: No, no, no. I know what you're doing, Mr. Chair.

CHAIR GUZMAN: Okay.

COUNCILMEMBER VICTORINO: I'm just hearing one thing from here, from Mr. Hokama, and I'm asking is that correct? Would they have adjudication power?

CHAIR GUZMAN: Mr. Hokama?

COUNCILMEMBER HOKAMA: Not really in a sense, Mr. Chairman, because my proposal eliminates the Arborist from anything to do with this Code. There's no Arborist in my proposal. There's an Arborist Committee that will take over the responsibilities of the Arborist. They will make the decisions for Lanai. And that's why for many things on the subdivisions or whatnot, the Code currently has the Director of Public Works being the responsible County representative for various things. My whole proposal is about my no confidence in the Arborist. You know, this County has gone through too many bad experiences with decisions coming from the Arborist, and I, for one, don't need to go down that path any more than we did in the past, Mr. Chairman. So for me, it's, they're not an appeal group or anything, because in my proposal, again, there is no more Arborist.

CHAIR GUZMAN: Yeah.

COUNCILMEMBER HOKAMA: That's the big difference between mine and Mr. Victorino's. I think Mr. Victorino's, as I read his proposal, is asking for a transfer of departmental jurisdiction with the Arborist still in place.

CHAIR GUZMAN: Alright.

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COUNCILMEMBER HOKAMA: So I understand his questions because his proposal still has the Arborist. My proposal has no Arborist.

CHAIR GUZMAN: Yeah. In both, and the reason why I'm addressing Mr. Hokama's proposed bill first is because Mr. Victorino's bill does not have any changes in terms of the Arborist Committee. And Mr. Hokama's bill does because of the makeup, the amendments that Mr. Hokama is proposing of the makeup itself of the Arborist Committee. And so I haven't really addressed Mr. Victorino's proposal, because his is basically a transfer of the Arborist to a different department, which we haven't gotten there at this stage. I'm just clearly looking at some of the amendments in terms of the Arborist Committee only. And so some of the questions that need to be addressed is what are the duties of the Arborist Committee, so that we can understand the relationship between the Arborist Committee and the Arborist himself or that position. So, Mr. Ueoka, can you state on the record one more time again what are the duties of the Arborist Committee, and what is the relationship between the Arborist Committee and the Arborist position?

MR. UEOKA: Thank you, Chair. The duties of the Arborist Committee are set forth in 12.24A.030, Section C, and in addition under 12.24A.070(a)(1) and (2), it also says the Arborist shall advise the Arborist Committee on the Landscape Planting Plan and Exceptional Trees and shall advise the Committee, the public, and all agencies in the planting, care, and preservation of trees and landscape plantings. So it is a substantial relationship between the Arborist and the Arborist Committee.

CHAIR GUZMAN: So the Arborist advises the Arborist Committee? Is that the relationship?

MR. UEOKA: Thank you, Chair. Under 12.24A.070(a)(2) it states the Arborist shall advise the Arborist Committee on certain aspects.

CHAIR GUZMAN: On certain aspects. And then so from Mr. Hokama's bill, he is removing the Arborist from the Code itself, the ordinance itself specifically as an ex officio member of the Arborist Committee. So under Mr. Hokama's proposed bill, the Arborist shall not be a member of the committee. That's correct. Is there any discussion about that? On the original ordinance, isn't the Arborist an ex-officio member of the Arborist Committee, Mr. Ueoka?

MR. UEOKA: Yes, Chair, currently the Arborist is an ex officio member.

CHAIR GUZMAN: Okay. And so in Mr. Hokama's proposed bill, he's removing the Arborist completely as a member of the committee and deleting the Waste Management, or I guess was it deleting the Director of Public, no wait, Waste Management as an ex officio member as well as the...no, that's it. Adding the Director of Environmental Management. Sorry, strike that. Just adding the Director of Environmental Management as an ex officio member of the Arborist Committee. Did everyone get that? So they're deleting the Arborist and they're adding the Director of

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Environmental Management as the, as one of the ex officio members. Is there any questions or discussion? Yes, Ms. ...

VICE-CHAIR COCHRAN: No, not on that addition but in regards to the Arborist per se, that person is under Department of Management currently? That body? That entity? Or is it, it's a Parks' person, Parks and Rec employee?

CHAIR GUZMAN: Yeah. The Arborist is under the Parks and Recreation Department.

VICE-CHAIR COCHRAN: Okay.

CHAIR GUZMAN: Currently.

VICE-CHAIR COCHRAN: And so if that particular person is taken out of this, their position still exists though? They'll still be there?

CHAIR GUZMAN: Mr. Ueoka?

VICE-CHAIR COCHRAN: And what use would there be then?

MR. UEOKA: Okay, thank you, Chair. Yes, he'll, the reference would be removed from the County Code but the E/P will still exist. The employee position, you know, the ones in the Budget. Yeah, that position will still exist.

VICE-CHAIR COCHRAN: Okay. So, Chair, I mean, I'm just trying to get at this, I mean the Arborist term here is to be removed but is that actual position overall, you know, --

CHAIR GUZMAN: Will remain.

VICE-CHAIR COCHRAN: --in the makeup of the Administration going to be gone also? I mean, if there's, that's kind of what I'm wondering.

CHAIR GUZMAN: Well, my, and Mr. Hokama can, you know, correct me if I'm wrong, I believe by removing the Arborist from the ordinance itself does not necessarily mean that the position disappears because it's still on the Budget, but it does allow this Council or the Administration to remove that position and not appropriate it so it would somewhat not be funded or it would disappear, because the only thing that's allowing it to stay in existence is the language in the ordinance of an existing Arborist. Do you understand?

VICE-CHAIR COCHRAN: Yes. And then...

CHAIR GUZMAN: Unless...

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VICE-CHAIR COCHRAN: I have to say I have a lot of agreements with Mr. Hokama in particular to the Arborist and trees and things that have been removed or deemed for removal in West Maui so I take sort of, well, take offense. Thank you, Chair.

CHAIR GUZMAN: Thank you. Ms. Crivello?

COUNCILMEMBER CRIVELLO: Is it the, and maybe Mr. Hokama, if I understood correctly, we want to, it's the existing Arborist that in his opinion as well as Ms. Cochran that's not doing, not performing accordingly, so it's not so much the position but the person who holds the position? Is that, maybe somebody can...

CHAIR GUZMAN: I'm not sure. Mr. Hokama, can you clarify?

COUNCILMEMBER HOKAMA: Thank you, Chairman and Committee Members. For me, the current setup of how this program works for the County, I can tell you from my experience it doesn't work for Lanai. In my experience, at times it doesn't work for some of our County parks on this island. Again, because of the experiences that we have gone through during my tenure has made me put this proposal forward. You know, I was, I'm not sure whether it's the individual or the process that the individual has to work through that is the actual issue. I can tell you that it's interesting every time on Lanai, the resident lost to the tree pretty much, in my recollection. Even when I wrote and put the County on notice myself that it is a potential liability issue, the County still had problems with that kind of documentation. Photographs, resident's testimonies, I mean what does it take to, the County to understand that for us, our people come first. So I appreciate the Deputy Director's comments earlier and that's why, for me, I'm willing to make a change and one of the changes is to put it under a different process where, you know, I was looking at maybe the Highway Supervisor, a Lanaian that deals with the trees all the time because his Department deals with the right-of-ways and everything else for Lanai, that maybe that supervising consultation with his Director, Public Works Director, can fill that role and make appropriate decisions for Lanai. May work a different way for Molokai or for Mr. Carroll in Hana. I just know that currently it doesn't work for Lanai, and so I'm putting forth a proposal that I feel will increase opportunity for Lanai people to have a bigger say, particularly regarding safety and liability issues. You know, we're the ones that gotta deal with it on a daily basis, and I thank Department of Management for recognizing that. But that's my concern, Chairman and I thank you for letting me express it.

