

**LANA'I PLANNING COMMISSION
REGULAR MEETING
JULY 15, 2015**

APPROVED 08-19-2015

A. CALL TO ORDER

The regular meeting of the Lana'i Planning Commission (Commission) was called to order by Vice-CHAIR Stacie Lee Koanui Nefalar approximately 5:35 p.m., Wednesday, July 15, 2015, in the Lana'i Senior Center, Lana'i City, Hawaii.

A quorum of the Commission was present (See Record of Attendance).

Ms. Stacie Lee Koanui Nefalar: Call this meeting to order, Lanai Planning Commission, July 15, 2015, and it's about 5:35 p.m. Members are here except the two new members, Jarrod Barfield and Marlene Baltero. And Brad is not here. So our two new members are Marlene Baltero and Jarrod Barfield. We're going to have elections of officers for 15-16 year. Can I have any nominations for Chair?

B. INTRODUCTION OF NEW MEMBERS -- MARLENE BALTERO and JARROD BARFIELD

C. ELECTION OF OFFICERS FOR THE COMMISSION YEAR 2015-2016 -- CHAIR AND VICE-CHAIR

Ms. Beverly Zigmond: Madame Stacie? I'm not sure how to address you right now. I have a nomination please. I'd like to nominate Kelli for Chair.

Ms. Koanui Nefalar: Any more nominations? Okay unanimous, or should we vote still? Can I get a second?

Mr. Stephen Ferguson: Second.

Ms. Koanui Nefalar: Second by Ferg. Any discussion? Is there any discussion? None. Kelli is Chair. Can I get any nominations for Vice-Chair?

Ms. Zigmond: Madame Stacie, I nominate you.

Ms. Koanui Nefalar: Okay. Accepted. Second by Mr. Ferguson. And new members Chair is Kelli Gima, and Vice-Chair's Stacie Koanui Nefalar.

After nominations were taken and discussion ensued, the following were elected: Ms. Kelli Gima as Chairperson and Ms. Stacie Lee Koanui Nefalar as Vice-Chairperson for the 2015-2016 year.

D. PUBLIC TESTIMONY - At the discretion of the Chair, public testimony may also be taken

when each agenda item is discussed, except for contested cases under Chapter 91, HRS. Individuals who cannot be present when the agenda item is discussed may testify at the beginning of the meeting instead and will not be allowed to testify again when the agenda item is discussed unless new or additional information will be offered.

Ms. Kelli Gima: Well, alright, thank you. So let's just go on. Bear with me. We'll go on to item D, which is public testimony. Is there a sign up...sheet for public testimony? Okay, Gail, you want to come up first? And then just state your name for the record please.

Ms. Gail Riener: My name is Gail Riener. I've been an 11 year resident on the island of Lanai. In June of 2014, the Lanai Planning Commission reviewed the Maui County Planning Department proposal for short-term rental homes. The Maui County Planning Department then created a 130-page report titled Short Term Rental Home Report To Commissions and County and Council. On page 3 of this document refers to enforcement, violations of short-term vacation rentals, bed and breakfasts. And they highlighted that there was a lack of enforcement and Maui County was going to step up enforcement, and they also hired two extra people to work on enforcing violations of short-term vacation rentals. And I have copies of the first three pages of this report. The whole thing is on the Planning Department's website.

I have had issues with my neighbor who is a single family home, and they put a large attachment under his home and has large groups coming in. Last year the County sent him a letter to cease and desist with apparently operating a short-term vacation rental when there were 12 guests staying there. In June of this year, 10 guests arrived with seven cars dropping them off and their luggage and their groceries. I contacted the Maui County Planning Department office of enforcement, and spoke with Mr. Jay Arakawa, who said he was told by the Maui County Planning Director, Mr. William Spence, that they were to suspend -- and that was Mr. Spence's word -- enforcement of all short-term vacation rental violations on the island of Lanai. I asked if they could at least enforce if there were too many people in this single family residence. And I was again told no, they were not allowed to enforce anything. I tried to get a hold of Mr. Spence via e-mail, several phone calls, a written letter sent through the post office with no response from Mr. Spence. I spoke with Maui Council, Lanai Councilman Riki Hokama and he said he was not aware of this change and this implementation of the island of Lanai. On June 13th, I spoke with Michele McLean, Deputy Director of the Maui Planning Department. I asked her if the Maui County Planning Commission was going to enforce any short-term rental violations on the island of Lanai, and she told me it was a very low priority for their department. She said that currently the Maui Planning Department was meeting with the Maui County Council to, quote, revise or change the short-term vacation rental home policy which is that 130-page document, as it pertains for the island of Lanai. And I asked how we on the island of Lanai could be aware of these proposed changes/modifications, and I was told I should check with the Council meeting agenda and could testify by phone. I do understand the importance of short-term vacation rentals and the lack of housing on the island of Lanai. My concern is the lack of enforcement, or willingness to enforce when there are certain -- when there are violations occurring.

I am asking the Lanai Planning Commission if they could have the Maui Planning Department

come to Lanai to present their revisions or modifications so that we on the island of Lanai can know what they have planned for us after we testified a year ago on what our suggestions were. And now they're going to change it and we don't know what they're changing. Thank you.

Ms. Gima: Any questions members, commissioners? Planning Department, any comments regarding Gail's request to have the Planning Department come and present the proposed revisions? I mean, we discussed this and gave our proposed revisions end of last year? Probably around the end of last year to make it more like Lanai specific. So is that something that could be put onto the agenda? Is it the right forum for that?

Mr. Clayton Yoshida: I guess Madame Chair, Clayton Yoshida with the Planning Department. Yeah, last summer, I think, Gina Flammer went to the three planning commissions and Hana Advisory Committee for their comments on the Department's proposed amendments to the Short-Term Rental Home and Bed and Breakfast Home ordinances. These were transmitted to the Council in October of last year, and they took one meeting in November to kind of get an overview. They've been -- the Planning Committee, the Planning Committee chaired by Don Couch -- and they've been preoccupied with the Lanai Community Plan Update for the first half of the year. But they started taking up the amendments again in June and July. They still haven't made any final decisions on the amendments, so it will come back to the Planning Committee perhaps as soon as next week Thursday. And again we do have our Council Services Offices on Lanai, Molokai, and Hana, and people can testify by going to the Council Services Office at the, for the Planning Committee meetings. But I believe it may be coming up next week Thursday with the Planning Committee again.

