

**HUMAN SERVICES AND PARKS COMMITTEE**  
Council of the County of Maui

**MINUTES**

**November 16, 1999**

**Council Chamber**

**CONVENE:** 9:01 a.m.

**PRESENT:** Councilmember John Wayne Enriques, Chair  
Councilmember Michael A. Davis, Vice-Chair  
Councilmember Patrick S. Kawano, Member  
Councilmember Dennis Y. Nakamura, Member  
Councilmember Charmaine M. Tavares, Member  
Councilmember Dain P. Kane, Non-Member  
Councilmember Wayne K. Nishiki, Non-member

**STAFF:** Shannon S. Alueta, Legislative Analyst  
Camille Sakamoto, Committee Secretary

**ADMIN.:** Floyd S. Miyazono, Director, Department of Parks and Recreation  
David Goode, Deputy Director, Department of Public Works and Waste  
Management  
Alice L. Lee, Director, Department of Housing and Human Concerns  
Edward S. Kushi, Jr., Deputy Corporation Counsel, Department of the  
Corporation Counsel

**OTHERS:** **Item 17:** Mercer "Chubby" Vicens, Vice-President, A&B Properties, Inc.  
Lee Guthrie  
Mike Morris, CEO, Maui Family YMCA  
Barbara Sauer, Executive Assistant to Councilmember  
John Wayne Enriques  
Michelle Anderson, Executive Assistant to Councilmember  
Wayne K. Nishiki  
Additional attendees (3)

**Item 8:** Mike Morris, CEO, Maui Family YMCA  
Lee Guthrie  
Mercer "Chubby" Vicens  
Barbara Sauer, Executive Assistant to Councilmember  
John Wayne Enriques  
Michelle Anderson, Executive Assistant to Councilmember  
Wayne K. Nishiki  
Additional attendees (5)

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**Items 9 and 10:** Mike Morris, CEO, Maui Family YMCA  
Lee Guthrie  
Barbara Sauer, Executive Assistant to Councilmember John Wayne Enriques  
Michelle Anderson, Executive Assistant to Councilmember Wayne K. Nishiki  
Additional attendees (3)

**Item 17:** Lee Guthrie  
Dan Davidson  
Michael Munekiyo  
Warren Suzuki  
Additional attendees (2)

**PRESS:** Timothy Hurley, *The Maui News*  
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**CHAIR ENRIQUES:** Good morning, everyone. Human Services and Parks Committee please come to order . . .(gavel). . . At this time, I'd like to recognize the Committee Members: Member Mike Davis, Pat Kawano and Dennis Nakamura. . .Charmaine Tavares. Also in attendance is Councilmember Dain Kane and Councilmember Wayne Nishiki. We also have in our attendance, our Committee Staff: Analyst Shannon Alueta and Secretary Camille Sakamoto. We have with us. . .Floyd Miyazono, Director of Parks and Recreation; Edward Kushi Jr., Deputy Corporation Counsel; and David Goode, Deputy. . .Public Works.

. . . Members, today we'll be discussing five items: HSP-9. . .request for a skate park in Haiku; HSP-10, request for a skate park in Haliimaile; HSP-8, Countywide skate park concerns; HSP-17, matter of accepting the dedication of 11.062 acres of land mauka of the Kuau Bayview Subdivision; and HSP-1, affordable housing requirements, guidelines for developers.

**ITEM NO. 17: MATTER OF ACCEPTING THE DEDICATION OF 11.062 ACRES OF LAND MAUKA OF THE KU'AU BAYVIEW SUBDIVISION (MISC.)**

**CHAIR ENRIQUES:** . . . If there's no objections, I'd like to bring the matter of accepting the dedication of 11.062 acres of land mauka of the Kuau Bayview Subdivision as the first item.

**COUNCIL MEMBERS:** No objections.

**COUNCIL MEMBERS VOICED NO OBJECTIONS.** (MD, JE, PK, DN, CT)

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**ACTION: AGREE to move Item No. 17 up on the committee's agenda.**

CHAIR ENRIQUES: Seeing there's no objections, at this time I will be accepting any public testimony. Camille, is there anyone testifying?

MS. SAKAMOTO: No.

CHAIR ENRIQUES: Seeing none . . .

. . . Members, this matter relates to the proposed dedication of park land mauka of the Kuau Bay Subdivision. As you remember, this matter was originally combined with dedication of a greenway which is currently in the Public Works and Water Committee. At this time, I'd like to have Floyd Miyazono give us a brief overview of the current events on this project.

MR. MIYAZONO: . . . The matter before us is the, the dedication of this 11.062 acre. . . Kuau Bayview park that is being. . . supposedly at this time requested for dedication to the Parks Department. It is divided into two retention basin. The first one is for a 10-year retention basin made up of approximately 3 acres. And the other 8 acres is part of a 100-year retention basin. I know there were prior discussions relative to the maintenance of the 10-year retention basin. So those are concerns relative to. . . the maintenance and who should be responsible for it. From the standpoint of. . . standpoint of recreational needs for the community, there is definitely a need for both possibly designing for a multi-purpose soccer field and a baseball field. Currently, there is \$38,000 appropriated for design funds. So it will not be initiated until such time the dedication has been accepted.

CHAIR ENRIQUES: Any questions for Floyd?

**NOTE: Silence.**

CHAIR ENRIQUES: . . . Seeing none, I'd like to have Chubby Vicens. . . step up to the podium.

**NOTE: Pause while Mr. Vicens approached the mic.**

MR. VICENS: . . . Good morning, Chair--

CHAIR ENRIQUES: Good morning.

MR. VICENS: --Members of the Committee.

CHAIR ENRIQUES: Chubby, I have a question to ask you. . . regarding the maintenance of the. . . park. . . I understand the County will, does want the park.

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But regarding the catchment basins. . .I was thinking of asking you to maintain the catchment basins. Is that. . .within reason?

MR. VICENS: Uh. . .it, it is. As you know, one of the, one of the. . .questions the last time was the SMA and whether the SMA required us to do that. We, we're still in the process of trying to get a reading. But the answer is yes. If. . .uh . . .

. . . two things. One, we are willing to. . .to provide the maintenance. . .until such a time that, that the, the County decides that that's what they wanna do. If they don't, then we will continue to. . .to move in that direction of maintaining the basin. In the meantime, we're, we. . .until this land has been dedicated to the County of Maui, A&B will have a right-of-entry agreement with the community so that the community can come in and remove whatever shrubbery and auxiliary items that may be there now. . .in preparatory. . .to the County taking dedication at some point down the road. We have. . .several hundred people that are willing to come in and help. . .to make this effort the . . .*(inaudible)*. . . and. . .and that type of thing. So the answer is yes.

CHAIR ENRIQUES: Any questions for Chubby?

**NOTE: Silence.**

CHAIR ENRIQUES: . . . Seeing none. . .thank you, Chubby.

MR. VICENS: Thank you very much.

CHAIR ENRIQUES: Members, I'd like to bring up this point that this item. . .is gonna be referred to the Planning Commission because the original plans have been changed. When they did the project, they changed the plans. So it's gonna be referred to the Planning Commission, and then referred back to us. Are there any questions regarding that from. . .Mr. Kushi. . .any question of Mr. Kushi. . .or myself?

COUNCILMEMBER NAKAMURA: Uh. . .yeah, I guess a question. Um . . .

. . . Mr. Chairman, I mean . . .

. . . So dedication. . .at this time is. . .not accepted by this Committee . . .

CHAIR ENRIQUES: That's right.

COUNCILMEMBER NAKAMURA: After a review from the Planning Commission. . .regarding--

CHAIR ENRIQUES: Change of plans.

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COUNCILMEMBER NAKAMURA: Change of plans from what? The original SMA?

CHAIR ENRIQUES: Yes.

**NOTE: Silence.**

CHAIR ENRIQUES: . . . Any further questions?

COUNCILMEMBER NAKAMURA: Um . . .

CHAIR ENRIQUES: Go ahead.

COUNCILMEMBER NAKAMURA: . . . question for Mr. Kushi, then.

. . . So what, what happens in this instance, Mister. . .Mr. Kushi? Does. . .does the Planning Commission have to accept the. . .whatever change, changes. . .before we can. . .accept dedication?

MR. KUSHI: It's my understanding that the Planning Commission would. . .review a redesign of the basins. And my understanding is the redesign is a better project, would result in a better project. However, it's not according to the initial SMA conditions. Uh. . .unless David has. . .has any, anything other to say. . .I think that's the only remaining issue. Thereafter--if the Planning Commission, assuming it re, approves the new redesign--would come back to this Committee. . .for consideration of acceptance.

. . . At which time. . .Mr. Chair, if I would suggest that if A&B is committing to maintain, then our maintenance agreement would be entered into or drafted.

COUNCILMEMBER NAKAMURA: And then, in the meantime, is the park gonna be allowed to be played on or what?

CHAIR ENRIQUES: No.

COUNCILMEMBER NAKAMURA: . . . Okay--

CHAIR ENRIQUES: There's a question of liability with the park right now.

COUNCILMEMBER NAKAMURA: Okay. Thank--

CHAIR ENRIQUES: Any--

COUNCILMEMBER NAKAMURA: --you.

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CHAIR ENRIQUES: Any questions?

**NOTE: Silence.**

COUNCILMEMBER KAWANO: . . . Mr. Chairman?

CHAIR ENRIQUES: Mr. Kawano.

COUNCILMEMBER KAWANO: Thank you. So . . .so do we have the A&B agreement that Chubby just mentioned or would that be part of the record that will go to the Planning Commission?

CHAIR ENRIQUES: Mr. Kushi?

MR. KUSHI: Uh. . .again, I'm not sure what the Planning Commission is considering.

COUNCILMEMBER KAWANO: No, what I mean was if we send `em like what Chubby is saying, they can sort of even look at that and. . .maybe interject that into it. . .the. . .while looking it over. Otherwise, we can do it. But I just figured since they're gonna look at it. So . . .

MR. KUSHI: . . . I'm, I'm not sure. . .Mr. Kawano if the Planning Commission has the juris, jurisdiction to say . . .

COUNCILMEMBER KAWANO: . . . Okay. Thank you.

CHAIR ENRIQUES: Mr. Goode--

MR. KUSHI: Oh, but we can.

COUNCILMEMBER KAWANO: Uh-huh.

MR. GOODE: Thank you, Chair. I believe the Planning Commission is gonna be reviewing the condition that was a part of the original SMA permit--

COUNCILMEMBER NISHIKI: Right.

MR. GOODE: --which stated that A&B was to maintain the facility. So it's being sent back. . .not "design" is being sent back, the letter's being sent to the Planning Commission as a communication item to look at that condition. So what the Planning Commission will relook at, then, is the original plans that were submitted as part of the original SMA--which were conceptual plans--to look at what was built. And then they'll probably reconsider whether or not that's an appropriate condition. So my, my guess is that. . .the Planning Commission will, can only look at its conditions. The Planning Commission cannot look at it. . .a

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Council item and talk about acceptance. They can just look at what pertains to the . . .the SMA. So they'll be looking at whether this is an appropriate condition or not. They can vote it up or down. Uh. . .but I think this item--my hunch is and maybe Mr. Kushi can tell me differently--probably has to stay in this Committee. The item stays in Committee, maybe gets deferred; the Planning Commission does their investigation of the condition. . .then can report back.

**NOTE: Silence.**

CHAIR ENRIQUES: . . . Any further question? Mr. Nakamura.

COUNCILMEMBER NAKAMURA: Yeah, thank you, Mr. Chairman. So if the Commission denies. . .whatever the conditions are, doesn't accept it, then does that mean that this Committee cannot accept the project?

**NOTE: Silence.**

COUNCILMEMBER NAKAMURA: . . . I don't know who would answer.

MR. GOODE: Chair, I. . .I think I remember seeing the condition--that's why I can speak about it. . .although I don't have it in front of me. But I believe the condition read that A&B was to maintain the facilities. If that's the condition of it, that's still the condition. If it gets changed, then it's a whole `nother. . .situation.

COUNCILMEMBER NAKAMURA: No, we're talking about what, two separate. . .areas here. One is the. . .the major basin, and the other is the. . .the area that is more. . .I guess flat for ball field purposes.

. . . Okay, that's all I have, Mr. Chairman. Thank you.

CHAIR ENRIQUES: Any further questions?

. . . Since this item is gonna come back to us. . .the Chair will entertain a motion to refer this matter to the Planning Committee.

COUNCILMEMBER KAWANO: So moved.

VICE-CHAIR DAVIS: Second.

COUNCILMEMBER KANE: Mister--

COUNCILMEMBER TAVARES: Mr. Chairman?

COUNCILMEMBER KANE: Yeah . . .

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CHAIR ENRIQUES: . . . Go ahead.

COUNCILMEMBER TAVARES: Is it the Planning **Commission**?

CHAIR ENRIQUES: Committee. Excuse me, Planning Committee.

COUNCILMEMBER TAVARES: No, it's not the Planning Committee, I think.

MS. ALUETA: Excuse me, Mr. Chair? Uh. . .may I recommend that we just **defer** this item--

COUNCILMEMBER KANE: Yeah.

MS. ALUETA: --and we send a **letter** to the Planning **Commission** asking them to reconsider or take another look at the project. . .for the reasons that were stated today?

?: Yeah.

CHAIR ENRIQUES: Okay. That's fine. So. . .if there's no objections, the--

COUNCILMEMBER NAKAMURA: Mr. Chairman, with--

CHAIR ENRIQUES: --the--

COUNCILMEMBER NAKAMURA: --no objection to that recommendation.

CHAIR ENRIQUES: Okay, rescind the first and second?

