

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE**  
**Council of the County of Maui**

**MINUTES**

**June 30, 2022**

**Online Via BlueJeans**

**CONVENE:** 9:00 a.m.

**PRESENT:** Councilmember Tamara Paltin, Chair  
Councilmember Kelly Takaya King, Vice-Chair  
Councilmember Gabe Johnson, Member  
Councilmember Tasha Kama, Member (Out at 11:31 a.m.)  
Councilmember Alice L. Lee, Member  
Councilmember Michael J. Molina, Member  
Councilmember Keani N.W. Rawlins-Fernandez, Member (In at 9:02 a.m.; Out at 9:41 a.m.)  
Councilmember Shane M. Sinenci, Member  
Councilmember Yuki Lei K. Sugimura, Member (In at 9:14 a.m.)

**STAFF:** Wilton Leauanae, Legislative Analyst  
Paige Greco, Legislative Analyst  
Shelly Espeleta, Supervising Legislative Analyst  
Richard Mitchell, Legislative Attorney  
David Raatz, Deputy Director  
Maria Leon, Committee Secretary  
Jocelyn Moniz, Committee Secretary  
Lenora Dinneen, Council Services Assistant Clerk  
Jean Pokipala, Council Services Assistant Clerk

Mavis Oliveira, Council Aide, East Maui District Office.  
Denise Fernandez, Council Aide, Lanai District Office  
Zhantell Lindo, Council Aide, Molokai District Office  
Christian Balagso, Council Aide, West Maui District Office  
Anabelle Hernandez, Council Aide, Makawao-Ha'ikū-Pā'ia District Office  
Daniel Kanahele, Council Aide, South Maui District Office

Kate Griffiths, Executive Assistant to Councilmember Gabe Johnson  
Evan Dust, Executive Assistant to Councilmember Tasha Kama  
Lois Whitney, Executive Assistant to Councilmember Tasha Kama  
Axel Beers, Executive Assistant to Councilmember Kelly Takaya King  
Ellen McKinley, Executive Assistant to Councilmember Kelly Takaya King  
Sarah Sexton, Executive Assistant to Councilmember Kelly Takaya King  
Sarah Freistat Pajimola, Executive Assistant to Councilmember Keani N.W. Rawlins-Fernandez  
Kainoa Kaumeheiwa-Rego, Executive Assistant to Councilmember Keani N.W. Rawlins-Fernandez  
Dawn Lono, Executive Assistant to Councilmember Shane M. Sinenci

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

Miki Yokouchi, Executive Assistant to Councilmember Yuki Lei K. Sugimura  
Jordan Helle, Executive Assistant to Councilmember Yuki Lei K. Sugimura

**ADMIN.:** Michael Hopper, Deputy Corporation Counsel, Department of the Corporation Counsel  
Jacky Takakura, Deputy Director, Department of Planning  
Jordan Hart, Planning Program Administrator, Department of Planning  
Ann Cua, Planning Program Administrator, Department of Planning  
Kathleen Ross Aoki, Planning Program Manager, Implementation Division, Department of Planning  
Jennifer Maydan, Planning Supervisor, Department of Planning  
Johann Hall, Geographic Information System Analyst, Department of Planning

**OTHERS:** Junya Nakoa

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

---

CHAIR PALTIN: . . .*(gavel)*. . . Will the Planning and Sustainable Land Use Committee Meeting of June 30th, 2022 come to order. The time is 9:00 a.m. If everyone can please silence their cell phones or any other noise-making devices, that'll help our cause. My name is Tamara Paltin, and I'll be your Chair for this morning's meeting. I am broadcasting live and direct from rainy old Hilo Town where it's slightly overcast, no rain, surf is in the two to three-foot range with an occasional larger set on your beach breaks and points up and down the Hāmākua Coast, light and variable winds. With me today I have my parents, Samuel and Mildred Paltin, and my brother just arrived to take over my shift when I'm done, David Paltin. In accordance with the Sunshine Law, if you are not in the Council Chamber, please identify by name who, if anyone, is in the room, vehicle, or workspace with you today. Also, please see the last page of the agenda for information on meeting connectivity. I have been informed that there are no testifiers at this time at our Lāhainā District Office. So that being said, we have with us this morning Committee Vice-Chair Kelly Takaya King. Aloha kakahiaka and susaday.

VICE-CHAIR KING: Aloha kakahiaka and susaday to you Chair, and to all my colleagues, and the public out there. I am broadcasting this morning from my home office in South Maui. My husband is in too...in his home office, which is...doubles as the laundry room, Bob King. And we, at this point, have no testifiers reported from the South Maui District Office. Looking forward to your *(audio interference)* --

CHAIR PALTIN: Sounds good *(audio interference)* --

VICE-CHAIR KING: -- Chair.

CHAIR PALTIN: Next up we have Gabe Johnson. Susaday and aloha kakahiaka to you.

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

COUNCILMEMBER JOHNSON: Susaday to you, Chair, Councilmembers, and community members. I am alone in my workspace in Lānaʻi City. There are no testifiers at the Lānaʻi District Office. And I am here and ready to work. Mahalo, Chair.

CHAIR PALTIN: I like that, ready to work. Got to put you to work. And from the neighborhood, we have Councilmember Tasha Kama. Aloha kakahiaka and susaday.

COUNCILMEMBER KAMA: Aloha kakahiaka, Chair, and susaday to all of my colleagues. I am here in my workspace alone, and in the next room is Lena and her caregiver. And, Chair, I have to leave early today, around 11:30-ish, just wanting to let you know that. So thank you and good morning, everyone.

CHAIR PALTIN: Thank you. Thanks for the heads up. And next up we have Council Chair Alice Lee. Susaday and aloha kakahiaka to you.

COUNCILMEMBER LEE: Susaday kākou. Good morning, Madam Chair, and all of my colleagues, and everyone watching and listening. I am here for the first half of the day in my home office, and there's no one else here. I'll be going to the building in the afternoon. Looking forward to your meeting. Thank you.

CHAIR PALTIN: Thank you. And next up--from the District Office, it looks like we have Councilmember Mike Molina. Susaday and aloha kakahiaka to you.

COUNCILMEMBER MOLINA: Aloha and susaday to you, Madam Chair, and to my colleagues, and everyone else tuning in for today's PSLU meeting. And Madam Chair, I really appreciate you letting us know you're broadcasting from Hilo because Hilo's just been a wonderful place in my life...went to a college there, and patronized KTA Supermarket and, of course, I just ate a ton of those Mountain View Stone Cookies. Oh, so ono. Anyway, I'm transmitting out of the Pāʻia District Office over here at Heritage Hall, and I'm accompanied here by District Office Specialist Anabelle Hernandez, and there are no testifiers. Mahalo.

CHAIR PALTIN: Thank you. Yeah, sometimes they say broke the mouth, but in that case, they say broke the teeth. . . .*(laughing)* . . .

UNIDENTIFIED SPEAKER: Geez.

CHAIR PALTIN: Next up we got Councilmember Keani Rawlins-Fernandez. Aloha kakahiaka and susaday.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha kakahiaka, Chair, mai Maui nui a kama *(phonetic)*. I am in my workspace in my vehicle, alone. And I see in the chat that Ms. Lindo informed us that the Molokaʻi District Office does not have any testifiers. Oh, and I will have to also leave early, and I'll try to make it back to the meeting if I get out.

CHAIR PALTIN: Thank you for the heads up. And next up from the East Side where--I am on a different island though--we have Councilmember Shane Sinenci.

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

COUNCILMEMBER SINENCI: Aloha kakahiaka, Chair, and susaday, everyone. I am broadcasting from my home office. We're in...scouting the neighborhood today. Sorry if I look like Hell Boy, I'm next to some rose-tinted windows. But Ms. Mavis has indicated that there's no one testifying at the Hāna District Office. Aloha.

CHAIR PALTIN: Thank you. Thank you. Okay, moving right along we have from the Administration, Jordan Hart, our future Chief of the Department of Planning Zoning Administration and Enforcement Division for all items; Jacky Takakura, our future Deputy Director, for PSLU-64; Ann Cua, Senior Planner, for PSLU-51; Kathleen Aoki, Administrator, Plan Implementation Division, PSLU-3(1) and (2); and Jen Maydan, Planner Supervisor, PSLU-53. We also have Michael Hopper, Deputy Corp. Counsel, for all items. Our Committee Staff for today; we have Committee Secretary Jocelyn Moniz, Committee Secretary Maria Leon, Legislative Analysts Wilton Leauanae and Paige Greco, as well as Legislative Attorney Richard Mitchell, and Assistant Clerk Lei Dinneen. Today we have an ambitious agenda of five items: PSLU-64, Resolution 22-151, Referring to Planning Commissions a Proposed Bill Relating to Off-Street Parking and Loading; PSLU-51, Status of Active Conditional Permits; PSLU-3(1), Implementation of the Countywide Policy Plan and Maui Island Plan, and (2), Implementation of the Maui County Community Plans; and PSLU-53, South Maui Community Plan Update. Okay, let's see. Do we have any testifiers today, Staff?

MR. LEAUANAE: Chair, only one testifier.

CHAIR PALTIN: One testifier. Okay, I'll read the instructions. Let's begin with public testimony. Oral testimony via phone or video conference will be accepted. Also, as noted on today's agenda, in-person testimony will be accepted in the Council Chamber and at the six courtesy testimony sites. Testifiers wanting to provide audio testimony should call 408-915-6290 and enter meeting code 149341846, also noted on today's agenda. Written testimony is encouraged, and can be sent via eComment. Search for the meeting date on [mauicounty.us/agendas](http://mauicounty.us/agendas), click on the eComment link, then select the agenda item to submit comments on. Oral testimony is limited to three minutes per agenda item. When your name is called, please unmute yourself by clicking the video and microphone icons. Or if calling in, press star-4 to unmute yourself. Please be courteous to others, muting video and audio while waiting for your turn. When testifying, please state your name. Please also state if you are testifying on behalf of an organization or are a paid lobbyist. If you have joined this online meeting, Staff will assume you wish to provide testimony and will add you to the list of testifiers. Once you are done testifying, or if you wish to view the meeting without providing testimony, please disconnect from the BlueJeans meeting. You may continue viewing on *Akakū* Channel 53, Facebook Live, or [mauicounty.us](http://mauicounty.us). Once oral testimony concludes, only Councilmembers, Staff, and designated resources will remain online, and all others will be dropped from the BlueJeans connection. A link to the list of testifiers is posted in the chat. Please be mindful that chat should not be used to provide testimony or chat with others during the meeting.

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

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

CHAIR PALTIN: Members, I would like to proceed with oral testimony. And it looks like our first and only testifier for today is Junya Nakoa. Mr. Nakoa, are you ready to begin your three-minute testimony? Oh, looks like you are --

MR. NAKOA: Okay, I was --

CHAIR PALTIN: -- right on.

MR. NAKOA: -- . . . *(inaudible)*. . . listening, but...yeah, I just was trying to rethink. I guess it says about Maui Community Plan, I guess, I wanna talk about. You know, with the Planning Department that you guys say community, and the last thing you guys talk about, you guys wanted community input on the...what you like do with stupid Greg Brown illegal hotel. So you guys want the community...I planning one community meeting for Lāhainā people; me, Kanamu and Shayna. We like you guys hear it from the locals, not only from the guys...you guys went mention in the meeting on Tuesday. But we all piss off, we all mad. Yeah, I trying to get the Mayor for jump on because the community is bad for this plan, you know what I mean? The...trying to get the Mayor for meet with us here in Lāhainā Civic, nighttime, 6:00 li'dat...face to face, so you guys can see...hear the anger and the emotion that we feeling. Because I going educate everybody on Maui about how stupid this thing is, and how the community never get input in this plan, yeah. I going educate them about that eminent domain, gonna educate them about how much money going cost, everything. And how we should take this buggah to court...Greg Brown to court, like how the Mayor went take this...the injection wells to court. I don't know . . . *(inaudible)*. . . But community meeting. I just mad. I just mad, yeah. So Planning Department needs to be overhauled, needs to be changed, and somebody should get punished for the mistake that the County is claiming...claiming, or that they...now they admitting that they made a mistake...there is a mistake. Somebody should get punished. Not the people of...not the people...the taxpayers on Maui, yeah. People...somebody should be getting punished. We're frustrated. I got...well, I got pointed up, left, down, whatever angle who to talk to. And now what, where we stuck? Two years later we gotta pay for this community...community got to pay for the Planning Department's screw up, Public Works screw up, Mayor's Administration screw up. I'm sorry for my frustration, but yeah . . . *(inaudible)*. . . yeah, you gonna hear from...with them from now on. Oh, yeah...yeah, we're done. We're done being nice and being...done being...trying to being cordial and all that stuff. We gonna...you guys gonna hear us guys in Lāhainā. I'm mobilizing and organizing. West Maui to stand...stand up against this bull crap. Mahalo.

