

# MINUTES

of the

## COUNCIL OF THE COUNTY OF MAUI

December 27, 2018

THE SPECIAL MEETING OF THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, WAS HELD IN THE COUNCIL CHAMBER, KALANA O MAUI BUILDING, WAILUKU, HAWAII, ON THURSDAY, DECEMBER 27, 2018, BEGINNING AT 9:05 A.M., WITH CHAIR MICHAEL B. WHITE PRESIDING.

CHAIR WHITE: This meeting of the Council of the County of Maui shall please come to order.

Mr. Clerk, please call the roll.

### ROLL CALL

PRESENT: COUNCILMEMBERS S. STACY CRIVELLO, G. RIKI HOKAMA, YUKI LEI K. SUGIMURA, VICE-CHAIR ROBERT CARROLL, AND CHAIR MICHAEL B. WHITE.

EXCUSED: COUNCILMEMBERS ALIKA ATAY, ELEANORA COCHRAN, DONALD S. GUZMAN, AND KELLY T. KING.

DEPUTY COUNTY CLERK JOSIAH K. NISHITA: Mr. Chair, there are five Members present, and four Members excused. A quorum is present to conduct the business of the Council.

CHAIR WHITE: Thank you, Mr. Clerk. And before we proceed, would you please all put your phones on silent mode. And with that, we, as you know, we have six bills on the agenda today. And, before we get into those bills, we'll have public hearing which I will call to order shortly, and we'll run the testimony for the public hearing and the special Council meeting at the same time, as we've done in the past.

## MINUTES

of the

### PUBLIC HEARING HELD ON

THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, CONVENED A PUBLIC HEARING ON THURSDAY, DECEMBER 27, 2018 AT 9:06 A.M., IN THE COUNCIL CHAMBER, KALANA O MAUI BUILDING, WAILUKU, HAWAII, WITH CHAIR MICHAEL B. WHITE PRESIDING.

CHAIR WHITE: With that, I will call to order the public hearing of December 27.

And, Mr. Clerk, let's proceed with testimony.

DEPUTY COUNTY CLERK: Mr. Chair, proceeding with the presentation of testimony on agenda items for the three Member public hearing and special Council meeting. We have established limited interactive communication that enables individuals from Hana, Lanai, and Molokai, to provide testimony from our District Offices.

Individuals who wish to offer testimony from Hana, Lanai, and Molokai, should now sign up with District Office staff. Individuals who wish to offer testimony in the chamber, please sign up at the desk located in the eighth-floor lobby just outside the chamber door. Testimony at all locations is limited to the items listed on today's agenda.

When testifying, please state your name and the name of any organization you represent.

Currently, we have no testifiers waiting at our District Offices. We have 10 individuals who have signed up to testify in the Council chamber. The first person to testify in the Council chamber is Colleen Rohozinski, testifying on Bill 147. To be followed by Eric Rohozinski.

## TESTIMONY

MS. COLLEEN ROHOZINSKI [testifying on Bill No. 147 (2018)]:

Do I push a button?

CHAIR WHITE: No, you just speak into the microphone.

MS. ROHOZINSKI: Okay. Thank you. Respected Councilmembers, thank you for all your guidance and decisions thus far. Please continue to support and work towards a changing world where our future dictates mindful conservation of limited resources. With overpopulation, global warming, and pollution more than catchwords, we can, we cannot keep selling use of public lands, parking lots, sand mining, historic areas. Let's discuss and redirect our goals and direction with respect and deep thought for present and future of our children.

Just bothered me, a recent articles about sand mining, public lands leased to commercial use, discussion of development of Wailuku Town as a major opportunity or development.

I live on Sandhill, quite simply, and work on Central Avenue. And my one overriding question, is there any discussion of access? Are you planning to condemn homes to give people access to your development in Wailuku? That is my main concern, cause I watch gridlock going up the hill from Kahului to Wailuku. And the other roads accessing, there's a lot of homes. So, I think overall, we're going to come into a battle here between people that live in this area, and business that we want to bring in. So, I just hope everybody is mindful of people that live in Wailuku, and history of Wailuku. Thank you very much.

CHAIR WHITE: Thank you for your testimony this morning. Members, any need for clarification?

Mr. Clerk. Thank you.

DEPUTY COUNTY CLERK: The next person to testify is Eric Rohozinski, testifying on Bill 147. To be followed by Bernie Bays.

MR. ERIC ROHOZINSKI [Bill No. 147 (2018)]:

Good morning, Councilmembers.

CHAIR WHITE: Good morning.

MR. ROHOZINSKI: My name is Eric Rohozinski and I'm talking about Bill No. 147. I'm just here to coax everybody's memory. I remember there was a County meeting back in, I think, 2009, and it was about the same property where Sarento's and the other property

next door intend on making a parking lot on that same lot that was available. And at the time, the plan was to put in 48 parking stalls for their, for the hotel use and Sarento's, and 51 parking stalls for the general public. And then in walks Isaac Hall who says that this is not County responsibility, it's not in the jurisdiction. And in walks in the . . . from DLNR, saying why we having this discussion right now about this property. In turn, this property is under State management, it's not a County property. So, all is quiet and all is pretty amazing. And Gladys, after the meeting, I asked her, she was pretty pissed off and that we'd be talking outside out here that what was going on whether Council, County Council was going to be voting on something that wasn't within their jurisdiction at that time, okay.

So, that's what happened back then. You . . . to look at the video, play it back and see what happened. Now, subsequently, I'll go online and I'll notice that the property now is now commercial tax class; interesting. And I didn't know it was back then commercial. It's two adjacent properties which is also owned by the State and is actually conservation. And that is also subleased by the hotel next door. And the other property that's also owned by the State is conservation. So, I don't know if there was a change in determination to commercial on that and may retroactive in times gone by. So, now you go down to 2009, on your tax records, and not seeing the preexisting history on this property.

And, being Australian and also part New Zealand, and have access to beaches and parks, everybody in the whole country has. And I've been here 30 years, and I've watched a lot of changes cause we use to live in Lahaina, and we don't have access to Airport Beach anymore for the locals. And everybody's leaving for Los Angel, leaving the islands here now . . . cause I'm moving to the mainland. We don't have access. And I don't know how long this is going to keep going. So, . . . a resource.

So, I'm just wondering what, how this has gotten this far again and how it's gotten down this road. And, what my question is, is there any parking going to be left for the public? Is this going to be the same situation where this is now going to be parking specifically for this organization on public lands? And then when I want to go there and park with my kids and put a tent on this County, State park it's supposed to be originally, now it's changed designation meanwhile. Are we going to be like everybody else, have to move off the island and find another place to live? Cause that's, thank you so much.

CHAIR WHITE: Thank you for your testimony.

Members, any need for clarification? Thank you.

Mr. Clerk.



DEPUTY COUNTY CLERK: Next testifier is Bernie Bays, testifying on Bills 147 and 148. To be followed by Aaron Rohozinski.

MR. BERNIE BAYS [testifying on Bill Nos. 147 (2018) and 148 (2018)]:

Mr. Chairman, Councilmembers, my name is Bernie Bays. I represent the Maui Oceanfront Hotel. You know, I think there's been a complete misunderstanding about the background of the situation that we're dealing with here. The Maui Oceanfront Hotel subdivided off parcel 149, which is the parking lot, created that lot, cleared that lot, improved it for parking, and has leased it from the State since 2000, nearly 19 years ago.

They, hotel and the restaurant had the exclusive right to use that parking lot for parking for the hotel. Why did the hotel need that parking lot? Cause the Council knows you're about to approve or have approved an ordinance to increase the parking requirement for hotels. And under the measure you're considering today under the new ordinance, the hotel would still be short three parking stalls, even if you approve this today.

And, unfortunately, this hotel requires more parking than a normal hotel. Why is that? Because the demographic of the hotel and Sarento's the restaurant don't match up. In a normal hotel, the restaurant would probably receive 80 percent of its business from the hotel patrons, which don't require parking because they're already parked there as hotel guests.

In Sarento's, the reverse is true. Only about 25 to 30 percent of Sarento's clientele are from the hotel. Seventy percent of the people drive there, either local people, a lot of local people eat there, and from other places on the island, other hotels, so they all drive there. So, as opposed to having this captive audience where 80 percent of the people are already parked there and guests of the hotel, the reverse is true at Sarento's. And they give a discount to the hotel guests, and still they've only been able to generate 25 to 30 percent of the business from the hotel. So, you've got all these people coming parking there, so there's even more parking required for this particular hotel.

So, when the parking lot was created to handle this overflow parking and enable the hotel and restaurant to operate, the, in 2005, we were applying for a series of relatively routine approvals. And Isaac Hall, who I believe is the, probably the leading public interest attorney in the whole State, a very smart guy, a guy of high integrity, he saw an opportunity to get parking stalls for the public in this hotel parking lot. So, in 2005, he entered into an agreement to, to obtain half of the stalls in the parking lot for the public in exchange for expediting the approvals that the hotel was seeking in 2005.

Those are the same approvals that we seek today. So, the public up until 2005 had no right whatsoever to park in that lot. Now, the hotel has honored that agreement since 2005, although it did not get the approvals that it had bargained for when it entered into that agreement.

So, when you consider this, Kelly, Kelly King, who, who's district this is located in, she held a public meeting. And as a result of that public meeting, she tried to increase the number of parking stalls available to the public and decrease the number of stalls available to the hotel. I finally, indifference to her, went along with that reduction in the hotel's parking lot. So, now the public gets 51 stalls, the hotel gets 34, which again is about three parking stalls short of what would be required under the new ordinance. If you, if you approve this today, it's my understanding that the County will sign the amended agreement giving the public the 51 stalls for beach access and reducing the hotel down to 34. And that will be an agreement that will be binding on the hotel and secure those stalls for the public.

If you were to vote this down today, there would be no agreement for the amended reduced number of parking stalls for the hotel, because that would not be signed by the County. And I think your voting this down would constitute a repudiation of the 2005 agreement, which gave the public a legal right to park in the lot. So, that would put us back to the drawing board with the State.

If you approve this today, I still have to negotiate with the State and get them to agree that it was okay for us to give away 51 commercial parking stalls that we've been paying commercial taxes on for the last 20 years. So, that's the situation. So, I think if you were to vote this down, the public would have no right whatsoever to park in that lot.

CHAIR WHITE: Mr. Bays, you're going to need to move to your next item.

MR. BAYS: Thank you.

CHAIR WHITE: Mr. Clerk, reset the timer.

MR. BAYS: I'm on 148 now?

CHAIR WHITE: Right.

MR. BAYS: The community plan amendment is simply--

CHAIR WHITE: Oh, I'm sorry. Wait, hold on.

Mr. Clerk.

DEPUTY COUNTY CLERK: Yea, Mr. Chair, we already provided six minutes.

CHAIR WHITE: Oh, I'm sorry. I thought it was--

MR. BAYS: Oh, thank you.

CHAIR WHITE: Okay. Thank you for your testimony.

MR. BAYS: Thank you, Mr. Chair.

CHAIR WHITE: Members, any need for clarification? Okay, thank you for being here this morning.

Mr. Clerk.

DEPUTY COUNTY CLERK: Next testifier is Aaron Rohozinski, testifying on Bill 147. To be followed by Helen Nielsen.

MR. AARON ROHOZINSKI [testifying on Bill No. 147 (2018)]:

Do I just speak into this?

CHAIR WHITE: Yes.

MR. ROHOZINSKI: And, do I have to press anything?

CHAIR WHITE: No.

MR. ROHOZINSKI: Oh, it starts. Hello. I'm Aaron Rohozinski. I'm a second year at the University of California, San Diego, and I'm a fourth generation born and raised in Hawaii. I grew up on Maui and I'd always thought time would go on forever. But, now seeing the changing island and the feeling, and feeling the rule of mechanical hands with, by which my time at University is dictated, I've become worried. I worry that the future may not be mine. And I know that the island I grew up with will not be itself forever.

Still, fate is the work of humanity. It is self-made, and hope is even more so. What I hope and wish, all I wish to impart onto you is to not let this island be ruled by a time monotonous and the void of the love and aloha of past times. Create a time anew without eliminating the possibilities of your successors such as I. Pull your care into making a world wonderful and marvelous as you carry out your everyday fight with practicality. Your time may be up and your plans may not have come to fruition, but don't rush through things. Be proud and hand off the torch, please. Thank you.

CHAIR WHITE: Thank you for your testimony.

Mr. Clerk.

DEPUTY COUNTY CLERK: Next testifier is Helen Nielsen, testifying on Bills 130 and 131. To be followed by Jonathan Starr.

MS. HELEN NIELSEN [testifying on Bill Nos. 130 (2018) and 131 (2018)]:

Good morning, Council Chair and Councilmembers. I am here enthusiastically and very happily in support of the Wailuku Civic Center and the funding; Bill 130 and 131. I think there's a bit of misunderstanding about the project, even though it's been discussed and a lot of the outcomes of the current plan have been described in the 2002 community plan for Kahului-Wailuku.

There's been so many public meetings, input, and I think it's really changed over the years. Instead of just a parking structure, it provides so much more for the community and for Wailuku, and the County itself; it's a County seat. So, I just hope that you'll just continue in your support. And I hope too that everyone can catch up with all of the studies that have been done to address everything that people are concerned about. And urge you to please support the funding. Thank you.

CHAIR WHITE: Thank you for your testimony.

Members, any need for clarification? Thank you for being here this morning.

MS. NIELSEN: Happy New Year.

CHAIR WHITE: Thank you.

Mr. Clerk.

DEPUTY COUNTY CLERK: Next testifier is Jonathan Starr, testifying on Bills 130 and 131.  
To be followed by Michele McLean.

MR. JONATHAN STARR [testifying on Bill Nos. 130 (2018) and 131 (2018)]:

Good morning, Councilmembers and thank you for being here on this busy week. And hope your Christmas was good and your New Year is a great one.

I'm Jonathan Starr. I'm a property owner in the Wailuku core. I've been involved in the planning process for many years. And I really look forward to the implementation stage which is where we're at as far as the Municipal Lot Civic Complex Project.

I brought along two documents; one is the Wailuku Redevelopment Plan, which was passed by resolution by this Council back in 2000 after years of work and many, many meetings. Also, the Wailuku-Kahului Community Plan of 2002, that's the latest one; was also passed by this Council. Since those have been passed, there's been about at least 50 public meetings and hearings and design charettes on this project. And you know, it's been fine-tuned and attempts to build parking without the other components that are community building components didn't work so well, because you know, you need more than just a big box of parking in a place to make it successful.

I want to read a few, a few brief excerpts from the Wailuku-Kahului Community Plan:

Place a high priority on a planning, design, and construction of a multi-level parking facility at the Wailuku Municipal Parking Lot with potential opportunities for mixed-use developments, such as residential, commercial, park and other public uses.

Provide park and recreation areas as an integral part of the project's specification which will accommodate the needs of population growth.

The redevelopment of Wailuku Town remains a major opportunity for the region. The Wailuku Municipal Parking Lot, which is centrally located in the heart of the town, is prime opportunity for redevelopment, establishing additional government complex with adequate public parking in a central location.

Provide for major regional multi-purpose center to accommodate resident needs for banquet and meeting facilities with adequate parking.

And access for elderly persons with disability need to be addressed. Pedestrian and bicycle access improvements were also cited as deficiencies. Parking was identified as a problem in the civic center and Wailuku business area.

Finally, it was noted that the region is too automobile dependent, and that alternative public mass transit needs to be considered.

So, these are the major elements of the project. They're just not been funded or implemented before. So, I really thank some, some of our wise Councilmembers and people in the Administration and planning who've moved this along to where, what the community spoke for in 2002 and 2000, and even in the 1990's has been fine-tuned and is now ready to move along. So, please provide your support for the final stages of funding. And, much aloha and mahalo.

COUNCILMEMBER SUGIMURA: Chair.

CHAIR WHITE: Thank you for your testimony.

Members, any need?

Yes, Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. Thank you, Jonathan for being here, and Helen for speaking before you. And, I just wanted to, some of the testimony that we heard before, I thought maybe you could clarify is that people in the community were not given the chance to speak or learn about this. And I, and I remember doing projects in 1999 forward, regarding then, you know, doing the Municipal Parking Lot. But, can you, can you kind of share some of your input? Like, were you part of the reWailuku sessions that were held at Wailuku First Friday? Or can you refresh the community's memory, cause I know you were actively involved in this?

MR. STARR: Yea, I started counting on those that I could remember since the community plan came out. So, that's the last 16 years. And you know, I ran out of fingers and toes, and I got past 50 and stopped counting. There, it's been in front of the Wailuku community so many times at Good Shephard Church, at reWailuku on First Fridays, in the MRA. There's just been so many discussions.

There's been a design, a community design group that works specifically on this project. They held, I believe, 25 sessions which were open to the public. And they fine-tuned the design elements, you know, down to textures, and colors, and pavers, and you know, trying to, you know, make it really useful.

I mean that planning conference room, that'll seat 150 people instead of the 30 that can barely squeeze in to hear a planning commission. And there's no place for Board of Water Supply to meet. I mean, this is, these are all things that the community needs.

So, there's been so much community input, I feel that, you know, those who say that there's not been public exposure, either they've not cared to participate or, you know, or they just didn't notice, or they're, you know, just not Wailuku people.

COUNCILMEMBER SUGIMURA: Thank you. Thank you very much.

MR. STARR: Thank you.

CHAIR WHITE: Any further clarification? Thank you for being here this morning.

Mr. Clerk.

DEPUTY COUNTY CLERK: Next testifier is Michele McLean, testifying on Bills 145, 146, and 147. To be followed by Pat Borge.

PLANNING DIRECTOR MICHELE MCLEAN, [testifying on Bill Nos. 145 (2018), 146 (2018), and 147 (2018)]:

Good morning, Chair, Councilmembers. My name is Michele McLean. I'm the Planning Director. There are three items I wanted to testify on and altogether it should take only about three minutes.

Bill 145 says that vacation rentals in the Paia-Haiku Community Plan area should be limited to permitted short-term rental homes and B&B's that are residential in scale and character, and that no new STRH's or B&B's can be permitted on properties that abut the shoreline. It also says that existing permitting STRH's remain valid and can be renewed. And it also says that applications and process can continue.

Bill 146 says that the STRH cap for Paia-Haiku is reduced from 88 to 65, and that there can be no new STRH's in the SMA in the Paia-Haiku Community Plan area. Like Bill 145, it also says that existing permitted STRH's remain valid and can be renewed. And it also says that applications in process can continue. There were 47 permitted STRH's in Paia-Haiku at the end of September with about 6 more in process. As an aside, there were no changes to the B&B cap which stays at 88. There are currently 43 as of the end of September with about 7 in process.

So, altogether, this means that in Paia-Haiku, we can have up to 88 total B&B's or about 45 new ones, and none of the new ones can abut the shoreline. We can also have up to 65 STRH's or about 18 new ones, and none of the new ones can be in the SMA. The minor difference is in the community plan, STRH and B&B ordinances are

not a problem. There's no longer a conflict to the Planning Department, and we appreciate the matter being addressed. And we can now administer these consistently with the policy set by the Council. So, thank you.

For Bill 147, I just want to give some information about the Parking Code. In determining the number of required parking spaces for a 73-room hotel, a 1,600-square foot lobby and office, and a 2,635-square foot restaurant, the Code in effect at the time the property was developed was one parking space for every three hotel rooms, and that has not changed; one parking space for every 500-square feet of office, which has not changed; and one parking space for every 100-square feet of seating and dining area for restaurant, and that has not changed. So, that original Code requirement resulted in a requirement for 54 spaces. They have 51 on site, leaving it short 3.

The Parking Code in effect, prior to the changes adopted just last week had the parking ratio for hotel change from one space for three rooms to one space for two rooms. And it also added a minimum requirement for the restaurant. So, that total requirement in effect up to last week gave a total requirement of 69 spaces, which would leave them short 18.

The newly adopted Code changes the parking requirements for hotel to one per one, and eliminated the plus three for the restaurant, giving a total requirement of 103 spaces, thus leaving them 52 short. The recent Parking Code changes also allow reductions in same user circumstances, as well as other scenarios; for example, as a previous testifier noted, an argument could be made that hotel guests are restaurant customers that's not needing parking for both hotel and restaurant.

While we certainly want as much public beach parking as possible, we should all be able to agree that 51 or 54 parking spaces is inadequate for a 73-room hotel and 2,635-square foot restaurant, which is a requirement that they're grandfathered under. It's responsible for the owner to seek the parking that is needed.

And since this is the last Council meeting of the year, I would also like to say, as a citizen, a sincere mahalo to Council Chair White, Vice-Chair Carroll, and Councilmember Crivello, for your dedication and service. You will be missed. And I do look forward to continuing to work with Councilmembers Hokama and Sugimura. Thank you.

CHAIR WHITE: Thank you, Ms. McLean.

Any, any need for clarification, Members?

Ms. Sugimura, did you have a?



COUNCILMEMBER SUGIMURA: Yea, just, if you could. Thank you for being here. I think the last time when you testified at the Land Use Committee meeting and you said that the hotel is short three, I'm not too sure what you actually, well, you probably said this. And, people remember in the community, somehow, that they, the new parking requirements is only three for the hotel, when I spoke to some community people. So, that's not what you said. You said it was three short, so.

PLANNING DIRECTOR: The current requirement, when we say the current requirement, we still honor the requirement that was imposed on the property when it was developed and so, that's three. And so if they provide three stalls, there's, there would be no citation or anything from the Planning Department. If you were to assess the property today, however, under the current Code, they would be short 52 spaces. So, the requirement today, in terms of that property having been developed, I believe it was in 1960, they were three parking spaces short.

COUNCILMEMBER SUGIMURA: Short, right?

PLANNING DIRECTOR: Short.

COUNCILMEMBER SUGIMURA: You're not saying they only need three? I think people heard you and thought you said they only needed three.

PLANNING DIRECTOR: Oh, there's--

COUNCILMEMBER SUGIMURA: And that's the confusion.

PLANNING DIRECTOR: Oh.

COUNCILMEMBER SUGIMURA: So, that's not what you said, right?

PLANNING DIRECTOR: The requirement in effect at the time the property was developed was that they needed to provide 54. They have 51 on site, so they're short three.

COUNCILMEMBER SUGIMURA: Okay.

PLANNING DIRECTOR: So, they need three, other than what they have on site.

COUNCILMEMBER SUGIMURA: Thanks for that clarification.

PLANNING DIRECTOR: You're welcome.

