

RICHARD T. BISSEN, JR.
Mayor

SHAYNE R. AGAWA, P.E.
Director

ROBERT SCHMIDT
Deputy Director

MICHAEL KEHANO, P.E.
Solid Waste Division

ERIC A. NAKAGAWA, P.E.
Wastewater Reclamation Division

Environmental Protection &
Sustainability Division



**COUNTY OF MAUI
DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT**

2145 KAOHU STREET, SUITE 102
WAILUKU, MAUI, HAWAII 96793

June 12, 2024



DANIEL ORODENKER
Executive Officer
Land Use Commission
State of Hawai'i
dbedt.luc.web@hawaii.gov

KATE BLYSTONE
Planning Director
County of Maui
Kate.Blystone@co.maui.hi.us

RE: Docket No. SP97-390: County of Maui Landfill Status Report

Dear Executive Officer Orodenker and Director Blystone,

This letter responds to the letter from the State of Hawai'i Land Use Commission ("LUC") to the County of Maui Department of Environmental Management ("DEM") dated January 31, 2024. In the LUC's letter, it scheduled a status report hearing, which will now be held on June 19, 2024. The LUC also set out questions and concerns regarding three conditions included in the LUC's Findings of Fact, Conclusions of Law, and Decision and Order Approving with Modifications the Recommendation of the County of Maui Planning Commission to Approve a Fourth Amendment to the Land Use Commission Special Permit dated August 13, 2020, as supplemented by the Order Granting LUC Staff's Request to Issue an Errata to the D&O dated October 27, 2020 (collectively, the "D&O"). Excerpts from the LUC's letter regarding the three conditions, and DEM's responses, are provided below.

Excerpt from LUC letter regarding Condition 19:

Condition 19: Within one year of approval of this Fourth Amendment, the County shall identify County-owned agricultural property of similar land properties and equivalent acreage on Maui and submit a request to have it designated as Important Agricultural Land ("IAL") to compensate for the loss of the 22 acres of IAL associated with the County of Maui Landfill ("CML") Facilities Project.

Daniel Orodener, Executive Officer
Kate Blystone, Planning Director
June 12, 2024
Page 2 of 4

The Land Use Commission did not receive the complete CoM-DEM's Petition for Declaratory Ruling, per §15-15-95.1, the County of Maui Planning Commission must receive the petition prior to the Land Use Commission.

The Commission requests information on why the Kula Agricultural Park was identified for the IAL designation, and the involvement of the Maui County Planning Commission regarding the status of this matter.

DEM response:

DEM acknowledges that it is late in complying with Condition 19, but has taken recent action to comply with the condition. On June 4, 2024, DEM submitted a draft Petition for Declaratory Order to Designate Important Agricultural Lands to the LUC, the State of Hawai'i Office of Planning and Sustainable Development, State of Hawai'i Department of Agriculture, and County of Maui Planning Department for review and comment. See Exhibit "A" and Exhibit "B" (letter regarding the draft petition), both of which are attached hereto. DEM will incorporate the input it receives into a final petition to be filed in mid-July 2024.

Please note that an earlier approach to comply with Condition 19 presented by DEM to the LUC involved a modification of the condition, which would be governed by LUC Administrative Rules §15-15-96.1. In contrast, the current approach seeks to comply with the condition as written.

Excerpt from LUC letter regarding Condition 21:

Condition 21: That the Applicant shall submit a petition for Declaratory Ruling to the LUC to withdraw the 22 acres of IAL from the IAL designation within one year of the LUC's Decision and Order for the Applicant's Fourth Amendment Request.

The annual report states that "On August 6, 2021, CoM-DEM prepared and transmitted a petition for Declaratory Ruling", but the LUC did not receive the complete CoM-DEM's Petition for Declaratory Ruling.

DEM response:

DEM acknowledges that it is late in complying with Condition 21, but has taken recent action to comply with the condition. On June 4, 2024, DEM submitted a Petition for Declaratory Order to Remove Important Agricultural Lands Designation to the LUC, the State of Hawai'i Office of Planning and Sustainable Development, State of Hawai'i Department of Agriculture, and County of Maui Planning Department for review and comment. See Exhibit "B" and Exhibit "C", both of which are attached hereto. DEM will incorporate the input it receives into a final petition to be filed in mid-July 2024.

Daniel Orodenker, Executive Officer
Kate Blystone, Planning Director
June 12, 2024
Page 3 of 4

Excerpt from LUC letter regarding Condition 23:

Condition 23: That the Applicant shall commence the process to seek a district boundary amendment with the LUC for the approximately 95.659 acres of the total permitted area of the CML within five years of the LUC's Decision and Order for the Applicant's Fourth Amendment Request.

The LUC notes that the Decision and Order for the Fourth Amendment Request was issued in 2020, and the condition requires the Petitioner to petition for a district boundary amendment within five years of the 2020 Decision and Order, which is 2025. The Commission notes the petitioner's response in the annual report, but requests additional information on the progress of technical studies and the environmental impact statement.

DEM response:

DEM will provide an update regarding the progress of technical studies and the environmental impact statement, and the larger district boundary amendment ("DBA") process at the upcoming status report hearing. Attached hereto as Exhibit "D" are presentation materials for the hearing prepared by DEM's planning consultant.

We also wanted to note that our current intended approach is to seek a DBA for not only the approximately 96 acres included in the D&O, but all of the areas comprising the CML (approximately 259 acres). We may elect, however, to exclude areas of the CML that are no longer active. See page 3 of Exhibit "D" for a depiction of the CML. We wanted to bring to your attention the overwhelming public support for the use of one of the parcels, described as Tax Map Key No. (2) 3-8-003:020, as the final disposal site for the August 2023 wildfire debris. See Exhibits "E-1" and "E-2," minutes from the March 19, 2024 meeting of the Government Relations, Ethics, and Transparency Committee of the Maui County Council and the March 22, 2024 meeting of the Maui County Council, respectively, both of which are attached hereto. We will provide you with additional information at the upcoming status report hearing.

Daniel Orodener, Executive Officer
Kate Blystone, Planning Director
June 12, 2024
Page 4 of 4

Thank you for your consideration and should you have any questions or concerns, please do not hesitate to contact me.

Respectfully,



DN: cn=Shayne R. Agawa,
ou=Director of the Dept. of
Environmental Management,
email=shayne.agawa@co.maui.hi.us,
c=US
Date: 2024.06.12 10:09:26 -10'00'

SHAYNE R. AGAWA, P.E.
Director of Environmental Management

CC: ALISON S. KATO
Deputy Attorney General
State of Hawai'i
Alison.S.Kato@hawaii.gov
Attorney for the Office of Planning and
Sustainable Development, State of Hawai'i

SHARON HURD
Chairperson
State of Hawai'i Department of Agriculture
hdoa.info@hawaii.gov

MIMI DESJARDINS
First Deputy Corporation Counsel
County of Maui
Mimi.DesJardins@co.maui.hi.us
Attorney for Planning Director

DEPARTMENT OF THE CORPORATION COUNSEL 205

VICTORIA J. TAKAYESU 5481

Corporation Counsel

ANDREW V. NELSON 9783

Deputy Corporation Counsel

County of Maui

200 S. High Street

Wailuku, Hawaii 96793

Telephone: (808) 270-7740

Facsimile: (808) 270-7152

Email: andrew.v.nelson@co.maui.hi.us

Attorneys for

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT,

COUNTY OF MAUI

BEFORE THE LAND USE COMMISSION

OF THE STATE OF HAWAI'I

In the Matter of the Petition of)
)
COUNTY OF MAUI DEPARTMENT OF)
ENVIRONMENTAL MANAGEMENT)
)
For Declaratory Order to Designate)
Important Agricultural Lands)
for approximately 30 acres at)
Kula, Maui, Hawai'i,)
TMK No. (2) 2-3-002-091)
_____)

DOCKET NO. SP97-390

PETITION FOR DECLARATORY
ORDER TO DESIGNATE
IMPORTANT AGRICULTURAL
LANDS; EXHIBITS "A" – "E"



**PETITION FOR DECLARATORY ORDER
TO DESIGNATE IMPORTANT AGRICULTURAL LANDS**

Comes now, Petitioner the COUNTY OF MAUI ("Petitioner"), by and through its attorney, VICTORIA J. TAKAYESU, and respectfully petitions the Land Use Commission of the State of Hawai'i ("Commission") to issue a declaratory order designating approximately 30 acres of land at Kula, Maui, Hawai'i ("Property"), more particularly described below, as Important Agricultural Lands ("IAL") pursuant to §§ 205-44 and 45 of the Hawaii Revised Statutes ("HRS") and §§ 15-15-98 and 99 of the Hawaii Administrative Rules ("HAR"). In support of this Petition, Petitioner alleges and avers as follows:

I. Petition Content Requirements.

Contents requirement for Petition for Declaration Order pursuant to HAR § 15-15-99:

A. Name, address and telephone number of Petitioner. Petitioner the COUNTY OF MAUI is a political subdivision of the State of Hawaii, whose business address is 200 South High Street, Wailuku, Maui, Hawaii 96793, and telephone number is (808) 270-7740. Victoria J. Takayesu, Andrew V. Nelson, and the Department of the Corporation Counsel have been appointed to represent the Petitioner pursuant to HAR Section 15-15-35(b). All correspondence and communications in regard to this Petition shall be addressed to, and served upon, Victoria J. Takayesu, Department of the Corporation Counsel, 200 S. High Street, 3rd Floor, Wailuku, Hawaii 96793.

B. Statement of Petitioner's interest in the subject matter, reason for the submission, and relationship to Commission docket regarding special permit. Petitioner is the owner in fee simple of those lands located on the island of Maui, Hawai'i, and more specifically identified and described on Exhibit "B" attached hereto ("Property"). Petitioner requests the Commission designate the Property as IAL pursuant to HRS §§ 205-44 and 45. This petition is submitted to

comply with Condition No. 19 of the Commission's order approving the Fourth Amendment to the Land Use Commission Special Permit filed August 13, 2020, as modified by order filed October 27, 2020, Docket No. SP97-390.

C. Designation of specific question. Whether the lands identified by Petitioner in this petition should be designated as IAL pursuant to HRS §§ 205-44 and 45.

D. Statement of Petitioner's position or contention. It is Petitioner's position that the Property meets the qualifications for designation as IAL under HRS § 205-44, and that the Commission should issue a declaratory order designating the Property as IAL pursuant to HRS § 205-45.

E. Signature of each petitioner. This petition is signed below by Petitioner's attorney who is authorized to sign and file this petition on Petitioner's behalf.

F. Memorandum of authorities, containing a full discussion of reasons and legal authorities in support of Petitioner's position. HRS § 205-45(c) provides that the petition for declaratory order designating IAL shall be submitted in accordance with subchapter 14 of the Commission's rules and the requirements contained in HRS § 205-45(c). The petition for declaratory order content requirements under subchapter 14 are found at HAR § 15-15-99 and are discussed in Sections A-F herein. The requirements of HRS § 205-45(c) include the following:

1. Tax Map Key Numbers and verification and authorization from the applicable landowners. Petitioner seeks to designate as IAL approximately 30 acres of land on the island of Maui, Hawai'i. Attached hereto and incorporated herein by reference as Exhibit "B" are documents identifying the location, Tax Map Key Number, and acreage of the Property. Ownership of the lands identified by Tax Map Key Numbers stated in Exhibit "B" is held by Petitioner, as described in Exhibit "B." Attached hereto and incorporated herein by reference as

Exhibit "C" is the Kula Agricultural Park, Phase I Subdivision Map dated July 16, 1979 and designated County of Maui, Department of Public Works, LUCA File No. 2.1204. Attached hereto and incorporated herein by reference as Exhibit "D" is a copy of the deed verifying ownership of the Property. Please note that the deed includes a property description of a larger lot that was later subdivided to create the subject Property. See Exhibit "C" (Subdivision Map).

2. Proof of qualification for designation as IAL under HRS § 205-44. HRS § 205-44(c) provides the standards and criteria to identify IAL. HRS § 205-44(a) provides that lands identified as IAL need not meet every standard and criteria listed in HRS § 205-44(c); rather, lands meeting any of the criteria in HRS § 205-44(c) shall be given initial consideration, provided that the designation of IAL shall be made by weighing the standards and criteria with each other to meet the constitutionally mandated purposes in Article XI, Section 3, of the Hawaii Constitution and the objectives and policies for IAL in HRS §§ 205-42 and 205-43.

Attached hereto and incorporated by reference herein as Exhibit "A" is the Agricultural Lands Assessment for Petitioner's land, which describes and illustrates the characteristics of the Property.

The standards and criteria for identifying IAL pursuant to HRS § 205-44(c) are as follows:

a. Land currently used for agricultural production. Approximately 90% of the Property is actively used for the cultivation of onions, eggplants, zucchini, beans, mint, basil, thyme, bananas, bitter melon, watermelon, and okra by lessee of Petitioner and farmer, Fernando T. Traje. See Figure 1 of Exhibit "A", Existing Cultivated / Farmed Land. The remaining 10% not in cultivation is an essential element of the agricultural operations as it houses ancillary structures used in the packaging and distribution of the fruits, vegetables, and herbs for off-site markets.

b. Land with soil qualities and growing conditions that support agricultural production of food, fiber, or fuel- and energy-producing crops. The University of Hawaii, Land Study Bureau ("LSB") developed the Overall Productivity Rating, which classified soils according to five (5) levels, with "A" representing the class of highest productivity soils and "E" representing the lowest. These letters are followed by numbers which further classify the soil types by conveying such information as texture, drainage and stoniness. The Hawaii Statewide GIS Program for the Hawaii LSB Land Class Locator shows the Property as having an LSB rating of E which is the same for the entire Kula Agricultural Park, as further described below. See Figure 2 of Exhibit "A", Agricultural Soils Productivity Ratings. Approximately 100% of the Property receives an annual average of 450 calories of solar energy per square centimeter per day, as shown in Figure 3 of Exhibit "A", Solar Radiation Map.

c. Lands identified under agricultural productivity ratings systems, such as the agricultural lands of importance to the State of Hawaii (ALISH) system adopted by the board of agriculture on January 28, 1977. In 1977, the State Department of Agriculture developed a classification system to identify Agricultural Lands of Importance to the State of Hawaii ("ALISH"). The classification system is based primarily, though not exclusively, upon the soil characteristics of the lands. The three (3) classes of ALISH lands are: "Prime", "Unique", and "Other", with all remaining lands termed "Unclassified". When utilized with modern farming methods, "Prime" agricultural lands have a soil quality, growing season, and moisture supply necessary to produce sustained crop yields economically. "Unique" agricultural lands possess a combination of soil quality, growing season, and moisture supply to produce sustained high yields of a specific crop. "Other" agricultural lands include those that have not been rated as "Prime" or

"Unique". The ALISH system classifies all of the Property as Other, except for the gulch portion, which is unclassified. See Figure 4 of Exhibit "A", ALISH Map.

d. Land types associated with traditional native Hawaiian agricultural uses, such as taro cultivation, or unique agricultural crops and uses, such as coffee, vineyards, aquaculture, and energy production. The Property was previously part of a larger tract of 327 acres owned by Maui Land and Pineapple Company. In 1985, that larger tract became the Kula Agricultural Park, Phase I located on Pulehu Rd. The Kula Agricultural Park was later expanded and today is comprised of approximately 445 acres divided into 31 farm lots, each 10-30 acres in size, leased to 26 farmers for \$100/acre per year for 50 years. The Property is 29.508 acres, is Lot No. 8 of the Kula Agricultural Park, and has been leased since April 1, 1985. See Figure 1 of Exhibit "A", Existing Cultivated/Farmed Land.

e. Lands with sufficient quantities of water to support viable agricultural production. Access to reliable sources of water and efficient irrigation systems are crucial to the cultivation of sugar cane, as well as other agricultural crops. The availability of adequate water is crucial to maintaining current agricultural operations. The existing agreement between County of Maui Department of Water Supply ("DWS") and the Kula Agriculture Park allows for the delivery of up to 1.5 million gallons per day to the Park. The DWS' FY 2023 annual report states that Kula Agriculture Park used 150,203,000 gallons in the fiscal year for which DWS received \$191,318 in revenue from the Park. The water source for the Park is the East Maui Irrigation ditch system which is owned, operated, and maintained by the East Maui Irrigation Company, a wholly owned subsidiary of A&B, Inc. The ditch system conveys water via tunnels and concrete ditches from East Maui to Central Maui. In FY2023 DWS purchased 2,179,747,000 gallons from EMI at the rate of \$0.06 per one thousand gallons for \$131,439. The Property has

sufficient quantities of water to support viable agricultural production. See Figure 5 of Exhibit "A", Agricultural Infrastructure and Water Resources.

f. Land whose designation as Important Agricultural Lands is consistent with general, development, and community plans of the County. The Property's agricultural classification is consistent with the County's General Plan and Community Plans. As shown on the Makawao-Pukalani-Kula Community Plan Land Use Map (Figure 7 of Exhibit "A"), the Property is designated Agriculture. The Maui Island Plan: Directed Growth Map (Figure 6 of Exhibit "A") shows the Property outside of the proposed urban growth and developed areas. Additionally, the Property is situated within the State Agricultural District as shown on Figure 8 of Exhibit A", State Land Use District Boundary Map.

g. Land that contributes to maintaining a critical land mass important to agricultural operating productivity. Petitioner seeks to designate approximately 30 acres of land as IAL, approximately 90% of which are used for the cultivation of onions, eggplants, zucchini, beans, mint, basil, thyme, bananas, bitter melon, watermelon, and okra. See Figure 1 of Exhibit "A", Existing Cultivated/Farmed Land. Additional lands proposed for inclusion, which consist of essential elements of the agricultural operations, are necessary to provide the overall critical "contiguous" land mass necessary for agricultural operating productivity. The Property is part of the larger Kula Agricultural Park, which itself is surrounded by many active farms. The entire Property, including those areas that are not being actively cultivated comprised of gulches, streams, and reservoirs, constitute contiguous, intact, and functional land units large enough to allow flexibility in agricultural production and management and is consistent with the policies of HRS § 205-43(1).

h. Land with or near support infrastructure conducive to agricultural productivity, such as transportation to markets, water, or power. The Property has been in active agriculture for at least 30 years. Existing infrastructure include water irrigation systems, roadways, processing areas, and related facilities. See Figures 1 and 5 of Exhibit "A", Existing Cultivated/Farmed Land and Agricultural Infrastructure/Water Resources.

3. The current or planned agricultural use of the area sought to be designated as IAL. As described above, the majority of the Property is used for the cultivation of diversified crops, including onions, eggplants, zucchini, beans, mint, basil, thyme, bananas, bitter melon, watermelon, and okra. See Figure 1 of Exhibit "A", Existing Cultivated/Farmed Lands.

II. Waiver of 85/15 Reclassification Incentive

Petitioner is not seeking a reclassification of land pursuant to HRS § 205-45(b) in conjunction with this petition to designate IAL. Furthermore, Petitioner hereby voluntarily waives any and all rights to assert, claim or exercise any credits pursuant to HRS § 205-45(h), as effective as of the date of this petition, that may be earned by Petitioner in the event of and as a result of this petition being granted. This waiver is limited to the use of credits for the sole purpose of reclassifying other lands that are not the subject of this petition to the Urban, Rural or Conservation Districts pursuant to HRS § 205-45(h), as effective as of the date of this petition, and shall not apply to any other credits, incentives, rights, or privileges that Petitioner may possess now or in the future, whether known or unknown, which are hereby expressly reserved.

Based on the foregoing, Petitioner respectfully requests that the Commission find that the petition meets the standards for designating Important Agricultural Lands pursuant to HRS §§ 205-44 and 45, designates the Property as Important Agricultural Lands, and acknowledges the satisfaction of Condition No. 19 of the Commission's order approving the Fourth Amendment to the Land Use Commission Special Permit filed August 13, 2020, as modified by order filed October 27, 2020, Docket No. SP97-390.

DATED: Wailuku, Maui, Hawai'i, June 04, 2024.

VICTORIA J. TAKAYESU
Corporation Counsel
Attorneys for DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT,
COUNTY OF MAUI

By *Andrew Nelson*
ANDREW V. NELSON
Deputy Corporation Counsel

LAND USE COMMISSION

STATE OF HAWAI'I

In the Matter of the Petition of	)	DOCKET NO. SP97-390
)	
COUNTY OF MAUI DEPARTMENT OF	)	CERTIFICATE OF SERVICE
ENVIRONMENTAL MANAGEMENT)	
)	
For Declaratory Order to Designate)	
Important Agricultural Lands)	
for approximately 30 acres at)	
Kula, Maui, Hawai'i,)	
TMK No. (2) 2-3-002-091)	
_____)	

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was duly served on this date on the below-named parties electronically and by U.S. Mail, postage prepaid:

ALISON S. KATO
Deputy Attorney General
State of Hawaii
425 Queen St.
Honolulu, Hawaii 96813
Alison.S.Kato@hawaii.gov
Attorney for the Office of Planning, State of Hawaii

KATE BLYSTONE
Planning Director
County of Maui
Kate.Blystone@co.maui.hi.us

MIMI DESJARDINS
First Deputy Corporation Counsel
County of Maui
Mimi.DesJardins@co.maui.hi.us
Attorney for Planning Director

DATED: Wailuku, Maui, Hawai‘i, June 04, 2024.

VICTORIA J. TAKAYESU
Corporation Counsel
Attorneys for DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT,
COUNTY OF MAUI

By Andrew Nelson
ANDREW V. NELSON
Deputy Corporation Counsel

Exhibit "A"

Agricultural Lands Assessment of County of Maui Lands May 2024

Introduction/Purpose:

To support a Petition for Declaratory Order to Designate Important Agricultural Lands("IAL"), an Agricultural Lands Assessment was prepared for land owned by the County of Maui at the Kula Agricultural Park.

HRS § 205-44(c) provides the standards and criteria to identify IAL. HRS § 205-44(a) provides that lands identified as IAL need not meet every standard and criteria listed in HRS § 205-44(c); rather, lands meeting any of the criteria in HRS § 205-44(c) shall be given initial consideration, provided that the designation of IAL shall be made by weighing the standards and criteria with each other to meet the constitutionally mandated purposes in article XI, section 3, of the Hawaii Constitution and the objectives and policies for IAL in HRS §§ 205-42 and 205-43. The standards and criteria of HRS § 205-44(c) are as follows:

- 1) Land currently used for agricultural production;
- 2) Land with soil qualities and growing conditions that support agricultural production of food, fiber, or fuel-and energy-producing crops;
- 3) Land identified under agricultural productivity rating systems, such as the agricultural lands of importance to the State of Hawaii (ALISH) system adopted by the board of agriculture on January 28, 1977;
- 4) Land types associated with traditional native Hawaiian agricultural uses, such as taro cultivation, or unique agricultural crops and uses, such as coffee, vineyards, aquaculture, and energy production;
- 5) Land with sufficient quantities of water to support viable agricultural production;
- 6) Land whose designation as important agricultural lands is consistent with general, development and community plans of the county;
- 7) Land that contributes to maintaining a critical land mass important to agricultural operation productivity;
- 8) Land with or near support infrastructure conducive to agricultural productivity, such as transportation to markets, water or power.

The following exhibits were prepared to qualify and quantify the agricultural land being proposed to be designated IAL.

Figure 1: Existing Cultivated / Farmed Land

The Kula Agriculture Park on Pulehu Rd., established in 1985, is currently comprised of 445 acres divided into 31 farm lots, each 10-30 acres, leased to 26 farmers for \$100/acre per year for

50 years.¹ Lot 8 is 29.508 acres² and has been leased since April 1, 1985.³ An additional 262 acres was purchased in 2018 from Alexander & Baldwin, Inc. (A&B) by the County (\$1M) and state (\$5M) at the Pulehu Rd. and Omaopio Rd. fork.⁴ Based on the aerial map flown in February 2024⁵ the proposed IAL land is currently utilized for active agricultural purposes. Approximately 90% of Lot 8 is actively used for the cultivation of onions, eggplants, zucchini, beans, mint, basil, thyme, bananas, bitter melon, watermelon, and okra. The remaining 10% not in cultivation is an essential element of the agricultural operations as it houses ancillary structures used in the packaging and distribution of the fruits, vegetables, and herbs for off-site markets.⁶

Figure 2: Agricultural Soils Productivity Ratings

The Detailed Land Classification System and Agricultural Land Productivity Ratings by the Land Study Bureau (LSB), University of Hawaii are based on a five-class productivity rating system using the letters A, B, C, D, and E, with A representing the class of highest productivity and E the lowest.⁷ The Hawaii Statewide GIS Program for the Hawaii LSB Land Class Locator shows Lot 8 with an LSB rating of E which is the same for the entire Kula Agriculture Park.⁸

Figure 3: Solar Radiation

Based on the Sunshine Maps prepared in 1985 by the State Department of Business, Economic Development and Tourism, formerly known as the State Department of Planning and Economic Development, Energy Division,⁹ approximately 100% of the proposed IAL land receives an annual average of 450 calories of solar energy per square centimeter per day.¹⁰

Figure 4: Agricultural Lands of Importance to the State of Hawaii (ALISH)

The Agricultural Lands of Importance to the State of Hawaii (ALISH) classification system was developed in 1977 by the State Department of Agriculture. The system is based primarily, but not exclusively, on the soil characteristics of lands. There are three classes of ALISH lands – Prime, Unique, and Other.¹¹ All of the proposed IAL land is classified as Other except for the

¹ <https://mauicounty.gov/621/Kula-Agriculture-Park>

² Kula Agricultural Park, Phase 1, Subdivision of Tax Map Parcel 6 into Lots 1 to 22, Pulehunui, Kula, Maui, Hawaii, 8-10-90.

³ County of Maui Concession/Lease/License Schedule – By Departments, Appendix B-1, 3/1/2023.

⁴ “Kula Agricultural Park addition completed 262-acre addition for \$6M to grow site to 709 acres,” Lee Imada, Maui News, January 3, 2019.

⁵ Google Maps, Kula Agriculture Park, Image©2024 Airbus.

⁶ <https://worldwidefarmers.org/about/stories/fernando-traje>.

⁷ Agricultural Lands Assessment for Alexander & Baldwin, Inc. Maui Lands, PBR Hawaii & Associates, Inc., Honolulu, Hawaii 96813, April 2009.

⁸ <https://geoportal.hawaii.gov/> Hawaii Statewide GIS Program, Hawaii LSB Land Class Locator.

⁹ Agricultural Lands Assessment for Alexander & Baldwin, Inc. Maui Lands, PBR Hawaii & Associates, Inc., Honolulu, Hawaii 96813, April 2009.

¹⁰ <https://geoportal.hawaii.gov/> Hawaii Statewide GIS Program, Solar Radiation Ranges.

¹¹ Agricultural Lands Assessment for Alexander & Baldwin, Inc. Maui Lands, PBR Hawaii & Associates, Inc., Honolulu, Hawaii 96813, April 2009.

adjacent gulch which is unclassified.¹² Other is defined as other important agricultural land other than prime or unique agricultural land that is also of statewide or local importance to agriculture.¹³

Figure 5: Agricultural Infrastructure and Water Resources

The farmers and ranchers in the Kula Agricultural Park use water from three reservoirs:

Upper Kula Reservoir. This reservoir has a capacity of 3.5 million gallons. At full capacity, the reservoir can provide water to the Upcountry Kula region for 4 days.

Lower Kula Reservoir. This reservoir has a capacity of 1.5 million gallons.

Reservoir 40. Water from this reservoir is pumped 24 hours a day, 5 days a week to the Lower and Upper Kula Reservoirs.¹⁴

One pipe connects all three reservoirs that serve as the inflow and outflow. When water is pumped from Reservoir 40 to the Lower and Upper Kula Reservoirs, water may be used for irrigation in the interim. Thus, the total amount of water pumped from Reservoir 40 may not reach the higher elevation reservoirs.¹⁵

The existing agreement between Maui Department of Water Supply (DWS) and the Kula Agriculture Park allows for water pumpage of up to 1.5 million gallons per day (mgd).¹⁶ For FY 2023 the annual report for DWS states that Kula Agriculture Park used 150,203,000 gallons for which DWS received \$191,318 in revenue from the Park.¹⁷ The water source for the Park is the East Maui Irrigation (EMI) ditch system which is owned, operated and maintained by the East Maui Irrigation Company, a wholly owned subsidiary of A&B, Inc.¹⁸ The ditch system conveys water via tunnels and concrete ditches from East Maui to Central Maui.¹⁹ In FY2023 DWS purchased 2,179,747,000 gallons from EMI at the rate of \$0.06 per one thousand gallons for \$131,439.²⁰

Figure 6: Maui Island Plan

The Maui Island Plan, adopted December 28, 2012 is a part of the County's on-going effort to prepare the General Plan 2030 of the County of Maui. Intended to provide a long-term comprehensive strategic planning document for the physical, economic, environmental development and cultural identity of the county, it encompasses goals, policies, programs and actions that are recommended based on an assessment of current and future needs and available resources.²¹ According to the Maui Island Plan Directed Growth Map Oma'opio U2, the

¹² <https://geoportal.hawaii.gov/> Hawaii Statewide GIS Program, ALISH.

¹³ Ibid.

¹⁴ Field Investigation Report, FI2009062202, Commission on Water Resources Management, June 2009.

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ <https://mauicounty.gov/126/Department-of-Water-Supply/> Fiscal Year 2023 Annual Report & Audit, pg. 56.

¹⁸ East Maui Irrigation Map, Hawaii State Dept. of Agriculture, Water Resources Associates, Dec. 2003.

¹⁹ Ibid.

²⁰ <https://mauicounty.gov/126/Department-of-Water-Supply/> Fiscal Year 2023 Annual Report & Audit, pg. 54.

²¹ Agricultural Lands Assessment for Alexander & Baldwin, Inc. Maui Lands, PRB Hawaii & Associates, Inc., Honolulu, Hawaii 96813, April 2009.

proposed IAL Lot 8 is outside the proposed Urban Growth Boundary, Resort Areas, and Developed Areas.²²

Figure 7: Maui Community Plans

As a more detailed land use element of the General Plan, the Community Plans are land use planning documents that guide government action and decision-making for the total of nine community planning districts within the County of Maui. The documents are district specific and include planning goals, objectives, policies and implementation considerations that provide for optimum planning effectiveness and benefits for residents in the respective community districts. The Community Plan Land Use Map for Makawao-Pukalani-Kula shows Lot 8 as Agriculture.²³

Figure 8: State Land Use District Boundary Map

According to the official State Land Use District Boundary Maps, the proposed IAL lot is within the Agricultural District. The District is Puu O Kali.²⁴

References

<https://mauicounty.gov/621/Kula-Agriculture-Park>

Kula Agricultural Park, Phase 1, Subdivision of Tax Map Parcel 6 into Lots 1 to 22, Pulehunui, Kula, Maui, Hawaii, 8-10-90.

County of Maui Concession/Lease/License Schedule -By Departments, Appendix B-1, 3/1/2023. “Kula Agricultural Park addition completed

262-acre addition for \$6M to grow site to 709 acres,” Lee Imada, Maui News, January 3, 2019.

<https://worldwidefarmers.org/about/stories/fernando-traje>.

Google Maps, Kula Agriculture Park, Image©2024 Airbus.

Agricultural Lands Assessment for Alexander & Baldwin, Inc. Maui Lands, PBR Hawaii & Associates, Inc., Honolulu Hawaii 96813, April 2009.

<https://geoportal.hawaii.gov/> Hawaii Statewide GIS Program, Geospacial Data Portal, Hawaii LSB Land Class Locator, Solar Radiation Ranges, ALISH.

Field Investigation Report, F12009062202, Commission on Water Resources Management, June 2009.

East Maui Irrigation Map, HI State Dept of Agriculture, Prepared by Water Resources Associates, Honolulu, Hawaii, December 2003.

<https://mauicounty.gov/126/Department-of-Water-Supply/> Fiscal Year 2023 Annual Report & Audit.

<https://mauicounty.gov/1503/Maui-Island-Plan/>

<https://mauicounty.gov/1523/Community-Plan-Maps/>

<https://histategis.maps.arcgis.com/apps/webappviewer/index.html?id=b843c728b4cb4333b1df015fdaa84104>

²² <https://mauicounty.gov/1503/Maui-Island-Plan/>

²³ <https://mauicounty.gov/1523/Community-Plan-Maps/>

²⁴ <https://histategis.maps.arcgis.com/apps/webappviewer/index.html?id=b843c728b4cb4333b1df015fdaa84104>

FIGURE 1
Existing Cultivated/Farmland



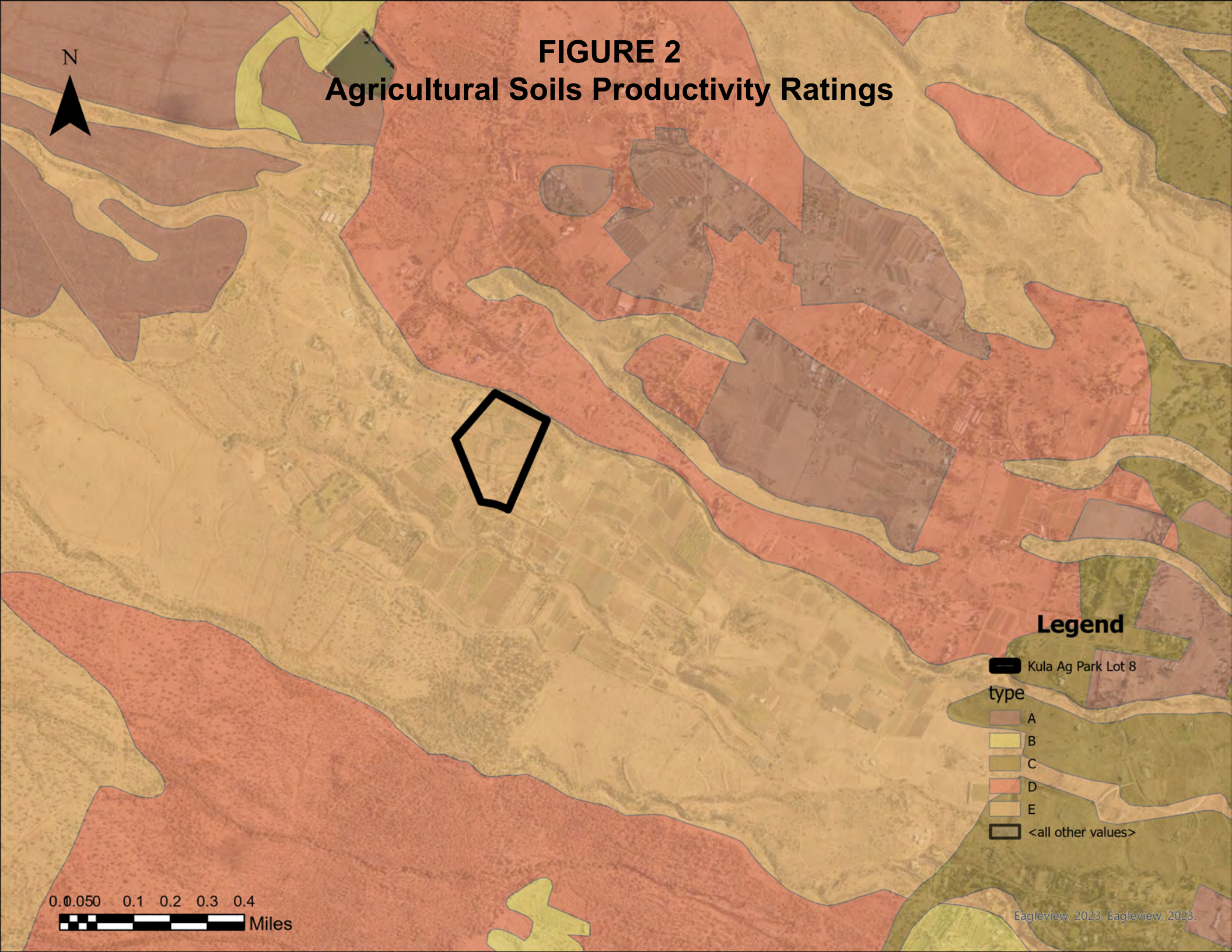
Legend

 Kula Ag Park Lot 8

0.02 0.04 0.06 0.08
 Miles

FIGURE 2

Agricultural Soils Productivity Ratings



N



Legend

-  Kula Ag Park Lot 8
- type
-  A
-  B
-  C
-  D
-  E
-  <all other values>

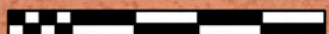










0.0 0.050 0.1 0.2 0.3 0.4
 Miles

FIGURE 3 Solar Radiation



Legend

-  Kula Ag Park Lot 8
- Solar Radiation Ranges**
-  200-250
-  250-300
-  300-350
-  350-400
-  400-450
-  450-500
-  500-550
-  550-600
-  600-650
-  <all other values>

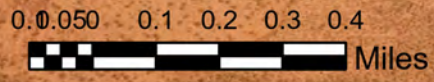
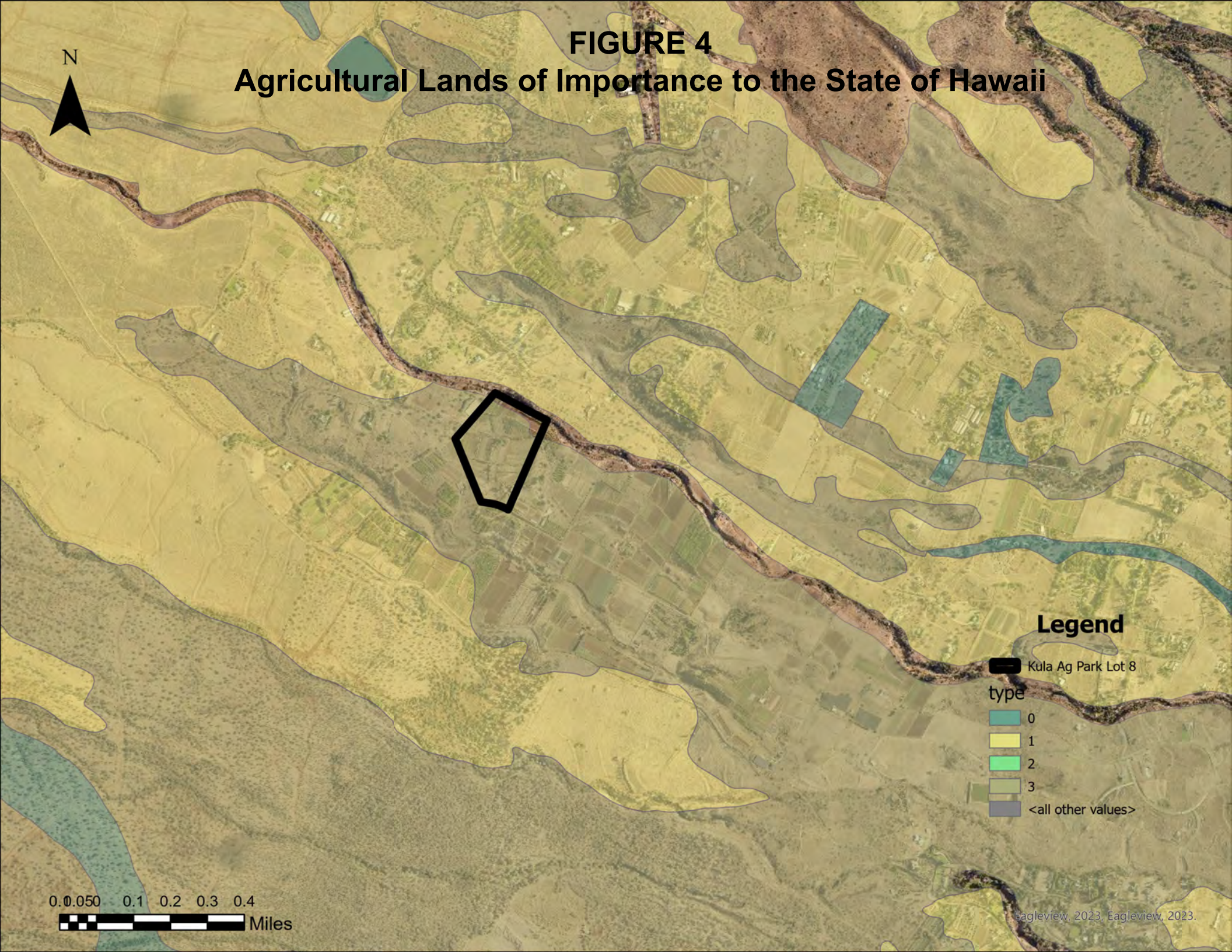



FIGURE 4

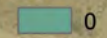
Agricultural Lands of Importance to the State of Hawaii

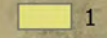


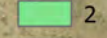
Legend

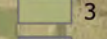
 Kula Ag Park Lot 8

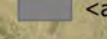
type

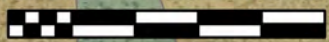
 0

 1

 2

 3

 <all other values>

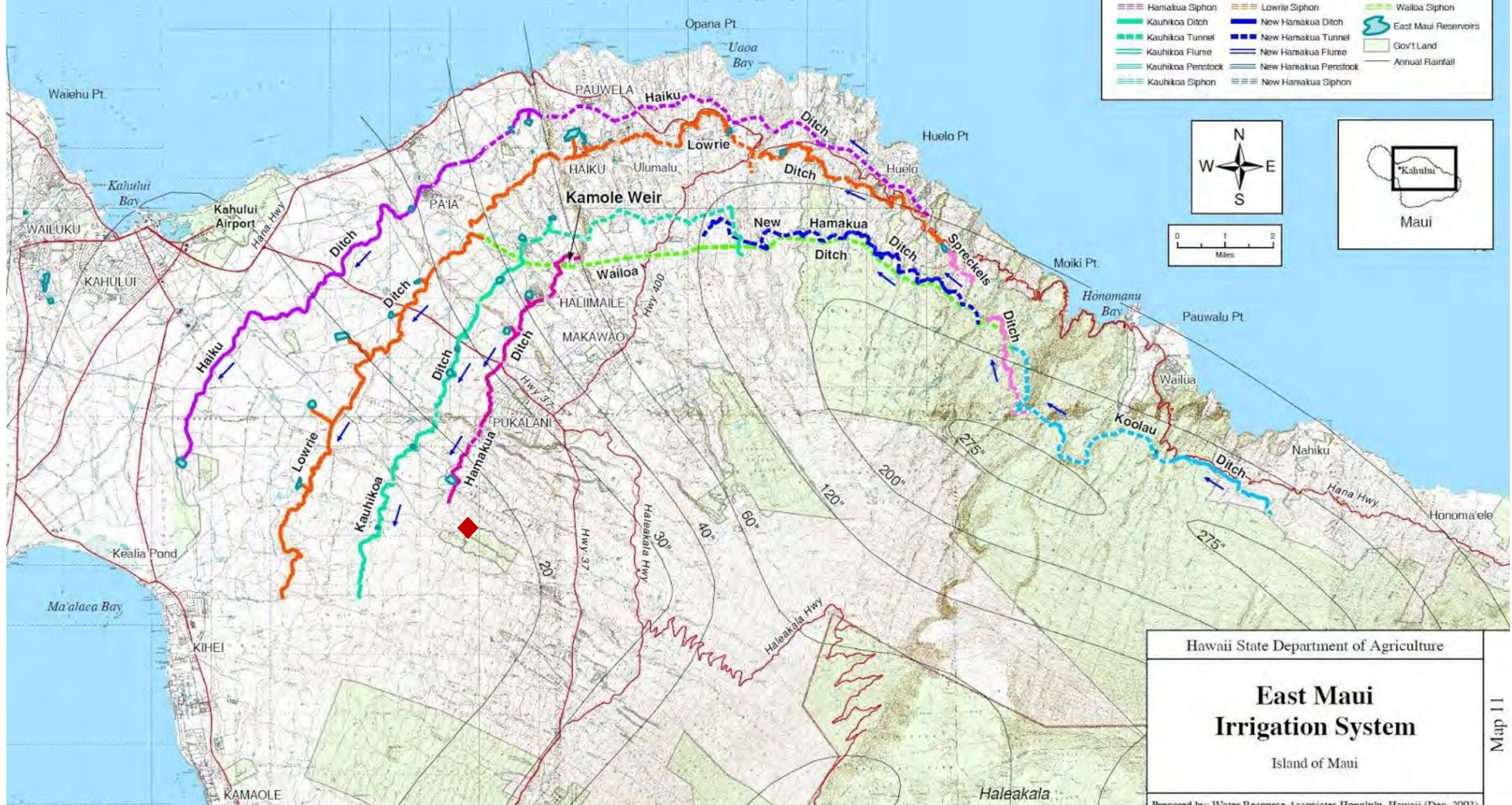
0.0 0.050 0.1 0.2 0.3 0.4
 Miles

◆ Approximate Site Location

FIGURE 5 Agricultural Infrastructure and Water Resources

Legend

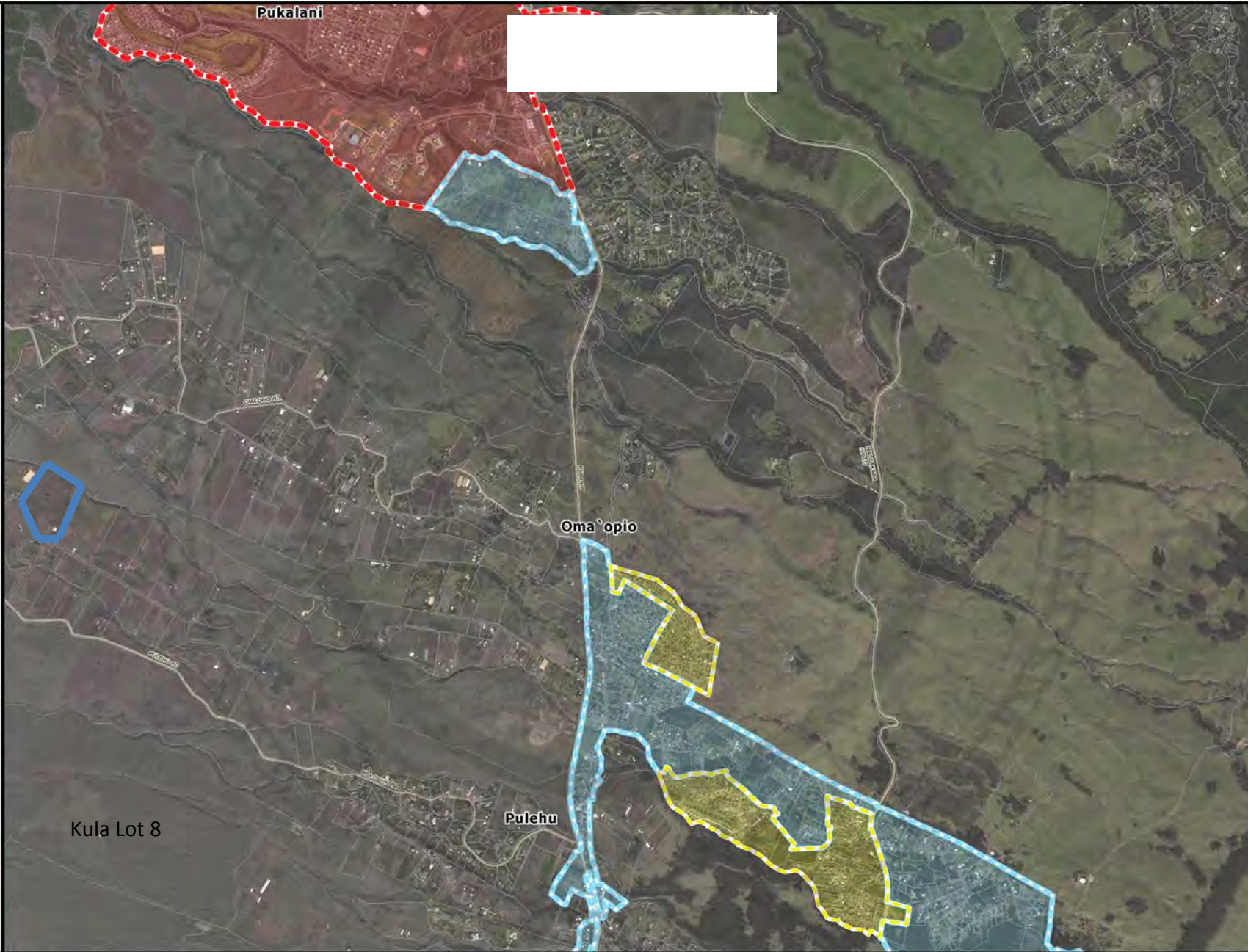
Haiku Ditch	Koolau Ditch	Spreckels Ditch
Haiku Tunnel	Koolau Tunnel	Spreckels Tunnel
Haiku Flume	Koolau Flume	Spreckels Flume
Haiku Penstock	Koolau Penstock	Spreckels Penstock
Haiku Siphon	Koolau Siphon	Spreckels Siphon
Hamakua Ditch	Lowrie Ditch	Wailoa Ditch
Hamakua Tunnel	Lowrie Tunnel	Wailoa Tunnel
Hamakua Flume	Lowrie Flume	Wailoa Flume
Hamakua Penstock	Lowrie Penstock	Wailoa Penstock
Hamakua Siphon	Lowrie Siphon	Wailoa Siphon
Kauhikoa Ditch	New Hamakua Ditch	East Maui Reservoirs
Kauhikoa Tunnel	New Hamakua Tunnel	Gov't Land
Kauhikoa Flume	New Hamakua Flume	Annual Rainfall
Kauhikoa Penstock	New Hamakua Penstock	
Kauhikoa Siphon	New Hamakua Siphon	



North arrow and scale bar (0 to 2 miles). An inset map shows the location of the study area on the island of Maui.

Hawaii State Department of Agriculture
East Maui Irrigation System
Island of Maui
Prepared by: Water Resource Associates Honolulu, Hawaii (Dec. 2003)

Map 11





**Mauisland
Plan
Directed
Growth
Map**
Oma'opio
U2

Legend

Growth Boundaries

-  Urban
-  Small Town
-  Rural

Reference

-  2011 Parcels
-  Primary Roads



Scale: 0 500 1000 1500 2000 2500 3000 3500 4000 Feet



Product Code: M-CET_20121030-D2
Copyright © October 30, 2012

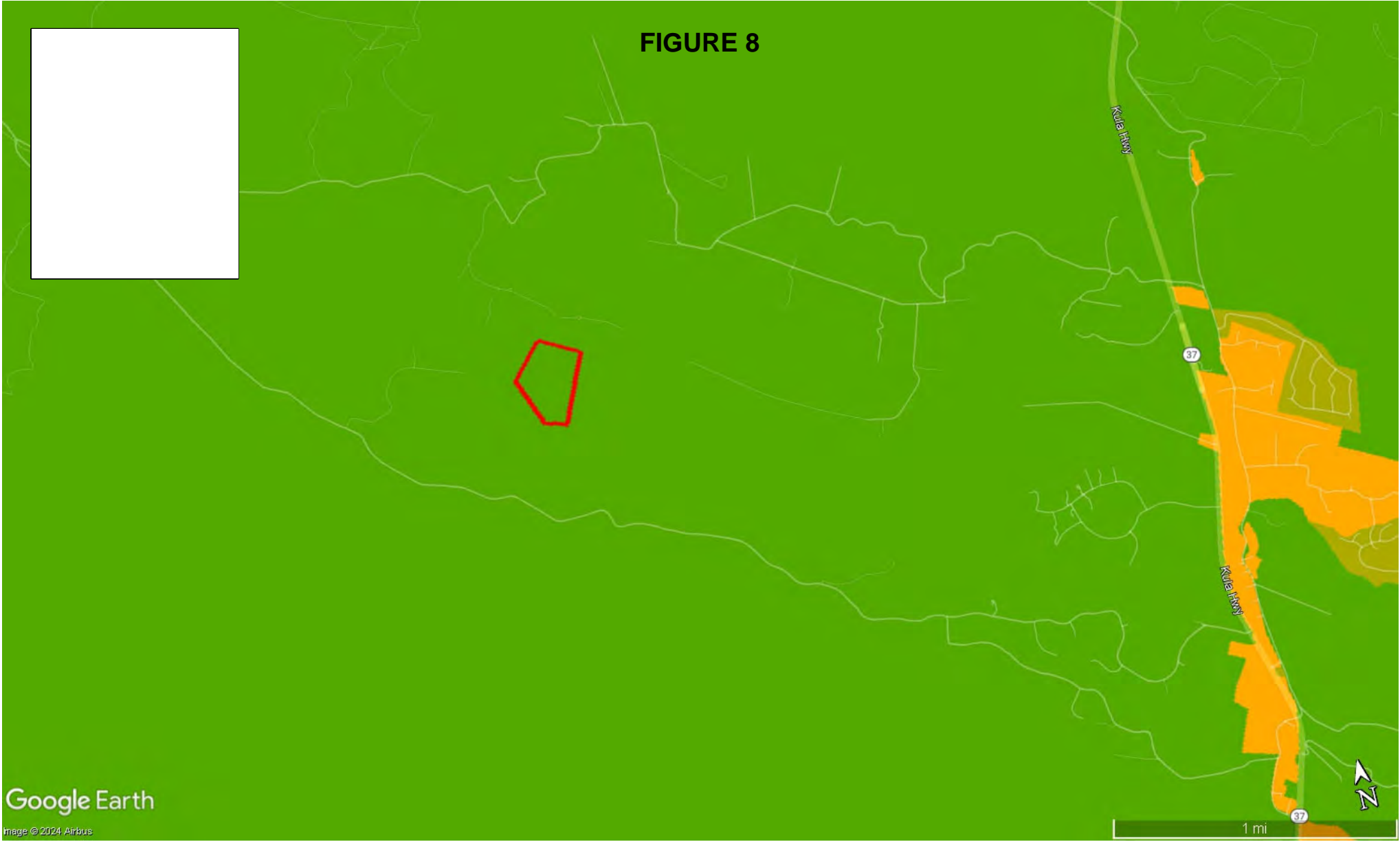
Background Image: Worldview 2 - 2010

This is not a zoning map. Please contact the Planning Department for Zoning confirmation.

PREPARED BY:
Long Range Planning Division
Department of Planning
County of Maui
250 South High Street
Wailuku, Hawaii 96793






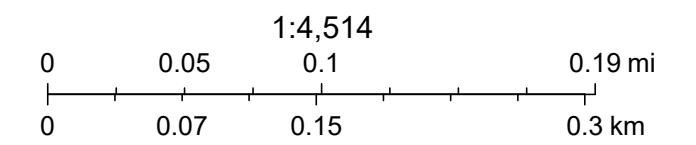
FIGURE 8





5/20/2024, 3:51:59 PM

-  Parcelinfo
-  Address
-  Road Centerlines



Eagleview, 2023.

Parcel Information

Parcel Number 230020910000
Location Address 2001 KULAKULA RD
Neighborhood Code 2233-5
Land Area 29.508 Acres
Parcel Note Non taxable

View Map

Damage
Reentry Zone
Zone Color

Owner Information

Owner Names
COUNTY OF MAUI Fee Owner

Mailing Address
COUNTY OF MAUI

Assessment Information

Show Historical Assessments

Table with 9 columns: Year, Tax Class, Market Land Value, Agricultural Land Value, Assessed Land, Building Value, Total Assessed Value, Total Exemption Value, Total Net Taxable Value. Row 1: 2024, AGRICULTURAL, \$2,341,900, \$0, \$2,341,900, \$0, \$2,341,900, \$2,341,900, \$0

How to calculate real property taxes

Sales Information

Table with 8 columns: Sale Date, Price, Instrument Number, Instrument Type, Valid Sale or Other Reason, Document Type, Record Date, Land Court #, Land Court Cert. Row 1: 2/13/1996, \$0, 0000000000

Maui's Automated Planning & Permitting System

Click Here to View All Planning and Permitting Info Regarding This TMK

Recent Sales In Area

Sale date range:

From: 05/20/2021 To: 05/20/2024

Empty input box

1500 Feet

Generate Owner List by Radius

Distance: 100 Feet

Use Address From:

Owner Property

Select export file format: Address labels (5160)

Show All Owners Show Parcel ID on Label

Skip Labels 0

International mailing labels that exceed 5 lines are not supported on the Address labels (5160). For international addresses, please use the xlsx, csv or tab download formats.

Empty input box

No data available for the following modules: Assessment Notices, Tax Bills, Agricultural Assessment Information, Current Tax Bill Information, Historical Tax Information, Appeal Information, Home Exemption Information, Improvement Information, Additions, Commercial Improvement Information, Accessory Information, Permit Information, Sketches.

