

**PLANNING COMMITTEE**  
**Council of the County of Maui**

**M I N U T E S**

**Council Chamber**

**August 18, 2016**

**CONVENE:** 9:02 a.m.

**PRESENT:** VOTING MEMBERS:

Councilmember Don Couch, Chair  
Councilmember Robert Carroll, Vice-Chair  
Councilmember Gladys C. Baisa  
Councilmember Elle Cochran (arrived at 9:08 a.m.)  
Councilmember Don S. Guzman (arrived at 9:30 a.m.)  
Councilmember Michael P. Victorino  
Councilmember Mike White (arrived at 9:06 a.m.)

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

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

**ADMIN.:** Richelle Thomson, Deputy Corporation Counsel, Department of the Corporation Counsel  
William Spence, Director, Department of Planning  
Kathleen Aoki, Administrative Planning Officer, Plan Implementation Division, Department of Planning

**OTHERS:** (2) other people

**PRESS:** *Akaku Maui Community Television, Inc.*

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CHAIR COUCH: . . . (*gavel*) . . . Will the Planning Committee meeting of August 18, 2016 please come to order. My name is Don Couch. I'm the Chair of the Committee. First, before we go anywhere let's everybody turn their phones on silent mode. Check your phone even if you think it's on. Sometimes it acts up and turns itself on to ring mode. Right, Bob? Okay. Let me introduce the Committee Members that are here today. First we have Vice-Chair, Robert Carroll.

VICE-CHAIR CARROLL: Good morning, Chair.

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CHAIR COUCH: Good morning. We have Gladys Baisa.

COUNCILMEMBER BAISA: Good morning.

CHAIR COUCH: Good morning. Right now, excused is Elle Cochran and Don Guzman and then we have Mike Victorino.

COUNCILMEMBER VICTORINO: Yeah. On this end...

CHAIR COUCH: On that end way over there. And excused is, as well, is Mike White. He will be here shortly. And I believe the other two will be as well. We don't have any non-voting Members here today. From the Administration, we have the Planning Director, Will Spence. Good morning.

MR. SPENCE: Good afternoon, Chair.

CHAIR COUCH: Or morning.

MR. SPENCE: Sorry, I'm still on yesterday's mode.

CHAIR COUCH: Yeah. We also have Kathleen Aoki from the Long Range Division...or no Implementation Division. Sorry

MS. AOKI: Good morning, everyone.

CHAIR COUCH: Good morning. And Deputy Corporation Counsel, Richelle Thomson.

MS. THOMSON: Good morning, Chair.

CHAIR COUCH: Good morning. And from the Staff, we have Legislative Attorney Greg Garneau.

MR. GARNEAU: Good morning, Chair.

CHAIR COUCH: Good morning. And Committee Secretary, Pauline Martins. And from the Hana District Office we have Dawn Lono...maybe.

MS. LONO: Good morning, Chair. This is Dawn Lono at the Hana Office.

CHAIR COUCH: Good morning. From the Lanai District Office we have Denise Fernandez.

MS. FERNANDEZ: Good morning, Chair. This is Denise Fernandez on Lanai.

CHAIR COUCH: Good morning. And from Molokai we have Ella Alcon.

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MS. ALCON: Good morning, Chair. This is Ella Alcon on Molokai.

CHAIR COUCH: Okay, Members, we have two items on the agenda today. The meeting is going to be ending at 10:30. Actually a little bit before, because we have a Committee of the Whole meeting we gave some time to. So we only put two items on the agenda. PC-38, which is the Annual Status Report on the Implementation of the Countywide Policy Plan and Maui Island Plan. And PC-39, Annual Status Report on the Implementation of the Maui County Community Plans. So like I said, about 10:20 is when we're gonna try to adjourn. First of all, we're going to open up for public testimony. I don't see anybody wanting to testify. Let me ask at the District Offices if anybody's there to testify. Hana, do you have anybody there to testify?

MS. LONO: There's no one waiting to testify at the Hana Office.

CHAIR COUCH: Okay. Lanai?

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

CHAIR COUCH: And Molokai?

MS. ALCON: No testifiers on Molokai.

CHAIR COUCH: Okay. Thank you, ladies. And there's only one person in the gallery today and he already told me doesn't want to testify. Your last chance if you want to testify. Okay. Great. Members, seeing that nobody here to testify, we will not open public testimony. Or we will open it and close it. Any objections?

COUNCILMEMBERS: No objections.

CHAIR COUCH: Okay. Public testimony has been opened and closed. Alright, thank you, ladies. Okay. That taken care of. All right, first up is PC-38. And, Members, it's up to the Planning Department if you guys want to do it all kind of...are they in...kinda combined or do you want to do 'em separately? Mr. Spence? And turn...yeah, there you go.

MR. SPENCE: Gotta turn that on. I don't know, it doesn't matter to me --

COUNCILMEMBER VICTORINO: Chair?

MR. SPENCE: --Mr. Chairman.

CHAIR COUCH: Okay.

COUNCILMEMBER VICTORINO: Why don't we just combine them? 'Cause --

CHAIR COUCH: Yeah. Yeah. I'll try and combine them.

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COUNCILMEMBER VICTORINO: --it just seems fruitless to just keep separating --

CHAIR COUCH: Sure.

COUNCILMEMBER VICTORINO: --when they really --

MR. SPENCE: Right.

COUNCILMEMBER VICTORINO: --come together.

CHAIR COUCH: They kinda...I think they do come together.

COUNCILMEMBER VICTORINO: Yeah. So.

CHAIR COUCH: So let me just read to the Members and to the audience what the items are. PC-38 is the Annual Status Report on the Implementation of Countywide Policy Plan and the Maui Island Plan. It's a report dated March 31, 2016 from the Planning Director on the implementation of the Countywide Policy Plan and the Maui Island Plan. This is an annual report is required by both the Charter and the Maui County Code. Then the Annual Status Report on the Implementation on the Maui County Community Plans. And this a report from the Planning Director on just that. The annual report is required by both the Charter and the Maui County Code. So what I'd like to do is, without any objection, is discuss both items at the same time, which that way we can go back and forth.

COUNCILMEMBERS: No objections.

**PC-38 ANNUAL STATUS REPORT ON THE IMPLEMENTATION OF COUNTYWIDE  
POLICY PLAN AND MAUI ISLAND PLAN (C.C. 16-69)**

**PC-39 ANNUAL STATUS REPORT ON THE IMPLEMENTATION OF MAUI COUNTY  
COMMUNITY PLANS (C.C. 16-70)**

CHAIR COUCH: Okay. Good. And I want to recognize the presence of Chair Mike White.