Ms. Gima: Okay, so if Gail wanted to testify specifically for these specific issues then she would find out for sure if the meeting, the Planning Committee's meeting would be next week Thursday and then come here and testify via poly-com?

Mr. Yoshida: Yes, she could come to the Council Services Office to testify on, I believe, it's next week Thursday at 9:00 a.m.

Ms. Gima: Okay. Does that provide you some clarification, Gail, on where to go to?

Ms. Riener: It does, but my concern is if you have issues dealing with the island of Lanai and vacation rentals that, for people should be able to have the opportunity to be aware that there are changes being made that we don't know about. It's just my opinion.

Mr. Yoshida: I guess, you could, you know, submit written testimony or you could testify at the Council Services Office.

Mr. Stuart Marlowe: Question? If these changes have not yet been implemented, does that mean that no enforcement is going to be put forth until? And if so, that's wrong. If there are rules and laws in place now, to be changed, I understand. But in the mean time, nothing is being enforced?

Mr. Yoshida: Oh, well, the Department is enforcing.

Mr. Marlowe: I don't --. Well, I challenge that, but that's . . .(inaudible) . . .

Mr. Bradford Oshiro: Okay, I live on Palawai, and it's a one-way street. In Palawai and Eleventh Street, there's a house. They call it the pink house. They're going for a bed and breakfast, I guess, license or what ever. Their mock orange bush is like seven feet tall. And any, any -- according to what people have been telling me from the County, they saying that any bush that's near a street corner gotta be three feet high. This one is seven feet high. I already put a complaint with the County, but nothing's being done. Okay. So when this pink comes up in front of us, can we just say, hey, you don't cut your mock orange bush, you don't get, you don't get your permit? Because it's not only Eleventh and Palawai. It's Queen and Palawai because their mock orange bush goes right around the property. So, you know, I mean, I almost got hit. That's the only reason I'm bringing it up. I wouldn't say nothing. But if there is -- if you park a car along that mock orange bush, the person coming out of Palawai gotta come in the middle of Eleventh Street just to see up, and I almost got hit. So that's why I'm bringing it up. And, you know, if not, I wouldn't say nothing, but I see a safety right there, and if I get hit, I going sue the County.

Mr. Yoshida: Yeah, and Commissioner Oshiro, again, we're largely complaint driven, when people file request for services. We are taking a more proactive stance on short-term rental homes if they're advertising on the internet. We have a number of notices of warning that have gone out to operators who have been advertising on the internet and don't have a permit.

Ms. Zigmond: Madame Chair? If I could make one comment for Stu. Yes, I mean, Brad. I believe, yes, the pink house will come before us, and so we would be able to say certain things because that's what we had agreed on that we get to review all them and approve them. And a comment for Stu. I agree with you that there are laws and they're not being enforced. And Gail was told specifically they have stopped enforcing on Lanai, which is really wrong. And again, it's that, okay, anything can go on Lanai because we're all by ourselves over here, nobody really sees, and it's just not right. So I wanted to say, Gail, thank you for your persistence on that because you, you're one of the few voices that are remaining persistent, and something needs to be done about it. This ain't the wild west anymore.

Ms. Riener: The Deputy Director did tell me they were going to send my neighbor another warning. And I said, why do they get a warning since they got a warning already? And they said, well, in their minds the behavior had stopped. And now it's starting again and the purpose of the warning is to stop the behavior. But she did specifically tell me, enforcement of the violations is low priority for them.

Ms. Gima: Thank you. Thank you Gail. Anyone else wanting to provide public testimony? Okay. Then public testimony is closed and we'll go on to Item E, which is resolutions thanking outgoing members, Shelly Barfield and John Ornellas.

E. RESOLUTIONS THANKING OUTGOING MEMBERS - SHELLY BARFIELD and JOHN ORNELLAS

Mr. Yoshida: Thank you Madame Chair, members of the Commission. We have drawn up a resolution from the Commission thanking Shelly Barfield and John Ornellas for their five years of service on the Lanai Planning Commission and wishing them well in their future endeavors and that copies of this resolution of appreciation be transmitted to the Mayor and to the Council Chair. Also, I guess, the Mayor has a certificate of appreciation for Shelly and John, which will be mailed to them. But if you can sign the resolution. Again, Shelly served as Vice-Chair of this Commission from November 2012 through March 2013, and John was the Chair of this Commission from November 2012 through March 2015. So, if you can sign the resolutions then we can transmit it to the Mayor and the Council Chair.

F. APPROVAL OF THE MINUTES OF THE JANUARY 21, 2015 AND FEBRUARY 18, 2015 MEETINGS.

Ms. Gima: Well, while everyone is signing the resolutions, let's jump ahead to Item F, which is the approval of the minutes of January 21st, 2015, and February 18th, 2015 minutes. Any comments, discussions, on either sets of minutes, the January and February meeting? Alright then can I get a motion to approve? Let's start off with the January 21st, 2015 minutes.

Mr. Marlowe: . . . (inaudible) . . .

Ms. Gima: Okay, moved by Stu. Can I get a second?

Mr. Oshiro: . . . (inaudible) . . .

Ms. Gima: Second by Brad. And all in favor of approving the January 21st, 2015 minutes raise your hand. One, two, three, four, five, six, seven. Okay, there we go. On to the next one. Motion to approve February 18th, 2015 minutes.

It was moved by Commissioner Stuart Marlowe, seconded by Commissioner Bradford Oshiro, then unanimously

VOTED: to approve the January 21, 2015 meeting minutes.

(Assenting: J. Aoki, M. Baltero, S. Ferguson, S. Koanui Nefalar, S. Marlowe, B. Oshiro, B. Zigmund

Excused: J. Barfield)

Mr. Marlowe: So move.

Ms. Gima: Motioned by Stu.

Mr. Oshiro: . . . (inaudible) . . .

Ms. Gima: Second by Brad. All in favor of approving the February 18th, 2015 minutes raise your hand. We've got one, two, three, four, five, six, seven, eight. Okay.

It was moved by Commissioner Stuart Marlowe, seconded by Commissioner Bradford Oshiro, then unanimously

VOTED: to approve the February 18, 2015 meeting minutes.

*(Assenting: J. Aoki, M. Baltero, S. Ferguson, S. Koanui Nefalar, S. Marlowe,
B. Oshiro, B. Zigmond*

Excused: J. Barfield)

G. COMMUNICATIONS

- 1. February 20, 2015 Third Quarter and Fourth Quarter Reports (July to December 2014) submitted by LYNN McCRORY, Senior Vice-President of Governmental Affairs, PULAMA LANA'I regarding the project irrigation demand associated with the Residential and Multi-Family Development at Manele, TMK: 4-9-017:001, 002, 003, 004, 005, and 4-9-002:049, Manele, Island of Lana'i. (95/SM1-015) (95/PH2-001)**

The Commission may provide its comments on the report.