CHAIR PALTIN: Thank you. Members, questions for the testifier? Seeing none. Thank you for your testimony today. And I don't believe we have any other testifiers signed up to testify. We did receive written testimony. So if there's no objection, I will now close oral testimony and receive written testimony into the record.

**COUNCILMEMBERS VOICED NO OBJECTIONS.**

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

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

CHAIR PALTIN: Okay. So now that that's done, I will close public testimony, there...thank you to those testifiers and observers who logged or called in. You may view the remainder of today's meeting on *Akakū* Channel 53, Facebook Live, or at [mauicounty.us/agendas](http://mauicounty.us/agendas). Members wishing to speak during today's meeting should say my name and raise their hand so that I may recognize you. And I see that we have a Member from jacaranda country. Susaday and aloha kakahiaka to Councilmember Yuki Lei Sugimura.

COUNCILMEMBER SUGIMURA: Susaday. Good morning, everybody, I'm at the County Building here in the office, and Jordan Helle is in the next office. Good morning.

CHAIR PALTIN: Thank you. Yes, that's from Cambodia, Southeast Asia, susaday.

**PSLU-64:            RESOLUTION 22-151, REFERRING TO PLANNING COMMISSIONS  
A PROPOSED BILL RELATING TO OFF-STREET PARKING AND  
LOADING**

CHAIR PALTIN: All right. So first up we have PSLU-64, Resolution 22-151, Referring to Planning Commissions a Proposed Bill Relating to Off-Street Parking and Loading. The Committee is in receipt of Resolution 22-151, entitled "REFERRING TO THE PLANNING COMMISSIONS A PROPOSED BILL RELATING TO OFF-STREET PARKING AND LOADING." The purpose is to refer to the Lānaʻi, Maui, and Molokaʻi Planning Commissions a proposed bill and--like I just read--for their findings and recommendations. Committee may consider whether to recommend adoption of the proposed resolution with or without revisions. The Committee may also consider the filing of Resolution 22-151 and other related items. So there was a little hiccup as this came through the Council, so I didn't want to put it off on the agenda too long. And Chair Lee, as this is your proposal, did you want to say any introduction, or how this bill came about? No pressure, but if you'd like to, I'd like to give you that opportunity.

COUNCILMEMBER LEE: Thank you, Chair. The genesis for this resolution and bill is actually the number of complaints I received regarding parking overnight on Kuikahi Drive. Apparently, there are people using the side of the road to park, and they have businesses. So as a result, the Staff and I looked into this matter, and modeled what you see before you after an ordinance that Oʻahu has, City and County of Honolulu. So we're hoping that you support this and, at the very least, move it on to the Planning Commissions to get their input. Thank you.

CHAIR PALTIN: Thank you, Chair Lee. At this time, if we could have any comments from Mr. Hart or Ms. Takakura on the proposal from the Planning Department?

MR. HART: No comments at this time, Chair. Thank you.

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

CHAIR PALTIN: Thank you. Is that no comments from Ms. Takakura? Oh, Ms. Takakura, do you have any comments?

MS. TAKAKURA: Good morning PSLU. Good morning, Chair Paltin. So I have two questions. The first one, just so I can better understand. Chair Lee, do you know how it's enforced on O'ahu? I'm just wondering how do they enforce something?

CHAIR PALTIN: Oh, Chair Lee, we can't hear you.

COUNCILMEMBER LEE: I don't want to hazard a guess. We didn't check that far. But we just wanted to make sure there's something on the books so that it could either be a land-use violation or a penal violation, you know, where the police are involved. But the thing with...if it's a land-use violation, you know, we could contemplate, you know, fines or other types of penalties other than just getting a ticket.

MS. TAKAKURA: Thank you, Chair. And knowing that O'ahu has this already, I can reach out to them and see how it works. Thank you. May I ask one more question, please, Chair Paltin?

CHAIR PALTIN: Sure thing, Ms. Takakura. You can ask unlimited questions.

MS. TAKAKURA: Oh, okay. So my second question is, in my spare time, which I have none anymore, but I have been working on some housekeeping updates for Chapter 19.36B. And would it be all right if we have these included--you know, after it's been thoroughly vetted--that we could include some housekeeping changes to this chapter that we've been (*audio interference*) fixes that would be okay?

COUNCILMEMBER LEE: Is that a question for me?

MS. TAKAKURA: Either Chair Paltin or you could answer.

COUNCILMEMBER LEE: I'm flexible.

CHAIR PALTIN: I'm flexible as well. I mean if it's a major policy change, maybe we should see it first. But if it's just housekeeping, as you say, then...and this moves on to the Planning Commissions, then I don't have any issue with that. And thank you for checking in with us.

MS. TAKAKURA: Thank you.

CHAIR PALTIN: Okay. And, Members, how does a two-minute first round sound on questions? Or do you think three minutes? Two minutes first round, okay. All right. Let's start with Committee Vice-Chair Member King. Two minutes. You can...you've heard our resources are Mr. Hart, Ms. Takakura, and Chair Lee...Council Chair Lee.

VICE-CHAIR KING: Thank you, Chair. I support this. You know, in my first term in the office, I had a similar complaint from somebody who was in a neighborhood using their...the

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

parking space on the road for...on the curb side in their neighborhood for a mechanic business. So they had like ten cars that were always parked, you know, in public spaces that they were working on. So this is kind of a similar thing, it's a commercial use for a public place. But I wanted to ask Mr. Hart, that if you...you know, just speaking about enforcement, is this one of the things that we would...we really just...kind of complaint-driven enforcement?

MR. HART: Yes, this County's enforcement process is complaint driven.

VICE-CHAIR KING: So if somebody knew that somebody was using the curb space for their...I don't know, Uber business, or some kind of a rideshare business, then would it be the...I guess the question is, would it be the police that would come, or would it be the, you know, Planning Department? What department would come? And in the incidents that I was talking about earlier, it was the police that came, and they actually hauled away some of the vehicles.

MR. HART: This proposed legislation is for Title 19, which is the County zoning ordinance. So I'm not sure how you would establish the trigger for the Police Department to respond to that the way this is drafted.

VICE-CHAIR KING: Okay. All right. So I guess we have to work on that. Thank you. Thank you, Chair. I think you're muted.

CHAIR PALTIN: Thank you. Is that...does that conclude your questions, Committee Vice-Chair King?

VICE-CHAIR KING: Yeah, I think we have to resolve what happens. I guess I would ask, if we had somebody from Police, that...would this be a violation? Because I believe it's a violation to park overnight on a public street, so...but I don't think we have anybody here from the Police, do we?

CHAIR PALTIN: No. But I did look that up, it's something...or I didn't look it up, but I...I've...in the past. It's something like, you know, between the hours of 11:00 and 5:00 or something. And then it has to be parked for one hour. So if it starts at 11:00, you have to wait until like midnight, and say they been parked there from 11:00, and then you can call the police and they'll probably get ticketed. In regards...I don't...the way the bill is written, this is specifically towards car sharing service, it seems. So I don't know if the mechanic thing would apply, but I do believe that there is a home business section of the parking zoning code, and that might apply to that. So...but like you said, it's complaint driven, and it...since it's the Zoning Code, it would be enforced by ZAED and not the Police.

VICE-CHAIR KING: Okay. All right. Thank you.

CHAIR PALTIN: Okay, Member Johnson, up next for your two minutes.



**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

COUNCILMEMBER JOHNSON: Thank you, Chair. So I'm trying to understand the difference. And I know in the bill it has the definitions of a automobile rental versus car sharing. And what I'm seeing is that the only difference is that automobile rentals has an office? Is that what...I guess this question will be for maybe Chair Lee...or when you wrote it, is that...the two definitions is what I'm kind of trying to clarify.

CHAIR PALTIN: And we also have Corp. Counsel Michael Hopper.

COUNCILMEMBER JOHNSON: Oh, okay.

CHAIR PALTIN: Sorry, I forgot to mention him. Go ahead, Chair Lee.

COUNCILMEMBER LEE: Okay. Maybe Michael Hopper we can hold off for now on because it was Remi Mitchell who actually drafted the ordinance. And as I said earlier, the trigger for this was actually people who complained about a rent-a-car business in the neighborhood. And I'm not sure how it switched over to car sharing. But, Remi, perhaps you can clarify.

CHAIR PALTIN: I had thought Kasie Apo Takayama drafted it. But, Mr. Mitchell, did you draft this?

MR. MITCHELL: Chair, if I could just take a look at the history of the changes really quick, and then get back to you. I'd appreciate a moment.

CHAIR PALTIN: Sure.

MR. MITCHELL: Okay, thank you.

COUNCILMEMBER LEE: Is Kasie not available?

CHAIR PALTIN: She's not staffing this Committee.

MR. MITCHELL: Yeah, Kasie's not available --

CHAIR PALTIN: I'm not sure if she's available.

MR. MITCHELL: -- today. Yes, this is Kasie's . . . *(inaudible)*. . . that's correct.

COUNCILMEMBER LEE: Okay. So I can't answer the question, Member Johnson.

COUNCILMEMBER JOHNSON: Okay.

COUNCILMEMBER LEE: And so Remi is going to check --

COUNCILMEMBER JOHNSON: Yeah.

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

COUNCILMEMBER LEE: -- to see how this was...you know, this was determined after I requested the bill originally having to do with rent-a-cars, and it switched over to car sharing.

COUNCILMEMBER JOHNSON: Yeah. Okay. So I can hold off, and wait for my answer and pass my time. Thank you, Chair.

CHAIR PALTIN: Okay. I'm sure Mr. Mitchell will pop up on the screen when he's ready. But until that time, we can move ahead to Member Kama. Did you have any questions for your two minutes?

COUNCILMEMBER KAMA: Thank you, Chair. I was just trying to figure out...you know, I was just...so let me just go to the part that I was reading, that what we're trying to do is prevent all these cars from being parked in these residential areas. So what I heard Member Lee talk about was Kuikahi Drive. So Kuikahi Drive is kind of like from...it actually starts from Longs Drugs in Maui Lani. It goes all the way up into Wailuku Heights, yeah. So...and I get that because I've driven up there and seen big trucks parked on the side of the road on Kuikahi. But what I'm looking at within the residential area itself, you know, because it's kind of...some of those places are gated. So, you know, there wouldn't be any people coming unless you're related and you got the key to be able to get in, or the code. But I was concerned because it says that no more than two vehicles associated with an automobile rental or a car sharing service that is operating on a residential property may be stored or parked outside a structure on the property. So that tells me that when you have people to come visit you, you can't have more than two rent-a-cars parked outside of your house, or on the road, or whatever. Which leads me to think that, you know, when your family comes to visit during the holidays, everybody has to rent a car. And I was just thinking about the last time my kids came and we had choke parks...you know, all from rent-a-cars. So how do we help our families who have to rent cars, and you end up with more than two cars at your res...do we have a waiver for that? Can we offer that? Or what's the solution to that?

COUNCILMEMBER LEE: Yeah.

COUNCILMEMBER KAMA: That's my question. Thank you.

COUNCILMEMBER LEE: May I, Chair?

CHAIR PALTIN: Go ahead, Council Chair Lee. Good question, Member Kama.

COUNCILMEMBER LEE: Yeah, this is not for family reunions, or Christmas, or New Year's, or whatever. This is on a regular basis where every day, every night, cars are parked as part of a business. Yeah, it has nothing to do with any social gatherings or anything like...social gatherings are generally for a . . . *(timer sounds)* . . . day, or two, or even three days, but this is every day. And one of the reasons why you'll see a lot of cars parked on Kuikahi is because there's not enough parking in Kehalani. And this...the problem is coming from Kehalani, okay.

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

CHAIR PALTIN: Okay. Moving right along. Next up we have Councilmember Mike Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. For the Department...or maybe Corp. Counsel, you know, I think this is good legislation that's being proposed by Chair Lee. You know, should we consider adding additional language that advertisements of operating a rental car can count as evidence of operation? Which is similar to what our inspectors do when it comes to like illegal vacation rentals, you know, they're looking for ads to kind of further verify that those were operating illegally, they're...you know, they use that as potential evidence against someone who's operating...doing something illegal. So if this...a law passes, then maybe...should we maybe further strengthen this legislation by adding language that, you know, advertisements of operating a rental car business could serve as evidence, you know, to use against the property owner who has a rental car business, or what's this rideshare stuff, Turo...anyway. But could I get some thoughts, either from Corp. Counsel or the Department?

CHAIR PALTIN: Corp. Counsel, Mr. Hopper.

