

**MAUI COUNTY CULTURAL RESOURCES COMMISSION  
REGULAR MINUTES  
MAY 2, 2019**

**A. CALL TO ORDER**

The regular meeting of the Cultural Resources Commission (Commission) was called to order by Chairperson Tanya Lee-Greig at approximately 11:01 a.m., Thursday, May 2, 2019, in the Planning Department Conference Room, First floor, Kalana Pakui Building, 250 South High Street, Wailuku, Island of Maui.

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

Chair Lee-Greig: Aloha. I'd like to call this meeting to order. It is 11:01. And we have a couple of things that we are going to go through today. First on the agenda is a call for public testimony on the agenda items that we have today. Is there anybody who would like to submit public testimony? Please note that your testimony is limited to three minutes for -- for each agenda item. And welcome.

**B. 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. Maximum time limits of at least three minutes may be established on individual testimony by the Commission. More information on oral and written testimony can be found below.

Mr. Alan Fukuyama: Good morning, Chair. Good morning everybody. My name is Alan Fukuyama, and I'm from the Office of the Mayor, and I'm the West Maui Liaison representing the Office of the Mayor. This morning I'm here to support Mr. Fujiwara and all his events, all his cultural events that is before you today, and I just wanna say this that Mayor Victorino supports all events of culture and especially events of the host culture of Hawaii. So that's pretty much what I'm saying, but I would hope that you would allow Mr. Fujiwara to have his events at the Banyan Tree. Thank you.

Chair Lee-Greig: Thank you. Any -- sorry, can you --

Mr. Fukuyama: Yes.

Chair Lee-Greig: Any questions from the Commission for the testifier? No? Okay.

Mr. Fukuyama: Okay. Thank you.

Chair Lee-Greig: Mahalo.

Ms. Morrison: Good morning, Commissioners. My name is Theo Morrison, I'm the Executive Director of Lahaina Restoration Foundation, and we're here in support of these three cultural festivals at the Banyan Tree. We're well aware of all the history and problems at the Banyan Tree, but these three festivals are cultural festivals that also happen to have some vendors as part of it, it's not a -- it's not a craft fair that happens to have a little culture tacked on to it, that's the huge difference here. These are three cultural events. We want this in Lahaina. We need this in Lahaina. These are three Hawaiian cultural events too, which is really, really important. So, as a nonprofit, and I do plenty of events, I can tell you they're real expense and they're really a lot of work. Having a few select vendors, and per -- per the requirements here from Parks, they have to be handmade on Maui, they have to be cultural type -- type crafts. If you do all those things, it adds to the event and the -- the organizer, like Daryl, needs that money, like it's either a booth fee or percentage, I don't know what he's doing, but whatever that is to make a better festival. Festivals are expensive, really expensive. I can't even tell you. Expensive and a lot of work, and anybody that -- that does do a festival, you know, needs more than one source of funds, he does have grant -- he does have grant money and he has maybe other funds, I don't know, but this is a very viable source of funds that adds to the event as long as these things that the people are selling are of cultural and educational value. So that's all I have to say. Any questions?

Chair Lee-Greig: Questions? No? Mahalo, Theo.

Ms. Sablas: Aloha kakahiaka. Nice to be on this side, and good to see all of you. Good morning and congratulation, Tanya, for being newly elected po`o.

Chair Lee-Greig: Mahalo.

Ms. Sablas: My name is Lori Sablas, and I'm here again, like the past previous testimonies, to give you strong support of these cultural events, and I echo what they have said and especially what Theo had said about the expense. Having been the commissioner for Na Kamehameha Parade for five years, I have personal experience of what it takes to put on cultural events of this nature. Na Kamehameha Parade is the longest Hawaiian cultural event in the history of Hawaii, and we must continue it, and I urge you really to try to not put any impediments, CRC or the Planning Department, on cultural events like this because, I tell you, it takes a lot of labor of love to put it on. It just doesn't happen, you know. I mean I've learned a lot from being involved in that and so I like that they are now putting their criteria, I think it's swell, and I, again, echo what the previous testifier said about having financial support. I mean you cannot even count the volunteer hours. And I think what's important about these three specific cultural events that are on your agenda this morning is that it brings our local community into town. This doesn't happen often. I've marched the parade I mean over a dozen times

to Lahaina, and it just gladdens my hear when I look at the street and I see the kupuna, people I knew from plantation days, I don't see them in town otherwise, but they come down for these cultural events. So if not this body, then who is out there in the process that we have to make sure that we take care of these people like the participant, Daryl, and he has a family history also from generations of the dedication of love for this, so please, please give them the support that they need; don't put anymore impediments; in fact, try to help him. Give them help. Don't give them no -- no blockage please. See what you can do in your seat to help them and continue, encourage them to do these kinda things 'cause that makes what Hawaii Hawaii, and that's what's so important. So, anyway, I mahalo all of you to be here and I like seeing all of you from this side of da kine so thank you very much. Mahalo.

Chair Lee-Greig: Any questions for the testifier? Mahalo.

Ms. Sablas: Wait. I just wanna make sure I took care of my notes, if you don't mind. I'm trying to be da kine, you know, more smart to put things on my -- my phone but, you know, kupuna yeah, takes long time sometimes. Okay, I think I covered my notes but especially I wanted to make the point about bringing our local community into town and these three events do that like no other. Okay, thank you.

Chair Lee-Greig: Mahalo.

Ms. Crystal Smythe: Aloha kakahiaka, Chairman Greig and Commissioners. My name is Crystal Smythe, I come from Lahaina, but now more recently reside at Waikapu. It's been several years since I've come before this Cultural Resource Committee, peripherally things do change, and for the better. The Commission established about 27 years ago, and our family, Daryl, my nephew, Edwina, my mom, and Elaine, my grandmother, has been doing events on Front Street prior to Lahaina Historic District being founded, prior to CRC being founded. We've been here. This is not my first time before this committee, and I'd like to, today, as my previous appearances, speak to the exclusive event of Na Kamehameha, June 11. It's one of only two Hawaiian holidays we have left and I have had the good misfortune to have to had chaired by parade for 12 years, retiring in 2012. Prior to that, again, I assisted my mother, Edwina Smythe, in organizing Lahaina Banyan Tree Hoolaulea, first with Aloha Week, then with Festivals of Aloha, so we're not new to this venue nor the cultural aspect of promoting Hawaiian culture as a hospitality affair. We -- it's our mookuauhau. Handed it down to Daryl. Most recently, the County of Maui, Office of Economic Development, subsidized my tuition and presented me with a successful completion and certificate of event coordinator under the IFEA, the International Festival Events Association, paid by the County. I am certified now, qualified to speak on this subject, not only because I received the certifications, but I've done the grunt work in the past. I've done what's

necessary to provide the essential services and the fundamental knowledge to bring events to a successful culmination. The request here currently is for you to consider that there are only two Hawaiian holidays left on the State of Hawaii calendar, Kamehameha in June, Prince Kuhio in March. These are the crux of my statement. In order to provide a quality festival, beginning with safety, and concluding with generating revenue, there must be vendors in place. These -- those vendors bring what grantors seek, triple net revenue. In other words, locally made and owned businesses have opportunity to grow and thrive through our cultural festivals. We are not speaking of any ole vendors. We now must seek to present to our visitors and kamaaina the Hawaiian artisans and crafters; very similar to what is offered at Merrie Monarch Festivals. There is a committee that purposely pursues excellence in the craft as well as the crafter. This is what we're moving up to -- to engage. Without these top producers, we cannot, under the guidelines of the aforementioned IFEA, create any event that will be able to not only meet the grant contract, but the hospitality standards to that of which we honor. In other words, we would say aloha to cultural events in Historic District of Lahaina if no vendors are allowed. In the beginning time, again, prior to CRC being here, we had to come in and obtain variances to accept cash in the Historic District at this specific venue, Keawaiki. Based on that ordinance, that did not allow vending in the district at all. Thirty years have passed since that, I applied for that variance, and it is now 200 years since the demise of Kamehameha, we must continue to honor the alii of this host culture, eminent vendors are a prerequisite for cultural festivals, hoolaulea, and I humbly ask that you consider the request for Saturday, June 15, September 2019, and every year thereafter as a given for perpetuation. So let me be clear and clarify the crux of this testimony is for Kamehameha, Kuhio, Alii Sundays, cultural events, and I say aole to Halloween, Fourth of July, and car shows. Mahalo. I appreciate your valued time and consideration.

Chair Lee-Greig: Any questions from the testifier -- or for the testifier? Daniel -- or -- Kanahele. Sorry.

Mr. Kanahele: Thank you for being here, Crystal --

Ms. Smythe: My pleasure.

Mr. Kanahele: And ...(inaudible)... so you -- you mentioned that you received a national certification for --

Ms. Smythe: Last year, in 2018, the County hosted IFEA, it's a large event association that helps people to get certified in producing events so that they're successful and they don't fail. Many people try to do events here, soccer moms ...(inaudible)... routines,

carnivals, but the County subsidized us and brought those professionals here on an international level. We were two weeks at the MACC to get certified.

Mr. Kanahele: Congratulations.

Ms. Smythe: So I did the events, now I have the certification, and that's where I stand today in front of you.

Mr. Kanahele: And you're the --

Chair Lee-Greig: Commissioner Kanahele, can you speak into the mike?

Mr. Kanahele: Oh, so sorry. I was just curious as to who the chair of this year's Na Kamehameha event is going to be?