COUNCILMEMBER SUGIMURA: That's a big difference.

PLANNING DIRECTOR: Yes.

COUNCILMEMBER SUGIMURA: Yes.

CHAIR WHITE: Yea, so, you're essentially saying that the, there are certain, the functional requirement is grandfathered? The original requirement is grandfathered?

PLANNING DIRECTOR: Correct. Yes, yes.

CHAIR WHITE: Okay. Thank you.

PLANNING DIRECTOR: Thank you.

CHAIR WHITE: Anything else, Members?

Thank you for being here.

Mr. Clerk.

DEPUTY COUNTY CLERK: Next testifier is Pat Borge, testifying on Bills 130, 131, and 147. To be followed by Mike Moran.

MR. PAT BORGE [testifying on Bill Nos. 130 (2018), 131 (2018), and 147 (2018)]:

Good morning, Councilmembers, Mr. Chair.

CHAIR WHITE: Good morning.

MR. BORGE: First of all, I want to, you know, I know this is a public hearing, but I want to let you know how, I'm here today because I feel very important about a couple of these issues. For me to come down here this morning, I had to get up at 4:30 this morning, take care of my animals, drive all the way from Makena, all the way down in here, so I can present myself.

A public hearing like this that's so important to the public should be held in the evening when a lot of guys who at working right now would like to be here to testify. I just, I don't know. You know what this reminds me of is a lame duck session, what they doing in Congress right now. They trying to push everything right through because the next Councilmembers. All this items right here is so important to Maui that this should be

held next year with a new Council come in. And, we'd have a new Chair and all of that. You cannot, why push everything through.

But anyway, I want to discuss on this, on this parking lot, this parking lot in Kihei.

CHAIR WHITE: Mr. Borge, one moment please.

Quick recess.

(THE MEETING WAS RECESSED BY THE CHAIR AT 9:37 A.M., AND WAS RECONVENED AT 9:38 A.M., WITH ALL MEMBERS PRESENT, EXCEPT FOR MEMBERS ATAY, COCHRAN, GUZMAN, AND KING, EXCUSED.)

CHAIR WHITE: Sorry about that. Please proceed.

MR. BORGE: On this, on this thing in this Kihei parking lot. You know, I was going to talk about the Wailuku parking lot, the 400 million, but I'm going to put it all together here; make it very short and sweet. Riki Hokama, you're very smart on the money matter, budget, you're terrific, I mean, right on.

But, on this issue, you got a piece of property here belongs to the State, close to the shoreline, why not take some of the money and buy that property from the State and we start from the beginning? And then if this hotel people want to park, then they pay the County for use the parking stalls. The County has their own paving equipment, can pave that parking lot if they want to pave it under cost or whatever it takes. But then, deals were done 12, 15 years ago on this property. This is going to be 2019. What happened 12, 13, 14, 15 years ago behind closed doors, it doesn't, it doesn't go with me very well. I'm looking for the future generations where they get places to park their cars so they can go to the beach.

Right now, in Kihei, Kamaole I, Kamaole II, and Kamaole III, they packed, choke weekends. People gotta park blocks away to take their family to the beach. This is a good location right now. I can't believe that this land belongs to the State and we're going to lease this property to a hotel so they can use it for parking. That's, that's just, it's ridiculous. You know what I mean? I mean, let's look for the future here, you know. I mean, like, and one comment Mr. Hokama made years ago, well, last year in fact, that we causing genocide on our own people.

You know, this is some of the issues that I, I concerned about. Here it is that we can, as the County, can buy this property. And all these deals that were made, we start from day one again. That's why it should be going to the next Council. Nothing against you people, but it should go down to the next, to the next Council; that way we can

make a better deal for the people of Maui County, you know. And nothing against Sarento's or whatever, it's about taking care the local people; and that's all it is. There's no personal whatever. And that's, that's my concern. That's why I got up 4:30 this morning to come down here and testify and say do the right thing for the people of Maui County, okay.

And, Kelly King's, not here. She also wants to know one-time you guys were voting on a B&B in, or a wedding thing in Haiku, and she wanted to know who was the LLC? Well, who is the LLC in this Sarento deal? Who, who are they? Me, I like to know, who is, every time somebody comes forward, they go LLC; LLC who? Where you guys from? Where you guys from, the mainland? You know, what about take care the local people? That's all I ask, okay, and look at that deal. You guys can buy that land off the State and start from square one, and we can work this thing out for every, benefit for everybody. Thank you very much.

CHAIR WHITE: Thank you, Mr. Borge.

Members, any need for clarification? Thank you. Thanks for coming today.

MR. BERGE: Have a good year.

CHAIR WHITE: Thank you.

Mr. Clerk.

DEPUTY COUNTY CLERK: Next testifier is Mike Moran, testifying on Bills 130, 131, 145, 146, 147, and 148. To be followed by Francine Aarona.

MR. MIKE MORAN, KIHEI COMMUNITY ASSOCIATION [testifying on Bill Nos. 130 (2018), 131 (2018), 145 (2018), 146 (2018), 147 (2018), and 148 (2018)]:

Mahalo, Chair White and Members. Thank you for the opportunity to submit testimony. Mike Moran, President of the Kihei Community Association, testifying for the Association on all six items this morning. Like most of you, I didn't expect to be here today. But, being I am, I thought well I'll take advantage and talk briefly on all six items.

So, we'll start with Bill 130. And we oppose this bill on the process. We understood the reason three Members asked for the hearing was so it could be a conveniently, it could be convenient for the affected community. And 9 a.m., Thursday, this week, seems like not that. Further, we know how unusual it appears to have the district Member opposing something within his district when the support is from other parts of

the County. Yes, we know in theory all Members represent everyone, but in practice, that is not always what we observe. And that concludes 130, sir.

131, again, we oppose this bill on process as well, and for a pretty much different reason. The December 11, Council meeting which continued on 12/13 took two full days; one for testimony from almost 50 residents, and one for deliberations and discussions, much of both pertain to this matter. Yet, after about three weeks, the meeting video is still blocked from viewing for the public on the Council's website. Why? Is this not a service that we pay for? What value does it have to the community if they are unable to see either segment?

Member Hokama, you have been the budget leader. How much do we pay for this service? As you are returning in 2019, we ask you to please investigate this matter. Is this service done by contract? Are there provisions for when the video is made available to the public? Are there financial penalties? Many in the community see, see this as hiding information if it is not available in a timely manner. Popping it up there next year after discussions are made is not satisfactory. Thank you. That, that concludes that item.

Moving onto 145. Again, we oppose this bill for different reasons. And, we don't follow issues outside of South Maui as closely as we do in South Maui by our bylaws, but we do try and keep informed. And our board ends up with confusion. So, we ask is it correct if the Council passed a law that violated that current community plan. Is it possible no one was aware of what was in that long-term plan? Not the district Member? Not the Planning Department? Not Corp. Counsel? All this vetting and no one noticed it did not comply with the plan in all these Committee and Council meetings? Not only that, no one was aware of it for years afterwards? Who was responsible for creating this? And look at the mess that it has created. That concludes that item.

Moving onto 146. And once again, we oppose this. And the reason we oppose this, it is our understanding, we're doing this by memory, which is dangerous, that the Haiku Community Association had testified, but we, would be nice if we could confirm it on that recording but we can't. That while they, there were well attended meetings, there was need for more at a convenient community time and in their community. Yes, we hear the rationale that some Members are not returning, so this group meeting has to be held today. Certainly, those who call for the hearing were very much aware of that when they took that action. That concludes that item.

And we're moving into 147, back in our home territory of South Maui. 147, we support the two-year Conditional Permit. For decades, KCA has called for action mentioned in the Kihei Community Plan repeatedly for a walkable, bikeable South Maui to little avail.

And we quote from Part II, B.1. Transportation, which says "There is a need to lessen the dependence on automobiles through the efficient land use distributions. Bicycle and pedestrian paths separate, separate from auto traffic would provide an effective alternative transportation to the automobile. Mass transit and public transportation must also be considered. The relative lack of mobility of both the youth and the elderly must also be considered through alternative modes of transportation such as van services."

But for 20 years, this has, was primarily ignored, resulting in major dependence on private motor vehicles and the need for locations to park them, thus parking lots. So, when these businesses agreed to lease State land for a parking lot for their customers, South Maui community members stepped forward and said fine, but this must include parking for the community beach users. So, to respect and honor the actions by Uncle Les and Dana Hall over a decade ago, years before most of us had much awareness of what was happening at this site and moreover your current willingness to adjust the settlement agreement by this amendment, KCA supports this action.

Additionally, this bill sets forth nine conditions for this proposed parking lot following this agreement set forth by Uncle Les and Dana Hall, ensuring all responsibilities taken by the restaurant. But the beachgoing community is assured of the majority of parking stalls. So, KCA supports that action.

And in conclusion on this item, while KCA does not believe there is a need for a public hearing, we do support those who believe that need exists. And again, this hearing this morning does not satisfy that request and action for a meeting in the community at a more convenient time. That concludes that item.

And moving onto last; 148. We support the community plan amendment. Our community does not want a larger, taller, more spacious hotel to replace the one that has been there for decades. They do want SMA permits to be required before either of the businesses could make modifications to their existing structures. We mention when addressing another bill that somehow no one was aware of when that bill, when the bill was passed; that it did not comply with the community plan. So, what happened here? Was the community plan purposely composed to not comply with established zoning and existing business there?

We looked back to see who were the Councilmembers with the Kihei, when that Kihei-Makena Community Plan was passed. We note that there were three future Mayors, a future State Senator, and now a returning 29 member of that, in that group. Did they all make an error, or did they all purposely set up this conflict? We don't know, but it needs to be rectified. And KCA supports this bill. Thank you very much and happy holidays to everyone.

CHAIR WHITE: Thank you, Mr. Moran.

Mr. Sugimura.

COUNCILMEMBER SUGIMURA: So, just clarification on the last item.

MR. MORAN: Yes, ma'am.

COUNCILMEMBER SUGIMURA: Since you, Kihei Community Association, then you're saying you support the proposal that was with Isaac Hall and Uncle Les regarding the number of parking stalls for public and for private use? And you also support the community plan amendment?

MR. MORAN: Yes, ma'am, that's correct.

COUNCILMEMBER SUGIMURA: So, to go from residential to hotel. So, you're in support of both, right?

MR. MORAN: Correct.

COUNCILMEMBER SUGIMURA: Thank you.

MR. MORAN: Thank you.

CHAIR WHITE: Anything else? Thank you for being here this morning.

MR. MORAN: Thank you.

CHAIR WHITE: Mr. Clerk.

DEPUTY COUNTY CLERK: Next testifier is Francine Aarona, testifying on Bills 130, 131, 145, and 146. To be followed by Zandra Amaral Crouse.

MS. FRANCINE AARONA [testifying on Bill Nos. 130 (2018), 131 (2018), 145 (2018), and 146 (2018)]:

Good morning, Chairman White, Councilmembers. You know, thank God that he brought me back on flight last night to be here; you know, vacation cut short because of this meeting today. But, I want to, I sent a letter to all the Councilmembers and to you, Mr. White, on the 21<sup>st</sup>, while I was in Seattle. And I'm here to address 130, 131,

145, 146. And in that letter, I shared with you a quote, "kindness is a language the deaf can hear and the blind can see". I also shared with you that I'm using my kupuna rights, because unless you're 73 and older, then you can scold me. And in that letter to you, I addressed all my relationships with each and everyone of you as you sit here.

You notice before you, you have missing Council people. People that called your attention to have this kind of meeting to be a public hearing. Not this. Not a private session where all our community are busy with holiday cheers and not able to be here, because these are important issues that you bring forth, that you're going to decide on. And that is, so you can either have taken that letter and throw it in a trashcan and say, who is this kupuna telling me all of this?

For you, Mr. White, we've walked the streets of . . . to bring justice to the community. Mr. Hokama, what is so important in asking for this millions of dollars where maybe we can buy that parking lot that was mentioned from the State? Did we really ask the people, or hear them say that we want this? We don't have enough info from the community, and that's what we're all about; the people of Maui, to hear their cries, to hear their pleas. We have just not done our job. So, these three Council people are not here, because they didn't want this. They wanted a public hearing. But yet, it got turned around with your authorization to call this special meeting during this time of holiday cheer. There's no cheering in this.

I had to come back from Seattle, deprive my grandchildren of their white Christmas to be here, because this is important to me. I have family members coming in today, so unfortunately, I'm not going to stay here and listen to your rebuttal on what you decide because I have guests coming for the holiday cheer. So, I say defer this money request on 130, 131, to have a little bit more input before a full Council; not Members of four and a Chairman.

Moving onto my cup of tea, my special short-term rentals. In 2012, it was decided that the Maui Plan say we can have short-term rentals, where the community plan did not have that. We the people of Paia-Haiku have had our community meetings. And because we had compassion, because we did not want to say to the people that had short-term rentals you're wrong. They're not wrong. You allowed them to have that without amending the plan. So, we compromised. We went through meetings with the Planning Commission, and we brought forth what's on the agenda.

Now, I heard Michele say that there's no conflict in the ordinance as opposed to what is being presented to you on about the shoreline and SMA. There is a conflict, as it was back then. We didn't amend the plan in 2012. So, that's how the conflict arised with the short-term rentals. Again, we have this. So, we should change the about to SMA in the Community Plan to coincide with each other.



So, I acknowledge that young man over there because they are our future. They are talking straight to you. If I'm afraid of my grandchildren, I'm afraid of my greats, because they will come after you. They will uphold what they want; a place to come back to, a place to come back to live. Because, you see this flower in my hair? I picked it up. This is what I come back to every summer with my, my grandmother, my tutu. We have it in our yard. We live on the shoreline. She reminded me this morning that if I want to come back and hold onto what I have, that young man wants to hold onto what he has. He wants to come home to a place we call home. So, I acknowledged all of you. I have relationships with all of you. And I'm not the poi mochi lady. I do know what I'm doing. But, I ask you to defer all these issues to the next Council. Like the young man said, pass the torch. Mahalo.

CHAIR WHITE: Thank you for your testimony.

Members, any need for clarification? Seeing none, thank you for being here this morning.

Mr. Clerk.

DEPUTY COUNTY CLERK: Next testifier is Zandra Amaral Crouse, testifying on Bills 130, 131, 147, and 148. To be followed by Albert Perez.

MS. ZANDRA AMARAL CROUSE [testifying on Bill Nos. 130 (2018), 131 (2018), 147 (2018), and 148 (2018)]:

Aloha kakahiaka kou mau hoaloha ame Mele Kalikimaka, ame Hauoli Makahiki hou. My name is Zandra Amaral Crouse. Grateful that the five of you are here. The five of you who sit here thinks enough about me, a resident of Maui County, that whether you agree this being on the agenda or not, you make me feel special because you showed up. You cared enough to say, hey, if Zandra and the public is going to show up, I'm going to show up too, even if I don't like it. Because she is somebody, as is the public out there. And I know I'm using some of my three minutes for that but that's okay. It was important to say. Thank you.

On Bill 130 and 131, I'll combine those. Again, born and raised here in Wailuku, I have been active, very active, for many, many years in the Wailuku revitalization. And over 25 years, Chair, there has been charettes, many of them with hundreds of people, with overflowing people from Wailuku where I grew up, my neighbors. I think that this has been vetted far too long.

As I walk these streets from Iao Valley to Saint Anthony every Saturday night with my grandma to Saint Anthony Church, the roadways were safe. They are not no more. So, for my mo`opuna and my great mo`opuna, I humbly ask this revitalization is overdue. Make it happen for them so that they may enjoy the walkable Wailuku that I grew up in. So, they can again, once again, walk Wailuku, bike Wailuku, work in Wailuku, play in Wailuku, go school in Wailuku. This is our town; born and raised. So, I humbly ask, support that and pass that.

On Bills 147 and 148, I'll separate those. 147, public parking. Again, Kihei is not what it was when I grew up and we went camping. From Makena, Maalaea, and everything in between, it has become congested. My husband and I went on Christmas Day to Sarento's, parked in the small little parking lot and it was fairly empty, hotel was standing in front.

I think that whatever happens with the parking situation with Sarento's and the hotels, and I think all of you, and all of you when all of you out there, understand it is not okay for a local family to have to park and pay for parking; not in Kihei, not in Lahaina, not anywhere in their State. It's not okay.

It is also not okay for a local family to have to carry their coolers a distance so that they may be able to have a day with their family. This is who we are. We are people of family. It's important. All of you sitting, all five of you sitting here today, that's what you did, that's what you do till this day, with your families, and again for our generations to come and those that are here. And the elderly who still likes to go to the beach and take their grandchildren who are unable to walk long distances. Make parking available for us, the local people.

Regarding Bill 148, I think that it's like Mike Moran had said. You know, they have vetted through this as well, through the Kihei Community Association. And I'm really sad that our representative Kelly King is not here, simply because she disagrees with this item being on the agenda. I am so, so disappointed. But in any event, I think with the amendments that have been made and the deliberations that you have had, and the advice that you had taken from the public, you have come up with a bill that I think would work as Mr. Moran had stipulated, for our Kihei community. I humbly ask that you pass this. Thank you, Chair.

And again, the five of you, thank you for respecting us Maui Nui, the children of Maui Nui, to show up even if you didn't agree, because I feel you got my back. And I know you got my back because you're here. And I'm disappointed in those, Chair, that did not, because they deserted us simply because they didn't agree with your choice. I apologize. Mahalo, Chair. Councilmembers, mahalo.

CHAIR WHITE: Thank you for your testimony.

Members, any need for clarification? Seeing none, thank you for being here.

Mr. Clerk.

DEPUTY COUNTY CLERK: Next testifier is Albert Perez, testifying on Bills 145, 146, 147, and 148. To be followed by Kaniela Kahakauwila.

MR. ALBERT PEREZ [testifying on Bill Nos. 145 (2018), 146 (2018), 147 (2018), and 148 (2018)]:

Good morning, Councilmembers.

CHAIR WHITE: Good morning.

MR. PEREZ: Good morning, Chair White. Albert Perez, I'm with the Maui Tomorrow Foundation, and I'm testifying, I'm going to testify on 145, 6 and 7. I'll leave 148 alone. I listened to the testimony of our Planning Director Michele McLean and I don't understand, I think what she said is there's, there is a, I'm testifying on 145 and 146, because I think that they are inconsistent as written. I think that there is an inconsistency and therefore there is a conflict.

So, the community plan is No. 145. It's a little confusing. But, the way it's written right now, it says that no bed and breakfast or short-term rental homes should be permitted on properties that abut the shoreline. So, I thought that that was going to be changed last time to say the SMA. And the short-term rental housing ordinance says, as amended, new permits for short-term rental homes shall not be issued for properties within the special management area. So, I do think that they are inconsistent, and I would, I think that it would be better if they were both amended to say, to remove the word abut and to use the word special management area instead. So, I hope that's clear.

Moving onto 147. This, you know, this is a very, this conditional permit for the Keawekapu parking lot, it's been going on for a long time. And there's, there's a huge volume of information there. But, I was looking at the, the application requirements and I think that the application may have been processed improperly. It says that, so for parcel 29, that's the one where the hotel and Sarento's is, that has a 30-year lease that has more than five years to go. For the other one, they have a revocable permit that I believe is month to month; it's certainly not five years.

So, these are the application requirements; the developer, owner, lessee who holds a recorded lease, the unexpired term of which is more than five years, or the applicant with notarized written authorization for the application from the owner may file for this conditional permit.

When you look at the application form which apparently was submitted in 2006, under owner/signature, it says Christopher L. Hart. He is not the State of Hawaii. So, I am not sure. I wasn't able to find any written authorization from the State. So, I think that there's enough of a doubt here that I think this should be investigated. And I would ask that you defer this to, to make sure that the application has been filed properly. Thank you.

CHAIR WHITE: Thank you very much.

Any need for clarification, Members? Seeing none, thank you for being here this morning.

MR. PEREZ: Thank you.

CHAIR WHITE: Mr. Clerk.

MR. PEREZ: Happy New Year.

CHAIR WHITE: Thank you. You too.

DEPUTY COUNTY CLERK: Next testifier is Kaniela Kahakauwila, testifying on Bills 145 and 146. To be followed by Lucienne deNaie.

MR. KANIELA KAHAKAUWILA [testifying on Bill Nos. 145 (2018) and 146 (2018)]:

Aloha kakou. My name is Kaniela Kahakauwila. I'm a resident of Paia community. And I'm here to ask to move this meeting, this hearing to the community of Paia and Haiku so the community can give a better input, and we can enjoy the rest of our New Years and holidays.

Paia, the issues in Paia, there's a lot of issues; traffic. You know, if we're going to do anymore development in Paia, the community, the families in Paia, the lifestyle going change drastically, and we need to slow down. So, I ask if we can, for this meeting to Paia community. Thank you.

CHAIR WHITE: Thank you for being here this morning.

Members, any need for clarification?

Thank you for your testimony.

MR. KAHAKAUWILA: Okay. Thank you.

CHAIR WHITE: Mr. Clerk.

DEPUTY COUNTY CLERK: Next testifier is Lucienne deNaie, testifying on Bills 130, 131, 145, 146, and 148. To be followed by C. Rose Reilly.

MS. LUCIENNE DENAIE [testifying on Bill Nos. 130 (2018), 131 (2018), 145 (2018), 146 (2018), and 148 (2018)]:

Mahalo. My name is Lucienne deNaie and I'm here testifying as a private individual, although, I do happen to be president of the community association in Haiku. But, I'm not testifying on their behalf.

First on Bill 130. As has been said, there have been many, many hearings and charettes in Wailuku to consider what should happen to fulfill the conditions of the community plan. I personally attended at least one or two of the charettes over the years. However, I do agree with those who say that the final consideration of spending \$80 plus million should be an evening meeting with the actual current plan, which was not the plan in early charettes. It's been developing over time. And yes, this has been the plan for probably over a year and a half. But, you know, your average person here, your average local person who's going to live with the results in Wailuku is not following these meetings. They are, you know, busy working, keeping their families together. But, one more chance for folks to understand what is being planned, give their input.

I personally do share concerns about being able to park over the next several years when that parking lot is closed off and torn up. And, I'm sure many other people who have to, you know, drive into Wailuku, share that. I do a lot of business in Wailuku and I'm there frequently, here frequently, and it just, I would like to see one more consideration given of phasing and how this would work for phasing.