MR. HOPPER: Thank you, Chair. Backing up a little, my...one of my questions on this was whether or not the...these rental car businesses are allowed as home businesses. I know we have 19.67 that outlines home businesses. And if the Council's looking to just say, you can have rental car business as a home business, it's just you can only have two cars, then I think something like this is appropriate. But I want to double check with the Department if the home business...if rental car businesses are allowed as home businesses. If they're not, then you really shouldn't be parking or anything like that. If they're allowed, then yes, you can, you know, certainly limit the parking. But something...like you're talking about advertising as evidence of operation, you know, that's something you could potentially put in. But, yeah, I would...I'd want to know if they were...they were even allowed as home businesses in the first place because I read 19.67 just briefly now. Hopefully, that's something OCS had looked into and Planning's looked into, but that was a question that I had had with this because I'm just not sure if it is. But, you know, something like that, advertising can be evidence of operation, perhaps could be relevant, it's just that if operation is allowed, then . . . *(timer sounds)* . . . that's fine.

CHAIR PALTIN: Member Molina, did you want to check in with Planning on that?

COUNCILMEMBER MOLINA: Yeah, sure, we can get the...and Mr. Hopper brings up a good issue as well.

CHAIR PALTIN: Okay. Mr. Hart or Ms. Takakura, is car sharing allowed as a home business?

MS. TAKAKURA: Thank you, Chair Paltin and Member Molina. So in 19.67, which is the chapter about home business, home businesses are allowed, but there's criteria. You know, they can't be nuisances, and they can't generate traffic. There is criteria already there about parking. So home business shall accommodate a maximum of four parking spaces on lots of less than one acre. And then it goes on, you know, depending on the

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

size of the acre lot. And it also says no on-street parking of vehicles associated with the home business shall be permitted. So yeah, that's already in 19.67.

COUNCILMEMBER MOLINA: Thank you. Thank you, Madam Chair.

CHAIR PALTIN: Okay. And then, Mr. Hopper, does that satisfy your question in order to answer Member Molina's original question?

MR. HOPPER: Yeah, I'd want to get clarity. If the Department is saying that rental car businesses with on-street parking are just prohibited in the Code anyway, then it sounds like the activity being discussed is already illegal, unless I'm missing something.

CHAIR PALTIN: It sounds the same to me, but I believe Chair Lee's legislation requires the parked cars to be inside of a structure. And I'm not sure the reason for that.

COUNCILMEMBER LEE: On their property. On their property.

CHAIR PALTIN: Inside of a structure on their property.

COUNCILMEMBER LEE: Yeah. I just wanted to point out that this is not only for Kuikahi Drive. You'll see this all over Maui County. You'll see it on Wai'ale Drive. Every day there's cars parked along Wai'ale Drive. And then you'll...and I think that's a taxi business. And then there was the proliferation, and probably still is, of people doing their own rent-a-car business because the rent-a-car companies ran out of cars. So again, this is something we really need to address and nip it in the bud before it spreads too much.

CHAIR PALTIN: Okay. Deputy Director, future Chief, Hart, I see your video on. Did you want to add something?

MR. HART: Sure, Chair, I just wanted to clarify, you know, the language of the...the single statement of the resolution. It's not talking about street parking, it just says outside of a structure, no more than two vehicles can...associated with an automobile rental or a car sharing service that is operating on a residential property may be stored or parked outside a structure on the property. So it doesn't differentiate between on the street or in the yard, one in the yard, one on street. It just says no more than two can be outside a structure. So I just want to clarify that.

COUNCILMEMBER LEE: Well, these questions are really good questions, so we can tighten up the language. Again, this is overnight parking in the neighborhood, and this is what it is. It's not parking, you know, far away from...it's complicating the traffic issues in the neighborhood. And so this is the reason why we are bringing it up for discussion. But any way we can make it a better bill...you know, that's why we're asking for your suggestions now.

CHAIR PALTIN: Okay. Thank you. And I see Mr. Mitchell has joined us again, I'm presuming, to answer Member Johnson's question.

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

COUNCILMEMBER LEE: And may I make a clarification. I'm sorry if I brought your name up incorrectly. I just assumed, you being our attorney, that you had oversight on this particular draft.

MR. MITCHELL: Thank you, Chair Paltin. And thank you, Chair Lee. I have had a chance to chat with Kasie concerning this bill. And she indicated that during the drafting process, the question was raised on whether to include not only individuals who are running a rental business out of their home, but folks who do Turo, folks who do other sort of car sharing. And the decision was to include them, so that's why it was expanded. Hopefully that answers Member Johnson's question.

CHAIR PALTIN: Okay. Member Johnson, is that satisfy your question?

COUNCILMEMBER JOHNSON: I guess I'm behind the times on what Turo is. So I...is that you...I assume it's like you rent it...I don't know. What is Turo? I don't...I'm sorry.

MR. MITCHELL: Turo is a company --

CHAIR PALTIN: It's kind of like...oh. It's like --

MR. MITCHELL: -- Turo is a...

CHAIR PALTIN: -- Airbnb for cars...like a platform where you can rent out your car on there. But they have like their own guidelines as to...like I think the car can't be older than five years, and it has to be nice, and like that. And then you can --

COUNCILMEMBER JOHNSON: So we're...okay. So we're like separating like, you know, Hertz Rent-A-Car versus these new ways of people renting cars. Okay. I see. Thank you. Thank you, Chair.

CHAIR PALTIN: Okay. All right. Okay, next up we have Member Rawlins-Fernandez for her two minutes.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I guess I'll echo a lot of the concerns that were brought up by my colleagues. I don't support the bill as it's written. I think the problem that we experience, particularly in neighborhoods, have passed. For the most part, it won't...I don't believe it'll proliferate. Because during the time of the pandemic, when all the rental cars were sent off island...well, a lot of them, that was the time when it was, like, \$400 a day. And that was when it was extremely profitable for residents to have Turo or ride share kind of businesses. So I think that this problem is, kind of, pau. And then the second thing is, as Mr. Hopper kind of pointed out, I don't think this is the right approach. If we did want to proceed with legislation to address this problem, I think that, as Mr. Hopper pointed out, there's language in our Code already that addresses home businesses. And this...if this was not a permitted home business, or if we wanted to regulate it through that section, I think that would be a more effective approach. And then lastly, regarding enforcement, that would definitely

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

need to be resolved, as Ms. Takakura explained, and that point then, perhaps we could consider something, but...yeah. Mahalo, Chair.

CHAIR PALTIN: Okay. So just comments. No questions, right? Okay, next up we have Member Shane Sinenci for his two minutes, to be followed by Member Sugimura. Go ahead, Member Sinenci.

COUNCILMEMBER SINENCI: *(audio interference)* Chair Paltin. Excuse me. I was just curious, a question for you, Chair, did you have a similar bill to address the Turo parking in neighborhoods?

CHAIR PALTIN: I did, I think, but I don't believe it advanced.

COUNCILMEMBER SINENCI: Okay. So this would be, kind of, that?

CHAIR PALTIN: Yeah. Because like it was stated, it's already illegal to park on the street. And so what needed to happen was the people that were complaining to me needed to complain to ZAED and file a RFS. And once I gave the complainers that information, I did not follow up, but they stopped complaining to me.

COUNCILMEMBER SINENCI: Okay. And then so maybe a question for Jordan. Under this process, it would be under the purview of ZAED with the Planning. Would it involve the Police Department?

CHAIR PALTIN: Mr. Hart?

MR. HART: Yeah, Chair. So no, it would not outright involve the Police Department. There is other sections of the Maui County Code that basically engage the Police Department to write tickets and things like that. There's a different section. And you might want to also address that. And there is disconnected language in the...in Title 19 regarding relationship to the Criminal Code from land-use violations, but it's not something that has been made use of anytime recently. And, you know, we've had internal discussions, and it's...it needs work. So anyway, there's framework of language, but it's not fully connected. And if . . . *(timer sounds)*. . . you want Police to respond, then you need to make some sort of different trigger outside of Title 19.

COUNCILMEMBER SINENCI: Thank you. Thank you, Chair.

CHAIR PALTIN: Thank you. Next up we have Councilmember Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. So I see the reason for this because I just had house guests, and they were renting from Turo. And so I got a lot of information, you know, firsthand. They picked up the car at the house, key in the car, the price was reasonable, and there's lot of rental cars still available. So I think there's a need. I believe that what Chair Lee is addressing is not something that's going to disappear. And so it's just like the, you know, home rental business, right. It's Airbnb, people see a need, and they're going to fill it, and they're making money. And I believe that there

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

are rent-a-cars that are parked on the street when it's not in use. And the neighbors will know that it's not a family party. They'll know that it's...it'll be for continued use of some sort, so I see a need for this. But Planning Department, Mr. Hart, or Corp. Counsel, do you think that we need to take this back and spend more time improving it, from what you're saying?

CHAIR PALTIN: Your question is for Mr. Hart? Go ahead.

COUNCILMEMBER SUGIMURA: Whoever. Yeah, thank you.

MR. HART: So on behalf of the Department, what I would say is that the process for land-use ordinance is that they go through the Planning Commissions, and can include the Advisory Committee. So, you know, you're talking it out now, you could take it back into Committee and talk about it longer, or you could set it forward and have the commissions and the community put their input into it, and see it developed a little bit more, and then spend more time on it then. So that's really your preference. I don't...I mean we have questions, but we understand...there are a number of other ongoing things that relate to this. Let's just use an example, what if somebody has some sort of other business that they operate out of their home, and they end up parking all of their work trucks or vans all over everybody's street frontages? Like, we field complaints like that regularly as well. . . .*(timer sounds)*. . . So anyway, I think that this can be developed. It's your decision if you want to spend more time on it now or after it comes back to you.

COUNCILMEMBER SUGIMURA: Ah, okay. So one last statement, Chair, if I could? I heard the bell go off. But in other words, what the Department is saying...because I have a car repair business right in my Kula community that is...that their...cars parked all over on the street...well, on the street, and the neighbors complain but, you know...or they figured out how to do this. So are you saying, possibly, to expand this? Take Chair Lee's bill and expand it, and include other types of businesses or violations? And then also, to connect this Title 19, the land-use violation that...the example that you gave with Police.

MR. HART: So what I was really trying to say is that when you send these things through the public process, they get expanded by that conversation.

COUNCILMEMBER SUGIMURA: Oh.

MR. HART: And just off the top of my head, that's like an example of what I would expect to come up.

COUNCILMEMBER SUGIMURA: Ah.

MR. HART: Another one might be, you know, the jeeps that have the campers on top of them everywhere, you know, it's...it's...you know, the same type of thing that we're talking about right now. So what I really meant to say by that is that that process will expand it. So you can either chose to try and develop it now before you send it to the

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

commissions, or you could send to the commission, let them develop it, and then rehash it when you get it back.

COUNCILMEMBER SUGIMURA: Okay. Okay. So you're saying if the community sees a need, then it'll come back that way. I will leave that up to Chair...Chair Lee. I like this bill, by the way. Thank you.

CHAIR PALTIN: Okay. Thank you. Chair Lee, for your two minutes.

COUNCILMEMBER LEE: Okay, I just...I appreciate the input, very good feedback. But I believe this bill needs to be worked on more, and probably with input from the Planning Commissioners. Because as you saw in today's paper--good coverage, Mr. Molina--we need to shine the light on these problems. And whether we need to include other issues besides share driving, or rent-a-cars, or whatever, we need to get the input of the commissioners, and the community, and to focus on how we are serious about enforcement. And we no longer can rely on the police because they're shorthanded. So the other way is land-use concerns. And if...this is not...this is a growing problem because I continue to get complaints. So I'm hoping that all of you will support the idea of sending this to the Planning Commission, get their suggestions, bring it back, and then finalize it, work on it, work out the details and any other issues that come up. Thank you.

CHAIR PALTIN: Thank you, Chair Lee. For my two minutes, you know, between Airbnb and the camper vans, I feel like Turo is a middle ground of, so to speak, in where we're keeping tourist money more local. You know, if people don't get out of control and have ten cars on their street, or seven cars on their street. I wanted to clarify with...probably Ms. Takakura. So if somebody had a Turo business at their house, it would be considered a home business. And their constraints would be they're not to park cars on the street, and they're limited to four parking on their property; is that correct?

MS. TAKAKURA: Thank you, Chair Paltin. Yes, four parking spaces on lots of less than one acre; six, lots of one to two acres; and then ten parking spaces on lots of more than two acres to five. Well . . . *(inaudible)*. . . --

CHAIR PALTIN: That's...that is pretty reasonable, in my opinion. I just was wondering, so if they have a home based Turo business, and they have four Turo cars, and maybe two personal cars, is it then legal to park their two personal cars on the street, but they have to park their four Turo cars on their property? Or do all of their cars have to be on their property?

MS. TAKAKURA: Chair Paltin, the regulations about not parking on the street is only for the home business. We don't have regulations for where people can park their personal cars. This regulation of no on-street parking is only a 19.67, which is the home business chapter.