Ms. Smythe: Daryl has been the chair since I left in 2012.

Mr. Kanahele: Okay.

Ms. Smythe: I did it from 2000 to 2012. Aunty Lori did it prior.

Mr. Kanahele: Alright.

Ms. Smythe: I can name them all ...(inaudible)...

Mr. Kanahele: I'm sure you can.

Ms. Smythe: Yeah. We're historians here.

Mr. Kanahele: Thank you, Crystal. Thank you, Chair.

Chair Lee-Greig: Any other questions? No? Mahalo, Aunty.

Ms. Smythe: Thank you. I appreciate it.

Chair Lee-Greig: Do we have any more members of the public who would like to testify? Alright, we're going to close public testimony at this time and start with our New Business. So we'll begin with agenda item no. 1:

*Chair Lee-Greig read the following agenda item description into the record:*

C. NEW BUSINESS

1. Daryl Fujiwara requesting approval to conduct food and beverage sales as well as non-food merchandise sales related to **Nā Kamehameha Commemorative Pā'ū Parade and Ho'olaule'a** at Banyan Tree Park, Lāhainā, County Historic District No. 1, TMK (2) 4-6-001:009; June 15-16, 2019

*The Commission may approve or deny selling in public parks located in County Historic Districts Nos. 1 and 2, pursuant to Subsection 19.52.090.E, Maui County Code*

Ms. Kehler: So, Chair, I'm going to have the applicant, Daryl Fujiwara, kind of give an overview of the type of vending that will be taking place at the Kamehameha -- the Kamehameha Day event, and then I'll go over the staff report after that.

Mr. Fujiwara: When we had met earlier, as she had mentioned, kind of giving an overview of not of the whole event, but Kamehameha Day, traditionally, is longstanding with our pa`u parade, and in Lahaina, the Banyan Tree is the best place to view it, and after you work hard in our culture, we always gather, and there's food, and I want to say it stems from the time prior to being noa. Whenever you had a ceremony, you aimama or you take in a sacrifice of some sort or a piece of something that has connection to the ceremony that you're having, and after things became not noa, right, it became more hoolaulea, it became more fun, and that is why I feel like it's so important for us to have something to offer in terms of food and they had -- they had asked me like, oh, why are you doing this? Why do you even need vendors? And I said 'cause I don' wanna be shame because that is what a hoolaulea is. If I don't produce these things, if I don't give our community those things, if I cannot offer them food or, you know, hananoeau, you know, things to celebrate our culture and showcase our -- our wares, like it's embarrassing to me and to my family. We've been doing this for many generations. This is not something that I take lightly because of that. It's -- it comes from kuleana. This is my family's tradition. Some families, they grow kalo all their lives, and they pound poi, and they eat that, or some are surfers and they go to the same beach, they know all the channels, and they malama that beach. My family's tradition was to create Hawaiian cultural events to help educate our community and our people, and so that's why I do this. It's not something, like I said, that I take lightly. The commercial activity, I am well aware now of the standards that they are providing and, prior to this, the 20-plus years that I assisted my aunt, I was with her all those 20 -- those 12 years plus, so I've been doing this event for over 20 years now, and we have always kept our standards very high, you know, capacity and priority, in terms of what we are

showcasing to our visitor and our -- and our people. So it is always culturally sensitive. It is always high quality. And it is always Maui made. Thank you.

Mr. Lay: Good morning, and thank you for coming. So besides the parade, the food, is there going to be any entertainment too?

Mr. Fujiwara: Of course. I'm sorry. Yes, I didn't go overview of the whole thing. So we have, from 9 a.m. to 5 p.m., Hawaiian music and hula. In addition to that, we have exhibitors who also -- they just don't -- they don't sell anything but they're there to showcase, you know, how to make things, like lei, and I have free keiki activities where they're -- and it's the busiest tent actually, but they come and they paint, and they're learning about Hawaiian animals and insects as well as ecosystems while they're painting the creatures and stuff and so -- that one I love 'cause -- and I get the best pictures 'cause the kids are always there and they're like so excited, and their parents can drop the off and, you know, go and shop a little bit and then come back, or listen to Hawaiian music and then, you know, come back and check on them. But yes, so the parade is from 9:45 and it reaches the Banyan Tree around 10:30, and then we finish around 11:30, so it starts from Kenui Street, we close off from Mala, and it goes all the way down to Shaw. Relatively, compared to the rest of the Kamehameha Day Parades, it's a little bit shorter, but my State commissioners fly in every year for it and they say it's the best parade, and I'm always like you guys have Oahu and it's huge, and you have all the floats, and they're like you guys have the most charming. It is the best parade. And so they come every year now to help kokua. They help with commentary stations. Some of them help with our pa`u judging. And so I'm so grateful to them, but that just speaks to the quality and, of course, the wonderful nature of our events.

Chair Lee-Greig: Any other questions? I have a quick -- oh, Commissioner Kanahahele.

Mr. Kanahahele: Aloha, Daryl. Thank you being here this morning. Nice to meet you. So the event is held over two days, from approximately 9 a.m. to 5 p.m.

Mr. Fujiwara: Yeah. It was handed down to me that way, always at 9 and then at sunset is when we would be pau.

Mr. Kanahahele: The vendors. Is the money for fundraising or is it to support local vendors and -- and what you're --

Mr. Fujawara: It actually all goes back into our -- I'm sorry. Is that the rest of your question?

Mr. Kanahahele: Yeah.

Mr. Fujiwara: It actually all goes back right into our bottom line for the event. Kamehameha Day is one of my bigger budgeted events and it, although we subsidized with grants from HTA and OED, the County of Maui, the overarching, including in-kind contributions, the event is over \$100,000.00 so --

Mr. Kanahele: So this helps to pay for the --

Mr. Fujiwara: This helps, and the money goes, like I said, right back in to help paying for entertainment. You know, for me, taking over the event from aunt and learning the industry, I don't like to ask for free from musicians because that's how they make their money. They have mouths to feed. You know what I mean? Like they should be paid what they're worth, and I feel the same way for all of our Hawaiian cultural practitioners. If you were born and raised to grow kalo, you should be able to make a living off of that. If you were a surfer all of your life, you should be able to make a living from being a surfer 'cause that's all you know. That is what you're culturally raised to know. And so, for me, as a kanaka now raised up, living here, trying to make our way and find out how to survive in this place, you know, that's evolved, I feel like that's where Hawaiians should be today is really finding a way to -- and we should respect that, is to really take care of them and pay them what they're worth.

Mr. Kanahele: Chair, a few more questions but I can wait if others have questions.

Chair Lee-Greig: No other -- Commissioner Lay.

Mr. Lay: I have one more question. Okay, on your -- the food that you're going to be serving, is it ethnically Hawaiian or is it a diversity?

Mr. Fujiwara: It's usually just -- I usually have the Lahaina Hawaiian Civic Club take care of the food for all the events that I have under the Banyan Tree, and they fundraise for their scholarship for Native Hawaiians, and it is mostly Hawaiian, so they have kalua pig and they have Hawaiian plate, and then, of course, they've had to adjust because Hawaiians are the most diabetic persistent raised, they offer fruit cups now, and salad, and all kinds of different things to like help, you know, raise awareness of health as well so --

Mr. Lay: Thank you.

Chair Lee-Greig: Commissioner Kanahele.

Mr. Kanahele: Thank you. Daryl, I noticed that the map layout for the event is the same for all three events.

Mr. Fujiwara: Yes, and that's 'cause I coordinate all three, and to make it easier for myself --

Mr. Kanahele: Yeah.

Mr. Fujiwara: That -- it's kind of our -- our layout and our go-to, and it makes it, yeah easier for our setup and breakdown crew, they come and they know where to put everything, and what -- what changes is the event and the intention, so Kamehameha Day is focused on Kamehameha and the pa`u parade, so we honor them. We have them come and showcase their lei, we showcase the riders, we do the pa`u awards, and so the program is, yes, to celebrate, so we have lots of beautiful Hawaiian music and whatnot, but it is to be there to celebrate Kamehameha. Separately, for Aunty Emma Sharpe's Hula Festival, it traditionally was at the Banyan Tree when it started and it was in culmination with Na Mele O Maui, Aunty Emma helped to start it, and she had had her hand in anything that had to do with hula or luau or entertainment from the 1920s, and she was all about helping to keep things -- the Hawaiian culture alive, and hula, and so that's why she started the Emma Sharpe Hula Festival in conjunction with Na Mele, it kind of tiered off in the '90s, and I was volunteering at Na Mele O Maui one year and on the banner they -- they had Emma Sharpe Hula Festival crossed out, and I was like, auwei, what happened, 'cause I actually had learned my initial hula foundation was from her -- her grandniece who had inherited her halau, Holoaumoku Ralar, and so I was like, oh, I had this like iini in my -- in my heart, in mu puuwai, in my naau, I was like I need to help bring this back, it's my kuleana 'cause I come from that lineage of hula, and so I -- I joined forces with Ohana Farden as that was one of their -- their relatives and I'm very -- we are related through another family member, of course, I'm really close to one of their heavier organizers, Hailama Farden. He kinda brings all of the family together and we had kind of brought this event back up together, and so it's been running five years now, and I love to see them because there is no place to see hula on Maui unless you're going to pay to go to a luau or pay to go the MACC and see their fundraiser. There's no place to ho`ike hula on Maui. We don't give them that place so --

Mr. Kanahele: So --

Mr. Fujiwara: Yeah.

