

**2011
HAWAI‘I COUNTY
REDISTRICTING COMMISSION**

9th Session

Friday, October 21, 2011

County Council Chambers
25 Aupuni Street
Hilo, Hawai‘i 96720

CALL TO ORDER:

CHR. SIRACUSA: Good morning the Hawai‘i County Redistricting Commission is now called to order. Today is Friday, October 21, 2011, and this is our ninth session. We have just completed, last night, our round of public hearings in all nine council districts. And here we are; we are going to try to take everything into consideration that we heard. I will now call the role.

ATTENDANCE:

Present: Mr. Joseph Carvalho, Commissioner
Mr. Patrick Kahawaiola‘a, Commissioner
Mr. Craig “Bo” Kahui, Commissioner (*Kona*)
Mr. Dru Mamo Kanuha, Commissioner
Mr. Jeffrey Melrose, Commissioner
Mr. Mike Middlesworth, Commissioner
Ms. René Siracusa, Chair
Ms. Valerie Poindexter, Commissioner
Ms. Linda Ugalde, Commissioner

Absent: None

Also Present: Kyle Chang, Deputy Corporation Counsel
Pat Nakamoto, Elections Program Administrator
Cori Saiki, Elections Assistant
Shyla Ayau, Senior Elections Clerk
Stephanie Tsunezumi, Committees Services Staff
Arlene Boteilho, Committees Services Staff
Maile David, Legislative Specialist
Manu Hanano, Council Aide in Waimea
Leinani Wessel, Council Aide in Kona
Barbara Lively, Legislative Assistant in Pāhoa
Karen Eoff, Secretary

STATEMENTS FROM THE PUBLIC ON AGENDA ITEMS

CHR. SIRACUSA: Testimony will be taken only on items on the agenda and will be limited to three minutes per item. The first testifier is Pete Altomare, representing himself. Good morning, Pete. Please make sure your mic is on.

PETE ALTOMARE

(At this time Pete Altomare came forward to address members of the Commission.)

MR. ALTOMARE: Real quick comments; I have a question for the Commission in general as to whether or not the most recently amended Plan_40 proposal is on the table, or not. If that is the case, then the amended Plan_40 proposal is what I would support. It gives continuity to the Puna district. There is, at the moment, a situation where the electoral aspects of the district line up pretty well with the geographical outlines of the district. In other words, most of the 45,000 people fall within the geographical definition of Puna and would be good at this point in time to try and maintain that situation.

The other thing on my mind is, at 45,000 people, I think that Puna needs two representatives. I think that the outline in the modified Plan_40 deals with most of the issues. I think it probably, at least, gives us in Puna over the next ten years, a chance to deal with many of the issues that we have as far as the council is concerned; such as our substandard roads, substandard subdivisions, our lack of county services, and so forth. One of the reasons for that has been that we have not been fully represented. Our ability to represent ourselves essentially has been badly fragmented. We currently have one council member and we have a couple of other council members representing parts of Puna. Neither district of which shares the same problems or concerns that the majority of Puna, as defined by the geographical district, and the community interests share.

Essentially, I would say that I support modified Plan_40 as proposed by Margaret Wille. The only other thing that I can say is that there is a congruence of population in traditional district boundaries at the moment. However, we will be revisiting that issue in ten years, and there will undoubtedly be some changes. The nature of those, I don't know, because I can't predict population growth or lack thereof. There are a lot of imponderables. I'll let it go at that.

CHR. SIRACUSA: Thank you very much. For your information, at this point everything is on the table. Our next testifier is Zendo Kern, testifying on behalf of himself.

ZENDO KERN

(At this time Zendo Kern came forward to address members of the Commission.)

MR. KERN: Good morning. Aloha Commissioners, my name is Zendo Kern. You have all seen me before at the other public hearings. I'll try to be as brief as I can, and to the point. I live in Hawaiian Acres, born and raised here on this island, and lived most of my life in the Puna district. I am a father; I have a five year old daughter, raising her in Puna. So, Puna is important to me. I want to thank you guys for your time and commitment to this challenging task. Nine meetings in the last little while, and I know you went late last night, so thank you guys for your kokua in this

process. We need to be thinking about future generations with this planning process. We need to be stewards to create an abundant Hawai'i island for our keiki. If there is a time to make decisions based on sustainability, social, environmental, and economical; now would be that time. Let's make our decisions knowing we are doing some good for the next generation. The ones that couldn't be here, the ones that don't have the voice to speak to this yet. I think it is important to remember that we were all that next generation at some point and how decisions that others had made had affected our lives.

We have a great opportunity here to make decisions here we can feel good about for the next ten years, and the rest of our lives. The current law, along with Ordinance 11-29, is too ambitious, and I think it has the potential to hurt our communities by putting a greater value on minimum deviation than on community continuity and community cohesion. I see the intent of the Ordinance is for fairness of population representation, which is a good thing; just not at the cost of splitting our communities. Please consider community continuity and community cohesion before population numbers, and with the Charter mandate of 4.99%, it is a tough task. To have all, or most of Puna represented by two council members that live in the Puna district will help our community be strong. To have fair representation of our districts will increase and help foster a positive moral in our community. These days, with such a weak economy and high unemployment, we need all the positivity we can get. In addition, I believe having fair representation will increase our voter participation, and I think that is a great thing for our communities.

Regarding the boundaries for the Puna district, I will support just about any map that keeps Puna whole; that keeps Puna with two council members. Growing up in Puna, there has always been a Puna mauka and a Puna makai, and I would like to see that as the basis used to create the final boundaries for the Puna council districts. For the sake of being very clear, Puna, as a whole, as a community, we should have two representatives; one representing Puna makai, one representing Puna mauka. In closing, I urge you Commissioners to push the plus or minus 4.99% deviation to keep our communities voting together, which will in turn create stronger communities around our entire Hawai'i island. I humbly ask that each one of you do your best to have our communities vote together and keep our communities strong. Mahalo for your time, and I wish you all the best and clarity in your decision making process. Thank you.

CHR. SIRACUSA: Thank you, Zendo.

MR. MIDDLESWORTH: Zendo, I have a question. How do you define mauka and makai Puna?

MR. KERN: Pretty much the way I have always seen it, and there is a little bit of room here, because I know that Paradise Park straddles both sides of Highway 130. Pretty much, Highway 130, mauka of that to 'Āina Loa, and moving all the up to Volcano, is pretty much Puna mauka. Then, makai of Highway 130, going all the way out to Pāhoa, to Kalapana, is Puna makai.

CHR. SIRACUSA: Are there any other questions for the testifier? Thank you, Zendo. Kona, do you have any testifiers over there?

MS. WESSEL: Good morning, we have no testifiers in this location.

CHR. SIRACUSA: How about Waimea? Is there anybody in Pāhoa?

MS. LIVELY: Good morning Chair Siracusa and Commission members, no, we have no testifiers this morning.

CHR. SIRACUSA: Then we can go on to one more testifier here, and that is Margaret Wille. Surprise, surprise; I think you are keeping as hard a schedule as we are.

MARGARET WILLE

(At this time Margaret Wille came forward to address members of the Commission.)

MS. WILLE: I think I'm at the end of where I can be helpful. I have really three points that I would like to make. One is just a process suggestion; the Plan_40, and I submitted two slight variations of that today, and it has been worked on by people all over the island. I would suggest and really think it would be great if you could work from that map and work in where you think changes might be so that you are addressing it to what all of these different communities have suggested. You may have something better or different, but there are people, all communities, have had input from that perspective and can see the differences. I want to emphasize what the prior speaker said in terms of the future of this island. I think, in my view, we really need you all to look at these maps, not just from your district, but from the whole island. As I see it, the next ten years are critical; whether we are going to move towards sustainability, or sort of a corporate island that is not self sustaining, as independent. We need to encourage districts to, or communities to work together.

I just want to be really clear what my agenda is. I have a very personal agenda, and reasons why I worked on that. That is that I really see keeping Waimea and Kawaihae, the whole watershed area, Puako, Waikōloa, together. It's not that they all get along, it's that they don't, often don't. It is that it is really important that they do, because of not their population issues, but critical issues of water. Whether it is Waimea has the water, Kawaihae doesn't, Puako doesn't. Water, the reef, water from my street, drains and affects the reef. The infrastructure, how is that by-pass going to be. There are all kinds of things. The CDP sort of started to bring us together, I just see it critical this year, that we work together. That is where I am coming from. I have tried to sort of work, looking at this plan---Say you took Plan_17 as it is right now. Plan_17 is great on a lot of the eastern side, it's bad, as far as I'm concerned, in Districts 7, 8, 9 and 1. If you start looking at it, let's just say, Council District 1, I feel it is really important that that be the ag, rural district. If you want to maximize those deviations, or if you went with Plan_17, you would cut District 1 in half and basically the rural Hāmākua would become the tail end of a portion of Downtown Hilo.

I did work on it, looking at it from these different communities. Chuck made a number of points to me last night including that there was a problem along Saddle Road. I think maybe he spoke with Commissioner Middlesworth. I tried to address that problem, which sort of added more population to District 2, where there is sort of the rural Saddle Road area, and that meant how do we adjust the other boundary of Council District 2 and also in District 9. Let me just say in terms of the two differences here, I tried to work that conservation area district that Chuck brought up, but it's in the same census block as the shoreline park underneath Hokulia and it would take that

entire strip underneath there. I did not make that. I left it going through the school because there are people in both districts that go to that school. He also suggested that you are only taking part of the Volcano community and is there any way to include all of that community. I worked for hours last night to do that, and I couldn't come up with it. What I did do, was as an alternate to it, putting all Volcano in with, what it would be if it went into District 6. I just, in a way, stress that I think this Council District 6 is really important island wide. Having the Captain Cook voice, and the Volcano voice may be really important, as well as Hāmākua having those identities. I only have two copies of this, but I did submit it; one just makes the adjustment for Council District 2, and what it would need to be in order to address some of the connectivity problems, and then the alternate is sort of the other voice in Volcano.

CHR. SIRACUSA: Thank you, and thank you for trying so hard to accommodate all the different, conflicting concerns. We all have our job cut out for us. Is there anyone else at this point who hasn't signed up to testify yet, who would like to change their mind and do so? In that case, we can go on to the next agenda item, which is Approval of Minutes.

APPROVAL OF MINUTES

CHR. SIRACUSA: These are the minutes of September 23, 2011.

Mr. Middlesworth moved to approve the minutes of the September 23, 2011 meeting of the Hawai'i County Redistricting Commission. Seconded by Ms. Poindexter.

MR. MELROSE: Just a question. Did we do minutes for the Public Hearings too?

MS. EOFF: Yes, I'm about half way through all the public hearings.

MR. MELROSE: Okay, so this is for our last meeting before we started the Public Hearings.

CHR. SIRACUSA: Yes, this is the meeting of September 23, 2011, which was our 8th session. Today is our 9th session, because we don't count the Public Hearings as sessions.

The motion to approve the minutes carried by the following vote:

Ayes: Commissioners Carvalho, Kahawaiola'a, Kanuha, Melrose, Middlesworth, Poindexter, Ugalde, and Chair Siracusa.

Noes: None.

Absent: Commissioner Kahui.

COMMUNICATIONS

ORDER OF THE DAY

COMM. 45: REVIEW AND DISCUSSION OF REDISTRICTING PLANS/MAPS

From Commission Chair, René Siracusa, dated October 14, 2011, requesting the Commission's review and discussion of Redistricting Plans/Maps that have been submitted; continue the formal process for elimination of Plans; and begin creating the Commission's "Draft Plan." The Commission will take into consideration feedback from the nine Public Hearings held between October 1, 2011 and October 20, 2011.

CHR. SIRACUSA: Do I have a motion to close file?