CHAIR GUZMAN: Thank you, Mr. Hokama. I think I understand, now I'm starting to get the gist of this. If we were to remove the Arborist language in the ordinance, it would then open up the ability for the Administration to assign other employees or positions in that role instead of designating it specifically for the Arborist. Is that my understanding? Is that your...

COUNCILMEMBER HOKAMA: You know, for me in the past, Mr. Chairman, with all respect to my colleague, if Mr. Arce of Molokai told me something, I take that to be pretty

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factual because I understood the man and I understood his integrity. I knew his experience. I knew his connection to his community that if he told me something about a tree in this County right-away that is one issue and needed to be removed for good reasons, I for one have no reason to doubt that man because I know he knows his community. He knows his island. I would question the Arborist who is going to go counter to this Molokaian saying no, don't do what Mr. Arce is recommending. That, for me, is one issue because I know that person is not a Molokaian. He doesn't live with the people. He doesn't know the unique details or specifications that why they are making such a recommendation. That, for me, is part of the crux to this whole problem too, and for me, it's again, on Lanai, I would depend on my, our supervisor. On Molokai, I would have depended on the Molokai supervisor, because I trust those resident supervisors and employees. They know their island. They know their people. They know their community. Thank you, Chairman.

CHAIR GUZMAN: Thank you, Mr. Hokama. Let me ask the Administration or maybe the Deputy Corporation Counsel. Is it possible to, I mean I guess my question would be the Arborist position itself is it a necessary position within the County?

MR. CHING: Thank you, Chair. In, if, notwithstanding any prior issues with why things don't get done in a timely manner or in a manner that's acceptable to our community, I think it is an important function. I mean, we're responsible for thousands of trees. We should have some professional guidance when we're dealing with these trees, but we need to get that guidance in a manner that is timely that we can be preventative if an accident is waiting to happen. And also it needs to be knowledgeable especially in an area and the reasons for certain trees being in certain places. So there is definitely room for the role. However, is it being done in its best manner with just one person or does it need a group of people or do we need to expand the responsibilities of the department or a division? That's, that remains to be answered.

CHAIR GUZMAN: So if we were to remove the Arborist from the ordinance itself, would the position, would you still have an Arborist? Would you still have that position even if it's not in the ordinance?

MR. CHING: Good question, Chair. If we have the funding and we have the position available, we definitely, like I said, we could use the expertise. Is it enough to have one person or one single entity have that, again we haven't had the discussions in detail to answer that.

CHAIR GUZMAN: Okay, thank you. Mr. Victorino?

COUNCILMEMBER VICTORINO: You know, and I know where this is leading and it's leading to like where I am.

CHAIR GUZMAN: Yes.

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COUNCILMEMBER VICTORINO: Because that's why I put mine in, because I really feel it should be under the Administration under Management because it should be wide range. This expert or experts, I mean I'm not sure if one is needed, more than one is needed and, you know, if that's where some, where the Administration needs to do it. Yes, have I been disappointed with the present position and the way it's structured in Parks? Yes. And yet he has to advise Public Works. He has to advise other departments who are having challenges with trees. And recently these high winds have really demonstrated how bad things are starting to get. And I will put this in also. The Arborist Committee has to start looking at when they approve new subdivisions and trees, they better understand what kind of trees they're approving because up here in Kehalani, which is a different subject, but it is part of it, there's many trees that are down tonight. They're down all over. And these are all brand-new planted trees that are supposed to be resistant and they're all down. There's more than a dozen that have been cut or have fallen down and this is all the new subdivisions. This ain't old trees. So, you know, again, but that's a different matter and again, an Arborist Committee has to be more in tune to also these issues. But that's why I think Mr. Hokama if he wants to put them in as district and have the Arborist Committee in that sense, I got no problem with that. The Arborist, I'd rather see that position put in Management where Management will then specifically have that, and then they can assign, if they want, the road division lead, heads of West Maui or East Maui or Lanai and Molokai be able to determine what trees need to come down and all that, or what trees need to be pruned or whatever it might be. That might be the possible way of finding a solution. But that's why I think the two work in tandem. What Mr. Hokama is recommending and what mine recommends is really take it out of Parks and put it in the Management Office and let the Management handle that as far as a position or positions. Maybe they'll hire two people instead of just one. I don't know. I don't know. But let's not talk about the person in there, because I think that's what I don't want to get into. I'm talking positions and mine is moving the position to where I believe it to be more appropriate. Mr. Hokama's, I think, is making the Arborist Committee a little more broad and broad-based as far as the districts are concerned.

CHAIR GUZMAN: Yeah, I think it's a matter of whether we're going to remain having a position created by ordinance or removing it by ordinance, and either way my question would be if we remove it out of the ordinance, would the position still exist? Could it still function the way it is if we don't have it within the ordinance? Because right now because it's in the ordinance it's required that we have an Arborist. If we take it out of the ordinance, it's either we can have one depending on the Administration wanting to have it or we don't. It becomes an option. That's the way I look at it.

COUNCILMEMBER VICTORINO: Mr. Chair, mine puts it specifically back in the Office of Management.

CHAIR GUZMAN: Yeah.

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COUNCILMEMBER VICTORINO: Okay. It's taking it away out of Parks. The position now is moved into Office of Management and it's up to them how they staff it and how they run it, but they would have, like Mr. Ching has mentioned, and some expertise. And that's something very important because if you don't have some expert out there checking on these issues and something does happen, the word liability becomes very prevalent. Okay. And I know Mr. Ueoka just rolls his eyes every time I say that word but it's a true fact. So I think both proposals have merit in what they're trying to accomplish, you know. One is to eliminate it by ordinance, the other one is to put it where it belongs in Management and let them handle that Arborist as far as a professional to advise whoever and whomever necessary to prevent things from happening such as we have discussed today, trees that need to be pruned or cut that are termite-damaged or might be damaged. Oahu has gone through a number of reiterations. In fact, Oahu has had some tragedies because of this issue not being addressed. If you remember, the last few years, there have been some tragedies that have occurred on Oahu and we don't want to wait until that happens on any of our districts in Maui County.

CHAIR GUZMAN: I guess my question would be for the Administration. What would be the advantage of moving the Arborist from the Parks Department to the Managing Director's Department? What advantage is that? And what will that give to the community? And what is the benefits of that? Or are we looking at the same type of structure that we're dealing with right now, but we're just transferring the Arborist to a different department? Is he going to function the same way?

MR. CHING: Thank you, Chair. As with all cross-departmental functions, yeah, we've over the years, we've been trying to get Management, the Department of Management organized to the point where it does manage the cross-departmental functions. And in this case, the expertise of the Arborist could definitely be a cross-departmental specialist or advisor since we have different departments and divisions responsible for trees all over our County. So we could definitely structure it in a way that the Arborist could provide the expertise to the various departments and also have the authority, the overriding authority of the Department of Management to actually implement and make some improvement programs happen. And that's what we're trying to accomplish with personnel issues and like in the terms of our EEO and Affirmative Action Specialist, you know, we want to bring that cross-departmental function into our department, so we can go ahead and affect the Countywide or organization-wide authority that we have and make sure that these specialist positions provide the resource to the departments and also help get things organized in their particular discipline. So it would, it could work out exactly as Member Victorino described.

