

**MAUI REDEVELOPMENT AGENCY
REGULAR MEETING
NOVEMBER 15, 2019**

A. CALL TO ORDER

The regular meeting of the Maui Redevelopment Agency (Agency) was called to order by Mr. Frank De Rego, Jr., Chair, at approximately 1:00 p.m., Friday, November 15, 2019 in the Planning Department Conference Room, First Floor, Kalana Pakui Building, 250 South High Street, Wailuku, Island of Maui.

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

Mr. Frank De Rego, Jr.: Let's call the meeting to order at one o'clock. We'll call the meeting to order. Before we get started today, I wanted to acknowledge that we understand there's been a lot of coverage of a potential hotel project coming to Wailuku in the last few weeks. And people are understandably interested in and what kind of impact that could have on the neighborhood. So I wanted to take a minute before we launch into our workshop to let you know the status of that project and how it relates to our discussion on zoning today.

Today's meeting is a workshop and discussion only. The Members of the Maui Redevelopment Agency will not be voting on any changes to the zoning today. At this time, no application has been filed for a new hotel in the district with the MRA. That being said, let me repeat, the MRA will not be making any changes today.

So here's what's going to happen. Erin will go over how the Wailuku Redevelopment Area came to have its own zoning. Erin will talk about the purpose of the Mixed Use Commercial Zoning District. We will hear from our consultant, Carol Rhea, from Orion about process and timing given the circumstances. The Members will then ask questions of the consultants. We will be doing no deliberations at this point so they'll be asking, the Members will be asking questions of the consultant. Then what I propose to do is to move public testimony from the beginning to after the presentations have been done and the questions have been asked so people would have heard what's going on. Probably a better place to put testimony at that particular point instead of the beginning. We will then discuss direction and request additional information needed from staff, and discuss a schedule for next steps. Okay.

And so I have another thing to say about testimony right before it happens. But let's get going with Erin and...it's up to you.

C. OLD BUSINESS

- 1. Presentation and workshop on the history of the Wailuku Redevelopment Area Zoning and Development Code and Design Guidelines, current status of amendments and options for the updates. An executive session may be called in order for the Agency to consult with its attorney with respect to this item.**

Ms. Erin Wade: Thank you Chair. So understanding that there would probably be a lot of

folks here wanting to participate we made the --

Mr. De Rego, Jr.: Oh, wait, I'm sorry. I have this --. I'm sorry. There's one more thing. Two of the members, myself included, have a hard stop at 3:30 p.m., okay. I have a doctor's appointment at four o'clock that's going to take months to get. You get to be that age, right, you need to get to your doctor's appointments all set up. So I have a hard stop at 3:30 p.m. so does one of the other Commissioners. We probably will still have quorum, but another members has a hard stop at 4:15 p.m., so just to give you an idea of timing in terms of our schedules and what's occurring today. Okay, sorry Erin.

Ms. Wade: No, that's fine. So knowing that there would be a lot of folks wanting to testify, I made the presentation very brief with the highlights about what is the zoning, why were amendments being considered, and what's the status. And our consultant Carol is going to help with status. I do have her. She's on the line. She's calling in and I have her on speaker that we'll connect to so hopefully this will be loud enough for everyone. We'll do our best. Are you able to hear me?

Mr. De Rego, Jr.: No.

Ms. Wade: You're not?

Mr. De Rego, Jr.: Behind, yeah.

Ms. Wade: Okay, are you able to hear me?

Mr. De Rego, Jr.: Yes.

Ms. Wade: Okay, great. So in terms of a timeline, the Redevelopment Agency was brought into being in Maui in 1964. In 1989, there was an ordinance that codified the Redevelopment Agency under State Law, so that's HRS Chapter 53. That law requires an Urban Redevelopment Plan to be adopted, and so in 2000 the Redevelopment Plan was adopted which listed a series of tasks and objectives for the organization to be working on. Any tasks that the organization completes needs to be within that document. That's the directive for the organization. One of those directives was to create regulations and zonings for the Redevelopment Area. So in 2002, that was done and it's now called the Wailuku Redevelopment Area Zoning and Development Code (WRAZDC). And then in 2016 -- 2006, excuse me, a Design Guidelines were adopted to support the Zoning and Development Code.

So the purpose of the Mixed Use Commercial District is to focus on infill developments and by the map that you can see here, the area in gray or the area that has no color, basically the core of Wailuku through Main Street to Vineyard Street, and the three blocks within that central area is the Commercial Mixed Use District. So focusing on infill, to catalyze a mixed of uses within the area, and to protect the small town ambiance.

The reason the MRA considered making changes to the Zoning Code at this time are the

current uses are out of date. There's, for example, there is no reference to short-term rentals because that didn't exist in 2002 as a use when this was adopted. The process for each use has been unclear and wasn't well organized so folks didn't know what process they would have to go through when they were applying. There's no incentive for open space or historic preservation in the district. There are inconsistencies between the Code and the Design Guidelines, so that's left up to interpretation which has been a challenge. The current development standards had unintended consequences and limited opportunities for housing. And finally, the MRA asked for additional illustration of the document so it was much clearer and user friendly to the public what was being expected within the Code. And that, the renderings have only just started with the consulting team. We've put in a couple of those, but that's not complete so we're quite a ways from finishing the draft of the ordinance.

I'm going to ask Carol now to participate in terms of timing and process. I know there were questions about, from the members, about it being in this draft status and what needs to come next. So Carol, are you there?

Ms. Carol Rhea: I'm here.

Ms. Wade: Okay, great.

Ms. Rhea: Do you want me to just jump in or do you want me to just respond to questions?

Mr. De Rego, Jr.: Okay, yeah. So members, we're going to ask you to be asking questions of the consultant, Carol, in order to find a way forward for what we're doing, okay. But not specifically about anything in the zoning, okay.

So, Carol, you worked with so many communities, you must have run into situations in the past where potential development project added confusion to a zoning update. What would you say is the best practice in a situation like this?

Ms. Rhea: Yeah, this does, this does come up and I've run into it actually a number of times. I think it's really important to separate the Zoning Code update from whatever that issue is in the community. I'm not typically a fan of single projects driving decisions about a zoning code that will potentially affect many properties or even the entire neighborhood. If you think that changes are needed urgently to deal with an issue that might be creating a nuisance or a real problem for the area, or you're facing legal challenges, then those might need to be brought forward more quickly. But there's a lot of immediate issues in your code that, like, height and setback, bulk, that I think are, you know, you need time to really give those good consideration before you try to deal with a code amendment.

Mr. De Rego, Jr.: Members, questions? Okay, I have another question. Is there anything that came out of the community workshops you held in August and September that would make you think we need to take immediate actions on some item regarding the zoning?

Ms. Rhea: Well actually I was, I was a little surprised to find out at the community workshop

that we uncovered a lot issues that we were not expecting. Things like existing lot sizes and the building codes. They make it very difficult to preserve existing buildings and even harder to make improvements or redevelop those lots. But what we found is that the design guidelines that you currently have don't provide adequate direction for buildings that are a lot older, especially buildings that aren't plantation style which the design guidelines focus on. And even then they don't give a lot of great guidance on what constitutes plantation style and how should that really be implemented within the community. The small size of the lots and the way they're organized or disorganized within the area makes it very difficult also to create standards that could easily apply district wide with meaningful and predictable applicability. So the more we talked with the people who came to the workshop and that we interacted with the more it became obvious that, you know, we think that evaluation of projects, we may have to look at a zoning amendment that allows evaluation of projects to be made on a case by case basis to deal with these often very unique situations. So I think that those issues warrant a lot more study, and you know, a lot more careful consideration before we move forward.

Mr. De Rego, Jr.: So could you give an example of one of those kinds of conflicts?

Ms. Rhea: Well, there's, you know, a lot of corner lots. Some of those corners are I would consider those secondary corners, and some of them are primary corners meaning that they're very, very important to character of the area and the district. And those primary corners may need special treatments. They may need for the board to take up what the individual applications. So that's just one example, but there are others where the...the height and bulk. Even in your current code it doesn't make sense for where it is. It makes sense perhaps where some of the larger lots, with the smaller lots where you're not likely to get a lot of aggregation of those individual lots or land assembly. It, it probably doesn't makes sense, and so those may need to be looked at more carefully. So, you know, those are just a couple of examples, but we did run into it.

Mr. De Rego, Jr.: Okay, thank you. Commissioners? Okay, go ahead.

Mr. Keone Ball: Keone Ball. Do you have any suggestions for that in those substandard lots? What might be some --

Ms. Rhea: I'm sorry, I didn't quite, I didn't quite hear that.

Mr. Ball: What might be some remedies for those substandard lots?

Ms. Rhea: Well, you know, again, I think it probably is a case by case basis or it certainly could be and allows the community more flexibility in terms of how to address these unique sites instead of a cookie cutter approach where everybody has to meet the standards which might not make sense either for the property owner or for the community. The community might not get the character that it really think it's going to get with the cookie cutter type approach. So in that instance what we've done in other communities is work with them to come up with a series of...of procedures that allow a board to look at a proposal and evaluate a very specific site, a specific development plan for a particular lot and work with the property

owner and the community to try and get a development that makes sense for both parties.

