

**MAUI PLANNING COMMISSION
REGULAR MINUTES
APRIL 14, 2020**

A. CALL TO ORDER

The regular meeting of the Maui Planning Commission was called to order by Chairperson Lawrence Carnicelli at approximately 9:03 a.m., Tuesday, April 14, 2020, online via BlueJeans; Meeting ID: 504 186 650.

Mr. Carnicelli: Okay, so it is 9:03 a.m. on April 14, 2020 and I will call the Maui Planning Commission to order. I am Lawrence Carnicelli, I'm the Chair and it's via BlueJeans. Also, with us is Vice-Chair Christian Tackett.

Mr. Tackett: Good morning.

Mr. Carnicelli: I guess we'll waive or say hi. Stephen Castro.

Mr. Castro: Good morning, Chair.

Mr. Carnicelli: Good morning. P Denise La Costa.

Ms. La Costa: Aloha, Chair.

Mr. Carnicelli: Good morning. Kellie Pali.

Ms. Pali: Good morning, Chair.

Mr. Carnicelli: And Kawika Freitas.

Mr. Freitas: Aloha, good morning.

Mr. Carnicelli: Let's see, Dale Thompson and Tina Gomes are I guess, we'll just say excused at this point since they're not here. So, anyways, I guess Director I will hand the baton to you.

Ms. McLean: Thank you, Chair. The only item on the agenda today is a workshop on teleconferencing by BlueJeans.

B. NEW BUSINESS

1. Training for conducting board business using the videoconferencing platform BlueJeans

Ms. McLean: So, I'll just walk through a couple of the details of this for those who may not have played around with it. If you move your cursor to the top of the screen, four icons should show. One is the video so you can black yourself out like this. Then the other is to mute your audio which when others are talking it's a good idea to mute your audio because I put the meeting together, I'm the moderator and I can mute everybody, hopefully we won't get to the point where we have to do that but it's an option. Then the next one says, share screen and that will allow us if we end up having to meet like this for a little while and we still want to take substantive

matters up, this would allow us to put up PowerPoint slides for other exhibits so that everybody can see those on their computer and then the last one is to end the meeting. That's what you'll click at the end of the meeting.

If you go over to the right side of your screen, you have options of listing the people who are participating. There's also a chat function that I believe everybody can see, so if you do want to type something in, I believe everybody can see that. There was a little bit of back and forth already this morning just getting us hooked up, but that's a way to have a little chat without going on audio.

I haven't played around with the apps or settings too much yet. Then if you go down to the bottom left of the screen there are three little icons that give you options on how your screen displays. So, you can have everybody with a band of people at the bottom. You can have just the speaking showing or you can just a spread of everybody who's on the call.

We also have Michael Hopper here. Good morning, Mike and also Richele Thomson is listening in. Mike or Richele do you have anything you want to add from the emergency rule, the proclamations that the members should know about?

Mr. Hopper: Richele, did you want to say anything? You're kinda more up-to-date than me on what's going on there. Yeah, if...she may have the latest, but I think at this point, the Governor has taken some actions to allow for meetings like this to take place. We have to sort of monitor as the situation, I guess...to use buzz words, continues to evolve, but as of now, I think we are allowed to conduct business by meetings like this. The Sunshine Law hasn't been fully just done away with in this time, so I think that when we do have meetings like this to the extent possible we should try to be consistent with it by allowing public testimony and we'll have to figure out things like what to do with how to take written testimony, especially testimony that's kinda submitted at the last minute, and making sure people get board packets if we do decide to have meetings that have agenda items that are, you know, that are action items and things like that. I think for the time being, we'd probably recommend trying to avoid that but you know, other boards and commissions, and I'm talking with others in my office have had meetings like this, and you know, have had some success with it, so you know, we can see as we would need to have other meetings with, you know, more actionable items or contested cases and to figure out things like how to go to executive session and things like this, you know, we could investigate those items. But you know, I'm getting the latest from my office and they're getting the latest I think from, you know, the Mayor who's talking with the Governor and everything like that so, you know, if we do feel the need to have to take action at some of these meetings, you know, we'll look into more detail about how to do that, but for now, I think we can have you know, a meeting like this by a videoconference with quorum, allow testimony by video and we just have to figure out how to do some of the other things like I said, written testimony and you know, dealing with board agenda packets, getting that to the public and things like that because normally under the Sunshine Law we couldn't do what we're doing right now. Every one of you would have to allow, all the members would have to allow public testimony at their locations and things like that. So, this is, this we are able to do because the Governor has suspended portions of the Sunshine Law to allow meetings like this to take place. But as, as things continue on, we'll have to monitor that to see if it's still in place, to what extent we can continue to have meetings like this, probably generally recommend only have action meetings on items

like this if we really have time sensitive things or other needs. But I'll be in consultation with Michele and you know, the Chairperson on future meetings and what we can do.

Mr. Carnicelli: Thank you, Mr. Hopper. Director, I saw on the chat thing that somebody tried to share and then was like a white screen that came up and then at least on my, on my MacBook here, on the bottom left-hand corner there seems to be a slide thing that I can click and it gives me different ways of viewing that.

Ms. McLean: Right.

Mr. Carnicelli: So, if you could discuss kinda what that is and not please.

Ms. McLean: Right.

Mr. Carnicelli: And then, you may have to do all this again for those of us that are on a cell phone.

Ms. McLean: Okay. I think that is Kurt, did you select the share screen option? Kurt, you have to unmute yourself.

Mr. Carnicelli: You're muted.

Ms. McLean: Kurt, you have to unmute yourself first.

Mr. Carnicelli: Top middle. I never thought you would be the technologically challenged one in the group.

Mr. Croly: Kurt, click the button up at the top there for unmute, and click the button to stop sharing your screen.

Mr. Carnicelli: I think they're hidden unless you move your cursor.

