

PLANNING AND SUSTAINABLE LAND USE COMMITTEE

Council of the County of Maui

MINUTES

June 3, 2021

Online Only Via BlueJeans

CONVENE: 9:00 a.m.

PRESENT: Councilmember Tamara Paltin, Chair
Councilmember Kelly Takaya King, Vice-Chair
Councilmember Gabe Johnson, Member
Councilmember Tasha Kama, Member
Councilmember Alice L. Lee, Member
Councilmember Michael J. Molina, Member
Councilmember Keani N.W. Rawlins-Fernandez, Member (in 9:05 a.m.)
Councilmember Shane M. Sinenci, Member
Councilmember Yuki Lei K. Sugimura, Member (in 10:25 a.m.)

STAFF: Alison Stewart, Legislative Analyst
Wilton Leauanae, Legislative Analyst
Shelly Espeleta, Supervising Legislative Analyst
Richard Mitchell, Legislative Attorney
David Raatz, Supervising Legislative Attorney
Clarita Balala, Committee Secretary
Jean Pokipala, Committee Secretary
Lenora Dineen, Council Services Assistant Clerk

Kate Griffiths, Executive Assistant to Councilmember Gabe Johnson
Roxanne Morita, Executive Assistant to Councilmember Gabe Johnson
Evan Dust, Executive Assistant to Councilmember Tasha Kama
Davideane Kama-Sickels, Executive Assistant to Councilmember Tasha
Kama
Axel Beers, Executive Assistant to Councilmember Kelly Takaya King
Ellen McKinley, Executive Assistant to Councilmember Kelly Takaya King
Sarah Pajimola, Executive Assistant to Councilmember Keani N.W.
Rawlins-Fernandez
Gina Young, Executive Assistant to Councilmember Shane M. Sinenci

ADMIN.: Richelle Thomson, First Deputy Corporation Counsel, Department of the
Corporation Counsel
Stephanie Chen, Deputy Corporation Counsel, Department of the
Corporation Counsel
Michele McLean, Director, Department of Planning
Pamela Eaton, Planning Program Administrator, Department of Planning
Johann Lall, Geographic Information System Analyst, Department of
Planning

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OTHERS: Alan Pennington, Vice President, Matrix Consulting Group
Aaron Baggaly, Senior Manager, Matrix Consulting Group
Khushboo Hussain, Senior Consultant, Matrix Consulting Group

Mike Moran
Tom Cook
Albert Perez
Patty Nishiyama
Dick Mayer
Peter Martin
Junya Nakoa
John Blumer-Buell
Faith Chase
Kai Nishiki
(2) additional attendees

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

PSLU-6 EXPEDITING THE COMMUNITY PLAN REVIEW PROCESS
(CC 20 101)

CHAIR PALTIN: . . .*(gavel)*. . . Will the Planning and Sustainable Land Use Committee meeting of June 3rd come to order. The time is now 9:00 a.m. And if I can ask everyone to please silence their phones or any noise-making devices at this time, that would help our cause. My name is Tamara Paltin, and I'll be your Chair for this morning session. And with us today we have Committee Vice-Chair Kelly King, talofa lava, a me aloha kakahiaka.

VICE-CHAIR KING: Talofa lava from, let's see, the beautiful island of Samoa, and aloha kakahiaka, everyone.

CHAIR PALTIN: And we also have, from the Island of Lāna'i, Mr. Gabe Johnson. Talofa lava, and aloha kakahiaka.

COUNCILMEMBER JOHNSON: Good morning, Chair. Good morning, Councilmembers. Talofa lava. I like to see all those smiles out there. Aloha.

CHAIR PALTIN: Aloha. And joining us again, welcome back, Member Tasha Kama. Talofa lava.

COUNCILMEMBER KAMA: Talofa lava, Chair, and aloha kakahiaka, everyone.

CHAIR PALTIN: And we have Chair Alice Lee. Talofa lava, aloha kakahiaka.

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COUNCILMEMBER LEE: Madam Chair, taloha, taloha . . . *(laughing)*. . . it's a combination of aloha and talofa. Talofa lava to my dear colleagues. Looking forward to your meeting. Thank you.

CHAIR PALTIN: And we also have, from the east side, Member Shane Sinenci. Talofa lava.

COUNCILMEMBER SINENCI: Hey, talofa lava, Chair. Ma kahikina aloha kakahiaka kākou.

CHAIR PALTIN: Aloha. And Councilmember Yuki Lei Sugimura is going to be a little bit late. She's run into some car trouble. And we have...I'm sure Member Rawlins-Fernandez will probably be a little bit late as well. With us today we have Matrix Consulting Group presenter and resource --

COUNCILMEMBER MOLINA: Madam Chair?

CHAIR PALTIN: Oh, sorry.

COUNCILMEMBER MOLINA: You forgot me.

CHAIR PALTIN: I skipped you. We have Member Mike Molina coming in from Makawao.

COUNCILMEMBER MOLINA: Aloha kakahiaka, Madam Chair, and talofa lava to you, my colleagues and everyone else viewing in on this very splendid and beautiful aloha Thursday.

CHAIR PALTIN: Aloha. Sorry about that. Okay. And then we have Alan Pennington, the Vice President of Matrix Consulting Group, who will be our presenter for today. With Corporation Counsel we have Deputy Corp. Counsel Michael Hopper; and from the Administration we have Director of Planning, Michele McLean. Our Committee Staff for today, we have Committee Secretary Clarita Balala, Assistant Clerk Lei Dineen, Legislative Attorney Richard Mitchell, and Legislative Analyst Alison Stewart. Please be advised that we have another PSL meeting...PSLU meeting scheduled today, which I'll convene as soon as we conclude this one...which may be after 9:30 a.m. Please also note that information on online connectivity and related procedures can be found on the last page of the agenda. So on this agenda we have one item, PSLU-6, Expediting the Community Plan Review Process. I would like to start with a presentation from Matrix Consulting Groups, and then take testimony and any questions from the Members. Any objections, Members?

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR PALTIN: Okay. Moving right along. And since we're doing the presentation first, if Members have any questions, if they can just write it down until after testimony. And I also wanted to mention I forgot Ms. Eaton as well on the call from the Department of Long...Planning Long Range Division. Okay. Without objections, I will designate Alan Pennington as a resource person in accordance with Rule 18A of the Rules of the Council. This is the...kind of the final step to close out this contract is a presentation

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to the Council. And I just got a message from Councilmember Rawlins-Fernandez. She's having internet connectivity issues, so I think that she's probably watching on *Akakū* right now, but she just is trying to get her internet to work. So at this time, Mr. Pennington, are you there?

MR. PENNINGTON: I am here.

CHAIR PALTIN: Aloha. Thanks for --

MR. PENNINGTON: Aloha.

CHAIR PALTIN: -- being with us this morning. And if you would like to begin your presentation and share screen, we're ready for you at this time.

MR. PENNINGTON: Okay. Great. And I have with me, just so everyone knows, Aaron Baggarly and Khushboo Hussain, who are also on the project team. Aaron is going to do a portion of the presentation, and we're all available for questions at the end. So I will share my screen now. Thank you.

CHAIR PALTIN: Oh, thank you. Mr. Pennington --

MR. PENNINGTON: Yeah.

CHAIR PALTIN: -- before you do that, let me just introduce Member Rawlins-Fernandez, who has joined us at this time. Aloha kakahiaka and talofa lava, Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha kakahiaka, Chair, mai Moloka'i nui a Hina, and talofa lava kākou. E kala mai for my internet issues.

CHAIR PALTIN: No problem. Okay, Mr. Pennington, go ahead. Sorry for that brief interruption.

MR. PENNINGTON: No problem. Thank you. Okay. We appreciate the opportunity to have a few minutes of your time today and share with you some of the findings and recommendations from the study that we conducted for you. As you recall, an RFP went out about a year, or early last year. This project was initiated in June or July of last summer, final report was completed in December, and we're here today to present the findings to you. And just briefly, for those listening, we wanted to highlight that the real focus of this study was looking at identifying issues, complexities, and causes of delays that were preventing the timely completion of the community plan process. We conducted various stakeholder outreach to gather input, a little bit more challenging during the COVID-19 component, but we had some great online meetings to get that input. We looked at the current practices and procedures related to that community plan process, and analyzed a variety of things, including your policies and procedures, the laws that impact this, and trying to find ways to help you expedite and improve that overall community plan process. Just so everyone is familiar, the

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current requirements are that every plan is updated every ten years, and at the present time, the County is significantly behind that time schedule and has not been able to meet it for a variety of reasons. I'm going to start by giving you a quick overview of the current process. Basically, it's broken down into four distinct phases, including community engagement. And during that phase, there's a lot of interaction with the community, there's technical research done, and the first draft of a community plan is developed and drafted by the Planning Department. That phase typically has historically taken around 18 months. There's then a phase for CPAC reviews and updates, and a second draft of the Community Plan is prepared by the CPAC and the Planning Department. That second phase is scheduled to take about six months. The Community Plan will then move on to the Planning Commission reviews and updates over a six-month period, with a third draft prepared by the Planning Commission and the Planning Department. And then it would come to the County Council for Committee and overall County Council review, updates, and adoption. And that has historically been allocated at a 12-month time period. Overall, this schedule is approximately a 42-month time period, so well over three years to get an individual plan completed. And as I mentioned, in the report we have all the details, but many of the plans have not been updated for 20 years or more. So clearly, well outside of the ten-year target that you've identified. So we looked at...and the report contains a lot of alternatives for how to address that from different changes, to staffing, processes, resource allocation. And then we finalized the report with 13 recommendations that we feel would allow you, with some minor augmentation of resources, to adopt, and some changes in the processes and procedures, the ability to update every plan within that ten-month...that ten-year period. Obviously, some of the recommendations are minor, some are more drastic. But we tried to focus in developing those recommendations on things that--I'm going to actually move to the proposed process--things that would maintain a strong community engagement. Because we heard strongly from the stakeholders that that was important, that making sure that their voice was heard, ensuring that there's appropriate time for reviews, and that the Council has an appropriate approach to reviewing and adopting these plans. I'm going to turn it over to Aaron here to go through the very specific recommendations we've made, and then, you know, we'll be willing to listen to the testimony and answer any questions you have. And we're only going to focus in this presentation on the specific recommendations that we've made, not the alternatives that are contained in the report, because we could not do that in a half hour. It would take an awful long time. So with that, I'm going to turn it over to Aaron.

MR. BAGGARLY: Thank you, Alan. As Alan indicated, the current process can take up to a total of 42 months, based on the outlined process that is there now. As based on the recommendations, all 13 of those that we made as part of our study in the report, we can compress that timeline down to 20 months total with the maximal, some extensions up to 24 months, which is 2 years. And based on the current nine plans that you have, you could do two concurrent Community Plan updates over a ten-year period with this shorter and more efficient and effective timeline. As Alan indicated, there are 13 recommendations that we made as part of our report, and these are based on best practices, comparative assessment to similar jurisdictions that have a very strong community plan process, and several other areas that we explained in our

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report in more detail. But some of the key recommendations that we're going to briefly go over at this point is looking at the community engagement process. That is a very important part of updating your Community Plans. That's something that we heard strongly from the community and the various stakeholders, that that's an important part. And due to the unique nature of each of the Community Plans, that is something that we recommend to be included as part of the initial due diligence phase, but throughout the process, and an emphasis of making sure that there are plenty of opportunities and...for the community to provide input in the various phases of it. One of the key recommendations that we made to help expedite the Community Plan updating process is to really shorten that community engagement process down to about six months, or a maximum of six months, where it's very succinct and very focused, where the community knows that hey, these are the 12 community meeting dates that we're going to have. In advance of those meetings, they can come prepared with the different topics that they want to talk about on the various meetings, and it's very succinct where it's not stretched over the 18 months now. So it's a very defined time period where the community can come and share their ideas, their concerns, their challenges, and the strengths of their community, and to develop that. As part of this, we also made the recommendation to eliminate the CPAC. The CPAC is very unique to Maui County. None of the other comparative jurisdictions had at the CPAC where they're heavily involved in crafting the draft Community Plan update, and that is something that is very unique to Maui. And in lieu of that, we make the recommendation to establish a citizen working group, which is a little bit smaller, but they're heavily involved in the six-month community engagement process, but also working with Staff are the County's consultant to develop that initial draft, and to serve as liaisons between the County, the Planning Department, or the consultants, and the community to understand what the community's concerns, challenges, and issues are, and to incorporate into the initial draft of the plan. Looking at the community engagement aspect of six months, and then four months for Staff or the selected consultant to develop the draft initial Plan, we're looking at compressing that community engagement and CPAC timeline down to a total of ten months. As the initial draft plan is reviewed...is developed and reviewed by the citizen committee, it would then go to the Planning Commission. And the Planning Commission process now is six months. We make the recommendation to shorten that down to four months, and limit it to six meetings where the public has the opportunity for input, the Planning Commissioners have the opportunity to discuss the various elements of the Plan, to make recommendations, and to have Planning Department Staff incorporate into a revised document, which is ultimately recommended to the County Council for their review and approval. And the County Council role in the Community Plan process is very important, you play many roles. And we're making the recommendation here to really have County Council focus on reviewing the plan for major policy impacts, major decisions, and implementation elements that are looked at a broader level than other communities or other activities that County Council would be aware of that maybe the Planning Commission or the community members are not aware of. And understanding the holistic approach to updating a singular Community Plan, and the impact not only to that community, but to other communities and the County or the islands as a whole, depending on where that community is located. One of the elements that we do have as recommended on the