User Privacy Policy GDPR Privacy Notice
Last Data Upload: 5/20/2024, 1:40:58 AM



STATE OF HAWAII
BUREAU OF CONVEYANCES
RECORDED

RECORDATION REQUESTED BY:

86- 96595

86 AUG 8 P 2: 35

LIBER/PG. 19749 328
C. F. NEUMANN III, REGISTRAR

AFTER RECORDATION, RETURN TO:
DEPT. OF CORPORATION COUNSEL
COUNTY OF MAUI
WAILUKU, MAUI, HAWAII 96793

RETURN BY: MAIL () PICKUP ()

WARRANTY DEED

THIS INDENTURE, made this 20th day of January,
1986, by and between MAUI LAND & PINEAPPLE COMPANY, INC., a
Hawaii corporation, whose principal place of business is Kahului,
Maui, Hawaii and whose post office address is P. O. Box 187,
Kahului, Maui, Hawaii 96732, hereinafter called the "GRANTOR",
and the COUNTY OF MAUI, a body politic and corporate, and a
political subdivision of the State of Hawaii, having its
principal place of business and post office address at 200 South
High Street, Wailuku, Maui, Hawaii 96793, hereinafter called the
"GRANTEE",

W I T N E S S E T H:

WHEREAS, by and under that certain unrecorded Lease
Agreement dated August 1, 1984, made and entered into by the
parties hereto, the Grantor agreed, upon obtaining marketable
title, to convey to the Grantee by Warranty Deed, the property more
particularly described in Exhibit "A" attached hereto and by
reference made a part hereof; and

WHEREAS, the Grantor has obtained marketable title to
said property; NOW, THEREFORE,

F U R T H E R W I T N E S S E T H T H A T :

The Grantor, for and in consideration of the foregoing premises, and the sum of ONE AND NO/100 DOLLAR (\$1.00), lawful money of the United States of America, paid to the Grantor by the Grantee, the receipt whereof is hereby acknowledged, and for other good and valuable consideration, does hereby grant, bargain, sell and convey unto the Grantee, its legal successors and assigns, the property described in Exhibit "A" attached hereto and by reference made a part hereof.

AND the reversions, remainders, rents, issues and profits thereof, and all of the estate, right, title and interest of the Grantor, both at law and in equity, therein and thereto.

TO HAVE AND TO HOLD the same, together with all improvements, rights, easements, privileges and appurtenances thereon and thereunto belonging or appertaining or held and enjoyed therewith, unto the Grantee according to the tenancy and estate as hereinabove set forth, forever.

AND the Grantor hereby covenants and agrees with the Grantee, as aforesaid, that Grantor is lawfully seised in fee simple of the property described in said Exhibit "A", and has good right and lawful authority to sell and convey the same as aforesaid; that said property is free and clear of all encumbrances, subject, however, to the reservations, restrictions, and encumbrances shown on said Exhibit "A", if any, and that the Grantor will WARRANT AND DEFEND the same unto the Grantee as aforesaid, against the lawful claims and demands of all persons whomsoever, except as herein set forth.

AND the parties hereby acknowledge and agree that this conveyance is made in full settlement, accord, and satisfaction of

said unrecorded Lease Agreement dated August 1, 1984, and that said Lease Agreement, upon execution and recordation of this Warranty Deed, shall automatically terminate.

The covenants and obligations, and the rights and benefits of the Grantor and the Grantee shall be binding upon and inure to the benefit of their respective estates, heirs, devisees, personal representatives, successors, successors in trust, and assigns, and all covenants and obligations undertaken by two or more persons shall be deemed to be joint and several unless otherwise expressly provided herein. The terms "Grantor" and "Grantee," wherever used herein, and any pronouns used in place thereof, shall mean and include the singular and the plural, and the use of any gender shall mean and include all genders.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be duly executed on the day and year first above written.

GRANTOR:

MAUI LAND & PINEAPPLE
COMPANY, INC.

By Dennis K. Iwasaki
Its Secretary

By Richard H. Cameron
Its Asst. Secretary

APPROVED AS TO FORM
AND LEGALITY:

[Signature]
DEPUTY CORPORATION COUNSEL

GRANTEE:

COUNTY OF MAUI

By Hannibal Iwama
Its Mayor

STATE OF HAWAII)
) SS.
COUNTY OF MAUI)

On this 20th day of January, 19 86,
before me personally appeared Dennis K. Iwasaka and
RICHARD H. CAMERON, to me personally known, who,
being by me duly sworn, did say that they are the Secretary
and Ast. Secretary of MAUI LAND & PINEAPPLE COMPANY, INC.,
a Hawaii corporation, and that the seal affixed to the foregoing
instrument is the corporate seal of said corporation, and that
said instrument was signed and sealed on behalf of said
corporation by authority of its Board of Directors, and the said
officers acknowledged said instrument to be the free act and deed
of said corporation.

Stephanie J. Hall
Notary Public, State of Hawaii
My Commission expires: 9-29-89

STATE OF HAWAII)
) : SS.
COUNTY OF MAUI)

On this 4th day of February,
19 86, before me appeared HANNIBAL TAVARES, to me personally
known, who being by me duly sworn did say that he is the Mayor of
the County of Maui, a political subdivision of the State of
Hawaii, and that the seal affixed to the foregoing instrument is
the lawful seal of the said County of Maui, and that the said
instrument was signed and sealed in behalf of said County of Maui
by authority of its Charter, and the said HANNIBAL TAVARES
acknowledged the said instrument to be the free act and deed of
said County of Maui.

IN WITNESS WHEREOF, I have hereunto set my hand
and official seal.

L.S.

Elizabeth K. Kawana
Notary Public, State of Hawaii
My commission expires: 11-15-89

EXHIBIT "A"

All of that certain parcel of land (portion of the land described in and covered by Land Patent Number 8140, Land Commission Award Number 5230 to Keaweamahi) situate, lying and being at Pulehunui, Kula, Island and County of Maui, State of Hawaii, and thus bounded and described:

Beginning at a concrete monument at the Southeasterly corner of this lot, the coordinates of said point of beginning being 11,767.15 feet South, 4,616.3 feet East referred to Government Survey Triangulation Station "PUU O KOHA" and running:

1.	104°	19'	212.0	feet along the Northerly side of 40 foot Kahului-Waiakoa Government Road;
2.	115°	15'	165.0	feet along same;
3.	110°	29'	267.2	feet along same;
4.	124°	58'	226.0	feet along same;
5.	108°	57'	314.0	feet along same;
6.	101°	30'	80.0	feet along same;
7.	94°	16'	129.0	feet along same;
8.	88°	36'	119.8	feet along same;
9.	105°	51'	44.0	feet along same;
10.	136°	50'	46.0	feet along same;
11.	168°	48'	137.0	feet along same;
12.	152°	39'	95.5	feet along same;
13.	141°	54'	64.0	feet along same;
14.	124°	34'	51.0	feet along same;
15.	106°	45'	44.2	feet along same;
16.	95°	44'	68.0	feet along same;
17.	83°	56'	182.0	feet along same;
18.	89°	01'	347.0	feet along same;
19.	87°	05'	140.0	feet along same;
20.	99°	53'	78.0	feet along same;
21.	111°	06'	57.0	feet along same;
22.	123°	13'	43.0	feet along same;

23.	141°	10'	66.0 feet along same;
24.	134°	58'	246.0 feet along same;
25.	130°	18'	173.0 feet along same;
26.	138°	30'	172.0 feet along same;
27.	129°	32'	98.0 feet along same;
28.	122°	01'	119.0 feet along same;
29.	107°	36'	61.0 feet along same;
30.	96°	35'	97.0 feet along same;
31.	92°	38'	131.0 feet along same;
32.	96°	26'	86.0 feet along same;
33.	103°	08'	54.0 feet along same;
34.	111°	20'	37.0 feet along same;
35.	117°	26'	67.0 feet along same;
36.	124°	37'	69.0 feet along same;
37.	129°	10'	263.0 feet along same;
38.	122°	26'	96.0 feet along same;
39.	115°	10'	115.0 feet along same;
40.	110°	03'	269.0 feet along same;
41.	108°	52'	302.0 feet along same;
42.	90°	19'	83.0 feet along same;
43.	131°	01'	605.0 feet along same;
44.	133°	43'	128.0 feet along same;
45.	137°	35'	193.0 feet along same;
46.	143°	18'	55.5 feet along same, to a concrete monument;
47.	229°	59'	780.4 feet along remaining portion of said L.C.A. 5230 to a concrete monument;
48.	276°	47'	426.6 feet along same to a concrete monument;
49.	306°	17'	566.1 feet along same to a concrete monument;

50. 242° 16' 1,478.6 feet along same to a concrete monument;
51. 221° 00' 796.8 feet along same to a concrete monument;
52. 221° 00' 78.7 feet along same to the center of Pohakuokala Stream, thence
53. Up center of said stream along L.C.A. 281-B to Ali to the Easterly corner of this lot, a traverse connecting consecutive points along this course being:
- a. 298° 12' 840.0 feet,
 - b. 313° 23' 507.0 feet,
 - c. 285° 20' 1440.0 feet,
 - d. 318° 44' 1399.5 feet,
54. 32° 10' 120.0 feet along the remaining portion of L.C.A. 5230 to a concrete monument;
55. 32° 10' 2,252.5 feet along same to the point of beginning, and containing an area of 326.6 acres, more or less.

SUBJECT, HOWEVER, to the following:

1. Lease in favor of Maui Electric Company, Limited and Hawaiian Telephone Company, dated October 9, 1961, recorded in the Bureau of Conveyances of the State of Hawaii in Liber 4162 on Page 301; leasing and demising rights-of-way, each twenty-five (25) feet in width, over, across and under all lands owned and held by Maui Pineapple Company, Limited situate in the Island and County of Maui, State of Hawaii, for a term of 35 years from the date hereof, and thereafter from year to year until terminated.

2. Grant in favor of Maui Electric Company, Limited and Hawaiian Telephone Company, dated March 31, 1983, recorded in said Bureau of Conveyances in Liber 16997 on Page 670; granting a perpetual right and easement to build, construct, reconstruct, rebuild, repair, maintain and operate pole and wire lines and underground power lines, etc., over, across, through and under a portion of said parcel.

3. Any trails, easements or rights-of-way, claims to which may be predicated upon prescriptive use of ancient Hawaiian use or custom.

Being a portion of the premises conveyed to the Grantor by Exchange Deed of Haleakala Pineapple Company, Limited, dated May 3, 1932, and recorded in said Bureau of Conveyances in Liber 1161 on Page 262.

LAND USE COMMISSION

STATE OF HAWAI'I

In the Matter of the Petition of	)	DOCKET NO. SP97-390
)	
COUNTY OF MAUI DEPARTMENT OF	)	DECLARATION OF
ENVIRONMENTAL MANAGEMENT	)	SHAYNE AGAWA
)	
For Declaratory Order to Designate)	
Important Agricultural Lands)	
for approximately 30 acres at)	
Kula, Maui, Hawai'i,)	
TMK No. (2) 2-3-002-091)	
_____)	

DECLARATION OF SHAYNE AGAWA

I, SHAYNE AGAWA, do hereby declare as follows:

1. I am the Director of the Department of Environmental Management of the County of Maui, State of Hawai'i.
2. I make this declaration upon personal knowledge and am competent to testify to the matters stated herein.
3. Petitioner, the County of Maui, is the owner in fee simple of the approximately 30 acres at Kula, Maui, Hawai'i, identified as TMK No. (2) 2-3-002-091 ("Petition Area").
4. Approximately 90% of the Petition Area is actively used for the cultivation of onions, eggplants, zucchini, beans, mint, basil, thyme, bananas, bitter melon, watermelon, and okra by lessee of Petitioner and farmer, Fernando T. Traje. The remaining 10% not in cultivation is an essential element of the agricultural operations as it houses ancillary structures used in the packaging and distribution of the fruits, vegetables, and herbs for off-site markets.
5. The Petition Area was previously part of a larger tract of 327 acres owned by Maui Land and Pineapple Company. In 1985, that larger tract became the Kula Agricultural Park, Phase

I located on Pulehu Rd. The Kula Agricultural Park was later expanded and today has approximately 445 acres divided into 31 farm lots, each 10-30 acres in size, leased to 26 farmers for \$100/acre per year for 50 years. The Petition Area is 29.508 acres, is Lot no. 8 of the Kula Agricultural Park, and has been leased since April 1, 1985.

6. The availability of adequate water is crucial to maintaining current agricultural operations. The existing agreement between County of Maui Department of Water Supply ("DWS") and the Kula Agriculture Park allows for the delivery of up to 1.5 million gallons per day to the Park. The DWS' FY 2023 annual report states that Kula Agriculture Park used 150,203,000 gallons in the fiscal year for which DWS received \$191,318 in revenue from the Park. The water source for the Park is the East Maui Irrigation ditch system which is owned, operated and maintained by the East Maui Irrigation Company, a wholly owned subsidiary of A&B, Inc. The ditch system conveys water via tunnels and concrete ditches from East Maui to Central Maui. In FY2023 DWS purchased 2,179,747,000 gallons from EMI at the rate of \$0.06 per one thousand gallons for \$131,439. The Property has sufficient quantities of water to support viable agricultural production.

7. Petitioner seeks to designate approximately 30 acres of land as IAL, approximately 90% of which are used for the cultivation of onions, eggplants, zucchini, beans, mint, basil, thyme, bananas, bitter melon, watermelon, and okra. Additional lands proposed for inclusion, which consist of essential elements of the agricultural operations, are necessary to provide the overall critical "contiguous" land mass necessary for agricultural operating productivity. The Property is part of the larger Kula Agricultural Park, which itself is surrounded by many active farms. The entire Property, including those areas that are not being actively cultivated comprised of gulches, streams and reservoirs, constitute contiguous, intact, and functional land units large enough to

allow flexibility in agricultural production and management and is consistent with the policies of HRS § 205-43(1).

8. The Petition Area has been in active agriculture for at least 30 years. Existing infrastructure include water irrigation systems, roadways, processing areas and related facilities.

9. Approval of the IAL designation will allow the County to comply with the Land Use Commission's Condition No. 19 of the Fourth Amendment to the Special Permit 97-390.

I declare under penalty of perjury under the laws of the State of Hawai'i that the foregoing is true and correct.

DATED: Wailuku, Maui, Hawai'i, May, 28, 2024.



DN: cn=Shayne R. Agawa, ou=Director of
the Dept. of Environmental Management,
email=shayne.agawa@co.maui.hi.us, c=US
Date: 2024.05.28 10:46:14 -1000

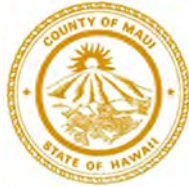
SHAYNE AGAWA

RICHARD T. BISSEN, JR.
Mayor

VICTORIA J. TAKAYESU
Corporation Counsel

MIMI DESJARDINS
First Deputy

LYDIA A. TODA
Risk Management Officer



DEPARTMENT OF THE CORPORATION COUNSEL
COUNTY OF MAUI
200 SOUTH HIGH STREET, 3RD FLOOR
WAILUKU, MAUI, HAWAII 96793
EMAIL: CORPCOUN@MAUICOUNTY.GOV
TELEPHONE: (808)270-7740

June 4, 2024



STATE OF HAWAII LAND USE COMMISSION
dbedt.luc.web@hawaii.gov

ALISON S. KATO
Deputy Attorney General
State of Hawai'i
Alison.S.Kato@hawaii.gov
Attorney for the Office of Planning and
Sustainable Development, State of Hawai'i

SHARON HURD
Chairperson
State of Hawai'i Department of Agriculture
hdoa.info@hawaii.gov

KATE BLYSTONE
Planning Director
County of Maui
Kate.Blystone@co.maui.hi.us

MIMI DESJARDINS
First Deputy Corporation Counsel
County of Maui
Mimi.DesJardins@co.maui.hi.us
Attorney for Planning Director

RE: Docket No. SP97-390: Petition for Declaratory Order to Designate
Important Agricultural Lands and Petition for Declaratory Order to
Remove Important Agricultural Lands Designation

Dear Staff of the State of Hawai'i Land Use Commission, Deputy Attorney
General Kato, Chairperson Hurd, Director Blystone, and First Deputy
Corporation Counsel DesJardins,

June 4, 2024

Page | 2

Earlier today I submitted a Petition for Declaratory Order to Designate Important Agricultural Lands and a Petition for Declaratory Order to Remove Important Agricultural Lands Designation ("Petitions") to the Land Use Commission and you, as parties to Docket No. SP-97-390, with the exception of the Department of Agriculture, State of Hawai'i, which I have added to this letter. Following that submittal, I conferred with staff of the Land Use Commission staff. I am writing to you to request that the Petitions be considered preliminary drafts and ask that the Land Use Commission, the Office of Planning and Sustainable Development, State of Hawai'i, Department of Agriculture, State of Hawai'i, and the Department of Planning, County of Maui review and provide comments to the draft Petitions.

The Department of Environmental Management, County of Maui plans to review and incorporate the comments it receives into finalized petitions, which it will submit to the Land Use Commission and parties to Docket No. SP-97-390 on or after July 15, 2024.

If you have any questions or comments, please feel free to call or email me at 808-270-7522 or andrew.v.nelson@co.maui.hi.us.

Sincerely,

Andrew Nelson

Andrew Nelson

Deputy Corporation Counsel



DEPARTMENT OF THE CORPORATION COUNSEL 205

VICTORIA J. TAKAYESU 5481

Corporation Counsel

ANDREW V. NELSON 9783

Deputy Corporation Counsel

County of Maui
200 S. High Street
Wailuku, Hawaii 96793
Telephone: (808) 270-7740
Facsimile: (808) 270-7152
Email: andrew.v.nelson@co.maui.hi.us

Attorneys for
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT,
COUNTY OF MAUI

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAI'I

In the Matter of the Petition of) DOCKET NO. SP97-390
)
COUNTY OF MAUI DEPARTMENT OF) PETITION FOR DECLARATORY
ENVIRONMENTAL MANAGEMENT) ORDER TO REMOVE
) IMPORTANT AGRICULTURAL
For Declaratory Order to Remove) LANDS DESIGNATION; EXHIBITS
Important Agricultural Lands Designation) "A" - "C"
for approximately 22 acres at)
Puunene, Maui, Hawai'i,)
TMK No. (2) 3-8-003-019 (por.))
)
_____)

**PETITION FOR DECLARATORY ORDER
TO REMOVE IMPORTANT AGRICULTURAL LANDS DESIGNATION**

Comes now, Petitioner the COUNTY OF MAUI ("Petitioner"), by and through its attorney, VICTORIA J. TAKAYESU, and respectfully petitions the Land Use Commission of the State of Hawai'i ("Commission") to issue a declaratory order removing approximately 22 acres of land at Puunene, Maui, Hawai'i ("Property"), more particularly described below, from the Important Agricultural Lands ("IAL") designation pursuant to §§ 15-15-98, 99, and 127 of the Hawaii Administrative Rules ("HAR"). In support of this Petition, Petitioner alleges and avers as follows:

I. Petition Content Requirements.

Contents requirement for Petition for Declaration Order pursuant to HAR § 15-15-99:

A. Name, address and telephone number of Petitioner. Petitioner the COUNTY OF MAUI is a political subdivision of the State of Hawaii, whose business address is 200 South High Street, Wailuku, Maui, Hawaii 96793, and telephone number is (808) 270-7740. Victoria J. Takayesu, Andrew V. Nelson, and the Department of the Corporation Counsel have been appointed to represent the Petitioner pursuant to HAR Section 15-15-35(b). All correspondence and communications in regard to this Petition shall be addressed to, and served upon, Victoria J. Takayesu, Department of the Corporation Counsel, 200 S. High Street, 3rd Floor, Wailuku, Hawaii 96793.

B. Statement of Petitioner's interest in the subject matter, reason for the submission, and relationship to Commission docket regarding special permit. Petitioner is the owner in fee simple of those lands located on the island of Maui, Hawai'i, and more specifically identified and described on Exhibit "B" attached hereto ("Property"). The portion of the Property that is designated as IAL is displayed in Exhibit "C" attached hereto. Petitioner requests the Commission remove the IAL designation on the Property pursuant to HAR §§ 15-15-98, 99, and 127. This

petition is submitted to comply with Condition No. 21 of the Commission's order approving the Fourth Amendment to the Land Use Commission Special Permit filed August 13, 2020, as modified by order filed October 27, 2020, Docket No. SP97-390 ("SP").

C. Designation of specific question. Whether the IAL designation on a portion of the Property should be removed pursuant to HAR §§ 15-15-98, 99, and 127.

D. Statement of Petitioner's position or contention. It is Petitioner's position that the Property meets the qualifications for removal of the IAL designation under HAR § 15-15-127(f), and that the Commission should issue a declaratory order removing the IAL designation from the Property pursuant to HAR § 15-15-127(f).

E. Signature of each petitioner. This petition is signed below by Petitioner's attorney who is authorized to sign and file this petition on Petitioner's behalf.

F. Memorandum of authorities, containing a full discussion of reasons and legal authorities in support of Petitioner's position. The petition for declaratory order content requirements under subchapter 14 are found at HAR § 15-15-99 and are discussed in Sections A-F herein. HAR § 15-15-127(f) sets out requirements for the removal of an IAL designation and provides:

The commission may, upon petition by the farmer or landowner of lands designated as important agricultural lands, remove all or a portion of those important agricultural lands from the "important agricultural lands" designation if, after a hearing held pursuant to subchapter 14, the commission finds upon a preponderance of the evidence that a sufficient supply of water is no longer available to allow profitable farming of the land due to governmental actions, acts of God, or other causes beyond the farmer's or landowner's reasonable control.

Subsection 1. provides background and a description of procedural matters. Subsection 2. provides rationale for the removal of the IAL designation from the Property.

1. Background and Procedural Matters. The Central Maui Landfill Facilities Project Area ("CML") is located at 8100 Pulehu Road in Puunene, in the central valley, and is the primary landfill facility for Maui Island. As noted in the County's request for a Fourth Amendment to the SP, uses within the CML include landfilling and also organics management, recycling, and waste diversion activities as permitted. The Department of Environmental Management plans to restart a composting program at the CML in the future. The only other municipal landfill is located in Hana. The County has acquired land over time from Alexander & Baldwin, Inc., and the CML primarily consists of lands quarried by HC&D and adjacent lands previously utilized for sugar cane cultivation.

Surrounding uses to the CML include fallow/previously cultivated lands and active agricultural activities to the north, south, and west, and the HC&D Quarry operation to the east. In the vicinity of the CML and located across Pulehu Road at 8001 Pulehu Road, and designated as Tax Map Key Nos. (2)3-8-003:023 and 24, is approximately 65.7 acres of land owned by Maui Electric Co., Ltd., a subsidiary of Hawaiian Electric Industries, Inc., reclassified by the LUC from Agricultural to Urban to permit the construction of the utility's since shelved Waena Generating Station project. See Order in LUC Docket No. A97-722, filed June 22, 2012. In February 2024, Hawaiian Electric announced a biofuel-powered generator project to be developed by a renewable energy project developer on its Waena land.

On April 6, 2009, Alexander & Baldwin, Inc. filed a Petition for Declaratory Order to Designate Important Agricultural Lands ("IAL") involving approximately 27,102 acres of land, inclusive of the subject 22-acre Petition Area, located at Wailuku and Makawao, Maui, Hawaii. See LUC Docket No. DR09-38. Alexander & Baldwin claimed no credits for the IAL designation pursuant to Section 205-45(h), Hawaii Revised Statutes ("HRS"). See Paragraph 1 of the LUC's

Decision and Order entered June 29, 2009, in Docket No. DR09-38, designating the 27,102 acres of land as IAL.

As part of the LUC's consideration of the County's request for a Fourth Amendment to the SP, the LUC referred the application to the State of Hawaii Department of Agriculture ("DOA"), which agreed with the County that the proposed use of the Petition Area and other lands that were the subject of the request for a Fourth Amendment is unusual and reasonable because it will support and expand the CML, which is a unique and essential facility for the County. See, Footnote No. 2, to the SP. The DOA also recommended that the County consider mitigation measures, including removal of the IAL designation within the CML pursuant to the process outlined in HRS § 205(g) and/or implementing a remediation plan for IAL designated lands to be returned to agricultural use after the life of the CML. *Id.*

SP Condition No. 21 requires:

That the Applicant shall submit a petition for Declaratory Ruling to the LUC to withdraw the 22 acres of IAL from the IAL designation within one year of the LUC's Decision and Order for the Applicant's Fourth Amendment Request.

See Order Granting Land Use Commission Staff's Request to Issue an Errata to the Findings of Fact, Conclusions of Law, and Decision and Order Approving with Modifications the Recommendation of the County of Maui Planning Commission to Approve a Fourth Amendment to the Land Use Commission Special Permit, filed October 27, 2020. As noted above, this Petition is submitted to comply with SP Condition No. 21.

2. Removal of the IAL Designation from the Property. Consistent with the State Office of Planning's recommendation and the County's representation to the LUC, the County hereby requests the Commission's approval to withdraw the 22 acres of land previously designated IAL pursuant to HRS §205-50(g) and HAR §15-15-127, which allows a landowner to petition the

LUC to remove the IAL designation from lands if a sufficient supply of water is no longer available to allow profitable farming due to governmental actions, acts of God, or other causes beyond the landowner's reasonable control. The 22-acre Petition Area is less than 1/10th of 1 percent of the 27,102 acres of land designated IAL by LUC Docket No. DR09-38, specifically .081 percent. The former sugar cane fields included in A&B's 27,102-acre IAL designation were served by private water systems and sources, including the previous landowner's drip irrigation system, brackish water wells, reservoirs, and ditch systems. See Findings of Fact Nos. 25-26, Docket No. DR09-38; also see Exhibit "A" attached hereto, Declaration of Shayne Agawa, P.E., Director of the Department of Environmental Management.

None of these water sources or systems are owned by the County of Maui or authorized for the use of the County within the Petition Area or the boundaries of the CML. Exhibit "A". Rainfall in the area averages 15.8 to 59.1 inches of rain annually. See Findings of Fact No. 27, Docket No. DR09-38. However, as noted in the LUC's Finding of Fact No. 44 in Docket No. A97-722 related to land in the immediate vicinity of the Petition Area, the location is dry, with median rainfall of 17-20 inches annually. The dry and windy conditions allow only a small percentage of rainfall to percolate deep enough below the ground surface to become groundwater recharge. Based upon the lack of water available to the County for agricultural purposes, the Petition Area meets the criteria for removal from IAL identified in HRS §205-50(g) and HAR §15-15-127(f).

Based on the foregoing, Petitioner respectfully requests that the Commission find that the Petition meets the standards for removal of the IAL designation from the Petition Area pursuant to HRS §205-50(g) and HAR §15-15-127(f), removes the IAL designation from the Petition Area, and acknowledges the satisfaction of Condition No. 21 of the Commission's order approving the Fourth Amendment to the Land Use Commission Special Permit filed August 13, 2020, as modified by order filed October 27, 2020, Docket No. SP97-390.

DATED: Wailuku, Maui, Hawai'i, June 04, 2024.

VICTORIA J. TAKAYESU
Corporation Counsel
Attorneys for DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT,
COUNTY OF MAUI

By Andrew Nelson
ANDREW V. NELSON
Deputy Corporation Counsel

LAND USE COMMISSION

STATE OF HAWAI'I

In the Matter of the Petition of	)	DOCKET NO. SP97-390
)	
COUNTY OF MAUI DEPARTMENT OF	)	CERTIFICATE OF SERVICE
ENVIRONMENTAL MANAGEMENT)	
)	
For Declaratory Order to Remove)	
Important Agricultural Lands Designation)	
for approximately 22 acres at)	
Puunene, Maui, Hawai'i,)	
TMK No. (2) 3-8-003-019 (por.))	
_____)	

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was duly served on this date on the below-named parties electronically and by U.S. Mail, postage prepaid:

ALISON S. KATO
Deputy Attorney General
State of Hawaii
425 Queen St.
Honolulu, Hawaii 96813
Alison.S.Kato@hawaii.gov
Attorney for the Office of Planning and
Sustainable Development, State of Hawaii

KATE BLYSTONE
Planning Director
County of Maui
Kate.Blystone@co.maui.hi.us

MIMI DESJARDINS
First Deputy Corporation Counsel
County of Maui
Mimi.DesJardins@co.maui.hi.us
Attorney for Planning Director

DATED: Wailuku, Maui, Hawai‘i, June 04, 2024_____.

VICTORIA J. TAKAYESU
Corporation Counsel
Attorneys for DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT,
COUNTY OF MAUI

By Andrew Nelson
ANDREW V. NELSON
Deputy Corporation Counsel

LAND USE COMMISSION

STATE OF HAWAI'I

In the Matter of the Petition of	)	DOCKET NO. SP97-390
)	
COUNTY OF MAUI DEPARTMENT OF	)	DECLARATION OF
ENVIRONMENTAL MANAGEMENT	)	SHAYNE AGAWA
)	
For Declaratory Order to Remove)	
Important Agricultural Lands Designation)	
for approximately 22 acres at)	
Puunene, Maui, Hawai'i,)	
TMK No. (2) 3-8-003-019 (por.))	
_____)	

DECLARATION OF SHAYNE AGAWA

I, SHAYNE AGAWA, do hereby declare as follows:

1. I am the Director of the Department of Environmental Management of the County of Maui, State of Hawai'i.

2. I make this declaration upon personal knowledge and am competent to testify to the matters stated herein.

3. The Central Maui Landfill ("CML") is located at 8100 Pulehu Road in Puunene, in the central valley, and is the primary landfill facility for Maui Island. As noted in the County's request for a Fourth Amendment to SP97-390, uses within the CML include landfilling and also organics management, recycling, and waste diversion activities. The only other municipal landfill on Maui is located in Hana. The County has acquired land over time from Alexander & Baldwin, Inc. ("A&B"), and the CML area primarily consists of lands quarried by Ameron HC&D and adjacent lands previously utilized for sugar cane cultivation.

4. The 22-acre portion of the Central Maui Landfill permitted area ("Petition Area") that is the subject of the Petition for Declaratory Order is a tiny fraction of the acreage originally

included in A&B's petition to designate 27,102 acres as Important Agricultural Lands ("IAL"). During A&B's ownership, these lands, including the Petition Area, were served by private water systems and sources, including drip irrigation system, brackish water wells, reservoirs, and ditch systems.

5. None of these water sources or systems are owned by the County of Maui or authorized for the use of the County within the Petition Area or the boundaries of the CML.

6. Rainfall in the area is rare, and the region is generally dry and windy. These conditions allow only a small percentage of rainfall to percolate deep enough below the ground surface to become groundwater recharge.

7. There is no water available to the County for agricultural purposes, which are not the current intended use of the lands at issue.

8. Removal of the IAL designation will allow the County to comply with the Land Use Commission's Condition No. 21 of the Fourth Amendment to the Special Permit 97-390.

I declare under penalty of perjury under the laws of the State of Hawai'i that the foregoing is true and correct.

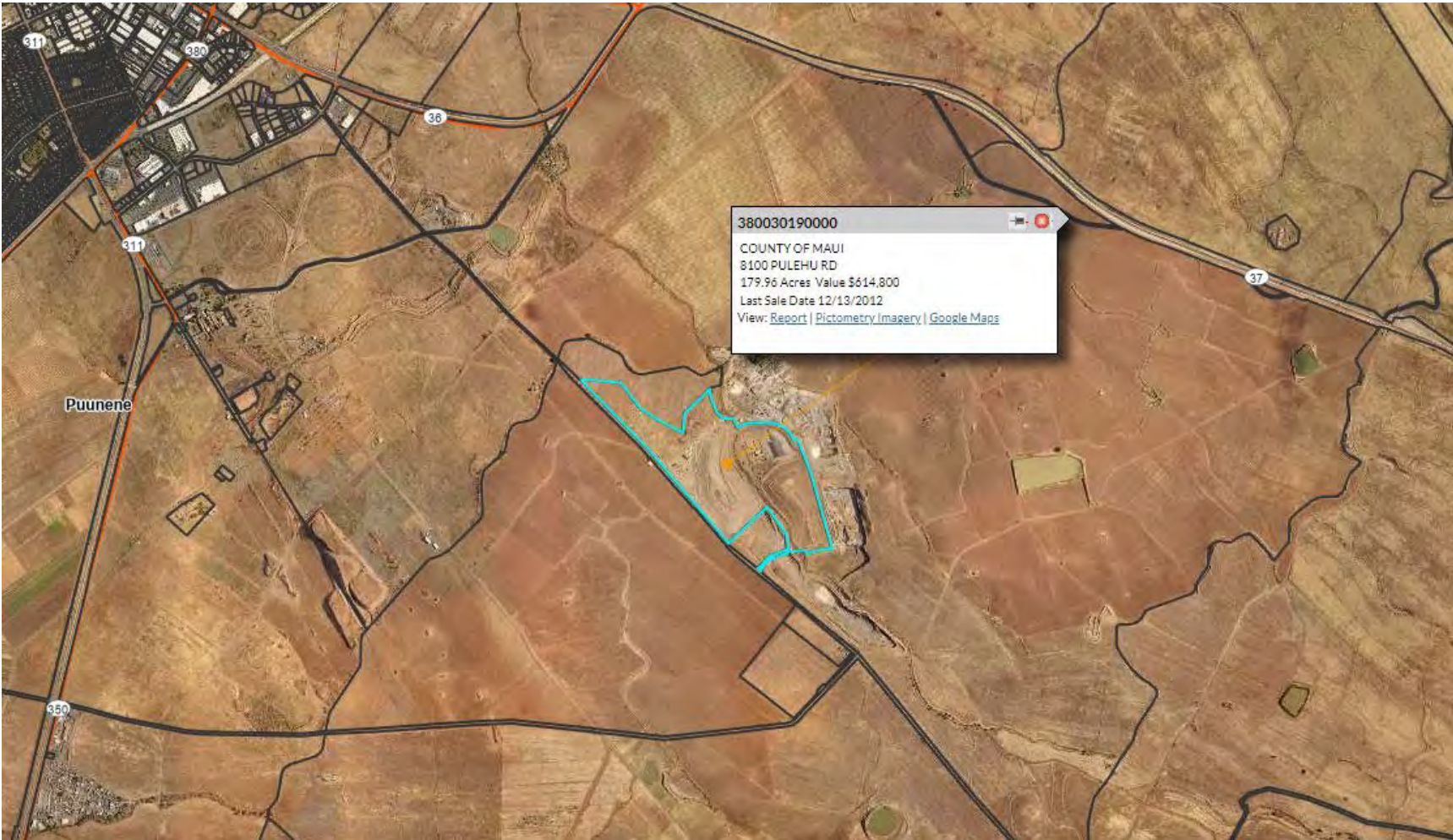
DATED: Wailuku, Maui, Hawai'i, May, 22, 2024.



DN: cn=Shayne R. Agawa, ou=Director of the
Dept. of Environmental Management,
email=shayne.agawa@co.maui.hi.us, c=US
Date: 2024.05.22 11:45:47 -1000'

SHAYNE AGAWA

Exhibit "B" – Property Records
Maui County Department of Finance, Real Property Assessment Division



Parcel Information

Parcel Number 380030190000
 Location Address 8100 PULEHU RD
 KAHULUI HI 96732
 Neighborhood Code 3878-4
 Legal Information
 Land Area 179.962 Acres
 Parcel Note Non taxable

[View Map](#)

Damage
 Reentry Zone
 Zone Color

Owner Information

Owner Names
 COUNTY OF MAUI Fee Owner

Mailing Address
[COUNTY OF MAUI](#)

Assessment Information

[Show Historical Assessments](#)

Year	Tax Class	Market Land Value	Agricultural Land Value	Assessed Land	Building Value	Total Assessed Value	Total Exemption Value	Total Net Taxable Value
2024	INDUSTRIAL	\$611,900	\$0	\$611,900	\$2,900	\$614,800	\$614,800	\$0

[How to calculate real property taxes](#)

Accessory Information

Building Number	Description	Dimensions/Units	Year Built	Percent Complete	Value
1	METAL UTILITY SHED	0x0 204 / 1	1991	100%	\$2,943

Sales Information

Sale Date	Price	Instrument Number	Instrument Type	Valid Sale or Other Reason	Document Type	Record Date	Land Court #	Land Court Cert
12/13/2012	\$0	A47440055	Fee conveyance		Warranty deed	12/27/2012		
11/12/2008	\$1,880,000	08-175219	Fee conveyance		Limited warranty/apartment deed	11/18/2008		
1/7/1988	\$0	0000000000						
3/12/1987	\$0	0000137249				9/8/1987		

Maui's Automated Planning & Permitting System

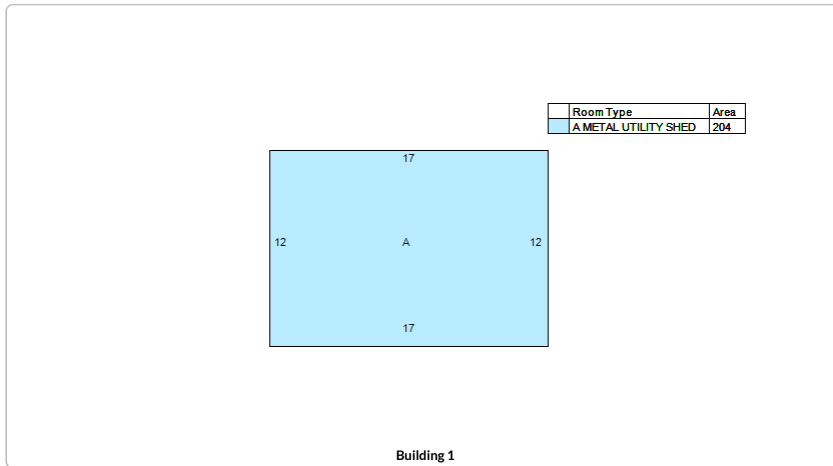
[Click Here to View All Planning and Permitting Info Regarding This TMK](#)

Permit Information

[Maui's Automated Planning & Permitting System link](#)

Date	Permit Number	Reason	Permit Amount
9/19/2022	B2022-00060		\$500,000
8/4/2021	B20210899	Other see notes	\$500,000
3/5/2021	B20210256	Other see notes	\$131,435
9/11/2014	B20141188	Other see notes	\$302,000
10/18/2011	B20111114	Modular building	\$242,391
2/5/1991	91 0237	Storage bldg	\$2,000

Sketches



Recent Sales In Area

Sale date range:

From: To:

Generate Owner List by Radius

Distance:

Use Address From:

Owner Property

Select export file format:

International mailing labels that exceed 5 lines are not supported on the Address labels (5160). For international addresses, please use the xls/x, csv or tab download formats.

- Show All Owners
- Show Parcel ID on Label

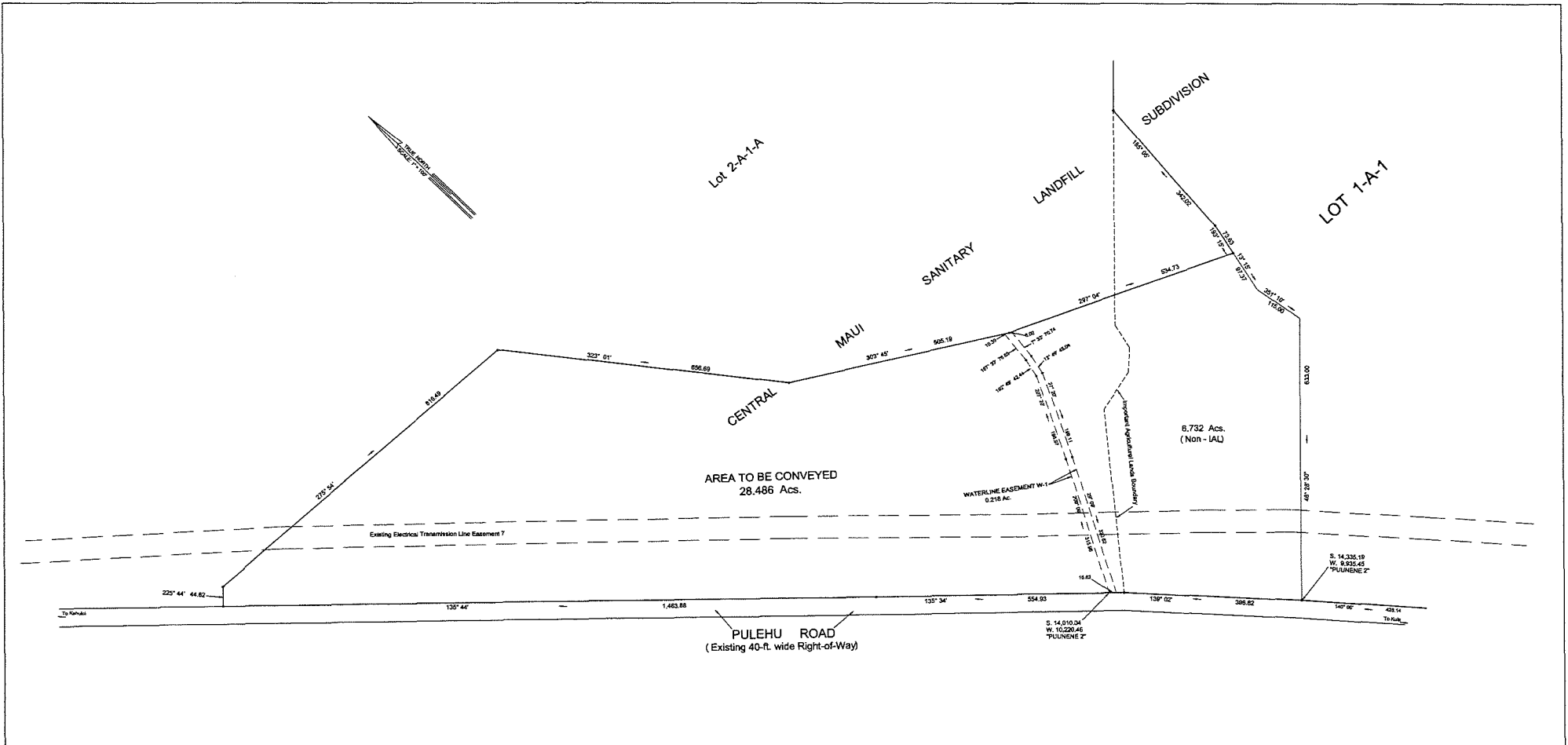
Skip Labels

No data available for the following modules: Assessment Notices, Tax Bills, Agricultural Assessment Information, Current Tax Bill Information, Historical Tax Information, Appeal Information, Home Exemption Information, Improvement Information, Additions, Commercial Improvement Information.

[User Privacy Policy](#) [GDPR Privacy Notice](#)
 Last Data Upload: 5/21/2024, 2:54:49 AM



Note: this map shows the portion of Lot 1-A-1 designated IAL (approx. 22 acs.).



CENTRAL MAUI SANITARY LANDFILL SUBDIVISION

DESIGNATION OF EASEMENT W-1 OVER AND ACROSS LOT 1-A-1

Being a portion of Grant 3343 to Claus Spreckels
PUUNENE, WAILUKU, MAUI, HAWAII

SCALE: 1 inch = 100 feet DATE: September 12, 2012

Prepared by: A&B Properties, Inc.
Kahului, Maui, Hawaii

This work was prepared by me or under my supervision.

Ken T. Nomura
Licensed Professional Land Surveyor
Certificate No. LS-7633
Expiration Date: 4/30/2014

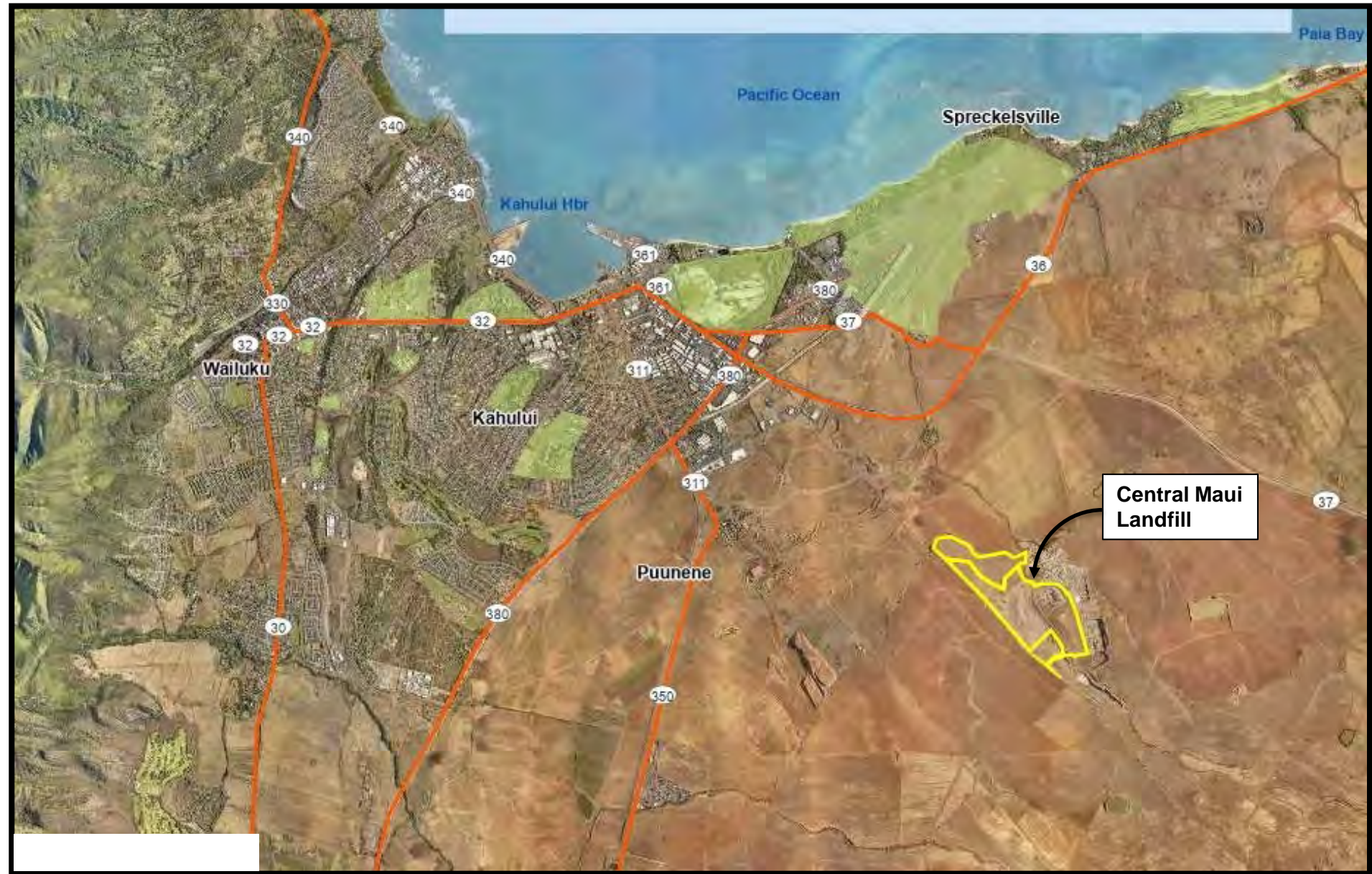
- NOTES:
1. Azimuths and coordinates referred to Government Survey Triangulation Station "PUUNENE 2"
 2. Easement W-1 is for waterline purposes in favor of Alexander & Baldwin, LLC.
 3. Existing Electrical Transmission Line Easement 7 is in favor of Maui Electric Company, Limited per Chf. No. 95-0929 (2) and recorded in Document No. 95-170196.

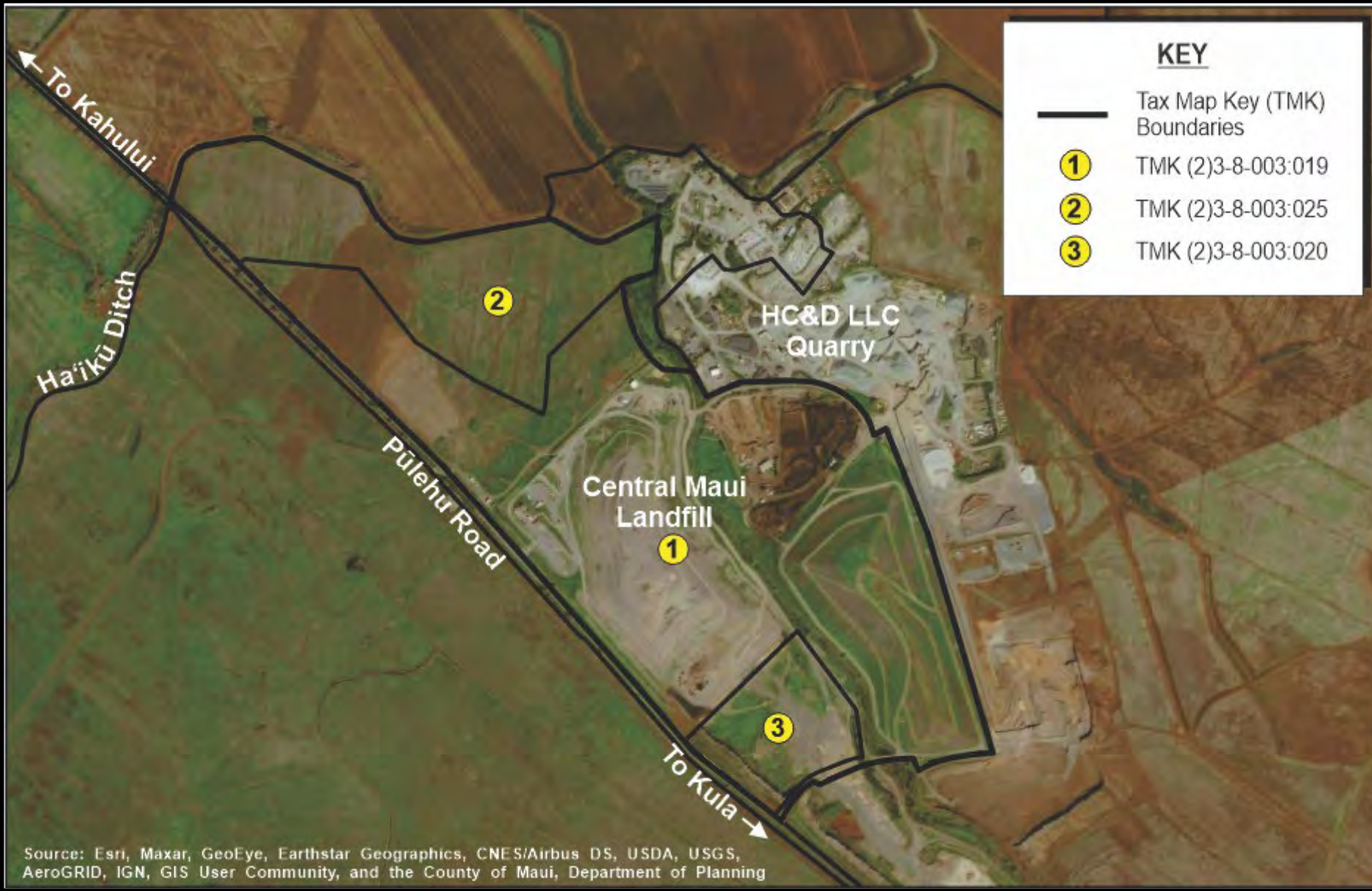
Central Maui Landfill Updates

State Land Use Commission Meeting

June 19, 2024







KEY

-  Tax Map Key (TMK) Boundaries
-  TMK (2)3-8-003:019
-  TMK (2)3-8-003:025
-  TMK (2)3-8-003:020

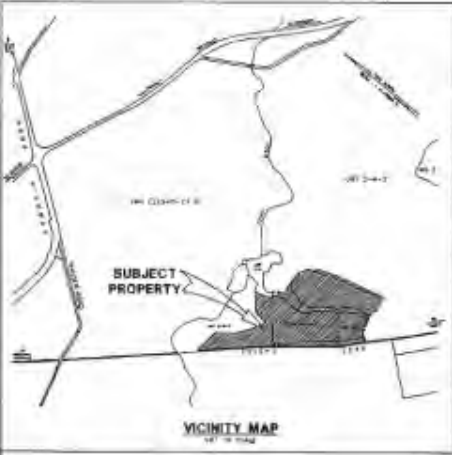
Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, GIS User Community, and the County of Maui, Department of Planning

CML Permitting History

- **State Special Use Permits** - SP86/359 (55 acres) and SP97-390 (95 acres)
- **County Special Use Permit** - CUP 2008/0003
- SP97-390 and CUP 2008/0003 are valid until *October 31st, 2028*
- 4TH Amendment to SP97-390 was approved by LUC in 2020

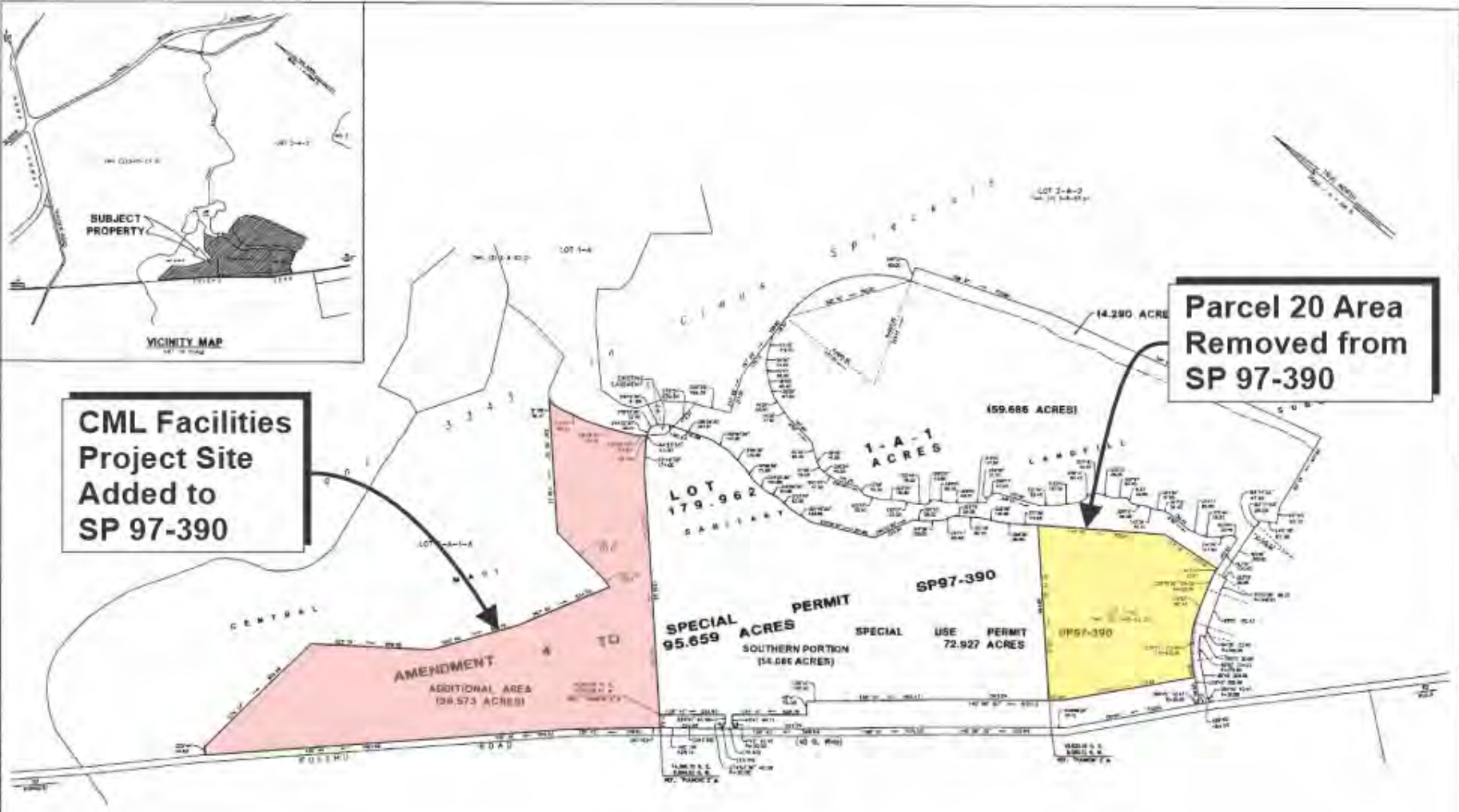
4th Amendment (2020) – CML Facilities Project

- Added a 40-acre area adjacent to (west of) the CML to allow opportunities for DEM to consolidate solid waste operations at Maui's main landfill
- Implements facilities intended to increase diversion of waste from landfilling & extend overall capacity of remaining landfill phases
- Removed a portion of TMK (2)3-8-003:020 (private parcel currently being acquired by the County)



**CML Facilities
Project Site
Added to
SP 97-390**

**Parcel 20 Area
Removed from
SP 97-390**



**EXHIBIT MAP SHOWING
AMENDMENT 4 TO SPECIAL PERMIT SP97-390**

BEING A PORTION OF LOT 1-A-1, CENTRAL MAUI SANITARY LANDFILL SUBDIVISION
BEING, ALSO, A PORTION OF GRANT 3343 TO CLAUDS SPRECKELS

AT PUUNENE, WAILUKU, MAUI, HAWAII



[Signature]
DATE

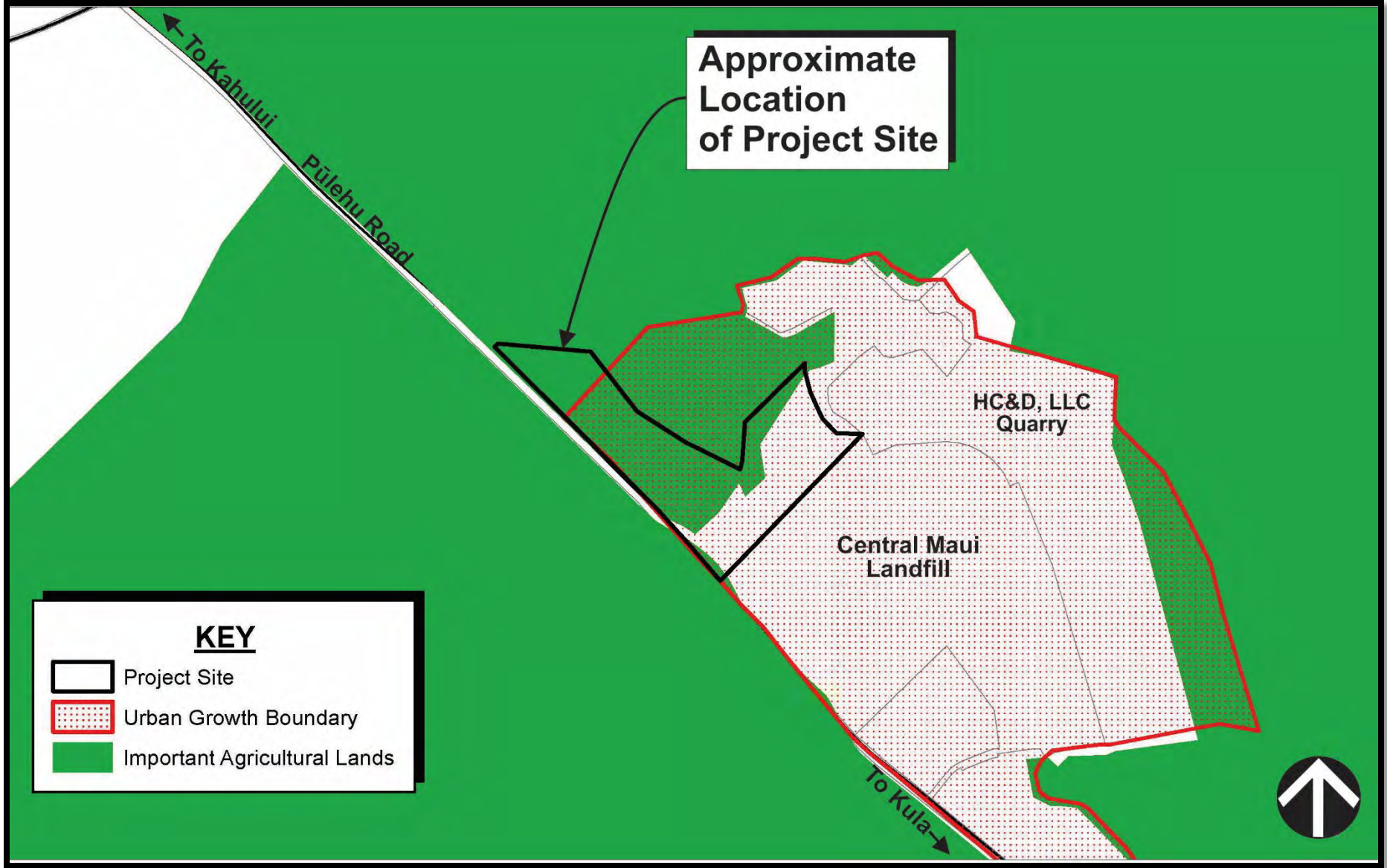
R. T. TANAKA ENGINEERS, INC.
LAND SURVEYORS - CIVIL & STRUCTURAL ENGINEERS

Top Map Key (2) 3-8-03 19 (Revised)
BY: R. T. TANAKA
DATE: 03/14/03

REVISED JULY 11, 2018
REVISED MARCH 16, 2018
REVISED MAY 2, 2018
REVISED APRIL 16, 2018
JOB NO. 18-002

4th Amendment Conditions (SP97-390)

- As reflected in its Decision and Order (dated 8/13/20), the SLUC added the following conditions (among others) to its approval of the 4th amendment:
 - Added Condition Nos 19 and 21 relating to *Important Agricultural Lands (IAL) designations*
 - Added Condition No. 23 relating to the need for a *District Boundary Amendment (DBA)*



Approximate Location of Project Site

KEY

- Project Site
- Urban Growth Boundary
- Important Agricultural Lands

IAL 'Designation' Condition

19. Within one year of approval of this Fourth Amendment, the County shall identify County-owned agricultural property of similar land properties and equivalent acreage on Maui and submit a request to have it designated a IAL to compensate for the loss of the 22 acres of IAL associated with the CML Facilities Project.