Mr. Middlesworth moved to close file on
COMM. 45. Seconded by Mr. Melrose.

CHR. SIRACUSA: Does anyone have any ideas on where they would like to start?

MS. UGALDE: May I ask a question of our attorney? It was brought up by a number of people at different district meetings about the different rules that we have to work under. The deviation seems to somehow be the most important, but there is the road connectivity, there are the communities of interest. At one of those meetings I talked with Mike Udovic and got the impression that what he said was that deviation was far more important than road connectivity. I need a legal opinion on if some of these rules are more important than others.

KYLE CHANG

(At this time Deputy Corporation Counsel Kyle Chang came forward to address members of the Commission.)

MR. CHANG: Good morning madam Chair and members of the Commission, Kyle Chang, Deputy Corporation Counsel. In looking at the Ordinance---

CHR. SIRACUSA: While you are looking, can I make a comment on something that sort of relates to the same thing? That is, in looking through the rules, that some of the points, like point number eight, say, "where practicable" and others don't say "where practicable," they say "shall," not even "may." So is that where we take our cue?

MR. CHANG: That would be correct. Where it says, "shall" that would be stronger than "may" or "where practicable."

MR. KANUHA: I'll go along with that. The "community of interest" is one of the biggest things that the community brought up was they want to keep the communities of interest together, but that is one of the points where it says, "if practicable." But the other point where it says, "district shall be contiguous to the council district and be reachable by roads internal to the council district," that is the one that says, "shall," and not, "if practicable." That was a point that a lot of people said we should leave behind and shouldn't really consider too much,

whereas the communities of interest is the biggest thing they wanted to keep together. So that is obviously one of the questions that we need to consider, and that is why she is asking you.

MS. UGALDE: Because of what was said to me, not in a meeting, but after a meeting, just discussing; it is important for me and I assume others, to really get a handle on the importance. It is really hard to follow all of these, try to make everybody happy, and road connectivity as it relates to my district in particular, is critical. If we shall, if we must follow road connectivity, we are going to be up the creek with the proverbial. Nothing personal, but Mike seemed to know all of this off the top of his head; and I really wanted it read into the record.

MR. CHANG: In general, there is a Hawai'i case law where, in terms of terminology, "shall" versus "may," the Hawai'i Supreme Court doesn't necessarily view "shall," the word "shall" as a must do. So, with respect to the Ordinance, where it is saying "shall" or it is saying "may," there is some flexibility. You can look at what, again if it's something that isn't feasible, then, I would say, for you, as long as you are acting reasonable, making a reasonable decision, that really is the standard that you should be looking at in terms of your decision-making. If you are making a reasonable decision, that essentially is going to hold up in court, is what you are looking at.

CHR. SIRACUSA: Kyle, you see, there seems to be a big disconnect between what we are hearing from the communities as we go around the island--and you have been there, so you've heard that too--and what the rules are telling us. The rules are telling us that the top priority is that one person, one vote, and keeping those numbers within a very narrow margin of just over 1,000 people in deviation. And what we are hearing from the people is "no matter what you do, please keep our community together." So it is really hard; why do we even bother going out to those nine council hearings to hear what people have to say, if we don't have any kind of leeway to give them, the people in the community, what they want, if we are forced into keeping a very narrow deviation.

MR. CHANG: Well, Madam Chair, I was looking at Section 36-10, Subsection (b)7(a), which allows for divergence. I guess the caveat to that is that if the Commission is going to make any kind of divergence from the criteria, they would have to have a public meeting, have public comment on that, and it would actually need to be before the deadline to submit alternate plans. Unfortunately, I guess, since I am Mike's substitute, I don't know where you are, if the deadline has passed or not for Alternate Plans, for you to actually diverge from the rules. So, assuming that that time has come and gone, then you won't be able to diverge from the rules in that sense. However, I would go back to, again, looking at your criteria, and really working within yourselves to try to meet all the criteria as best you can. As long as you act reasonably, then your decision-making will be valid.

MS. POINDEXTER: I would just like to say that it's kind of sad that we didn't move on this earlier, and didn't have enough information to move on it earlier so that we could deviate from the deviations.

MR. MIDDLESWORTH: I asked Mike early on in this process about the internal inconsistencies in the Ordinance and about these conflicts. His advice then, was that we do what we think is best. It all comes down to that. There is no penalty clause in either the Ordinance or in the Charter

about what happens if we don't follow those rules. All somebody can do is sue us; and they may sue us anyway. So we should just go ahead and do what we think is right. That was the advice that Mike gave us early on.

MR. CHANG: Then I am happy my advice is consistent with Mike's then. If anything, again, you have what would be called Legislative Immunity; you know, that if someone were to try to sue you individually, that lawsuit would be meritless, because again, you are acting as a Commissioner, as a decision-maker, and again, so long as your decision is reasonable, you go through your decision-making process, then number one, you will be immune from a lawsuit as well as your decision should be upheld in Court.

MS. POINDEXTER: Yeah, and I really feel that the grassroots has spoken, and that is where the power is. We have got to listen to that. I haven't been to some of the public hearings, but they have spoken. The people who have come out, that is the grassroots; we have to listen to that.

MR. KAHAWAIOLA'A: Just a point of clarification. I was one that did get sued at the last Commission. I sat on the Commission, and we did what we needed to do to take care of the business of this County in putting numbers in holes. The numbers we have developed has been developed differently than ten years ago; we extracted numbers. And that is because ten years ago we didn't have too much uproar about the military, which on this island is so miniscule. But the highlight of that is now on the State Reapportionment, and we are doing it at the same time so we are getting a lot of it. I think it is a credit to this Commission and to this County that they decided to extract those numbers that people don't want in it. But, I just want to make that comment on that; be very careful. The person that sued wrote this Ordinance. She wrote this Ordinance; nine Council people bought into and had input into the Ordinance. So I've heard it too, about what should not be. I believe in my heart of hearts that the 4.99% is what is holding our foot to the fire. I believe that Mike did say that in the very beginning, he asked that question. So it's just my own perspective that sometimes when people wish for something, and get it, we become the guys who have got to now live with it and have to face the public, who really don't want that. They don't want it; I've heard the same thing too. So, we need to, as Commissioners, and I think it is going to be done, we are going to do the best we can with the abilities that we have, from the input of the nine meetings, to do the best thing we can for those districts, living within "if practicable," "shall," "may," and I think Mr. Chang is absolutely right in every word; if any of you are worried about getting sued, don't worry, the County will take care of you.

MR. MELROSE: I think this is a good conversation, but I actually want to stand on the rules at the moment. Because, one, we can't do much about changing the rules; we just heard that. I think we can actually do a good job without that, I do. I think we already know we are not going to make everybody happy, we have decided that, that's well aware. So, I think we can do that. We certainly heard a lot of concern. I think we should use the 4.99% to the best advantage and not necessarily assume that our judgment is going to be based on the absolute closest to the line. The one thing that threw that off is that in the Ordinance there is this provision that if an alternate plan came in, and was less conforming, that we had to take it; which is absolutely a wrong headed piece in the legislation. I don't think there is any of us who would say that that would have resulted in a better outcome. That was just a political play in that. So, I think practically, the alternative plans that we have on the table, I want to be very clear, that we're not somehow going

to be bitten by one of those with the notion that regardless of what it is, if it is less, then we are going to have to take it.

So we need to be clear, of the six that we took out, that we did not eliminate for some particular purpose, that all of those have been amended many times, as Ms. Wille's has, so her continued efforts are very helpful, thoughtful pieces, but they don't provide, they are not in a position to somehow trump what we come up with. So I want to make sure of that. I also want to make sure that we all understand what the issue of a 10% deviation is and how we calculate it, because it is something that we haven't talked about. So, I've asked that question recently, and I think both Mike and Karen have given me some insight on that. So, my interpretation of that, and I would like to have our attorney confirm that, is that the 10% deviation is the difference between the highest---It is the sum of the highest variance and the lowest variance without the variance sign; without the negative sign. So, that way, which is odd because if we stay within 4.99%, we would never get over 10%. So, it is almost a non criteria as long as you stay within the 4.99%. That interpretation, which is the highest variation and the lowest variation, take away the negative sign and add them; that is what they mean by a 10% deviation.

MR. CHANG: Mr. Melrose, that is my understanding, yes.

MR. MELROSE: It is kind of an odd number because if we stay under 4.99% it's a moot issue anyway. Good. I was afraid it was going to be adding up all of the variations, all the positives and all of the negatives and that would be a problem; that would make this variation issue a problem. If that's the interpretation, then I want us all to work on the same page.

CHR. SIRACUSA: On one of the maps, I tried it both ways, just to see what happened. I took the nine variations, and added and subtracted, and then divided by nine to get an average. I got, on that particular map I got 9.8%. Then I just took the highest and the lowest and I got 9.8%. So, I'm not sure if it was just a fluke at that point or if it would work that way with all of them, but I thought it was interesting.

MR. MELROSE: But we have a common understanding of what the standard deviation is. I think we have a common understanding that 4.99% is where we work from today; I think we can do this, I think we can do it and make most of the people happy. I would agree that there are some constraints and it sucks, but that's what it is. And our job is one person, one vote, as close as we can get within the 4.99%.

CHR. SIRACUSA: Let me ask Kyle a question as long as he's up there. We are putting you on the hot seat this morning. The previous plan that came out ten years ago, there was an 8.9% deviation I believe in one of the districts. And the Supreme Court ruling let it stand because they said that it was done in the spirit of keeping, of being most inclusive. It wasn't done to keep people out, or for gerrymandering reasons, it was done to be inclusive; and because the reason for that deviation was altruistic, they were going to let it stand. Does this set a precedent? If 8.9% is okay, what about 9.1% or what about anything else? Do you follow my question?

MR. KAHAWAIOLA'A: Before the counsel answers that---

CHR. SIRACUSA: Did I mis-state that?

MR. KAHAWAIOLA‘A: No, you didn’t, I only wanted to make a point of clarification; we had no Ordinance like we do now.

CHR. SIRACUSA: Got you.

MR. CHANG: Yes, Madam Chair, unfortunately, I haven’t read that Supreme Court case, but based on what you are telling me now, and without me actually researching the issue, I think that the Ordinance will come into play if this were to go to court again. It does set a precedent that keeping communities of interest together, that is a factor. But again, another factor that the court would look at if this were to become a law suit would be the Ordinance itself, as well.

CHR. SIRACUSA: Anybody else? Okay, let’s go on now with our review and discussion of redistricting plans. We have the most recent one that Margaret Wille submitted to look at and we have one that Mike Middlesworth submitted to look at. Do we want to get Shyla up here now? Shyla, if you would.

MR. MELROSE: Point of clarification; I want to make sure that we didn’t miss one in between what has been the re-done and re-done Plan_40 and what is now Plan_46. Did we look at all of the other ones that have come in and have been numbered? Have we done that already? I just want to confirm that, like Plan_41, 42, 43, 44, 45.

MR. MIDDLESWORTH: There are no Plans 41 – 46.

MR. MELROSE: Did they give Plan_40 a new number every time it was amended?

CHR. SIRACUSA: No.

MR. MELROSE: Can somebody confirm how that took place so that we are certain that there are not a series of plans between 40 and 46 that are somehow---

CHR. SIRACUSA: I think Karen needs to come forward, because she was the one who was receiving them when they were submitted.

MR. KAHAWAIOLA‘A: That’s why I’m getting a little bit confused with the term submitted. We cut off a submission time and I keep hearing you say this plan that was submitted. So we need to be very clear, we cut off submissions.

MS. POINDEXTER: I would like to see them. I know they have been sent to me, but it’s harder. It’s easier to view them here when we have the zooming in and looking at all of that.