COUNCILMEMBER WHITE: Morning, Chair.

CHAIR COUCH: Good morning. Okay. Department, what do you got for us?

MR. SPENCE: Thank you, Mr. Chairman. I'm...personally I'm very glad that we get to present these reports to you. The...they are documents that we actually started more than two years ago. After the Maui Island Plan was adopted and the Implementation Chapter was adopted, we actually started these before...started how were we going to

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write these reports before the Implementation Chapter for the Maui Island Plan was adopted. And we realized that these had...this is a Charter requirement from I believe it's 2002. And no other Planning Director, for whatever reason, and I'm not criticizing, I'm just saying, for whatever reason these have never been done before. So I'm very glad to bring these to the Council and report on the implementation of the Maui Island Plan and the community plans. They are, I think it's a good thing that it...they point out, one, where the County's focus could improve as far as all the different departments go. But also where the...where our CIP could be better done. It points out the flaws in our system too that...what things have been done, partially done, and what things haven't even been started. And I mean that in itself, those are kind of eye opening. But also the practicality of our plans, I think are pointed out. In the Countywide Policy Plan there are 73 implementing actions. In the Maui Island Plan there are 323 implementing actions. And in our community plans combined total, 619 implementing actions. So total for all 3 of our plans, which comprise the General Plan, there's over 1,000. There's 1,015 different implementing actions. They range from simple things that could be handled in the Annual Budget, you know, whether it's CIP or things like that. Or they are huge projects that would take multi-millions of dollars and multi-years in order to do. And I might touch on just maybe a couple of those things. But we were...the way we reported it, we reported the things...we went through, listed them all and there are...we either rated them as not started at all, have partially implemented, and those things that have been completed. And I, just honestly as Planning Director, when...and I've noticed this for years, when I was a Staff Planner as well as a consultant and now as Director I've long heard the complaints. And I have long noted myself that we don't do enough with these plans. We don't...we adopt these plans by ordinance. They have these long lists and some of them are...some of the lists are very doable. Other things are, I'm sorry to say, they're extremely impractical. But in starting as Director I went okay we need to do more implementation of these plans. So right around 2013 we started doing...in recognizing that need we started a new Division within the Planning Department. Which Kathleen Aoki is heading up, to take on some of these projects and start implementing the plans. And so that's been her focus. And I should say, it's supposed to be her focus. We've spent a whole lot of time just writing these reports. But we have GIS, we have a GIS dedicated person. We have a senior staff person, and Kathleen. It's a small start but my hope is, is that as time goes on perhaps this Division will grow and will push even more projects out toward the implementation of these plans. That's sort of my general overview. I'm not...Kathleen wants to add.

CHAIR COUCH: Ms. Aoki?

MS. AOKI: I would like to say that when...a few years ago, when I was in the Long Range Division, so maybe 10-12 years ago, Deputy Director at the time, Colleen Suyama wanted to try and get this report done and I was actually the Planner assigned to go through all the community plans. We were gonna do the community plan first 'cause at that time that's all we had, besides the General Plan. And so we went through, you know, and interviewed with all the agencies to try and get an update on the status of things. And then Colleen retired. And like Will said, for whatever reason every

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Director and Deputy is dealing with their own fire so the report was never completed. One thing that I did notice when I came into...so this actual report as Will said has been worked on for a number of years. So when I came in, in December and looked at it and took it on, one of the things that I noticed that was done and it's just to let you know that there's actually more than 1,015 implementing actions, because the Maui Island Plan, if you look at it, there are a number of actions that actually have multiple actions within that actions. And I see Councilmember Baisa agreeing with me. So when I went through it again, of course when we had the agency answer the question it was just on the main implementing action. It wasn't on each individual one if there were a number of them. So we really need to add in a few more so it comes out to 1,088 total. What I'd like to say is and I was talking to the Director about this as we were walking over is, you know, I think the good news is, there is good news in this, there are a lot of these that have been completed. There actually are. I was surprised. And there are a lot that have been started or looked at. Now they're not completed but, you know, the effort has been made and for a multitude of reasons they're not quite done. So there's still though, a significant that have not been addressed. But when you're dealing with 1,088 implementing actions that's bound to happen. So that's what I kinda wanted to address the Members that, you know, there are things that have been done over the years. There are many things that have been started or looked at. And then there are those that, for whatever reason, a multitude of reasons, have not been addressed. Thank you.

MR. SPENCE: One comment. Thank you, Mr. Chairman. I have one more comment. I don't want to present just...okay what we're talking about with all these implementing actions. These are just one aspect of implementing our plans. This is like, the 1,088 items, that's the laundry list of to dos for the County. And I...to be honest, I glanced at just the Countywide Policy Plan, the 73 things in there, and about half of those are going to require Council action to adopt regulations, ordinance, programs, et cetera. They're going to be budgetary items and all that. Those are just the proactive things that we should be doing. The plans are also implemented in two other ways. One is our Capital Improvement Projects. Every year when the Budget comes forth, there are things in the plans that say this is what you should do. This is where you should spend money. And...so that's, you know, that's an important part of our plans. In a...you know, just being Planning Director, I have to look at this in a land use context. Another way that the plans are implemented are when applicants come forth with land use proposals. Whether it's something as simple as a bed and breakfast to an SMA Minor Permit to Changes in Zoning or Community Plan Amendments, each one of those we look at the community plans, the specific community plans and the General Plan and say what does it say about this? Does it have anything to say about it? The...I know the Current Division processed in Fiscal Year 2015, processed about 1,300 discretionary applications, in which they looked at the policies and the land use map of our General and community...Maui Island Plan, community plans, Countywide Policy Plans. The Zoning and Enforcement Division, I would hesitate to say...let's see...just zoning verification forms where members of the public call and say what's my zoning? What's my community plan designations, Fiscal Year 2015, they processed 4,320 forms. So that's where people are coming to the Department and

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saying, you know, what can I do on my property? And we inform them with that. There's all kinds of other reviews. You know we...384 subdivision reviews. You know, the Public Works Director cannot process...cannot approve subdivisions unless they conform with our General Plan. So we do those checks as well. There's a myriad of other things. But these are by no means static. And they're in...within the context of CIP and our land use context where applications come forth. These are very living documents and we use them, literally, every day. So it's really the place where we fall short, I think, as a County, not just Planning Department, is in the proactive to-do list of more than 1,000 items, so.