Mr. Kanahele: So getting back the Kamehameha Day event.

Mr. Fujiwara: Yes.

Mr. Kanahele: Approximately how many vendors do you ...(inaudible)...

Mr. Fujiwara: Traditionally, we were given 25 vendor slots total; that included exhibitors and vending, and, today, at Parks' recommendation, they're offering me ten vendor commercial slots and they're giving me up to 25 or the additional up to 25 to do exhibitors and display with no commercial intent.

Mr. Kanahele: Can -- can you work with that? Is that -- no. That's why you're -- you're -  
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Mr. Fujiwara: Honestly, no, but I -- I'm trying to be understanding and I'm compromising is, basically, what I'm doing in order to have something 'cause it's either ten or nothing, and I've already experienced nothing the last two events and I, personally, had to eat the financial cost, like I didn't ...(inaudible)... but I wanted to send the bill to Parks, like I'm like, oh, I cannot supplement the income and I gotta pay out of my pocket now, you know, to make sure entertainers get paid, and halau get paid. I was like we cannot even quantify how much a halau hula cost, and the small donation that we give them, just pays for their musicians. It doesn't even pay for them. Each hula dancer, their makeup, their hair, their practice times, their kumu's time, you know, like it doesn't even equate. We cannot even quantify the amount. And so I'm going to say no. But, yes, I am compromising to have something.

Mr. Kanahele: Thank you, Daryl.

Mr. Fujiwara: Thank you.

Mr. Kanahele: Thank you, Chair.

Chair Lee-Greig: I'm sorry. Can I just ask to clarify? So this Kamehameha event has been held for how many years?

Mr. Fujiwara: Kamehameha week --

Chair Lee-Greig: At the Banyan Tree?

Mr. Fujiwara: At the Banyan Tree, we just found out actually we had kind of lost where the annual was and I believe we're around the 69<sup>th</sup> right now in Lahaina.

Chair Lee-Greig: Okay.

Mr. Fujiwara: But Kamehameha Day celebrated two hundred and -- 150 last year Statewide.

Chair Lee-Greig: But for the Banyan Tree?

Mr. Fujiwara: Sixty-nine. I think it's sixty nine.

Chair Lee-Greig: Sixty-nine years of event?

Mr. Fujiwara: Yeah.

Chair Lee-Greig: Related to Kamehameha pa`u at the Banyan Tree.

Mr. Fujiwara: Correct.

Chair Lee-Greig: Okay, and then my -- and building on that, how many years were vendors allowed at the Banyan Tree? Do we know?

Mr. Fujiwara: I don't know that. The whole time.

Chair Lee-Greig: Okay. And then did I hear correctly that you said for the past two events vendors were not allowed?

Mr. Fujiwara: Correct. And I followed this at the discretion of Parks.

Chair Lee-Greig: Okay. So that would be 2017 and 2018 no vendors.

Mr. Fujiwara: Sorry. The end of 2018 into this year.

Chair Lee-Greig: Oh.

Mr. Fujiwara: So I had Emma Sharpe Hula Festival last year, 2018, and Prince Kuhio, which was just in March.

Chair Lee-Greig: But for Kamehameha, for that --

Mr. Fujiwara: For Kamehameha, that one has been every year, so last June, we had 25 vendors and it was status quo is what I was told from Parks.

Chair Lee-Greig: Okay.

Mr. Fujiwara: But I told them that's not -- they said you're not supposed to have commercial activity, that is status quo, and I said that's not status quo 'cause since I've been doing this for 20 years, we've always had 25 vendors so I'm telling you that that's not status quo, the 25 is status quo.

Chair Lee-Greig: Okay. Okay. Thank you.

Mr. Fujiwara: Thank you.

Chair Lee-Greig: Any other questions? Annalise?

Ms. Kehler: Thank you, Chair. Okay, so I'm just going to go over the staff report, okay, so just to remind the Commission that the -- the scope of the action that you're taking today is to approve the vending related to the Kamehameha Day event, and so you have the authority to approve vending pursuant to -- or section 19.52.090.E, of the Maui County Code, okay, and so the Commission's approval authority is just limited to the scope of your jurisdiction, which is the selling on public property, so we can't approve -- the Commission can't approve the actual event, that is the Parks Department, they -- they have the event permit.

Okay, so, let's see, as Mr. Fujiwara mentioned, there's going to be events, in addition to the vending of non-food and food merchandise, there's going to be exhibits, hands-on keiki activities, and live entertainment in the form of hula and music, okay, and so, as I explained, the request that's before you is directly tied to the requirement for an event permit that needs to be obtained from the Parks Department to use the Banyan Tree property for a function, and so the -- the permit application that was submitted to the Department of Parks, it says that the goal of the event is to "honor our alii and create a venue to educate our community and the visitor about our culture." So based on that description, the primary use request is to hold a cultural and educational special event.

So related to your action that you'll be taking for this event, you will be approving or denying the food and beverage as well as non-food merchandise sales at Banyan Tree Park on June 15 and 16, 2019. So if you approve the sales, the Department of Planning recommends that you add a couple of conditions to your approval, and these conditions are to support the mission of the Parks Department, the goals of the proposed event, as well as the purpose of the park's executive order to the County of Maui, so those conditions are that no more than ten vendors are allowed and that each vendor must generally meet the following criteria: products of cultural significance; products with a significant educational or cultural component; and products that are

made of -- or that are made in Maui County or that have significant added value from Maui County.

Ms. Lee-Greig: Any questions for staff?

Mr. Lay: No. Just a comment.

Mr. Kanahale: How did the -- the staff, the Department arrive at the number ten for vendors? Why ten?

Ms. Almeida: So just some quick history on how we ended up -- so I think for any --

Ms. Desjardins: Excuse me? Can you just identify yourself?

Ms. Almeida: Oh, I'm sorry. My name is Lisa Almeida, with the Department of Parks and Recreation. I'm the Park Permits Officer. So a quick history for anyone that wasn't on the Cultural Resources Commission last year, January 4<sup>th</sup>, there was a large meeting to review and approve the calendar of events under Banyan Tree Park. At that meeting, there were multiple questions about commercial activities, mostly and mainly craft fairs at Banyan Tree Park and the impacts that we were having there in that area as it was becoming over commercialized and there were additional applicants that felt that they had the right to have dates at Banyan Tree Park but were not allowed to have dates at Banyan Tree Park. It was creating quite a tense situation. And as the Department did further review, what we found is that what was happening at Banyan Tree Park was not what we had originally thought. Many of the events or special events that were coming in were also doubling as craft fairs in addition to the regular craft fair calendar. So to be careful and prudent moving forward, the Department rescinded its calendar that was submitted here and did not move forward with any type of commercialized activities at Banyan Tree Park. When Mr. Fujiwara refers to the Farden -- Emma Farden Sharpe Hula Festival, that was allowed as an event only with no commercial activity to I guess avoid interrupting the annual occurrence of that event recognizing that it was an important event to go on. Same thing with Kuhio Day. Kuhio Day did not have time to come in for CRC approval, which is required for commercial activity in the Historic District so Kuhio Day proceeded without commercial activity because it was not able to obtain commercial activity permission from the CRC in time. For the Parks Department, ten seem to be the number that was manageable to ensure that the balance of whether or not it is an activity that is culturally based versus a commercial endeavor seemed to be a number that was feasible or manageable versus 25 vendors under the park, under the tree, with one small stage for performing.

Chair Lee-Greig: Commissioner Lay.

Mr. Lay: So it's my understanding that anything that happens underneath the Banyan Tree is going to come before us first?

Ms. Almeida: Only if it's asking for commercial activity, otherwise, they only need a Parks Department permit.

Mr. Lay: And you're the one who dictates on who can, who cannot, and how many vendors?

Ms. Almeida: Well, everybody is invited to apply but we've made it pretty clear that those three identifying factors that Ms. Kehler went over are the three identifying factors that will determine whether or not the Parks Department will support that permit application. It was actually the Parks Department that in processing this application is why it's on the agenda today.

Mr. Lay: Final question.

Chair Lee-Greig: Yes.

Mr. Lay: Final follow up. How are your food vendors chosen? I mean it's gotta be -- since it's so limited, the ones that are going to be showing up there, they're going to get -- they're going to have a lot of people coming in to purchase their items, so how do these people are chosen as far as who gets in and who doesn't?

Ms. Almeida: They're chosen by the applicant.

Chair Lee-Greig: Commissioner Kanahale.

Mr. Kanahale: Lisa, how much is the permit? What do you -- what are the permit fee for an event like this?

Ms. Almeida: Off the top of my head, so since it's a nonprofit that's applying, it would be reduced, so it's probably somewhere around 188, it could be even less just depending, I'd have to go back and look on what the County's co-sponsorship obligation is to it, and then there's a deposit required as well. And, yes, insurance is required.

Mr. Kanahale: So with the -- with the number of vendors that are permitted, it seems the concern was the over-commercialization of the area for events. Was this pertaining to nonprofits or for-profit?

Ms. Almeida: You have to be a nonprofit to have a craft fair at Banyan Tree Park.

Mr. Kanahele: Okay. But the -- the concern seem to be with crafts -- any craft fairs or events that were maybe had another purpose but were really craft fairs and that was sort of a proliferation of those kinds of events and -- and you have a whole bunch of vendors under there.

