

**BOARD OF VARIANCES AND APPEALS  
REGULAR MEETING  
NOVEMBER 26, 2008**

**A. CALL TO ORDER**

The regular meeting of the Board of Variances and Appeals (Board) was called to order by Chairman Randall Endo at approximately 1:40 p.m., Wednesday, November 26, 2008, in the Planning Department Conference Room, first floor, Kalana Pakui Building, 250 South High Street, Wailuku, Island of Maui.

A quorum of the Board was present. (See Record of Attendance.)

Chairman Randall Endo: Good afternoon. The meeting of the Board of Variances and Appeals will now come to order. It is 1:40 p.m. Let the record show that we have a quorum of six members present. Before I forget, why don't I just call for a public testimony. So we'll let the public come up and testify on any agenda item now that they want. Seeing that nobody is coming up, we will now close public testimony on all matters on today's agenda, and let's begin with the first item.

**B. VARIANCES**

1. **MICH HIRANO of MUNEKIYO & HIRAGA representing STATE OF HAWAII, DEPARTMENT OF LAND AND NATURAL RESOURCES requesting variances from Maui County Code §§19.62.060(A)(3)(a) and 19.62.060(G)(1) to allow development of portions of the ground floor of the Maalaea Small Boat Harbor ferry terminal building, including the ferry passenger waiting room, women's and men's restrooms, storage/janitor room, electrical/communication room, mechanical room and elevator, and three (3) electrical meter buildings to be located below the 11 feet mean sea level base flood elevation for property located at 101 Maalaea Harbor Road, Maalaea, Maui, Hawaii; TMK: (2) 3-6-001:002, 049 and 050 (BVAV 20080004)**

Ms. Trisha Kapua`ala read the agenda item into the record.

Ms. Kapua`ala: Mr. Hirano is here on behalf of the applicant. And before we begin, I'd like to – the staff or the Planning Department would like to request a deferral of this matter. The staff report wasn't able – we weren't able to complete the staff report satisfactorily in time. And thank you, Mr. Hirano, for showing up today to concur in that matter. So the staff requests a deferral to December 11, 2008.

Chairman Endo: Okay, Mr. Hirano, is that an okay date for you?

Mr. Mich Hirano: Yes.

Chairman Endo: Okay. Alright, if there are no questions or any objection, we will allow that to be rescheduled then to that next date.

Ms. Kapua`ala: Thank you. Thanks, Mich. Appeals?

Chairman Endo: Sure.

**C. APPEALS**

- 1. MARK M. MURAKAMI, ESQ. of DAMON KEY LEONG KUPCHAK HASTERT representing TROY AND SUSAN McCASLAND appealing the Director of Planning's Notice of Violation (NOV 20080002) for the operation of a transient vacation rental at property located at 451 'Ilikahi Street, Lahaina, Maui, Hawaii; TMK: (2) 4-6-006:039 (BVAA 20080002)**

Ms. Kapua`ala read the agenda item into the record.

Ms. Kapua`ala: The appellants' attorney submitted a – and the County submitted a stipulation to defer this matter to the next available hearing date when both parties were available January 29<sup>th</sup>, 2009. We're also negotiating a settlement. If that settlement falls through, then we will have a hearing on the 29<sup>th</sup>.

Chairman Endo: Okay, let the record reflect that none of the parties are actually here on this appeal. But just for the record, I think the Board is unhappy that we set aside time, and we're volunteer members, and we come to these things, and you folks schedule things, but then a lot of times everything gets deferred, and so we end up not doing too much at the meetings. So I wonder if perhaps we should send them a letter saying that we're not gonna grant any further deferrals. So if they don't settle by January 29, we plan to move forward on that date with the hearing.

Ms. Kapua`ala: Okay.

Chairman Endo: That would be my thought. I don't know. Maybe we need a motion to that effect or–

Mr. James Shefte: So moved, if it's appropriate.

Mr. William Kamai: Second.

Chairman Endo: Okay, let's ask Corporation Counsel if that's okay, procedurally.

Mr. James Giroux: Yeah, I think in the courts what they call this is a motion for affirmed date. And basically what it does is it puts all parties on notice that on the date certain that the court is gonna put aside all that time to take care of a complex matter, and that they expect that matter to go forward.

Chairman Endo: Okay, so it's been moved and seconded that we – that the Planning Department send a letter to the parties in this appeal notifying them that at this – sorry, that the Board of Variances and Appeals is not gonna grant another deferral. So we plan to move forward on January 29 if the matter isn't settled before that date.