Mr. De Rego, Jr.: Thank you. Commissioners? Okay, I have another question. Is there any reason you think at this moment we need to move forward with zoning update right now?

Ms. Rhea: Well, I think your zoning ordinance, it definitely needs to be updated, but what we found is that there are...it's more than just this standard or that standard. You really need to take the time to be clear about what Wailuku town's vision is for the area, and that isn't currently very clear. Zoning is a tool intended to help a community implement its vision, so understanding that vision, I think, makes a lot of sense and we can't do that. If we rush through the zoning, then we may come up with a tool that actually is not going to help you any better than what the tool you have right now is doing for you. So, I think we need to take time to make the right decisions for the community and consider, you know, how this impacts the whole area, not just the CMU. I mean, that's the focus, but the CMU impacts everything else and you need to take a look at what is that vision and not let any, you know, particular issue that's on the table right now drive that process faster than it should go to make sure you end up with a zoning ordinance that is what you need.

Mr. De Rego, Jr.: So that begs the question for me, what next steps would you recommend with the zoning update?

Ms. Rhea: Yeah, as I've said, well, there needs to be a vision and the design guidelines which also helps express that vision are out-of-date. So I'd recommend that you start with those foundational elements. We've heard from virtually everyone that we met with that character is the priority in Wailuku town, and the CMU is a very important part of that. And I think those elements should, the design guidelines and the vision, should accurately define, be accurately defined so that the zoning update, again, works for the, works the community. So that there can be confidence going forward that your zoning ordinance is what it needs to be. I know that you did struggle a little bit once we got into all of the various elements that feed into the code trying to understand ourselves what is the overall vision. And, you know, if we make the changes that we discussed at the workshops, would that actually accomplish the vision. And we couldn't answer that, so I'd like to -- I think it's a good opportunity to go back and answer those foundational questions.

Mr. De Rego, Jr.: Okay, that exhausts my questions at this point. Does anybody else have any questions? Okay, if there's no more questions from the Commissioners, I think we can move into public testimony. Yes, public testimony is for three minutes. Let me reiterate. Since there is no application and not a specific development project on the agenda, testimony should be limited to what's on the agenda. And if it's not on the agenda I will call it out of order, okay. Is that clear? Excuse me, the sign up. Yeah. The agendas are there. As I remind you, two members have a hard stop at 3:30 p.m. today. We will keep the presentation -- we have kept the presentations brief on purpose to allow us to hear from the public, but at some point we may lose quorum along the way through the meeting if the testimony goes past 3:30 p.m. so okay. So let's call up the first testifier that's been listed and I will ask if other people want to, you know, testify who aren't on this list. John Hara.

- 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 Agency. More information on oral and written testimony can be found below.**

Mr. De Rego, Jr.: Okay, Eric Rohozinski. No, right there at the podium. State your name and if you're affiliated with any organization.

Mr. Eric Rohozinski: My name is Eric Rohozinski. I'm owner and operator of Maui Physical Therapy on 84 Central Avenue, Wailuku. I've been a property owner of that property and in Wailuku since '93. That building was built in 1984 as a medical building at that time and around Central so it's quiet and narrow street and it was to code as it was back then. So it looks like I'm one of those non-conforming properties at the moment because I'm right up against the road. I have people who park their big trucks on my property . . . (inaudible) . . . cracking my wheelchair patients access along which I have to repair. And when I have a truck that's like a big F150 parked on our sidewalk and two cars on the road in the two-hour parking zone, the Maui Disposal trucks cannot pass on that road of each other because it's too narrow. I've watched kids from Iao School, Baldwin High School that get out at three o'clock in the afternoons, walk down there. They have to jog through the Judo Mission, jump over our road, and walk through all those traffic going on. So we have huge impact on that road at this stage. What I'm looking now, we're going to increase above four height hotel level, whatever level buildings, it's going to increase density tremendously. Now if we're going to double it to eight, for instance, we're going to have a lot more units. Maybe now that's 400 or 500 occupants with cars coming into that district. And if it's going to be possibly a hotel, and the check-in time is at three o'clock, it's going to coincide with all of that. We're going have a real bottleneck and mess. County employees take 20 minutes to get down to Kaahumanu Center. The kids might get run over. And, it's going to be a bad bottleneck. With my security cameras, it is bottleneck every single day from the light, from Main Street, going all up to Vineyard, and going all the way back up. It's like that every morning and every afternoon.

And now looking at the photograph I saw online of the height of the eight-story building, and I used to live in Waikapu way back in 1990, I used to run through the . . . (inaudible) . . . that goes back then. And now I live at Sandhill, when I sit on my toilet I can look down straight down to Iao Valley, I would no longer have a view and possibly no air breeze. I'm looking at air flow through here. Every evening air flow comes down Iao, at about 6:00 p.m., cools us off by one o'clock. That's going to be gone. We're going to be like Honolulu. If we want to be like Honolulu, have hot, tall buildings, that's the way you want to go.

The other issue is, though now that we have to have paid parking in Wailuku. Municipal parking lot coming up . . . (inaudible) . . . in the future. My boys went to Maui High. 70% of the kids there on food stamps. I help those kids, I donate, I volunteer for those kids, and those kids kind of live down here by lao, the prison, those kids live here, they can't afford to spend . . . (inaudible) . . . in the parking lot. So, you know, these kids are going to have to walk.

Ms. Ramoran-Quemado: Three minutes.

Mr. Rohozinski: Anyway I'm just saying that there's going to be a heck of a lot of congestion. So the higher we go, the more dense we become. So I have a problem that we get above four-story it's going to be a real issue for our community. Thank you.

Mr. De Rego, Jr.: Thank you very much. Next testifier is John Hara.

Mr. John Hara: Hi, my name is John Hara. I'm from the Wailuku Judo Mission. I've been here, living in Wailuku for 10 years, but living in Lahaina since '77. So I actually like what the consultation was saying about not having a project drive the process versus just kind of knowing your community, figuring out, establishing the vision and designing the guidelines. Kind of making sure that we all are on the same page so I just wanted to make sure that. I'm concerned because our temple is built like in a triangle shape so I don't think, if you took away a lot of the grandfather zoning rules and guidelines, then we would be, you know, in a lot -- we would have a lot of issues, so that's my concern. Thank you.

Mr. De Rego, Jr.: Okay. Well, thank you very much. Colleen Rohozinski. I'm saying the name wrong, I'm sorry.

Ms. Colleen Rohozinski: That's okay. It, it works.

Mr. De Rego, Jr.: It works?

Ms. Rohozinski: Yes, it works.

Mr. De Rego, Jr.: Okay, mahalo.

Ms. Rohozinski: Eric's my husband and so we're not only business owners on Central, but five years ago, we moved to Sandhills, so we're newcomers to Wailuku. But it has the heart and soul of our island, why everybody comes here and enjoys all the people. And I love what your consultant said. She's right on. We can fight between each other with basic philosophical differences, but unless we have a vision, what we want Wailuku to look like in the future, how we want to plan the island of Maui, we're just going to be fighting amongst ourselves forever. So it's really a vision thing that, a planning thing that we all have to kind of do we want to do what Honolulu did incrementally and just grow, grow, grow, grow, grow without any thought or ideas on what we want our quality of life to be here for our kids, and our seniors, and for ourselves? I think that is so important and...and I -- she's a keeper, your consultant. I don't know who she is, I, I just I'm so glad that you did what you did by reversing

it because it takes the animosity out of it. We all want to live here and not fight with each other. But when that development thing came in, I, I -- my dandruff went up without even knowing why with the parking lot and everything. I'm going, like, it's changing, I'm freaking out. Well, I know change has to come, and I know that it will come with younger vision, other visions. But somewhere along the line we all have to kind of determine a philosophy. Husbands and wives divorce over basic philosophies. It can rip our community apart. We just have to be able to talk to each and come up with some kind of plan that we have to give and take. So, that's all. Thank you.

Mr. De Rego, Jr.: Thank you very much. I think your phone is talking to you. Mikahala Helm. I'm sorry, I can't read, I can't read writing very, very well.

Ms. Mikahala Helm: Oh, okay. So sorry. Aloha ka kou.

Mr. De Rego, Jr.: Aloha.

Ms. Helm: My name is Mikahala Helm and I am -- I've lived -- Wailuku is my home. And I've been here in Wailuku at the top of Vineyard Street forever. So it comes with a lot of heart that I'm here today. And the spirit of this aina and aloha for our ohana, I feel that each of you have a very critical, critical role here. And my father would say timing is everything. And this is indeed a critical time. And it is a time to protect Wailuku. Yes, and I've said I'm a long time resident here, and I'm here to oppose the proposition to raise the building limit in Wailuku from four-stories to six-stories.