Ms. Almeida: I think the concern was just that not all the events were sticking to maybe the cultural significance of the event in the choice of the vendors, and so just to keep that in line with supporting cultural awareness and host culture activities under Banyan Tree, that was why we determined that those three items seem to help clarify what type of vendors are allowed.

Mr. Kanahele: And then just one final question, Chair. And with respect to these three cultural events, that have -- one of which has been ongoing for 69 years, and from what I heard from the chair of the event that the money is used to pay for the event --

Ms. Almeida: Right.

Mr. Kanahele: Have -- did the Parks Department take into account the survivability of the event based upon the number of vendors that would be able to participate in the event seeing that the event depends heavily upon vendors and grants and, you know, other sources of funds to continue to provide these events to the community? Did the Parks Department, in consideration and in determining ten vendors, consider that this -- these three events, in particular which are Hawaiian events and cultural events, that really are there to -- to provide education for the community, cultural education for the community, did -- was that taken in to consideration that maybe reducing the vendors might result in such events being able to continue moving forward?

Ms. Almeida: Yes, and, initially, it was the recommendation was no vendors. After meeting with Mr. Fujiwara and hearing the concerns about being able to fund the event, that's when consideration was made for ten vendors. And maybe this is helpful to the Commission to know how the Parks Department typically processes all special events throughout the County, any type of vendors at our events have to be tied directly to the event, so it has to be in connection with the event, meaning that if you were having a Hawaiian music concert, you would not be allowed to have a vendor selling sports merchandise on property. So this is pretty in line with how we process all of our special event applications is requiring that type of alignment that the vendors are in line with the nature of the event, and as far as operating expenses, we have not asked Mr. Fujiwara to provide us any type of information showing what his expenses are and his need to

offset that with revenue generation. Typically, we do not ask for that unless it's a commercial event, but this is nonprofit event.

Ms. Albino: Aloha. Excuse me, I have a -- I have a question as to who determines what is "culture?" Hawaiian culture or host culture or culture 'cause those are two different things?

Ms. Almeida: In this particular location, because of the significance in the historic district and relation to Malu Ulu Olele, Kamehameha Iki Park, and then Banyan Tree Park, we've been determining it based on host culture.

Ms. Albino: And who defines "host culture?"

Ms. Almeida: I guess the interpretation is to the Parks Department but we've been defining "host culture" as Hawaiian culture.

Ms. Albino: Okay, so are they in conformity with Hawaiian culture? And is there someone who decides what is Hawaiian culture? Or what is cultural? Who makes the decision? How is it defined?

Ms. Almeida: I don't think that we have anything in writing on it, but we follow the good-faith efforts of the applicant in recognizing that they have a significant cultural event, we're support -- in support of not only these three events, but also the Kuhio Day event that did happen. We anticipate that'll be on the agenda for next year for commercial activity as well.

Ms. Albino: So there is -- there's no one in place to either confirm that it is culturally appropriate or not?

Ms. Almeida: Well, it would be this body could also make that determination if they so choose.

Ms. Albino: Thank you.

Chair Lee-Greig: Question by Commissioner Lay.

Mr. Lay: I have one more question. Okay, this is for Public Works and it's pertaining to what Daryl brought up about Hawaiian entertainment and being this is a symbolic place in Lahaina, as far as I've seen so many Hawaiian shows there and to think that we're letting these annual shows go on, how hard is it for not a -- not even an annual show,

but Hawaiian entertainment coming in, authentic, and going before you, is it difficult for them to have that happen at this venue?

Ms. Almeida: I think we would embrace more Hawaiian and cultural activity, even hula. I think the only challenge is going to be that most often it needs to develop into a festival to offset the expense. Typically, Lahaina Town Action Committee has come, Daryl has taken the lead this year, but, yes, we, I think, would be very support of additional cultural activities under the Banyan Tree.

Mr. Lay: Thank you.

Chair Lee-Greig: Any other questions from the Commissioners? I do have a quick question. So the example of Hawaiian concert event was -- was used, and I've been involved a little in Hawaiian concert events and nonprofits and, generally, there's a donation or you buy a ticket or something like that that helps to offset that cost, so maybe my question is for Daryl too, but is there an entry fee to the Banyan Park area that would offset the cost for the Kamehameha Day?

Mr. Fujiwara: Traditionally, as it was handed down to me, it's always been free and open to the public. It's a little bit hard with that venue to be able to control and receive admittance. I always love to use Theo as an example because she is an amazing event coordinator, I don't know if you guys remember Taste of Lahaina, but, to me, like that is what like real festival admittance like structure is, and she does it so well, like and -- but that is not what our events have ever been.

Chair Lee-Greig: Just to follow up, for the -- the 25 vendors that you had historically for this event, were they all -- were all 25 vendors, are they all considered commercial vendors or does that -- or does that number include the keiki tent and the exhibits and things like that?

Mr. Fujiwara: Traditionally, yes. It included the commercial activity as well as exhibitors and the keiki activities, so we stricken to 25 only total.

Chair Lee-Greig: So for -- for Parks, sorry. For Parks, the ten vendors, does that -- is that ten vendors commercial or ten vendors all -- or all encompassing, exhibits, none -- not for sale exhibits, and keiki activities? Is that all under that umbrella?

Ms. Almeida: No. So we met with Mr. Fujiwara and we agreed that the ten is commercial.

Chair Lee-Greig: Okay.

Ms. Almeida: So money. And then -- well, as allowed, you know, with respect to Banyan Tree, they gotta go through the court but -- and then in addition to that, exhibits and keiki activities and things like that so long as there's no revenue generation.

Mr. Lay: I have one more comment.

Chair Lee-Greig: Sure.

Mr. Lay: Okay, so prior to all of you, my mom actually ran the -- was chair there also, Kuuleialoha, so I feel for you, I know the hard you've gone into it. I remember lei making all night long for the horses. My mom them dressing up the girls. And we picking out all the flowers. So I feel for you. Even organizing the parade itself, who goes after what and having the timing; well, it's not as easy as everybody thinks. So I applaud you and thank you for your hard efforts.

Ms. Desjardins: Lisa, I have a quick question. So as a matter of law, under 19.52.090.E, this Commission has the authority to either allow or not allow vending as defined, now that you've clarified that for us. You have suggested recommendations of things that you would like added to that stipulation, ten vendors and then you have some limitations on what those vendors need to comply with. If the Commission were to simply adopt a motion to allow vending without any conditions, how is the Parks Department going to view that?

Ms. Almeida: And that's fine. That would be fine. So the Parks Department's permit will have its own conditions. What we were looking for here today was I mean primarily we'd appreciate the support that it's in line with what we will be requiring, but if the Commission's going to limit its support to, yes for commercial activity or no for commercial activity, and then we will put the conditions in our permit. So the --

Ms. Desjardins: And can you give the Commissioners some indication of what those conditions would be?

Ms. Almeida: They are the conditions that are listed so they would be in line with what you see represented on the recommended report, ten vendors, and they would have to meet those cultural requirements in addition to exhibitors and keiki activity.

Mr. Kanahale: So the -- recommended conditions are sort of written in stone as it pertains to this particular event before us right now, ten vendors is what the Parks will -- will put as a condition whether if we approve the vending?

Ms. Almeida: I think we're happy to take the recommendations. This is the first day that I've heard Mr. Fujiwara share the number as far as expense associated with this event. If this event has a significantly higher expense, and that can be demonstrated, than the other three events, which would be Kuhio Day, Emma Farden Sharpe, and the Festivals of Aloha, due to the parade and hoolaulea, I think that's something the Parks Department can take under consideration, but, initially, the recommendation was ten vendors across all three applications.

Mr. Kanahele: So sort of like a one condition fits all, ten for -- sort of as a starting point?

Ms. Almeida: What we're trying to do is find that happy balance between what makes it a cultural activity versus a commercial endeavor.

Mr. Kanahele: Okay. Thank you, Lisa.

Chair Lee-Greig: Any other questions? Commissioner Bassford.

Mr. Bassford: In a perfect world, how many vendors do you want?

Mr. Fujiwara: The 25 will be fine, total, you know, like I can work with that if that's --

Chair Lee-Greig: Can you -- sorry. Thank you.

Mr. Fujiwara: I'm okay with the traditional, what we've always had, which is the 25 total. I think that's doable. It's something that I've -- I've -- that's what I'm accustomed to and I can make it work but --

Mr. Bassford: The -- the 25 is food --

Mr. Fujiwara: Food --

Mr. Bassford: As well as activities.

Mr. Fujiwara: Exhibitors and activities, yeah. I'm -- I'm okay with that.

Mr. Bassford: Thank you.

Chair Lee-Greig: So to have that -- you're looking for that flexibility?

Mr. Fujiwara: Yes. Yes.

Chair Lee-Greig: Or can you give a viable number of how many paid vendors you would need to --

Mr. Fujiwara: So we've always been stricken to have 25, but sometimes they can't show up, and so sometimes we do without, you know, and we have 17 instead of 25, and -- but we're always okay being stricken at the 25 'cause I feel like it's -- it maximizes on the space because it makes it look full and it really is a draw for our people who are walking along Front Street to hear the music and to be greeted in by lei making and beautiful wares so --

Chair Lee-Greig: Commissioner Celiz.

Ms. Celiz: So of those 25 vendors, like in the past, on average, of the total 25, how many would you say were commercial paid?