Mr. Warren Shibuya: Mr. Chair, I agree with this motion, and I will be voting for it. Thank you.

Chairman Endo: Okay. Any other discussion? Questions?

Mr. Kevin Tanaka: Yeah, question, what you're saying. I mean, I agree that – what you're saying is, on the 29<sup>th</sup> if by chance both parties would want to defer it again, if – so if they're not here on the 29<sup>th</sup>, we will act on what information we have in front of us? Is that what you're saying?

Chairman Endo: Yeah, if they both—that's an interesting question—if they both didn't show up, we could still act on whatever we have on the record. That's definitely true, but you raise a good question. I mean, we're trying to set a stricter schedule. That's the purpose of the motion. But if they both came up on that day and said we're really close to settling, can we have another week or two, I mean, we would have the option of granting that request to them. So there's still flexibility in what we do. I mean, we can always amend what we're saying now, but I guess we're sort of helping the process by setting a strict – not super strict, but I mean setting a deadline on what we intend to do at this point.

Mr. Giroux: Yeah, sometimes parties, you know, they'll negotiate and negotiate. And really, it's the trial date and the finality of the idea that there's gonna be findings of facts that really pushes the parties to come to the table in good faith and just get it done. And so when we say that we have a firm date, then we do have a firm date, we expect if they do not come with a settlement, then we are expecting evidence to be presented and to go forward. And we'll decide what the ups and the downs are, so I think it's important.

Mr. Shefte: Can we also say that, you know, and if they don't come forward with the information that they think we should have, and that's their argument, can we also say that we will move forward based on information available at that time never mind if something's missing? That's their problem, not ours.

Mr. Stephen Castro, Sr.: Mr. Chair, right now we're talking about if both parties don't show up. What if one party shows up?

Chairman Endo: Well, yeah. At this point, we're telling them this is the date of the hearing, and we're not currently intending to just grant them any further deferrals. So they should know that and keep that in mind. So if they fail to show up and only one side shows up, we could still move forward and proceed with the hearing with just one side there.

Mr. Tanaka: Or schedule beginning in January, and say, oh, we're not gonna make it, but we know for sure by the end of February, we'll be able to, so please schedule it then kind of thing.

Mr. Kamai: I think it's a status update, basically, what we want and where they are in terms of settling or not settling, and basically not meeting like this without any information of where they are in terms of solving their case. As long as they keep us informed, a status update of where they're at—if they're close, or need another week, or month or—

Ms. Kapua`ala: In this case since the Planning Director is the appellee, I do know where they are. Except they're in settlement. I'm not sure if I have the privilege of the disclosing anything. But the Planning Department, I know – the Planning Department's attorney at Corp. Counsel does feel the

same way as you. They are tired of entertaining deferrals. If the violator doesn't meet what we wanna settle, then we wanna just go to hearing.

Mr. Giroux: Yeah, it's important to when you're looking at the contested case to see the nature of the case. And I believe that this one is an appeal of a notice of a violation, right, Trish? So the burden is on the appellant. And that means that if they fail to reach their burden of proof, when we start our fact-finding, then they lose. They could actually decide not to show up, and it would be a default judgement. So that's the option.

Chairman Endo: I'm sorry. We were all having a great discussion, but I forgot. Was there basically an amendment that Mr. Shefte wanted to make to the motion, or addition to it, or is it more just discussion at this point?

Mr. Shefte: I meant it as discussion, but now that you asked, I think it's not a bad idea.

Chairman Endo: Okay.

Mr. Shefte: To amend it to state that we are – we plan to go forward based on information available to us at that time.

Chairman Endo: Okay.

Mr. Shefte: And what I would like to say is, I don't want to hear any excuses about, well, gee, if we had another month, we could get some more information together. I think that's silly. I think, you know, they got from now until January 29<sup>th</sup>. If they can't get it together by then, it's kind of silly to even entertain, you know, a further deferral because of lack of information.

Chairman Endo: Okay.

Mr. Shefte: I don't know how you put that in proper words into an amendment, but that's what I mean.