If we just take a second and really look outside and think how beautiful this day is and these past days how clear and beautiful we can see the mountains. The blue skies telling us that, yes, indeed, it is a clear day. It is a beautiful day in Wailuku. And we picture plopping six-story buildings, various places all throughout Wailuku. What will that do? As someone mentioned, yes, our breeze, the . . . (Inaudible. Spoke in Hawaiian.) . . . that comes through. The breeze that comes down that we count on here in Wailuku. The air, the light. They may not seem important, but they are the essence and the spirit here. So we have to remember that. Building these buildings will bring fire hazards, and disconnection to the aina. And I know that you talk about the balance here between economy...what is it culture? Economy, culture and what's the other one? Environment. Okay. And so I think that's precisely what we're talking about here. And someone mentioned vision. We don't have to search for vision for Wailuku. Our history and our culture tells us what the importance is here. It is the base. We have the essence throughout Wailuku that we can look to to protect and have that grow. We need to make this an even safer place for all of our people here. For our ohana, for the keiki, we see everybody walking back and forth.

Ms. Ramoran-Quemado: Three minutes.

Ms. Helm: And so, anyway, I just ask you whenever you're going to have more of these meetings -- I heard you're not making a decision today -- when you're making more of these decisions, please make it even more well-known so our people can show up because there

are many people who want to share mana'o about this. Mahalo nui.

Mr. De Rego, Jr.: Mahalo. We'll wait for the list. Susan's next? Okay. Susan Halas.

Ms. Susan Halas: Good afternoon. Can you hear me? Is it okay?

Mr. De Rego, Jr.: Yes, thank you.

Ms. Halas: My name is Susan Halas. I'm a long time Wailuku homeowner. I'm testifying today on Item C.1., Wailuku Redevelopment Area Zoning and Development Code draft text amendment dated August 15th, 2019, which is this document right here. Okay. This is a 22-page document of text and graphics. Of those pages, approximately six pages are blank and the needed information is missing. So I'd like to show you that this document is full of blanks. You could not make a decision today even if we wanted to because none of these . . . (Inaudible. Did not speak into the microphone.) . . .

Mr. De Rego, Jr.: You're out of order. You address the Commission, please, when you're making your testimony.

Ms. Halas: None of this -- a great deal of the information is missing. It's very unusual to be asked to testify on incomplete material of which this is a very good example. Specifically my main concerns are page-4, hotel use. I oppose the current language which say "hotels over 20-years, over 20-rooms need an MRA permit." I favor wording that gives a definite a hotel room limit not to exceed 50-rooms, and a definite height limit not to exceed four-stories.

Page-6, height limits. I oppose changing the height limits for Block Face A or any other portion of the district to six-stories, and I think it should remain at four-stories.

Page-22, all of section 19 and all of section 20, non-conforming lots. I oppose all the changes in this section and say remove the grandfather protection from the many non-conforming smaller properties in Wailuku town. These are mainly residential properties built many years before the adoption of modern codes. The proposed changes will cause hardship to those property owners and hamper their ability to make changes or improvements to their property.

In more general terms, I do not understand the conversion of the entire district to commercial mixed use. This is the change that favors the interest of commercial use over residential, over residential property. In fact, the whole document is slated, it's slanted in favor of merchants and commercial property owners to the detriment of residential property owners. I am disappointed that the link to this document right here, was not and is not posted on the MRA website, so I very much doubt that any of the people in this room besides the very few have ever even seen this document or know what they're talking about.

I'm also disappointed that the map is not clear nor are there explanation of the definitions.

Ms. Ramoran-Quemado: Three minutes.

Ms. Halas: I have about 30 more seconds Mr. Chairman. May I?

Mr. De Rego, Jr.: I, I'll allow you.

Ms. Halas: Thank you. I'm disappointed that no email address to send comments is included on the agenda or any other place. I requested the MRA fill in all the blanks before asking for further comment or discussion. Make a good faith effort to explain all the, all the proposed changes to all the property owners in writing and allow the community to respond by email because not everybody can make a one o'clock meeting. It's a very inconvenient time.

Mr. De Rego, Jr.: Okay.

Ms. Halas: This is my last paragraph.

Mr. De Rego, Jr.: No, I think it's done. Thank you very much. You can also --

Ms. Halas: What?

Mr. De Rego, Jr.: Submit it, in, in writing to Erin.

Ms. Halas: I will send it to Erin in writing but my last --. May I have one more sentence?

Mr. De Rego, Jr.: One more sentence.

Ms. Halas: I requested Gwen Hiraga to disqualify herself from voting on any of these changes due to a conflict of interest because her firm presently represents property owners who stands to receive major benefits if these proposed changes are adopted. Thank you.

Mr. De Rego, Jr.: Thank you. Would you like to do a couple of clarifications...on the commercial mixed use? Okay, don't have to do that? Okay. Okay, thank you. Let's see what we've got here. Mahina Martin. I'm sorry, actually Matt Fox. Yeah, Matt Fox. Sorry about that. We've got two pages here so we're going back and forth. You cut in line, yeah. You used to do that in school I bet. Okay.

Mr. Matt Fox: Aloha Commissioners, fellow community members, and guests. My name is Matt Fox and I'm a resident of Haiku, Maui. I have 10 copies for written testimony as well.

I am unequivocally opposed to any height increases for Wailuku or any other part of the island. And also I wanted to note that I'm here representing myself. At the core of this conversation on height changes is the character and integrity of the island. People come from around the world to visit Maui and to choose to live on Maui because it is a unique place. This entire issue is about preserving the island for our keiki and not selling out to developers and those that stand to gain financially from putting up taller buildings.

During the meeting on September 27th, 2019, Ms. Erin Wade, who according to her LinkedIn profile is the Redevelopment Program Planner expressed, quote, the reason that this was proposed is because of the intent to encourage affordable housing or housing, end quote. There is no guarantee that buildings taking advantage of the new increased height restriction will be housing. From my understanding there is no rule, or law, or requirement that ensures housing will be built in these new taller buildings. Furthermore, there is no requirement for affordable housing even if housing is built in these new potential developments by the developer's choice.

There are already buildings exceeding the height standard with non-conforming use certificates. There is no mechanism to prevent that with the new height increase that new non-conforming use certificates would not be issued, allowing buildings to exceed the new taller height restrictions. There is no mechanism to prevent this same Commission from changing the height restrictions in another two years or two years after that. This is a slippery slope. Once the height restriction is raised, it sets a precedent for it to be raised and raised, for non-conforming use certificates to be approved, and slowly but surely the skyline is raised, and in some years' time we have skyscrapers in Maui. All because good people were looking out for the bottom line of developers instead of the people that stand to be harmed by these height restrictions.

Furthermore, with a case currently in the Supreme Court filed against the County, how are we going to provide clean water and sewage services to this increased demand? How is the Commission going to address the real implications of what taller buildings bring to our environment, like many people before me said in terms of the, the breeze and other aspects including parking?

This Commission showed its true colors, whether it were these members or former members, when they hired a private parking company to do a parking analysis. What outcome besides a recommendation of hiring that said parking company did the Commission expect to get? If the Commission wants to increase traffic and encourage people to come to downtown Wailuku, then making parking free is the only reasonable solution. With free parking, I would be encouraged to come, park, and spend my money at the businesses located in Wailuku.

I hope that the Commission, and the Mayor's Administration seriously weighs the long-term true costs that this proposal will have, not merely the benefits that might be achieved. Mahalo nui loa, Matt Fox, and here's my . . . (inaudible) . . .

Mr. De Rego, Jr.: I would ask that for respect of the Commission as well as everybody in the audience we refrain, refrain from any outburst or clapping or anything, okay. Let's keep this, you know, calm. Okay, mahalo. Okay, so, Nick Drance.

Mr. Nicholas Drance: Aloha. You each have a testimony, several written copies. Very quickly, I have a couple of things I want to focus on, and the first one is the Maui County General Plan for 2030 adopted according to Ordinance 3732. That plan for the island

includes a lot of -- it's a guide for us for future years and it remains in effect for another 10 years. Contents of the plan were created in part through the efforts of the Maui Economic Development Board. And, you know, you can see, I think, probably without a lot of notice, there's a room full is full of people, and so there's a tremendous interest on the part of the public with regard to this subject. But the Maui Economic Development Board had this initiative, Focus Maui Nui, which received input from 1,700 participants based on 167 meetings throughout Maui County. So this like this times, you know, 100 or something, that gave, gave information that made that Maui County General Plan. And to zip through this, you have in those attachments there, a copy of the Maui County Core Principles and Vision Statement. So a lot of people have talked about Wailuku lacking a vision. Actually, there is a vision. And my organization is the Maui Miracle dot org, and actually the purpose of the Maui Miracle dot org is to educate voters to understand that it is important to preserve the economic, cultural and environmental sustainability of the island. That's the focus of that website, and that's the focus of the General Plan, and that's the focus of the core principles.

The first four core is excellence and stewardship of the natural environment cultural resources. These are just the first four. Compassion for and understanding of other. Respect for diversity. Engagement and empowerment of Maui County residents. I think there are a lot of complaints about things happening that residents aren't aware of.

The vision statement says essentially the life of the land is perpetuated in righteousness; also a part of our State seal. And when that was originally penned, I believe that the word was sovereignty, like the land is perpetuated in sovereignty. But that sovereignty could also be taken to indicate the integrity of the land, belonging to the aina, to the people, and so forth.