Ms. McLean: Kurt, you move your cursor up to the top of your screen and there's the microphone icon, so click on that to unmute yourself, and then next to that is a share screen icon click on that to stop sharing your screen. Well, for anyone who's screen was taken over by Kurt's share screen, as the Chair said, you can go down to lower left and there should be a little scale with a blue button that you can slide right and left to get to the share screen or back to all the people view. Okay, Kurt just doesn't want to not share his screen with us, so...Chair, do you want to see if any members have questions or comments on this?

Mr. Carnicelli: Sure, yeah, anybody unmute yourself and chime in as you need.

Mr. Freitas: I'm on a cellphone so what she was talking about doesn't apply to me.

Mr. Carnicelli: Well, I am as well, but for me Kawika, I have my MacBook. My MacBook doesn't have a camera.

Mr. Freitas: Yeah, mine too, that's why I'm on my phone.

Mr. Carnicelli: Yeah, so I actually am logged into kind of blindly needed on my MacBook and then I'm on my cell phone. As far as moving between the different views, I'm swiping. If you swipe right and swipe left then it will go from say, the speaker view to everybody kind of across or it might have everybody. You know, is if you kinda sweep you might see that. Oh, that was just when Kurt was, was Kurt was doing his share screen. But if you tap the screen then there's four little buttons on the bottom, those are the ones that we have on the computer up top.

Mr. Freitas: Oh, okay, yeah, I see the four on the bottom.

Mr. Carnicelli: So, you got, you know, to shut off your video, mute yourself and then you got the dot, dot, dot, it gives you more options there.

Mr. Freitas: Oh, that's the options. Okay.

Mr. Carnicelli: Makes sense?

Mr. Freitas: All right.

Mr. Carnicelli: And then I think up in the top, right-hand corner there's the chat. You see that?

Mr. Freitas: It says communicate. I'm good. I've been hearing everything.

Mr. Carnicelli: Okay.

Mr. Freitas: If I'm doing something wrong let me know, but I'm in the meeting with everyone. Let me know.

Mr. Carnicelli: Awesome. One question Michele or whoever else has done this, it...is it better...I mean, again, for those of us...I got my...you know whether it be a Bluetooth or headphones or something like that as far as speaking goes, is it better if you have a microphone to actually use that rather than just everybody being on speaker? Does it seem to be more clear for those of you that have used this before?

Ms. McLean: I think what we were hearing a little bit is when I'm talking it's coming out of your computer and if you're not muted then my voice is coming back again, so you're hearing like an echo. So, if you have the mute ability that works great to mute your microphone when you're not talking. But if people are on cellphones and they don't have the mute option, I can mute them manually but then that keeps them muted. If they want to say something, we don't have a way of knowing that they want to speak. But they could use earphones and that would help with that, with that sort of echo thing. But if you're just alone in your office and you can mute yourself when you're not talking then, then it works pretty well.

Mr. Carnicelli: Got you. And then I see someone has done share screen again. I can't tell who that is. Can you Michele?

Ms. Pali: That was me, it's Kellie.

Mr. Carnicelli: Oh okay.

Ms. Pali: Yeah, I just, I decided to just share something with you guys since the last share screen was blank.

Mr. Carnicelli: Well, hello.

Ms. McLean: That's so sweet.

Ms. Pali: I just wanted to play around to see how easy it was, so I opened a word document, I went to Google, did some clip art, inserted it, and shared the screen, so did that come through for your guys?

Mr. Carnicelli: Yes.

Ms. Pali: So, when you're the person sharing it, it looks different from here.

Ms. La Costa: I don't see anything on my side.

Ms. Pali: You're gonna have to go to the bottom left and find that little dot on the line to scale up so you can see the share screen.

Mr. Carnicelli: And Kawika, I think for us on our cell phones we can swipe to see different views of this.

Mr. Freitas: Okay, thanks. Now I see it. I saw the cartoon picture for a while.

Mr. Croly: This is really the reason I chimed in today to try to figure out if someone's doing a presentation how are they supposed to do it, and I can see that from what Kellie just showed, I guess everyone has the ability to show a presentation using the share screen method. I don't know, does it work with a straight PowerPoint? Like I could bring up PowerPoint and then it would be there, Michele do you know?

Ms. McLean: As far as I know, yeah. We can do another trial meeting in two weeks and try a PowerPoint. Maybe Tom you can be the guineapig and try a presentation. Staff can put one up too just to see how it goes. Just depending on how long this situation lasts, we know we can't put things off forever and ever, you know, if it's only a few weeks, that's manageable but if it looks like it's gonna be long term then we need to be able to get back to somewhat normal procedures.

Mr. Croly: And then the other thing that was on my mind was just what the protocol would be for public testimony and you described that as the moderator, you see people as they sign in and I guess you'll use that as essentially a sign-up sheet and then call on them when testimony comes up.

Ms. McLean: That's the, that's the plan.

Mr. Carnicelli: It is very interesting too, to be able to just go to people and then just see that there's, you know, a lot more people on here than just the I guess the nine I'm looking at.

Ms. McLean: Yep.

Mr. Hopper: Did you want to go ahead and take public testimony on the item if you're done talking to practice...(inaudible)... as a suggestion.

Mr. Carnicelli: I guess—

Mr. Hopper: If there's anyone who has testimony.

Mr. Carnicelli: --yeah, thank you for that Michael and I think that we do need to do that. I guess the question is, is there a function Michele where people can kind of raise their hand rather than just...let's just say if this was a regular meeting, and there was 15 people that want to testify, you know, we're gonna get 15 voices going, rah, rah, rah, rah, you know, so should we go to the chat and say, okay if you would like to testify, say I would like to testify on the chat, should we do that to create some sort of order?