CHAIR PALTIN: So as to the amendments that Chair Lee was talking about to this bill, I think...you know, if you have a car sharing business, whether . . . *(timer sounds)*. . . it's



**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

your personal car or the car sharing cars that you park on the street, it has the same effect. So to me, I would like to see an amendment, maybe legislative intent, if your home business is a car sharing business, then all cars associated with that registered address should be parked on the property. If I may take a couple extra minutes as the Chair--because I make the rules kind of--I would like to ask Chair Lee the point in having...if the cars are on the person's personal property, why did you need them to be inside of a structure? As long as they're on the person's personal property, is that not good enough?

COUNCILMEMBER LEE: I think that part, we were following City and County's legislation. But, you know, like I said, we're flexible. Let's find out if this...these are reasonable requests. We can make changes, you know, as it goes through the process.

CHAIR PALTIN: Okay. So --

COUNCILMEMBER LEE: We're not married to any of these issues.

CHAIR PALTIN: Okay. Okay. So Members, I guess that would be my proposal for a amendment before pushing this through to the Planning Commissions, that maybe--and I don't have the exact wording or anything, it would be put on our Committee Staff to draft the legislative intent--would be that, you know, in addition to, I guess whatever the parking side of this is, that under home-based business, if the home-based business is like automobile or car sharing, that all the cars would need to be on the person's personal property, not necessarily in a structure, but...and then follow the guidelines of home-based business, which is, you know, four per property less than one acre. And then add onto it that, you know, their personal cars should also be on it. Because that's kind of like...you know, what we see happening in neighborhoods is they'll have all their business cars on their own property, and then they might have like three or four drivers, and all those cars will be then on the street, and then it doesn't help at all. So I'm not sure what Members think about it. Like having...if your home business is an automobile rental or a car sharing business, then all the cars, whether it's personal or business, should be stored on the property. So, you know, they would have...I guess if the property is less than one acre, they could have four Turo cars, unlimited personal cars, but they'd have to be kept on their own property. Any thoughts on that, Members? Member King.

VICE-CHAIR KING: Thank you, Chair. Yeah, I support that. I guess one of the things I wanted to clarify was, nobody's allowed to park overnight. So if you parked your...say you had two Turo cars, and you had room for them in your driveway, and you parked your personal car on the curb, at 11:00 it becomes illegal; is that correct?

CHAIR PALTIN: Yeah, but in neighborhoods that I've lived on as a renter, like where else are you going to park if you're just trying to live and not make money? And --

VICE-CHAIR KING: But that's my point is, it's not enforced very fairly. You know, I had a friend who said they came in and they did the...whoever it was, came in and did a sweep of his cul-de-sac and gave everybody tickets for parking, you know, in front (*audio interference*) cul-de-sac. And other places were allowed to park...I mean, I live in a

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

cul-de-sac, and everybody parks on the curb overnight except us because we built a driveway wide enough for...that could hold four or five cars when we have visitors. But, you know, not everybody has that luxury, like you said, of having that space inside. So I think part of the issue...and this will probably come up...that's why I think it's a good idea to send this to the Police...or the Planning Commissions, although I wish we all had planning commissions in our communities, but to be able to talk about these issues, and what they're doing in the neighborhoods. And that issue of enforcement, I think, will probably come up too, is why is enforcement uneven? You know, so and affect what you can or can't do on your curb, if you're one of the neighborhoods that gets enforced against or if you're not.

CHAIR PALTIN: I think it goes back to what Mr. Hart was saying, the law about overnight parking on the street is enforced by Police, and pretty much complaint driven. This legislation would be enforced by ZAED through an RFS, also complaint driven. So that's one of the distinctions, I guess. We could...

VICE-CHAIR KING: I thought it would be specified that this is for the daytime hours that are...because the evening hours are enforced by the Police. So what (*audio interference*) is really for daytime hours.

CHAIR PALTIN: Okay, I'm amendable to that.

VICE-CHAIR KING: Okay. Because it's the hours that it is legal to park on the street that we're saying, but we still don't want these Turo and, you know, Uber and whatever parked on the street during the daytime hours. We'll check with Chair Lee. That's the intent of this, correct?

COUNCILMEMBER LEE: Yes, that was the intent.

VICE-CHAIR KING: Okay. So if we can specify, then that kind of separates it out for people so they (*audio interference*) to park (*audio interference*) --

COUNCILMEMBER LEE: But I would still be open to not requiring cars being in a structure.

CHAIR PALTIN: Okay, strike that part. And then --

VICE-CHAIR KING: I agree with that.

CHAIR PALTIN: -- Member King, you brought up a good point. I was...that I neglected to consider was that we were just talking about...or I was just talking about car sharing or Turo. But then, you know, you brought up Uber, and then there's Lyft, and then Chair Lee mentioned earlier, taxi businesses. My neighborhood have taxis...I mean I don't complain about them, but any kind of business involving like vehicle transportation, I guess, not limited to car sharing. Is that kind of what we're talking about? We're not just discriminating about Turo?

COUNCILMEMBER LEE: Yeah, right.

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

VICE-CHAIR KING: Yeah, I think so.

CHAIR PALTIN: Okay.

VICE-CHAIR KING: I think the hard thing about Uber that's going to probably come up is that...that sometime...that usually is your personal vehicle. But you can identify them because they've got a Lyft or an Uber sticker on them. But you may be using it for your personal use some of the time, and also for ridesharing some of the time. So that might be hard to identify, you know, what...if that's your own personal car that you're using for your business, if we're saying that that has to be off the street.

CHAIR PALTIN: And Uber and Lyft is...you can only drive one car at a time, so --

VICE-CHAIR KING: Right.

CHAIR PALTIN: -- there's probably not ten Uber cars at one house unless there's ten people living there driving Uber.

VICE-CHAIR KING: Yeah, it's usually (*audio interference*) drives a personal car to make some extra income, and then they slap that sticker on them. So it may be...that may be one of the things that comes up, that if you only have one car, and it's being used for Uber, are you still...are you allowed, then, to park on the curb?

CHAIR PALTIN: Member Johnson, did you...were you raising your hand?

COUNCILMEMBER JOHNSON: Oh, I kind of was talking to myself, but I'll add to it...the discussion. It says in the last point is that you can have up to two of cars on the street if it's...so if you were Ubering (*phonetic*), you're allowed to have two of your Uber cars on the street is...according to this law, if I'm reading it right. You know, the concern that I have though...because I get the idea of, you know, a lot of our street parking is really crowded. And some of our houses have been compartmentalized into being like five little apartments in one house. And everybody...then there's only one driveway, so all these people have their personals...cars on the street. So I'm just...I see the point in that if we don't allow the commercial cars on the street, then some...then those...I don't want to use mega houses but, you know, that's the terms the O'ahu guys have been calling them, but the houses that have a lot of units in them. It would open up parking stalls for them, because we all know our people are struggling under this affordable housing crisis, and they're stacked in like sardines in a lot of these homes. So I don't know. As long as it has this, you know, thing that says this is just for commercial, you know, guys that they have to put the third car that they own, right, on this...on the property. Because they still allow two cars on the street, according to what this is saying. Now, that being said, like you were talking about, as the law says --

CHAIR PALTIN: Member Johnson, are you reading 19.36B.130?

COUNCILMEMBER JOHNSON: Yes.

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

CHAIR PALTIN: I read it as it needs to be under residential property, like on their own property, not that it can be on the street.

COUNCILMEMBER JOHNSON: Okay. No more...okay. All right. I guess I was talking to myself, I should have talked a little longer. . . .*(laughing)*. . . Thanks. Thanks, Chair.

CHAIR PALTIN: Okay. Maybe we can check in with either a lawyer or the Department as to the direction we seem to be going about having car sharing businesses have their commercial vehicles on the property. It's already allowed for four vehicles on their own personal property. We don't need it to be inside of a structure. But talking about having their own personal vehicles also be on their own personal property during daytime hours. Any feedback from an attorney or the Department on that direction that we're headed?

COUNCILMEMBER LEE: Maybe they went to move their cars.

CHAIR PALTIN: Mr. Hopper, any...or Mr. Hart, go ahead.

MR. HART: Oh. No feedback. I mean, you can explore it. I think that we partially discussed some of these things already in comments.

CHAIR PALTIN: Okay. Mr. Hopper, any feedback on that direction?

MR. HOPPER: Again, the ordinance makes it...the proposed ordinance, I think, like you said, is sort of based on what you can do on the property itself. So if the concern is that the rental cars on the property need to be stored in a structure, then that's, I think, the intent here. Or if the broader intent is dealing with off-street parking of rental cars in home-based businesses, and enforcement thereof, that's another topic to maybe be addressed as well. But I think...yeah, I think what the ordinance does that...that's not already there is it would require any vehicles associated with this particular home business has to be stored or parked outside...has to be stored or parked inside of a structure if there's more than two. So this is a bit more of a strict regulation than what we currently have.

CHAIR PALTIN: Okay. Either Ms. Leauanae [*sic*] or Miss...I mean...sorry, Mr. Leauanae or Ms. Greco, if you've been following the conversation, did you understand the legislative intent that we were going towards?

MR. LEAUANA: Yes, Chair.

CHAIR PALTIN: Okay. Members, so I guess at this point, do you want to wait and hear the redraft bill in Committee again, or are you okay to move it forward to the full Council for referral to the Planning Commission, and see what our Staff comes up with based on the legislative intent that we've been discussing? Member King.

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

VICE-CHAIR KING: Yeah, I'm okay with moving it forward to first reading at Council if Chair Lee is wanting to do that. And then, you know, put in the...hopefully we can put in the changes that we're talking about today to make it a little more clear, and that we...what we send to the Planning Commission they know, clearly, our intent, if that's okay with Chair Lee.

COUNCILMEMBER LEE: That's fine. This is not over. You know, we are just moving it to the Planning Commissions for input and for us --

VICE-CHAIR KING: Okay.

COUNCILMEMBER LEE: -- to receive it back and finish it up.

VICE-CHAIR KING: And we actually have the...the Advisory Committee is finally meeting --

COUNCILMEMBER LEE: All right.

VICE-CHAIR KING: -- and I think me and I think Councilmember Molina's district as well. So we'll have those entities to talk...to mull this over too. Because I think we have some of those same issues in South Maui.

CHAIR PALTIN: Okay. Member Sugimura, followed by Member Sinenci.

COUNCILMEMBER SUGIMURA: Yeah. Thank you. So Member King, I also support that, and I think it's what Chair Lee agrees to. And I like this bill, because I know that there's still a need. So appreciate that the Chair brought this up, and we can tighten it up for, you know, first reading based upon our discussion today. And I think we're all going in the right direction. I believe this problem is not over. So, thank you, Chair Lee, for bringing it up.

CHAIR PALTIN: Okay. And just to clarify, only one reading because it's a resolution referring to the Planning Commission. Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. Yeah, I can be supportive if it can go to the Hāna Advisory Committee for an expanded discussion in East Maui. Thank you, Chair.

CHAIR PALTIN: Okay. All right. So the legislative intent, to repeat, would be that they don't have to be in the structure, that it would follow home-based business, and that car sharing/taxi type of business during the daylight hours should also park their personal vehicles on property as well. And for properties one acre or less there is four commercial available and, you know, personal is personal, but keep it on your own property, not putting the commercial vehicles on your property and personal vehicles outside of the property. So that's just a recap, clarify of the legislative intent. Member King.

VICE-CHAIR KING: Did we also decide to put in there just the focus on the daytime hours so we're not messing with whatever is (*audio interference*) overnight?

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

CHAIR PALTIN: Yeah, I believe I mentioned daytime hours because overnight hours is...maybe we can specify the hours, and exclude what overnight means. I forget exactly...I think it's like between the hours of 11:00 and 5:00 they can't be parked on the street for more than one hour. Member Molina.

COUNCILMEMBER MOLINA: Yeah, thank you, Madam Chair. I'm supportive of moving this forward to the Planning Commission. But if I could ask Corporation Counsel a question with regards to parking...you know, property owners putting cones fronting their houses. You know, for example, if you have a business like these Turo folks, they're kind of keeping that space for their vehicles. That's illegal, right? No property owner can put cones to kind of reserve space in the...I guess the County right-of-way, or anywhere in front of their property that exceeds their property line; am I correct?

MR. HOPPER: I think if you're dealing with a County highway that that's generally correct. Although the people parking there might be violating the law if they're parking overnight potentially also. So we'd want to look into what regulations apply. But that's a Public Works/Police matter, so we can look at that specifically. But, yeah, for County right-of-ways, and things like that, that...I think that sounds problematic to me.

COUNCILMEMBER SINENCI: Uh-huh. Okay, thank you. Thank you, Madam Chair.