Ms. Gima: Alright, let's move along to G, under Communications, first item *(Chair Kelli Gima read the above project description into the record.)*

Ms. Lynn McCrory: Good afternoon and welcome to our one commissioner. I'm Lynn McCrory with Pulama Lanai, and if you have a question or anything I can give on that report. It's similar to everything we've been giving you for the last few years. I have John Stubbart here who can answer anything...I think, he said so.

Ms. Gima: Commissioners, any comments, questions for Lynn or John? We need a few minutes to review it quickly? Okay, so it looks like there's no discussions, comments, or questions. Anything further, Lynn, John? Okay. Thank you.

Alright, so our next item is Item H, which is the orientation workshop number one, and this is for our new members, Marlene and then Jarrod, who isn't here. So I guess I'm going to put this out to, to the Commission members, do you guys want to go ahead with doing the new member workshop since Marlene is here or should we defer this to when both Jarrod and Marlene are here? Any feedback or would you like to just proceed and move forward since we do have Marlene here? Okay, well, if there's no objections then we can, we can move forward with it. And then Jarrod can get his individually, like one on one. Or he can read the minutes, yeah.

And he got the power point slide too. Okay. So, yeah, let's go ahead and start with the orientation workshop number one.

H. ORIENTATION WORKSHOP NO. 1

- 1. County's Policy Against Discrimination**
- 2. The Planning Framework**
- 3. Zoning**
- 4. Bed and Breakfast and Short-Term Rental Home Permits**
- 5. Environmental Assessments (EA) and Environmental Impact Statements (EIS) Chapter 343, HRS**
- 6. Sunshine Law**
- 7. Ethics**
- 8. Contested Cases**
- 9. Legal training on concepts of nexus and proportionality and their application to the permit process**

Mr. Yoshida: Good evening Madame Chair and members of the Lanai Planning Commission. Again, Clayton Yoshida with the Planning Department, Current Planning Division, and here to present a portion of the workshop items. For tonight, I have a handout with the power point slides talking about the Planning Framework...let's see...

Okay, the, the...Planning Department has about 60 employees and we're divided into four, well, four divisions now. We have Long Range Division that's headed by Pam Pogue. They've been working on the Lanai Community Plan Update, and they're now involved with the Molokai Community Plan Update. We have the Current Planning Division that I'm with. We process a lot of the land use applications. We have our Zoning Enforcement, Administration and Enforcement Division. And we have a new smaller division for Plan Implementation.

The Planning Commission, Lanai Planning Commission has various resources. You have the Urban Design Review Board that would comment on project design and provide recommendations to this body. You have the Cultural --. And it has a Lanai member, which is David Green, currently. You have a Cultural Resources Commission (CRC) that provides, can provide comments to the Planning Commission relative to cultural and archaeological concerns, and Warren Osako was the outgoing Chairman of the Cultural Resources Commission. And you also have the Arborist Committee that could provide comments on significant trees.

I guess getting to the Planning framework. Again, we have the Countywide Policy Plan that was adopted in 2012 with the three island, going to the three island GPACs and the Planning Commissions, and finally the County Council in 2012. You also have the Lanai Community Plan which is being in the process of being updated. It's gone through the CPAC and to the Planning Commission, and currently being dealt with by the County Council. These provides a policy framework.

You have Chapter 205, Hawaii Revised Statutes, where all lands are classified into one of four categories: Ag, Urban, Conservation, Rural. And from these if people want to make changes to their land use classification, they would go through the District Boundary Amendment (DBA) process. If they want to do a use that's, I guess, unusual and reasonable, they would go through the State Special Use Permit process. If the project area is more than 15 acres, the Land Use Commission (LUC) is the final decision making authority on both the District Boundary Amendment and Special Use Permit. If the land area, project area, is less than 15 acres, then the County, the County Council, would be the final authority on the District Boundary Amendment and this Planning Commission would be the final authority on the Special Use Permit.

We have Zoning, Title 19, of the Maui County Code (MCC), for which Lanai Planning Commission reviews various matters such as the zoning changes, County Special Use Permits, Conditional Permits, and Project District, Planned Development and the like. We also have the Coastal Zone, State Coastal Zone Management (CZM) law, Chapter 201A, of Hawaii Revised Statutes, and the Commission has its, the Planning Commission has its SMA Rules and also your shoreline area rules, and you are the authority pursuant to your rules on the various permits related to Special Management Area and Shoreline Setback.

We also have Chapter 343, Hawaii Revised Statutes, related to Environmental Assessments (EA) and Environmental Impact Statements (EIS), and they largely come to you either through someone that wants to obtain a shoreline setback variance or someone that wants to obtain a Community Plan Amendment (CPA).

As far as Title 19 is concerned, again, there are specified certain items which the Commission will review. Sometimes you are final decision making authority and sometimes you are advisory to the County Council. For the Change in Zoning (CIZ), if a person wants to change their zoning from, say residential to business, they would come to the Commission, you would hold a public hearing and provide a recommendation to the Council, and the Council is the final decision making authority. An example of this was the rezoning of the old Lanai Police Station property that they dealt with about, well, a year and a half ago. And the Council has acted on approving that change to Country Town Business District (BCT).

There's the Conditional Permit (CP) for uses that are similar or related to permitted uses. Again, the Commission holds the public hearing and provides the recommendation to the County Council. I guess the example is a Maui example, but for the West Maui Federal Credit Union building, it's in the residential district, but it has a Conditional Permit.

There's the County Special Use Permit (CUP) for uses that are listed within the zoning district as special uses. There are criteria that are specified in Chapter 19.510 of the Code. The Lanai Planning Commission would hold the public hearing, and you are the final authority. I believe examples of this, I think, it was one of those wireless communication antennas on Lanai in the ag district. They needed a County Special Use Permit so they came to the Planning Commission for permission to site their wireless antennas in the County ag district.

There is the Planned Development (PD). Not used very much on Lanai. The example cited is Puamana in Lahaina where it allows for desirable land use patterns, some flexibility. It's a three step process. The Planning Commission would review the Step 1 and Step 2 Phases, and act on it. The Step 3 is administrative by the Department.