MS. AOKI: Members, I have one other comment that I wanted to share. You know, there's over...well not, there's about...just in the community plans alone, there's 136 Federal, State, or other outside County agency implementing actions that are in the plan. So like I say, it may be a red, but it may be because we have no jurisdiction over it. So I think that's important to take into consideration too. It could be a yellow and I'll give you an example of that, support the completion of the Lahaina Bypass. That's definitely a yellow, it's not a green, it's not done. It's not red, because it got started. But it would be indicated as a yellow and we can encourage, support, testify, do all we want but ultimately in the end we know that it's up to State DOT to get that done. So I just wanted to share that too that, you know, these plans include actions and implementation requests that are outside of our jurisdiction.

CHAIR COUCH: Is that it from the Department? Okay. We'll open it up for discussion.

COUNCILMEMBER VICTORINO: Chair?

CHAIR COUCH: One thing quick before we do it, just because yesterday we had a Change in Zoning and I noticed that there were two or three or four pages of comparison to the community plan, the Maui Island Plan, and the Countywide Policy Plan, that everything, you do check, every time there's a change in zoning or any kind of Special Use Permit. And I see that every time. So that's something that the Members need to be aware of, again, is that we do go through and we do check and make sure everything is copasetic with the plans. So I have a large number of questions, well not a large number of questions but I'll let the Members go first. Mr. Victorino?

COUNCILMEMBER VICTORINO: Thank you, Chair. And I have a lot of questions but I'll keep it to a couple, let everybody ask and then if my question is not answered then I'll go a second time. My first question to you the Planning Department with the implementation of the MPO, you mention about Lahaina and the bypass. And I was told by Ford Fuchigami in Honolulu when I met with him, that the MPO was going now is really going to be the lead agency as far as development of the transportation system. That's what he told me now. And you have a better understanding than I do of this, Mr. Couch. I know 'cause you serve on the committee and so do you. But I...it is my understanding that the MPO now will be taking a more active and really be the driving force as guidance to the State. Now I not saying the State relinquishing their powers or duties. However, they will, you know, the MPO will be the kind of like

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guider...guide, I shouldn't say guiding. Guide for this...for the transportation systems throughout Maui County. Mostly in Central Maui but, you know, he said that it will extend beyond Central Maui. So will that in any way or form, 'cause you mentioned, Ms. Aoki, that's strictly State, but will that change a little the demographics and the dynamics of our transportation? Especially putting things on the STIP and pushing to get those done. Waiale being one example.

MR. SPENCE: Right.

COUNCILMEMBER VICTORINO: Bypass being another. Maui Lani, there's three or four that are standing in, really in the way of, once we get those done the corridors throughout this County would be much, much improved.

MR. SPENCE: Right.

COUNCILMEMBER VICTORINO: So, again, my question is, is the MPO in your mind gonna be a much more active partner in doing and getting things moved ahead? Instead of what Ms. Aoki said. And I'm not making you feel...look bad, it's just that you kinda --

MR. SPENCE: Right.

COUNCILMEMBER VICTORINO: --said, oh it's up to the State. I was understanding the MPO would be more of a guide in that respect.

MR. SPENCE: I'm looking at the other member of the MPO and they are...

COUNCILMEMBER VICTORINO: Yeah. Yeah. I know, the two members are here right?

MR. SPENCE: Actually --

COUNCILMEMBER VICTORINO: Three actually.

MR. SPENCE: --three.

CHAIR COUCH: Three. Yes.

COUNCILMEMBER VICTORINO: Three right here.

MR. SPENCE: So...

COUNCILMEMBER VICTORINO: Got three of them in this --

MR. SPENCE: So --

COUNCILMEMBER VICTORINO: --room. Yes.



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MR. SPENCE: --the...

CHAIR COUCH: Oh that's a Sunshine Law violation. No. It is not 'cause we're not...

MR. SPENCE: I will comment only as the Planning Director observing the MPO --

COUNCILMEMBER VICTORINO: Yeah. Yeah. Okay.

MR. SPENCE: --not...anyway, the MPO is newly formed. It was formed right after, well I should say after these reports were written and transmitted to the Council. The...I think we've had four meetings. We're looking forward to hiring an Executive Director. It's only at the very formative stages. The...when we're fully functioning, yes the MPO will play a major part in saying where Federal dollars are spent. Now the number of those Federal dollars is going to be the biggest issue. I mean, the things that all of us in this room are aware of that need to be done for our transportation system, you know, is pretty darn big. So, you know, that will be the major constraint. But yes, the MPO will be directing where Federal dollars go. And one of the...some of the documents we will be looking at, of course, will be the Maui Island Plan and our community plans and saying, you know, these are the projects that should go forward.

COUNCILMEMBER VICTORINO: Okay. And I thank you, because I think, and unless you want to add something, Mr. Couch, that was my impression that...go ahead.

CHAIR COUCH: Yeah. Yeah.

COUNCILMEMBER VICTORINO: I know you just chomping at the bit to say something. So go ahead.

CHAIR COUCH: Yeah. The MPO and, you know, Ms. Cochran is also a member of it. As Mr. Spence says, it sets the priorities for the County based on community input. Its biggest thing is to get community input. And then create the --

MR. SPENCE: Right.

CHAIR COUCH: --transportation implementation plan and tell the State. For instance, the State thinks the realignment of Honoapiilani Highway is going to be too expensive so therefore they've dropped it way down on the list or have taken part of it off the list. Whereas members of the MPO and members of the public have come in and said no this is one of our number one things. So let's figure out how we can do that.

MR. SPENCE: Right.

CHAIR COUCH: So, that's where we can counteract what the State used to do is tell Maui what it's priorities are. Now...and the metropolitan planning area is the whole island of Maui. Even though the urban core is defined as --

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COUNCILMEMBER VICTORINO: Wailuku and Kahului.

CHAIR COUCH: --Wailuku and, yeah Kahului. So we have the ability to tell the State, no this is what Maui thinks it's priorities are and the State has the...they're required to listen to what the MPO says. They don't get to make the decision anymore. They get to make the decision of the Statewide Federal fund pot and they get to say okay Maui gets this much. If Maui gets this much, this is...Maui says this is the project we're gonna do.