CHAIR GUZMAN: So since the position is ordinance created, is that a civil service position? The Arborist?

MR. CHING: I believe it is civil service and it would remain that way if it were to be transferred.

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CHAIR GUZMAN: Well, I'm kind of a little bit at a loss because I, in terms of just comparing other positions that are created by ordinance, there are more descriptions involved in those types of positions that are created by ordinance, and when I look at the language here in describing the Arborist in this ordinance, it doesn't give the outright description or the duties of the Arborist. So I in one way agree with Mr. Hokama in terms of wait, is this, is just the language of it, that position being in the ordinance allows it to exist but the existence of it, we don't have any description to it so it's very difficult to rein that person in or that position in and require that person to fulfill his or her duties. Do you see what I'm saying?

MR. CHING: Thank you, Chair. I would venture that we could, we could amend the position description and we could include safeguards. We could include performance --

CHAIR GUZMAN: Performance measures, yeah.

MR. CHING: --targets. We could do all of that. My hesitation is just I don't know how we do it with this body. I know how we would do it without this body but I don't know how we would do it with this body. So that would be something that would need to be clarified.

CHAIR GUZMAN: Yeah, and so that point being made is that if we decide to remove the Arborist by, from this ordinance, then the Administration could keep that position regardless of whether we remove it, I mean we remove it from the ordinance, there still would be an E/P for it. If we keep it in as it is, the Arborist, in the ordinance, we could then put descriptions in the ordinance and duties, and we could even say that this Arborist must contact and work with Lanai community, whoever, whoever or Molokai whoever, whoever and put those duties in into the ordinance itself. So these are the issues that I'm kind of addressed with or contemplating, and I wanted to bring this forward to the Members, and it's good that we vet this out because then it allows us to start thinking about different things. Number one, we don't really have a description of the Arborist and his duties, so we can create one right in here and we can make sure that he follows these duties under the ordinance. But what do you think, Mr. Hokama?

COUNCILMEMBER HOKAMA: Well, personnel services should be able, if you ask them this afternoon, Chairman, to give you a job description for the position. And if we don't, we're in trouble.

CHAIR GUZMAN: Right.

COUNCILMEMBER HOKAMA: Especially if it's a civil service position. Two, I would say yes, we can transfer it. And even if we do, Council is not required to fund it. Okay. We are not required to fund. We fund according to the decisions we make during Budget deliberations. And Council has exercised that prerogative in the past, so I can say

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that confidently, Chairman. You know, first, I want to say thank you for posting this subject, and I appreciate Mr. Victorino's proposal also. I think this is healthy because for one, I'm looking that we can at least try to improve the program. I'm happy that the Deputy Director of Management is here 'cause I think Mr. Ching can make a difference from an Administrative standpoint of how they oversee personnel under their jurisdiction. But so saying all that, Chairman, you know, I'm not so adamant that my proposal needs to go forward, you know. I think that Mr. Victorino's proposal has merit also and so, you know, I leave it to your guidance, Chairman and the rest of the Committee, to at least see if we can move something at the appropriate time that we feel can benefit the communities and that's what I would like to try and get accomplished. And then, second, you know, people who serve on voluntary boards and commissions, Chairman, I think I want to make their participation worthwhile and satisfying also. And so maybe this is a good time to see whether or not it's time to revamp this whole area of the Code, Chairman. Because for one, the Council is charged by the Charter to eliminate waste. So this might be a good time to review it and if we say no, there's a lot of things it adds and it contributes to the community we can keep it. But on the other hand, if we find that there's better ways to do it and this is a very outdated way of just trying to maintain what we should be changing then we already have the directive from the Charter to make those policy decisions. So I'm fine with your direction, Chairman.

CHAIR GUZMAN: Thank you, Mr. Hokama. I, just to add to that, I do like the changes in regards to the makeup or the constituency of the Arborist Committee. I like the representation from each of the districts. I like the three members having professional experience. I also like the addition of the ex officio member of the Director of Environmental Management. In regards to the deletion of the Arborist himself or that position itself, I'm a little bit torn because of the fact that I think it could be beneficial if we allowed it in there and we put structure, like conditions or guidance language and what he is to do or that position is to do in relation to Molokai and Lanai and as well as the relationship with the Arborist Committee.

COUNCILMEMBER VICTORINO: Mr. Chair?

CHAIR GUZMAN: I think also in regards to moving it from Parks and Recreation to Management, I think that might be an advisable option and I think we need to get Parks and Recreation down here to see what exactly are they doing now as opposed to what can be better improved upon if we were to transfer that position to Management Department. So I think we need to get what we're dealing with now and then what are the actual benefits of moving it over to a different department. Mr. Victorino?

COUNCILMEMBER VICTORINO: Thank you, Chair. You know, exactly what I was going to say. I agree with Mr. Hokama's districting and all these other issues. I think they are important, having professionals very important. I believe by putting it under Management it gives more control to where it should be and where it should be advising all departments not just Parks. Or being paid by Parks but now advising

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Public Works, advising Environmental Management, advising all these others, Department of Water Supply.

CHAIR GUZMAN: More centralized, yeah.

COUNCILMEMBER VICTORINO: Yeah. So I believe this is where the catchall comes in. Now again, if you want to put some specifics for the Department of Management in the oversight, you know, and saying, you know, we'd like him to do this, this --

CHAIR GUZMAN: Right.

COUNCILMEMBER VICTORINO: --or her, this, this, this, whatever the criteria might be, you know, then that can be done and I think they could, you know, do it quite easily. You know, it's not a bargaining unit so it is maybe civil service but the description of the job can be enhanced without going through a lot of other changes. So I believe the two proposals put into the package really makes it work out real well.

CHAIR GUZMAN: Right.

COUNCILMEMBER VICTORINO: Now, I don't know about eliminating it from the Arborist Committee. I think maybe the Arborist Committee should be more independent and when necessary can call him in or her in at that point in time to ask for advice, because it would be under the management of the County of Maui. So again, Mr. Chair, I think we're all talking the same talk.

CHAIR GUZMAN: Yeah, yeah.

COUNCILMEMBER VICTORINO: I think we just gotta refine the wording a little bit more. Mine was to really just move it to give the Department of Management the opportunity to make those changes and then we have someone we can make accountable for if it isn't happening.

CHAIR GUZMAN: Yeah. I see your point being, Mr. Victorino, --

COUNCILMEMBER VICTORINO: Yeah.

CHAIR GUZMAN: --in terms of centralizing --

COUNCILMEMBER VICTORINO: Yeah.

CHAIR GUZMAN: --the Arborist. One second, let me ask the Deputy Corporation Counsel. Can we as a Council put in the description as well as the duties of the Arborist within the ordinance?

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MR. UEOKA: Thank you, Chair. I don't believe so. I think you'd have to create a different type of position. Most position descriptions for jobs and I guess the Department of Personnel Services could probably give you a better feel on it, but my understanding is typically there are positions that are kind of descriptions consistent throughout the State. So to create a unique one in the County Code would be taking a step away from, you know, the traditional practice, and I'm not, I know the directors and everything are set up in the Charter with a generalized description of their duties. I'm not familiar with the entire County Code but I'm not too familiar with any other positions created in the County Code other than the Arborist, or I shouldn't say created, well I guess it is created but with a strong reference in the County Code.