Mr. Fujiwara: About 17 because we use about five for hoike, like for displaying and stuff.

Chair Lee-Greig: Commissioner Lay.

Mr. Lay: Okay, for me, once you say "vendor," I'm thinking of somebody who sells something, you know.

Mr. Fujiwara: Right.

Mr. Lay: If it's a display or something that is to show, I don't think that's a vendor to me.

Mr. Fujiwara: Right.

Mr. Lay: There's no interaction of money and it's more like everything else is something that you're teaching our past history on or you're sharing with --

Mr. Fujiwara: Right.

Mr. Lay: Okay, so I have a hard time with the vendor thing.

Mr. Fujiwara: Correct. Correct. Yes. It's always been a challenging one for me too.

Chair Lee-Greig: Commissioner Kanahale.

Mr. Kanahele: Yeah, so just a point of clarification. If it's -- if it's an exhibit, hands-on keiki activities, they're not selling anything, there's no exchanging of money.

Mr. Fujiwara: Correct.

Mr. Kanahele: Is that a vendor? What is --

Mr. Fujiwara: In this --

Mr. Kanahele: What does the Park look at? A vendor is someone that is selling something, right?

Mr. Fujiwara: Correct. So they're -- they have recommended to -- for me and this body to approve 10 commercial paid vendors and up to whatever the remaining of the 25, I'm assuming, in exhibitors and keiki hands-on activity, so only 10 money exchanging, yeah, is their -- their max recommendation, and then I can bring in as many poi pounders as I want, as many, you know, kapala exhibitors, and lei hulu exhibit displays as I want ... (inaudible)... up to the 25.

Mr. Kanahele: So -- so in -- in the past, this year was status quo, you were saying about 17 in the past were vendors that --

Mr. Fujiwara: Seventeen to twenty-two. Yeah.

Mr. Kanahele: Who actually sold stuff?

Mr. Fujiwara: Yeah.

Mr. Kanahele: Seventeen to twenty-two, and the other were exhibits. So 17 to 22, like 3 exhibitors then, something along that range? Oh, 17 to 22 --

Mr. Fujiwara: 'Cause some of them are -- are dual, like sometimes they'll sell their lei hulu or they'll sell their lei, and so that's when they went commercial as opposed to just being an exhibit so that's why there's a --

Mr. Lay: So as this Commission, can we recommend that we increase this, these numbers? I know it has to go before the Parks Department, but can we make it at least 17 of it commercial vendors and the extra be the -- either way, up to -- up to the maximum of 25 but having a little leeway where it can go back and forth and to fill the spots?

Ms. Desjardins: So as a matter of law, you just up or down vending.

Mr. Kanahele: Yeah.

Ms. Desjardins: But you can -- you can definitely -- Parks is asking you to validate what their parameters are, is what I'm understanding, so if you want to change those parameters and recommend, they're not obligated, once you do that, to adopt them, but what they're asking is that you folks work together to come up with something that will work for everybody, so that's up to you to decide whether you wanna just say yes to vending and leave it up to Parks, adopt these recommendations, or change these recommendations, but it's the vending part that you folks have jurisdiction over.

Chair Lee-Greig: Go ahead.

Mr. Lay: Okay, as far as the recommendations, I'm all for it, all made on Maui, that part is very important to me, made on Maui, and because of that, you'd have our local people being out there selling or showing what's going on, so the -- as far as the parameters on who can, I am agreeable on that, as far as, you know, just myself.

Chair Lee-Greig: Commissioner Celiz.

Ms. Celiz: Yea, and I do understand the Parks hesitancy in why you guys put that ten vendor limit, and you were mentioning again that commercial activities can lead to be culturally insensitive, but I think we've heard a lot of testimony that, you know, all the vendors are of cultural significance and of high caliber and they -- like in my, just in my experience for these events in the past at the Banyan Tree, you really go because of the Hawaiian cultural event and these vendors, to me, do seem secondary, and again, if they're aligned with the rest of the criteria that they're culturally significant and have that educational or cultural component, I think I would also like to support raising it if we could.

Mr. Lay: One more comment, sorry. Okay, with these vendors too, I guess the big issue would be the sales itself, the money, the transition -- transaction like that, how do you see this working as far as are we talking about -- I'm not sure they can even do money sales under the Banyan Tree, from what I heard, so is it scripts, tickets, and how are they working that out?

Mr. Fujiwara: Traditionally, we've been working in partnership with Lahaina Town Action Committee who holds a lease with the courthouse, and so you -- it's basically a paid receipt kind of transaction where the vendor -- you give the vendor your merchandise, they write out a receipt, you pay for it in the courthouse where commercial

activity is allowed, they have a visitor center/gift shop, and then they come out with a paid receipt and then you take your merchandise after you show that it's paid.

Mr. Lay: That sounds really difficult compared to if you sold scripts.

Mr. Fujiwara: It is. And I've, you know, in addition to my aunty coming here over the years, I have come to this body as well, and, unfortunately, I cannot find the approvals in the agendas and the minutes that had happened, but I've come here and gotten overall approval of these cultural events where I never ever had to come back here again to show, you know, that Kamehameha was a Hawaiian cultural event, but I can't find that anywhere, and it's not digitized where I can search through the agendas, so I would literally have to find somebody to go, at Planning, and dig through all the files because the online one only goes up to 2014, and I came here after my aunty had passed it down to me in 2011, I think, is when I came vet all of these events, and so I don't know when the processes changes and we had to come here annually to approve all of the events, and that was happening with LAC's calendar, but, yes, we partner with them and that is how we make the transactions happen.

Chair Lee-Greig: Any other questions?

Mr. Fujiwara: Sorry, I did forget to mention one thing, so this body also gave me permission to have a script booth in there so because food is only like \$5.00, \$1.00 for water, and this body actually gave me permission to do a script booth too, but I cannot find the paperwork anywhere that -- that's allowed me and specified that and that's 'cause we didn't want them to have to go in the courthouse for a \$2.00, \$1.00, and that was given to me by this body.

Chair Lee-Greig: And it --

Mr. Lay: Can we add it to the recommendation to have a script booth? No?

Ms. Desjardins: Just vending or not vending. That's your authority.

Mr. Lay: Okay. Got it.

Chair Lee-Greig: Okay, are we ready to make a motion? You wanna make a motion on this matter?

Mr. Lay: Everybody looking at me, huh? Okay, I'd like to make a motion that we follow the Department's recommendations along with where we'd have some leeway as far as vendors where the total would be 25 but there would be leeway on who would be the

actual vendor where they have the transaction of money, and I don't even know if you can an exhibit and it would count as vendor, but if that's what they're saying then, you know, we'll do with that. Does that make sense?

Ms. Desjardins: So are you -- are you, just for clarification, are you saying that you are making a motion to allow the vending, adopt the recommendations, as stated in the staff report, with the caveat that the total exhibitors/vendors would be no more than 25 but that there be some leeway in the number 10 --

Mr. Lay: Exactly.

Ms. Desjardins: In terms of the 25, but no more than 25?

Mr. Lay: You took the words right out of my mouth.

Ms. Desjardins: I had coffee before I came.

Ms. Celiz: I'd like to second the motion.

Ms. Albino: I'll second the motion.

Mr. Bassford: I third it.

Chair Lee-Greig: Do we have any discussion on the motion?

Mr. Lay: Oh, as the maker of the motion, like I said, this has gone on forever, as far as I know. I've been there forever. It's a great event. You got all local people getting together, they put on a really good show, and like you said, it's been highly praised by other islands, and we appreciate that, and we thank them for that, but, yeah, we're number one, and we wanna make sure this continues annually.

Mr. Fujiwara: I do wanna also make mention that your mother's traditions live on through pa`u. The same wrappers that learned from your mother are still wrapping. All of our -- our wrappers, yeah. Your sister is still heavily involved in our pa`u committee, and all of the haumana that she had taught to wrap are still passing on that tradition. That's the only way we know how. We're not like Oahu where you pay somebody to beautify them, and they make their own costumes and they pay somebody to make their leis. Our parade only has one set of pa`u and they're wrapped by the same people all together. They're not given their own way to be individualized. We're uniformed in that tradition. So mahalo.

Mr. Lay: Thank you.

Ms. Celiz: And I just wanted to add on that, you know, I live up Lahainaluna Road so I walk down to Front Street quite often and I do get disappointed when I see touristy craft fairs, but if you guys are saying this is more like the Merrie Monarch style vendors, I mean take my money, you know. I'd definitely wanna go down and support that.

Mr. Kanahele: Chair? Yeah, I support the motion and, you know, we're kinda looking for a number above 10 for vendors as a recommendation to the Parks Department, and I've heard the number maybe 17. I mean if they were looking for a happy -- happy number, I think they would be happy with as being allowed up to 17 vendors in that -- in that sort of in that ballpark, maybe that would be in this -- in looking at the permit as the Parks Department maybe that could be considered as a number to shoot for this -- this event, it's a large event, a lot of people come to it, so I think maybe they would be happy with that. Thank you.

Chair Lee-Greig: Commissioner Ropa.

Mr. Ropa: So for my clarification, would this be like 15 vendors and 15 -- no, 10 vendors plus 15 plus or minus cultural exchange or exhibition booths? Something like that?

Ms. Desjardins: So the motion on the table just puts a cap of 25 exhibitors and vendors total with some wiggle room as to the number of actual paid commercial vendors within that 25. That's what's on the table.