VICE-CHAIR DAVIS: Yeah.

CHAIR ENRIQUES: It was. If there's no objection--

COUNCILMEMBER TAVARES: No objection.

CHAIR ENRIQUES: --the Chair would like to--

VICE-CHAIR DAVIS: No objection.

CHAIR ENRIQUES: --defer this matter.

. . . Seeing none, matter is deferred.

**COUNCIL MEMBERS VOICED NO OBJECTIONS.** (MD, JE, PK, DN, CT)



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**ACTION: DEFER pending further discussion.**

CHAIR ENRIQUES: . . . Next item we have is HSP-8.

**ITEM NO. 8: COUNTYWIDE SKATE PARK CONCERNS (C.C. 97-306)**

CHAIR ENRIQUES: This matter pertains to various concerns that have been raised regarding the County's skate parks. It is my understanding that the YMCA will be assisting the County with managing the selected skate parks. Before I ask Floyd to . . . provide us with an overview. . . this situation, I will be accepting any public testimony.

. . . Seeing none. . . Floyd?

MR. MIYAZONO: . . . This skateboard issue came up before Council probably. . . in May of this year. And at that time, I had proposed to put together a ad-hoc committee or advisor committee made up of. . . staff members from the Parks Department; as well as members from the Maui Skateboard Association; members from the Kalama Boards and Blades, that's a nonprofit organizations. . . organization that. . . initially operated and managed the Kalama Skate Park. And the intent of this committee was twofold. Basically, one was to make certain--based on the priority as to looking at the available skateboard parks in the community--and basically making a decision. . . or an advisory decision relative to where each of the skate park. . . will be going. I think from the standpoint of operation and managing. . . there has been, obviously, some problems with the skateboard parks in certain areas. And secondly, we also had some. . . CIP funding. . . in, in the Park budget, and they also, their priority was based on, to, to make recommendation as to how some of these funding could be utilized. Based on the recommendation we've gotten so far, the advisory committee made several recommendation. One is to concentrate on taking a look at two skateboard parks. One was Keopuolani Skateboard Park at Keopuolani, and the other one was at Kalama Park. And they came, came up with recommendations relative to the improvements and possibly looking at improvements that could be implemented at these skateboard parks that could really make the project go. I think in the past. . . as I mentioned earlier, there have been some problems relative to operation and management. And I feel that the YMCA is. . . a bona fide organization that really could make the project go--with their experience, with their coverage of the insurance policy, with the type of manpower they have. I feel that they could. . . really assist us as. . . as we speak of partnership on this with the, between the Parks Department and YMCA. So I believe that we have a bona fide organization, you know, willing to take the ball. And we're gonna give them whatever support is needed from the Parks Department to hopefully. . . have this project continue and the programs continue at both Kalama Park and at Keopuolani Park. I know they did submit to us a. . . a draft plan. And we are proposing to attempt to encumber some funds for the improvement of

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both Keopuolani Park and . . . the Kalama Park. So . . . we also have in, in the audience, Mike Morris, who's the . . . Mike Norris, who's the current Executive Director of the YMCA. And he, he has been somewhat involved with this for the last two to three months. So . . . I just . . . I'll stop here and . . . an, answer whatever questions. . . the Members may have.

CHAIR ENRIQUES: . . . Any questions for Floyd?

. . . Seeing none--oh, Mister. . . Member Tavares?

COUNCILMEMBER TAVARES: Yeah, I don't, I don't necessarily have a question, but I have a . . . kind of a comment. And . . . these facilities that are being requested throughout the County of Maui, I think we should bear in mind that this is a recreational activity for youth. And this Council has always been standing behind youth programs. And it's just as--if you can think back 100 years ago. . . when the first baseball team approached somebody to make a baseball field. . . you know, we, we need to keep these in perspective. And, and just because these youngsters are asking for a facility that doesn't already exist, we still have to treat it as a bona fide request. And being that there are so *many* children or youth who are involved in skateboarding, inline skating, and, and whatever, that those facilities should be provided just as we provide tennis courts, baseball fields, football fields. . . soccer fields and the like. So it shouldn't be like. . . that this is a really off-the-wall kind of request. This is something that we should really. . . seriously consider as it is an activity. It *isn't* gonna go away--as people thought it was gonna be a fad and would go away 20 years ago. It's still here. So I think that we should treat it in the same light as we do other sports or recreational activities' facilities. Thank you.

VICE-CHAIR DAVIS: Mr. Chair?

CHAIR ENRIQUES: Continue.

VICE-CHAIR DAVIS: Just as a . . . backup to what Councilmember Charmaine. . . has been stated, I. . . had the experience of picking up three youngsters Sunday from Keopuolani Skate, Skate Park, and they were just so elated going down there. Practically everyday and enjoying themselves. They really, really enjoy that skate park. Thank you, Mr. Chair.

CHAIR ENRIQUES: Any further questions?

COUNCILMEMBER NISHIKI: Yeah.

CHAIR ENRIQUES: Mr. Nishiki.

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COUNCILMEMBER NISHIKI: Floyd, you know, Charmaine mentioned the fact that this is not a fad and, and it's occurring.

. . . Do you happen to know the number of participants that we have right now and, and . . .

MR. MIYAZONO: . . . Based on some of the numbers I had seen, is..for Keopuolani. . .usually we have about. . .approximately 20 or so during the weekdays and about 40 during the weekends. And, again, those number may vary. Um. . .and Kalama. . .Kalama Park may somewhat be. . .somewhat similar to those numbers. Um. . .and I think it's very important from the standpoint of the users that the users will actually. . .will dictate to the YMCA as to . . .

. . . the cost or the need to make additional funds by having community. . .projects or having fundraisers. The fees that are received. . .from the users usually go to pay for monitors. You know, there are monitors that is required to make certain that the users of the skateboard park. . .utilize a required safety equipment like kneepads, helmets, and so on and so forth. So it is, it is very important that. . .they have a certain number, too, to offset the cost for the monitors as well as for the insurance purposes. So those were the numbers, generally, I have. I, I really don't know what is for the Kalama one. For the Keopuolani one, that is the general numbers that, that utilize the park at this time.

COUNCILMEMBER NISHIKI: And, and, and in, in regards to capital improvement or, or say new facilities, how do you anticipate with these organizations. . .to, should there be other requests from other areas . . .

MR. MIYAZONO: Okay--

COUNCILMEMBER NISHIKI: . . . as far as facilities and, and cost and . . .

MR. MIYAZONO: . . . Okay, right now--

COUNCILMEMBER NISHIKI: . . . to the County bearing . . .

MR. MIYAZONO: Yeah, let me just--

COUNCILMEMBER NISHIKI: . . . the entire . . .

MR. MIYAZONO: --okay, currently we do have. . .an estimated \$215,000 in the CIP skate park appropriation. Okay. . .based on some of the improvements, the task force had determined several priorities they wanted to implement. And one was to install lighting at both Kalama Park and Keopuolani Park. I think it's something that YMCA feel is very critical to make their operation and management of

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this. . .um. . .skateboard go. So we're gonna support that. They're also looking at possibly. . .constructing a concession area. . .at Keopuolani Park. And I guess the concession is very critical because, again, it's to offset the cost. . .for the operation cost. So we're gonna support that as well. Um . . .

. . . and also recently there was a . . .a bid opening at Kalama Park. I think the bid opening was just couple days ago. And they had a appropriation of \$94,000. . .but the funds somewhat came short. So we're planning to utilize some of that funding that is available to offset the cost of the second phase for the development of the . . .Kalama Boards skateboard park. . .Kalama Skateboard Park. After that. . .there are talks about having fundraisers within the community. I think at this time the appropriation, of course, need to be considered--whether we're gonna come down and request from the Administration and Council for additional funds. I know there's always need for. . .repair and maintenance. If you don't know, the, the repair and maintenance for a skateboard park is somewhat substantial. It may have to. . .the. . .surface itself, it depends what kind of surface it is. It may have to be replaced maybe once a . . .usually about twice a year. So the cost of that *is* substantial.

COUNCILMEMBER NISHIKI: Yeah, well, you know why? You talked about initiating new ideas--this Administration was very sound in representing how you're going to initiate volunteerism and, and look at all these different things. And I'm just curious how you stand behind what you represented earlier and what is being done in this specific case--as far as looking at volunteerism and all these other concepts that you had mentioned. I, I. . .I just want to. . .you to stand by your word so that. . .you know, the County doesn't, time and time again, bear costs. So. . .I would hope that you would bring out your fresh, good ideas into implementation . . .

MR. MIYAZONO: You know, that's--

COUNCILMEMBER NISHIKI: . . . and, and, and, and, and seeing it occur.

MR. MIYAZONO: Okay--

COUNCILMEMBER NISHIKI: . . .*(inaudible)*. . .

MR. MIYAZONO: --and, and. . .yeah, definitely from the standpoint of volunteerism or partnership. . .that's the reason why I feel good that the YMCA had stepped forward. . .to take this project on as a partnership with the County. And, and we're gonna support them whatever way possible. If we need to get volunteers involved as fundraisers, then so be it. It's, it's a direction that we definitely wanna go. So I think I, I, I still, I believe that I am supporting that philosophy of partnership as well as volunteerism, too, to make the project a successful one.

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COUNCILMEMBER NISHIKI: Thank you.

CHAIR ENRIQUES: . . . Mr. Nakamura.

COUNCILMEMBER NAKAMURA: Thank you, Mr. Chairman. Floyd, you said there was a task force formed. Did they have a recommendation or a, I don't see anything in here. . .as far as a. . .what the needs are for this County.

COUNCILMEMBER NAKAMURA: Yes, the. . .the task force recommendation was . . .

. . . to, first of all, they came out with two major recommendations. I think the question came out as to there were a lot of skateboard parks within the County, and some is no longer in operation. And, and there is attempt by the YMCA to bring that back. At that time when they. . .initiated the task force, there were a skateboard park in Makawao. . .in Paia, in Kalama Park, in Keopuolani Park. The task force recommendation. . .was, number one, to concentrate their efforts, first of all, on Keopu. . .Keopuolani Skateboard Park and Kalama Park. Number two, they came up with recommendations and priorities relative to how can the. . .grant funds be utilized or how can the CIP funds be utilized. And that's what I had mentioned earlier . . .

. . . talking about lighting at both Kalama Park and Keopuolani. . .and. . .also the construction of a concession area for Keopuolani as well.

COUNCILMEMBER NAKAMURA: Uh. . .if I may continue, Mr. Chairman?

CHAIR ENRIQUES: Continue.

COUNCILMEMBER NAKAMURA: So the areas, the outside areas such as West Maui or. . .you know, Haiku, Paia. . .these areas gonna be looked at with YMCA. . .to see if construction of additional skate parks?

MR. MIYAZONO: Yes, as part of their draft plan, YMCA is also looking at bringing Lahaina. . .back into operation. And that's where. . .they're talking about getting together with the community and see how they could bring it back. They're also looking at Makawao, as well, as part of their. . .their plan. So initially they'll work with both skateboard parks--Keopuolani and Kalama Park. And I know their next priorities will be Lahaina. And hopefully soon after that we'll be concentrating on Eddie Tam or the Makawao Skateboard Park.

COUNCILMEMBER NAKAMURA: Is. . .Mr. Chairman, if . . .

. . . is there, as we are waiting. . .waiting for these facilities to open up, is there a way that we can have. . .possible transportation through MEO to provide

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transportation for kids that wanna come down here and maybe use these parks. . .at Keopuolani or possibly. . .Kalama? I think . . .

. . . you know. . .I, I see the youths out there on the street sometimes, in parking lots or places where they're not supposed to be. . .and, you know, they're. . .I guess they're saying we want it in our neighborhood. But since we are, you know, in, in this. . .position of. . .working with YMCA, but in the meantime if, you know, maybe we can get with MEO to . . .

?: Yes.

COUNCILMEMBER NAKAMURA: . . . figure out a way to get these kids to these other areas. And I don't know if there's enough room. . .to allow that, but maybe that's something that you can look at.

CHAIR ENRIQUES: Well, we can draft a letter to MEO, asking for their consideration of bus service. At this time, I'd like to bring Mike Morris, CEO of Maui Family YMCA. . .who may add to what Floyd has already stated.

**NOTE:** *Long pause while Mr. Morris approached the podium.*

VICE-CHAIR DAVIS: . . . Mr. Chair?

CHAIR ENRIQUES: . . . Mr. Davis--

VICE-CHAIR DAVIS: Just. . .just one question for Floyd. Floyd, you mentioned. . .Lahaina and then, eventually, possibly Makawao. But also the other areas, too, yeah? Haliimaile, Haiku. . .as well, yeah?

CHAIR ENRIQUES: Yeah, we'll get that, to that later.

VICE-CHAIR DAVIS: Okay, thanks.

MR. MORRIS: Thank you, Chairman--

CHAIR ENRIQUES: Mr. Morris.

MR. MORRIS: Thank you, Chairman. Um . . .