More familiar to Lanai is the Project District (PH). Again, there are two project districts currently on the island of Lanai, at Koele and Manele. It's suppose to provide for a flexible planning approach. It's a three phase process. Phase one establishes the development standards and uses within the subdistrict, and the Planning Commission has the public hearing, makes its recommendations, and the County Council is the final authority. The second phase is the Phase Two which is the preliminary site plan, and the Planning Commission is the final authority on that. I guess the Commission, in part, dealt with that earlier this year for the improvements to the Manele Bay Hotel because Manele Bay Hotel is in the Manele Project District. And then the Phase Three is the final site plan, and that's approved by the Planning Director.

The next item is the Bed & Breakfast permit.

Ms. Zigmond: Clayton, excuse me, can I ask a question on the Phase Three, please? I'm trying to find my notes from previous meetings where Chair Ornellas, and I think we all agreed asking that anything in the SMA, you know, that we know about it. And I think we had even said...and I'm going to have to get my notes on that, but I'm looking at the proposed boat storage expansion at Manele. So, like, that's in the SMA, and we didn't, you know, hear anything about it. I just happened to get a copy of it, and just, just curious whatever happened to that line of communication?

Mr. Yoshida: So an SMA...so they needed both an SMA and Project District?

Ms. Zigmond: Well this says a Phase Three approval. And, the other was actually the preliminary compliance report acceptance for the SMA Use Permit at Manele. And I apologize I -- it's been a wild week as some of us can attest to here -- didn't get a chance to get my notes on those previous meetings so I could have exactly what it that was we agreed on. But just wondering if, in the future, if there's anything in the SMA again that it at least comes before us. I mean just happened on the copy of the letter, and like, I don't think any of us really knew about it.

Mr. Yoshida: Yeah, Phase Three Project District Approval is an administrative approval. And the, one of the conditions of the SMA typically is that they submit a compliance report and the Department approves a compliance report prior to the issuance of the building permit.

Ms. Zigmond: Right. But again there was discussion a while back and I thought there was agreement that at least we would be notified that it happened so we kind of keep track of things. And that's all I'm saying. We had requested that, that something, at least come as far as a communication to us.

Mr. Yoshida: So that was part of the condition?

Ms. Zigmond: No, it wasn't part of the condition. It was a discussion that we had with the Planning Department, and Chair Ornellas was pretty adamant about it, and we all, I think, we all agreed on it. It was not a condition to any project. It was just saying that if there were anything in the SMA that did not require our approval that at least there be some communication to us that X, Y, and Z happened so that we can kind of have it in our head, oh, that's the result of, you know, that's the follow through. Whatever. We were just asking that the Planning Department keeps us in the loop. That's all. And I'm going to make that request going forward please.

Mr. Yoshida: Alright. So can we move on? I guess, we have the Bed & Breakfast (BB) Home Ordinance, Chapter 19.64 which allows for bed and breakfast homes through the permit process up to three bedrooms and two dwellings. And the Planning Commission is the approving authority, initial approving authority for the bed and breakfast home permit. I guess the Commission experienced this in February with the Maly's bed and breakfast home application here in Lanai City.

We also have the Short-Term Rental Home (STRH) Permit application which could be done administratively or may have to come to the Commission depending on whether one of the -- if the protest threshold is met or not. If the protest threshold is met, then the short-term rental home permit application would have to come to the Commission for decision making.

We have the Country Town Business District (BCT), Chapter 19.15 which regulates development on the BCT, Country Town Business zoned properties. We have the Lanai, Lanai Country Town Design Guidelines. The Commission approves, approved the design guidelines back in 1997, and the Department administers the design guidelines. So if people want to do work on their business structure that's zoned BCT, then, exterior, then they would have to get a, come in for BCT review.

We have the Off-Site Parking (OSP) to allow for parking requirements to be met on another lot within 400 feet. This approved administratively. We also have use determinations for uses defined in a zoning district where the Commission could approve it if it was, meets the purpose and intent of the zoning district. So that's more of a communication type item.

Then we have Environmental Assessments (EA) and Environmental Impact Statements (EIS), which have gone over with the framework before. The Chapter 343 was adopted in 1974 to examine environmental, social and economic consequence; to assure public participation; through publication of Environmental Assessment and Environmental Impact Statements in the Office of Environmental Quality Control (OEQC) bulletin.

So, you know, how does Chapter 343 apply to projects? There are various triggers. There are two types of actions. It could be an Agency action such as, well, say Department of Transportation wanted to build a road, or Applicant actions which are private applicant actions. There are also exemption classes. So, you know, from all projects, some projects may be, there may not be triggered. Those that are triggered, some actions may be exempted, some actions may require an EA and then other actions may require an EIS.

So these are some of the triggers: use of State or County lands or funds; use within the shoreline area; amendments to the County General Plan including the Community Plans; use of Conservation District lands.

So the process for the Environmental Assessment, I guess, the initial assessment as to whether there are significant impacts. If no, they could do an Environmental Assessment, and the process is laid out on the left-hand side. And if there are potential significant impacts, then they may be required to do an Environmental Impact Statement which is a more rigorous process, process being shown on the right-hand side. So I guess in the evaluation, the determination has to be made whether it should do an Environmental Assessment or Environmental Impact Statement. We're looking at impact, mitigative measures and alternatives. We're also looking at all phases of the action, types of impacts, the significance criteria, and unresolved issues. So we differentiate between primary impacts and secondary impacts, and regional versus site specific impacts, as well as short-term versus long-term impacts, and cumulative impacts. And these are the significance criteria that are put forth in Chapter 343. And we're looking at how we measure significance. Some items can be quantified, like, traffic level of service, noise can be measured in decibels. Some factors cannot necessarily be quantified such as scenic vistas. And we look at mitigative measures, best management practices, improving level of service, preservation plans or archaeological monitoring. And this can also be identified through agency comments from various agencies. We also look at the alternative analysis. If there's a preferred alternative, the listing of different alternatives.

So any questions at this point before Richelle can talk about the legal ethics and the sunshine law. Okay, Richelle?

Ms. Richelle Thomson: I neglected to bring my flash drive, so my apologizes to the audience. I did bring extra copies, extra hard copies of the presentation, so I don't have a power point slide presentation. But, if the Commissioners want to follow along, and there are extra copies. There should be enough copies there.

So we'll go through the Sunshine Law briefly, first. It's, it's Hawaii's open meetings law. And the general reason for the Sunshine Law is to open up governmental processes including Planning Commission meetings to public participation. And it requires the board to conduct your business and your deliberations in public so that everyone in the public knows how you reached the decision that you made, and the reasons for it, and that they're allowed to participate in it and provide their input.