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County Council is to looking solely at the policy impacts, and to removing that implementation plan phase. That really sets the expectation for the community that the County Council is going to do some of the elements in that, where historically they have not. So the expectation is set and not met, and there was a lot of frustration that came out of the stakeholder meetings related to that. And so the County Council should focus on major policy decisions and how to implement the Plan, and to focus on some of those major capital elements that maybe come out of the Community Plans for that specific community, and how they integrate with the other Community Plans that have been adopted, or other County initiatives that are ongoing. And also, reducing the timeline that Council has to review and adopt the plan for 12 months to 6 months. This more compressed timeline forces Council to focus on the Community Plan as they come around, and to adopt it within that six-month time frame so it's still relevant. Because now, with the three-and-a-half-year plan process, by the time it's updated, many of the elements and issues that were present when this plan updating process initiative started maybe aren't present anymore due to economic conditions, changes in different areas, other development that came in, and et cetera. So reducing it down to six months for Council and a 20-month timeline overall really helps to focus the issues, to identify them, and to develop implementable solutions to address those in the Community Plans that can be enacted over the next ten years. As we go to the next slide here, these are some more broad process and staffing elements that would impact the entirety of the current process. And as we discussed earlier, removing the implementation plan requirement of...that's in 2.80B, the ordinance that has been adopted by the County, and focus on realistic capital improvement projects that the County can achievably achieve over the next 5, 10, 15 to 20-year timeline that has a major impact to the community, and focus on those elements and some of those major policy decisions that can really guide the plan, and to get the County and the community something that is implementable. Also, another area that we think needs to be changed is having Planning Staff proactively and interactively work through the Community Plan process from beginning to end. Currently, through the Planning Commission phase, Planning Staff are involved, but the CPAC and/or the Planning Commission are heavily involved in rewriting it with sometimes, depending on the personalities there, more or less depending on Planning Staff. And when it gets to the County Council stage, oftentimes the reworking of the plan based on Council edits changes to the Council Staff versus Planning Staff. Planning Staff are the experts, so let's rely on their expertise incorporating any changes and elements into that. Another area that we're recommending is to limit the number of time extensions that can be requested in each phase. Time spent...extensions should be limited; only one per phase, and for a maximum of a one-month time period. By implementing this and adopting this in the ordinance 2.80B, it will limit the amount of time that the Plan can be updated, and just limit it to 23 or 24 months at most. And so you're still within a two-year time period, and it still works with having two concurrent plans going on at one time, and starting one each year, and have a rotating system for updating those plans. And it allows the County the ability to still meet their statutory requirements in a timely and efficient manner. The fourth bullet point on this one is a little more challenging, and it's an automatic...it's a call for an automatic adoption of the Planning Commission version if County Council does not approve the Community Plan in a prescribed time frame, where if Council

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is...happen to be dragging their feet, or they can't get it adopted in that six or seven-month time frame with an extension, then the Plan would automatically be adopted based on what Planning Commission recommends to County Council if that was the adopted and the ordinance was to be changed. Ultimately, becoming...looking at the physical and financial impact of the recommendations--these 13 recommendations--based on the recommendations and the implementation of these 12 recommendations, the 13th recommendation is a staffing recommendation. And based on this shortened expedited timeline of 20 months, an additional 1.5 Staff is needing [*sic*] in the Planning Department to meet the 20-month time frame, and to conduct two plans updates simultaneously. Now, this would require that an additional funding for 1.5 positions, but it would also require that all of those positions to be filled. And based on prior conversations, we know that there were a few vacancies back at the end of 2020, which would certainly impact the updating of these Community Plans, but we also know you've augmented with some consultants to help with that. So based on the 20-month timeline recommended as part of this study, and the 12 recommendations that are made as part of this, and the 13th recommendation of 1.5 additional Planning Department Staff, the County should be able to update each of their Community Plans every ten years, with having two plans concurrent at one time, which is basically starting one plan each year. And on the next slide, there's a graphic we show how these plans could really work, where year one, which we could say theoretically is 2022, you start the first plan update, and in year two you're finishing up the first plan update, but starting the number two plan update, and continuing on like that through year ten to update each of your nine Community Plans. And so with that, that's an overview of the recommendations that we made as part of our study based on the various analysis that we did comparative assessments, stakeholder feedback, et cetera. And we believe that this is a very implementable plan that the County can move forward with by some modifications to their current policies, procedures, and ordinances that have been updated. So with that, we will turn it over back to the Committee here to open it up for public comment.

CHAIR PALTIN: Thank you for that presentation. At this time, we will open it up for public testimony, with no objections.

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR PALTIN: And our first testifier on the list is Mr. Mike Moran. So let me read my little testimony spiel. Testifiers wanting to provide video testimony should join the online meeting via the BlueJeans meeting link on today's agenda. Testifiers wanting to provide audio testimony should call 1-408-915-6290 and enter meeting code 149341846 as listed on the agenda. If there are any issues, Staff will chat with alternate phone numbers you can...I can announce. Written testimony is also encouraged, and can be sent at any time using eComment at mauicounty.us/agendas. Oral testimony is limited to three minutes. If you are still testifying beyond that time, I will kindly ask you to complete your testimony. When your name is called, please unmute yourself by clicking the microphone icon, or if calling by phone, press Star 4 to unmute yourself. Please state your name. Please also state if you are testifying on behalf of an organization or are a paid lobbyist. Staff is adding names of those who

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have joined the meeting to the testifiers list. The link to the list will be posted in the chat. Please be mindful that chat should only be used to indicate whether or not you would like to testify, and should not be used to provide testimony or engage in conversation. Please also be courteous to others by muting your microphone while waiting your turn to testify, as well as your video. Once you are done testifying, or if you do not wish to testify, please disconnect from the meeting, and continue to view the proceedings on *Akakū* Channel 53, Facebook Live, or mauicounty.us. Only Councilmembers, Staff, and designated resources will be connected to the online meeting once the testimony concludes, all others will be disconnected from BlueJeans. And if you're on BlueJeans right now and you didn't ask to be signed up for testimony, we put you on the list because that's the way the program works. Okay. Mr. Moran, sorry, I know you know how it works. But I just was reading that for our general audience. So we're ready for your three minutes now, and Staff will be making the timer.

. . . BEGIN PUBLIC TESTIMONY . . .

MR. MORAN: Aloha, Chair Paltin. Yes, I know how it goes. I've heard that before, but you have to do what you have to do. Thank you very much for the opportunity to testify. My name is Mike Moran. I am testifying for the Kihei Community Association. And with apologies to the Committee and to the Matrix Team, we were unable to read the entire document. We did scan it as best we could, and did look at the highlights. We hesitated to testify, but when we saw some of the highlights, we felt it was imperative to testify because some of the items in there...we were astounded that they were in there. We'll also say that as far as we can tell, we were never contacted by Matrix for their input. And I understand that everybody can't be contacted, and if we were and didn't respond, we apologize for that. But we feel that as a 61-year-old community association in South Maui, that we certainly should have been contacted. And if we were, we apologize, we were unaware of that. So with all those disclaimers, I'll start with we're astounded about eliminating the CPAC. We feel this is outrageous. This is a Community Plan. If we eliminate the community, let's not even call it a Community Plan anymore. This is the community's opportunity to give input. And yes, there is the outreach, we're going through the outreach now, and we also trust...being we're in midstream, if this is accepted, this will not apply to our process, and we certainly hope it will not if that's what's going to happen. Again, just picking out a few things; when we heard that Maui is the only one, with the implication that that's a negative thing. We think Maui is the only one in many ways, and we're very proud of that. We're very proud that Maui leads the way very often. We see that with some of the environmental bills. Maui was the first one, but we sure weren't the last one. So we think that's a great thing that we're doing it, and maybe others will jump on the bandwagon and participating in that. We see...we all agree about expediting the plan. Our community certainly wants it back to 10 years, not 22 years, and we expect that maybe streamlining...as it is, we do see more than one plan happening at one time. That's already been put in by you folks. Another action that was taken that we didn't see...now maybe it's in the whole plan...was that our understanding is you guys provided money to hire an outside commercial firm . . .(timer sounds). . . to help the

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Planning Department to move along. So yeah, my time is up, but with the allowance that we're...want to hear more, and you guys are way more aware of this than we are. But we hope your reaction is the same as ours, like what? Thank you for the opportunity to testify. Aloha.

CHAIR PALTIN: Thank you so much, Mr. Moran, for your testimony. We really appreciate your continued engagement in this process. Members, any questions for the testifier? I see Committee Vice-Chair King has a question for you, Mr. Moran, if you'd stay on the line just a bit longer.

MR. MORAN: Thank you.

VICE-CHAIR KING: Thank you, Chair Paltin. Aloha, Mike, good to see you. Thanks for testifying and yeah, that was a shocker to me too, to see the potential elimination of the CPAC. But if we...one of the things that we're lacking in our community that Moloka'i and Lāna'i have is all the Members of their Planning Commissions are from their community. So, you know, we don't have, and sometimes that there have been times when no one from Kihei has been on the Planning Commission. So if we did have individual Planning Commissions for each community, each district community, or district region, then would this...something like this be more acceptable? You know, if everybody on...if we had, say, a South Maui Planning Commission, and everybody was from the South Maui area, then would it be more acceptable to use the Planning Commission?

MR. MORAN: I certainly think it would, Councilmember King, and I think the step that the Council is taking as a maybe leading up to everybody having their own Commission are these advisory committees, which is a step in that direction. And yes, we're distressed with the Planning Commission. We have taken the step of going to the Charter Commission and asking them to look at that item. I don't have that number in front of me, but we testified to the Charter Commission to look at changing the way that Commission is appointed. And because...and it's not only the geographical. I mean, I think at every region, you can pick one person that may not agree with the rest of the community, and say okay, well, here's your selected representative. But that's not necessarily speaking for the community. And it...I think they're doing the same thing...this plan is doing the same thing to the Council, eliminating this Committee and say well, you can all do it in the full Council. How many times have I heard in Council meetings, we don't want to do Committee meeting in Council? Well, that's what...I think that's what they're advocating. So thank you for letting me squeeze in an extra...an answer to your question, Councilmember.

VICE-CHAIR KING: And actually you answered my second question because yeah, I do think that...well, you know, the good thing about the PSLU Committee is that all the Councilmembers are on it. So, you know, we all...we are all...you know, it's the same, it's doing Committee work with all the Councilmembers. All right. Thank you so much for participating and also for running KCA, continuing to head up KCA. I didn't realize that they were 61 years old. But I guess they were born when I was.

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MR. MORAN: I have not been with them the entire 61 years, although I could be. I have enough years in. Thank you.

VICE-CHAIR KING: Okay. Thank you.

CHAIR PALTIN: Member King. I see Member Kama has a question. And I just wanted to make a courtesy announcement that our 9:30 meeting will begin after this meeting concludes. I just didn't want any...we can always start the meeting later, we can't start it earlier, and I just didn't want to waste any time. So when...we won't be rushing this through. When it's done, we'll start the next meeting. Go ahead, Member Kama.

COUNCILMEMBER KAMA: Thank you, Chair. Thank you, Mike, for being here again. And I just want to say...ask you...you know, I know you always read most of the things that pass by your eyes, and I know you probably didn't have time to read the 151 pages. But for what you did read, did it seem to you that this would be helpful to our community planning process, or do you think it would be a detriment?

MR. MORAN: Again, with limited...the part that I read, which were the highlights, I think that's a detriment; starting with that first step, eliminating the CPAC. I think that's...that would be a detriment. And as I said...and toward the end, about taking away Committee time. So when the Council is doing everything else that you're trying to do...okay, now let's jam this on Council, I thought that was negative. And, I mean, we're trying to expedite, but I...and I think we are expediting it. But from the parts I saw, Councilmember Kama, I saw it negative. And again, in fairness, I certainly did not...we certainly did not read the entire document.

COUNCILMEMBER KAMA: Thank you.

MR. MORAN: Thank you for that --

COUNCILMEMBER KAMA: Thank you, Chair.

MR. MORAN: -- that opportunity.

CHAIR PALTIN: Thank you, Member Kama. Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Mr. Moran. Mahalo for your testimony this morning. I just wanted to clarify what I heard you say earlier, that the Kihei Community Association was not contacted for consultation.

MR. MORAN: Correct. As I said, we went back and checked. When we saw that, the reach out...honestly, I never...we had never heard the name Matrix until, you know, this agenda came out. So then we scanned back and looked...anybody remember ever being contacted. We usually try and respond to everyone that contact us and say sorry, we're overwhelmed. We can't find any record of...that they did contact us. And

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if...as I said, in fairness, if they come back and say yes, we did, here's the email; well, then shame on us, we missed it. But we have no record of it.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Mr. Moran. That would be very disappointing because when I interviewed with them, I did recommend that they speak with all the community associations. Mahalo for your response. Mahalo, Chair.

VICE-CHAIR KING: Chair, you're muted.

CHAIR PALTIN: Thank you, Member Rawlins-Fernandez. Any further questions for the testifier? Seeing none, thank you so much for your testimony today. Next up --

MR. MORAN: A hui hou.