MS. EOFF: Thank you. My understanding is that at our last meeting in Kona we reviewed all of the plans that were submitted by the deadline of September 15, 2011. Those were called up to Plan_39. Then at that meeting, because of the issue with Plan_39, we did do some work on it and then re-named that a Plan_40, which is a Commission’s work in progress. From that time, we

didn't accept any more official Alternate Plans." So the plans that Margaret was sending, and I explained this to her, are being given to you as part of her public testimony. And she is making the name, the numbers that are on those .plan files that I'm sending you, that is how she saves them. So I'm not changing anything there, I'm just submitting them to you as her public testimony for a better understanding of what she is trying to do, we are accepting the .plan file as an attachment to her testimony. That is what it is.

Since then, Mike Middlesworth did submit, what he named Plan_46. There was nothing in between Plan_40, and all the alternatives to Plan_40 that came to us. Mike just named it that, so I kept Plan_46 as its name, and I asked Shyla to save it in her computer so we could look at it today for a better understanding of that.

MS. POINDEXTER: It's his wishful age.

MS. EOFF: I also told Margaret that we have given Shyla her previous submitted alternates to Plan_40, but I think at this point what she said today was the one that is her most current, is the one she wants you to consider if you do any consideration of her submission. But it isn't an official Alternate Plan.

CHR. SIRACUSA: Because it contains all the previous tweaks.

MS. EOFF: It contains all of her changes.

MR. KANUHA: Karen, the plan submitted by Mike was, I'm just trying to understand, is it a plan that is given to all of us, or is it a submitted plan? I just don't understand.

MS. EOFF: Mike just wanted to be able to discuss his idea with you today, without starting from scratch, so he created it over the week and sent it through. It's actually just something like public testimony at this point. It is another idea; nothing past September 15, 2011, can be considered as an official Alternate Plan. If we ever did have a legal issue, and somebody wanted to challenge an Alternate Plan as opposed to the plan that you folks decide on as a Final Plan, only those plans submitted up until September 15, 2011 would be official Alternate Plans.

MR. KANUHA: So, it's just part of another testimony.

MS. EOFF: Yes, you can consider it like that.

CHR. SIRACUSA: But we can consider it when we start to create our Draft Plan, is that correct? We can consider anything, right?

MS. EOFF: Yes, you can work off of it, you can work off of anything you want. Now, you are in a different phase; my understanding is you are creating a Commission's Draft Plan based on whatever you have looked at previously, or heard in testimony and want to make. So, from here on out I would suggest saving anything the Commission creates as Commission's Draft Plan_A, Commission's Draft Plan_B, and we will save those in a separate folder so they can be referred to and looked back at. But you guys need to now make your Draft Plans, and call them that.

MR. MELROSE: Can I---Thank you, Karen, that was very helpful. That eliminated the five missing plans. For the sake of today's meeting, what I'd suggest we do is look at the most recent one that Margaret has been working on, and I know there are little tweaks, like she's moving things like Saddle Road, and those are little details; we are still looking at the big level of this stuff, so we're not trying to nail down every detail at this moment in time. I would like to take a look at that just so we all understand what that is, and then I think we need to look at the one that Commissioner Middlesworth kind of pulled together from the conversations we have been hearing. I know he has been trying to do the same thing that Margaret, or all of us have been doing, is trying to accommodate the thoughts we have been hearing. So, if we could take the most recent one of the Plan_40 renditions that we have, and just take a quick look at it and see where it is, and then move on to Mike's and see how they blend, and then we will save one as the Commission's Draft Plan_A.

MS. UGALDE: May I ask for a break before we start getting into the maps.

RECESS: At 10:50 a.m. the Chair called for a short recess.

RECONVENE: The meeting was reconvened at 10:57 p.m.

Review and Discuss Margaret Wille's Plan_40 revised 10.19

CHR. SIRACUSA: We are going to look at that latest Plan_40 additional 10.19 plan.

MR. MELROSE: Shyla, can I just suggest that you start at the top of the island and kind of walk us around that one a little bit so we can see it. Does anyone want to start anywhere in particular in this conversation?

CHR. SIRACUSA: Let's start numerically with District 1.

MS. POINDEXTER: I just wanted to see where the boundary was in Waimea. I think beyond White Road, or is it still on White Road?

MR. MELROSE: It stayed where it was.

CHR. SIRACUSA: Can somebody point out to me where Lakeland is in relation to this?

MR. MELROSE: Lakeland is the blue right there; see the lake.

CHR. SIRACUSA: So there really is a lake in Lakeland.

MS. POINDEXTER: Yes.

CHR. SIRACUSA: Well, you never know; there is Hawaiian Paradise Park and there is no Paradise.

MS. POINDEXTER: I think some people would disagree.

MR. MELROSE: Can you bring up the summary one more time so we can see the variations. Pull up the island wide one just to look at the variations, the summary block. Liberal use of the variations; there is nothing out of---Okay. Let's look at District 1 and 2. This is the Pi'ihonua thing that people had asked for. That's alright; it's about 40 or 50 votes, we could amend that if we wanted to. If we adopted that, I would guarantee we do that.

CHR. SIRACUSA: Remember, they pointed out to us that some parts of that community is on one side of the Wailuku River.

MR. MELROSE: That's what I'm talking about, the Pi'ihonua. It's easy to come up with 40 votes; the road comes across the river. We could fix that if we needed to. This one has the impact of splitting Keaukaha, which actually is a road connectivity issue on the back side of Keaukaha that doesn't work. You can't get through the district to get to the back side of Keaukaha by any means, so that would have to be amended.

CHR. SIRACUSA: Well, certainly, nobody lives in Hilo Airport.

MR. MELROSE: So that is irrelevant.

MR. MIDDLESWORTH: There are some people who live in Hilo Airport; there are two census blocks just east of the highway with people, right by the airport.

MR. MELROSE: So the boundary between Puna---

MR. KANUHA: Where is this again?

CHR. SIRACUSA: The boundary between Hilo and Puna, the upper right hand corner in purple, that is Haena, that is the Shipman property beach.

MR. MELROSE: The squares are the Macadamia Nut Orchards, and on the north side of that is the boundary of Puna. So you have an incursion into the district. There are some votes right around Kea'au by the bypass road, small kind. So this is the Industrial Park.

MR. KANUHA: Before we continue; this is the one submitted this morning, Margaret? Yesterday, thank you.

CHR. SIRACUSA: So Paradise Park is intact.

MR. MELROSE: So Paradise Park, Orchid Land, 'Āina Loa is separated out. I don't know what the road connectivity issues are here. I guess you have an emergency connector from Hawaiian Acres into 'Āina Loa.

CHR. SIRACUSA: Yes, the back of Hawaiian Acres goes into the top of 'Āina Loa and becomes 'Āina Loa Boulevard. Maku'u Hawaiian Homelands is that big acreage between Hawaiian Beaches and Paradise Park.

MR. MELROSE: What is the square just makai of 'Āina Loa?

CHR. SIRACUSA: That is Hawaiian Homes.

MR. MELROSE: That's another road connectivity issue, because yes, you can get around 'Āina Loa, but---Oh, I guess you can, you can get down 'Āina Loa and then get across there. Okay. But, Hawaiian Homes is taken out of that block. That seems odd. And the Volcano solution is inelegant. Go in close, and you will see why. If you put a visual up you can see how much of Volcano is not included in this.

MR. MIDDLESWORTH: There are people living right on the edge of the caldera. So that boundary has to go farther west in order to collect the people who are isolated.

MR. MELROSE: This was an effort to include Volcano, but it actually splits it significantly.

MR. KANUHA: It does take out a lot of residents.

MS. UGALDE: It leaves me in Ka'ū.

MR. MELROSE: Margaret, we fully understand the difficulty doing that, that not's the question, but you split it more than you encourage it.

MR. MIDDLESWORTH: You see where the Volcano buildings are, there are houses, there are some park housing right there.

MS. UGALDE: There was a question about people who live inside the boundaries of the park. We did get a letter on that and I think there was one; one military and two park staff.

CHR. SIRACUSA: When you are driving along Highway 11, and you pass the sign that says, Entering Ka'ū, would those three or seven people on the edge of the caldera, where would they be?

MS. UGALDE: They would be in the Ka'ū district. The Entering Ka'ū sign is just prior to the entrance of the National Park.

CHR. SIRACUSA: So, if we didn't worry about those, and we kept those in Ka'ū, it wouldn't be a big deal because they would be in the right judicial district.

MS. UGALDE: That's fine, but the Golf Course is still a couple of hundred people that---

CHR. SIRACUSA: They would have to go 25 miles to vote.

MR. MELROSE: Can we keep moving?

CHR. SIRACUSA: Let's

MR. MELROSE: What is this District 6 boundary? It splits Captain Cook and Kealakekua.

CHR. SIRACUSA: That is one long census track along the coast, right?

MR. KANUHA: Yes.

CHR. SIRACUSA: What about that little thing sticking out there? Nobody lives there, so it wouldn't matter if we put it in District 7 for the sake of compactness.

MR. KANUHA: I'm pretty sure that this map is the one that split Konawaena High School. And Margaret did give us a reason why she split it along those lines. And this is a reasonable split of District 7 and 8, north and south Kona, I thought.

CHR. SIRACUSA: Let's move up and look at District 8. Bo, any comments?

MR. KAHUI: In recent discussions with the public, I know there was a great interest in having Puakō with District 9. I can't tell from this map, but it looks like Puakō is included in District 9.

MR. MELROSE: If you put the aerial down, it is important to see the aerial right at Puakō. The makai skinny little census track is only right down the middle of the street in Puakō. So you have to get the one above it which then picks up Mauna Lani Resort. You have no choice.

MR. KAHUI: If I might too, I understood the rationale, these communities had been in District 9 by tradition, I guess. Having said that, I think it also helps keep contiguous those districts going further north; Waikōloa as well as Kohala. I am District 8 so it is hard for me to advocate for those guys, but I am in support of that; and wanting also to ensure that the Waikōloa section, if we get to it sometime later, that that too be inclusive in District 9. That takes away maybe about 700 to 1,000 votes from our side, but I'm sure somewhere within our district, both Dru and I might be able to come to a compromise.

CHR. SIRACUSA: Joseph, do you want to make some comments on this one?

MR. CARVALHO: This is good for District 9, I have nothing else to say on that.

MR. KANUHA: I had a question on the Lakeland one.

MR. CARVALHO: I have a problem with that one.

MS. POINDEXTER: Yes, because when the public testimony, the Waimea people were strongly advocating to be kept together; and this plan separates them.

MR. CARVALHO: And the other case is trying to keep the communities together, which Waikōloa was advocating for that too.

MR. MELROSE: Does anyone have any more thoughts on this, or can we move on to Plan_46?

CHR. SIRACUSA: I would like to take a better look at Puna.

MR. KAHUI: I would like to comment on the earlier point raised about the Supreme Court decision regarding the deviation. This is one of those cases, whether it be between District 9 and District 1, or District 8 and District 9; wherein I think we take these kinds of community input to which we validate the concerns by the community about keeping those communities contiguous. These redistricting boundaries are somewhat political in nature when you talk about voting for your council person. Interestingly enough, the representatives from each district are guided by those boundaries. That said, once again, if the communities want to be part of this continuous effort to be a part of the same community, then I think the Supreme Court ruling precedent sets the tone for us to make those kinds of decisions.

MS. POINDEXTER: But the Supreme Court ruling was trumped by the Ordinance. Because what Pat had explained was that the Ordinance was not in place when the Supreme Court ruling was made.

MR. KAHUI: I understood that.

MS. POINDEXTER: So I think that would bring us into a real difficult situation because the Ordinance, I think, will trump the Supreme Court ruling. Is that right?