Mr. Ropa: Okay. Thank you.

Mr. Lay: I would clarify that, why I said that is because if we don't get the 17, you know, there'll be a leeway where we can give more exhibits, and if we do have a chance to have a little, you know, it's something's going well and we need for the food vending, there is a little leeway where we can put in that extra food vendor in, and I agree with Commissioner Kanahele, 17 is a good number, but the only reason I gave that leeway was just in case they didn't have the 17, they can actually fill it in, you know, it would go either both ways, movement as far as more exhibits or to make sure that they got that 25 spots filled. That's the only reason I did that.

Chair Lee-Greig: Anything more?

Ms. Almeida: Just to clarify because there seems to be some concern. So we consider vendors the same way you do, vendors are not exhibitors, vendors are people who are

collecting money, so that's -- that's the same way we see it, commercial activity. As far as exhibitors, so long as they're in line with the event, I don't think we have a concern on how many exhibitors there are. Our concern is the commercial activity and managing that. So just to kinda rest some of the concerns that you folks are expressing, we wouldn't determine that there's too many lauhala weavers or too many -- I mean we wouldn't get into it like that. It's if it's exhibiting items that are in line with the purpose of the event and the state -- statements about the event, then we would be supportive of that. We're just more concerned about the actual vending.

Chair Lee-Greig: Okay, shall we vote on the motion before us? All in favor? Opposed? Motion carries.

**It was moved by Commissioner Ivan Lay, seconded by Commissioner Yvette Celiz, then**

**VOTED: to adopt the Department's recommendations as stated in the staff report with the caveat that the total exhibitors/vendors would be no more than 25 but that there be some leeway in the number 10 in terms of the 25 but no more than 25 vendors.**

(Assenting: L. Albino; I. Bassford; Y. Celiz; D. Kanahale; I. Lay; M. Ropa)

Chair Lee-Greig: Okay, next item on the agenda, so we have:

*Chair Lee-Greig read the following agenda item description into the record:*

- 2. Daryl Fujiwara requesting approval to conduct food and beverage sales as well as non-food merchandise sales related to the Emma Farden Sharpe Hula Festival at Banyan Tree Park, Lāhainā, County Historic District No. 1, TMK (2) 4-6-001:009; August 10-11, 2019**

***The Commission may approve or deny selling in public parks located in County Historic Districts Nos. 1 and 2, pursuant to Subsection 19.52.090.E, Maui County Code***

Mr. Fujiwara: Similarly to Kamehameha Day, this event is special because, as aforementioned, there's no place to see hula, and actually a lot of the visitors who come to these Banyan Tree events that I coordinate, they oftentimes can't afford to go to a luau, they're very appreciative of being able to see hula, so at Kamehameha Day and at Festivals of Aloha, people specifically come to see the hula and so that's why I was so happy to be able to help bring back Aunt Emma Sharpe's Hula Festival where we have Maui's top halau come out and show their hula, and hoike their hula, and for a lot of

them it's special, and they up with all of their families because they don't get -- they pay for their kids to go to these lessons and they don't get to see them dance anywhere, and so I'm happy to provide that venue for our -- our keiki and our kupuna and all of our beautiful hula dancers of Maui to come and showcase. The Farden family is overjoyed to have their ohana being uplifted again. She, along with their family in Lahaina, are legendary, and our -- we owe them a great gratitude for helping to help keep our hula and Hawaiian traditions alive. Aunty Emma had -- she had learned hula at the -- from her father and other people in the community when hula was not allowed, when Hawaiian language was not allowed, and she said no, we have to learn the hula, we have to share this 'cause you're going to make and she's telling her kumu that you're going to make and it's going to die with you and we have no way to pass it on, and so she auamo that kuleana, and I come from that tradition as well, and so I believe the same thing and we need to make sure that our hula is shared and it's brought to forth to our community. In addition to having hoike and showing all of the different halau, we also do a hula workshop, and we also do an ukulele workshop, and those are all free as well, and they're well attended obviously. People are always excited to come and learn.

Chair Lee-Greig: Staff have a comment?

Mr. Kehler: Thank you, Chair. So like the previous event, there's a staff report tied to the Emma Farden Sharpe Hula Festival, and so like the previous event, your scope is to approve or deny the vending associated with this event, and just a little bit of background from the permit, from the Parks Department, the permit states that the event honors Emma Farden Sharpe through a weekend of hula in Lahaina, hula auana and kahiko, with a day of free keiki activities, workshops, artisans, a lifetime achievement award to a pillar in the hula community. Spectators have the ability to learn hula and play the ukulele. So based on this description, the primary use request is to hold a cultural and educational special event. So I think the Commission knows the drill now, so I'll turn it over to you folks for deliberation and questions.

Chair Lee-Greig: Questions from the Commissioners?

Mr. Kanahele: Yeah, I had a question for Daryl about the history of the event and when did it start? Was it always held in the Banyan Tree area -- era -- area, and just, you know, just briefly, I just wanna know when it started and was it held in the Banyan Tree area when it started. I understand that it stopped for a while and it's been revived, and when did it stop and when was it revived? When you'd start holding it again.

Mr. Fujiwara: So I can't answer a lot of those like really definitely. I know Na Mele O Maui started about 45 years ago, they just celebrated 45 years, and in the beginning of - - in its initial stages, it was held at the Banyan Tree. The busses from all the DOE

schools drove in, they dropped off all their kids, they performed their song, and they also hoike hula because the schools back then had hula troops, and they -- they had traditionally invited competition winners, yes, from all the different hula competitions to also come and dance as part of the -- the Emma Farden Sharpe Hula Festival, and so traditionally that festival was never a competition, it has always just been to hoike or to like display and share hula, and we keep to that tradition today. Many people have told me to convert it into a hula competition, but we have hula competitions here on Maui that I think we should all be supporting, and I didn't want to create another one, like this is simply to come and enjoy hula. I -- the -- I tracked down the last coordinator of the event and she couldn't remember either, but she wanted to say she had -- she was the last one 'cause she couldn't think of anyone else, she had -- she had just had a baby and so she couldn't take on the kuleana anymore, and it was around '91, '92. She said she couldn't really remember. But she had given me the logo that was used from the very beginning and so I use that today for the event as well. But so it is now -- I have revived now for the last five years since then.

Mr. Kanahele: Thank you.

Mr. Fujiwara: Thank you.

Chair Lee-Greig: Any questions from the Commission?

Mr. Kanahele: If nobody -- if no one else, you talked about status quo or your status quo in terms of, you know, you're going to have exhibits and you're going to have vendors, so in the last five years, what has been your status quo for that?

Mr. Fujiwara: It, like I was saying earlier, it was always tapped out at 25 total and that included vendors as well as exhibitors, but I am, like I said, I'm here to compromise and -- and go with the processes that the Department of Parks has created for these events to happen.

Mr. Kanahele: Is, Chair, is this a smaller event in terms of numbers as compared to the --

Mr. Fujiwara: So Kamehameha Day usually, and Festivals of Aloha, garner a lot of visitor numbers generally. The Emma Farden Sharpe most dominantly is kind of equal in that because all the halau come and they're like 50-plus strong and they bring all their ohana, so the numbers kind of like weigh out for the Emma Sharpe Hula Festival in terms of attendance, and our attendance is measured by a visual audit that we do with counters, we have people in the four quadrants set up and they -- they count everyone that comes in, to the best of their ability, whether they are visitor or a local.

Mr. Kanahale: So just to clarify what you just said, the turnout is equivalent to the Kamehameha Day activities and --

Mr. Fujiwara: 'Cause it's two days of halau for each hour from 9 to 5, and so it's generally a bigger traffic under the tree that's more guaranteed. Right now we're open and free to the public so when they come, you know, they don't have to, but if you have your kid there, you're going to show up with their grandparents and your other kids and so --

Mr. Kanahale: Alright. Sounds like maybe a lot more locals that come out because of the halaus and their families. Thank you.

Mr. Fujiwara: Thank you.

Chair Lee-Greig: Any other questions from the Commissioners? I just have a quick question, and I know this maybe seem like mahaoe, but in terms of expense to put on the Emma Farden Hula Festival, when we're looking at and we're comparing that with Kamehameha Hoolaulea, are your expenses similar in that matter because I understand that you're having to pay for musicians to come for the hoolaulea, and you're having to pay for exhibitors to come and share for the hoolaulea, is that comparable to what is happening or in terms of makana or the halau being --

Mr. Fujiwara: Yes so --

Chair Lee-Greig: Paid to come or --

Mr. Fujiwara: That's a great question and I'm -- it's very similar because what we -- what we shift from our parade budget, we, in this, I shift into the halau because I wanna be able to give them a makana for coming to perform and so I shift that, and so it's pretty much equivalent in that, so pa`u parade and all these halau kind of are like the I guess kind of equate in terms of the money that's involved.

Chair Lee-Greig: Questions? Anymore questions from the Commission? None? Is there anyone willing to put a motion forward?

Mr. Bassford: I'd like to make a motion to copy, cut, and paste the previous motion.

Chair Lee-Greig: Can we make a motion like that? Anyone have discussion on the motion? Yes?

Mr. Lay: I have one, and that's to thank you for all your hard work. I know how hard it is to put together one of these things and I hate to ask but can you do more?

Mr. Fujiwara: Yeah, no, you know, in between all of these, I do help with other nonprofits as well, but basically I'm -- I'm one of the only people that coordinates Hawaiian events on Maui especially in Lahaina, there aren't any others, and I can talk more about that in Festivals of Aloha.