And I think it's important to hear from the folks who cannot be down here at 9 a.m. or 10 a.m. in the morning. So, I would plead with you, do not make this decision today for \$80 million and let there be, as the intention was asked for on the meeting of the 11<sup>th</sup>, an evening meeting in Wailuku that people could attend. This is kind of the intention of everyone who testified. And yet, it seems that, you know, just to be

efficient, this one meeting with everything stacked on it that's during the daytime has been substituted for that intention. And it is not what people were asking for. So, that just really should go on the record. That covers 130 and 131.

I will say, that of course we do need infrastructure upgrades in Wailuku. And my understanding is this project is broken up into two phases; one being the upgrades and the other being the actual implementation of the design of the parking structure. And, you know, the upgrades definitely do need to be done. The question is how we can make it so that disruption is as minimal as possible to those who live, work, and do business in Wailuku.

Moving onto 145 and 146, having to do with the Haiku-Paia Community Plan and the amendment allowing short-term rentals in the Paia area. The Haiku Community Association did have one public meeting focused on this, which was graciously help coordinated with the Planning Department. We discussed both sides of the issue.

We invited an individual who had testified back when the ordinance had been promulgated through the planning commissions and the Council without any change in the Community Plan and without any consideration of the language in the Community Plan. And her reading from the minutes and transcriptions of those particular sessions was very disturbing to some people in the audience. They felt it shouldn't have been on the record.

But, it should have been on the record because it did show, as Mr. Moran referred to, that there was just a kind of this cavalier attitude about the Community Plan. Oh that, well, we'll just get around to changing it later was kind of the, the overall opinion.

Well, having known a number of people who worked on that Community Plan including the founder of the Haiku Community Association, John Bose, who actually gave the last months of his life to working on that Community Plan. He died shortly after his work was completed. Their intention was to try to minimize the commercialization of the shoreline area, not just abutting the ocean, but the shoreline area. And so, as presented here, this concept, this new concept of putting in the SMA in one, for the short-term rentals and only leaving abutting the shoreline language for the bed and breakfast part of the ordinance really should go back to our communities.

This should be heard in the evenings, in our communities. And Mr. Molina, our new representative, should be up on the issue and that's when a vote should be taken; not today when it's kind of half finished, and where the intention is not really being fulfilled. So, I would really ask that this go to our community; to the Paia-Haiku community with the amended language, which no one has ever seen except the people that were able

to come down here. And that, that then will pass the, you know, community approval test. So, I thank you for your consideration of that.

Lastly, the parking situation in Keawekapu. It is my understanding that the amount paid over the, you know, a course of time has been a fairly reasonable amount for the, the parking lot. I think it was in the past, \$140 a month, the hotel paid for their 51 parking spaces. Hardly, probably, their major cost of doing business. Is the public really getting all the value it can out of public land?

And I really appreciated former Councilmember Nishiki's recall, having been on the Council, what the intention was in this area of leaving the single-family designation in the Community Plan; just sort of as a checks and balances because people do forget over time.

Although KCA has not asked for an evening meeting on this issue, and although there has been at least, I believe, two public meetings about it that Councilmember King did conduct, the fact that this goes back and forth and there's changes in this and that, it is good if the public can actually have a clear presentation of what is now being decided rather than read about it in the newspaper after it's already happened. And so, there really should be a meeting in the evening, in the South Maui area. And I can just say from my personal experience, having seen several of those meetings that were held, there were people that I'd never seen before in my life because, you know, they work during the day. And you do get to hear from our silent majority when you meet in the evening.

So, I ask of all of these matters, they're important enough that we hear from the people in our communities, the hardworking people, who cannot be at a meeting at nine or ten in the morning. So, I just humbly ask that that be your decision to pass each of these on so that that actual community meeting that was asked for on the 11<sup>th</sup> that is in the evening, that is in the community, can be held on each of these important matters. Mahalo.

CHAIR WHITE: Thank you, Ms. deNaie.

Members, any need for clarification? Seeing none, thank you for being here this morning.

Mr. Clerk.

DEPUTY COUNTY CLERK: Next testifier is C. Rose Reilly, testifying on bill, all bills on the agenda. To be followed by Nick Drance.

MS. C. ROSE REILLY [testifying on Bill Nos. 130 (2018), 131 (2018), 145 (2018), 146 (2018), 147 (2018), and 148 (2018)]:

Aloha. So, you know, it's just, it's down to the same things again; like, here we are on a weekday, in the morning when we can't have the other people that want to bring in the issue. And I feel like at this point that it's intentional because at this time, we have people who are paid to be here. We have people who are making money to be here, right? We have a whole bunch of people that gain from being here at this time. So, it's no problem for them to come. They don't have to, like, say oh should I go to work and make sure that I have money to pay my bills, or should I come to the meeting and make sure that, you know, things are done right in my community? Because they're so frustrated.

All of my, you know, Aloha Aina coming up on a regular basis saying so calmly, I'm so mad, I'm so mad. And you know it's true. You know that it's because of the gentrification, that it's because of these, like, plans that they're trying to push through that these people are like, oh, we sacrificed. You know, we gave to the community by making this parking lot. You took from the community at a very cheap rate again to make money off of our public lands in order to get what you want in your life so that you can pay for travelings, that you can have a nice car, so that you can have all of these things that our Aloha Aina cannot have because their morals will not allow them to take from the rest of the community because they see from that wholeness of perspective what is right.

So, as far as these things are concerned, with like, you know, I love what Riki Hokama said as far as like restoration. We're looking for restoration of these watersheds. We're looking for restoration of these beach access areas. We're looking, maybe we should tear down that hotel. Maybe we should tear down Sarento's, put in a park. Let's have some things back on the island that are serving the community. Let's have things that are actually for our community.

My mom was a, you know, what are those guys called, where they work with the public? She is a social worker. So, she works with drug addicts, she works with crazy people, she works with people who are homeless; for 20 years on Maui. And you know what the major cause of these problems is? It's the lack of faith in the system. It's the way that the feelings of being betrayed by people who are supposed to be looking out for the good of the community is led into these selfish pathways of, you know, greed for these particular few. And like, the lack of innovation in the upgrades is appalling.

So, to have, look around the world, let's look at different places that have, you know, upgrades, and have real community. Let's have real walking spaces. Maybe there



shouldn't be any driving in Wailuku. Maybe we need to make it so that there's all parking outside of there and you have to walk in there, and we can have all nice streets. We need to work on public transportation. Let's have educational, really nice open fun, like, trolleys that bring the tourists, and like, say like this is what used to happen here. They love that stuff, you know. Like, this is not the plan. Our plan is restoration. Thank you.

CHAIR WHITE: Thank you for your testimony. Members, any need for clarification?

Mr., Mr. Clerk.

DEPUTY COUNTY CLERK: Next testifier is Nick Drance, testifying on all bills on the agenda. To be followed by Kai Nishiki.

MR. NICK DRANCE [testifying on Bill Nos. 130 (2018), 131 (2018), 145 (2018), 146 (2018), 147 (2018) and 148 (2018)]:

Aloha. That was one of the most impressive presentations that I've heard today. And, I am so grateful that someone spoke from their heart and made common sense. All the things that people have discussed here I think are legitimate. I disagree with Mr. Moran's thought about changing single-family zoning in that area. As the young lady mentioned, that specifically was done in order to prevent the problems that we have today.

In addition to that, to talk about the individual details of this problem is irrelevant and premature at this point. The issue is that there are three conflicting laws, plans, laws, zoning, and they are in conflict. And it's going to take some time to rectify what those three things are. So, in order to plot a course, forward, those things first have to be reconciled.

What I wanted to begin with talking about, and I've toned it down. I wrote each of you a letter last week. I sent a follow up letter saying, oops, I was little bit angry when I sent that; let me retract some of that. The venom which with I, that I feel this morning, again, I cannot dare read this that I wrote. So, I'm concerned about some of your individual health issues in the matter of eye sight.

At the beginning of the last term, we saw the . . . of the ways in monkeying the Committee structure so that it was, the cards were stacked against the new Members who were dually elected by the public. So many of us actually made spreadsheets to, cause we couldn't believe exactly what is going on in this restructuring and mixing up of Committee, the makeup.

CHAIR WHITE: Mr. Drance, you need to speak to the items that are on the agenda.

MR. DRANCE: Oh okay. Alright. Thank you. The item, okay, it's not a reso, it's the fact that this meeting was even called is what I mean to say. And I'll just, I'll limit my comments. Calling this meeting at this point in time to discuss these subjects is no worse than monkeying the Committee structure at the outset of the last term.

Yuki, in a prior conversation, I said that there are some people that consider decisions and choices made in this chamber as diabolical. Now, it's widely held that this meeting itself is diabolical. You cannot justify in the last remaining days of this term to take such critical business and discuss this now when it is something that belongs to the new term. And I will finish by saying this brings a dark cloud over this sacred chamber, and it is a dark spot in the history books. And, I suggest that the Committee Members, commission, Councilmembers that are involved from this point forward, if you bring this forward and continue forward, you are complacent in this.

Regarding 130 and 131, the amendment to the budget. Mr. Hokama, the 2019 Budget is not likely to be, the audit for, is not likely to be complete for another three weeks. You've had at least six months to amend this and at this eleventh hour amendment is a lame effort given the timeframe. And this is, in my view, an example of poor judgement. Further poor judgment is indicated by your wish to introduce this bill at all.

Your fellow Councilmembers have admonished you to delay action in order to receive appropriate public comment. The public feels the same way; we are going to beat this subject like a dead horse. This is something that you want. So, I've considered that a blatant disregard for the will of the people and I consider the arrogance of this action stunning. I don't know if I should say, your sense of impunity only magnifies this. Its unethical nature is the icing on the cake. I think it's an issue, it's an ego issue, but it's embarrassing to anyone but you. We do not want this monstrosity.

Now, if you've done what I've done and looked at the developer's renderings for this complex, it looks, it's called Los Angelesification of Maui. That structure looks almost identical to the Dorothy Chandler Pavilion in Los Angeles; almost identical. The rest of the developer's plans look identical, and I mean literally identical to The Grove located in Hollywood.

And then I see developer's pictures, where this cute little post-it notes of marketing saying, oh here's a club for young people; and it's some big giant rave, two-story, like insanity thing. And then we would, we would replace first, second Friday Wailuku with some promenade that looks like the gallery in Los Angeles instead of the charming small-town atmosphere that we have. This thing is overblown.

The last point I want to make is that the audacity of asking for another \$40 million at this point is bad enough. The audacity of asking for the first \$40 million, when you're in charge of the Budget Committee knowing that Sandy Baz says that the County finances are in dire jeopardy, our bond rating would go down, disaster if we lost that timeshare lawsuit. Now, we hope that we won't. It's under appeal right now. The first court case was lost. Seemed like good reason. So, I, I have reason to believe that we might win that lawsuit. But, if we don't, we're on the hook for hundreds of millions of dollars that are, put our finances in jeopardy. And you didn't hold any of that money in escrow. That is not wise, judicious use of our money.

Not to mention, the bond rating for the State and, that is down. We are in big trouble with our State finances. And the burden of fixing that could easily fall on our tax rates for their union pension funds and so forth. You're looking at money now unwisely spent for things that we don't want, and you're not putting money away for the future. And the future, according to all government reports, whether it's the United Nations, the State of Hawaii, university studies, we need to be saving hundreds of millions of dollars to take care of changes that are ahead of us in 30 years.

So, what else? As far as Bill 145 to 148, I'll just, let me just finish. This is a new dawn in Maui for this next term. And I really hope that you reconsider your pension for unilateral action and following your own personal vision about what you think is right for Maui. And take into account what people want and what's actually good for the island. This is a new day. You have an opportunity in this new term to join with the others and form a consensus instead of this other unilateral action.

Bill 145 to 48, there's no sense in scolding you any further for building these, bringing these bills to the floor. It's obviously unwise, unethical and immoral. Everybody has said this. With days left, before the new Council takes office, these are major issues that need to be just dealt with by them. The audacity of scheduling this meeting to discuss these important subjects in total disrespect and total disregard for the voters, who have voted for a new Administration, that you should think that it's appropriate to discuss these critical subjects at this point in time? It, there's no sense in scolding you, cause you don't care. If you cared, you wouldn't have even done it. You know it's wrong. You're just trying to ram road something through. Your days are done. It's over. It's a new day. It's a new dawn. Let the new, let the wishes of the voters be carried forth in the future.

I do wish each of you well. If these are lapses in judgement or character or values, or whatever it is, I hope that you will see a new way. And when you do, some of you, not all of you, I hope you will find better ways to sleep at night and perhaps find ways to make amends. There are very dark clouds over this chamber that have formed over

the last couple of years that are very black marks here. That time is over. It's a new day. It's a new dawn. And from now on, it is the good of the island and the health of the line, island. The long-term sustainability of the island, which is not just environmental, it's our long-term economic sustainability. And that is what we have an opportunity to deal with; this business of our short-term profits and the power and influence of money, over. God bless Maui. And God bless all of you in the new year.

CHAIR WHITE: Thank you, Mr. Drance.

MR. DRANCE: Aloha.

CHAIR WHITE: Members, any need for clarification? Seeing none, thank you for being here.

Mr. Clerk.

DEPUTY COUNTY CLERK: Next testifier is Kai Nishiki, testifying on all bills on the agenda, as well as Tom Croly. Mr. Croly is the last individual who has signed up to testify in the Council chamber.

MS. KAI NISHIKI [testifying on Bill Nos. 130 (2018), 131 (2018), 145 (2018), 146 (2018), 147 (2018), and 148 (2018)]:

Good morning, Councilmembers. Testifying on 130 and 131. I oppose both of these bills. I do not think that they have been properly vetted by the community. And as was said many times, that this meeting should be held in the evening; someplace that's convenient for people who live here so that they can see what the plans are, and to really consider whether or not they want to be spending this much money on something that maybe the whole community doesn't really support. There might be other things that are more pressing, like affordable housing or other things that are important to our community. So, I oppose both of those.

For 145 and 146. Mike White, you supposedly represent this, this district, the Paia-Haiku community. And, I'm just wondering, did you even call anyone in the community, the Haiku Community Association, Paia community? Did you ask them, hey, do you guys want to have a meeting in the evening? Or was this just made for your own convenience and your own ego in trying to rush these things through?

So, I just think that you need to look around and see that you are not representing your community adequately and even respecting the community plan process. That the Community Plan says that they don't want hotels, they don't want TVR's in this area, yet, here we are saying that it's okay to have 80 of them and it's just, it's wrong. And

this needs to be brought to the community so that they have a chance to speak about what their wishes are. Not you making decisions based on what you think is good for your developer-business buddies. So, that's not cool.

For Keawekapu, what, what are we doing here? Really, what are we doing here? Look, you have bare quorum. You have Councilmembers who've boycotted this meeting because they know that you're wrong, that you, they know that this is a wrong process. Look at the gallery. Is this representation? It's, there's hardly anybody here. There's just people here who are so passionate about that this is a wrong thing that they left their families. They flew back from seeing their ohana in the continent just so they could come here and, and speak. I think that, basically, this is like a big middle finger to the community saying, we don't care what you think, we're going to do what we want to do.

The Members that even requested these hearings, they're not even here. That's because they heard what the public said. The public said we want a meeting in our community, in the evening. We have the lawyer for Maui Oceanfront Inn up here completely lying, saying that this is a commercial parking lot and we pay so much money; and that's not even true. They pay \$140 a month; that's nothing. If, if they can't afford that, don't worry, I can afford that. I know some community members who would support that and we'll take care, take care of that. And this parking lot can be for the public, as was its intention.

We had a petition, we have a petition of almost 2,000 people who want a meeting in Kihei in the evening. And, I don't think I hear that KCA, you know, now they're saying that they support it because they've been pressured personally, but I don't think that they have ever had a public hearing with the Keawekapu issue on their agenda either. So, I think that they need to take, they need to step up and have a public hearing and not make their own decision behind closed doors, cause that's not cool.

And also, I think that the whole issue needs to be looked at again, because I think that there are some SMA violations that are still current and pending per a letter from the State saying that they have illegal seawall on their property. They have encroachments on the beach. These things have not been addressed, so why would we authorize them a conditional permit when they have outstanding issues with the, with the County? Like, I don't think that that's right. They also, and I just think that, I mean, there's a whole list of issues on this. And you can see from all of the testimony that this really just needs to go back to Committee and be addressed next year. So, this process is just hewa. So, please send this back to Committee and stop wasting our time here for your personal agendas, Mike White.

CHAIR WHITE: Thank you for your testimony. Members, Ms. Nishiki.

Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you. I wanted clarification.

MS. NISHIKI: Sorry, Stacy.

COUNCILMEMBER CRIVELLO: Thank you for being here. It was mentioned earlier that the Kihei residency representative Councilmember Kelly King held two public hearings. Are you aware of that? And, actually, she was the, she requested for this bill to come up early and she held it in, through her Committee. So, I'm wondering if you understand where she's coming from as the district representative; claim she had public hearings and has been pushing, had pushed it out of her Committee. So, are we saying that she didn't have it? I understand was specifically on this issue and the parking.

MS. NISHIKI: Okay, let's make a clarification about this, these supposedly public hearings that had. A public hearing is when all of the Councilmembers come to Kihei and they listen to the community. And then you guys are given, the public has an opportunity to talk to you folks.

COUNCILMEMBER CRIVELLO: Oh, I, I stand corrected; community meetings that she held.

MS. NISHIKI: And so the community meeting that was held was actually held by the developer's consultants; the Jordan Hart. So, it was basically a meeting held by Jordan Hart to say, you know, what they wanted to do. So, I, it's not, it wasn't really a community meeting. And Kelly King may have attended, but she was, it wasn't like a public hearing held for the, by the Council at all.

And that's, and that's really what was requested; is that the Councilmembers come there. And that I also think that the Councilmembers should go and do a site visit. I mean, when's the last time any of you guys have been down to Keawekapu and, like, seen the situation down there and how many changes there are? Like, this is, it's really important to go to the place and, and feel the mana of that place when you're going to make a decision about that.

COUNCILMEMBER CRIVELLO: I, I understand what you're saying. I'm just trying to clarify where Councilmember King is coming from, because she resurrected the bill and, you know, and discharged it from her Committee. And, you know, are there changes to what she recommended in your opinion?

MS. NISHIKI: Well, I, in my opinion and there's a lot of people in the community who are very puzzled and baffled why the South Maui Councilmember, one, took it out of Bob Carroll's Committee where it was originally; had it scheduled into her Committee and then how she kind of basically pushed forward the developer's agenda on this issue. So, yea, there's a lot of questions as to why the South Maui Councilmember is pushing the developer's agenda for this issue.

And she didn't, I mean, you guys saw, she didn't even support the public hearing. I mean, we had four Councilmembers, which is kind of unprecedented supporting a public hearing and you don't even get support from your, your own district. So, you know, there's a lot of, there's a lot of questions in our community as to what's actually going on behind the scenes, because why is the one who's supposed to be representing the public--

CHAIR WHITE: Okay, I think--

COUNCILMEMBER CRIVELLO: Thank you.

CHAIR WHITE: I think you've answered her question.

MS. NISHIKI: Oh, I'm almost done. Why is the one who is representing the public not really for a public hearing, and for taking away stalls from the public and giving them to the developer when you don't even need to? The plan, the Planning Director came up here and said they only need three stalls out of that whole parking lot. And if they're paying \$140 a month for that, they're, they're getting a really good deal. And the County could take over that parking lot and we can rent them those stalls for \$100 a stall and we can still be fine. So, yea, you're right, they're, it's, it's really puzzling. That's why it would be a good idea for this to go back to Committee and then to try and figure out what's going on here.

COUNCILMEMBER CRIVELLO: --

MS. NISHIKI: A little shady, yea.

COUNCILMEMBER CRIVELLO: Okay. Thank you.

MS. NISHIKI: Mahalo, Stacy.

CHAIR WHITE: Thank you for being here. And best wishes to your dad--

MS. NISHIKI: Thank you.

CHAIR WHITE: --and holidays.

Mr. Clerk.

DEPUTY COUNTY CLERK: Next testifier is Tom Croly, testifying on Bills 145, 146, and 147. To be followed by Nicole Hokoana. She is the last individual who signed up to testify in the Council chamber.

MR. TOM CROLY [testifying on Bill Nos. 145 (2018), 146 (2018), and 147 (2018)]:

Aloha, Council Chair. Aloha, Councilmembers. I'm Tom Croly. I'm testifying as a volunteer on behalf of the Maui Vacation Rental Association for the final time in that capacity. You folks haven't listened to anything that I've said for the last few years. I don't expect you to listen to what I have to say today. But, I'm here one last time to make a few points.

On item number 145, I believe that it is appropriate to amend the Paia-Haiku Community Plan to include both permitted bed and breakfast and short-term rental homes. Both of these uses are specifically in Code, residential uses. They are not, not in any way, shape, or form hotels or resort development, which is exactly what the Paia-Haiku Community Plan from 1995 sought to not have. They said, at that time, we should limit it to owner-operated bed and breakfast because that was a concept at that time. It wasn't a law. We didn't know what an owner-operated bed and breakfast is. We didn't know what a short-term rental home was. But, this Council, a previous Council took a lot of time, no fewer than 11 Council Committee meetings, no fewer than three Planning Commission meetings, no fewer than three Council meetings; and very carefully crafted a short-term rental ordinance.

Prior to that, a similar ordinance was crafted for the bed and breakfast. For anyone to say that the Community Plan was not considered in those, well, I want to point to the minutes of a meeting that was held right here on January 30, 2012, where the Community Plan issue was brought up. In fact, members, of the Paia-Haiku Merchants Association, represented by Josh Stone at the time, said they surveyed 60 of their members and they wanted 150 short-term rental homes to be allowed in the Paia-Haiku community area. Because they recognized just how important those short-term rental homes were to the economics of the north shore.

In fact, Chair White made a motion that we change the cap for the short-term rental homes from 88 to 150. Some of the other Councilmembers that were present at that meeting didn't necessarily support that motion, so it never actually came to a vote



because I don't think they saw they had the votes to change it from 88 to 150. However, this was not an arbitrary number that was just pulled out of the air. This was a calculated number based on the number of short-term rentals that existed based on a survey at that time.

I attended every public meeting associated with this issue; the Haiku Community Association meetings, the Paia Merchant Association's meetings, every, every Planning Commission meeting. And never once was any one, any discussion made about not allowing these along the shoreline, okay. It was only after this item came forward from the Planning Department that they said, let's not allow them along the shoreline. Alright, so that made it through. But, it was wholly inappropriate, completely inappropriate for this Council to change that to the entire SMA at first reading. That was not an issue that was ever discussed during the entire promulgation of this change in the, in the ordinance.