MR. CHANG: Not exactly. Fundamentally, the word would not be “trump.” The Ordinance is something that the court will consider. It will weigh--I can’t predict what the court will do but—it will look at its own precedent, the prior Supreme Court case. It will consider that, but the fact that there is an Ordinance now I would suggest to you that it will actually view the Ordinance very strongly. But again, it will also consider its prior precedence, that prior case as well. But to tell you what it does with it, I can’t predict.

MS. POINDEXTER: Because, the community, the grassroots, spoke loud and clear; they would want to be kept together. That means we go off of what the Ordinance says. I think the grassroots deserves, they fought strong and hard, and they have been split for these past ten years, and they want to be put back together. And the Ordinance just doesn’t allow that to happen for them. I am in favor of challenging that, and standing up for the grassroots.

MR. CARVALHO: As soon as it was known that I was going to be on the Commission, my phone was ringing off the hook. All these constituents from the Waimea area, that are in Hāmākua now, and we should listen to these people.

MR. CHANG: You have a certain amount of discretion in your decision making process, so as long as you act reasonably, you consider the Ordinance, keeping in mind also what the public has

told you, so just taking that all into the big picture, the Ordinance is something that is there. That is the law in this County, so bear that in mind.

CHR. SIRACUSA: Can we go back and look at this part of Puna? It looks to me like Orchid Land is being split. It's not always easy to tell where these subdivisions begin and end. Maybe Orchid Land is not split. Maybe that is the next one up there. Can we go down towards Pāhoa? So here the bypass is the one that is defining what is Pāhoa. Pāhoa is in District 5 and the Farm Lots, the State Farm Lots would be in the same as Paradise Park. I have no problem with this part of the configuration. We still have to deal with the Volcano Golf Course end of Puna. At least we have two Puna districts here and we don't have the land locked situation that we did when we divided east/west. So, this part of it I'm okay with; but we do have to work on the Volcano area.

MR. MELROSE: There is kind of an odd bump right at Kulani Road. I'm not sure why it went up to the census tract and just took half of Kulani Road. It looks like it spits off before you get to the Paradise Manor, which is a big concentration of votes. It kind of splits the Paradise Manor subdivision. We would probably try not to do that.

CHR. SIRACUSA: I'm not sure if the area mauka of the line has road connectivity, if it is separated out.

MR. MELROSE: They could come out Steinbeck Road. Is there anything else we want to do on this one?

CHR. SIRACUSA: I think we have noted where this one would need tweaking. So let's move on to Plan_46.

Review and Discuss Mike Middlesworth's Plan_46 submitted 10.18.10

MS. POINDEXTER: I would like to start at District 1 again.

CHR. SIRACUSA: Let's look at the numbers first. The numbers look okay.

MR. MELROSE: Honoka'a, Ahualoa, Waimea, North Kohala, Kawaihae, Puakō.

MS. POINDEXTER: Can you zoom into where Pauhau is. So we kept all of Pauhau in. I would say Pa'auhau is more with Honoka'a than with Pauilo and stuff. They are more of a community of interest, because Pa'auhau accesses everything; it is just right up the road in Honoka'a. So I would say if you are going to use something like this, that Pa'auhau would be put into District 9 along with Honoka'a. I'm not saying that is what I am agreeing to, however, in public hearings, I think we had two for the whole Hāmākua, they came out and said don't split Laupahoehoe in half.

MR. MELROSE: What do you think there are, 300 or 400 people in Pa'auhau Camp?

MS. POINDEXTER: Maybe a little more, because there has been some development down in Pa'auhau, some new housing. So I would include Pa'auhau, with this map I would include Pa'auhau into District 9.

MR. CARVALHO: Right along the gulch?

MS. POINDEXTER: Yes, that gulch where you see Camp Road, that gulch right there.

MR. MELROSE: The question will be how many votes are left in Hāmākua?

MR. MELROSE: Go down.

CHR. SIRACUSA: So this is further away from the Wailuku River.

MR. MELROSE: It comes up Haile Street, down by the Palace Theater, and comes up and comes around Haile Hill and then up, and then follows Ponahawai Street back up to Kaumana. I could see a small tweak in here to try and keep us on more noted boundaries, and I wish we didn't cut Hilo downtown quite so in half, but we could work with that. There are some small moves that could be made in there.

MS. POINDEXTER: And I would like to point out like in Margaret Wille's testimony this morning about considering the ag district. It kind of breaks that Hāmākua area which is known for its agriculture. It breaks it up because now you have Hilo and Paulo and Kalopa will be on the very tail end of that district.

MR. MELROSE: Hilo to me, at least as far up as Hakalau, most everybody comes into Hilo town as their town focus, so in a way it kind of links the rural connection into the old portion of town. It is less than half of the old district that went out into Wainaku. When I looked at this one it was about 6,000 or 7,000 votes from into Wainaku into the edge of this boundary today. So it's not a dominant piece; it is not the majority of that vote. The majority of that vote still lives out on the coastline.

CHR. SIRACUSA: You are saying the rural vote is not diluted.

MR. MELROSE: Well, it certainly is diluted, because it has the town in there, but it is a town that is connected. Most people from Papaikou, Pepeekeo, Hilo is there. It may not be their mailbox, but it's where they come to do most of their---

MS. POINDEXTER: But still, they are ag. Their business, their lifestyle is based around agriculture, even if you have to go into Hilo. I come into Hilo all the time too because it is the only place I can do business. There is nothing out in Hāmākua, like if I needed building supplies. But I'm saying about ag; even out in that area, Honoka'a is such a big, and Kukuihaile; a lot of ag. Waimea, yes there are farms and stuff too. But listen to Margaret's testimony too, we have to take that into consideration. This kind of splits it out.

MR. MELROSE: I'm not dis-comfortable with this solution from a Hilo side of it. My experience is that there is a natural flow here. And it actually makes a representative whose responsibility is to both things, which I think doesn't necessarily mean one or the other; it means both; and that is key. Somehow, the idea that we are supposed to have representatives who only

look at one thing, to me misses our island-ness and our connectivity-ness and maybe that's why we get into some of these fights because we are east or west, instead of saying that's not right, that is not the way we are.

MS. POINDEXTER: Maybe this would start forcing our County Council people to really truly create partnerships and work together.

MR. MELROSE: That would be cool, wouldn't it?

CHR. SIRACUSA: Strolling around the island now.

MR. KAHAWAIOLA'A: Is that District 4 we are looking at now?

MR. MELROSE: That is District 2.

CHR. SIRACUSA: This one changes the numbers on the districts.

MR. MELROSE: We can deal with the numbers later.

CHR. SIRACUSA: What used to be District 4 is now District 2.

MR. MIDDLESWORTH: What used to be District 2 is now part of District 2 and 3.

MR. MELROSE: We can change the numbers on it.

CHR. SIRACUSA: Don't go by the numbers.

MR. MELROSE: Go down a little bit so we can see the big picture. So District 2 keeps all of Hawaiian Homes and Panaewa, and it gets out to a small portion of Kea'au, not the ag lots, just the town core.

MR. MIDDLESWORTH: Right.

CHR. SIRACUSA: But aren't there, on the other side of Shower---

MR. MELROSE: I think it includes some of HPP that is above the road.

CHR. SIRACUSA: That is what I wanted to see. Yes, you are right, it does. That is good.

MR. MELROSE: Go back to District 3. It picks up Waiakea, Waiakea Uka.

MR. MIDDLESWORTH: District 3 is pretty much what it is now, moved a little bit south. It goes up to the Saddle Road, and you will see why when we get way over to the Volcano.

MR. MELROSE: So it has basically above the highway all the way along up to---Volcano is all in one district, and all in a Puna district.

MR. MIDDLESWORTH: Yes, and it includes the golf course, it includes the park people on the crater rim.

MR. MELROSE: Linda, do you like that one?

CHR. SIRACUSA: Linda just gave us the thumbs up here.

MR. MIDDLESWORTH: Shyla, go farther out over in the Volcano area. The reason there is that big lump off on the left is because there are seven people out there on Mauna Loa, in an area that you can only get to from the Saddle Road. I think they are science people that live up at the observatory. They have a census block with seven people in it, which is why District 3 runs all the way up to Saddle Road, so you have a connectivity issue.

MR. MELROSE: I like the way it treats Volcano; more holistically. And it looks like you went around the edge and picked up the people in the park, and you picked up the Volcano Golf Course, and down to Akatsuka's. What does the other Puna district look like?

CHR. SIRACUSA: Where is Pāhoa?

MR. MELROSE: Leilani, Nanawale, HPP, Hawaiian Beaches down to Four Corners.

CHR. SIRACUSA: It follows the Pāhoa bypass. We have to be connected to Pāhoa, otherwise we are landlocked.

MR. MIDDLESWORTH: It wraps under, and there is no other way to do it and get the number of people balanced. I couldn't figure out a way to keep from wrapping District 4 under District 5.

CHR. SIRACUSA: But there is a coast road here and it can go up Opihikau, it can go up Kalapana Highway, it can go up a couple of different ways. That is where you have your mauka/makai roads. I am okay with this.

MR. MELROSE: I'm thinking about Pat Nakamoto and the ability to describe the boundary. And if it doesn't make a difference in numbers, we ought to make it simple for everybody to see it. If you look at Leilani Estates and pull it back, there a couple of residents, but if you go around Leilani Estates and then go back to the Kapoho Road instead of having to describe this kind of funny angle that runs around the back.

MR. MIDDLESWORTH: We might be able to do that.

MR. MELROSE: It just makes it easier, and it's clear. So Kapoho is in this district with Kalapana.

CHR. SIRACUSA: And Poho'iki and Opihikau. That works.

MR. MELROSE: You know, that same issue of description, I think you could follow the Chain of Crater Road, no vote difference, but you can get down the Chain of Craters Road as a line. Then it can be described as following the Chain of Craters Road.

MR. KANUHA: Can you zoom into the Keauhou area, maybe below Honalo. So this line follows the highway.

MR. MELROSE: This one splits Keauhou Resort; but I don't know that it has to. There are not a lot of residents in that spot.

MR. MIDDLESWORTH: There is a fair number. On this one, District 7 is high in numbers. If you start adding people in District 7, you will have to take some away on the other end, District 8.

CHR. SIRACUSA: We have been talking, in the past, about somewhere along the line, here and there, we are going to have to make some sacrifices. And if we have to do that, I would like to see us make it to the smallest number of affected people.

MR. KANUHA: This one does split Holualoa.

MR. MELROSE: All of Kailua town stays intact, including the entire industrial area.

MR. KANUHA: I know it's encroaching on Holualoa, and people in Holualoa who would think they are in Council District 6 of Ka'u; I know there is a total disconnect between them being in a Ka'u district. For me, it makes me uncomfortable, being so close to Kailua, to have them in that Ka'u district.

CHR. SIRACUSA: How would you try to address that, Dru?

MR. MELROSE: One thing to do is not to call it a Ka'u district, because it is not. It is a South Kona/Ka'u District. But both of those districts together, their entire resident population is not enough for a district. All of the Ka'u residents and all of the South Kona district, you still need to add to that. If we said Volcano needed to stay with Puna, your only choice is to move further into north Kona. The only incursion is into the rural place, not into the urban portion.

MS. UGALDE: The one testifier last night, I don't remember his name, said he lived in Captain Cook and the disconnect was because the map we were discussing then took Captain Cook all the way into Puna; and I know that is what he objected to. But the map we are working on now starts at the top of the Ka'u desert. I don't know if that would make a difference or not.

CHR. SIRACUSA: It is my impression, having looked at this map and at Margaret's latest, or next to latest, that there would be less tweaking needed on this one to make everybody happy. Is that the impression that the other Commissioners are getting also?