Chairman Endo: Okay. Let's see. Why don't I–? We'll just consider that a friendly amendment, if there's no objections. So that will be – I'll add it into that motion. And I'll try and restate it then. So basically, we want the Planning Department to send a letter to both parties telling them that we are granting their request for a deferral of hearing on this matter to January 29, 2009, but are – but want to emphasize to the parties that we do not intend to grant any further deferrals. And we are prepared to proceed on whatever evidence has been put into the record as of January 29. And we will proceed whether or not they are present.

Mr. Shibuya: With the information that we have.

Chairman Endo: Yeah.

Mr. Shibuya: Okay.

Chairman Endo: Okay. Alright. So that's the motion. Okay. Any further discussion? Okay. All those in favor, please say aye. Okay, oppose, please say no.

It was moved by Mr. Shefte, seconded by Mr. Kamai, then

**VOTED: To send a letter to both parties informing them that the Board is granting their request for a deferral of on this matter to January 29, 2009, further emphasizing that the Board does not intend on granting any further deferrals. And to be prepared to proceed on whatever evidence has been put into the record as of January 29, 2009. Also, the Board will proceed whether or not the parties are present.**

**(Assenting: J. Shefte, W. Kamai, K. Tanaka, S. Castro, W. Shibuya.  
(Excused: H. Ajmani, R. Ball Phillips, S. Duvauchelle.)**

Chairman Endo: **Okay, the motion carries six-zero.**

Ms. Kapua`ala: Thank you.

Chairman Endo: Trisha, was that clear enough, or you need more?

Ms. Kapua`ala: Yes.

Chairman Endo: Okay. Moving on to the approval of the September 25, 2008 meeting minutes.

#### **D. APPROVAL OF THE SEPTEMBER 25, 2008 MEETING MINUTES**

Mr. Shibuya: I move that we accept these minutes of September 25<sup>th</sup>.

Mr. Shefte: Second.

Chairman Endo: Okay, it's been moved and seconded to approve the September 25, 2008 meeting minutes. Any discussion? Seeing none, all those in favor, please say aye. Oppose, please say no.

It was moved by Mr. Shibuya, seconded by Mr. Shefte, then

**VOTED: To accept the September 25, 2008 meeting minutes as written.**

**(Assenting: W. Shibuya, J. Shefte, W. Kamai, K. Tanaka, S. Castro.  
(Excused: H. Ajmani, R. Ball Phillips, S. Duvauchelle.)**

Chairman Endo: **Okay, the motion is carried and the minutes are approved.** Moving on to the Director's Report on BVA's contested cases.

## **E. DIRECTOR'S REPORT**

### **1. Status Update on BVA's Contested Cases**

Ms. Kapua`ala: Perhaps we could take some time, and take a look, and if you have any questions, I'd be happy to answer them.

Chairman Endo: Okay. Trisha has passed out a double-sided, two page listing all of the – or given us an update on all of the appeals and contested case hearings.

Ms. Kapua`ala: Basically, A is the public hearing notice to jog your memory, and B would be the status of each case.

Mr. Shibuya: Just a question, Trish.

Ms. Kapua`ala: Yes, sir.

Mr. Shibuya: Okay, on Item No. 5, and this is the McCasland TVR Appeal, I don't believe I remember having appointed any hearings officer, nor has this issue been directed as a contested case. So why is this – would this be listed here?

Ms. Kapua`ala: It's a contested case. It's an appeal of a notice of violation. And Subchapter 10 of your rules say that a contested case – an appeal of a notice of violation will not go to a hearings officer. You will handle it here at the Board. The Board will be the hearings officer.

Mr. Shibuya: Okay. Thanks.

Ms. Kapua`ala: So basically, we're either in the contract stage or will be having a hearing or pre-hearing in December or January 2009.

Mr. Tanaka: Trish, if the BVA is the hearings officer for an appeal, for this one in question, who is – you stated that the parties are currently negotiating a settlement, so who is the County's – it's Corp. Counsel?

Ms. Kapua`ala: For this case in particular, it's Corporation Counsel Jane Lovell.

Mr. Tanaka: So it's not the Planning Department. It automatically goes to Corporation Counsel?

Ms. Kapua`ala: Yes, yes. We are consulted. They are our attorney and we are their clients. The settlement agreement is handled by a different section of Corporation Counsel that takes care of administration only. So the Department has an assigned Corporation Counsel for the Department, and then there's a litigation section specifically for appeals and court cases. So we're negotiating with one attorney, and then the other attorney is gonna help us – I mean appear before you if it does go to a hearing before you so it's not conflicting in any way.