So, an Open Meeting...so every, every meeting is open to the public. Anyone can present their testimony or their views on any item that's on the agenda. Depending on the number of people present, some times the Chair will set a reasonable limit, like, three minutes, for testimony. You can present testimony orally or written, and the board should take that testimony as a consideration when it's making its decisions.

So what is a meeting? The reason this is important is that's when the Sunshine Law applies. So a meeting is convening of the board over which, on an item that you have authority over.

So if you're, you know, meeting on an SMA Permit application, that's an item that you have jurisdiction over. What you want to be aware of is not discuss board business outside of a meeting. And, kind of the general rule that, that I follow is, you know, all those are exceptions, it's better just to not do it all. So try to avoid speaking about board business with any other member of the Commission.

Ms. Zigmond: Richelle, can I ask a question please?

Ms. Thomson: Sure.

Ms. Zigmond: Okay, my understanding from past presentation was that two board or commission members could discuss as long as they weren't trying to convince the other or persuade them in any way, shape or form. And I just bring this up because we do have at least one new member here, and for clarity sake, could you specifically address that please?

Ms. Thomson: Sure. That, that is an allowed permitted interaction. So two board members, but not more than two can discuss board business outside of the meeting. The, the problem with it, from a practical standpoint, is that it's awfully difficult sometimes to keep it just to two. So, either one of those people may speak about that same board business to another board member, and that would make it a Sunshine Law violation. So that's why I saying from a -- you know, although the rule, the law, allows you to have two board members speaking about board business outside of a meeting, practically it's very difficult not to include other people in that communication. Other board members. One of the things is that Commissioners can speak at any time with, you know, with me if there's a legal question, or with Planning Department staff if they're going through their packets and they need more information or they just don't understand something that they're reading. You know, please feel free to reach out and contact one of us, and we're happy to go through stuffs with you. Especially as you're getting your feet wet on, you know, some complicated area of law, so please feel free to call us.

That last slide on page 2, there's just a couple of other exceptions to the Sunshine Law. You can establish an investigative committee. So it's going to be a committee that's set up, you know, at a valid meeting of the Board, and you nominate less than quorum. So it would be four or fewer members who can go outside a meeting and investigate or look into things, report back to the board. And the caveat is that no action can take place until the third meeting. So it's a minimum of three meetings basically. One to set up the investigative committee, one for the investigative committee to report back to the board, and then if the board wants to take action related to their investigation that would happen at the third meeting. Those are called Permitted Investigative Groups (PIG), and that's basically on page 3 of your handouts.

This has happened a couple -- I don't know -- maybe one or two times here, at the Lanai Planning Commission. So if we have a meeting it's, you know, a regular agendized meeting, but fewer than quorum show up, so four or less shows up. But, members of the public are here, you know, wishing to offer their testimony on the agenda items, or there's presentations often by people who've flown in from other islands. So the board members who are present can take the testimony, and they can also ask, ask questions of the presenters. But, you can't take any

actions. You can just receive the information, ask questions. At the next meeting you would be required to provide the other board members who weren't there kind of synopsis of, you know, what was said and, you know, what the presentations were. Usually it will be represented in full, though.

Executive Meetings, this is at the bottom of page 4. Executive Meeting are, for the most part, called by one or more of the members of the Commission, to ask questions about the Commission's legal, the aspects, the legal aspects of a decision you might be making. So if you have questions about what are the board's legal obligations if we, you know, take an action, what are the legal ramifications possibly. So that you can get a full...a full knowledge of the, of the impact of the decision, you know, prior to making it. So it's a very useful tool, and encourage you. You know, if I see in a discussion that these are kind of leaning towards that, I will, you know, say why don't we go into Executive Session to discuss that. So I'll bring it up if feel the need too.

Ms. Zigmond: Can . . . (inaudible) . . . question please?

Ms. Thomson: Sure.

Ms. Zigmond: So I understand our rules to say that the Planning Commission members themselves get to call and actually vote on an Executive Session, that Corp Counsel doesn't get to call it. You can recommend it, but we have to approve it. And we actually call it.

Ms. Thomson: Definitely. It's a board action. So I can, I can, I can recommend it and, you know, just like anything, my presence here is as an advisor to, as is the Planning Department. We're advisory. You are the Commission, and the Commission takes action. There are different ramifications of not, either not following advice or following it. So, you know, we can get into that if you're, if you're curious about that.

So going on to page 5, Robert's Rules of Order. Those are the general rules of parliamentary procedure, so this keeps the record clean. It allows the Chair to control the meeting. And so the way the meeting flows is that -- so the Chair controls the meeting, and order of the meeting -- the members should request the Chair's permission to speak or debate. And the reason for that is so that the record remains clean, and people don't talk over one another. It also keeps the order of the agenda clean, so public testimony is a distinct section, you know. And then when we move on, it's problematic from a record keeping stand point when public testimony gets mixed in to board debate. It's harder to separate out things like that. And the reason that that's important is that when and if a board's decisions are challenge in court, the record needs to be clear. And if it doesn't flow in the parliamentary procedure is awfully hard for the court to understand, you know, how a decision was made. So it's important to keep, you know, board deliberations separate from testimony, that kind of a thing.

Top of page 6, I have Friendly Amendment. So once a motion is made and seconded, it's no longer the property of the maker of the motion. So it's the property of the board as a whole. So if you wanted to make an amendment to it, it's actually a separate motion. So there's a main

motion. And say that you would like to modify that motion in some way, you would make a motion to amend and then state your amendment. That would be seconded. You'd take action on that amendment prior to moving back to the main motion. So if the amendment is adopted, you would go back to the main motion as amended. If the amendment fails, you just go back to the main motion as it was originally stated.

So as Commissioners your roles and duties -- be sure you read the packet before you get here. It really helps. If you have questions, you know, please ask. And you can ask us before the meeting, during the meeting, you know, feel free to use us as reference because that's what our jobs are. Things to remember when you're making decisions is listen to all of the evidence. Your evidence -- your decision needs to be based on the evidence in the record, so it needs to be based on everything that's been submitted, the testimony, the law that you're applying. And you need to remember that you're acting as a decision making authority, so, you know, know the law that you're applying, and know the application and apply the law to the application. And then of course, don't discriminate against people, so, you know, that's goes without saying.