IAL 'Withdrawal' Condition

21. *That the Applicant shall submit a petition for Declaratory Ruling to the LUC to withdraw the 22 acres of IAL from the IAL designation within one year of the LUC's Decision and Order for the Applicant's Fourth Amendment Request.*

‘DBA Petition’ Condition

23. That the Applicant shall commence the process to seek a district boundary amendment with the LUC for the approximately 95.659 acres of the total permitted area of the CML within five years of the LUC’s Decision and Order for the Applicant’s Fourth Amendment Request.

Purpose of Today's Meeting

The County of Maui will be offering an update to the SLUC on the status of its work to address compliance with Conditions 19, 21 and 23 of the 2020 4th Amendment, and, to address any question commission members may have.

MAHALO

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

MINUTES

March 19, 2024

Online Only via TEAMS

CONVENE: 1:41 p.m.

PRESENT: Councilmember Nohelani U‘u-Hodgins, Chair
Councilmember Tamara Paltin, Vice-Chair
Councilmember Tom Cook, Member
Councilmember Gabe Johnson, Member
Councilmember Tasha Kama, Member (In 1:53 p.m.; Out 4:44 p.m.)
Councilmember Alice L. Lee, Member (Out 4:18 p.m.)
Councilmember Keani N.W. Rawlins-Fernandez, Member (In 2:31 p.m.;
Out 4:25 p.m.)
Councilmember Shane M. Sinenci, Member
Councilmember Yuki Lei K. Sugimura, Member (Out 4:28 p.m.)

STAFF: Kasie Apo Takayama, Senior Legislative Analyst
Clarissa MacDonald, Legislative Analyst
Richard Mitchell, Legislative Attorney
Maria Leon, Committee Secretary
Shelly Espeleta, Supervising Legislative Analyst
David Raatz, Director, Office of Council Services
Jean Pokipala, Council Services Assistant Clerk

Roxanne Morita, Council Aide, Lāna‘i Residency Area Office

Angela Lucero, Executive Assistant to Councilmember Paltin
Axel Beers, Executive Assistant to Councilmember Johnson
Dawn Lono, Executive Assistant to Councilmember Sinenci
Evan Dust, Executive Assistant to Councilmember Kama
Gina Young, Executive Assistant to Councilmember Sinenci
Haunani Madela, Executive Assistant to Councilmember
Rawlins-Fernandez
Jared Agtunong, Executive Assistant to Councilmember Cook
Kate Griffiths, Executive Assistant to Councilmember Johnson
Laura McDowell, Executive Assistant to Councilmember U‘u-Hodgins
Michele McLean, Executive Assistant to Councilmember Lee
Stacy Takahashi, Executive Assistant to Councilmember Cook
Susan Clements, Executive Assistant to Councilmember U‘u-Hodgins

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**

Council of the County of Maui

March 19, 2024

ADMIN.: Kristin Tarnstrom, Deputy Corporation Counsel, Department of the Corporation Counsel (All)
Andrew Nelson, Deputy Corporation Counsel, Department of the Corporation Counsel (All)
Shayne Agawa, Director, Department of Environmental Management (GREAT-5(5))
Josiah Nishita, Managing Director, Department of Management (GREAT-5(4))
Keanu Lau Hee, Deputy Managing Director, Department of Management (GREAT-5(4))

OTHERS: Andy Naden, Waste Resource Technologies (GREAT-5(5))
Sharon Lovejoy, Waste Resource Technologies (GREAT-5(5))
Jonathan Burgiel, Tetra Tech (GREAT-5(4))
Christina Hendrick, Tetra Tech (GREAT-5(4))
Brenna Minor, Tetra Tech (GREAT-5(4))
Asad Khan, Tetra Tech (GREAT-5(4))
Eric Jensen, Tetra Tech (GREAT-5(4))
Robert Washington, Tetra Tech (GREAT-5(4))
Wesley Sapp, Tetra Tech (GREAT-5(4))
Meridith Sanders, Tetra Tech (GREAT-5(4))
Nathan Kam, Anthology FINN Partners (GREAT-5(4))
Lani Ma‘a Lapilio, Aukahi Cultural Resources Consulting Services (GREAT-5(4))
Kathleen Chu, Bowers + Kubota (GREAT-5(4))
Jeff Chuck, Bowers + Kubota (GREAT-5(4))

Testifiers

Connie Sutherland (GREAT-5(5))
Leslie Hiraga (GREAT-5(5))
Kamanaio Gomes (GREAT-5(5))
Brian Lehmann (GREAT-5(5))
Paele Kiakona (GREAT-5(5))
Katie Austin (GREAT-5(5))
Shannon I‘i (GREAT-5(5))
Julyynn I‘i (GREAT-5(5))
Nicole Galindo (GREAT-5(5))
Ms. Riley (GREAT-5(5))
Junya Nakoa (GREAT-5(5))
Tamara Farnsworth (GREAT-5(5))

Plus (15) other people

PRESS: *Akakū Maui Community Television, Inc.*

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**

Council of the County of Maui

March 19, 2024

CHAIR U‘U-HODGINS: . . .*(gavel)*. . . Good afternoon. Will the Government Relations, Ethics, and Transparency Committee meeting of March 19th, 2024, please to come to order. It is 1:41 p.m. I'm your Chair, Nohelani U‘u-Hodgins. Members, in accordance with the Sunshine Law, please identify by name who, if anyone, is in the room, vehicle, or workspace with you today. Minors do not need to be identified. Let's begin with Committee Vice-Chair Tamara Paltin. Good afternoon.

VICE-CHAIR PALTIN: Aloha ‘auinalā, kākou.

CHAIR U‘U-HODGINS: Aloha. Councilmember Tom Cook, good afternoon.

COUNCILMEMBER COOK: Good afternoon.

CHAIR U‘U-HODGINS: Councilmember Gabe Johnson, good afternoon.

COUNCILMEMBER JOHNSON: Aloha, Chair. There's no testifiers at the Lāna‘i District Office. And I'm alone in my workspace. Mahalo, Chair.

CHAIR U‘U-HODGINS: Thank you. Councilmember Tasha Kama will be joining us shortly. Council Chair Alice Lee, good afternoon.

COUNCILMEMBER LEE: Hello.

CHAIR U‘U-HODGINS: Councilmember Keani Rawlins will also be joining us shortly. Councilmember Shane Sinenci, good afternoon. Is he on?

COUNCILMEMBER SINENCI: Yeah, good afternoon, Chair. Here taking this meeting at my home office. I'm here by myself. No testifiers in Hāna, Chair.

CHAIR U‘U-HODGINS: Thank you. Would you mind turning on your camera, Member Sinenci, when you have a chance? Thank you.

COUNCILMEMBER SINENCI: Okay.

CHAIR U‘U-HODGINS: Thanks.

COUNCILMEMBER SINENCI: Will do.

CHAIR U‘U-HODGINS: Thanks. And we have Councilmember Sugimura. Good afternoon.

COUNCILMEMBER SUGIMURA: Good afternoon.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

CHAIR U‘U-HODGINS: We also have with Corporation Counsel...with us today Kristin Tarnstrom. And I'm sorry, I know you're with us. Andrew Nelson, thank you so much, Deputy Corporation Counsel. We have with us our Committee Staff Pauline Martins, Kasie Apo Takayama, Clarissa MacDonald, Richard E. Mitchell, and Jean Pokipala. Please see the next page of...the last page of the agenda for information on connectivity.

GREAT-5(5) PRESENTATION ON PROPOSED AUTHORIZATION FOR PROCEEDINGS IN CONDEMNATION BY EMINENT DOMAIN FOR THE ACQUISITION OF REAL PROPERTY INTERESTS KNOWN AS LOT 1-B, CENTRAL MAUI SANITARY LANDFILL SUBDIVISION FOR PHASE VI EXPANSION OPERATIONS (Rule 7(B))

CHAIR U‘U-HODGINS: For our Rule 7(B) presentation, we have with us today Director of Environmental Management, Shayne Agawa, is joining us online. We have Andy Naden and Sharon Lovejoy to discuss the proposed authorization of proceedings in condemnation by eminent domain for the acquisition of real property interest known as Lot 1-B of the Central Maui Sanitary Landfill Subdivision on Pulehu Road, Pu‘unēnē, Maui, Hawai‘i for Phase VI of the Central Maui Landfill expansion operations. The proposal is up for first reading on Council floor on March 22nd via Resolution 24-57. Before we take any testimony, I would like to receive opening comments and presentations from, both, Director Agawa and Mr. Naden and Ms. Lovejoy. So, if we could, please, start with Director Agawa, if you're on.

MR. AGAWA: Hi. Good afternoon. Can you hear me?

CHAIR U‘U-HODGINS: We can. Thank you so much, Director.

MR. AGAWA: Thank you, Chair U‘u-Hodgins. Hi, Members. Thank you for this opportunity. I don't really have a long opening statement. I just want to reiterate that we did present our side and reasoning for eminent domain of this property on the March 8 Council meeting. You know there is a urgent need for this property. You know, we had this disaster in August. I...I believe what I failed to explain in that last Council meeting on March 8th, was that, you know, the County is on the hook for a TDS for the opt-out debris for the people who opt-out of the Government program. We need to find a place for that TDS for opt-out debris. Now, until we pinpoint the location, we are unable to commit the design and the construction of that. So, you...you're going to have...and you have people inquiring already who want their debris to be removed from their property and where they going to put it. So, that is just in addition to what I said on the March 8 meeting, there is an urgency to get that debris off of Lāhainā for the opt-out

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

people. Other than that, I am available for questions representing DEM. Thank you. Thank you, Chair.

CHAIR U'U-HODGINS: Thank you, Director. Members, if there are no objections, I'd like to designate these individuals; Mr. Naden and Ms. Lovejoy, as resource persons under Rule 18(A) of Rules of the Council --

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR U'U-HODGINS: -- thank you, because of the expertise they possess regarding this matter. So, Mr. Naden, Ms. Lovejoy, do you have any opening comments or remarks you would like to share with us before we take testimony? If you could turn on your mic right in front of you? Thank you.

MR. NADEN: Yes, Madam Chair. And aloha, we are very happy to be here today. Myself and Ms. Lovejoy represent Komar Investments, the parent company of Komar Maui Properties; that's the subject of this hearing. And we also wanted to say that we are very cognizant of the issue of urgency and speed that it's necessary to deliver some relief to the devastated community of Lāhainā Town. We want to say that we have been operating here for over 25 years as a waste collection management and disposal company under the name of Aloha Waste Systems of Maui. We also have similar operations in the Big Island under the name of Pacific Waste, and more recently we had Aloha Waste of O'ahu. We have an expression...and I don't know if you remember the Army commercial that said, we do more before 9 o'clock than most people do all day. We get up at 4 in the morning and we collect trash. It's not very glamorous but it's very essential service. And we've also been operating all during COVID to make sure that this is a healthy, and safe, and...and well community. So, we do have much experience in the waste collection business. We actually run, operate, design, and/or manage over eleven landfills throughout the country. I have submitted a written piece of testimony, which hopefully each of the Councilmembers has now received, and those who are joining us virtually will also get copies of that email. And it's a very short but very succinct expression of where we work. And in order for us to do any project, it must satisfy three clear mission statements: One, it must grow our business; two, it must serve the local community; and three, it must protect the environment. And this is our Chairman, Kosti Shirvanian, who created this mission statement that we try to follow rigorously and consistently throughout. So, we do have a long-standing history here in Maui. We also have a deep well of expertise in the landfill operations, and we have an extremely high desire to support the community every day, and particularly now as a result of the devastating fires. So, we are here to be responsive and supportive in any way we can. And we thank you for the opportunity to present today.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

CHAIR U‘U-HODGINS: Okay, Members, before we get into discussion, I would like...now like to receive testimony for this item GREAT-5(5). So, testifiers wanting to provide testimony should sign up in the lobby, join the online meeting via the Teams link, or call into the phone number noted on today's agenda. Written testimony is encouraged and can be submitted via the eComment link at mauicounty.us/agendas as well. Under the Sunshine Law, the Chair will receive oral testimony for the agenda items at the beginning of the meeting and as the item is called up. For individuals wishing to testify via Teams, please use the raise-your-hand function by clicking on the raise-your-hand button. For those calling in, please follow the prompts via the phone, which is star six. Staff will add their names to the Testifier list in the order the testifiers have signed up to raise their hand. For those on Teams, Staff will lower your hand once your name is added. Staff will then call your name when you're logged in under or the last four digits of your phone number when it is your time to testify. At that time...at that time, Staff will also enable your microphone and video. If you wish to testify anonymously, please notify Staff. Otherwise, please state your name for the record at the beginning of the testimony. Oral testimony is limited to three minutes per item and if you are still testifying beyond that time, I will kindly ask you to complete your testimony. Once you are done testifying or if you do not wish to testify, you can also view the meeting on *Akakū* Channel 53, Facebook Live, or at mauicounty.us/agendas. We are do...we will do our best to take up each person in an orderly fashion. We are now going to call on the testifiers wishing to testify at the beginning of the meeting. So, Staff, first testifier, please.

MS. MACDONALD: Chair, the first individual signed up to testify is Andy Naden, to be followed by Connie Sutherland.

CHAIR U‘U-HODGINS: I don't think he needs to testify. That's him here. Unless he...yeah.

MS. MACDONALD: In that case, we can move on.

CHAIR U‘U-HODGINS: Yeah.

MS. MACDONALD: Then it'll be Connie Sutherland, to be followed by Leslie Hiraga.

CHAIR U‘U-HODGINS: Aloha.

. . .BEGIN PUBLIC TESTIMONY ON GREAT-5(5) . . .

MS. SUTHERLAND: Do I have to turn something on?

CHAIR U‘U-HODGINS: No, you can speak when you're ready. Thank you.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**

Council of the County of Maui

March 19, 2024

MS. SUTHERLAND: Thank you. Please don't make us have our lives disrupted and have it more difficult; we've been through so much. Your decision by voting to let us purchase by eminent domain...domain the property by the Central Maui Landfill will remove a stumbling block and, hopefully, we, the property owners who lost our homes to the horrific wildfires, will be able to move forward to our goal of rebuilding our homes and our community. As an 86-year-old widow, who lived on my property for over 50 years, I want to be able to build a new home as soon as possible. I live at 64...well, I lived 64 Pu'unoa Place, Lāhainā, 96761. Please vote to proceed on condemnation of eminent domain. Thank you.

CHAIR U'U-HODGINS: Members, do you have any clarifying questions? Thank you very much for your testimony. Next testifier, please.

MS. MACDONALD: Chair, the next testifier is Leslie Hiraga.

MS. HIRAGA: Aloha, Leslie Hiraga from 120 Pualu Place in Nāpili. That was my mom. We lived on that property since 1970 and three...four generations of stuff is gone. Her house went up in flames within 20 minutes of her leaving it, and walking to the beach, and walking to Jodo Mission. Yeah. I...you...I cannot...I don't think any of you, unless you've lived in Lāhainā, can understand the impact that this fire has had on us. The longer it takes for anything to move forward is just devastating. There's no medical facilities for me. I fell, and broke my arm, and dislocated my shoulder, had to be transported to the emergency room to get services. I cannot tell you the impact that this fire has had on our lives. We need to move forward as soon as possible without any stumbling blocks. And I...I don't understand why this is even an issue with our community being surveyed and having over 2,000 people say this is where we need to move the ashes. You know, this is just crazy. Thank you. Any questions?

CHAIR U'U-HODGINS: Members, do we have any clarifying questions? Member Sugimura.

COUNCILMEMBER SUGIMURA: Sorry, I didn't write fast enough. What is your address?

MS. HIRAGA: 120 Pualu Place, P-U-A-L-U Place.

COUNCILMEMBER SUGIMURA: Oh, thank you.

CHAIR U'U-HODGINS: Member Paltin, go ahead.

VICE-CHAIR PALTIN: And I just wanted to clarify, you said you picked your mom up walking away from her house during the fire?

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

MS. HIRAGA: I didn't get to pick her up. I was in traffic at the Kā'anapali Parkway, you know, stagnant, waiting to get to Lāhainā. Her roommate said, Connie, we got to go. And they left their house at about 4:05, they walked to the public access which is like one property away from where she lives, and her house was engulfed within 15 to 20 minutes of her walking away. She walked down Pu'unoa Beach, which you guys know as Baby Beach, got to Māla Wharf, and that's the first time they saw any police. And the police came and said, oh, you need to evacuate from Māla Wharf.

VICE-CHAIR PALTIN: Because --

MS. HIRAGA: So, she's 86 and she's carrying two bags of shit...stuff and...with her roommate and they had to walk by Kahoma Stream onto Front Street. And gratefully down by Māla, she got picked up by a neighbor who was able to inch their way through the property, yeah.

VICE-CHAIR PALTIN: Because...because her car was blocked in.

MS. HIRAGA: Her car was blocked. Prior to the fire, at 4:10, the wind had knocked the solar panels off of her roof, fell behind her vehicle in the carport, and prevented her from driving her car. So, her car couldn't get out of her driveway onto Pu'unoa, yeah.

VICE-CHAIR PALTIN: And...and this is causing you guys anxiety, the uncertainty?

MS. HIRAGA: Oh, yeah. She'd like to move into her home before she dies. She didn't say that to you guys, but she'd like to move into her home before she dies.

VICE-CHAIR PALTIN: Thank you.

CHAIR U'U-HODGINS: Thank you. Members, do we have any other --

MS. HIRAGA: Oh.

CHAIR U'U-HODGINS: -- clarifying questions? Seeing none. Thank you very much for your testimony. Can you, please, call the next testifier?

MS. APO TAKAYAMA: Chair, the next testifier is Kamanaoio Gomes.

MR. GOMES: Aloha everybody, my name is Kamanaoio Gomes. I'm here in support of eminent domain for the permanent waste site in the Central Maui Landfill. About two and a half weeks ago, I finally got to go into the burn area and checked out our properties. And one of our properties is cleaned up and the other one looks like a bomb went off over there. We drove through Lāhainā Town and I seen the

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

amount of waste. I didn't go into Wahikuli but...you know, there's a lot of trash that needs to be properly handled in this situation. And if the only reason why we're not going to push forward for eminent domain to be at the Central Maui Landfill is for financial reasons, or some other reason, I think it's a little selfish. And if you look at the land mass of Lāhainā and the West Side of Maui, you know, we're a small land mass compared to Central Maui, Upcountry, East Side. You know, everything incorporated on this side of the island. You know, I...I...I would plead to the people who are opposing this, right...is like don't you guys want to help Lāhainā out? We could really use the help right now. And if one of the reasons is, like, people can't move forward with cleaning up their houses because they have nowhere to properly store all of this trash, and stuff like that, then, you know, I...I think we got to kind of be a little bit more faster on top of this, you know. The community stepped up. You know, everybody who came out to help from...from then until now. You know, I believe a lot of people are grateful for it but now is your guys' opportunity, like, you know...like, to help. Now, it's your turn to...for...to help us out. You know, I...I not...I'm not here to argue with anybody but I'm just here to, like, put some emphasis. Like I want to rebuild our houses already, you know. I want to be ready to...to clean it up. And if it's going to take so long, I'll be patient about it. But the longer we hold up in these kind of things like that, it's not helping nobody, you know. And you shouldn't pat yourself on the back for anything. You know, let's...let's think with our hearts instead of our wallets in this situation. That's all I like to say. Thank you.

CHAIR U'U-HODGINS: One second just in case anybody has any clarifying questions. Thank you. Members, do we have any clarifying questions? No. Thank you so much for your testimony. I appreciate it. Staff, next testifier, please.

MS. MACDONALD: Chair, the next testifier signed up is Brian Lehmann, to be followed by Sharon Lovejoy.

CHAIR U'U-HODGINS: Oh, I think Sharon is with us so we can skip over her and then call the next testifier.

MR. LEHMANN: Aloha, Committee. I'm Brian Lehmann, Maui resident. I have personally been involved in recycling, 50 years already, here and elsewhere. But not just limited to items and bottle bills, but as a former resident of Lāhainā I've been following debris removal with interest. And I'm going to say, I don't fully understand all the urgency anymore except for how long debris remains at Olowalu, and how long we couldn't count on FEMA. And I guess, now, as was stated earlier, what to do with the opt outs from Lāhainā. But there'll arguably be a good amount of debris in any temporary disposition site before a permanent one is ready. It's not going back to Lāhainā. So, it seems what we have now is more of a solid waste management issue. And I've been looking at the new Maui County Integrated Solid Waste Management Plan draft. And I think we're already

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

on Plan B since initial mandates weren't met. But waste prevention and reduction as well as recycling, are priorities. And the plan contemplates certain alternative methods, particularly in light of the forecast life span at Central Maui Landfill. It wasn't postulated that acquisition of Phase VI would be successful. And so I'm concerned that acquisition by eminent domain will preempt incentive to explore alternative options. So far, there's been an almost laser-like focus on a permanent disposition site. The community survey wasn't asking for a preference between landfilling and some other method of disposal. So, while we cannot, now, prevent this debris, I'd like to see some conditions put on eminent domain so that any existing or potential plans for alternatives don't get sidetracked. The presentation to the DRIP Committee by Yummet certainly offers a pathway to reduction of the total amount of debris. And it was stated in the meeting on 1/24 that even if you pulverize their concrete, toxins would not be released. It was also clarified that FEMA would take the debris anywhere the County told them to. So, we have an opportunity to shape the immediate future of waste management. . . .*(timer sounds)*. . . Taking debris from one site to another is already a form of landfill mining. So, I hope we don't entirely blow the foreseeable future by exercising eminent domain. Thank you.

CHAIR U'U-HODGINS: Thank you. Members, any clarifying questions? Seeing none. Thank you very much for your testimony. Next testifier, please.

MS. APO TAKAYAMA: Chair, the next testifier is Paele Kiakona.

MR. KIAKONA: Aloha. My name is Paele Kiakona; resident of Lāhainā; organizer with Lāhainā Strong; President, Save Honolua Coalition. I'm here to testify in support of eminent domain of this site in Central Maui for multiple reasons. My first reason is for urgency. We don't want to wait anymore in Lāhainā. Okay. My grandma is getting into her older age now. For her whole life she struggled to get that house and that property under her name. She finally did it months before the fire. The fire took the home away. Due to the insurance, they covered the mortgage on the home...the remaining mortgage. I would like for my grandma for all those 40-plus years of her fighting for that place to be able to stay in a home that belongs to her. And I think that if we do not push this eminent domain forward, it will only hamper and hinder the progress in Lāhainā. And with the potential ensuing lawsuits coming in from Olowalu there might be an injunction at some point that you got to stop debris removal from Lāhainā. What's going to happen? All progress in Lāhainā is going to stop. So, that being said, I really do urge everybody in here to...to push this forward because we just like go home already, you know. And the longer we wait to...to move forward, Lāhainā will be unrecognizable. You know, my grandma may not ever see her property and her home again. And I think this is a huge first step in making sure that maybe we even...this could be a back-up plan in case Olowalu...the lawsuits that come through with Olowalu, putting that injunction, we just...the anxiety of us having

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

to worry about if we can even get back into our place, and if the progress is going to stop. And I think this is the first step to making sure that we can, in fact, go home at some point. That's all I have. Mahalo.

CHAIR U'U-HODGINS: Members, do we have any clarifying questions? Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. Thank you for testifying. So, your grandmother's home was wildfire damaged...gone.

MR. KIAKONA: Gone.

COUNCILMEMBER SUGIMURA: And do you know if the debris removal has already occurred? Because Army Corps and FEMA are going through...well, Army Corps and doing debris removal now.

MR. KIAKONA: Yeah. Yeah, her...her property was clear. But --

COUNCILMEMBER SUGIMURA: So, it's clear.

MR. KIAKONA: -- yeah, but --

COUNCILMEMBER SUGIMURA: Oh, good.

MR. KIAKONA: -- I do understand that there is a specific process, right, for people to begin to rebuild. She won't be able to rebuild even if her property is cleared. The entire section needs to be cleared from the EPA that it's safe. So, even if her house is cleared, the house adjacent to her is not. And even if hers is cleared, they're not going to let her rebuild because this place is still unsafe for her to move in.

COUNCILMEMBER SUGIMURA: And plus water and wastewater needs to be there.

MR. KIAKONA: Yeah. So, all the infrastructure also needs to be put in place also.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR U'U-HODGINS: Members, nobody else has any clarifying questions? Seeing none. Thank you very much. Staff, can you please call the next testifier?

MS. MACDONALD: Chair, the next individual signed up to testify is Katie Austin, to be followed by Shannon I'i.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

MS. AUSTIN: Aloha, everyone. Thank you for letting me speak. I am in support of using eminent domain to obtain the land to secure the final disposition site in Central Maui Landfill. It is absolutely imperative that things keep continuing to move along, as you've already heard, that is the sentiment within our community. And I don't think that any hold ups for that final disposition site would be a positive for anybody in our community. It just needs to happen. I also...to my understanding, eminent domain is already being talked about and used within our Lāhainā community as a result of our fire. So, to me, there's precedent already there, and I just would like to urge you guys to go ahead and pass this through so we don't have to keep continuing and we can refocus on some important issues within our community. Mahalo.

CHAIR U'U-HODGINS: Thank you. Members, any clarifying questions? Seeing none. Thank you very much for your testimony. Can you call the next...I know she's coming down, but can you just let the next person know who's after?

MS. MACDONALD: Yes, Chair. The next individual is Shannon I'i, to be followed by Julynn I'i.

MS. S. I'I: Aloha mai kākou. My name is Shannon I'i. I am a wildfire...wildfire survivor, lost my home, 117 Komo Mai Street in Lāhainā. I'm really tired of coming to meetings, but I feel it's super necessary that even if it's the same people that are showing up to be an advocate of our community. And, like, we're not in normal times. This is, like, super urgent and I think we're not just looking at eminent domain, yeah. So, I'm in support of that, but this is not just about eminent domain. This is about stalling the healing of our people, stalling us from going home. I think we've been told every single day, hurry up and wait, just like on the Hawaiian Homes list, we've been told hurry up and wait. And so there's all this business being done and I think we have to not focus on the business. Like I'd like to know how much it cost for a vote because maybe next year when it comes time to vote, like, I can donate or something. Like there...people are watching. People know what's going on. There's no hiding now. People are aware. People are absolutely looking at every single thing, holding people accountable for what is going on. So, we're...our eyes aren't closed anymore. We are activated as people of Lāhainā. I'm not fighting for me. I'm fighting for my keiki's keiki. This is a stall on what is going to happen in the future. My...my lot has been cleared but there's many other. I'm not just talking for myself. I'm talking for our community members who don't want to talk, who...who are too scared to share their voices, who are too scared to speak up because there's a lot. So, I would request that you think about not just the vote for this, but what's going to happen in the future. That...what...what it...what's happening is you're stalling us from moving forward. Thanks.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

CHAIR U'U-HODGINS: Members, do we have any clarifying questions? Seeing none. Thank you very much. As our next testifier is walking down--Member Kama, I didn't see you walk in, so thank you for joining us. Aloha.

COUNCILMEMBER KAMA: Aloha 'auinalā, Chair.

CHAIR U'U-HODGINS: Thank you. Aloha.

MS. J. I'I: Aloha, everybody. I'm Julynn I'i. I'm from Lāhainā, Maui. I am in support for eminent domain. That should've happened, like, yesterday. Over 2,000 people had already voted for Central Maui to be the permanent disposition spot. It would have been one more step closer to a healing process for Lāhainā and for the people of Lāhainā. The longer this process takes, the longer Lāhainā will continue to be on edge. Every wasted day that goes by, another resident moves away, another resident becomes depressed. It's crazy to think that the final decision is being based on a pretty dime. The County has kind of a lot of blame right now as I feel like they're not doing the necessary research before just handing off the islands to everybody who has the money to pay for it for their own good. Unfortunately, it's hard to see past dollar signs even though this decision will benefit an entire town that no longer exists and the livelihood of our people. Like my cousin Shannon said, everybody is watching. And like she said...like she also said, not a lot people can carry this kuleana to continue to show up, to continue to voice their concerns. And that's why our kūpuna has put us in this spot to speak for everybody that can't or just tired already. Everyday it's something new. We are fighting for something new every single day while we are trying to move on, and still trying to grieve, and to mālama our...our own ohana, and our kuleana in our homes. You know, I...my grandparents lost their house at 180 Hale Street, Lāhainā, and he's old but he wants to go home, you know. Our...my...my grandma just passed away and that's all he wants to do is go back home. So, the longer that this decision takes to be made, the longer it'll take for everybody to come back home. So, I hope what everybody is doing here and the decision that is brought to the table is made with pono decisions and just respect for everybody in Lāhainā who is still carrying this kind of burden on their shoulders every day when they wake up, so mahalo.

CHAIR U'U-HODGINS: Thank you. Members, any clarifying questions? Seeing none. Thank you very much for your testimony. Staff, next testifier, please.

MS. MACDONALD: Chair, the next testifier signed up is Riley, to be followed by Nicole Galindo. Riley, we have enabled your camera and microphone, so you'll have to unmute yourself. The camera and mic icon is in the top right-hand corner. If it has a line through it, you'll have to click it. ...Riley, we see you pop up on the screen, but you'll have to unmute yourself. We just see a black screen. We can always come back to Riley. The next testifier is Nicole Galindo.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

MS. GALINDO: Aloha, everyone. I'm Nicole Galindo. I'm a licensed clinical social worker, licensed to do psychotherapy, have a practice in...in Kahului. I've been doing this work independently for the last ten years. For 20 years, I've been working for different social services, went to Lāhaināluna, graduated from there. I was a boarder, didn't lose my home, already left Lāhainā. I'm here because I love my community and because I've taken it upon myself to...to educate myself about legislative process, and it's very complicated. And like my friend said, a lot of people aren't able to show up and they're very busy trying to survive. They're very busy working, taking care of their kids, going through all these processes. So, the contribution I'd like to make is that all of you consider people's mental health. And that you consider that this is not just debris, and it's not trash. It's people's lives. It's the remains that indigenous people consider sacred. It's not just trash. And a lot of us have been going to meetings held by the County. We went through the process to vote. We were told that we were actually, as a community, going to have a choice and this the choice that the community decided on. So, it would be really nice to see different branches of Government working together. And if there is a reason why it wasn't correct to choose one of those spaces in the first place...you know, we, as a community, are doing as much as we can to be informed. We don't get all the information. We know that. No one said how much the properties are being purchased for, and why, and we don't know these things. But we were told that this is how we could participate and the people chose that, so it would be nice to have a follow through. Thanks.

CHAIR U'U-HODGINS: Members, any clarifying questions? Seeing none. Thank you very much for your testimony. Next testifier, please.

MS. MACDONALD: Yes, Chair. We can go back to Riley. We've re-enabled his camera and microphone. Riley, if you want to unmute yourself now, begin your testimony.

MS. RILEY: Awesome. Hi, guys. My name is Riley. I am testifying in support of the eminent domain for the debris removal site. So, just going back to what the first gentleman touched on, the...the...the policy of his waste management company. The...the...the factors were, they need to grow their business, they need to help people, and they need to protect the environment. And those came verbatim from here on my end. It says Chamber Resource 2--I'm not sure his name. So, my question is just what happens when growing your business is in complete contrast with helping the people? So, I get it, late-stage capitalism. We're all kind of burning in this dumpster fire of a world. So, that's just...like it's clearly stated in your...in your...in your policy that growing your business is above the...the criteria of helping people and protecting the environment. So, it's...it's awesome that you threw that in there, you want to help people and protect the

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

environment. But if...if protecting the people, and helping the people, and the environment comes at a --

CHAIR U'U-HODGINS: Riley, I'm so sorry, but you froze. So, can we pause her time. Shucks. Is it just her? Is it...is it a whole system pause? Just her. Okay. Just making sure because Gabe just messaged me that he was having issues too, so I know he just restarted. Okay. We can pause her time, and then we can come back to her, and she can have the rest of her time. But we can--Riley, if you can hear me, maybe you can restart, and you can rejoin us, and then we will take you when you get back. But we can go to the next testifier as she, maybe, relogs in.

MS. MACDONALD: Yes, Chair. The next testifier on the list is Junya, to be followed by Tamara Farnsworth.

MR. NAKOA: Howzit. What, mine not working?

CHAIR U'U-HODGINS: No, we see you. You're good to go.

MR. NAKOA: Yes, sir. All right. Okay. You guys know me. I'm always trying to fight for the people of Lāhainā especially, but the people of Maui. But brah, now this is getting pretty much personal to me because my daughter...they finally get back to...go back to her land...her house, started cleaning 'em up. And my baby, ever since the fire, she never cry yet. And I told her, you better cry, brah, you got to let 'em out. She never. But she finally did, brah. She finally did. So, no...no stop 'em, yeah, gang. Keep this thing going, okay. Never mind the road blocks already. Yeah, let's...they...the people of Lāhainā like go home. They dying over there. We losing 'em, okay. Mentally, physically, everything, yeah. So, for whoever the braddah when go purchase the place or whatever maybe he can...he can grow some heart, yeah, and make it easier for...you know, for sell that buggah. I don't know what he wanted for buy 'em for. But I...you know what I mean, me and the Mayor, we no see eye to eye, but this is one point...this is one thing that I see he doing for the people...he listening to the people. Yes, sir. Mahalo, Mayor. So, I mean, let's go. Let's do it. You know, let's keep going. I get all my family inside there, working their okoles off, okay, for get the thing cleaned up. I know they all telling me, oh, Unks, we stay by your...Kapua's house. I tell, yes, sir, let's do this gangy. And...yeah, so 'nuff road blocks, you know. We never know nothing about the Olowalu one, the thing got kind of slammed in our face, so I never really testify on that point. But then ever since that, Braddah Shayne Agawa, we when talk story couple times, you know. You...we...you know, we see all the hard work he putting into finding this place. This is the one place that everybody said, we no like 'em in Lāhainā, you know, right behind houses, you know, what just...you know, well, just got threatened from burning, you know. And then now I heard, you know, the FEMA and the State like build behind

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**

Council of the County of Maui

March 19, 2024

there anyway, so...yeah, so use the eminent domain. Let's use this power, okay. I not American. I Hawaiian but let's go use this American thing for make it happen, yeah, so we...us Hawaiians can get back on our land. Okay, guys, mahalo. You guys have a great day. Yes, sir.

CHAIR U'U-HODGINS: Anybody have any clarifying questions?

MR. NAKOA: Wait. Happy Birthday, Nohe.

CHAIR U'U-HODGINS: Thank you.

MR. NAKOA: Yes, sir.

CHAIR U'U-HODGINS: Thank you very much. I appreciate it. Thank you. Can we get Riley back on, please?

MS. MACDONALD: Yes, Chair. Riley has reconnected. So, Riley, if you want to unmute yourself, I have two minutes on the clock.

CHAIR U'U-HODGINS: ...Is she on?

MS. RILEY: Can you guys hear me?

CHAIR U'U-HODGINS: We can.

MS. RILEY: Awesome. So, just very quickly before my...my internet here at the beach times out again. The gentleman, who owns the land presented at the very beginning stating his company's mission statement to grow his business, to help protect people, and to protect the environment. And my question is what happens when the first thing, growing your business is in direct contrast...contrast from helping people and it's...it's that basic, you know. Under late-stage capitalism the concept of putting profit over people seems so radical, seems crazy. The concept of going in and providing, you know, a place to dump the debris from our burnt town.

CHAIR U'U-HODGINS: ...Riley, we lost you again. If the internet is giving you some issue, you're welcome to just, maybe, call. I know...was she on the video and she didn't turn on the video? Okay. We can...we can take her back again, but we can move onto the next testifier for...for the...for now.

MS. MACDONALD: Yes, Chair. And I paused her time.

CHAIR U'U-HODGINS: Thank you.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

MS. MACDONALD: The next individual signed up to testify is Tamara Farnsworth.

MS. FARNSWORTH: Aloha.

CHAIR U‘U-HODGINS: Aloha --

MS. FARNSWORTH: And happy birthday, Chair, and Members --

CHAIR U‘U-HODGINS: Thank you. Thank you very much --

MS. FARNSWORTH: -- of the Committee. Thank you so much for the opportunity to testify on this...on the eminent domain issue. My name is Tamara Farnsworth. I worked with the Department of Environmental Management, and in EP&S Division from 2013 to 2023 with extensive training and experience in municipal solid waste management, landfill diversion, and disaster debris management. Although, no decisions will be made today, I am testifying in support of this measure. Back in January, I stood in those Chambers advocating for exactly what the County is now pursuing, that if the landowner won't sell that the County should pursue eminent domain of the parcel. It's already...this parcel has always...already gone through a significant portion of the regulatory process, and has already been excavated, and is best positioned for the...for the proposed purpose. It is and always has been the most suitable place on this entire island for the final disposition site for Lāhainā's ash and debris. And regarding concerns that this is a slippery slope for over-arching control, the land grabbing by the Government, the process in discussing that's...discussion that's taking place right here, right now, will have to take place for every property that is proposed for eminent domain. So, let us not conflate future potentialities with specific matters at hand, which is to get a hold of this property so that we can most expeditiously continue the cleanup and recovery of Lāhainā. And now, the Olowalu temporary site, so I really want to make that case. You know, it's really important that we get this done as quickly as possible so we can possibly stop using Olowalu as quickly as possible. But having said all that, I want to use my time to make another public appeal to the landowners, as I did in prior testimony. Please, sell the parcel to the County at the appraised amount. I implore you, be the heroes in this story and not the villains. Do you want to look back and be seen as the folks who gave this gift to the people of Maui? Or do you want to be remembered as the ones who stood in the way of Lāhainā's recovery and healing, putting potential and, frankly, questionable profits over people? It is worth than...more than the assessed amount, but not in dollars, rather, in the value of the greatest good for the public interest and the community. That is, at the end of the day, what all of this boils down to, the greatest and highest good for the community. You, right now, have a choice and a decision to make about your legacy and the part you played in the history of this tragedy. This is bigger than just this parcel of land. This is bigger than your individual business interests.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

This is really about Maui and all of our community. It is a kākou thing. You're already known as community-minded folks. Please, be the heroes of this part of the story for the healing of Lāhainā and Olowalu. And if it does come down to it and you folks...or they refuse to sell the parcel, I say to you, Maui County Council, then do what must be done. Allow for eminent domain in this case. It is for the best, it is in the public interest, and it is for the highest good. Please, do the right thing for our community.

CHAIR U'U-HODGINS: Thank you.

MS. FARNSWORTH: Mahalo --

CHAIR U'U-HODGINS: Thank you very much.

MS. FARNSWORTH: -- for your consideration.

CHAIR U'U-HODGINS: Thank you. Members, do we have any --

MS. FARNSWORTH: Aloha.

CHAIR U'U-HODGINS: -- clarifying questions? Seeing none. Thank you very much for your testimony. Can we return to Riley? We'll give her one more opportunity, and if not, maybe, she can submit written testimony.

MS. MACDONALD: Yes, Chair. Riley is online. Riley, if you're able to unmute yourself and continue your testimony, please do so now.

MS. RILEY: I actually...I'm called in too. So, I don't know if there's a way we can, like, patch me in so we can...I can be on my phone and my video so that if my video craps out.

MS. MACDONALD: Riley, what's your number? The last four digits of your number?

MS. RILEY: My...my number is 463-9265. I'm called in as well.

CHAIR U'U-HODGINS: 9265.

MS. MACDONALD: We have un-muted the number, so if you want to click star six you can submit testimony that way.

CHAIR U'U-HODGINS: ...Riley.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

MS. MACDONALD: Riley, it says that on your cell phone you're muted. You are unmuted on our end. You will have to follow the phone prompts, but it should be star six to unmute yourself.

MS. RILEY: Can you hear me?

CHAIR U'U-HODGINS: We can.

MS. RILEY: Awesome. Okay. Great. I'm not sure if the first couple lines of my testimony last couple times got in. But anyways maybe --

CHAIR U'U-HODGINS: We heard the...we heard the first couple parts, so I know we keep kind of interrupting your time --

MS. RILEY: Yeah.

CHAIR U'U-HODGINS: -- so this part won't count. But just so you know --

MS. RILEY: No.

CHAIR U'U-HODGINS: -- what we heard. We heard the first couple parts, so you can...you can continue. I think you have maybe, like, a minute and a half left.

MS. RILEY: Oh, okay. Perfect. I appreciate it. And I appreciate your guys' time being here. And I also just want to acknowledge like these...these meetings...like right now, it's a...it's a Tuesday, and it's, like, 1:30. And the amount of actual people from our community that have the ability to show up for these meetings...literally, people working bunch of jobs, you know, kids, it's spring break. And so the...the few of us who do have the privilege, and time, and the space to show up for these meetings are, you know, very few and far between. And I think that that should be touched on, that any community meeting that doesn't necessarily provide of that, you know, outpour of information, and transportation, and food, and child care, is not an actual representation of the broader community because it's just people who have the ability and the privilege to show up to these meetings when you guys have them. So, I think that something about outreach, you know, and especially...like, yeah, putting the people over profit seems like a radical thing. Everybody says, we're for Lāhainā, we're...we're all...want to help. And...and then they go home to their beds and they have their zone to be in while our fire survivors are still struggling and wanting to get back on their land. So, that's just where I come from, is...is putting people over profit. You said it yourself, in your...in your...in your policy statement. Your first priority is to grow business, and then your second one is to help people. So, let's just push the order of those, for the time being, and get our people...get...get the debris to the landfill, whether that's through eminent...eminent... . . .(timer sounds). . . like eminent domain and

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**

Council of the County of Maui

March 19, 2024

get our people, you know, back into a place that they can, you know, secure their mental health and rebuild their life. So, thank you for your time. Sorry, for the interruptions and I appreciate you guys coming back to me. That really means a lot that you put in the effort to --

CHAIR U‘U-HODGINS: No worries.

MS. RILEY: -- to continue my testimony. So, thank...thank you so much.

CHAIR U‘U-HODGINS: You're welcome, Riley. Members, do we have any questions? No. Seeing none. Thank you very much, Riley.

MS. MACDONALD: Chair, there is currently no one else who is signed up to testify. If somebody would like to testify in the Chamber, please let Staff know; or on Microsoft Teams, please raise your hand. This is going to be final call; three, two, one. Chair, it appears that nobody wishes to testify.

CHAIR U‘U-HODGINS: Thank you. Before we go onto discussion, I would like to acknowledge that Member Rawlins-Fernandez has joined us. Aloha, Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha ‘auinalā, Chair, and hau‘oli lā hānau.

CHAIR U‘U-HODGINS: Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: I'm at the Moloka‘i District Office, alone on my...my side of the office. We have no testifiers here and I have been monitoring the meeting this whole time. I just didn't want to interrupt the public testimony, so mahalo.

CHAIR U‘U-HODGINS: Thank you. Thanks for joining us. So, Members, seeing there are no individuals wishing to testify, without objection, I will now close oral testimony for this item GREAT-5(5).

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR U‘U-HODGINS: Thank you.

...END OF PUBLIC TESTIMONY ON GREAT-5(5)...

VICE-CHAIR PALTIN: And accept written testimonies?

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**

Council of the County of Maui

March 19, 2024

CHAIR U‘U-HODGINS: Yes, that's my next one. As a reminder, written testimony will continue to be accepted. Absolutely. So, Members, we're going to be implementing a three-minute questioning period. So, raise your hand if you have a question and we'll go from there. Do we not have any questions? You have any questions? Go ahead, Member Cook.

COUNCILMEMBER COOK: Thank you, Chair. My question is for...is it waste management? I don't know how to address you guys. Anyway...or --

MR. NADEN: Komar.

COUNCILMEMBER COOK: Okay. Komar. So, could you kindly give us an update? I believe that you met, recently, with the Administration. Is there --

MR. NADEN: Thank you, Councilmember Cook, for that. I also want to take the opportunity to respond to Riley, most recently, and also Tamara Farnsworth who, I think, made very cogent comments. But to answers yours in first, we have been meeting regularly with Shayne Agawa, also more recently with Mayor Bissen. And, in fact, we have been meeting, honestly, for the last ten years with one objective, is to do exactly what we want to do now, which is to build a first-class, quality, immediate resource of a landfill in the property that we have owned since 2015. We have honestly and consistently implored the County through three different Administrations, through several Directors of the Department of Environmental Management, meeting steadily with...beginning with Kyle Ginoza, Stewart Stant, Eric Nakagawa--Shayne, I think, reported to Eric at the time, and now Shayne. We have a positive relationship with these folks, but we have been unable to secure the permit to move forward. Now, everyone's backs are against the wall and to be framed as the villain is very painful for a company that has been committed to this County for over 25 years. But we are making progress, I believe, in terms of meeting with the Mayor. We were surprised to get the eminent domain proceeding, but we understand that must go forward. So, it's kind of a two-train track. We will continue to negotiate to try to do this quickly and quietly, and we will also understand that if it ends up going to court, we will, obviously, support that directive. We just don't want to be painted with a brush that has been brought out of this very difficult situation. We understand why, but we stand here today to answer all of your questions.

COUNCILMEMBER COOK: Thank you.

CHAIR U‘U-HODGINS: Of course. Chair Lee.

COUNCILMEMBER LEE: Thank you for being here. We are in an emergency situation. You haven't been able to work out a deal with the County in decades, yeah. Three

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

Mayors...three Mayors, did you say? So, why can't you just step aside and let us move forward?

MR. NADEN: That may end up being the result, Madam Chair. That may, in fact, become that result. But we were not looking for a deal. We were looking for permission. We wanted the permit to move forward. We have never put profit over the community and over the environment.

COUNCILMEMBER LEE: Okay. Thank you.

MR. NADEN: And...and Riley's --

COUNCILMEMBER LEE: I'm sure...I'm sure what you're --

MR. NADEN: -- perception was that it was in that order. They must all be achieved for us to be --

COUNCILMEMBER LEE: Right.

MR. NADEN: -- successful.

COUNCILMEMBER LEE: I'm...I'm sure what you're saying is accurate. But...but the fact remains, after all this time, you weren't able to...maybe not through any fault of your own, able to obtain a permit.

MR. NADEN: Can...can we obtain one now?

COUNCILMEMBER LEE: I don't think so.

MR. NADEN: We --

COUNCILMEMBER LEE: Why would you? In...in fact...you know, because right now, circumstances are different and we need to move forward as quickly as possible.

MR. NADEN: In a...with all due respect, it's actually probably more important for us to begin now. We have designed, operated, and managed over 11 landfills. We are experts in this matter. We have been stonewalled consistently through various devices over the ten years. And I don't wish to negotiate the past but we really believe we could do it quicker, faster, and safer than any governmental approach. On the other hand, if the County of Maui, Shayne, Mayor Bissen, your honors, wish to do it, we will step back and have made a recommendation of how that can happen immediately. We have done so. So, we are not getting in the way of this opportunity. We appreciate this opportunity to hear our voice too. But our...we have hundreds of employees on this island, many of whom have suffered

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

greatly because of what happened in Lāhainā Town. You know, we have relationships, business and personal and others, so it pains me to think that Riley would think this of us, or...or Tamara. We want to be the hero. We'll be it either way --

COUNCILMEMBER LEE: Oh, oh, okay. Well, we don't --

MR. NADEN: -- however you would like us to be that, we'll welcome.

COUNCILMEMBER LEE: -- we prefer not to mentions names here. We're just talking about, you know, a situation of a purchase. And all I'm saying is that if something hasn't worked in the past, let's change it.

MR. NADEN: Okay.

COUNCILMEMBER LEE: Let...the...the County wants to buy the property, . . . *(timer sounds)*. . . just let us buy the property. Okay. Thank you.

MR. NADEN: Thank you.

CHAIR U'U-HODGINS: Thank you. Member Paltin, followed by Member Kama, and then Member Sugimura.

VICE-CHAIR PALTIN: Thank you, Chair. Before we start, can I just do the disclaimer.

CHAIR U'U-HODGINS: Sure.

VICE-CHAIR PALTIN: We're on a time frame. So, if you can just succinctly answer the questions, I would appreciate it, and not answer other people's questions because I have a certain amount of time.

MR. NADEN: Yes, Ma'am.

VICE-CHAIR PALTIN: How much did you purchase this property for?

MR. NADEN: \$700,000.

VICE-CHAIR PALTIN: Thank you. And then when you're talking about the County will not give you a permit, it's my understanding that the Department of Health under the State issues the permit for a landfill. So, can you, please, clarify?

MR. NADEN: Yes, Ma'am. This was a property that was always permitted as a landfill. In August of 2020, the County unilaterally down zoned it...unilaterally, and took that permit away.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

VICE-CHAIR PALTIN: Okay. Thank you. Mr. Agawa, can you, please, tell me what the latest offer for the \$700,000 acquired property was?

MR. AGAWA: Thank you, Chair. Thank you, Member Paltin. If you can give me a few seconds. Sorry, I have a lot of material here. The latest offer from the County was made by Mayor Bissen to Komar dated July 21st and it was for \$1 million.

VICE-CHAIR PALTIN: So approximately, a 43 percent increase. And can you speak to the unilateral down zoning?

MR. AGAWA: To my...yes, thank you. To my understanding, in looking at materials that preceded my time here, it was an email between Pat Wong and Komar. And the reason being was that we did not have any ownership of that property anymore. This was after Komar purchased it from A&B. So, it wasn't...the County did not have any ability or reason to keep that property permitted. We had no ownership or action on that property.

VICE-CHAIR PALTIN: Thank you. And I would just say for my...my remaining time that Lāhainā is a very small town. And despite us being scattered and living in other places around the County, the State, the continent, we know about Komar Investments, whether they're a good guy or the villain. So, you don't need to tell us. It's a small town. Thank you.

CHAIR U'U-HODGINS: Thank you, Member Paltin. Member Kama, followed by Member Sugimura.

COUNCILMEMBER KAMA: Thank you, Chair. I'm sorry, I...I came late so I didn't catch your name. What is your name?

MR. NADEN: My name is Andy.

COUNCILMEMBER KAMA: Okay, Andy.

MR. NADEN: Yes, Ma'am.

COUNCILMEMBER KAMA: Thank you. So, my question is, you made a statement saying that if the County wants to actually use the land, develop it, you're...you're okay with it. So, my question to you is what is it going to cost us to make that happen?

MR. NADEN: So, we made a...two recommendations. And at the risk of being detailed...and you let me know if it's too long, I'll comply. Initially our goal, and

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

currently, would be for us to build out the landfill, do what we're experienced to do, get it done immediately --

COUNCILMEMBER KAMA: No, my question, was what is it going to cost us.

MR. NADEN: And the...I will tell you...and...and --

COUNCILMEMBER KAMA: I just want a number. I was looking for a number.

MR. NADEN: -- the B option...I will...I will tell you. It was an offer for \$1 and we would turn over the deed, and we would have a percentage participation in the revenue going forward so that it would not cost the County money now. And as the...the landfill was utilized, we would participate going forward. So, it would be an exchange and just a partnership interest...a private-public partnership interest going forward. And that way, we don't have to debate the value because whether it's a small number or a large number, it will be the actual number as the tipping fees come in, we will participate.

COUNCILMEMBER KAMA: See and we don't...I...for me, I don't know what those numbers are when you were talking about tipping fees, and those things --

MR. NADEN: Oh, I apologize.

COUNCILMEMBER KAMA: -- that's going to happen. So --

MR. NADEN: Right.

COUNCILMEMBER KAMA: -- I just was looking at a real number. If you add up all the cost and you add up with the tipping fees and what you're going to negotiate, somewhere around there, what would that number be? And that's what I'm looking at.

MR. NADEN: Okay. And it would be a significant investment that the County would have to make and one that we're not asking them to make right now because of...and...and it's the offer that we made, et cetera --

COUNCILMEMBER KAMA: Can you give me a ballpark figure?