Ms. McLean: That's a...(inaudible)...to do it, sure. I don't know if everyone has the ability to mute and unmute people or block video or not, but I do. I think as the moderator I can do that, so I can block everyone's videos and mics except for commission members, and then when it comes time to testimony, I can unblock the video and audio of the first person to testify, and they may not want to testify. They may be just be listening out of interest. So, they could say, no I don't want to testify. But the chat feature would be a way for them to say I want to testify and then we would just go in order as they signed up or as they indicated on chat. But if people are just participating by phone, then they won't be able to do those features, so we just have to go in order of the numbers or names as they appear.

Mr. Carnicelli: Okay, so...I mean I guess at this point what we can do then is just open up the floor for public testimony and then as the moderator, I guess I'll let you call people as they appear and if they want to participate great, and if not, then that's fine too.

Ms. McLean: Okay, for today, I'll just go...since the list is in alphabetical order, I'll just go in order. First, we have Analise Kehler from our Department. I asked Analise to join to be a sample testifier, so I don't really know what she has to say, but Analise do you want to testify, I guess please go ahead.

Ms. Analise Kehler: Okay, good morning. Can everybody hear me?

Mr. Carnicelli: Good morning. Yes.

Ms. Kehler: So, I'm just giving my sample testimony. My name is Analise Kehler. I am testifying as an individual on behalf of myself. And just kind of wanted to check this out because

I'm gonna have to do it for Cultural Resources Commission, so thanks for being the guineapigs and that concludes my testimony.

Mr. Carnicelli: Thank you Analise, any questions for the testifier? Hearing none, thank you very much.

Ms. Kehler: Thank you.

Ms. McLean: Chair, the next on the list is Avis Teshima-Wong who is our secretary. I don't know if Avis wishes to testify but she can let us know.

Ms. Teshima-Wong: Thanks Michele. Can you hear me?

Ms. McLean: Yes.

Ms. Teshima-Wong: I'm just monitoring. No testimony here.

Ms. McLean: Okay.

Mr. Carnicelli: Thank you, Avis.

Ms. McLean: Next we have Gladys Baisa. Gladys, do you wish to submit testimony?

Ms. Baisa: No thank you. I'm monitoring. You know, I had the opportunity to what the Cost of Government Commission meeting and participate and so I'm trying to get my skills up because if everybody's going to this mode, I better know what I'm doing. Thank you so much.

Mr. Carnicelli: Thanks Gladys.

Ms. McLean: Chair, next up is Kurt Wollenhaupt if he's back.

Mr. Wollenhaupt: I'm back. I'm back. I don't know...I'm using an Apple so mine got caught in a loop and I couldn't get out of that loop to go anyway, so I had to terminate the whole session. So, I don't know if other people with Apple have that issue, but I got the spinning-colored ball and then that was it. So, through the chat function in or through the apps in the whiteboard is that where you do a PowerPoint though?

Ms. McLean: For the share screen, yeah.

Mr. Wollenhaupt: Share screen, okay. So, that's it. Maybe I'm the only person on an Apple computer here. I'm not sure. Okay, thanks bye.

Mr. Carnicelli: I am as well Kurt.

Mr. Wollenhaupt: Oh, well anyways—

Mr. Carnicelli: You just got stuck on something, that's fine.

Mr. Wollenhaupt: Thanks, bye, bye.

Ms. McLean: Chair next on our list is Leilani Ramoran. Leilani did you want to testify?

Ms. Ramoran: Hi, no just wanted to check out to see how this works because eventually I'm sure, I'm going to have to do this for our other boards and commission, but it looks good. Thanks.

Mr. Carnicelli: Thanks Leilani.

Mr. Freitas: Michele, I have a question. This is Kawika.

Ms. McLean: Chair, Commissioner Freitas has a question.

Mr. Freitas: Chairperson says a verbiage before people speak, but I'm noticing you're introducing them. Like he or she says you have three minutes, state your name, 'cause I'm noticing as we're doing the practice, some of them aren't stating their names and doing those things, so will it go back to you introducing them and him giving them that short spiel?

Ms. McLean: That's your call Chair, what would you like to do?

Mr. Carnicelli: Yeah, you know what, thank you for that Kawika. I think you're right. I probably should try to be more I guess official like we would have been. So, thank you for bringing that up 'cause I actually, you know, on my computer I can see the list of people where the people is calling from so, I guess I could actually do that and ask people to state their name and everything like that, so...no, that's a good point.

Mr. Freitas: Thank you.

Mr. Carnicelli: So, the next testifier will be...

Ms. McLean: Chair, you want to take it from here?

Mr. Carnicelli: Sure, I'll take it from here. So, the next testifier will be Livit. Livit, would you like to submit testimony? I guess hearing none, we'll go ahead and skip to Suzette Esmeralda, would you like to submit testimony?

Ms. Esmeralda: Hi, can you hear me?

Mr. Carnicelli: I can Suzette, please state your name for the record.

Ms. Esmeralda: I'm Suzette Esmeralda with the Department of Planning. I'm just observing for future meetings if we need to use this, so thank you.

Mr. Carnicelli: Great. Thank you, Suzette. Mr. Croly.

Mr. Croly: Tom Croly. And I'm here making a few observations.

Mr. Carnicelli: Tom, just so you know, you have up to three minutes.

Mr. Croly. Thank you. Thank you Chair and I'll be truthful in everything I say. Just a couple observations. Some of the people are backlit. Kellie for example is backlit, she has a window behind her so she looks very dark. You know, I can't really see her very well in the screen. I noticed on myself that before I turned the light on above me that I was very dark, so it is helpful to be able to see the speaker and that their faces are well-lit just as an observation. I am anxious to learn how to do a presentation because at some point, I will either be doing a presentation or coaching someone else as to how to do that. So, whether it be at this meeting or another one, learning how to do the share screen and put a presentation up is one of the things I'd like to get out of this. I guess the other thing that I just wanted to make note of is, I think you missed your last meeting which would have been the last meeting for Commissioner Robinson and usually you give him, whoever the last commissioner going off the board is, a nice send off. I don't know if you had that opportunity or not, but you might invite him to a future meeting to do exactly that just a suggestion. That's all I have to say Chair.