CHAIR PALTIN: A hui hou. We have Dick Mayer, followed by the caller with the last four digits 2205. Mr. Mayer, we're ready for your three-minute testimony if you're ready to provide it. Mr. Mayer. Oh, I don't see him on the call. Okay. We'll circle back around to Mr. Mayer. Testifier with the last four digits 2205, I've unmuted you from our end, and we're prepared to hear your testimony if you can just let us know --

MR. COOK: Aloha, Council Chair.

CHAIR PALTIN: -- your first and last name.

MR. COOK: Okay. Aloha, Council Chair, Councilmembers. This is Tom Cook on my phone. I'm at the concrete plant. I'm testifying as an individual. As a past member of the GPAC, I'm very supportive of community input and recognizing how special our community is, and unique...each individual...the uniqueness of each individual country, town, and community. I also...I'm supportive of this proposal. I feel that our island home is small enough, and our communications and ability to get together, it would be...is practical for everybody to still maintain representation and engagement. During the GPAC, one of the challenges was the Sunshine Law, and it sort of drug it out three and a half years instead of 18 months. Since that Community Plan, we've had the sugar plantation close, we've had global warming, we've had financial crisis. So there's...it's positive and beneficial for a community to abbreviate the community planning process so that we have a reference tool that we can all work with, and it not just be drugging...dragging out and burning resources from the County people. Also, we have generational challenges. If over a ten-year period with the...with people...locals moving to the mainland and mainland people moving to Maui, the demographics have changed dramatically. And so quite often I, just as a local resident, will hear people going well, I didn't know that, I didn't agree to that. I was like well, we talked about it like until we were sick about it, you know, and sorry you didn't hear about it, but it was discussed at length community-wide. I'm supportive of this. I agree with Mike. I agree with everybody that we need to maintain community input, and not abbreviate it to such a point that people don't feel heard and don't have ownership of the plan. Thank you for the opportunity to give testimony. Thank you for your work, Council.

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CHAIR PALTIN: Thank you, Mr. Cook, for your testimony. Members, any questions for the testifier? Committee Vice-Chair Member King.

VICE-CHAIR KING: Thank you, Chair. Aloha, Tom.

MR. COOK: Aloha, Kelly.

VICE-CHAIR KING: We can't...are you listening on your phone? Thanks for being here. Thanks for your testimony. I just wanted to clarify what you were supporting because the Plan does abbreviate community input. But then you were saying you agreed with Mike Moran that community input is important. So...but you know, so if you can...it's hard to be supportive . . .*(inaudible)* . . .

MR. COOK: Thank you. No, I think...thank you for asking that, Councilmember. When I say I'm supportive, whatever...I think that the community needs to be heard. But I don't think by eliminating the...and following this recommendation that the community loses its voice. So I'm supportive of this proposal. And when I said I agree with Mike and other people as...we need, as a community, to know that we are all part of it. And no matter what district or what area we live in, it's not only our opportunity, but our responsibility to participate in the process. Does that make sense?

VICE-CHAIR KING: Well, I just wanted to...so you are supportive of having the Planning Commission review it, and not having a community CPAC or Community Plan Advisory Committee? That's what's in the recommendations.

MR. COOK: Yeah, but --

VICE-CHAIR KING: That it would go to the Planning Commission and it would bypass the Community Plan Advisory Committee.

MR. COOK: I am operating under the belief that there would be a lot of communication in the community. And so when the Planning Commission is reviewing it, that the public has...and the community, you know, associations have discussed it, their representatives are going to go to the Planning Department, everybody's still participating in it. It's just not being the way it is now, which is just too much influx. So I am supportive of eliminating the Community Association...the Community Plan aspect of it, but I'm expecting the community to be involved.

VICE-CHAIR KING: Okay. All right. Thank you for your testimony.

CHAIR PALTIN: Thank you, Member --

MR. COOK: Thank you for the question.

CHAIR PALTIN: -- King. Members, any further questions for the testifier? Seeing none, thank you so much for your testimony today, Mr. Cook.

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MR. COOK: Aloha. Have a good day. Bye.

CHAIR PALTIN: Aloha. You too. Next up we have Mr. Albert Perez, to be followed by the testifier with the last four digits 5470. Mr. Perez, we're ready for your three minutes.

MR. PEREZ: Good morning. Aloha, Chair Paltin and Members of the Committee. Albert Perez, Maui Tomorrow Foundation testifying on PSLU-6. I have to say, I was quite surprised to see this report from Matrix Consulting Group. It doesn't reflect my experience with the Community Plan update process at all, nor does it reflect the interview that I had with the consultant, who said that they were hearing similar things from other people interviewed. The three Community Plan updates I've been involved with include Lāna'i, Moloka'i, and West Maui. West Maui has gone quite smoothly, especially considering that there's an ongoing pandemic. In the cases of Lāna'i and Moloka'i, the CPAC and the Planning Commission phases also went smoothly. The delay in both cases occurred when the Council at the time--not this Council--but the Council discussed major changes that the CPAC and/or the Planning Commission did not support. As a result, a huge outcry caused the Council to send the Community Plan updates back to the community, and this is what caused the delays. The recommendations of the Matrix report do not reflect this reality. To say that the Planning Commission's version should be adopted if the Council doesn't act in time exhibits a clear lack of understanding of who represents this community. I also need to point out that the Community Plan update process depicted on page 2 of the report does not reflect the requirements of Maui County Code 2.80B.090 decennial revisions to the Community Plans. For Subsection C of that Code, the Planning Commission shall transmit the Community Plan Advisory Committee's recommended revisions and the Planning Commission's findings and recommendation to the Council. There is not supposed to be a third draft prepared by the Planning Commission/Planning Department, as depicted in the figure, even though that is what's happening with the West Maui Community Plan. This may seem like a semantic issue, but it's important in that the sense of the Community is not coming through to the Council under current practice. What the Council is currently getting is a filtered version that is the Planning Commission's take on what they think of the community's version. It's also important to acknowledge that this is the first time the Community Plans on Maui island are being revised with the Maui Island Plan in place. There are many new things that have to be included in the Community Plans under 2.80B. The next time the Community Plans are revised, the process should go much more quickly, as long as those requirements are not changed. Finally, despite language to the contrary, the recommendations of this consultant lean heavily toward reducing the role of the community, and eliminating the CPAC from the process. This would require a Charter change, and it's exactly the opposite of where we need to go. Mahalo.

CHAIR PALTIN: Thank you, Mr. Perez, for your testimony. Members, any questions for the testifier? Seeing none, thank you so much for your testimony today. I've been informed that Mr. Mayer has rejoined the call. So we'll take him up after the testifier with the last four digits 5470. So testifier with the last four digits 5470, you have

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been unmuted. We're ready to start your three-minute testimony. If you'd please state your first and last name for the record, we'd appreciate it.

MS. NISHIYAMA: Aloha, good morning. My name is Patricia Nishiyama, a/k/a Aunty Patty Nishiyama, Na Kūpuna O Maui. I'm here to testify that we're not very happy of what's going on, that we have a Plan for Kā'anapali 2020, and Kai Nishiki is trying to kill that plan. Kūpuna is not very happy. They told me to tell Kai to get lost. I'm sorry but, you know, we worked very hard for our Plan with Kā'anapali 2020. I've been with them say for 25 years now, trying to work things out. First kūpuna had a Plan to have affordable housing for kūpuna, and affordable housing for kānaka maoli, and also asking them to give us land so we can take our children, 150 children, to the land, to the 'āina, to make...teach them in farming, and to claim their identity as cultural practitioners of agriculture. And we need the children because it's our future, and it's our heritage. They will help keep the culture together, and they will help get more children Hawaiian. But anyway, we're not very happy with Kai Nishiki's plan. She wants to kill us, kill Kā'anapali 2020 Plan, which kūpuna, Na Kūpuna O Maui, is not very happy. And of course, we are Bumpy Kanahēle's kūpuna. Anyway, the land we're going to get for the children, we're going to call it Pu'uhonua o Kā'anapali. So we are working...I am working...we kūpuna are working very hard with Kā'anapali 2020, and they're there to ho'oponopono with us, and reconciliation the land and try to make things better for kānaka maoli. Okay. Thank you.

CHAIR PALTIN: Thank you, Aunty Patty. Members, any questions for the testifier? Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I think this is a question for you. I'm not sure if the testimony was relevant to the agenda item that we're currently taking up. It didn't really sound like it specifically talked about expediting Community Plan process. So I guess I just wanted to share that in case others may have this agenda item confused with the next agenda item.

CHAIR PALTIN: Okay. Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR PALTIN: Any more questions for the testifier? Seeing none. Thank you, Aunty Patty.

MS. NISHIYAMA: Mahalo, God bless you. Mālama pono. Have a blessed day.

CHAIR PALTIN: Thank you.

MS. NISHIYAMA: A hui hou. Mahalo.

CHAIR PALTIN: Mahalo. Next up we have Mr. Dick Mayer, to be followed by Mr. Peter Martin.

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MR. MAYER: Good morning, Councilmembers. I'm sure you're tired of seeing me, but I've got some input on this particular item. I think this is one of the worst sets of recommendations that you'll ever get. What it's basically doing is taking the community out of Community Plans. I'm just going to read their recommendations. They have 13 major recommendations. Their second recommendation says, reduce the community engagement phase of the Community Plan process. Recommendation Number 3, eliminate the CPAC phase of the Community Plan process. Number 4...Number 4, the CPAC phase for Lāna'i and Moloka'i should be eliminated. Number 7, eliminate the Planning and Sustainable Land Use Committee involvement in the process. In other words, they're really stripping out community, and they're substituting in the Planning Department and the Planning Commission, and giving them much more prominence in developing what should be a plan originating in the communities themselves. And it should be the community that advocates, so that as it comes eventually to the Council, it'll be the community that will be able to say, this is what we support and what we don't support. Also, you'll see no mention of differentiation of the two major components of these Community Plans: maps and policy. They totally ignore the whole idea of mapping, which is a very important part. And as you well know, when eventually the plans are implemented, it's the maps that are very often the major item that gets looked at. And they have made no provision to the detailed work that's needed to put together the maps in the plan. Also, by relying on the Planning Commission as they recommend, that would mean it would be even more difficult for the community to get involved because the Planning Commission only meets during the daytime. They make no statement in there that if the Planning Commission were involved, all of their reviews of the Community Plan should take place in the evening time. And I could go on and on. They also get rid of the implementation requirements. They want to take that out. One of the major faults of our present system is that the plans are adopted, everybody says we've got wonderful Community Plans, but then there's no strong element to implement it. The Planning Department has an Implementation Division, which does not implement the plans. You can call up the people in the Planning Department and ask them, what Plan did you implement, what Maui Island Plan, what Community Plan did you implement, and they will have no answer for you. In other words, this plan is rife with false things, plus the one that Mr. Perez mentioned, the sequence. The sequence should be the Planning Department derives the draft, the Community Plan Advisory Committee makes its comments, then the Planning Commission makes its own comments--not takes the Community Plan from the Advisory Committee--and updates it, provides a new draft. All of those three . . . *(timer sounds)*. . . the original Departments, the Planning...the Community Plan, and Planning all go to the Council separately and to be reviewed...not as this is recommending, that it's only the Planning...the Planning Commission's version that comes to you. That's not what you want. That does not represent that community. In fact, there may be nobody in the Community Plan, nobody on the Planning Commission who even comes from that particular community. So I urge you, look at this with great scrutiny.

CHAIR PALTIN: Thank you, Mr. Mayer. I see we have a question from Member Sinenci, followed by Member King.

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COUNCILMEMBER SINENCI: Mahalo, Chair. And Mahalo, Mr. Mayer, for your testimony this morning. I did receive your written statements. So it looks like, at the bottom of the testimony you sent in, there was a difference of 22 months. So you wouldn't be agreeable to cutting down the process by 22 months?

MR. MAYER: If anything, I would eliminate the Planning Commission. They do not represent that community. In other words, if you're going to...and that should've been the first priority was, let's let the CPAC develop the comments on and recommendations on the Department's draft, and then send that to the Council. That would eliminate immediately six months of the timeline. And how then you compress the other part and give the CPAC and the Department deadlines in how long they work, that's something you would have to work out in shortening thing. Obviously, a major problem has been that by going to the Council...in fact, my experience has been that it's very often not at the CPAC or the Planning Commission stage where time was taken up; but rarely, if ever, has the County Council...it's first at the Committee, then at full Council...ever taken less than a year to review these documents. And I ask you all to examine...would we be willing, for example, to meet every day for a week and finish up so that you get your public testimony, and then you meet intensely, right. By opening it up continually for public testimony, it's taken over a year to go through it. And especially when you have a three-hour morning or a three-hour afternoon meeting, you start all over each time. So examine how the Council works. Thank you.

COUNCILMEMBER SINENCI: Thank you, Mr. Mayer. Thank you, Chair.

CHAIR PALTIN: Thank you, Mr. Mayer. And just to let you know, that was suggested by Member Rawlins-Fernandez. And so we will be trying to do that...not this week, but about two weeks from now. Go ahead, Member King.

VICE-CHAIR KING: Thank you, Chair. Aloha, Dick. No, we don't ever get tired of seeing you, so don't worry about that. But, you know, create your input and, you know, you help us out a lot with all the research you do as well. I'm going to ask you the same question I asked Mike Moran. If we had Community Planning Commissions, you know, going beyond the Advisory Committee and having a Planning Commission in each of the district that...you know, the same districts that the Councilmembers have, then do you think that would be advisable...I mean, that could serve as the CPAC?