MR. NADEN: -- excuse me. I'm sorry, Madam.

COUNCILMEMBER KAMA: Can you give me a ballpark figure?

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**

Council of the County of Maui

March 19, 2024

MR. NADEN: No, it was just...we have really never thought about selling it, we just wanted to participate. So, if it goes to the third option, which is someone else must value it. And we understand there's a quick-take procedure.

COUNCILMEMBER KAMA: So, you mean in ten years of talking back and forth, back and forth, the County never said we want to buy it from you?

MR. NADEN: Just recently...only now when Shayne was talking about this, it was the very first time that we had ever had an offer because we are an environmental development company. We are, basically, what...trash collectors. We have some technology behind us and we have a lot of family history, but at the end of the day we collect the trash and we bring it in an environmentally safe manner all across the islands --

COUNCILMEMBER KAMA: Okay.

MR. NADEN: -- and have done it --

COUNCILMEMBER KAMA: Thank you. Thank you, Chair.

MR. NADEN: Thank you. Thank you, Madam.

CHAIR U'U-HODGINS: Member Sugimura, go ahead.

COUNCILMEMBER SUGIMURA: Thank you. So, thank you very much for being here. I'm...I'm glad, I...in the past, I never had the opportunity of meeting you. And thank you for the work you've done for the residents with your waste company.

MR. NADEN: Thank you very much for that comment and kindness.

COUNCILMEMBER SUGIMURA: Yeah, so --

MR. NADEN: We reciprocate that. I've always read your comments in the meetings and was always interested.

COUNCILMEMBER SUGIMURA: Oh. So, I had...was under the impression that Komar...or Mr. Kosti, which is a name that I've heard many years.

MR. NADEN: Yes, Ma'am.

COUNCILMEMBER SUGIMURA: And that he had come before a Mayor, and had wanted 60 million for that property...or millions, not 1 million, but millions. And so that is a conversation that I heard. I wasn't there, so it would be hearsay. But I did hear that it was more than 1 million. Could you confirm?

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

MR. NADEN: I will confirm both things. That my boss, and our visionary is a very grand person and it would not surprise me that he was very bold at a certain point. I can tell you, directly, that he authorized me, and I was with him in many of those meetings, to either offer one of two solutions. We would build the landfill and do a deep discount to the County when they would be putting their waste in. Or in the alternative, you could develop it and we would get a royalty. There was never a discussion about dollars and cents. But that said, it wouldn't put it past me if, pressure to the wall, he said, fine, here's this huge number. I don't think if...I wasn't there for that period. But I can tell you it was always a private-public partnership, which is the hallmark of Kosti's history, and that's Kosti Shirvanian.

COUNCILMEMBER SUGIMURA: So, can you give us an example of a PPP that he did that was successful that we could use as a baseline for what you are proposing?

MR. NADEN: Each of the landfills that was in the brochure or the documents that I submitted were all private-public partnerships, all of them.

COUNCILMEMBER SUGIMURA: Okay. So, let's say we make it past this point. What would the cost be to the County?

MR. NADEN: If we chose, A, we would spend the millions of dollars...roughly, I think the discussion is \$40 million. We would pay for the infrastructure. We would create a very safe-lined landfill modality similar as you would do, and you wouldn't pay anything. Be then as you would tip, you...that's when payments come in. And my understanding, for the 400,000 cubic yards of debris that's currently in Lāhainā Town, that FEMA will be paying 90 percent of that cost of the tipping. So, theoretically, there would be a very small cost over that initial, critical phase; and we understand it's critical.

COUNCILMEMBER SUGIMURA: So, I...if I understand and we get this confirmed, but FEMA doesn't pay special tipping fees for this. . . .*(timer sounds)*. . .

MR. NADEN: No, not special.

COUNCILMEMBER SUGIMURA: It's regular tipping fees. So, it...it doesn't --

MR. NADEN: Regular, that's right.

COUNCILMEMBER SUGIMURA: -- it doesn't give us anymore, you know --

MR. NADEN: No.

COUNCILMEMBER SUGIMURA: -- funding, but I'll wait for second round--

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

MR. NADEN: But it doesn't cost, right.

COUNCILMEMBER SUGIMURA: Yeah, thanks.

CHAIR U'U-HODGINS: Okay. Thank you, Member Sugimura. Member Rawlins --

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair.

CHAIR U'U-HODGINS: Yeah, you...Member Rawlins-Fernandez, go ahead.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo. Aloha, Mr. Naden. Mahalo --

MR. NADEN: Aloha.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- for being with us today and answering our questions. I think the recent *Civil Beat* article gave, you know, Komar a little more vindication in explaining the back and forth that the company experienced under the different Administrations. And as an elected official coming in after a lot of these decisions, actions then inactions, you know, happened it...it...it's really tricky to navigate at this point. In the article, it says that Naden said that the value of the land should include the money a landfill would make from tipping fees of about 126 per ton for a more regulated soil municipal waste site or \$90 per ton for commercial and demolition debris. The estimated 400,000 cubic yards of fire debris would take up about a quarter to a third of the property. Even after paying the 40 million to build the site, it would leave the potential of tens of millions of dollars more to be made in tipping fees before the lot is at capacity. The value in this property is the income that streams in until filled up, over 1.3 million tons. Hypothetically, if the jury comes back and finds that this compensation would be \$10 million and not 1 million, then the County has two years to decide whether it wants the property or it will fund it...is...is one of the quotes. If they don't, they come back out of it and abandon eminent domain proceedings. In it, it also stated what you responded to Member Kama that the company would develop the site and potentially turn over the deed to the County in return for 20 percent of tipping fees royalties in perpetuity. Our Solid Waste Division is a self-funded program. It's not for profit. And so 20 percent would...20 percent revenue cuts into the ability for our Department to be able to fund itself, and it goes directly onto rate payers, those that are paying the tipping fees. So, my first question, regarding the comment that you made to Member Kama earlier, is in regards to the...the landfill being permitted. So, my understanding...and, I guess, I'll invite Director Agawa to correct me if this is incorrect. Or maybe I'll just ask him first. Did the County hold the permit to use the property as a landfill? And is that permit transferrable?

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

MR. AGAWA: Thank you, Member Rawlins-Fernandez. The County did have that land permitted as part of the landfill...the whole Central Maui Landfill footprint. Once we, as I mentioned earlier, lost the...once the ownership went to a private entity, when they purchased it from A&B, the Corp. Counsel at the time, Pat Wong, mentioned in an email, that I have somewhere in here, that because the County does not have interest or ownership of that property that was the reason that we retracted the...the permit of that parcel.

COUNCILMEMBER RAWLINS-FERNANDEZ: Would it be possible for a third party to have taken that permit? I...I guess I don't understand the...the mechanics of how that permitting works so that I can, then, ask Mr. Naden what his expectation was when acquiring that property and expecting that permit to come with the acquisition.

MR. AGAWA: My understanding is that the land would...the permitting would have been transferrable with the property.

COUNCILMEMBER RAWLINS-FERNANDEZ: So, even if A&B, who owned the land, didn't hold the permit because the land, itself, was permitted, if the County approved the transfer, it could have ran with the land. But then --

UNIDENTIFIED SPEAKER: Yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- who would be responsible to ensuring that the conditions of the permit would be met? So, would the County, then, be free from liability once the...that permit is transferred to the next party?

MR. AGAWA: Thank you for the question. So, it would...the State regulatory agency would be DOH who would enforce the permit requirements if the permit was transferred on the land to a different landowner.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Mahalo for clearing that up. And, Chair, I...I...I don't know if there's a timer. I haven't heard a timer, so you let me know when to stop.

CHAIR U'U-HODGINS: It didn't go off yet, but it is three minutes. So, if you have more --

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay.

CHAIR U'U-HODGINS: -- questions, I think you have a few seconds.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay.

CHAIR U'U-HODGINS: I...I see phone in hand, but just FYI.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. So, the follow-up question is to you, Mr. Naden.

MR. NADEN: Yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: When -- when Komar Investments looked into acquiring that property, was that with the expectation that the permit would come along with that property?

MR. NADEN: Absolutely.

COUNCILMEMBER RAWLINS-FERNANDEZ: What...what would have made you thought that it would have come with...what made you...what gave you that expectation?

MR. NADEN: Records and permitting. The zoning was there. And after we...and by the way, thank you very much also for your questions and your very cogent understanding of the issues. And we are happy to be here. And you thanked us for being here, we're honored . . . *(timer sounds)* . . . to be here. May I answer? Okay. So, when we bought the property, it was a full expectation that we do what we were supposed to do. We would develop it as a landfill and that's what our intention. Soon after we purchased it, we were asked if we would swap the property with the County for a piece of property across the road to which we said, yes. We said yes in 2015, we said yes in 2016, and '17, and '18. The County could never, I guess, navigate, to use your word, the transfer. I'm not sure if it was between the various Administrations and Council, but we could...we never were given the deed or the momentum. In fact, Corporate Counsel, I think he was referred to as Pat Wong, at the time in...late 2018 admitted in a email that he could...they couldn't get it together, so the swap was off the table, but thank you for being patient, we were told, you may go forward with your plans to put a landfill together. So, we began to move in that direction and then, as Mr. Agawa pointed out, that permit right was removed. So, for half the time we've owned the property we were told to wait for a swap. And the other half, we were blocked to develop the landfill. Now here we are today ready, willing, and able...very able, very ready, very willing to do this very thing that the County desperately needs and...and we are painted in a picture that is absolutely mindboggling. And if anybody has read Kafka, that's kind of where I...I feel like I'm in some type of a play because we want to help, we want to do this, and we can do this. And if we had either...I guess, if someone else at the County bought the property in 2015, yes, I wouldn't be here, Councilwoman. If the County had swapped the property in the first five years, we also would not be here. And if the County had let us develop the landfill as we were intending, and capable, and desirous of doing, we wouldn't be here. But we are here and it's not because of us. It is because of the

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

County. I apologize, with all due respect, but we did not put us here. I...I wish I could get out of this situation gracefully, and intelligently, and supportively because that's what we want to do.

CHAIR U'U-HODGINS: Thank you.

MR. NADEN: But we do have the skill sets, we do have the wherewithal, and we do have the desire. So, let's...we can go forward. On the other hand --

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Mr. Naden. You...you answered my question and queued me up for my follow-up questions, but I know the timer went off. I do see Director Agawa turned on his video, Chair. I'm not sure if he would like to respond.

CHAIR U'U-HODGINS: Yeah, we can give Director Agawa (*audio interference*) --

MR. NADEN: Thank you, Councilwoman.

MR. AGAWA: Thank you, Chair U'u-Hodgins. Thank you, Member Rawlins-Fernandez. So, what Mr. Naden is talking about, as we all know, was in a past Mayor Administration. It was a past DEM Administration. The situation, at the time, was totally different. The land swap that he's talking about, I believe, and he can correct me if I'm wrong, was for the property we're talking about today, Phase VI, the 20 acres, for the 40 acres that the County owned on the makai side. Now we currently own 99, but at the time, we owned 40 acres. The Division...Solid Waste Division had a master plan of how we were going to use this 40 acres. So, we were against the land swap. Now, you got to understand, we still had the option of following A&B's quarry at the time, to get additional landfill expansion. We do not have that option now with a private landowner purchasing the land all around Central Maui Landfill from Pulehu on the mauka, wrapped all around to Pulehu on makai. We are land locked. So, the situation is totally different.

MR. NADEN: Yeah.

MR. AGAWA: I just wanted to make that point. Thank you, Chair. Thank you, Member Rawlins-Fernandez.

CHAIR U'U-HODGINS: Thank you. Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. Just a question for Director Agawa. You know, last time we heard that the...the property is land locked and there is no access to the property. Can you explain that?

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

MR. AGAWA: Thank you, Chair. Thank you, Member Sinenci. So, when I referred to it as the property being land locked, it is not land locked...and we're talking about Phase VI, right, the 20 acres. It is land locked because County has property rights on three sides of the property: the mauka, makai, and the east side. They are land locked, physically, from Pulehu Road side because there's, like, a 50-foot cliff. You can imagine, this parcel was mined for years. They can come up Pulehu Road, legally, but then they would have to construct a road going down into the bottom of the pit. So, land locked three sides because County owns property on three sides and land locked, physically, from Pulehu Road because of the 50-foot cliff.

COUNCILMEMBER SINENCI: And would they have to create a Category D landfill?

MR. AGAWA: Thank you for the question. So, my understanding is if their intent is to operate a MSW, municipal solid waste, then that would be a Subtitle D landfill as per DOH requirements. If they operate a C and D, which is just a construction debris landfill, then it would not need to be designed for a Subtitle D.

COUNCILMEMBER SINENCI: And...and the FEMA requires a Subtitle D for the debris.

MR. AGAWA: That is correct. And I'd also like to make a point that the County, in Phase V, which is the land on the...directly makai of this Phase VI, we prepared to someday own this. So, our infrastructure for gas, leachate storm water is ready to accept everything from Phase VI. Now, if they operate it as a private operation, they would have to design all of that on their own and they would not be able to tie into our infrastructure. So, that 20 acres is going to shrink. By how much, I don't know. Also, if they built that road from the cliff side down, their acreage is going to shrink. So, the capacity is going to be way less than if the...the County owns that property. Because as I mentioned in the Council meeting on March 8th, we could fill to the full capacity of the 20 acres and also lean the waste onto our Phase V, which gains us 20 percent more capacity air space. And we can tie into our existing infrastructure for leachate gas and storm water which is already designed to accept this parcel.

COUNCILMEMBER SINENCI: And, Director, we're on a timeline with FEMA, they will be exiting 2025. What is the...the urgency as far as FEMA's assistance? . . .*(timer sounds)*. . .

MR. AGAWA: Thank you for the question. So, I'm not sure on the exact date that FEMA will be transitioning from the 100 percent reimbursement to the 90/10. However, as I mentioned in the Council meeting on March 8th, the approximate value...or a cost, I should say, of the transport of the debris from Olowalu to Central Maui Landfill, where...wherever on Central Maui, is about \$60 million. Now, if we're still in the 100 percent, then it's no cost to the County; FEMA will reimburse for

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

the whole 60 million. If we hit that timeframe, whenever it is, which is approaching at some point, we would be on the hook for 10 percent of that...the County will be, which is about \$6 million which is not reimbursable by...by FEMA under the 90/10.

COUNCILMEMBER SINENCI: Thank you, Director. Thank you, Chair. I heard the bell.

CHAIR U‘U-HODGINS: Thank you, Member Sinenci. Members, do we have any other questions? I do have a couple, but I was willing to let you guys go. Okay. Director Agawa.

MR. AGAWA: Yes, I'm here.

CHAIR U‘U-HODGINS: Thank you. So, the current zoning is Agriculture. How long would it take for you guys to rezone? Are you guys going to do that during the eminent domain process if it goes through?

MR. AGAWA: Thank you for the question, Chair. So, for the whole Central Maui footprint, we already went before the State Land Use Commission and we're...are in the DBA process already. So, the DBA process is actually rezoning the land for industrial use...sorry, industrial use. That process will probably take another four, maybe five years. Part of that process, I believe, is to transfer IAL lands, important ag lands, as part of the process. We are, already, working with a consultant on that process to transfer that IAL lands, and then follow up with the requirements of the DBA per State Land Use Commission.

CHAIR U‘U-HODGINS: Okay. And considering the current property owner took a long time for their permits to, ultimately, not go through, do we foresee that same length of time for us to get a permit for the landfill?

MR. AGAWA: Thank you, Chair. To clarify the question, you're saying if we get the 20 acres that Komar owns if it would take us...we do not think so. We do not know the exact time line. But because, historically, we had the special-use permit already on that parcel, I believe that...based on historical permitting, we would hope that DOH could expedite us getting that special use permit for that...that parcel.

CHAIR U‘U-HODGINS: Okay. And in the interim (*audio interference*) will remain at Olowalu?

MR. AGAWA: That is correct. We would need to get --

CHAIR U‘U-HODGINS: Okay.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

MR. AGAWA: -- the permit, design, and construct it. Yes.

CHAIR U'U-HODGINS: Okay. Thank you very much. Corp. Counsel, if they...if they agree on a sales price, how long is eminent domain process going to take? I understand that was the more lengthy period of the...of the process. So, do we have a time line on how long this would take before we can apply...apply for the permits through DOH?

MR. NELSON: Let's see. So...oh. I think the intent would be to file for a condemnation action and then seek immediate possession of the property. At which point, we could begin seeking entitlements as well.

CHAIR U'U-HODGINS: Can we do that concurrently?

MR. NELSON: Yes.

CHAIR U'U-HODGINS: Okay.

MR. NELSON: Yeah. However, the process for arriving at the, you know, just compensation amount could take significantly longer.

CHAIR U'U-HODGINS: Okay. Do we need Special Counsel to process the eminent domain? Or can we do this with Corp. Counsel staff?

MR. NELSON: I'd have to check with . . .*(timer sounds)*. . . *(audio interference)* --

CHAIR U'U-HODGINS: Okay. Thank you. Chair Lee, before I call on you, because you had a moment, Member Johnson had his hand up, so if you don't mind.

COUNCILMEMBER JOHNSON: Thank you, Chair.

CHAIR U'U-HODGINS: Of course.

COUNCILMEMBER JOHNSON: Hope you can hear me.

CHAIR U'U-HODGINS: We can.

COUNCILMEMBER JOHNSON: This...this --

CHAIR U'U-HODGINS: It is a little slow. So, your video is a little muddled. I don't know if you want to turn it off, and then you can proceed asking your questions.

COUNCILMEMBER JOHNSON: Okay. Thank you, Chair. I'll text it if I...if I get disconnected. But my question is for Corporation Counsel. Can you...I

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

understand through that article with *Civil Beat* that we now have a lawsuit for Olowalu. How does that affect the time lines of...of the eminent domain? And will it...like if all of sudden we have a stay on Olowalu landfill, what happens?

MR. NELSON: If there was an injunction issued on the use of the temporary site at Olowalu, you know, I think that I would defer to DEM on where the debris would go, at that point. But that may...it sounds like that would likely slow debris removal down.

COUNCILMEMBER JOHNSON: Director Agawa, can you speak to that? I mean, I can see the sense of urgency...you know, that kind of really kicks it up that...but I'd like to hear your opinion on it.

MR. AGAWA: Thank you, Chair. Thank you, Member Johnson. So, if there was an injunction on the Olowalu property, we have no place to put the debris. So, debris removal would have to...excuse me, would have to cease until we find a adequate spot, either temporary or permanent. And, Chair, if I may clarify the question you had earlier. So, when you asked about the timing of the permitting...of if the County had it, I answered in the aspect of if it was a MSW landfill. If you were asking on the context of the debris, we would do that under the emergency proclamation, which would be very expedited.

COUNCILMEMBER JOHNSON: Okay.

MR. AGAWA: So...yeah. Yeah, that would be very quick turnaround.

COUNCILMEMBER JOHNSON: That's...that was...thank you, Director. That was part...part of my question is like...you know, eminent domain speeds up everything. Because if all of a sudden we lose our temporary debris site at Olowalu, then that eminent domain proceedings [sic] with the...it...it would allow us, through the emergency proclamations, to really kind of just jump right in there ASAP. So, that was my big concern. Thank you, Director, and thank you, Corporation Counsel, in regards to that. You know, last time you mentioned about that...the infrastructure that you have already, the retention ponds...or the ponds and all the things that you already have. I'd like to hear from Mr. Naden or Ms. Lovejoy in regards to what their plan is for the infrastructure that they would require...need to be putting in. Wouldn't that slow . . .(timer sounds). . . down the time line?

MR. NADEN: We would have the identical time line that the County has. It would be no different. And, I think, Ms. Lovejoy can speak to the idea of the...the...the taking part.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

MS. LOVEJOY: Yeah. Hi. I...just so people are clear, I'm outside counsel for Komar and its related entities on this matter, and have practiced in the area of eminent domain among other areas. So, kind of a unique issue in question here. It's going to be an interesting legal question, is where the property that is a subject of the eminent domain is already something that had been intended and efforts were taken in conjunction with the County to try to use the property essentially for the purpose for which it is now being taken. That's going to be an interesting question because the Hawai'i statutes require that it be acquired for a superior public use. I don't know how it's going to play out. I've never seen it happen where it's really being acquired for the same purpose for which the property was already...was intended to be used. And so there could, certainly, be a delay there.

COUNCILMEMBER JOHNSON: Miss --

MS. LOVEJOY: And then the other --

COUNCILMEMBER JOHNSON: -- Ms. Lovejoy, if I can jump in real quick. You...your intention of use, I thought it was meant to be a construction debris landfill whereas this is different...different uses would we...well, I assume, have different, you know, time lines, and different everything because they're different uses.

MR. NADEN: This is used as a --

COUNCILMEMBER JOHNSON: Is that correct?

MR. NADEN: -- landfill, whether it's MSW or it's C&D. It was...it...the intended use was as a landfill. And...and --

COUNCILMEMBER JOHNSON: So, not demolition and construction, that was the original intention of your landfill. This is not demolition and construction debris (*audio interference*) --

MR. NADEN: No. No, I don't...I...I...with all due respect, Councilman, no, it wasn't. We...we do municipal solid waste landfills. That's all we do.

COUNCILMEMBER JOHNSON: Okay. I...I'm just going off of what the last...the last...you know, our last presentation we had that...is what I forget what his...Keone Gomes had said.

MR. NADEN: Oh, well...yeah, however, (*audio interference*) that we can always do a limited C&D landfill. All squares are rectangles, not all rectangles are squares. So, we could accept C&D...we could accept C&D, but we always go for the highest and best use. And then that way we would be able to take anything within that...that confines. We always imagine, to Ms. Lovejoy's comment, that, you

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

know, if you have a residential piece of property and the community needs a highway to go through, well we have to take that property; or if there's an office building and we need to make a railroad; or if there is an industrial park and we need to do, you know, a hospital --

COUNCILMEMBER JOHNSON: Okay, it's beyond --

MR. NADEN: -- but this is --

COUNCILMEMBER JOHNSON: -- that's a --

MR. NADEN: Okay. Okay. No problem.

COUNCILMEMBER JOHNSON: -- it made, it makes sense to me, Mr. Naden...your point. It's just previously they came in and mentioned to us a bit of a different story, telling us that (*audio interference*) going to be construction, demolition. Now you're saying that you could...you know, highest and best (*audio interference*) but if (*audio interference*) --

CHAIR U'U-HODGINS: Before you answer that, though, we're going to move onto our next (*audio interference*) --

COUNCILMEMBER JOHNSON: -- you guys said (*audio interference*) --

MR. NADEN: Yes, Ma'am.

COUNCILMEMBER JOHNSON: Thank you. Thank you, Chair.

CHAIR U'U-HODGINS: No worries. Thank you, Member Johnson. Chair Lee, go ahead.

COUNCILMEMBER LEE: Thank you. This is for Mr. Agawa. Mr. Agawa, I think some of the people here don't realize the limitations of the County's...County Council's powers. Now, we have the authority to approve eminent domain. We don't have the authority to choose a vendor to build a MSW, correct?

MR. AGAWA: That...that is correct. We would have to go through procurement.

COUNCILMEMBER LEE: Exactly. We're spending an...an awful lot of time listening to people who are trying to convince them...of that...that they have a good plan. But we're not the people that chooses the vendor. That's the Administration that does that. So, we're at the point when...does it make sense to approve the condemnation due to the emergency situation we're in, and that is our role today. And I don't really see having a debate about whether someone is qualified to...to do a municipal solid waste operation or not is...is really not the question here.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

It's...the question is we need to talk about the merits of a condemnation proceedings. And I...I'm hoping that we will focus on that so we can get to the...to the finish line, Madam Chair. Thank you.

CHAIR U'U-HODGINS: Thank you, Chair. Member Sugimura.

COUNCILMEMBER SUGIMURA: Good. This is all so interesting, right. So, Chair Lee is right, it's a little bit out of...out...out of our realm. But I will say that by listening to the many testifiers and really not only today, but in other meetings that we've had, right. So, what we're talking about is how fast can we do this and the cost part is another factor. And is the fastest way to do this by partnering with, you know, Komar and the County, and can that be done? There's the money factor. I don't know if we can afford to do it, you know. So, that's maybe a whole 'nother conversation which will end up with the Council anyway because that's really our kuleana...or our concerns about the money. So, if the County condemns this property, which is what is on your agenda today, and construct the landfill, is that...is that a good option? Or should Komar build the landfill, you know, that...that's what we're talking about, in terms of speed; will it be faster for Komar to do. If I can wish something...because you weren't here earlier when I talked about this, because of the number of years I've been in the Council --

MR. NADEN: Yes, Madam.

COUNCILMEMBER SUGIMURA: -- I remember...I remember when this came up before us, and we were ready to purchase this land, and then found out that A&B had sold it to you. We were shocked, you know. So, we would not be sitting here if we could have done that action and fulfilled it. But anyway...so, in terms of speed is what we're talking about and what the Mayor wants in terms of the eminent domain. Corp. Counsel, is this going to expedite things? And the...the Komar group, could you, then, sell this to us, not go through eminent domain, but let us just proceed for the people of Maui County, because really all the taxpayers going to have to pay for it...for the people of Lāhainā can get home. And if, you know, the...the...the challenges of the Olowalu land site...if there is a stay on it and we can't use...you know put it there, that would be disastrous. I didn't even think about that. But would you, in terms of your wanting to work with the community and having road block after road block, it sounds like, when you tried year after year, I don't look at this like it's the same thing from before because now we have a whole community. It's not the same. The use is really different. We're talking about lives, you know, that are looking...usually landfills, you throw your stuff and you don't think about it again. But in this case it's very different, so I would like to plead to you to work with the County and be a partner for this so that it's something reasonable that we could both agree to. . . .(timer sounds). . . Or do you want eminent domain?

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**

Council of the County of Maui

March 19, 2024

MR. NADEN: Thank you, Madam Sugimura. You asked two different concepts there. Is it okay to let us move forward and build it, we are ready to do that. It's also we are ready to step away and turn this property over. We thought it was a reasonable...having owned this for ten years, having tried for ten years, that we would just become a partner in progress. It's yours, we'll create whatever percentage is fair and we move forward. In the alternative, we have no problem with Corp. Counsel Nelson pursuing the condemnation proceeding on a quick take. The taking will be swift. The paying will take longer. So, whether we develop it, A, which is our preference; whether, B, we become partners in progress, which we are desirous to do; or, C, if you condemn it and there's some independent evaluation; we're okay with all of this. We really are. The only thing we're not okay with is the brush that we are being painted with after serving the community for so long. It's painful for us, not as painful as what has happened to the folks at Lāhainā Town, so not...it pales in comparison. But, you know, our...our founder is...is 94 years old and has spent his entire life, by the way, taking trash very seriously and the responsibilities there, you know, that are part of it.

COUNCILMEMBER SUGIMURA: Okay.

MR. NADEN: So, I...I would like to know that we...this will happen swiftly, whether it's through a deal that we make with Mayor Bissen, and...and Shayne Agawa, and the talented people, or whether it goes through condemnation. We understand it will happen swiftly. We will not be in the way of this. But --

CHAIR U'U-HODGINS: Thank you, Mr. Naden.

MR. NADEN: Okay. Thank you.

CHAIR U'U-HODGINS: Thank you.

MR. NADEN: Thank you, Chair.

CHAIR U'U-HODGINS: Appreciate it. Member Sugimura, you're good? Thank you.

COUNCILMEMBER SUGIMURA: Yeah.

CHAIR U'U-HODGINS: Member Kama.

COUNCILMEMBER KAMA: Thank you, Chair. So, Mr. Naden, I heard you say that you're willing to step away, and I heard Member Sugimura talk about maybe a public-private partnership. But this Friday, right, we're going to make a decision whether to say or nay it. And you just said, no matter what happens, you're

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

going to...it'll be okay with you. The only problem I heard was that you're looking to make sure that the taking would be fair in terms of how much money --

MR. NADEN: The paying, not the taking.

COUNCILMEMBER KAMA: Okay. Oh, the pay.

MR. NADEN: Yeah, I...I actually...I've never seen something...why you would take something from us that we want to do already. You know, it's...it's a little strange for me that the exact thing that we been begging to do for ten years...you want to take away and do the same thing. And by the way, with all due respect, we think we would do it faster and more cost-effectively and with more experience. And I...I implore each of you to read the document that we submitted with our...with our 11 landfills that have been run without incident, environmental, or political, or financial. I...I really would. And by the way, we are not a vendor. We're an owner. You...you don't need to approve anything. You know, it's ours; we can build it and do it. It's not something would go out, but, yes, it's the taking that would happen swiftly. And we understand that.

COUNCILMEMBER KAMA: Okay.

MR. NADEN: We...we do.

COUNCILMEMBER KAMA: Okay.

MR. NADEN: We could even do a...but, you know...it's so hard for us to do the right thing here, Ma'am. We're...we're trying to balance, but the needs of the community have always been the most important and that's why we're here today.

COUNCILMEMBER KAMA: I...I get that it is hard for you to do the right thing. But for us --

MR. NADEN: No, to balance --

COUNCILMEMBER KAMA: To balance.

MR. NADEN: -- to balance, not to...yeah, the right --

COUNCILMEMBER KAMA: We have to do the right thing.

MR. NADEN: The right thing is for us to have a landfill. And by the way, if we'd had done this when we asked for it, we wouldn't be here today, we'd just be starting to truck the stuff in.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

COUNCILMEMBER KAMA: Thank you. Thank you, Chair.

CHAIR U‘U-HODGINS: (*Audio interference*) agenda, but go ahead, Member Sugimura.

COUNCILMEMBER SUGIMURA: Okay. So, based upon what you just said answering Member Kama's questions, then what is the road block? I mean, will the Department, then...Member...Director Agawa, can you...can you come to some kind of agreement so we don't have to do eminent domain or is eminent domain the only option for the County? Director. I don't see him.

MR. AGAWA: Well, thank you, Chair. Thank you, Member Sugimura. Apologies, could you repeat the question?

COUNCILMEMBER SUGIMURA: Oh, based upon what was just stated by Komar where they want to resolve this and they would like to be the partner with the County or do this, what is the road block so that this doesn't happen and it has to go through eminent domain?

MR. AGAWA: Thank you, Member Sugimura. So, as Mr. Naden said, we've met several times in the past, I want to say five days, and we came up with a couple of options from either side. You know, County had a couple options, Komar had a couple options. We looked at their option, which was private operation. We couldn't agree to that. It just doesn't make sense for them to operate independently, for various reasons, which again, as Mr. Naden says, we don't need to go into details...too much details. The other option, when they mention about giving the County the land acquisition...and I don't know if there's another option that I'm not aware of but...and Mr. Naden can correct me if I'm wrong, but that entailed what was mentioned about like a royalty on the tipping fee. Well, you know, we asked about what that royalty on the tipping fee was based on. There...you know, our assumption was there's a final number that they're looking at. And, basically, the way we look at it is there's a final number and they're just breaking it down to per ton over so many years. But that final number is there. We never got that final number. They agreed to work on getting us numbers, we haven't gotten that yet, but we are still talking. It's still on the table. But, you know, in going and trying to research the back history when I wasn't involved too much with this process, there was a time when they offered the County, and this was when Eric Nakagawa was Director, and we asked for a purchase price, which they never gave the County at the time. What they offered us was a lease option, three different options. And, again, this may or may not have bearing. All I'm trying to do is give an order of magnitude of what those lease options, back when, amounted to. So, option one of the lease of over 20 years of the use of that property came out to a total of \$30 million on the back end, option two came out to \$45 million on the back end, and option three came out to \$60 million on the

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

back end. And this was signed by Mr. Naden, himself. He signed it Andy Mann (*phonetic*), but I believe Andy Mann (*phonetic*) is also Andy Naden. And it's entitled Long Term Lease Proposal . . . (*timer sounds*). . . for Central Maui Landfill. And this I got from an email from former Director of DEM, Eric Nakagawa, to former Chief of Staff Tyson Miyake and former MD Sandy Baz. And based on that order of magnitude, you know, I just assumed that we're talking about tens of millions of dollars on the back end even though it's spread out per ton over 20...or whatever the lifetime of the landfill is. So, that to...to us at DEM and that's just...I'm speaking for the Department, it is something that we cannot justify and support. And as was mentioned earlier, our rates and fees that we set...we...we are not a for-profit organization. Our rates and fees in our budget is based on just making back operational cost. So, if we're going to have to pay some kind of royalty to a private entity, we would need to tack on something to the rates and fees, is my understanding. Now, how does that affect the public? Well, the tipping fees goes up. If we're asked to pay the royalties out of that tipping fee that we already established, how do we pay for our operations? We...we cannot make that up. We cannot take that loss, so thank you.

CHAIR U'U-HODGINS: Thank you. I'm going to just take a couple more questions because we do have the Office of Recovery. So, I saw Member Rawlins-Fernandez had her hand up, and then Member Johnson. And then we're going to take a quick recess to allow the Office of Recovery to come in. So, Member Rawlins-Fernandez. Sorry (*audio interference*) --

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Mahalo, Chair. All right. So, it seems for some Members, and this makes sense, that the...one of the crux of the issues is which could do it faster and which would get it constructed better, the County or this private entity. So, we heard Mr. Naden speak to that. I wanted to ask Director...Director Agawa to speak to the speed at which the County would be able to get it to operations. Because I...I understand that we would also be doing some work under the Governor's emergency proclamation. And it's unclear if a third party would be able to use the provisions under the emergency proclamation as well.

MR. AGAWA: Thank you, Member Rawlins-Fernandez. So, as I mentioned earlier, our design of that Phase VI, we...which we intended to own...we had planned already is at 90 percent. So, we're there as far as design. I cannot speak for Komar. They may be advanced in design as well. But we are at the 90 percent and we have and can operate under the emergency proclamation. So, as far as time line for taking and accepting the debris from Lāhainā, our estimate is that it's going to be very expeditious. Now, as an MSW, which we intend to still use this property in the future because of capacity issues, that we can handle with the permitting with DOH after the fact. But if we're talking about getting the debris from Olowalu to this landfill, we're confident we can do it expeditiously because we're

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

under the emergency proclamation and we're already at almost complete design. And then we go procurement, construction, which we anticipate to be about 12 months and...yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo. Mahalo, Director Agawa. I don't know if Corporation Counsel or if Mr. Naden would be able to speak to whether Komar would be able to operate under the provisions of the EP.

MR. NELSON: We can provide you supplemental briefing on that. I'm not sure. Yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo. Okay. So, next, in regards to a better design because I...I don't know...I know we spoke to the 20 acres and a good person...portion would...if Komar operated it, would have to have a buffer; a leachate, and storm water, a roadway. And so we're talking about five plus acres...because I understand it was like 20 percent less, that would not be used for landfilling, and used for these other purposes that the County, if operating it, would not . . .*(timer sounds)*. . . need to use that...that acreage.

MR. AGAWA: Thank you, Member Rawlins-Fernandez. I need to clarify the 20 percent. So, the 20 percent is just added air space capacity because if the County operated that 20 acres, we have that space to lean it on Phase...the mountain that you see out there now. Whereas Komar couldn't lean the trash onto our Phase as a private entity. Now, when I mentioned that they would be unable to use the 20 acres, that is true, but it's not the 20 percent and I don't know what that number is. But they would need land to bring the road down from Pulehu, down the 50-foot cliff. They would need to create their own storm water basin. And if they operate as a C&D, they wouldn't need leachate and they wouldn't need gas collection systems, but the County needs MSW. I mean, we're...we don't have air space for regular trash, right. So, if they intend to do an MSW, then they would need their own leachate, gas collection system, mitigation measures, groundwater, monitoring wells; all that would need to be in place to adhere to DOH requirements for an MSW Subtitle D landfill. So, that's where they wouldn't have, in our opinion and our consultant's opinion, the full use of the 19.6 acres or 20 acres as we're calling it.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Director. Mahalo, Chair.

CHAIR U'U-HODGINS: Yeah. Member Johnson, followed by Member Cook.

COUNCILMEMBER JOHNSON: Thank you, Chair. I don't know how my internet is doing but just interrupt me if it...if it's janky.

CHAIR U'U-HODGINS: Will do.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

COUNCILMEMBER JOHNSON: You know, I didn't support sending this to Committee because I...it still doesn't change the fact that we are...we are two sides...we're apart in the way of where County is service driven whereas the company is profit driven. That's never going to change. We're...we...we are concerned about the tipping and they're concerned about the fees. We have...we're kind of in a...in an emergency and that's why emergency proclamation is there. I voted against Olowalu as a temporary site. I wanted it to...I think this is...I...I want to commend the Administration. And thank you, Director Agawa, again for your stewardess and trying to, you know, hear from the community, and take their opinions, and we cannot delay these...these folks getting on their property any more than they already have been delayed. The...the...the initial trauma they suffered by losing everything is now...I'm speaking to folks who are struggling to the rebuild trauma that they're dealing with. And we don't want to add any more of the stress that they're dealing with after losing everything, now the stress of rebuild. And this is...could be...this delaying of this and this whole trying to fit it around peg in a square hole in a way that we're trying to make this service available for people and the other side is trying to make profit. And we can't...it's just...the two sides will never meet so that's why I for...I'm for eminent domain. And I think we shouldn't have wait...waited to have this because I don't really see anything that has even changed my opinion on that. So, I just wanted to make that known that, you know, this was...we should...we should not delay and we should be moving as fast as we can to help those folks get back on their land. That's all. Thank you so much, Chair.

CHAIR U'U-HODGINS: Thank you, Member Johnson. Member Cook.

COUNCILMEMBER COOK: Thank you, Chair. I was an advocate of delaying it, and hearing, and giving the Council...the...the County, the Administration the opportunity to negotiate with the current parties. We need to move forward. I believe the eminent domain appears to be the thing that we...that is before us. I find today's informational meeting extremely helpful. I'm hopeful that the Administration will continue to negotiate. So, I wanted to ask Mister...Director Agawa and Andy, is this...the eminent...am I correct, the Council authorizes the eminent domain, that you two parties will continue to communicate and negotiate? That it doesn't create a brick wall between the communication; is that correct?

MR. NADEN: Yes, Mr. Cook.

COUNCILMEMBER COOK: Director Agawa.

MR. AGAWA: That...that's a yes from DEM and the County side.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**

Council of the County of Maui

March 19, 2024

COUNCILMEMBER COOK: Okay. Just...Chair, I just wanted to bring that to the public's attention, because as Chair Lee verbalized a couple times during this meeting, although this has been extremely educational for all of us, our authority and...and mandate, right now, is whether we are going to authorize the Administration's request. And that's what's before us now. And I'm just thinking already, so I just want to...I'd like to move on.

CHAIR U'U-HODGINS: Me too. Okay, Members, right now, thank you so much for the questions. This item was posted for no legislative action as we will be taking action at Friday's meeting on the 22nd. So, this is for information only. We will now defer this item and take a ten-minute recess for the Office of Recovery to set up.

COUNCILMEMBERS VOICED NO OBJECTIONS.

ACTION: DEFER.

CHAIR U'U-HODGINS: So, Members, thank you very much. We will see you back at 3:44. . . .(gavel). . .We are now in recess.

RECESS: 3:34 p.m.

RECONVENE: 3:53 p.m.

CHAIR U'U-HODGINS: . . .(gavel). . . Welcome back. It is 3:53.

GREAT-5(4) OFFICE OF RECOVERY UPDATES (Rule 7(B))

CHAIR U'U-HODGINS: And up next we have our Rule 7(B) presentation. We have with us Managing Director Josiah Nishita to provide updates on the Office of Recovery. My goal with posting this item is to give the Office of Recovery an opportunity to speak with Council and provide any updates they may have while also allowing the Councilmembers to ask any questions. My intention is to periodically have this item on the Council floor in this Committee, for Council and Administration, so we can have open communication with each other and the public on wildfire recovery and other urgent matters. So, at this time I'm going to ask Josiah Nishita, Managing Director, to introduce his team and everybody else, allow themselves to introduce each other. And then after that, I'm going to ask for them to be designated as resource persons based on their expertise. So, if you could name them first.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

MR. NISHITA: Thank you very much, Chair. We're actually going to have all the individuals introduce themselves. But just to my left is Keanu Lau Hee, of course, Deputy Managing Director, and Corporation Counsel was introduced earlier. We're very appreciative of the ability to be here today to talk with you folks and provide some updates. The main purpose, I think, of the limited time we have here today with you folks is really to express appreciation for the appropriations that you folks made to the Office of Recovery to help us with wildfire recover...recovery efforts. And a big portion of that appropriation is for assistance for us for staffing within the Office of Recovery, as well as external services to assist us and our...our residents help rebuild. So, here today are some of our partners that we have contracted through those appropriations that you folks provided. And we wanted the ability to provide you folks with more information about what they do, the services that they provide, as well as if you have any questions or assistance that's needed in that realm. So, we'd be happy to provide a short presentation to you. I'll turn it over to our Tetra Tech team who will begin introductions of all the team members and then, of course, we'll be happy to take any questions you may have. Thank you very much and I'll turn it over to Jon.

MR. BURGIEL: Thank you very much. Is...I just want to make sure this is...you can hear me. All right. There we go. Thank you. My name is Jonathan Burgiel. I am the Business Unit President for Tetra Tech's Disaster Recovery Business Unit. I'm...a pleasure to be here today and thank you for the invitation. We are going to be talking about four specific items during our presentation today. The first is to give you --

CHAIR U'U-HODGINS: Before you do so, we just need an introduction of your team so we can designate you folks as resource. And then you can continue on --

MR. BURGIEL: Sure, absolutely

CHAIR U'U-HODGINS: -- with your presentation. Thank you.

MR. BURGIEL: All right. We'll work around the team. So, . . . *(inaudible)*. . . microphone.

MS. MINOR: Okay. There we go. My name is Brenna Minor and I am a Director of our Housing Programs at Tetra Tech.

MS. MA'A LAPILIO: Aloha mai kākou, Honorable Chair, Councilmembers. Aloha. I'm Lani Ma'a Lapilio, President of Aukahi Cultural Consult...Consultancy, and I'm the Cultural Consultant to the Tetra Tech team here today. Mahalo.

MS. HENDRICK: Hi. I'm Christina Hendrick with Tetra Tech. I'm Director of Operations for Public Assistance.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

MR. KHAN: I'm Asad Khan. I'm the Program Manager for Tetra Tech.

MS. CHU: Good afternoon, everyone. I'm Kathleen Chu, Vice President at Bowers and Kubota.

MR. CHUCK: Good afternoon. I'm Jeff Chuck. I'm an Associate at Bowers and Kubota.

MR. KAM: Aloha, Chair, and Members of this Committee. Nathan Kam, Senior Partner with Anthology FINN Partners. We are the communications support team to Tetra Tech.

MR. JENSEN: Good afternoon. I'm Eric Jensen. I'm the Tetra Tech Honolulu Operations Manager and I'm here to support activities throughout the islands.

MR. WASHINGTON: Aloha. Thank you, Chair. Robert Washington, also with Anthology FINN Partners working with the Tetra Tech team on their community out...community outreach efforts.

MR. SAPP: Aloha. Wesley Sapp with Tetra Tech, a Project Manager exclusively working on . . . *(inaudible)*. . . the long-term recovery focuses of the County.

MS. SANDERS: Good afternoon. My name is Meridith Sanders and I am a Public Assistance Procurement Compliance Attorney with the Tetra Tech team.

CHAIR U'U-HODGINS: Did we get everyone? Okay. Thank you. Members, if there are no objections, I would like to designate these individuals as resource persons under Rule 18(A) of Rules of the Council because of their expertise they possess regarding this matter.

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR U'U-HODGINS: Thank you very much. Thanks. Before we get into discussion, I would like to receive testimony first and then we can go into their presentation. We can do the testimony then.

MS. MACDONALD: Chair, there is currently nobody who is signed up to testify. Would you like me to do final call?

CHAIR U'U-HODGINS: Yes, please.

MS. MACDONALD: If somebody would like to testify in the Chamber, please let Staff know. Or on Microsoft Teams, please raise your hand. This is final call; three, two, one. Chair, it appears that nobody wishes to testify.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

CHAIR U'U-HODGINS: Thank you. Members, seeing there are no individuals wishing to testify, without objection, I will now close oral testimony for this item GREAT-5(4).

COUNCILMEMBERS VOICED NO OBJECTIONS.

. . . END OF PUBLIC TESTIMONY ON GREAT-5(4) . . .

CHAIR U'U-HODGINS: Thank you. And as a reminder, written testimony will continue to be accepted. And so, now, we can get into the presentation period. So, take it away. Thank you.

MR. BURGIEL: Great. Thank you very much. Again, my name is Jonathan Burgiel, Business Unit President for Tetra Tech Disaster Recovery. Again, thank you for the opportunity to present today. We're going to touch upon four items today. We're going to give you an overview of our comprehensive services of disaster recovery as a team that you have been introduced to just a moment ago. We are going to give you some information on progress, to date, that we have made with your staff on the recovery effort. We're going to touch upon some activities we will be engaging on in with the County in the coming months. And then, lastly, we're going to go over some reporting and data that will be provided to you and County staff to help measure progress, support your reimbursement from the Federal agencies that will assist you with grant funding, and also provide you information for future decision making on your part. So, again...before I start our presentation, though, I want to thank you for your service in these challenging times and the countless hours that you, as Councilmembers, have spent in days with your constituents in the recovery effort. It's a very difficult time for this community and I know that the time you have spent is very appreciated by your residents. So, thank you very much. Next slide, please. Now, to give you a little bit of background about the Tetra Tech team. Tetra Tech is a global company consisting of 28,000 employees. We have 550 offices worldwide and we do...we perform over 100,000 projects each and every year. So, we're a very large company. We also are...are recognized by Engineering News-Record, which is an accredited association, as the number one water firm in the United States, as well as number one environmental management, and in solid waste engineering services. So, all these services are very important in terms of what you're embarking on now in terms of recovery effort for your community. Next slide, please. More importantly, Tetra Tech, the team, Disaster Recovery Services, we are one of the leading firms in the country for disaster services. We have helped our clients...right now we're working in 14 different territories, supporting various disaster recovery efforts across the country. We helped our clients manage over \$51 billion in disaster funds over the last 25 years. We have nine offices located...our team partners throughout the...the islands and we have over 27 years of experience here. I...I...I would like to have

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

our partners give a little bit of background on...on themselves, if you wouldn't mind. Lani, you want to give a little bit...more information about yourself?

MS. MA'A LAPILIO: Oh. Aloha kākou. As I mentioned, I...I work with Aukahi Cultural Consulting and we do various things for our various clients, especially have been involved with the historic preservation burial laws and helping to facilitate resolving problems on behalf of the clients and trying to move forward together collaboratively. So, many different...as you know, it's such a...iwi kūpuna issues are very sensitive and it's...it's very rewarding, very important work, requiring the...you know, very...ultimate respect and sensitivity. So, been very fortunate to be able to, you know, work with good clients and be able to...to resolve important issues on behalf of our community. So, I am very privileged to be here with this team and we...we know that everyone has a story, so we're here to listen and be responsive because there's many individual needs and concerns that we'd like to address. So, thank you very much. Mahalo.

MS. CHU: Good afternoon, everyone. I'm Kathleen Chu, Bowers and Kubota, it is 100 percent local planning, engineering, and architectural firm. And a lot of the work that we do is focused on public infrastructure (*audio interference*). We've been doing this for over 40 years and we have an office here on Maui. Our role on this project is to help the County rebuild in a resilient and sustainable manner, and provide program and project management support. Thank you.

MR. KAM: Aloha, again, everybody. Nathan Kam, again, Senior Partner. Anthology FINN Partners is a integrative marketing communications company based in Honolulu. Our dates...our...our roots date back to pre-statehood to some of our founding pieces and you may have heard of some of our previous business...Starr Seigle Communications, McNeil Wilson Communications, and Laird Christianson Advertising. In 2007, McNeil Wilson and Laird Christianson acquired Starr Seigle and we created Anthology Marketing Group which made us one of the largest integrated marketing firms in the State. In 2001 we were acquired by a company called FINN Partners, a global integrated marketing firm, and so our name has such changed after that. But our representation remains really focused here in the Hawaiian Islands. Some of our clients include the Hawai'i Tourism Authority, the Hawai'i Visitors and Convention Bureau, as well as the Maui Visitors and Convention Bureau, and other clients as well. But we really specialize in crisis and issues management, community engagement, and we also have a practice that focuses also on travel and hospitality which is where we help the...the HTA and some of the others in some of that work. So, again, we are a communications support to the Tetra Tech team as we get rolling with some of that community engagement and community outreach efforts that we know are going to be very important throughout this process. Thank you.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

MR. BURGIEL: Thank you, Nathan. Okay. Next slide, please. As you embark on this recovery effort, and it...it will take quite a bit of time. And I have spent several days in the community speaking to your residents about the recovery effort. I will tell you that it is...I...I know there's an urgency to move forward rapidly. And we are going to do everything, within our power, to help the community recover as quickly as possible. You will be receiving large sums of Federal grant dollars in support of this recovery effort. There are a number of requirements and documentation requirements associated with that. You also have health and safety issues that you're going to be dealing with your constituents. So, we're going to move as quickly as possible with our subject matter experts to help the community recover within the guidelines of the grants that you will be receiving. We are subject-matter experts. We have hundreds of individuals who work within my organization to support this recovery...the effort. And we are committed to moving as quickly as possible but ensuring that there is no clawback of Federal funds from your community as a result of our services. So, we are going to work rapidly. And some of the services that you will see, and as you see right at the top there, is financial management and compliance. We don't want you to receive dollars and then have the Investigator General, or FEMA, or an auditor come in later on and saying, you didn't follow the guidelines...the requirements of Federal dollars. We are going to work within the guidelines, the policies that are set forth by the Federal Government for the funds from FEMA and, hopefully, other Federal agencies, like HUD, to support you so that you can move forward and help your constituents recover as quickly as possible and make it a better community forward, and more resilient as you...as you go forward. I'm not going to go into detail of the services, but we are...are going to talk a little bit about data and reporting because, again, documentation is exceptionally important in what we do. So, we...we're going to be spending a lot of time working with your...your...your staff to develop the documents needed to recover and work with you to identify the programs and projects that you want to spend money on to help your community recover. With that I...and outreach is a very, very important part of that. We know that. I've talked to many of your residents and they are very concerned about health and safety of their...of their children, and the environment, and (*audio interference*) heard that in some of your hearings. And so community outreach is going to be a very important component. And I'm going to have (*audio interference*) if you could speak a little bit--next slide, please.

MS. MA'A LAPILIO: Mahalo. Yes, as you can see, and in here, you know, we're...we're really focused on trying to be very responsive (*audio interference*) engage respectfully with the community; so that is our priority. This is a very experienced team. They have a lot of real-life experience working with stakeholders and...and serving their needs. So, that's our priority as well. And we hope to be responsive to the individual needs of the survivors as well as, you know, the community as we help the County. So, first of all, we're not from Maui.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

So, you know, a heightened sense of respect and, you know, collaboration as we move forward; so thank you.

MS. HENDRICK: Next slide. So, you know, what...what are we here...what are we dedicated to? And this is something that has been spoken to a couple times already. And we're...we're dedicated to serving the County. So, we're not here to just come tell the County exactly what needs to be done. We're here to work together and how we can accomplish your goals and your priorities within the...the...the regulations that are out there and make this funding possible, so...and we want to act as a compass to navigate these complex requirements. So, we've been doing this...in a lot of communities, it's always challenging, but we do have some experience to bring to help fast track some of this. So, Brenna, would you like to speak?

MS. MINOR: This one's working, I think. Thanks, Christina. So, yeah, you know, like Lani mentioned, and Christina as well, a big part of this is building trust within the community. You know, we're gathering data, we're analyzing that data, and we're, you know, trying to use that data to inform the recovery process. But it's really important that the data actually reflects the residents' specific concerns and needs. So, building trust in the community is important to make sure we're getting clear feedback and data that...that works for this community. I also wanted to...to mention that as part of our support to the County we are just kind of reinforcing some of the County's recovery support function efforts by, you know, helping those groups, having done this before in other places, you know, helping them to establish some goals, report out on those goals, and move forward with those deliverables. So, I think that's that it for this slide. Next slide. Okay. So, we want to talk more about...you know, what have we done, what's the progress so far in the recovery. This is a long process, like Jonathan mentioned, but some progress is already being made and we wanted to make sure to point that out to you all today. Some examples of that progress are the permanent disposal site survey which was completed just a few weeks ago, very important matter. We've also worked on establishing some relationships, lines of communication with different Federal and State partners so that the County is informed, aware, and coordinated with the other activities that are going on in...in the community through these other agencies. We've provided some immediate support in areas like the Alternate Debris Program and even some staff augmentation in the Emergency Operation Center. And our team, you know, working with Bowers and Kubota, also reviewed rules for the expedited temporary building permits to make sure that that was, you know, ready for Council approval. So, those are just some examples. I'm going to let Christina go through some other examples as well.

MS. HENDRICK: Sure. So, the team that we've had with infrastructure experience that's been engaged with the County so far has been in meeting with the various

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

departments and getting as much data possible to be able to submit expedited project worksheet. Asad's going to speak a little bit more to that later. But most of these programs...some of these programs are reimbursement programs which means you have to spend the money in order to get that funding back. And in order to do that we...our goal is to get as many dollars in the door as possible as quickly as possible. And one thing that FEMA does allow for is expedited project worksheet so that's been our task, number one, and that's estimated at 5.2 right now. We've requested a consolidation for 14 applicants to become one County Department so that there's one point of contact and less communication channels, going through the Office of Recovery as opposed to having to...to meet with the various departments at every stage, just meeting with the departments, finding concurrence, and then pushing that forward as a unified front, thinking smarter wherever possible, getting as efficient as possible. And we've developed initial long-term recovery cost estimates and initiated public infrastructure site inspections. What does that mean? That means working with the Bowers-Kubota team, getting out there, how big is big, how bad is bad. Because to truly tell the story...we can tell a story, you know, every day but what does FEMA need to see, they need to see the dollars, how many linear feet. That's what they need to know. So, it is, you know, to our benefit to get those dollars in the required format over to FEMA as...as soon as possible. And so that's what...what we've been engaged in already. So, we will...we did want to take a little bit deeper dive into just a couple of those examples of progress that have been made. I know that you guys have to hear, constantly, about what's not...what (*audio interference*) maybe are not being done or not fast enough, and so we want to be sure we brought to forefront the things that are being done. Next slide, please. An example of that, mentioned, was the permanent disposal site survey and how important that is, and I'll defer to Anthology to explain that deliverable.

MR. KAM: Thanks, Christina. So, I'm actually here on behalf of my colleagues. So, I failed to mention in the beginning that Anthology actually helped field that study...the community survey that help inform the County where to, ultimately, site the landfill. But David Pettinger, my...our Senior Partner, who heads up or Research Group, sends his regrets. His...he's on a family matter out of state right now. But just quickly, back in January, you know, Tetra Tech was asked by the County of Maui to conduct a survey, you know, really that would gather feedback from the residents. It was really important that we included them in this process and allowed them to have the voice to identify...help identify a permanent disposal site for the wildfire debris. And in return, Tetra Tech reached out to us, as we do have this market expertise, to design and implement a campaign or a survey that would reflect the...accurately and reliably the residents' voice and clearly define the desired criteria for the selection of a permanent landfill site. As you can see from the methodology here...you know, we actually conducted two separate surveys, a scientific random sample survey conducted online and via

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

phone and we also did a public accessible online survey with an open link. And, really, this was to ensure we measured public opinion and gave residents, you know, the chance to comment while also following research best practices that ensure that we would be, you know, confident in the results we received. Both surveys were conducted with identical questionnaires. The survey took place January 31st through February 15th, as you can see there. And the respondents were screened to ensure that they were at least 18 years of age and residents of Maui. In total, more than 2,700 residents responded, which was great. And, again, I want to reiterate that this was...this was really important part of the process and I think something the County needed or...or was hoping to have as you made the important decision on siting that landfill. You can see here in the slide, hopefully...you know, some of the results that reflected really what mattered most to the residents. You can see with things like proximity, that rated highest, you know, in both of the surveys; you know, having a safe distance from natural and environmental features; having a buffer zone between the site and residential area, schools, and hospitals. The consultation part, making sure considerations...consider recommendations from subject-matter experts, you know, the public input, concerns about cultural resources. And, finally, you know, the logistics...you know, how...how the debris was going to be moved along the roads, how long it will take to make site ready to receive the debris and increase...you know, and make sure we address or understood the increase in traffic congestion when trucking this debris . . . *(inaudible)*. . . when really, you know, how it could minimize the impact to the residents here on the island. And I know...I know you folks are familiar with this. You know, Mayor Bissen on the 29th in...in collaboration with the, you know, County of Maui, Department of Environmental Management announced that Central Maui would be the site for the landfill. So, you know, I know there's still some work to be done with this, but it did give the public an opportunity to have a say, express their concerns, or...or their selection...their desired choices on what the criteria should be for selecting an appropriate site on this island. And we were happy that we're able to get that done in a pretty expeditious amount of time so you folks can keep moving forward; so thank you for that.