CHAIR PALTIN: Sure thing. And you know this, like all laws or things, wouldn't be enforced really unless a complaint is filed. So we're a little bit shifting the complaints from getting them at our offices to either the Police or ZAED, and then giving them, I guess, the tools to take action. So that's that, I guess. Let me pull up the notes for the words to say. Okay. Chair will entertain a motion to adopt the proposed resolution as amend...22-151 as amended for legislative intent, entitled "REFERRING TO THE PLANNING COMMISSION [sic] A PROPOSED BILL RELATING TO OFF-STREET PARKING AND LOADING."

COUNCILMEMBER KAMA: So moved.

CHAIR PALTIN: Moved by Member Kama. Seconded by Member Sugimura. Discussion, Member Kama, as the motion maker?

COUNCILMEMBER KAMA: Chair, I am so glad to be able to support this motion. I'm glad for the conversation that we've had, and how...that we work on things like this, we only work to strengthen, you know, the legislation or the resos that come. So I am very supportive of this. Thank you, Chair.

CHAIR PALTIN: Member Sugimura.

COUNCILMEMBER SUGIMURA: Ditto that for sure. Support this, so thanks for moving it forward.

CHAIR PALTIN: Okay. Anyone else? Seeing none. All those in favor, raise your hand and say "aye."

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

COUNCILMEMBERS: Aye.

CHAIR PALTIN: Okay, motion passes unanimously with one excused, Member Rawlins-Fernandez.

**VOTE:       AYES:   Chair Paltin, Vice-Chair King, Councilmembers Johnson, Kama, Lee, Molina, Sinenci, and Sugimura.**

**NOES:       None.**

**ABSTAIN:   None.**

**ABSENT:     None.**

**EXC.:       Councilmember Rawlins-Fernandez**

**MOTION CARRIED.**

**ACTION:     Recommending ADOPTION of Resolution 22-151, CD1, by C.R.**

COUNCILMEMBER LEE: Thank you, Members.

CHAIR PALTIN: So without objection, the Chair will ask Committee Staff to incorporate nonsubstantive revisions to ensure consistency with the Hawai'i Legislative Drafting Manual and Drafting Guide for the Maui County Legislation. I probably should have read that earlier.

**PSLU-51:       STATUS OF ACTIVE CONDITIONAL PERMITS**

CHAIR PALTIN: Okay, next up we have PSLU-51, Status of Active Conditional Permit. Pull up that one. The Committee is in receipt of the following...so we've had this since 2020, and the latest County communication we received from the Planning Director was County Communication 22-129 relating to the status of all active conditional permits as of March 31st, 2022. If you remember, we filed, I believe, the December one because...or it was around that time, because we weren't going to be able to get to it before Budget. So we haven't...we didn't go over the last quarter's one, so this one is two quarters in the future. And I just schedule these regularly. If you pull up the item, you can see that some people's conditional permits have expired, and there's a few conditional permits where we've asked for Council renewal. So let's see. Do any of the Members, in looking through the list, see anything that they would like to flag for Council renewal as opposed to renewal by the Planning Director, or is there other questions relating to any of these conditional permit? Members?

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

VICE-CHAIR KING: Chair.

CHAIR PALTIN: Yes, Member King.

VICE-CHAIR KING: Which document is the list? Do you know which number it is in...because earlier when I looked at it there was nothing in Granicus. So which one of these items --

CHAIR PALTIN: It would be the one beginning with the 22. I think it's 22 dash --

VICE-CHAIR KING: 129?

CHAIR PALTIN: Yes, that would be the one.

VICE-CHAIR KING: Okay.

CHAIR PALTIN: And in Granicus, I think we did have an update as of December 2021 regarding the Maui Ocean...an inn or something about the Ruby and Sons and the Keawakapu parking lot. If no one had any questions on the conditional permits, we can inquire with Deputy Director Hart if he had any updates since December of 2021. I think we took some action in another Committee of getting the Keawakapu parking lot from the State. But any updates on this particular conditional permit? I believe it was...let me try to find it...Maui Oceanfront Inn, number 24 on the list, it expired December 31st, 2020, and Council renewal had been requested. Any update since the December 2021 correspondence?

MR. HART: Chair, I'll refer to Ann Cua to respond to that. Thank you.

CHAIR PALTIN: Thank you. Ms. Cua, any updates since December 2021?

MS. CUA: Not to my knowledge. The December '21...December 21st, 2021 letter answered the two questions that you requested of us, and I don't know any...of any update to that.

CHAIR PALTIN: Okay. And it looks like the conditional permit expired as of 2020, and we did request that we, the Council, would give any extension if it has been applied for. But we haven't seen that yet. That's because of the shoreline setbacks or...I'm not sure what SSV stands for again.

MS. CUA: Shoreline setback variance.

CHAIR PALTIN: Oh, shoreline...they're still trying to determine that shoreline setback variance or something?

MS. CUA: I believe that is still being processed.



**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

CHAIR PALTIN: Okay. So in the meantime their conditional permit remains valid, even though it expired because they put in an application for renewal before the expiration date; is that correct?

MS. CUA: That's correct, they put in a timely extension for renewal of the conditional permit. But there are these other issues that's also going through the process as well.

CHAIR PALTIN: Okay. I did see Member King had her hand up. Go ahead, Member King.

VICE-CHAIR KING: Thank you, Chair. I think you answered that question, I just wanted to make sure. Because if we don't...we didn't have that extension, then nobody could park there. So, you know, it was important to get that extension to that conditional permit. I thought that the original permit had something about the restaurant...allowing the restaurant to operate. And the restaurant is now closed, I think, permanently. So is that (*audio interference*) permit, Ms. Cua?

CHAIR PALTIN: Ms. Cua?

MS. CUA: I'm not sure. Yeah, I'm not sure. I didn't realize the restaurant was actually closed. And I'm not the planner working on this, I'm sorry. We can find out for you.

VICE-CHAIR KING: Okay, I...well, that's what I...that...I knew it closed during the pandemic, and I had been told it was permanently closed. So maybe you could check into that and see, if that's not required anymore, maybe take that off the permit.

MS. CUA: Yes.

VICE-CHAIR KING: Okay.

MS. CUA: Thank you.

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

CHAIR PALTIN: Sure thing. And any further questions, Members, before I ask more questions? Seeing none from the Committee. I just had a question, I'm not sure if it's for the Department or for an attorney. Like number 11 on the list, Maui by the Sea, the renewal application was submitted and is being processed, that expiration date was 2021. The transient accommodation moratorium wouldn't affect something like that, would it? Or would it? I don't know. That's the question. Is that the reason for the hold up on their permit? But, I mean, they're allowed to still continue operating if they put in a timely...so it doesn't make sense to hold up on granting them the permit because of the moratorium. But I just was wondering the answer to that question. Is that the reason why it expired in 2021 and they don't have a renewal yet? Or is it just that's how long things take?

MS. CUA: Chair, is that a question for me?

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

CHAIR PALTIN: Anybody who can answer, I'll take.

MS. CUA: Okay. I don't know if I can answer fully. My understanding, if something was approved previously, and they're just coming in for a renewal or a time extension, it shouldn't be affected by the moratorium. That's my understanding. If I'm incorrect, maybe someone else can correct me. As mentioned before, and you mentioned it as well, for any type of permit, when someone files for a timely extension...so they filed a request for extension within the time period that is specified in the permit, you know, a lot of times we try and get it processed before the permit expires. But then many times, there are circumstances which preclude that from happening, and so it takes longer. And so, yes, they...you know, technically their permit is valid because they filed for the timely extension, so they can still operate.

CHAIR PALTIN: Okay. Thank you. Mr. Hopper, is that your understanding as well, that they can do that?

MR. HOPPER: Chair, I want to double check the moratorium just because there's an awful lot of language there. As far as what happened, specifically, with their application, the planner working on that would need to look at that. But I can take a good look at the moratorium and try to get back to you on that. But because it's so fact specific, I'd want to know...I'd want to maybe talk with a planner on what's happening with that one. But I can maybe get you a general answer if I can look at the moratorium real quick.

CHAIR PALTIN: Okay. And let's see. Yes, Ms. Cua.

MS. CUA: I just want to make clear that I was speaking more in generalities rather...you know, I haven't really gotten into every single one that are on your list. I'm representing the Director and Deputy today on this item. You know, if there's specific questions to a particular item, I probably would need to have the actual planner do the research and get back to you. So my comments were general in nature about timely...time extension requests, as well as what I think about the relationship between the moratorium and a project that has been previously approved. Thank you.

CHAIR PALTIN: Thank you for that clarification. So Members, on looking at this 22...or, yes, Mr. Hopper.

MR. HOPPER: I had...I did have a chance to review the ordinance. There's an exception for 19.98.040D that exempts from the ordinance a time extension for permits or approvals granted prior to the effective date of this ordinance. So that's one of the exceptions is the time extension.

CHAIR PALTIN: Okay. So the moratorium wouldn't affect these conditional permits getting their renewals then. Good to know.

MR. HOPPER: It should not. Again, I don't know if they're proposing any new uses that are beyond the scope or whatever is happening. So again, I think, like Ms. Cua, you'd want to look at the specifics. But generally speaking, if they're just renewing what they

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

already did without any increase in the number of rooms, that should be something that's exempted.

CHAIR PALTIN: Okay. And I had a question on number 20 as well. Ms. Cua, I guess...I'm not sure if this is general enough for you to be aware, but it doesn't state on number 20 that a renewal or an extension has been requested. And it's now June of 2022, so would that permit now be expired, number 20?

MS. CUA: I'm not sure. I would have to check. I'll make a note of that.

CHAIR PALTIN: Okay. Thank you. Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. Mahalo for this discussion. So just clarification, if these applicants are going for a renewal, it's supposed to come to the Council for approval? Or can...it looks like the Director can approve an extension; is that correct?

CHAIR PALTIN: Yes, the Director can approve an extension if there's no complaints and they're in compliance with their terms. The purpose for going through this process where we quarterly review--thereabouts, like this one is not quarterly because we skipped the last quarter--is if Members would like to have the opportunity to be involved in the renewal or extension process. We would then flag it, and then they would add a note onto this list for that when the renewal comes up, it can come before us instead of being done administratively. So that's the purpose of this process. I think Member Johnson requested a Hele Stop on Lānaʻi be...come before us. Somebody, I think, requested the Enchanted Floral Garden come before us, the Maui Oceanfront Inn, I think Member King, at one time, requested that come before us. So that's the purpose of this. Because otherwise, it's assumed that the Director can take care of it administratively, provided they meet the criteria. And if it does meet the criteria, I believe it's the Director's discretion as to how long she would renew it for. And, you know, she'd have her reasons for what...or whoever is in the Director seat would have their reasons for why they chose the length of time.

COUNCILMEMBER SINENCI: And then is there...it looks like some applicants have not applied for an extension prior to their conditional permit expiring.

CHAIR PALTIN: Uh-huh.

COUNCILMEMBER SINENCI: Is there a grace period that they can still do it after expiration date?

CHAIR PALTIN: Ms. Cua.

MS. CUA: Yeah. So for any type of permit, once the permit expires, there is nothing to extend. And, you know, we've had really unfortunate situations where, you know, for County special use permits, you know, some churches that bring over, like, a new pastor or something from Korea, or whatever, and, you know, they don't know...they don't realize

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

that...you know, they're always changing. And so we've had very unfortunate situations where they have to go through the entire process again because we can't just extend it.

COUNCILMEMBER SINENCI: Okay. And then --

MS. CUA: That's why it's really important for the people to file the extension.

COUNCILMEMBER SINENCI: Okay. And then it looks like some of these say Council renewal has been requested. So those are all the ones that Councilmembers have...are asking that we review.

MS. CUA: Correct.

COUNCILMEMBER SINENCI: Thank you, Chair.

CHAIR PALTIN: Sure thing. So Members, there's no further requests for Council review of any of the renewals that you see here. And I don't see any questions from the Members. Ms. Cua, for number 45, can you mark a Council request for renewal on that one for myself? Oh, I'm sorry. You're muted, Ms. Cua, if you're talking to us.

MS. CUA: Sorry, yes, I was. I just want to clarify, item 45, you said, that's the telecommunication facility in the A-2 District?

CHAIR PALTIN: Yes.

MS. CUA: Okay, got it.

CHAIR PALTIN: Thank you. And if there's no further questions or requests, this item was not scheduled for legislative action. So if there's no objections, the Chair will defer this item.

**COUNCILMEMBERS VOICED NO OBJECTIONS.** (Excused: KRF)

**ACTION: DEFER PENDING FURTHER DISCUSSION.**

CHAIR PALTIN: Okay, you guys are such an agreeable bunch. Thank you so much. And you've been working very hard, getting along with each other, playing nicely. So I think you guys deserve a 14-minute recess. So in that case, we will return at 10:40 a.m. The Committee is now in recess. . . .*(gavel)*. . .