Briefly on Ethics. So the Maui County Charter has certain ethical restrictions. The gist is, you know, don't take large gifts especially from applicants because that can be seen as perhaps weighing your decision making. Yeah, if you have...if you have financial interest or your spouse has a financial interest in an applicant's business. So say an application is before the board for an SMA application, and your husband works for the company, the applicant's company, you'd want to disclose that on the record, and probably you would recuse yourself from voting because you have a direct financial interest in the outcome. Your, you know, husband will do better and his company will do better if that application is passed. So that would be a pretty clear instance of recusing yourself from voting. Most think you disclose that you may have a conflict on the record, and if you feel that it won't impair your judgement, you state that too and then you go on.

And if you have a question, we do have a Board of Ethics. So if you have a specific question that you feel needs an official determination, you can request that determination from our Board of Ethics. So probably the easiest thing is, you know, give me a call and I can help you walk through the process if that comes up.

So Contested Cases. Contested cases are, they're, the legal term that we refer to, any application that needs, that requires a public hearing. So a public hearing is different than a public meeting. A public hearing is a more formal process that has different rules. An example of that would be a Special Management Area Major Permit or a State Special Use Permit. Both of those permits require a public hearings, and those are contested cases.

We follow in your, in the Commission Rules, it goes through contested cases. And where intervention is granted that means when someone else intervenes in a case and they're granted intervention by you, then we go into a more formal contested case procedure. We can appoint a hearings officer or the Commission can be the hearings officer and take in and receive the evidence. A more formal procedure applies. Even if there's no intervention it's still considered a contested case, but we don't follow quite the formality.

So page 10, judicial review of a Commission's decisions. Say an applicant or an intervener is not satisfied that the Planning Commission made a proper decision, those decisions and all can be appealed to the Circuit Court. And the Circuit Court would look at the Findings of Facts. Those are the facts that you considered in making your decision. They would look for clear error. You know, did the Commission make an error in considering a fact or not considering a fact. Down at the bottom of page 10, these are reasons that a Court might reverse a decision or modify decision. And that would be if the Commission's decision violated constitutional or statutory provisions; if the Commission exceeded its authority; if the decision was made based on an unlawful procedure; affected by some other error of law; or if the decision was clearly erroneous. So if the Court looks at all of the evidence that's in the record and says the Commission made a clearly erroneous decision, it could either reverse it or modify that decision.

So back to Executive Session. The purpose for executive session is that you know that the decisions that you're making follow the law, and if you have a question, this is where we get into discussing it. You know, how far can you take a law, does the condition meet the law, does it exceed your jurisdiction, things like that. That's what a Court would look at as well. So my role is to help you make sound decisions that if a Court got a hold of it, they would decide that you made the correct decision and that it was sound.

So Case Law Review, and won't slog through this in excruciating detail, but we'll visit it. So the law is a guiding principle. So every action, every application that you make a decision on has its own law that you're applying to those facts. And that that law determines what decision you make and how you reach that decision. The staff reports that you receive in your package, they outline the governing law and the Planning Department applies the facts of the application to the law, and gives you a recommendation. You're not required to follow the staff's recommendation, but it should help guide you, you know, at least as to what the law is, and, some of the pertinent facts of the application.

We'll get into Takings. So takings - and you've probably heard this a number of times - that the Fifth Amendment of the U.S. Constitution requires the government to pay just compensation for taking private property for public use. A takings doesn't only mean physically taking a property away from a private person, but requiring a use. Takings can be by way of permits with excessive conditions that's --. And takings can also be regulatory, so if a, if a new law exceeds its authority it could be a regulatory taking.

Essential Nexus -- the reason this section is in here is kind of to give you an idea of when you're looking at an application and you're trying to come to a decision on conditions, what you're looking for is the connection. The essential nexus is the legal term. And that's the connection between the application, the law, and conditions that you're going to be placing. So what you want to do is identify the anticipated effects of the project, and then show how the condition as related to those effects. And the condition should be designed to mitigate or lessen negative impacts.

Top of page 13, Rough Proportionality. The gist is that permit conditions and approvals should

be roughly proportional. So if a project has an impact, what you're looking for is a condition that mitigates the impact, but doesn't exceed it. So, you know, you can't demand greatly excessive conditions or arduous burdens. So what you're looking for is a connection between a project's...a project's impacts, a condition, and then the condition needs to be proportion to those impacts. So you're trying not to be excessive in your, in your conditions. Unconstitutional conditions. So the government may not require a person to give up a constitutional right, such as the right to receive just compensation if the property is taken for public use in exchange for a discretionary benefit where the benefit has little or no relationship to the property. So that's, again, going back to we need, the conditions need to be proportional, not excessive, and they need to relate to the law that you're applying.

I won't go into the, the specifics of Special Management Area Permits because Clayton covered that earlier, but I put it in there because it's an example of a pretty common type of permit that you'll be considering. And what you look at is, you know, here's the application for a Special Management Area Permit. That is a contested case that follows certain procedures in your rules. You look at the...the Coastal Zone Management Act objectives and policies, so those are the things that the law is trying to protect. And conditions, if you are considering granting an SMA Permit you can place conditions on it that address the negative impacts of the project and mitigate those impacts. Also if -- we'll get into, you know, when we actually are considering Special Management Area Permit we'll get into the nitty gritty of, you know, if you are going to deny a permit, how you get to that decision to deny. So you need to also basically go down the steps of the law, and if you, if the project, if the impacts cannot be mitigated -- so you'd analyze, you know, whether you can mitigate the project impacts by conditions, and if it cannot be mitigated, then you can deny a permit.

And the last page is the Cultural Resources. That's an important underlining component of State law, and the Commission has a duty to look at cultural resources and consider them in its decision making.

And that's all I have for tonight, so if you have any questions, I'm happy to answer them either now or if they come up later, please, feel free to ask.

Ms. Zigmond: Madame Chair? I have a question. Richelle, I was a little surprised that there was no mention of public trust doctrine, and I'm going to request respectfully that on a future meeting, like, the next meeting, we can have a little discussion about that since we can't right now cause it's not on the agenda. But specifically Kauai Springs versus Kauai Planning Commission. And...and I bring that up because I think it's really relevant. For one thing it went to the Supreme Court and it has words in there that it applies to all boards and commissions in Hawaii making land use decisions, and I think that's important for us. Thank you.

Ms. Thomson: Sure, and I would be happy to do a training on that. I think it's a very important area of law. Thank you.

Ms. Gima: Any other questions from any of the Commissioners? Comments? Okay, we can move forward, or if you guys need a quick break. What would you recommend? Move forward.