CHAIR GUZMAN: Yeah. Yeah, so therein lies the dilemma. It's like how can you just mention a position in this ordinance without having any duties for that position? And I think I'm going to have, we're going to have to research that a little bit more, because it's a little bit baffling to have it mentioned in an ordinance so therefore it's being created by ordinance and not having any duties, you know, within the ordinance dictating what that person is supposed to do or what that position is supposed to be doing. So, Ms. Cochran, do you have any questions?

VICE-CHAIR COCHRAN: Yeah. Thank you, Chair. And I like your train of thought in incorporating, you know, the changes for Mr. Hokama and then also the thoughts of Mr. Victorino. So I like that sort of that line, but my question is in regards to this Committee. How often do they meet and do they have good quorum, you know, and no quorum issues on a consistent basis? I know a lot of our committees and things usually have issues, lack of agendas, lack of quorum. But has this one been very, you know, diligent and productive and things of that nature?

CHAIR GUZMAN: Mr. Ueoka or Mr. Ching?

MR. UEOKA: Thank you, Chair. I advise the Arborist Committee. It's a very devoted group. They're pretty consistent on quorum. I think one of their issues was staffing for a little while. They seem to have had that resolved with the Parks Department. They're a nine-member committee and I think they were, their membership was down to seven, like, because of resignations and stuff so it took a little while to fill of course, so when you only have seven, getting quorum of five isn't always the easiest, but I don't always go to their meetings either but I make it most times and there's typically a meeting. Very rarely do they not have quorum. Very devoted, passionate group.

VICE-CHAIR COCHRAN: Okay, well, that's definitely good to hear, Chair. And this ordinance is in direct relation to our Landscaping Plan and Beautification, right? And how this committee interacts with that. They're the implementers. They're the ones who make sure that it's being followed and being abided by, no? No? No. It says review, guide, I guess how we treat our trees has to be in reference to these plans. And this committee oversees that implementation, making sure we're staying within these plans?

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CHAIR GUZMAN: Mr. Ueoka?

MR. UEOKA: Thank you, Chair. My understanding of the way the committee works is there're two major charges...they do a lot of stuff, but their two major charges are creating the actual Landscape Planting Plan, which they're in the process of doing right now. It's a very well written document that essentially goes over the, it's set out in here what it's supposed to go over but plantings in the community and the Exceptional Tree List. As far as the Landscape Planting Plan goes, there's a provision in 12.24A that requires when a developer or whoever submits, is required to submit a planting plan to the Planning Department for a project, the plan must be consistent with the Landscape Planting Plan, the book. If it is not consistent, they need to send or meet with the Arborist Committee as to why, and the Arborist Committee makes a recommendation to the Department of, the Director of Planning, and the Director of Planning ultimately decides whether or not the consistency with the Planting Plan is required or not. So they're not the enforcers of all things Maui County Planting Plan, they are the advisors regarding the document and the drafters of the document, and the ultimate accepting authority of the document is, I believe the Mayor after consultation, public hearing, and consultation with the Council.

VICE-CHAIR COCHRAN: Okay, and that's in the process right now? We don't actually currently have one on the books that we're following.

CHAIR GUZMAN: Actually, go ahead.

MR. UEOKA: Thank you, Chair. There is, I think it's the 1991 version. So it's, that's the one the Planning Department uses currently, and they've been working very hard on getting a new version out but it's a voluminous document. There's a lot of information in it.

CHAIR GUZMAN: Yeah, we had it in our last, I think about four months ago, we had them come up and give us an update on the Plan, and they were still in the process of having it reviewed. So I think it's almost done. Four months ago they said that too.

VICE-CHAIR COCHRAN: Right.

CHAIR GUZMAN: We'll, I'll send out another letter in hopes of following up.

VICE-CHAIR COCHRAN: And so do our Parks, County Parks have its own individual plans or a collective plan, and thereby Parks needs to abide by what's been determined to be in our own parks and rights-of-way and what have you?

CHAIR GUZMAN: Mr. Ueoka?

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MR. UEOKA: Thank you, Chair. I don't believe, I'm not sure how the Planning Department does that but a lot of our parks are, you know, older. So I'm not sure if they have to have like planting plans approved by the Planning Department, whereas a new parking lot, that's part of like a new building that's being built. That probably has to have some kind of planting plan in it must be abided by, but the Planning Department does enforcement on that not the Parks Department because it's all private property. Parks is essentially charged with maintaining parks and whether or not there's a plan, I'm not aware of a Planning Department approved Planting Plan for any of the parks but there could be one, I'm just not aware of any.

VICE-CHAIR COCHRAN: Okay, thank you. Thank you, Chair.

CHAIR GUZMAN: Okay, thank you. So Members, what I'm going to do is I'm going to look into seeing whether we can incorporate some duties and some conditions upon the Arborist position itself. If you're looking at 12.24A.070, planting of street trees, it basically says that there shall be a Maui County Arborist and staff within the Department of Parks and Recreation to plant and maintain trees in public parks and rights-of-way of streets, and number two, the Arborist shall advise the Arborist Committee on the Landscape Planting Plan and Exceptional Trees and shall advise the committee, the public, and all agencies in the planting, care and preservation of tree and landscape plantings. So I get that this is basically the only duties that the Arborist has, but it seems to me that he's out there with other, doing other matters and he's in charge of cutting trees and things like that, and I'm not sure where he gets his authority and I would like to investigate how he gets that type of authority and how he works with other departments. And if we need to, and I don't say we need, I will go in and take a look to see whether we can create the duties within this ordinance and see if we can work with Lanai community and Molokai community and place in conditions that he must work with certain entities in those district offices, I mean districts, excuse me. So at this time, Members, I'm going to defer this matter so that I could research it some more, and I'll come back with you with a proposed draft that could probably incorporate what Molokai and Lanai is interested in as well as Mr. Victorino's proposal, and I've already stated on the record the provisions and the segments that I prefer and I like, and so I'll go ahead and draft a new proposal and present to the Committee.

VICE-CHAIR COCHRAN: Chair?

CHAIR GUZMAN: Ms. Cochran?

VICE-CHAIR COCHRAN: Before you defer, so I just, and I think if there could be more of, I guess, an outreach too. When, I understand, it's totally in Administration's purview to determine, to dictate what trees are going to go, their reasons why via this Arborist, what have you, but I think when massive things are done that if somehow community could be sort of heads up? Hey, community, by the way, we are going to be doing this, this, and that. Also, I think education right now into, and that we have no dictation

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over private property and people's own private back yards but it's been really, really alarming and sad for me to see in Lahaina and we all know how Lahaina mangoes are truly no ka `oi, and so many people are chopping these trees down. And again, it is their purview. It's their right but it just sickens and saddens me that these beautiful Haydens and Common trees that have been around for eons are gone. And if there's, I know we can't force anybody, but if there's a way to educate and just say, please, people, if you can find it in your heart to preserve these or let's get a mango, you know, mango, mālama mango tree people, group, or I don't know, to help out raking your yard. I don't know, something. But just to make it more appealing and more, you know, acceptable for people to want to preserve these. And they're not an endangered species of any kind, but they are, they will be soon if people keep doing this but I just, it's sad that all these beautiful trees are going down. So anyways.

CHAIR GUZMAN: Oh, yeah. You have a good point, Ms. Cochran. And I think notwithstanding those trees that have been designated as Exceptional, the rest of the trees out there are under the, basically the jurisdiction of the Arborist and he makes that call. And so maybe you're right. Maybe we need to look at some checks and balances, including the Arborist Committee in that type of decision making. I know that Mr. Carroll had proposed a bill that would basically have the Arborist Committee vet that through on which trees should be cut down at a certain time or, you know, issue or whenever it needs to be, it needs to be vetted through the Committee but I believe it didn't make it out of Committee or at least it got auto-filed I believe.