So the first four components of that is adopt reasonable stewardship principles by applying sound natural resource management practices. That's the first, number one priority in the vision statement. Two, respect and protect our heritage, traditions and multi-cultural resources. Three, plan and built communities that included diversity of housing. I'm sure that's like the most ridiculous thing that's happening on this island.

Ms. Ramoran-Quemado: Three minutes.

Mr. De Rego, Jr.: Okay, so I'll a couple of more sentences just to close.

Mr. Drance: Thank you. The last one is retain and enhance the unique identify and sense of place. This is something everybody is talking about. Alright, the attachment is just to tell you what is there. The core principles, vision statement, a way forward. Even though I object to these things, there is an easy way forward to spend a lot less money to revitalize Wailuku. The last attachment is a spreadsheet provided by the Planning Department for the Civic Center that goes into pretty --

Mr. De Rego, Jr.: Okay.

Mr. Drance: Last one, shocking detail.

Mr. De Rego, Jr.: Thank you.

Mr. Drance: And the last one is tax waivers that go along with it. The amount of --

Mr. De Rego, Jr.: Thank you very much. Thank you. Thank you very much. I'm a tough guy. Trinette Furtado. I think we're ---. Yeah, Mahina. Mahina...finally. I tried to get her to cut in front of you now. I'm sorry Mahina. The problem is when you know everybody over here, yeah. Okay. Go ahead.

Ms. Mahina Martin: Aloha Chair De Rego and Commissioners. Throw me off you.

Mr. De Rego, Jr.: Sorry, yeah.

Ms. Martin: Anyway, I'm Mahina Martin. I am of Wailuku as many as you are, yourselves, and you have history as being born and raised here. First I want to mahalo you because I know it's a volunteer service you do. You, yourself, give up your time and your other obligations as many of us have done today. For me it's I'm using one of my vacation days. I would rather be with my families on those, but we're here for a reason.

So today I wanted to convey to the Agency's Commissioners, yourselves, ahead of decision making. So I appreciate the workshop, I appreciate that you're not at the deliberation point, but I would like to share some concerns. And specifically my concern for increasing the height limit, the need for better transparency and access between the MRA and the public, the community, and an unease with landowners, entrepreneurs, developers that have an assumption of an approval through a variance.

So I've read HRS 53 that contributes to the existence of MRA. I've gone through the MRA Code, Zoning, Annual Report, and a year and a half of your meeting minutes. So I say this because I'm not here under light conditions.

My concern with increasing the height limit is, quite frankly, it opens the door to significant changes in the area. I feel that we have much to deal with, and when I looked at previous minutes I saw that in looking over review of a potential six-feet, a six-foot increase, there was -- I couldn't tell by the minutes -- but a review of map that indicated a particular area designated. So in that description it indicated that Main Street could become a row of six-foot high buildings because it would allow for that. So that was one concern. Other areas within MRA's . . . (inaudible) . . . district would allow for a row of four-foot buildings. So all those will be available through changes in the Code.

I'm concerned about the awareness by the public for such a significant issue. It's so significant that in previous meetings -- and kudos to Erin Wade -- because I saw that as the zoning changes were being moved through the agendas and the discussions, I saw comments by Erin that kept saying any discussions about the height limit, everybody okay with the height limit, and trying to prompt that discussion. So clearly there's an

understanding that this is an important matter.

And I also have a concern about the height limit because it would allow for a hotel to be built. As you know, the MRA's own zoning code allows for hotel in a category of 20-rooms, no more. Anything beyond 20-rooms requires a variance, a variance that you, yourselves as Commissioners, can approve. With just 156 rooms, it seem kind of small, but not really.

Ms. Ramoran-Quemado: Three minutes.

Ms. Martin: So I'll wrap up here. The need for transparency and access. You've heard before, the meeting time. I hope I don't have to spend one week of a year's worth of vacation time coming and dogging the issue. I had a hard time getting the documents. I got to say, I called, hunted, the link was broken, I've searched.

And far as an unease with the assumption of approval, I see in 2018, in September in your meeting minutes that a landowner came before you suggesting that there was going to be a proposal for a hotel. A very excited developer, a company, interesting and strong comments about coming back and meeting with the community and working grass roots. In 2019, the landowner attended your meetings, but no update, just another issue discussed. Today, we read about in the media, so much so that it's saying that occupancy and construction is going to begin. Construction in 2020 or 2021, occupancy, in business, in service in 2021 or so.

Mr. De Rego, Jr.: Good.

Ms. Martin: So -- I'll wrap up. So I would like assurance from the Commissioners that you would give the consideration to keeping a spirit of neighborhoods in our, in our town.

Mr. De Rego, Jr.: Good.

Ms. Martin: And that you will continue to keep us open and informed, so mahalo.

Mr. De Rego, Jr.: Mahalo. Okay, see...I let --. Because I cut you off, I let you go a little longer. Trinette.

Ms. Trinette Furtado: Aloha Commissioners.

Mr. De Rego, Jr.: Aloha.

Ms. Furtado: So ono to see such great public engagement. It is really exciting to me. My name is Trinette Furtado. I am a staff member for Council Member Rawlins-Fernandez, also Vice-Chair of the County Council. And these are actually some comments that she wanted to furnish on this particular item.

The statute that authorizes the existence of the Maui Redevelopment Agency created in 1949 is in conflict with the 1968 and 1978 amendments to the Hawaii State Constitution which

provides that each County's Charter Provisions with respect to the structure and operation of government are superior to statutory provisions which may conflict with it. In 1978, amendments to the State Constitution further determined the structure and functions of the Board of Water Supply, Liquor Control Commission, and Police Commission were invalid in the face of conflicting charter provisions adopted by County voters. Further, the Hawaii Supreme Court ruled on this issue in the case of HGEA vs. County of Maui, 59 Hawaii 65, in 1978. In that case, the Court reiterated that, quote, Charter provisions with respect to a political subdivision's executive, legislative, and administrative structure and organization shall be superior to statutory provisions subject to the authority of the legislature to enact general laws allocating and reallocating powers and functions, end quote.

Finally, in another Maui case, GATRI vs. Blane, 88 Hawaii 108, in 1998, the superiority of General and Community Plans over zoning laws and designations was determined and reaffirmed. According to State law, a County Council can just pass a resolution creating a local redevelopment agency as is defined in HRS 53-1. However, the statutory provision for this agency, its creation, implementation, and continuing operation is in direct conflict with current Maui County Charter provisions. The Charter requires that all legislative acts be adopted by ordinance and outlines the process of adopting an ordinance unless otherwise provided for therein within the Charter itself, section 4-1. If the Council adopted an ordinance creating the MRA or were to do so any power of the Agency which conflicted with the Charter regarding the General Plan, Community Plan, etcetera, would be invalid because the only way the Council has authority to override the Charter is by proposing a Charter amendment to be adopted by the voters of this County.

She would like you to consider the issues and grave concerns regarding the legality of this redevelopment agency and the possibility of further liability or legal issue. This Agency's current path of projects and planning are voted upon by a group of unelected planners and developers allowing override of the General Plan, Community Plan, and Zoning Ordinance without an ordinance passed by Council or a Charter Amendment approved by voters.

To close, Member Rawlins-Fernandez plans to take this issue up in committee as soon as possible where it should legally be considered by the appropriate body elect. If you have any --

Ms. Ramoran-Quemado: Three minutes.

Ms. Furtado: If you have any questions that you need answered, you may direct them to County Council Vice-Chair Rawlins-Fernandez.

Mr. De Rego, Jr.: Thank you. Mahalo. Do we have a copy of that?

Ms. Furtado: I can forward a copy to you.

Mr. De Rego, Jr.: Okay. Good. Thank you. Stacey Moniz.

Ms. Stacey Moniz: Aloha. My name is Stacey Moniz.

Mr. De Rego, Jr.: Aloha.

Ms. Moniz: I want to echo Mahina's mahalo for your giving of your time. I know you're volunteers as well. I'm here to testify as a former resident of Wailuku with a long history, family history here. There's a saying that "those who forget history are destined to repeat it." I'm typically asking us to not do what we've historically done and be more progressive. But today, I believe we can look at the history of Wailuku and learn -- and other small towns -- and learn from that.

I'm really opposed to increasing the building height limits in Wailuku, and I'm here to offer some suggestions, not just criticism.

My ancestors on both sides of my family are buried in the sandy hills here in Wailuku, all the way from St. Anthony to the Japanese graveyard, to Maui Memorial Park. And my grandparents and great-grandparents lived and worked most of their lives in Wailuku. My grandparents had a store right on Market Street called Standard Motors. So it was really 100 long years ago, when I was just a kid.

Mr. De Rego, Jr.: Don't say that.

Ms. Moniz: Now there's just a banyan tree there. I honestly don't know what happened to the building, but it used to be over there. And many of the businesses used to have living spaces above or behind their shops. My grandparents actually lived on Lower Main Street, you know, three generations in the house on Lower Main. So they let their workers to live in the three apartments above the store. Probably wouldn't pass code by today's standards.