COUNCILMEMBER VICTORINO: Okay. And I --

CHAIR COUCH: Okay.

COUNCILMEMBER VICTORINO: --wanted people to understand what this MPO and the Metropolitan Planning Organization is all about.

MR. SPENCE: Right.

CHAIR COUCH: Ms. Cochran, do you have any comments on that or are we all good on that?

COUNCILMEMBER COCHRAN: Yeah. That's good.

CHAIR COUCH: Thank you.

COUNCILMEMBER VICTORINO: Thank you.

CHAIR COUCH: Oh, I wanted to recognize the...

COUNCILMEMBER COCHRAN: Oh, thank you.

CHAIR COUCH: Ms. Cochran is here too.

COUNCILMEMBER COCHRAN: Thank you, Chair.

CHAIR COUCH: Thank you.

COUNCILMEMBER VICTORINO: Yeah. So, no, you know, so again, you know, I had met with Mr. Fuchigami and this issue was discussed because it was my understanding that that's the way it was gonna pan out to be. And I know that you guys were gonna be trying to get a Director and that was last week. And --

MR. SPENCE: Right.

COUNCILMEMBER VICTORINO: --I guess it hasn't all panned out. So, and that's fine. My second question is, you know, we have this Island Plan and now we into the

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community plans. And the length in getting community plans approved has been, at best, a real pill.

MR. SPENCE: Yeah.

COUNCILMEMBER VICTORINO: What do we do to make sure that the island plans and the community plans can match up a lot quicker and a lot easier so that we can move the plans along? We start today, we get it done 10 years from now and then we start over again. Or 20 years from now we start over. We almost never get done before we start the new one. And it's kind of a shame, you know. And I know we don't want to get into how we going change the process but is there right now, any methodologies that you guys want to bring forward that can help implement the current new Maui Island Plan with the community plan starting from Molokai on down the road? 'Cause some of us won't be here to enjoy the opportunity to help. But we'll be outside watching.

MR. SPENCE: Those are very good questions and I think that's, you know, we've been...it's one of the criticisms of the public, these take too long, and I agree. It's been my observation for a long time. And when you sit down and do the math with nine community plans, a Maui Island Plan, and a Countywide Policy Plan and you look at the timelines which each of the different reviewing bodies gets to do, it's impossible to do every 10 years which is required by the Charter. The 280B makes it impossible to do. That's a part of it that we need to look at and propose revisions to our process. Internally when we go, you know, we went to Lanai, we're partway through Molokai, and...I'm sorry?

MS. AOKI: We're done.

MR. SPENCE: No I know we are but...we're done, Molokai has been transmitted to Council.

COUNCILMEMBER VICTORINO: Right.

MR. SPENCE: So we as a County are partway through with that plan. The...we're looking at the implementing actions more as what's practical. So we don't have a whole lot of things that we'll never get done. That's been one of the criticism too. You don't do anything with this plan. But when you stop and you look at some of the things like reforest 10,000 acres on Haleakala, you know, is something like that really practically ever going to happen? When you have a budget, you know, I mean you go through the budget every year. You know more about that than I do. Are we really gonna budget tens of millions of dollars to do that? You know, that's the kind of programs that, kind of implementing actions that are not really all that feasible but have gotten into the plans. So we're trying to pare down the laundry list, actually I should say the wish list, that people just want to do everything. And we're trying to keep them more on a practical, what can the County realistically do? What is our CIP realistically? What kind of money is available? And so we're trying to keep that more on a focus. When we get to West Maui we will look more at the Maui Island Plan and pair those things up so we're not redundant.

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COUNCILMEMBER VICTORINO: Good and I thank you, Mr. Spence. And, Chair, I'd like to say real quickly, that I want to thank Mr. Spence and his Department, the GPAC and the Planning Commissions, all those who have worked hard to...I think they're all there with a real simple but honest attempt to make our communities better. With better and more systemic planning. The problem is it just takes so long. And that's where we need to find some way, if it is through a Charter Amendment or whatever to make things move along more...much more quickly. So thank you all for what you've done. And I'll let other's ask questions. Thank you, Chair.

CHAIR COUCH: Thank you, Mr. Victorino. Members, any questions? Comments? Ms. Cochran?

COUNCILMEMBER COCHRAN: Thank you, Chair. And thank you, Department, for being here, and I was just looking at the green, yellow, red lighting system you have for you implementation. And thank you, Ms. Aoki, for explaining there's certain things and I understand that are out of the County, per se, jurisdiction. And there's many actions to that action to get it accomplished and what have you. But, you know, I just went directly to the first page of the plan or implementation and some of these have red on them. So they've not been looked at or even started at all. And I would think they could be quite simple and wouldn't take money. Such as if you just go to infrastructure transportation. That would be action 6.5.1...I guess, I don't know how these are numbered. But anyways, the first red you see. Regularly conduct transit system needs assessment surveys to ensure community satisfaction and provide opportunities for transit system users to make suggestions on ways to improve services. That doesn't seem like a tall order that I would expect that, that was done very regularly. Just as knowing how well is the system doing. Do we have satisfied customers? And improvements...anyways. Also the next one I thought was interesting too. Under...it would be under solid waste. And the red item there is implement a comprehensive curbside recycling program. That's a red. And as we all know, the public outcry and let's keep this going, let's expand it, all that stuff have been discussed. We, you know, put money towards it during Budget and what have you, so these are just things that kinda popped out at me that I thought were being looked at. And my first example is something that I think, I would expect it ongoing just so we know, you know, how we're providing services to this community. So, Chair, that was just initial glance at a page --

CHAIR COUCH: Yeah.

COUNCILMEMBER COCHRAN: --and that's what I saw.

CHAIR COUCH: Those are interesting comments and it's surprising that they are red because we just had a Transit System Needs Assessment. It came in but I guess this happened after the report. And you didn't...or the Department didn't tell you that they working on it? Because we just saw that just two weeks ago. Right? Two or three weeks ago.

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COUNCILMEMBER COCHRAN: Something like that.

MS. AOKI: Part of this could be, to answer Councilmember Cochran, one, I can speak vaguely for the departments. But it's much better to have each department here --

COUNCILMEMBER COCHRAN: Sure.