VICE-CHAIR COCHRAN: Well, yeah. Just thank you for that opportunity, Chair. I just thought since we were on the subject of trees and perhaps that we maybe, you know, spelling out powers and duties and functions of a particular position, that perhaps some type of that sort of outreach can occur because I think it's very needed right now --

CHAIR GUZMAN: No, I agree. And...

VICE-CHAIR COCHRAN: --as in the trees that are disappearing.

CHAIR GUZMAN: And we'll look into that in terms of expanding, including checks and balances to allow the community or at least the committee to have somewhat of decision-making powers with the Arborist and not let it be so lopsided that the Arborist is out there doing his own thing.

VICE-CHAIR COCHRAN: Very good.

CHAIR GUZMAN: But that being said, Members, I'm going to go ahead and defer this matter without objections?

COUNCILMEMBERS VOICED NO OBJECTIONS.

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CHAIR GUZMAN: Thank you.

ACTION: DEFER.

CHAIR GUZMAN: Members, going to the next item on the agenda. I'm going to take a two-minute recess to allow the presenters to set up, and this Item No. EAR-1(2), Presentations of the Maui Farm Apprentice Mentoring Program. So I'm going to take at least a five-minute recess for the Chambers to be reset. Thank you, Members. . . . *(gavel)* . . .

RECESS: 2:55 p.m.

RECONVENE: 3:11 p.m.

CHAIR GUZMAN: . . . *(gavel)* . . . The EAR Committee shall now reconvene.

EAR-1(2) PRESENTATION ON MAUI FARM APPRENTICE MENTORING PROGRAM

CHAIR GUZMAN: Members, just as an update, we're having quorum issues so what I'm going to do for the last two items after EAR-1(2) is I'm going to defer those two items. But, and so this presentation for EAR-1(2), the presentation of the Maui Farm Apprentice Mentoring Program, it should be about half an hour. So if you can indulge this Committee. I, please, we're at bare quorum and so this is a very important matter for us to review. Pursuant to Rule 7B of the Rules of the Council, the Committee intends to accept presentation from the Maui Farm Apprentice Mentoring Program on its pilot program. The Committee will receive this presentation but no legislative action will be taken on this item today. Members, in the last Budget, the County appropriated 20,000 towards a pilot program to put together two Maui Chapters of the Hawaii Farmer's Union United put together by two Maui Chapters of Hawaii Farmer's Union United. The funds were matched with in-kind funding with other sources to total a one-year budget of 91,620 to launch a Farm Apprentice Mentoring program. The program is geared towards training ten beginning farmers over a 16-week period in natural farming skills with the purpose of revitalizing Maui's farming community for the future. Today, I'm very happy to have with us for the program's founders, Mr. Bill Greenleaf, Ms. Phyllis Robinson, President of the Farmer's Union, Haleakala Chapter, and Mr. Elan Goldbart, Secretary of the Farmer's Union. So, Mr. Greenleaf, would you please go ahead and proceed with your presentation.

. . . BEGIN PRESENTATION . . .

MR. GREENLEAF: Thank you, Chair. Thank you, Councilmembers for being here and thank you for your support. Farmer's Union, we're, I'd like to introduce you to a little bit

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about Farmer's Union today and to our new President and grant writer Phyllis Robinson and to Elan Goldbart, our Secretary and the Coordinator and one of the designers of the program we're going to present to you today. We're having our fifth anniversary this year and as a grassroots organization, we have, I'd like to just let you know how our program, how our organization has developed. Elan, could you show the next slide? Farmer's Union is a national organization that started in 1902. And the word union in this context stands for a union of cooperation, education, and legislation. It was not, it started prior to trade unions to support local agriculture. And in our vision statement, I think the word that stands out the most to me is the word bridge. And that's how we set our course and our compass to be a bridge between the farmers and the consumers, and to be a listening in the community for what was needed and what was missing and what we could put together as a community to support our needs. Next one. So this is our mission and we advocate for the sovereign right of farmers, which really came from the history of Hawaii, the sovereign right of the farmers in Hawaii to create and sustain vibrant and prosperous agricultural communities. Hawaii thrived with their food and their food production and the health of the people, and we're doing this, we stand on three legs, cooperation, education, and legislation. The other thing I'd like to tell you about Farmer's Union is we're a bottom-up organization. So the Chapters make their own decisions and the Chapters and the State organizations are completely autonomous from the national organization, but at the same time we benefit from being part of a national organization. Oops, you can hit that one again, I didn't finish that. I wanted to say one thing there. These are our key activities and you'll see these at all of our meetings, the farmer education, the community collaboration, the, we network to find out what we need to advocate for and what we need to legislate for, and I believe that's where this on-farm mentoring program came from. All across the County we realized the need for food and a need for people to produce the food. And to grow farmers, it seems like, it just seemed like there was a missing piece and how do we get the farmers on the land working with people that can teach them. The way that it was traditionally done was from parent to child or from in the 'ohana. And that was missing. So that's what we're, that's what we've created with the money that was given to us in this proviso. And currently after five years, we have 220 members in our Chapter. The Mauna Kahalawai/West Side Chapter has just formed and they have 20 members. We've had 56 consecutive meetings and 165-plus people have been in attendance. We have about 1,200 people in our mailing list that come periodically so it's a large and growing organization. When the County provided this proviso, we were only one chapter on Maui but we saw this other chapter forming and in the nature of the cooperative foundation for Farmer's Union, we went and partnered up with them in the program, and in fact, we've, they are such long-time mentors themselves we've actually featured them in the program. So what is the FAM program? I'd like to turn this over to Elan to speak to you about the program he's helped to create. Elan is a graduate at University of California at Santa Cruz, and he has been the Farm Manager at Hale Akua for two years and they have interns for three to six months at a time so he's very familiar with running these kinds of mentoring programs. Elan.

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MR. GOLDBART: Thank you, Bill, and thank you, Chairman and Councilmembers for being here to listen about this program that we've been kind of planning and working on for at least over a year now, and it's just great to be able to share what's the progress to you guys at this moment. So the FAM program is essentially a network community for beginning farmers with the purpose of expanding Maui's food production, growing jobs while regenerating soil health. And kind of these three pieces together kind of rest upon this idea of a triple bottom line that we're trying to steward the ecology, at the same time building jobs and, you know, benefiting the social atmosphere, and at the same time supporting the economic growth for farms as a whole. And we're grateful to have Maui County providing the \$20,000 proviso to help it launch off the ground and to make things happen. And so kind of what the need behind, you know, the new farmers on Maui is that, you know, nationwide the average age of farmers is approaching 60 years old and increasing, and just to ensure the future viability of agriculture, we need to kind of cultivate a new wave of young and beginning farmers to keep the production going and to keep the agricultural industry alive here and across the nation. And on Maui there's just been, you know, a lot more new available ag land that's come up from Maui Land and Pine, and just there's lots of available land that's not being cultivated right now that has the potential to feed our island and the County. Also, in 2012, the Food Security and Self Sufficiency Report came out from the planning department just explaining the economic need and the potential around supporting agriculture and a new movement of food growing on the islands here. And just also the whole, the community supported efforts to make farming profitable. To make this work for beginning farmers, we need to not only just have them but we need to create new infrastructure to support the growing movement. So we need to create cooperatives to sell and purchase food. We need to create central recycling and farm amendment dispensaries to have it work more effectively for people. That we can't just do it all on our own but we need to create a movement where beginning farmers can do it together. And then as a whole with the Farmer's Union, our whole motto is all about soil health and that above all we're trying to regenerate the soil and no matter what we do it's about kind of the soil first. And so that kind of has brought forth this concept of natural farming, which we'll talk a little bit about later. And so in 2012, like I just said, there was a report that came out from the planning department, the Increased Food Self Sufficiency and Food Security Strategy Report. And just a few statistics that just kind of show the real economic drive behind the need for new farmers. Replacing just 10 percent of the food we currently import would equal \$313 million. Assuming a 30 percent farm share, 94 million would be realized at the farm-gate, which would ultimately generate 188 million in sales, 47 million in earnings, 6 million in State tax revenues, and more than 2,300 jobs. And that last point is really where the FAM program comes in is that we're trying to create new jobs in agriculture and doing it in a way that benefits the ecology and the environment. And so this is a training program that's really trying to boost the economy while creating new jobs for beginning and young farmers, like myself. So overall, our goals are to support ten apprentices per year. And in our discussions about, you know, how many people can we really support with this program and, you know, how do we want