So, as, as for Bill 146, I urge this Council to file that bill. There is no legitimate reason to reduce the cap. There is no legitimate reason to extend a prohibition to the entire SMA. That bill is inappropriate. Bill 145 is going to align the Community Plan with the existing law, and that's all that's necessary with, with that regard.

I really honestly feel that what has happened in the past two years with respect to the bed and breakfast and short-term rental laws, disrespects all the work that was done by previous Councils. Some of you folks sat on those previous Councils and you know the work that was done. You know that it wasn't arbitrary. Every single aspect of these laws was discussed here over and over again. You heard from many testifiers. Those testifiers thoughts were put into the, the law that was there. And then when you pick and choose and you, and you tear these laws apart one little piece at a time, they don't function. So, what you end up with is a dysfunctional law and you don't get the end result you want.

However, if you don't want to have any short-term rentals along the oceanfront, you won't get any short-term rentals along the oceanfront that are permitted. But, what you will get is what you have along Keawekapu Beach already. There are 30 properties fronting Keawekapu Beach, 24 of those 30 properties are owned by out-of-State owners. Only one is a permitted short-term rental, but all the rest, they basically sit empty as the enclave of the rich. Only four of those 30 properties are owner-occupied properties. That's what you'll have, and that's what you kind of already have along the coastline of the north shore. So, putting a prohibition on getting a short-term rental permit along the oceanfront or in the SMA, it isn't going to change the ownership of these properties. They're already going to go that way.

I would just like to make one comment on Bill 147. Bill 140, or I think 147, that's the parking lot thing. The lawyer representing the Maui Oceanfront Inn correctly stated that they were being taxed at the commercial tax rate. But, I want to point something out. That lot is only being assessed at \$68,000. The lots in that area, in general, the land value are assessed at \$6.8 million. So, if they were paying the appropriate property tax or the value of that land, okay, it would be a much higher tax bill than, than what they're currently getting.

And if they are going to use that land as for the commercial purposes as they have been, then they should be appropriately assessed and taxed that way. The least amount that they pay to the State to use the land, well that's between them and the State, and you guys don't have the jurisdiction over that. But, you do have, I believe, the jurisdiction over what the value of that property should be and how it should be properly taxed. Thank you.

CHAIR WHITE: Thank you, Mr. Croly.

Members, any need for clarification? Seeing none, thanks for your testimony this morning.

Mr. Clerk.

DEPUTY COUNTY CLERK: The next testifier is Nicole Hokoana, testifying on Bills 145 and 146. She is the last individual who has signed up to testify in the Council chamber.

MS. NICOLE HOKOANA [testifying on Bill Nos. 145 (2018) and 146 (2018)]:

Good morning, Chair, and good morning, Councilmembers. Thank you for allowing us an opportunity to testify. My name is Nicole and I was born and raised in the Paia-Haiku area, and I live there currently, and I also work in the area. I, I would consider myself educated. I've worked in the field of education and human services here on Maui, and really do consider myself a public servant, like you.

But, I would not describe myself as, you know, highly politically active. I don't know the difference between Ordinance No. 145 and 146. It's pretty confusing to me, the, the speed at which this hearing is taking place. I know that there was a first reading on December 11. But, I don't even know first reading, second reading, I'm, I'm like your average consumer; maybe a little bit better off. And the reason I bring this to your attention is because if I feel disenfranchised and I feel disconnected from what's happening in my community, then the average person who is just getting by, who can't

take off of work, who doesn't have the flexibility that my job offers me, could no, could be, there's no way they could be here today to testify on a bill or two bills that they really don't understand.

And so, I guess the way I'm feeling this morning is I feel disappointed that there isn't more education to our community. If our Community Plan and like I said, I don't really understand the language of these bills or what, what the implication is of its passage. But, I'm disappointed that you could be taking action today that affects the place that I live and work in. And I don't even know about it to get involved, nor do I know about it to be able to make an informed decision.

So, we know what happens, what's happening, I should say, in Washington DC with Trump refusing to release the budget because there's no wall included in it. We know what happened in Minnesota or what's occurring with the new leadership there, as Scott Walker is exiting. And I see the polarization nationally, and it just, this, this kind of looks and feels the same way. And that's really disappointing to me that our Councilmembers may, may be moving forward in a direction that's not, you haven't received the consent of the people that you're, you're governing over. You're not offering the opportunity to, to raise awareness about the issues of TVR's and how they're affecting our communities. And we're not being given the opportunity to participate. And this is a democracy. And we don't want to see our local community look like Minnesota or Washington DC.

We want people that can work together and I, I want to be a part of the solution, not the problem. But I can't do that if I don't have information. And so, I, I urge you to think about people like me, just everyday people who are just trying to live and work and survive and take that into consideration. And really ask yourself, did the community get involved in this decision that we're about to make? And if they didn't then allow the time that is needed for the community to become informed and participate in resolving these issues. Thank you.

CHAIR WHITE: Thank you very much.

Members, any need for clarification? Thank you for your testimony this morning.

Mr. Clerk.

DEPUTY COUNTY CLERK: Next testifier is Wilton Leauanae, testifying on Bills 145 and 146. He's the last individual who has signed up to testify in the Council chamber.

MR. WILTON LEAUANAE [testifying on Bill Nos. 145 (2018), and 146 (2018)]:

Good morning, Chair. Good morning, Councilmembers. I just wanted to get up, I wasn't going to testify, but then after hearing everyone, I think I could agree with everyone that's, you know, majority of them have spoken today, is that the community is, hasn't been represented today. This is a last minute, this is a last-minute meeting that was called. And so, I, in a sense, I feel the same way, especially with this Bill 145 and 146. I was there, I testified last time for the first time ever in my life in front of the Council. And I realize that the voice does make a difference in, you know, in the community when you speak up.

Regarding this 145 and 146. Tom Croly said it well as far as this, you know, the bill regarding the SMA area. That thing stuck out to me more than anything. I was there at the Paia community meeting when we first were talking about STRH's and the community plan amendments. And I seen it come from the Planning Commission then to, they said, hey let's take it out to the community. The community spoke and went back to the Planning Commission. They make their recommendations. It comes up to the Council. So, I've seen this thing go, follow all the way up and the whole thing is, you know, let's make this, this amendment consistent with the ordinance that's out there already. And, I've testified to this before.

But then in Council meeting, you know, a Member, you know we were talking, they were talking about it and then they all of a sudden just throw in, oh yea, let's just change from the shoreline which is limited to about, I think eight STRH's right now. It's really limited area, especially in Paia, to the whole SMA, like, she just said it, like, and then it just, it's already on the bill. And now we're having this meeting to try to push it through the very last second.

So, in keeping and in, in agreement with what everyone said, is this needs to go back to be vetted from the very beginning, either to back to Committee to talk about this SMA area. That's huge; that's not just some small area. So, it needs to be, whether, and my understanding was that we're supposed to go, you know, back to the public and hear, have public testimony, receive it, I think in a three-panel, I'm not sure. But, just the, it was supposed to go back to the community to, to hear this again.

And in particular, I, I just was, that throwing in the language about the SMA area, expanding that is, it was, it seemed wrong to me. It didn't feel right that it could just be thrown at the last second. And today, I, you know, it's the second and last reading. That's, that's kind of, doesn't feel right to me. And I just wanted to stand up and testify regarding that. And I know you've heard a earful from the community today. And hopefully, when I hear discussions, this can be, you know, properly sent back to the right Committee and preserved for the next Council. Thank you for your time.

CHAIR WHITE: Thank you for your testimony.

Members, any need for clarification? Seeing none, thank you very much.

Mr. Clerk.

DEPUTY COUNTY CLERK: Mr. Chair, there is no further individuals in the District Offices nor the chamber who wish to offer testimony for the special Council meeting or three Member public hearing. And we have received written testimony for the three Member public hearing and special Council meeting.

CHAIR WHITE: Thank you.

Without objection, Members, we'll receive the written testimony into the record.

MEMBERS VOICED NO OBJECTION.

THERE BEING NO OBJECTION, WRITTEN TESTIMONY RECEIVED FROM THE FOLLOWING WERE MADE A PART OF THE RECORD OF THIS MEETING:

1. Eric Rohozinski.
2. Helen Nielsen;
3. Jonathan Starr;
4. Nicole Hokoana;
5. Barbara Barry;
6. Kaimaile Makekau;
7. Marc Tolliver;
8. Cara Burklin;
9. Russell Burklin;
10. [gasousa1954@gmail.com](mailto:gasousa1954@gmail.com);
11. Kristin Holmes, Holmes Family LLC;
12. Shelly Stevens;
13. Pamela Tumpap, Maui Chamber of Commerce;
14. Kit and Deron Furukawa, Mystery Maui Escape Room;
15. Paul Solomon;
16. Michael Baskin, Baskin Design, LLC;
17. Joseph Blackburn;
18. Grant E. Howe, Commercial Properties of Maui LLC;
19. Greg Mebel;
20. Douglas R. Wright;
21. Jan Dapitan; and
22. Seiko Machida.

CHAIR WHITE: Thank you. So, ordered. And without objection, we will close public testimony for both the public hearing and the special Council meeting.

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Thank you. So ordered.

And with that, we will adjourn the public hearing.

### ADJOURNMENT

The public hearing of December 27, 2018 was adjourned by the Chair at 10:59 a.m.

CHAIR WHITE: And continue with our meeting. But, we will take our morning break. And since I, we've gone a little longer than we normally do, please be back here at 11:15. We're in recess.

(THE MEETING WAS RECESSED BY THE CHAIR AT 10:59 A.M., AND WAS RECONVENED AT 11:19 A.M., WITH ALL MEMBERS PRESENT; EXCEPT COUNCILMEMBERS ATAY, COCHRAN, GUZMAN, AND KING, EXCUSED.)

CHAIR WHITE: This meeting shall please come back to order.

Mr. Clerk, let's proceed with the agenda.

DEPUTY COUNTY CLERK: Mr. Chair, proceeding with ordinances second and final reading.

### ORDINANCES

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 130 (2018)

A BILL FOR AN ORDINANCE AMENDING  
THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI  
AS IT PERTAINS TO ESTIMATED REVENUES;  
DEPARTMENT OF MANAGEMENT,  
WAILUKU CIVIC COMPLEX;  
TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND  
TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, with no objections from the Members, I would ask the Clerk to bring up Bill 131 also.

CHAIR WHITE: Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: So ordered.

Mr. Clerk.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 131 (2018)

A BILL FOR AN ORDINANCE AMENDING  
THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI  
AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS,  
DEPARTMENT OF MANAGEMENT,  
WAILUKU-KAHULUI COMMUNITY PLAN AREA,  
WAILUKU CIVIC COMPLEX

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA:

CHAIRMAN, I MOVE THAT THE BILLS AS READ BY THE  
CLERK PASS SECOND AND FINAL READING.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR WHITE: We have a motion from Mr. Hokama, and a second from Ms. Sugimura.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, thank you. Again, we're here to speak about a very large capital improvement project for the County of Maui that I believe will have its benefits as with, we had with this building for 50 years.

Couple of things. I just want to thank those that also took the time to send in phone calls and written testimony, Chairman, to my office; I received a lot. And I appreciate those that took the effort to communicate. And I can tell you I, what I appreciate was the amount from the Wailuku area itself. And I would say that there are, were a few that were not in support, there's, their concerns and some opposition of components of the plan; and I can appreciate that.

And yet, I had received a lot of people who supported the overall intent of trying to do something positive in moving forward. I think the comments that I thought was very pressing was how through the years people have noticed a change in street safety or walkability. I think that is something that we would like to return.

I can remember Wailuku of the 60's. This was one heck of a place to be in the 60's, Chairman. You know, this whole business area core was active. We had a big hotel on the corner. We had a lodging and restaurant/bar in lao. This was a quite happening district. And it paid for the improvements of South Maui and West Maui and Upcountry a lot during that era.

My thing, Chairman, is we have a great opportunity. And, you know, I, in hindsight I thought maybe we should have changed this to just call it the Wai Complex, because I see this as not only helping Wailuku, it's going to help us address Waikapu. It's going to help us address Waihee, Waiehu, Waiee areas. This is about this whole regional area, Chairman. And for us, again, as I said, to move forward, I see it as being able to do better planning, smarter budgeting and appropriations, cause we will be able to see it from a greater perspective that has a more positive and balanced approach than what we have been doing, which is very narrow spot focus type of reviews and approvals.

So, for me, Chairman, you know, this is something that started in the 60's. Yea, I have a bias about it. I have family that is in Piihaha. I have koko there. So, do I have a bias? Yes, I do. I want to see Wailuku revised.

And there's advantages, Chairman, to moving this to the next scope. One of the key things that I envision is the continued participation of the U.S. Army Corps of Engineers because of the importance of lao Valley and Wailuku River. And that is a core project, because we're going to need to continue to pay attention. We are going to continue to be diligent on how we view the waters coming down that flood control areas and protect the residences and properties along both sides of the river. That is part of the



advantage I see of this type of regional planning and moving forward with a project that can bring us the necessary agencies and other components to make this a much more bigger and successful project, you know.

This is not just about the County, Chair. This is about our education; Saint Anthony School, the elementary school in the back. This is about our businesses along Market Street, Vineyard, High Street. This is about our residences. This is about our parks; Wells Park and everything else. We have a great opportunity, Chairman, in a, what I would say pretty good timing because of the way construction is moving in their phasing.

And again, Chairman, everything goes in cycles, okay. I wish, I don't want to go back to the 60's when this State was moving forward, . . . population growth, and Maui County was losing people like crazy. We were the County that was losing population. Look from the 1940's, 50's, 60's, the State was booming. What was Maui? We were losing thousands of residents, okay. We don't need that, Chairman. I believe what the young man had said, we need to provide the opportunities for our people to choose to stay here if that's what they desire. And I think that is one of the things this project brings; additional choices of employment opportunities, how we can protect specified and special unique communities that needs to be maintained and not just swallowed up by the greater Wailuku or the Wailuku-Kahului twin cities.

We don't need another twin cities, Chairman. We have enough uniqueness to maintain our characters. And I think this project helps us do that. We can relocate infrastructure so that what, Waikapu for one, cause I get interest in there, I have family living there, doesn't get swallowed up and just be part of western Wailuku. It needs to stay Waikapu. Just like I need Waihee and Waiehu to remain and keep its own identity, Chairman. Piihana, Mokuhaui; they're unique identities too. They have a place; especially, Piihana with the great Piihana Heiau.

So, I would say, Chairman, I see this as a great opportunity. Is it going to take money? Yes. But I believe we will get a return of investment sooner, faster than people envision. And we'll be able to move regional planning forward in the way that I, I hope at least, makes better sense economically, financially, as well as efficiency in planning. Our problem, Chairman, is we take so long to make a decision, by the time we do it, it's either double or triple the original cost estimates, okay. I think the people have waited long enough on this project, Chairman, to move it forward.

And there's still additional time for Council to review the final authorization of the bond. And so, we'll continue to have additional public outreach. We'll be fine-tuning the final construction drawings. We may keep it as is. We may amend it, revise it, make it smaller. If it's justified and makes sense, maybe bigger. I don't know, Chairman. All

I know is we have put forth a project, to me, that makes good sense conceptually, financially. And from a planning perspective, makes greater sense for me for the next ten years for this County to be able to move forward. And I believe this is good financial practice, Chairman. So, I'll be supporting this motion. Thank you.

CHAIR WHITE: Thank you, Mr. Hokama.

Further discussion on this item?

Mr. Carroll.

VICE-CHAIR CARROLL: Thank you, Chair. Mr. Hokama covered that pretty completely. He didn't leave me too much to say. But, I will say this. I've been involved with, to a degree, since oh, the mid-1990's. And I've seen this come to about this point or near it quite a few times. As a matter of fact, one proposal was very similar to what we have before us today. And as Mr. Hokama said, at a much less cost. And it always fell to where, well, we need more meetings, we need more of this or there was always delays.

And the newspaper, the Maui News and different associations, always came down on the Council. And rightfully said, yea, the Council kicked the can down the road again. Well, we can't do that anymore. I don't know if people realized how much scrutiny went into this over the years and for this proposal, and it's been a lot.

You know, Mr. Hokama is not the only one that's received a lot of testimony and a lot of people coming by and a lot of input. I have considered all that and looked the history of it and look at the potential. And I really believe that this is the way to go, and I support the motion on the floor. Thank you, Chair.

CHAIR WHITE: Thank you, Mr. Carroll.

Any further discussion?

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. I too support this. I will say that in 1990 to 2002, when I worked for Mayor James "Kimo" Apana in the Office of Economic Development, one of the projects that I took up was trying to do exactly this. We did charettes. We did a lot of community outreach in terms of trying to get input for how to, what to do with 200, I think was 88 parking stalls, in Wailuku Town, and to build a parking structure within Wailuku Main Street was still active and viable.

We did present through Council and I will tell you that what we presented forgot one thing, which this has, which is the input from the community that happened from 2002 forward about all of the office, office space that was, is going to be created. And I think that was one of the, the biggest comments back as to why the parking structure would not have worked. It didn't have any, it was County property and it didn't have any County office, offices available in it. It didn't have that community element, which is now part of it. I believe that the Wailuku Civic Complex is also looking at having like a farmer's market element to it. I think also that Wailuku First Friday, as I know it today, will not die. I think it's going to be part of the street. But, the complex will add to the ambiance to the town for, you know, night activities.

I totally support this, Chair. And I hear what Member Hokama kind of summed up the economic driver that it could be, which is one of my missions when I was at OED about doing Wailuku revitalization. And, and what Bob Carroll is saying in, in his wisdom is that whenever you do something, it is just never enough.

And I believe that through the time that I've been involved with it since 1999 to today, I think there have been a lot of community meetings. Maybe not everybody knew about it, as one of the testifier's said, for various reasons. But, it's been there. It's been out there.

And Wailuku First Friday has been a venue so that Erin Wade, who has championed this through the County now, even has set up, she gave up so many of her nights being there with, you know, boards and re-Wailuku envisioning and trying to do the best, you know, to get the elements that what we have today.

So, I totally support it. What Member Hokama said is that this is just a step forward in terms of the additional funding and it will have to go before the next Council for the actual final presentations and spending. But, I totally support this, Chair. Thank you.

CHAIR WHITE: Thank you, Ms. Sugimura.

Any further discussion on this item?

Well, I, I will just say that my comfort with this is that the, the \$40 million for the infrastructure improvements in Wailuku is already approved, and I believe is secured by approval of bond as well. So, this, the guts of the project are moving forward. What is, what this measure allows is that we can continue to design the, you know, the parking structure and the civic complex at whatever level that becomes. But this, this basically says we have an intent to move forward, in, in this direction, and it allows the design to continue. However, it will have Council review through this process because

Council has to approve the final bond measure to fund it. So, it can only, it can only move so far before Council has to take action.

And so, I, I'm very comfortable, this is something that doesn't need to go to the next, the next Council because they will have their say in this process at the appropriate time. And they'll be able to vet and decide upon the design and have their input as well. I do think that it's an, an important economic project for Wailuku. And for that, I fully support it. And, does it need more vetting? Everybody should have their input.

But, as you all know, one of the biggest challenges that we face here is that not everybody is paying attention to what we're doing. And so, it is difficult when people finally find out about something, they come back and want to know more about it. But, it's not for lack of trying. This Council has put a significantly greater amount of information on, on our website. So, if you want to be notified of postings for any kind of issue, all you have to do is sign up and you'll get a notification. If you want to see what's on the agenda, there's a website to go to. We post everything on that agenda. So, we are far more transparent than it was, you know, four years ago. So, you know, I'm comfortable that we've done a great deal to try to get people involved.

So, any further discussion on this item? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS CRIVELLO, HOKAMA,  
SUGIMURA, VICE-CHAIR CARROLL, AND  
CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS ATAY, COCHRAN, GUZMAN,  
AND KING.

CHAIR WHITE: Measure passes with five "ayes", and four "excused"; Mr. Atay, Ms. Cochran, Mr. Guzman, and Ms. King.

Mr. Clerk.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 145 (2018)

A BILL FOR AN ORDINANCE AMENDING THE PA'IA-HA'IKU COMMUNITY  
PLAN RELATING TO VISITOR ACCOMMODATIONS

CHAIR WHITE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. May I ask the Clerk to also bring up Bill 146 to be considered?

CHAIR WHITE: Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Pardon? Okay. Mr. Clerk.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 146 (2018)

A BILL FOR AN ORDINANCE RELATING TO SHORT-TERM RENTAL HOMES IN  
THE PAIA-HAIKU COMMUNITY PLAN AREA

CHAIR WHITE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA:

CHAIR, I MOVE TO PASS BILLS 145 AND 146 ON SECOND  
AND FINAL READING.

VICE-CHAIR CARROLL:

SECOND.

CHAIR WHITE: We have a motion from Ms. Sugimura, and a second from Mr. Carroll.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. Bills 145 and 146 passed first reading on December 11, by adoption of the recommendations of Committee Report 18-228.

The purpose of the proposed bills is to resolve an inconsistency between Haiku-Paia Community Plan and Chapter 19.65, Maui County Code.

The Paia-Haiku Community Plan limits visitor accommodations to owner-occupied bed and breakfast homes, while Chapter 19.65, Maui County Code, provides for up to 88 short-term rentals in the Community Plan area. Bill 146 reduces the caps of short-term vacation rentals in the Community Plan area from 88 to 65, to reflect the 48 permitted short-term vacation rental operations and 12 pending applications currently in existence.

To address any potential due process issues, Sections 3 of both bills were revised to provide; number one, "existing short-term permits shall remain valid, shall be eligible for renewal under the standards in effect prior to enactment of this ordinance, at the option of the permittees". Number two, "The Department of Planning shall continue to process applications for short-term vacation rentals permits deemed complete prior to the ordinance effective date under the standards and effect prior to enactment of the ordinance, at the options of the applicant."

At first reading, Bill 146 was revised to permit short-term rental home permits for being issued within the SMA area to avoid proliferation of short-term rental homes and subsequent changes in the character of the region coast.

And, during the recess, I had a short discussion with Lucienne deNaie, who is the President of the Haiku Community Association. And she said that this area, this was, this discussion was talked about. It may not have been called SMA, but the discussion did happen in the Haiku Community Association meeting regarding this issue.

As Vice-Chair of the Planning Committee, I ask for the Members support to pass Bills 145, 146 on second and final reading, as our Chair is not present. Thank you.