MR. MAYER: I think that would be the basis for a CPAC. In other words, if you had a seven or nine-member...just let's say your district, South Maui, and then you supplement it, you look at that Committee and says, is there any component of our Committee, a businessman, a union person, a hotel, whatever it might be, that we should supplement the Advisory Committee from that district? So you bring it up to, let's say, the 13 that are on a CPAC, then I think it would be a very workable thing. It would also make the Advisory Committee thereafter knowledgeable of what was in the Plan. And they would then be able to implement it as they review changes over the decade thereafter. So I do think they could form the basis if you had a Planning Commission in each of the six Maui island districts.

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VICE-CHAIR KING: Okay. Great. Thank you.

CHAIR PALTIN: Thank you, Mr. Mayer. Any further questions for the testifier? I had one question, Mr. Mayer.

MR. MAYER: Yes.

CHAIR PALTIN: You know, when you had just answered Member King's question, and you said like a seven or nine-member Committee, would you be in favor...I think the CPAC is 13 members. And to ensure that all 13 members participate, would you be in favor of possibly lowering the CPAC makeup from 13 down to say, 9, or 7, or 11, or some smaller number so that there's not so much time taken on ensuring that all 13 members have an opportunity to speak or...

MR. MAYER: I've worked with this GPAC for the whole Maui Island Plan. We had 25 members, and that was...and, you know, on the one hand, it could be considered a difficulty. Actually, we worked very smoothly together. And one benefit that this recommendation does not even look at is the fact that you take votes. What do you want to do with this policy or that, or this map area or that map area? By having a group of...I would not go below 11. I think 11 might be a very good Community Plan thing. I don't think...if I went down to seven to nine, I'm not sure how representative that would be of all of the elements in a community. So probably around 11 or 13. I don't think it's too large. I think the group works very well if you have a good Chair running the meeting.

CHAIR PALTIN: Okay. Thank you so much, Mr. Mayer, for your testimony. Seeing no further questions, maybe we'll see you on the next agenda.

MR. MAYER: I'll try to spare you.

CHAIR PALTIN: And just a reminder, folks, this first PSLU meeting is running long. So we're still on PSLU-6, and we'll start the PSLU-1 Community Plan meeting once this meeting concludes. Next up we have Peter Martin on Expediting the Community Plan, and he will be followed by Junya Nakoa. Mr. Martin, if you *(audio interference)*

MR. MARTIN: Can you hear me?

CHAIR PALTIN: Well, you're...there's a lot of feedback. Try again.

MR. MARTIN: Turn my volume, hold on.

CHAIR PALTIN: Now it's good.

MR. MARTIN: Can you hear me?

CHAIR PALTIN: Yes, we can hear you. Can you hear us?

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MR. MARTIN: Yes, I can.

CHAIR PALTIN: Okay. You've got three minutes on the clock. Go ahead.

MR. MARTIN: All right. First, I'd like to say number one, that I'm really happy to see Councilmember Tasha Kama back, I...that's very pleasing for me. Regarding the expediting that Mr. Pennington explained, I...first, I'm very pleased that you're discussing this and educated, and I like hearing the different comments. I think...I think the...my point is I...that I really like the idea of shortening it to one year. You know, Hope Builders...and I've, you know, been around about 50 years now, and actually, I built my first house in Maui Meadows in...I think in the mid-'70s. So been pretty steady at this, along with many other things; but Hope Builders is a locally owned housing and management company, and we're committed to building better lives for Maui residents by building homes. And this process has been very long. And my point is, I want to make it real clear, my point is I think this is very wise to study it. It took...I think it took around three years, as he said. And the idea to shorten it to say nine months or so, with community input, is the way to go. And so we can get it done, and we can get building some houses for our residents who are...who we need. That's all. Thank you.

CHAIR PALTIN: Thank you, Mr. Martin. Members, any questions for the testifier? Seeing none, thank you so much for your testimony today. Next up we have Junya Nakoa, to be followed by John and Crystal Blumer-Buell. Go ahead, Mr. Nakoa, we're ready for your three minutes on expediting the Community Plan process.

MR. NAKOA: Yeah, morning. Yeah, small kine piss off that this consultant, they like kind of eliminate the community, you know what I mean, and then also the Council, you know what I mean. It's the two most biggest thing for Maui especially. We get nine of you buggahs for represent each district, and would be awesome for have one...you know, one community group per nine districts so you guys can really hear what we like talk about in our district and all that stuff. The Planning...and then giving the power to the Planning Commission. I sorry, I respect all of them, but I watch couple Planning Commission meetings this past year, and the long ones, the kind that last all day, I stay on them. And when the Planning Commission, they say...

CHAIR PALTIN: Uh, oh. Uh, oh, we dropped him. Oh, there he is.

MR. NAKOA: Yeah. Sorry, I had a phone call, phone call.

CHAIR PALTIN: Oh, oh. Okay. Proceed.

MR. NAKOA: Okay. And then so the Planning Commission, couple of dem was saying they following to what the Planning Department because they professional, they supposed to know what they doing. I sorry, get plenty...I told you guys how many times, this project over here in Nāpili, they wen screw up, the Planning Department. They wen screw up. And again, that project never have community input. So again, no get rid of us community buggahs. Whoo, boy, more we not going trust you buggahs. And

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yeah, no get rid of da CPAC. You know, that's like kind of our voice. We here to talk story. And plus the Planning Commissioners, I cannot call them up, I cannot email them. You, you guys...whoa, poor thing, you guys, you guys get...you get my phone calls, you guys get...yeah, I no do too much emails but, you know, you guys I can get, I can call you guys. But the Planning Commissioners, I cannot. So no eliminate the process, brah, you know what I mean? That's what wen make me piss off. And yeah, that's all I pretty much get is no leave us out 'cause Lāhainā going get nuts you guys leave us out. Shoots.

CHAIR PALTIN: Thank you so much for your testimony, Mr. Nakoa. Members, any questions for the testifier? Seeing none, thank you. Maybe we see you on the next agenda.

MR. NAKOA: Guarantee.

CHAIR PALTIN: Next up we have John and Crystal Blumer-Buell, to be followed by Faith Chase. Mr. Blumer-Buell, we're ready for your testimony at this time. Let's see if I might need to unmute --

MR. BLUMER-BUELL: Can you hear me, Chair Paltin? Can you hear me?

CHAIR PALTIN: Yes, proceed.

MR. BLUMER-BUELL: Okay. Because I'm happy just to be heard, not to be seen. Look, a little background. I was contacted by Matrix last September. I called them, they never called me back. I emailed them, they never emailed me back. So, you know, this...I just want to know, how much more money did we waste on this report? I mean, let's give it to the Maui Food Bank for God's sakes, you know. And just first of all, I did read...go over it, and it's just so outrageous. I couldn't agree more, you have to just throw this report out. The Planning Commission doesn't...it should be eliminated in this, it never represented Hāna, never. I've been trying to get a Hāna Planning Commission for 15 years, at least. If we had a Hāna Planning Commission, then we can make it work. But the problem is really the Planning Department...waste, fraud, and abuse in the Planning Department. We need to have strict enforcement of...of County Code 2.80B, and in Maui Island 2030 Plan, and the Community Plans, which they're all part of it. If you have that, we'd be okay. But you don't do a...Dick Mayer made a good point. We have an implementation process that's never been done. We've...I can tell you, we have wasted--I haven't--we have wasted \$5 to \$10 million in Hāna to do all the wrong things already, no kidding. And you can call me or question me on them. We have a Water Use and Development Plan that was in the 1994 Hāna Community Plan. It's never been done. It's not in the...in the Water Use and Development Plan. So one thing after another. And I'm sorry to complain, but this is so broken. And I...honestly, I think the way to start would be to have...have a community group, maybe have Chair [sic] Shane Sinenci lead the group. Look, I think we could get together over a weekend or a couple days. I'll tell you, I could rewrite the Community Plan in a week. It doesn't need to be reinvented. Everybody can tell you what has worked, what hasn't worked, and all that. We don't need to go through all

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this . . . *(timer sounds)*. . . to redo it. So sorry to complain, but I thank you, Dick Mayer and Al Perez, for your insight, and Mike Moran and Tom Cook too. I heard...I don't agree with Tom, but we did work well together on the GPAC. So anyway --

CHAIR PALTIN: Thank you so much --

MR. BLUMER-BUELL: -- mahalo.

CHAIR PALTIN: -- Mr. Blumer-Buell. And I really appreciate you volunteering Member Sinenci. I think he's a great guy for the job. Members, any questions for Mr. Blumer-Buell? Seeing none, thank you so much for your testimony today. Next up we have Faith Chase, to be followed by --

MR. BLUMER-BUELL: You're welcome. Thank you.

CHAIR PALTIN: -- Kai Nishiki. Thank you. Ms. Chase, we're ready for your three-minute testimony.

MS. CHASE: Aloha, Chair Paltin. Aloha, Council...Committee Members. I don't like this report. I echo the respected Mr. Mayer and Mr. Perez and Mr. John Blumer-Buell. I don't understand how somebody from...where are they from, California? They have offices in Boston, Dallas, St. Louis...I don't understand how somebody from so far away could possibly hone in and know what we need. I don't like anything about expediting. I'm...there's parts of this that my...the respected community members spoke on that I'm not...they no more than I, they've been in the game a lot longer or, you know, they've been in the community concerns a lot longer. But I know if we had a Hāna Community Planning sort of base, if we did more home rule, if we...we wouldn't be in this nasty space of corporate control of our resources. I mean, everybody saw the *Maui News* yesterday. We would've been able to tell DLNR that we...that, you know, Sierra Club deserves a contested case. We would've had a voice, you know, we wouldn't have drug this out as long as we have. And yeah, I kind of echo Junya Nakoa's testimony in not being really very proud of the past practices of Department...Planning Department work, you know. Forgive me, there's some people I do like in there, I've had to have head...you know, I've talked to them personally, you know. So it gets in a...it gets into the sort of defensive space, but collectively, there's been too many errors and too many questions. And so yeah, I don't know who Matrix is, but take your time, do it right. And Hāna needs representation on a smaller scale. So that's all I have to offer today. And I don't know, nobody called me, I would love to have been called. I would've loved to give my opinion. Thank you. A hui hou.

CHAIR PALTIN: Thank you, Ms. Chase. Members, any questions for the testifier at this time? Seeing none, thank you so much for your testimony. Next up we have Kai Nishiki, to be followed by Howard, I'm assuming that's Hanzawa, and then Wello, I'm assuming that's Ms. Consuelo Apolo-Gonsalves. But Ms. Nishiki, we're ready for your three minutes.

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MS. NISHIKI: Hi, good morning. So I haven't had a chance to review all the 150 pages, but I am quite disappointed if the presentation that they gave was the highlights because that's pretty disturbing. We better look into this very carefully if those are the highlights. It also made me a bit curious about like who are these consultants, and what connection do you have to Hawai'i or even our community, West Maui, South Maui, what is your connection? Did you hire local people to do these interviews? It's just very odd. Whose recommendations did you implement? Because I talked to some of the people that you did interview, and these recommendations were not anything that was said by the community. So I am curious if the County has paid the bill, or how much they paid for this plan because the County is supposed to represent the people, the community, and I think the County shouldn't pay for this. They should send the bill to the developers because that's obviously whose recommendations they took. So please look at who they interviewed and what recommendations from which of those individuals were implemented in this plan. This should just go straight to the shredder probably, and you can get recommendations on how to shorten the community plan process from experts within our community. This is just hewa, and please do not take these recommendations. Mahalo.

CHAIR PALTIN: Thank you, Ms. Nishiki. Any questions for the testifier at this time? Seeing none, thank you for your testimony. Oh, Member Rawlins-Fernandez, did you have a question? Okay. Go ahead.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I just wanted to clarify. Aloha, Ms. Nishiki, mahalo for your testimony this morning. Were you contacted as the former CPAC West Maui Community Plan Chair for input?

MS. NISHIKI: Yes. Yes, I was contacted by...for an interview and that's why I was even more surprised to hear their recommendations. We know that the Community Plan is really the guide for the future of our various communities and for our children. And so that is why it's so important for the community to have input into what is the direction that we're going to go, what developments are we going to support, what do we want as goals in our community. So to hear these recommendations, which is basically completely opposite of that, is quite surprising and disappointing.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Ms. Nishiki, for your response. Did you see any of your recommendations in the highlights...in the highlights that was presented?

MS. NISHIKI: Well, I did recommend that the Maui Planning Commission be eliminated as part of the review process. I did not hear that in the highlights. But like I said, I haven't reviewed the entire document.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Ms. Nishiki. Mahalo, Chair.

CHAIR PALTIN: Thank you, Member Rawlins-Fernandez. Next up we have Howard. Okay. I'll go ahead and unmute you. Okay. You have been unmuted from our end, Howard, and it's your turn for a three-minute testimony on expediting the community plan

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review process. Oh, it looks like he left the call. It looks like Wello also left the call. All right. So Members...oh, I'll put out a last call for oral testimony. Anybody on the call that has not yet given oral testimony and would like a chance to do so now, it's that time. If you can unmute yourself or message us in the chat if you'd like an opportunity to present oral testimony, now is the time. Okay. Members, seeing there are no more individuals wishing to provide oral testimony, without objection, I will now close oral testimony and receive written testimony into the record. Any objection?