MR. KHAN: Good afternoon. I...I want to start on sort of personal level and then kind of go into my presentation. Since I been here for about two and a half months, you know, the community in Maui County is just so welcoming. And I really want to thank...all of us want to thank you for how welcoming you are. Unfortunately, on Wednesdays we go to the Civic Center and we hear all the stories and they're gut wrenching and I know you often present there. And...and, you know, seeing the strength of this community is so...so important but I do want to say that the welcome that we have received in the community and also within the departments here. So, when we meet the departments, they're going out of their way to help us. And, you know, I think that's a great positive for you, Josiah, Keanu, what you've done. You've created this environment where the...the County is really

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Council of the County of Maui

March 19, 2024

doing its best to...to help out. And as an outsider coming in and being part of your community now, that's a very, very important element. We...I've done this for 20 years and we were talking earlier, it's been 20 years and I have never been to a more complex disaster in the last...in my career. Everything is so unique and it is just gut wrenching to see what's going on. So, as consultants we come in to help you, but I want to talk on a personal level that it is so...so sad what's going on. But I want to focus on the complexity of what we have moving forward. And what we have to do is we have to create a...a foundation of strength, that leads to a recovery, that leads to dollars because that's how you going to grade us at the end, right. What have we done for you because that's our job. So, I want to talk about the...the procurement process. So, the number one failure in the Federal process is procurement. If you procure your contracts incorrectly, what will happen is that those projects will be deemed ineligible. That means you will not receive those funds. So, what we did, initially, is, you know, met with the management here. And on February 27th we had our first procurement training session. We had over 40 folks come in from different departments and we'd received a lot of positive feedback. And what that...by that I mean we actually start engaging with the Departments to prepare for their procurement. We also saw some opportunities for the...for the...for the County and for up to \$12 million where we can assist now and...and save that in the long run. So, those are critical moment...moments for the County. But I want to stress, the procurement is the foundation of the future of your recovery. Procurement is one of the most important aspect of your recovery. The problem is that there's so many other things going on, but this is so critical. So, we just wanted to kind of tell you that...that that process has started, we've begun the foundation, and...and...and we will continue to do that. So, what I'll do is I'll pass you Kathleen.

MS. CHU: Okay. So, one of the things that we been working on is helping the Departments of Public Works, Environmental Management, and Water Supply in their (*audio interference*) meetings to address some of the immediate needs and support. And so the staff from those three departments have been working extremely hard. So, what we been doing is helping to aggregate and pull all of the information that they been getting to support...to support what they need to make sure some of the daily functions get back to...get back to service, right, water, sewer, and roadways. But I'm going to turn it over to Christina to speak to this slide.

MS. HENDRICK: Sure. I'm just going to hit on the executive level reporting. So, one of the things that we've been tasked with by the Office of Recovery is to provide as much transparency as possible for this...this recovery...all aspects of this recovery. So, not just what...what we are doing as a Tetra Tech team but what Maui County is doing. And so we all had prepared some draft executive level reports and in conjunction with some of our partners here to be able to provide

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Council of the County of Maui

March 19, 2024

to Council, and Mayor, and even make public. So, this is disaster by the numbers, week over week, and there is supplement...supplementary outline that comes with this where all of our sources are cited. And this is the scoreboard so there's...there's nowhere for us to hide, it's very...you know, very transparent. We'll be able to identify bottlenecks in the process and everyone will be forced to be on the same page and I think that will keep us all moving in the same direction, accountability. Next slide, please. So, we have 14 levels of customer reports that we drafted. I know that that is riveting for you guys, but I only gave a couple of examples here just so you can see the level that we're looking at. We understand how important it is for those data-driven decisions to be made so we can say, we've got damaged sites, or there's...you know, you can throw out numbers in feet and roads but this is, again, the actual detailed, live-tracking of site inspections, for instance, is the location. And this can be drilled down into, what were the damages, what are the projects. So, all of this information is live and being provided, and will be provided to Council as well. Next slide, please. So, this is...this is an example of a housing project summary. Again, just understanding how important it is, this has been game changers for our clients because you need to have clear insight into the recovery. And we want to make it easy for the County to administer their overall program but also administer their contractors. So, this is dollars that are spent, deliverables that are provided, tasks that are performed, site inspections, lots that are cleared, everything that's going on this comprehensive recovery. We have multiple...page after page of these reports that are going to be provided weekly to you guys for your input. Next slide, please. And, Kathleen, if you'll speak to infrastructure.

MS. CHU: And so switching back to infrastructure again. As what you guys see here in this slide, this is information that was gathered to create individual project worksheets for each of these line items you see here. And so these project worksheets were prepared to support the...the request to WAM for the State funding. And this is to help...these project worksheets were put together to help justify the need. So, what you see here doesn't represent all of the need that is going to be needed for infrastructure because, as you know, the damage assessments are still ongoing. But it does represent some of the initial requests that were provided to WAM...or submitted to WAM.

MR. CHUCK: Next slide. Oh. So, what you're looking at here is a recovery timeline. And this is a very, very highly distilled version of...of what we've been working on with the County of Maui. And...and our job has been to, essentially, provide clarity. You...you know, with an event like, you know, the Lāhainā wildfires, clarity is something that...that...that...that's...that's...that's very difficult to grasp. Who are all the players, you know, what are all the moving parts that...that...that are going on. And with that clarity you...you know, our hope is that we...we...we can provide a means to prioritize, you know, going forward, you...you know, where to spend the monies, you know, the...the...the efforts that

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Council of the County of Maui

March 19, 2024

are important to you because I know that you have a lot of people demanding your time, your...your resources, your...your attention. And you...you know, having that...that kind of clarity on...on...on, you know, your...your resources and the resources that...you...you know, the Federal and State partners that'll bring into this is going to be very helpful to your...your efforts.

MR. KHAN: So, if we can go to the next slide. So, now we're talking about the...the cash flow aspect of this project. Our first tranche of...our first estimates, right now, are that the damages are around the 1 billion mark for this disaster. If you're looking at the management costs, which is provided by the Federal Government, it's 5 percent which equals \$50 million to manage this disaster. To give you sort of a progress report of where we are right now, HI-EMA has \$1.8 million that we are working on releasing to the County. With the expedited project worksheet of \$2.5 million, we're expecting the...you know, that to be submitted shortly. And then we have been reviewing, through Finance, about \$14 million worth of invoices and data for the emergency that work was...that was done. So, we're looking at a subtotal of about \$21 million of a first tranche we're expecting in first quarter of 2025. And this...this per calendar year. So, that is...that is the...the data...sort of the first area we're looking at. So, you'll see funds of up to 21 million received by the County. However, due to time constraints, I'm going to go ahead and...yeah, yeah, yeah.

MS. MINOR: And then go to the next...okay. Great. Just a quick overview, we wanted to just outline the...the typical grant funding pipeline for housing. Obviously, we've talked about FEMA and HI-EMA working on the emergency and interim housing projects. Our focus here is on helping the County with permanent housing recovery, both, making sure infrastructure is in place for repopulation in Lāhainā and also being strategic; collecting data now for the potential of future funding such as CDBG-DR funds from HUD which can also supplement the permanent housing rebuilding as well as some infrastructure and economic recovery activities. So, you know, working with Anthology FINN on community engagement related to that planning process so that the...the County is prepared and has a good idea of what programs will be the best fit for those grant funds in the future. They're not available yet but better, you know, to be prepared so that as soon as they arrive the County can quickly begin some of that permanent rebuilding. And with that I'm just going to hand it back to Jonathan to wrap up our presentation.

MR. BURGIEL: Great. Thank you, Brenna. So, lastly, what you have with the Tetra Tech team is a diverse group of individuals with sensitivities to the local community, subject-matter experts in all areas. Any type of technical expertise, management expertise; we have it under one roof. We look forward to working with you and our team members on a rapid recovery effort. Again, we mention in the past, it's...large disasters like this is...it's not a sprint, it's a marathon. But

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**

Council of the County of Maui

March 19, 2024

we are going to run as quickly as possible to get you across the finish line and help your residents recover. With that, I'd like to close our final remarks and turn it back over to Josiah.

MR. NISHITA: Thank you very much, Chair. I mean, we'd be happy to take any questions. As, Chair, you mentioned, we're happy to come back in future meetings. I know the time is kind of tight. And if there's always...if there's any, ever, specific items you want covered at future meetings, we'd be happy to kind of drill it down more specifically as each of these items, as I...I'm sure you can imagine, we could spend hours and hours on talking. But appreciate our team being here today. And, Chair, we'd welcome any questions you may have. Thank you.

CHAIR U'U-HODGINS: Thank you, Managing Director Nishita. Members, do we have any questions for this whole team? Member Paltin, go ahead.

VICE-CHAIR PALTIN: Thank you, Chair. Thank you, Office of Recovery, and partners. My first question...and not trying to imply I don't trust our County workers at all, but...so the procurement training, is there oversight after that? Like is it a one and done? Or how...like...I mean, if I got a lot on my plate and somebody trains me about something, I'm no expert still yet. And like you said, it's important that it be done right to get the reimbursement. So, what is the continued oversight beyond the training?

MR. KHAN: May I? Yeah. So, what we have is we have a procurement team that's designed and they're working with the Procurement Department here now. We have two attorneys, so as a contract comes in for review it go...what we've requested is that within 72 hours we can take that contract, review it, and return it back to the County. So, every contract that is...that goes forward, we'll be reviewing that for FEMA compliance. So, it's...we're working with Jared (*phonetic*) and...and...and we're making sure that there's compliance. And as I said earlier, this is the most critical piece. And no contract should go without a review by Tetra Tech for compliance.

VICE-CHAIR PALTIN: Okay. And is that, like, a money-back guarantee or something?

OTHERS: . . .(*laughing*). . .

MR. KHAN: You know what, our job is to make sure that everything is compliant. Now, we have been through a mini OIG audit recently and we...our client passed. We take the...the...the law firm that we work with is one of the premier law firms in the United States. We're very confident in our ability to protect our clients. And so we...we are somewhat of a...you know, this is a field that we...we specialize in so we're very...we have...you have...you're in very capable hands right now.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

VICE-CHAIR PALTIN: I'll take that as a money-back guarantee.

OTHERS: . . .*(laughing)*. . .

VICE-CHAIR PALTIN: Ms. Minor, on the housing portion, I was wondering is that just housing...all permanent housing? Is it only in the burn zone? We had a lot of government-supported housing that we lost. And then, you know, as you been to some of the meetings, the FEMA ineligible site has a hard deadline of five years. And...and so those folks need to not be there in five years, where will they be able to go?

MS. MINOR: So, we are...we're--oh, sorry, Chair. Okay. Sorry. Yes, great question. We are working with Saumalu and the County team who does permanent housing of all types. So, trying...you know, trying to create a plan and...and a bigger picture of what's out there when it comes to building permanent housing, whether it's in the burn area or in other areas of the island. Our expertise is really with CDBG-DR funds and I believe, you know, we don't have the official rules for those yet. But I think a lot of that will be addressing finding a place . . .*(timer sounds)*. . . to build permanent housing for the residents that you're talking about who, you know, will be out...out of options in five years. So, it's...yeah, kind of all...all part of that coordination and planning effort that includes all types of permanent housing in all locations on Maui.

VICE-CHAIR PALTIN: I heard the bell. Thank you.

CHAIR U'U-HODGINS: Thank you, Member Paltin. Members, does anybody else have any questions? Member Cook, go ahead.

COUNCILMEMBER COOK: Thank you. I want to thank the Managing Director, Deputy Managing Director, and all of you for all of your efforts. I'm really excited for the presentation; this is relatively brief and we don't have much time. But it's been a big question mark for us about the Office of Recovery and you're raising my comfort level up; I feel good. I could bore you with questions for hours but I won't. One of the questions I had, you said the live information on the disaster recovery is available now. Is that an online site? Is that something that the Council can look at? What's the status of that?

MS. HENDRICK: The status is, the live tracking that we have right now is operational and internal that we've been working on customizing with the County. And as soon as we receive approval what will be shared with you guys, that'll be made live. The dashboard reports, which are the disaster by the numbers, the first screen shot that was shown, that...that is ready. But I...I do know that we are looking for some feedback or we will be looking for some feedback. So, we make

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

sure that we're appropriately answering your questions week over week ahead of time so they don't...they don't have to be asked (*audio interference*) --

COUNCILMEMBER COOK: No. Okay. Great. I...I trust the Department. We'll get the information we needed. I'm just...that is really great that you're putting that together and mapping it. My other question was the contract management...I'm curious, like, there's so many different contractors. Like Army Corps of Engineers, do you...like are they completely separate? They're just doing their thing, and mapping, and tracking and the County doesn't have to account for that?

MR. NISHITA: Thank you, Chair. Yeah. So, there's a lot of Federal partners doing work. I think one of the benefits of...especially with, like, the debris removal operations going with the US Army Corps is kind of limiting the exposure or liability to the County in a lot of different areas in the debris removal operations. So...I mean, there's close partnerships and...and working together on a variety of different matters with all of our Federal partners. But that, specifically...you know, we chose to go that route in...on...as one option to...to kind of limit the liability and exposure to the County.

COUNCILMEMBER COOK: No, I think that's a good route. I was just questioning, there's so many contractors doing so much work for millions of millions of dollars. How much accountability there is in that whole structure? And I don't expect an answer, but that's a big question mark to me because it's a...it's...that's a big thing to change. Anyway, thank you all. It's late, and I look forward to future updates.

CHAIR U'U-HODGINS: Thank you, Member Cook. Members --

COUNCILMEMBER KAMA: Chair, I don't have any questions, but I just want to thank the team for being here. We've heard about the Office of Recovery and, in my mind, it was just some bodies back there in the fog on the 9th floor. But to be able to see them, and to hear them, and to see their presentation, like Member Cook said, really kind of like, sets my heart at ease. Talk about anxiety level, we have anxieties here in this Council because we have things that we have to get done. We feel like we're pushed against the wall. But it's...and...and it really feels good when...when you hear the...the verbiage, we're in it together, and yet you don't see the together, you know. But now when you see the together, it feels better because we are in it together. So, thank you, Chair. And thank you, Josiah. And thank you, Keanu, and thank you for your team.

CHAIR U'U-HODGINS: Thank you, Member Kama. Members, do we have any other questions? Member Paltin, go ahead.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

VICE-CHAIR PALTIN: Thank you. You know, I've been to a bunch of meetings, and things like that, where people are telling me, like, oh, I heard we're going to eminent domain this, or, oh, I heard they're not going to allow this, and all these things. And I'm not sure where that information is coming from because it's not coming from me. Every time they tell me that I'm like, I don't...I never heard that except from, like, the public, not from the County so I'm not sure who told people these things. I don't know if it's that SB3381 or what. But, I mean, at...when folks tell me that, that's my answer. I'm not sure what the proper answer should be. Like when...what is the process, when are the discussions have it...going to happen about those things, about...like, I think, last night's meeting they were talking about lot sizes and how larger lot sizes didn't burn as easy as smaller lot sizes. And so the County is going to condemn Mill Camp, or something like that...or things like that and which isn't true, for anyone watching. But I'm not sure what the correct answer is to be providing folks. And then the other big question is all the people that live in the SMA zones, is it possible to make the distinction between, you know, this is where someone lives and it's their only home versus this is their second, third, fourth, fifth home, it's their business; is that a possibility where we can distinction that? And especially for the residents who are like, you know, in their 80s and 90s and they just want to go home. And...and we know, like, maybe it'll take 20 years for sea level rise, so could they just go home because after 20 years then it'll be probably not their home anymore.

MR. NISHITA: Thanks, Chair. So, I guess, just to the first part of your question. I mean, in any situation like this, unfortunately, rumor mill does go and all kinds of things spread. So, the...to the best extent that we can and a part of our goals of our Tetra Tech team, and other partners, is really to help provide that transparency. Unfortunately, as all of you know, with government work it is slower than, I think, the public would like, at times. But we are trying our best with staffing up, getting other resources in place to provide as much data and information as possible, and to be able to address various concerns more proactively along the way. And we're starting to kind of get to that point, although, we still have much work ahead. The...the second piece to that on the...the SMA side, I would say that there's a . . . *(timer sounds)*. . . lot discussions, I think, that we all need to have as Administration, and Council, as well as with the community about what the community's desires are regarding that. There's obviously existing rules in place, existing provisions, and whatnot for areas along the shoreline and within the SMA. But, you know, given the situation that's happened, I think it warrants further discussion with the Council and the community about what should take place with that. Thank you.

CHAIR U-U-HODGINS: Members, if we don't have any questions, Member Paltin, you're...you're free to continue to ask.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**

Council of the County of Maui

March 19, 2024

VICE-CHAIR PALTIN: Thank you, Chair. Thank you, Members. So, the...I know that there's the homeowner meetings coming up and the neighborhood meetings coming up. And Kelawea Mauka is the first neighborhood meeting and that you said for folks to pre-ask questions for the homeowners meeting so you guys can come prepared. What kind of things should people prepare for, for the neighborhood meetings? Or would they be specific? Because each neighborhood has its own challenges. And then if that's the case, then what should Kelawea Mauka, specifically? And is it Kelawea Mauka, just the burned areas? Or Kelawea Mauka had a lot of surviving streets, so are those Kelawea Mauka surviving streets included in that neighborhood meeting?

CHAIR U'U-HODGINS: We're going to have to take a quick recess so we can have quorum. We'll be back in five minutes, so 4:49. . . .(gavel). . .

RECESS: 4:44 p.m.

RECONVENE: 4:49 p.m.

CHAIR U'U-HODGINS: . . .(gavel). . . Welcome back. It is 4:49. We took a quick recess. And Managing...or Deputy Managing Director has an answer for Member Paltin's question that she asked pre-recess.

MS. LAU HEE: Thank you, Chair. So, in so far as the neighborhood meetings, they're meant to be about five or six of them focused on areas where we feel like, generally, residents may have similar questions. They're open, obviously...they're open meetings, so residents should be prepared to ask whatever questions they have about development. So, building permit questions, if there are questions...safety questions, if there are...like even building material questions. We can have the right SMEs and...and information available. Obviously, it won't be only one meeting, there will be many meetings. And so just give us a baseline on what folks are looking for. And then we're also trying to gauge residents' readiness, in so far as how ready are you to come back, to...how ready are you to rebuild so that we can gauge some information. We can share information on infrastructure status and what have you, at those...at those sessions.

VICE-CHAIR PALTIN: Thank you. And just the other part, is it for the burn zone, specifically, targeted? Or also the other neighborhoods? Like if evacuation is an...a concern for the existing neighborhoods with only the bypass as the in and out to Lāhaināluna Road right now?

MS. LAU HEE: Thank you, Chair. The question...well, primarily, it was to...set up to talk about rebuilding. Now, that comes with other...other questions, in so far as routes. So, we welcome anybody in that area to...to bring up whatever questions they may have. We may have to have like a break out group just for those type...to

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**

Council of the County of Maui

March 19, 2024

address those concerns. But, you know, the initial is to kind of gauge where the community is at and just to really start that dialogue.

VICE-CHAIR PALTIN: Okay. And then I see your slide, Recovery Time Line, and, you know, the roadways and sidewalk repairs. And I'm just assuming that, you know, you put this together kind of quickly for the WAM hearings. Is there going to come a point in your guys' consultations where it will be, like, a GIS layer map of where we see all the streets, their names, their widths, the ones that are within the sea level rise, and you could turn on and off layers of, like, existing zoning, or historical uses, and things like that? Or is that not really in the works...plans?

MS. LAU HEE: Thank you for that question. Yes, we do have an infrastructure map viewer where we are starting to bring in different elements as we start to kind of transition from assessing damages into reconstruction. So, right now, we do have the sea level rise viewer incorporated as well as the flood zones. We don't have zoning quite yet, but we can look at bringing those features in. That map is not yet forward facing. We will be looking at what tools we have to bring to the community after we start these discussions to make their decision-making process of rebuilding a little bit easier.

VICE-CHAIR PALTIN: And then with the cultural monitors, and as that is going along, and Dr. Six being in your guys' office; is whatever that becomes encountered also being transmitted to Dr. Six, as well as the State to upload into their HICRIS database? Because that's all that is there, is just what is known burials, or things like that. And, I mean, that's the point of having cultural monitors to make sure that we identify stuff and...and don't desecrate anything inadvertently. So, if there is a hit, or anything like that, what is the process to have it documented going forwards?

MR. NISHITA: Thank you, Chair. I know that some of the...I...I think maybe additional questions here today will be put in writing, I...I...just please ask that...put that one in writing for us. I don't want to misspeak for our Federal partners because their cultural observers, and...and what not, are being contracted through those partners. But we'd be happy to follow up with them to make sure that our response is 100 percent accurate to you. Thank you.

VICE-CHAIR PALTIN: I like 100 percent accurate.

CHAIR U'U-HODGINS: Member Paltin, do you want to submit a bunch of questions, and we're happy to submit it to the Office of Recovery, and get your answers in writing?

VICE-CHAIR PALTIN: Yeah, I can work that this week.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

CHAIR U‘U-HODGINS: That one, and then whatever else you might have, I'm happy to submit on your behalf.

VICE-CHAIR PALTIN: Okay. And I don't know if anyone else had questions.

CHAIR U‘U-HODGINS: Does anybody else have questions before we defer this item? Okay. Seeing none. This item was posted for no legislative action. And I will now defer this item so we can continue receiving updates from the Office of Recovery.

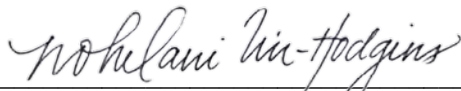
COUNCILMEMBERS VOICED NO OBJECTIONS. (Excused TK, AL, KRF, YLS)

ACTION: DEFER.

CHAIR U‘U-HODGINS: This concludes the Government Relations, Ethics, and Transparency Committee meeting. Thank you very much, Members. It is now 4:55 and this meeting is adjourned. . . .*(gavel)*. . .

ADJOURN: 4:55 p.m.

APPROVED BY:



NOHELANI U‘U-HODGINS, Chair
Government Relations, Ethics, and
Transparency Committee

great:min:240319min

Transcribed by: Tricia Higa

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

March 19, 2024

CERTIFICATION

I, Tricia Higa, hereby certify that pages 1 through 63 of the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 3rd day of April 2024, in Mililani, Hawaii

A handwritten signature in black ink, appearing to read "Tricia Higa", followed by a horizontal line.

Tricia Higa

**MAUI COUNTY COUNCIL
REGULAR MEETING MINUTES**

**March 22, 2024
9:15 AM**

Pursuant to §92-3.7, Hawaii Revised Statutes, the meeting was conducted as a remote meeting by interactive conference technology, via Microsoft Teams, <http://tinyurl.com/2p9zhjr2>.

In person testimony and viewing: Council Chamber, Kalana O Maui Building, 8th Floor, 200 S. High Street, Wailuku, Hawaii.

Video recording of meeting available at: www.mauicounty.legistar.com

TIME MEETING CALLED TO ORDER: 9:15 a.m.

ROLL CALL

Councilmember	Pres.	Abs.	Exc.	Time(s) In/Out (during meeting)
CM Pro Tempore Tasha Kama	√			Exc. 5:00-5:30 p.m.
Vice Chair Yuki Lei Sugimura	√			
CM Tamara Paltin	√			Exc.: 11:53 a.m.-12:00 p.m.
CM Gabe Johnson	√			Exc.: 3:21 p.m.-3:24 p.m.; 4:49 p.m.-4:51 p.m.
CM Keani Rawlins-Fernandez	√			Exc.: 11:21a.m.-11:25 a.m.; 1:36 p.m.-2:33 p.m.
CM Tom Cook	√			
CM Nohelani U'u-Hodgins	√			
CM Shane Sinenci	√			5:12 p.m.-5:13 p.m.
Chair Alice L. Lee	√			
TOTAL PRESENT	9			

Reso 24-63 "CONGRATULATING JAHLIA MIGUEL AND NAI HASEGAWA OF H.P. BALDWIN HIGH SCHOOL, DIESEL DEL ROSARIO OF LĀNA‘I HIGH AND ELEMENTARY SCHOOL, MIKAH LABUANAN OF KAMEHAMEHA SCHOOLS MAUI, AND SANALIO VEHIKITE OF LAHAINALUNA HIGH SCHOOL FOR WINNING STATE TITLES AT THE 2024 TEXACO/HAWAII HIGH SCHOOL ATHLETIC ASSOCIATION STATE WRESTLING CHAMPIONSHIPS"

	AYE	NO	EXC	Time Deliberations Began	9:27 a.m.
Pro Tem Kama	√			Time Motion Made	9:27 a.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	Paltin
CM Johnson	√			Secunder	U‘u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	9:34 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Reso 24-64 "CONGRATULATING DIESEL DEL ROSARIO OF LĀNA‘I HIGH AND ELEMENTARY SCHOOL FOR WINNING A STATE TITLE AT THE 2024 TEXACO/HAWAII HIGH SCHOOL ATHLETIC ASSOCIATION STATE WRESTLING CHAMPIONSHIPS"

	AYE	NO	EXC	Time Deliberations Began	9:35 a.m.
Pro Tem Kama	√			Time Motion Made	9:35 a.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	Johnson
CM Johnson	√			Secunder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	9:39 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Reso 24-57 "AUTHORIZING PROCEEDINGS IN CONDEMNATION BY EMINENT DOMAIN FOR THE ACQUISITION OF REAL PROPERTY INTERESTS KNOWN AS LOT 1-B, CENTRAL MAUI SANITARY LANDFILL SUBDIVISION FOR PHASE VI EXPANSION OPERATIONS"

	AYE	NO	EXC	Time Deliberations Began	10:52 a.m.
Pro Tem Kama	√			Time Motion Made	10:52 a.m.
VC Sugimura	√			Motion	WAIVE Rule 7G
CM Paltin	√			Maker	Paltin
CM Johnson	√			Secunder	Johnson
CM Rawlins-Fernandez	√			Time Vote Taken	10:53 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	10:53 a.m.
VC Sugimura	√			Motion	ADOPT on first reading
CM Paltin	√			Maker	Paltin
CM Johnson	√			Secunder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	11:00 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

CC 24-8 COUNCIL VICE-CHAIR SUGIMURA, relating to Councilmembers' report on the Senate Ways and Means Committee hearing of February 20, 2024, held at the Hawai'i State Legislature.

	AYE	NO	EXC	Time Deliberations Began	11:01 a.m.
Pro Tem Kama	√			Time Motion Made	11:01 a.m.
VC Sugimura	√			Motion	FILE
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	Kama

CM Rawlins-Fernandez	√			Time Vote Taken	11:03 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

CC 24-9 COUNCIL VICE-CHAIR SUGIMURA, relating to Councilmembers' report on the Town Hall with Congresswoman Tokuda of February 22, 2024, held at the University of Hawai'i Maui College.

	AYE	NO	EXC	Time Deliberations Began	11:21 a.m.
Pro Tem Kama	√			Time Motion Made	11:21 a.m.
VC Sugimura	√			Motion	FILE
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	Cook
CM Rawlins-Fernandez			√	Time Vote Taken	11:22 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

CR 24-32 Recommending FIRST READING of Bill 42, CD1 (2024), amending the definitions of "farm" and "farm labor dwelling" under Section 19.04.040, Maui County Code.

CC 24-10 COUNCILMEMBER JOHNSON, transmitting a proposed amendment to Bill 42, CD1 (2024), entitled "A BILL FOR AN ORDINANCE AMENDING THE DEFINITIONS OF 'FARM' AND 'FARM LABOR DWELLING' IN THE COMPREHENSIVE ZONING ORDINANCE".

	AYE	NO	EXC	Time Deliberations Began	11:23 a.m.
Pro Tem Kama	√			Time Motion Made	11:23 a.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	Johnson
CM Johnson	√			Secunder	Cook
CM Rawlins-Fernandez	√			Tabled at 11:44 a.m. Recalled at 4:24 p.m.	
				Time Vote Taken	4:46 p.m.

CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	11:24 a.m.
VC Sugimura	√			Motion	AMEND per CC 24-10, FILE CC 24- 10
CM Paltin	√			Maker	Johnson
CM Johnson	√			Second	Cook
CM Rawlins- Fernandez	√			Time Vote Taken	4:43 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	4:26 p.m.
VC Sugimura	√			Motion	AMEND per distributed ASF
CM Paltin	√			Maker	Paltin
CM Johnson	√			Second	Rawlins- Fernandez
CM Rawlins- Fernandez	√			Time Vote Taken	4:41 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	4:31 p.m.
VC Sugimura	√			Motion	AMEND to add "flood hazard areas"

CM Paltin	√			Maker	Johnson
CM Johnson	√			Seconder	U‘u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	4:41 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

CR 24-33 Recommending FILING of Bill 40 (2024) to amend the Fiscal Year 2024 Budget, by: 1) amending Section 2, Estimated Revenues, by increasing Carryover/Savings from the General Fund by \$7,304,000 and Interfund Transfers by \$7,304,000; 2) amending Section 3.B.4.g.(6), Department of Finance, Countywide Costs, Supplemental Transfer to the Solid Waste Fund, by increasing Category B (Operations and Equipment) and Total appropriations by \$7,304,000; 3) amending Section 4.A.1.a.(1), Department of Environmental Management, Countywide, Sanitation, by adding a new appropriation for Solid Waste Management Fund, entitled “Lāhainā Wildfire Disposal Sites,” in the amount of \$7,304,000; 4) adjusting the totals accordingly; and 5) amending Appendix C - Capital Improvement Projects, Department of Environmental Management, Countywide, by adding a new project and project description, entitled “Lāhainā Wildfire Disposal Sites,” in the amount of \$7,304,000.

CR 24-34 Recommending FIRST READING of Bill 33 (2024) to amend the Fiscal Year 2024 Budget by amending Section 3.B.1., Department of Agriculture, by: 1) deleting “the” from the Department title; 2) reducing the appropriation for Agriculture Program, Category B (Operations and Equipment) by \$28,239; 3) reducing the appropriation for Grants and disbursements for Agricultural Promotion, Feral Animal Recovery by \$781,500; 4) reducing the appropriation for Grants and disbursements for Agricultural Promotion, Agriculture Education and Apprenticeship by \$51,600; 5) increasing the appropriation for Grants and disbursements for Agricultural Promotion, Agriculture Promotion/Technology by \$861,339; 6) reducing the conditional amount under Grants and disbursements for Agricultural Promotion, Agriculture Promotion/Technology for “infrastructure improvements on established agricultural operations” by \$45,000; and 7) adjusting the totals accordingly.

CR 24-35 Recommending FIRST READING of Bill 37 (2024) to amend the Fiscal Year 2024 Budget, Appendix C - Capital Improvement Projects, Department of Fire and Public Safety, Wailuku-Kahului Community Plan Area, by revising the project description for the Administration Building Acquisition by deleting “Site selection and land acquisition to construct” and inserting in its place “Planning and conceptual drawings for.”

CR 24-36 Recommending FIRST READING of Bill 7 (2024) to amend Chapter 3.47, Maui County Code, to require the Director of Finance to submit quarterly reports to the Council that include: 1) the number of County transient accommodations and estimated taxes grouped by residency area where the transient accommodation is located; 2) the number of County transient accommodations grouped by the taxpayer’s mailing address; and 3) an aged accounts receivable list of delinquent County transient accommodations; and to prevent the destruction of monthly, quarterly, or semiannual returns filed under Section 3.47.070, Maui County Code, in certain situations.

	AYE	NO	EXC	Time Deliberations Began	11:44 a.m.
Pro Tem Kama	√			Time Motion Made	11:48 a.m.
VC Sugimura	√			Motion	ADOPT recommendations in CRs 24-33, 24-34, 24-35, and 24-36
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	11:51 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

CR 24-37 Recommending the following: 1. ADOPTION of Resolution 24-16, authorizing additional compensation, in the amount of \$250,000, to McCorriston Miller Mukai MacKinnon, LLP, as special counsel to represent the County of Maui in current and anticipated litigation matters arising from the August 2023 wildfires on the island of Maui; and 2. ADOPTION of Resolution 24-17, authorizing additional compensation, in the amount of \$250,000, to Meyers Nave, as special counsel to represent the County of Maui in current and anticipated litigation matters arising from the August 2023 wildfires on the island of Maui.

	AYE	NO	EXC	Time Deliberations Began	11:51 a.m.
Pro Tam Kama	√			Time Motion Made	11:51 a.m.

VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	U‘u-Hodgins
CM Johnson	√			Seconder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	11:52 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

CR 24-38 Recommending ADOPTION of Resolution 23-248, authorizing the employment of Ronald T. Ogomori, Attorney at Law, a Law Corporation, as special counsel to represent Herman Andaya, in Amir Hossein Sheikhan, Etc., et al. v. Hawaiian Electric Industries, Etc., et al., Case 2CCV-23-0000260, for a total compensation amount not to exceed \$150,000.

	AYE	NO	EXC	Time Deliberations Began	11:53 a.m.
Pro Tem Kama	√			Time Motion Made	11:53 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin			√	Maker	U‘u-Hodgins
CM Johnson		√		Seconder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	11:54 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7	1	1	MOTION PASSED	

CR 24-39 Recommending ADOPTION of Resolution 24-13, authorizing additional compensation, in the amount of \$75,000, to Kobayashi Sugita & Goda, LLP, as special counsel to represent the County of Maui, Richard T. Bissen, Jr. in his official capacity, and Kate Blystone, as successor to Kathleen Aoki, in her official capacity, in Christopher Salem v. County of Maui, et al., Case 2CCV-21-0000048.

	AYE	NO	EXC	Time Deliberations Began	11:55 a.m.
Pro Tem Kama	√			Time Motion Made	11:56 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin			√	Maker	U‘u-Hodgins
CM Johnson	√			Secunder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	11:57 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

CR 24-40 Recommending FIRST READING of Bill 41, CD1 (2024), to authorize the County to enter into an intergovernmental agreement with the United States Department of Agriculture Natural Resources Conservation Service to provide technical and financial assistance for the Kūlanihāko‘i Stream Sediment Removal Emergency Watershed Protection Project.

	AYE	NO	EXC	Time Deliberations Began	11:57 a.m.
Pro Tem Kama	√			Time Motion Made	11:57 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin			√	Maker	Cook
CM Johnson	√			Secunder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	11:58 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

CR 24-41 1. Recommending FIRST READING of Bill 26, CD1 (2024) to authorize the Mayor to enter into an intergovernmental agreement with Purdue University with an intent for the County to commit \$20,000 for participation in the Water Research Foundation fire project, including the purchase of experimental supplies, labor and travel, and unspecified in-kind contributions of staff time and expertise.

	AYE	NO	EXC	Time Deliberations Began	12:00 p.m.
Pro Tem Kama	√			Time Motion Made	12:00 p.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	Sinenci
CM Johnson	√			Secunder	Johnson
CM Rawlins-Fernandez	√			Time Vote Taken	12:02 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Reso 24-19, FD1 "APPOINTMENT OF A MEMBER TO THE BOARD OF ETHICS FOR THE COUNTY OF MAUI"

Reso 24-22, FD1 "APPOINTMENT OF A MEMBER TO THE BOARD OF VARIANCES AND APPEALS FOR THE COUNTY OF MAUI"

Reso 24-23, FD1 "APPOINTMENT OF MEMBERS TO THE BOARD OF WATER SUPPLY FOR THE COUNTY OF MAUI"

Reso 24-24, FD1 "APPOINTMENT OF A MEMBER TO THE CIVIL SERVICE COMMISSION FOR THE COUNTY OF MAUI"

Reso 24-25, FD1 "APPOINTMENT OF MEMBERS TO THE COMMISSION ON HEALING SOLUTIONS FOR HOMELESSNESS FOR THE COUNTY OF MAUI"

Reso 24-26, FD1 "APPOINTMENT OF MEMBERS TO THE CONSERVATION PLANNING COMMITTEE FOR THE COUNTY OF MAUI"

Reso 24-27, FD1 "APPOINTMENT OF MEMBERS TO THE COST OF GOVERNMENT COMMISSION FOR THE COUNTY OF MAUI"

Reso 24-28, FD1 "APPOINTMENT OF A MEMBER TO THE COUNCIL ON AGING FOR THE COUNTY OF MAUI"

Reso 24-29, FD1 "APPOINTMENT OF MEMBERS TO THE FIRE AND PUBLIC SAFETY COMMISSION FOR THE COUNTY OF MAUI"

Reso 24-31, FD1 "APPOINTMENT OF A MEMBER TO THE KULA AGRICULTURAL PARK COMMITTEE FOR THE COUNTY OF MAUI"

Reso 24-32, FD1 "APPOINTMENT OF A MEMBER TO THE LIQUOR CONTROL ADJUDICATION BOARD FOR THE COUNTY OF MAUI"

Reso 24-33, FD1 "APPOINTMENT OF A MEMBER TO THE LIQUOR CONTROL COMMISSION FOR THE COUNTY OF MAUI"

Reso 24-34, FD1 "APPOINTMENT OF MEMBERS TO THE MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES"

Reso 24-35, FD1 "APPOINTMENT OF MEMBERS TO THE MAUI COUNTY CULTURAL RESOURCES COMMISSION"

Reso 24-36, FD1 "APPOINTMENT OF A MEMBER TO THE MAUI PLANNING COMMISSION"

Reso 24-37, FD1 "APPOINTMENT OF A MEMBER TO THE MAUI REDEVELOPMENT AGENCY"

Reso 24-38, FD1 "APPOINTMENT OF MEMBERS TO THE MOLOKAI PLANNING COMMISSION"

Reso 24-39, FD1 "APPOINTMENT OF MEMBERS TO THE PĀ'IA-HA'IKŪ ADVISORY COMMITTEE TO THE MAUI PLANNING COMMISSION"

Reso 24-41, FD1 "APPOINTMENT OF MEMBERS TO THE PUBLIC WORKS COMMISSION FOR THE COUNTY OF MAUI"

Reso 24-42, FD1 "APPOINTMENT OF A MEMBER TO THE REAL PROPERTY TAX REVIEW BOARD FOR THE COUNTY OF MAUI"

Reso 24-43, FD1 "APPOINTMENT OF MEMBERS TO THE SALARY COMMISSION FOR THE COUNTY OF MAUI"

Reso 24-45, FD1 "APPOINTMENT OF MEMBERS TO THE URBAN DESIGN REVIEW BOARD FOR THE COUNTY OF MAUI"

	AYE	NO	EXC	Time Deliberations Began	2:27 p.m.
Pro Tem Kama	√			Time Motion Made	2:30 p.m.
VC Sugimura	√			Motion	Rule 5E DISCHARGE
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Secunder	Sugimura
CM Rawlins-Fernandez			√	Time Vote Taken	2:32 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	2:32 p.m.
VC Sugimura	√			Motion	WAIVE Rule 7G
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Secunder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	2:39 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	2:42 p.m.
VC Sugimura	√			Motion	FILE Reso 24-26, FD1
CM Paltin	√			Maker	Sinenci
CM Johnson	√			Secunder	Johnson
CM Rawlins-Fernandez	√			Time Vote Taken	2:44 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	2:38 p.m.
VC Sugimura	√			Motion	Adopt Resolutions 24-19, FD1; 24-32, FD1; 24-34, FD1; 24-38, FD1; 24-42, FD1; and 24-45, FD1
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Second	Rawlins-Fernandez
CM Rawlins-Fernandez	√			Time Vote Taken	2:42 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama		√		Time Motion Made	2:48 p.m.
VC Sugimura		√		Motion	ADOPT Reso 24-22, FD1
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Second	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	2:52 p.m.
CM Cook		√			
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee		√			
TOTAL VOTES	5	4		MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	2:53 p.m.
VC Sugimura	√			Motion	WAIVE Rule 19(C) for Resolutions 24-23, FD1; 24-24, FD1; 24-25, FD1;

					24-27, FD1; 24-28, FD1; 24-29, FD1; 24-31, FD1, 24-33, FD1; 24-35, FD1; 24-36, FD1; 24-37, FD1; 24-39, FD1; 24-41, FD1; and 24-43, FD1
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Seconder	Rawlins- Fernandez
CM Rawlins- Fernandez	√			Time Vote Taken	2:55 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	2:55 p.m.
VC Sugimura	√			Motion	ADOPT Resolutions 24-24, FD1; 24-28, FD1; 24-29, FD1; 24-31, FD1; 24-41, FD1; and 24-43, FD1
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Seconder	Rawlins- Fernandez
CM Rawlins- Fernandez	√			Time Vote Taken	3:05 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	2:57 p.m.
VC Sugimura	√			Motion	AMEND Resolution 24-24, FD1, by placing Arnold Kelii Wunder on Exhibit "B" for approval to the Civil Service Commission
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Second	Paltin
CM Rawlins- Fernandez	√			Time Vote Taken	2:57 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	2:58 p.m.
VC Sugimura	√			Motion	AMEND Resolution 24-28, FD1, by placing Michelle Louise Cerizo on Exhibit "B" for approval to the Council on Aging
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Second	Kama
CM Rawlins- Fernandez	√			Time Vote Taken	2:58 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	2:58 p.m.
VC Sugimura	√			Motion	AMEND Resolution 24-29, FD1, by placing Roderic Wade Antone and Desmond Robert Cabiles on Exhibit "B" for approval to the Fire and Public Safety Commission
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Secunder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	2:59 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Motion: AMEND Resolution 24-31, FD1, by placing Sara "Sally" Elizabeth Barr on Exhibit "B" for approval to the Kula Agricultural Park Committee next to "(General Public) Term Expiration 3/31/2029"; AMEND Resolution 24-41, FD1, by placing Lee Allen Chamberlain on Exhibit "B" for approval to the Public Works Commission next to "(Alternate) Term Expiration 3/31/2029" and deleting the remaining two unfilled term vacancies from the resolution; and AMEND Resolution 24-43, FD1, by placing Lindsay Ewell Ball and Gerri GR Lewis on Exhibit "B" for approval to the Salary Commission next to each "Term Expiration 3/31/2029."

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:00 p.m.
VC Sugimura	√			Motion	<i>See above</i>
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Secunder	Sinenci

CM Rawlins-Fernandez	√			Time Vote Taken	3:02 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:05 p.m.
VC Sugimura	√			Motion	ADOPT Resolution 24-23, FD1
CM Paltin	√			Maker	U‘u-Hodgins
CM Johnson	√			Seconder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	3:11 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:06 p.m.
VC Sugimura	√			Motion	Amend Resolution 24-23, FD1, by placing Kevin Kaonohi Ke‘a on Exhibit "B"
CM Paltin	√			Maker	U‘u-Hodgins
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	3:09 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:11 p.m.
VC Sugimura	√			Motion	ADOPT Resolution 24-25, FD1
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Second	Kama
CM Rawlins- Fernandez	√			Time Vote Taken	3:13 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:12 p.m.
VC Sugimura	√			Motion	Amend Resolution 24-25, FD1 by placing Dylan Andrion next to "(Faith Leader) Term Expiration 3/31/2027"
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Second	Kama
CM Rawlins- Fernandez	√			Time Vote Taken	3:12 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:13 p.m.
VC Sugimura	√			Motion	ADOPT Resolution 24-27, FD1
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Second	Kama

CM Rawlins-Fernandez	√			Time Vote Taken	3:21 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:13 p.m.
VC Sugimura	√			Motion	AMEND Resolution 24-27, FD1, by placing Lee Allen Chamberlain, Kevin Blair Spellman, Deborah Kay Moore, Sterling Higa, and Dylan Andrion on Exhibit "B"
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Secunder	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	3:21 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:21 p.m.
VC Sugimura	√			Motion	ADOPT Resolution 24-33, FD1
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson			√	Secunder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	3:23 p.m.
CM Cook	√				

CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:22 p.m.
VC Sugimura	√			Motion	AMEND Resolution 24-33 FD1 by placing Carter Kimbell Barton on Exhibit "B"
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson			√	Secunder	Cook
CM Rawlins- Fernandez	√			Time Vote Taken	3:22 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:23 p.m.
VC Sugimura	√			Motion	ADOPT Resolution 24-35, FD1
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Secunder	Sugimura
CM Rawlins- Fernandez	√			Time Vote Taken	3:29 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:24 p.m.

VC Sugimura	√			Motion	AMEND Resolution 24-35, FD1, by placing La'akea Poepoe and Hinano Rodrigues next to "(Hawaiian Culture/Ethnic History)" on Exhibit "B"
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Second	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	3:28 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:29 p.m.
VC Sugimura	√			Motion	ADOPT Resolution 24-36, FD1
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Second	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	3:49 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:29 p.m.
VC Sugimura	√			Motion	AMEND Resolution 24-36, FD1, by placing Danny Ray Blackburn

					on Exhibit "B"
CM Paltin		√		Maker	U'u-Hodgins
CM Johnson	√			Secunder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	3:42 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci		√			
Chair Lee	√				
TOTAL VOTES	7	2		MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama		√		Time Motion Made	3:32 p.m.
VC Sugimura		√		Motion	AMEND Resolution 24-36, FD1, by placing Gary Passon on Exhibit "B"
CM Paltin	√			Maker	Rawlins-Fernandez
CM Johnson	√			Secunder	Paltin
CM Rawlins-Fernandez	√			Time Vote Taken	3:39 p.m.
CM Cook		√			
CM U'u-Hodgins		√			
CM Sinenci	√				
Chair Lee		√			
TOTAL VOTES	4	5		MOTION FAILED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:46 p.m.
VC Sugimura	√			Motion	AMEND Reso 24-36, FD1, by designating Mr. Blackburn as the South Maui residency commissioner

CM Paltin	√			Maker		U'u-Hodgins
CM Johnson	√			Secunder		Kama
CM Rawlins-Fernandez	√			Time Vote Taken		3:47 p.m.
CM Cook	√					
CM U'u-Hodgins	√					
CM Sinenci	√					
Chair Lee	√					
TOTAL VOTES	9			MOTION PASSED		

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:49 p.m.
VC Sugimura	√			Motion	ADOPT Resolution 24-37, FD1
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Secunder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	3:57 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:53 p.m.
VC Sugimura	√			Motion	AMEND Resolution 24-37, FD1, by placing Kevin Blair Spellman on Exhibit "B"
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Secunder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	3:57 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:58 p.m.
VC Sugimura	√			Motion	ADOPT Resolution 24-39, FD1
CM Paltin	√			Maker	U‘u-Hodgins
CM Johnson	√			Second	Kama
CM Rawlins- Fernandez	√			Time Vote Taken	4:00 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:58 p.m.
VC Sugimura	√			Motion	AMEND Resolution 24-39, FD1, by placing Francine M.K. Aarona and Francille Leinā‘ala Vedder on Exhibit "B" for approval to the Paia- Haiku Advisory Committee to the Maui Planning Commission
CM Paltin	√			Maker	U‘u-Hodgins
CM Johnson	√			Second	Sugimura
CM Rawlins- Fernandez	√			Time Vote Taken	3:59 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

4:22 p.m.: Motion to reconsider the vote to adopt Resolution 24-38, FD1, made by Councilmember Rawlins-Fernandez, seconded by Vice Chair Sugimura, passed 9-0.

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	4:22 p.m.
VC Sugimura	√			Motion	AMEND to designate Debra Kelly as filling the "conservation" seat on the Molokai Planning Commission
CM Paltin	√			Maker	Rawlins-Fernandez
CM Johnson	√			Seconded	U'u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	4:24 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Reso 24-59 "AUTHORIZING ACCEPTANCE OF THE DONATION OF SPORT COURT PAINT TO THE DEPARTMENT OF PARKS AND RECREATION, PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE"

	AYE	NO	EXC	Time Deliberations Began	4:46 p.m.
Pro Tem Kama	√			Time Motion Made	4:46 p.m.
VC Sugimura	√			Motion	WAIVE Rule 7G
CM Paltin	√			Maker	Sinenci
CM Johnson	√			Seconded	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	4:47 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	4:47 p.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	Sinenci
CM Johnson	√			Secondder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	4:48 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Reso 24-60 "APPROVING THE APPOINTMENT OF JEAN H. POKIPALA AS COUNCIL SERVICES ASSISTANT (FULL-TIME)"

	AYE	NO	EXC	Time Deliberations Began	4:48 p.m.
Pro Tem Kama	√			Time Motion Made	4:48 p.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	Sugimura
CM Johnson			√	Secondder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	4:50 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

Reso 24-61 "REFERRING TO THE MAUI PLANNING COMMISSION A PROPOSED BILL RELATING TO A CONDITIONAL CHANGE IN ZONING FROM R-3 RESIDENTIAL DISTRICT TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT FOR APPROXIMATELY 0.75 ACRES LOCATED AT LAHAINA, MAUI, HAWAI'I, TAX MAP KEY (2) 4-5-014:054 (GRACE BAPTIST CHURCH)"

	AYE	NO	EXC	Time Deliberations Began	4:50 p.m.
Pro Tem Kama	√			Time Motion Made	4:50 p.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	Paltin
CM Johnson	√			Secondder	Sugimura

CM Rawlins-Fernandez	√			Time Vote Taken	4:55 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Reso 24-62 "APPOINTMENT OF MEMBERS TO THE CONSERVATION PLANNING COMMITTEE FOR THE COUNTY OF MAUI"

	AYE	NO	EXC	Time Deliberations Began	4:55 p.m.
Pro Tem Kama	√			Time Motion Made	4:55 p.m.
VC Sugimura	√			Motion	WAIVE Rule 7G
CM Paltin	√			Maker	Sinenci
CM Johnson	√			Secunder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	4:56 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	4:56 p.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	Sinenci
CM Johnson	√			Secunder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	4:57 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Reso 24-65 "AUTHORIZING ACCEPTANCE OF PRIVATE DONATIONS TO THE DEPARTMENT OF MANAGEMENT TO HELP THE COUNTY'S RECOVERY FROM THE AUGUST 8, 2023 WILDFIRES"

	AYE	NO	EXC	Time Deliberations Began	4:57 p.m.
Pro Tem Kama	√			Time Motion Made	4:57 p.m.
VC Sugimura	√			Motion	WAIVE Rule 7G
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	4:59 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	4:59 p.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	5:00 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Bill 50 (2024) "A BILL FOR AN ORDINANCE AMENDING ORDINANCE 5546 TO CORRECT THE PLACEMENT OF THE DEFINITION OF "NONDWELLING AGRICULTURAL CONSUMER""

	AYE	NO	EXC	Time Deliberations Began	5:04 p.m.
Pro Tem Kama			√	Time Motion Made	5:04 p.m.
VC Sugimura	√			Motion	WAIVE Rule 7G
CM Paltin	√			Maker	Sinenci
CM Johnson	√			Secunder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	5:04 p.m.

CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama			√	Time Motion Made	5:05 p.m.
VC Sugimura	√			Motion	PASS on first reading
CM Paltin	√			Maker	Sinenci
CM Johnson	√			Secunder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	5:06 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

Bill 51 (2024) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF HEALTH"
5:06 p.m.: Referred to the Government Relations, Ethics, and Transparency Committee

Bill 52 (2024) "A BILL FOR AN ORDINANCE AMENDING CHAPTER 13.04A, MAUI COUNTY CODE, TO AUTHORIZE A COMMUNITY RECREATIONAL GARDENS PROGRAM"
5:07 p.m.: Referred to the Water, Agriculture, Social Services and Parks Committee

Bill 54 (2024) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, REVENUES AND DEPARTMENT OF FINANCE, COUNTYWIDE COSTS, INSURANCE PROGRAMS AND SELF INSURANCE, MAUI WILDFIRES COMPENSATION PROGRAM"
5:07 p.m.: Referred to the Budget, Finance, and Economic Development Committee

Bill 55 (2024) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, REVENUES; DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, SOLID WASTE OPERATIONS PROGRAM; DEPARTMENT OF FINANCE, COUNTYWIDE COSTS, SUPPLEMENTAL TRANSFER TO THE SOLID WASTE FUND; CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, WAILUKU-

KAHULUI COMMUNITY PLAN AREA, SANITATION; AND APPENDIX C, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA"

	AYE	NO	EXC	Time Deliberations Began	5:08 p.m.
Pro Tem Kama			√	Time Motion Made	5:08 p.m.
VC Sugimura	√			Motion	WAIVE Rule 7G
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	Johnson
CM Rawlins-Fernandez	√			Time Vote Taken	5:08 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama			√	Time Motion Made	5:09 p.m.
VC Sugimura	√			Motion	PASS on first reading
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	Cook
CM Rawlins-Fernandez	√			Time Vote Taken	5:10 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

Bill 56 (2024) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM, GENERAL, PAUKUKALO PARK FENCING"

	AYE	NO	EXC	Time Deliberations Began	5:10 p.m.
Pro Tem Kama			√	Time Motion Made	5:10 p.m.
VC Sugimura	√			Motion	WAIVE Rule 7G
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	Cook

CM Rawlins-Fernandez	√			Time Vote Taken	5:11 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama			√	Time Motion Made	5:12 p.m.
VC Sugimura	√			Motion	PASS on first reading
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secorder	Cook
CM Rawlins-Fernandez	√			Time Vote Taken	5:12 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

Bill 57 (2024) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF HOUSING AND HUMAN CONCERNS, AMERICAN RESCUE PLAN ACT, HOMEOWNER ASSISTANCE FUND"
5:12 p.m.: Referred to the Budget, Finance, and Economic Development Committee

Bill 58 (2024) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM, GRANTS AND DISBURSEMENTS FOR BUSINESS DEVELOPMENT AND TECHNOLOGY, KAHULUI, MAKAWAO-PĀ‘IA-HA‘IKŪ, PUKALANI-KULA-‘ULUPALAKUA, MOLOKAI, SOUTH MAUI, AND WEST MAUI ECONOMIC DEVELOPMENT, ENVIRONMENTAL, AND CULTURAL PROGRAMS"

	AYE	NO	EXC	Time Deliberations Began	5:12 p.m.
Pro Tem Kama			√	Time Motion Made	5:13 p.m.
VC Sugimura	√			Motion	WAIVE Rule 7G
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secorder	U‘u-Hodgins

CM Rawlins-Fernandez	√			Time Vote Taken	5:13 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci			√		
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama			√	Time Motion Made	5:14 p.m.
VC Sugimura	√			Motion	PASS on first reading
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	U‘u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	5:15 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

Bill 59 (2024) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF HOUSING AND HUMAN CONCERNS, FEDERAL DISASTER RELIEF GRANT FUNDS"

	AYE	NO	EXC	Time Deliberations Began	5:15 p.m.
Pro Tem Kama			√	Time Motion Made	5:15 p.m.
VC Sugimura	√			Motion	WAIVE Rule 7G
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	U‘u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	5:24 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama			√	Time Motion Made	5:24 p.m.
VC Sugimura	√			Motion	PASS on first reading
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	Johnson
CM Rawlins-Fernandez	√			Time Vote Taken	5:25 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

Bill 6, CD1 (2024) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE UNIVERSITY OF HAWAII, REGARDING THE HAWAII BROADBAND EQUITY, ACCESS, AND DEPLOYMENT (BEAD) PROGRAM INITIAL PLANNING FUNDS"

Bill 34, CD1 (2024) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART II, SPECIAL PURPOSE REVENUES - SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2024, AFFORDABLE HOUSING FUND, HALE PILINA"

Bill 35, CD1 (2024) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART II, SPECIAL PURPOSE REVENUES - SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2024, AFFORDABLE HOUSING FUND, AIKANAHA"

Bill 45 (2024) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF THE PROSECUTING ATTORNEY, OFFICE FOR VICTIMS OF CRIME"

	AYE	NO	EXC	Time Deliberations Began	5:25 p.m.
Pro Tem Kama			√	Time Motion Made	5:26 p.m.
VC Sugimura	√			Motion	PASS Bills 6 CD1, 34 CD1, 35 CD1, 45 on second

					and final reading
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	U'u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	5:27 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

Bill 46 (2024) "A BILL FOR AN ORDINANCE ESTABLISHING AN ASH DEBRIS TRANSPORTATION FUND"

	AYE	NO	EXC	Time Deliberations Began	5:27 p.m.
Pro Tem Kama			√	Time Motion Made	5:28 p.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	Paltin
CM Johnson	√			Secunder	Cook
CM Rawlins-Fernandez	√			Time Vote Taken	5:29 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

TIME MEETING ADJOURNED: 5:29 p.m.