Okay, so we'll go on to Item I, which is the Director's Report, starting with the open Lanai applications report as distributed by the Planning Department with the July 15, 2015 agenda.

I. DIRECTOR'S REPORT

1. Open Lana'i Applications Report as distributed by the Planning Department with the July 15, 2015 agenda

Mr. Yoshida: Thank you Madame Chair. We have circulated our list of open Lanai applications with the Planning Department. Is there any questions? Some of them are dealt with by other divisions, like the variance is dealt with by the Zoning Division.

Ms. Zigmond: I guess I'm the only one talking tonight. Sorry. The Filipino Clubhouse, has that come to you yet? Is that coming? Is that going to show up on this at anytime soon?

Mr. Yoshida: I can check on that. I guess, well, these are, you know, primarily applications that are in the SMA, needing an assessment or in a project district, needing some kind of a project district.

Ms. Zigmond: But the pink house isn't in the project district. I'm, I'm confused because some of these are and some of them aren't in the project district? So like the pink house isn't, the old police station isn't, so I was kind of wondering why the Filipino Clubhouse wasn't on there.

Mr. Yoshida: I guess the pink house is a short-term rental home permit application that we are reviewing for completeness.

Ms. Zigmond: That comes before us, correct?

Mr. Yoshida: Again, as I stated earlier, it depends on if they meet the protest trigger or if they're located within 500 feet of an existing of a short-term rental home.

Ms. Zigmond: Okay, I, I –

Mr. Yoshida: Currently there's only one short-term rental home permit that's been issued on Lanai. That's, I think, the Jasmine House.

Ms. Zigmond: I thought our, we had said we were going to review them all for Lanai.

Mr. Yoshida: Well, that's, that's the recommendation from the Commission to the Council, again, which has been brought up earlier, is still pending before the Council. So we're just dealing with the existing 19.65 ordinance as is which states that if a trigger is met, it's within 500 feet of an already permitted short-term, short-term rental home permit operation, or the neighbor protest threshold is met, then it comes before for the Planning Commission for, I guess, more review than if the Department, the Director, issued the permit.

Ms. Zigmond: And, and when might that law be changed? When is that?

Mr. Yoshida: When would the --? This permit? This application?

Ms. Zigmond: No, the current code that we have right now? What is currently guiding our short-term rentals? The one that we had given input into and said that we wanted Lanai specific rules?

Mr. Yoshida: Yeah, I think that was, as I tried to explain earlier when Ms. Riener had testified, that the Council is currently considering those amendments. Now the first half of the year, and they're still considering the Lanai Community Plan Update, you know, but they've been focused on the Lanai Community Plan Update. But more recently since they've come out of budget in mid-June they, well, they've had actually maybe two meetings, the Planning Committee, chaired by Don Couch, on the amendments to the short-term rental home ordinance and the bed & breakfast home ordinance which was presented to the three planning commissions and Hana Advisory Committee last summer. So they have that in front of them. They have your, the record, your minutes, any letters that were submitted, and so forth, and your recommendations because Gina wrote specific letters saying, the Maui Planning Commission recommended this, the Lanai Planning Commission recommended this, the Molokai Planning Commission recommended this, Hana Advisory Committee recommended this. So all of that is before the Council Planning Committee. But they haven't gotten to the stage where it's in the form where they can pass the legislation. They're still kind of discussing it internally within the Planning Committee.

Ms. Joelle Aoki: Clayton, so do I understand this correctly -- sorry -- do I understand this correctly that so we've had two short-term home rental permits, permit applications; one which was in January, and currently the pink house coming before the -- or currently on the, on the
—

Mr. Yoshida: I think, yeah, Gina's presentation was there was one short-term rental home permit issued on Lanai. That was for the Jasmine House. So this would be the second short-term rental home permit application on Lanai. We have one bed and breakfast home permit application submitted. That was the Maly's that the Commission decided on in February, approved in February. So that's kind of the activity with the bed and breakfast home permits and the short-term rental home permit applications.

Ms. Aoki: So they're currently applying under premise of the original recommendations or requirements for permitting. Therefore, requiring them to have notify neighbors within a 500 foot radius according to the GIS map?

Mr. Yoshida: Yes. But, but, again, the Committee also has your recommendations and the discussion that took place here last summer, on Lanai, wanting to kind of develop its own short-term rental, short-term rental home permit type system. So they have, the Council Planning Committee has that in front of them.

Mr. Oshiro: Clayton?

Ms. Aoki: So -- sorry, sorry Commissioner. I'm sorry. So I just want to clarify. So these permits that are currently, that have been approved or coming up for approval, requesting approval, have met the requirements of the 500 foot radius by making contact with those neighbors?

Mr. Yoshida: Well again the pink house just came in on late last month, so we're still reviewing it for completeness. Once we deem it complete then they'll send out the notice to the landowners and leasees within the 500 foot radius saying you have 45-days to protest, if you want to try to meet the protest threshold to take it up to review by the Planning Commission instead of the Planning Department.

Ms. Aoki: Is this one of the reasons that the Planning Department has deferred -- I shouldn't say deferred -- is not -- what was the term that Gail had used? -- not, has stopped enforcement of violations -- violations is not a priority for them at this time. Because it is currently at Council and, and consideration for the recommendations from the Lanai Planning Commission is being reviewed at this time, and potentially maybe accepted and therefore they're not enforcing; and just out of curiosity, I'm sorry.

Mr. Yoshida: Well, I guess we heard from the community that Lanai is a different type of situation. I mean, you have the hotels, and then you have these other kind of transient rental operations, but the issue, I think Gina brought up about the project manager, licensed realtor, has been a problem on Lanai as well as in Hana. So, we're trying to be somewhat sensitive to, to that. But, you know, that's what the community basically stated last summer that Lanai is a different. Or Ron would say, you know, we're kind of unique and we have our own, we should have our own standards, our own process.

Ms. Aoki: Thank you.

Ms. Zigmond: Yeah, but not having all of those people in a single-family home with all those cars. We did not, we were not blessing that aspect of it.

Mr. Yoshida: No, well, I mean, they're still suppose to. If -- well, if they had a permit, they still suppose to park on the property and not in a public, or not blocking the road or obstructing traffic.

Mr. Oshiro: When you say you're reviewing, like the pink house, you're reviewing whatever they submitted, are you also looking at boundaries, property boundaries? Because --

Mr. Yoshida: Yeah, I think that's -- I think that's what the Committee or this Commission was sensitive towards because, I guess, due to the area or the configuration of some of these lots because the notification within the 500 foot radius.