**RECESS: 10:26 a.m.**

**RECONVENE: 10:41 a.m.**

CHAIR PALTIN: . . .*(gavel)*. . . Will the Planning and Sustainable Land Use Committee return to order. The time is now 10:41, and we're almost halfway through our agenda. Next up we have PSLU-3(1) and (2). If there are no objections, I'd like to take these up together, and they have the same resources. Are Members okay with that?

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

**COUNCILMEMBERS VOICED NO OBJECTIONS.**

CHAIR PALTIN: Okay, awesome.

**PSLU-3(1): IMPLEMENTATION OF THE COUNTYWIDE POLICY PLAN AND THE MAUI ISLAND PLAN**

**PSLU-3(2): IMPLEMENTATION OF THE MAUI COUNTY COMMUNITY PLANS**

CHAIR PALTIN: All right. So the Committee is in receipt of County Communication 22-27 [sic], from the Planning Director, transmitting the 2021 Annual Status Report on the Implementation of the Maui County...oh sorry, Implementation of the Countywide Policy Plan and the Maui Island Plan and the Maui County Community Plans, which is Communication 22-27. The Committee may discuss the matter, and may also consider filing of both Communications and other related items. So I scheduled this item because, you know, we get an annual report, and it's good to know, you know, an update on how we're going because otherwise we won't know. And we have from the Planning Department Jordan Hart and Kathleen Aoki. And I don't want to assume, but I think that there may be a presentation in our near future. Ms. Aoki, any comments, or Mr. Hart?

MS. AOKI: Good morning, Chair. Good morning, everyone. No, sorry, I don't have a presentation. Numbers are kind of boring to show on slides, not like maps. So I just --

CHAIR PALTIN: Okay, no presentation.

MS. AOKI: -- yeah, I just have some...I can give you some...a review of (*audio interference*) --

CHAIR PALTIN: Okay, we got a review. Review synopsis on where we are, where we've been, and where we're going.

MS. AOKI: Yeah.

CHAIR PALTIN: Take it away, Ms. Aoki.

MS. AOKI: Okay. Thank you very much, Chair. Good morning, everyone, again. Kathleen Aoki from the Planning Department. I am at home. I'm in my home office alone. So starting off...we'll start off with the Countywide Policy Plan. For those Members, recall that last year we passed Ordinance 5264 in September that added a new core theme to the Countywide Policy Plan, and that theme was mitigate climate change and work towards resilience. So with that addition, we added nine more action items. So we now have a total of 82 for the Countywide Policy Plan. For the year 2021...and this was all in the cover memo of the report, but I'll just go over it real quick. Six out of those 82 have been completed, which means we increase it by one from the year before; 14 are in progress, there was no change from the year before; 32 are ongoing. Three were

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

added to that category, probably as a result of adding in this new core theme. And 30 are not begun, last...last 2020 it was 25, so again, adding 5 due to the addition of this new core theme. Moving on to the Maui Island Plan, we have 305 total actions. We completed 31, and this is where I want to spend just a few minutes explaining for those people that actually hone in on our numbers. We're going to see that this number went down by two from the year before. So you kind of go, how was something completed, and now it's not completed. Just real quickly, one of them was Department of Environmental Management. They changed Action 6.1.2, Action 1, which is implement a curbside recycling program. And the reason for that change, I spoke with the Deputy at the time...so if...for those of you that remember, South Maui had a pilot program for the 3 Can recycling. So many years ago, this action item was not begun. Then it moved into in progress. Then it moved to completed. And we think that in 2020, it was moved to completed because the program got cancelled. So whoever's filling out, you know, our forms...our implementation report must have thought, okay, it's done because it's cancelled. But the Department preferred that it get moved back into in progress with the possibility that it may do it again some time, or somewhere else. So that's why one of them got moved. The second one is the Office of the Mayor changed 4.4.2, Action 1, publicize renewable energy production opportunities to potential investors, from completed back into in progress. And that was just pretty much a mistake. It shouldn't have been put into complete. So just want to explain why the...that number changed. Moving along, 134 of the actions are in progress, so this was increased by 3; 60 are ongoing, so this increased by 4; and 80 have not begun, which it was 85 in 2020. So that's a good thing, five of them moved into other categories. Then lastly, community plans, there's 835 total action items, 142 have been completed, and the year before it was 136, so 4 more got completed; 287 are in progress, and the year before it was 291. So again, you kind of go, well, where did those go? So some of them got moved into completed, and some got moved into ongoing because it was determined that it was better to have it...it's something that's not going to be completed; 162 are ongoing, the year before it was 148, so that means that 14 were moved into this category; and 244 had not begun. The year before it was 260, so that means that 16 of those actions began this year...well, in 2021. So again, moving out of that category of not begun is a good thing. Lastly, I'd just like to note, for those that are curious, the West Maui Community Plan, as you know, was adopted this year, January 31st, 2022. So it will be in this...all those numbers are going to change, and all the action items are going to change reflecting the new plan. That new plan has 120 actions, the previous plan had 81. So our total number is going to increase by 39 when we do the report this year. And that's about all I have for now. If any Members have any questions, I'll do my best to answer.

CHAIR PALTIN: Okay. Thank you, Ms. Aoki. Staff, can you put a two-minute clock on for the Members, if they have any questions. And we'll start off with...I'm just going to go in the order that I see you guys on the screen. Committee Vice-Chair King, go ahead. Two minutes, questions for Ms. Aoki or the Planning Department, any of our resources, Corp. Counsel, whomever you choose.

VICE-CHAIR KING: Thank you, Chair. Thank you for that review, Ms. Aoki, really appreciate it. I appreciate the Department of Environmental Management putting the recycling program back in, because that really hasn't been complete. It was just like, you know,

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

a pilot project and it didn't...and then they ended it. But, you know, my thought was it's an extensive plan, and it...if going forward, would you maybe recommend that the Committees take up whatever their portion of the Countywide policy plan pertain...you know, it was originally...the Committee structure is kind of set up to follow the Countywide community plan goals and objectives, the major objectives. And so if we wanted a more in-depth review of...like so for my Committee, say, the Climate Change Section, then maybe you could come and just do a review of the things that are in that section for our Committee. Would that maybe be helpful for our purposes and yours?

MS. AOKI: Yes. Thank you, Member King. Absolutely. I've always encouraged the Councilmembers to reach out to the individual departments that these actions are assigned to because they know best.

VICE-CHAIR KING: Okay.

MS. AOKI: So if there's actually...yeah, if there's actually anything specific...if there's a specific action that you want talk about, then look at who that Department is and bring them before you.

VICE-CHAIR KING: So for me, I think it would be, you know, all the actions that are under the climate action policies. For instance --

MS. AOKI: So I...you'd have to look to see which departments are assigned...I think it's mostly Planning, but there could be others that are assigned to the Mayor's Office or something like that. So whichever departments are affected, that's who I would recommend calling before...

VICE-CHAIR KING: So if we wanted to do that *(audio interference)* review as a Committee, then we could reach out to you and you can advise us on who has those . . . *(timer sounds)*. . . parts of that...

MS. AOKI: Yeah, you can ask me, Member King. I don't mind helping at all, but it is actually...it's all listed who's assigned to which action item, so you can see.

VICE-CHAIR KING: Okay.

MS. AOKI: *(audio interference)* can easily see.

VICE-CHAIR KING: Okay, great. Thank you. Thank you, Chair.

CHAIR PALTIN: Thank you. Oh, okay, Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. And aloha, Ms. Aoki. Yeah, just follow up on Member King's line of questioning. As far as the Committee subject area, as the Public Agriculture and Public Trust, are there items in the policy plan and in anticipation . . . *(timer sounds)*. . . of the *(audio interference)* are there any agricultural policies that we can address? Are there any?

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

MS. AOKI: Aloha, Member Sinenci. Thank you. Yes, I would say definitely, yes, when...especially if you look at the Countywide policy plan, they're broken up by the element. So I'm trying to look here without my glasses. You have things like Heritage Resource Shoreline. You'd have to probably kind of go through the action items to see what the language is in that item, or in that action, if it refers to ag. Yeah, they...you know, we initially did the report by departments. Then a few years ago it was requested by the Council to do it by community plan area. So that's why your report for the community plan is so thick, because it's the same action items shuffled in a different way. So either you can look at it by your community in Hāna, or if you want to look at it by ag. Yeah, that would take a little bit more time to start pulling out what talks about ag, what talks about shoreline. But that would be my first recommendation, is try to look at those elements. . . .(timer sounds). . .

COUNCILMEMBER SINENCI: Okay. Thank you. Thank you, Chair.

MS. AOKI: Yeah.

CHAIR PALTIN: Sure thing. Sorry about that other bell you heard, that wasn't the timer. Somebody was calling me and I didn't silence my phone so silencing now. Next up, Member Sugimura. Any questions?

COUNCILMEMBER SUGIMURA: I have, really, no particular question. I just want to appreciate all the work that Ms. Aoki does to keep track of this, that's a bear in itself. And that I like Chair...I like Kelly's idea that...to possibly, you know, bring it up in our Committees, and I will look at the list. And thank you for your extensive work. And talk to my Department in my departmental monthly meeting just to see if I could help them move it along. So I have, really, no questions. Thank you for your detailed report.

MS. AOKI: You're welcome. Thank you.

CHAIR PALTIN: Thank you, Member Sugimura. Good idea to...we're a little bit backsliding if you go purely by the numbers. So if Members can help out, that probably would be good. Member...oh, I see Member Johnson. Looks like he's occupied. Member Molina, your two minutes.

COUNCILMEMBER MOLINA: No, Madam Chair, I don't have any questions at this time. Thank you.

CHAIR PALTIN: Okay. Member Kama.

COUNCILMEMBER KAMA: Chair, I don't have any questions, but I'm just excited, you know, to look at what they're doing in terms of developing public campgrounds throughout, you know, the parks in our islands and, you know, looking for opportunities to utilize portions of the public parks for community gardens. I think that's pretty exciting, you know, and that they're going. And so I can hardly wait to see where...and all of this is



**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

going to take place, and how we can get our people excited about that and being able to participate in this. So I'm just really excited about this. Thank you.

CHAIR PALTIN: Sure thing. I'll look forward to hearing...doing a deeper dive in your Committee maybe, if we have time. I guess just to follow up on Member Kama's point and Member King's point. I don't know if it's for Corp. Counsel or our OCS attorney. If Members wanted to pull out items from this report to be heard in their Committee, would we need to refer this item to all the Committees? Is that possible? Or would it just be under a 7(B) presentation? Any attorneys?

MR. HOPPER: Items like that, I think consulting with OCS might be helpful on. I don't know if the best practice...if the items are big enough, I don't know if it's something you just reintroduce as an item to be sent to a Committee from the beginning, or what can stem from this. Because the plans are such a broad item, they can really encompass almost anything. So I...I'd maybe want to consult with OCS or Mr. Raatz on the best way of transferring those items to other Committees. We normally rely on them for those issues, but, you know, the...I'd probably start there.

CHAIR PALTIN: Okay. Mr. Mitchell, or someone from OCS, any direction on how Members could pull items out from this agenda thing?

MR. MITCHELL: Chair, that's a unique enough question. I think it might be wise if we do take a moment, just consult with David, and see if he's ever experienced this question before, and see if we come up with the best option for you.

CHAIR PALTIN: Oh, okay. Sounds good. No hurry.

MR. MITCHELL: Okay, thanks.

CHAIR PALTIN: Okay, Member Johnson, question?

COUNCILMEMBER JOHNSON: Thank you, Chair. I really like some of the actions that are in here. And I...you know, the discussion is allowing...yeah, we can pull them out. I don't have any questions. It's really...some really good things to discuss. I just...where's the...we need a eighth day in the week, there's just not enough time, it seems. But thank you. Thank you, Chair.

CHAIR PALTIN: Thank you. Chair Lee.

COUNCILMEMBER LEE: Thank you, Chair. Thank you, Kathleen, for your very wide-ranging report. It's so good to hear that all of our major plans are being implemented, and we appreciate the update and you working so hard on this. Thank you very much. I have no questions.

MS. AOKI: Mahalo.

CHAIR PALTIN: Okay. All right. Member King.

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

VICE-CHAIR KING: Thank you, Chair. I just had a suggestion because, you know, when we were in the pandemic, Chair Lee put...I think it was Chair Lee who put on the agenda for every Committee a referral of any kind of...our discussions that we might want to have on the pandemic. And so if we did something like that, and we just added the Countywide policy plan as a placeholder for every Committee, then whenever we wanted to get updated we wouldn't have to go back through the Council each time to get it on our agenda.

CHAIR PALTIN: Okay. Mr. Mitchell, can you add that to the possible suggestion? I'm not sure how that would work now that there's no subject matter referral, if we can do multiple referrals of this specific report. And then maybe you can get back to us on the answer and email everybody. Is that a possibility?

MR. MITCHELL: Yeah, I'll be back in a second, Chair. Will do.