COUNCILMEMBERS VOICED NO OBJECTIONS.

. . . END OF PUBLIC TESTIMONY . . .

CHAIR PALTIN: Okay. And at this time, I know it's not scheduled in our notes, but I wanted to give the Planning Department an opportunity to provide comment to us as well, whether it's Senior Long Range Planner Pam Eaton, or Director Michele McLean, or both. I'd like to hear your comments at this time.

MS. MCLEAN: Thank you, Chair. Thank you for giving us the opportunity to reply. I'll keep it brief since I know you're trying to get to your other meeting. The report was a surprise to us too. And I have to say, I'm really glad you guys contracted it and not us. But we're...you know, we're stuck. You know, we want all this involvement and this date process, but we want it done in ten years. And it's just...something has to give. Either the time needs to be extended, or the process needs to be streamlined. In today's environment, I mean, Chair Lee and I worked together many years ago on some of the Community Plans that are now really, really old. And it was such a different...a different environment then. People...the community is so much more involved now. With social media people can stay informed and be involved. So it's very different than it was back then. I agree, the CPAC's a really...a big deal to communities. The idea of having a community-involved working group, you know, we'd really need to dig into those details to see if that could satisfy the role that the CPAC plays. Based on the testimony today, the answer is a flat-out no, but I think it's interesting to discuss...to have a more collaborative...I mean, in our community engagement, that is obviously collaborative. But then in coming up with that initial draft, I think it's an interesting idea. I'm not saying eliminate the CPACs, but just exploring how the community involvement can still happen, and that community voice can still prevail, but perhaps in a different way. Because right now, CPACs are subject to the Sunshine Law, as is the Planning Commission, and that's fantastic, that allows the public input, but it also makes the process take longer, quite simply. I mean, you folks see that all the time with your meetings. Shortening the Planning Commission time, I think, is workable; but again, testimony is really what drives the length of some of those meetings. So it's, you know, having realistic expectations about the framework we're in today and realistically what that time, what...how that drives the timeline. And, you know, we're not satisfied with it either, you know. We get hit for them taking so long. But what's expected, it's hard to do that and get all of the plans, and now the Maui Island Plan and the Countywide Policy Plan, done in ten years. I mean, unless we like quadruple our Staff, which I don't think anybody thinks is a

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good idea. So just some preliminary comments, you know, the Planning Department...and sometimes hard to listen to some of this testimony where we're a really convenient punching bag for people's dissatisfaction with things. By and large, we administer the Code as it's written, and a lot of changes need to be made to that Code. I don't disagree with that. Planning Commissioners are confirmed by the Council, I've been pushing for a while to have regional representation on the Planning Commission. So there are changes we can make in the law to make it work better for people. Until those changes are made, we just have to do with...work with what we have. So I think this is a really good discussion, and it points out the things we like, and the things we don't like. And, you know, we are enthusiastic to work with you and with the community on fixing the things that we can fix to make it better. Thank you, Chair.

CHAIR PALTIN: Thank you, Director. And did you want Ms. Eaton to make comment, or no?

MS. MCLEAN: I'll leave that up to Pam if she has anything she wants to add.

CHAIR PALTIN: Okay.

MS. EATON: I'll make mine quick. Michele hit all the points. The only thing I'm going to dive in on is staffing and resources, and it's like, get real, folks. You know, we can only do what we can do. But I want to show great appreciation to the Council because you guys have funded us with...partially, by the way, which is appreciated with the professional services. And the first time is with the South Maui Community Plan, and that has been a huge, huge help. So the only thing I'm going to touch on is to get real with staffing and resources and what we can do. And then the thing to think about is, so what's the starting point? Do we splurge out and do five plans at once, and that all hits the Planning Commission or the County Council or...so you get...I mean, at some point, there's a choke point. And so...but no, I really appreciate the testifiers. I appreciate your comments. We had minimal contact with Matrix. And for me personally, that was very disappointing. But at any rate, thank you guys so much. This has been a great discussion.

CHAIR PALTIN: Thank you, Ms. Eaton. It looks as though we have a few questions for you. Member Sinenci, followed by Member Johnson, and Member King. If I can just ask one clarifying question before Member Sinenci to Ms. Eaton or Director McLean. And I just wanted to clarify on the recommendation of the citizen engagement group, would you consider that being...like the West Maui Alaka'i Group would fit that description?

MS. MCLEAN: In my understanding--and I certainly would want Pam to respond as well, yeah, I don't think it would go that far. I mean, it's...conceptually it could be a starting point, but I don't think the involvement of the Alaka'i Group went nearly as far as what the proposal suggests.

CHAIR PALTIN: Ms. Eaton?

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MS. EATON: Yeah, I'd say the Alaka'i...so the Alaka'i we have because--I mean, obviously the first time we tried this was with West Maui--was to try to work with various leadership and community representatives and stakeholders as soon as we could in the process without stepping on the layers of the Sunshine Law, you know. And so we were trying to dive deep, get involved, and really get some insight. They really helped us with giving us advice on how to handle something in the process, how not to handle it. They steered us...and too, you know, community trust obviously was a big issue in West Maui, and they were a huge help with that. And I'm sure Kelly can say because she's sitting on the Alaka'i now for South Maui, it's been a huge help. So the Alaka'i was really kind of...we were trying to get a group of people to be involved and stay engaged from point one all the way through the process. And many folks on the Alaka'i in West Maui served on CPAC, which was useful in the sense that they have that whole context. And I'm hoping that'll happen with South Maui too. So like Michele said, the Alaka'i is not quite the Citizen Advisory Group, but I think it's an awfully good start. And we had all kinds of challenges in terms of dealing with Sunshine Law, wanting to get people together and all of that, and make it as organic and as frequent and grassrooty [sic] as possible, but we're trying to handle and deal with the Sunshine Law. So anyway, I hope that answers your question.

CHAIR PALTIN: Yes, it does. Thank you. Okay. Member Sinenci, it's your question.

COUNCILMEMBER SINENCI: Aloha, Chair. And...

CHAIR PALTIN: And we're just putting in a two-minute clock on that.

COUNCILMEMBER SINENCI: Okay. Thank you, Chair. And mahalo, Ms. Eaton. Yeah. So I think for East Maui, we are number nine in the order. So we're not waiting to, I mean, we're roaring to go, but we got to wait another ten years at the least. So...I mean, so when we're...I'm looking at some of these timelines, and it says at the beginning pre-planning two months, and pre-planning can...you know, our...potentially our Advisory Committees, our East Maui Advisory Committee begin some of that process where...you know, or even address some of the things that Mr. Blumer-Buell had mentioned about our Water...long time...Long Term Water Strategic Planning?

MS. EATON: Well, first of all, with regard to the Water Strategic Planning, keep in mind that the Water Use Development Plan points out and, you know, that is kind of the water side of --

COUNCILMEMBER SINENCI: Yeah, I was talking about --

MS. EATON: -- so we're...sorry?

COUNCILMEMBER SINENCI: -- I was just talking about what's currently listed in our current plan. I believe he was addressing what's already listed in the East Maui current Community Plan. So could we...while we're waiting for our turn to come up, could our Advisory Committees like start...kind of start chiming in in the pre-planning phases? Is that something that --

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MS. EATON: So if you...so with regard to pre-planning, are you suggesting perhaps that your Advisory Committees...because what we do is we take a look at the existing plan, which I'm sure is quite dated in Hāna, and we try to update the data. Now if you look at 2.80B and the elements that are to be contained within a Community Plan--and that was another thing that these guys didn't really touch on--and that adds a huge amount of time. Michele indicated that Plans back then were simpler. Well, now you have all of this prescribed content that is being mandated to be in a Community Plan. So my first question would be, can your Advisory Committees take a look at what that prescribed content now is, and come up with all the data and technical resource papers and research to update so that now we're talking Hāna 2021. So that's a lot of our pre-planning . . . *(timer sounds)* . . . is...is just doing the technical aspects and writing these technical resource papers so you do have the best available information. And that's going to be very critical things like infrastructure, the state of the infrastructure, roads, visitors on roads in Hāna and what that's doing to that community.

COUNCILMEMBER SINENCI: Yeah, we are aware.

MS. EATON: You know, looking at those types of issues that you did not have back then when your original plan...or your existing plan was written.

COUNCILMEMBER SINENCI: Yeah. And we're already addressing...or having those conversations now.

MS. EATON: Right.

COUNCILMEMBER SINENCI: Okay. Thank you, Chair.

CHAIR PALTIN: Thank you, Member Sinenci. At this time I wanted to recognize Member Sugimura. I hope she got all her car issues worked out. And I just wanted to let you know, we're still on our first agenda PSLU-6.

COUNCILMEMBER SUGIMURA: Okay. So I got to log in. Thank you. Good morning, everybody. Thank you for allowing me to be...taking care of my car. Thanks a lot.

CHAIR PALTIN: Talofa lava.

COUNCILMEMBER SUGIMURA: Talofa lava.

CHAIR PALTIN: Okay. Member Johnson, you got two minutes, to be followed by Member King.

COUNCILMEMBER JOHNSON: Thank you, Chair. Good morning, Directors. I don't...I'll just be quick. I don't mean to cut you off if you answer my question. So minimal contact with Matrix, did any of your suggestions get put into the recommendations?

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MS. MCLEAN: I'll speak first, then --

MS. EATON: Not quite...sorry. Sorry, Michele. Sorry.

MS. MCLEAN: My discussions were broad, just describing the process and how it works. So I didn't offer particular suggestions when I spoke with them.

CHAIR PALTIN: Ms. Eaton?

MS. EATON: They didn't go the whole way. I mean, I...of course, I mean, everybody else had great suggestions, you know, testifiers and so forth. But so the only thing that I would offer is different is focusing in on staffing and resources. And so they...you know, I don't think one and a half staff people is going to get us to where you all want to go. So no, they didn't really quite take it the whole way.

COUNCILMEMBER JOHNSON: Okay. Well, that's a beautiful segue for my next question. So it's real basic, are you understaffed when it comes to Community Plans?

MS. EATON: Yes. Wickedly so.

COUNCILMEMBER JOHNSON: And then like specifically, what...is it three staff you folks need, is it...I mean, do you have a number, or...

MS. EATON: Well, I mean, no, that's a good question. But I mean, just pointing out the whole process, I mean, for example, typically what we're trying to do, with the assistance of professional services and consulting, is to have at least one lead strong, at least a Planner V--at least a Planner V--leading with two to three staff people under that person. But it...we don't work in silos.

COUNCILMEMBER JOHNSON: And that's per Plan?

MS. EATON: So as some of the testifiers pointed out earlier...like for example, some of us are obviously involved in the West Maui Community Plan update. Us same people are also doing the South Maui Community Plan update, which is at a different phase. And then we'll ultimately in six months be thinking about teeing off for Central Maui. But we can only go so far. So I would say teams of three, but there's overlap. Teams of three to four, but there's --

COUNCILMEMBER JOHNSON: Thanks.

MS. EATON: -- and we have our GIS people too, which we are definitely short on because we've been doing that in-house.

COUNCILMEMBER JOHNSON: Okay. Thank you, Directors. Thank you so much, Chair, for...I have no further questions.

CHAIR PALTIN: Thank you, Member Johnson. Member King.

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VICE-CHAIR KING: Thank you, Chair. And thanks for being here, Michele and Pam. I'm surprised that you didn't have more input, because it almost looks like...I think a lot of people would think that you wrote this, because so much of it's heavily favoring the Planning Department. I...no, I see...I understand. So...and...and I'm glad you agree with most of us, that some of these recommendations are just not workable for our community. But having said that, it could be the good...a good basis for the discussion, you know, to start with an objective look from another community. It doesn't really understand...fully understand our community engagement process, and to take that, the bones of that, and start reworking it. And that is our purview. So I guess my question for you is, would you support us creating a TIG and maybe looking at these recommendations, and bringing the departments...you know, we...we know who to talk to in the community. And I, like Member Rawlins-Fernandez, had given, you know, Matrix some suggestions for who to talk to, and specifically . . .*(inaudible)*. . . and it just sounds like they didn't quite follow up on. But...but I...I am excited that we're having this discussion, because there are things that we can do. My preference, and I...and I was going to ask you, is this going to be a Charter Amendment? My...my preference would be to, if we're going to eliminate one body, we would eliminate the Planning Commission, and focus on the CPAC. Or you know, if we can get to the point where each community has a Planning Commission, which I think may be one of the Charter Amendments that the Charter Commission puts forward, I'm hoping. Then we can...we can use that body as the community body. And like was said earlier, then they would know the Community Plan frontwards and backwards going forward, as they operate as a Planning Commission, for our individual communities. So just...would you be able to support the idea of putting together a TIG to look at these recommendations and rework them from the community standpoint?

MS. MCLEAN: Absolutely. Absolutely.

VICE-CHAIR KING: Okay, because I think we have...I think we've got the discussion going, and I would hate to lose the momentum, just because we don't like some of these recommendations. But I do think it's a kickoff point for us to really dive into it, and...and you know, for instance, instead of . . .*(timer sounds)*. . . the implementation items, maybe we limit it or we heavily prioritize, so that the Planning Department knows, okay, these five things need to be done first. Which, you know, we haven't really...we haven't had that...we haven't done a deep dive into prioritization, you know. So okay, that's most of my comments/questions. Thank you, Chair.