. . . appreciate you having me here today. Floyd, I think, has made a wise decision in getting the YMCA involved. The YMCA has been around for over 150 years. And a couple of things that we have to our credit is that. . .we are the largest childcare provider in the United States, and we're the largest volunteer organization. . .in the United States, also. So. . .good organization, I think, to be involved. I think this is a great marriage between the County and the YMCA for

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the skate parks for a couple reasons. We think that that is a population that definitely needs some programming and some activities in the community. So we think. . .our ideas, the YMCA, what, what we're really intrigued with in this whole skateboard park. . .process is programming it. We don't want to just have a park that's out there for kids to just come and hang out at. We wanna actually program it. And one of the things that. . .we really like is having the different parks, is to be able to create teams at each of the parks. . .and create some events and leagues between the parks. And. . .eventually have a traveling team that goes even to the other islands and even to the mainland, maybe, as competitions. So we see the program growing. And hopefully in six months--one of the things that's on our strategic plan. . .we have a, we have a ten-page strategic plan that we've already written out--and I, that's what Floyd's been referring to for our skate parks--that includes an operating budget, that includes the facility plan, and it includes programming, also. So in six months, a part of strategic plan is that we wanna have a fulltime program director who is overseeing these parks and developing the teams and the. . .and the teams and the leagues and those kind of things. Uh. . .the other part of it is we'd like to see a big event on Maui. We'd like to have the Gravity Games or ESPN come here and do. . .uh. . .do a show here. . .on, at one of our skate parks for a, a regional event or maybe even a national event. So we see it as a big project. And we wanna make sure that we program it and. . .turn it in to something other than a babysitting service.

CHAIR ENRIQUES: Mr. Morris, when--

MR. MORRIS: Yes?

CHAIR ENRIQUES: --when did you take over the skate parks?

MR. MORRIS: November 1<sup>st</sup>.

CHAIR ENRIQUES: And how's it going?

MR. MORRIS: We, we think it's going real well. What, what we've done in the interim--we are going to have a membership base. You know. . .I, I asked. . .Kalama Boards and Blades and MSA to get me a list of all the kids who participate in skateboarding. . .because I wanted to send out a mailout to all these folks, to let `em know that the YMCA is getting involved. And there were **600** kids on that list. So. . .basically there's 600 participants, currently, that are involved in either inline skating or skateboarding. So our, our plan is to turn those folks into members of a skateboard park program. And what used to happen is they paid \$2 every time they came. And obviously they were not, we were not able to operate in, in that manner and keep these things going. Um. . .so we've gone to a membership-based program that for 17 and under, kids that are 17 and under it's \$17 a month. So basically they can come

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everyday, use any park they want, and it's \$17 a month for `em. And we feel like if we had 275 of those folks, we'll be able to operate the two parks. And that's what our numbers are based on.

CHAIR ENRIQUES: Any question for Mr. Morris? Mr. Nishiki.

COUNCILMEMBER NISHIKI: Yeah. And, and. . .you know, when, once membership gets involved, I, I, I guess my question is always affordability and eliminating those that can't. And, and yet it's a County facility--

MR. MORRIS: Right.

COUNCILMEMBER NISHIKI: --used, used by taxpayers money and. . .and so. . .how do you tell somebody that he can't use it just because he doesn't have money that day?

MR. MORRIS: That's a, that's a **great** question. Um. . .we are the, the second. . .largest charitable organization in the world. And there, there was an article in *The Maui News* two weeks ago: Salvation Army, number one; YMCA, number two. We use our charitable funds, we do annual fundraising every year. We raise somewhere between 50 and 55 thousand dollars a year here on Maui. We use those funds for scholarshiping programs for kids that can't afford a swim lesson, for kid who. . .who can't afford after-school care, for kids who can't afford to be a member of the skateboard park. We provide financial assistance for those kids. So basically in our mission statement, we say we serve **all**. . .we mean "all". . .regardless of whether they can financially afford it or not. We provide it for them. So if a kid comes to us, says I can't afford the \$17 a month, we say. . .what is the income you can afford, and we figure it out. We sit down, we work it out, and we provide financial assistance for `em. So, so--

COUNCILMEMBER NISHIKI: So if there's a kid that comes with his buddies. . .and he meets the minimum requirements of having all the safety gear and everything else, and yet he can't afford it, you would not tell him sorry. . .for that day but allow him to come in?

MR. MORRIS: Absolutely. Get him a--

COUNCILMEMBER NISHIKI: That's your policy?

MR. MORRIS: Absolutely. Give him a financial assistance form to take home to his parents to fill out, call the YMCA, send that in, we'll use, we'll let him use. . .we'll let him apply for financial assistance in that way. Now, we also will have a guest fee. If folks just wanna come one time or somebody from the mainland comes or wants to come, they can. . .come as a guest for a day. And it's \$5 for a day. . .as a guest.



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CHAIR ENRIQUES: Mr. Kawano--oh, are you done, Mr. Nishiki?

COUNCILMEMBER NISHIKI: Yeah, go ahead, I'm done.

CHAIR ENRIQUES: Mr. Kawano.

COUNCILMEMBER KAWANO: Thank you, Mr. Chairman. Good morning.

MR. MORRIS: Good morning.

COUNCILMEMBER KAWANO: Um. . .one big thing. . .what about insurance?

MR. MORRIS: That, that's always been a big question. For the YMCA, it is, it is the same as any other property that we own. Our insurance company, company covers us. . .for a skateboard park just like it does for a basketball court or a swimming pool or. . .any other facilities that we have. Currently, in the United States, the YMCA runs. . .somewhere between 50 and 75 skate parks.

?: . . .*(inaudible)*. . .

MR. MORRIS: California to Florida.

COUNCILMEMBER KAWANO: And as far as. . .and, and all of the park, as Floyd mentioned, you, you do have a monitor there?

MR. MORRIS: We do. Currently. . .in the past, we've had one monitor at every park. Starting November 1<sup>st</sup>, we put two monitors at the two parks at this point because we are new. The YMCA is new in there, and we want folks to know that. . .we're supervising it, we got plenty of help there. There gonna be a lot of questions, so we put two monitors at both parks now.

COUNCILMEMBER KAWANO: Thank you. Thank you, Mr. Chairman.

CHAIR ENRIQUES: Mr. Nishiki.

COUNCILMEMBER NISHIKI: Yeah. You know . . .*(sigh)*. . .

. . . I, I, I realize this is, this is something new and, and now we're, we're, we're charging. . .for the skateboarders and, and we were talking about charging for the golfers and now we're gonna charge, I think for the swimmers. We haven't done that yet.

. . .*(sigh)*. . . I guess it's like. . .yeah, we build these facilities, but we don't charge the tennis people. I mean, where--I, I don't know where the fairness is going to

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be, Floyd, in this whole. . .look at. Maybe, you know, baseball people when they do their tournaments or whatever because they charge people to come in--but you know you charge skateboarders and you don't charge these other users. . .whomever it is. And. . .I, I, I. . .I, I. . .I don't feel good about it.

MR. MORRIS: . . . I wish I could do it--

COUNCILMEMBER NISHIKI: You know?

MR. MORRIS: --for free.

COUNCILMEMBER NISHIKI: No, no, no--

MR. MORRIS: . . .*(laughter)*. . .

COUNCILMEMBER NISHIKI: --I'm not, I'm not saying you, but I--

MR. MORRIS: Yeah.

COUNCILMEMBER NISHIKI: --I think we--

MR. MORRIS: No, but I wish I could.

COUNCILMEMBER NISHIKI: --we as the policymakers now. . .I mean . . .

. . . Mr. Chairman, you, you . . .

CHAIR ENRIQUES: Continue.

COUNCILMEMBER NISHIKI: . . . you see where I'm coming from?

CHAIR ENRIQUES: Yes.

MR. MORRIS: Let. . .could I answer, could I just make a--

CHAIR ENRIQUES: Yeah, sure.

MR. MORRIS: --comment--

CHAIR ENRIQUES: Go ahead.

MR. MORRIS: --if I may? I think that. . .public buy-in is important. I think that, you know, at a minimal fee. . .it, it, even at \$17 a month, I think it gives a kid. . .opportunity to be a part of something. I, I think it gives them the opportunity to be a member, to be a part of something, and they're putting their

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good hard-earned money into it. And they're gonna take care of it. And I think, I think that segment is important. I think we try to keep the cost as low as possible so that everybody can afford it. And when they can't, we make it affordable to `em. But they have that buy-in. And we don't let anyone go free. Even for those that are very, very poor, we try to even get a dollar. If we can get a dollar a month, that, that's their buy-in. They feel good about it. It's their park--I paid for it and. . .I, I wanna keep it up and make it. . .and keep it nice. And. . .that's kind of our philosophy and. . .yeah, it'd be nice to have it free, but I'm not sure how much they would respect it if it was totally free for `em.

. . . And I just make that comment.

COUNCILMEMBER NISHIKI: Yeah. . .and, and, and that's fine.

. . . And yet I look, I look at my grandson, okay, he does inline hockey, he does--

MR. MORRIS: Uh-huh.

COUNCILMEMBER NISHIKI: --soccer, he does basketball, he does baseball. You know, and, and, and yet . . .

. . . where is the fairness? I, I can agree with you--

MR. MORRIS: Right.

COUNCILMEMBER NISHIKI: --from that philosophy--

MR. MORRIS: Right.

COUNCILMEMBER NISHIKI: --well, if they don't take, if they don't pay something that. . .then they don't take care of it.

**NOTE: Pause.**

MR. MORRIS: . . . So I guess--

COUNCILMEMBER NISHIKI: I don't, I don't . . .

MR. MORRIS: Yeah.

COUNCILMEMBER NISHIKI: . . . I don't, I don't know whether. . .we need to really do something across the board then, Floyd. . .is what I'm saying. And, and, and. . .and . . .

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. . . I mean, we're setting policy for skaters, now. You know? And so my question is. . . maybe that's another subject matter, but I just wanna . . .

MR. MIYAZONO: Yeah, it's--

COUNCILMEMBER NISHIKI: . . . but I just wanna--

CHAIR ENRIQUES: Floyd--

MR. MIYAZONO: May--

CHAIR ENRIQUES: --you wanna answer that?

MR. MIYAZONO: Maybe I'll just put in a comment there. Um. . . you know, when we went before the golfers. . . on the public hearing to increase their fees, that, that definitely was one of their question.

COUNCILMEMBER NISHIKI: Right.

MR. MIYAZONO: And I can definitely. . . see where they're coming from. Of course, we're looking at. . . swimming pools, we're looking at. . . tournaments in which they do make fundraisers and. . . they make revenues by utilizing our facility. And definitely from the standpoint of. . . being fair, equality here. . . we're looking across the board at, to see, to make certain we can make it fair. Um. . . we're just trying to look at aside from those that need to come to our office for a permit--which is utilizing our. . . ball fields--is the tennis courts and. . . places like that with, in which we need to look at putting in some type of system eventually to make it fair. But I know that that argument would constantly be coming up. So we would like to address that. I don't know if we can address, you know, address it within the next year or so, but that definitely--from the standpoint of our direction, the Parks Department. . . you know, that's the way we're going.

COUNCILMEMBER NISHIKI: Yeah, Mr. Chairman, if I may?

CHAIR ENRIQUES: Continue.

COUNCILMEMBER NISHIKI: And, and the reason why--we did it to the golfers. We doing with the skateboarders. We talked about baseball tournaments, but I haven't. . . seen anything come before this Council yet. And yet we're, we're, we're. . . we're moving on the skateboarders so quickly. I, I, I'm not saying it's. . . it shouldn't be done. . . but, Floyd, you've gotta move, also, in these other areas that you said you were gonna do. . . is all I'm saying. You know, if, it . . .

. . . that's all I'm saying.

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. . . Anyway, I'm done.

CHAIR ENRIQUES: Okay.

. . . Mr. Nakamura.

COUNCILMEMBER NAKAMURA: . . .*(laughter)*. . . Thank you, Mr. Chairman, just a comment that, you know, as we . . .skate, skateboarding has been . . .I guess coming popular . . .throughout the County. It's not only this particular County, but we have similar problems in other counties in Hawaii. And . . .

. . . you know, anytime you watch . . .National TV and you see these . . .skateboarders doing these . . .tricks in there and, you know, I . . .I look at that and I says my God, I mean, you know . . .

. . . I don't know if I wanna allow my child to do that. . .even though with all the safety equipment and everything like that, I mean, you know, accidents are still . . .you know . . .could happen. And, and so that's why there is this liability factor that we . . .we got stuck with. And that's one of the reasons why we're . . .we build these skateboard facilities close to . . .I guess the youth centers so they could . . .you know, monitor these . . .areas. Uh, but actually my question is really gonna be to Mr. Morris, and that. . .as you say, that the YMCA has been involved with various skateboard facilities throughout the country. Do you see. . .one, one of my con, first of all, one of my concerns is that the . . .those that skateboard illegally are still doing it. . .only because facilities are not close to where they live. Um. . .how does that. . .how would that relate to a facility such as the one. . .as an example, Keopuolani and . . .Kalama Park that you're gonna be operating. . .what does that do, for example, and I mention again West Maui where there isn't one or we have one but we had to shut it down. How do we prevent the kids from skating. . .illegally? Did, were, did you folks provide transportation or, of some sort? You know, if you're gonna be paying a fee of some, a membership fee, then maybe a transportation. . .a portion of. . .of it should be considered. I, I was just wondering.

MR. MORRIS: Right. I, I think that's a great idea. Uh. . .I think transportation would be really critical. Uh. . .we. . .you know, I hadn't thought of that until I heard you mention it earlier. And I think that's a, a wonderful idea. Currently our fees would not. . .provide enough money to provide transportation also. However, our long-range plan *is* to get Lahaina opened. But then, what about Makawao and . . .some of the other areas that are in need also? I, I think transportation might be the avenue that we start looking at as. . .a way of getting these kids. . .to and from these parks. . .on a daily basis. So. . .that might be more economical than trying to open parks at all these different areas. You know. . .I don't really know, but I think that's an avenue we should research pretty . . .

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COUNCILMEMBER NAKAMURA: I think--

MR. MORRIS: . . . I, I think it's a great idea.

COUNCILMEMBER NAKAMURA: I think so, too, Mr. Chairman.

. . . You know, then we got Lanai and Molokai, also. Yeah?

MR. MORRIS: Right . . . *(laughter)* . . .