MS. AOKI: --to answer for themselves why they answered the way that they answered. Two, these survey questionnaires that went out to them, went out to them at least a year and a half or two years ago. You know, and then we sat down with them or when I started, and I started there actually were some that I called, you know, staff in the departments going, why did you answer it this way? And or explain the question. Or maybe they didn't quite understand it. So this is our first go. I'm hoping that it will improve in, you know, the next time around. And I agree. I did see some that I'm like why is this red? You know, we did this. One thing could be that, like for the transportation one, regularly conduct. Maybe they've done a survey. But they don't feel comfortable saying that they regularly do it so they say red. I mean there could be a multitude of reasons why. And the best thing to do is, if you have specific questions on them, is to ask that department. I'm way comfortable answering the Planning Department questions. Not too comfortable answering the other ones. There were, you know, for example there's some in there that talk about protecting wetlands, and it's assigned to environmental management and so I spoke to them. And, you know, they...there's sort of this, no it's not our jurisdiction, it's the Federal jurisdiction. And so, I, you know, I have to deal with that to say I need an answer, I need to put something on here. If you as a department haven't done anything, then just say so. We'll put it down and then if you get questioned you can explain to the Council, why you haven't done anything. Or why you feel that it's outside of your jurisdiction. Because of a lot of these that's what happens. When they get...the plans gets formulated oh let's assign it to X, Y, and Z. But they may not necessarily be the right departments to handle these. So, again that's where, like Director Spence said, we need to focus on what it is that we as a County I think can do so that we don't get ourselves in trouble that we're not implementing these things.

COUNCILMEMBER COCHRAN: Right.

MS. AOKI: So I hope that helps --

COUNCILMEMBER COCHRAN: Yeah.

MS. AOKI: --Councilmember Cochran?

COUNCILMEMBER COCHRAN: Thank you. Thank you, Ms. Aoki. I think the Director...

CHAIR COUCH: Yes, Mr. Spence?

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MR. SPENCE: I would also just comment, this isn't only the Department's first time writing this report. This is the first time, I mean, that the agencies have responded to writing this report. So that's part of the reason. I mean, they've never thought about what they've done in the last 15 or 20 years, in terms of, you know, how they would be answering, you know, this survey. I think ideally as Director in knowing how other jurisdictions treat their general plans, the General Plan should be a roadmap for all the different agencies. This is what I'm gonna be doing. This is what I'm gonna focus on for the next 10 years. Or for the next 20 years. Twenty years is a little bit hard to put your finger on what, you know, budgets or anything is going to be like. But I would say in...also in, you know, kinda what Mr. Victorino was alluding to, what would we change? How are we doing our community plans differently this time? We're going out to the agencies and saying, you know, is this doable? Can you do this? And in some cases, with the old plans, they're going no. I mean, we can't do that. But this go around, we have much more buy in and much more participation with the different agencies. So they're gonna have much more of a roadmap to follow in the future, so.

COUNCILMEMBER COCHRAN: Yeah. And thank you, you know, for those comments and I'm glad that somehow we're getting everybody on the same page --

MR. SPENCE: Right.

COUNCILMEMBER COCHRAN: --and trying to figure out who's doing what. And I mean, and another transportation, just for example, Chair, established alternate financing programs such as transportation impact fees, community facilities districts, transfer of development rights, or dedicated sources of funding. This is under transportation. Again, I understand it would be better if they were here. This is a red. I would like to see that. That it's looking, they're looking at it in some way, shape, and form.

MR. SPENCE: Yeah.

COUNCILMEMBER COCHRAN: To try and seek funding wherever they can. I mean, this is something that can be implemented and started. I'm not saying complete and finished in, you know, a year. But obviously that this is something that should be ongoing, really.

MR. SPENCE: Right.

COUNCILMEMBER COCHRAN: But anyway, that's just another point there. But for Planning, if you don't mind, Chair?

CHAIR COUCH: Go ahead.

COUNCILMEMBER COCHRAN: Your...you give a brief overview in regards to the different kinds of permits that, the numbers of permits that you've gone through. So these numbers are one to two years old? As in how many SMA minors and majors, how

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many special use, conditional permits have been given, or being worked on. These are two-year-old numbers?

MR. SPENCE No. This is from our Fiscal 2015 Report. That's what we reported. This is our Annual Departmental Report that we present to the Council.

COUNCILMEMBER COCHRAN: Okay.

MR. SPENCE: So those are pretty current numbers. I can't tell you right off the bat what we're currently processing.

COUNCILMEMBER COCHRAN: Okay. 'Cause I guess...I mean we hear every day, Chair, expedite the permitting process, you know, it takes forever to get through the process. And I'm looking at eight major SMAs have been done, five special use, seven conditional, and, you know, the total, I guess, that are in the pipeline is over 1,000 I guess? Or was the 1,000 the implementation actions? Oh, okay. But anyways I mean it's a much larger number than the figures I mentioned that are --

MR. SPENCE: Right.

COUNCILMEMBER COCHRAN: --kinda on the books to be done, in a sense.

MR. SPENCE: Those are what I was mentioning, over 1,000 items, those are the list...that's...those are applications to the Planning Department where we would look, discretionary permit applications where we would look at the community plan and say does this project meet the criteria that's laid out in the community plan? So that was just the number of applications. I can't tell you how many of those have been granted thus far. But we, you know, that goes to short-term rental home permits, it goes to bed and breakfasts, I mean everything. I mean really small projects to really, really large ones that the Council sees. You know, we measure the...all of these projects against our community plans. And that's a part of implementation.

COUNCILMEMBER COCHRAN: Okay. Alright. Thank you, Chair.

CHAIR COUCH: Thank you. Ms. Baisa?

COUNCILMEMBER BAISA: Thank you very much, Chair. This brings back a lot of memories. Some good and some not so good. But it's interesting to look at it now that time has passed and we actually have a report in front of us to see how it goes to the next step once we went through all that we went through in order to establish all of these goals and actions. And it's kind of formidable when you think about the number of implementing actions that you have to monitor. And I can see where this is...just preparing this report is a full-time job. But, you know, now that I'm looking at it at this point, you know, I have a little different perspective, because we're not just writing things down and coming to consensus. I must have heard that word about 1 million times in the formation of this plan. About how do we monitor these things, how do we

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prioritize them? Because once they're in here, it really goes up to the departments for them to take a look at it and decide, what they want to prioritize, what they want to work on and what they, you know, defer because either they don't have time or they find it's not as much of a priority or whatever the reasons are. But when I look at it, it's really interesting 'cause now I look at it from another perspective. And maybe when we're putting these kinds of things together, we might have to have some prioritization because it's kind of distressing when you go through and look at the ones that are in the red zone. And you have a tendency to do that. You know, when you look at a report like this and you have done and working, and not done at all, you kind of tend to look at the not done and say well what's the problem? You know, why aren't they doing this? And we of course, looking at this report, we have no way of knowing why the departments have done what they've done. And so in the review, Chair, looks like maybe we'd have to have departments in here.