Mr. Shibuya: Trisha, I have a question on no. 8—the status hearings officer contract is in process of final execution. And this is related with the Kaanapali Royal Condominiums. It's troubling that I think a couple of meetings ago that we would have decided that it would be contested and you have a hearings officer, but yet the contract is still in final execution. When do we know that this – or when we can expect this contract to be completed or executed?

Ms. Kapua`ala: It should be very quick from here. It – I know there's been a change. Finance Department has moved their duties around, and that was partially the holdup. And the hearings officer just returned the contract to us signed. So from here, it's at Finance. And it's just Finance's job to execute it with their new staff person. I can't say what the time period is. It's out of my hands.

Mr. Shibuya: Tell them—this is just a veil threat—that they'll get one demerit from me if it shows up like this on the next meeting's status. Smile when you say that.

Ms. Kapua`ala: The next time I get to communicate that to them, I will tell them.

Mr. Shibuya: Tell them that Member Shibuya will give you one demerit if you don't hurry it up.

Ms. Kapua`ala: So I'll be sure to get Maui's Best parties and hearings office in front of you next year. And I think that's the best we can for something that you have control over. Everything else is in the hands of the hearings officer and the Department of Finance as far as the contracts goes.

Mr. Giroux: Trish, for Maui's Best, did they stop the administrative proceedings because of the court case that's filed in the Circuit Court, or is that the same case that went to the Circuit Court? I mean, was there some kind of collateral motion that got the case into Circuit Court without the disposition of the administrative part?

Ms. Kapua`ala: During the time that– I'll be very honest with you. What happened was Mr. Crockett, Bill Crockett, was handling this case, and it dragged on for a very long time because the amount of discovery they asked for. They did interrogatories and questions. Inspectors, administrators, Director, staff, in – in – numerous interrogs, much discovery, tons of documents they requested, and – then she changed attorneys. I don't even remember who her new attorney is. So we set a new pre-hearing date, and he didn't show up. Her new attorney didn't show up. So Judge McConnell said, "This is ridiculous. I'm throwing this out already," but we never received a final order. We never received his pre-hearing order that I'm throwing this case out. So subsequently, her new attorney filed an appeal with Second Circuit Court suing the County and previous Director Mike Foley for interference with her purchase of the land. The land got sold to West Maui Federal Credit Union. That's where we're at.

Mr. Giroux: So, Trish, I mean, in order to close out the case, we need an order, right?

Ms. Kapua`ala: Yeah, and I have asked Judge McConnell once in email, once in person, and there were more questions than anything, so I said why don't we just do this—we'll just schedule a meeting, hash it out with you guys. He probably doesn't even need to produce an order for you to just make a decision.

Mr. Giroux: Right. That's where I was going is that – I mean, he doesn't have the authority to dispose of the case. So–

Ms. Kapua`ala: He would want to recommend that to you by way of–

Mr. Giroux: Somehow we need to pick up the case and dispose of it.

Ms. Kapua`ala: By way of an order I thought was proper, but at this point we don't even need an order. We could probably just have them say that to you and you could make your own decision without–

Mr. Giroux: Well, I'm thinking that for expeditious-wise, we should probably make sure that we have noticed an opportunity to be heard. And again like we were talking about the McCasland case is that if that's the notice, the notice goes out to all the parties it says on this next hearing date, you know, we expect to dispose of this. This is your chance, if you are going to put on any evidence, to put it on. Because what I think is there's been a failure of process in that if the hearings officer cannot get the parties to participate, then we need to somehow take jurisdiction over it, and process it, and get some final order in accordance to Chapter 91.

Ms. Kapua`ala: Could we somehow process it pursuant to Subchapter 10 even though those rules were adopted after this notice of violation was issued?

Mr. Giroux: No, we'd have to follow the same rules. It's just that we would follow the rules of contested case in that we would have to give notice and we'd have to give an opportunity for the parties to be heard. And then we could make a ruling based on the evidence before us.

Ms. Kapua`ala: Would you – so should we still have the parties come before you to make that decision and then set the hearing date?

Mr. Giroux: That would be up to the Board, I think. I mean, that would probably be the best so that we could at least see what the hearing officer has to say about this process. But we need to expeditiously take jurisdiction of this in order to move it along because what they're supposed be appealing in Circuit Court is our decision. We've never made a decision, and now they're collaterally attacking it by saying the Planning Department has somehow interfered with their property rights in ownership when we're dealing with zoning.