Mr. Lay: Thank you.

Ms. Albino: I, personally, wanna thank you. I'm from Molokai and I appreciate what you're doing. Would love to have that kind of activity on our island too. Mahalo nui.

Mr. Fujiwara: We're working on it.

Chair Lee-Greig: Commissioner Kanahele.

Mr. Kanahele: Chair, you know, Daryl asked us, as a Commission, and other testifiers did too, to find ways to help out, support these kinds of educational and cultural events, and so, you know, I, personally, I would like to try to do everything I can to support the perpetuation of these events and what it means to our community, so I support the motion, and I would just like to reiterate what I said for the previous motion the idea of how many vendors and for the Parks Department to maybe consider, I know there's flexibility there, but I think the magic number 17 pops up again, but I just wanna put that out there as a comment and suggestion to Parks to look at that as a possible number for vendors, but, yeah, I support the motion that Ian made. Thank you.

Chair Lee-Greig: Shall we put the motion to vote? Everyone in favor? Opposed? None opposed. Motion carries.

Mr. Fujiwara: Mahalo.

**It was moved by Commissioner Ian Bassford, seconded by Commissioner Louella Albino, then**

**VOTED: to adopt the Department's recommendations as stated in the staff report with the caveat that the total exhibitors/vendors would be no more than 25 but that there be some leeway in the number 10 in terms of the 25 but no more than 25 vendors.**

(Assenting: L. Albino; I. Bassford; Y. Celiz; D. Kanahele; I. Lay; M. Ropa)

Chair Lee-Greig: So moving to item 3 on the agenda:

*Chair Lee-Greig read the following agenda item description into the record:*

- 3. Daryl Fujiwara requesting approval to conduct food and beverage sales as well as non-food merchandise sales related to the Festivals of Aloha at Banyan Tree Park, Lāhainā, County Historic District No. 1, TMK (2) 4-6-001:009; September 14-15, 2019**

***The Commission may approve or deny selling in public parks located in County Historic Districts Nos. 1 and 2, pursuant to Subsection 19.52.090.E, Maui County Code***

Chair Lee-Greig: Mr. Fujiwara.

Mr. Fujiwara: Thank you, Chair. Aloha Week started in 1946 on Oahu, and it was started to help bring back the Hawaiian culture back into communities, so everybody from all the different islands had their own Aloha Week, and it had later morphed into Aloha Festivals, and then in 2007, it went bankrupt, and to save the event, the now current Council Member Yuki Lei Sugimura, at the time, she was just an event coordinator fresh out of the Office of Economic Development, she was the director earlier, and some other community members had stepped up to save Aloha Week and they created Festivals of Aloha, and so now all the islands actually have different names for Aloha Week, in Kona, it's called "30 Day of Aloha," on Kauai, I think they use "Festivals of Aloha" too, and on Oahu, they're the only ones that maintain Aloha Festivals and Aloha Week because they -- a corporation bought it out actually and so they -- they maintain the rights to Aloha Festivals, and so today, we're lucky here in Maui, in Maui County because we don't only have one island and one week, we celebrate for two months long for Maui, Molokai, Lanai, and then Hana. I -- my great-grandmother was there at the inception of Aloha Festivals and she had passed that on to her daughter, my grandmother, Edwina Smythe, and she -- although she worked at Kaanapali Beach Hotel all day long and was their ILWU rep, she still found time to be -- to create or bring my grandmother's royal court procession style here to Maui, and so that was kind of like one of her -- her big things was royal court, and so she coordinator those things in culmination with the Lahaina Banyan Tree Hoolaulea for many years, and so when Yuki approached me, she said, eh, this is your grandma's event and we need somebody to take it on, I said, oh, I guess I got to, you know, like who else going do 'em, I have plenty cousins, you know, but they have -- they're not being called to this work, and they show their support in different ways, and so, just like the others, I have an emotional and spiritual and familial connection to these events. In addition to this Lahaina Banyan Tree Hoolaulea, our Festival has three days on Molokai, one day on

Lanai, Maui, I coordinate most of the Maui ones, we kickoff at Wailuku First Friday, I also coordinate Uncle Richard's Falsetto Contest, and we also do an Aloha Friday at Queen Kaahumanu Shopping Center, and then Hana has a whole week of events, and they have like two to three events each of those days, it's like super amazing, but at the scale of these events, it can only happen in Hana or in Molokai or Lanai to have something so treasured like that, so they have like keiki fishing tournaments, and every night they hoolaulea, and it's beautiful, but today, for your consideration, we're here to get approval for our, my grandmother's Lahaina Banyan Tree Hoolaulea. Mahalo.

Chair Lee-Greig: Do we have a staff report for this one?

Ms. Kehler: Thank you, Chair. So, again, the Commission knows the drill, the scope is to approve the vending related to the Festivals of Aloha event that will be taking place September 14<sup>th</sup> and 15<sup>th</sup>, 2019. Just a little bit from the permit application that was submitted to the Parks Department, it says: The mission of the Festivals of Aloha is to honor Native Hawaiian culture and traditions from generation to generation as well as share them with visitors and people from the community. So, again, based on the description provided in the permit, the primary use request is to hold a cultural and educational special event. And so the Commission is asked to approve or deny the food and beverage as well as non-food merchandise sales related to this event.

Chair Lee-Greig: Question from Commissioner Lay.

Mr. Lay: Okay, so we have several different venues that they're going to have this at, at each venue, are they asking for the same amount of vendors or is it specific to the different spots?

Mr. Fujiwara: Correct. It's all different. So this one is just asking for the commercial activity to be approved at the Banyan Tree, but, yeah, they're all different.

Mr. Lay: Yeah. Okay. Sorry.

Mr. Fujiwara: It's different in that it's a historical district, like the other facilities, like Mitchell Pauole, it's not a historical -- it doesn't have a historical designation so that's where the -- the red flag come up.

Chair Lee-Greig: Question from Commissioner Kanahale.

Mr. Kanahale: Thank you. So the event has been brought back, revived by you, you felt the call.

Mr. Fujiwara: It wasn't revived. This is a continual. This one has always been continuous.

Mr. Kanahele: Oh, I'm sorry.

Mr. Fujiwara: No, no, no. Yes.

Mr. Kanahele: But -- so I guess the same questions I've asked before in terms of when you -- when you coordinate these events, what is your status quo in terms of the number of vendors that you've had over the years and is it on the same scale, the event, as the other ones that we've already --

Mr. Fujiwara: Yes.

Mr. Kanahele: Looked at. So if you wouldn't mind commenting on that.

Mr. Fujiwara: Similar scale from 17 to 25; 17 to 22 usually are commercial, and from anywhere from 17 up to the 25 is usually exhibitors and displays, and then all day of hula and Hawaiian music, and it's kinda like going to the gym, you know, if you don't keep going, then you don't see a difference, but in order to like give our community the injection of education and cultural knowledge, we have to continue to be there and be present.

Chair Lee-Greig: Questions? Anymore? I have a -- a question. So we've heard three different -- the request for three different events at the Banyan Tree, and each one has a unique sort of moololo behind it, right, so can you tell me a little bit more about Festivals of Aloha and -- and -- and kind of what -- how does that differ from the other three events, do the exhibitors change, is there additional -- different types of manao shared through the Festivals of Aloha, or are we kind of looking at the same similar kinds of events and maybe talk a little, sorry --

Mr. Fujiwara: No, no, no.

Chair Lee-Greig: This is really, really long, yeah?

Mr. Fujiwara: This is really good questions, even for me. Thank you.

Chai Lee-Greig: Talking a little bit about that connection to Hana, right, so we have this -- this Festival of Aloha in Lahaina that has an amazing genealogy and history moololo behind the Lahaina Historic District, and we have a Festival of Aloha in Hana, can you tell if the two are similar ...(inaudible)...

Mr. Fujiwara: So everybody is so different and so these are -- we have over 28 of these events over 2 months, and like we don't have a royal court anymore. It costs a lot of money. People cannot dedicate the amount of time that's needed. And so the only ones that hold true to these royal courts is Molokai and Hana. They both have parades. Maui does not have a parade anymore. And I don't know when it stopped. Yeah. Lanai has an all-day hoolaulea. And, on Maui, what I've done, since I coordinate multiple Maui events during Festivals of Aloha, is I connect it with Uncle Richard's Falsetto Contest --

Chair Lee-Greig: Okay.

Mr. Fujiwara: And so past winners, current winners, and the judges come and they sing during this one, but Aloha Festivals was always meant just to be an educational vehicle to inject Hawaiian culture back into its communities, whether those traditions were lauhala or -- or lei hulu, that's what they focused on and a lot of the times it created fun games out of them too, or competitions. So, truthfully, I've been injecting more aloha into Lanai's one lately where I've been bringing more workshops there. My vision is to turn Lanai into the island of hana noeau where you'd go -- where like I need a lei hulu so I'm going to go to Lanai and get it like -- but it's all -- it's slow, of course, the progress, and it's by bringing in teachers to come and inject their knowledge into the community. For them, I feel like they're losing their Hawaiian face more so than a lot of the other communities, and so I always feel like they need a little bit more love whereas Lahaina has a very strong Hawaiian historical presence, and so when we go there, it's basically displays and keiki activities that help to strengthen that Hawaiian knowledge, and the music of course. I -- it's -- I love that I've done that for it because you only have that one night, and you get to sing that one song, and that's it, and so I love that I was able to extend that to all the judges, especially the judges who are so talented and amazing, they're able to come and share, and Uncle would come as well, but he's no longer with us, so I hold true to his love for that and he will always want it to be at the Banyan Tree, that was always important to him during Festivals of Aloha.