COUNCILMEMBER NAKAMURA: Thank you.

CHAIR ENRIQUES: Any more question for Mr. Morris?

. . . You know, Mr. Morris, since you've only been on the job less than a month. . . I'd like to bring you back in couple of months to see how you're doing.

MR. MORRIS: Great.

CHAIR ENRIQUES: Both financially and an overview of the picture.

MR. MORRIS: Great.

CHAIR ENRIQUES: Okay? Any other question for Mr. Morris?

COUNCILMEMBER NISHIKI: Yes.

CHAIR ENRIQUES: Mr. Nishiki.

COUNCILMEMBER NISHIKI: . . . How is your salary paid?

MR. MORRIS: How is whose--

COUNCILMEMBER NISHIKI: Your salary paid--are you working for the YMCA, so--

MR. MORRIS: Yes--

COUNCILMEMBER NISHIKI: --that's . . .

MR. MORRIS: --I work for the YMCA.

COUNCILMEMBER NISHIKI: . . . *(inaudible)* . . .

MR. MORRIS: Right. Uh. . . that's my fulltime job . . . *(laughter)* . . . so. . . I, I been with the YMCA 15 years. And we have over 2,300 YMCAs in the United States. And

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we're in 131 different countries. I was just fortunate enough to be able to come to Maui and work at this particular YMCA. But . . .yes, my . . .my salary is paid through the YMCA, which is a nonprofit membership-based organization.

COUNCILMEMBER NISHIKI: Yeah, I guess my question is . . .maybe part of it's gonna be for your salary. But when monies are then collected. . .then. . .what is your commitment back to the facility and the park and the program?

MR. MORRIS: In, in our plan, we plan to maintain the parks. . .themselves. Part of our plan is . . .we talked about lighting and those kind of issues--there were gonna be electric bills. . .for lighting. We think that we can accumulate. . .those bills and pay those bills. So we. . .part of our plan, our commitment as the YMCA is to maintain the parks and keep them up. Now, we will do that through contributions and membership fees. The better we do in, in contributed dollars, the less our membership fees can be. So that's the way we look at it. We try to keep the membership fees as low as possible and then raise the money to subsidize that.

COUNCILMEMBER NISHIKI: Okay.

MR. MORRIS: And we'll also do that through maintenance. Our facility plan also includes a maintenance reserve fund built into the operation. So we will put 10 percent of our income away into a maintenance reserve fund. And that fund will be used for when we do need to make. . .uh. . .repairs to the, to the park. Somebody runs into a fence and knocks it down--I gotta repair it. Uh, somebody. . .tears up a ramp because they bought. . .some skates in there that didn't work right--then we've gotta replace it. So we will establish a maintenance reserve, and we will keep the. . .the upkeep of the parks. . .is, is pretty much our commitment.

COUNCILMEMBER NISHIKI: Okay, and, and, and, and finally, I guess the question that Dennis. . .raised, I think, is, is something that all of us feel strongly about--that you immediately go to MEO and, and, and the other areas that don't have parks and, and try to initiate a way in which. . .we, we can get some of these kids into using Kalama or. . .Keopuolani.

MR. MORRIS: I, I think it's a great idea. And I don't know the interworkings, but you know if MEO can. . .do something, that at a very reasonable cost or at no cost for us, that, that'd be wonderful to be able to transport these--and maybe that's another partner we need in this whole process.

COUNCILMEMBER NISHIKI: Well, I think that the Chairman said that . . .*(end of tape, start 1B)*. . . more or less monitor what you're doing to see that you're doing a good job.

MR. MORRIS: Right.

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COUNCILMEMBER NISHIKI: And, and, and, and I think. . .the Council's policy that you include outlying areas within County and try to get these kids, also, to participate in. . .in, and. . .to, to be able to us these facilities. The last question I have, Floyd, is. . .how expensive or what kind of capital cost is it going to be to create what you called "refreshment stands" or whatever? I, I'm just concerned that this is such a, I don't know. . .how much is gonna cost us? And . . .

MR. MIYAZONO: . . . Um. . .there is a proposal we haven't yet received from the standpoint of the ad hoc committee, but I could submit it to you when it's received. We need all this information in order to. . .complete our grant agreement. So. . .at this point in time we don't have the numbers. We need to confirm the numbers as well for the lighting systems.

COUNCILMEMBER NISHIKI: Yeah, I think, I think we wanna, we wanna see all of this and see what that total cost is gonna be. And the reason why. . .if you are looking at providing any kind of. . .refreshment stand, I. . .you know, just personally speaking, you know, you got other users in Keopuolani Park--whether it be a jogger or whatever. . .right? If, if, if it isn't a stand that is enclosed within the facility that's either open or shut. . .and I don't know who's going to operate the stand, but if it's generally operated during the time when the park is open. . .you know, you may have joggers or. . .baseball tournament or whatever and, and, and this would be a boon for you people, also, sir. . .that it's not. . .where it's within a facility that when, when it's closed, that nobody else can buy it, buy something like that. And I think it should be, you know, open to whomever and that way. . .you know, it would give you people a, a, an ability to also catch other people . . .(laughter). . . that may use it--

MR. MORRIS: Right.

COUNCILMEMBER NISHIKI: --and, and . . .

MR. MORRIS: Well--

COUNCILMEMBER NISHIKI: . . . and purchase these.

MR. MORRIS: Yeah, I, I don't wanna get confused on this issue, though--

COUNCILMEMBER NISHIKI: But I . . .

MR. MORRIS: --when we say "concession stand". . .you know, we, we were, we were more, we, we call it "storage/concession stand", basically. We are more looking at a place where we can house a director, a. . .a storage area where it's under cover, where we can do some business out of there. And we say "concession stand" also, but we're not in the concession business. We're, we're now in the



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skate park business and we wanna program skate parks. But what we would provide in there is maybe sodas and some crackers or that kind of thing--nothing where we're. . .you know, no grills or refrigerators or anything. We might carry a cooler in there and sell Cokes out of it. What we're mainly interested in is a. . .a facility that houses the office and operations of the skate park. So--

COUNCILMEMBER NISHIKI: Okay.

MR. MORRIS: --we're, we're saying "concession stand", but we really don't mean that. We mean a storage area with an office. . .and we will serve some concession out of there.

COUNCILMEMBER NISHIKI: Well, I thought that--

MR. MORRIS: Is that--

COUNCILMEMBER NISHIKI: --if you're going to do that . . .

MR. MORRIS: Right.

COUNCILMEMBER NISHIKI: . . . and then you can really eliminate a warm body . . .

MR. MORRIS: Right.

COUNCILMEMBER NISHIKI: . . . by just providing those coin-operated ones.

MR. MORRIS: Right. And I think that's more what we're apt to do. So--

COUNCILMEMBER NISHIKI: Yeah.

MR. MORRIS: Yeah.

COUNCILMEMBER NISHIKI: And that way, it'd be open to, also, other users.

MR. MORRIS: Absolutely. Yeah.

COUNCILMEMBER NISHIKI: As long as it can be secured.

MR. MORRIS: Right.

COUNCILMEMBER NISHIKI: Thank you.

CHAIR ENRIQUES: Any further questions for Mr. Morris?

. . . If not, thank you for coming, Mr. Morris, and we'll see you in 60 days--

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MR. MORRIS: Thank you.

CHAIR ENRIQUES: --or two months. Thank you very much.

MR. MORRIS: Great.

CHAIR ENRIQUES: And I appreciate the partnership you're giving us because we need it.

MR. MORRIS: And if we can help in any of these other issues. . .you know, we've been around a long time and have, have. . .had great partnerships with counties and other community--with basketball, swimming pools, skate parks. Whatever it is we can do to help. . .we'll listen and try to help you as best we can--

CHAIR ENRIQUES: We're always accepting help from anybody.

MR. MORRIS: Great.

CHAIR ENRIQUES: Not "everybody", but most of the people.

MR. MORRIS: Great . . .*(laughter)*. . .

CHAIR ENRIQUES: Thank you very much.

MR. MORRIS: Thank you.

CHAIR ENRIQUES: I have some questions for Floyd, here. Floyd, will there be a formal partnership agreement with the YMCA and the County?

MR. MIYAZONO: Yes, definitely. . .there will be partnership. Of course, there's the grant agreement. The granting agreement can include certain. . .conditions. . .relative to maintenance, relative to. . .what we feel. . .might be able to maximize or. . .maximize the efficiency of the park itself. So we will be working on the grant agreement with the YMCA.

CHAIR ENRIQUES: Would you do it as soon as possible because it's already working on the skate parks . . .*(inaudible)*. . .

MR. MIYAZONO: Yeah, actually we need to do it prior to the. . .end of the calendar year in order to encumber the funds. So. . .so definitely from the standpoint of timing. . .yeah, we'll do it within the next month or so.

CHAIR ENRIQUES: Thank you, Floyd. Regarding those funds, now, you got \$210,000 there. . .you going, you trying to encumber it?

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MR. MIYAZONO: Yes, that's our goal here.

CHAIR ENRIQUES: After you build these concessions and lighting fixtures, what's left of that 210,000?

MR. MIYAZONO: I think basically, as I mentioned earlier, recently they had a bid opening at . . . at Kalama Skateboard Park as part of their Phase 2 development which included . . . take a street course and that funds came somewhat short. So we're planning to--they already have a grant with us, with the County right now. We're planning to amend that grant to supplement whatever shortage they had. . . in order to complete their second phase. And . . . with the balance, we'd be working with YMCA in order to encumber those . . . funds for the . . . improvements that I mentioned earlier.

CHAIR ENRIQUES: Thank you, Floyd. Any questions for Floyd? Mr. Kawano.

COUNCILMEMBER KAWANO: Thank you, Mr. Chairman. Not, not really a question, but . . . just a comment. I think, Floyd, this is one of the best move I seen you make so far. Because I think the . . .

COUNCIL MEMBERS: . . . *(laughter)* . . .

COUNCILMEMBER KAWANO: . . . this group. . . and according to the gentleman, they, they really gonna be . . . the, the skateboard park, I know how important it is 'cause we still see kids skating all over the roads and sidewalk. You know, as Charmaine said, there's baseball and all this kind, but I think *finally* you have hit the nail right on the head by getting these people involved and, and helping. Because we see too many parks in the County of Maui being closed down because the maintenance and stuff like that or just keeping an eye on it, as Dennis mentioned. On Molokai, we had one there, too. The 4-H use it for wash cows, now, on top. . . on the, on the skateboard park. See, so that's why I'm saying I think this is one of the big and the best move I've seen the Parks do. And I wanna congratulate you. . . and, Chairman, you too. Thank you.

CHAIR ENRIQUES: Same here. Good job.

MR. MIYAZONO: And for your information, we're still . . . in discussion with Mr. Morris, relative to . . . other programs as well. . . swimming pool, possibly "Learn To Swim" programs. So this is not really the end of it, so I am, we're still in open communication with other assistance they could provide for us.

COUNCILMEMBER KAWANO: Good.

CHAIR ENRIQUES: Any further comments, questions?

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. . . Seeing none, if there are no objections, the Chair would like to defer this matter for two months or 60 days and. . .at that time we'll bring Mr. Morris in to see how he's doing.

COUNCILMEMBER NAKAMURA: No objection.

COUNCIL MEMBERS: No objections.

CHAIR ENRIQUES: Okay. Thank you.

**COUNCIL MEMBERS VOICED NO OBJECTIONS.** (MD, JE, PK, DN, CT)

**ACTION: DEFER pending further discussion.**

CHAIR ENRIQUES: We now come to HSP-9, request for a skate park in Haiku.

**ITEM NO. 9: REQUEST FOR A SKATE PARK IN HAIKU** (C.C. 98-195)

**ITEM NO. 10: REQUEST FOR A SKATE PARK IN HALIIMAILE** (C.C. 98-259)

CHAIR ENRIQUES: Floyd, what's your feeling in this. . .skate park in Haiku?

MR. MIYAZONO: I guess, you know, based on all of the request we had--I know there was a request for Haiku and, I don't know if I'm stepping little ahead, but also--

CHAIR ENRIQUES: Ahead.

MR. MIYAZONO: --*(laughter)*. . . you know, other areas like Napili. . .like that. And right now the, the direction on the ad hoc committee is to possibly look at developing regional skateboard parks. . .meaning that we're looking at--of course I had mentioned earlier Keopuolani, Kalama Park. . .which is in the Central District and the South District. If we also develop the one in Lahaina, that would be, of course, taking care of the West District; and possibly looking at the one at Makawao that may take care of a portion of the East District. Um. . .and I think our concentration's more on the regional park standpoint. I'm hoping that eventually in time we could even get to the neighborhood skateboard parks--and that. . .what I would consider this more of a neighborhood skateboard park, would, which would be. . .somewhat smaller in scope as compared to the regional one. Um. . .from the standpoint of smaller in scope would be maybe smaller type of ramps and maybe smaller type of street courses. But I think this is something that. . .part of our long-term planning, or working with the YMCA. . .it's something that, again, our priorities would be on the regional skateboard park and eventually. . . uh . . .

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. . . expanding out there to **possibly** the neighborhood skateboard parks as well.

**NOTE:** *Silence.*

CHAIR ENRIQUES: . . . Floyd, you know your long-term plans, what. . .how long you talking about, what are you talking about?

MR. MIYAZONO: Well, you know, I think a lot have to do with. . .the success of the YMCA. . .and I think funding always comes into play whether. . .we can be successful and whether there is any need for community support. I think what's very important in, in each of this district. . .we also need to get a lot of community support as well. . .whether there's a need to make fundraisers. . .whether there's a need to get supports and volunteers there. I think it has to do a lot with the community and whether they're willing to come out and assist in this endeavor.