CHAIR COUCH: Yeah.

COUNCILMEMBER BAISA: Like we do in Budget, to kind of give us --

CHAIR COUCH: Yeah.

COUNCILMEMBER BAISA: --yeah, an idea of --

CHAIR COUCH: That was --

COUNCILMEMBER BAISA: --you know, explaining this.

CHAIR COUCH: --gonna be my comment to you guys is do you want me to send a letter to each of you...each of your Committees and saying, this is what the Countywide Policy Plan and all the implementation plans. Then have you guys bring your directors, or do you want to have 'em all come through this Committee?

COUNCILMEMBER BAISA: I think it'd be --

CHAIR COUCH: I'm fine either way.

COUNCILMEMBER BAISA: -- difficult if you'd try to do it all through Planning --

CHAIR COUCH: Yeah.

COUNCILMEMBER BAISA: --'cause there's too many departments. But if we distribute this like you give me the piece on water --

CHAIR COUCH: Yeah.



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COUNCILMEMBER BAISA: --and you give Elle the piece on what she's responsible for, everybody got a piece, we probably could do it. But I think it would be really helpful to have them in here to discuss more --

CHAIR COUCH: Absolutely.

COUNCILMEMBER BAISA: --you know, why they've done and why they've prioritized what they have. You know, I'm looking on and it's kind of, just I picked one, Page 32 out of the 52 and it says there's an economic development tourism thing. And it says conduct and regularly update an impact assessment social, economic and environmental of the cost and benefits of mega resort, timeshare, vacation rental and other types of visitor accommodations. You know, that's such a valuable thing because we listen all the time to the community's take on the vacation rentals and what different kinds of accommodations and the laws we've made have an impact on them. It'd be great to have a study that would verify that. And it's something that is in their red zone. They haven't had an opportunity either to make it a priority, get the money to do it, or whatever. So for me, Chair, I really think that what would be very useful would be to get these into the various subject committees and let's take a deeper look.

CHAIR COUCH: Okay. We'll do that. We'll have a...do you want, Members of...you know, each of you have a committee. Do you want just the ones that affect your committee or do you want this report just sent to your committee then you can figure out which ones you want to deal with? Can go either way.

COUNCILMEMBER BAISA: Well, like for myself, you can send...

CHAIR COUCH: You just want the water ones?

COUNCILMEMBER BAISA: I just want water.

CHAIR COUCH: Okay.

COUNCILMEMBER BAISA: 'Cause, you know, if we each concentrate on our subject then maybe we can get through this because there is so much here.

CHAIR COUCH: Yeah.

COUNCILMEMBER BAISA: And it's not useful to me to be talking about, you know, sewers.

CHAIR COUCH: Right.

COUNCILMEMBER BAISA: 'Cause, you know, it doesn't affect my job.

CHAIR COUCH: Okay.

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COUNCILMEMBER BAISA: Okay.

CHAIR COUCH: We'll do that, we'll break 'em out.

COUNCILMEMBER BAISA: But, you know, I do want to thank the Department. You know, this is a nightmare thing to monitor. And it was hard to put it together. And it's no easier to try to keep track of it. So again I want to thank you and compliment you. This is a big, big job. I still am going to leave this Council feeling that we have to have a better process for community plans and for General Plan. And even though I'll be retired, I'll be watching and ready to help in any way if I can. Thank you.

CHAIR COUCH: We have to be careful, Members, on the comments on as far as the process, 'cause this is another, that's another item that we have. And it's not on the agenda but we can make general comments about the process if we want. Mr. Guzman?

COUNCILMEMBER GUZMAN: Thank you, Chair. And some of us Members have more than one department, in fact I have three departments in my Committee, my two Committees that I hold. But I was suggesting that if PIA has room in their master agenda, they could maybe host those departments that may not fit in other committees' --

CHAIR COUCH: Sure.

COUNCILMEMBER GUZMAN: --master agendas. Currently I'm really pressed for prioritizing my agenda for the end of the year. So if could be possible, could PIA take over some of the other departments?

CHAIR COUCH: Absolutely. If you feel that there's some issues on your agenda, that you've got so many things that you could certainly...I have no problem with it going to PIA if the Chair of the...if the Committee has no problem.

COUNCILMEMBER VICTORINO: No, I don't have any problem. And I'd be willing to take that on because my agenda is not as tight as some of the others at this time. But those that can, like Water, Infrastructure, whatever,, you know, let, you know, I'll do whatever what somebody needs to be helped. Anybody who needs help, I'll take it on. Other than that, I'll do what I have with the police, fire, and other areas --

CHAIR COUCH: Great.

COUNCILMEMBER VICTORINO: --of that nature. Yeah.

CHAIR COUCH: Okay.

COUNCILMEMBER VICTORINO: Thank you.

CHAIR COUCH: Mr. Spence?

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MR. SPENCE: Yes, thank you, Mr. Chairman. I...just a suggestion for the Members and the chairman of their...of the committees. As these things are assigned to your respective committees, take a look at the actions and seeing, to me, seeing all these actions in one place, I see the enormity of the task.

UNIDENTIFIED SPEAKER: It's huge.

MR. SPENCE: And the...and how difficult it would be accomplish all this within 10 years or even 20 years. As you look at these and I know I was impressed of what are the resources needed to accomplish these. I mean, Councilmember Cochran and it...well what does, you know, don't...why aren't we doing a satisfaction survey. Or we should be doing, I forget exactly the terminology but, you know, you're taking one person's, one staff person's time, an incredible amount to get those surveys out, get them published, get the results back, consolidate it, and all that. Put it into a meaningful form. That's just one of the things that, that person from, I'm assuming it's Transportation Department, would need to do. Amongst all the other duties and everything. As you go through these, start thinking about, okay wow, if we were going to...I know there's one thing in the Countywide Policy Plan, update the Maui County Code to conform to the Countywide Policy Plan and the Maui Island Plan. My goodness, we have over 1,000 pages of code that somebody would have to stop and take a look at and compare, and propose ordinances to change, and I mean that would just take a year of everybody's committee's time just to do that one task. So, you know, I'm impressed with the enormity of the task if we're really serious and I mean practically implementing these plans. How much budget would it take to do all of these studies. I mean, you know, we've...we spend \$100,000 on consultants, a couple hundred thousand dollars for one study. All the studies, all the surveys, everything that these plans call for, so as you look through these, just go, oh my God. Think about the time, think about the number of committee meetings to do one item. So there are practical implications of implementing these plans that I don't know, I...the more I think about it, the more I'm impressed with the difficulty.