Mr. Carnicelli: Yeah, and I believe that the Director does have that to be...anyways that is going to happen. We're gonna bring him back in some point in time and you know give him a hug and lei and take him out to lunch. Oh, Ms. Cua would you like to present testimony.

Ms. Cua: No, I just wanted to see how this was gonna work. It's great.

Mr. Carnicelli: Good to see you. Is there anybody else that would like to provide testimony at this time?

Mr. Croly: Chair? One thing that I just noticed that I was able to do and that was change my name in going into...on the side it says people, if you click on that and then you see everyone that's listed, you can change your name there. So, there's someone on the list right now that says county employee, I'm not sure who that is, but whoever it is it will say me, it looks like you can click on that and you can put your own name in. So, that might be a useful thing for everyone to make sure that their name is properly noted on there.

Mr. Carnicelli: So, Tom while I have you here, could you, actually I'm sure you have to have a PowerPoint or something like that sitting in your computer even if it's an old one.

Mr. Croly: Yeah.

Mr. Carnicelli: Is it possible for you to try to bring that up.

Mr. Croly: Sure, I'd be happy to.

Mr. Carnicelli: And step through it right now.

Mr. Croly: Give me a second to do the screen share thing. Okay, so here's some pictures that I took that I have in the screen share. Are you guys seeing those?

Ms. Pali: Yes, I can see it.

Mr. Carnicelli: Yes.

Mr. Croly: Okay, I'm going to close that because it gave me that as a choice, but it didn't give me a PowerPoint as a choice. Let me see if I can get a PowerPoint up here as a choice. Oh, I see it's only bringing up things that I have open on my computer, so I'll open PowerPoint. Okay, it's still opening. There we go. Okay, so this a blank one, let's bring up an actual one. Okay, now does everyone see that PowerPoint here or did I lose you all?

Mr. Carnicelli: I'm still here. I do not see your PowerPoint though. I just see this switch screen to share.

Mr. Croly: It's in my thing, it says 1290 Uluniu Road.

Mr. Carnicelli: There might be a lag here, Tom, hang on let's just see what happens. 'Cause I can see a cursor moving but it's kinda...

Mr. Croly: Oh, maybe I...yeah, it's over here it's loaded.

Ms. Pali: You have to minimize that.

Mr. Carnicelli: I think there's a lag right now.

Ms. Pali: I think you have to minimize that screen, Tom.

Mr. Croly: Okay let's see. Minimize that screen, yeah, yeah, and then you guys just flashed by okay, so now I'm back to BlueJeans, yes, so I have it up. So, let me go to share screen again and it says, this will replace Denise La Costa as share screen, so I guess hers is up that's why. So, continue and now that I have my...interesting. I have a PowerPoint open but it's not giving me that as an application I can share. I can share a Word application, I can share Excel, I can share my taxes which I would prefer not to, but it's now showing me my PowerPoint screen that I brought up elsewhere and I don't know if you guys ever saw any of that or not. Are you, are you all hearing me?

Mr. Carnicelli: Yeah, I can hear you. Michele, is there a function or way you can tell who has share screen open? If that's like can only one person, have it open at a time and is that getting in the way of this at all?

Ms. McLean: That could be. Right now, Tom is the only one with share screen.

Mr. Croly: And I just brought up the—

Mr. Carnicelli: Okay, well now I see something.

Mr. Croly: Yeah, I just brought up these pictures that I previously had up here and you see those, it says embankment.

Ms. McLean: Yes.

Mr. Croly: And first farm dwelling and street entrance.

Ms. McLean: Yes.

Mr. Croly: So, that wasn't what I wanted to share, but that's what it decided to share, so this could be embarrassing if somebody gets into this and tries to share something and the wrong thing comes up. Unfortunately, under the share for whatever reason and this might be my problem, I'll leave it up to someone else to try to this, even though I have PowerPoint up, it's not offering me that as one of things that for me to share. Now maybe that's because I didn't have it open when I started up the application, the BlueJeans application and started, I started PowerPoint later, but at this moment it's only giving me ability to share the applications that were open when I first started so, I'm gonna stand down and ask someone else to try to share a PowerPoint perhaps.

Mr. Carnicelli: Thanks Tom.

Ms. McLean: Okay.

Mr. Carnicelli: Is there anybody else that has that ability at this time?

Ms. McLean: I can try. I don't know if as a moderator I have abilities that others don't but I'll go ahead and try it. Is that showing?

Mr. Carnicelli: Yeah.

Ms. Pali: Yes.

Ms. La Costa: I must be doing something wrong I can't see anything that's being showed.

Mr. Freitas: I can see it.

Ms. McLean: So, P Denise if you move your cursor down to the lower left part of your screen does it have a little slide scale on it? On the lower left of your screen where it gives you the different view options.

Ms. La Costa: I keep getting a choose screen to share.

Ms. McLean: Okay, if you go to the top of your screen, 'cause you clicked on share screen which isn't what you should be doing. Okay.

Ms. La Costa: Okay.

Ms. McLean: So, now I'm gonna put my share screen back on. So, you can go, if you take your cursor move it down to the lower left of your screen,

Ms. La Costa: Ah, I got it.

Ms. McLean: So, slide that little thing back and forth. Okay,

Ms. La Costa: Got it. Thanks so much.

Ms. McLean: Okay.