CHAIR ENRIQUES: Floyd. . .so you'll be coming back to us, huh?

MR. MIYAZONO: Uh. . .yeah, I guess if, if the request is made. I'll be, I'll be back, yeah.

CHAIR ENRIQUES: So. . .what I really wanted to say is after you get your plans, what, what do you, what's your time schedule? Is next year? Two years?

MR. MIYAZONO: Well, you mean plan for development?

CHAIR ENRIQUES: Yes.

MR. MIYAZONO: Um, and again a lot have to do with the. . .the YMCA. And I think we'll be monitoring them very closely to make certain that. . .you know, how their programs are going about, too. And, again, after we see their success on both Keopuolani and Kalama Park, then we're hoping that we could expand to other areas as well. So rather than coming up with a time-line at this point in time, it would basically depend on the success rates of the. . .the YMCA with the existing skateboard parks.

CHAIR ENRIQUES: So. . .at this time, the Chair would like to file this because Mr. Miyazono will be coming back to us. . .regarding Haiku and. . .Haliimaile and. . .what's the other one. . .Napili?

MR. MIYAZONO: Well. . .Haiku and Haliimaile.

CHAIR ENRIQUES: Haiku--just Haiku and Haliimaile? Okay--

VICE-CHAIR DAVIS: Mr. Chair?

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CHAIR ENRIQUES: --at this time, the Chair would like to file this, but we'll. . .keep it in the backburner, Floyd--

VICE-CHAIR DAVIS: Mr. Chair?

CHAIR ENRIQUES: --yeah? Yes?

VICE-CHAIR DAVIS: File. . .Items Number 9 and 10?

CHAIR ENRIQUES: Yes.

. . . What I'll--

VICE-CHAIR DAVIS: No objections.

COUNCILMEMBER NAKAMURA: Mr. Chairman--

CHAIR ENRIQUES: What I'll be--

COUNCILMEMBER NAKAMURA: --no objection--

CHAIR ENRIQUES: Yeah. I'll--

COUNCILMEMBER NAKAMURA: --to file.

CHAIR ENRIQUES: --be keeping in touch with you, Floyd, so that we can get this going, okay?

MR. MIYAZONO: Yeah, sure.

CHAIR ENRIQUES: See how, see how that. . .how the two parks are doing.

COUNCILMEMBER NAKAMURA: Mr. Chairman?

CHAIR ENRIQUES: Yes. . .Mr. Nakamura?

COUNCILMEMBER NAKAMURA: Yeah, if I may make a comment? Also, you know. . .Floyd. . .because. . .you know, the kids are still buying skateboards. . .throughout the County, I feel it is necessary, it's probably just as important that. . .the retailers, those that sell these type of. . .things to the youths, is that they should get involved, too, to be. . .part of this support action group to . . .

. . . either help with fundraising efforts. Because they're making money on the, on these. . .selling these skateboards. . .to the youths, or even roller blades. But,

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you know, they should be involved. I, I think everybody should be involved--not just the YMCA. And . . .and maybe we should, you know, maybe through the Chamber of Commerce and, and the merchants is to . . .to understand what our problem is, our situation because you know . . .like anything else . . .I think it's necessary. Thank you.

CHAIR ENRIQUES: Okay. Any further discussion on the filing of this matter?

. . . Member Tavares?

COUNCILMEMBER TAVARES: I think Shannon wants to say something.

MS. ALUETA: Just real quick, Mr. Chair. . .instead of using the "no objection" method, Staff would request that someone make a motion, someone second, and that the Committee actually vote on the filing of both of these items.

CHAIR ENRIQUES: Can I have--

COUNCILMEMBER NAKAMURA: So moved, Mr. Chairman, to file.

COUNCILMEMBER TAVARES: Second.

CHAIR ENRIQUES: Okay. Discussion?

COUNCILMEMBER TAVARES: Mr. Chair?

VICE-CHAIR DAVIS: Mr. Chair? Oh . . .(*inaudible*). . .

CHAIR ENRIQUES: Continue.

COUNCILMEMBER TAVARES: Thank you. I know that the . . .the issue of skateboards or skate park centers, primarily, around liability. . .as--correct me if I'm wrong there. Um . . .

. . . I, I would like to suggest that we write a letter to the Administration to ask the Administration to look into how other jurisdictions are handling their skate parks. . .in light of the liability issues. There are two parks that I know of--one in Santa Rosa, California, and one in Wilsonville, Oregon--where it is a course where there is no, there are no monitors. The kids just come and use it like they would a basketball court. And . . .somehow, I mean, those are municipalities and somehow they have their liability covered. It might, you know, be real interesting for us to find out exactly what they do and how they handle their liability in, in these two areas. Because some of the neighborhood . . .skate parks could be ones that are just like. . .as was referred to as "street courses". . .that are, you know, supposedly low-impact. So perhaps we could, you know, write a letter to

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ask them to investigate that. I'm not asking it to be written to the Parks Department--because I know how busy that is. . .but--

CHAIR ENRIQUES: Okay.

COUNCILMEMBER TAVARES: --if there's. . .because it's a liability thing, if it's some little project that perhaps Corp. Counsel and. . .you know, maybe one of the Executive Assistants upstairs could. . .you know, write letters or call or something. . .those two municipalities and find out how they handled it.

CHAIR ENRIQUES: So noted.

COUNCILMEMBER TAVARES: Yeah. Okay, thank you.

CHAIR ENRIQUES: Yeah, regarding--I think the YMCA has blanket coverage, if I'm not mistaken, on all the parks.

COUNCILMEMBER TAVARES: Has what?

CHAIR ENRIQUES: I think the YMCA. . .when I attended the meeting, I think they said they had blanket coverage. Is that true, Mr. Morris?

MR. MORRIS, FROM THE AUDIENCE: For all the ones that we manage, yes.

COUNCILMEMBER TAVARES: Yeah--

CHAIR ENRIQUES: That's right.

COUNCILMEMBER TAVARES: Yeah--

CHAIR ENRIQUES: They have--

COUNCILMEMBER TAVARES: --I, I'm not--

CHAIR ENRIQUES: --blanket coverage.

COUNCILMEMBER TAVARES: I'm not talking about those. I'm talking about in, in relationship to Haiku, Haliimaile, and some of these other small. . .what we call the neighborhood areas--if the liability for those municipalities are somehow handled and we can build the street-courses or whatever it is, the low-impact courses, then those can be up and running without monitors. . .you know, with little or no maintenance. And that way, we could get more of those programs or, or facilities out in the different districts. . .and neighborhoods. **And** this is in addition to what the YMCA is doing. Not, not--



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CHAIR ENRIQUES: Fine.

COUNCILMEMBER TAVARES: --instead of.

CHAIR ENRIQUES: Okay. . .fine. Thank you. Any comments, Floyd?

?: . . .*(inaudible)*. . .

MR. MIYAZONO: Um, I know that there is effort. . .Administration will be providing to the legislative . . .

. . . Legislatures this year is, is the possible tort reform for certain type of recreational programs. And I know that they wanted to include, among the recreational programs, is. . .is a skateboard facility or the skateboard activity.

COUNCILMEMBER TAVARES: Uh-huh.

MR. MIYAZONO: So I think what's very important is that if we could hopefully get that tort. . .tort reform. . .request passed. Then that definitely mean. . .would be. . .a positive move, and that is definitely something that we could take a look at.

COUNCILMEMBER TAVARES: Uh-huh. Okay. Thank you.

CHAIR ENRIQUES: Any further discussion?

. . . Seeing none, all those in favor say "aye".

COUNCIL MEMBERS: Aye.

CHAIR ENRIQUES: Opposed?

. . . Motion carried . . .*(gavel)*. . .

**VOTE:      AYES:      Councilmembers      Kawano,      Nakamura,      Tavares,  
                                 Vice-Chair Davis, and Chair Enriques.**

**NOES:      None.**

**ABSTAIN:      None.**

**ABSENT:      None.**

**EXC.:      None.**

**MOTION CARRIED.**

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**ACTION: Recommending FILING of communications.**

CHAIR ENRIQUES: Short recess . . .(gavel). . .

**RECESS: 10:03 a.m.**

**RECONVENE: 10:11 a.m.**

CHAIR ENRIQUES: Whenever you're ready, Dennis . . .(gavel). . .

COUNCILMEMBER NAKAMURA: Ready . . .

COUNCILMEMBER TAVARES: . . .(laughter). . .

COUNCILMEMBER NAKAMURA: . . . Mr. Chairman. . .whenever you are.

CHAIR ENRIQUES: At this time we'll be . . .have Item HSP-1. . .affordable housing requirements, guidelines for developers.

**ITEM NO. 1: AFFORDABLE HOUSING REQUIREMENTS/GUIDELINES FOR DEVELOPERS** (C.C. 95-245, Misc., C.C. 96-193, C.C. 99-35)

CHAIR ENRIQUES: Before I ask Alice Lee to provide us with an overview of the Maui County Affordable Housing policy, I would like to accept any public testimony. And we have one testifier here--Lee Guthrie, who's testifying on be, behalf of herself.

**NOTE: Very long pause while Ms. Guthrie approached the podium.**

**. . .BEGIN PUBLIC TESTIMONY. . .**

MS. GUTHRIE: . . . Good morning . . .(cleared throat). . . Excuse me. You got me taking my break here. Good morning, Council Members. My name is Lee Guthrie, I'm . . .testifying on the affordable housing initiative. I just got copies of all the correspondence. . .about this, and realized. . .that . . .

. . . initiatives are being looked for to entice or encourage developers to . . .come up with better affordable housing. And when my husband and I got this agenda notice. . .about affordable housing, it was like Sunday evening. . .and we sat down at the computer and did a spreadsheet. . .on cost of housing and who incurs. . .what causes what cost to be incurred upon any particular development. So we took, we assumed the cost of a \$200,000 home. . .and this is still being worked, so this is just a basic one. And our basic--just from the top of the head that my husband knows, everyday, from what happens--on a \$200,000 home,

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government incurs almost \$50,000 just in the land cost. That's government cost, okay. Um . . .

. . . in the housing, there's like \$7,500.

. . . So as you go forward. . .I'm, I'm not sure if you're gonna say yes to the . . .

. . . to . . .having the subcommittee on the affordable housing go forward any longer. But if you do . . .and I suggest you do--I would like to see this subcommittee look into how government . . .can help make housing more affordable for the unaffordable people. . .who have trouble affording homes. And my husband works very hard as a builder. . .to try to make his houses affordable. And . . .it's very, very, very difficult. And . . .it's something that we work on everyday. . .changing prices, changing . . .materials, changing the way we do business. Everyday we are working as a business to scale down the cost of doing business so that we can give a better price. . .and make our homes more marketable. And that's what I would encourage this subcommittee to do--is to speak with builders who have information such as this. . .and, and let them share with you how, that we can still have the whole process where it's, it's the public has input. . .it . . .the environmental issues are . . .are . . .addressed, park issues are addressed. . .but still be affordable. Okay? So that's my, that's my one and only comment. And I sat through a very interesting meeting to relay that to you. And I hope that you take it to heart.

CHAIR ENRIQUES: Thank you, Lee. Any questions for Lee?

**NOTE: Silence.**

CHAIR ENRIQUES: . . . Seeing none, thank you, Lee.

MS. GUTHRIE: If you would like to have this, I would like to. . .give it to you.

CHAIR ENRIQUES: Sure.

MS. GUTHRIE: Okay.

CHAIR ENRIQUES: Can I get a copy of that?

MS. GUTHRIE: Yes.

CHAIR ENRIQUES: Would--

MS. GUTHRIE: And . . .and I don't have my name on it. And I know Kalani hates that. . .so . . .

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ALL: . . . *(laughter)* . . .

CHAIR ENRIQUES: Lee, maybe Alice can answer some of your questions. She's coming up next.

MS. GUTHRIE: Okay.

**. . . END OF PUBLIC TESTIMONY . . .**

CHAIR ENRIQUES: I'd like to . . . to say that this Chair will . . . not recommending any action on this today. I'd like . . . Ms. Lee to provide an overview of the Maui County affordable housing policy.

MS. LEE: Thank you, Mr. Chairman. And good morning, Committee Members.

COUNCIL MEMBERS: Good morning.

MS. LEE: Uh . . . this is the long-awaited proposed draft on the Maui County housing policy. The housing policy . . . currently consists of, basically, two ordinances, 2.86 and 2.94. What the . . . proposed policy does is basically . . . adds another Article and . . .

. . . we would also eliminate the need for 2.94, which is the hotel requirement, because it's included in this draft. What we have found is that . . . we need to update our policy to reflect . . . the current economic conditions. The old policies were written over, about ten years ago and reflected those times when . . . there was a tremendous need--in fact, there was an affordable housing crisis at that time. Since then, based on information we have . . . the 1997 housing survey and other sources of information, we do not have that same crisis today. In fact . . . the market is, is doing very well and we need to . . . I feel . . . be more flexible. And what the . . . proposed draft does is allows for a variety of ways to fulfill a housing requirement. The first page covers definitions. The second page . . . discusses applicability . . . so it would apply to a change in zoning, or a development of a por, property for hotel use, or redevelopment of an existing hotel property. The affordable housing requirements . . . would apply to change in zoning--and I, again, it's repeated here.

. . . Um . . . the applicant has, basically, five choices. They can provide the housing for sale. They can provide the housing for rent. They can provide . . . an a . . . a fee in-lieu of the, of the affordable units. They can provide developable lands or lots. Or they could provide other in-kind services which are . . . approved by the Department. So this would give a lot of flexibility to . . . fulfilling any housing requirement placed on any applica, applicant. And the reason why we're suggesting these kinds of options is because oftentimes--let's, let's take the Front Street . . . apartment . . . project that was recently reviewed by the Council.