MR. KANUHA: So far.

CHR. SIRACUSA: Let's take a look at the District 7 and 8 boundaries.

MR. KANUHA: I know it takes out a whole chunk of Kealakehe and puts that into District 8. Zoom into that chunk taken out. I know there is a pretty big population inside there.

CHR. SIRACUSA: So that would make a big difference wherever you move it.

MR. MELROSE: If you put Palani Road into the north District 8, so you get all of the K to K area, all of Hawaiian Homes, all the new County building on that side, then you come back to the top and trade some of that. Then you have the whole growth area, Kalaoa, Costco.

MR. KANUHA: That could possibly work.

MR. CARVALHO: Depending on the numbers.

MR. KANUHA: It all depends on the number of people within that small little wedge and all the Kealakehe and La'iohua that you would take out.

CHR. SIRACUSA: Bo, were you following that?

MR. KAHUI: Yes, I am following that. As we look to use Palani Road as a boundary, and that middle piece that is sticking out that looks like to be just south of Palani Road.

MR. MELROSE: That is Hawaiian Homes.

MR. KAHUI: Oh, that is Hawaiian Homes area.

MR. KANUHA: It is Kealakehe Elementary.

MR. KAHUI: We do want to keep Hawaiian Homes and some of the surrounding communities contiguous. That is really the new urban center. We really got to look at the numbers, if in fact the numbers become more important than the contiguous communities.

MR. MELROSE: I think we can actually fix that, if we get around and look at the rest of this district. Let's come back and play with this one, because this is an important one, this is a key piece. I think we can actually be a little more elegant, or clear about how to do that.

MR. KANUHA: I will say something though on what Jeff brought up earlier with those towns in Kailua and making District 6 not just a Ka'ū district as in more of a Ka'ū/Kona district. One of the testifiers last night brought up that maybe as far down as Miloli'i, consider themselves part of Kona, south Kona, which is really far down. It does kind of make it a Ka'ū/Kona District instead of just Holualoa being part of Ka'ū; which maybe I shouldn't have said.

MR. MIDDLESWORTH: I drew it this way primarily to bring District 6 back from being so close to the eastern edge of the island. I mean, you are talking about a district that runs 100 miles across there when it gets over to Kurtistown. I just don't think that is a reasonable district. That is why this is this way.

MR. KAHAWAIOLA'A: Madam Chair, I would, based on how I see Kona having two distinct districts, and with the overflow into Ka'ū as a Kona/Ka'ū District; whereas before it was always referred to as a Ka'ū District with some of Kona. The connotation is almost the same as it used to be or was or is in Puna; where we were in three places. We were part of District 2, so everybody was still a Hilo, Puna connection. The disconnect was that Puna, most of the time, never considered themselves part of Hilo. So I see this map as having done that; taking Puna almost in its entirety and made two districts out of it with the overflow having to go to Hilo; then the Kona two districts, with the overflow having to go into Ka'ū.

CHR. SIRACUSA: In terms of the labeling of these things, part of, I think, what created a lot of bad feelings in Puna was the fact that it was never called Ka'ū/Puna Mauka. It was called Ka'ū, as though Puna Mauka didn't exist. If it's called Ka'ū/South Kona, which makes people feel it is more inclusive.

MR. KAHAWAIOLA'A: I will give you my perspective here. In Puna, lifelong Puna residents were people from Puna. You went from Hilo to Puna. In Ka'ū, you went from Hilo to Ka'ū. But in Ka'ū, there was always a distinction from South Kona is that they always referred to themselves. Maybe it was nomenclature, but they always referred to themselves. I think Dru raised that question of Miloli'i being as South Kona. Because you can go to Miloli'i and they will tell you they are part of Kona. They are not the Ka'ū district.

MR. MELROSE: Just a point of clarification or correction. You said that Kona has two seats. In fact, Kona has a seat, and then it shares a seat with Waikoloa in this circumstance. I want to emphasize too, if we start to make those distinctions like it's a Kona seat, it's like the Hilo vote in this other one. It is a blended vote. It is a vote that picks up some of the realities of Puna, some of the realities of the north Hilo area. We have called the Hāmākua coast the Hāmākua vote, but it is actually a north Hilo, south Hilo vote. So, those words are just getting us in trouble, because that is not the fair way to look at it.

MR. KAHAWAIOLA'A: Yes, but only because there is the Ordinance that is there. I am only looking at the overflow. I made it clear to the people we had to talk to in Puna, Kea'au and Pahoa that there is going to be an overflow. May I just remind the Commissioners, what we heard was a group of people also who were saying keep it Puna. You cannot, with the overflow. So that is all I was trying to say. In Kona, it would be nice if all of it could stay there, but there is an overflow. In Hilo you are going to be short; Hāmākua too.

MR. KANUHA: I would like to also say that it does currently there is two distinct Kona districts; and yes it does dissolve those two distinct Kona districts by bringing in all of Waikōloa and leaving out a lot of South Kona. So by creating those two distinct Puna districts or those two distinct Hilo districts, this map kind of dissolves the two distinct Kona districts. I just wanted to say that.

CHR. SIRACUSA: Well, I'm wondering how you would fix that. For example, this little piece of yellow that comes up here. Does anybody live in that area, or is that an unpopulated area.

MR. MIDDLESWORTH: Nobody lives there, that is Pohakuloa.

CHR. SIRACUSA: Maybe for the sake of compactness, we ought to assign that to South Kona.

MR. KANUHA: That is South Kona, but it wouldn't make a difference because there is no population.

MR. MELROSE: Bo, do you have any take on the combination on that land between Palani Road and Waikōloa? You know the Kalaoa area up to Waikōloa. Does that seem logical or illogical to you.

MR. KAHUI: I think it is workable. I just caution how far up above Waikōloa do we go. I think the concerns raised at the meeting in Kona by a fairly large constituency of people who came out and wanted to keep the Waikōloa community together with District 9. With that said, I think we could go as far up to Waikōloa and then when looking at that southern portion of Waikōloa Road that includes a number of units and families that I would be inclined to move that into District 9. How that affects District 9, I think might be problematic in that it now needs to look to reduce its numbers somewhere else. But I'm just kind of hearing what the community wanted. Secondly when you look along the coastline going past Waikōloa and Puakō; once again I think that community came out at the Kona meeting and expressed wanting to stay in District 9. And with all possibility, I would like to see that happen. Once again, it's going to affect Joe's district.

With respect to the southern boundary of District 8, I think Dru and I, once again, we can play with that boundary in as much as we want to share those growths to get to the right deviations. But I think keeping our communities contiguous is good, so I think if we kept below Palani Road which connects up to the Hawai'i Belt Road and maybe keep QLCC with District 7, that might help the numbers for District 7 and would also keep contiguous all our urban area and the Kealakehe Homesteads as well as the Hawaiian Homesteads intact.

MS. POINDEXTER: If I remember too, at that public hearing in Waimea, some of the Waikōloa people voiced that if we had to make a decision to take Waikōloa out, take them out as a whole and not split them. So if the worst case scenario, if they would go into Kona as a whole.

CHR. SIRACUSA: I remember that also. And we heard that in other situations around the island too. When people were asked what their preference would be if they had to choose between splitting up or being in one district or the other, and inevitably they said they would want to move as a unit. Anybody else have anything to say here?

MR. MELROSE: I would just add that Waiki'i is a logical connect to Waimea; that makes sense and that's what this one does. It also keeps the Puakō/Kawaihae link together, which I think is

one of the things we heard several times, so it just rings a series of bells as we went around. I want to thank Mike for capturing a big chunk of our thinking right here; so you're the man.

CHR. SIRACUSA: Give the man a little round of applause here. I think we should give Margaret a little round of applause too for all of her efforts. Okay, now, at this point it is noon, we have a decision to make and let me see what our options are. We can continue working a little longer. We can take a lunch break and then come back. Or, we can call it quits for the day after we finish the rest of our agenda. Anyone want to speak to any of those options or see a fourth option?

MR. KANUHA: My preference is to definitely keep working. I didn't come all this way to Hilo to just stop in the middle. Yes, definitely continue working; I'm starving, so my preference would be to have a lunch break.

MR. MELROSE: I have a 2:00 p.m. I would like to be able to make, but I think it is worth, my gut sense is we could work on this more and see how we can polish it up.

MR. MIDDLESWORTH: What I would like to see us do is for Dru to sit down at the computer and do some adjusting on the west side and see what we can do with that. If you have to leave at 2:00 p.m., then fine. We are going to have another meeting.

MS. POINDEXTER: If we order and eat through lunch, is that appropriate?

MR. MIDDLESWORTH: Dru and Joe came a long way.

MR. CARVALHO: This is a working session. The others were all hearing sessions.

CHR. SIRACUSA: We could all go our own way and get something, and come back.

RECESS: At 12:00 p.m. the Chair called for a lunch recess.

RECONVENE: The meeting was reconvened at 12:45 p.m.

CHR. SIRACUSA: When we left off we were talking about Dru going up and seeing what he could do to improve the Kona section on this map. Did you want to go up and use the computer, or did you want to just guide Shyla?

MR. KANUHA: So this is the map we are going to be working on for right now?

CHR. SIRACUSA: We haven't decided yet if we are going to be tweaking the latest version of Plan_40, or if---

MR. KANUHA: I have a question about the other six maps that we showed to the public. What are we doing with them? Do we want to keep going with this because it's fresh in our minds?

CHR. SIRACUSA: That is up to us; however, we had those maps up, remember, mostly as talking points because there were parts of them that were not satisfactory for one reason or another. We did hear people's testimony back, based on those maps. So, if we use any of them or not doesn't matter too much as long as we know what the testimony was and can incorporate as much as possible into our final plan. At least that is my take on it. Does anybody think otherwise?

MR. MELROSE: I think what Dru is asking, is that at some point we have to formally address the end of those. But at this moment in time---Is that what you are saying, ultimately we need to go back and formally decide on each of those?

MR. KANUHA: I know we started off with the latest versions, and we are kind of working our way back. In the beginning I was assuming we were going to go through all of the maps that were submitted before we started working.

CHR. SIRACUSA: We can do it any way we want; all somebody has to do is make a suggestion.

MR. CARVALHO: I feel that we know as much as we need to know right now about Plan_46, and we need to address the public maps that we presented. We need to say if we are going to hold them over, or whatever we want to do with them. We should address them now, as quickly as we can, if we want to keep them or not.

MR. KANUHA: Because the Communication says review and discussion of Redistricting Plans/Maps that have been submitted; which means the plans that have been submitted.

CHR. SIRACUSA: And you will notice we didn't put in the numbers; we left it wide open to give us the maximum amount of leeway.

MR. KANUHA: I'm fine with what the Commission decides.

MR. MELROSE: I would like to do it more when Bo is here for the Kona side. If we want to go back to the others; we need to take a formal action on the others, the pending ones.

CHR. SIRACUSA: Okay, then why don't we start with Plan_10, and take a look at that.

Review and Discuss Plan_10

CHR. SIRACUSA: Some of these are better for one part of the island than other parts.

MR. MELROSE: This one had some variations that were too high.

CHR. SIRACUSA: It had a -6.80% deviation, but we left it in as a talking point. If I recall, I voted against it because it didn't include Volcano and it divided Puna into an east/west rather than a mauka/makai.

MS. POINDEXTER: And nobody supported this map at the public hearings. When people came up they said they supported map number so and so.

Mr. Melrose moved to eliminate Plan_10 due to the deviation in District 4 and because Volcano was not in Puna and there was no support for it at the public hearings. Seconded by Ms. Poindexter and carried by the following vote:

Ayes: Commissioners Carvalho, Kahawaiola‘a, Kanuha, Melrose, Middlesworth, Poindexter, Ugalde, and Chair Siracusa.
Noes: None.
Absent: Commissioner Kahui.