CHAIR WHITE: Thank you, Ms. Sugimura.

Members, any further discussion?

Yes, Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you. Thank you, Chair. You know, I may be making my decision on subjectivity today, as far as supporting passage of this for second reading. I listened to the maka`ainana, and what I hear from the maka`ainana is to defer it so they can have more vetting in the community of Paia and Haiku. So, at this time, I will not, and for that reason I will not support passage of this in second reading, final and second reading. Thank you.

CHAIR WHITE: Thank you.

Mr. Carroll.

VICE-CHAIR CARROLL: Thank you, Chair. Excuse me. We had a lot of meetings over the years in the area at the community center in Paia and in Haiku, concerning the vacation rentals, especially the ones near the shore and the problems they cause and the concerns that people had. The only people that were really all supporting it is the people that owned short-term rentals and bed and breakfasts. The general public, we received almost no support along that line. And as the Members might know, I've passed different ordinances trying to curtail the control and limit bed and breakfast and, well, actually vacation rentals is what I was, what I targeted.

I think it's something that's necessary. And I can count, I have five fingers. But I felt it was important to say how I feel about that, the proposed ordinance before us. Thank you, Chair.

CHAIR WHITE: Thank you, Mr. Carroll.

Well, Members, Ms. Sugimura, if, we don't the votes. If you wouldn't mind withdrawing your--

Oh, I'm sorry. Mr.--

COUNCILMEMBER HOKAMA: Chairman.

CHAIR WHITE: Yea.

COUNCILMEMBER HOKAMA: Before you entertain any other procedural request, if I may ask a question to Mr. Wong?

CHAIR WHITE: Certainly.

COUNCILMEMBER HOKAMA: Thank you.

Mr. Wong, thank you for being with us this morning. You heard testimony. So, regarding this motion, regarding two proposed bills for ordinances, those concerned about properties that abut the shoreline versus special management areas, some say what's the difference, but for us today, the way that bill is currently presented, is there a big difference as some testimony has indicated?

CORPORATION COUNSEL PATRICK WONG: Thank you, Chair.

Mr. Hokama, the, as you can see, the bill as written was signed off by one of my deputy's, which means that it's legal as to form. And so, to answer your question directly, the SMA is a larger--

COUNCILMEMBER HOKAMA: Correct.

CORPORATION COUNSEL: --area than the language relative to abutting the shoreline. It's not inconsistent. It just encompasses a larger area. So, with that said, I think it's fine as written. And you heard the Planning Director testify earlier that they certainly are able to enforce it as is. So, I hope that helps you. If you have another, if you wanted me to further clarify, you're welcome to ask me.

COUNCILMEMBER HOKAMA: No, no I'm just trying to appreciate the different perspectives of how people view SMA areas and what is abutting the shoreline. Cause, I agree with you; you could be on the mauka side of an SMA far from the shoreline, . . . is 300-foot or whatever it be, but you're not abutting the shoreline. And so, I just wanted to know whether or not it made a technical difference, especially for applicants.

CORPORATION COUNSEL: Well, so in terms of where a permittee may have difficulty is they may have property that does not abut the shoreline, but is in the SMA.

COUNCILMEMBER HOKAMA: Right.

CORPORATION COUNSEL: In that circumstance then, this change would apply. And you heard testimony earlier, also, that maybe conceptually the plan should be identical, that the language in this should be identical with the area. In other words, both say no further within the SMA or both say, no, none can abut the shoreline. The difference is one says it shouldn't abut the shoreline and the other one says no more in the SMA. Although they are different language and they apply to different areas, one is broader and more restrictive than the other. And you can have a more restrictive, and Mike will, if you want, get into greater detail about that. But, you can have it as written.

COUNCILMEMBER HOKAMA: I appreciate your comments, Counselor. I just wanted to have it clear in my mind what I understand special management areas and abutting shorelines was before I voted on this. Thank you, Chairman. I'm clear.

CHAIR WHITE: Yea, thank you, Mr. Hokama.

Yea, I would just add that the reason that I supported increasing it from abutting the shoreline to the entire SMA is that it basically does what many of the testifiers were



wanting to do, which was limit, significantly limit the, you know, the growth of STRH's. So, the way that these bills are now with the SMA area being now unavailable for those who have not already put in a permit request, we've essentially locked up a considerably larger area than just the wording that says abutting.

Because it, my understanding is if you're abutting the shoreline, you're, you actually have a parcel that is on the shoreline, it's not close to. But, by using the SMA, we've gone above the highway. And so, once you go above the highway in that distance, we've basically closed off most of Paia except for, you know, further up Baldwin Avenue, from any new applications.

So, the applications at this point, the remaining applications, I believe the numbers were 47 and I think she said seven or eight. Anyway, so we've got maybe another eight to ten permits that will be available. But, those permits will only be available in the Haiku area; not in, not in the vast majority of Paia. So, that's what made me comfortable with it. And you know, but at the same time, you know, I recognize Ms. Crivello's concerns.

Ms. Crivello.

COUNCILMEMBER CRIVELLO: So, clarification. So, as long as you're in an SMA area, you still have to apply for your SMA permit, right?

CHAIR WHITE: If you're in--

COUNCILMEMBER CRIVELLO: In addition to your STR, you still would have to apply for your SMA permit.

CHAIR WHITE: If you're in the SMA area, in the Paia and Haiku area, unless you have an, unless you have already submitted an application, you will not be able to submit an application. So, we basically closed it off at the current level of, of permitted STRH's. And those who have already applied will be able to continue through the process with their applications. But, if you're in the SMA area and you have not yet applied, you're out of luck, so.

COUNCILMEMBER CRIVELLO: So, my question then, you know, if you, we do not have passage, can we recommend deferral? What I've heard from residents of Paia, though it may not have been in the numbers, to me, they took the time out to come here, and whatever changes we're making, it can be deferred to maybe the next Council to take it out to the community further?

CHAIR WHITE: Yea, I, I was comfortable that I, I think the concerns of the testifiers were actually addressed. They just were not aware of the, the latest action that we had taken. But, we took that, that action to include the entire SMA at the recommendation of testimony in our December 11 meeting. And as often happens, folks are not necessarily aware of the actions that we took in, you know, previous meetings. And I think, my feeling is that's what that, that concern was.

COUNCILMEMBER CRIVELLO: Right. And that's the perception we may have. But, the perception I received today was exactly it; that they're not fully aware of what, what is available in this. And for, for that reason, I'd like to respect where they're coming from and allow the deferment.

CHAIR WHITE: Right. I understand that, but what I'm, what I'm suggesting is that with this action, we are shutting down all of Paia except up Baldwin Avenue. The SMA goes above the highway. And I don't remember exactly how far. You all saw the map at the December 11 meeting. So, I think we've already done what they're asking us to do by, by this action. But the same time, you know, I don't have a concern. I will ask for, if this, if we, I will ask for a deferral or a referral to the next Council because this has gone through too much process for this to, you know, just to die here.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: So, the numbers that you were looking for is that there were 48 permitted and 12 pending; that's the numbers you were looking for. So, basically then if we refer this--

CHAIR WHITE: Okay, so there's only five--

COUNCILMEMBER SUGIMURA: Available.

CHAIR WHITE: --five available permits that have not been requested. So, essentially what we've done is we've taken the 88 down to 65. And of those 65, there are five left and those are likely only going to be available in Haiku because we've, we closed up the vast majority of Paia.

So, Ms. Crivello, you're, you're still wanting to--

COUNCILMEMBER CRIVELLO: --

CHAIR WHITE: Okay. Ms. Sugimura, if you would withdraw your motion.

COUNCILMEMBER SUGIMURA:

I'LL WITHDRAW.

CHAIR WHITE: Okay. Thank you.

And, Ms. Crivello, if you wouldn't mind making the motion to refer to the next Council.

COUNCILMEMBER CRIVELLO:

CHAIR, IN REGARDS TO BILL NO. 145 AND 146, I ASK TO MOVE, MAKE A MOTION TO HAVE A REFERRAL TO THE NEW COUNCIL.

Thank you.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR WHITE: Okay, we have a motion from Ms. Crivello, and a second from Ms. Sugimura.

Further discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS CRIVELLO, HOKAMA, SUGIMURA, VICE-CHAIR CARROLL, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS ATAY, COCHRAN, GUZMAN, AND KING.

CHAIR WHITE: Measure passes with five "ayes", and the same four "excused". Thank you.

Mr. Clerk.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 147 (2018)

A BILL FOR AN ORDINANCE GRANTING A CONDITIONAL PERMIT TO RUBY & SONS HOSPITALITY, LLC, FOR THE CONSTRUCTION AND USE OF AN OFF-SITE PARKING LOT WITHIN THE COUNTY PARK DISTRICT FOR PROPERTY SITUATED AT KIHEI, MAUI, HAWAII

CHAIR WHITE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: May I request that Bill 148 be considered also at this time?

CHAIR WHITE: Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Okay, so ordered.

Mr. Clerk.

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 148 (2018)

A BILL FOR AN ORDINANCE TO AMEND THE KIHEI-MAKENA COMMUNITY PLAN AND LAND USE MAP FROM SINGLE-FAMILY TO HOTEL FOR 1.119 ACRES SITUATED AT KIHEI, MAUI, HAWAII, IDENTIFIED AS TAX MAP KEY (2) 3-9-004:029

CHAIR WHITE: Thank you, Mr. Clerk.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you.

I MOVE TO PASS BILLS 147 AND 148 ON SECOND AND FINAL READING.

VICE-CHAIR CARROLL:

SECOND.

CHAIR WHITE: We have a motion from Ms. Sugimura, and a second from Mr. Carroll.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. Bills 147 and 148 passed first reading on December 11, 2018, by adoption of the recommendations in Committee Report 18-229.

The purpose of Bill 147 is to grant a two-year Conditional Permit to allow for the construction and use of an off-site parking lot on approximately 35,932 square feet on State-owned property on South Kihei Road, Kihei, Maui, Hawaii, within the community, County Park District, identified for real property tax purposes as TMK (2) 3-9-004:149.

The Conditional Permit will allow for the construction and use of an off-site parking lot to fulfill parking requirements for the hotel.

The parking lot was previously used as a commercial parking lot, and the Conditional Permit for the development of an off-site parking lot is needed to comply with a settlement agreement resulting from a Board of Variances and Appeals' intervention which allocates 51 percent of the parking stalls for public use and 49 percent of the parking stalls for hotel and restaurant use. The settlement agreement also places the duty of development and maintain, maintenance of the parking lot on the applicant.

Bill 147 added four additional conditions 6 through 9. Condition 6 incorporates the parking stipulation proposed in the amendment to the settlement agreement, which states that not less than 51 parking stalls shall be designated for public beach access and no more than 34 parking stalls shall be designated for hotel and restaurant parking. Condition 7 holds the Applicant responsible for preventing those other than the public from using the dedicated parking stalls for beach access. Condition 8 states the Applicant shall be responsible for the maintenance and upkeep of the parking lot on the parcels identified for real property tax purposes on tax map key (2) 3-9-004:149. Condition, and Condition 9 place, places responsibility on the applicant for signage.

The purpose of Bill 148 is to amend the Kihei-Makena Community Plan and Land Use plan from Single-Family to Hotel, to reflect the existing hotel use on approximately 1.119 acres of State-owned property situated at 2980 South Kihei Road, Kihei, Maui, Hawaii, identified for real property tax purposes as tax map key (2) 3-9-004:029.

The Kihei-Makena Community Plan designates the parcel 29 as Single-Family Residential. This designates, this designation is inconsistent with the parcel's Hotel zoning.

At first reading, Bill 148 was revised to add the word "any" at the beginning of the new paragraph in Section 2, to read, "any hotel and restaurant located on the property situated at Kihei, Maui, Hawaii, identified as real property tax purposes as tax map key (2) 3-9-004:009, shall not increase their current capacity, density, height or footprint from what it is in existence as of the date of this ordinance".

And as Vice-Chair of the Planning Committee, I ask for the Committee's support of Bill No. 147 and 148, on second and final reading. Thank you, Chair.

CHAIR WHITE: Thank you, Ms. Sugimura.

Any further discussion?

Ms., well, Mr. Carroll.

VICE-CHAIR CARROLL: Thank you, Chair. I like it that we have 51 public parking stalls that are installed by the applicant, maintained by the applicant, and the enforcement is in there that they have to provide at no cost to the County or the taxpayer. And this is another really old one that's been around for far too long. I think it's a good resolution. Thank you.

CHAIR WHITE: Thank you, Mr. Carroll.

Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you. Thank you, Chair. Unfortunately, some of the people that have testified in our previous deliberations are not here today, and especially the South Maui residency representative Councilmember Kelly King. Because I feel that there needs, the community should have the discussion with our Member who, my colleague Councilmember King, who had resurrected this bill that's been kind of on the shelves since 2009, I believe.

And her efforts to resurrect it is representative of her community, so I understand it; that she's gone out to the community with two community meetings. And, this is, had come out from her Committee, the Planning Committee, so I regret that she's not here to further support what she had proposed to us to pass through. So, so, just so that we can clarify, this tells us that public will have the 51 spaces, parking spaces, as I think was in the original settlement agreement. No, it was 34, right?

CHAIR WHITE: Well, I know that it's an increase due to one of the meetings that Ms. King held in the district.

COUNCILMEMBER CRIVELLO: Okay. So, the parking for the public has increased. And then, so give me the exact numbers that, so the public can know the; Sarento's will have how many parking spaces?

CHAIR WHITE: Sarento's and the hotel will, will have 34 and the public will have access to 51.

COUNCILMEMBER CRIVELLO: Okay. And that comes with--

CHAIR WHITE: All improvements are the responsibility of the hotel.

COUNCILMEMBER CRIVELLO: Right. And this comes with this proposal and this is what Councilmember King proposed to us.

CHAIR WHITE: Correct.

COUNCILMEMBER CRIVELLO: Okay.

CHAIR WHITE: And the initial numbers, which were lower, I don't remember what they were; the initial numbers were as a, as a part of a settlement agreement with Mr. Isaac Hall and Les Kuloloio.

COUNCILMEMBER CRIVELLO: Okay. Thank you, Chair.

CHAIR WHITE: Any further discussion?

COUNCILMEMBER HOKAMA: Chairman.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: It's always tough isn't it at the, this point in time, Chairman? A couple of things, as I stated, you know, when you look at the 60's, where were we as a County? We were a declining population County in the 60's. Our young people were leaving. People, Lahaina, people were leaving Lahaina. Baldwin Packers had to shut down. There was no Wailea. Kihei was pretty rural as I recall. I can recall when it was ten cents or eight cents a square foot for land in Kihei. And so, look at the time and look at, you know, some of the decisions our County fathers and mothers made to try and provide a economy that provided opportunities for our young people at that era, okay. And, land use was where it was at that point in time. Zoning was not as it is like today. There was no community plans per se back then.

Chairman, so for me, one thing; one, I can support a Conditional Permit. There's a time; two-years. An applicant must return and justify continuing the permit or face losing the permit. But, most important, Chairman, is as we've heard the word this morning about processing, I think waiting 12 years for an answer is long enough, okay. We owe this applicant a decision one way or another; yes or no, we should give him a decision whatever it be. But, 12 years is a long time to wait for a decision by an approving body. And I'm surprised their attorneys haven't picked up on this 12 years of abeyance, cause I don't think that is timely. I don't think it's fair to everybody, including the community that is still waiting for a decision one way or the other. So, continual deferral makes no decision. And that continues the 12-year period to be longer, okay.

That is not why we were put in these seats. We're here to make decisions, Chairman, okay. And this Council took an oath till the end of January 1 to uphold and exercise their responsibilities, not to punt, not to, we took an oath that our term ends January 1. So, we are expected to do our jobs to the end of that day. So, I'm ready to make the decision, Chairman. One, cause I think it's fair to the applicant, it's fair to the community. But, we need to make a decision whether it's yes or no. Thank you.

CHAIR WHITE: Thank you, Mr. Hokama.

Any further discussion?

COUNCILMEMBER SUGIMURA: Chair.

CHAIR WHITE: Yes, Ms. Sugimura.

COUNCILMEMBER SUGIMURA: So, I also just want to add to that that the language was put onto this that any hotel, restaurant located in, to this property will have to maintain or shall not increase their current capacity, density, height or footprint from what is in existence as of the date of this ordinance. So, they've been that, that restriction was also put on at first reading. I think that change addressed some, addressed some of the concerns brought out by the community.

I want to thank also Ms. McLean who came today as a testifier to clarify that that question that came up. I think she testified at the Committee meeting and, or first reading maybe it was, and said that there were three parking stalls. And people took it as all the hotel needed was three parking stalls. So, I'm glad she clarified that, because she was saying that actually what she clarified was that actually the hotel, which has 34 now based upon this agreement, needed three more to comply with current standards. And I think that three number stuck in people's heads thinking that



all they needed to operate was only three stalls. So, I'm glad that got clarified. I did speak with some of the community people during this break period, and that was one of the biggies for them; how come they're taking 34 stalls if all they need is three. So, that part is clarified.

And then the footprint of the hotel to remain what it is today, I think that that was huge also. So that the concern of the community was that the property owners would take this agreement now being testify, now can make it into a bigger hotel, right. So, that was the, you know, concern about that, which I think got addressed. So, thank you very much.

CHAIR WHITE: Thank you, Ms. Sugimura.

Yea, I would just add that the Committee did some very good work on this. Because, again, listening to the testimony, they didn't want the owner to be able to build, to expand the hotel. And so, we have completely locked that down in, in these actions.

The other thing I think is fair is that there has been discussion about the fact it was made single-family, put in the Single-Family zone for the Community Plan for a reason. Well, that may have been, but the reality is that once you have an inconsistency between the zoning which is Hotel and the Community Plan which is Single-Family, you're not allowed to make any major improvements just to fix things that are, you know, that need fixing. So, it's, it's critical.

Again, it's fair that we make the zoning consistent, or the Community Plan consistent with the use and the zoning so they can apply, apply for and get SMA permits to make repairs that are sometimes very costly and, and require a major SMA. And you're not allowed to do that if there's inconsistencies between the two. So, I think this is a very reasonable thing we've done. We've locked it. We've locked it down. We, they now have, excuse me, more, more stalls than they had under the original agreement. This is a settlement agreement. It's not, and it's something the County has to sign off on. And the County can't sign off on it until it passes this Council.

Any further discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS CRIVELLO, HOKAMA,  
SUGIMURA, VICE-CHAIR CARROLL, AND  
CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS ATAY, COCHRAN, GUZMAN,  
AND KING.

CHAIR WHITE: Measure passes with five "ayes", and the same four "excused".

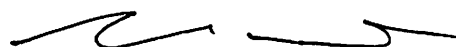
Mr. Clerk.

DEPUTY COUNTY CLERK: Mr. Chair, there is no further business before the Council.

CHAIR WHITE: Thank you, Mr. Clerk. Thank you all for being here on this special day and taking, taking time out of your holidays. We are adjourned.

### ADJOURNMENT

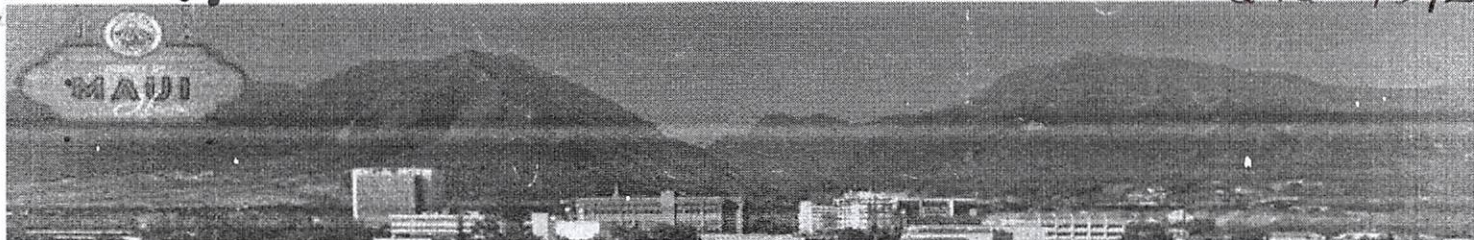
The special meeting and public hearing of December 27, 2018 was adjourned by the Chair at 12:06 p.m.



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JOSIAH K. NISHITA, COUNTY CLERK  
COUNTY OF MAUI, STATE OF HAWAII

A



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**Owner and Parcel Information**

<b>Owner Name</b>	STATE OF HAWAII Fee Owner RUBY & SONS HOSPITALITY LLC Leasee <a href="#">Show All Owners and Addresses</a>	<b>Today's Date</b>	December 27, 2018
<b>Mailing Address</b>		<b>Parcel Number</b>	390041490000
<b>Location Address</b>	S KIHEI RD	<b>Parcel Map</b>	<a href="#">Show Parcel Map</a>
<b>Neighborhood Code</b>	3921-3	<b>Land Area</b>	35932 Square Feet
<b>Legal Information</b>		<b>Parcel Note</b>	
<a href="#">Generate Owner List By Radius</a>			

**Assessment Information** [Hide Historical Assessments](#)

Year	Tax Class	Market Land Value	Agricultural Land Value	Assessed Land Value	Building Value	Total Assessed Value	Total Exemption Value	Total Net Taxable Value
2018	COMMERCIAL	\$ 68,300	\$ 0	\$ 68,300	\$ 0	\$ 68,300	\$ 0	\$ 68,300
2017	COMMERCIAL	\$ 61,100	\$ 0	\$ 61,100	\$ 0	\$ 61,100	\$ 0	\$ 61,100
2016	COMMERCIAL	\$ 61,100	\$ 0	\$ 61,100	\$ 0	\$ 61,100	\$ 0	\$ 61,100
2015	COMMERCIAL	\$ 53,900	\$ 0	\$ 53,900	\$ 0	\$ 53,900	\$ 0	\$ 53,900
2014	COMMERCIAL	\$ 50,300	\$ 0	\$ 50,300	\$ 0	\$ 50,300	\$ 0	\$ 50,300
2013	COMMERCIAL	\$ 53,900	\$ 0	\$ 53,900	\$ 0	\$ 53,900	\$ 0	\$ 53,900
2012	COMMERCIAL	\$ 57,500	\$ 0	\$ 57,500	\$ 0	\$ 57,500	\$ 0	\$ 57,500
2011	COMMERCIAL	\$ 61,100	\$ 0	\$ 61,100	\$ 0	\$ 61,100	\$ 0	\$ 61,100
2010	COMMERCIAL	\$ 61,100	\$ 0	\$ 61,100	\$ 0	\$ 61,100	\$ 0	\$ 61,100
2009	COMMERCIAL	\$ 68,300	\$ 0	\$ 68,300	\$ 0	\$ 68,300	\$ 0	\$ 68,300

**Appeal Information** [Hide Historical Appeals](#)

No appeal information on parcel.