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And . . . you folks already know that our Department is not really building any affordable units. We're not in the business. . . anymore, at all. So . . . what we do is we try and help those who are building affordable housing. And the only way we can help people would be either to fast-track an application, or to . . . exempt fees or to provide, maybe, government financing. But other than that, we don't, you know, we, we don't have an opportunity to help them. And I was thinking that, you know when. . . once the Council decides, okay, we . . . approve a certain project--that means, you know, you like the project, you support the project, but it's affordable. So whenever a project is affordable, you know that there's something's gonna be missing. . . otherwise it would be at a . . . a market project. There, they probably don't have enough money for parks, or they don't have enough money for . . . traffic mitigation, or they don't have money for enough parking. So this is where the fee would come in. By collecting a fee. . . we would be able to build up a fund. . . so when you do approve a project and you're short on something--whether it's parking, traffic mitigation. . . or parks--where we can use this money to supplement in order to provide what, whatever is missing. . . then we can have the affordable housing project and the amenities that should be there but aren't there because the project is affordable. So, you know, this is. . . the, the thinking that I'm hoping that you would also support because . . .

. . . you can't, we can't, anymore. . . provide direct housing. We just don't have the money to do that. But we certainly can partner with other people. And we, we can leverage whatever few County dollars we have. . . in order to, to help other people provide affordable housing. And I feel that. . . since we're not gonna do it, we should help others who do do it. And one to do it is to build up a fund. So instead of asking for . . . units--if people want the choice of providing money. . . well, let them provide money and we'll put it in a housing fund and build it up. And then, when, when we need the money for a project, we'll, we'll use it.

. . . So. . . anyway, if you look at the proposed draft, it gives you five choices.

. . . The. . . I, I didn't pass out the, the, the way we calculated the, the fee because I, I thought that might be an area a lot of discussion. I have. . . a sheet on how we propose to calculate the fee. The fee is kind of expensive. . . at this. . . at this point. We. . . you may want to reduce that. You know, the way we calculate the fee is, is you simply multiply it by 10. . . using the same factor, 10 percent. And in most cases, it'll come out to 15 to 20 thousand dollars per unit . . .

. . . which doesn't sound much, like much, but un, you know, when you start multiplying that by 20, 30, 40. . . 50 units, that, that does become expensive. Some of the other counties don't charge as high. I think the Big Island charges about 5,000. Here, we're looking at 15 to 20 thousand. **That** you may want to . . .

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. . . reconsider. But these are the basic. . .the basic highlights of this proposed draft. And. . .and on the last page, or the second to the last page. . .we have credits and enhancement credits. And these credits are--the enhancement credits in particular--are based on. . .HCDA. . .HCDCH's. . .guidelines. It used to be HFDC, now it's HCDCH.

. . . Um . . .

COUNCILMEMBER TAVARES: . . . Mr. Chairman? Oh, I'm sorry, I didn't . . .

CHAIR ENRIQUES: Member Tavares?

COUNCILMEMBER TAVARES: Oh. . .are you finished, Alice?

MS. LEE: Yes.

COUNCILMEMBER TAVARES: Oh, okay. I just had. . .one. . .a couple of questions. On your Section B where, which is. . .the five choices. . .you have the setup so that the applicants shall select one. . .of the following. Wouldn't you rather have the. . .the Department select . . .

. . . based on, you know, you would know the information regarding the housing in a particular area where a development might be going in.

. . . You know, we have this little situation that comes up with the park credits or the park. . .requirements where the developer has the option--which I don't still feel is correct. I think that the Department or the County should have the option because you have the information, more information as to, you know, like I said, the demographics of that area. And that, that would be my only comment there--is that I think that the Department should be the one to say whether you do affordable units, rent. . .rental units. . .whatever out of your five choices.

. . . Or somehow negotiate it.

MS. LEE: That. . .that's an interesting point, and I thank you for. . .bringing that up. The reason why. . .it's not in here is, it simply `cause it's based on the parks assessment.

COUNCILMEMBER TAVARES: Uh-huh.

MS. LEE: And the application. . .for the parks assessment--and the applicant chooses, I understand--

COUNCILMEMBER TAVARES: Uh-huh.

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MS. LEE: --so that, that's the only . . .reason why. . .we, just to be consistent we did that. But it doesn't have to be that way.

COUNCILMEMBER TAVARES: Yeah, I, I would strongly recommend that it be the other way--that the County actually does the, the choices, the options. You know, in concert with the. . .with the developer. I think it's. . .one of these days I'll get around to submitting. . .a change for the park assessment one. But. . .I think that. . .by putting it in the hands of the developer. . .the developer is not gonna be so concerned with meeting the needs of the community as the, as the County is, or as County government is. So we have that responsibility to the community. So I think that the ultimate and the final decision should be made by the County of Maui--not by the individual developers.

MS. LEE: Uh-huh. Thank you.

COUNCILMEMBER TAVARES: And the other thing is . . .

. . . do you have. . .it's not in here, this, the figure for the cash, in-lieu of?

MS. LEE: No.

COUNCILMEMBER TAVARES: So where would that, where would that happen, occur with this bill or if this becomes . . .

MS. LEE: Okay.

COUNCILMEMBER TAVARES: . . . it would be in the. . .Appendix B of the budget?

MS. LEE: Right. We're expecting that. . .that the Council would put it in the, the budget . . .

COUNCILMEMBER TAVARES: Uh-huh.

MS. LEE: . . . the fee, and. . .okay. . .I'll have Shannon or Camille make copies of this. But here, if, if you could just take this down. . .let's say, okay, let's say there are 75 units.

. . . And we're using point-10 per, 10 percent, okay--because the Council has been, that has been the Council's policy anyway. You've been requiring 10 percent. . .affordable. Right?

COUNCILMEMBER TAVARES: Uh-huh.

MS. LEE: Okay, so we should stay with the 10 percent. 75 units times 10 percent equals 7.5.

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COUNCILMEMBER TAVARES: Uh-huh.

MS. LEE: Okay, the second step is let's say the interest rate is 7.5 percent--see this would change because it has to go according to whatever is the prevailing interest rate.

COUNCILMEMBER TAVARES: Yeah.

MS. LEE: Yeah?

COUNCILMEMBER TAVARES: Maybe I can just interrupt you for a second. That's the question I wanted to know--is this a variable. . . amount, that it's not just set at 1,500 per unit.

MS. LEE: Right. It is a variable amount. It depends on the--

COUNCILMEMBER TAVARES: Okay.

MS. LEE: --the interest rate . . .

COUNCILMEMBER TAVARES: That was--

MS. LEE: . . . yeah?

COUNCILMEMBER TAVARES: --gonna be my concern, was that we, we shouldn't get stuck into a set amount. . . like 15,000 and it's 15,000 forever until we change the law. But it should be--

MS. LEE: Uh-huh.

COUNCILMEMBER TAVARES: --somehow related to. . . like you're saying, the interest rates--

MS. LEE: Right.

COUNCILMEMBER TAVARES: --and that kind of stuff.

MS. LEE: Right.

COUNCILMEMBER TAVARES: Okay.

MS. LEE: So the first step. . . `cause we're assuming the interest rate is 7½ percent . . .



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. . . so . . .for those families whose gross income is 100 percent of median, 100 percent of median is \$197,800.

. . . Okay? So . . .to calculate the fees, Step 4, you take that \$197,800 times . . .the .10 and that is the fee that we're talking about. In this case, it's \$19,780.

COUNCILMEMBER TAVARES: Okay.

MS. LEE: Yeah?

. . . But that, that fluctuates based on the interest rate and the . . .

. . . the sales price, yeah?

COUNCILMEMBER TAVARES: Uh-huh. Okay.

MS. LEE: So that, that's how we come out. Now . . .that's the fee for one house . . .*(laughter)* . . .

COUNCILMEMBER TAVARES: Uh-huh.

MS. LEE: If you got seven . . .houses . . .

COUNCILMEMBER TAVARES: Ten percent.

MS. LEE: . . . then you have to multiply that by 7.

COUNCILMEMBER TAVARES: Okay.

MS. LEE: Yeah?

COUNCILMEMBER TAVARES: Uh-huh.

. . . Yeah, I think that's . . .Mister, oh I'm sorry. Mr. Chair?

CHAIR ENRIQUES: Go, go . . .continue.

COUNCILMEMBER TAVARES: Yeah, I think that's . . .you know, really a good way to do it--to tie it into some variables so we don't get stuck. And I think it, even in the park assessment . . .the cash in-lieu of park land formula, I mean I don't think I don't even want it explained to me. It's so complex . . .

MS. LEE: . . .*(laughter)* . . .

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COUNCILMEMBER TAVARES: . . . but they have a formula based on property values, et cetera, et cetera, improved, unimproved--but at least it's a formula that will reflect correctly the times where a project is being planned and not something that's set in concrete until the Council changes that. . .that amount. So I think. . .you know, this is really good and I, I commend you for the work you've done on this. I know it only looks like four pages, but I can imagine the amount of work that went into producing this.

MS. LEE: You're right, Ms. Tavares, it took months . . .*(laughter)*. . .

COUNCILMEMBER TAVARES: Yeah.

CHAIR ENRIQUES: Yeah. Alice. . .is this something new or you've been using it for awhile?

COUNCILMEMBER TAVARES: No, it's new.

MS. LEE: The previous Administration didn't seem to have a policy on housing. They--in other words, because times were changing and more houses were going on the market. . .very close to affordable. . .in the affordable range, they decided not to have any requirement whatsoever.

CHAIR ENRIQUES: . . . Okay.

MS. LEE: So. . .what I'm doing here is I'm, I'm. . .looking at what the Council, you folks, have done in the last 11 months. And I, you know, I noticed that you're asking 10 percent. So that's why we're using that 10 percent factor.

CHAIR ENRIQUES: Okay. Fine. Any questions for Alice?

COUNCILMEMBER NAKAMURA: . . . Question.

COUNCILMEMBER NISHIKI: Go ahead.

CHAIR ENRIQUES: Mr. Nakamura.

COUNCILMEMBER NAKAMURA: I'm sorry.

. . . Alice, in this report. . .the committee's re. . .I guess report or recommendation. . .was there any thought, and, and. . .I'm just gonna talk you through some stories here that, you know, as we are. . .providing affordable housing. . .or some people say long-in. . .low-income housing throughout the County. . .specific communities have a problem with a low-income housing going next to their property because they feel that their, their. . .the value of the property decreases and they have a concern with that. Um . . .

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. . .to me, it's. . .I guess it's some form of prejudice or discrimination because you don't want certain class of people to move within your neighborhood. But was there any discussion of, of that type of situation when you, when you dealt with this whole thing?

MS. LEE: Um, not. . .not specifically, Mr. Nakamura. However. . .the County is well aware of the public's concern about affordable housing. On the one hand, they demand affordable housing. On the other hand, when you try and build it, they oppose it. So that's one of the reasons why . . .*(laughter)*. . . we're not in the business--`cause it's too difficult. The. . .it takes too long. . .it, to go through the process. By the time you finish with the process, you know, the. . .you can barely afford to build that project. So what, what we, what we like to see is when other people wanna build affordable housing. *That's* when, you know, it makes sense for us to be a partner. But, but to go out and actually build ourselves, we just, we don't have the resources anymore, and we certainly don't have the money.

COUNCILMEMBER NAKAMURA: Well, maybe the County needs to establish a policy that states that. . .as far an, a affordable housing project that comes within a neighborhood, that you know, this will not be allowed if there is any discrimination regarding that type of. . .you know, I don't know how that would work, but I, I feel very strongly about these things. Because then you have different classes of people within different area. And because a person. . .is of low income he's not allowed to enter into my neighborhood--I think that's very discriminatory, Mr. Chairman. And I'd like to see a policy like that established. . .really.

CHAIR ENRIQUES: Yeah--

COUNCILMEMBER NAKAMURA: . . .*(inaudible)*. . .

CHAIR ENRIQUES: --point. . .well taken.

COUNCILMEMBER NAKAMURA: Thank you.

CHAIR ENRIQUES: Mr. Nishiki.

COUNCILMEMBER NISHIKI: Alice . . .

. . . first would be. . .definition, and second would be. . .well, definition. I think that's the biggest one that we had. . .or wanted to look at--what is really an affordable unit, based on. . .and we know that different islands have different situations. I think Molokai, probably. . .when you look at the affordability as we. . .looked at it, they. . .what, they make less? Is that what, how you determine it? And then, Lanai--I don't know where Lanai falls. And then, of course, the island of Maui. So. . .do we need to look at each individual island when we look

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at definitions also? Just because. . .I know that in the past we had problems when we said 120 of whatever and, and, and for Molokai it was much lower and so. . .it didn't seem to fit. . .the affordability range.

MS. LEE: . . . We--

COUNCILMEMBER NISHIKI: And so I . . .

MS. LEE: We could do that, Mr. Nishiki.

COUNCILMEMBER NISHIKI: Yeah.

MS. LEE: We could specify. . .under definitions that it is . . .

. . . that, for instance, like under Number 1 . . .

. . . income does not exceed 80 percent of the. . .island area medium [*sic*] family income.

COUNCILMEMBER NISHIKI: Income.

MS. LEE: Yeah. Instead of the **HUD**. . .Department of Housing and Urban Development median family--

COUNCILMEMBER NISHIKI: Right.

MS. LEE: --income.

COUNCILMEMBER NISHIKI: Right.

MS. LEE: We could do that.