COUNCILMEMBER VICTORINO: Chair? Yeah, Chair? You know, and you bring up a good point. You know, Ms. Cochran was talking about satisfaction and . . .(inaudible). . . various departments or various entities that we deal with. Two things came to mind, and just as a thought, I just throwing a thought out, Mr. Chair. And something that maybe we can look more deeply in. Number one, breaking our surveys by picking, let's say five departments or six departments and send a survey. Like what we do with Budget but we cover a lot of areas. Just picking specific areas for specific departments and send maybe ten questions for each department, and sending out one survey. Instead of each department sending out a survey. Okay? And then have at the bottom, comments. And, you know, comments is where you probably pick up whatever somebody hasn't thought about as far as the survey is concerned. So you maybe have two or three surveys total in the year. 'Cause you and I both know, we get so much surveys and so much mailers, junk mail, and what do most people look at?

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File 13, right? Right in the rubbish can. So I agree with getting answers from the public and --

MR. SPENCE: Right.

COUNCILMEMBER VICTORINO: --seeing. The other one is maybe asking for help from our community association. Kihei, Kula, some of the associations, I think would be more than willing to jump in and help us with that. You know, as a distribution point and/or as a focal point for their area and for areas around them. Just some ideas, Mr. Chair. And again, something to think about, but I don't want this to die here. I'd like to see us do something.

MR. SPENCE: Right.

COUNCILMEMBER VICTORINO: And I'd love to get in our Committee so that we can have some focus discussion. I think this is very important. We're moving in the right direction, gang. I like this. But I think we can grow on it by...but we gotta be specific, we gotta be kinda establishing where we want to go with it so that we can get the feedback. Because if it's helter skelter, people not gonna respond. So I mean that's my take on it. I like all the ideas. I think we just gotta formulate and maybe leave it in your hands and the Chair's hand and some others to come up with some ideas and come back to us at a, you know, a later date, whatever. But I think this is great discussion. Thank you.

CHAIR COUCH: Thank you. Mr. Guzman?

COUNCILMEMBER GUZMAN: Yeah. I have questions for the Department. On...so in implementation portion of it, how involved in the Managing Director's office? Because that's what the focal point of centralizing or at least the duties of the Managing Director's office, right? Is to be a coordinating type department. How involved are...is that Department in this, in the implementation process or policy?

MR. SPENCE: I...well, I know that they're...in these reports there are specific items assigned to the Managing Director's Department. Beyond that, I know that all the directors, you know, we meet regularly with the MD and we have different discussions on, you know, how we're doing and what are the needs of our departments. Specifically to this, to implementing the community plans, there's been some discussion, not, it's not the...it hasn't been the primary focus, so.

COUNCILMEMBER GUZMAN: You know, Chair, my point is, you know, we're as Councilmembers yeah, we're...where our duties and responsibilities are policy. And so for implementation, that's the Administration side of it. And so it sounds as though that we're doing a lot of extra legwork on the Legislative side to try to find out if this has been implemented and what are the numbers and what are the stats. Wouldn't the Managing Director's Office be a more coordinated place to try to get some of these answers? This is a, basically a policy that needs to be followed through with. So I

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would suggest that we try to at least have, you know, the Managing Director or the representative here when we're discussing this and the community plans or the Maui Island Plan implementation and execution. So, thank you, Chair.

CHAIR COUCH: Thank you. Mr. Spence?

MR. SPENCE: Thank you, Mr. Chairmen. Just, I mean to be fair, the Charter says that the Planning Director is responsible for this report and monitoring the implementation.

COUNCILMEMBER GUZMAN: But so how effective is it when you try to at least encourage or require them to follow through? How effective is that department, via department? I mean we all know that the Managing Director is the head of all the departments, you know, so how effective is it when you see an item and you need it to be done in a different department? How effective are you in getting that actually coordinated to be completed?

MR. SPENCE: Well, until the...I mean the train of thought in how our General Plan, the effect, the massive to-do list, the CIP, everything. The whole thought process is changing, more directed towards the General Plan. So, you know, I can't say how things in the past were done but I would say that all of the departments...each department is responsible for their portion of the General and the community plan. I don't think that's really the Managing Director's...

COUNCILMEMBER GUZMAN: No. What I'm trying to say is that the Managing Director could make it more or less a priority. You know, 'cause a lot of times, you have, you know, there are things that they're supposed to implement but until the chief says let's get this done as a priority, then, you know, people stand up and, you know, the departments move. So, you know, it's a matter of prioritizing. And where is that being delegated as a priority? Who is delegating it? So, if you're delegating it and the other departments are saying okay, yeah we gotta get it done. But it's a different matter when the Managing Director, the head of all of the departments say this is gonna be a priority.

MR. SPENCE: Right. And...I think too, I mean I know where you're going with this as the, you know, he kinda coordinates. It's whatever that hasn't been really...the responsibility has been with each of the directors of the departments in order to go okay this is my role within the Maui Island Plan and community plans. I think to the current Managing Director's credit, he is looking much more seriously at the role of the plans and how things are going than other MDs in the past. So but you can speak to him directly on that.

COUNCILMEMBER GUZMAN: No. No, I understand this, you know, the situation. But in the future, I think there should be more of a coordination where okay, yeah, I know I understand that via the plan and the codification that says that, yeah the department...the Planning Department is supposed to be in charge of implementation. However, the greater part of it is coordination with the, I guess the more important

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part is the coordination with the Managing Director to infiltrate that and say, this is going to be a priority. It's just a coordination thing.

MR. SPENCE: That could very well be.

COUNCILMEMBER GUZMAN: Yeah.

MR. SPENCE: I mean it's a shift in thought process that...towards our plans that's already taking place. I mean we recognize the flaws in the system. I'll just say I think all the directors do recognize the flaws in the system and how we need to change that. So this becomes everybody's roadmap.

