

PLANNING COMMITTEE
Council of the County of Maui

M I N U T E S

Council Chamber

May 20, 2016

CONVENE: 1:40 p.m.

PRESENT: VOTING MEMBERS:
Councilmember Don Couch, Chair
Councilmember Robert Carroll, Vice-Chair
Councilmember Gladys C. Baisa
Councilmember Elle Cochran
Councilmember Don S. Guzman (arrived at 4:02 p.m.)
Councilmember Michael P. Victorino

EXCUSED: Councilmember Mike White

STAFF: Greg Garneau, Legislative Attorney
Pauline Martins, Committee Secretary

Ella Alcon, Council Aide, Molokai Council Office (via telephone conference bridge)
Denise Fernandez, Council Aide, Lanai Council Office (via telephone conference bridge)
Dawn Lono, Council Aide, Hana Council Office (via telephone conference bridge)

ADMIN.: Michael J. Hopper, Deputy Corporation Counsel, Department of the Corporation Counsel
William Spence, Director, Department of Planning

OTHERS: Albert Perez, Executive Director, Maui Tomorrow Foundation
Jim Smith
Lloyd Fischel
Plus (3) other people

PRESS: *Akaku Maui Community Television, Inc.*

PC-40 COMMUNITY PLAN UPDATE PROCESS (CC 16-85)

CHAIR COUCH: . . . *(gavel)* . . . Will the May 20, 2016 meeting of the Planning Committee please come to order. My name is Don Couch and I'm the Chair of the Committee. We will recess until after this meeting. . . . *(gavel)* . . .

PLANNING COMMITTEE
Council of the County of Maui

May 20, 2016

RECESS: 1:41 p.m.

RECONVENE: 4:01 p.m.

CHAIR COUCH: Will the Planning Committee meeting of May 20, 2016 please come back into order. We were in recess. Sorry, Members. As you know, Budget went a little bit longer, the first reading of Budget. So what I'm going to do, first I'm going to do roll-call. We have with us today, Robert Carroll.

VICE-CHAIR CARROLL: Good afternoon, Chair.

CHAIR COUCH: Good afternoon. Gladys Baisa.

COUNCILMEMBER BAISA: Good afternoon, Chair.

CHAIR COUCH: Good afternoon. Elle Cochran.

COUNCILMEMBER COCHRAN: Aloha, Chair.

CHAIR COUCH: Aloha. And Mr. Victorino.

COUNCILMEMBER VICTORINO: Aloha and good afternoon, Chair.

CHAIR COUCH: Good afternoon. Excused at this time is Chair White and Vice-Chair Guzman. I believe they will be here later, or not. I'm not sure. All right. We also have from the Administration, Will Spence. He's in the audience right now. We have our Legislative Attorney Carla Nakata and Committee Secretary Pauline Martins. Then from the Hana District Office, we have Dawn Lono; Lanai District Office, we have Denise Fernandez; and Molokai District Office, we have Ella Alcon. Members, today we have--and Mr. Guzman has joined us. Today's meeting is PC-40, Community Plan Update Process. We're just going to accept testimony today, and we will leave testimony open and recess this meeting until Tuesday morning at 9:00 a.m. I think I've got five of seven so far that said that they'll be here, so thank you for rearranging your schedules. I appreciate it because I think this is going to be a very important meeting before we move further in the community plan process. So with that, anybody who wants to testify in the Chamber, please sign up at the desk outside this Chamber door. If you're testifying from a remote testimony site, please sign up with district office staff. Testimony will be limited to the item listed on the agenda today. Pursuant to the Rules of the Council, each testifier will be allowed to testify for up to three minutes per item. The Chair will also be allowing an additional minute to conclude testimony. You will have a green light for three minutes; and then a yellow light for one minute; and then it will blink red. I think we have to reset. There's a second program. There you go. All right, Members, without any objection, we'll open public testimony.

COUNCILMEMBERS VOICED NO OBJECTIONS.

PLANNING COMMITTEE
Council of the County of Maui

May 20, 2016

CHAIR COUCH: All right. The first person to sign up to testify is Albert Perez, and he, so far, is the only person to sign up to testify in the Chambers. Members, I gave Mr. Perez the option of either coming in today or on Tuesday, and he opted to come in today, so thank you, Mr. Perez.

. . . BEGIN PUBLIC TESTIMONY . . .

MR. PEREZ: Thank you. I was here anyway. And thank you, Chair Couch. Respectfully, I just wanted to say that the Maui Tomorrow Foundation is . . .

COUNCILMEMBER VICTORINO: Could you identify yourself?

CHAIR COUCH: And please identify yourself.

MR. PEREZ: I am Albert Perez. I'm the Executive Director of the Maui Tomorrow Foundation. So again, respectfully, we're very concerned with the explanation that was given in your County Communication 16-85 with regard to the cause of delays in finalizing the Lanai Community Plan. We believe that properly implemented, the existing community plan update process encourages community involvement in the planning process; and properly implemented, the updates are certainly achievable every ten years. Properly implemented, the Lanai Community Plan could have been updated in a reasonable time frame. The recent delays that have occurred are entirely due to improper implementation of a good process. And I would like to direct your attention to the last sentence on Page 1 of Communication 16-85. That sentence says "substantive content did not significantly change throughout except for the land use designations proposed for the new resort, which were ultimately removed". In fact, significant changes were proposed by the Planning Committee Chair, and fully supported by the Planning Director, which would undermine much of the important work done by the Community Plan Advisory Committee and they're a very engaged community over on Lanai. Since these changes were introduced after the Community Plan Advisory Committee and the Planning Commission had made their recommendations, neither body was aware of the changes that were to come. That would essentially reverse the relationship between the community plan and zoning, and so after their deliberations were completed. Had they known that, they may have made some different recommendations. And this as I recall was the real cause of the delay. It wasn't the process. Chair Couch, you've made it very clear many times that you feel that the Community Plan Advisory Committees and the Planning Commissions are only advisory, and that the Council can, therefore, disregard the wishes if it desires. While it's technically true, this is a slap in the face to the many citizens who have spent significant portions of their lives working for a better future for Maui County. So in our opinion, the community planning process is not broken. It just needs to be followed with respect for the citizens of Maui County. We urge the Planning Commission—sorry, the Planning Committee—to go ahead and file this communication. Thank you.

PLANNING COMMITTEE
Council of the County of Maui

May 20, 2016

CHAIR COUCH: Thank you, Mr. Perez. Members, any questions to the testifier? Seeing none, thank you. Anybody on Molokai?

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

CHAIR COUCH: Thank you. How about Hana?

MS. LONO: There's no one in the Hana office waiting to testify.

CHAIR COUCH: And how about Lanai?

MS. FERNANDEZ: There's no one waiting to testify at the Lanai office.

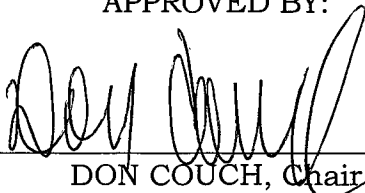
CHAIR COUCH: Okay, thank you, District offices. Keep in mind that we will be leaving. Members, without objection, we will leave public testimony open. And thanks to those who were able to respond to come on Tuesday morning at 9:00 a.m. I would like to recess this meeting until that time in this Chamber.

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR COUCH: Okay. So this meeting is in recess. . . . *(gavel)* . . .

RECESS: 4:07 p.m.

APPROVED BY:



DON COUCH, Chair
Planning Committee

pc:min:160520

Transcribed by: Pauline Martins