CHAIR PALTIN: Okay, thank you. So given that...what is the body's preference, to defer this item it or file it? Probably defer, I guess, if we are going to see about --

COUNCILMEMBER KAMA: Defer.

CHAIR PALTIN: -- okay. All right. If there's no objections, I'd like to defer PSLU-3(1) and (2).

**COUNCILMEMBERS VOICED NO OBJECTIONS.** (Excused: KRF)

**ACTION: DEFER PENDING FURTHER DISCUSSION.**

CHAIR PALTIN: Okay, so ordered.

**PSLU-53: SOUTH MAUI COMMUNITY PLAN UPDATE**

CHAIR PALTIN: And we're onto our last Committee item. Wow, that's like almost a record for us. PSLU-53, South Maui Community Plan Update. The Committee is in receipt of County Communication 22-102, from the Planning Director, relating to an update on the South Maui Community Plan community engagement process. The Committee may discuss the South Maui Community Plan community engagement process, next steps for the application selection process, requirements for the nine Community Plan Advisory Committee representatives appointed by the Council, and other related matters. No legislative action will be taken. So today...and this is a standing item until we select the members. Today at 4:30 p.m., either time-stamped, time marked, whatever you want to call it, is the deadline for CPAC applications. So get a call out to all your contacts in South Maui and let them know. As of the last report, the Committee is in receipt of 22 applications. So, next steps in the process. I did want to allow for Committee interviews. Although, as we have a three-hour window, and we do have other items on the agenda, I guess the date that we select to do the Committee interviews, you know, likely we'll have three hours. So given that, after the postmark/time-stamp

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

deadline of today, our Staff will be putting...Members should have all received a OneDrive link to the applications that we have received so far. And that's been uploaded to some computer location where you press a button and look at it. I don't know the technical terminology. But Staff, once all the applications are received, will put it into the matrix that's on Granicus. It's a blank matrix right now, but then it'll be populated with the information. And my proposal is we don't do in-Committee interviews for more than 18 individual members, if the Members are amenable to that. So we already have 4 more than 18. So my suggestion would be that Members look through all the applicants...once we receive them all, we can look through the matrix or the applications themselves [sic], and each Member select their top 18 choices and hand them in to the Committee. You know, we're looking for things like diversity. And so if you have a hard time narrowing it down to your top 18, you can possibly reach out to folks, like, you know, if you're like, oh, I don't know, you know, and see...try to narrow it down yourself. Then once we...so that'll be the first round cuts. And then my proposal is to interview the top 18, but given that we have a three-hour window, I was going to propose, like, three questions to be answered by each person, and use those questions as a way for these members to kind of introduce themselves. You know, one of the questions I was tossing around in my head in watching the West Maui CPAC, you may have to listen to hours of testimony, and you may have to cover really controversial subjects. And like us, you're going to have to, like, you know, get along to get it done somehow. So, you know, one of the questions I was thinking of was, like, can you provide us with an example of a situation in where you had to work with others on a controversial issue, and how you facilitated a way forward, or something along those lines. So that could be one question. I'm open to suggestions for a couple other questions, and they can, you know, have like, you know, five minutes to tell us that story, not just for that one question, for all three questions, whatever we come up with. If Members have suggestions on two other questions, you know, that will kind of...in addition to their application, kind of pull out information about, you know, how they work well with others, their values, and things like that. We're totally open to receiving those and incorporating. But I think the day we do interviews of the potential members, that might be our only agenda item because it's going to be 18, for sure...being times five probably goes over the three hours. So, you know, maybe three minutes. Yes, Member Molina.

COUNCILMEMBER MOLINA: Yeah, Madam Chair, I think you kind of just answered my question as far as putting a timer on all of us up to three minutes. Maybe even two minutes, and if a Member wanted a follow up...a one-minute follow up, something along those lines, that way keeps it moving. Plus, it's incumbent upon all us, anyway, to do our own homework, yeah, prior to your meeting to at least already get, I guess, a snapshot of the nominee's background, so that way we may not need to ask all those questions. And we have that option also, of calling the applicant on our own prior to your meeting as well. So I'm all for what you're proposing, to try and keep it as expedient as possible as we go through this process. And, you know, we don't know how much more nominees we're going to get after today, so...but, yeah, anything to keep the process streamlined and make sure we do our part, on our own, to maybe forego some of these questions that may not need to be asked. So anyway, that's just my thoughts.

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

CHAIR PALTIN: Yeah. Yeah. Thank you, Member Molina. I was thinking of something along like we...along the lines of we have these three standard, agreed-upon questions, and we give each applicant, like, three minutes to answer the three questions, and then each Member have an additional minute. So that's 9 minutes, 10, 11...12 minutes per 18 applicants. That's still over three hours. So yeah, something pretty quick, maybe they can answer the three questions that we come up in writing. And then we do an additional minute or something. Member Johnson.

COUNCILMEMBER JOHNSON: Again, that was my suggestion, is you give them the three questions beforehand, they respond to it, we put it on Granicus, we can read it. And then if we have additional questions off of that, or just additional questions, you would take the...you would have already gotten through those three questions that are universal to everyone. But that's just a suggestion, and you suggested it, so I like it.

CHAIR PALTIN: Yeah, yeah. I like it. Okay, sounds good. Member Kama.

COUNCILMEMBER KAMA: Thank you, Chair. Did you factor in what...the testimonies that might come in from people who want to support their 18 friends and how much that would incur in terms of your three hours?

CHAIR PALTIN: Good point. I did not, at all, factor that in. So, yeah, I might ask for a special all-day meeting or something. Okay. Member King, I think I saw your hand up.

VICE-CHAIR KING: Yeah. Thank you, Chair. So when we're writing down the questions, if we could also have a paragraph to send to each of them that explains the attendance policy. Because I think that the attendance policy applies to the CPAC as well. You know, just the parameters so that we...you know, we shouldn't have to ask them, are you intending to attend. They should (*audio interference*) their name if they don't plan to attend. But some of the...you know, the parameters--that the meetings would be at night, that--you know, for the general public would be you know taking testimony. Things they might not think....might not have thought about when they applied. And then put those just in a form of information to them, then the question. Because I would assume that if they read that, and they decide that's too much time, and they're not going to...to do that, that they would withdraw their name. And then the other question I had was, are we also going to try to appoint alternates upfront?

CHAIR PALTIN: I kind of would like that. You know just kind of informally. And as how it went on the West Maui one, our alternates would only apply to our choices...our nine. I would imagine, though, if the Mayor chooses alternates, he could choose from...oh, I see Mr. Mitchell. Did we stray outside of our boundaries?

VICE-CHAIR KING: Can we do that? Can we...oh, you're muted, Remi. Can we appoint alternates at this point?

CHAIR PALTIN: Go ahead, Mr. Mitchell.

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

MR. MITCHELL: Sorry for interrupting, Chair. I just turned on my camera to let you know I have an answer. But if you would like to conclude your discussion, I'll wait until then.

CHAIR PALTIN: Oh, no, I'm ADD. What's the answer?

MR. MITCHELL: Okay. Well, the answer is that any Committee Chair, if they can fit in a portion of the plan in whole or part into the subject matter jurisdiction, can take it up as a Rule 7(B) presentation in their Committee. But if the goal is to change one of the ordinances, then we would need to go ahead and issue a PAF for whatever that change is. And that bill would then...that bill would then be presented to Council for referral to Committee. And the Committee referral would be based upon the Council's wish at that time. So that would be the process.

CHAIR PALTIN: Okay. Thank you. So for Countywide policy or Maui Island Plan, people --

MR. MITCHELL: Correct.

CHAIR PALTIN: -- we can take it up as a 7(B) presentation. Or if a community plan action falls within your Committee subject matter jurisdiction, also 7(B) presentation. So just clarifying that for folks. All right. And then...so we're not in any kind of legal hot water about possibly choosing alternates, should any unforeseen circumstances arise? Oh, we got two attorneys.

MR. HOPPER: I don't know. If Mr. Mitchell is prepared to respond to that, that's fine. I thought he was coming on to address the other issue. If he has a response to that, I'd let him go first.

MR. MITCHELL: Mr. Hopper, if you understand the question, I'll defer to you, yeah, because I only heard a tail end of that discussion.

MR. HOPPER: Right, I figured --

CHAIR PALTIN: Okay.

MR. HOPPER: -- he was working on the other question, yes.

CHAIR PALTIN: Go ahead, Mr. Hopper, if you got an answer for us.

MR. HOPPER: So the question is, you want to appoint alternate members to the South Maui CPAC?

VICE-CHAIR KING: That's the...

CHAIR PALTIN: Yeah, just so that, you know, if they're an alternate, they're more apt to be following along. In our West Maui case, it was lucky that I assigned one of my aides that lives in West Maui to follow along, and she could jump in like, kind of, seamlessly. But it did...it was an eye opener that things happen, and it's best to be prepared. We

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

don't want someone to be, you know, jumping in in the middle, and not have...not know what the discussions and the testimony is about. So if we say, hey, you know, we like you. There's just nine that we can appoint, but would you consider being an alternate and following along the discussion in case any unforeseen circumstances come up with the nine chosen, you could slip right in. And if the Mayor doesn't have someone, he could potentially choose you as someone who has been following the process. But, of course, the Mayor is free to choose who he wish...he or she wishes.

MR. HOPPER: I think the challenge with that is...because we've got alternates on a couple of boards, but it's...those are generally boards that are done by the Code, I believe, where you've got a Code Board. This is not only a Charter board, but it's actually one of the...a board that talks about the number of members in the Charter itself, as how many members there are. I don't think that there would be anything restricting you from sort of unofficially having people follow the meetings. But having actual additional members above the 13 that the Charter says you could have as actual alternate members, I think we maybe have an issue with the Charter just saying how many actual members there are. I understand the subject matter issues, and having someone follow it, and maybe that's something...you could have people following it just in case. But it...I think it would be...we can look in more detail, but I think it can be, potentially, a challenge, with the Charter saying what it does, without changing that to have actual people appointed saying, I'm an alternate member, who could even potentially fill in to a meeting at the time. So that's the concern I'd have. Because we're a little a limited because it's in the Charter.

CHAIR PALTIN: Thank you. And I don't think the intent was to fill in unless somebody else resigns completely. Member King.

VICE-CHAIR KING: Thank you. Thank you, Chair. I just wanted to follow up with Mr. Hopper. So there's nothing that would prevent us from asking...you know, if we're going to send questions ahead of time to our top 18 applicants, of asking that question on the...on just as a would you be interested in filling as an alternate should somebody resign or withdraw from the process...if we just ask that question, is that okay?

MR. HOPPER: I don't necessarily see an issue with that offhand. I mean, as long as they know...as long as there wouldn't be a Council action at that time that would say, you're an alternate member. If you just want to, you know, ask that and, you know, say that in the event you don't get chosen, is that something that you'd want to potentially be considered...if a member resigns, would you think you would want to be interested in filling in. Maybe that's...yeah, I don't see that, in and of itself, as a problem. It's just actually appointing more than the members that the Charter says they can have.

VICE-CHAIR KING: Okay. Okay, that's really helpful. Thank you for that opinion.

CHAIR PALTIN: And we'll just keep it unofficial, so then...yes, Chair Lee.

COUNCILMEMBER LEE: Chair, getting back to the subject of...on all-day meeting. I would strongly suggest that you don't do that. We break it up into two meetings, otherwise

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

everybody will be worn out at the end. So if we took testimony first, and then recessed that meeting, and then just, you know, dealt with the business of the day at the second meeting. I think that would be better for everyone concerned.

CHAIR PALTIN: Okay. And then if there's not that much testimony, we could get as far as we could within our time slot.

COUNCILMEMBER LEE: Right.

CHAIR PALTIN: Okay. Yeah, yeah, I'm amenable to that. Just in...if I have some Charter deadlines come through, but I...I'm doing pretty good on those. So I think we can fit that in. Okay. So, let's see, who did I not call on? Did anyone else have their hands up? Sorry, I got a little lost track. Member Sugimura.

COUNCILMEMBER SUGIMURA: *(audio interference)* list that was mentioned...or would these meetings be done online? Because I think the community is pretty comfortable with doing these online meetings as we see...

CHAIR PALTIN: We did...you're talking about the CPAC themselves --

COUNCILMEMBER SUGIMURA: Uh-huh. Yeah.

CHAIR PALTIN: -- or at my Committee meeting?

COUNCILMEMBER SUGIMURA: No, no.

CHAIR PALTIN: Oh, CPAC, themself *[sic]*.

COUNCILMEMBER SUGIMURA: CPAC. Yeah, yeah, yeah. So --

CHAIR PALTIN: We did discuss that in a previous meeting. It would be subject to the constraints of the Wi-Fi at the locations they chose. They would have to have a physical location, similar to us, to take testimony. And that physical location would have to be within the district. And so then it would be subject to the constraints of, you know, logistics. But Ms. Maydan, would you care to fill in the gaps on my recollection?