**Current Tax Bill Information** [2018 Tax Payments](#) [Show Historical Taxes](#)

Tax Period	Description	Original Due Date	Taxes Assessment	Tax Credits	Net Tax	Penalty	Interest	Other	Amount Due
2018-2	Real Property Tax	02/20/2019	\$ 247.59	\$ 0.00	\$ 247.59	\$ 0.00	\$ 0.00	\$ 0.00	\$ 247.59

Tax bill is computed to 12/31/2018

**Historical Tax Information** [Hide Historical Taxes](#)

Year	Tax	Payments and Credits	Penalty	Interest	Other	Amount Due
2018	\$ 495.18	(\$ 247.59)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 247.59
2017	\$ 444.81	(\$ 444.81)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
2016	\$ 403.26	(\$ 403.26)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
2015	\$ 355.74	(\$ 355.74)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
2014	\$ 343.55	(\$ 343.55)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
2013	\$ 380.00	(\$ 380.00)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
2012	\$ 396.75	(\$ 396.75)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
2011	\$ 381.88	(\$ 381.88)	(\$ 19.09)	\$ 0.00	\$ 0.00	\$ 0.00
2010	\$ 381.88	(\$ 381.88)	(\$ 20.49)	(\$ 14.45)	\$ 0.00	\$ 0.00
2009	\$ 426.88	(\$ 426.88)	(\$ 21.34)	(\$ 14.09)	\$ 0.00	\$ 0.00
2008	\$ 426.88	(\$ 426.88)	(\$ 21.34)	(\$ 0.43)	\$ 0.00	\$ 0.00
2007	\$ 393.13	(\$ 393.13)	(\$ 19.66)	\$ 0.00	\$ 0.00	\$ 0.00
2006	\$ 377.40	(\$ 377.40)	(\$ 18.87)	(\$ 6.23)	\$ 0.00	\$ 0.00
2005	\$ 357.08	(\$ 357.08)	(\$ 35.70)	(\$ 47.14)	\$ 0.00	\$ 0.00

<u>2004</u>	\$ 306.45	(\$ 306.45)	(\$ 30.64)	(\$ 39.07)	\$ 0.00	\$ 0.00
<u>2003</u>	\$ 275.40	(\$ 275.40)	(\$ 13.77)	(\$ 6.06)	\$ 0.00	\$ 0.00
<u>2002</u>	\$ 275.40	(\$ 275.40)	(\$ 13.84)	(\$ 7.65)	\$ 0.00	\$ 0.00
<u>2001</u>	\$ 286.88	(\$ 286.88)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

Click a year to see tax payment information for the year.

#### Improvement Information

No improvement information available for this parcel.

#### Accessory Information

Building Number	Description	Dimensions/Units	Year Built	Percent Complete	Value
No accessory information associated with this parcel.					

#### Sales Information

Sale Date	Price	Instrument #	Instrument Type	Valid Sale or Other Reason	Document Type	Record Date	Land Court #	Land Court Cert
06/15/2012	\$ 0		Dept of Land & Natural Resources		Transfer	06/15/2012		
09/01/2011	\$ 0		Dept of Land & Natural Resources		Revocable Permit	09/01/2011		
02/16/1995	\$ 0	0000000000	Lease					

#### Permit Information

Date	Permit Number	Reason	Permit Amount
No permit information associated with this parcel.			

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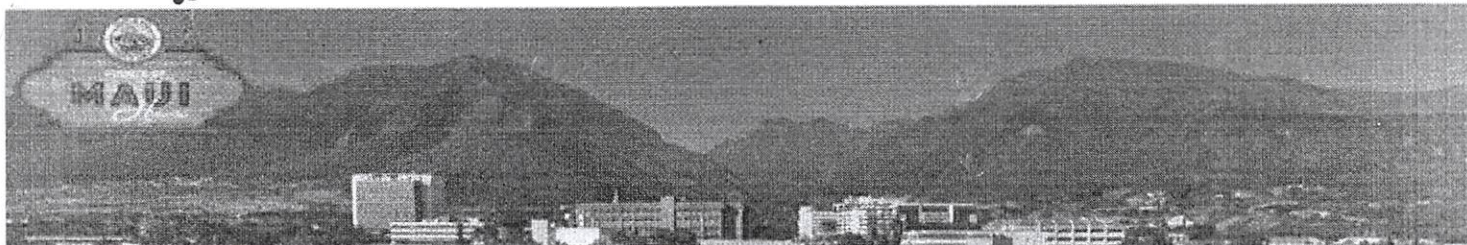
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**Owner and Parcel Information**

<b>Owner Name</b>	STATE OF HAWAII Fee Owner AOAO MANA KAI-MAUI Leasee <a href="#">Show All Owners and Addresses</a>	<b>Today's Date</b>	December 27, 2018
<b>Mailing Address</b>		<b>Parcel Number</b>	390040010000
<b>Location Address</b>	2780 S KIHEI RD UNIT NO W391	<b>Parcel Map</b>	<a href="#">Show Parcel Map</a>
<b>Neighborhood Code</b>	3924-6	<b>Land Area</b>	2.213 Acres
<b>Legal Information</b>		<b>Parcel Note</b>	
<a href="#">Generate Owner List By Radius</a>			

**Assessment Information**     [Hide Historical Assessments](#)

Year	Tax Class	Market Land Value	Agricultural Land Value	Assessed Land Value	Building Value	Total Assessed Value	Total Exemption Value	Total Net Taxable Value
2018	CONSERVATION	\$ 265,600	\$ 0	\$ 265,600	\$ 58,900	\$ 324,500	\$ 273,500	\$ 51,000
2017	CONSERVATION	\$ 265,600	\$ 0	\$ 265,600	\$ 63,400	\$ 329,000	\$ 278,000	\$ 51,000
2016	CONSERVATION	\$ 265,600	\$ 0	\$ 265,600	\$ 66,600	\$ 332,200	\$ 281,200	\$ 51,000
2015	CONSERVATION	\$ 287,700	\$ 0	\$ 287,700	\$ 63,200	\$ 350,900	\$ 295,700	\$ 55,200
2014	CONSERVATION	\$ 276,600	\$ 0	\$ 276,600	\$ 61,100	\$ 337,700	\$ 284,600	\$ 53,100
2013	CONSERVATION	\$ 199,200	\$ 0	\$ 199,200	\$ 64,400	\$ 263,600	\$ 225,400	\$ 38,200
2012	CONSERVATION	\$ 314,200	\$ 0	\$ 314,200	\$ 67,800	\$ 382,000	\$ 321,700	\$ 60,300
2011	CONSERVATION	\$ 314,200	\$ 0	\$ 314,200	\$ 71,400	\$ 385,600	\$ 385,600	\$ 0
2010	CONSERVATION	\$ 314,200	\$ 0	\$ 314,200	\$ 79,900	\$ 394,100	\$ 394,100	\$ 0
2009	CONSERVATION	\$ 314,200	\$ 0	\$ 314,200	\$ 82,900	\$ 397,100	\$ 397,100	\$ 0

**Appeal Information**     [Hide Historical Appeals](#)

No appeal information on parcel.

**Current Tax Bill Information**     [2018 Tax Payments](#)     [Show Historical Taxes](#)

Tax Period	Description	Original Due Date	Taxes Assessment	Tax Credits	Net Tax	Penalty	Interest	Other	Amount Due
2018-2	Real Property Tax	02/20/2019	\$ 200.00	\$ 0.00	\$ 200.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 200.00

Tax bill is computed to 12/31/2018

**Historical Tax Information**     [Hide Historical Taxes](#)

Year	Tax	Payments and Credits	Penalty	Interest	Other	Amount Due
2018	\$ 400.00	(\$ 200.00)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 200.00
2017	\$ 400.00	(\$ 400.00)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
2016	\$ 300.00	(\$ 300.00)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
2015	\$ 325.68	(\$ 325.68)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
2014	\$ 321.79	(\$ 321.79)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
2013	\$ 238.75	(\$ 238.75)	(\$ 11.94)	(\$ 6.57)	\$ 0.00	\$ 0.00
2012	\$ 373.86	(\$ 373.86)	(\$ 37.39)	(\$ 45.24)	\$ 0.00	\$ 0.00

Click a year to see tax payment information for the year.

**Improvement Information**

No improvement information available for this parcel.

**Accessory Information**

Building Number	Description	Dimensions/Units	Year Built	Percent Complete	Value
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**Sales Information**

Sale Date	Price	Instrument #	Instrument Type	Valid Sale or Other Reason	Document Type	Record Date	Land Court #	Land Court Cert
11/19/2004	\$ 0		Dept of Land & Natural Resources		Revocable Permit	11/19/2004		
02/16/1995	\$ 0	0000000000	Lease					

**Permit Information**

Date	Permit Number	Reason	Permit Amount
05/05/2003	B20030845	Storage bldg	\$ 297,000

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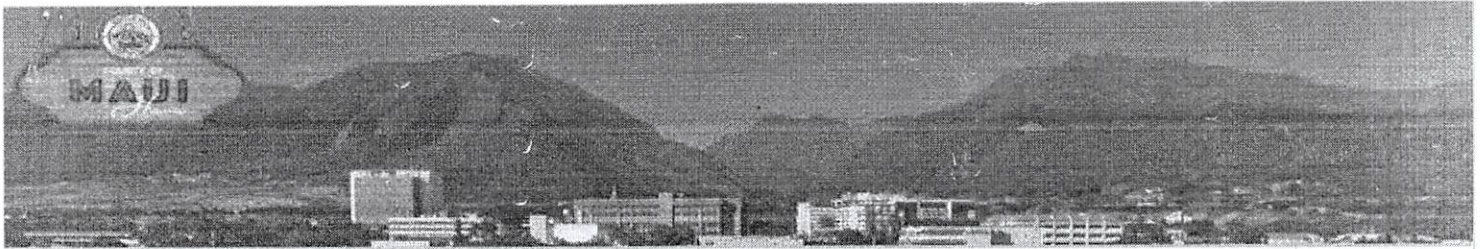
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**Owner and Parcel Information**

<b>Owner Name</b>	STATE OF HAWAII Fee Owner	<b>Today's Date</b>	December 27, 2018
<b>Mailing Address</b>		<b>Parcel Number</b>	390041510000
<b>Location Address</b>	2780 S KIHEI RD	<b>Parcel Map</b>	Show Parcel Map
<b>Neighborhood Code</b>	3924-6	<b>Land Area</b>	8.261 Acres
<b>Legal Information</b>	FROM: 3904-01 359,831 SF OR 8.261 AC LOT 1	<b>Parcel Note</b>	Non taxable

[Generate Owner List By Radius](#)

**Assessment Information**     [Hide Historical Assessments](#)

Year	Tax Class	Market Land Value	Agricultural Land Value	Assessed Land Value	Building Value	Total Assessed Value	Total Exemption Value	Total Net Taxable Value
2018	CONSERVATION	\$ 991,300	\$ 0	\$ 991,300	\$ 0	\$ 991,300	\$ 991,300	\$ 0
2017	CONSERVATION	\$ 991,300	\$ 0	\$ 991,300	\$ 0	\$ 991,300	\$ 991,300	\$ 0
2016	CONSERVATION	\$ 991,300	\$ 0	\$ 991,300	\$ 0	\$ 991,300	\$ 991,300	\$ 0
2015	CONSERVATION	\$ 1,073,900	\$ 0	\$ 1,073,900	\$ 0	\$ 1,073,900	\$ 1,073,900	\$ 0
2014	CONSERVATION	\$ 1,032,600	\$ 0	\$ 1,032,600	\$ 0	\$ 1,032,600	\$ 1,032,600	\$ 0
2013	CONSERVATION	\$ 743,500	\$ 0	\$ 743,500	\$ 0	\$ 743,500	\$ 743,500	\$ 0
2012	CONSERVATION	\$ 1,173,100	\$ 0	\$ 1,173,100	\$ 0	\$ 1,173,100	\$ 1,173,100	\$ 0
2011	CONSERVATION	\$ 1,173,100	\$ 0	\$ 1,173,100	\$ 0	\$ 1,173,100	\$ 1,173,100	\$ 0
2010	CONSERVATION	\$ 1,173,100	\$ 0	\$ 1,173,100	\$ 0	\$ 1,173,100	\$ 1,173,100	\$ 0
2009	CONSERVATION	\$ 1,173,100	\$ 0	\$ 1,173,100	\$ 0	\$ 1,173,100	\$ 1,173,100	\$ 0

**Appeal Information**     [Hide Historical Appeals](#)

No appeal information on parcel.

**Current Tax Bill Information**     [2018 Tax Payments](#)     [Show Historical Taxes](#)

Tax Period	Description	Original Due Date	Taxes Assessment	Tax Credits	Net Tax	Penalty	Interest	Other	Amount Due
No Tax Information available on this parcel.									

**Historical Tax Information**     [Hide Historical Taxes](#)

Year	Tax	Payments and Credits	Penalty	Interest	Other	Amount Due
No Tax Information available on this parcel.						

**Improvement Information**

No improvement information available for this parcel.

**Accessory Information**

Building Number	Description	Dimensions/Units	Year Built	Percent Complete	Value
No accessory information associated with this parcel.					

**Sales Information**

Sale Date	Price	Instrument #	Instrument Type	Valid Sale or Other Reason	Document Type	Record Date	Land Court #	Land Court Cert
No sales information associated with this parcel.								

**Permit Information**

Date	Permit Number	Reason	Permit Amount
No permit information associated with this parcel.			

No permit information associated with this parcel.

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<a href="#"><u>Recent Sales in Area</u></a>				

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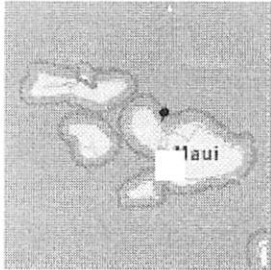
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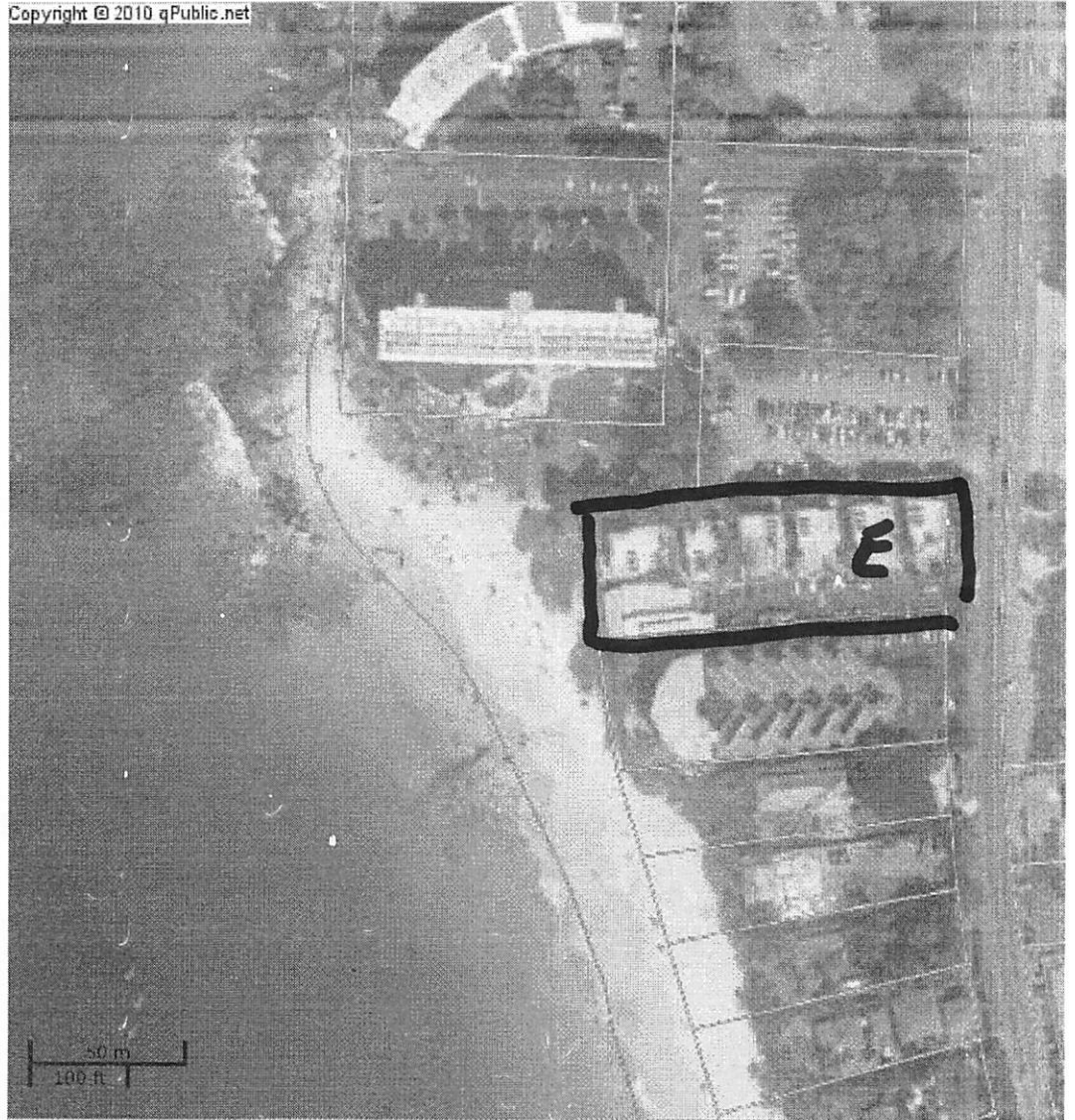
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- Yearly Sales
- Parcel Numbers
- Pending Parcel Changes
- Roads
- Tsunami Evacuation Zones
- Flood Hazard Areas
- State Land Use Districts
- Special Management Area
- Pictometry (2014)
- Aerials (Esri)
- Street Map



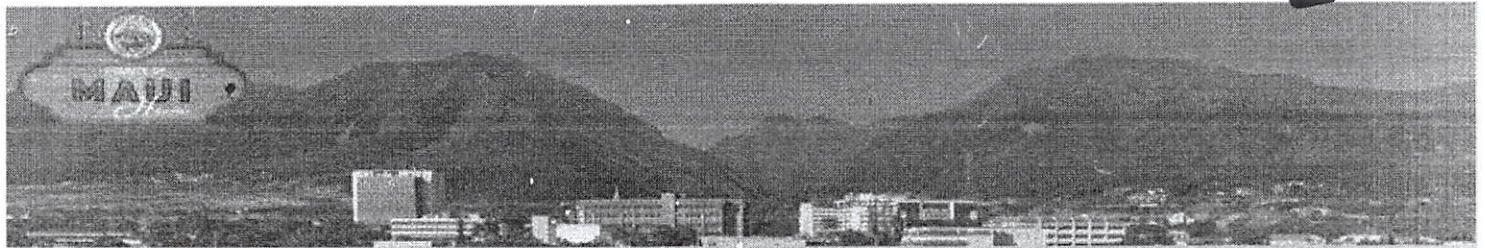
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Owner and Parcel Information				
<b>Owner Name</b>	STATE OF HAWAII Fee Owner RUBY & SONS HOSPITALITY LLC Leasee <a href="#">Show All Owners and Addresses</a>		<b>Today's Date</b>	December 27, 2018
<b>Mailing Address</b>			<b>Parcel Number</b>	390040290000
<b>Location Address</b>	2980 S KIHEI		<b>Parcel Map</b>	<a href="#">Show Parcel Map</a>
<b>Neighborhood Code</b>	OFHOTEL		<b>Land Area</b>	1.119 Acres
<b>Legal Information</b>	POR GOV'T LAND OF KAMAOLE 1.119 AC DES		<b>Parcel Note</b>	

[Generate Owner List By Radius](#)

Assessment Information <a href="#">Hide Historical Assessments</a>								
Year	Tax Class	Market Land Value	Agricultural Land Value	Assessed Land Value	Building Value	Total Assessed Value	Total Exemption Value	Total Net Taxable Value
2018	SHORT TERM RENTAL	\$ 6,736,400	\$ 0	\$ 6,736,400	\$ 3,508,000	\$ 10,244,400	\$ 0	\$ 10,244,400
2017	HOTEL / RESORT	\$ 6,399,600	\$ 0	\$ 6,399,600	\$ 3,294,300	\$ 9,693,900	\$ 0	\$ 9,693,900
2016	HOTEL / RESORT	\$ 6,399,600	\$ 0	\$ 6,399,600	\$ 3,097,300	\$ 9,496,900	\$ 0	\$ 9,496,900
2015	HOTEL / RESORT	\$ 6,399,600	\$ 0	\$ 6,399,600	\$ 2,923,900	\$ 9,323,500	\$ 0	\$ 9,323,500
2014	HOTEL / RESORT	\$ 5,810,100	\$ 0	\$ 5,810,100	\$ 2,625,700	\$ 8,435,800	\$ 0	\$ 8,435,800
2013	HOTEL / RESORT	\$ 5,533,500	\$ 0	\$ 5,533,500	\$ 2,552,900	\$ 8,086,400	\$ 0	\$ 8,086,400
2012	HOTEL / RESORT	\$ 5,533,500	\$ 0	\$ 5,533,500	\$ 2,574,500	\$ 8,108,000	\$ 0	\$ 8,108,000
2011	HOTEL / RESORT	\$ 10,660,300	\$ 0	\$ 10,660,300	\$ 2,966,200	\$ 13,626,500	\$ 0	\$ 13,626,500
2010	HOTEL / RESORT	\$ 4,874,400	\$ 0	\$ 4,874,400	\$ 3,628,100	\$ 8,502,500	\$ 0	\$ 8,502,500
2009	HOTEL / RESORT	\$ 5,361,800	\$ 0	\$ 5,361,800	\$ 3,632,200	\$ 8,994,000	\$ 0	\$ 8,994,000

Appeal Information <a href="#">Hide Historical Appeals</a>	
No appeal information on parcel.	