Mr. Carnicelli: Director, one thing I think that might help with this, is I know oftentimes the PowerPoint isn't given to us ahead of time, you know, and sometimes they're finishing them on Tuesday morning, you know at 8:00 before they show up at 9:00. I think it would be really helpful if we could get the PowerPoint ahead of time if possible. If they gave the PowerPoint ahead of time we can go through it, at least see the visuals especially for those us that might be on a cell phone, it would be a challenge to try to, you know, watch that PowerPoint on a cellphone as we go, so if can.

Ms. McLean: Okay, yeah.

Mr. Carnicelli: We never really, we never really did get...close public testimony, I guess. Is there anybody as far as public testimony that would like to come forward? So, Tom while you were away, Michele was able to bring up a PowerPoint, so I don't know if...

Mr. Croly: I did see that. I came back by the end, and I just jumped out to jump back in to see it allowed my PowerPoint to come up, but for whatever reason it did not allow me, so I'll have to figure that out before, before I'm on the spot having to do one of these someday, but I saw where Michele's came up, that's great.

Mr. Carnicelli: Well, do you have any of your PowerPoints that you've turned into a PDF?

Mr. Croly: I probably do. I probably do. I have to search around. I don't want to hold everyone up to do it, but if you have another one of these meetings, I'll try to come prepared to test that.

Mr. Carnicelli: Okay. Kellie.

Ms. Pali: So, Chair and Director. Are we gonna post some sort of modified instructions as we're all adapting to this new way of meeting so that way the testifiers are kind of are prepared instead of saying well it be great that we get it? Could it sort of be mandated that we get it and we kind of create some safe rules so that we're not all stuck here if the testifiers are fumbling. I mean, I can see this really dragging on if they...if we allow the same graces as to showing up at the meeting with new information. I think that it might be wise and prudent for us to consider if we're altering the way we're meeting, we should be altering the rules for this temporary situation so that we have the information and we're not stuck at the mercy of a testifier that hasn't had a chance to figure out BlueJeans, just my opinion.

Mr. Carnicelli: Mr. Hopper you want to chime in on that.

Mr. Hopper: I'm not sure exactly what we're looking at. I think that you can establish a cut off for written testimony. I don't know what the challenges will be. You're obviously not going to be able to print out and provide testimony in the morning. I don't know if everybody has emails and can get stuff last minutes, and I don't know what type of burden that is on staff to do that or if it's much different than what we currently, what we currently have. One suggestion may be with a link, maybe to the...with the agenda to post some basic instructions for testifiers or something like that and you know, maybe have the Chair at the beginning of a meeting, you know announce the process for testifiers, you know, basic stuff like. I mean, if there's gonna be like 50 testifiers in a room, you may want to just tell everybody hey, yourself you know as a basic thing to start and you know, and sort of go through that at the very outset of the meeting. Honestly, it's gonna be chaotic with this type of...I think it's gonna probably be chaotic if there's gonna be a lot of people on something like this at least to begin with. So, I think the advice is to the extent possible not have important items, but you may not be able to do that. But I mean, if you have 50 people on here at one time, it can be difficult to manage and then you know, obviously if one person wants to talk and you know, another person wants to talk and you know, you really have to try to find a way to get through, through that in an orderly fashion and again, some other boards and commissions are working on that.

But maybe post instructions for testifiers as a link as a starting point and then for board agenda packets that's something we have to figure out how to make sure...I think you could post it on the link like you already do and then those that request them because you can no longer for example, you know, have agenda packets sitting there so a member of the public can just walk in and grab one, so that's gonna be different, but I think you can, you know, you do the best you can and just expect that there's gonna be, you know, some confusion at least you know, initially if there's a lot of things scheduled. Maybe you can just schedule a few things at once and it's not gonna be so bad. But you know, maybe just post the instructions, figure out how to do written testimony if there's gonna be a cut off or if not, how people submit it and how that gets to the members.

And then also, having a plan for example, executive session. I don't know if we have a second meeting set up where, you know, if you're dealing with a contested case and you have to go to an executive session, do all of the members hang up and redial and another executive session meeting. We have to take minutes of that meeting again, also. This is discussions we've had in our office because we anticipate it coming up as we go on longer. So, figuring out those things, maybe a lot of that we can do offline, with emails and try to figure that out with staff and the Chair, but as far as coordinating testimony, you know the best advice I think I can give is, you know, to do the best you can to post instructions for people as far as how to, how to call in or how to video in, I'm not sure what the best way is to do with people that have called in. I mean, I guess you could, you could just open, say hey, doesn't anyone has to testify and then you know, really just allow a chance once you get through everybody just to make totally clear, to make sure you don't miss anybody. You may not be able to get a full list early on of who all wants to testify and I'm not sure of the best order to do that. Maybe at the beginning of the meeting you can establish an order of testimony if you say okay, I want names and people who want to testify or if there's a way to do a virtual sign-up sheet or something like that. I'm not sure, I haven't explored all of those options. But hopefully if we get started, they'll just...we can

go for a few agenda items at a time and try to get through them, and in the end the most important thing is to just make sure everyone who wanted to testify got their three minutes and you got all the evidence that you wanted to get and then go onto deliberation, but I haven't been in a board or commission meeting yet with this, some in my office and they said it went well. It was a Cost of Government meeting and they said that it seemed to go pretty well, but as we get into contested case hearings, maybe items that are more controversial which you know, I mean, maybe we can avoid or maybe get back to regular meeting before then they'll be challenges and I think we can get through them the best way we can and trying to adhere to the Sunshine Law as closely as possible.

Mr. Carnicelli: Thanks Michael. I appreciate that, and yeah, I think that it's gonna be important for Michele, Carolyn and myself and whoever else to come up with say a protocol. To what Kawika said...

Mr. Freitas: Chair.