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to dedicate our resources to beginning farmers, and we came up with this number of ten that we can really dedicate our resources to help them build a portfolio of knowledge and experience, farming so that they can kind of just gain and grow as a farmer, gaining hands-on learning on a working farm, expose them to classes that include farm business planning, and we know that farming is just more than just the growing of food but to be a successful farmer, you need to have marketing skills. You need to have a business plan and really think it through, because to be a farmer and to have it succeed, you need to have a business plan and without it, if you're just a hobby farmer, it's not going to last very long. And then we also want to support apprentices with resources in the Farmer's Union network, and at all of our meetings and the community that we've built with the Farmer's Union, there's so much opportunity for people to weave in, and so that's why it made a lot of sense to run this program underneath the Farmer's Union because of the relationships we've been developing in the community. And then again, with the ultimate goal of just enabling successful agricultural enterprises that we want new business to emerge to support a growing movement of food on the island here. And so the design of the program kind of comes in three stages. Stage 1 being a 16-week intensive program, which was what the proviso had funded, which would include 200 hours of on-farm field work and mentoring as well as 120 hours of classroom and workshop instruction. And so this is a period of time that's intensive. People are going to be paired up with our farm mentors and during this time they're going to be engaging a lot of classes and learning a lot. And then, you know, beyond this what are the outcomes that we want to get from it? We want them to make a commitment to keep working on these farms, on our partnering farms, to just, you know, encourage them to just to keep farming and to keep that going and to develop a relationship with the farm mentor that sustains their livelihood, and then ongoing we want to help encourage them to develop an independent farm enterprise or a cooperative and also continue to support new apprentices that once people graduate from the program that they may become mentors for the new apprentices. So it kind of is a part of the FAM program is that it's about family and having it be co-supportive like that. And so in the process of deciding, okay, who are the key people that we're trying to find here? Who are these perspective farmers? This chart here kind of helps us understand that we're looking for people who are in the prospective-to-beginning farmer range, people who have made the choice to pursue farming as a career and not just people oh, considering and not sure. We want to find people who are really serious and dedicated to farming for their career or have already done that and have started and they want the support and more mentorship to continue it forward. And so the farm mentors that we've been, that we have paired ourselves with to start the program are Alika Atay and James Simpliciano and they're both located on the West Side. Alika has his farm with the greenhouses there on the bottom left up Launiupoko, and that is a 2-acre greenhouse facility with another 10 acres of field production. And then James Simpliciano is working on a property on Kamehameha Schools land, that's a 200-acre property and he's running about 25 acres of vegetables and they have a new 50-acre cacao plantation that they've been just establishing now. And what's great about both of them is that they've both dedicated that they want to provide 5 acres of land each to

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supporting the apprentices in planting food and selling and bringing it to market and developing a business plan. And so also both of them are very tied in with the Hawaiian and the Filipino community, and so a big goal of our program is to really have at least half of our apprentices be from Hawaiian or Filipino descent. And also both of these farmers, they both are employing techniques of natural farming and green natural farming as a foundation of what they're doing and so I'm going to let Bill talk a little bit more about that.

MR. GREENLEAF: Yeah, thank you, Elan. I get so excited every time I just see the whole program talked about. And you can see in the picture the vibrant food in the left side and then the soil and the richness of the soil in the person's hand, the farmer's hand. As we've built fertility on our land, it went from hard and dry to being rich and dark and filled with worms. Where were they? I don't know where they came from but if you build it they will come. Next slide. And natural farming is just what was done in Hawaii for 1,000 years. And as we go back to the two- and five-acre model, it can be done locally as well as the 100-acre model that can be done when we start pulling resources and having regional resource centers where we can do composting and provide things out to the community as a cooperative. We'll be practicing similar techniques that fed Hawaii for a long time with no external costs, no external inputs needed. And I know that cuts costs and we all know it adds to security. We've already found with pig farming that it stops the flies and the smell, and so returning the vitality of piggeries to Maui is something that I hear a lot of the old-time farmers speak about and we had so many piggeries. We had a dairy, we had poultry, and we can do all these things now with proper practices and they can be, they don't have to be offensive to the community. It's a really healthy process, good for the animals and good for the people. One of the, as we looked around and we were working on this program, we wanted to know, we don't want to reinvent the wheel. We want to know success stories and the Rogue Farm Corporation in Oregon has had 100 graduates in five years, and their success story is on their website, and from the farmers and the graduates is very inspiring so our goal is to match what their performance has been or maybe exceed it. We'd like to. Okay, next slide. We've had two projects that Maui County has funded for us and one was our website design and the second was our Maui Farmer's Union Natural Farming Course. We had, we're going to have a presentation from the Montessori School kids whose teacher attended our, he was one of the people in our Maui Farmer's Union Natural Farming Course. He took it back to the school and we have a short video to show you from the kids just to give you an idea of the enthusiasm and results that we're getting from the programs. It's something that people really, they like to get their hands in and it changes the idea from dirt to soil to the connection to where food grows and what food actually looks like.

Video of Indigenous micro-organisms: "Before we can make the IMOs, we had to test the water to make sure it was purified and chlorine free. In a five-gallon bucket of purified water, we added fermented plant juice, brown rice vinegar and herbal nutrient. We then added millrun of wheat, IMO-3, and a liquid solution and mixed it until there was a 70-

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percent moisture content. We then put it in a moist environment away from the sun. This is the finished product. While the IMO was fermenting, we took soil samples and sent them to Cornell University to test for subsurface hardness, organic matter, pH, and other data points. Next, we spread hay, IMO-4, and liquid IMO-4. After we prepped the beds, we planted lettuce. A few months later, we harvested the lettuce, collected the seeds, and then we continued the cycle and planted more lettuce.”