But at that time Wailuku was a very bustling walkable community. That's the kind of stuff we're trying to create now days. We're doing millions of dollars of research on how we can recreate these walkable communities, and Wailuku was the perfect example of walkable communities. We had O'oka's Supermarket, variety stores, clothing stores, Kress, National Dollar, Morisaki Radio, banks. We had credit unions. We had a hongwanji and the judo mission, yeah. Two bowling alleys -- well, one kind of --. And the swimming pools, and then my aunty's crack seed store on Vineyard Street.

So I strongly support the revitalization of Wailuku. And as we've seen this will require substantial subsidy from the County and from the community. I suggest we subsidize and invest in building more affordable housing in and around Wailuku town. We have fine examples of public, private, non-profit partnerships that have already done this; Lokahi Pacific apartments behind the Weinberg Center right on Main Street, the PONO Center on Market Street, Senior Housing right on Central, and Habitat's for Humanity Kahawai Condo project. So they provide both affordable rentals and homeownership options and stay within the current height limitations.

We can judge ourselves, our leaders, and our government by where we invest our resources. We say we don't want to become another Honolulu and yet we're on track to doing just that. When is enough going to be enough? Our island already cannot handle all the tourists and there are more than enough accommodations in other parts of the island.

Ms. Ramoran-Quemado: Three minutes.

Ms. Moniz: Thank you. Sorry. Building a six-story hotel in the heart of Wailuku is not the solution our community needs. If we keep looking to tourism as the only economy at the expense of our beautiful and finite resources of this 'aina were destined to repeat the history of Oahu and build more, denser, higher, bigger. If we choose to invest in our people, our most valuable resource, put people before profits that's only the truly sustainable choice. I urge you to look at small towns smart growth options as we move forward to address the growing needs --

Mr. De Rego, Jr.: Mahalo.

Ms. Moniz: -- of our community. Thank you. I'm Portuguese, I cannot help.

Mr. De Rego, Jr.: I know. We both suffer from that. The Hawaiian side pulls us back though. Okay, that's it on the list. Is there anybody else who would like to testify for three minutes? Just state your name and --. Okay. State your name.

Ms. Elaine Wender: Aloha. My name is Elaine Wender.

Mr. De Rego, Jr.: Aloha.

Ms. Wender: I live in Wailuku, in the Wailuku Redevelopment area. For 25 years, I lived mostly in remote areas in East Maui, and about 21 years ago I decided that I wanted to live more centrally. And after much deliberation I decided on Wailuku. Primarily because it was the one place on the island that's still primarily served residents rather than the tourists, and it had the small town ambiance that other places have lost.

There's been a lot of denigrating of the current character of Wailuku and the need to raise height limits, and this is a quote, to put more people on the street so that they will be enough activity for restaurants, cafes, theaters, which is what the town needs to survive. This is not what Wailuku needs to survive, but it would help Wailuku become gentrified. This is not in the best interest of those of us who actually live in Wailuku. I live in Iao Gardens Condo right at the top of the Wailuku Redevelopment Area. And here's a photo of the view from the lanai of my condo. And you can see the Wailuku Townhouse on Main Street on its upper end on the Iao Valley and it completely blocks the mountain. I think this building is seven stories. And under your proposal some could go up to eight as a bonus for giving landscaping on the ground floor. So, you know, if this is what you're talking about doing, you're going to block the mountain view. And as people have mentioned, not just the view, but the wind which, you know, with climate change it's something you really have to consider in all of your

planning decisions. We all know how much hotter it is now than it was 20 years ago. And to, to block off that natural element that can help us cool is insane frankly.

So raising the height limit will change the character of Wailuku. The existing tall buildings really should never have been built to begin with but we can't solve that problem by building more of them. I'm opposed that changing the regulations on hotels. I think 20-rooms is plenty. We're talking about 80 people because these rooms can hold, usually, four people. And...what we need as other people have mentioned, well Wailuku needs is affordable housing. It's a critical need. We're already over the amount of the tourists that our General Plan says that we should have. So we're already, you know, the idea of like why would we want more hotels on this island? It does not serve the people who live here.

Ms. Ramoran-Quemado: Three minutes.

Ms. Wender: And if those who own property are not willing to build them, maybe they could sell their property to people who would be willing to build.

Mr. De Rego, Jr.: Okay.

Ms. Wender: Thank you.

Mr. De Rego, Jr.: Thank you very much. Anyone else would like to testify? Okay, state your name.

Ms. Francine Aarona: Aloha.

Mr. De Rego, Jr.: Aloha.

Ms. Aarona: I'm Francine Aarona, but I'm also known as Aunty Mopsy, protect Paia because I come from way over there. I'm here in support of the people that are opposed to this situation that you bring before them in Wailuku town. I remember as a child. I was getting emotional listening to some of the testimonies that I used to visit here when I was young with my grandmother and that's where she used to take me to National Dollar to buy all my little trinkets to go to school. But Wailuku town is special like every other town on Maui. So this is not just a concern for the people who live in Wailuku, but it is a concern for the people that live in this 'aina, all on Maui. We should really support and pay attention to the things that are happening around us. And I applaud you for giving up your time to be here because you're not on the agenda as far as monetary, and so it's difficult and you have to listen to our concerns. And I'm hoping that it doesn't fall on deaf ears. Not necessarily yours, but the higher up. And that the developers listen to the people that come here to share their concerns. There's so many things. And when you put in the plans, and you write in clauses that deal with cultural, historical to maintain and protect that. What are you talking about? You know, you put it on paper, yet you're trying to take it away. I'm not saying you per se, but we need to be mindful. And I'm so glad that Mahina and everyone that knows and read all of this, that shares all of that information with us because it makes us understand. And,

yes, bam, that's why I came because I saw it on the news. I mean, we're not even there, but yet it's out there. So I really would like to make that known that I oppose it all the way from Paia. Mahalo.

Mr. De Rego, Jr.: Mahalo. Thank you. Come, come. Yeah, and your name?

Ms. Arlana Flores: . . . (Inaudible) . . .

Mr. De Rego, Jr.: Could you speak in the microphone and --

Ms. Flores: Arlana Flores. You know, I just have a question --

Mr. De Rego, Jr.: Could you speak in the microphone?

Ms. Flores: I, I have a question. You know, this picture and the building, so the feet in front like the, the, the length in front of the building would be, like, six feet. What the --. This is like a plan, yeah. Is it six feet? What is it? Because if you --? Are you talking about --? Did you see this?

Mr. De Rego, Jr.: Well --

Ms. Flores: The plan?

Mr. De Rego, Jr.: Now was that the one on the --? Okay. So we're -- if you could give us your question at a later time and we could answer it.

Ms. Flores: Okay. I just, you know, I have --

Mr. De Rego, Jr.: Because we're taking testimony.

Ms. Flores: I oppose it.

Mr. De Rego, Jr.: Okay, good. There we go.

Ms. Flores: If this is like a six-story building, okay, and you get one six feet clearance.

Mr. De Rego, Jr.: Could you speak into the microphone because we're recording this?

Ms. Flores: Six-feet like sidewalk. So when you walking you walking right along one six-foot building. Can you image that? It's ugly. It's just ugly. You going ruin Maui's landscape. Keep it down to, like, three, four feet. And, you know, we can do like affordable apartments. If anybody like anything, built that, you know. And then, you know, like the stores on Market Street, I never walk through that street, but I live in Happy Valley. I avoid that street because of the traffic. But the thing is, I think I get so many empty stores, stores or buildings, we can, other communities, small towns they turn that into lofts, like, living apartments, like, lofts.

You know, we get professional, young people. I think they would love to live in the, you know, like Wailuku and apartments. That's just -- but I think also thank you for your Agency, but I think you should have, like, little committees break up into little committees because this going take details, like, lots of details when, you know, that's one --. Yeah, but thank you.

Mr. De Rego, Jr.: Thank you very much. Anyone else would like to testify? Yes, come.

Ms. Jenny Pooai: Hi. My name is Jenny Pooai. I've lived on Maui my whole life. There's a lot of points that were made that I don't want to repeat on, but I'm opposed to the height increase. One of the reasons is it sets a precedence. Obviously, it changes Wailuku, being in a historical town. I think we need to look at other historical towns. Sorry, she skipped her nap.

Mr. De Rego, Jr.: That's alright.

Ms. Pooai: Maybe such as in Europe rather than looking to America for historical advice. There's a lot of historical towns that are a thousand of years old that have it figured out basically. And...there -- oh, I read that the survey that was done for rezoning and figuring out the -- excuse me -- the building was done by an American company and that is why I suggest that you might want to do with a European company instead. Also, there's a lot of empty space, not only in Wailuku, in every corner of Maui, and I think that needs to be looked at instead of building more.

Yeah, oh and what aunty said earlier about maybe more communication, more transparency. I only found out about this meeting recently so I understand that there was some, some community meetings that people could have attended. I heard nothing about it so that would be nice if there was more transparency. That's it.

Mr. De Rego, Jr.: Okay, thank you very much.

Ms. Pooai: Mahalo.