Mr. Carnicelli: ...hang on a second, as to what Kawika said, you know I think I'm gonna have to be overly, you know, repetitive and explain to people as they come 'cause you never know somebody might have jumped in later, kind of like somebody walks in the room late and they didn't hear the instructions at the beginning of the meeting, so it's like you know, just kind of continually do that. I think that maybe the sign-up sheet might have to just go on the chat, you know, people can...'cause then that way, it's not just okay, unmuting everyone or something to that effect 'cause that might be the mechanism to do that, but...so anyways, thank you for that Michael. And P Denise, I know that you've had your hand up for quite some time.

Ms. La Costa: Thank you, Chair. So, we have a beautiful new form that Kellie and I worked on with Michele, so my thought is perhaps if that were attached in a fillable PDF and then whichever order it was received that would be the order that people would testify and maybe that's some way to do some semblance on that.

Mr. Carnicelli: Sure.

Mr. Hopper: And then I think that brought up another issue that my office had talked about which was I don't know if there's a way for a member to flag, hey I have, I want to say something. I don't know if they would do it in chat or something else, but it kind of puts the onus on the chairperson and staff to after, after each testifier or question to really give a chance for the members to say, hey does any member have a question. I don't know if there's a way for a member to flag, I have a question or something like this, but it be real easy to, you know, to miss a member because they're there in the room where they can put their hands up, so that's just a note that I got from my office, you know, things you take for granted, the person just being there and being able to put their hand up, you can't really do that. So, you know, just to make sure to check with everybody. And the other thing with testifiers, I'm not sure, if there's a possibility of audio only, it looked on the agenda there was a telephone call in number also, I don't know if that just get you on audio in BlueJeans it just shows you as an audio number or is that a totally separate connection that you would have to the meeting?

Ms. McLean: It does show on BlueJeans and actually Commissioner Castro is participating by phone today. So, people can participate just by phone.

Mr. Hopper: Okay, so they could just call in on their phone without video or their landline or whatever and they would still show up on BlueJeans so we'd still have a comprehensive list of everybody who's, who's in the meeting.

Ms. McLean: Right.

Mr. Hopper: Okay, yeah, I didn't know that. That's good to know. Okay.

Mr. Carnicelli: I'll get to you in a second Kellie. I believe somebody else wanted to chime in while I was talking. I don't know if that was you Stephen or Tom or someone.

Mr. Castro: Yes, I have a question. So, is there a maximum of persons out there that are allowed to be on this conference at any one time?

Ms. McLean: I've participated in conferences with the EOC that have like 38 people. I don't know if there's a maximum on that but it can get that high.

Mr. Castro: Okay, thank you.

Mr. Carnicelli: Kellie.

Ms. Pali: So, Chair on the same lines on instructions that I was requesting, I definitely think that we should lead. I definitely think that we should not hope for the best and I wrote down some bullet points of what I was sort of trying to explain that might be helpful to all people moving forward with these types of meeting. As an example, if we had a very short summary of what our temporary meetings look like and here are instructions that we expect everyone to adhere to so way we can be efficient, that we can be clear, that communication is open for all to hear. Things like when you join the meeting no speaking is allowed at anytime from any other persons other than the Chair until you are recognized by the Chair to the speak. All speaker phones will be mute at time until again, you are recognized by the Chair to speak. These are just examples, you guys can wordsmith it how you want. All testifiers will be called and only at that time can you speak because again in a normal meeting, the group or the witnesses or the testifiers they're not speaking unless you call them to the podium.

So just...similar because what we don't want is people forgetting to mute their button, so these are just sort of like housekeeping tips that we're giving them as they enter the meeting. Don't forget to keep you button on mute at all times. We don't need the background like the truck that just drove by and with you know, ten, fifteen different people causing our meeting to be difficult.

The other thing too is I really suggest that because we are trying to adjust to this new normal for now, another one should be all written testimony should be sent to this address whether it's Caroline's or whatever the address is 24 hours prior to the meeting so that staff can have it available to us on the share screen or emailed 24 hours prior to the meeting so we're not, you know, waiting for some person that wants to testify trying to figure out how to share screen and

so these were kinda the examples that I was sort of alluding to that we should take the lead on, that we should create and we should have ready when we go live with this. Those are just my recommendations.

Mr. Carnicelli: Thanks Kellie. And so, Tom and I just...or Tom just sent me, this does have a function in chat to do a direct message. And so, Tom and I have done a direct message with each other and so maybe that's a way with which we can say okay, you know direct chat to Carolyn and then...you know, or somehow or maybe it's me, or I don't know, it's going to be interesting for me because I'm on my MacBook and on my phone so it may be a little bit interesting but maybe what I could do is say, okay direct chat with Carolyn, you know, or you, Chair or Director whoever it would be, keep the list, you know, say okay, who's the next testifier you can call them and I'll do my little wah, wah, whatever it would be. So, that might be a way that we can manage that as well. And to Kellie's point, yeah, we need to just come up with some real clear protocols and also be willing to you, you know, be...be flexibly if we need to be on the fly with the first couple of them. And like Mr. Hopper said too, is you know some of these...I know everybody feels that they're important when they come, and each agenda item is important, however, there's some that are more controversial or more sticky as we all know, with me saying all that, the other part that I'm a little bit concerned about is, let's say someone...if we're gonna use the chat function to sign up, Stephen can't chat right now, right 'cause he's just on the phone so at some point in time maybe when we're done with all of the list of the people we can then unmute the people that are just on the phone, and say okay, do any of you want to come forward just as a thought. Michael.

Mr. Hopper: Just one thing with the chat, I didn't realize that it let's you send direct messages to people. That would mean a testifier could send direct messages to members and things like that, in a contested case hearing that shouldn't be happening. In a contested case hearing you should not be getting direct messages from members of the public. The evidence that you should have should be on the record, whether it's an applicant sending you messages or a member of the public sending you messages generally you shouldn't be doing that.