TRANSCRIPTION

Council of the County of Maui on 2024-03-22 9:15 AM - Regular Meeting

JOINED YOU IN YOUR LOCATION. COUNCIL MEMBER PRO TEMPORE TASHA KAMA. >> ALOHA KAKAHIKA AND SABAIDEE. >> VICE-CHAIR SUGIMURA. >> COUNCIL MEMBER TAMARA PALTIN. >> ALOHA KAKAHIKA AND SABAIDEE KAKOU. >> COUNCIL MEMBER GABE JOHNSON.\r\n\r\n>> THERE'S NO TESTIFIERS AT THE LANAI DISTRICT OFFICE. THANK YOU. >> COUNCIL MEMBER KEANI RAWLINS-FERNANDEZ. >> ALOHA KAKAHIKA KAKOU AND THERE'S CURRENTLY NO TESTIFIERS AT THE MOLOKA'I DISTRICT OFFICE. >> COUNCIL MEMBER TOM COOK. >> GOOD MORNING AND SABAIDEE. >> COUNCIL MEMBER NOHELANI UU-HODGINS.\r\n\r\n>> GOOD MORNING EVERYONE. >> COUNCIL MEMBER SHANE SINENCI. >> SABAIDEE, CHAIR. I'M HERE WITH DISTRICT STAFF MEMBERS, DAWN, AND MS. MEDEIROS. >> I'M SURPRISED YOU ARE OLD ENOUGH TO REMEMBER THE BEATLES. >> COUNCIL CHAIR ALICE LEE.\r\n\r\n>> SABAIDEE. >> CHAIR, A QUORUM IS PRESENT TO CONDUCT THE BUSINESS OF THE COUNCIL, FOR THE RECORD, I'M DEPUTY COUNTY CLERK RICHELLE THOMSON AND ALSO PRESENT FROM THE OFFICE OF THE COUNTY CLERK IS THE COUNTY CLERK, MOANA LUTEY, AND LEGISLATIVE DIVISION STAFF, JOYCE MURASHIGE, LAUREN SALDANA, DELL YOSHIDA AND WE HAVE ARTHUR SEYAMA. FROM THE OFFICE OF THE COUNCIL SERVICES IS DIRECTOR DAVID RAATZ AND LEGISLATIVE ATTORNEY MEGAN MONIZ. CORPORATION COUNSEL VICTORIA TAKAYESU AND FIRST DEPUTY MIMI DESJARDINS. >> MEMBERS, OPENING REMARKS WILL BE PROVIDED BY PRO TEM TASHA KAMA. >> ALOHA KAKAHIKA CHAIR LEE AND FELLOW COUNCIL MEMBERS. I'M PLEASED TO GIVE MY OPENING REMARKS THIS MORNING AS WE ALL HAD THE HONOR OF BEING THE MAYOR'S GUESTS AT THE STATE OF COUNTY ADDRESS LAST WEEK.\r\n\r\nI WAS MOVED BY HIS GENUINE AND HEARTFELT EMOTION AS HE PAUSED SEVERAL TIMES REMARKING HOW DIFFICULT IT WAS TO DELIVER THOSE WORDS. WE'RE HEARTBROKEN. YES WE WILL RECOVER, YES . WE'LL DO IT TOGETHER, ALL OF US. THE PATH IS GOING TO BE LONG AND WIDE. IT WILL BE A ROAD WE TRAVEL ON TOGETHER, ONE STEP AT A TIME, HAND IN HAND, HANDS CLASPED IN PRAYER, WITH OPEN COMMUNICATION, AND POLICY DECISIONS THAT WOULD BE TRANSPARENT FOR THE BENEFIT OF ALL. I EMPHASIZE TOGETHER, MEANING THE COUNTY COUNCIL, THE ADMINISTRATION, AND OUR COMMUNITY, WILL NEED TO WORK TOGETHER TO GET THIS DONE. I ACKNOWLEDGE THAT URGENCY SOMETIMES REQUIRES THAT ACTION NEEDS TO COME BEFORE COMMUNICATION.\r\n\r\nI HOPE THAT ALL OF US WORK TOWARDS BETTER COMMUNICATION, PRIOR TO THOSE REQUESTS FOR ACTION. EVERY MEMBER OF THIS COUNCIL WORKS MUCH MORE THAN THE PART-TIME DESIGNATION OF WHICH OUR POSITIONS SUGGEST. WE HAVE ALL MOBILE PHONES AND WE ANSWER THEM WHEN THEY RING, WE ALL SHOP AT LOCAL GROSSERS AND RECEIVE EMAILS AND ACKNOWLEDGE RECEIPT OF THEM. A SIMPLE CONVERSATION WOULD WORK WONDERS THAT WE'RE NOT SUPPOSED BY REQUESTS FOR URGENT AGENCY. I COMMENTED MAYOR BISSEN FOR RECOGNIZING THE MANY WHO HELPED US SINCE THE WILDFIRES AND WHO HAVE STEPPED UP TO ASSIST OUR DISPLACED RESIDENTS AND HAVE OPENED THEIR WALLETS, HEARTS AND HOMES TO HELP. I HAVE HEARD NUMEROUS STORIES OF UNTOLD -- AND SO GRATEFUL FOR YOUR SPIRIT OF ALOHA THAT HAS RISEN FROM THE ASHES. I ALOHA HIM FOR MENTIONING THE IDEA OF RENT STABILIZATION TO ADDRESS THE IMPACTS OF THE RUNAWAY COSTS IN THE RENTAL HOUSING MARKET.\r\n\r\nBUT LET'S NOT FORGET, THE DEVIL IS IN THE DETAILS THAT WHENEVER GOVERNMENT USES ITS AUTHORITY TO INFLUENCE OR TRY TO CONTROL THE MARKETPLACE, THE ECONOMIC EQUIVALENTS OF NEWTON'S THIRD LAW OCCURS, FOR ACTION, THERE'S AN EQUAL AND OPPOSITE REACTION. WE AS COUNCIL SHOULD CONSIDER THE MAYOR'S PROPOSALS CAREFULLY, IF WE'RE TOO HARSH IN ADDRESSING RENTS THE MARKET MAY NOT SUPPLY MORE HOUSING, WHICH WE NEED. IF WE APPLY OUR HAND TOO WEAKLY, WE'LL NOT GET RELIEF IN THE RENTS FOR OUR RESIDENTS. IT IS AS OUR BELOVED QUEEN LILI'UOKALANI SAID IT'S THE WIDTH OF A BLADE OF PI'LANI GRASS. WE'RE IN THIS TOGETHER, ONE, ONE COUNTY, THE STRENGTH OF MANY, WORKING AS ONE WILL MAKE THIS EFFORT MANAGEABLE. WE WILL RECOVER, KAKOU, WE WILL HEAL OUR BROKEN HEARTS, WE WILL DO IT TOGETHER, ALL OF US. (HAWAIIAN LANGUAGE) THANK YOU.\r\n\r\n>> THANK YOU. VERY BEAUTIFUL. AND SO WE DON'T NEED TO DO THE PLEDGE OF ALLEGIANCE. MS. CLERK. >>

THANK YOU, MADAM CHAIR, MOVING ON TO SECTION D, TESTIMONY ON CEREMONIAL RESOLUTIONS. CURRENTLY THERE'S NO ONE SIGNED UP TO TESTIFY ON CEREMONIAL RESOLUTIONS.

IF ANYONE WISHES TO TESTIFY, PLEASE MAJOR LEAGUE YOUR WAY DOWN TO THE PODIUM OR RAISING YOUR HAND IN TEAMS. CHAIR, WE SEE NO ONE INDICATING THAT WE WISH TO TESTIFY ON THE CEREMONIAL RESOLUTIONS. WE'LL GO TO THE LANAI DISTRICT OFFICE.

>> THANK YOU, WE HAVE SOMEONE WHO WANTS TO TESTIFY. >> HI, ALOHA, I'M DIANE PREZA AND I WANTED TO CONGRATULATE DIESEL DEL ROSARIO ON HIS ACCOMPLISHMENTS, HIS WRESTLING STATE TITLE. SO I JUST WANTED TO SAY MAHALO TO ALL HIS COACHES, HIS TEAMMATES, AND HIS FAMILY, WHO WORKED SO HARD WITH HIM THROUGH THE YEARS AND SO JUST I CAN SAY THAT FROM THE COMMUNITY, WE'RE SO VERY PROUD OF HIM, AND I KNOW THAT WRESTLING WAS AN OPPORTUNITY FOR HIM TO HELP BUILD HIS CHARACTER, AND THAT IS SO IMPORTANT. AND I JUST WANTED TO SAY THAT SO HIS FATHER JESSE, HE WORKS SO HARD WITH DIESEL, AND JESSE IS VERY SHY AND HUMBLE.

HE DOESN'T WANT TO SAY ANYTHING, BUT I'M -- I KNOW JESSE BECAUSE I USED TO WORK WITH JESSE AND WHENEVER I NEEDED HELP, JESSE WOULD JUST AUTOMATIC. AND HE WOULD DO THINGS WITH A HAPPY HEART. SO JUST IN SUMMING IT UP, I WANT TO SAY CONGRATULATIONS AND WE LOOK FORWARD TO WHAT AS YOU PROGRESS THROUGH YOUR LIFE, DIESEL, AND THIS COMMUNITY LOVES YOU, WE SUPPORT YOU, AUTOMATIC. THANK YOU. >> THANK YOU. ARE THERE ANY MORE? ROXANNE?

>> I THINK THAT'S IT. >> WHAT DID SHE SAY? >> I SAID, I THINK IT'S IT. THANK YOU. >> OKAY. THANK YOU. ALOHA EVERYBODY OVER THERE.

HI. MS. CLERK, WHO NEXT? ONE. >> NEXT TESTIFIER ONLINE IS DOUG BOYER. >> GOOD MORNING, COUNCIL MEMBERS. MY NAME IS DOUG BOYER, I AM THE PRINCIPAL AT LANAI HIGH AND ELEMENTARY SCHOOL.

I JUST WANTED TO TAKE THIS TIME TO FIRST OF ALL, THANK YOU ALL, FOR THE RECOGNITION, FOR DIESEL, AND HIS ACCOMPLISHMENTS, AND THE FIRST -EVER STATE CHAMPIONSHIP THAT HE WAS ABLE AS HE HAS WORKED SO HARD BEING VERY LONG, BRINGING TO THE ISLAND OF LANAI AND JUST A HUGE ACCOMPLISHMENT THAT IS DONE ON THE ATHLETIC SIDE, BUT ALSO IN TERMS OF PROPELLING THE SCHOOL FORWARD AND BUILDING POSITIVE SCHOOL CULTURE AND ALL OF THE OTHER PARTS THAT DIESEL HAS BROUGHT TO THE ISLAND AND THE UNITY OF THE COMMUNITY FOR HIS ACCOMPLISHMENTS. SO IN SHORT, I JUST WANTED DO SAY THANK YOU -- A, DIESEL, IS THERE, THANK YOU, DIESEL, FOR ALL YOU HAVE DONE FOR THE SCHOOL. COUNCIL MEMBER JOHNSON, THANK YOU ALSO FOR PUTTING THIS TOGETHER AND ALL OF THE COUNCIL MEMBERS, THANK YOU FOR THIS RECOGNITION FOR THE ISLAND OF LANAI, THE COMMUNITY, AND ALSO THE SCHOOL. AND ALSO, MORE IMPORTANTLY, DIESEL ALSO. MAHALO. >> THANK YOU VERY MUCH. IS DIESEL GOING TO SAY SOMETHING LATER?

AFTER? THE RESO? OKAY. >> CHAIR, IT LOOKS LIKE J.C. LAU IS MAKING HIS WAY TO THE PODIUM AND CURRENTLY, MR. LAU IS THE LAST PERSON SIGNED UP TO TESTIFY ON CEREMONIAL RESOLUTIONS. GO AHEAD. >> CHAIR LEE, DIESEL DEL ROSARIO, MIKAH LABUANAN, AND SANILIO VEHIKITE.

>> ANYONE ELSE? >> CHAIR, WE DON'T SEE ANYBODY RAISING THEIR HANDS IN TEAMS TO TESTIFY OR MAKING THEIR WAY DOWN TOT PODIUM IN CHAMBERS. LAST CALL, COUNT DOWN, 3, 2, 1. CHAIR, THERE'S NO ONE TO TESTIFY ON THE CEREMONIAL RESOLUTIONS. >> ANY OBJECTIONS, MEMBERS, TO CLOSING PUBLIC TESTIMONY ON RESOLUTIONS, AND ACCEPTING WRITTEN TESTIMONY? >> NO OBJECTIONS. >> SO ORDERED. MS.

CLERK. >> CHAIR, GOING TO RESOLUTION 24-63, CONGRATULATING JAHLIA MIGUEL, NAI HASEGAWA OF H.P. BALDWIN HIGH SCHOOL, DIESEL DEL ROSARIO OF LANAI HIGH AND ELEMENTARY SCHOOL, MIKAH LABUANAN OF KAMEHAMEHA SCHOOLS MAUI AND SANALIO VEHIKITE OF LAHAINALUNA HIGH SCHOOL FOR WINNING STATE TITLES AT THE 2024 TEXACO/HAWAII HIGH SCHOOL ATHLETIC ASSOCIATION WRESTLING CHAMPIONSHIPS. >> MEMBER PALTIN. >> THANK YOU. I MOVE TO ADOPT RESOLUTION 24-63. >> SECOND. >> MOVED BY MEMBER PALTIN, SECONDED BY MEMBER UU-HODGINS TO ADOPT RESOLUTION 24-63. DISCUSSION, MEMBER PALTIN. >> THANK YOU, CHAIR.

I WOULD LIKE TO READ THE RESOLUTION IN ITS ENTIRETY. >> OF COURSE. >> THANK YOU. WHEREAS, JAHLIA MIGUEL AND NAI HASEGAWA OF H.P. BALDWIN HIGH SCHOOL, DIESEL DEL ROSARIO OF LANAI HIGH AND ELEMENTARY SCHOOL, MIKAH LABUANAN OF KAMEHAMEHA SCHOOLS MAUI AND SANALIO VEHIKITE OF LAHAINALUNA HIGH SCHOOL WON STATE TITLES IN THEIR RESPECTIVE WEIGHT CLASSES AT THE TEXACO/HHSAA WRESTLING STATE CHAMPIONSHIPS HELD FEBRUARY 23, AND 24, 2024 AT GEORGE Q. CANNON

ACTIVES CENTER, BRIGHAM YOUNG UNIVERSITY IN LA'IE, HAWAII ; AND WHEREAS, THIS OUTSTANDING GROUP OF STUDENT-ATHLETES REPRESENTED THE COUNTY OF MAUI AT THE STATE TOURNAMENT AFTER PARTICIPATING AT THE MAUI INTERSCHOLASTIC LEAGUE CHAMPIONSHIP ON FEBRUARY 10, 2024 AT LAHAINALUNA HIGH SCHOOL; AND WHEREAS, AFTER A HARD-WON VICTORY WITH A SCORE OF 3-2. MIL CHAMPION JAHLIA MIGUEL RECLAIMED THE STATE TITLE IN THE GIRLS 1245 WEIGHT CLASS, THAT SHE PREVIOUSLY WON IN 2022; AND WHEREAS, MIL CHAMPION MIKAH LABUANAN WON HIS THIRD CONSECUTIVE STATE CROWN WITH HIS VICTORY IN THE BOYS 144 WEIGHT CLASS, AND IS ONE OF THE ONLY FIVE 3-TIME BOYS STATE CHAMPIONSHIPS IN MIL HISTORY; AND WHEREAS, NAI HASEGAWA HAVING OVERCOME SEVERAL INJURIES FROM LAST SEASON, FINISHED AS THE WINNER OF THE BOYS 165 WEIGHT CLASS OUTSCORING HIS OPPONENT 8-2 IN THE CHAMPIONSHIP MATCH; AND WHEREAS, MIL CHAMPION DIESEL DEL ROSARIO OVERTOOK HIS OPPONENT IN THE BOYS 120 WEIGHT CLASS WITH A FINAL SCORE OF 4-3 AND IS THE FIRST STUDENT-ATHLETE TO WIN HHSAA STATE CHAMPIONSHIP IN ANY SPORT IN THE HISTORY OF LANA'I HIGH AND ELEMENTARY SCHOOL; AND WHEREAS, OUTSCORING HIS OPPONENT 11-4 IN THE BOYS 285-WEIGHT CLASS MIL CHAMPION SANALIO VEHIKITE IS THE FIRST STATE BOYS HEAVYWEIGHT CHAMPION FROM LAHAINALUNA HIGH SCHOOL; AND WHEREAS, WITH HIS SUPPORT AND GUIDANCE OF THEIR DEDICATED COACHES, MALAKAI PANUVE OF H.P. BALDWIN HIGH SCHOOL, JESSE DEL ROSARIO OF LANA'I HIGH AND ELEMENTARY SCHOOL, MICHAEL LABUANAN OF KAMEHAMEHA SCHOOLS MAUI AND ZANE MONTELEONE OF LAHAINALUNA HIGH SCHOOL . THESE CHAMPIONS HAVE ATTAINED GLORY AND EXCELLENCE IN THEIR SPORT THROUGH COMMITMENT AND HARD WORK; AND WHEREAS, THE EXCEPTIONAL PERFORMANCE OF THESE PHENOMENAL STUDENT-ATHLETES AND THEIR DISPLAYS OF DEDICATION AND SPIRIT HAVE BROUGHT GREAT PRIDE AND HONOR TO THEIR FAMILIES, SCHOOLS AND THE PEOPLE OF THE COUNTY OF MAUI, NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF MAUI: 1 THAT IT CONGRATULATES JAHLIA MIGUEL, AND NAI HASEGAWA OF H.P. BALDWIN HIGH SCHOOL, DIESEL DEL ROSARIO OF LANA'I HIGH AND ELEMENTARY SCHOOL, MIKAH LABUANAN OF KAMEHAMEHA SCHOOLS MAUI AND SANALIO VEHIKITE OF LAHAINALUNA HIGH SCHOOL FOR WINNING STATE TITLES AT THE 2024 TEXACO/HHSAA WRESTLING STATE CHAMPIONS AND THAT CERTIFIED COPIES OF THIS RESOLUTION BE TRANSMITTED TO JAHLIA MIGUEL; NAI HASEGAWA OF H.P. BALDWIN HIGH SCHOOL, DIESEL DEL ROSARIO OF LANA'I HIGH AND ELEMENTARY SCHOOL, MIKAH LABUANAN, KAMEHAMEHA SCHOOLS MAUI, SANALIO VEHIKITE OF LAHAINALUNA HIGH SCHOOL; MICHAEL LABUANAN, WRESTLING COACH KAMEHAMEHA SCHOOLS MAUI; ZANE MONTELEONE, WRESTLING COACH, LAHAINALUNA HIGH SCHOOL; KEONI WILHELM, PRINCIPAL H.P. BALDWIN HIGH SCHOOL; DR. DOUGLAS BOYER, PRINCIPAL LANA'I HIGH AND ELEMENTARY SCHOOL; LANCE CAGASAN, PO'O MAHELE LUNA; RICHARD CAROSSO, PRINCIPAL LAHAINALUNA HIGH SCHOOL; JOE BALANGITAO, JR. EXECUTIVE DIRECTOR, MAUI INTERSCHOLASTIC LEAGUE; CHRISTOPHER CHUN, EXECUTIVE DIRECTOR, HAWAII HIGH SCHOOL ATHLETIC ASSOCIATION; AND THE HONORABLE RICHARD T. BISSEN, JR., MAYOR, COUNTY OF MAUI. AND CHAIR, SINCE CHRIS JOINED MY OFFICE, WE HAVE BEEN DOING THE WRESTLING STATE CHAMPIONSHIPS AND YOU KNOW, WHEN WE FIRST STARTED THERE WERE A LOT OF LAHAINALUNA CHAMPIONSHIPS AND WE JUST INCLUDED A YOUNG FRESHMAN MIKAH LABUANAN, AND NOW IN HIS THIRD STATE CHAMPIONSHIP, WE'RE JUST WAITING FOR THE FULL CLEAN SWEEP.\r\n\r\nSO VERY PROUD TO HAVE MIKAH LABUANAN BACK, SUPER PROUD OF JAHLIA MIGUEL FOR RECLAIMING HER STATE TITLE AND NAI HASEGAWA AND MUST RESPECT TO DIESEL DEL ROSARIO FOR REPRESENTING LANA'I AS THE FIRST-EVER STATE CHAMPIONSHIP AND SANALIO VEHIKITE TO HAVE PUSHED THROUGH, YOU KNOW, WITH WHAT LAHAINA HAS BEEN THROUGH AND JUST BEING THAT BEACON OF LIGHT FOR YOUR TOWN, CONTINUING ON, JUST REALLY PROUD OF ALL OF THEM. THANK YOU. >> THANK YOU. ANY DISCUSSION? ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? NINE AYES, ZERO NOS, MOTION CARRIES.\r\n\r\nSHALL WE GO ON TO NEXT ONE OR JUST GIVE OUT THE RESOS NOW? MS. CLERK. >> CHAIR, BEFORE YOU IS RESOLUTION 24-64, CONGRATULATING DIESEL DEL ROSARIO OF LANA'I HIGH AND ELEMENTARY SCHOOL FOR WINNING A IS STATE TITLE AT THE 2024 TEXACO/HAWAII HIGH SCHOOL ATHLETIC ASSOCIATION STATE WRESTLING CHAMPIONSHIPS. >> CHAIR, I MOVE TO ADOPT RESOLUTION 24-64. >> SECOND. >> MOVED BY MEMBER JOANSON,

SECONDED BY MEMBER VICE-CHAIR SUGIMURA TO ADOPT RESOLUTION 24-64. DISCUSSION, MEMBER JOHNSON? >> THANK YOU, CHAIR.\r\n\r\nI WOULD LIKE TO READ THE RESOLUTION IN ITS ENTIRETY. >> YES. >> RESOLUTION 24-64 CONGRATULATING DIESEL DEL ROSARIO OF LANAI HIGH AND ELEMENTARY SCHOOL FOR WINNING A STATE TITLE AT THE 2024 TEXACO/HAWAII HIGH SCHOOL ATHLETIC ASSOCIATION WRESTLING CHAMPIONSHIPS. WHEREAS, DIESEL DEL ROSARIO OF LANAI HIGH AND ELEMENTARY SCHOOL WON THE STATE TITLE IN THE 120-POUND WEIGHT CLASS AT TEXACO/HHSAA STATE WRESTLING CHAMPIONSHIPS HELD FEBRUARY 23RD AND 24TH OF 2024 AT GEORGE Q. CANNON ACTIVITIES CENTER BRIGHAM YOUNG UNIVERSITY IN LA'IE, HAWAII; AND WHEREAS, IN CAPTURING AN HISTORIC WIN, DEL ROSARIO IS RECOGNIZED AS THE FIRST-EVER STATE CHAMPION FROM THE ISLAND OF LANAI AND FITTINGLY SEX OFFENDER A HERO'S WELCOME UPON ARRIVING BACK HOME; AND WHEREAS, AFTER COMPETING WHAT IS CONSIDERED THE TOUGHEST BRACKET OF THE 12:35 TEXACO/HHSAA STATE WRESTLING CHAMPIONSHIP, DEL ROSARIO WAS ABLE TO SUBDUCE A TWO-TIME DEFENDING STATE WRESTLING CHAMPION TO COME OUT ON TOP; AND WHEREAS, DEL ROSARIO, CLOSE VICTORY CAPPED OFF AN UNDEFEATED SEASON 23-0, HAS ALSO GARNERED NUMEROUS FIRST PLACE AND TOP FINISHES IN OTHER LEAGUES LIKE THE U.S. WESTERN STATE CHAMPIONSHIPS INCLUDING BEING A THREE-TIME MAUI INTERSCHOLASTIC LEAGUE CHAMPION; AND WHEREAS, DEL ROSARIO AND HIS FAMILY INCLUDING HIS FATHER AND COACH JESSE DEL ROSARIO OF LANAI HIGH AND ELEMENTARY SCHOOL HAVE WORKED DILIGENTLY SINCE HE BEGAN WRESTLING AT JUST 4 YEARS OLD WITH HIS DEDICATED PASSION FOR HIS SPORT EVIDENT BY THE NEARLY THREE HOURS A DAY HE SPENDS TRAINING EVEN DURING WEEKENDS AND OFF-SEASON; AND WHEREAS, DEL ROSARIO'S ACCOMPLISHMENTS ARE NOT LIMITED TO THE WRESTLING MAT, AS HE IS ALSO COMMITTED TO HIS ACADEMICS BY TAKING MULTIPLE COLLEGE-LEVEL COURSES WITH THE GOAL OF STUDYING KINESTHESIOLOGY; AND WHEREAS, DEL ROSARIO'S ACHIEVEMENTS ARE A SOURCE OF INSPIRATION FOR HIS PEERS AND THE TIGHT-KNIT COMMUNITY OF LANAI AND SERVE AS A REMINDER THAT REGARDLESS OF HIS POPULATION SIZE, COMMUNITIES AND YOUTH WITHIN OUR COUNTY HOLD TREMENDOUS TALENT AND POTENTIAL; AND WHEREAS, DEL ROSARIO'S HARD WORK DEDICATION AND OUTSTANDING PERFORMANCE HAVE BROUGHT PRIDE AND HONOR TO THE PEOPLE OF MAUI COUNTY NOW, THEREFORE, BE IT RESOLVE BY THE COUNCIL OF THE COUNTY OF MAUI THAT IT CONGRATULATES DIESEL DEL ROSARIO OF LANAI HIGH AND ELEMENTARY SCHOOL FOR WINNING A STATE TITLE AT THE 204 TEXACO/HHSAA WRESTLING CHAMPIONSHIPS AND CERTIFIED COPIES OF THIS RESOLUTION TO BE TRANSMITTED TO DIESEL DEL ROSARIO; JESSE DEL ROSARIO, WRESTLING COACH, LANAI HIGH AND ELEMENTARY SCHOOL; RODERICK SUMAGIT, ATHLETIC DIRECTOR LANAI HIGH AND ELEMENTARY SCHOOL; DR. DOUGLAS BOYER, PRINCIPAL, LANAI HIGH AND ELEMENTARY SCHOOL; REBECCA WINKIE, SUPERINTENDENT HANA-LAHAINALUNA-LANAI-MOLOKAI COMPLEX AREA; KAHELE DUKELOW, CHAIR, 'AHA KAULEO, HAWAII DEPARTMENT OF EDUCATION OFFICE OF HAWAIIAN EDUCATION; JOSEPH BALANGITAO, JR., EXECUTIVE DIRECTOR, MAUI INTERSCHOLASTIC LEAGUE; CHRISTOPHER CHUN, EXECUTIVE DIRECTOR HAWAII HIGH SCHOOL ATHLETIC ASSOCIATION; AND THE HONORABLE RIGID T. BISSEN, JR. MAYOR, COUNTY OF MAUI. YOU KNOW, I JUST WANT TO ADD THAT I WANT IT TAKE THIS MOMENT TO HONOR AND CONGRATULATE DIESEL, HIS FAMILY, HIS COACHES, HIS TEAMMATES AND SCHOOL MENTORS FOR THE EFFORTS TO BRING THIS VICTORY.\r\n\r\nDIESEL WON THIS THRILLING CHAMPIONSHIP AT THE LAST-MINUTE, BUT WE ALL THE KNOW THAT TAKES A VILLAGE AND MANY HOURS BEHIND-THE-SCENES TO BRING FORTH A CHAMPION. HIS VICTORY IS AN INSPIRATION TO NOT ONLY MY COMMUNITY, BUT TO OUR GREATER COUNTY. WE SHOULD ALWAYS REMEMBER AND YOUNG PEOPLE SHOULD NEVER FORGET THAT NO MATTER THE SIZE OF OUR SCHOOLS AND OUR COMMUNITIES, THERE'S TREMENDOUS TALENT AMONG US AND WITHIN US. IF WE NURTURE IT, IF WE COACH IT AND MODEL THE VALUES OF HARD WORK AND DEDICATION, OUR SMALL COMMUNITIES HAVE A CHANCE TO FIGHT WELL ABOVE OUR WEIGHT CLASS. I ASK FOR THE MOBS' FULL SUPPORT OF MY MOTION. >> THANK YOU. ANY MORE DISCUSSION?\r\n\r\nIF NOT, ALL THOSE IN FAVORITE MOTION, RAISE YOUR HAND SAY AYE, NINE AYES, ZERO NOS, MOTION CARRIES. CONGRATULATIONS TO EVERYONE. CAN WE CALL THE FELLOWS, THE ATHLETES DOWN TO THE PODIUM? AND ANY COACHES OR PARENTS THAT WANT TO COME DOWN. DON'T BE AFRAID, ALL YOU NEED TO DO WHEN YOU REACH THE PODIUM IS SING A NICE HAWAIIAN SONG. DON'T BE SHY,

JUST COME UP TO THE MICROPHONE AND SAY WHO YOU ARE. >> HI.\r\n\r\nHI EVERYONE. THANK YOU. MY NAME IS NAI, AND I JUST WANTED TO GIVE A BIG THANKS TO MY COACHES ESPECIALLY, AND MY PARENTS FOR ALWAYS BELIEVING IN ME. DURING THE SEASON I FELT LIKE GIVING UP BECAUSE OF THE ALL THE INJURIES AND PAIN AND ALL OF THAT, AND THEY TOLD ME, I WOULD OVERCOME IT AND JUST BELIEVE IN MYSELF AND DURING THE FINALS AT STATE, I FELT THE MANA AND EVERYBODY 'S ENERGY AND GOT IT DONE LIKE EVERYBODY THOUGHT I WOULD. THANK YOU. >> I'M VERY PROUD OF MY SON AND JUST TO LET EVERYBODY KNOW HIS NAME IS NAI. THEY CAN DECIPHER BETWEEN US.\r\n\r\nIT'S A TOUGH SPORT AND WHOEVER PARTICIPATES IN THIS SPORT IS VERY, VERY DRIVEN. SO THANK YOU VERY MUCH. >> THANK YOU >> THANK YOU. >> I KNOW THIS BUY. THIS GUY WAS MY TRAINER, WHO GAVE UP ON ME. NEXT. >> ALOHA.\r\n\r\nHEAD WRESTLING COACH. MAHALO, TAMARA, FOR INCLUDING US THIS PAST THREE YEARS. I FEEL LIKE WE'RE OLD FRIENDS. JUST THANK YOU FOR ACKNOWLEDGING ALL OF THE WRESTLERS, IT'S TRULY HARD. TO ACTUALLY BE A PLACER, LET ALONE BEING A CHAMP, IT'S REALLY HARD. WE JUST FINISHED WRESTLING PRACTICE THIS MORNING BEFORE WE GOT HERE. SPRING BREAK.\r\n\r\nSO WE DON'T HAVE THE REST OF SCHOOL AFTER THIS. THE KIDS REALLY -- THE KIDS REALLY DO WORK HARD AND EXTRA SPECIAL, BECAUSE WE KNOW ALL THESE GUYS A LITTLE BIT MORE. THE PAST YEAR, EVERYBODY IS OLDER. WE KNEW THEM, BUT WE ACTUALLY TRAVELED WITH EVERYONE HERE. WE TRAINED WITH THEM, WE PRACTICED WITH THEM. WE SUPPORT EACH OTHER. THE COMMUNITY IS VERY STRONG.\r\n\r\nIT'S SMALL, TIGHT-KNIT, BUT IT'S REALLY SUPPORTIVE OF EACH OTHER. WITH THAT BEING SAID, THERE'S THREE OF US, THREE OF THEM ARE GRADUATING THIS YEAR, AND WE'RE HOPING TO HAVE THE TWO JUNIORS BACK NEXT YEAR. ONE FOR THE THIRD, ONE FOR THE FOURTH, AND I'M SURE WITH THE PIPELINE THAT WE HAVE, WE'LL HAVE MORE NEXT YEAR. SURE HOPEFULLY ONE FROM EVERY SCHOOL WOULD BE NICE. AGAIN, THANK YOU. >> THANK YOU, MIKE. >> ALOHA KAKAHIKA.\r\n\r\nMIKAH LABUANAN. MAHALO FOR RECOGNIZING ALL OF US ON THIS BIG ACCOMPLISHMENT THE. THIS SEASON HAS BEEN VERY DIFFERENT FROM THE PAST WITH YEARS, WITH OUR PAST TEAM CAPTAINS, AND GRADUATING, I HAVE BEEN ONE OF THE OLDEST IN THE ROOM TO STEP UP AND BE A LEADER. AT TIMES IT WAS A STRUGGLE AND FELT LONELY WITHOUT MY BOYS AND I FEEL I GREW A LOT THIS SEASON. MAHALO TO MY FRIENDS AND FAMILY, WHO SUPPORT ME AND FOR THE GUIDANCE AND BLESSINGS. I HOPE TO SEE YOU NEXT YEAR. THANK YOU.\r\n\r\n>> THANK YOU. >> HELLO. ANY NAME IS SANALIO VEHIKITE, LAHAINALUNA AND JUST LIKE TO SAY THANK YOU. FIRST AND FOREMOST, THANK YOU. THANK YOU, TAMARA, FOR HAVING US HERE, AND THANK TO MY COACHES AND FAMILY FOR SUPPORTING, AND IT WAS HARD THIS YEAR BECAUSE OF THE FIRE, AND JUST HAD TO PERSEVERE, AND REBUILD. THANK YOU. >> CHRISTIAN.\r\n\r\nI WORK FOR COUNCIL MEMBER TAMARA PALTIN. I AM SUPPOSED TO SAY I'M ON MY OWN TIME RIGHT NOW. I AM ONE OF THE ASSISTANT COACHES FOR LAHAINALUNA AND THE HEAD COACH COULDN'T MAKE IT AND FILLING IN. SO TO CONGRATULATE ALL THE CHAMPS AND DIESEL. I HAD TO COACH AGAINST NAI THE LAST TWO SEASONS, BUT YOU KNOW, AT THE STATE TOURNAMENT, IT'S NOT ONE OF OUR KIDS IN THE FINALS WE ALWAYS CHEER ON THE MAUI GUYS. CONGRATULATIONS, AND HOPEFULLY WE'LL GET THE FOURTH TO INSPIRE THE YOUNG KIDS TO LET THEM KNOW IT IS POSSIBLE AND IT'S DONE. MAUI DOESN'T HAVE ONE YET, AT LEAST FOR THE BOYS' SIDE AND LAHAINALUNA WITH THE GIRLS WITH FOUR.\r\n\r\n>> ALL RIGHT. >> WATCHING YOU WIN THAT FRESHMAN TITLE, WATCHING YOU FELL SHORT LAST YEAR, BUT GOOD TO SEE YOU BACK THERE FOR THE TWO-TIME HOPEFULLY GET THAT THIRD. SANALIO, IS OUR SENIOR AND BIG GUY, ONE THE LEADERS IN THE ROOM, ONE OF THE HARDEST WORKERS IN THE ROOM. HE IS A FIRE VICTIM, BUT YOU COULD NEVER TELL BY HIS SPIRIT. HE IS UNBREAKABLE. HE IS A MAN. ONCE HE STARTED WRESTLING, THERE WAS NO DOUBT IN ANYBODY'S MIND HE WOULD WIN THAT MATCH.\r\n\r\nAGAIN, THANK YOU, COUNCIL MEMBERS. THANK YOU, TAMARA. HOPEFULLY, WE'LL BE BACK NEXT YEAR. THANKS. >> THANK YOU, CHRISTIAN. >> ALOHA, I'M JAHLIA MIGUEL, AND SPECIAL SHOUT-OUT TO MY FAMILY, TEAMMATES AND COACHES, IT WASN'T EASY STARTING OFF ROUGH. I WOULD LIKE TO -- I WOULD LIKE TO THANK EVERYONE THAT CAME OUT HERE TODAY, AND RECOGNIZED ALL OF US.\r\n\r\nAND I WOULD LIKE TO THANK MY SISTER, JENELLE, WHO ALWAYS SUPPORTS ME EVERY DAY OF MY LIFE, EVEN ON AND OFF THE MAT, AND MY MOM, WHO CONTINUES TO SUPPORT ME, NO MATTER WHAT. I LOVE EVERYONE WHO SUPPORTS ME, AND AT

THE END OF THE DAY, I DO IT FOR MY UNCLE WHO PASSED AWAY AT THE BEGINNING OF THE SEASON. THANK YOU. >> ALOHA EVERYONE. I'M JENA MIGUEL REPRESENTING BALDWIN'S COACHES. I'M ONE OF THE GIRLS COACHES, BUT I JUST WANT TO SAY I'M SUPER PROUD OF JAHLIA, AND NAI FOR BRINGING HOME THE STATE CHAMPIONSHIP. AND ALONG WITH ALL OF MY OTHER WRESTLERS THAT I HAVE BEEN COACHING THROUGHOUT THE YEARS.\r\n\r\nWHAT JAHLIA SAID, WE DID LOSE OUR UNCLE. BROUGHT HIM WITH US. SO IT'S BEEN A CHALLENGING SEASON, JUST TRYING TO CONTINUE TO BE STRONG, AND KEEP ON JUST BEING PRESENT AT THE TOURNAMENTS. SO THIS WIN WAS EXTRA SPECIAL FOR HIM. SO I'M VERY PROUD OF ALL OUR WRESTLERS AND EVERYONE WHO COMPETED AND HOPEFULLY NEXT YEAR, SHE WILL GET THAT STATE CHAMPIONSHIP TITLE. PROUD OF YOU GUYS. THANK YOU FOR HAVING US.\r\n\r\n>> THANK YOU. PLEASE DON'T GO AWAY, BECAUSE WE WOULD LIKE TO GIVE YOU SOME LEIS AND THE RESOLUTION. >> CHAIR, THE LANA'I DISTRICT OFFICE HAS RAISED THEIR HAND. >> OH, OKAY. I'M SORRY. >> HI EVERYBODY. I'M DIESEL DEL ROSARIO.\r\n\r\nI JUST LIKE TO THANK ALL MY FRIENDS, FAMILY AND COACHES FOR SUPPORTING ME ALONG THE WAY, ESPECIALLY MY COMMUNITY, TOO, FOR HELPING ME OUT WITH EVERYTHING. I WOULD LIKE TO THANK MY COACHES ESPECIALLY, MY DAD JESSE DEL ROSARIO AND JAKE, AND ALSO MY TEAMMATES. AND COACH MIKE, AND MIKAH. THAT IS ALL I WANTED TO SAY. THANK YOU EVERYBODY. >> THANK YOU >> THANK YOU. [APPLAUSE] . >> TAMARA.\r\n\r\nMEMBER JOHNSON? >> WE HAVE LEIS FOR THE ATHLETES, AND IF YOU WANT TO TAKE GROUP PHOTOS OR PHOTOS WITH YOUR FAMILIES? MS. CLERK. >> THANK YOU, MADAM CHAIR. SO MOVING ON TO ITEM F, NO ACTION. SO MOVING FORWARD TO G, PRESENTATION OF WRITTEN OR ORAL TESTIMONY.\r\n\r\nAT THIS TIME, INDIVIDUALS MAY TESTIFY ON ANY ITEM ON THE MEETING AGENDA. TO BE ADDED TO THE TESTIFIER LOG ONLINE, RAISE YOUR HAND IN TEAMS. ONCE YOU HAVE BEEN ADDED TO THE TESTIFIER LOG, STAFF WILL LOWER YOUR HAND. IF YOU ARE CALLING IN BY PHONE, FOLLOW THE PHONE PROMPTS AND TESTIFIERS ARE LISTED IN THE ORDER OF SIGN YIP ORUP AND CLICK ON THE TESTIFIER LOG IN THE CHAT. WHEN YOUR NAME IS CALLED TO TESTIFY, PLEASE IDENTIFY THE ITEM NUMBER THAT YOU ARE TESTIFYING ON. IF YOU WISH TO TESTIFY LATER AT THE TIME THE ITEM IS CALLED, PLEASE NOTIFY US WHEN YOUR NAME IS CALLED AND WE'LL MOVE YOUR NAME TO THAT SECTION. CHAIR, THE FIRST PERSON TO TESTIFY IS DEBORAH MOORE, TESTIFYING ON RESOLUTION 24-27 FOLLOWED BY FOSTER AMPONG.\r\n\r\n>> ALOHA FOR THE RECORD, I'M DEBORAH MOORE AND APPLYING FOR POSITION ON THE COST OF GOVERNMENT COMMISSION. THANKS FOR THE OPPORTUNITY TO BE HERE TODAY. I BELIEVE IN PUBLIC SERVICE, AND I REALLY ENJOY PUBLIC POLICY. THAT IS WHY I'M APPLYING. LIVE IN THE KA'ANAPALI AREA AND MY HUSBAND AND I LIVED HERE FULL-TIME FOR ABOUT TWO-AND-A-HALF YEARS. I HAVE SERVED ON BOARDS AND COMMISSIONS FOR 15 YEARS AS AN ELECTED MEMBER AND I BELIEVE IN PUBLIC SERVICE. AND I REALLY ENJOY TRYING TO MAKE A DIFFERENCE IN THE COMMUNITY WHERE I LIVE.\r\n\r\nAND NOT GOING TO GO THROUGH ALL MY BOARDS AND COMMISSIONS. YOU HAVE PROBABLY HAVE MY RESUME. I APPRECIATE YOUR CONSIDERATION OF ME TODAY. IF YOU HAVE ANY QUESTIONS, I WOULD BE HAPPY TO ANSWER QUESTIONS. I PLAN ON ATTENDING ALL OF THE MEETINGS AND I HAVE BEEN READING SOME OF THE REPORTS, ANNUAL REPORTS, AND THE DOCUMENTS FROM THE COMMISSION. THANK YOU. >> THANK YOU, MEMBERS QUESTIONS MEMBER PALLIN.\r\n\r\n>> THANK YOU, CHAIR. THANK YOU, MS. MOORE FOR YOUR WILLINGNESS TO SERVE AND I REALLY APPRECIATE YOU COMING OUT TODAY, BECAUSE WE WEREN'T ABLE TO SPEAK WITH YOU PREVIOUSLY. MY MAIN QUESTION IS FROM WHAT WE'RE LOOKING AT THIS BOARD WILL BE WEIGHTED A LITTLE BIT HEAVIER IN THE MALE GENDER. SO HOW CONFIDENT ARE YOU ON STICKING UP FOR THE FOR FEMALE GENDER? I THINK YOU MAY BE ONE OF TWO ON THE COMMISSION. THAT IS A LOT ON YOUR SHOULDERS TO REPRESENT OUR GENDER.\r\n\r\n>> THANK YOU FOR THAT QUESTION. I HAVE PRETTY BROAD SHOULDERS. I'M VERY CONFIDENT. I HAVE BELIEVE GOOD PUBLIC SPEAKING SKILLS. I BELIEVE IN COMMUNICATING, AND RESOLUTION CONFLICT RESOLUTION. SO I THINK I CAN HOLD MY OWN. THANK YOU FOR THAT QUESTION THOUGH.\r\n\r\n>> THANK YOU. THANK YOU, CHAIR. >> ANY MORE QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH. MS. CLERK. >> THANK YOU, MADAM CHAIR.\r\n\r\nTHE NEXT TESTIFIER IS FOSTER AMPONG, TESTIFYING ON RESOLUTIONS TO BE FOLLOWED BY STEVEN KEALOHA. >> GOOD MORNING COUNCIL MEMBERS, I'M TESTIFYING ON RESOLUTION 24-35 FD 1, AND 24-36, FD 1. I'M IN

SUPPORT OF THE NOMINEE FOR CULTURAL RESOURCE COMMISSION, RODRIGUES. NOT ONLY MY FEELINGS, BUT IT'S MY EXPERIENCE THATS MR. RODRIGUES HAS DEMONSTRATED OVER THE YEARS TO BE FAIR AND FIRM, AND HE HAS A -- HE HAS THE CREDENTIALS. HE HAS THE EXPERIENCE BOTH CULTURALLY, AS WELL AS WITH THE BUREAUCRACY, AND WITH THE COMMUNITY. AND I STRONGLY URGE THAT THE COUNCIL MEMBERS PLEASE APPOINT HIM TO THE CULTURAL RESOURCE COMMISSION, ESPECIALLY IN LIGHT OF WHAT MAUI IS GOING THROUGH WITH THE RECOVERY PROCESS FOR LAHAINA. AND FOR RESOLUTION 24-36, FD 1. MY SUPPORT IS BEHIND MR. GARY PASSAN. I BELIEVE HE ALSO HAS THE EXPERIENCE BOTH TECHNICALLY, AS WELL AS GREAT COMMUNICATION SKILLS, AND ALSO PROBLEM-SOLVING SKILLS. AND AGAIN, YOU KNOW, IN LIGHT OF WHAT WE'RE -- THE CHALLENGES THAT WE FACE NOW IN THE RECOVERY, AND REBUILDING OF OUR COMMUNITY, I THINK HE ALSO WOULD BE A GREAT BENEFIT TO OUR COMMUNITY. THANK YOU. >> MEMBERS, ANY QUESTIONS FOR FOSTER? IF NOT, THANK YOU SO MUCH. >> CHAIR, THE NEXT TESTIFIER IS STEVEN KEALOHA, FOLLOWED BY JORDAN HOCKER. ALOHA. ASK FOR YOUR FAVORABLE CONSIDERATION. THIS WILL BE APPRECIATED. CHAIR LEE AND MEMBERS OF THE COUNTY COUNCIL. TODAY I'M GOING TO BE TESTIFYING AS AN INDIVIDUAL ON BEHALF OF BILL 34 REGARDING HALE PILINA AFFORDABLE RENTAL PROJECT. I SAY INDIVIDUAL, BECAUSE I WANT TO SHARE SOME THINGS ABOUT MY EXPERIENCES HERE IN MY COMMUNITY. IN WHICH I HAVE PARTICIPATED IN AND SEEN MY THINGS THAT OCCUR WITH OUR FAMILIES ON MAUI. I HAVE BEEN INVOLVED WITH THE MAUI UNITED WAY, AND I HAVE BEEN INVOLVED WITH THE ALOHA HOUSE, AND MALAMA FAMILY RECOVERY CENTER. I HAVE BEEN INVOLVED WITH THE CATHOLIC CHARITIES AS YOU KNOW FROM BEFORE. IN ALL OF MY EXPERIENCES AS WORKING AS A VOLUNTEER, I CAME ACROSS SO MANY FAMILIES, WHO WERE SUFFERING THE ILLS OF NOT BEING ABLE TO FIND DECENT HOUSING AND COULDN'T AFFORD ANYTHING MORE THAN AFFORDABLE HOUSING. SO IT WAS A REAL DILEMMA FOR A LOT OF THESE FAMILIES. I WANT TO TELL YOU ESPECIALLY ABOUT ONE PARTICULAR FAMILY THAT I HAPPEN TO KNOW VERY WELL. IT CAME UPON WHEN I WAS WITH THE CATHOLIC CHARITIES, I ASKED TO SEE IF I COULD LINK UP WITH A FAMILY, WHO HAD A LOT OF CHILDREN AND NEEDED SOME KIND OF HELP. AND SO I WAS DIRECTED TO A FAMILY, AND I HAVE A PICTURE OF THEM HERE. I KNOW YOU CAN'T SEE IT VERY WELL. THIS IS THE FAMILY I'M TALKING ABOUT. JOHN, WHO IS 16 YEARS OLD. ULANI, AND THE BABY IS JUDAH. FIVE YEARS AGO, I MET THEM, AND MY WIFE AND I TALKED TO THEM ABOUT SEEING IF WE COULD DO SOMETHING TO HELP THEM. SO WE EVENTUALLY FOUND OUT A LOT ABOUT THEM AND IT HAPPENED THAT THEY WERE LIVING WITH THEIR GRANDMOTHER, WHO WAS TAKING CARE OF THEM, BECAUSE THE MOTHER AND THE FATHER COULD NOT TAKE CARE OF THEM, DUE TO ADDICTION OF DRUGS AND SO FORTH. AND EVENTUALLY, YOU KNOW, THEY NEEDED TO FIND SOME KIND OF DECENT SETTLING OF THE FAMILY, AND SO THE GRANDMOTHER TOOK SECURED TRAINING THROUGH CATHOLIC CHARITIES AND BECAME A FOSTER PARENT OF HER THREE GRANDCHILDREN. LATER ON, THEY WERE ADOPTED BY HER, AND THE BOY, JOHN, WROTE TO THE JUDGE, AND SAID, THAT HE WANTED TO MAKE SURE THAT THE JUDGE WOULD KEEP THE THREE CHILDREN TOGETHER, AND NOT SEPARATE THEM OUT. AND EVENTUALLY, AFTER THREE YEARS, THEY WERE ADOPTED BY THE GRANDMOTHER. SO THEY LIVE TOGETHER NOW. >> THREE MINUTES. >> IT WAS REALLY WONDERFUL TO KNOW HOW MUCH THEY APPRECIATED ALL OF THE HELP THEY COULD GET. SO WHAT I'M SAYING TO YOU IS THAT THERE ARE MANY FAMILIES OUT THERE, WHO ARE LIKE THEM, AND A LOT OF THEM DO NEED TO FIND AFFORDABLE HOUSING. AND IF WE CAN HELP THEM THROUGH HALE PI'LANI PROJECT WOULD BE REALLY GREAT. THANK YOU FOR LETTING ME EXPRESS MY PERSONAL FEELINGS ABOUT THIS ISSUE. THANK YOU. >> THANK YOU, STEVEN. ANY COMMENTS OR QUESTIONS . IF NOT, THANK YOU VERY MUCH. >> THANK YOU. >> CHAIR, THE NEXT TESTIFIER IS JORDAN HOCKER, AND PLEASE, MS. HOCKER, WHEN YOU BEGIN YOUR TESTIMONY, PLEASE LET US KNOW WHAT YOU ARE TESTIFYING ON, FOLLOWED BY THELMA AKITA KEALOHA. YOU ARE UNMUTED ON YOUR SIDE. CAN YOU CHECK YOUR SIDE? YOU'RE UNMUTED ON OUR SIDE. WE'LL COME BACK TO YOU. LET'S TAKE A TESTIFIER AHEAD OF YOU AND COME BACK TO YOU. THELMA AKITA KEALOHA. >> ALOHA, AND GOOD MORNING, AND THANK YOU FOR LETTING ME BE HERE TODAY, CHAIR LEE AND MEMBERS OF THE COUNTY COUNCIL. I HAVE BEEN HERE KIND OF FREQUENTLY THIS YEAR, AND YOU KNOW, FOR GOOD

REASON, FOR GOOD REASON. I WANTED TO THANK YOU FOR YOUR PAST SUPPORT -- I'M THELMA AKITA KEALOHA, DIRECTOR OF CATHOLIC CHARITIES, TESTIFYING FOR BILL 34, HALE PILINA. SO WANT TO THANK YOU FOR ALL YOUR SUPPORT FOR THE FUNDING OF HALE PILINA AND FOR YOUR SUPPORT FOR THIS FINAL READING ON THE FUNDING. WE HAVE WORKED REALLY HARD ON GETTING HOUSING FOR MAUI AND WE HAVE WORKED HARD ON THIS PROJECT. WE'RE REALLY PROUD OF THIS PROJECT, IT'S 178 UNITS, AS YOU KNOW. IT'S GOT GREAT IMPROVEMENTS FROM THE LAST TIME WE BROUGHT IT FOR YOU FOLKS AND WE'RE GOING TO DO OUR DARNDDEST TO HELP THE SURVIVORS FROM THE WEST MAUI FIRES TO GET INTO THIS HOUSING. IT IS A SHOVEL-READY PROJECT.

AND WE WANT TO BE PART OF THE HOUSING CRISIS, AND YOU GUYS ALL KNOW THAT WE HAVE CREATED A SECONDARY HOUSING CRISIS BECAUSE LANDLORDS ARE NOT RENEWING LEASES. WE HAD SAD TO SAY, ONE OF OUR CASE MANAGERS WAS WORKING WITH A FAMILY, AND THAT FAMILY WAS OFFERED HOUSING WITH THIS PARTICULAR LANDLORD. AND SHE TOLD THE CASE MANAGER THAT SHE WANTED TO WORK WITH FEMA AND WAS WILLING TO TERMINATE THE PEOPLE IN HER UNIT, BECAUSE SHE SAID, I WANT TO HELP SURVIVORS OF THE FIRE. WE ALL KNOW, YES, WE WANT TO HELP THE SURVIVORS, BUT THAT PROBABLY WASN'T HER PRIMARY REASON. SO YOU KNOW, SHE WAS TURNED INTO THE ATTORNEY GENERAL, BUT ALL I'M SAYING WE ALL WANT TO HELP THE SURVIVORS. WE WANT THEM TO GET INTO HOUSING, AND HALE PILINA CAN HELP WITH THAT AS WELL. THANK YOU FOR ALLOWING ME TO COME FORWARD AND SPEAK TO YOU TODAY.

I REALLY APPRECIATE ALL YOU DO AND ASK FOR YOUR SUPPORT. THANK YOU. >> QUESTIONS, MEMBER PALTIN. >> THANK YOU, CHAIR. I JUST WANTED TO CLARIFY, WHEN YOU SAID ABOUT HELPING THE SURVIVORS, IS THERE A NEW WAY THAT YOU ARE ABLE TO PRIORITIZE THEM THAT HASN'T BEEN DONE BEFORE? >> BECAUSE I'M NOT SURE I SHOULD LET KANI GET INTO THAT? KANI IS ALSO HERE AND WE DID SOME FOLLOW-UP TO WHAT I SAID WE WERE GOING TO DO WITH EA H TO FIND OUT IF WE CAN HELP THE SURVIVORS.

SO SHE DID GET SOME INFORMATION. AND I BELIEVE SHE GAVE AN UPDATE TO COUNCIL MEMBER SUGIMURA AS WELL. DID YOU GET THAT? FROM KANI? OKAY. WELL KANI IS HERE. SHE CAN ANSWER TO THAT, BECAUSE YOU KNOW, I GOT THE LETTER OF THAT AND I THOUGHT SHE SENT TO YOUR OFFICE.

>> WHAT WAS THE ANSWER IN THE LETTER? >> I CAN'T RECALL THE WHOLE THING, BUT SHE SAID BECAUSE OF THIS DISASTER, WE ARE ABLE TO PRIORITIZE SURVIVORS ON THE WAIT-LIST. >> JUST TO CLARIFY, DO YOU KNOW IF THAT IS A BROAD ONLY FOR HALE PILINA. >> PU'ULANI HAS BEEN TAKING SURVIVORS. THEY HAVE SEVERAL PEOPLE THERE RIGHT NOW. >> SO WHATEVER IT IS THAT YOU GUYS FOUND OTHER PEOPLE CAN UTILIZE THAT SAME METHOD? >> AGAIN, YOU NEED TO CHECK WITH HER, BECAUSE I TOLD HER THAT I NEEDED TO FOLLOW-UP WITH THEM.

SHE WAS GOOD ENOUGH TO CHECK WITH EAH AND SHE IS SAYING BECAUSE OF THE DISASTER THAT THEY ARE ABLE TO DO THAT AND THAT IS US CHECKING INTO IT. SO WE'RE NOT SPEAKING FOR THE OTHER PROPERTIES, AND THEN ALSO, WHAT SHE SPOKE ON THE LAST TIME ABOUT THE LEASE AGREEMENTS AND THINGS. I THINK THE ONLY PURCHASE BAC WE'RE GOING TO IT'S LONG-TERM RENTALS THAT WE CANNOT ACCEPT ANYTHING LESS THAN SIX MONTHS. SO THEY HAVE TO BE THERE SIX MONTHS AND THEN THEY CAN MOVE, OTHERWISE IT WOULDN'T BE LONG-TERM. >> THANK YOU. THANK YOU, CHAIR ANY OTHER QUESTIONS? IF NOT, THANK YOU VERY MUCH.

NEXT TESTIFIER. >> THANK YOU, CHAIR. WE'LL RETURN TO JORDAN HOCKER. MS. HOCKER, PLEASE GO AHEAD AND UNMUTE ON YOUR END . >> ALOHA COUNCIL, CAN YOU HEAR ME? >> YES, WE CAN. >> GOOD MORNING, CHAIR LEE, I'M SO SORRY, CHAIR LEE AND VICE-CHAIR SUGIMURA.