Mr. De Rego, Jr.: Aloha. Anyone else? Okay. Please state your name. Hokuao? Okay, let uncle go first.

Mr. Beau Mahoe: Uncle? Good one.

Mr. De Rego, Jr.: Hey, look at this.

Mr. Mahoe: Aloha. My name is Beau Mahoe, and I'm here speaking off the cuff for gender equity. We've only had Eric, and Nick, and now myself, and we've had all these strong Maui women come up to testify. Thank you Commissioners for letting us, allowing us to speak to exercise our freedom of speech. And I come to you with kind of a personal history regarding growth of a building. I was there when the o'o sticks first tapped the ground in what is called Kaanapali now when Kenji Osano, the Japanese developer came and put up that first building. The o'o sticks, the cacophony of the o'o sticks hitting the ground allowed the

continuance of the Hilton, Embassy Suites, the Marriott, and on and on and on.

I was here when somebody named cruiser Bob Kiger came up with a tremendous idea of having downhill bicycling from Haleakala. And as a single entity of a hotel, a single entity of a great product of no need peddle downhill, great. But I've also seen the monkey see, monkey do of developers. So from one hotel we went to many. From one bicycle tour we have several. And there's a certain collateral damage that occurs for all these kinds of businesses. And if you allow a building to grow higher, there's the periphery of collateral damage in terms of more houseless, more homeless, more proclivity to crime, a crime to take place. And sadly as Mikahala can say she is a long-time resident of Wailuku. I only can say that I was a long-term resident of Lahaina, but now I live in Wailuku and I'd like Wailuku to stay the same. Thank you.

Mr. De Rego, Jr.: Mahalo. Hokuao.

Mr. Hokuao Pellegrino: Aloha mai ka kou. My name is Hokuao Pellegrino. I'm a resident of Waikapu, with very deep roots in Wailuku. On my Hawaiian side, I have seven plus generations of connection to this ahupuaa of Wailuku. On my English side via Edward Bailey, I have four generations. I have three generations on my French side, . . . (inaudible) . . . Bell, that resided here in Wailuku, and three side, three generations on our Portuguese side via our De Rego and Garcia ohana in Wailuku.

Mr. De Rego, Jr.: Hello cuz.

Mr. Pellegrino: In fact, my fourth great-grandfather Edward Bailey actually ran a hotel here in Wailuku in a place that was now part of Main Street and Vineyard but was actually called at one time the Bailey block. And so we do have some connections with hotels in this particular area. I understand that there were historical, other historical, you know, hotels in this region. But in my opinion it doesn't justify the need for anything in this current state in 2019. And while I understand that you folks are focused on height limits just in general and you're not making decisions today understandably, and I appreciate you allowing us to have the ability to discuss this. You know, I personally am opposed to not just the height limit, but just the overall hotel in general for kind of greater purposes outside the urban core. And I understand that there's a lot of redevelopment that's occurring in this region, which some have some justification and others, I think, are still in question. But for me, I'm looking at the bigger picture, and really the understanding and the mana'o nui of Wailuku. And so when I think of hotel, okay, yeah, you think of people coming, whether they're kama'aina or not, but I also look at the greater impact that that's going to have on our cultural, natural and historical resources, in particular, Iao Valley. You know, being very focused right now on a lot of water issues and just places in general in the Iao region. I mean, Iao is being overrun not only by visitors, but even by locals and that's a real big concern. And so, you know, I think, bringing, you know, additional numbers into the Wailuku area via hotels that to me is, is a concern.

I personally don't like the attitude that comes with this. You know, in the article, you know, the, the person that is interested in doing this stated, you know, this is going to allow Wailuku

to thrive. And it's just, it's just reminds me of that, you know, person coming in on the white horse and trying to save us, and that's just really not what Wailuku, not what Wailuku needs. You know, in my opinion, we should be working on fixing and restoring historical sites like Kaahumanu Church. I mean, if we all haven't look at the reality of the fact that that steeple could come down any single day. Really, we should be looking inwardly and what are the priorities here in Wailuku in terms of its value, its cultural, historical resources, and just overall...just meaning, you know. So I just encourage you folks as, as being, you know, those volunteer leaders here that are looking after Wailuku and being those good stewards --

Ms. Ramoran-Quemado: Three minutes.

Mr. Pellegrino: -- is to really just look at the bigger picture of what these kind of impacts could have. So, mahalo nui for your time.

Mr. De Rego, Jr.: Mahalo. Anyone else would like to testify? Okay, state your name

Ms. Kai Nishiki: Aloha. My name is Kai Nishiki, and listening to everyone reminisce about the old Wailuku really brought back a lot of memories for me as well as everybody else over here. Everyone is nudging each other saying, oh yeah, remember that store? And you know, my dad, my parents, started a health food store in, in Wailuku on the corner of Vineyard and Central. They started a newspaper. In fact, my sister was actually born in the health food store one late evening, so, so there's a story for my sister's kids.

And I don't, I do not support raising the height limits for business, or for, for any, any buildings in Wailuku. We need to revitalize our towns and in, in the newspaper, you know, they're talking about construction booms. And we need construction booms of affordable housing. We need to build our communities, not corporate profits. And we want this to remain a special place. Wailuku is special. We want Wailuku. We don't want Waikiki. And like these are the things that people are talking about. These are the things that are hitting people close to their hearts. And also the fact that these meetings are held at times when, when most people are working. We need to have these meetings when people can come after work, on the weekends. There needs to be more community engagement, and a place and a space for people to be comfortable to come and share their mana'o.

So I know that you guys aren't making any decisions, and once again, I know you guys are a volunteer board that sometimes it's, it's hard for people to come here all at certain time especially after work but that's --. I, I serve on many community boards and, you know, the goal should be to serve your community and that's how you serve your community is make sure that you're there when, when it's convenient for them. So I just urge you folks to really consider what the community is saying. We don't want Wailuku to be changed. We want to preserve character and we want to revitalize. But we want to revitalize in the right way that honors our history and our culture and our people. And to see in the newspaper that the developer is saying, oh well, it doesn't matter. I'm just going to go get a variance. What are you getting a variance from? From your community? From the desires of the people who live here? That means you're just -- it's just a work around, so that's not really accessible. If

you're going to do, if you're going to be a part of this community, don't seek to go against what your community wants. That's, that's not pono, so mahalo very much.

Mr. De Rego, Jr.: Mahalo. Anyone else? State your name.

Mr. Joe Tolby: Aloha, I'm Joe Tolby.

Mr. De Rego, Jr.: Aloha.

Mr. Tolby: And I was born in Kauai, grew up on Oahu, and I lived in California for 18 years before I decided about coming back home. As a retired man of almost 69 soon, I traveled a lot in the last couple of years. And the most recent was in Italy in September. And one night I was having dinner, and on the table next to me was two women. I started talking to them. They were from Finland, and they asked me where I was from, and I told them, very proudly, from Hawaii. So one of the woman said is Hawaii like the Hawaii 5-0 that a lot of people in Finland watch their favorite show. And I said -- and before I could finish up, she said, because if it's like anything like what I see which is traffic and tall buildings blocking the very natural view of what I want to come and see, then I don't want to go there. And said, okay wait a minute. That's just one island, and that island is the city, it's the capital of all the islands. My island where I'm from which is Maui, there's a lot more greenery there. You can see mountains everywhere. There's a lot less traffic which unfortunately is growing, but it's still not like Honolulu right now. And we were just going back and forth, and was trying to get her to change her thinking of what she was thinking, and eventually she said, oh okay, then maybe I might want to come there and visit you. If it's not like Honolulu, then, yes I'd like to come. So please let's don't, don't, please don't, don't end up making Maui look like Honolulu. That's why I moved and picked Maui when I decided to move back from California after 18 years. Oahu was the crazy, big city traffic. Buildings were, as a kid there, you could walk anywhere downtown and see mountains everywhere. Now all you see if you go downtown Honolulu is just more buildings around you. You hardly see any mountains. You have to go down Waipahu side, Aiea side to all of them buildings down in Waikiki or in Honolulu. Please keep Maui, Maui. Keep Wailuku, Wailuku. Remember our history. Remember we can see the mountains and appreciate where we come from. We can drive up and see that view coming up in front of you, that Iao Valley, not buildings that's going to block it someday. Remember, remember, remember Maui. Keep it Maui. Keep it Wailuku. I'm against the tall buildings that you guys are talking about. And as far as bringing business there, think about what I just saw in, in Italy. They have streets and alleyways where they've made opened up to restaurants. Get the business there. Like we already have First Friday there. Open up the businesses the street there and do --

Ms. Ramoran-Quemado: Three minutes.

Mr. Tolby: -- where restaurants and businesses can come up, like from maybe from 5:00 to 12 o'clock midnight. Where they can have restaurants and cafes and bring their business there in the evenings. They already have it for First Fridays.

Mr. De Rego, Jr.: Thank you.

Mr. Tolby: We can do that on a regular basis. Thank you. Thank you. Thank you.

Mr. De Rego, Jr.: Mahalo. Anybody else would like to testify? Okay. State your name.