And then also, I don't to what extent, I don't know if it's going to be disabled or anything like that I don't know if you're going to have a large...if you had again, a big controversial item if you're going to have a lot of chatter in the background with that going on that everybody can see you know if that's gonna be a potential issue. I totally agree the most efficient way may be to queue us testifiers is through that function, but as far as contested cases, I mean the best we can do I think is just members don't respond to back and forth from either...from anybody involved in the application if it's a contested hearing and we can go through guidance on each item on that and then you know, maybe we can figure out the best way to queue testifiers and things like that, but you know, I just don't want necessarily there to be...I mean, does this mean testifiers can have conversations between each other and then you know, if someone's testifying send messages about their testimony and things like that is that a potential issue that we want to, you know, consider and look at and then the option is to just you know, for members to ignore and let staff deal with it for queue purposes or what, but that's something that I hope...hopefully is not going to become a concern. Maybe I can talk to my office about the best way to manage that, but I can definitely see it as something that would be helpful for queuing up testifiers, but as far as contested case hearings, I would say it shouldn't be used for gathering evidence or anything like that. If it's gonna be evidence it needs to be on record, recorded, submitted as exhibits,

submitted as sworn testimony and generally you shouldn't do it, you know, as testimony. So maybe there's a way to figure out the best way to manage that, but just wanted to get that out there and we can, we can do the heads up before the meeting if we do a contested case as part of one these but just wanted to raise that as a concern.

Mr. Carnicelli: Thank you Michael, and Tom you came up...Carolyn go ahead.

Ms. Takayama-Corden: The chatting shouldn't be used anytime during meeting because it can't be recorded. If people ask questions, then it won't be on the record, the recorded record.

Mr. Carnicelli: So, Tom brought up a question, that I had as well, can we shut the chat off then, I mean, let's go the other direction. Can the moderator just shut chat off?

Ms. McLean: I don't think so. I've been looking at apps and settings, I don't think that I can, but I'll look into it over the next several days and see what kind of controls the moderator does have.

Mr. Carnicelli: Okay, okay. No, that's a good point. Thank you, Carolyn.

Mr. Hopper: That a good idea.

Ms. McLean: It's a similar thing like a member of the public could get any of the commissioner's email addresses or phone numbers and could text them and email them directly and it's up to the commissioners to say, no that's not how this works. So, it's not unlike that in a way. We just have to put instructions on the agenda and members need to say I can't acknowledge your message, you know. But I'll see what kind of controls the moderator has.

Mr. Carnicelli: Okay, thanks. Does anybody else have anything at this time? Christian, you came up from behind the curtain there. You got anything to add Christian.

Mr. Tackett: Yeah, I'm just listening and moving around but whoever's my cameraman they're not doing a very good job.

Mr. Carnicelli: They're not getting your good side.

Mr. Tackett: They'd have to stand behind me for that. I got everything and it's functioning pretty close to we've actually been doing this...doing things like this with some other things I got going so it's fairly familiar to me.

Mr. Carnicelli: Got it. Thanks Christian. I guess I technically did not close public testimony, so I think at this point in time I will close public testimony if there are no objections. So, public testimony is now closed even after all of that.

Mr. Croly: And Chair?

Mr. Carnicelli: Yeah, Mr. Croly.

Mr. Croly: It would seem at that point that whoever's moderating the meeting then would mute, make sure that all the public who is sitting in on the meeting have been muted and that they can't interrupt the meeting, just as I did here.

Mr. Carnicelli: Got it. And I do see that Livit and Kurt have both weighed in on the chat, so I think that that's something we can look as well. P Denise did you say, did you have something, were you raising your hand there?

Ms. La Costa: Thank you, Chair, I was. I think it might be important at least from my standpoint to have the commissioners and the principals on our PC with the screen so that we can see and you can see if we have issues rather than having like Stephen is on his phone and it was for convenience I'm sure this time, but it just...to me it just feels more like a meeting if we can see people get their reaction, know if they have questions rather than just be on the phone and then not know if they do have something to offer.

Mr. Carnicelli: Got you, thank you.

Ms. McLean: Chair, I can also block video of everyone except for members and maybe Mike, so when there's limited capacity on the screen, so right now I'll block Carolyn and I'll block Tom so then I think it's all commissioners now.

Mr. Carnicelli: Oh okay. Right, right. Now then when they come to testify you can then unblock them and we can see them.

Ms. McLean: Right.

Mr. Carnicelli: Okay, perfect. Michael.

Mr. Hopper: If they're blocked, they can still monitor the meeting, they can still see the video and the audio and everything like that?

Ms. McLean: Yep.

Mr. Hopper: Okay. Yeah, that was gonna be my suggestion is that if you could do just like you have now with the members there, especially if you have a crowded meeting, the members, maybe the Director or anybody that would want to raise their hand, that might be a very easy way to do things and then just when each testifier comes up you can...I mean, it could be a big burden 'cause you have to block everybody that comes into the meeting at the beginning but I guess once you do it, this is a good way to do it. So, if you can figure out a way to just have these members on, yeah, that's a great idea.

Mr. Carnicelli: And I think that you know, when we come up with whatever protocol it's going to be, and it's going to be on the agenda, we'll have to put it on the agenda that...okay, this is what's gonna happen to you or not, yeah, I mean, just try to make it as predictable for people as possible. Does anybody else have anything at this juncture? Questions, comments, concerns? Kawika.

Mr. Freitas: I have a few questions. The three-minute timer will be done by Carolyn.

Ms. Takayama-Corden: I'll be doing it.

Mr. Carnicelli: Yes.

Mr. Freitas: And as their speaking, do they know that their three minutes is up or will the Chair just say your three minutes is up or you get to just mute them right at three minutes, just kidding.

Mr. Carnicelli: I don't know, we'll have Carolyn go like this.