TODAY I'M TESTIFYING ON RESOLUTION 24-23, FD 16789 I WOULD LIKE TO GIVE MY TEMIN SUPPORT OF ROBIN KNOX TO THE BOARD OF WATER SUPPLY. A LITTLE CON FETCH WHY THAT IS, I'M CURRENTLY PURSUING A BACHELOR AT HC, ONE THE FOUR-YEAR DEGREES YOU CAN GET ON MAUI WITHOUT HAVE BEEN TO LEAVE AND CURRENTLY TAKING MY INTERNSHIP PORTION REQUIRED 225 HOURS OF APPLIED INTERNSHIP, WHERE I GET TO NOT ONLY WORK, BUT ALSO BE SELF-LED IN SOME OF THE PROJECTS AND CONSIDERATIONS THAT I GET TO WORK ON. THE PERSON OVERSEEING MY INTERNSHIP IS ROBIN KNOX, SAVE THE WETLANDS HUI AND THROUGH MY WORK WITH HER, I DON'T THINK ANYONE CAN ARGUE THAT WE HAVE WATER ISSUES YEAH? I LIVE MAUKA IN THE AREA TOWARDS THE OCEAN IS THE AREA THAT FLOODS. ESSENTIALLY, THE GULCH BECOMES PU'ULANI GULCH THAT HAS A LOT INLETS OF WATER WITH THE LARGE STORMS THE WATER THAT IS FLOODING SOUTH

KIHEI ROAD IS DEFINITELY COMING FROM WHERE I AP. THE THING THAT I BELIEVE MAKES ROBIN KNOX QUALIFIED OTHER THAN HER OTHER QUALIFICATIONS, WHICH I'M SURE YOU FOLKS HAVE SEEN, IN TERMS OF HER YEARS OF EXPERIENCE, BUT SHE IS REALLY THINKING ABOUT WATER AND WATER MANAGEMENT IN A WAY THAT IS NEEDS TO TAKE US FORWARD INTO THE FUTURE. AND SO I WANT TO SUPPORT HER ON THE BOARD OF WATER SUPPLY, NOT ONLY AS A SCIENTIST, WHO IS NOT SWAYED BY ANYTHING OTHER THAN THE DATA, AND THE FACTS.\r\n\r\nI THINK THAT SHE WILL BE A GREAT ASSET ON THE BOARD OF WATER SUPPLY, AND THIS IS MY TESTIMONY TO SHOW MY SUPPORT. >> THANK YOU VERY MUCH. ANY QUESTIONS FOR MS. HOCKER? MEMBER RAWLINS-FERNANDEZ? >> MAHALO, CHAIR. I JUST WANTED TO WISH JORDAN A HAPPY BIRTHDAY.\r\n\r\nMAHALO FOR YOUR TESTIMONY AND FOR TESTIFYING ON YOUR BIRTHDAY. MAHALO, CHAIR. >> THANK YOU. >> ANYBODY ELSE? IF NOT, HAPPY BIRTHDAY AND THANK YOU FOR JOINING US. >> CHAIR THE NEXT TESTIFIER IS MASON WILLIAMS TESTIFYING ON BILL 34, FOLLOWED BY MIKE MORAN. >> ALOHA, AND GOOD MORNING, CHAIR LEE.\r\n\r\n>> GOOD MORNING. >> COUNCIL MEMBERS. I'M MASON WILLIAMS A MEMBER OF CATHOLIC CHARITIES LEADERSHIP COUNCIL ON MAUI. TWO WEEKS AGO I TESTIFIED ON THIS PROJECT TO THE BUDGET AND FINANCE COMMITTEE. I WAS PLEASED TO HEAR A WEEK AGO AT YOUR MEETING THAT YOU ALL UNANIMOUSLY AGREED, AND SUPPORTED THIS IMPORTANT PROJECT. AND I'M HERE TODAY TO ASK FOR THAT SUPPORT AGAIN AS THE FINAL VOTE IS TODAY. AS YOU KNOW, CATHOLIC CHARITIES HAS A PROVEN TRACK RECORD OF PROVIDING PUBLIC WORKS AND KAHULUI IS A GREAT EXAMPLE AND THELMA JUST TALKED ABOUT IT.\r\n\r\nWE HAVE A GOOD BACKGROUND IN DEVELOPING, BUILDING, AND MANAGING AFFORDABLE HOUSING. AND HALE PILINA IS SHOVEL-READY AND READY TO START THIS YEAR, TO GIVE 178 YOUNG FAMILIES ON MAUI NEW HOUSING. I KNOW YOU WILL MAKE THEM VERY HAPPY. SO MAHALO FOR MAKING A DIFFERENCE IN THEIR LIVES. MAHALO FOR YOUR TIME TODAY AND MOST IMPORTANTLY, MAHALO FOR YOUR SUPPORT OF THIS IMPORTANT PROJECT. ALOHA. >> ANY QUESTIONS?\r\n\r\nIF NOT, THANK YOU VERY MUCH NEXT TESTIFIER. >> CHAIR, THE NEXT TEMPER IS MIKE MORAN, FOLLOWED BY MICHELLE MCLEAN. MR. MORAN, PLEASE LET US KNOW WHICH ITEM YOU ARE TESTIFYING ON. >> THANK YOU. MIKE MORAN KILAUEA NEIGHBORHOOD ASSOCIATION WITH CR24-40, THE SEDIMENT REMOVAL PROJECT AT THE GULCH AND WE'RE IN COMPLETE SUPPORT OF THIS. WE HAVE SPOKEN ON IT BEFORE AND AGAIN, I WILL TRY TO BE BRIEF, BECAUSE YOU HAVE A LONG DAY.\r\n\r\nBUT I THINK EVERYONE AGREES THAT SOMETHING HAS TO BE DONE ABOUT THE FLOODING SITUATION. NO, IT'S CERTAINLY NOT COMPARABLE TO THE DEVASTATION IN LAHAINA WITH THE FIRES, BUT IT'S A LONG-TERM ISSUE. ALL WE SEE HAPPENING WE CLEAN UP THE MESS AND WAIT FOR NEXT MESS TO COME. IT'S NOT A CURE-ALL WHATSOEVER, BUT I HAVE LIVED IN THIS AREA FOR MANY YEARS. IN MY UNPROFESSIONAL OPINION, THAT AREA HAS THE MOST FREQUENT AND WORST FLOODING. THIS IS THE GULCH CLOSEST TO IT AND REMOVING THE YEARS' AND YEARS' OF SEDIMENT FROM THAT WILL CERTAINLY HELP IN THE NEXT STORM. IT'S NOT, AS A COUPLE OF COUNCIL MEMBERS SAID AT COMMITTEE, THAT WHAT ABOUT GOING UP COUNTRY?\r\n\r\nYES, WE ALL KNOW YOU CAN'T STOP THE WATER FALL IF YOU ARE UNDERNEATH IT. YOU HAVE TO GO UPSTREAM, BUT FOR NOW, WE ARE IN FULL SUPPORT OF AT LEAST TAKING THIS POSITIVE STEP, AND WE HAVE THE GOVERNMENT IN THERE. SO WE'RE IN SUPPORT OF 24-40. THE RESOLUTIONS, I DON'T KNOW IF WE DO THE RESOLUTIONS INDIVIDUALLY? BUT WE'RE ON TWO OF THEM, 24-34, WATER BOARD. WE'RE IN SUPPORT OF THE ROBIN KNOX FOR THIS POSITION. SHE IS AN ACCREDITED SCIENTIST, PROBABLY, I THINK IT WOULD BE QUESTIONABLE IF ANYBODY KNOWS MORE ABOUT OVERALL WATER SITUATIONS FROM THE SCIENTIFIC VIEW ON MAUI THAN ROBIN KNOX? I CAN SAY FOR OVER THE YEARS SHE HAS BEEN THE MOST FREQUENT PRESENTER TO US AND SHOWS WE'RE SO CONCERNED THAT WE FEEL SHE IS THE PERSON WHO IS THE EXPERT, BUT SHE IS AN ACCREDITED SCIENTIST AND FEEL IT'S THE RIGHT POSITION FOR THE RIGHT PERSON FOR THE BOARD OF WATER SUPPLY.\r\n\r\nI WILL ZIP ON TO 24-36. FOR THE MAUI PLANNING COMMISSION. WE ARE IN SUPPORT OF GARY PASSAN FOR THAT AS WE HAVE TESTIFIED PREVIOUSLY. AND I WILL JUST MENTION COMBINING THESE TWO FOLKS, THERE'S BEEN A LOT OF CONFUSION ABOUT TWO BOARDS CURRENTLY, THE SOUTH MAUI ADVISORY COMMITTEE, WHICH WE SIMPLIFY BY CALLING IT SMAC AND CPAC AND THINKING OF IT AS SMAC AND CPAC, WE KNOW WHICH ONES WE'RE TALKING ABOUT. I HAVE BEEN ON BOTH. ROBIN KNOX IS ON THE SMAC AND

THAT IS THE ONE THAT NEVER MEETS. IN 2023, WE HAD ZERO MEETINGS BECAUSE THE PLANNING COMMISSION NEVER RECOMMENDS ANYTHING TO US. SO IT'S JUST A BOARD IN NAME ONLY.

ROBIN HAS SERVED ON THAT WITH ME, EVEN THOUGH WE DON'T MEET. GARY PASSAN HAS NEVER BEEN ON THAT, SWITCHING TO CPAC, IT'S THE REVERSE. WE WERE TOLD WHEN WE WERE ON THAT CPAC, THAT JUST WHEN YOUR MEETINGS END, YOU ARE STILL ON. YOU ARE ON UNTIL YOU GUYS, THE COUNCIL FINALLY APPROVES YOUR COMMUNITY PLAN. SO WE'RE STILL ON IT, BUT GARY DID SAY, IT'S NECESSARY HE WILL RESIGN FROM IT TO MOVE ON TO THE MAUI PLANNING COMMISSION. SO I BLEACH I'M PROBABLY OUT OF TIME. AGAIN, I WILL PAUSE HERE AND THANK YOU FOR THE OPPORTUNITY TO TESTIFY ONCE AGAIN.

MAHALO. >> MAHALO, QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH. MS. CLERK. >> CHAIR, THE NEXT TESTIFIER IS MICHELE MCLEAN, TESTIFYING ON COMMITTEE REPORT 24-32. >> ALOHA COUNCIL CHAIR LEE, MY BOSS AND COUNCIL MEMBERS AND SABIADDEE. I'M MICHELLE MCLEAN, STAFF TO COUNCIL CHAIR LEE AND FORMER PLANNING DIRECTOR AND DEPUTY.

IN ALL OF THESE POSITIONS I HAVE BEEN GLAD TO WORK WITH AND ATTEND MEETINGS OF THE AGRICULTURAL WORKING GROUP TO FINE WAYS THAT COUNTY CAN BETTER SUPPORT SMALL FARM AND RANCHES. ONE RESULT OF THIS WORK IS BILL 42 TO AMEND THE DEFINITION OF "FARM" SO THAT USABLE LAND, EXCUSE ME, UNUSABLE LAND SUCH AS STEEP GULCHES, ROCK PILES, SITES OR FLOODPLAINS WOULD BE DISCOUNTED FROM THE MAJORITY AREA OF THE LOT THAT MUST BE FARMED. AND ALSO THE DEFINITION OF "FARM LABOR DWELLING." SO THAT FAMILY MEMBERS OF FARM LABORERS COULD LIVE WITH THEM WITH THE DWELLING OR ALLOW FOR SEASONAL WORKERS AND INTERNS. UNFORTUNATELY THE DEFINITION OF "FARM LABOR DWELLING" UNNECESSARILY RESTRICTIVE. AT LAST NIGHT'S WORKING GROUP MEETING ALL AGREED THAT THE CD 1 VERSION OF THE DEFINITION OF "FARM" SHOULD REPLACE THAT IN THE FD 1 VERSION. SOME MEMBERS HAVE SUBMITTED WRITTEN TESTIMONY ALREADY AND I HOPE YOU HAVE A CHANCE TO SEE IT. OTHERS PLAY MAY ALSO SUBMIT OR TESTIFY IN PERSON, BUT TO SHARE MY OPINION, SO THAT YOU KNOW IT'S NOT SUPPORTED BY THE AG WORKING GROUP IN ITS CURRENT FORM SINCE IT WAS REALIZED ONLY LAST NIGHT AND OTHERS MAY HAVE NOT THIS H TIME TO OFFER TESTIMONY.

THE REQUESTED ACTION IS STRAYING FORWARD, AMEND BILL 42 FD 1 BY REPLACING THE DEFINITION OF "PARAMEDIC" WITH THE CD 1 VERSION AND DELETING LAST SENTENCE FROM THE DEFINITION OF " FARM LABOR DWELLING." MAHALO FOR YOUR TIME. >> MEMBER JOHNSON. >> THANK YOU, CHAIR. I HAVE A CLARIFYING QUESTION FOR YOU MS. MCLEAN. THE IDEA OF A SEASONAL FARM WORKER, YOU MENTIONED THAT. JUST TO CLARIFY THAT, WE HAVE A YEAR-ROUND GROWING SEASON.

I'M NOT SURE WHAT "SEASONAL WORK FARMER" WOULD BE. CAN YOU CLARIFY THAT. >> ACTUALLY THE WORD "SEASONAL" IS ALREADY IN THE DEFINITION. BUT IT WOULD BE DURING HARVESTING, FOR EXAMPLE, MAYBE THE FARMER CAN MAINTAIN THE FARM A LOT OF THE TIME, BUT DURING HARVEST OR DURING PLANTING THEY MIGHT NEED EXTRA HELP. >> OKAY. I SEE WHAT YOU MEAN BY THAT. YOU KNOW, THE WORK IS NEVER DONE ON A FARM.

SPEAKING FROM EXPERIENCE, THE WEEDS GROW YEAR-ROUND, YOU ALWAYS HAVE TO DEAL WITH THAT. I UNDERSTAND WHAT YOU MEAN BY "HARVEST TIME." YES, SURE THERE'S MORE WORK, BUT THAT IS WHEN THE MONEY IS TO BE MADE. THANK YOU FOR CLARIFYING THAT. THANK YOU, CHAIR. >> ANYONE ELSE? MEMBER PALTIN. >> THANK YOU, CHAIR.

THANK YOU, MS. MCLEAN FOR YOUR TESTIMONY. I JUST WAS WONDERING, I THINK THE REASON THAT WORDING WAS PROPOSED INITIALLY IN THE COMMITTEE BY THE PLANNING DEPARTMENT GENTLEMAN, MR. PFOST, WAS THEIR CONCERN OF A LOOPHOLE FOR STR USAGE, BECAUSE I BELIEVE FARM LABOR IS NOT DEFINED. AND IF SOMEBODY STAYED FOR A FEW DAYS ON THE FARM, AND PICKS FLOWERS AND MAKES A LEI AND SELLS IT, WOULD THAT BE FARM LABOR DWELLING, AND I JUST WOULD WONDER IF THAT SORT OF THING WERE TO OCCUR, WHAT WOULD BE THE REMEDY? IS THAT OBVIOUSLY NOT FARM LABOR? AND WHO DECIDES IF SOMEONE STAYED AT THAT FARM LABOR DWELLING FOR FIVE DAYS, PICKS SOME FRUIT, AND ENJOYED THEIR VACATION, AND PAID TO STAY THERE, IS THAT A DEFINITION OF "STR" USE OR "FARM LABOR USE?" >> MS.

MCLEAN. >> THAT IS A GREAT QUESTION. I AM NOT A FARMER. SO I DID MY BEST TO ANSWER COUNCIL MEMBER JOHNSON'S QUESTION. AND IN RESPONSE TO THAT, I CAN'T SAY HOW LONG WOULD BE AN ACCEPTABLE DURATION TO ESTABLISH FOR PART-TIME WORKER? OR A SEASONAL, OR WHAT YOU WANT TO CALL IT WORKER WHO IS NOT THERE FULL-

TIME YEAR-ROUND? I THINK THAT COULD BE FIGURED OUT, MAYBE HAVE A MINIMUM AMOUNT OF TIME THAT THEY NEED TO STAY THERE.

SO THAT IT COULDN'T BE LIKE YOU'RE DESCRIBING, YOU KNOW? BASICALLY A LOOPHOLE FOR TRANSIENT VACATION RENTAL. I'M NOT QUALIFIED TO ANSWER WHAT THE DURATION -- WHAT AN APPROPRIATE DURATION WOULD BE? >> BECAUSE ANYTHING LESS THAN SIX MONTHS WOULD BE A SHORT-TERM RENTAL. SO WOULD IT BE SIX MONTHS AND A DAY? >> IF THAT LANGUAGE WERE TAKEN OUT COMPLETELY, YES. THAT WOULD -- THAT WOULD BE THE DEFAULT APPLICATION, UNLESS SOMETHING ELSE WERE SPECIFIED.

>> OKAY. THANK YOU. THANK YOU, CHAIR. >> ANYBODY ELSE WITH QUESTIONS? IF NOT, THANK YOU, MS. MCLEAN. >> THANK YOU.

>> THANK YOU VERY MUCH, NEXT. >> CHAIR, THE NEXT TESTIFIER IS -- FOLLOWED BY ISSA BROWN. . REPEAT. >> MARY GROVE, THIS IS OUR OPPORTUNITY. >> ALOHA. >> ALOHA. >> CAN YOU SEE ME?

>> YES, WE CAN, AND HEAR YOU, TOO. >> OH, GOOD. THANK YOU. GOOD MORNING, AND ALOHA. I AM MARY GROVE, 48-YEAR RESIDENT OF MAUI. I AM HERE REGARDING RESOLUTION 24-23. I AM URGING YOU TO VOTE TO PUT ROBIN KNOX ON THE MAUI COUNTY BOARD OF WATER SUPPLY. I MET ROBIN OVER 18 YEARS AGO AT A BUDDHIST RETREAT IN HANA.

AND URGED HER TO MOVE TO MAUI FROM LOUISIANA, KNOWING THAT WE NEEDED PEOPLE WITH HER KNOWLEDGE, EXPERIENCE, AND COMPASSION TO AID OUR ISLAND. SHE IS A WOMAN OF INTELLIGENCE, INTEGRITY, AND EXPERIENCE, WHO WILL BE A WONDERFUL ADDITION TO OUR BOARD OF WATER SUPPLY. SHE SEES THE CHALLENGE THAT WE FACE ON MAUI WITH CLIMATE CHANGE. SHE HAS BEEN ACTIVE IN SAVING THE WETLANDS OF MAUI. SHE HAS TESTIFIED -- SHE HAS TESTED THE WATERS OF THE ISLAND. SHE WILL BE AN ADVOCATE TO PROTECT OUR WATER. I HAVE SEEN HER PASSION TO PROTECT THE WATER.

I HAVE HEARD HER TEACH THE COMMUNITY ABOUT WATER. SHE HAS VOLUNTEERED WITH NONPROFITS, AND SHOWN UP TO TESTIFY TO DECISION-MAKERS. SHE WILL COOPERATE WITH OTHER MEMBERS OF THE TEAM TO FIND THE BEST SOLUTIONS. WE ARE FORTUNATE TO HAVE ROBIN KNOX ON MAUI. PLEASE VOTE TO LET HER HELP THE MAUI COUNTY BOARD OF WATER SUPPLY TO MAKE THE BEST DECISIONS NOW AND IN THE FUTURE FOR MAUI AND OUR PEOPLE. THANK YOU SO MUCH. >> MEMBERS, QUESTIONS?

IF NOT, THANK YOU VERY MUCH. NEXT TESTIFIER. >> CHAIR, NEXT TESTIFIER IS MS. BROWN TESTIFYING ON RESOLUTION 24-61, FOLLOWED BY CALEB WOOD >> GOOD MORNING. THANK YOU, COUNCIL, FOR ALLOWING ME TO COME AND TESTIFY. I WANT TO GIVE A THANKS TO TAMARA FOR HER HELP IN THIS. I'M PASTOR OF GRACE BAPTIST CHURCH IN LAHAINA, GRACE BAPTIST CHURCH, ALONG WITH SO MANIES WAS COMPLETELY DESTROYED BY FIRES, AS WELL AS MY HOME AND BOTH OF THE ASSISTANT PASTOR HOMES AND MEMBERS OF THE CHURCH AND TWO FATALITIES.

WE'RE GOING TO HAVE DO REBUILD, OBVIOUSLY, AND ONE OF THE ISSUES THAT WE HAVE IS THE PROPERTY THAT WE OWN, THERE'S BEEN -- THE CHURCH HAS BEEN MEETING THERE SINCE 1966. I CAME FROM KAUA'I IN 1973. BECAME THE PASTOR OF THE CHURCH, AND WE BEGAN TO TRY TO REPAIR THE BUILDINGS THAT WERE BUILT IN 1947. AND WE DID TERMITE DAMAGE REPAIR, AND SO FORTH, AND THEN WE WERE BLESSED TO BE ABLE TO BUY THE PROPERTY, AND WE HAVE OWNED IT -- I'M NOT SURE 30 YEARS PLUS WE HAVE OWNED THE PROPERTY . WE'RE UNDER A GRANDFATHER CLAUSE, BECAUSE OF STARTED IN '66, AND AS MOST OF YOU PROBABLY KNOW, THERE'S REALLY NO ZONING FOR CHURCHES. YOU HAVE TO BUY A PIECE OF PROPERTY AND GET A SPECIAL USE PERMIT TO DO THAT. IT WAS BEGAN TO BE USED IN 1966, AND WE HAVE BEEN USING IT EVER SINCE. GRACE BAPTIST HAS BEEN A NONPROFIT CORPORATION IN THE STATE OF HAWAII SINCE 1973. AND WE -- BUILDINGS HAVE BEEN USED FOR SCHOOL, BAPTIST ACADEMY, CHURCH SERVICES AND ONE BUILDING FOR ASSOCIATE PASTOR TO LIVE IN. GRACE BAPTIST BUILDINGS HAVE BEEN A SANCTUARY, THROUGH THE YEARS WITH TSUNAMI WARNINGS AND FOLKS WENT TO THE CHURCH, BECAUSE IT WAS UP HIGH ON FLEMING ROAD. WE HAD MANY MEALS THERE, AND FOLKS COME IN FROM OTHER PARTS OF LAHAINA THAT WEREN'T MEMBERS OF THE CHURCH, BUT WOULD COME, AND WE WOULD HOST THEM, AND USE IT AS A SANCTUARY. EVEN THE NIGHT OF THE FIRE, SEVERAL WENT TO THE CHURCH, AND PASTOR TOOK HIS FAMILY, HE LOST HIS HOME BY THE MILL AREA.

BUT HE TOOK HIS FAMILY UP TO THE CHURCH, BUT THEN OF COURSE, THEY WERE REQUIRED TO EVACUATE AND HAVE TO REBUILD. WE HOLD SERVICES AND OTHER SPECIAL SERVICES IN THE WEEK, SEMINARS, AND CLASSES, AND TRAININGS FOR FOLKS FOR PARENTS AND VARIOUS THINGS. EVERY SUMMER, WE HAVE A WEEK-LONG BIBLE SCHOOL FOR CHILDREN. WE

HAVE HAD THAT EVERY SUMMER EXCEPT DURING COVID AND THIS YEAR PROBABLY NOT BE ABLE TO HAVE IT. >> THREE MEETINGS. >> CAN YOU PLEASE CONCLUDE? >> I'M SORRY? \r\n\r\n>> COULD YOU PLEASE CONCLUDE YOUR TESTIMONY? >> YES, I'M SORRY. >> THANK YOU. >> WE WOULD LIKE TO ASK YOU TO SUPPORT THE BILL THAT IS BEFORE US TO ALLOW OUR PROPERTY TO BE ZONED WHERE WE CAN PUT A CHURCH ON IT. AND WE WOULD JUST BE SO GRATEFUL FOR THAT, THAT WE COULD CONTINUE ON THE MINISTRY. AND JUST BE A GREAT BLESSING, HOPEFULLY TO THE COMMUNITY. THANK YOU. \r\n\r\nI APOLOGIZE FOR GOING OVER. >> THANK YOU. >> MEMBER PALTIN HAS A QUESTION FOR YOU. >> THANK YOU, CHAIR. THANK YOU, MR. BROWN. I JUST WANTED TO CLARIFY THAT THE REASON IS BECAUSE YOU COULD REBUILD WHATEVER IT WAS, BUT WHAT IT WAS AN ADD-ON/ADD-ON AND YOU WOULD LIKE TO DESIGN A NEW CHURCH FROM THE START, AND THAT YOUR HOPE IS THAT WE PASS IT ON TO THE PLANNING COMMISSION TODAY RATHER THAN DELAY BY SENDING IT TO COMMITTEE RIGHT BEFORE WE START THE BUDGET PROCESS. \r\n\r\n>> YES, THANK YOU. THAT IS CORRECT. >> THANK YOU. AND I THINK MEMBER KAMA HAD HER HAND UP AS WELL . PRO TEM KAMA. >> THANK YOU, CHAIR. THANK FOR BEING HERE. MY QUESTION IS -- ARE YOU -- IS THE CHURCH READY TO BEGIN BUILDING AS SOON AS YOU GET ALL YOUR ENTITLEMENTS >> ABSOLUTELY. \r\n\r\n>> OKAY. THANK YOU. . THANK YOU, CHAIR. >> THE CHAIR WAS GOING TO RECOMMEND THAT MATTER BE SENT TO THE PLANNING COMMISSION TODAY. NEXT TESTIFIER. >> CHAIR, THE NEXT TESTIFIER IS CALEB WOODFIN, FOLLOWED BY JACKIE KEEF. >> ALOHA KAKOU. \r\n\r\nMY NAME IS CALEB, ASSISTANT PASTOR AT GRACE BAPTIST CHURCH AND KNOWN PASTOR BROWN SINCE I WAS A LITTLE KID AND SERVING AT THE CHURCH AS ASSISTANT PASTOR FOR FIVE YEARS. AS PASTOR BROWN MENTIONED WE LOST OUR HOME IN THE FIRE AND 13 FAMILIES OF OUR CHURCH, INCLUDING OTHER PASTORS. WE DO WANT TO REBUILD AND ONE OF THE REASONS WE WOULD LIKE TO- WE'RE PROPOSING THIS BILL FOR REZONING IS BECAUSE IN THE PAST, WE HAVE TRIED TO USE THOSE THREE HOUSES THAT WE CONVERTED. WE TRIED TO GO THROUGH THE PROCESS OF GETTING A SPECIAL USE PERMIT AND CAUSED A LOT OF ISSUES AND A LOT OF RESTRICTIONS AND IT'S A LITTLE MORE EXPENSIVE. SO WE WOULD LIKE TO BE ABLE TO HAVE A LITTLE BIT MORE FREEDOM. OF COURSE, WE HAVE NO PLANS TO BUILD SOME MONSTROSITY IN THE NEIGHBORHOOD. WE'RE A SMALL CHURCH, AND SO WE WANT TO BLEND IN. \r\n\r\nTHERE'S ALSO A VETERAN'S HALL AT THE TOP OF ROAD WHERE OUR CHURCH IS. SO WE WOULDN'T BE THE ONLY NON-RESIDENTIAL BUILDING IN THE NEIGHBORHOOD. I'M NOT SURE HOW THAT VETERANS HALL IS ZONED? BUT PRETTY SURE IT SURVIVED THE FIRE AS WELL. THAT IS OUR MAIN REASON, AND RIGHT NOW OUR CHURCH IS MEETING IN WAILUKU. BUT WE HAVE A HUGE DESIRE TO GO BACK TO LAHAINA TO START MINISTERING THIS AS SOON AS POSSIBLE AND WE WOULD LIKE TO START REBUILDING AS SOON AS WE'RE ALLOWED TO. SO THAT THE MAIN REASON TO AVOID HAVING TO APPLY FOR A SPECIAL USE PERMIT AND TO GO IN AND BUILD AND NOT HAVE TO USE THE SMALL BUILDINGS -- SMALL SPACE FOR THE BUILDINGS THAT WE CONVERTED BEFORE, AN EXAMPLE FOR AN AUDITORIUM, WE HAD A KITCHEN IN OUR AUDITORIUM, BECAUSE OF HOW WE HAD TO CONVERT THE BUILDING. \r\n\r\nSO WE WOULD LIKE TO BUILD AN ACTUAL CHURCH BUILDING. SO WE JUST KINDLY ASK YOU TO VOTE IN FAVOR OF THE VOTE SO WE CAN GET TO LAHAINA AS QUICKLY AS POSSIBLE TO MINISTER THE COMMUNITY THERE. THANK YOU TO THE COUNCIL TODAY. THANK YOU ESPECIALLY TO COUNCILWOMAN TAMARA PALTIN FOR ALL THE WORK YOU HAVE DONE FOR US AND OUR COMMUNITY. MAHALO. >> CLARIFICATION, WE WOULDN'T BE VOTING ON THE BILL TODAY, BUT VOTING TO REFER TO THE PLANNING COMMISSION. >> YES, OKAY. \r\n\r\n>> THANK YOU. ANY OTHER COMMENTS OR QUESTIONS? THANK YOU VERY MUCH. NEXT TESTIFIER, PLEASE. >> CHAIR, THE NEXT TESTIFIER IS JACKIE KEEF TESTIFYING ON RESOLUTION 24-57, TO BE FOLLOWED BY EVERETT DOWLING. >> ALOHA, CAN YOU HEAR ME? >> YES. \r\n\r\n>> MAHALO. MAHALO COUNCIL MEMBERS. MY NAME IS JACKIE KEEF AND I'M TESTIFYING ON RESO 24-57, REGARDING THE EMINENT DOMAIN OF LOT 1B OR CENTRAL MAUI LANDFILL SITE. I WOULD LIKE TO CORRECT MY TESTIMONY THAT I SUBMITTED BY EMAIL BECAUSE I WAS SLIGHTLY MISINFORMED THAT I THOUGHT THE LAND WAS RECENTLY PURCHASED. IT WAS ACTUALLY THAT THE COMPANY WAS NEWLY FORMED AND THE PARTNERS OF THE OF THE COMPANY OF THE LAND OWNERS WERE THE ONES THAT MADE THE DONATIONS TO THE COUNCIL MEMBERS WHO VOTED NO ON THIS REQUEST PERFECT THIS MAYOR. SO I WOULD

LIKE TO REMIND EVERYONE THAT WE HAVE EXPERIENCED SOME SIGNIFICANT DISASTER TOURISM AND DISASTER CAPITALISM. DISASTER CAPITALISM IN THIS TIME, AND THIS IS YET ANOTHER EXAMPLE OF SOMEONE TRYING TO SQUEEZE MORE LIFE OUT OF MAUI COUNTY THAT SIMPLY DOESN'T EXIST RIGHT NOW.

THE FACT THAT THIS LANDOWNER WAS PRESENTED WITH MORE MONEY THAN THE LAND IS ACTUALLY WORTH, AND STILL WILL NOT SELL TO THE COUNTY, WHEN HE KNOWS THERE IS A SIGNIFICANT NEED TO USE THIS LAND FOR OUR DISPOSAL SITE. I'M NOT SURE HOW MANY OF YOU HAVE ACTUALLY SAT IN THE TRAFFIC THAT OUR PEOPLE ARE EXPERIENCING ON A DAILY BASIS? BUT I'M SURE THE COUNCIL MEMBER PALTIN CAN SHARE WITH YOU THAT IT'S NOT FUN. I'M SURE SHE HAS SHARED THAT WITH YOU. WE HAVE PEOPLE WHO ARE TRAUMATIZED, AND DON'T WANT TO CARPOOL; RIGHT? EVEN IF THEY HAD THE OPPORTUNITY TO CARPOOL. EVERYONE FEELS THAT THEY NEED TO HAVE A CAR AVAILABLE TO THEM AT ALL TIMES IN CASE SOMETHING HAPPENS, BECAUSE IT DID HAPPEN; RIGHT?

SO WE HAVE THIS ONE-LANE IN AND OUT OF LAHAINA, AND WE HAVE -- WE HAVE THE ABILITY BY USING THIS CENTRAL MAUI LANDFILL SITE TO ALLEVIATE SOME OF THAT, BECAUSE A LOT OF TRAFFIC IS DUE TO THE STOPLIGHT THAT IS ALLOWING THE TRUCKS TO COME INTO THE OLOWALU AREA FOR THE DISPOSAL. SO IF WE THEN APPROVE THE CENTRAL MAUI SITE AND GET THAT GOING, THAT STOPS, BECAUSE THEY ARE ABLE TO JUST CONTINUE ON TO THE OTHER SIDE. IT'S GOING TO COMPLICATE MATTERS IN DIFFERENT WAYS AND WE UNDERSTAND THAT. BUT WE NEED TO BE HONEST, AND REALLY UNDERSTAND THAT OUR -- YOUR CONSTITUENTS ARE IN A POSITION, WHERE THEY NEED THE CENTRAL MAUI LANDFILL SITE AND CANNOT BE HELD HOSTAGE BY LANDOWNERS THAT REFUSE TO DO THE RIGHT THING LIKE SHORT-TERM RENTALS OWNERS AND TO PRIORITIZE OUR PEOPLE. I HOPE YOU CONSIDER VOTING YES ON THIS RESOLUTION, BECAUSE WE NEED IT DESPERATELY. I'M SORRY THAT MORE PEOPLE FROM LAHAINA AREN'T HERE TO TESTIFY ON THIS. I DID SUBMIT E-COMMENT ON TUESDAY AS WELL.

>> THREE MINUTES. >> AND I JUST THANK YOU. >> THANK YOU VERY MUCH. >> HEARING OUR VOICES FROM LAHAINA. >> YOU WOULD BE SURPRISED HOW MANY PEOPLE AGREE WITH YOU. THANK YOU VERY MUCH. ANY QUESTIONS?

NEXT TESTIFIER. >> CHAIR, THE NEXT TESTIFIER IS EVERETT DOWLING, TESTIFYING ON RESOLUTION 23-36, FOLLOWED BY RANDY WAGNER. >> YES, CHAIR LEE. MY NAME IS EVERETT DOWLING, DESIGN REVIEW COMMITTEE AND MEMBER OF THE SOUTH MAUI CPAC. I WOULD LIKE TO TESTIFY IN SUPPORT OF DAN BLACKBURN'S APPOINTMENT TO THE COMMISSION AND HIS EXPERIENCE WITH THE CHALLENGES OF DEVELOPING HOUSING ON MAUI. HOUSING IS ONE OF OUR MOST SERIOUS ISSUES IN MAUI COUNTY, WHICH HAS BEEN -- -- FURTHER ENLARGED BE THE WILDFIRES IN LAHAINA. I THINK IT WOULD BE A VERY GOOD ADDITION TO THE PLANNING COMMISSION AND GOOD REPRESENTATION OF SOUTH MAUI.

THANK YOU. >> MEMBERS, QUESTIONS? IF NOT, THANK YOU VERY MUCH. NEXT TESTIFIER. >> CHAIR, THE NEXT TESTIFIER IS RANDY WAGNER, TESTIFYING ON RESOLUTION 24-23 TO BE FOLLOWED BY KELLY KING. MR. WAGNER.

CHAIR, SHOULD WE SKIP MR. WAGNER AND COME BACK TO YOU, MR. WAGNER. WE'LL GO TO KELLY KING, CURRENTLY THE LAST PERSON TO TESTIFY, TESTIFYING ON COMMITTEE REPORT 24-32. MS. KING. >> I WAS HAVING PROBLEMS AND MAYBE KELLY IS HAVING THE SAME PROBLEM. IF YOU ARE WILLING TO LET ME GO?

>> MS. WAGNER, GO AHEAD, MS. WAGNER. >> THANK YOU. I AM TESTIFYING ON 24-23 AND 24-36. I WANTED TO TESTIFY FOR ROBIN KNOX FOR THE WATER COMMISSION. AND I HAVE WORKED WITH HER IN SOUTH MAUI. SHE IS AN EXPERT IN KNOWLEDGE OF THE IMPACTS OF WATER AND THE ENVIRONMENT, IN THE WET LANDS AND THE OCEAN AND ALSO POTABLE AND NON-POTABLE WATER SOURCES.

I JUST THINK SHE WOULD BE REALLY GREAT ADDITION. SO I SUPPORT HER CANDIDACY. I ALSO SUPPORT GARY PASSAN FOR THE PLANNING COMMISSION, AS A REPRESENTATIVE OF KIHEI. I'M THE CHAIR THE DESIGN REVIEW COMMITTEE AND HE USED TO BEING ON THE COMMITTEE. I ALSO KNOW HIM PERSONALLY AND KNOW HIS WORK WITH HABITAT FOR HUMANITY SIX YEARS ON THE BOARD STATE HABITAT AND FOUR YEARS ON THE BOARD OF MAUI HABITAT FOR HUMANITY. HE DOESN'T HAVE ANY INTEREST IN TERMS OF FINANCIALLY GAINING ANYTHING FROM PRIVATE ENTERPRISES. SO HE WOULD BE VERY NEUTRAL IN HIS APPROACH, AND HE WOULD ALSO WORK WELL WITH OTHER MEMBERS OF THE COMMUNITY HE WAS ALSO ON THE CPAC AND HE HAD A VERY GOOD CONTRIBUTION TO THAT GROUP HE IS ABLE TO SEE ALL SIDES OF THE SITUATION.

I TOTALLY SUPPORT HIM, AND HIS PRESENCE IN THE COMMUNITY AS AN

ADVOCATE FOR KIHEI AND SOUTH MAUI HAS BEEN HUGE OVER THE YEARS. SO I SUPPORT HIM OVER MR. BLACKBURN. I HAVE BEEN A COMMUNITY ADVOCATE FOR A LONG TIME AND I HAVE NEVER HEARD OR MET MR. BLACKBURN. SO FOR THAT REASON, I KNOW GARY AND I KNOW HE WOULD BE FABULOUS. THANK YOU.\r\n\r\n>> MEMBER PALTIN. >> THANK YOU, CHAIR. THANK YOU, MS. WAGNER FOR YOUR TESTIMONY. I JUST WANTED TO JUST CLARIFY WHAT YOU HAD SAID ABOUT THE FINANCIAL INTERESTS. WHEN HE CAME BEFORE US, HE DID MENTION HE HAD FOUR MINATOYA SHORT-TERM RENTALS AND THE MAYOR DURING HIS STATE OF UNION ABOUT LEGISLATION PHASING THOSE OUT. SO WHEN YOU SAID HE HAS NO FINANCIAL INTEREST, WERE YOU TO SUPPORT IF HE SHOULD BE THE PERSON TO RECUSE HIMSELF?\r\n\r\n>> ABSOLUTELY. >> BECAUSE IT WOULD BE A FINANCIAL INTEREST. >> ABSOLUTELY, HE SHOULD RECUSE HIMSELF IN THAT CASE. >> OKAY. >> ABSOLUTELY. >> JUST CLARIFYING. >> THANK YOU.\r\n\r\nAND HE WOULD ABSOLUTELY DO THAT. >> ANY OTHER QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH. AND MAY WE HAVE THE LAST TESTIFIER. >> CHAIR THE LAST TESTIFIER IS KELLY KING, TESTIFYING ON CR24-32. >> CAN YOU HEAR ME? >> YES, WE CAN. >> OKAY.\r\n\r\nALOHA EVERYONE. NICE TO HEAR YOUR VOICE, ALICE. IT'S FUNNY I CAN ONLY SEE GOCOUNCIL MEMBERS ON MY SCREEN. WE'RE ALL GETTING USED TO TEAMS; RIGHT? I'M GOING TO TESTIFY LATER ON THE RESOLUTIONS UNDER ELECTION L AND I WASN'T GOING TO TESTIFY ON THIS I THE 24-32, BUT JUST HEARING THE DISCUSSION, I THOUGHT I COULD HELP CLARIFY A LITTLE BIT AS THE FARMER, AND SOMEONE WHO IS -- OUR FARM DOES -- AT VARIOUS TIMES OF THE YEAR PLANTINGS, AND HARVESTING, AND SO THERE'S NO REAL SEASON. THERE'S NO SEASONAL FARMING, AND I REALLY -- I WANT TO THANK MEMBER PALTIN FOR BRINGING UP THE ISSUE OF SHORT-TERM RENTALS, BECAUSE I DON'T FORESEE AS A FARMER THAN ANYBODY I WOULD NEED TO HOUSE FOR A WEEK OR EVEN A MONTH, THAT WOULD COME IN HERE AND HELP WITH VARIOUS HARVESTING, THEY SHOULD ALREADY LIVE HERE AND HAVE SOMEWHERE TO LIVE AND IF WE WORE TO HOUSE SOMEONE OUR FARM, OUR FULL OR FULL-TIME EMPLOYEE AS SHE MENTIONED SIX MONTHS OR MONTH. WE HAVE A FRIEND WHO ACTUALLY GOT INTO TROUBLE, ON KAUA'I, FOR BRINGING IN PEOPLE FROM ANOTHER COUNTRY TO FARM, AND THEN NOT TREATING THEM VERY WELL, AND NOT -- NOT PAYING THEM.\r\n\r\nSO THINK IT SETS UP PEOPLE FOR -- IF YOU HAVE THESE SHORT-TERM RENTALS, A, DOING IT FOR A SHORT-TERM RENTAL PROFIT, WE ALSO SAW A LOT OF TOURISTS WHO TOOK ADVANTAGE DURING THE AFTERMATH OF THE FIRE OF THE FREE ROOMS AND FREE FOOD AND THING LIKE THAT AND STAYED ON PAST WHAT THEIR ORIGINAL VACATION WAS. SO I WOULDN'T WANT DO SEE TOURISTS COME AND TAKE ADVANTAGE OF THESE SHORT-TERM LABOR HOUSING UNITS. BUT I SEE FARMING AS A VOCATION, AND THE PEOPLE THAT WE HAVE, THAT WE EMPLOY ON OUR FARM LIVE HERE AND WORK FOR US. IF WE WERE GOING TO BRING SOMEBODY IN WITHOUT A PLACE TO LIVE, I WOULDN'T BRING THEM MANY FOR A FEW DAYS LIKE THEY ARE TALKING ABOUT. SO I WANT TO AGREE WITH COUNCIL MEMBER JOHNSON, THAT THERE'S REALLY NO SEASON THAT REALLY THE SEASONAL THING SHOULD BE TAKEN OUT. AND WHAT WE SHOULD BE LOOKING FOR IS HOUSING PEOPLE ON OUR FARMS WHO ARE WORKING FULL-TIME, OR AT LEAST SIX MONTHS OUT OF THE YEAR ON THE FARM. THANK YOU.\r\n\r\n>> ANY QUESTIONS? NOT, THANK YOU VERY MUCH. >> THANK YOU. >> CHAIR, THERE'S CURRENTLY NO ONE ELSE SIGNED UP TO TESTIFY. STEVEN KEALOHA IS MAKING HIS WAY DOWN. >> ARE YOU GOING TO TESTIFY ON SOMETHING DIFFERENT? >> YES.\r\n\r\n>> OKAY. >> ALOHA EVERYBODY. I'M HERE TO SUPPORT RESOLUTION 24-36. SO MAUI PLANNING COMMISSION. I WOULD LIKE TO RECOMMEND GARY PASSAN AS ONE OF THE MEMBERS OF THE PLANNING COMMISSION. I HAVE KNOWN GARY FOR MAYBE ABOUT 15 YEARS NOW. WE WORKED TOGETHER, VOLUNTEERED TOGETHER ON THE BOARD OF MAUI UNITED WAY. AS THE CHAIR OF A COUPLE OF YEARS, HE WAS OUR FINANCE COMMITTEE CHAIR AND HE DID WONDERFUL WORK.\r\n\r\nHE HAS A BROAD SPECTRUM OF KNOWLEDGE, WHICH I WAS VERY IMPRESSED WITH, AND GOT TO MO HIM THAT WAY. I KNOW HE IS INDEPENDENT. SO IT'S IMPORTANT THAT WE LOOK AT THAT KIND OF THING, BECAUSE WE WANT THE PLANNING COMMISSIONERS TO BE INDEPENDENT OF ANY KIND OF PERSUASION BY OTHER PEOPLE, WHO MAY WANT CERTAIN THINGS THAT THEY CAN GET THROUGH. SO I HIGHLY RECOMMEND GARY AND I HOPE YOU WILL ALSO. THANK YOU VERY MUCH. >> THANK YOU. ANY QUESTIONS?\r\n\r\nIF NOT, THANK YOU VERY MUCH. >> CHAIR, THERE'S CURRENTLY NO ONE ELSE SIGNED UP TO TESTIFY. THIS IS LAST CALL. IF THERE'S ANYONE THAT

WOULD LIKE TO TESTIFY, PLEASE MAKE YOUR WAY TO THE PODIUM, IF YOU ARE IN CHAMBERS OR RAISE YOUR HAND ON TEAMS. FINAL CALL. COUNTDOWN, 3, 2, 1. >> MEMBERS, ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY, AND ACCEPTING WRITTEN TESTIMONY FOR TESTIMONY AT THE BEGINNING OF THE MEETING? >> NO OBJECTIONS.\r\n\r\n>> SO ORDERED. WE HAVE HAD A REQUEST, MEMBERS. I KNOW YOU WOULD LIKE TO TAKE A BREAK, BUT WE HAVE HAD A REQUEST TO BRING UP THE UNFINISHED BUSINESS ITEM OF RESOLUTION 24-5 ANY OBJECTIONS TO DOING THAT? OKAY. MS. CLERK, COULD YOU CALL UP TESTIMONY ON THAT, AND THEN WE CAN PROCEED. >> CHAIR, PROCEEDING WITH TESTIMONY ON SECTION N, UNFINISHED BUSINESS.\r\n\r\nCURRENTLY THERE IS JUST ONE TESTIFIER SIGNED UP. SHAYNE AGAWA, DIRECTOR OF ENVIRONMENTAL MANAGEMENT, TESTIFYING ON RESOLUTION 24-57. >> MR. AGAWA, YOU HAVE THREE MINUTES, YOU PROBABLY DON'T NEED. >> GOOD MORNING, CHAIR, MEMBERS, SHAYNE AGAWA, DIRECTOR OF DEPARTMENT OF ENVIRONMENTAL MANAGEMENT FOR THE COUNTY AND AS CHAIR LEE SAID, WE HAVE BEEN DISCUSSING THIS THROUGHOUT DIFFERENT COUNCIL MEETINGS. EVERYBODY KNOWS THE SITUATION. I JUST WANTED TO ASK FOR YOUR SUPPORT AND STRESS THE IMPORTANCE OF PASSING THIS EMINENT DOMAIN PROCEEDING. VERY IMPORTANT FOR US, AS FAR AS WASTE DISPOSAL, AS YOU KNOW.\r\n\r\nOUR LANDFILL EXPANSION HAS BEEN VERY LIMITED. TIMES HAVE CHANGED FROM PAST ADMINISTRATIONS. SO JUST IT MAKE IT SHORT, AND TO SAVE TIME, I JUST WANTED TO ASK FOR YOUR SUPPORT AND MOVING FORWARD WITH THIS AS EXPEDITIOUSLY AS POSSIBLE. THANK YOU. THANK YOU, CHAIR. >> THANK YOU. ANY QUESTIONS FOR THE TESTIFIER?\r\n\r\nIF NOT, THANK YOU VERY MUCH. ANY MORE TESTIMONY? >> J.C. LAU IS MAKING HIS WAY DOWN TO THE PODIUM. >> KINGS AND QUEENS HAVE TO MAKE VERY TOUGH DECISIONS, AND I WOULD ASK YOU ALL TO TAKE A HIT THIS TIME. I GOT MY -- ME PERSONALLY, I DON'T WANT TO CONFUSE YOU GUYS AND SAY TOO MUCH. I HAVE SPOKE -- I HAVE LET YOU KNOW WHAT IT CAME UP BEFORE, WASTE PRO HAWAI' GUYS WERE HERE. I JUST HOPE THAT YOU WILL -- FOR YOU ALL HAVING DIFFICULTIES TRYING TO DECIDE, I'M SORT OF AN EXPERT ON LANDFILL.\r\n\r\nI DON'T HAVE ANY DEGREES OR NOTHING, BUT I WORKED THERE A LONG TIME AND STILL PICKING UP TRASH ON THE ISLAND OF MAUI. I HOPE YOU ALL WOULD BAGHDAD GO AHEAD AND FINISH THIS BUSINESS AND VOTE UNANIMOUSLY AND TAKE A HIT AND THANK YOU, MR. AGAWA FOR WORKING FOR THE COUNTY OF MAUI. >> ANY QUESTIONS? IF NOT, NEXT TESTIFIER. >> CHAIR, THERE'S CURRENTLY NO OTHER TESTIFIERS FOR UNFINISHED BUSINESS, SECTION N. IF THERE'S ANYONE ELSE TO TESTIFY, PLEASE MAKE YOURSELF KNOWN BY RAISING YOUR HAND IN TEAMS OR MAKING YOUR WAY TO THE PODIUM. CHAIR, THERE'S NO ONE OTHER INDICATING THAT THEY WISH TO TESTIFY.\r\n\r\nCOUNTDOWN, 3 2, 1. >> NO OBJECTIONS CHAIR. >> SO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY. NOW COULD YOU READ THE RESOLUTION, MS. CLERK. >> YES, MADAM CHAIR, RESOLUTION 24-57, AUTHORIZING PROCEEDINGS IN CONDEMNATION BY EMINENT DOMAIN FOR THE ACQUISITION OF REAL PROPERTY INTERESTS KNOWN AS LOT 1-B, CENTRAL MAUI SANITARY LANDFILL SUBDIVISION FOR PHASE VI EXPANSION OPERATIONS. >> MEMBER PALTIN. >> THANK YOU, CHAIR.\r\n\r\nI MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT UNDER RULE 7G UNDER THE RULES OF THE COUNCIL FOR RESOLUTION 24-57. >> SECOND MOVED BY MEMBER PALTIN AND SECOND BY MEMBER JOHNSON. DISCUSSION, MEMBER PALTIN. >> THANK YOU, THIS ACTION IS NEEDED TO BE ABLE TO TAKE A VOTE TODAY, ALTHOUGH WE DID HEAR IT IN COMMITTEE AS A RULE 7B PRESENTATION. WE DON'T HAVE A COMMITTEE REPORT. THAT IS WHY WE NEED TO DO THIS. >> ANY MORE DISCUSSION. IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE.\r\n\r\n>> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. >> MEMBER PALTIN. >> I MOVE TO ADOPT RESOLUTION 24-57. >> SECOND. >> MOVED BY MEMBER PALTIN, SECONDED BY PRO TEM KAMA TO PASS -- ADOPT RESOLUTION 24 -57. AND DISCUSSION, MEMBER PALTIN. >> THANK YOU, CHAIR. I REALLY WISH WE COULD HAVE BEEN VOTING ON SECOND AND FINAL READING TODAY, BUT IT IS WHAT IT IS.\r\n\r\nAND YOU KNOW, I THINK THAT BY PASSING THIS ON FIRST READING TODAY, WE CAN SIGNIFICANTLY EASE MANY OF THE LAHAINA RESIDENTS' ANXIETY-LEVELS, ESPECIALLY WITH THE LAWSUIT THAT HAD GOTTEN FILED, OR IS IN THE PROCESS OF GETTING FILED, OR GOTTEN FILED ON OLOWALU AND A LOT OF RESIDENTS ARE ASKING WHAT WILL HAPPEN, IF THAT IS NOT AN OPTION AND IF EVERYBODY WILL STOP IF THEY ARE NOT ABLE TO GET BACK TO THEIR

HOUSES? TIME? ESPECIALLY IN LISTENING TO THE PARTNERS OF THE OWNERS AND THE OWNERS, TO ME IT WAS CLEAR THEY ARE NOT AT ALL ON THE SAME PAGE. THE STATEMENT THAT THEY COULD DO IT FASTER THAN THE COUNTY, I QUESTION WHY THEY HAVEN'T BUILT A LANDFILL IN THE LAST NINE YEARS, IF THEY CAN DO IT FASTER? THEY WERE ASKING FOR THE COUNTY/STATE SPECIAL USE PERMIT THAT THE COUNTY RECEIVES FROM THE DEPARTMENT OF HEALTH, WHICH WE'RE NOT OBLIGATED TO DO THEIR WORK FOR THEM, IF IT'S THE COUNTY'S SPECIAL USE PERMIT AND IF THEY COULD DO IT FASTER THAN THE COUNTY, THEY SHOULD HAVE GOTTEN THEIR OWN SPECIAL USE PERMIT AND BUILT THE LANDFILL IN THE LAST DECADE, WHICH THEY DID NOT DO. THE LAND IS LAND LOCKED BY THREE SIDES AND THE CLIFF ON PU'UNENE. SO THE THINGS THAT THEY ARE SAYING IS JUST NOT REALISTIC.

THEY HAVEN'T EVER PUBLICLY SET A PRICE. SO IT'S VERY DIFFICULT TO NEGOTIATE IN GOOD FAITH WITH PEOPLE LIKE THAT, YOU KNOW? ? IF WE WERE EMINENT DOMAINING AN EXISTING LANDFILL TO ASK FOR FUTURE REVENUE, THAT IS ONE THING, BUT THEY HAVE DONE NOTHING WITH THE HOLE IN THE GROUND FOR THE PAST IN LINE YEARS. SO TO ASK FOR A TAKE IN FUTURE TIPPING FEES, WHICH IS THE COUNTY IS NOT IN IT TO MAKE PROFIT. THE COUNTY IS IN LANDFILLING TO DO A SERVICE TO OUR COMMUNITY. SO WE DON'T MAKE PROFIT, WE TRY TO BALANCE THE BUDGET FOR THAT DEPARTMENT, THAT DIVISION OF THE ENVIRONMENTAL MANAGEMENT DEPARTMENT. SO TO ASK FOR A PERCENTAGE OF OUR TIPPING FEES, MEANS THAT WE'RE GOING TO HAVE TO RAISE THE TIPPING FEES TO BE ABLE TO ACCOMMODATE THAT, WHEN OUR GOAL IS JUST TO BREAK-EVEN, AND WE DON'T ALWAYS BREAKEVEN.

SO I MEAN, ALL I CAN SAY IS, I WISH WE COULD BE MOVING FORWARD TOMORROW ON BUILDING A LANDFILL FOR THE ASH DEBRIS, BUT IT IS WHAT IT IS, AND THIS WOULD BE THE NEXT BEST THING TO PASS TODAY. >> YES, VICE-CHAIR -- THE SECONDER, MEMBER PRO TEM KAMA. HE WAS ON THE RULE. THIS IS TO ADOPT THE RESOLUTION. >> THANK YOU, CHAIR. AND THANK YOU, MEMBER PALTIN. SO FOR ME, THIS IS NOT A HARD DECISION TO MAKE.

WHAT I WILL TELL YOU THAT I WANTED TO MAKE SURE THAT I HAD SOME REALLY CAREFUL AND THOUGHTFUL CONSIDERATIONS, WHEN THIS FIRST CAME UP ON THE FLOOR. THAT IS WHY I HAD ASKED IF THERE WAS AT LEAST SOME LAST-MINUTE WORKOUTS AND WHAT WE HAD HEARD OVER THE PAST TWO WEEKS THEY TRIED AND THERE WAS NO MOVEMENT. SO WITH THE LONG DISCUSSIONS WE HAD AND LONG HOURS AND EVEN INTIMATE DISCUSSIONS WITH OTHER MEMBERS, I HAVE COME TO THE CONCLUSION, WHAT WE HAVE TO DO IS WHAT WE'RE DOING ON THE FLOOR TODAY. THANK YOU VERY MUCH, CHAIR. >> VICE-CHAIR SUGIMURA. >> THANK YOU, CHAIR, AND THANK YOU, MEMBER PALTIN, FOR THAT MOTION. VERY PASSIONATELY DONE.

I THIS I WE'RE ALL SIT ACT THE SAME PLACE, AND I'M GLAD WE HAD THAT COMMITTEE MEETING. THANK YOU VERY MUCH NOHELANI UU-HODGINS FOR HAVING THAT DELIBERATION AND DISCUSSION. I THINK WE SAW WHAT WE'RE UP AGAINST, AND WE ALSO HEARD FROM TESTIFIERS THAT DAY INDIVIDUALLY ABOUT THE URGENCY TO GET THIS WORK DONE. UNFORTUNATELY, I'M GOING TO SUPPORT EMINENT DOMAIN AND I REALLY WAS HOPING THAT WE COULD COME TO SOME KIND OF CONCLUSION, SO THAT WE DON'T HAVE TO HAVE THE COURTS WALK US THROUGH THIS. BUT IT DIDN'T SEEM LIKE THAT WOULD BE AN OPTION. I WANT TO THANK VERY PASSIONATELY SAGE FROM THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT WHO TESTIFIED FIRST INDIVIDUALLY BECAUSE HE IS SO PASSIONATE ABOUT IT, BUT HE IS THE ENGINEER ON THIS PROJECT AND HE SAT IN THE CHAMBERS ALL DURING THE LAST GREAT MEETING AND JUST CONVINCED ME MORE WHY THIS IS THE RIGHT DECISION. IT'S NOT GOING TO BE FAST.

IT WOULD BE FASTER NOT GOING TO COURT, BUT LOOKS LIKE THIS IS THE SOLUTION THAT IT HAS TO BE. AND, NOR THE MEMBERS TO KNOW ON THIS FOR THE DELAY, THAT TODAY BILL 55 ADDRESSES THE FUNDING THAT WOULD BE USED FOR EMINENT DOMAIN AND HAS TO GO THROUGH TWO READINGS. CHAIR, TODAY IS ONE AND I WILL ASK FOR IT TO PASS ON THE FLOOR FOR FIRST READING AND THE SECOND READING IS THE SAME DAY WE HOPEFULLY PASS THIS RESOLUTION UNANIMOUSLY TO TAKE IT TO THE NEXT STEPS. I THINK IT'S IN LINE AND I APPRECIATE EVERYONE'S HARD WORK. >> MEMBER COOK. >> THANK YOU, CHAIR. I'M DEFINITELY VOTING FOR THIS TODAY.