CHAIR PALTIN: Thank you. Members, any further need to clarify, question, or comment with the Planning Department before we move on to Matrix Consulting? Seeing none. At this time, I wanted to give Members two rounds of two to three minutes each if necessary, and this can be for either question-question, question-comment, comment-comment. It's two to three minutes to do as you see fit in discussion with Matrix Consulting. Vice-Chair...Vice...Committee Vice-Chair King, did you want to start off the group?

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VICE-CHAIR KING: Sure. Thank you, Chair. And let's see, who are we talking to? Do we have Matrix on here? Alan?

MR. PENNINGTON: I'm back, yes.

VICE-CHAIR KING: Oh, okay. Great. Well, thanks for being here. Thanks for your presentation. Maybe you could speak to why some of these community members don't feel that they were contacted, and don't feel like when they tried to contact you, that there was a follow up to getting back to them?

MR. PENNINGTON: Sure. I...a pleasure. And...and I would like to start by saying we did not only a basic outreach, we took feedback from everyone we talked with on Council. We had input from Staff regarding members of the prior PCAs and member...prior members of the Planning Commission that we sent out direct email invites to, both to join us at focus groups, as well as to complete a survey. I will tell you that over 50 percent of those did not respond to either attend the focus groups or complete the survey. And we sent multiple efforts out on each of those. We did add, in September, two or three additional focus groups, because when we...after we'd done the first round, in talking with the County, we felt the participation wasn't as great as it should be, and so we did additional outreach. All of those were publicly noticed and posted, and I do know that both you, as well as other Members of the Council, gave us individuals, and we did reach out to everyone whose name was provided to us. I will not say that we talked with everyone, because not everyone did return our calls or our emails. We...that public outreach was really important. Obviously, you heard a portion of what we heard today, in terms of the views on the CPAC. But I will say, there was other feedback regarding...that might contradict some of the testimony today. And we had to balance, as we were listening to that, how to prioritize public engagement. And while the recommendation talks about elimination of the CPAC, I...I would urge everyone to read the report in detail, because we, in no way, talk about limiting public engagement. In fact, we...we strongly encourage you to maintain a very rigorous engagement effort, and we talk about something like 12 meetings during that phase. So...but we are talking about it in a different approach. I don't want to use up all your time, so I'm going to stop talking for a minute.

VICE-CHAIR KING: Well, no, we not...I think that's the biggest concern, is because some...you heard some testifier --

MR. PENNINGTON: I did.

VICE-CHAIR KING: -- a testifier say that he, you know, he called and got no response. So you know, that...that may have been a communication issue, but that's a very real issue in our community, as far as follow up, you know, for community engagement.

MR. PENNINGTON: Yeah, and...and I don't necessarily want to get into individuals in...in a public meeting, but I think we did check that one during the call, and there was a --

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VICE-CHAIR KING: Okay. And were you...let me just ask before my time runs out. So were you...when you made your recommendations, were you conscious of what was in the Charter, and not being able to change what's in the Charter? Because . . .(timer sounds). . . some of those suggestions I was talking about would probably require a Charter Amendment.

MR. PENNINGTON: Yeah, we...we did not limit ourselves to things that would require...that would only fit within current regulations.

VICE-CHAIR KING: Oh, okay.

MR. PENNINGTON: So we...we did keep open all alternatives, yes.

VICE-CHAIR KING: Okay. All right. Thank you. I think my time's up.

MR. PENNINGTON: Sure.

CHAIR PALTIN: Thank you, Member King. Going next to Member Johnson. Do you have any questions or comments for the consulting group?

COUNCILMEMBER JOHNSON: Thank you, Chair. Yes, I just have a quick one. So in regards to CPAC, I'm sure you heard the testifiers, that was a bit of a shock. It's...it's... it shocked me as well, that you would recommend eliminating it. So in your...in your counter, you said there's...like, you recommended a different type of community engagement. What...what are you...can you give the details of that? What do you mean by that? Like, a more --

MR. PENNINGTON: So...so in...in the report...yeah. In the report, we talk about having a citizens working group, a citizens committee. The Department, especially in the last community plan that was done, had a much more rigorous engagement. We talked about having, you know, up to 12 meetings for public input. Some of the challenges we heard about those meetings is compliance with the Sunshine requirements, the ability for the meetings to...to be handled and managed effectively, and...and that there are other alternatives for getting that input. But we tried to be very careful not to imply--and clearly, some people who only had a chance to skim that may...may not have caught the nuance in there--but we, in no way, want to diminish public input. Of everything we heard from the public, they value that input, and...and they value the small community feel. But I think, as you heard the...the Planning Director mention also, we were very cognizant of you have to find a way to balance a desire for a timely community plan update versus inclusiveness of everyone in the community. And we were trying to find ways to balance both of those. And so while we talk about changing the community input, and we talk about changing the staffing, we do give you some alternatives in there. So if you change none of the process, there is a staffing recommendation in there that says you're going to need several more Staff if you keep the current process. Because you could do that. You could throw resources at this, but you're going to be doing three or four plans at a time, you're going to need another five to eight Staff, and you --

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COUNCILMEMBER JOHNSON: So you're saying more planners, right? You're --

MR. PENNINGTON: Yeah.

COUNCILMEMBER JOHNSON: Okay. So I...I think...I'm just trying to get to the idea of how do you...instead of CPAC, what is your recommendation? And you're saying, various types of community engagement. I'm not...I'm not clear on that. What is that various types, and what...where are you going at?

UNIDENTIFIED SPEAKER: I can...I could . . . *(inaudible)* . . .

MR. PENNINGTON: So we...we still talk about a...a citizen committee, but it's not a...a formal CPAC. So --

COUNCILMEMBER JOHNSON: A citizens committee that doesn't follow Sunshine Laws? Is that...is that what you're saying?

MR. PENNINGTON: No, no. I'm...no. No, not...but there's a difference in terms of how those committees are set up, in terms of whether they're decision-making, whether they're...who's running the meetings, and...and we're put...we...we did recommend in this case, that the Planning Department have a greater role in that public engagement piece, and coordination of those meetings. Not to...not to guide it, but to facilitate that public engagement phase. Because --

COUNCILMEMBER JOHNSON: Okay.

MR. PENNINGTON: -- that equals --

COUNCILMEMBER JOHNSON: All right.

MR. PENNINGTON: Sure.

COUNCILMEMBER JOHNSON: I...I'm sorry. I didn't...I'm not...I'm not trying to be rude. I was just saying what I was feeling. All right. Thank you, gentlemen. Aloha.

CHAIR PALTIN: Thank you, Member Johnson. Next up we have Member Kama for your questions or comments in three minutes. First round.

COUNCILMEMBER KAMA: Thank you, Chair. Thank you. So Mr. Pennington, did you keep an active list of all of the individuals or organizations that you visited, and their comments?

MR. PENNINGTON: We have a list of everyone that we reached out to, yes, and we kept notes from our meetings, both the focus groups, as well as the individual interviews, as...and we have the survey responses. The survey responses are anonymous, so we

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did not track who responded because everyone was guaranteed confidentiality so they would speak honestly with us.

COUNCILMEMBER KAMA: So is that list available to peruse? I understand the information is...that you would want to keep that close, but I just want to know if you visited organizations like native Hawaiian groups, PTAs, kūpunas...I mean elders, the different types of communities that we have within our greater community?

MR. PENNINGTON: We...we focused them on...on the direct outreach. It was to Planning Commission members and former CPAC members. The focus groups that were open to everyone were publicly noticed so that we could get input from everyone. Unfortunately, we could not hold them in person, which was the ideal approach we were hoping to have taken. But because of, obviously, COVID-19, we couldn't do that type of meeting. So we...we worked with County Staff to do public noticing of those and advertising of them so that there would be, you know, the greatest opportunity for people to participate as possible.

COUNCILMEMBER KAMA: So in your...in your public outreach, whether you sent an email or put something out in the newspaper, how many people do you think you've reached, even if they didn't connect with you, or contact, or respond?

MR. PENNINGTON: Oh, the...well, between...for the...the ones we did direct outreach to, those who participated in different meetings just because they saw our notice, there...there were over a hundred individuals; some private individuals, some representing different groups. Some attended multiple sessions or multiple methods of input.

COUNCILMEMBER KAMA: So we have a population of Maui County of 165,000 people, and you reached out to about 100, you say?

MR. PENNINGTON: I said we...we got input from about 100.

COUNCILMEMBER KAMA: Oh, you have input from about 100. Okay. Thank you so very much. Thank you, Chair.

MR. PENNINGTON: Sure.

CHAIR PALTIN: Thank you, Member Kama. Next up we have Chair Lee.

COUNCILMEMBER LEE: Thank you, Madam Chair. How did you arrive at the conclusion that a working group would or should replace the CPAC? Pros and the cons.

MR. PENNINGTON: So when we looked at this, we...we looked at a variety of different things. I'll let Aaron follow up in case I miss anything in my summary. We looked at approaches others have used for effective community engagement, and as we noted, and...and you are unique in the approach of the CPAC, it doesn't mean necessarily that that's a right or wrong, but it's just an observation. We looked at other

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communities' best practices, in terms of public engagement, and found that there are ways to do that without having a formal group. Feedback we received from focus groups, from surveys, from prior CPAC members or Planning Commission members, shared with us information about the pros and cons of those...the CPAC organization. We weighed that in there because there clearly are some positives to having them, and there are some difficulties in having...having that group. When we got down to the final recommendations, we had to weigh if we are really trying to...to shorten this time period, what's...what's --

COUNCILMEMBER LEE: Excuse me.

MR. PENNINGTON: -- the best --

COUNCILMEMBER LEE: Excuse me.

MR. PENNINGTON: -- way to do that without impact --

COUNCILMEMBER LEE: Excuse me. We're on a time clock, so...

MR. PENNINGTON: Sure.

COUNCILMEMBER LEE: Can you tell us some specific pros and some specific cons. And secondly, which municipality did you use as a role model for a . . . *(inaudible)* . . . ?

MR. PENNINGTON: We...okay. So we didn't use a specific community as a role model, but we did a best practices outreach to see what the...what the common practices were. Some pros of the CPAC--and I'll ask Aaron to jump in, or Khushboo to follow up with that on me--is you get to appoint them, you can ensure broader community representation, which is...is good. Some of the negatives are again, they're preselected. They're appointed, so that, you know, it doesn't include everyone in the community. That's why we talk about a broader public engagement component. The training and ability to manage a meeting or a vet process. There were some challenges shared with us about some CPAC organizations having done that, and that's one reason why we thought not having that as a formal group, but an advisory group committee might...might provide a better opportunity to have Staff managing the process, but not impacting the type of input that you're getting from the community.

COUNCILMEMBER LEE: Okay. Thank you very much.

MR. PENNINGTON: Sure.

CHAIR PALTIN: Thank you, Chair Lee. Next up, Member Molina.

COUNCILMEMBER MOLINA: Yes, thank you very much, Madam Chair. Good morning, Mr. Pennington and...and Baggary. Just, you know, the suggestions that you came up with, you, I guess, took some of these ideas from other jurisdictions that you've done consulting work for; am I correct? And...and I guess sort of like Chair Lee's

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questions, you know, the nexus for implementing these ideas. Because I know communities are all different across the nation. And I guess if you were to say our community plan process is quite unique compared to other jurisdictions. Is...is this one of the more challenging...one of the more challenging community plan processes you've...you've experienced?

MR. PENNINGTON: Oh, of course. You...you...you have one of the more unique planning processes, no doubt. I just want to clarify one thing. The recommendations we made weren't pulled from other organizations we've worked with necessarily. They were informed by research we did on effective processes in other areas, but we then try to tailor it to your community. Obviously, we are not members of your community, so I'll never know it as well as you. But we were very conscious about taking input we heard from different people and saying, how can we balance this enthusiasm and...and desire for strong public input, but in a different way, so that you can still get the benefit of that, but not have some of the detriments, or...or some of the time constraints that it...it's been imposing on the process. And...and clearly, we knew this would be one of the more disruptive recommendations there. But I think you asked us for our objective input, and so what we try to provide, and we gave you alternatives to say, if you want to keep it, there are still things you can do. We just don't think it's going to be as effective as if you make a...a broader change. But I...I just wanted to reiterate again, we're not trying to diminish...we're not asking you to diminish your public input, but to look at it doing it in a different way, because...let me just stop there for a second in case Aaron or Khushboo want to weigh in on that one piece, because they have some input also.

MR. BAGGARLY: I think the community engagement piece is...is important. I think community engagement can be lost over the current process that can expand really up to 42 months, and 18 months of community engagement and due diligence in six months of CPAC. And I think one of the CPACs had 36 meetings as part of that. If you want your community to be engaged, it's very difficult to...to attend 36 meetings in a six-month time period. It's also very difficult to get 11 to 13 CPAC members to attend that many meetings in six months as well. So the focus on community engagements and balancing that effort, and handling it in a timely manner, is two critical...two critical parts. And you have to weigh those in order to get a balance of effective community engagement, but also in a timely matter. And they're very synonymous with each other.