Chair Lee-Greig: So Uncle Richard's Falsetto Competition that is held at the Banyan Tree at this time?

Mr. Fujiwara: No. It's in culmination and in the evening. We usually schedule it for Saturday evening, after the hoolaulea, and then we continue the next day at the Banyan Tree, and then the winner is able to come and sing with -- well used to come and sing with Uncle and whatnot, but the opening day usually was to come and draw more people to the competition with past winners, and that's what I do for all of these hoolaulea now is they would -- all of these champions, these falsetto champions they'd

win and when Aloha Festivals was on Oahu and they all -- they took care of it, there was a CD release then, you got to win a recording for that, but in 2007 when they went bankrupt, the CD stopped, so our champions, they won, and they never get nothing, you know, they had no recording experience or anything, and so now when they win, I put them to work, they work all of these events, they -- I try to take them to all the Festivals of Aloha throughout Hana, Molokai, Lanai, and that's because we wanna help raise them, you know, and make them better musicians and give them the opportunity to grow. So that's kinda of what its evolved to since I've taken Festivals of Aloha Banyan Tree Hoolaulea over is, of course, the highlight of culture but largely I wanna say is because of music and the hula that that's being shared there, and the vendors are the secondary of course, but they're also a large draw, and -- and this is -- this something that I've shared throughout this journey, this has been a very arduous journey, but I've tried to look where hoolaulea comes from, what the tradition is, did Kamehameha create that, like Ka Mamalohoa where you could have safe passage along Mamalohoa at night and, you know, but there's nowhere in our Hawaiian context that share that hoolaulea have to have vendors and it has to have food, it has to have hula, there's nowhere written, but we know that, as Hawaiians, that that's how it is. You don't go to a -- you don't call it a hoolaulea if there aren't those components. I don't know any of them. And so I've shared that with my -- my friends and cultural practitioners, and they've all kind of echoed the same sentiments is that, it's not unfortunate, but you don't go to hoomau and not expect to have food and the crafters. Like that is just how Hawaiian cultural events are today. And like I was sharing earlier, I wanna say it's because of that time of noa, that is pau now, where it's not ceremonial, it's more open, it's more lea, it's more fun, and that's what hoolaulea is, it literally means to have lots of fun and all of these components add to that, the draw, the people, the crowd, the energy that you share with one another and to be able to offer somebody food, to offer them something when they come to your hale, when they come to your home. It's all of -- it's all of these things but I just -- I really have tried to do my due diligence. I'm just like, you know, I've gone to Parks on many occasions to educate many directors on what hoolaulea is, it's not a craft fair, although it's a component of it, that's not the intention. It all comes down to intention, you know. And as I shared with Parks, it's like you are going to have two State holidays from these events I'm doing and doesn't it have some weight for you? Doesn't that mean something that these people are so important that you're going to have a day off, you know? It's -- but it -- you know. Yes. So.

Chair Lee-Greig: When is Kuhio Day?

Mr. Fujiwara: March.

Chair Lee-Greig: March. Okay.

Mr. Fujiwara: Yeah. So all of, you know, all of these Hawaiian cultural events I feel like are being marginalized by the bigger issues that are coming from -- from this area and -- and that's why we're here, and I'm thankful for all of your guys' manao, sharing it with Parks. You know the more they hear and they know I think is very helpful to them to make determinations.

Chair Lee-Greig: I think I'm just trying to get an understanding of Festivals of Aloha, Kamehameha --

Mr. Fujiwara: Like totality or just --

Chair Lee-Greig: At the --

Mr. Fujiwara: The Banyan Tree.

Chair Lee-Greig: At the Banyan Tree ...(inaudible)...

Mr. Fujiwara: Right. So Aloha Week was always just to inject Hawaiian culture so to be present and sharing our displays, our exhibits, Hawaiian music and hula, that is the base and foundation of Festivals of Aloha, so it used to be where my grandmother's royal court and parade would come down Lahaina, similar to Kamehameha Day, and we would celebrate Hawaiian culture, so that's what it has, in the last couple of years since I've taken on Uncle Richard's Falsetto Contest, it has kind of morphed into celebrating even at more stature now Hawaiian music in that, not on the docket today are other Hawaiian cultural events that I've brought to Lahaina, including Mele Mei, which is the Na Hoku Hanohano's music festival, I didn't put in an application, it's May, but they are moving in a different direction this year, and so I did not put in an application for that in addition to doing Prince Kuhio, so all of these, yes, they're very similar, they have similar layouts, and they have -- they will have similar exhibitors, but the intention of those events are all very different and special.

Chair Lee-Greig: Okay. Any other questions from the Commission? Do we have a motion, this one particular motion for Aloha Festivals?

Ms. Albino: I make a motion that we approve your request.

Chair Lee-Greig: Anyone to second?

Mr. Lay: Second.

Chair Lee-Greig: Discussion on the motion, please? Any --

Mr. Lay: Can we go over the parameters of it, just quickly, as far as what they're able to do as far as with the vendors, is it similar to the last one or is it --

Mr. Desjardins: Yeah, so it's exactly the same as the last two so you could either take Commissioner Bassford's approach and cut and paste the same recommendations to Parks or you could just say approve vending and leave it up to them to define the parameters.

Mr. Lay: So it would fall under the maker of the motion.

Mr. Kanahele: Chair?

Chair Lee-Greig: Commissioner --

Mr. Kanahele: Can I -- can I ask the maker of the motion is that the intent of the motion to be like the other two motions or --

Ms. Albino: Yes. Because it's similar in the venue and the expectation of the -- the whole celebration I think it should be --

Mr. Fujiwara: Mahalo.

Ms. Albino: Consistent ...(inaudible)...

Mr. Lay: Second.

Ms. Desjardins: Okay, so let's just treated as a friendly amendment to the original motion which is a motion to approve with the same conditions as the last two motions. Is that okay with everybody? And then there was a second by chair or Vice-Chair Lay.

Chair Lee-Greig: Do we have discussion on the motion as amended? Alright, let's put it to vote. Everyone in favor of the motion? Anyone opposed? Alright, motion carried.

Mr. Fujiwara: Mahalo nui everyone. I will see you again maybe November to approve again all of my cultural events for 2020.

**It was moved by Commissioner Louella Albino, seconded by Commissioner Ivan Lay, then**

**VOTED: to approve with the same conditions as the previous two motions.**

(Assenting: L. Albino; I. Bassford; Y. Celiz; D. Kanahele; I. Lay; M. Ropa)

Chair Lee-Greig: Let's take a quick recess, five minutes.

*(A recess was called at approximately 12:40 p.m.; the meeting was reconvened at 12:40 p.m.)*

Chair Lee-Greig: Okay, we're getting ready to start back up again. Let's call the meeting back to order, Commissioner Lay had to step out, and I think Annalise had something she wanted to discuss.

**D. ANNUAL COMMISSIONER TRAINING PART I (A. KEHLER)**

- 1. Maui County Code, Chapter 2.88 – Cultural Resources Commission**
- 2. Maui County Code, Title 19, Article iii – Historic District Ordinances**

**E. ANNUAL COMMISSIONER TRAINING PART II (M. DESJARDINS)**

- 1. Chapter 92, Hawaii Revised Statutes – “Sunshine Law”**

**F. ANNUAL COMMISSIONER TRAINING PART III (M. DESJARDINS)**

- 1. Basics of Robert’s Rules of Order and Conducting the Commission’s Business**

Ms. Kehler: Yes, so item -- items D, E, and F, I'm wondering if the Commission would be okay with deferring those items until the next meeting.

Chair Lee-Greig: Yes.

Ms. Kehler: Okay. So, Mimi, do we have to make a motion to defer?

Ms. Desjardins: No, you can go ahead and just defer, and if you just defer it to the next meeting, then it'll be on the next agenda.

Ms. Kehler: Okay. Alright, thank you for your cooperation.

**G. UNFINISHED BUSINESS**

Chair Lee-Greig: So item G, Unfinished Business.

Ms. Kehler: There is none.

**H. NEXT MEETING DATE: June 6, 2019**

**I. ADJOURNMENT**

Chair Lee-Greig: Item H, Next Meeting Date, June 6, 2019. And with that, we are adjourned. It is 12:45ish.

**The meeting adjourned at approximately 12:45 p.m.**

Submitted by,

SUZETTE ESMERALDA  
Secretary to Boards & Commissions II

**RECORD OF ATTENDANCE:**

**Present:**

Tanya Lee-Greig, Chairperson  
Ivan Lay, Vice-Chairperson  
Louella Albino  
Ian Bassford  
Yvette Celiz  
Daniel Kanahale  
Michael "Kaleo" Ropa

**Others:**

Jennifer Maydan, Planner VI, Long-Range Division, Dept. of Planning  
Annalise Kehler, Cultural Resources Planner, Long-Range Division, Dept. of Planning  
Mimi Desjardins, Deputy Corporation Counsel, Dept. of the Corporation Counsel  
Suzette Esmeralda, Secretary to Boards & Commissions II, Current Division, Dept. of Planning