Council Member Tamara Paltin: Thank you. Thank you. My name is Tamara Paltin, and I live in Napili, West Maui. Thank you guys all for your volunteer service and for fleshing out the issues. I'm...I'm from Hilo, and you know, what I like about it, Wailuku, is it makes me feel connected to, to my home because, you know, we have a Wailuku River in Hilo. And not in, not in my timeframe, but in my mom's timeframe, they had Kress Store, Dollar Store, and as one of my colleagues says Hilo also took advantage of the redevelopment program. But when you walk in downtown Hilo now it's not like Waikiki. You still have, you know, the sky, the skyline of how it was. And actually the front street in Hilo now is what was the third street in my mother's time because of the tidal waves and they don't rebuild the front line of buildings.

But what I really wanted to ask you folks today is, you know, flesh it out and make proposals on whatever you think the zoning is, but to go through the regular process. And I'm not sure based on what the testimony of Council Vice-Chair Rawlins-Fernandez was who has the legal authority to make zoning changes. But since I was elected to office and...put as the Chairperson of the Planning and Sustainable Land Use Committee, it's through that venue that I address planning and zoning issues. And so it might be a selfish concern, but, you know, when you folks would change the zoning in, in this setting where it's not on Akaku television, and nobody voted for guys to make these types of decision, I feel like I'm going to get the fallout, like, oh, what did the Council do. They changed the height limit to whatever, and it's like, no, it wasn't me, it was these guys.

Mr. De Rego, Jr.: You gotta point fingers.

Council Member Paltin: So, yeah, just, I mean I would, would have you consider, you know, if, if this amount of people showed up every time, or if this amount of people were watching on TV every time, would you still always be prepared as you are or make the questions you do, or make the decisions you are if you're under the same kind of scrutiny? And what is the accountability of, of your role as a volunteer appointed body versus the accountability of, of those of us that, you know...get elected to office, I guess? And so just maybe take that into consideration because I don't want to be blamed for something I didn't do.

Mr. De Rego, Jr.: In light of self-interest. Mahalo. Would anybody else like to testify? Okay, so seeing no one else coming to the microphone, without objections we'll close public testimony. I'd like to thank everyone who testified. Okay. So, okay. I'm looking. Yeah, we're going to take a five minute break after that...for now. Oh, no. Okay, we're going to discuss the --. Why don't we just finish this issue? So everybody's here. We're going to discuss and request additional information from staff and discuss a schedule for next steps so hang on. So we're going to do a little bit of deliberating here. But you can, you can leave if you

want. So I entertain from the members, what do you think we should do from here? And if you need additional information from Erin? Okay.

Mr. Ball: I think we need some guidance I guess from Erin would be helpful. Steps to go.

Ms. JoAnn Ridao: Yeah, so what's the next steps Erin?

Ms. Wade: You know, based on what Carol said, our consultant, regarding --.

Mr. De Rego, Jr.: Thank you.

Ms. Wade: Thank you. Based on what our consultant Carol Rhea was saying about the issues getting confused with specific development projects and the zoning, it's probably best to table any further changes to the zoning at this time. It would be my recommendation as staff until we are able to flush out whatever development projects may be coming and we're expecting to come under the existing zoning. And then in the meantime if there's additional research that needs to be done relating to some of things that have come up whether it be design guidelines or lot sizes or non-conformities we can be working on those things. And I'd like to look at some future workshop dates several months out to make sure that we engage the public on days and weeks that are accessible. I think that the, you know, I think it's great that we're able to get so many people out. This is, I think, the ninth or tenth meeting we've actually had on the zoning, but this is the first time we've seen a group of this size so -- and we've had community meetings in the past but our largest sign-in in the past was eleven. So, I mean, it's, it's good. I would encourage folks to come out when there's not an eminent project coming, but when we're actually working on the hard work of writing the law. That's really when we do need your input. So my recommendation would be that we schedule future workshops.

Mr. De Rego, Jr.: Yeah, can I say something here first? I think the model for this actually would probably be more what we did with the infrastructure improvements and the parking. We had several evening hearings and a lot more people were able to come out. They had their questions asked. And, you know, I think that would probably be helpful as we're gaining information on this process. That would be my suggestion of adding that dimension because I've heard a lot of concern and I agree with you one o'clock is not the best time to be coming out especially on a Friday. But, but aside from that issue, yeah, making this discussion much more available or at least input as we've done in the past because we have had hearings before on, on the parking structure and other issues and a lot more people did come out. Yes, Commissioner Hiraga.

Ms. Gwen Hiraga: I'd also like to see Corp Counsel address or review the testimony that Trinetta Furtado submitted on behalf Vice-Chair Keani Rawlins-Fernandez. I think that needs to be discussed as well.

Mr. De Rego, Jr.: Yeah, that was going to be one of my points, and I agree with you. Yes, we need to be reviewing that. That's why I asked her to make sure she forwarded her testimony

in full to the Commission, yeah, to the Agency I should say. Keone, I'm sorry.

Mr. Ball: Going back to the testimony on the vision, I mean, that, what we're trying to plan here is that lending itself to be input a vision? I mean is that --? I think if we had some kind of schedule that people could count on that's like, hey look, this month is going to be the month we're going to talk about vision so this is the month you guys should free yourselves up to come to these meetings, right?

Mr. De Rego, Jr.: Yeah.

Mr. Ball: Because it kind of seems like oh last minute, last minute for the public. I mean, for us we kind of know what our agenda is going to be like. But, because I live in the area and other people live in the area, I mean, the input is important, right, if people are going to remain in the area. Anyway, but more, more scheduling for the public to have input than, than, oh, we're going to meet in two weeks like is required right?

Mr. De Rego, Jr.: Yes. Okay thank you. Commissioner Ridao.

Ms. Ridao: You know, one of my concerns also is that the public is getting or we're getting the word out to the public. So besides it being online or in The Maui News or maybe we need to research those organizations, because I think people that were here today, many of them represented organizations even if they're not formal organizations. But getting the word out to those key people who can get the word out besides just the newspaper and stuff like that. So then we're aware that we are getting to the grass roots or that, you know, there's no excuse for people to come to say they didn't know. We want to make sure that they know. Thank you.

Mr. De Rego, Jr.: Thank you.

Ms. Ashley Lindsey: I think it's also important -- I think it's also important for -- which one?

Mr. De Rego, Jr.: Either one. Whichever is closer.

Ms. Lindsey: I think it's important to know like the method that we're trying to put it out to people because of the different age groups who will be involved, and different personality types. Quieter people generally wouldn't come to this kind of forum, so I just want to make sure that those people have a voice also. I'm not sure the way that happens, or if the evenings are better for other people like that or if there's another way.

Mr. Ball: Chair --

Mr. De Rego, Jr.: Yes.

Mr. Ball: -- one more comment.

Mr. De Rego, Jr.: Yes?

Mr. Ball: And, and we need to update our website. I mean, if we're going to have a site, website, where people can get their information, we got to make sure the links work and what, and all that kind of stuff, and maybe even an email where they can put suggestions of whatever. But maybe something also on the process. A lot of people thought that we were going to approve a hotel today, you know, and that's a far away away still, you know. So just maybe something in the website that says this is how things are developed, right. They got to go through these processes. That might help people plan too for testimony.

Mr. De Rego, Jr.: Erin?

Ms. Wade: So Chair, I just wanted to point out too we do have a Communications, a Public Information Specialist who assists us with the Wailuku Town Improvement Project. And there's mailers, and there's a newsletter and things that go out with that. But the scope of work currently doesn't include also zoning. Zoning was just the work of the body. So if that's something you'd be interested in us expanding to include, we could do that do and that would be an additional level of communication as well.

Mr. De Rego, Jr.: I'd be interested. I don't know if the rest of the members would be interested.

Ms. Lindsey: Yeah, anything that . . . (inaudible) . . . the community this much like a banner or different door or something that wouldn't affect the community as much as something like 24-feet or . . . (inaudible) . . .

Ms. Wade: Right.

Mr. De Rego, Jr.: Okay, so, yeah, I think generally we would agree that it might be good to expand the scope of work for our, our information officer.

Ms. Wade: I can get a quote for that, and I can get back.

Mr. De Rego, Jr.: Okay. I think that would be a good idea. Anything else? Okay, good. So let's close that section of the meeting. Do we want to take a five minute break and then come back and then we have just about four updates or would you just like to power on?

Mr. Ball: Power on.

Mr. De Rego, Jr.: Power on. Okay, so...let's see...so if you'd like to --. So I'm going to entertain anybody who --. Not each item, right? Each item? Okay. So what we're going to do here is if anybody would like to testify on any of the items on the Department Updates we're going to do that now. Okay, so, seeing nobody coming up to testify for the next four items it's closed. Yes, you do.

Mr. Fox: Can we have the update? . . . (Inaudible) . . .

Mr. De Rego, Jr.: No. We're going to just go ahead with the, the testimony first and then . . . Okay, good. Thank you.

D. DEPARTMENT UPDATE

Mr. Fox: Aloha, my name is Matt Fox, as I said earlier. Thank you guys all for volunteering your time. I think feedback in terms of communication of the meetings, I know that there are other meetings that are pushed out. They send emails and text message alerts when they have a meeting, which I received, so that's one way that people can be alerted that these meetings are going to be happening ahead of time, and that might be helpful.