COUNCILMEMBER MOLINA: Okay. So it kind of sounds like to me that time management and facilitation of these various meetings could be, if it's done well or effectively time management-wise, you could cut down a little bit on your time in terms of the overall process in expediting...getting to where we want to get to.

MR. BAGGARLY: That...that...that is a great summary of that. I think we have some narrative to accompany . . . *(timer sounds)* . . . that, and very similar to that, to say a timely effectiveness and true due diligence of, and planning of meetings and advertising those in advance, and having them more structured can help on the timeliness of the process.

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COUNCILMEMBER MOLINA: Okay. Thank you very much. Thank you, Madam Chair.

CHAIR PALTIN: Thank you, Member Molina. Next up, Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Mr. Pennington and Mr. Baggarly.

MR. PENNINGTON: Hello.

COUNCILMEMBER RAWLINS-FERNANDEZ: All right. I have a lot of questions, more than two minutes worth. So I'm going to try to prioritize, and if you can make your responses as brief as possible, I'd really appreciate that. Mahalo. Okay, so my first question is, what did you identify as the core problem that has put us in the situation that we're in right now?

MR. PENNINGTON: The core problem would be historical staffing issues in the Planning Department, and the lack of adherence to the time frame. I mean, that...those are the principal causes for where you're at right now. I can't hear you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay.

MR. PENNINGTON: There you go.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah, I was talking to myself. Okay. So the...so the core of the problem, basically, is that the community plans are really outdated right now. So outdated that it's taking the communities a long time to get caught up, because they're, like, over 20 years outdated.

MR. PENNINGTON: Um-hum.

COUNCILMEMBER RAWLINS-FERNANDEZ: And so I...I skimmed through your entire plan, or report, and I didn't see anywhere in the report that identified that as a problem. And so before these other recommendations are...are put into play, that I...that addressing this first core problem would be the most prudent approach. As we spoke with the Councilmembers and the Planning Department, they identified contracting out vendors so that we can simultaneously take on community plans, so that we can get them all updated, and then implement these other recommendations that will help to keep us on track. So is that something that you identified as a possible approach?

MR. PENNINGTON: Well, we were well aware of the additional resources that were put with the Planning Department, and...and we talked with them about how that was working. I think we talked about it in the report, that it...it...it was a good approach, a good way to address that. And yes, I think if you continue that, that's a way to get out of a hole. We were trying to focus in the recommendations on making other changes to the process to keep you from getting back to this situation. Because as long as these plans take, three-plus years each, to conclude, if there are no other changes in the

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process, you'll never be able to maintain a ten-year cycle without significant increases in staffing. Which is obviously an option you could undertake, if you wanted to do that.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. In the RFP, it states that . . .(timer sounds) . . .

CHAIR PALTIN: Thank you, Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay, I'll just --

CHAIR PALTIN: Okay, fine.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay, okay. All right. I'll make it quick. So on page 5 of the RFP, it asks...it requires in scope that you include consultation of residents in each community plan area, including community associations. And we heard from community associations that you did not consult with them. And that was just one.

MR. PENNINGTON: Yeah, so...so who? We...we did reach out to community associations and residents, and...to...to the best of our ability. We took your input, we took other Councilmembers input, we used Staff input to reach out to prior memberships and CPAC members, Planning Commission, all those different entities. We did the public notice of the meetings. Unfortunately, the one thing that we had proposed we weren't able to do were the...the in-person community meetings, where we could do them in, you know, designated spots in the community that...that would probably have been more beneficial. But I think we've tried to do...we even added additional meetings to try to broaden as much of that input as possible. Are there people who didn't see the notices, weren't shared with us so that we would send them an email? That's very possible, but I think we tried to work closely with Staff to do everything we could to make people aware that they were out there.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Mr. Pennington. Mahalo, Chair.

CHAIR PALTIN: Thank you. Member Sinenci.

COUNCILMEMBER SINENCI: Mahalo, Chair, and apologize if the question was addressed. But for other recommendation, Number 4, the CPAC phase of Lānaʻi and Molokaʻi should be eliminated. I was just wondering what was the main impetus for...for that recommendation?

MR. PENNINGTON: Aaron, maybe I could have you grab that one real quickly?

MR. BAGGARLY: Yes. On Recommendation Number 4, to have Lānaʻi and Molokaʻi, the CPAC phase be eliminated there, our understanding was that the populations in those two communities is very small, and that the...this...the Planning Commission there should have a more broader role in that. Because they do have Planning Commissions

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that are specific to each of those two communities, and therefore, if that on the CPAC phase is eliminated, they should have more robust Planning Commission phase to allow for that and for a more expedited community plan update process. And that was the goal of this study, was to look at expedited community plan process. And that is a very low-hanging fruit for those two communities to have their individualized Planning Commissions, that by eliminating the CPAC phase of that, you could take out six months of that and go to a Planning Commission and hold a Planning Commission input sessions with the public hearings, to allow the community members for input in that, in those two communities, specifically.

COUNCILMEMBER SINENCI: Oh, okay. So the main impetus was that they already have their own Commissions, so their Commissions would pretty much be handling the entire process, so --

MR. BAGGARLY: Yes. We...we viewed that CPAC and Planning Commission phase, and those two communities, specifically, was more redundant and less beneficial.

COUNCILMEMBER SINENCI: Okay. All right. Thank you for that response. Thank you, Chair. That's all I have.

CHAIR PALTIN: Thank you, Member Sinenci. Member Sugimura, your opportunity.

COUNCILMEMBER SUGIMURA: Thank you. So thank you very much for this. I think it's always timely to improve. And I was just kind of focusing on this...this one item that the CPAC should remain engaged with a community plan until adopted, and during implementation. So excuse me if you already explained that, but I wondered if you could expand on that item. It's on page number 50.

MR. PENNINGTON: Let me --

MR. BAGGARLY: That is an alternative approach that we...that we discussed as an alternative approach to the current process for that. That was one of the primary concerns that many of the focus group stakeholder members that we spoke to provided. And many of the comments that came from the stakeholder survey was the desire for community engagement throughout the process. And one of the ways was to have the CPAC involved throughout the process, and implementation of the community plan, because there was many people that indicated that CPAC develops their...their recommendations to go into the community plan, or their narrative to go into the community plan, and then a Planning Commission and/or a County Council desires changes to the plan, and they make changes without consulting the CPAC members, and to get a reasoning why that CPAC included something in there. And so this was an alternative approach to the current process, to have CPAC involved throughout the process and see it implemented, but to also be an available resource to the Planning Commission and County Councilmembers as well.

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COUNCILMEMBER SUGIMURA: Ah, that's so interesting, because I thought they always were. So they're feeling like they're not invited to come to testify, or be a part of this? Or how...how...how did they think they should interact?

MR. BAGGARLY: It was not necessarily to testify, because it is a public meeting, and they did have an opportunity for input as...as...at this Committee, the subcommittee of County Council, et cetera. But it was to be an available resource, and for Planning Commissioners or County Councilmembers to say...to infer to them, hey, you made this recommendation. Can you provide some input on why you want to see this in the community plan? To have that input and have that dialogue with the decision...the ultimate decision-makers who adopt the plan.

COUNCILMEMBER SUGIMURA: How interesting. I always look at the Planning Department as being that resource that pulled the thread through, as we go through these many bodies. So maybe...maybe that's an interesting thought, but I always welcome them to testify, and I'll think about that. But thank you very much.

MR. BAGGARLY: You're welcome.

CHAIR PALTIN: Thank you, Member Sugimura. If three minutes can be put on the clock for my opportunity? I just was wondering, are you folks aware of the difficulty in how to amend the Charter?

MR. PENNINGTON: Yeah, Charter Amendments are always a difficult process for every organization. But we...we...when we were looking at alternatives, we tried to give you ones that are easy to implement, and some that are not so easy. I mean, you...you need to look at all options, keep them all on the table, I think, to say difficult things sometimes are...are what are needed, and...and...and a simple fix isn't going to get us where we need to go.

CHAIR PALTIN: Okay, thank you. And I just was wondering on your recommendation, like, that would require a Charter Amendment to like, say, eliminate the CPAC review, did you also consider going the other way and eliminating Planning Commission review? And what was the reason that you decided to choose eliminating CPAC review over Planning Commission review?

MR. BAGGARLY: . . .*(inaudible)*. . .

MR. PENNINGTON: Yeah, so I...I'll...go ahead, Aaron. Sorry. Go ahead.

MR. BAGGARLY: Yes, we did...one of the alternatives was to eliminate the Planning Commission, or to look at an alternative format. Ultimately, the feedback that we received from stakeholder meetings, the CPAC members, Planning Commission members, Councilmembers, et cetera, of the over 100 people we heard from in comments, probably the...by and large, the majority of individuals said that past CPAC experiences have been very difficult and very challenging, and to have a lot of proactive public engagement and consistent public engagement. And so therefore, we made the

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recommendation to remove the CPAC because of that. And there was also a lot of meetings that were occurring at the CPAC, and it was a very loosely structured organization and process for that. As you will see in the alternative chapters, we made some...some recommendations related to CPAC, and ways to improve that process if it was not eliminated, because we know it is a...it might be a challenging component to...to move in a Charter Amendment to the County's Code.

CHAIR PALTIN: Yes. Community planning is notoriously a messy process. I just was wondering too, you know, as...as members of the community that have lived here for many, many years, that when we were going through the General Plan process, I think, you know, the Councilmembers at the time said this is the 30,000-foot view, and when we get to the community plan process, that is where we will hear from the communities through the Community Plan Advisory Committee. So it's almost as though you know, 10, 20 years ago, we were made this promise by former Councilmembers, and now the suggestion is to go in...into a...a totally different way. But I understand that there needs to be that balance and time tradeoff. And if...if the concern is taking less time in terms of years or months, I'm a little disappointed that more effort wasn't given to hearing from the Long-Range . . . *(timer sounds)* . . . Division that went through the process. And that's just a comment, it's not a question. For this second round, Members, you may ask questions or make comments, but I just wanted to let you know that in my discussions with the Planning Department, they are kind of looking for what direction to take from this. And it's my understanding that this is the recommendation that resulted from the RFP, and it doesn't have to be or it can be followed, and there's a bunch of alternatives. So if you don't have further questions, it may help to give the Planning Department feedback, you know, as to where we're going in the future of the Community Plan process. Chair Lee, you had a question?

COUNCILMEMBER LEE: Yes. First of all, before I start the question, I just want to remind the Members, this consulting information is...was done as the result of...upon the initiation of the Council, okay. It wasn't the Administration, it was the County Council in 2019 and...and we...I signed the document after the Staff selected...amongst three or four consultants, the Staff selected Matrix. So just...that's to refresh your memory. And I believe the contract was in the neighborhood of \$87,000. Okay, but if...if I may ask the consultants, regardless of the...the feedback you're getting, it's important that we get feedback too, you know, and we appreciate your candor. What I wanted to know was, did you come to the...also, did you come to the conclusion or consider the fact that perhaps the sheer volume of work involved is...makes it difficult and, at times impossible, to meet deadlines? Okay. Number one. So the alternative would be, shouldn't they review smaller plans? Plans that are implementable, not these...not restarting the whole plan again every ten years or every so many years? Because it's not implementable. So number one, smaller plan, implementable, would be incorporated in the County Budget. In other words, let's be serious about this, yeah. If you're serious about this, let's make it happen, right? Okay, that's one. And then, secondly, if we're serious about this, shouldn't we comprehensively zone the properties that are designated in the community plan? Those are my questions. Thank you.

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MR. PENNINGTON: So real...real quickly, yes. I mean, obviously, smaller plans would be easier to implement, if the plans were updated routinely on a ten-year basis. And...and just so everyone...you know, we keep talking about ten years. You've adopted that standard typical best practice plan, so you're not off base. If they were done in ten years, they wouldn't feel like *(audio interference)* and overwhelming. Our...we're in a unique situation, where you're trying to dig yourself out of a hole, and it does become overwhelming, both for staff, as well as Council *(audio interference)* six months of the year, when you're doing budget, yeah, it's about what you're focused on, and that only leaves, you know, six months of the year to do all these other things. And so we tried to balance those restrictions, and talk about making the implementation piece a little bit more focused, and looking just at the capital side. But yes, if they were . . .*(timer sounds)*. . . completed more timely, they...they would definitely be more implementable, because there wouldn't be so drastic of a change. Everyone now is being implemented after the Maui Plan has been...Island Plan has been adopted, and there's just a lot of change --

COUNCILMEMBER LEE: Thank you, I think I've used up my time. Thank you.

MR. PENNINGTON: Sure.

CHAIR PALTIN: Thank you, Chair Lee. I just wanted to remind the viewing audience that we're a lot behind on our 9:30 schedule. Thank you for your patience with us, and not to worry, we have a full four days coming up for West Maui Community Plan, so I just didn't realize that this would take as much time as it is, like almost every agenda item I have. But next up, Member King.

VICE-CHAIR KING: Thank you, Chair. Yeah, I think this is an important discussion, because we all know we've needed to streamline. And whether or not we follow all of the recommendations in this report, it was good to get an outside perspective, I think, oftentimes, to kind of look at where the pinch points are. But my...I actually don't have a question for the consultants. My question, I guess, would be for, really, Corp. Counsel. What would be the process, Chair, if we wanted to create a TIG to then, you know, take a look at maybe using this report as a basis, but take a look at the things that we like and don't like, and creating the process, you know, for ourselves, since we know our community best, based on this input and additional input that we could get from the community? Because I think we need to do something, you know, and I think the...my...my opinion is that we don't necessarily need to make smaller plans, but we need to make more focused plans, so that we have, like, maybe the top five implementation items. It gives the Planning Department a focus in knowing where to start on the implementation items. So is there --

CHAIR PALTIN: Okay. We have Ms. Chen subbing in for Mr. Hopper to answer your question. Oh, Ms. Thomson, actually.