Review and Discuss Plan_17

CHR. SIRACUSA: I think we have some high variations here also. Two of them are over 5%; 5.19% and 5.15%. So this is another one that was left in for talking points. As far as Puna goes, once again there are the same concerns. Volcano is in, but not the golf course area. It’s split on the east/west axis which creates road connectivity issues for some of the Puna communities.

MR. KANUHA: How is the Waikōloa area, and Districts 8 and 9 split? It puts Puakō in District 8 and Waikōloa in District 8.

CHR. SIRACUSA: This is okay for the north end, but it is not good for Puna, and we have some numbers that are in excess.

MR. MELROSE: And I think it splits Hawaiian Paradise Park.

CHR. SIRACUSA: Yes it does split Hawaiian Paradise Park because the part that is mauka of Highway 130 is not included.

Mr. Carvalho moved to eliminate Plan_17 due high deviations and because it splits Hawaiian Paradise Park. Seconded by Ms. Ugalde and carried by the following vote:

Ayes: Commissioners Carvalho, Kahawaiola‘a, Kanuha, Melrose, Middlesworth, Poindexter, Ugalde, and Chair Siracusa.
Noes: None.
Absent: Commissioner Kahui

MR. MELROSE: That map had some good concepts that are still being incorporated

Review and Discuss Plan_23

CHR. SIRACUSA: Here we have three districts that are in excess of the 4.99% deviation. Let's see what other problems this map might have.

MR. KAHUI: Which map are you referring to?

CHR. SIRACUSA: Plan_23. From the Puna perspective, it doesn't include Volcano. It does give us two districts; but they are divided east/west, therefore creating some connectivity issues for the western side of Highway 130.

MR. MELROSE: I think you have to be careful about using that distinction because even the one we are looking at uses a similar alignment, uses similar roads. So, I'm not sure what you mean by access issue. If you follow Highway 130, anybody can follow Highway 130.

CHR. SIRACUSA: But the communities that are on the west side of Highway 130 don't have the internal road connectivity.

MR. MELROSE: But they can come up Highway 130. I just don't want to get into the habit of making that the reason when we will have other ones that are similar to that.

CHR. SIRACUSA: Well, we don't even need that reason.

MR. MELROSE: Then don't use it, please.

CHR. SIRACUSA: It also has three districts that are way over the numbers.

MR. MELROSE: Then let's use that reason.

CHR. SIRACUSA: I just wanted to mention all the reasons to keep our bases covered.

MR. MELROSE: Does this split Waikōloa? No, it doesn't. Puakō is in District 8.

Ms. Ugalde moved to eliminate Plan_23
due to high deviations in three districts.
Seconded by Mr. Melrose and carried by
the following vote:

Ayes: Commissioners Carvalho, Kahawaiola'a,
Kanuha, Melrose, Middlesworth,
Poindexter, Ugalde, and Chair Siracusa.

Noes: None.

Absent: Commissioner Kahui

Review and Discuss Plan_28

CHR. SIRACUSA: We are now looking at Plan_28.

MR. KANUHA: In this map, Waikōloa is split. I don't think that is a good idea, because that is a community of interest. I did try working with this map to get the numbers right, but it was just impossible. Because Waikōloa was split and you would have to put 1,000 people here and 1,000 people there. This was a plan that everyone in Waikōloa was against.

Mr. Kanuha moved to eliminate Plan_28 because it splits Waikōloa Village. Seconded by Ms. Poindexter and carried by the following vote:

Ayes: Commissioners Carvalho, Kahawaiola'a, Kanuha, Melrose, Middlesworth, Poindexter, Ugalde, and Chair Siracusa.

Noes: None.

Absent: Commissioner Kahui

Review and Discuss Plan_30

CHR. SIRACUSA: The numbers are okay. This one is a little bit better for Puna, but it doesn't have the golf course included.

MR. MELROSE: Does this one split HPP? Yes, a little bit at the top.

CHR. SIRACUSA: Paradise Park is split at Highway 130 and part of Paradise is split off on the mauka part. Volcano is split.

MR. MELROSE: Can you go up to Waikōloa?

CHR. SIRACUSA: Waikōloa is split.

Mr. Melrose moved to eliminate Plan_30 because it splits Volcano and Waikōloa Village. Seconded by Mr. Carvalho and carried by the following vote:

Ayes: Commissioners Carvalho, Kahawaiola'a, Kanuha, Melrose, Middlesworth, Poindexter, Ugalde, and Chair Siracusa.

Noes: None.

Absent: Commissioner Kahui

Review and Discuss Plan_40

CHR. SIRACUSA: This is the original Plan_40 that we put out to the public hearings. Let's look at the numbers. Well, 6.0% that is no good.

MR. MELROSE: This was our take at revising what was Plan_39.

CHR. SIRACUSA: And we never finished it. We got burned out before we got to Puna.

MR. MELROSE: Did we really do this?

CHR. SIRACUSA: We started with Plan_39 and we started tweaking it and renamed it Plan_40.

MR. MELROSE: Is this the one we did that was Plan_39 and now called Plan_40? For the sake of the conversation I would say that this didn't work well. This was the one that split HPP down the middle.

CHR. SIRACUSA: And it does have two large deviations. One is 6.6%.

Mr. Melrose moved to eliminate Plan_40 because it has high deviations and splits Hawaiian Paradise Park. Seconded by Ms. Ugalde and carried by the following vote:

Ayes: Commissioners Carvalho, Kahawaiola'a, Kanuha, Melrose, Middlesworth, Poindexter, Ugalde, and Chair Siracusa.

Noes: None.

Absent: Commissioner Kahui

CHR. SIRACUSA: We are left now with Margaret's October 17, 2011 version of Plan_40 and her October 19, 2011 version of Plan_40 and Plan_46.

Review and Discuss Margaret Wille's Plan_40 revised for 10.17.11

MR. MIDDLESWORTH: It splits Keaukaha. It doesn't include all of Volcano in the Puna district.

MR. KAHAWAIOLA'A: Yes it does, and it jumps across town. I would be one to object because of the splitting of the Hawaiian communities from the contiguous formation that they have.

CHR. SIRACUSA: Then you can make the motion Patrick.

Mr. Kahawaiola'a moved to eliminate Plan_40 revised 10.17.11, because it splits Keaukaha. Seconded by Ms. Ugalde and carried by the following vote:

Ayes: Commissioners Carvalho, Kahawaiola'a, Kanuha, Melrose, Middlesworth, Poindexter, Ugalde, and Chair Siracusa.
Noes: None.
Absent: Commissioner Kahui

Review and Discuss Margaret Wille's Plan_40 revised for 10.19.11

CHR. SIRACUSA: The numbers are okay.

MR. MIDDLESWORTH: Keaukaha is still split.

CHR. SIRACUSA: There is a problem with Volcano.

MR. MELROSE: For the sake of keeping our options open, and because the other one, you might interpret to have an impact on the Hāmākua district. Whereas this one doesn't draw Honoka'a and Ahualoa. Is there an interest in keeping one available and working back on Plan-46 and seeing if we can come to some sort of an agreement?

CHR. SIRACUSA: We can keep something on the table without approving it.

Mr. Melrose moved to keep Plan_40 revised for 10.19.11 as an option for discussion. Seconded by Mr. Kahui and carried by the following vote:

Ayes: Commissioners Carvalho, Kahawaiola'a, Kanuha, Melrose, Middlesworth, Poindexter, Ugalde, and Chair Siracusa.
Noes: None.
Absent: Commissioner Kahui

Back to Plan_46

CHR. SIRACUSA: This is fine with the numbers.

MR. MELROSE: It is close in some areas.

MS. UGALDE: There is an easy tweak for Pi'ihonua.

MR. MELROSE: This one doesn't need it. Pi'ihonua is all together in this one.

MR. MIDDLESWORTH: Go up to Honoka‘a area. Zoom into Pa‘auhau and take that back into District 9.

MR. KANUHA: So you are going to put Pa‘auhau into District 9.

MR. MIDDLESWORTH: See what that does to the numbers. Go all the way over to the gulch at the right.

CHR. SIRACUSA: Too high.

MR. MIDDLESWORTH: Now go back down towards Hilo and take some back from Hilo and put them into District 1.

MR. KANUHA: No, District 1--was District 1 too low?

CHR. SIRACUSA: District 1 can use more bodies.

MR. MIDDLESWORTH: You were talking earlier about Waianuenue Avenue.

MR. MELROSE: That is only going to affect the relationship with District 1, but District 9 is too high.

MR. MIDDLESWORTH: District 9 is too high now.

MR. MIDDLESWORTH: So I think if you want to solve that you have to go back into District 9 and look at some other play that would drop off. The closest comparable would be Waiki‘i. So if you took Waiki‘i out, and you went down to the coast and included Waiki‘i with Waikōloa and the like; that’s a trade off, I think Waiki‘i belongs in Waimea by its nature, because that is how it connects, but I don’t mind the look.

MR. MIDDLESWORTH: Let’s look at it and see.

MS. POINDEXTER: Waiki‘i is the resort Waimea.

MR. KANUHA: So by including Pa‘auhau you gain 400 votes.

MR. MIDDLESWORTH: 400 people; we are not dealing with votes, we’re dealing with bodies.

CHR. SIRACUSA: And some of those bodies are minors.

MR. MELROSE: You need to put Waiki‘i into District 8. So in order to do that you have got to get all the way down to the intersection of the Saddle Road, so they can come up from that district in; pretty much anything along that Saddle Road boundary. Just take the area right around Waiki‘i and take it out. Make a square and see what the numbers look like. District 9 is still too high, so the trade off doesn’t work. You cannot trade that way. Then you either have to go in and

take Puakō; this is the trade off for Pa‘ahau now. You can take Waiki‘i, but then you still have to get Puakō or Waimea.

MR. KANUHA: We have heard testimony from Puakō that they would like to be contained with District 9.

MR. MELROSE: It’s Val’s call; and it’s a tough one.

MS. POINDEXTER: But Pat, I would love to hear your opinion, because Puakō wants to stay in Waimea, but, to me Puakō, my opinion, is more resort people there than locals. You can count on maybe one hand how many local people own property down there, because of taxes. What is your opinion on that?

MR. CARVALHO: I think the census had like 780 or 720 people there, and they were on the upper scale. Talking to the Pastor and a few other people, the demographics have really changed there because the local people couldn’t afford their taxes. So you are right, Puakō is demographically now, although historically with Kohala and Waimea, demographically they are more like the hotels.

MS. POINDEXTER: I agree.

MR. KAHAWAIOLA‘A: I also heard, I think at the Waimea meeting, is where they made their plea. Mr. Robertson made the plea that they should and want to because of years prior, have been part of Waimea. As we go around, we are looking at people who came forward, grassroots, and made that plea to stay there. I think that, for lack of any other observation that I have made, that Waimea was the only place that I saw Hawaiians making input. And I take that pretty seriously.

CHR. SIRACUSA: District 9 can shed some bodies into District 1.

MS. POINDEXTER: I think what Pat was saying is that what he got to hear from the public hearings is that they want to remain in Waimea. But I was wondering, is it in Waimea, or the district itself that included Waikōloa, that is why, they had something in common there. It was specifically Waimea that the testimony was?

MR. CARVALHO: It is more being in the corridor with Waimea and Kohala. They say Kohala and Kawaihae, that area. And we not only heard it at our hearings, I am also Chair of the Kohala Action Committee, and heard it there too, because I was making reports on the redistricting.