Also, my suggestion would be that we talk about the updates prior to receiving testimonies so that people are able to respond to what you're saying if they haven't read the information or they aren't up to date where the committee is at. Thank you.

Mr. De Rego, Jr.: Okay, thank you. Anyone else? Okay. The Council would be going on forever if they did that, but that's okay. So, let's go through the updates.

1. Update on Schedule for Phase 1A construction

Ms. Wade: Item one is the update on the schedule for the Phase 1 construction. As you know it was originally scheduled to begin in September. We are a bit --. We needed to push the schedule back a bit. We don't currently have the final review of the State Historic Preservation Division (SHPD). What they're doing is reviewing our monitoring plan and preservation plan. So once that's finalized the County departments can sign off on the work to perform permit. We will not move forward until we have all of those things, so that is our hold right now on the beginning work for Church Street.

Once Church Street begins --. So basically you'll see the timeline on the website, on the Wailuku Live Website, everything pushes back by how many ever months we're delayed. So the same exact schedule that's there. That schedule is being updated right now for the website. We're scheduled to start in January at this point. We thought given we're so close to the holidays now, it's better to not commence and allow the merchants to have another Christmas season without the interruption of construction and now start in January. So we're expecting SHPD sometime in December that review.

Any questions on construction schedule, Members?

Mr. Ball: When is the update going to be live on the site?

Ms. Wade: We just drafted a press release which is going out this afternoon, and the update

on the live site will follow that, so probably -- I'm going to say Monday just to ensure that it's there.

Ms. Ridao: Question.

Mr. De Rego, Jr.: Yes.

Ms. Ridao: You know, I know that --. Did the State Historic Preservation give you a December timeline? Because my concern is they, they tend to take a long time, so I'm a little bit concern.

Mr. De Rego, Jr.: Yeah, and this is costing us money.

Ms. Wade: I'm going to pull in my boss, Sandi Baz.

Mr. De Rego, Jr.: There we go.

Ms. Wade: He visited State Historic Preservation Division and had a discussion.

Mr. De Rego, Jr.: Please state your name and who you work for.

Mr. Sandi Baz: Aloha Members. Sandi Baz, Chair, Managing Director. I'm happy to be here this afternoon.

Mr. De Rego, Jr.: Thank you.

Mr. Baz: So the question on, for right now, is about the development of State Historic Preservation Division approval. I did meet with the head of SHPD, and the head of the Archaeology Division about a week and a half ago. They're still reviewing our application. I asked for status update on that and about a couple of dozen other County projects that are on top waiting. We did, I did learn a lot going there about the actual process and to make sure that we're doing things appropriately and to the most efficiently possible. So hopefully we'll get them moving here shortly, but definitely Maui has a problem with, or actually pretty much the whole State, but especially on Maui because there's no archaeologist on Maui and so that is a big problem. And no SHPD archaeologist on Maui I should say.

Mr. De Rego, Jr.: Okay, so there's no State appointed archaeologist on.

Mr. Baz: Correct.

Mr. De Rego, Jr.: Okay. Thank you. So any questions?

Mr. Ball: For Sandi, yeah. So we're just kind of waiting in line then. It's not anything that's on the, on the application that we know of, right?

Mr. Baz: No, yeah nothing on the application itself that's been delayed or questioned. They did ask for a status update again, you know, if they have any concerns to let us know, but they're still just working on that list.

Mr. De Rego, Jr.: Okay, good. Any other questions?

Ms. Lindsey: So January is realistic?

Mr. De Rego, Jr.: I was just about to ask that.

Mr. Baz: Hopeful. Yeah, you know, I'm a pretty optimistic guy. You know, I think that it's hopeful. I have a call-in to get a status update on the status update I requested so...we'll see. And for those of you who don't know, too, my office was provided a position for an archaeologist, County archaeologist, and we're going through the process. They're, SHPD is very excited about that as well, being able to work the County archaeologist, so that process is going and hopefully we can hire somebody sometime in January or February as well.

Ms. Lindsey: Thank you.

Mr. Baz: Thank you.

2. Update on Bid and contract for Phase 1B

Mr. De Rego, Jr.: Anyone else? No questions? Okay, so let's move on to the update on bid and contract for Phase 1B.

Ms. Wade: Okay, and as we shared with you last month, we didn't receive any bids within our budget the first time we put 1B out to bid. So that bid was cancelled and it was re-bid. The bids were received on October 17th. We did have two bids within budget so right now we're waiting out the protest period for the bids. The low bid was a little over 28 million for that phase, and the low bid is Hawaiian Dredging. So once the protest period is complete, we'll move forward with a contract on that.

Mr. De Rego, Jr.: Okay.

Ms. Wade: Any questions on that?

Mr. Ball: Sorry. I kind of misunderstood, I think, that beginning you said --

Mr. De Rego, Jr.: Louder, so everybody can hear.

Mr. Ball: -- we didn't have bids.

Ms. Wade: Yeah, we had -- we put it out to bid --

Mr. Ball: Oh, it's overbids.

Ms. Wade: -- and the bids came in over-budget.

Mr. Ball: Okay, I see.

Ms. Wade: So we, we adjusted the scope by pulling out the photo voltaic panels, adjusting some of the materials, and then put it back out to bid. Took out some of the earth work that had been in there and put it back out. The re-bids, two bids came in within budget.

Mr. Ball: Okay.

Mr. De Rego, Jr.: Okay.

Ms. Wade: Low bid is Hawaiian Dredging.

3. RFP for Circulator Shuttle

Mr. De Rego, Jr.: Okay, section three, RFP for circulator shuttle.

Ms. Wade: Yes, so this week we have finalized the bid for the circulator shuttle with the Department of Transportation, and we will be putting that out for bid, not next week, but the following week, not Thanksgiving week, the week after that, with the expectation in the RFP to begin services in April. Given that we've pushed back our construction schedule now, that works fine. We'll still have quite a long time of operation before the municipal parking lot is even impacted by the construction. But that would be the schedule. And we're expecting to operate the shuttle service from two locations. We've been working with Weinberg Foundation at the Safeway site in Maui Lani, and with the Kehalani owners where Foodland is to have both of those be parking where you can park as a staff member and then pick up a shuttle and be circulated into Wailuku with three stops per shuttle. So that's -- I will be happy to give you folks the maps once that's been finalized with the, with the provider. To find out if it's actual doable. We're about to find out what the cost would be to make this work.

Mr. De Rego, Jr.: Okay, any other questions from the Members? Okay, last but not least, the RFP for administrator of the business interruption program.

4. RFP for Administrator of the Business Interruption Program

Ms. Wade: Yes, so once the RFP for the shuttle goes out, the next task that we'll be working on in the Department is the interruption fund program. As you remember that's a low interest loan or grant program that would be administered by a third party when a business is impacted

financially by the construction within the neighborhood. So we've worked out some preliminary procedures for that, and we will put it out to bid for a fiscal agent who has experience in working with businesses on their planning and on their financial records to be administrating that contract.

Mr. Ball: Question, Chair.

Mr. De Rego, Jr.: Sure.

Mr. Ball: Are we doing outreach after that to the businesses in the area so they know ... that's available?

Ms. Wade: Good question. So we're teaming up with the Office of Economic Development primarily on this. They have a small business specialist, Tokie Ogawa, who has been working with us. She goes door to door pretty regularly with the Wailuku town businesses. And she'll be working with them directly as well as whoever gets hired for the contract will be doing that kind of outreach. We will be holding merchant workshops after the holidays. Right now they're gearing up for the holidays and don't have a lot of extra capacity to focus on this. So again, positive for construction delay, I suppose. So after the first of year, we'll be able to focus more with them in person on workshops.

Mr. De Rego, Jr.: And how far is that radius from construction in terms of what's envisioned for some kind of assistance?

Ms. Wade: So much like the tax abatement ordinance you folks looked at about a year ago, there's the inter ring impact which is properties and businesses directly adjacent to construction. And then there's properties within the 400 foot radius of the construction project and that's, those that are expected to have impacts due to not being their business, not being able to find parking, for customers to their business not being able to find parking.

E. NEXT REGULAR MEETING: December 20, 2019

F. ADJOURNMENT

Mr. De Rego, Jr.: Okay, good. Any other questions? Okay, we'll close that portion of the meeting. Our next regular meeting is December 20th, 2019. Without objection from the members, we'll adjourn. Okay, no objection heard, we're adjourned.

There being no further discussion brought before the Agency, the meeting was adjourned at 2:43 p.m.

Respectfully submitted by,

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

RECORD OF ATTENDANCE

PRESENT:

Keone Ball
Frank De Rego, Jr., Chair
Gwen Hiraga
Ashley Lindsey, Vice-Chair
Jo-Ann Ridao

OTHERS:

Sandi Baz, Managing Director, Department of Management
Erin Wade, Maui Redevelopment Program Planner, Department of Management
Michael Hopper, Deputy Corporation Counsel