Current Tax Bill Information <a href="#">2018 Tax Payments</a> <a href="#">Show Historical Taxes</a>									
Tax Period	Description	Original Due Date	Taxes Assessment	Tax Credits	Net Tax	Penalty	Interest	Other	Amount Due
2018-2	Real Property Tax	02/20/2019	\$ 47,534.01	\$ 0.00	\$ 47,534.01	\$ 0.00	\$ 0.00	\$ 0.00	\$ 47,534.01

Tax bill is computed to 12/31/2018

Historical Tax Information <a href="#">Hide Historical Taxes</a>						
Year	Tax	Payments and Credits	Penalty	Interest	Other	Amount Due
2018	\$ 95,068.03	(\$ 47,534.02)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 47,534.01
2017	\$ 90,831.84	(\$ 90,831.84)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
2016	\$ 82,718.00	(\$ 82,718.00)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
2015	\$ 82,512.98	(\$ 82,512.98)	(\$ 4,125.65)	(\$ 907.64)	\$ 0.00	\$ 0.00
2014	\$ 76,850.14	(\$ 76,850.14)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
2013	\$ 76,012.16	(\$ 76,012.16)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
2012	\$ 74,188.21	(\$ 74,188.21)	(\$ 3,709.41)	(\$ 816.07)	\$ 0.00	\$ 0.00
2011	\$ 122,638.50	(\$ 122,638.50)	(\$ 12,263.86)	(\$ 9,443.17)	\$ 0.00	\$ 0.00
2010	\$ 70,570.75	(\$ 70,570.75)	(\$ 3,528.54)	(\$ 894.95)	\$ 0.00	\$ 0.00
2009	\$ 73,750.80	(\$ 73,750.80)	(\$ 7,375.08)	(\$ 2,761.20)	\$ 0.00	\$ 0.00
2008	\$ 72,401.90	(\$ 72,401.90)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
2007	\$ 70,610.20	(\$ 70,610.20)	(\$ 3,530.51)	\$ 0.00	\$ 0.00	\$ 0.00
2006	\$ 68,866.06	(\$ 68,866.06)	(\$ 3,443.30)	(\$ 2,272.58)	\$ 0.00	\$ 0.00
2005	\$ 66,751.92	(\$ 66,751.92)	(\$ 6,675.20)	(\$ 11,014.06)	\$ 0.00	\$ 0.00

2004	\$ 50,758.65	(\$ 50,758.65)	(\$ 5,075.86)	(\$ 13,563.50)	\$ 0.00	\$ 0.00
2003	\$ 42,885.27	(\$ 42,885.27)	(\$ 2,144.26)	(\$ 4,415.91)	\$ 0.00	\$ 0.00
2002	\$ 42,725.91	(\$ 42,725.91)	(\$ 2,136.30)	(\$ 4,918.26)	\$ 0.00	\$ 0.00
2001	\$ 42,673.62	(\$ 42,673.62)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

Click a year to see tax payment information for the year.

## Commercial Improvement Information

Building Number	Building Type	Structure	Year Built	Eff Year Built	% Complete	Building Square Footage	Sketch	Value
1	SURF & SAND HOTEL	HOTEL FRAME H2	1974	1990	100 %	3,528	NA	\$ 469,300
Section	Floor #	Area	Perimeter	Usage	Wall Height	Exterior Wall	Construction	
1	01	882	126	HOTEL	9	SIDING OVR STUDS/WD	WOOD/LT STEEL FRAME	
1	02	882	126	HOTEL	9	SIDING OVR STUDS/WD	WOOD/LT STEEL FRAME	
2	02	882	126	HOTEL	9	SIDING OVR STUDS/WD	WOOD/LT STEEL FRAME	
2	01	882	126	HOTEL	9	SIDING OVR STUDS/WD	WOOD/LT STEEL FRAME	

Building Number	Building Type	Structure	Year Built	Eff Year Built	% Complete	Building Square Footage	Sketch	Value
2	SURF & SAND HOTEL	HOTEL FRAME H2	1974	1990	100 %	17,640	Sketch Building 2	\$ 2,511,100
Section	Floor #	Area	Perimeter	Usage	Wall Height	Exterior Wall	Construction	
1	02	882	126	HOTEL	9	SIDING OVR STUDS/WD	WOOD/LT STEEL FRAME	
1	01	882	126	HOTEL	9	SIDING OVR STUDS/WD	WOOD/LT STEEL FRAME	
2	02	882	126	HOTEL	9	SIDING OVR STUDS/WD	WOOD/LT STEEL FRAME	
2	01	882	126	HOTEL	9	SIDING OVR STUDS/WD	WOOD/LT STEEL FRAME	

Building Number	Building Type	Structure	Year Built	Eff Year Built	% Complete	Building Square Footage	Sketch	Value
3	CARELLI'S ON T/BEACH	COMMER MASONRY C3	1974	1990	100 %	3,104	Sketch Building 3	\$ 524,100
Section	Floor #	Area	Perimeter	Usage	Wall Height	Exterior Wall	Construction	
1	01	3104	234	RESTAURANT	9	MASONRY CMU	MASONRY	

## Accessory Information

Building Number	Description	Dimensions/Units	Year Built	Percent Complete	Value
1		0x0 121 / 1	1974	100 %	\$ 3,500

## Sales Information

Sale Date	Price	Instrument #	Instrument Type	Valid Sale or Other Reason	Document Type	Record Date	Land Court #	Land Court Cert
06/15/2012	\$ 7,500,000	A45490636	Lease	Other	Assignment lease, sub lease etc.	06/15/2012		
12/31/2004	\$ 0		Dept of Land & Natural Resources		Amendment of lease or subs	12/31/2004		
02/29/2000	\$ 5,500,000	0000082846	Lease			06/16/2000		
04/09/1990	\$ 0	9000050816	Lease			04/10/1990		
04/09/1990	\$ 101	9000050818	Lease			04/10/1990		
04/09/1990	\$ 595,000	9000050819	Lease			04/10/1990		
03/27/1990	\$ 5,942,000	9000050826	Lease			04/10/1990		
03/27/1990	\$ 5,942,000	9000050824	Lease			04/10/1990		
03/27/1990	\$ 5,942,000	9000103576	Lease			07/10/1990		

01/24/1990	\$ 3,900,000	9000050822	Lease		04/10/1990		
12/07/1988	\$ 0	0000000000	Lease				

#### Permit Information

Date	Permit Number	Reason	Permit Amount
12/08/1993	B932392		\$ 7,000
08/30/1993	B931746	Remodel	\$ 25,000
03/18/1991	B910586	Improvement Demolished	\$ 500
12/06/1990	90 3395		\$ 12,000
12/06/1990	90 3394	Deck	\$ 14,000

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[Recent Sales in Area](#)

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Testimony to Maui County Council in support of Bill 130 and 131  
Public Hearing and Agenda of December 27, 2018

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2018 DEC 27 AM 7: 54

OFFICE OF THE  
COUNTY CLERK

I am writing in full support of funding the Wailuku Civic Complex as described in Bill 130 and 131.

As I've testified in the past, I've attended community meetings collecting input from the community on this project since 2000. The current plan presents the voice of the Wailuku Community and is in fact in line with the latest Wailuku-Kahului Community Plan of 2002.

Previous plans for this current parking area addressed the need for more parking in Wailuku and did not offer a comprehensive improvement plan to the area as this current plan does. Sorely needed infrastructure improvements to sidewalks, water, wastewater and power, a marketplace, a rental hall, added office space for the County, improved public areas (a small public park), in addition to added parking stalls are all included. These are all a direct reflection of the input from the community.

This area has been labeled 'slum & blight' for many years. Plans to improve this area have been talked about for many years -- decades. Good planning principles encourage infill and improvements to existing crumbling towns and to places that play an important role to so many, as the County Seat, State and Federal offices serve so many here in Wailuku. The population has grown so much since Wailuku was first built; the needs have evolved.

I've closely been involved with many environmental protection and sustainability efforts for 25 years and am proud to support the Wailuku Civic Complex as I believe it serves the community well in both planning and a true reflection of what the community has repeatedly expressed for its future.

Please support the Wailuku Civic Complex funding – a project supported by the Kahului/Wailuku Community Plan.

Thank you,

Helen Nielsen  
Kaupo/Wailuku

Submitted via email to Council Services December 26, 2018

RECEIVED

Testimony on Bill 130 & 131 by Jonathan Starr

2018 DEC 26 AM 8:03

**Offering Support for completion of funding for the Wailuku Civic Complex Project**

OFFICE OF THE  
COUNTY CLERK

2019 is the right time to fully fund and complete the Wailuku Civic Complex project. This needed addition of community infrastructure for Maui's main population center has been in discussion and design for 25 years, with at least 50 public meetings held on it in Wailuku since the mid 1990's. I have personally attended and participated in most of these, along with many other Wailuku community members. *All of the many elements that constitute the Civic Complex were recommended in the last Wailuku-Kahului Community Plan, dated 2002 and based on input from the 1993 Citizens Advisory Committee and the Maui County Council.*

**Here are some relevant excerpts from Wailuku's current community plan:**

The roadway system needs to be upgraded for current and future traffic needs. Major problems include the lack of alternate routes between Wailuku and Kahului, turning lanes, clear street signs, and traffic signals at key intersections. Also, access for the elderly and persons with disabilities needs to be addressed. Pedestrian and bicycle access improvements were also cited as deficiencies. Parking was identified as a problem in the civic center and Wailuku business area. Finally, it was noted that the region is too automobile-dependent and that alternative public mass transit needs to be considered.

The redevelopment of Wailuku Town remains a major opportunity for the region. The Iao Theatre, acquired by the County, serves as a link to Wailuku's past and can become a greater asset for the community. The Wailuku Municipal Parking lot, which is centrally located in the heart of the town, is another prime opportunity for redevelopment. The development of a hotel to accommodate business travelers is also viewed a potential opportunity for the town.

Place high priority on the planning, design and construction of a multi-level parking facility at the Wailuku Municipal Parking Lot with potential opportunities for mixed use development, such as residential, commercial, park and other public uses.

Provide park and recreation areas as an integral part of project district specifications which will accommodate the needs of population growth.

Establish an additional government complex with adequate public parking in a central location.

Provide for a major regional multi-purpose center for the planning district to accommodate resident needs for banquet and meeting facilities with adequate parking.

Provide for a major regional multi-purpose center for the planning district to accommodate resident needs for banquet and meeting facilities with adequate parking.

Support the revitalization of the Wailuku commercial core and adjacent areas by expanding the range of commercial services; improving circulation and parking; enhancing and maintaining the town's existing character through the establishment of a Wailuku Town design district; redevelopment of the Wailuku Municipal Parking Lot with emphasis on additional public parking; establishing urban design guidelines; and providing opportunities for new residential uses. Improve Wailuku's image and level of service as a commercial center for the region's population. A combination of redevelopment and rehabilitation actions is necessary to meet the needs of a growing center.

**In closing**, several previous efforts to add parking or otherwise redevelop the municipal lot failed because they did not take all of these points into account. These same action items were mentioned time and again by participants in community meetings, charrettes, surveys and design sessions.

The Civic Complex project is not something new that has recently surfaced. It is an evolution of community wishes well thought out and distilled over decades, with input from over two-thousand Wailuku people. The goal is to fulfill essential mundane needs such as parking, sidewalks, new pipes and revenue generators, plus vibrant gathering spaces in the center of town that is walkable, vibrant, fun, clean, safe and convenient, and that is connected to Wailuku's past. It will help to create a desire for affordable, efficient housing options in the core of town, and it will attract some of the tens of thousands of people

RECEIVED

**From:** nicole emmalia hokoana <nhokoana@gmail.com>  
**Sent:** Monday, December 17, 2018 4:53 PM  
**To:** County Clerk  
**Subject:** Public Hearing on December 27????

2018 DEC 18 AM 9: 43

OFFICE OF THE  
COUNTY CLERK

Aloha,

I am deeply concerned that the current council members, namely Mike White, would try to arrange a public hearing on December 27th regarding amendments to the Community Plan of Paia/Haiku, the area that I live AND work in.

First, the ethics of holding a meeting in the middle of the holiday season when children and parents are making other plans is called into question. One might think that the county council really does not want the community to participate in its own plan.

Secondly, the current council's time is nearly up; a new council will be forming on the 1st of January. Is it not more democratic to allow the new council to determine how and when this process should occur? Shame on the current membership for thinking it appropriate to rush through a few hasty decisions without the input of the community.

Finally, as performed by council in the past, please hold public hearings regarding community plans in the community, at a time when community members can attend. Please plan in advance and advertise these meetings broadly so that all affected persons can attend and join in the decision-making; anything less than this is an attempt to "pull the wool" over the community's eyes.

Mahalo,  
Nicole Hokoana



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**From:** Barbara Barry <begoniabarry@gmail.com>  
**Sent:** Monday, December 17, 2018 1:22 PM  
**To:** County Clerk  
**Subject:** Paia-Ha'iku Community Plan Amendments

2018 DEC 18 AM 9:43

OFFICE OF THE  
COUNTY CLERK

Aloha Council Members,

Nice try Mike White. No holding meetings to Amend the Ha'iku Paia Community Plans during the day in a holiday week. These meetings need to be help at the local Community Centers, in the evening, not during a holiday week when people are traveling.

How does this serve the Community that you have failed to represent time and time again?

I think it's time for you to retire and stop the BS. Leave it alone.

If the Council has any integrity at all, they will not go along with this hewa.

Mahalo,

Barbara Barry



**From:** Barbara Barry <begoniabarry@gmail.com>  
**Sent:** Thursday, December 27, 2018 7:34 AM  
**To:** County Clerk  
**Subject:** Thursday's Monkey Meeting

RECEIVED  
2018 DEC 27 AM 7:54  
OFFICE OF THE  
COUNTY CLERK

Aloha Mike, Bob, Stacy, Alika, Yuki Lea, Elle, Ricki, Don and Kelly,

Today is a special day cause it's a day when Mike White decided to try and push forward several pet projects of his that he needed Stacy, Bob, Yuki Lea, Ricki and possibly Don to vote on. Why not let the new council decide on these issues? Why call a last ditch Special Council meeting to ram these things through? Why the last minute drama?

How completely disrespectful of the public can Mike be?

As much as I disdain this procedure of Mike White's, I find myself grateful to come before the County Council on the last possible day that this current council can vote on anything, to call out the complete corporate give away that has corrupted this Administration the last 4 years but especially the last 2 years that Mike has been the Chair of this Council.

The manipulation that began after the election 2 years ago before the new council had been seated, was the continuation of the prior 2 years of blatant corruption and disrespect for the citizens of Maui County, especially our beautiful Host Culture of Native Hawaiian citizens.

Mike has been mimicking the outgoing Mayors disdain for public discourse, Hawaiians, Women in general and what was Pono for the 'Āina at every step. The good news is that that same disrespect for what is right and good, fueled a majority of Pono candidates to run and be elected by the majority of Maui County citizens for our incoming Maui County Council.

Doesn't this tell him something?

Mike's move today signals the last dying gasp of air.

We don't want the 4 outgoing Council Members who vote lockstep with Mike White and I include Mike in this count, to be running the show any longer.

A couple of you have retained your seat for now. Fortunately you will be the minority members so wake up and try and work for the people. Earn your salary.

This is completely disrespectful to the taxpayers of Maui County. Have you learned nothing the past 4 years?

Mike could have stood up for the Iwi Kupuna and the desecration of an important cultural and environmental site at Maui Lanai but didn't. The Sand Mining Moratoriums expires on Monday. Mike let this happen since he failed to schedule the meeting. Mike and other Council Members could have showed up for meetings that needed their presence for a quorum, but didn't. What were they being paid to do anyhow? Manipulate and distort the will of the people? Pass legislation for your corporate handlers like Maui Lani, A\$B, Monsanto, the Chamber of Corporations and the Hotel Industry?

I completely disagree and was deeply dismayed with Mike's bullying tactics and blatant blocking of Council Member Atay and his staff's ability to do the job the public elected him to do.

As a member of Haiku District he has represented for 4 years, I have not experienced anywhere, such 3rd world road conditions as I have driving on Kapakalua and Kaluanui Rd. They are hazard ridden, dangerous and car damaging.

I for one am truly thankful that Mike is going. The corruption that he cultivated, directed and participated will be exposed, don't ever doubt it.

Mike Molino will hopefully represent the people of this Ha'iku- Paia District better than he ever did.

As far as the agenda items that Mike has scheduled for this hearing today. I strongly suggest that he and the Council drop them and allow the incoming Council that the people elected to do their job with honesty, transparency and fiscal responsibility. Community plans matter.

We don't need your lame duck efforts today.

Any Council Members voting for these items today will be noted for the public record and in 2 years, will be replaced with someone who works for the people, not their corporate handlers.  
Mahalo to Elle Cochran, and Alike Atay for their service to Maui County.  
I am proud to stand by their side, always.

Mahalo,  
Barbara Barry  
Ha'iku

RECEIVED

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**From:** Kaimaile Makekau <mahinahina11216@gmail.com>  
**Sent:** Monday, December 17, 2018 10:15 PM  
**To:** County Clerk  
**Subject:** You need to make council meetings during reasonable times that working people may attend!

2018 DEC 18 AM 9:43

OFFICE OF THE  
COUNTY CLERK

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**From:** Marc Tolliver <marctolliver.edu@gmail.com>  
**Sent:** Monday, December 17, 2018 10:00 PM  
**To:** County Clerk  
**Subject:** In support of Wailuku Civic Complex

2018 DEC 18 AM 9:43

OFFICE OF THE  
COUNTY CLERK



Aloha,

My name is Marc Tolliver. I am a merchant/salon owner of LOFT 145 SALON on 81 N. Market Street, Wailuku, Hi. I moved to Wailuku from Kihei in order to be a part of the Wailuku resurgence.

We also needed the Wailuku central location for our clients as our clientele covers the entire island. We have local clients as well as mainland winter clients. I am also a Wailuku resident. As a business owner, I see value in the building of the Wailuku Civic Complex and I completely support its construction. I do know that, during the building process, there will be adjustments to be made... but I am willing to take the risk to my business to help bring business and people back to Wailuku.

My concern is that I have heard that people, who do not like change, are opposed to the building of the Wailuku Civic Complex stating that it would be "Gentrifying Wailuku." I believe the opposite. I fully approve of building a Center that will promote and provide restaurants, boutiques, entertainment, convention space and the parking that we need in Wailuku... to create an "Arts and Entertainment District" for our community. This Center could bring back to Wailuku the energy it once had as a historic vital support for our community.

That is why, in anticipation of the building of the Wailuku Civic Complex, I located my business right in front of the proposed complex. I have always fully supported the growth of Wailuku. As a Wailuku business owner and Wailuku resident, you have my full support for moving forward with the Wailuku Civic Complex .

With Aloha,





RECEIVED

**From:** Cara Burklin <caramaui@hotmail.com>  
**Sent:** Tuesday, December 18, 2018 8:50 AM  
**To:** Mike White; Riki Hokama; Alika A. Atay; Robert Carroll; Kelly King; Elle Cochran; stacey.crivello@mauicounty.us; Donald S. Guzman; Yukilei Sugimura  
**Cc:** County Clerk  
**Subject:** Community Plan Ammendments for Haiku/Paia and Kihei

2018 DEC 18 AM 9:44

OFFICE OF THE  
COUNTY CLERK

Aloha,

I understand that Council Chair, Mike White, is wanting to hold public hearings in Wailuku on December 27th at 9 a.m. in regards to the following:

- Paia-Haiku Community Plan (1995), consistent with Ordinance 3941 (2012) to amend Chapter 19.65 Maui County Code to provide Short Term Rental Home permits
- Kihei-Makena Community Plan and Land Use: in regards to real property tax map key (2) 3-9-004:029 & real property tax map key (2) 3-9-004:149 (2980 South Kihei Road, Kihei, Maui, Hawaii)

I am very concerned about this. Please schedule these meetings in the respective districts (Paia and Kihei), not Wailuku and in the EVENING so the working community are able to attend these meetings, not on a week day/work day. In fact, these meetings should be held in 2019, and not be squeezed in during the Holidays.

Mahalo and Mele Kalikimaka!  
Cara Burklin  
Maui Resident

Sent from Outlook

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**From:** Russell Burklin <surferrussell@hotmail.com>  
**Sent:** Tuesday, December 18, 2018 1:14 PM  
**To:** Mike White; Riki Hokama; Alika A. Atay; Robert Carroll; Kelly King; Elle Cochran; stacey.crivello@mauicounty.us; Donald S. Guzman; Yukilei Sugimura  
**Cc:** County Clerk  
**Subject:** Community Plan Ammendments for Haiku/Paia and Kihei

Aloha,

I am very concerned about Council Chair, Mike White, is wanting to hold public hearings regarding Paia-Haiku Community Plan ~ Ordinance 3941 (2012) to amend Chapter 19.65 Maui County Code to provide Short Term Rental Home permits and the Kihei-Makena Community Plan ~ real property tax map key (2) 3-9-004:029 & real property tax map key (2) 3-9-004:149 (2980 South Kihei Road, Kihei, Maui, Hawaii) in Wailuku on December 27th at 9 a.m.

Please schedule these meetings in the evenings so the working community are able to attend in their respective districts (Paia and Kihei), **not Wailuku and not on a week day/work day.** Do not squeeze these meetings during the holidays. These meetings should be held in 2019.

Mele Kalikimaka,  
Russell Burklin  
Maui Resident

Sent from Outlook

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2018 DEC 19 AM 7:58  
OFFICE OF THE  
COUNTY CLERK

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**From:** gasousa1954 <gasousa1954@gmail.com>  
**Sent:** Tuesday, December 18, 2018 2:56 PM  
**To:** County Clerk  
**Subject:** Change Council meeting

2018 DEC 19 AM 7: 58

OFFICE OF THE  
COUNTY CLERK

Sent via the Samsun Change council meeting to PM so residents can go And have a say about parkingg Galaxy S8, an AT&T 4G LTE smartphone

RECEIVED

HOLMES FAMILY LLC

2018 DEC 24 AM 8:17

1091 Kupulau Drive Kihei, HI 96753-9203  
phone: (808) 283-1212 email: holmes.kmh@gmail.com

OFFICE OF THE  
COUNTY CLERK

December 22, 2018

COUNCIL CHAIR MIKE WHITE  
and Members of the Maui County Council  
200 S. High Street  
Wailuku, HI 96793

RE: TESTIMONY IN SUPPORT OF THE WAILUKU CIVIC COMPLEX, BILL 130 [2018]

Aloha Chair White and members of the Maui County Council,

I presented testimony at the December 11, 2018 session to show my support to the Wailuku Civic Hub project. I would like to provide additional information for consideration focusing on the high level of importance to the town. Many businesses in Wailuku are suffering due to lack of customer traffic in our businesses. The reputation of the area is at stake.