MS. MAYDAN: Aloha, Chair, and hi, Members. Yes, thank you. Since your last meeting and discussion of the South Maui CPAC, we have done a site visit to a number of venues in South Maui to look at capabilities for holding hybrid meetings. And our ultimate conclusion is that we think that the CPAC meetings are going to need to be held in person...traditional in-person meetings, not hybrid. We looked...this is due to logistical challenges with the hybrid meetings, with equipment, with technology, with Internet limitations at some of the sites. It's likely that we will hold meetings at a couple different venues based upon availability of meeting places. We did look at the Malcolm Center and it, of course, does have the best capabilities for hybrid technology; however, it is quite small. With our experiences of CPAC meetings, we are always in a larger venue than the Malcolm Center. So that really did make us nervous, limiting the size. And

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

like the West Maui CPAC, agendas and materials will all be posted prior to meetings, according to the Sunshine Law, written and oral testimony will be accepted, and we will be recording the meetings, and providing video recordings and meeting summaries on the website shortly after meetings, you know, for testifiers who are interested. We really do...I mean, of course, over these last two-plus years of virtual meetings, and now hybrid meetings, we know there are tremendous benefits to Board and Commission members, as well as tremendous need to the public. But honestly, in our due diligence to look at the possibility of hybrid meetings for the CPAC, we think it's realistic to assume that we're going to have in-person meetings. So I would suggest that your applicants have that information in mind. Thank you very much.

CHAIR PALTIN: Okay. So just to clarify, no...likely not hybrid, only in person.

MS. MAYDAN: Correct.

CHAIR PALTIN: Okay. So along with the attendance policy, that would be a important thing to put at the front of the letter that we send out to our top 18 that progress on, that it'll likely be in person. Or, I mean, that it will be in...it's planned for in person. Member Kama, did I see your hand up before? I'm sorry if I neglected to call on you.

COUNCILMEMBER KAMA: No, Chair. No, I asked my question. Thank you, Chair.

CHAIR PALTIN: Okay. Any further questions on process, how we're going to proceed at this time? So one of the questions will definitely be...like giving an example of working well with others and pushing through. Any other standard questions? I mean, I guess, attendance policy, are you willing to attend and in person would be another question. Any other general questions in writing before, for those that advance on to round two of the selection process? Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. I guess I would be looking for any past experience, expertise in...I don't want to say like design or cultural (*audio interference*) I mean I know we looking for that, and we're looking for diversity. But maybe just what kind of work, or what kind of line of work, that may attribute to not necessarily decision making, but contributing past expertise to the discussion.

CHAIR PALTIN: So something along the lines of, like, what experiences influence your decision making, or something like that?

COUNCILMEMBER SINENCI: Yeah.

CHAIR PALTIN: . . .(*inaudible*). . .

COUNCILMEMBER SINENCI: . . .(*inaudible*). . .

CHAIR PALTIN: What experiences can you cite that influence your decision making?



**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

COUNCILMEMBER SINENCI: Maybe for...maybe for age...I know experience almost connotes age or length of experience, but we don't want to just keep it to...you know, we want as many young people to participate as well. So maybe the question can be geared towards maybe their response --

CHAIR PALTIN: What factors --

COUNCILMEMBER SINENCI: -- or their response.

CHAIR PALTIN: -- what factors or expertise...we can wordsmith that a little with Staff.

COUNCILMEMBER SINENCI: Yeah.

CHAIR PALTIN: What contributes your decision making, something along those lines. As far as...I think on the application they might be putting like, you know, what their jobs or that kind of stuff is. So we should have that information.

COUNCILMEMBER SINENCI: Okay, thank you.

CHAIR PALTIN: Thank you. Member King.

VICE-CHAIR KING: Thank you, Chair. I thought...you know, I thought there was going to also be a matrix that we're given with the final list of names that's going to have sort of the...you know, their background, how long they've lived in South Maui, things like that. So that should be...that information should be in that matrix for us, to help us narrow down to what our top 18 choices are to interview. And then from there, we're going to...getting a little more specific. But I think we have to be careful about some of the questions so that we're not...you know, we're not discriminating against age or, you know, anything that...things that people can't help, you know, their *(audio interference)* --

CHAIR PALTIN: Yeah.

VICE-CHAIR KING: -- their ethnicity, things like that, we can't discriminate against. We...you know, they...I think key thing, how long you've lived in the area, which is something *(audio interference)* how long they've...they want to *(audio interference)* really *(audio interference)* --

CHAIR PALTIN: So to Member King's point, the sample matrix that we have up on Granicus is going to include information...I guess the applicant's name; their residence, like what part of South Maui they live...reside in; gender; profession or company; community experience or involvement; issues of greatest concern; vision for the South Maui Community Plan and political affiliation. So from looking at that matrix and the applicants...applications, the task is to narrow it down to our top 18, each...the nine of us. And so each person that makes a top 18 gets a point, and then we look at all nine's top 18s, the ones with the most points move forward to the second round. If you have trouble narrowing down to your top 18, like Member Molina said, feel free to reach out.

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

And, you know, if there's these two folks on the matrix that look really similar, and you don't want to go by name recognition or something, you can try reach out, and it's like you're looking for diversity . . . *(timer sounds)* . . . in your top 18. Okay. And then...so maybe can you cite what influences your decision making or something like that, Member Sinenci? That way it's not talking about experience or anything. What...please cite...or what influences your decision making, maybe. Like what...something like that. So those are three questions. If Members have more...one is the attendance policy, can you make it in person. Oh, and then are you willing to be an unofficial alternate and follow the meetings in case some unforeseen circumstances. So that's about...if the attendance and the unofficial alternate are combined as one question, then working with others and influences to your decision making, I think that could be our three, four standard questions. We'll have the attendance policy at the top, and that it's planned, at this point, to be in-person meetings. So once we narrow it down to our top 18, then we can have that sheet that we'll send out to the top 18, and ask them to come in for a in-person interview, and a written response to those questions. Any objection to that process, Members?

**COUNCILMEMBERS VOICED NO OBJECTIONS.**

CHAIR PALTIN: Okay. At this time, if I could call either Mr. Hart or Mrs. Maydan back on, now that we've kind of briefly reviewed the process that we'll be following. Is there anything that you want to update us on as to timeline, deadlines or any information that we need to know in addition to what we've been discussing?

MS. MAYDAN: Thank you, Chair. I don't believe there's any additional information that you need. We're still working on pulling together the draft, preparing logistically for CPAC meetings. I would say we're on the same schedule as we mentioned before, and just tracking your process. So thank you for the opportunity.

CHAIR PALTIN: Okay. And did you have anything else you wanted to add on the...as to the process that we've outlined so far about first round cut, and then in-person interviews, and whatnot?

MS. MAYDAN: No. I think you have a very thoughtful process, and I believe that it will result in a productive and a good CPAC process, so thank you.

CHAIR PALTIN: And as far as the attendance policy, following the Code into other boards and commissions, you're okay with that as well?

MS. MAYDAN: Yes, Chair. And in Maui County Code . . . *(inaudible)* . . . there is, under the CPAC section, under item D, it does mention that the...where is it...regarding three absences. That the Chair...if a committee member does have three absences of scheduled meetings, that the Chair could request their replacement.

CHAIR PALTIN: Okay. Thank you. And Member King, did I see your hand up?

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

VICE-CHAIR KING: Yes, thank you. I just got a text from somebody that is wondering why they're asking for the political party on the application. And I know that we tried to address that at one point by taking that off, but I don't know why it's still on the application.

CHAIR PALTIN: I guess for sake of diversity, maybe. I don't know. Or if that was on the matrix for the West Maui Community Plan. We kind of followed that format for the West Maui Community Plan, but this...for us, it's nonpartisan. I guess trying to make sure it's not heavily...just for purposes of diversity, I guess.

VICE-CHAIR KING: Okay. I just wanted to relay that answer back to...looks like Mr. Molina might have (*audio interference*) about it.

CHAIR PALTIN: Member Molina.

COUNCILMEMBER MOLINA: Yeah. Thank you, Madam Chair. Maybe we can get additional clarification on that from either Mr. Raatz or Mr. Mitchell.

CHAIR PALTIN: As to why it's on the matrix?

COUNCILMEMBER MOLINA: Yeah. Well, yeah, why the I guess --

VICE-CHAIR KING: Because it has...

COUNCILMEMBER MOLINA: -- political parties on there.

CHAIR PALTIN: Okay. I think we were just following past practice. But...Mr. Mitchell?

MR. MITCHELL: Thank you, Chair. Unfortunately, I don't have an immediate answer for Member Molina's question. So I need to take a moment to find out why that question was included.

CHAIR PALTIN: Okay. Member Sugimura, was your hand up?

COUNCILMEMBER SUGIMURA: This is going back to the alternate. So we were fortunate with Angela when she was able to fill in, and fortunate that she probably attended most of the meetings because of your request. So with that in mind, people who are saying that they would be available to be an alternate, would they have to attend all the meetings so that they would know what's going on?

CHAIR PALTIN: That would be my preference, but if...so we're just talking about unofficial. At the point where somebody resigns, and if they're one of the Council nine that resigns, we'd have to go through the formal process that we went with...through with Angela where...you know, we put forward a resolution and at that time, you know, if there's multiple people that have gone through the meetings...or even if somebody indicates on their form that they are willing to be an alternate, but whatever comes up and they don't attend the meetings, and somebody that never put their application in in the first time,

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

but they been following, and they're participating and they're better suited, you know, that could happen as well. So that's why, I guess, it's unofficial. And like Mr. Hopper said...I mean my personal preference in appointing an alternate, if some unforeseen circumstance arises, would be somebody who's attended all the meetings, and participated, and read the information. But at the end of the day, it comes down to the resolution and the votes of this body. So, you know, that's how it boils down. And I see Mr. Mitchell is back.

MR. MITCHELL: Thank you, Chair. It appears the question was included due to Charter Section 13-2, sub 2, and it requires that not more than a bare majority of members of a board or commission belong to the same political party. And so applicants are being asked to indicate whether they are a registered card-carrying member of a political party, or if they're not, just say none.

CHAIR PALTIN: Okay. So registered...and so that's the distinction. Some people might think they're Democrat or Republican, but are you a registered card-carrying member. And the reason we'll ask that is because of the Charter. Thank you for clarifying that. The Charter is like the County's Constitution, so we want to...we don't want to willfully not follow the Charter or something...we want to follow the Charter. I know there's \$1,000 fine if we don't. Okay. So I think we've vetted and talked that through. I just want to check in with our Staff. Mr. Leauanae or Ms. Greco, do you feel like you have gotten clarity on what the three, four standard questions, and the header that we'd like to send out to our top 18 that make the first round cut? One question speaks to if they're being...they're able to attend all the meetings, we're forecasting in-person meetings and not the hybrid option, as the Planning Department has looked into the viability and prefers in person. If they're able to make the attendance, that would be the first question. Second question is if they can give us insight as to what influences their decision-making processes, and if they can cite an example of how they've managed to work with others on controversial items with opposing viewpoints. Like give us some example about their experiences and how they pushed through in those types of difficult situations to...for the good of the overall situation. So those are our top questions, and maybe include the attendance policy as a header. Can you confirm?

MR. LEAUANAE: Yes.

CHAIR PALTIN: Okay, cool. All right.

MR. LEAUANAE: Yes, Chair.

CHAIR PALTIN: Well, then thank you. With that confirmation, I don't have anything else. Members, anything further on this item, PSLU-53? No. Okay. Well, seeing none. If there are no objections, I'll defer this item.

**COUNCILMEMBERS VOICED NO OBJECTIONS.** (Excused: TK and KRF)

**ACTION: DEFER PENDING FURTHER DISCUSSION.**

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

CHAIR PALTIN: Okay. Well, wow, this concludes today's Planning and Sustainable Land Use Committee Meeting. Thank you very much, everyone. The time is now 11:38, giving you 22 minutes of free time in addition to your lunch break. Next up, after this, we have Mr. Johnson's Affordable Housing Committee. And so with no further ado, this meeting is adjourned. . . .(gavel). . .

**ADJOURN:** 11:38 a.m.

APPROVED:



---

TAMARA PALTIN, Chair  
Planning and Sustainable Land Use Committee

pslu:220630min:th

Transcribed by: Tricia Higa

**PLANNING AND SUSTAINABLE LAND USE COMMITTEE MINUTES**  
**Council of the County of Maui**

**June 30, 2022**

---

CERTIFICATION

I, Tricia Higa, hereby certify that pages 1 through 46 of the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 4th day of August 2022, in Mililani, Hawai'i

A handwritten signature in black ink, appearing to read "Tricia Higa", is written over a horizontal line.

Tricia Higa