Mr. Freitas: Okay. If we do a motion or a second, I think we should have some kind of procedure on how we say that. I think we should say our name first as commissioners and say, I make a motion or you know, Commissioner Freitas seconds or something 'because I think we...since we were used to being there and we just raised our hands, now it might be kinda, I don't know, would raising hand be enough or should we say our name and in case everybody tries chime in at once?

Mr. Carnicelli: I think that you're right is this particular modality is we're gonna have to be really diligent about putting things on the record and typically what I'll do is just say like is there a motion, and you say, okay, I move to adopt as, you know, presented as staff, and then let's say, you know, Kellie seconds it, so then I typically I try to say, okay moved by Commissioner Freitas, seconded by Commissioner Pali, you want discussion? So, I mean, I'll still try to do that stuff, but if you want to say, hey listen this is Commissioner Freitas and I would like to make the motion to dah, dah, dah...I think more is fine in my opinion.

Mr. Freitas: Or if we wave is that good enough for you, like do you see everybody, you would right?

Mr. Carnicelli: Yeah, I do see everybody. I mean, I see nine people right now, I got Kellie, Michael, P Denise, Kawika, Michele, Tom, Christian, Carolyn, Lawrence.

Mr. Freitas: Okay.

Mr. Carnicelli: Kellie, see and I see Kellie raised her hand, I see Michael raised his hand, so we'll go to Kellie then Michael.

Ms. Pali: So, Kawika when you're talking you should mute your microphone 'cause there's an echo, and Chris Tackett, should mute yours as well. I can see who's muted and who's not, so people who haven't muted they don't have the little microphone with the red cross. So, when you're not talking and you're not muted there's echoing going on. So, I notice when Lawrence and Commissioner Freitas were going back and forth there was echoing. So, just keep in mind, I know it's going to be a little irritating at first, but even if you're bantering back and forth, you know, just click, unclick, click, unclick if...it would help with the clearer communication.

Mr. Carnicelli: Well, I know in this past things like that—

Mr. Tackett: I'm not sure...(inaudible)...

Mr. Carnicelli: Go ahead Christian.

Mr. Tackett: I've been muted the whole time.

Mr. Carnicelli: Yeah, yeah, you have been. No, and that's why I'm on my headphone is because specifically 'cause I think you get the reverberation when you're on speaker, so I think it will be, you know, is it whether it's on your computer or phone or something like that if you want to use headphones it will actually help with that feedback, so thank you Kellie. Michael.

Mr. Hopper: Yeah, just the comments I had was the mute thing is gonna be amplified even more when you've got a lot of testifiers, so I think it would be probably a constant stream of reminding all the testifiers whether they're by phone or video to mute 'cause you're gonna get some crazy feedback if you've got all those people and who knows what they're doing, they might be driving around in their cars or who the heck knows. Another thing would be, because we said earlier this would be great to have this display, but even if you don't have it, going through each testifier or each ...(inaudible)...series a meeting, it will be important for the Chair and staff to just, just say, are there any issues the member wants to talk...or do members have any questions with long pauses and not just rely on the hands up because as you transition you don't want to miss anybody. And then the other thing for testimony is maybe you can give a warning with like 30 seconds left or something like that when someone's testifying to say 30 seconds. I think we, I think a lot of times we do that in the meeting anyway, but it would be good for whoever's taking the time to say, you know, 30 seconds or something like and then three minutes afterwards, but those were just my suggestions.

Mr. Carnicelli: Thanks, Michael. Any one, Kawika.

Mr. Freitas: Applications that are approaching their deadline because we haven't been able to meet, have those been extended or do those automatically get approved.

Ms. McLean: That was covered in the Emergency Proclamation I think or I think Mike can confirm that that it was specifically stated that those deadlines are stayed.

Mr. Hopper: With respect to the automatic approval deadlines, those are stayed. There's a specific thing in the rules. As far as the requirements to like renew applications and things I don't think that's been changed so I think people still have to file for their application renewals and things on time. But you're probably familiar with, there's a minimum time period for making a decision for some applications and if the commission doesn't act in that time, the applications are deemed automatically approved, that's been suspended by the Mayor. So, that's gonna resume whenever the declaration I think is lifted. I think there's like a period after that where it will resume, but for now there's not gonna be anything automatically approved within that, within this time frame where we're...so we're not running up on those deadlines.

Mr. Freitas: That's the question I was asking.

Mr. Carnicelli: Thank you. Anything else Kawika? You good. Okay.

Mr. Freitas: I'm good.

Mr. Carnicelli: Okay. Thanks. Now, I made a critical error and I have six percent left on my phone. I did not bring my charger into this room with me, is there any other questions, comments or concerns at this time? Kellie.

Mr. Freitas: I hope to have it back up running the next meeting.

Ms. Pali: Don't forget your financial statements are due tomorrow.

Mr. Carnicelli: Thank you if that was Ann or whoever it is that chimed in with the financial statements are due tomorrow. Kellie.

Ms. Pali: That was me, financial statements are due tomorrow.

Mr. Carnicelli: Oh, okay, that was you, okay. Anything else? Okay, seeing none, I want to thank everybody for their participation. I thought that this went really, really well. And thank you Tom for being our Guinea pig as well and all of the staff and everybody else from the Planning Department that's chimed in. I appreciate it. Thank you so much. I guess at, what is it, at 10:11 a.m. we'll go ahead and call this meeting adjourned.

C. NEXT REGULAR MEETING DATE: APRIL 28, 2020

D. ADJOURNMENT

The meeting was adjourned at 10:11 a.m.

Respectfully Submitted by,

CAROLYN TAKAYAMA-CORDEN
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

Present

Lawrence Carnicelli, Chair
Stephen Castro
Kawika Freitas
P Denise La Costa
Kellie Pali
Christian Tackett, Vice Chair

Excused

Tina Gomes
Dale Thompson

Others

Michele McLean, Director, Department of Planning
Michael Hopper, Deputy Corporation Counsel, Department of the Corporation Counsel