We, our meeting next Tuesday, the 24th, we’re going to have a presentation by the kids, and we’d love for the Council, we’d like you to know you’re all welcome. And we’ll give you a great dinner too and some great entertainment. And one more slide, I think. Oh, two more. Just to show you some of the progress that’s from our partnership with Maui County. The Department, Hawaii Department of Agriculture, Scott Enright, has promised \$60,000 to Maui to start developing a natural farming amendments dispensary, and Phyllis Robinson’s been able to partner up with Kohala Center to work on a three-year grant that we feel really confident that will bring us \$110,000 a year for three years so that we can grow this program and much, as rapidly as possible. And that’s all become possible because of our partnership with Maui County. We really appreciate it and we’re doing our very best to represent your confidence in us. Last slide. And just a peek at the future. We’re meeting with the Rudolf Steiner Foundation, Praxis Institute, and the Threshold Foundation, and one of the biggest things we’ve identified that other islands have is food infrastructure, whether it’s a chill plant or a flash freeze, or a packing center, whatever it is. It’s a necessity that we get out in front and prepare for the future, whether it’s five or eight years from now. Another great bit of news is Office, Department of Education has stated categorically they’re willing to change apples to bananas. That would be a million pounds of bananas. That’s over a million dollars of production. They’ll take mangoes but we’d need a flash freeze center for that. So while we’re planting the trees, developing the orchards, working towards contracts with the Department of Education, we’re also reaching outside of Maui to mainland funders and international funders to start to prepare for infrastructure so that as we progress in our development of young farmers and agriculture jobs that we’ll be ready for Maui to really become a force in the world of agriculture. So that’s our presentation for today and thank you all very much. Thank you, Chair.

. . . END PRESENTATION . . .

CHAIR GUZMAN: Thank you, Mr. Greenleaf. And I wanted to open up the floor to any questions that you may have. Mr. Victorino?

COUNCILMEMBER VICTORINO: Yeah, thank you, Chair. And thank you, Mr. Greenleaf, for being here today. Thank you for that wonderful presentation. Unfortunately, I’ve not gone to your meetings because we have this thing called quorum and sometimes I’m afraid if I show up and there’s more than enough of us then I’ve got to leave. So one day when we figure that one out then maybe we can all show up. So that’s another

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issue and another conversation. What I'd like to ask you is with the Department of Education's ability to change, you know, like you saying you're changing apples to bananas and you'll be able to produce a million dollar turn as far as turnkey as far as that production is concerned, this would become a very integral part of what you need, this flash freeze and all these storage capacity and all that. That's what you're basically saying. To move to the next level, education is great but I think you mentioned the word profitability. And I think that's something that's always missed out is the economic part of this, the component. Being organic and being this and being that, it's all great but you've gotta be able to survive off of it and that's one of the reasons why you and I both know farming is not an easy industry, you know. So but going back to that question. If they were able to give us this with this in place, could we also expand to not only here in Hawaii but outside of Hawaii?

MR. GREENLEAF: Right. One of the legislations that Farmer's Union is supporting at the State level is origins branding and just to protect the Hawaii brand and the Maui brand, the Kona brand and every place that we do unique products. Yes, it's very, we can expand to the whole Pacific Rim. We can sell across the world. Provence, Napa, California, those are all huge brands and Maui's a brand. So profitability, once we've created our products and a facility like this would allow the value adding, and once you do added value to products, you're talking five to seven times the profitability. And I just was at Chic Naturals yesterday, which is a small startup over in Haiku but it's now going to become a Hawaii product. They're going to work with Farmer's Union to grow the chickpeas here and it was a great success story. They're already in Whole Foods and some other stores so profitability, yes.

COUNCILMEMBER VICTORINO: And I think you hit the nail on the head, because we all can relate to oranges and Florida Squeeze, you know, or, right?

MR. GREENLEAF: Yeah.

COUNCILMEMBER VICTORINO: Sunrise.

MR. GREENLEAF: Yeah.

COUNCILMEMBER VICTORINO: You know, I mean everything is related to branding.

MR. GREENLEAF: Yeah.

COUNCILMEMBER VICTORINO: This is the world we live in. People identify immediately with branding and I think, you know. The other question I have for you, as far as the number of students that you have involved at this time, what is the number?

MR. GREENLEAF: Ten.

COUNCILMEMBER VICTORINO: Ten. Is that, that's not only Montessori now?

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MR. GREENLEAF: Oh, sorry. We are going to mentor ten people --

COUNCILMEMBER VICTORINO: Oh, okay. I apologize.

MR. GREENLEAF: --in this 16-week program, 200 hours on the farm, 120 hours education, they'll graduate from our program writing a business plan so they'll be both farming and business.

COUNCILMEMBER VICTORINO: Wow, that's great because that Maui Economic Opportunity does the same program, developing, right?

MR. GOLDBART: They'll be taking that class.

COUNCILMEMBER VICTORINO: They're going to be taking that class, inclusive? Ah, that's great. I mean, you know, you're covering all the bases. I mean, you know, to be successful you've got to make them as prepared as possible and I think that's what I see right here. Final question is the students that were shown here, how many other schools are you involved in outside of Montessori?

MR. GREENLEAF: Montessori was the school we involved ourselves with in now but we are getting a lot of requests.

COUNCILMEMBER VICTORINO: Okay. Okay, so you're going to expand the program wherever requested to if you can, as much as possible?

MR. GREENLEAF: As we go forward, sure. Working with the kids, we were talking earlier about how popular learning about farming is in grade schools, and that all the high schools have infrastructure, but what we, I believe, what my experience is we need a middle school component so that as they come out of grade school, they have a continuity into middle school and then we'll get the leaders out of the program and they'll be right in high school and before you know it the ag sector will be strong again.

COUNCILMEMBER VICTORINO: Yeah. And I think that's since we had the dissipation of FHA, the Future Farmers of America --

MR. GREENLEAF: Yeah.

COUNCILMEMBER VICTORINO: --and all these others that we were all part of when we grew up and it's all kind of disappeared from our school system, and I understand why, because of money but that's a bad reason. And I heard somebody said earlier, I heard one of you guys talking, we could give up physical ed for that. Let's not give up physical ed. We need that too. Now don't be giving up something I think...

MR. GREENLEAF: Yeah, you know I'm a professional athlete. I'll never give up physical ed.

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COUNCILMEMBER VICTORINO: No, no, no. You know what I'm referring to because that's so important. The well-rounded student is what we need to have productive citizens. And, you know, once we leave one component out, that's when we start to fail and fail miserably. Thank you and thank you for everything you folks are doing.

MR. GREENLEAF: Thank you.

COUNCILMEMBER VICTORINO: Thank you. Thank you, Chair.

MR. GREENLEAF: Thank you, Councilmember Victorino.

CHAIR GUZMAN: Chair White?

COUNCILMEMBER WHITE: Thank you, Chair. My mic cord's a little short. Thank you for this presentation. Appreciate it. Have you had conversations with the DOE with respect to restarting any of the ag programs? I know Lahainaluna used to have an incredible ag program.

MR. GREENLEAF: With regard to the DOE, no. Lahainaluna, we did go out, Farmer's Union and quite a few other groups, chefs, to see what we could do to help Lahainaluna, because their program is even suffering more, their ag part is suffering. There's some problems with the idea of interns and the work they do and the new wage and hour laws and it was quite complex, but we did go out and give them some support and I know they have a strong interest in continuing.

COUNCILMEMBER WHITE: Good. And the other question I had was you mentioned on the second to the last page, partnering with the Kohala Center. What is the Kohala Center?

MR. GREENLEAF: I'll let Phyllis speak to that.

MS. ROBINSON: The Kohala Center on the Big Island is a center for the development of programming that directly relates to agriculture but also business development and agriculture, and they have been partnering a lot with USDA funding. In fact, they provide cooperative business planning and they will send technical assistance out all over the islands to help create farm business plans that are cooperative. And we'll be partnering with them in our farm mentoring program where they're going to send out Melanie Bondera, some of you may know who she is. She's going to come out to Alika's farm and it's going to be open to the public, not just for our ten farm mentors but the entire public, anyone who's interested in farming cooperatives and how to actually form them and what are the pros and cons of working cooperatively. But in terms of this beginning farmer program, I spoke with Betsy Cole, and she's the Executive Director of the Kohala Center on the Big Island, and they were going to be going after this beginning farmer program grant, and I said well, what about Maui?