As a property owner on the corner of Church and Vineyard, we will be at the heart of the construction zone and will be directly impacted by the project. The construction period will be difficult at best but without it, we don't stand a chance of survival. Our family-owned property is home to several commercial units. I feel our complex is a microcosm of the town as whole reviewing each of our tenant situations.

The Church Street downstairs tenant Marc Tolliver of Loft 145 is in favor of the project and is committed to being in Wailuku and recognizes that we must embrace the construction to come out on the other side. He wants to be well located as the revitalization of the town unfolds.

My own business Swan Interiors suffers from a terrible lack of foot traffic and walk-in sales are non-existent. We rely on referrals and our website for business yet I long to have walk-in client and inventory sales opportunities. I recognize that the setting for our business should be on par with expectations of our clients and the products we sell. I want to have a store located in a charming neighborhood, not a sketchy one. Being a stakeholder and property owner, I cannot give up on the town, I need to show my tenants that we are all in this together.

The former Saeng's Thai Restaurant has been vacant for eleven months. We are now starting a negotiation with a new prospective restaurant tenant and much of their success will be tied into the food service business opportunities that *can prosper* as a result of construction work force dining needs. Without that burst of business, they are taking a risk. Their business needs to succeed or we lose rental income. Without a tenant we have no funds to keep the buildings in good repair. The further the area declines, the harder it is to find tenants. Then the homeless try to settle into the nooks and crannies of the vacant buildings. This is scary and disturbing to all that work on the property. It is not a safe environment, nor an issue employees or tenants should have to confront. It has been my world for the past year.

Our upstairs tenant on Church Street, Meg Obenauf is hesitant to extend her lease due to the impacts by the construction. It is a wait and see status with her over the next few



months. As a landlord, I have to manage each of these situations as best possible. Without the much needed change, we all suffer and the town suffers.

I have participated with the Project Advisory Committee from the onset working with Erin Wade and the team of consultants the county has secured to explore every angle of this project. There have been many design charrettes, planning and public meetings, design reviews and more. This process has gone on for years and we need to see this through to facilitate all that is needed in Wailuku to bring about growth and change. We need a project that shows civic pride for the county seat. We need a catalytic project that can generate business activity and attract new businesses, patrons and tenants. We need it now. Thank you for your support. Yesterday I attended the signing of the construction contracts for the first phase of the work and I support funding for the seamless continuation of the entire project. As stated by Mr. Hokama, this is a legacy project for Maui.

Kristin Holmes

RECEIVED

**From:** Shelly Stevens <shellsurfmaui@gmail.com>  
**Sent:** Wednesday, December 19, 2018 4:54 PM  
**To:** County Clerk  
**Subject:** 12/27/18 9AM mtg.

2018 DEC 24 AM 8:17

OFFICE OF THE  
COUNTY CLERK

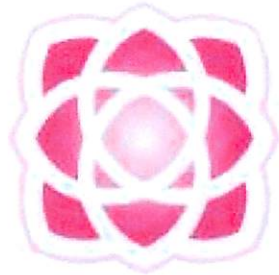
Dear Council Members,

It is my understanding that the Lame Duck County Council Chair is attempting to schedule a meeting for Community Plan Amendments at the most inconvenient location, day and time for the Public to attend. Many of us find this attempt to schedule a meeting for 9AM, December 27 extremely suspicious! Why would Chairman White want to hold Public Hearings at the least convenient time and location? Public hearings must be held in the districts which are affected by them and at a time in which the community can attend.

Surely the Council can better schedule these hearings at a more convenient time and location to allow greater community attendance. That is the way of democracy. The people of Haiku, Pa'ia and Kihei and all of Maui County deserve better!

Looking forward to more transparency and Sunshine in 2019.

Mahalo,  
Shelly Stevens  
Haiku



**MAUI**  
CHAMBER OF COMMERCE  
VOICE OF BUSINESS

RECEIVED  
2018 DEC 24 AM 8:19  
OFFICE OF THE  
COUNTY CLERK

**Testimony on Bill 130 & 131  
Amending the FY19 Budget for the Wailuku Civic Project  
Thursday, December 27, 2018**

Dear Chair White, Vice-Chair Carroll &  
Members of the Maui County Council,

Thank you for the opportunity to testify.

The Maui Chamber of Commerce previously supported the full allocation of funding during the FY19 budget process for the Wailuku Civic Complex. While we understood that the funding was decreased because the project was going to be completed in phases, we still had concerns that it would not be enough funding to cover the project.

The Wailuku Civic Complex project will be extremely beneficial to Maui residents, visitors and the business community and we feel it is important for it to be completed in a timely manner. Therefore, we appreciate the amendments proposed for increased funding of \$40,000,000 from bonds to go towards the Wailuku Civic Complex.

We support the measures and ask that the Council please pass them so this important project will be completed.

Sincerely,

*Pamela Tumpap*

Pamela Tumpap  
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.



81 N. Market St. Ste 200 Wailuku, Hawaii 96793 ■ (808) 249-2062  
info@mysterymaui.com ■ www.mysterymaui.com

2018 DEC 24 AM 8:19

OFFICE OF THE  
COUNTY CLERK

December 19, 2018

**COUNCIL CHAIR MIKE WHITE  
and Members of the Maui County Council**

200 S. High Street  
Wailuku, HI 96793

**RE: TESTIMONY IN SUPPORT OF THE WAILUKU CIVIC COMPLEX, BILL 130 (2018)**

Aloha Chair White and members of the Maui County Council,

I'm writing to submit support for the funding of the Wailuku Civic Complex. If those opposed to this project are concerned about its design, I am also in support of revisiting the aesthetics of the proposal. But the positive economic impact of the project simply outweighs the reasons why it shouldn't go through.


Today I learned that Aria's restaurant on Vineyard Street – a few blocks from the humble apartment where I lived for 9 years now, is closing. I also learned that 808 Main restaurant is cutting their Saturday service – because of lack of customers. Saeng's Thai cuisine had also closed. This is the current state of my neighborhood and it saddens me to see these businesses suffer.

Well I, too, own a business right in the heart of the proposed site on Market Street. Rent is on my mind every day. While the consensus of businesses everywhere is slow, this is the perfect time to demonstrate leadership to help stimulate the community. Your vote on this issue will directly have an impact on my business, on my life, and on my neighbors and their families.

Someone had smashed the iconic window by Requests music store. Wai Bar also experienced their glass doors smashed. For the merchants like me, it's any day now – we could be next. Almost every week, an abandoned vehicle is left in front of our facility at the Municipal Parking lot. It's also become a meeting place for drug deals and other shenanigans during wee hours at night. Vagrants come in our facility and if my husband wasn't around, I'd be dialing 911 behind my desk ready to press "call" out of fear.

This is the "character" of this town that I know during pau hana hours. Saying that we must maintain the character and therefore not build anything, is telling me "TOUGH – DEAL WITH IT."





Is the civic complex a solution? Maybe. It's better than no action to me. The activity generators like the night market would be wonderful. The events facility would be busy with family events and nonprofits always looking for fundraiser banquet venues. The office expansion may trickle down to provide bigger Councilmember office spaces to welcome your constituents (as you and your staff absolutely deserve bigger offices.)

If the project moves forward, I DREAD the months of construction where it will be horrors for my customers, and for us residents of Vineyard Street. BUT – I welcome it. Construction on our street is so much more exciting than watching flash floods during the rainy season, doing 'niele' when cops are arresting some drunk Uncle during late nights, or whenever my side mirror gets swiped (or my car totaled) by careless drivers on our narrow street.

If this is what it takes to liven up this town, I'll take the risk. As I type this at 7 p.m., I look out the parking lot and it's a dark and sad underutilized space. Imagine if we can have Wailuku First Friday energies every day? Meet-up with friends and wear jackets during Christmas and enjoy the lights at the plaza. We can see each other more and talk story in person versus doing senseless posts on social media.

I am on Market Street every night. It's dead. It only comes alive when there are shows at the Lao Theatre. People would come, then immediately leave – because there's nothing to do before or after the shows.


I welcome you to hang out with us at Mystery Maui one night just to show you what I mean. When we have visiting customers from the mainland or from out of the country, it's almost embarrassing to be proud of Wailuku town.

**Support the Wailuku Civic Complex.** By all means, change the design if needed, adjust the cost if necessary, but I hope to look forward to something positive for this beautiful, yet sad community. ABSENT the politics involved with shifting of powers, or talk of "railroading" legislation, I urge the council to ACT on it – this council or the next – before another business closes.

It is a difficult vote. But your vote helps us decide with our life plans whether we'll continue to attempt or find opportunities elsewhere. Thank you for your leadership.

Sincerely,

***Kit and Deron Furukawa***  
Wailuku, Hawaii



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**From:** skysonghealing@yahoo.com  
**Sent:** Tuesday, December 25, 2018 12:33 PM  
**To:** Robert Carroll; Stacy S. Crivello; Alike A. Atay; Elle Cochran; Donald S. Guzman; Kelly King; Riki Hokama; Yukilei Sugimura; Mike White  
**Cc:** County Clerk  
**Subject:** Public Hearings for changes to the Haiku/Paia ad Kihei Community Plans (Planning Committee Nos 18-228, 18-229)

Dear Council Members,

How dare Mike White attempt to ram through these changes to the Haiku/Paia and Kihei Community Plans by holding public hearings at 9 am on a weekday during Christmas week, in Wailuku. This is contrary to the intent of a public hearing. The intent of a public hearing is that members of the district being affected by proposals will have an opportunity to learn about and testify on them. These meetings should be held in the evening and in the districts, when it is convenient for hard working people who have families and jobs to come to a meeting close to home. To hold these hearings on such short notice, and during a holiday week, when people are away on vacation or are at work, is immoral.

We have had enough of Mike White and other council members subverting our democracy. We have had enough of the lies, corruption, manipulations and abuses of power that have been going on for so long in order to promote the greedy interests of those in power.

As council members you have been given the responsibility to act responsibly, to uphold our democracy, and to use the power we invest in you do what is Pono.

Cancel all non essential business for the last two week of the year.

Paul Solomon  
PO Box 1183  
Haiku, HI 96708

RECEIVED  
2018 DEC 26 AM 8:03  
OFFICE OF THE  
COUNTY CLERK

RECEIVED

**From:** Michael <baskindesign@gmail.com>  
**Sent:** Wednesday, December 26, 2018 8:59 AM  
**To:** County Clerk  
**Subject:** Testimony on Bill 145 (2018), and Bill 146 (2018) - Paia -Haiku

2018 DEC 26 AM 9:53

OFFICE OF THE  
COUNTY CLERK

Re: **Bill No. 145 (2018)**: A Bill for an Ordinance Amending the Paia-Haiku Community Plan Relating to Visitor accommodations; **Bill No. 146 (2018)**: A Bill for an Ordinance Relating to Short-Term Rental Homes in the Paia-Haiku Community Plan Area.

Aloha County Council:

I am writing regarding the above-referenced bills scheduled for Special Meeting before the Council on December 27, 2018.

I am concerned about Bill No. 145 for the following reasons:

1. First, it was my understanding after the December 11<sup>th</sup> Council meeting that this item would have a public hearing before a three-member panel to receive testimony prior to the second reading. However, the agenda for the December 27, 2018 lists Bill 145 under the section entitled, "Ordinance- Second and Final Reading." Bill 145 should not move forward without hearing from the community, especially now that the proposed Bill includes a substantial change.
2. The last-minute change to Bill 145 at the December 11<sup>th</sup> meeting is substantial and should go back through the vetting process. According to your Planning Committee letter dated December 11, 2018, there are 48 permitted STRHs and 12 pending applications and 8 permitted STRHs that abut the shoreline and the "distance of each permitted STRH structure from the shoreline ranges from approximately 25 to 65 feet." To go from this relatively small area to an SMA area that includes most of downtown Paia and all of Kuau and in Haiku includes everything makai of Hana Highway is not only arbitrary and capricious but it runs contrary to will of the community and recommendations by the Planning Commission.
3. Bill No. 145 was amended at the December 11, 2018 Council meeting to prohibit any new B&B or STRH permits from being issued for properties in the **Shoreline Management Area (SMA)** and not just those properties abutting the shoreline. This last-minute amendment has not been properly vetted through the community, the Planning

Commission or Planning Committee, yet it will have a substantial impact on the community.

4. Expanding the area to the SMA and not those abutting the shoreline, will effectively prohibit anyone from obtaining permits. This will greatly encourage those people who wish to apply to operate illegally.
5. Even if you have a permit now, a future purchaser of your home would NOT qualify for a permit if the property is in the SMA area.

For the foregoing reasons, we would request that the vote for the above-referenced Bills be postponed until further community discussions are completed.

**Mahalo,**

**Michael Baskin**  
Baskin Design, LLC  
Architectural Designs  
808.870.1800 - Direct



RECEIVED

**From:** Joe Blackburn <mlb@mauiproperty4you.com>  
**Sent:** Wednesday, December 26, 2018 12:47 PM  
**To:** County Clerk  
**Subject:** Public Hearing for Civic Complex

2018 DEC 26 PM 2:35

OFFICE OF THE  
COUNTY CLERK

Testimony from Joseph Blackburn

I am excited to part of the process and provide testimony for the new Wailuku Civic Complex. I have lived or worked in this area for over 20 years. This project was thoroughly vetted by our planning department with many hearings and ability to provide input at our Wailuku First Friday events. As someone who remembers the history of the area, this is the first step towards remaking Wailuku our civic hub. This plans are wonderful and thought out, as with any civic project you will get detractors, but this project has been in the works for many years. Please provide funding for this worthwhile project. I not only live in the area, but coach kids from Wailuku and have a business in Wailuku, we need this project to help our Maui Community, as Wailuku is still a mix of low income and working class families. Aloha, Joe Blackburn

Ph. 870.2123. email: mlb@mlb808.c0m

\*\*\*New Email: Please update our email to [MLB@MLB808.com](mailto:MLB@MLB808.com)

Mahalo,



Commercial Properties of Maui LLC  
444 Hana Highway • Suite C • Kahului, HI 96732-2315  
(808) 244-2200 • Fax (808) 442-1195  
www.mauibiz.com

RECEIVED

2018 DEC 26 PM 2:35

December 11, 2018

OFFICE OF THE  
COUNTY CLERK

Honorable Chair Mike White  
and County Council Members  
200 High Street  
Wailuku, HI 96793

SUBJECT: Item NO. 18-210 for the Wailuku Civic Complex

Dear Honorable Chair Mike White and Council Members:

I would like to submit this written testimony in favor for proceeding with approval of the additional funding for the Parking lot structure and redevelopment plan for the Wailuku Civic Complex which has been a long time coming.

I have been practicing Commercial Real Estate as a broker since 1985 headquartered in Wailuku, own several properties on Main Street and have also been a past MRA Chairperson.

After many years of studies and community and Wailuku business input not to mention the hundreds of thousands of dollars for these studies and plans, it has been well established that there has been a dire need for a parking structure to revitalize our historical town and allow for property owners to invest to upgrade and create quality development. As it now stands, parking and aging infrastructure which is in need for upgrades are inadequate to support growth needed for such development. Much thought and design has gone into design of a structure that would blend into the surrounding architecture which in itself is a mix of historic and newer buildings. By funding now there is the benefit of proceeding with and taking advantage of present value dollars, low interest climate and locking in cost which have and will escalate over time if done piecemeal. In addition, the disruption to phase over time will prolong inconvenience to existing businesses.

The economic engine that will be created will bring in additional revenues needed to support the project. It's time to make the smart fiscal decisions and move forward to a great Wailuku future.

Respectfully,

Grant E. Howe, CCIM R(B)  
Commercial Properties of Maui

RECEIVED

2018 DEC 27 AM 7: 54

OFFICE OF THE  
COUNTY CLERK

Maui County Council  
12/26/18  
Re: Bill Number 146 (2018)

County Council –

Thank you for your hard work and service.

I'm writing to urge you to re-consider the idea of limiting Short Term Rental homes and Bed and Breakfast homes to only outside the SMA. I think it may do the opposite of what you intend. The intention is to save the character of the shoreline. Instead, I fear, **you will create a shoreline that is solely the kingdom of the elite.**

Most homes along the shoreline are very expensive. The majority of those owners may allow occasional short-term rental, but they more often than not, are NOT interested in long-term rental. That's not why they bought. Long-term does not allow them to use their home during the year. So, instead of keeping the shoreline homes open for long term renters and keeping home prices down, you will create a ghost town shoreline with no one there. And instead of helping people who need housing, you will hurt those same people by damaging the local economy.

I agree with your intention, but I don't agree that the method will produce the desired results. And, the method may actually do more damage than good.

Additionally, there was much debate on the number and method of awarding short term rental permits. The number should not be arbitrarily changed now (from 88 to 65). It's second guessing what took years to hone. And, there's a good system to moderate the number already. This is why there are not 88 short term rental permits awarded already in Paia/Haiku.

The idea of creating new density via accessory dwellings seems a very good way to create new housing. Public / private partnerships to build more will also be a good stop gap.

Thank you for your consideration –  
Greg Mebel  
Paia



RECEIVED

**From:** Doug@wkmaui.com  
**Sent:** Thursday, December 27, 2018 8:03 AM  
**To:** County Clerk  
**Subject:** Public Hearing for Civic Complex funding

2018 DEC 27 AM 8:06

OFFICE OF THE  
COUNTY CLERK

On behalf of the St. Anthony School Board of Directors, please accept the following written testimony as it pertains to the Budget and Finance Committee agenda discussion concerning the Wailuku Civic Complex project, today's agenda item concerning **Public Hearing for Civic Complex funding**:

*This project will likely have a strong indirect impact upon its neighbor at St. Anthony School. The project has the potential of beautifying, re-energizing and planning for the future. St. Anthony School supports positive progress for our community and the families that live and work here. We appreciate the commitment to invest in our community and take pride in the families which serve as the core of the community. St. Anthony has recently recommitted itself to the community through its own long-term planning and appreciates the value and effort into putting words into action. Planning for sustainable and well-paying employment, a secure and reliable infrastructure which serves everyone, and safe roads for our families is in St. Anthony School's interest. As a neighbor, we can support positive action for the future of our community.*

Thank you,

Douglas R. Wright  
WRIGHT & KIRSCHBRAUN  
A Limited Liability Law Company  
1885 Main Street, Suite 108, Wailuku, HI 96793  
Telephone: 808-244-6644 / Facsimile: 808-244-1013

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① 12-27-18 — KEEP WAILUKU - WAILUKU

The Wailuku "Improvement" Plan that I remember from 'back in the day' —

- called for
  - maintaining view plains
  - protecting magnificent trees
  - "more efficient use of existing parking lots
  - "finding small lots to add parking throughout the town
  - "walkable" town ... open spaces ... <sup>upgrade existing resource</sup>
  - "identifiable historic sites - protection (for the Kaahumanu <sup>church</sup> steeple' acknowledge and care for registered sites and structures and exceptional trees
  - "and lots of clean up / fix up / support for businesses and liveability projects for residential Wailuku and to bring into Wailuku for goods and a variety of services —

what about the last 20 years?? —  
how are we doing??? in Wailuku

revitalize Iao Theater ... support M&P — 1st Fridays  
 "Blue Zone"  
 Historic Wailuku  
 Happy Valley look happy?!!

Streets are busy (still?)  
 Businesses (if businesses want to move -  
 People  
 Schools  
 Safety -

Kahului has plenty empty spaces  
DO NOT GO VERTICAL IN WAILUKU  
 Then the TOWN will block the MAUIA VIEW

\* CIVIC Center have already moved to Kahului — Put hotel + convention etc near college  
 near harbor  
 near airport  
 under roads / infrastructure  
 center of commerce

Kahului  
 the NEW county Civic Center



② Turn Elmer's Building (the People's Bldg.) High Street

SR activities — health & fitness

Childcare — pre-schools

Adult classes —

non-profit headquarters — meeting rooms

restaurants |

therapeutic and counseling support for families

(so many possibilities —)

small auditorium (.

don't have to tear up streets — move infrastructure drastically  
walkability — handicapped accessibility — save trees

get auto pollution under control — not increase it  
and ruin air quality

\* KEEP  
Make Wailuku a livable community

Keep view plains for Wailuku Heights  
and for central plain to see Jap Valley —  
West Maui mountain range

MY 2¢, MAHALO ALL

Jan Dapitan

2180 Vineyard St  
#200

Wailuku, HI 96793

808 868-0205

Seiko Machida  
984-8118

Written Testimony

Bill No. 130 (2018) and No. 131 (2018) – Wailuku Civic Complex

December 27, 2018

My name is Seiko Machida. I live and work in old Wailuku Town. I own a home about 200 yards from the Wailuku municipal parking lot. I appreciate the efforts that the current County Council has made to bring the Wailuku Civic Complex project to fruition because we need more parking and public space in the center of downtown. However, I am opposed to the proposed scope of the project because of the addition of the County Real Property Assessments office to the complex, which was added to the plans without public input.

Please do not rush the vote on the additional \$40 million in bond funding for this project. That is a lot of money. My understanding is that the project was supposed to be executed in phases.

There is something unseemly and inappropriate about the current council voting on this matter only two days before the end of the council term. Clearly, this funding is being rushed through before a changing of the guard, and it is just plain wrong. Please note that I am not a supporter of the ohana coalition, nor am I a supporter of the old boys club, but I am a believer in a fair and transparent political process.

The proposed government office is out of character with Old Wailuku Town, and will be a dead, locked-up space outside of government work hours. We need more affordable housing in the area, and I suggest that the additional space be used for housing, and if that is not feasible, then the space should be used in support of the arts, perhaps as an incubator space for performing and visual artists, which is more in keeping with the Wailuku Redevelopment Plan.

I did participate in the Planning Department's public outreach efforts the past couple of years. It was lovely, but something of a sham because the important decisions had already been made without public input. The public was presented with diagrams of various layouts of the Civic complex and asked to vote on which layouts we liked the most, but we were not given a say in the meat and bones of

Written Testimony

Bill No. 130 (2018) and No. 131 (2018) – Wailuku Civic Complex

December 27, 2018

the project. I voiced my concerns about more government offices to the County Planner for the project, and she just grinned at me and said nothing. Clearly this was a political decision and not something for the benefit of the community.

I respectfully ask that councilmembers withhold a vote on Bills 130 and 131 today and allow the new council to take it up.

Thank you.