COUNCILMEMBER GUZMAN: Right. Correct.

MR. SPENCE: And...

COUNCILMEMBER GUZMAN: And it has to be said by the, you know, the top CEO. You know, this is the roadmap, this is the priority, you know.

MR. SPENCE: Yeah. And I would say it also...it stems into Budget and Budget Director because so many of the items within the plans are Budget oriented, so.

COUNCILMEMBER GUZMAN: Thank you, Chair.

CHAIR COUCH: Thank you, Mr. Guzman. Chair White?

COUNCILMEMBER WHITE: Thank you, Chair. It's an interesting discussion. I think we all have to share responsibility in this because when I look at the number of things that are in the '95, '96, and '98 plans, in the various communities, there's lots of things that are in the red column. Many of them are Budget issues that I don't think would make it past the Council. So to expect the Administration to implement stuff that would be unlikely to get past the Council, probably not gonna get past the Budget Director or the Mayor either. And as was pointed out, a number of the items on the list require Council action. And I'll be honest, by the time we got done with the Maui Island Plan, I'd seen enough of it for a while. And I honestly can't say that I've pulled it out and gone through it to see what our responsibilities are coming from that report. And so I think...and this is a really good reminder for all of us, that it's maybe time to pull it out and pull it off the shelf and take a close look at what our kuleana is. So, give the Department a lot of credit for putting this together, it is a lot of work.

MR. SPENCE: Thank you.

COUNCILMEMBER WHITE: But this is just an indicator of how much work is left to be done.

CHAIR COUCH: Right. There's a lot of work that has been done, and --

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MR. SPENCE: Correct

CHAIR COUCH: --sad to say or good to say, I don't know, since this is...I'm the Chair of the Planning Committee; I've taken it down and taken a look. And it's daunting and some of the things that we've gone through this Committee are a result of that. So, Mr. Spence?

MR. SPENCE: Yes. And I certainly appreciate Chair White's comments. It was really only with this report when you see all the actions in one place. I mean as we went through line by line with the Maui Island Plan we looked at each one of the trees and we totally forgot the forest. And I mean here these reports are a picture of the forest. And then when you look at them all together, you go, wow this requires a whole lot of money, requires a whole lot of action, a whole lot of regulation, a whole lot of...I mean and it's, I think it's great how much has been accomplished. It's also daunting what yet needs to be accomplished. And as you say, some of these things are...they're never gonna pass Budget. I go back to the reforestation 10,000 acres of Haleakala, when we have such social needs and housing needs and infrastructural needs. I would love nothing more if, you know, assuming the landowners want their lands reforested and, you know, with that kind of money, it's hard to find that kind of money to do those sorts of really wonderful sounding projects, when there's so many other needs that the County has.

COUNCILMEMBER WHITE: Thank you, Chair.

CHAIR COUCH: Thank you, Mr. Chair. Ms. Baisa?

COUNCILMEMBER BAISA: Thank you very much, Chair. You know, as we talk, I like this idea of breaking this up and sending it to the various committees even better because what it'll do is give us a chance to share with the community because they do watch Akaku.

MR. SPENCE: Right.

COUNCILMEMBER BAISA: And folks do come and listen, into the various components of this report, because we're looking at a huge document of 52 pages. And folks at home are not able to see what we're seeing. And I don't know how many of 'em will, you know, be able to go online and really take a look. So I think having it in a committee where we can talk more about it in depth is going to help everyone understand what this is all about and why it's so important. And, you know, we have a lot of folks that keep telling us, stick with the plan, stick with the plan. But a lot of people don't even know what's in the plan. So I think this will put emphasis on this plan and I think that's important. So I think it'll be a real worthwhile thing, Chair. And I look forward to doing it in the Water Committee, thank you.

CHAIR COUCH: Thank you. Members...Ms. Aoki?

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MS. AOKI: I appreciate what you just said, Councilmember Baisa, because one of the things that's in the Maui Island Plan, talks about police facilities and it specifically focuses on the Lahaina Police Station. Which at the time, under that Chief, that's what the priority was. Now you have a new Chief, and different situations and his focus is on Molokai. So follow the plan, sometimes they're dynamic and they're fluid and priorities change. So I think that's important to take into account too.

CHAIR COUCH: Okay. Members, any other questions, comments? So what we'll do then is we'll send out what our best guess as which committee this should go to and anything else goes to PIA. And then if you, especially, Mr. Guzman, I think you have multiple departments especially. If you want to send some off to him as well, just don't overload him.

COUNCILMEMBER VICTORINO: He's got a lot...

CHAIR COUCH: And we'll figure it out, anything left, maybe we can work out on here as well. Although we have a pretty full agenda between now and the end of the year. Alright, Members, any further comments? So I want to thank the Staff and thank you guys for coming up and explaining your report. It was very interesting to see when we got it. And I'm glad we had a chance to get it on the agenda and moving. Thank you, Members, for be willing to take the individual departments and hopefully we'll see that soon. Sooner, rather than later. Okay.

MR. SPENCE: And we will soon start on the next report.

CHAIR COUCH: Yeah. Good, it's time already. With that being...

COUNCILMEMBER GUZMAN: Chair?

CHAIR COUCH: Yes, Mr. Guzman?

COUNCILMEMBER GUZMAN: Just a reminder, at 10:30 we have that Committee of the Whole.

CHAIR COUCH: Yes, 10:30 we do have a Committee of the Whole, so that's why we're ending this meeting early. Why we didn't agendized a whole bunch of other stuff that we could of put on there. Alright, Members, any further comments? Questions? That being said, thank the Staff, and thanking the Department. And thank you guys for being here for a really good meeting, this meeting is adjourned. . . . *(gavel)* . . .

**ACTION: DEFER.**

**ADJOURN: 10:10 a.m.**




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APPROVED BY:



DON COUCH, Chair  
Planning Committee

pc:min:160818:tc

Transcribed by: Tiare del Castillo

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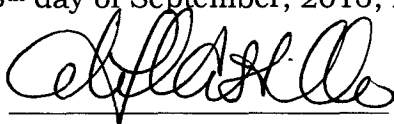
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CERTIFICATE

I, Tiare del Castillo, hereby certify that the foregoing represents to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 8<sup>th</sup> day of September, 2016, in Pukalani, Hawaii

A handwritten signature in black ink, appearing to read 'Tiare del Castillo', written over a horizontal line.

Tiare del Castillo