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Because we're the only County that has not received beginning farmer funding from the USDA. And she said we would be delighted to partner with you on the writing of this grant, and because of their ongoing relationship with the USDA, I think we have a very good chance of getting this ongoing funding. And your County proviso is going to be a match.

COUNCILMEMBER WHITE: Before you, oh, you may be able to answer this one, but is the Kohala Center a cooperative itself or is it...

MS. ROBINSON: No. No, it's a nonprofit organization. It's a 501(c)(3). Yeah.

COUNCILMEMBER WHITE: Is there a cooperative, like you were discussing, in place on the Big Island or on Kauai?

MS. ROBINSON: Yes, I believe there are several. Elan, you've been over there visiting those programs, maybe you can speak to that?

MR. GOLDBART: I know on the Big Island there's the Hamakua Agricultural Cooperative, which is a land division cooperative and they sell food together, and I know a couple folks who farm in that community and they've had some challenges in how it all works. But yeah, developing cooperatives will certainly at least help advance the profitability of these farms, because I think one of the biggest challenges that a farmer faces if you have to do it all by yourself, access all your seeds, all your materials, do all the marketing by yourself, have your own food safety certification, your own packing, it's too much for one person and if everyone's doing it independently. And so the idea of building cooperatives into the education of this program and then into this idea of the food hub is if we're going to make farming profitable let alone organic farming be profitable, we need to build cooperative infrastructure, you know, simultaneously with the education to provide the resources and opportunity to make it work. So.

COUNCILMEMBER WHITE: Have you had any discussions with any of the food purveyors here on Maui that have large capacity refrigeration to see whether they would be able to get involved in the flash freezing process? It would probably require a new piece of, or a new facility but I...

MR. GOLDBART: Well, there's the chiller in Kula that's hardly being used.

COUNCILMEMBER WHITE: Right, well that's the reason I'm asking.

MR. GOLDBART: Yeah.

COUNCILMEMBER WHITE: Because we built these facilities before to...

MR. GOLDBART: Right. Well, I can share there's this guy named Mike Zelko and he just developed, he's developing this new cooperative on Maui right now called the SEE

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Farm Cooperative and he's off Omaopio Road, and I know that he is starting, they have a 100-member CSA box that they regularly do and his whole, he has a whole also education model, and he's someone that we're been in communication and partnering with, with this education program and I know that he has an interest in starting to use that chiller more. But this idea of, you know, there's people farming in Lahaina, it's not going to work for them to, you know, harvest their food then bring it to Kula. We would need these to be regional or at least more centrally located but developing a concept of a food hub where there could be land around it and the chiller would be on that site and have it be distributed from there could also be helpful so whatever it is, I think we just need more infrastructure to make it possible. Yeah, maybe you...

COUNCILMEMBER WHITE: Yeah, my concern is that the County has been asked to provide infrastructure before and it hasn't exactly kick started anything, so that's why I'm asking if you've evaluated whether anyone in the private sector that has similar facilities to what you're needing may be able to, again, you know, get excited about it and make some sort of an investment.

MR. GOLDBART: I understand your question and where we are right now is the production and the distribution right now goes through aggregators. So somebody will have a building downtown and they'll have their chills in it and we'll call them on the phone and say what do you need? And they'll say what do you have? And you tell them and they'll offer you prices and then you bring it down, deliver it, and then they send it out to the different people that use a lot of food, like the hotels and the top quality restaurants. Certainly in our plan is more and more relationships being built with the chefs. The modern chef wants the farm-to-table. They want the relationship with the farmer where they know what they're getting as far as ingredients and they're able to feature that on their menus and they even form a relationship where the chef tells the farmer here, would you please grow this for me?

COUNCILMEMBER WHITE: Right.

MR. GOLDBART: I mean, that's, there's been movies made of that. It's, so I think we're just before that. We're at the point now where we're going to grow the farmers and we're looking down the road for regional infrastructure. Every time we find out about something on Maui that is in place, like this chill, then we network about it and talk about how to use it. We want to use whatever is available right now. But as far as the big picture goes right now, I think the cooperative idea where instead of each farmer calling the chef and being in that relationship, we'll have a cooperative center where the aggregation will be done on a cooperative bases, more large scale and able to actually deal with, actually supply the larger producers. Right now, supplying Mama's Fish House with just one product is more than most farmers can handle. So as we grow and we can cooperate together, then we'll cover these demands and then we can grow on more areas and supply more demands.

COUNCILMEMBER WHITE: Right. Okay, thank you.

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MR. GOLDBART: Okay.

COUNCILMEMBER WHITE: Thank you, Chair.

CHAIR GUZMAN: Thank you. Any other questions from the Members? Seeing none, it looks as though we're almost out of time. I wanted to thank all of you for being here and I'm so very excited about the Natural Farming Mentoring Program and I know that you've used the 20,000 that we've proviso'd very responsible and used it to leverage, and so we look forward for your many successes and hope to see you in the next maybe six, seven months to meet the interns or the participants at that point.

MR. GREENLEAF: We'll look forward to that.

CHAIR GUZMAN: Okay, sounds good. So, Members, without any objections, I want to defer this item.

COUNCILMEMBERS VOICED NO OBJECTIONS.

ACTION: DEFER.

CHAIR GUZMAN: Thank you.

**EAR-25 GRANT OF A LICENSE FOR ELECTRIC VEHICLE CHARGERS FOR
JUMPSMARTMAUI (HAIKU; KIHEI; LAHAINA; WAILUKU) (CC 14-292)**

CHAIR GUZMAN: Also, due to the time restrictions that we have, I want to, without objections, I would like to defer EAR-25, the Grant of a License for Electric Vehicle Chargers for the JUMPSmartMaui.

COUNCILMEMBERS VOICED NO OBJECTIONS.

ACTION: DEFER.

CHAIR GUZMAN: Thank you.

EAR-1(3) PRESENTATION ON THE 2015 MAUI ENERGY CONFERENCE

CHAIR GUZMAN: And also, without objections, I would like to defer item EAR-1(3), the Presentation of the 2015 Maui Energy Conference.

COUNCILMEMBERS VOICED NO OBJECTIONS.

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ACTION: DEFER.

CHAIR GUZMAN: Thank you. And I'll reschedule those two items at a later date, and I apologize to the viewing audience and those who came to listen or discuss the last two items. I apologize in terms of the time limitations, but without any further ado, I would like to adjourn this meeting. Thank you very much for all of the attendees. Thank you. . . .(gavel). . .

ADJOURN: 3:48 p.m.

APPROVED BY:



DON S. GUZMAN, Chair
Economic Development, Energy,
Agriculture, and Recreation Committee

ear:min:150217

Transcribed by: Kekai Robinson

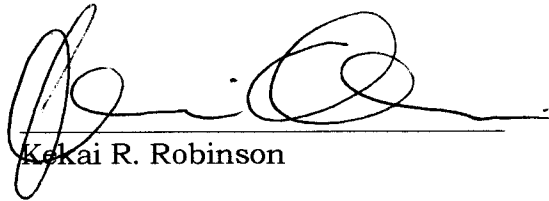
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CERTIFICATE

I, Kekai R. Robinson, 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 this 9th day of March, 2015, Wailuku, Maui, Hawaii.



Kekai R. Robinson