COUNCILMEMBER NISHIKI: Okay. Okay. Um. . .and then. . .you know, you did come up with 80 percent of. . .say an island. Do you find that that is what is affordable?

MS. LEE: . . . Mr. Nishiki--

COUNCILMEMBER NISHIKI: . . .(*laughter*). . .

MS. LEE: --you know, if, if you really looked at it, we should. . .it'd be nice to provide housing in the 50 percent, 60 percent--

COUNCILMEMBER NISHIKI: Yeah.

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MS. LEE: --area. But you know, the reality is that a lot of people cannot afford, cannot qualify for loans. You know, the lower you go, the less they can qualify. In, in a lot of cases they don't even have down payments and so forth. So I, I think by staying in the 70 to 80 percent . . .

. . . category, that you. . .that you **are** filling a need, you **definitely** are filling a need. . .and then you'll find people to qualify.

COUNCILMEMBER NISHIKI: Yeah.

MS. LEE: `Cause the lower you go, you gonna have a hard time finding people to qualify.

COUNCILMEMBER NISHIKI: Yeah. And, and, and. . .and, Alice, I, I don't. . .I don't disagree with you. I just. . .know that when I, when we examined the reason why people don't qualify. . .I think for many people they see it as being hopelessness. And then what, what, what occurred is . . .

. . . if I may, Mr. Chairman?

CHAIR ENRIQUES: Continue.

COUNCILMEMBER NISHIKI: Rather than drive a 1966 Datsun. . .to go to and from work, because they feel hopelessness. . .they immediately go to. . .I won't name any car dealer, and by a car and have a monthly payment of \$350 a month.

. . . You know, or run their credit cards, if they have credit cards, to where they're paying. And, and of course. . .I think a lot of it is feeling hopelessness and, and, and got this money and I can't buy it so. . .you know, I, I. . .I can't get it. And, and I, I guess . . .

. . . it's part of education or whatever, but then it's like. . .that's why maybe many of our residents are leaving the island now and, and going to Las Vegas to work or whatever. But I, I, I think I wanna give people . . .

. . . a. . .a thought like "I have hope". . .and even if I work in the sugar industry or whatever industry, I don't have my own personal business but I work in. . .the visitor industry or whatever. . .I think we have to gear what these people that are earnestly willing to . . .

. . . take that jump of working as a busboy in the industry or whatever, and, and move it up and knowing what. . .this industry pays . . .

. . . and connected to . . .

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. . . what they're able to afford. And I only say this, is because we here . . .

. . . have made it a point now of supporting the visitor industry. Many ways. Through the budget of supporting for visitor promotion or whatever. To whereby now we see that most of our people. . . are employed by, say, the visitor industry. And I think we gotta realistically look at. . . these people probably fall into a majority of the, the wage-earner here, Alice. I don't know. You. . . you, you probably have all this information. And. . . realistically give these people--if that is where they choose, have to work now, because that's where the jobs are--give these people hope. . . that . . .

. . . they can all. . . afford a home even if it's a zero-lot line, whatever. That they can. And. . . not give `em no hope, and so they'll file, therefore they'll go buy a car and then. . . have these monthly payments, therefore now they cannot afford it because whatever they make and whatever the, the. . . car payment is or their credit card payment is. . . no way, Josè, when they go to the bank, and well the bank say you can, you, you qualify. But I, but I, I, I think that I wanna give these people hope and so I want some sort of mea, measurement, Alice, in which . . . (laughter). . . you know . . . (sigh). . .

. . . **my daughter** can afford to buy something. I mean, I mean, and, and, and, and. . . and that's how it, it. . . it has become for, for many other kids now. And I don't think it's fair that we promote an industry and knowing what these kids make. . . give `em no hope. And that's what I'm getting at. You know, and so. . . Alice, I don't know if this is what the definition is right now, but to me that has to come into play with the real life situation of what we residents of Maui County. . . Lanai and Molokai really can afford and, and, and. . . how we look at the ability or the inability.

. . . From the definition, I realize also that we, then, then the next step is to look at well. . . what can that developer. . . bring across. And if he can't then, yeah, he'll, he'll pay that fee. But I want that connection now to be. Then, with what money we accumulate by collecting these fees, how do we apply these monies . . .

. . . to. . . the next step? What is these monies gonna be used for. . . so we make it that many of our kids, many of our residents now can afford and not rent. The other statistic I really wanna know is how many people in Maui County, Alice, really rent. . . and, and, and, and not own. I mean, do we have those statistics also . . .

MS. LEE: Uh-huh. Uh-huh.

COUNCILMEMBER NISHIKI: . . . to show that probably a majority . . . (end of tape, start 2A). . . is leaving here rent, you know. And when I look at those people that are renting. . . I find many of `em working in the visitor industry. . . really. You know?

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So I think there's gotta be some correlation when we look at this. . .into real-life statistics that you may have or may not have. And, and, and, and, and, and again . . .

. . . you've taken a big step, Alice, and don't let me. . .think that I'm, I'm against it because I. . .I, I, I, I, I. . .I still want some correlation with how this housing policy really . . .

. . . works in what. . .we have here in Maui County, Mr. Chairman. Um. . .and then, you know, I'm sure that developers will say well. . .you know. . .is it fair or how are other ways in which we look at incentives. . .how can we look at other incentives in which we can. . .help the developers themselves now. . .because Alice is saying, you know, the County's not gonna build it. You know, the County's not gonna build it. So. . .if the County's not building it or government's not gonna build it, then. . .you know, how do we. . .create these units that we say we wanna provide for? And I don't know, Alice, if this 80 percent or whatever, or we look at the island-wide. . .way in which we look at median income. But I, I, I, I really wanna know, you know, well, hey. . .ILW, how much does one of your hotel employees make, and how does it correlate to what 80 percent is? I don't know what 80 percent is right now under the HUD requirements.

MS. LEE: Uh-huh--

COUNCILMEMBER NISHIKI: What is it. . .in, in annual income?

MS. LEE: Well, 80 percent would be . . .

. . . 100 percent is 56.5--

COUNCILMEMBER NISHIKI: Fifty-six thousand--

MS. LEE: --so it--

COUNCILMEMBER NISHIKI: --five hundred dollars--

MS. LEE: Yeah--

COUNCILMEMBER NISHIKI: --annual income--

MS. LEE: --that's 100. So 80 percent would be 80 percent of that.

COUNCILMEMBER NISHIKI: Okay, see . . .

MS. LEE: Or 45.2.

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COUNCILMEMBER NISHIKI: . . . you as Council Members don't even make this.

ALL: . . .*(laughter)*. . .

COUNCILMEMBER TAVARES: That's right.

MS. LEE: . . .*(laughter)*. . .

COUNCILMEMBER NISHIKI: I mean, really. . . I mean--

ALL: . . .*(laughter)*. . .

COUNCILMEMBER NISHIKI: --think about it, you know. I don't know--what does a hotel worker make? Do you have any idea--

COUNCILMEMBER TAVARES: More than us.

ALL: . . .*(laughter)*. . .

COUNCILMEMBER NISHIKI: I, I, I don't know and I'd really--

MS. LEE: What is it, about \$10--

COUNCILMEMBER NISHIKI: --like to know.

MS. LEE: --an hour?

COUNCILMEMBER TAVARES: . . . Well, depends . . .*(inaudible)*. . .

MS. LEE: I, I don't know.

COUNCILMEMBER NISHIKI: . . . And, and. . . I, I, I mean and I know that this is just a step, Mr. Chairman, I know we don't, we're not gonna pass anything out, but I think we need really concrete facts and, into how we, we're gonna really look at this housing policy and where we wanna start . . .*(inaudible)*. . .

MS. LEE: Mr. Nishiki?

CHAIR ENRIQUES: Are you done? Alice, I have a question for you. You know, affordable housing in Oklahoma is a lot less than here. Does the Federal government take in consideration the cost of living and so forth . . .

COUNCILMEMBER TAVARES: Uh-huh.

CHAIR ENRIQUES: . . . regarding hard money?



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MS. LEE: Well, the cost of living in Oklahoma, I'm sure, is a lot less than here because the amount of land that they have, yeah, available. And. . .you know, I don't see where Oklahoma can compare to. . .Hawaii as far as a tourist destination. And because of the limits that we have on our resources and land, you know, of course that's always gonna drive. . .the cost of land high, up. So it's very difficult to compare the two places. But my comment is, you know, no matter what. . .unless we get the cost of living, I mean what people make **up**. . .you know, if, unless we lift up everybody's. . .standard of living and ability to make **money**. . .it's gonna be very difficult to. . .to place. . .somebody who's making a minimum wage into a house. It's really hard. Because how are they gonna afford to maintain that house? You know, the. . .there are expenses other than just the purchase of a house. So how do we. . .bring up that scale? You know, that, that's something that we all need to look at. I, I can see, Mr. Nishiki, helping somebody with their down payment.

. . . That's fine. You know, we have a program that does that. But after **that**, I mean, who's gonna pay for the maintenance fees and, and all the other fees of, of. . .of up-keeping a **house**? You know, you can't put that kind of burden on a person who's only making minimum wage, yeah. It's very difficult.

COUNCILMEMBER NISHIKI: . . . Well, you know--

MS. LEE: . . .*(inaudible)*. . .

COUNCILMEMBER NISHIKI: --let's say. . .I, I, I wanna look at it. . .how many jobs did the hotel industry create here? Because I, I, I really wanna use that as a big base, as a basis. Do you know. . .off hand?

MS. LEE: No, I don't.

COUNCILMEMBER NISHIKI: Yeah. . .Charmaine, go ahead, I'll . . .

COUNCILMEMBER TAVARES: Yeah. . .on the same line, I, if it's. . .the interest, so I think it probably would be interesting. We probably could work with. . .the Hotel Association or the Visitors Bureau and get a survey out to the hotel workers and just see where exactly are they in this housing thing. Um. . .I don't know what kind of statistics your group has been able to gather, but. . .you know, we keep hearing this and I'm, I was, you know, feeling fine this morning and now after Mr. Nishiki's talk--

MS. LEE: . . .*(laughter)*. . .

COUNCILMEMBER TAVARES: --I'm depressed because I rent a house and I just bought a new car.

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ALL: . . .(laughter) . . .

COUNCILMEMBER TAVARES: It's coming December 20<sup>th</sup>--

ALL: . . .(laughter) . . .

COUNCILMEMBER TAVARES: --so, you know . . .(laughter) . . . But . . .I just wanna say it's a **conscious** choice that I make not to buy a house. I would **rather** rent and let the landlord maintain it. And I wanna be mobile. I don't necessarily want a house. But I was, kinda got depressed here for a second . . .

ALL: . . .(laughter) . . .

COUNCILMEMBER TAVARES: But, you know, getting back to this thing, maybe it would, you know. . .interesting for us and if it, the hotel industry is the greatest. . .largest employer, probably. . .in Maui County, and if we surveyed those employees and find out exactly where they are. And I, and I just wanna say one other thing about housing--if we, as a County, were truly interested in affordable housing. . .we would open the doors to mobile and modular homes. . .`cause they are very inexpensive. And those houses that they're producing today look just like any other house. They're not the, you, so-called mobile home camps that there used to be. But I suspect. . .that the unions are the ones behind. . .keeping or locking out mobile homes in Hawaii. But if we wanted to really get into this and say we wanna afford, I mean, they could buy this three-bedroom, two bath. . .mobile unit that looks like a regular stick-built house for \$40,000, \$50,000. I mean, I have friends that live in them on the mainland and that, you can't tell. . .that they're--

?: Yeah.

COUNCILMEMBER TAVARES: --they've come so far along. . .it's amazing. But . . .that's a thought, you know, to . . .to put in the back of our minds somewhere. . .that we wanna talk about affordable housing, don't limit ourselves to what already exists on this island. . .or in the State. Thank you.

CHAIR ENRIQUES: Yeah, thank you, Member. . .Tavares. You know, Alice, Mr. Nishiki got a good idea--you know, finding out just what the purchasing power is on some of these jobs. . .if they're outside the mainstream, then. . .maybe we have to lower some of our standards, huh?

MS. LEE: . . . You're right, Mister. . .Chair. The . . .my concern, though, is even, even if you. . .surveyed all the employees in the hotel industry. . .you know that, that wouldn't. . .necess, that. . .that would be helpful information but that wouldn't necessarily have an impact on, on our housing policies. Because really what,

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what we need to look at is. . .what should we be charging, in a sense. . .charging a developer, yeah. . .and do we provide a menu of items or options or do we just go with the same old 10 percent of units. You know, that's the basic question. Now as far as other opportunities to put, provide different kinds of housing. . .I mean I think that, that could be on-going for your Committee. Uh. . .whether. . .you want to research. . .the possibility of allowing mobile homes or manufactured-homes or those kinds of other alternatives. . .I think that's . . .

. . . over and above, actually, the housing policies that we're discussing today. You--

CHAIR ENRIQUES: Yeah . . .

MS. LEE: --know?

CHAIR ENRIQUES: Alice, have you spoken to any of the developers regarding guidelines for affordable housing?

MS. LEE: **Yes**, I've met with them for about four months on this.

. . . And they. . .I have to tell you, they, they didn't. . .they didn't support it. . .a lot, they ended up . . .

. . . **not** opposing it, but they didn't really support it.

?: Uh-huh.

CHAIR ENRIQUES: Lee, do you have anything to add. . .since you're the only testifier today?

. . . None?

MS. GUTHRIE, FROM THE AUDIENCE: Just to reiterate what I said, you know . . .*(inaudible)*. . . what. . .what was burdening. . .and then we can produce affordable housing--

COUNCILMEMBER KANE: You need to be on the mic.

MS. GUTHRIE, FROM THE AUDIENCE: Oh, okay.

