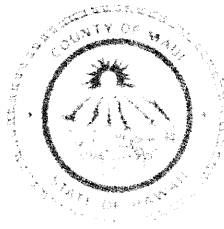


MICHAEL P. VICTORINO
Mayor
MICHELE CHOUTEAU MCLEAN, AICP
Director
JORDAN E. HART
Deputy Director



RECEIVED
2019 JUN 18 PM 3:03

DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAII 96793

June 18, 2019

Honorable Michael P. Victorino
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

2019 JUN 19 AM 9:33
OFFICE OF THE
COUNTY CLERK

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For Transmittal to:

Honorable Michael J. Molina, Chair
Governance, Ethics, and Transparency Committee
Maui County Council
200 South High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

Michael P. Victorino 6/18/19
Mayor Date

Dear Chair Molina:

SUBJECT: NOMINATIONS TO BOARDS, COMMITTEES, AND COMMISSIONS (GET-2(12))

We are in receipt of your letter dated June 12, 2019, requesting information about the Maui Planning Commission. Please consider the following in response:

1. Members of the Maui Planning Commission (MPC), and all of our boards and commissions, receive training and orientation each year when new members are appointed at the start of a new term. Because terms typically end on March 31, new terms typically begin on April 1. We therefore typically schedule training at the first meetings in April or May.

In the case of the MPC at the present, because we have had two unanticipated vacancies due to resignations, we have not yet provided this annual training. Once these vacancies are filled and we have a full MPC again, then we will do the training; we anticipate this will occur in late July or early August, usually in two sessions on different days.

Honorable Michael P. Victorino
For Transmittal to:
Honorable Michael J. Molina
June 18, 2019
Page 2

This training consists of a variety of topics:

- Sunshine Law, Code of Ethics, Rules of Practice and Procedure, Robert's Rules of Order, property rights and similar governing documents and statutes, which are covered by the MPC's assigned Deputy Corporation Counsel;
- The planning framework, state and county land use regulations, environmental regulations, and the MPC's authority, which are covered by planners in the Current Division;
- Long range plans, community plans, the Maui Island Plan and implementation, which are covered by planners in our Long Range or Plan Implementation Division;
- The Coastal Zone Management Act and the MPC's Special Management Area and Shoreline Rules, which are covered by our shoreline planners; and
- Other criteria for the applications that the MPC reviews, including state and county special use permits, conditional permits, bed-and-breakfast and short-term rental home permits, changes in zoning and planned developments, which are covered by planners in the Current Division.

In addition to this training, MPC members are also required to attend the Native Hawaiian Law training hosted at least once each year by Ka Huli Ao Center for Excellence. When the training is held on Oahu, as it was on June 7, 2019, we pay for members' airfare, ground transportation and any related expenses. However, not all members were able to attend.

As other relevant training opportunities become available, such as conferences or seminars, we allow members to attend and pay for their related travel costs, or we endeavor to schedule the subject for discussion at a MPC meeting so that all members can benefit.

2. The MPC's quorum problems are recent and unusual. There are two causes: one is due to the unexpected resignation of two members (while they had indicated that they might resign before their terms expired, the abrupt timing was a surprise), and the other is one member who is chronically absent. We have asked this member to either improve attendance or consider resigning.

While the Sunshine Law allows for members to participate via teleconference, it does not appear this option would address the quorum problem. When we have, in effect, three vacancies on a nine-member panel, it only takes one member to have a scheduling conflict or emergency before we have a bare quorum. A teleconference cannot resolve vacancies, unexcused absences, scheduling conflicts or emergencies.

Honorable Michael P. Victorino
For Transmittal to:
Honorable Michael J. Molina
June 18, 2019
Page 3

Thank you for the opportunity to offer these responses. If you have any questions or need additional information, please feel free to contact me.

Sincerely,



MICHELE MCLEAN, AICP
Planning Director

xc: Lawrence Carnicelli, MPC Chair
Jordan Hart, Deputy Director

MCM:atw

S:\ALL\Michele\Council\Molina MPC training GET-2(12).doc

**DEPARTMENT COVER SHEET
FOR DOCUMENTS TO MAYOR**

CONTACT PERSON: Michele McLean DATE: June 18, 2019

DEPARTMENT: Planning

SUBJECT/BRIEF DESCRIPTION: For Mayor's Signature and trnasmitting to Council

DATE ACTION REQUIRED BY: asap

ACTION REQUIRED BY MAYOR:

SIGNATURE NOTARY APPROVAL REVIEW/COMMENT OTHER

REASONS FOR REQUESTED ACTION:

Tranmittal to Council GET Committee

MAYOR'S OFFICE – WHEN COMPLETED, RETURN:

BACK TO THE DEPARTMENT OTHER _____