Mr. Oshiro: No, no, no. When, when I -- what I'm asking, when you review the package, do you also look at the property boundary lines, County -- you know, where the County easement and

the boundary lines are? Because there seems to be no easement from Palawai up to Queen Street. There seems to be no easement on that pink house, and the house right below that pink house. There's no boundary lines. There's like maybe about this much space from the road to where their bushes are. I mean, you know...like I said, I live on the street, and I almost got hit. I had to come out half way out on the road on Eleventh Street, so it's ridiculous. You know, it's ridiculous. This, this, this mock orange bush is this much away from covering the stop sign. The stop sign is like nine feet tall, so, you know, that's my big, big gripe about that one. I mean, I like, I wanna know what you guys going look at because if you guys not looking at the property line, it's really...pretty sad.

Mr. Yoshida: So any other questions on the open report?

Ms. Gima: Well, I mean, I'll second what Brad said as I live on the same street. So we -- there is obviously some issues. You have two commissioners here kind of sharing some concerns about an open permit that hopefully you can take back and share with whoever is in charge with this permit.

Mr. Yoshida: Yes, when I think it's processed they'll send out the notice to the owners and recorded leasees within a 500 foot radius, and they'll be given the opportunity to raise their protest if they want to protest.

Mr. Oshiro: You want us to just put a petition in now? I mean, I'll go and get everybody on that street. And, it's ridiculous because it, it's a hazard. I mean, it's a real hazard. I mean, I don't know why the police don't put in, you know, something. I already went to the roads and grounds over here, the County's roads and ground, and they sent something to the compliance office and I haven't seen nothing. This was three weeks ago. I mean, I know County moves slow, but that's ridiculous.

Mr. Yoshida: Well, I'll pass that on to the person that's reviewing the application for completeness.

Ms. Aoki: So to, to just get some clarification on Commissioner Zigmond's question about the Filipino Clubhouse. Is there a permit open for that, that project, the Filipino Clubhouse on the corner of Fifth and Jasmine? It's between Jasmine and Koele on Fifth.

Ms. McCrory: Lynn McCrory, Pulama Lanai. It's a building permit because we really aren't changing the use or doing anything else, so it's . . . (inaudible) . . . how do we repair it, how do we make it better and work?

Ms. Aoki: Thank you.

2. Agenda Items for the August 19, 2015 Lana'i Planning Commission meeting

a. MR. KYLE GINOZA, Director, DEPARTMENT OF ENVIRONMENTAL

MANAGEMENT requesting a Land Use Commission Special Use Permit (SP94-386) time extension in order to continue to operate the Lanai Sanitary Landfill on approximately 35 acres of land within the State Agricultural District situated along Kaumalapau Highway, TMK: 4-9-002: 001 (portion), Lanai City, Island of Lanai. (SUP 94/0005) (K. Wollenhaupt)

Mr. Yoshida: Any other questions? If not, I guess our next –

Mr. Marlowe: Just maybe bringing up one of these items up to date, Manele Small Boat Harbor Improvement, State of Hawaii, etcetera, it shows under the status as done as of 06-02 of this year. They're still working on it.

Mr. Yoshida: Yeah, that's when the Phase III Project District Approval was made.

Mr. Marlowe: It has nothing to do with the actual completion of.

Mr. Yoshida: No, that's the only when they got the Phase III approval. Then they would have to go through other permitting processes that may be administrative –

Mr. Marlowe: Okay. Thank you.

Mr. Yoshida: -- before they start. Any other questions on the report? If not, our next meeting is, your next meeting is scheduled for August 19th. We have the time-extension on the State Special Use Permit for our County landfill on the island. So it's more than 15 acres, so they went to the Land Use Commission. It went to the Planning Commission and it went to the Land Use Commission the last time.

Ms. Zigmond: Madame Chair? Clayton, I'm going to request since we have a light load apparently next month that we resurrect because it's been almost two years when we asked the Planning Department to work with us in changing the SMA Rules for Lanai. We are asking you to do that. I'm looking back at October of 13, and it says...we had, we had asked about that. You said you were going to draft something up, or somebody in your department would. And I'm just asking that that please be on the agenda soon. Here it is, October 16th of 13, Clayton will draft a concept to John suggestions to SMA amendments, and I don't think we've ever seen that. Could we please get that?

Mr. Yoshida: No, I don't think we've transmitted those.

Ms. Zigmond: Right. I'm asking because there's not a whole lot on next month's agenda. Could we place that on there please?

Mr. Yoshida: Well, we can look at it. I mean, I don't know how much discussion is going to be on the landfill.

Ms. Gima: Well, what would be the issue of having it on the agenda? If we don't get to it, then we defer to the, you know, carry it over to the next agenda. I mean, it's good to honor our, you know, ex-chair's request that he has made for two years. I mean, is there any legal issue or anything that would prevent it from being on the agenda?

Mr. Yoshida: I guess I'd have to confer with my bosses.

Ms. Zigmond: Okay, I'm confused. I, I thought we had the right to ask for things that we wanted to review and possibly change, and...we've been having resistance for two years, and that says something. So again, I'm going to ask on behalf of everybody, not only past chair John Ornellas, but for all of us because we have all, or most of us here, have wanted to have that discussion and to review and possibly change our rules. We have the right to do that. We did that in the past.

Mr. Yoshida: Okay, so noted.

J. NEXT REGULAR MEETING DATE: AUGUST 19, 2015

K. ADJOURNMENT

Ms. Gima: And then also maybe, and not necessarily for next month's agenda, but the following month, maybe what Bev had suggested about having the public trust doctrine training as well. Anything, any other recommendations, questions, for Clayton? Okay, thank you Clayton. Okay, so we -- the next, the next regular meeting date is on August 19th, 2015, and that again is Wednesday, here at the Senior Center at 5:30, and I will adjourn the meeting. And it is now 7:03 p.m.

There being no further discussion brought forward to the Commission, the meeting was adjourned at approximately 7:03 p.m.

Respectively submitted by,

LEILANI A. RAMORAN-QUEMADO
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

PRESENT:

Joelle Aoki
Marlene Baltero
Stephen Ferguson
Kelli Gima, Chair
Stacie Koanui Nefalar, Vice-Chair
Stuart Marlowe
Bradford Oshiro
Beverly Zigmond

EXCUSED:

Jarrold Barfield

OTHERS:

Clayton Yoshida, Planning Program Administrator, Current Planning Division
Richelle Thomson, Deputy Corporation Counsel