MS. POINDEXTER: Then I would say, if at that point, then we should just take Pā‘auhau out. Because when we put Pā‘auhau in, we did with the numbers and put Pā‘auhau in, right across the highway, there are homes we are not including up there. So they consider themselves to be Pā‘auhau; but Pā‘auhau Mauka. If we are going to draw the line, then take Pā‘auhau back into Hāmākua.

MR. KAHUI: I remember at the Kona hearing, much like what happened in Waimea, although I was not there; but in the Kona hearing there were a constituency out here wanting Puakō and

Waikōloa in District 9. While I have mentioned that several times, I do sense that there are some real strong community interests at both of those hearings wanting to keep their communities within the District 9. Obviously, for us in Kona, I think Dru and I having to look at our numbers, we can come to a compromise as to how we divide that district North of 7 and South of 8. I guess for the concerns raised at these hearings, and like in the Puna districts, I would concur with Patrick that we should go with Puakō and Waikōloa in District 9.

CHR. SIRACUSA: Do you think maybe we should now move down towards the interface of District 8 and 7 and see what we can do over there?

MR. KAHUI: Maybe before you do that, maybe look at how District 9 is going to be configured with Puakō, and then how does that happen on their eastern boundary.

CHR. SIRACUSA: The way I'm looking at it now, Puakō is in District 9.

MR. KAHUI: And that is great, but I'm just restating that.

MR. KAHAWAIOLA'A: Madam Chair, a point of clarification to Commissioner Kahui. What was stated from, and my notes show, from the Waimea hearing on that Saturday, was that there was a big contingent from Waikōloa that stated, along with their Councilman, that they stay together. There was not an adamant thing that they stay with Waimea. They were going to go wherever they were going to go, do not split Waikōloa. Waikōloa did not want to be split. That's what I recall, and my notes verify that. They asked not to be split, however, and they would prefer to be in Waimea. But if it couldn't be there, then just do not split us.

CHR. SIRACUSA: The way I am looking at this map right now, is that it accomplishes that.

MR. CARVALHO: Yes, it does. Along the same lines, even our Councilman Hoffmann said he would rather see Waikōloa in a different district, rather than getting them split.

CHR. SIRACUSA: That's not surprising because we have heard that sentiment before elsewhere around the island.

MR. KAHUI: I appreciate that, and I stand corrected. I would support that as well.

CHR. SIRACUSA: Dru, do you want to look at District 7 and how it interfaces with District 8?

MR. KANUHA: Yes.

CHR. SIRACUSA: Okay, go for it.

MR. KANUHA: I am trying to look at what Jeff was talking about by moving the section between Māmalahoa Highway and Palani into District 7. It doesn't look like there are that many homes inside there. We are going to have Kealakehe go into District 8.

MR. KAHUI: Can you zoom in a little bit more?

CHR. SIRACUSA: That looks pretty compact.

MR. MELROSE: That is all empty. That is Forest City and---If you go back to District 7, you can actually get all the way into the intersection of Palani and Queen Ka‘ahumanu Highway without picking up another resident. Then you have it very easy to describe for Pat later on, it just goes from Palani down the highway.

MR. KAHUI: As long as it keeps the Homestead community and Kealakehe kind of intact, and at the same time is not affecting our numbers. I am hoping you are okay with it because I am.

MR. KANUHA: I just wanted to keep the whole of Kealakehe, not the whole ahupua‘a, but Kealakehe Elementary, and the subdivision surrounding, and Kealakehe Intermediate and Kealakehe High School all connected into one.

MR. KAHUI: I agree, and I think that is good. Those two are contiguous and having those communities together, I appreciate that.

MR. MELROSE: One of the things I like about that is that I know you are on the Action Committee for the CDP; but that whole area has been where the bulk of your attention has been lately in terms of the connector road, and the development along the connector road. In some sense it is really hard to make it comparable to Waikōloa, but I think there a big affordable housing project going in there in Waikōloa. All of this is part of a really dynamic district that could be represented very dynamically in a single voice, I think.

MR. KAHUI: I think you are right. What is interesting though, is when we plan for growth, in 1998, we built the homesteads up here, which took us two years to build 225 homes. Today, from that time, it has taken us since 2000 to the present day to build 40 more units. So I’m not sure how fast a pace this type of growth---In light of the vision, in light of the planning that is going on, whether or not, given the economy, we are going to experience that kind of growth. So I like this current boundary, I think it speaks well to keeping those affordable housing units together, that kind of plan, that urban sector together. So I think it really meets that criteria, and many of the criteria that we set forth in our mission.

CHR. SIRACUSA: Thank you. At this point, I just received a note that Pete Hoffmann, who has been sitting in in Waimea; he would like to make a statement about Community Development Plans. Is that alright with everyone? Thank you, go ahead Pete, please.

PETE HOFFMANN

(At this time Councilman Pete Hoffmann came forward to address members of the Commission.)

MR. HOFFMANN: Thank you, René, and thank you members of the Committee again. I don’t mean to make any type of contradictory statement, but I did want to point out regarding the Community Development Plan, please remember that in this Redistricting process, the Community Development Plan has been an ongoing action by the Administration and County officials for about the last six years. It is extremely difficult to try to work a Community

Development Plan Action Committee as Joe Carvalho will obviously testify, when you have members from two different districts involved. You are correct, Joe, in commenting on my statement regarding the idea that at a minimum Waikōloa should be kept together and not split, and that the minimum or worst case that we would see is to keep it together even if it happened to go to North Kona as the district, instead of traditionally now, in Waikōloa. But please remember, that certainly is the absolute minimum. It is much more important when you consider the growing community, as I have just heard, from the testimony of a couple members of the Commission, to try and make certain that we retain the integrity, not simply the community, but of that Community Development Plan process. And I urge Commission members, if it at all possible, and clearly some of Margaret's efforts in her plans, and others that have been presented, clearly testify to the fact that Waikōloa can be retained within and be together with Waimea as part of an integral unit that I think is necessary if we are going to move forward; not simply with Community Development Plans, but with overall development processes in the future.

Please folks, it is important to remember that we are doing this in the best interest of the people of our districts, and while of course I am trying to be as objective as I possibly can, there are a number of examples which indicate that you can retain the integrity of that district without separating us or without splitting communities. Thank you, René for the opportunity to just pass the comment and as I indicated to you before, Dave Hirt, my Legislative Assistant, and I are certainly trying to follow, as we have in the past, the minutes of these meetings and the conversations and discussions. And again, I wish you the best of luck in trying to put this together. I know how difficult it is; please remember to try to retain the integrity of the Community Development Plan also. Thank you.

CHR. SIRACUSA: Thank you, Pete; and I want to say that that goes also for the Puna Community Development Plan, which includes Volcano.

MS. POINDEXTER: And now I want to say something about the Hāmākua Community Development Plan, because Hāmākua, when we are talking about Community Development Plans, consider what is happening with Hāmākua; so somewhere, somebody is not going to be happy, and we have just got to deal with listening at the public hearings, and what the grassroots people stated, and I guess weigh them more in favor. Their comments and their testimony heavily weigh on our decisions.

CHR. SIRACUSA: I think we are all bearing that testimony very much in mind, and to a large extent, it mirrored what each of us was saying from the very beginning about our communities; because we all know our communities very well.

MR. KAHAWAIOLA'A: I would just like to comment, if I may, on what Mr. Hoffmann had to say. It is because there is some problem with guidance with this Ordinance that is here. There are several things the Ordinance says we may, shall, if practicable do. But there is no language in there that says, and if they can show me, in that Ordinance, where they talk about contiguous communities of interest. But I hear nothing of Plans, the Community Development Plans; and they may, some of the language in there may say that, but this is where there are people jumping on two different things. CDP's are going to be another Ordinance. So we need to please do

CDP's over there, and Redistricting over here. I understand some of the things we have done by putting people together, because they are in the CDP's, but---

CHR. SIRACUSA: But the CDP does define a community of interest.

MR. KAHAWAIOLA'A: Absolutely, however, it does not do it for Redistricting, because Redistricting is population based on census.

CHR. SIRACUSA: Okay, now are you finished with your little section there Dru, or do you need to continue anymore?

MR. KANUHA: I am not finished. To me, and Commissioner Kahui, I am pretty sure we have an understanding based off of our representation in Districts 7 and 8; that that border seems to be fine. I am not saying it is the best thing, I am just saying at this point, in this map, that is where I would think is the best line.

MR. KAHUI: Dru, this is Commissioner Kahui, and I would concur with your statement. I think this is probably the best boundary, southern boundary and the northern boundary for District 8 and 7. Thank you.

CHR. SIRACUSA: Do we want to move down now, and look at Districts 7 and 6?

MR. MELROSE: What are the numbers again? Can we see the numbers between those two? How close are we?

MR. KANUHA: The numbers are good.

MR. MELROSE: You have some leeway, you can actually move some of these things around if you wanted to straighten out that mauka one, or if you wanted to deal with the Keauhou split.

MR. KANUHA: There is a connection between the mauka and makai on that Mamalahoa Highway. I don't know how many people it's going to---

CHR. SIRACUSA: We can find out.

MR. MELROSE: If we took that block right there and we went straight up.

MR. KANUHA: If we went up that block and gave that whole block to District 7, and then kind of came---Just the upper block.

CHR. SIRACUSA: That is still okay.

MR. KANUHA: What is the number now?

MR. MELROSE: That addresses some of the issues you had about Holualoa feeling like they were in Ka'u. You have just reduced that.

MR. KANUHA: It made more of a connection to the mauka and makai.

CHR. SIRACUSA: It made it more compact also.

MR. MELROSE: Exactly, that too.

MR. KANUHA: That is a big census block. Try and put this one into District 6. The only thing about this is that that whole area is known as Keauhou Resort. So the land owner considers that one big community, one big Keauhou Resort.

MR. MIDDLESWORTH: How many people are there makai of Ali'i Drive?

MR. KANUHA: Let's zoom out again, because it just looks weird. If we do this, I think we are going to have to grab that whole of Keauhou back into--not all of Keauhou, but the southern shore of Keauhou in Keauhou Bay needs to go into District 7. All that underneath Ali'i Drive, where Ali'i Drive ends, needs to go into District 7 because of connectivity. Because the guys at the end of Keauhou Bay---Is there a connectivity issue?

MR. MELROSE: That is an interesting question, there is a road that goes into the resort off of the bypass, off of Ali'i Drive, it goes down to a bay. You can drive down that road on the edge to get to the south side of Keauhou Bay.

MR. MIDDLESWORTH: Take those three census blocks into District 7. It puts all of the golf course in.

MR. KANUHA: It just looks really weird.

MR. MIDDLESWORTH: The numbers look good.

MR. KANUHA: Yes, the numbers look really good. I just want to make sure that they all have connectivity. These are all houses all spread out over a big area. This whole upper side of the hill is all like that. I don't see too big of an issue.

MR. MELROSE: Pull back a little and get a broader view to look at.

MR. KANUHA: The boundary comes down all major roadways.

MR. MELROSE: It ends on the mauka side up by Palani Ranch.

MR. KANUHA: It looks like a squid.

MR. MELROSE: Or a kid with a hoodie.

MR. KANUHA: For right now, I think that would be okay, I think there would definitely be more work to do. We should consider more work for it though.

CHR. SIRACUSA: Okay, so let's move a little south.

MR. MELROSE: Can I make a suggestion? I am going to need to leave in a couple of minutes, so if we went over towards Hilo, District 1 and 2 or 3 or whatever that number is interface, I just want to see if we can make a couple of changes there. Both districts are low, District 2 and 3.

CHR. SIRACUSA: And District 1.

MR. MELROSE: One of the things when I look at this one, right above the Council District 3 line, we kind of go through a little neighborhood there. That is not Waianuenue Avenue, that is Punahale Street; and if we could round those three blocks into, then the corner is a Komohana/Haumana corner; not Punahale.