MS. THOMSON: Hi.

CHAIR PALTIN: Ms. Thomson is back. Sorry.

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MS. THOMSON: Thank you. We've been trading a lot of places this morning. Thanks for bearing with us. So a TIG would be fairly straightforward to set up, and this subject material, I think, would be very in line with what a TIG could do. So you want to simply agendize the creation of the TIG, and at that creation meeting, you would also discuss and decide on what the scope of the TIG's job duties would be in a sense. You know, what (*audio interference*) --

VICE-CHAIR KING: Would it have to go through a Countywide communication? Because you know, I was told in the past that you could create a TIG within a Committee meeting. But are you saying it has to go through a County communication?

MS. THOMSON: In terms of...of process-wise?

VICE-CHAIR KING: Yeah.

MS. THOMSON: I think that you can create a TIG that would advise the Committee. You know, ultimately, this would all result in actual Council action, but unless David Raatz or OCS has...you know, there may be a nuance there that I don't understand in terms of the Council's functioning, but I would say that a TIG created to advise PLSU [*sic*] would be appropriate.

VICE-CHAIR KING: Okay. Yeah, I...I...I'm not sure that answers my question about what the next step would be, but Chair, I think that, you know, we have a lot of information. We have a lot more now, with this report. And sometimes looking at something, even if you don't like it, is...is a good basis for starting that conversation. And it's like I tell people with the feasibility studies that we've done, even if you get a negative outcome and it's not feasible to do what you're trying to do, that's a good thing to know before you go forward. So the things that are...the input that we've had from the public that's...that's, you know, critical of the report is just as important as . . .(*timer sounds*). . . and that. Anyway, that would be my recommendation is, however we can do it, is to create a TIG to really focus in and figure out what...which of these we'd like, which we don't like. And now is a good time to do it, because some of them...some of these processes, changing them, would require a Charter Amendment. So while we have the Charter Commission meeting right now during the next 15 months or so, would be a good time for the TIG to make recommendations.

CHAIR PALTIN: Okay. Thank you. Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. Just a quick question for you gentlemen. It's...it's going back to the idea...idea of the CPAC, getting rid of the CPAC. According to your statement, said you will save six months of...of...you'll shave six months off the time. So what if you didn't have it go through the Planning Commissions? How much time would you save there?

MR. BAGGARLY: Based on the current process, you could take off six months for the Planning Commission.

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COUNCILMEMBER JOHNSON: So you're...so if I can hear you...if I can just say back what I heard, you could, say, eliminate CPACs, and we'll shave six months. Or eliminate it going through the Planning Commissions, and we'll also save six months; is that what you're saying? Okay.

MR. BAGGARLY: Yes.

COUNCILMEMBER JOHNSON: All right. Yeah. So I...I definitely...I...I don't want to eliminate the CPAC process, I...I...but I see where you're going with the idea of...they could...the Planning Commissions. So I...I know we're short on time. That's...I just...I just...clarification question. Thank you, Chair. I have no further questions.

CHAIR PALTIN: Thank you, Member Johnson. Member Kama.

COUNCILMEMBER KAMA: Thank you, Chair. I have no further questions. Thank you.

CHAIR PALTIN: Thank you. Member Molina.

COUNCILMEMBER MOLINA: Madam Chair, no...no questions for this last round. Thank you.

CHAIR PALTIN: Thank you. Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I do have questions. So my...mahalo for the alternative approaches that you provided in the report. I am curious on how you ultimately decided on the 13 recommendations from all the alternatives that you proposed in the 151-page report. I would like, and appreciate, if you would add an Appendix that would list all of the people that you consulted in writing up this report. I think \$87,880 is a lot of money to do a report like this, only to ultimately create a TIG of volunteers that would then complete the work that we paid consultants to do. I think anyone could have said, shave off a few weeks here, shave off a few weeks there, and you'll save time. I think that really identifying what the problems were, like the Planning Department said, testimony took up a bulk of that time. So if looking at how the CPAC scheduled its meetings, where it's twice a month for 18 months, or whatever it was, and instead, looking at a more creative approach to it, like we did with PSLU, which was also one of the alternatives of eliminating PSLU review, which I completely disagree with. And so with PSLU, what I had suggested earlier this year, was that we would take testimony all up front in one week, which would give the Committee time to review the entirety of the plan ourselves, without taking up all that time during testimony each time we take up the...the community plan in the three-hour PSLU Committee time slot. And this is something that this...this Council agreed to, and that we're going to be doing, and it will greatly expedite our review, so that it won't take a year. And so I think that a similar approach could have been taken with CPAC, where they could have recessed the meetings for a week and maybe done that for a few months, and then that way, testimony could have been taken upfront in one week, and then the...the CPAC

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members would commit to this one week each night [sic] taking up the plan, so that testimony isn't the time-consuming part. And I didn't see that anywhere in your recommendations. So I...I...I think really thinking outside of the box...and I was curious on page 108, why you chose Minneapolis, San Diego, San Francisco, Seattle, to look at when they're so much larger of a population than Maui County. I...I really don't understand, and it doesn't explain in your report why those were chosen for comparison. And that was my timer.

CHAIR PALTIN: Mr. Pennington or Mr. Baggarly?

MR. PENNINGTON: Yeah, I can --

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair.

MR. PENNINGTON: -- respond to that. So...so we looked at communities that had well-developed community planning processes, and while they may have different populations, the thing that made some of these really attractive in looking at their process was the number of community plans they had, and...and in some cases, the different types of communities within them that represented diversity of opinions or approaches. So then it gave us the ability to look at what processes were they using, what sort of a time frame were they targeting for trying to update them, and were they able to meet that or not, to see what we could learn from those processes that might be useful for yours. Not necessarily for "Is their process the right one" that...to be, you know, superimposed on your...your organization and your approach, but what can we learn from how they do it? And that's why there was some really valuable things in there, and I think you'll notice some of them also struggle with meeting their adopted updating time frames, especially those that have large . . .(inaudible). . . plans or a robust community involvement phase.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Can I get confirmation from Mr. Pennington if he'll add that appendix that I requested that lists those he consulted with?

CHAIR PALTIN: Mr. Pennington?

MR. PENNINGTON: We're happy to...to put in as much information as we can. But I just want to be clear, I can't identify for you who responded to each survey. I can tell you how many, but we do not track the respondents so that they have confidentiality. I could tell you who they were distributed to, but those who would have...we did have some people attend focus group meetings or conduct a survey that didn't get it from an invitation from us, so you know, we would have that input, but we may not know who it's from. But I'm happy to put an appendix with as much detail as we can provide to you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Great. Mahalo. Mahalo, Chair.

CHAIR PALTIN: Thank you, Member Rawlins-Fernandez. Next up, Member Sinenci.

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COUNCILMEMBER SINENCI: Mahalo, Chair. Yeah, I just had some, I guess, right with...with now...could we, maybe the question is, so we...what does the Council do from here? Do we make changes to it, or this is it? This is the final report. Chair?

CHAIR PALTIN: Yeah, this kind of...this presentation closes out the contract. It was a requirement that they make the presentation to the Council. My understanding is, these are just recommendations, and so we don't...or the Planning Department doesn't need to take the highlighted 13 recommendations, and...which is kind of the reason why this second round was to provide, you know, feedback on the recommendations, if we believe that the Planning Department should run with it or not. So...

COUNCILMEMBER SINENCI: Oh, okay. And I...and I did hear Mr. Baggarly say earlier about how the Council...how this report is to help the Council when we create policies in our...our different communities. I know that at...at our last PSLU meeting, we talked about zoning, and particularly mixed-use zoning in particular...in certain areas of the island. And so although sometimes the...it has some kind of ambiguity to mixed zoning in...in...in some of our smaller, particularly rural communities, I would still want to have, I guess, overview of small town areas, where...where mixed zoning is particularly planned for. Meaning that it's not always...like Member Rawlins-Fernandez said, we've got a lot of small rural towns in our County. So for those areas that have mixed-use zonings, I kind of want to make sure that it's for...certain ones are just for certain areas, and we don't promote growth that we don't want in our small communities. So these...those are just some of my concerns going forward. Thank you, Chair.

CHAIR PALTIN: Thank you, Member Sinenci. Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. I just appreciate this, and I look forward to what...whatever recommendations will happen from it. And that's all. Thank you.

CHAIR PALTIN: Thank you, Member Sugimura. So for my three minutes, my recommendation...recommendations would be, you know, I agree with Dick Mayer that you know, possibly a 11-member committee would be good. That's, you know, similar to how we selected the Charter Commission, nine members from the Council, two from the Mayor, so that there's a little less talking from the members. It's difficult more when you have a nine-member committee versus, like, a five-member committee. So that could help. I also like Member Rawlins-Fernandez's idea of taking testimony, and then recessing, like, maybe per section or item. I think that could expedite things. I like the idea of shortening Planning Commission review. I don't like the idea of eliminating the CPAC. I was thinking of, you know, maybe two four-day weeks of review for the Council, and that can expedite us. You know, one month we'll have a four-day review to go over initial, and then the second month, a four-day review to go over the...the final, and then forward it on to the Committee. And I think in that way, we can cut down the Council one-year review. But I...I'd rather say, you know, up to six months, or up to four months, up to 12 months, because we're here at six months, almost, from receiving it, and we haven't finished it yet because of, you know, other

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time constraints and committees. So I think, you know, also expediting the initial phase of outreach. I know that with the West Maui Community Plan, a lot of time was taken on the process, because they set up, you know, the website and like that. And I would imagine going forward, a lot of that wouldn't need to take quite as much time. So you know, maybe shortening that maybe a few months. And those are some of my recommendations of being fully engaged with the West Maui from start to the end, you know, from prior to being on the Council, and...and then being a actual, like, full-fledged decision maker. So the community plan process doesn't happen within a vacuum, and it's not like we get it and we can go straight to it. You know, there's other business and things that we do need to attend to. And so I wouldn't say, like, shorten it to six months. We've seen tragedy when Lānaʻi Community Plan was being looked at, we've seen a global pandemic when West Maui Community Plan was in the middle of the process. So I also don't agree with the maximum one-month extension, because you know, this world is so uncertain nowadays, you know. And . . . *(timer sounds)*. . . and I know that the...okay, my time's up. I see Member Kama raised her hand, as...and as she waived her first opportunity, I'll allow her this opportunity. Go ahead, Member Kama.

COUNCILMEMBER KAMA: Thank you, Chair. I was just thinking that sometimes the timing of when we decide to work on the community plan, then maybe we shouldn't start just prior to Budget. Maybe we should wait until maybe late May or early June, and just go through the entire year, until the next year comes around, so that we have a good, solid, eight to ten months of just working on the community plan without the interruption of our budget. So that was just my suggestion, Chair. Thank you.

CHAIR PALTIN: Thank you, Member Kama. I agree, and...and I would hope that we could do it in maybe two weeks in two months, but just like you said, the timing, and...and not having it split up by the Budget. Okay. So Members, that went on a lot longer than we anticipated. Let's take adjournment of this meeting, defer this matter, if there's no objections.

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR PALTIN: And then in about...after a ten-minute break between two meetings, I'll come back, and I don't know that we'll be able to take too much into it, but I'll at least explain the process, because I have been getting a lot of texts and emails, like what are we going to do? You know, so that way I can provide some direction for...not next week, but the following week on the West Maui Community Plan process. So thank you so much to the Matrix Consulting Group. I'm sorry that maybe the feedback was not super positive, but you know, that's the way the cookie crumbles here in Maui County. We appreciate --

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MR. PENNINGTON: You don't need to apologize, Chair.

CHAIR PALTIN: We don't agree with everything. And at this time I will defer this item. And this concludes the 9:00 a.m. Planning and Sustainable Land Use meeting. Thank you very much, everyone. The time is 11:27. We'll come back at about 11:37 for PSLU Agenda two that was supposed to start at 9:30. We're just a couple of hours behind. . . .(gavel). . .

ACTION: DEFER PENDING FURTHER DISCUSSION.

ADJOURN: 11:27 a.m.

APPROVED:



TAMARA PALTIN, Chair
Planning and Sustainable Land Use Committee

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Transcribed by: Marie Tesoro & Kaliko Reed

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CERTIFICATIONS

I, Marie Tesoro, hereby certify that pages 1 through 27 of 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.

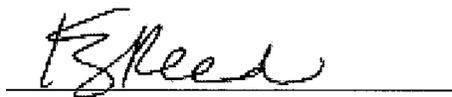
DATED the 2nd day of July 2021, in Wailuku, Hawai'i

A handwritten signature in black ink, appearing to read "Marie Tesoro", written over a horizontal line.

Marie Tesoro

I, Kaliko Reed, hereby certify that pages 28 through 46 of 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 2nd day of July 2021, in Wailuku, Hawai'i

A handwritten signature in black ink, appearing to read "Kaliko Reed", written over a horizontal line.

Kaliko Reed