Mr. Shibuya: See, my concern is really the violation of noncompliance of the conditions of the zoning that was misusing or at least the violation was citing misuse of that property. And it was not only that, it was a continual issuance of violations. And that in a sense tells me that it was ignored. And they perpetuated and continued to perform in the way that was countered to the conditions of the zoning. That in itself is still on the table. We need to address that–this Board.

Chairman Endo: We shouldn't actually be talking about the merits of the case because it's not properly noticed so– Questions, procedural questions are fine.

Mr. Tanaka: I agree that having it come to the Board with the three parties – on update of status.



And for me the reason I'm asking that is because I'm not familiar with this, and so I – and without requesting a stack of documentation, you know, some way to be updated to okay, what has happened, and the conditions that – an owner changed, the lawyer changed, the lawsuit was filed just so that it's on the record, and an update for myself that's unfamiliar with the case.

Ms. Kapua`ala: Okay. I will first consult with Judge McConnell as to his availability for next year, and then ask the parties to show up.

Mr. Shibuya: Sounds good.

Chairman Endo: Any other questions from the Board on any other matters on the update list?

Mr. Shibuya: No, I really appreciate this update, Trish. It's a lot of work that went involved in this. And thank you very much. This is what I've been asking for. And I was not surprised to see the lengthiness, the numerous contested cases. I knew there were several on the – I had already written down some of my stuff, so these confirmed much of it. And I'm very troubled that this thing has been growing over time. Thank you.

Chairman Endo: Is this all the appeals and contested cases that we have presently pending?

Ms. Kapua`ala: Yes, yes. Since the last time we did do this, I was able to delete quite a few.

Chairman Endo: This doesn't seem to have the Maui Land and Pineapple Appeal for the –

Ms. Kapua`ala: West Maui Village?

Chairman Endo: No, the other one.

Ms. Kapua`ala: Oh, Mahinahina.

Chairman Endo: Yeah.

Ms. Kapua`ala: It's no. 4.

Chairman Endo: Oh, sorry, there it is right there, but in that one, the hearings officer has already heard the matter and has written his draft findings. So probably status one is not correct then.

Ms. Kapua`ala: That's correct. Thank you for that correction. The hearings officer contract is not executed, so we may have a problem with payment.

Chairman Endo: Is not executed? But he did the work already.

Ms. Kapua`ala: Yes. That happened while I was on maternity leave, and it was scheduled and heard. And the findings have come in to our Department this week, in fact, from Corp. Counsel, not from Maui Land and Pine's counsel. And this is from Judge McConnell. He does this as a service to the County. He does – sometimes does not bill us although I ask him to a lot. I'm not

surprised that he held a hearing without executing the contract.

Chairman Endo: Well, that's very helpful of him. At least we don't get the delay then.

Ms. Kapua`ala: Yeah, there was no delay.

Chairman Endo: We should send him a thank you letter.

Ms. Kapua`ala: Finance is the one that's very picky about dates and – you know, the dates of service and contracts. So we'll figure it out. And if we're not able to pay him, I don't think Judge McConnell will be upset.

Mr. Shibuya: No, I don't want to penalize the Judge.

Chairman Endo: Yeah, he should be rewarded for doing the work early.

Mr. Shibuya: Absolutely.

Ms. Kapua`ala: Although we do pay very well, it's far less than what he usually gets paid for arbitration and for being a – what is it called when he–?

Chairman Endo: Mediator and arbitrator. Okay. Any further questions? Alright. Moving on to 2009 BVA meeting schedule.

## **2. 2009 BVA Meeting Schedule**

Chairman Endo: We have all of our meeting dates on this sheet of paper you guys should've got in your packet. Do we know which ones are tentatively set for off-island travel?

Ms. Kapua`ala: No, we unfortunately don't know that until they submit their application. There are no applications for off-island in-house at the moment.

Chairman Endo: Okay. Just curious. Any questions on this item on the schedule? No? Alright.

Mr. Giroux: Trish, did you forward that to Laurie?

Ms. Kapua`ala: To–? I'm sorry–which one?

Mr. Giroux: The yearly schedule.

Ms. Tremaine Balberdi: I will.

Mr. Giroux: Oh, thanks.

Mr. Tanaka: Typically, the month of December has only one meeting?

Ms. Balberdi: Yes.

Chairman Endo: So our December 11 meeting will be our last meeting for the year?