**NOTE: Pause while Ms. Guthrie approached the podium.**

MS. GUTHRIE: . . . Just to reiterate what I was saying, and that's that we need to look into the burden of bureaucracy and redundancy. . .and take away those costs so that a, a developer can **realistically** look at supplying affordable housing.

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`Cause they really want to...but adding requirements and...and guidelines...without doing the same kind of cutting and...and changing with the people who are putting the policy out there is not gonna work. And they're just gonna resent it. That's my only comment.

CHAIR ENRIQUES: . . . Mr. Nishiki.

COUNCILMEMBER NISHIKI: Yeah. . .this is a big one and, and I, I, I wanna see where you guys stand and mau, maybe you may not even stand on, on this because you don't know. . .what do you think about mobile or modular homes?

MS. GUTHRIE: Well, when you first said that, I almost fell out of my chair because I'm from Arkansas and mobile homes are . . .*(laughter)*. . . I mean, when you're talking about **mobile homes**. . .are disgusting. I mean, they don't stand up. But when she re...you know, emphasized what she's talking about--the **new** ones. . .I don't see a problem with it. If you can bring it in, realistically, un, in. . .with shipping and everything. . .if you can do that, I don't see any problem with that. They're doing it on other islands.

. . . So it would work.

COUNCILMEMBER NISHIKI: They **are** doing it on outer islands?

MS. GUTHRIE: Not Maui island, not Hawaii island.

. . . I don't think.

?: In the State?

MS. GUTHRIE: Well, they're doing it--

COUNCILMEMBER NISHIKI: I don't think--

MS. GUTHRIE: --in Oahu. I was thinking--I read the article they're doing it in Oahu, aren't they?

COUNCILMEMBER NISHIKI: I don't think so. I think--

MS. GUTHRIE: There was some big--

COUNCILMEMBER NISHIKI: --the, the big resistance has been from the union trades people.

MS. GUTHRIE: Well. . .no doubt.

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. . . But as a builder, I can't imagine that we would have a problem with it.

. . . Maybe my husband would, but I don't see anything . . .

COUNCILMEMBER NISHIKI: You'd just have to retrain yourself.

MS. GUTHRIE: And that wouldn't really be that hard to retrain, you're just . . .slapping things together and following the directions.

COUNCILMEMBER NISHIKI: Yeah.

. . . Okay. I'm done.

CHAIR ENRIQUES: Mr. Davis.

VICE-CHAIR DAVIS: Thank you, Mr. Chair. Under. . .Alice, under this--

CHAIR ENRIQUES: Thank you, Lee.

MS. GUTHRIE: Uh-huh.

VICE-CHAIR DAVIS: --affordable. . .thank you.

. . . Under this affordable housing agreement. . .I know the State has this self-help program. Could we kinda incorporate that, too? Or . . .

MS. LEE: Well . . .

VICE-CHAIR DAVIS: . . . I know we're not in the. . .the business anymore, but . . .

MS. LEE: Mr. Davis. . .I think the, on Page. . .3. . .under Number 4, it allows for a developer for lands or lots. And these could be used for self-help housing. Yeah?

VICE-CHAIR DAVIS: Thank you.

MS. LEE: Okay.

. . . Uh. . .Mr. Chairman, if I can comment further?

COUNCILMEMBER TAVARES: Go ahead.

COUNCILMEMBER NAKAMURA: Go ahead.

MS. LEE: Thank you . . .*(laughter)*. . .

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ALL: . . .(laughter). . .

MS. LEE: . . . You know what, what we, here before us is, is, is basically a policy based on 10 percent. You know it, right now we have no policy in existence. And, in, in order to be consistent and, you know, with all the applicants that come before you, I think, you know, it's important that we all decide, okay, 10 percent is a good amount. It may not be the perfect. . .number, but at least it's a, it's a good amount.

. . . But what we're talking about. . .to take it a, one step further. . .is. . .you know, what Lee Guthrie says is, I think is true. I think what Mr. Nishiki says is true. And what. . .Ms. Tavares says is all true. But. . .and that's beyond my scope . . .(sigh). . . certainly. But certainly within your scope. . .is. . .you know, we, we can ask developers, we can, we can **make them** provide housing that. . .is affordable to somebody at 50 percent of median income. Okay? We could do that. But does it make sense--is the question. Yeah? Um. . .are you going to be making, putting an extreme burden on that developer as a result, you know, as. . .Lee Guthrie is saying. Why not. . .instead of making them provide. . .a, a \$100,000 item for \$50,000--which is totally re, unrealistic, why not reduce the cost of that \$100,000 item. . .like Lee is suggesting? Why can't, you know, the Council figure out ways to make it cheaper? Then you can say, okay, the 50 percent person at median income can qualify. You know? Now, that makes sense. The. . .the developer is not robbed because . . .(laughter). . . you know, forcing him to. . .provide something. . .that costs him 100,000 for 50,000. That, that's kind of ridiculous. You, you're not gonna have too many developers do that. But what you can do is, is make that cost come down to, that something's real, more realistic, yeah? And then. . .**then** I'm sure they would be happy to provide that product. . .to a lower. . .income. . .group--whether it's 60 percent, 70 percent of median income. So that, that, Mr. Chairman, that really doesn't have anything to do with my. . .my policy 'cause the policy is, is really a reflection of what you already have and adding more, more things. . .more options, more choices.

CHAIR ENRIQUES: Mr. Nakamura.

COUNCILMEMBER NAKAMURA: Thank you, Mr. Chairman. Alice. . .what Lee was saying about reducing. . .the cost of what, the fees that government charge--such as . . .

. . . parks and recreation fees, sewage hook-up fees. . .water, is that the kind of cost you're talking about?

MS. LEE: Right. You know, and, and I think that's what we need over here. . .is a. . .is a contractor. Because basically the. . .housing policy that I'm discussing with you

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today is with developers. They're not at the point of constructing yet. Yeah? They're coming in for a change of zoning or whatever. And . . .

. . . what we need to find out is how much does it cost to build a house. . .really. And that's not the developer. The contractor does that part. And that's where Lee and her husband would probably be able to provide information on. . .from the ground up. . .what does it cost. Now, my. . .from what I understand, it's, it's like. . .to put in the infrastructure, it's like 30 to 40 thousand. And then it runs about 75 to 80 dollars a square foot to build the actual house. You know? So how do you bring those costs down? If it's possible to do that . . .

COUNCILMEMBER NAKAMURA: Um . . .

CHAIR ENRIQUES: Continue.

COUNCILMEMBER NAKAMURA: . . . I can agree to that, Mr. Chairman, is to look into all of this things. The only, the only. . .concern I have is. . .as long as we don't. . .take away from protecting the environmental issues that. . .that we gotta deal with from time to time. . .you know, flooding issues. . .runoff, spills and those kind of stuff. So I, I think we need to look at the whole thing so that, you know, when we. . .by ordinance, you know, we set up fees and struck. . .things of that nature is to really. . .ultimately at the end is to protect. . .protect the environment as to, you know. . .what we have to deal with. But I can agree with, as far as that process of speeding up the process of. . .building a home, I think we can. . .you know, maybe there's room to look into that areas. But I like to look at the whole package before making a final decision.

MS. LEE: Yeah. Mr. Nakamura. . .I understand what you're saying because. . .you and I have made decisions on. . .projects in the past where we exempt curbs and gutters or other types of normal requirements, but we end up having to pay for it in the end. The County--

COUNCILMEMBER NAKAMURA: That's right.

MS. LEE: --ends up paying for it in the end. So if the policy is going to be that you support affordable housing, then the **Council** has to put the **money** over there, too.

. . . You know, they, they have to realize when I say "yes" to this project, I'm, what I mean is we're gonna put money, County money, to finish the project as it should be. And I think that's. . .all of us have to get into that kind of mindset.

COUNCILMEMBER NAKAMURA: That's all I have, Mr. Chairman.

CHAIR ENRIQUES: Mr. Davis.

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VICE-CHAIR DAVIS: Thank you. Alice. . .you, you brought up the Front Street. . .Affordable Housing as an example.

MS. LEE: Uh-huh.

VICE-CHAIR DAVIS: And under Credits. . .it says that . . .

. . . everything is subject to the approval of the. . .Director, yeah?

MS. LEE: Uh-huh.

VICE-CHAIR DAVIS: How is it possible for them to get so much. . .tax credits per year for like ten years? I, I. . .you know . . .

MS. LEE: . . . Well, these are different--

VICE-CHAIR DAVIS: And at the same time, we're asking for us to kinda lower their expenses.

MS. LEE: Yeah. These are. . .different kinds of credits--on Page 5. These are credits like, for instance . . .

. . . oh, let's say . . .

. . . A&B is required to. . .provide 100 homes someplace, okay, affordable. But they. . .they provide 120 for some reason. Okay? Instead of the 100, they go 120. So they are entitled to 20 credits, basically.

?: Uh-huh.

MS. LEE: So those are housing credits and those are the kinds of credits you're talking about on Page 5. The Front Street Apartments received tax credits. And the tax credits come from. . .the State, which comes from the Federal government. And these tax credits are **strictly** regulated, **very strictly** regulated. And you, you have to compete, you have to apply. . .and they. . .to HCDCH. And annually they. . .they approve credits, so many credits per pot, per proj. . .project.

. . . Even though they'll be getting. . .roughly. . .what is it, \$12 million in credits, which. . .brings it, their net might be maybe 8 million or, or 9 million, yeah. Over a period of time, it's still not a highly profitable kind of business. Otherwise, you'd see a flood of people in this area. The only reason why they can. . .make it happen is because they're backed by Sun America.



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. . . Unless you got a . . . deep pockets, it, it's a real gamble. Like. . . in the case of the Waiale, the Waiale. . . rental housing project, they got tax credits. But it was like sweating bullets all the way . . . *(laughter)*. . . You know, they had no backup.

VICE-CHAIR DAVIS: Thank you.

MS. LEE: Uh-huh.

CHAIR ENRIQUES: No further questions? You know, this . . .

. . . Member Tavares?

COUNCILMEMBER TAVARES: Yeah, thank you. This Maui County Housing Policy would be, the intention is to incorporate it our County Code?

MS. LEE: Yes--

COUNCILMEMBER TAVARES: So, so in, in. . . shortly we will see something that's in the format for. . . a Ramseyed version or whatever you wanna call it. . . for adoption by the Council. Is that. . . your intention?

MS. LEE: Well, quite frankly, Ms. Tavares . . .

. . . the easiest thing for us to do, for me to do is to add an Article and, and make this by itself--

COUNCILMEMBER TAVARES: Okay.

MS. LEE: --yeah? But you know from last year, being on the . . .

COUNCILMEMBER TAVARES: Uh-huh.

MS. LEE: . . . Subcommittee to Update the County Code, I mean, you know, that's kind of the chicken way to handle it.

COUNCILMEMBER TAVARES: Uh-huh.

MS. LEE: The, the best way to handle it is to repeal 2.9 . . .

. . . 2.86 and replace it with this.

COUNCILMEMBER TAVARES: Uh-huh.

MS. LEE: And. . . because otherwise the Code will get fatter and fatter and fatter and we not going, we don't even use 2.86--

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COUNCILMEMBER TAVARES: Uh-huh.

MS. LEE: --hardly.

COUNCILMEMBER TAVARES: All right.

MS. LEE: So . . . *(sigh)*. . . what we're gonna probably do is. . .at first, I was just gonna add, add an Article. I think the, I think the best thing to do is just revise the 2.86 and make it shorter and put this in its place. . .and then repeal 9, uh, 2.94 which is the hotel one.

COUNCILMEMBER TAVARES: Right. Uh-huh. Okay. Thank you--

CHAIR ENRIQUES: Any further question--

MS. LEE: But you know, the, the, on the other hand, Ms. Tavares, if it starts to get too complicated, then I'd like to go back to just adding that Article--because then I don't, you know, I don't wanna get stuck in long, long discussions over why we taking something out. I'd. . .just as well leave it.

COUNCILMEMBER TAVARES: Uh-huh.

MS. LEE: You know?

COUNCILMEMBER TAVARES: Maybe we should just add it as an Article. And then if we wanna go back and clean up the whole Chapter or Title, then go back and do it. `Cause I'd like to see this kind of thing put in effect, you know, immediately. And--

MS. LEE: Okay.

COUNCILMEMBER TAVARES: --with the reconsideration of who makes the determination as to the option.

MS. LEE: Okay, next time you see this, it'll be in ordinance form, then.

CHAIR ENRIQUES: Yeah.

COUNCILMEMBER TAVARES: Okay.

CHAIR ENRIQUES: At future meetings, we'll be discussing the proposed ordinances and. . .we're gonna see this again. Thank you, Alice, for a beautiful job going through it. You did a wonderful job. I . . .

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?: . . . *(inaudible)*. . .

MS. LEE: Thank you.

CHAIR ENRIQUES: . . . congratulate you.

MS. LEE: Thank you.

CHAIR ENRIQUES: Uh. . .if there's no objections, the Chair would like to defer this matter.

COUNCILMEMBER NAKAMURA: No objection.

COUNCIL MEMBERS: No objection.

**COUNCIL MEMBERS VOICED NO OBJECTIONS.** (MD, JE, PK, DN, CT)

**ACTION: DEFER pending further discussion.**

CHAIR ENRIQUES: . . . Any further discussions, comments?

. . . Seeing none, meeting adjourned . . . *(gavel)*. . .

**ADJOURN:** 11:04 a.m.

Respectfully submitted,



Camille Sakamoto  
Committee Secretary

APPROVED:



JOHN WAYNE ENRIQUES, Chair  
Human Services and Parks Committee

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