MR. MIDDLESWORTH: That's a good idea.

MR. MELROSE: So you see those three? Right where the hand is, one, two, three; exactly. What happens if you put them into District 3? What did our numbers do?

CHR. SIRACUSA: We are okay, numbers wise.

MR. MIDDLESWORTH: Komohana is a good place to break it.

MR. KAHAWAIOLA'A: Yes, Komohana, yes.

MR. MELROSE: The other piece, if it is possible, if we ran Waianuenue down the middle and followed Waianuenue instead of Haile Street, it does throw off some numbers, but I don't think it is bad. Put it into District 2. Most of that is business, without housing; but there is housing up there. Are we okay? Doesn't that seem more elegant?

CHR. SIRACUSA: It is more elegant, more compact. It is a nice easy line for Elections to follow when they are doing their metes and bounds.

MR. MELROSE: Doesn't that look like a pretty clean corner? I would say one more thing. If we use this configuration, from a numbering perspective, I would suggest we start with District 1 at North Kohala, District 2 at Hāmākua and go all the way around. We actually have that chance to do that here, and I would say we think about that. We could actually move a little bit into District 3 from District 2 if we felt that was useful. The only real place to do it is right there where the hand is.

MR. MIDDLESWORTH: District 2 is one of the ones that should be bigger because it is not going to grow much.

MR. MELROSE: That is true, but we are still aiming at a number. The problem is there are a ton of votes in there, not votes, but there are a ton of residents in there.

CHR. SIRACUSA: It makes District 2 over; undo.

MR. MIDDLESWORTH: You have to leave that; those are very dense neighborhoods there.

MR. MELROSE: I like the way it follows right along the highway, pretty easy to describe. You see that little blip between District 3 and 4? There is a little odd thing that crosses the road. Do you know why you did that? It doesn't make sense, the census tracts cross the road.

MR. MIDDLESWORTH: Yes, they do.

MR. MELROSE: And when you go across the road you have connectivity issues.

MR. MIDDLESWORTH: Right.

MR. MELROSE: And there are a couple of votes in that area. I would say that is a connectivity issue when it crosses the Volcano Highway that way.

MR. MIDDLESWORTH: But, I'm not sure you can get to the rest of District 4.

CHR. SIRACUSA: But you can get to other roads to go around and get onto the highway.

MR. MELROSE: In District 4 you can, but you can't when you go across. Then on the edge of District 4 where it goes around by Leilani Estates, that is just another space where we had mentioned before that you could clean up that corner.

MR. MIDDLESWORTH: Where Kapoho Road is, those three or four blocks right there.

MR. MELROSE: Add them to District 4. It's not enough to matter, but now you can describe the road as the---

MR. KAHAWAIOLA'A: It's an identifiable boundary. Can we go back up to see what is in District 2 now? Just above Paradise Park, between District 2 and District 5; and right at the coastline please. That is Haena. That is Kolole Point. Further towards the Hilo side, what kind of homes are there?

MR. MELROSE: Nothing.

MR. MIDDLESWORTH: There is nothing.

CHR. SIRACUSA: Nothing; it is all Shipman.

MR. KAHAWAIOLA'A: Okay, that is the Shipman boundary. Then, Keaukaha is also in. Madam Chair, I did make, early on in this process, I did make a statement that I would not want to see us going over the Puna border into Kea'au, or Hilo into Puna where Hawaiian Homes ended, abutted Puna, however, since the Pāhoa meeting, I have had conversations with some of

the people that gave the testimony and they are realizing about that overflow of people; that they have got to go somewhere. I would say that is about where you need to be.

CHR. SIRACUSA: We don't want to push them into the ocean, Patrick.

MR. KAHAWAIOLA'A: And it would serve the fact, and I'm only using this again because the coastline from the harbor, it is something that the people along the coast, I always say that Keaukaha, and the Hawaiian Homelands, they are related because we have got 2,000 more or less acres that come right around Leleiwi Point down to Papai which joins the Puna coast. So I think that small continuation down the coastline and having to absorb some of the Puna people.

CHR. SIRACUSA: They are nice people.

MR. KAHAWAIOLA'A: They are Hawaiians too.

CHR. SIRACUSA: A lot of them are.

MR. KAHAWAIOLA'A: But the coastline, it wouldn't be, in my opinion, especially when expressed that they need to be somewhere, I think it is something that is doable. Again, because there is really not a lot of people in there that would be harmed from a political standpoint. So I think that is a doable situation.

MR. MELROSE: Can I ask a question of the group, in terms of what the sense of direction is. I can either leave, or I can blow off what I got to do. I am kind of in that mode of I don't know how close we are to trying to make a decision. What my thought was, I feel like it would be good to come back. We are going to have one more meeting in this conversation.

CHR. SIRACUSA: And before we adjourn, we have to discuss our next meetings.

MR. MELROSE: Right, but as far as this plan is concerned, my sense is that we would probably do is save this as, call it Plan_47 or something.

CHR. SIRACUSA: Karen has suggested we call it Commission Draft Plan_A, to distinguish it from others.

MR. MELROSE: Great. So the answer is that what we will do today is solidify this one as Draft Plan_A, come back and have another conversation based on some feedback we have had and then make a decision at the next meeting, potentially, if we can do that.

MR. MIDDLESWORTH: In the meantime, tweak it at home.

MR. MELROSE: You have done the tweaks that I saw might be useful and actually I kind of like it.

MR. MIDDLESWORTH: I think Dru has a couple more.

MR. MELROSE: I would feel comfortable leaving it with you guys, but we are going to come back and deal with it at the next meeting. We have already saved a meeting, right? We have a meeting date.

CHR. SIRACUSA: There was a suggestion that we slip in another meeting.

MS. POINDEXTER: I wanted to know if the changes are made on there with Jeff's suggestion on numbering starting with Kohala. Could that be done on this map before we save it?

CHR. SIRACUSA: Save this as Commission Plan_A and renumber the districts starting with District 1 at the north, and working around clockwise.

MR. MELROSE: Let me make a motion that we renumber the districts starting with North Kohala as District 1 going clockwise and when you get to District 2 and 3, do you want to go 2 and 3, or 3 and 2?

MR. CARVALHO: Do we really need to change it?

MS. POINDEXTER: Let's table that thought.

Mr. Melrose moved to save revised Plan_46 as Commission's Draft Plan_A. Seconded by Ms. Poindexter and carried by the following vote:

Ayes: Commissioners Carvalho, Kahawaiola'a, Kanuha, Melrose, Middlesworth, Poindexter, Ugalde, and Chair Siracusa.

Noes: None.

Absent: Commissioner Kahui

CHR. SIRACUSA: Then do we want to renumber?

MR. MIDDLESWORTH: We can renumber later.

CHR. SIRACUSA: This whole discussion was part of Communication 45, and we need to vote to close file on that so we can move on to the next part of our agenda.

The motion to close file on COMM. 45 was carried by the following vote:

Ayes: Commissioners Carvalho, Kahawaiola'a, Kanuha, Melrose, Middlesworth, Poindexter, Ugalde, and Chair Siracusa.

Noes: None.

Absent: Commissioner Kahui.

UNFINISHED BUSINESS

ANNOUNCEMENTS

CHR. SIRACUSA: Patricia, did you want to say something? Patricia Nakamoto, Elections Office.

MS. NAKAMOTO: I just wanted to bring to your attention that when you select your “Draft Plan,” we are going to print maps with more detail than the maps that went out for the nine Public Hearings. Because our IT Department here cannot do that for us, they cannot do detailed maps; I spoke with Royce Jones, and there is a possibility that they can do it for us. He is going to be providing a quote; I don’t have the quote yet, but when I do, I will give the information to Karen, and if you agree that is what you want to do---

MR. MIDDLESWORTH: Do we know how much of our \$75,000 or whatever it is, that we have spent?

MS. NAKAMOTO: An approximate idea; Cori would have that information, she takes care of that. Out of the \$75,000 we have spent approximately \$6,000.

MR. MIDDLESWORTH: So we have a little room then.

MS. NAKAMOTO: So I just wanted to mention that to all of you and then I’ll get the information to Karen as soon as Royce gets it to me. Thank you.

CHR. SIRACUSA: Thank you, Pat. Okay, we now have Communication 46.

COMM. 46: DATES AND TIMES FOR REDISTRICTING COMMISSION MEETING AND PUBLIC HEARINGS

From Commission Chair René Siracusa, dated September 15, 2011, to discuss the date, time, and location of upcoming regular meetings and public hearings.

Mr. Middlesworth moved to close file on
COMM. 46. Seconded by Ms. Ugalde.

CHR. SIRACUSA: You remember that this was going to be an ongoing agenda item, so that if we needed to we could discuss it. Does anyone have anything to say on this subject?

MS. EOFF: Our next meeting is scheduled for November 3, 2011 and then we have one scheduled for November 10, 2011.

CHR. SIRACUSA: November 3, 2011 is our next meeting, and then November 10, 2011 after that. And on November 10, 2011 is our deadline for submitting the “Draft Plan.”

MR. MIDDLESWORTH: Can we complete this the next time?

CHR. SIRACUSA: It looks to me like we can, we are that far along. What is everyone's feeling about that?

MR. CARVALHO: I think we are pretty close at the moment.

MS. EOFF: You can work on the 10th too.

MR. MIDDLESWORTH: Yes, we could work on the 10th, we could do our final tweaking on the 10th.

CHR. SIRACUSA: We might even be able to finish it on the 3rd and be able to cancel the meeting on the 10th, or move along with other items. We are set then, our next meeting is going to be on November 3, 2011, in Hilo at 10:00 a.m. It is my recollection that the 3rd is Jeff's birthday.

MS. POINDEXTER: On the 10th, where are we having that meeting?

MR. MIDDLESWORTH: Both meetings would be in here in Hilo.

CHR. SIRACUSA: Okay, so we would all be able to work with Shyla on the maps, as necessary.

MR. KAHUI: René, on the 10th, chances are that I will again be here in Kona.

CHR. SIRACUSA: Will you be able to join us on the 3rd?

MR. KAHUI: I doubt that as well. I will probably be here in Kona. I'm hoping we can reach an agreement on the 3rd, because I think we are pretty close. So we wouldn't have a meeting on the 10th, but in any event, that is my request that I would attend the meeting here in Kona.

CHR. SIRACUSA: How was it for you being able to see the maps?

MR. KAHUI: It wasn't too bad. I think if we could have blown it up to half of the TV screen that would have been great, but for the most part, once you guys keyed in on those and zoomed in on those boundaries, I kind of got a good idea; as best as can be expected from this side.

CHR. SIRACUSA: We have agreed then on our next two meetings being on the 3rd and the 10th and they both will be here in Hilo and they both going to be at 10:00 a.m. So that makes it easy to remember and we can now vote on that.

The motion to close file on COMM. 46
was carried by the following vote:

Ayes: Commissioners Carvalho, Kahawaiola‘a,
Kanuha, Melrose, Middlesworth,
Poindexter, Ugalde, and Chair Siracusa.

Noes: None.

Absent: Commissioner Kahui.

ADJOURNMENT

There being no further business, at 2:10 p.m.,
Mr. Middlesworth moved to adjourn the meeting.
Seconded by Ms. Ugalde and carried by the
following vote:

Ayes: Commissioners Carvalho, Kahawaiola‘a,
Kanuha, Melrose, Middlesworth,
Poindexter, Ugalde, and Chair Siracusa.

Noes: None.

Absent: Commissioner Kahui.

CHR. SIRACUSA: Motion carries. Thank you very much Commissioners

Respectfully Submitted,

Karen Eoff, Secretary

Approved on November 3, 2011:

Ms. René Siracusa, Chair
Hawai‘i County Redistricting Commission