Ms. Balberdi: Yes.

**F. NEXT MEETING DATE: December 11, 2008**

Chairman Endo: Okay. Alright. So that's our next meeting. And if there are no further announcements or questions— Yes, Warren?

Mr. Shibuya: If the Board doesn't mind, I'd just like permission here. On the last meeting we talked about having timely review and limiting the scope of the hearings officers to insure that we have expeditious, of course, and just type of hearings. I would like to draft out possible initiatives for the Corporation Counsel to consider adding to the contracts for the hearings officer to limited scope of discovery, to insure that there is a motion schedule, and set up a trial schedule, and outline of the activities of the hearings officer so that this Board at a certain time can receive status reports from the hearings officer. Right now, there's nothing on contract. It's not specified. The standards of performance of the job are not listed. And so I would like to draft out something and ask the Corporation Counsel to see if they can make these things and to bring it to the attention of this Board later on. I'm just floating this suggestion. I'm willing to make the initial draft and request to the Corporation Counsel, of course, with your approval.

Chairman Endo: So, procedurally, would that be a request to put it on next month's agenda?

Mr. Giroux: Yeah, we could do that and you – Warren, can submit his letter at the time, and we can take it up. So just put it as part of the agenda-making.

Chairman Endo: Okay, do we need – we don't need a motion on that?

Mr. Giroux: Just allow staff – or ask staff to put it on the agenda as a review of contract proposal or–

Chairman Endo: Well, I guess there's two ways of—I'm not supposed to talk about it too much, but there's two different things to me, in my mind. The contract is a service contract. It's a money thing, how much you're gonna get paid, etc. The directions that the Board can give to the hearing officer at the meeting at the time that the hearing officer is selected, they can give specific instructions like we want this contested case done by this date or certain things about don't bother to look at this issue because we've already decided this or that. So I think by motion, we can give specific – case-specific instructions by making a motion at the time of the hiring which is separate from like an employment contract for services.

Ms. Kapua`ala: There is an Exhibit A attached to the contract which states the file number, TMK,

and scope of work. And that scope of work is simply to conduct the pre-hearing – conduct the hearing, submit a proposed findings of fact.

Mr. Shibuya: Can you send me a copy?

Ms. Kapua`ala: Sure.

Mr. Shibuya: Yeah, a pdf copy, and then I can go from there so that I'll go off–

Ms. Kapua`ala: Okay, of that page, if that's okay, and that's very easy for me to do.

Mr. Shibuya: Fine.

Ms. Kapua`ala: And we can – I'm sure you can attach – add on to that Exhibit A, your scope, your time.

Mr. Shibuya: I'll just draft it out, yeah, and let the Board decide.

Chairman Endo: Okay.

Ms. Kapua`ala: December 11<sup>th</sup> is quite full. There are three variances and one determination of a hearings officer. If you would like to schedule this discussion, this agenda item, your document must be submitted by this week Friday or next week Monday. I think it might be better to agenda it next year.

Mr. Shibuya: Next year, the first meeting next year.

Ms. Kapua`ala: January 15<sup>th</sup>.

Mr. Shibuya: Fine. Yeah. So I need to submit this to you by the 15<sup>th</sup> of January?

Ms. Kapua`ala: Actually, could you submit it by either Friday, January 2<sup>nd</sup> or Monday, January 5<sup>th</sup> so that we can mail it out on the 6<sup>th</sup>?

Mr. Shibuya: Okay.

Ms. Kapua`ala: Thank you.

Mr. Shibuya: Thank you.

Chairman Endo: Are there any objections from any Members for that? Seeing none. It's great. Okay, is there any other business. Seeing none, the meeting is adjourned.

## **G. ADJOURNMENT**

There being no further business to come before the Board, the meeting adjourned at 2:14 p.m.

Respectfully submitted by,

TREMAINE K. BALBERDI  
Secretary to Boards and Commissions

**RECORD OF ATTENDANCE**

**Members Present:**

Randall Endo, Chairman  
Warren Shibuya, Vice-Chairman  
James Shefte  
Stephen Castro, Sr.  
William Kamai  
Kevin Tanaka

**Members Excused:**

Rachel Ball Phillips  
Harjinder Ajmani  
Sandra Duvauchelle

**Others:**

Francis Cerizo, Staff Planner  
Trisha Kapua`ala, Staff Planner  
James Giroux, Deputy Corporation Counsel