THE DELAY WE REQUESTED AND THAT WAS GIVEN TO HAVE THE OPPORTUNITY TO DISCUSS IT, AND TO SEE IF IT COULD BE NEGOTIATED, AND DIDN'T WORK. SO THE INTENT WAS NEVER TO DELAY IT FOR THE LAHAINA PEOPLE, IT WAS JUST TO SIMPLY TO TRY TO AVOID THE COURT AND STILL MOVE FORWARD. THAT IS NOT NECESSARILY THE SITUATION

AND HOPEFULLY THEY WILL STILL CONTINUE MISSIONS NEGOTIATIONS AND COUNTY WILL TAKE POSSESSION RELATIVELY QUICKLY AND I HAVE CONFIDENCE IN SHAYNE AGAWA TO MOVE FORWARD EXPEDITIOUSLY FOR THE COUNTY. THANK YOU, CHAIR. >> THANK YOU. ANYBODY ELSE? IF NOT, ALL THOSE IN FAVOR THE MOTION, RAISE YOUR HAND AND SAY AYE.\r\n\r\nNINE AYES, ZERO NOS. THAT IS A BIG WIN FOR LAHAINA. THANK YOU. ALL RIGHT. BACK TO THE NORMAL AGENDA AND THEN WE CAN TAKE A BREAK. >> CHAIR, SO WE HAVE NOTHING TO TAKE CARE OF UNDER ITEM H, MINUTES. I, ACTION ON THE CONSENT CALENDAR.\r\n\r\nSO MOVING ON TO SECTION J, COMMUNICATIONS. CURRENTLY -- LET'S SEE, AT THIS TIME, INDIVIDUALS MAY TESTIFY ON COUNTY COMMUNICATIONS. NO ONE LISTED TO TESTIFY ON COUNTY COMMUNICATIONS. LAST CALL FOR ANYONE WISHING TO TESTIFY ON COUNTY COMMUNICATIONS, COUNTDOWN, 3, 2, 1, CHAIR, THERE'S NO ONE TO TESTIFY ON COUNTY COMMUNICATIONS. >> ANY OBJECTIONS TO CLOSING TESTIMONY ON COUNTY COMMUNICATIONS, AND ACCEPTING WRITTEN TESTIMONY? >> NO OBJECTIONS . SO ORDERED. >> CHAIR, BEFORE YOU IS COUNTY COMMUNICATION 24-8 COUNCIL VICE-CHAIR SUGIMURA RELATING TO COUNCIL MEMBERS' REPORTS ON THE SENATE WAYS AND MEANS COMMITTEE HEARING ON FEBRUARY 20, 2024 HELD AT THE HAWAII STATE LEGISLATURE.\r\n\r\nVICE-CHAIR SUGIMURA. >> THANK YOU, CHAIR. I MOVE TO FILE COUNTY COMMUNICATION 24-8. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY PRO TEM KAMA TO FILE COUNTY COMMUNICATION 24-. DISCUSSION, VICE-CHAIR SUGIMURA. >> I'M PROVIDING THIS REPORT IN ACCORDANCE TO THE STATE SUNSHINE LAW, PARTICULARLY THE REQUIREMENTS OF SECTION 92-2.5 (E) HAWAII REVISED STATUTES. MYSELF AND MEMBER PALTIN ATTENDED A BRIEFING OF THE WAYS AND MEANS COMMITTEE AT THE STATE CAPITOL. THE PURPOSE OF THE INFORMATIONAL BRIEF WAS TO DISCUSS CURRENT LEGISLATION TO ADDRESS THE CURRENT AND ONGOING STATE EXPENDITURES, AND LIABILITIES FOR THE MAUI WILDFIRE RECOVER AND REBUILDING EFFORTS.\r\n\r\nMAYOR BISSEN AND MEMBERS OF THE ADMINISTRATION PRESENTED AT THE COMMITTEE, AND LATER SHARED THEIR PRESENTATION WITH OUR COUNCIL BUDGET BFED COMMITTEE ON FEBRUARY 27TH. INCLUDED IN THE MAYOR'S PRESENTATION WAS REQUEST FOR FUNDING FROM STATE, MEMBER PALTIN AND I ATTENDED AS OBSERVERS AND NO COMMITMENT PERTAINING TO A COUNCIL VOTE WAS MADE OR SOUGHT. THIS CONCLUDES MY REPORT AND I WELCOME ANY COMMENTS FROM MS. PALTIN. >> MS. PALTIN. >> NO COMMENTS.\r\n\r\nMR. NISHITA WAS ACCURATE IN HIS PRESENTATION OF WHAT A SENATE WAM COMMITTEE EXPERIENCES. I WILL JUST LEAVE IT AT THAT OKAY. >> SO I KNOW YOU ALL HAD A GREAT EXPERIENCE THAT DAY MEMBER JOHNSON. >> CHAIR, I'M SORRY, CAN WE TAKE A BREAK AFTER THIS ONE. >> RIGHT AFTER THE VOTE. OKAY.\r\n\r\nANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MOTION TO FILE, RAISE YOUR HAND AND SAY AYE, NINE AYES, ZERO NOS, MOTION CARRIES. IT'S 11:02. MEMBERS WE'LL RECESS UNTIL 11:15. [GAVEL] THE COUNCIL MEETING OF MARCH 22, 2024 PLEASE RECONVENE. MS. CLERK. >> CHAIR, BEFORE YOU IS COUNTY COMMUNICATION 24-9, FROM VICE-CHAIR SUGIMURA RELATING TO COUNCIL MEMBERS' REPORT ON THE TOWN HALL WITH CONGRESSWOMAN TOKUDA OF FEBRUARY 22, 2024 HELD AT UNIVERSITY OF HAWAII - MAUI COLLEGE. >> VICE-CHAIR SUGIMURA.\r\n\r\n>> THANK YOU. I MOVE TO FILE COUNTY COMMUNICATION 24-9. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY MEMBER COOK TO FILE COUNTY COMMUNICATION 24-9. DISCUSSION, VICE-CHAIR SUGIMURA. >> I'M PROVIDING THIS REPORT IN ACCORDANCE WITH THE STATE'S SUNSHINE LAW, PARTICULARLY THE REQUIREMENTS OF SECOND, 92-2.5 (E),HAWAII REVISED STATUTES. MYSELF, CHAIR LEE AND MEMBER PALTIN AND COOK ATTENDED CONGRESSWOMAN JILL TOKUDA'S FEBRUARY 22, 2024 TOWN HALL, HELD AT 5:30 P.M., UNIVERSITY OF HAWAII - MAUI COLLEGE. THE PURPOSE OF THE TOWN HALL WAS FOR REPRESENTATIVE TOKUDA TO PROVIDE A LEGISLATIVE UPDATE FOR AND FIELD QUESTIONS FROM MAUI CONSTITUENTS. NO COMMITTED -- NO COMMITMENTS PERTAINING TO A COUNCIL VOTE WERE MADE OR SOUGHT.\r\n\r\nTHIS CONCLUDES MY REPORT AND I WELCOME ANY ADDITIONAL COMMENTS FROM OTHER MEMBERS WHO WERE IN ATTENDANCE. >> ANY MORE DISCUSSION? IF NOT ALL THOSE IN FAVOR, RAISE YOUR HAND, SAY AYE. EIGHT AYES, ZERO NOS, ONE EXCUSED, MEMBER RAWLINS-FERNANDEZ. MOTION CARRIES. >> BEFORE YOU IS COUNTY COMMUNICATION 24-10 COUNCIL MEMBER JOHNSON TRANSMITTING A PROPOSED AMENDMENT TO BILL 42 CD 1 (2024) ENTITLED A BILL FOR AN ORDINANCE AMENDING THE DEFINITIONS OF "FARM" AND "FARM LABOR DWELLING" IN THE COMPREHENSIVE ZONING

ORDINANCE. >> MEMBER JOHNSON.\r\n\r\n>> CHAIR, CAN WE TAKE THIS UP WHEN THE MATTER COMES IN SECTION K, COMMITTEE REPORTS >> ANY OBJECTIONS? >> NO OBJECTIONS. >> WE'LL TAKE IT UP LATER, MS. CLERK. >> CHAIR, MOVING ON TO COMMITTEE REPORTS. AT THIS TIME, INDIVIDUALS MAY TESTIFY ON ANY OF THE COMMITTEE REPORTS IN SECTION K. CHAIR, THERE'S NO ONE TO TESTIFY, AND NO ONE HAS RAISED THEIR HANDS IN TEAMS. SO LAST CALL, COUNTING DOWN, 3, 2, 1. CHAIRS THERE'S NO ONE TO TESTIFY.\r\n\r\n>> MEMBERS, ANY OBJECTIONS TO CLOSING TESTIMONY ON SECTION K, AND ACCEPTING WRITTEN TESTIMONY INTO THE RECORD. SO ORDER. >> CHAIR FROM YOUR AGRICULTURE, DIVERSIFICATION, ENVIRONMENT, AND PUBLIC TRANSPORTATION COMMITTEE, IS COMMITTEE REPORT 24-32 RECOMMENDING FIRST READING OF BILL 42 CD 1 (2024) AMENDING THE DEFINITION OF "FARM" AND "FARM LABOR DWELLING" UNDER SECTION 19.04.040 MAUI COUNTY CODE. CHAIR JOHNSON. >> CHAIR, I MOVE TO APPROVE THE RECOMMENDATIONS IN COMMITTEE REPORT 24-32. >> SECOND. >> MOVED BY MEMBER JOHNSON, SECONDED BY MEMBER COOK TO PASS CR24-32 ON FIRST READING. MEMBER JOHNSON.\r\n\r\n>> CHAIR, I HAVE AN AMENDMENT FOR BILL 42, CD 1 AT THIS TIME. I MOVE TO SUBSTITUTE BILL 42, CD 1 (2024) WITH PROPOSED FD 1 VERSION IN COUNTY COMMUNICATION 24-10. >> MOVED BY MEMBER JOHNSON, SECONDED BY MEMBER COOK SO MAKE AN AMENDMENT TO THE BILL. AND CAN YOU EXPLAIN THAT IN DISCUSSION. MEMBER JOHNSON. >> THANK YOU, CHAIR. MEMBERS, YOUR AGRICULTURE, DIVERSIFICATION, ENVIRONMENT, AND PUBLIC TRANSPORTATION COMMITTEE MET ON MARCH 7, 2024 TO DISCUSS BILL 42 (2024) ENTITLED A BILL FOR AN ORDINANCE AMENDING THE DEFINITION OF "FARM" AND "FARM LABOR DWELLING IN THE COMPREHENSIVE ZONING ORDINANCE AND TO REVISE THE DEFINITION OF "FARM" TO MEAN A LOT IN AT LEAST 51% OF THE AREA OF LAND IT'S FOR AND THE PREDOMINANT ACTIVITY IS AGRICULTURE, OR AGRICULTURAL LAND CONSERVATION, IF IT'S DETERMINED BY THE DIRECTOR, THAT MORE THAN 49% OF THE LOT IS NOT USABLE, ACCESSIBLE, OR FEASIBLE FOR FARMING AND RANCHING THOSE AREAS DEEMED UNUSABLE, INACCESSIBLE OR INFEASIBLE MAY BE EXCLUDED PROVIDED THAT THE REMAINDER OF THE LOT IS USED FOR PREDOMINANT ACTIVE OF AGRICULTURE OR AGRICULTURAL LAND CONSERVATION AND LAND IS NOT USABLE, ACCESSIBLE AND FEASIBLE FOR ACTIVE USES SUBJECT TO APPROVAL OF THE DIRECTOR, INCLUDING CULTURAL SENSITIVE AREAS, STREAMS, GULCHES OR TERMS OR MATERIALS THAT CANNOT BE FARMED. IT ALSO AMENDS THE CONDO CONVERSION" FARM LABOR DWELLING," FOR THE ISLANDS OF LANAI AND MAUI THAT IS ACCUSED EXCLUSIVELY FULL-TIME AND PART-TIME AGRICULTURAL EMPLOYEES INCLUDING INTERNS, APPRENTICES AND VOLUNTEERS WHILE WORKING ON FARM OR RANCH ON WHICH THE UNIT IS LOCATED.\r\n\r\nFAX MEMBERS OF THE AGRICULTURAL EMPLOY MAY RESIDE IN THE FARM LABOR DWELLING UNLESS IT'S LOCATED ON IMPORTANT AG LANDS THERE ARE SECTION 205-45.5 HAWAII REVISED STATUTES, AND MUST MAINTAIN DOCUMENTATION OF THE AGREEMENT BETWEEN EMPLOYEE AND EMPLOYER AT ALL TIMES AND PROVIDE THE DOCUMENTATION UPON REQUEST. THE ISLAND OF MOLOKA'I IS EXCLUDED FROM THE NEW DEFINITIONS. BILL 42 CD 1 (2024) APPROVED TO FORM AND LEGALITY BY THE DEPARTMENT OF CORPORATION COUNSEL AND THE ADEPT COMMITTEE VOTED 6-0 ON RECOMMENDED PASSAGE OF THE BILL FIRST READING. I HAVE AN AMENDMENT FOR BILL 42 OAT THIS TIME THAT COMES AT THE REQUEST FROM THE PLANNING DEPARTMENT SO THEY CAN EASILY IMPLEMENT THE NEW BILL AND PRIEST THE ABUSE OF USING AG LABOR DWELLINGS AS ILLEGAL SHORT-TERM RENTALS SO I MOVE TO SUBSTITUTE BILL 42 CD 1 (2024) WITH THE PROPOSED VERSION FD 1 VERSION IN COUNTY COUNTY COMMUNICATION 24-10. THAT IS MY MOTION TO SUBSTITUTE. >> JUST FOR CLARIFICATION. >> I HAVE A POINT OF ORDER? >> YES.\r\n\r\n>> THIS IS AN AMENDMENT, AND WE HAVEN'T TAKEN UP THE BILL. TO AMEND IT; RIGHT? WE DID >> YES. WE DID. >> AT THE BEGINNING. CR24-32. >> 24-32 >> YES. >> OKAY.\r\n\r\n>> OTHER HANDS WENT UP? >> MR. PFOST IS HERE, IF YOU HAVE ANY QUESTIONS. HE SHOULD BE DESIGNATED RESOURCE, IF HE IS NOT HERE IN-PERSON, HE IS ONLINE. >> JUST FOR CLARIFICATION, MEMBER JOHNSON, WILL YOU BE MOVING TO FILE COUNTY COMMUNICATION 24-10? >> YES. I MOVE TO FILE. >> OKAY.\r\n\r\nSO I DID SEE OTHER HANDS. BUT IF YOU HAVE QUESTIONS, MEMBERS? MEMBER JOHNSON ASKED IF WE COULD -- I COULD DESIGNATE A RESOURCE PERSON, MR. WHAT IS HIS NAME? >> MR. PFOST. >> MR.\r\n\r\nPFOST. ANY OBJECTIONS TO THAT? THIS IS UNDER RULE 18. >> 18A. NO OBJECTIONS. >> NO OBJECTIONS AND HIS EXPERTISE, MR. JOHNSON. >> HE FOLLOWED THIS BILL THROUGH THE

PLANNING COMMISSIONS, AND HE WORKED WITH THE -- I WORKED WITH THE DEPARTMENT TO MAKE THE BILL AND AMENDMENTS. HE IS HERE TO ANSWER QUESTIONS FOR THAT.\r\n\r\n>> HE IS A PLANNER? >> HE IS A PLANNER. >> OKAY. ALL RIGHT. WHERE HE IS. >> HE SHOULD BE ONLINE? MAYBE MR.\r\n\r\nPOST -- >> IN THE MEANTIME, WE HAVE QUESTIONS FROM MEMBER PALTIN. >> THANK YOU, CHAIR. MY QUESTION IS FOR MR. PFOST. IS IT OKAY? >> SURE. MR.\r\n\r\nPFOST, ARE YOU ONLINE? >> HE IS ONLINE. >> HE IS. >> HE PUT IN CHAT HE IS AVAILABLE AS A RESOURCE. >> GREG POST WITH THE PLANNING DEPARTMENT. OR >> CHAIR. THANK YOU, MR.\r\n\r\nPFOST, FOR BEING AVAILABLE. I WAS WONDERING AS MS. MCLEAN TESTIFIED AT THE AGRICULTURAL WORKING GROUP WASN'T IN FAVOR OF THIS AMENDMENT. BUT YOUR CONCERN IS VALID THAT THIS COULD BE USED BY SHORT-TERM RENTAL AS A LOOPHOLE. I WAS WONDERING, IF YOU WOULD BE AMENABLE TO ADDRESS THAT SORT OF LOOPHOLE WITH THE REQUIREMENT OF A ONE-YEAR LEASE? IF IT'S A FULL-TIME OR A PART-TIME FARM WORKER? >> YES.\r\n\r\n>> MR. PFOST. >> THANK YOU, CHAIR. THANK YOU, COUNCIL MEMBER PALTIN. YES, I THINK IT DOESN'T NECESSARILY HAVE TO BE A ONE-YEAR LEASE. IT COULD BE TRANSIENT VACATION RENTAL IS SIX MONTHS OR LESS. SO IT COULD BE A SIX-MONTH LEASE.\r\n\r\nI THINK THAT WOULD BE OKAY, BECAUSE REALLY WHAT WE'RE TRYING TO DEAL WITH THE DEFINITION, THAT ALLOWS INTERNS WITH THEIR FAMILIES TO BE THERE PART-TIME AND DOESN'T DESCRIBE WHAT THAT MEANS. SO THAT IS THE CONCERN, IS THAT INTERN AND THEIR FAMILY COULD BE THERE FOR A WEEK OR TWO, DOING RELATIVELY MINOR AMOUNTS OF WORK. SO THAT WAS OUR CONCERN. THAT IS WHY WE ADDED THE LANGUAGE. SO I THINK ADDING SOMETHING THAT ALLOWS FOR A LONG-TERM RENTAL, THAT WOULD BE FINE. >> FOR ME I'M LOOKING AT PAGE 1 OF THE BILL, NOT THE AMENDMENT. I WOULD TAKE OUT "SEASONALLY." AS THE TESTIFIER STATED.\r\n\r\nIF THEY ARE A MAUI COUNTY RESIDENT AND THEY ARE DOING SEASONAL LABOR, THEY SHOULD ALREADY HAVE HOUSING AND WE'RE NOT LOOKING TO HOUSE -- NOT MAUI COUNTY RESIDENTS. >> POINT OF ORDER? ARE WE ON AMENDMENT, OR THE ACTUAL MAIN BILL? I'M SORRY, WHERE ARE WE? >> I THINK SHE IS ASKING QUESTIONS. >> OKAY. >> OF MR.\r\n\r\nPFOST. >> YES. >> AND HIS COMMENTS? >> SO IF WE TOOK OUT "SEASONALLY," AND INSTEAD PUT IN THE UNDERLINED SECTION OF THE ORIGINAL BILL WOULD AMEND IT INSTEAD TO SAY THAT OUR "USED EXCLUSIVELY BY FULL-TIME AND PART-TIME AGRICULTURAL EMPLOYEES INCLUDING INTERNS, APPRENTICES AND VOLUNTEERS WHILE WORKING ON A FARM OR RANCH THAT THE UNIT IS LOCATED WITH A MINIMUM SIX-MONTH LEASE OR SOMETHING LIKE THAT >> MR. PFOST? >> O THE CUFF THAT SHOULD BE FINE BECAUSE IT ADDRESSES THE ISSUE OF SHORT-TERM RENTALS AND LESS THAN SIX MONTHS. THAT IS THE MAIN ISSUE WE WERE CONCERNED.\r\n\r\n>> AND FOR ME, FOR THE INTENT AND PURPOSE OF THIS BILL IS THAT IT WOULD BE AFFORDABLY PRICED AND IT WOULDN'T BE LIKE A 10,000 SQUARE FOOT WITH POOL, THAT IS BEING RENTED OUT FOR, LIKE, \$5,000 A MONTH, OR ANYTHING, BUT DO YOU THINK IT'S OKAY TO NOT HAVE THAT IN THE BILL, OR SHOULD WE ADD THAT IN THE BILL? THAT WE'RE EXPECTING IT TO BE RENTED OUT AFFORDABLY, LIKE WITHIN THE HUD GUIDELINES KIND OF THING? >> I'M NOT SURE THAT NECESSARILY NEEDS TO BE IN THE BILL. THE BILL, THE DEFINITION OF "FARM LABOR DWELLING," TALKS ABOUT BEING EMPLOYED OR WORKING ON THE FARM. IT'S ASSUMED THAT ONE, THERE NEEDS TO BE SOME SORT OF WORKING OCCURRING OR EMPLOYMENT OCCURRING. THAT IS PART OF WHAT WE WOULD BE INVESTIGATING TO MAKE SURE THAT AN EMPLOYEE IS ACTUALLY WORKING ON THE FARM; RIGHT? SO I'M NOT SURE THE EXISTING DEFINITION OF "FARM LABOR DWELLING," DOES NOT INCLUDE THAT PROVISION.\r\n\r\nI'M NOT SURE IF YOU NEED TO ADD THAT AT THIS TIME? I THINK IF WE HAVE A PROVISION THAT DEALS WITH NOT DOING THE TRANSIENT VACATION RENTAL THAT SHOULD BE FINE AND ADDRESS THE ENFORCEMENT MECHANISM WE'RE LOOKING FOR. >> OKAY. DO YOU NEED THAT SIX-MONTH OR MORE LEASE TO BE PART OF THE DOCUMENTATION THAT IS SUBMITTED TO YOU FOLKS ONCE THE FARM LABOR DWELLING IS CONSTRUCTED OR HOW WOULD YOU VERIFY THAT? DOES THAT NEED TO BE IN THE BILL? >> I DON'T THINK -- CURRENTLY IN THE FD 1 VERSION, THERE IS THE LAST SENTENCE TALKS ABOUT MUST MAINTAIN DOCUMENTATION OF THE AGREEMENT BETWEEN THE -- I'M SORRY, MAKE SURE I'M READING THE RIGHT ONE HERE, IT TALKS ABOUT MAINTAINING DOCUMENTATION OF EMPLOYEE AND EMPLOYER AND PROVIDE IT THAT UPON REQUEST AND TO EXPECT AS A FARMER YOU ARE EMPLOYING THIS PERSON AND EMPLOYING THIS PERSON AS A LONG-TERM EMPLOYMENT, NOT AS SHORT-TERM. THAT IS WHAT

WE WOULD BE LOOKING FOR.\r\n\r\nAGAIN, THIS IS ONLY ON COMPLAINT BASIS. SO THE DEPARTMENT IS NOT GOING TO REQUIRE THIS KIND OF DOCUMENTATION OF EVERY FARMER THAT DOES FARM LABOR DWELLING, BUT REALLY ON A COMPLAINT BASIS, TO MAKE SURE IT'S COMPLIANT WITH THE CODE. >> AND IF THERE WAS A COMPLAINT AND THIS DOCUMENTATION WERE NOT MAINTAINED, WHAT WOULD BE THE PENALTY, OR THE CONSEQUENCE? >> WE COULD THEN TAKE ENFORCEMENT ACTION BY NOT BEING COMPLIANT WITH CODE. SO WE WOULD FIRST OF COURSE, PROVIDE -- I'M SORRY, I'M RELATIVELY NEW TO COUNTY AND NOT ENTIRELY SURE WITH THE MECHANISMS AND FINES, BUT WARNINGS AND THEN TAKE FURTHER ACTION AND THE FARMER HAS THE ABILITY TO APPEAL THOSE ACTIONS BEFORE THE BOARD OF VARIANCES AND APPEALS. >> OKAY. THANK YOU.\r\n\r\nI THINK JUST FOR ME, THAT WOULD SEEM TO BE A COMPROMISE BETWEEN WHAT THE PLANNING DEPARTMENT WOULD LIKE, AND THE AG WORKING GROUP WOULD LIKE. SO THAT WOULD BE, I GUESS, MY PATH THAT I WOULD SUPPORT. THANK YOU. >> MEMBER COOK. >> THANK YOU, CHAIR. I WANT TO SPEAK ON BEHALF OF THE BILL, AND I UNDERSTAND THE CONCERN ABOUT SHORT-TERM RENTALS, AND PEOPLE COCKROACHING AND BREAKING THE LAW AND BEING DISHONEST. I THINK THE INTENT OF THE BILL IS SOMETHING THAT I'M A STRONG ADVOCATE OF, AMONG OTHERS.\r\n\r\nTHIS AGRICULTURE HAS A HARD TIME PAYING HIGH WAGES. IF YOU CAN PROVIDE HOUSING ON THE SITE, WHETHER IT BE TEMPORARY, OR PERMANENT, THAT IS ONE WAY THAT YOU CAN GET FARM LABOR COSTS EFFECTIVELY. I RECENTLY ATTENDED A COMMUNITY ASSOCIATION MEETING, WHERE MISC GAVE A PRESENTATION ON THE COQUI FROG CONTROL ATTEMPTS. ONE OF THE THINGS THEY SAID THEY HAVE A REALLY HARD TIME GETTING STAFF AND GETTING PEOPLE, WHERE THERE'S A LOT OF PEOPLE WILLING TO COME AND ADDRESS THE INVASIVE SPECIES FOR A VARIETY OF THINGS, AND WHETHER PEOPLE SAY THAT IS A VACATION OR NOT? AND THAT IS WHERE IT'S A FINE LINE. I WOULD LIKE TO HAVE LIBERALIZE THIS TO AN EXCEPT WITH THIS BILL AND SEE HOW IT WORKS, INSTEAD OF JUST DOING WHAT WE HAVE DONE BEFORE, WHICH IS MAKING AG USE SO RESTRICTIVE, IT'S NOT WORKING. WE HAD GENTLEMEN FARMERS AND A LOT OF AG LAND NOT BEING USED FOR AG.\r\n\r\nSO I'M AN ADVOCATE OF WHAT MEMBER JOHNSON IS ATTEMPTING TO DO, WHICH IS FOCUS ON FARMING, AND SEE HOW IT WORKS. I WOULD LIKE TO SEE THE AG DEPARTMENT -- DEPARTMENT OF AGRICULTURE MANAGE THE LAND USE FOR AG LANDS, BUT THAT'S PROBABLY NOT GOING TO HAPPEN ANY TIME SOON. THANK YOU. THAT IS MY SUPPORT FOR THE BILL, AND MY SUPPORT TO SORT OF LEAVE IT ALONE AND SEE HOW IT GOES, AND WE CAN DO THE REGULATORY FOLLOW-UP, INSTEAD OF JUST NOT TRYING. THANK YOU. >> AND THEN WE HAVE MEMBER UU-HODGINS. >> THANK YOU, CHAIR.\r\n\r\nI AGREE WITH MEMBER PALTIN, I WOULD RATHER SEE LANGUAGE THAT SUPPORTS LONG-TERM RENTAL THAN HAVE THE LANGUAGE THAT EXPLICITLY DISALLOWS THE EMPLOYEE OR -- I'M SORRY, THE EMPLOYEE OR THE PROPERTY OWNER RECEIVING COMPENSATION. THOSE TWO THINGS IN MY HEAD SHOULD BE SEPARATE. THEY SHOULD BE PAID ADEQUATELY FOR THEIR WORK AND THEY SHOULD THEN PAY RENT, REGARDLESS OF WHO IT'S TO. I DON'T -- I UNDERSTAND THE POINT OF IT ALL, BUT I DISAGREE WITH MEMBER COOK. WE HAVE ACTUALLY ALREADY TRIED THIS IN THE PLANTATION-ERA AND THIS IS WHAT IS CALLED AN INDENTURED SERVANT. SO THIS IS A VERY SLIPPERY SLOPE. I WOULDN'T WANT TO TRY THAT AGAIN.\r\n\r\nWHAT IS TO SAY THE EMPLOYEE AND I'M NOT SAYING OF COURSE ANYBODY IS A BAD GUY, BUT TO SAY MY PROPERTY, AND THIS HOUSE, BECAUSE I JUST MADE IT, AND EVERYTHING IS SUPER EXPENSIVE, RENT IS \$10,000 A MONTH? HOW IS ANYBODY GOING TO WORK THAT MUCH TO AFFORD ANYTHING OTHER THAN ON THE RENT IN FURTHERMORE, THE QUESTION I ASKED IN COMMITTEE IS THE TENANT GOING TO BE PROTECTED UNDER ANY TENANT RIGHTS? WHAT RIGHTS DO THEY HAVE, IF THEY ARE NOT PAYING RENT? CAN CORP. COUNSEL ANSWER THAT? >> CORP. COUNSEL.\r\n\r\n>> THANK YOU, CHAIR. SO IF YOU HAVE A LEASE YOU ARE GOING TO BE COVERED UNDER THE LANDLORD-TENANT CODE HAWAII REVISED STATUTES AND EVEN MONTH-TO-MONTH RENTAL, IF IT'S A RENTAL, YOU WILL HAVE RIGHTS UNDER THE LANDLORD-TENANT CODE FOR SURE. >> IF THEY ARE NOT PAYING RENT. >> IF THEY ARE NOT PAYING RENT, IT'S A LITTLE VAGUE. FOR EXAMPLE, IF YOU HAVE SOMEONE STAY AT OUR HOUSE AND THINGS DON'T GO WELL, WE COULDN'T WANT TO GET TO A LONG COURT BATTLE TO GET THAT GUEST OUT. SO IT'S A FINE LINE, BETWEEN A GUEST WHO IS NOT PAYING AND SOMEBODY WHO ACTUALLY SIGNED A LEASING AND PAYING. THAT DOESN'T MEAN YOU

CAN'T SIGN A LEASE AND STILL HAVE RIGHTS UNDER THE LANDLORD-TENANT CODE BECAUSE IT'S A CONTRACT; RIGHT?

>> I DON'T KNOW, I'M HAPPY TO HAVE WHOEVER ANSWER THIS FOR ME, HOW DOES THE WOOFERS WORK, WHEN THEY COME HERE FOR SEASONAL AND STAY FOR A SHORT AMOUNT OF TIME? I'M NOT FAMILIAR. HOW DOES THAT WORK? >> DO YOU KNOW, CORP. COUNSEL? >> WELL, I HAVE A LITTLE BIT OF EXPERIENCE WITH WOOFERS. MY DAUGHTER WAS A WOOFER ON MAUI, BORN AND RAISED HERE AND LIVED FOR FREE IN A TINY LITTLE HOUSE AND WORKED ON A FARM AND DIDN'T PAY RENT.

THAT IS HOW IT WORKED. >> DO WE HAVE THAT OPTION CURRENTLY. >> THERE'S PLENTY OF PEOPLE COMING FROM THE MAINLAND AND YOU MEAN, FRANKLY THERE AREN'T ALWAYS PEOPLE ON MA I TO DO THAT WORK, AND COME FOR A FEW MONTHS TO MAUI FOR WORK TRADE. LEGALLY, WHETHER THEY ARE COVERED UNDER THE LANDLORD-TENANT CODE, IF THEY DON'T HAVE A LEASE, I WOULD SAY THAT WOULD BE MORE DIFFICULT TO ESTABLISH. >> OKAY. THANK YOU. LIKE I SAID, I WOULD PREFER TO HAVE THE LANGUAGE WHERE IT SPECIFICALLY ALLOWS FOR SIX-MONTH OR LONGER LEASE, AND REMOVE THE LANGUAGE WHERE COMPENSATION SHALL NOT BE RECEIVED.

THANK YOU, CHAIR. >> ANY MORE -- MEMBER SUGIMURA? ALL IMPORTANT. CAN WE SEND THIS BACK TO COMMITTEE, AND HAVE A DEEPER DIVE? BECAUSE IT'S SO IMPORTANT. AND I KNOW, I KNOW THE INTENTION OF WHAT MEMBER JOHNSON IS TRYING DO IN TERMS OF CLEAN-UPS AND THE VOICE OF AG WORKING GROUP IS LOUD AND WE HEARD FROM MICHELE MCLEAN THAT THEY DIDN'T HAVE A CHANCE TO WEIGH ON THIS AND IF MEMBER JOHN WONDER IF MEMBER JOHNSON COULD TAKE IT BACK TO COMMITTEE AND IT'S TOO IMPORTANT TO TRY TO PASS ON THE FLOOR TODAY. >> LET'S TAKE A TEMPERATURE CHECK.

WE COULD LEAVE THIS UNTIL AFTER LUNCH AND PEOPLE MAKE THEIR CHANGES AND PROPOSE AFTER LUNCH OR THE OTHER OPTION IS TO RECOMMIT. MEMBER PALTIN. >> I'M NOT ON THE COMMITTEE. I HAVE A LOT OF OPINIONS AND THIS IS JUST ON THE AMENDMENT. IF YOU SEND IT BACK TO COMMITTEE, I'M NOT A VOTING MEMBER AND HERE I'M A VOTING MEMBER. SO I WOULD LIKE TO PARTICIPATE. I DID ASK TO BE ON THE ALL THE COMMITTEES, BUT SOMEHOW SHANE IS ON ALL THE COMMITTEE AND HE IS NOT SUPER STOKED ON THAT.

BUT JUST THROWING THAT OUT THERE. >> ANYBODY ELSE? SO THAT MEANS WORK ON IT TODAY THEN? THAT IS YOUR CHOICE. SO THAT IS THE CHOICE OF AFTER LUNCH. MEMBER UU-HODGINS? >> THANK YOU, CHAIR.

I DON'T THINK IT NEEDS TO GO BACK TO COMMITTEE. I SUPPORT THE INTENT OF CLEARLY DEFINING WHAT "FARM" IS. I THINK THE AG GROUP WOULD PROBABLY WANT TO GET THAT ONE THROUGH IN COMMITTEE WE HAD ALREADY VOTED ON THIS EXACT LANGUAGE AND IT FAILED. SO IF WE CAN DO THE SAME THING, IT WILL JUST TAKE LONGER. >> SO AFTER LUNCH? ANYBODY ELSE FOR AFTER LUNCH? MEMBER PALTIN.

>> I JUST HAD A QUESTION, IF WE DO IT AFTER LUNCH INSTEAD OF NOW, AM I THE ONE RESPONSIBLE FOR DRAFTING THE ASF, LIKE WHAT I SAID? >> NO DAVID IS. >> OKAY. OR MR. PFOST OR SOMEBODY? BECAUSE I MEAN, I CAN SAY IT EASIER THAN I CAN WRITE IT. BUT I THINK YOU GUYS HEARD, LIKE, JUST TRYING TO COMPROMISE BETWEEN THE PLANNING DEPARTMENT'S CONCERNS AND THE AG WORKING GROUP'S CONCERNS, I WOULD JUST SAY IT LIKE THAT, AND THEN BETWEEN NOW AND SECOND READING, SO MY VOTE IS TO JUST LET'S GO FORWARD THE PATH AHEAD, AND I WILL READ IT INTO THE RECORD OR SOMETHING.

THE PATH IS NOT CLEAR AT THIS POINT. THAT IS THE PROBLEM. MEMBER -- IF IT'S CLEAR TO YOU, BUT NOT TO THE REST OF US. MEMBER KAMA. >> I'M OKAY WITH DOING IT AFTER LUNCH. >> ONE, TWO, THREE. IT'S OKAY?

THEN WE'LL BE MORE AGREEABLE AFTER LUNCH. >> OKAY, I'M BUYING THE DESSERT THEN. [LAUGHTER]DO YOU WANT ME TO PULL MY MOTION AND SECONDER PULL HIS? >> WE COULD JUST LEAVE IT AS-IS. >> YOU JUST REMIND ME. >> MADAM CLERK . CARE FROM YOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE, CR24 HTML 33, RECOMMENDING FILING OF THE ONE, AMENDING SECTION 2 ESTIMATED REVENUES BY INCREASING CARRY OVER SAVING FROM THE GOLF BY \$7,304,000 AND INTERFUND TRANSFERS BY \$7,304,000, 2 AMENDING SECTION 3.B.4 GET B.C. 6 DEPARTMENT OF FINANCE COUNTY WELL, THE TRANSFER TO THE SOLID WASTE FUND, BY INCREASING CATEGORY BY OPERATION AND EQUIPMENT, AND TOTAL APPROPRIATION BY \$7,304,000. 3, AMENDING SECTION 4A1A1 DEPARTMENT OF EMERGENCY MANAGEMENT COUNTYWIDE BY ADDING A NEW APPROPRIATION FOR SOLID WASTE MANAGEMENT FUND ENTITLED LAHAINA WILDFIRE DISPOSAL SITE IN THE AMOUNT OF \$7,304,000 -- >> VICE-CHAIR SUGIMURA. >> THANK YOU.

IF THERE'S NO OBJECTIONS, MAY I PLEASE ASK

THE CLERK TO ALSO CALL CRS 24-34, 24-35 AND 24-36. >> ANY OBJECTIONS? SO ORDERED. MS. CLERK. >> CHAIR, PROCEEDING WITH CR24-34 RECOMMENDING FIRST READING OF BILL 33 (2024) TO AMEND THE FISCAL YEAR 2024 BUDGET BY AMENDING SECTION 3B1, DEPARTMENT OF AGRICULTURE: 1, DELETING "THE" FROM THE DEPARTMENT TITLE. 2, REDUCING THE APPROPRIATION FOR AGRICULTURAL PROGRAM, CATEGORY B OPERATIONS AND EQUIPMENT BY \$28,239. 3, REDUCING THE GRANTS AND DISBURSEMENTS FOR AGRICULTURAL PROMOTION, FERAL ANIMAL RECOVERY BY \$781,500. 4, REDUCING THE APPROPRIATION FOR GRANTS FOR AGRICULTURAL PROMOTION, AGRICULTURAL FOR EDUCATION AND APPRENTICESHIP BY \$51,600, 5, THE APPROPRIATION FOR GRANTS AND DISBURSEMENTS FOR AGRICULTURAL PROMOTION, E AGRICULTURAL GRANTS AND TECHNOLOGY FOR INFRASTRUCTURE IMPROVEMENTS ON ESTABLISHED AGRICULTURAL OPERATIONS BY \$45,000, AND 7, ADJUSTING ACCORDINGLY. CR24-35, RECOMMEND FISSION READING OF BILL 37 (2024) TO AMEND THE FISCAL YEAR 2024 BUDGET APPENDIX CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF FIRE AND PUBLIC SAFETY WAILUKU-KAHULUI COMMUNITY PLAN AREA BY REVISING THE PROJECT DESCRIPTION FOR THE ADMINISTRATION BUILDING ACQUISITION SITE SELECTION AND LAND ACQUISITION TO CONSTRUCT." AND INSERTING IN ITS PLACE O. PLANNING AND CONCEPTUAL DRAWINGS FOR." PLUS, CR24-36 RECOMMENDING FIRST READING OF BILL 7 (2024) TO AMEND CHAPTER 3.47 MAUI COUNTY CODE TO REQUIRE THE DIRECTOR OF FINANCE TO PROVIDE QUARTERLY REPORTS TO THE COUNCIL THAT INCLUDE: 1, THE NUMBER OF COUNTY TRANSIENT ACCOMMODATIONS AND ESTIMATED TAXES GROUND BITER RESIDENCY AREA, WHERE THE TRANSIENT ACCOMMODATION IS LOCATED, 2 THE NUMBER OF COUNTY TRANSIENT ACCOMMODATIONS GROUND BY THE TAXPAYERS MAILING ADDRESS, AND 3, AN AGED ACCOUNTS RECEIVABLE LIST OF DELINQUENT COUNTY TRANSIENT ACCOMMODATIONS AND TO PREVENT THE DESTRUCTION OF MONTHLY, QUARTERLY OR SEMI-ANNUAL RETURNS AND UNDER SECTION 3.47.070, MAUI COUNTY CODE IN CERTAIN SITUATIONS.\r\n\r\n>> VICE-CHAIR SUGIMURA. >> MOVED BY VICE-CHAIR SUGIMURA AND SECONDED BY PRO TEM KAMA TO APPROVE THE RECOMMENDATIONS IN CR24-33, 34, 35 AND 36. DISCUSSION? VICE-CHAIR MEMBER SUGIMURA. >> THANK YOU, CHAIR. YOUR COMMITTEE REPRESENTED THE FILING OF BILL 40, WHICH RELATES TO THE FUNDING OF THE LAHAINA WILDFIRE DISPOSAL SITES, THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT INFORMED US THAT THEY DID NOT REQUIRE ALL OF THE 7.3 MILLION IN THIS BILL. THEY HAVE AN UPDATED REQUEST, WHICH IS POSTED ON TODAY'S AGENDA, AS BILL 55 (24) THE SECOND ITEM. YOUR COMMITTEE RECOMMENDED FIRST READING OF THE REMAINING BILLS IN THESE CRS, BILL 33, TRANSFERS A TOTAL OF \$831,339 IN UNENCUMBERED FUNDS UNDER THE DEPARTMENT OF AGRICULTURE FISCAL YEAR BUDGET TO THE DEPARTMENT OF AGRICULTURE PROMOTION, TECHNOLOGY LINE ITEM.\r\n\r\nSO THAT THE DEPARTMENT CAN PROVIDE MORE GRANTS IN THAT CATEGORY. NOTED FOR ME IS THAT THEY DELETED THE FERAL ANIMAL FROM OED AND I HOPE THAT IN THE FUTURE, THERE IS AN ATTENTION TO FERAL ANIMAL BECAUSE WE STILL HAVE THAT PROBLEM. THE DEPARTMENT OF AGRICULTURE, THAT IS SPECIAL NOTE FROM ME ON THIS ITEM. BILL 34 (2024) AMENDS APPENDIX C OF FISCAL YEAR 24 BUDGET FOR THE DEPARTMENT OF FIRE, PUBLIC SAFETY S' ADMINISTRATING BUILDING ACQUISITION PROJECT TO SHIFT THE PROJECT'S FOCUS TO PLANNING AND CONCEPTUAL DESIGN. BILL NO. 7 AMENDS CHAPTER 3-47 MAUI COUNTY CODE TO REQUIRE THE DEPARTMENT-- THE DIRECTOR OF FINANCE TO SUBMIT QUARTERLY REPORTS TO THE COUNCIL RIOTING TO THE COUNTY'S TRANSIENT ACCOMMODATION TAX, AS RECOMMENDED BY THE COUNTY AUDITOR IN HIS REPORT ON THE COUNTY'S ADMINISTRATION AND COLLECTION OF THIS TAX. THAT WAS CHAIR LEE'S BILL.\r\n\r\nI RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. THANK YOU, CHAIR. >> ANY MORE DISCUSSION? MEMBER PALTIN. >> THANK YOU, CHAIR. I WILL BE SUPPORTING ALL OF THESE, BUT I JUST SPECIFICALLY WANTED TO SPEAK IN STRONG SUPPORT OF BILL 7. THIS IS INFORMATION THAT WE FREQUENTLY GET ASKED BY OUR COMMUNITY ESPECIALLY IN THESE TIMES. SO STOKED TO SUPPORT IT, AND THEN YOU KNOW, DISTRIBUTE THE INFORMATION TO THOSE WHO ARE ASKING FOR IT.\r\n\r\nTHANK YOU. >> ANYBODY ELSE? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. >> AYE. >> ALL THESE BILLS? NINE AYES, ZERO NOS, MOTION CARRIES . THANK YOU, MEMBERS. >> YOU WANT IT TAKE THE BREAK NOW OR KEEP GOING UNTIL 1:00? >> KEEP GOING UNTIL 12:00. >> MS.\r\n\r\nCLERK. >> CHAIR, FROM THE GOVERNMENT RELATIONS,

ETHICS, AND TRANSPARENCY COMMITTEE, COMMITTEE REPORT 24-37 RECOMMENDING THE FOLLOWING: 1, ADOPTION OF RESOLUTION 24-16, AUTHORIZING ADDITIONAL COMPREHENSIVE IN THE AMOUNT OF \$250,000 TO MCCORRISTON MILLER MUKAI MACKINNON LLP AS SPECIAL COUNSEL TO REPRESENT THE COUNTY OF MAUI AND 2, ADOPTION OF RESOLUTION 24-17 AUTHORIZING ADDITIONAL COMPENSATION IN THE AMOUNT OF \$250,000 TO MEYERS NAVE AS SPECIAL COUNSEL TO REPRESENT THE COUNTY OF MAUI IN CURRENT AND ANTICIPATED LITIGATION MATTERS ARISING FROM THE AUGUST 2023 WILDFIRES ON ISLAND OF MAUI. >> MEMBER UU-HODGINS. >> THANK YOU, CHAIR. I MOVE TO ADOPT THE RECOMMENDATIONS IN CR24-37. >> SECOND. >> MOVED BY MEMBER UU-HODGINS AND SECOND BY VICE-CHAIR SUGIMURA TO ADOPTS THE RECOMMENDATIONS IN CR24-37. DISCUSSION, MEMBER UU-HODGINS. >> THANK YOU, CHAIR YOUR NEXT QUESTION GREAT COMMITTEE MET FEBRUARY 27, 2024 TO DISCUSS RESOLUTIONS 24-16 AND 24-17. THE RESOLUTIONS AUTHORIZED ADDITIONAL COMPENSATION IN THE AMOUNT OF \$250,000 TO MCCORRISTON MILLER MUKAI MACKINNON LLP., AND MEYERS NAVE IN SPECIAL COUNSEL LITIGATION MATTERS RELATED TO THE AUGUST 2023 WILDFIRES IN THE ISLAND OF MAUI THAT THE COMMITTEE DISCUSSED IN OPEN SESSION AND CLOSED SESSION.\r\n\r\nYOUR COMMITTEE VOTED 7-0 TO RECOMMENDATION ADOPTION OF RESOLUTION 24-16 AND 24-17. AT THIS TIME I ASK FOR MEMBERS' SUPPORT OF MY MOTION. THANK YOU, CHAIR. >> ANY MORE DISCUSSION? IS NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. >> AYE. >> NINE AYES, ZERO NOS. MOTION CARRIES.\r\n\r\n>> CHAIR, FROM THE GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE IS COMMITTEE REPORT 24-38 RECOMMENDING ADOPTION OF RESOLUTION 23-248 AUTHORIZING THE EMPLOYMENT OF RONALD T. OGOMORI ATTORNEY AT LA, A LAW CORPORATION AS SPECIAL COUNSEL TO REPRESENT HERLAN AN DAYA IN AMIR HOSSEIN SHEIKHAN, ET CETERA ET. AL., V. HAWAIIAN ELECTRIC INDUSTRIES, ET CETERA, ET AL., CASE NO. 2 CCV-23-0000260 FOR A TOTAL COMPENSATION AMOUNT NOT-TO-EXCEED \$150,000. >> MEMBER UU-HODGINS. >> THANK YOU CHAIR,. I MOVE TO ADOPT RECOMMENDATIONS IN CR24-38. >> SECOND. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY PRO TEM KAMA TO APPROVE THE RECOMMENDATIONS IN 24-38MENT DISCUSSION, MEMBER UU-HODGINS. >> THANK YOU, CHAIR. YOUR GREAT COMMITTEE MET FEBRUARY 27TH, 2024 TO DISCUSS RESOLUTION 24-248 RESOLUTION 24-248 AUTHORIZES THE EMPLOYMENT OF RONALD T. OG MORI, ATTORNEY AT LA A LAW CORPORATION AS SPECIAL COUNSEL TO REPRESENT HERLAN ANDAYA IN AMIR HOSSEIN SHEIKHAN, ET CETERA ATUL V. HAWAIIAN ELECTRIC INDUSTRIES, ET CETERA, ET AL.\r\n\r\nCASE NO. CCV-23-0000260 FOR A TOTAL COMPENSATION AMOUNT NOT-TO-EXCEED \$150,000, WHICH THE COMMITTEE DISCUSSED IN OPEN AND EXECUTIVE SESSION MEETINGS TO DISCUSS CONFIDENTIAL INFORMATION OF THE YOUR COMMITTEE VOTED 6-IS TO RECOMMEND ADOPTION OF RESOLUTION 24-248. AT THIS TIME I ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. THANK YOU, CHAIR. >> ANY MORE DISCUSSION? ALL IN FAVOR RAISE YOUR HAND, SAY AYE. MEMBER JOHNSON? NO, YOU WANT RECALL?\r\n\r\n>> I THINK I WAS THE NO-VOTE IS THAT CORRECT? >> ROLL CALL. >> PRO TEMPORE TASHA KAMA >> YES. >> VICE-CHAIR SUGIMURA? COUNCIL MEMBER PALTIN? >> EXCUSED. >> COUNCIL MEMBER JOHNSON >> NO.\r\n\r\n>> COUNCIL MEMBER RAWLINS-FERNANDEZ? >> AYE. >> COUNCIL MEMBER COOK? >> AYE. >> COUNCIL MEMBER UU-HODGINS? >> AYE. >> AND ME?\r\n\r\n>> >> COUNCIL MEMBER SINENCI? >> AYE. >> CHAIR LEE? >> CHAIR, THERE'S SEVEN AYES, ONE EXCUSED, ONE NO, MOTION CARRIES. >> NEXT. >> CHAIR, BEFORE YOU IS COMMITTEE REPORT FROM THE GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE, COMMITTEE REPORT 24-39 RECOMMENDING ADOPTION OF RESOLUTION 24-13 AUTHORIZING ADDITIONAL COMPENSATION IN THE AMOUNT OF \$75,000 TO KOBAYASHI SUGITA & GODA LLP, SPECIAL COUNSEL TO REPRESENT THE COUNTY OF MAUI RICHARD T. BISSEN, JR. IN HIS OFFICIAL CAPACITY AND KATE BLYSTONE, AS SUCCESSOR TO KATHLEEN AOKI IN HER OFFICIAL CAPACITY IN CHRISTOPHER SALEM V. COUNTY OF MAUI, ET AL.\r\n\r\nCASE NO. 2 CCV-21-000048. >> MEMBER UU-HODGINS. >> THANK YOU, CHAIR. I MOVE TO RECOMMEND ADOPTION OF RESOLUTION. >> MOVED AND SECONDED TO APPROVE THE RECOMMENDATIONS IN CR24-39. DISCUSSION, MEMBER UU-HODGINS. >> THANK YOU, CHAIR. YOUR GREAT COMMITTEE MET ON FEBRUARY 27TH, 2024 TO DISCUSS RESOLUTION 24-13. RESOLUTION 24-13 AUTHORIZES ADDITIONAL COMPENSATION IN THE AMOUNT OF \$75,000 TO KOBAYASHI SUGITA AND GODA LLP AS SPECIAL COUNSEL TO REPRESENT THE COUNTY OF MAUI,

RICHARD T. BISSEN, JR. IN HIS OFFICIAL CAPACITY AND KATE BLYSTONE, AS SUCCESSOR TO KATHLEEN AOKI IN HER OFFICIAL CAPACITY IN CHRISTOPHER SALEM V. COUNTY OF MAUI, ET. AL., CASE NO. 2 CCV-21-0000048. WHICH YOUR COMMITTEE DISCUSSED IN BOTH OPEN SESSION AND EXECUTIVE MEETINGS TO DISCUSS CONFIDENTIAL INFORMATION YOUR COMMITTEE VOTED 8-0 TO RECOMMEND ADOPTION OF RESOLUTION 24-13. AND AGAIN, I ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. THANK YOU, CHAIR. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE EIGHT AYES, ONE EXCUSED. MEMBER PALTIN, MOTION CARRIES. CHAIR, DO YOU WANT TO DO ONE MORE? >> YES, ONE MORE. >> FROM THE WATER AND INFRASTRUCTURE COMMITTEE, CR24-33, RECOMMENDING THE COUNTY TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE, NATURAL CONSERVATION SERVICE TO PROVIDE TECHNICAL INFORMATION FOR THE STREAM SEDIMENT REMOVAL WATERSHED PROTECTION PROJECT. >> MEMBER COOK? >> I MOVE TO ADOPT THE RECOMMENDATION IN COMMITTEE REPORT 24-40. >> SECOND >> MOVED BY MEMBER COOK. SECONDED BY PM KAMA TO APPROVE THE RECOMMENDATIONS IN CR24-40. MEMBER COOK, DISCUSSION? >> THANK YOU, MEMBERS. YOUR WATER AND INFRASTRUCTURE COMMITTEE MET MARCH 7, 2024 TO DISCUSS BILL 41 (2024). THERE'S CURRENTLY TEN FEET OF SEDIMENT ACCUMULATED IN THE STREAM, AND THE TOTAL OF \$110,000 CUBIC YARDS OF SEDIMENT DUE TO LACK OF MAINTENANCE. HEAVY RAINS AND ENVIRONMENTAL CONDITIONS AT THE RANCH OVER THE LAST 20 YEARS. UNDER THE EMERGENCY WATERSHED PROTECTION PROGRAM WITH THE NATURAL RESOURCES CONSERVATION SERVICE, NRCS, WILL REMOVE UP TO A THRESHOLD VALUE OF 30,000 CUBIC YARDS OF SEDIMENT, OR A TOTAL CONSTRUCTION COST OF \$3,219,000 WHICHEVER IS REACHED FIRST. KANALUA RANCH THAT OWNS THE MAUKA PORTION OF THE CHANNEL, WOULD MANAGE THE REDEPOSITS SEDIMENT. CONSTRUCTION SHOULD BEGIN IN LATE APRIL OR EARL MAY OF THIS YEAR AND THE DIRECTOR OF PUBLIC WORKS NOTED THAT THE DEPARTMENT INTENDS TO CLEAR ALL OF THE SEDIMENT IN THE CHANNEL. YOUR COMMITTEE VOTED 9-0 TO RECOMMEND ADOPTION OF BILL 41, CD 16789 I RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. >> ANY MORE DISCUSSION? MEMBER SUGIMURA. >> THANK YOU. I STRONGLY SUPPORT THIS. AND I REALLY APPRECIATE MEMBER COOK FOR TAKING A SITUATION THAT WE HAVE BEEN HEARING ABOUT, READING ABOUT, ALL THE MUDSLIDES AND WHATEVER, EVERY TIME THERE WAS A STORM, AND ACTUALLY DOING SOMETHING ABOUT IT. SO THANK YOU FOR FINDING THAT NRCS MONEY, AND JORDAN MOLINA, THANK YOU, GREAT JOB. I STRONGLY SUPPORT THIS. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR, RAISE YOUR HAND, SAY AYE. >> EIGHT AYES, ZEROS NO, MOTION CARRIES, ONE EXCUSED, MEMBER PALTIN. WE HAVE HAD A REQUEST TO TAKE ONE MORE FROM MR. SINENCI. IS IT OKAY, MEMBERS? >> YES. >> CHAIR, FROM THE WATER AUTHORITY, SOCIAL SERVICES, AND PARKS COMMITTEE CR24-41 ONE RECOMMENDING FIRST READING OF BILL 26 CD 1 (2024) TO AUTHORIZE THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH PURDUE UNIVERSITY WITH AN INTENT FOR COUNTY TO COMMITMENT \$20,000 FOR PARTICIPATION IN THE WATER RESEARCH FOUNDATION FIRE PROJECT, INCLUDING PURCHASE OF THE SUPPLIES, LABOR AND TRAVEL AND UNSPECIFIED IN-KIND CONTRIBUTIONS OF STAFF TIME AND EXPERTISE. >> MEMBER SINENCI. >> MAHALO, CHAIR. MOVE TO ADOPT THE RECOMMENDATIONS IN CR24-41. >> SECOND. >> MOVED BY MEMBER SINENCI, SECONDED BY MEMBER JOHNSON. TO APPROVE THE RECOMMENDATIONS IN CR24-41. DISCUSSION, MEMBER SINENCI. >> THANK YOU, MEMBERS. YOUR WATER AUTHORITY, SOCIAL SERVICES, AND PARKS COMMITTEE MET ON MARCH 4TH, 2024 TO DISCUSS BILL 26 (2024) THE DEPARTMENT OF WATER SUPPLY TRANSMITTED A REVISED DOCUMENT ENTITLED, "EMERGING OPPORTUNITIES PROJECT CONCEPT." WHICH CONFIRMED THE DEPARTMENT'S COMMITMENT TO THE PROJECT, AND FURTHER OUTLINES THE PROJECT'S OBJECTIVES, BACKGROUND APPROACH AND DELIVERABLES. DR. WALTON FROM PURDUE UNIVERSITY INFORMED YOUR COMMITTEE THAT THE WATER RESERVE FOUNDATION FIRE PROJECT MAY HELP TO DETERMINE WHETHER BACK- FLOW PREVENTION DEVICES CAN BE STOPGAP MEASURES TO PROVIDED WILDFIRE CONTAMINANTS FROM ENTERING THE WATER DISTRIBUTION SYSTEM. MEMBERS, YOUR COMMITTEE CONFIRMED THE IMPORTANCE OF BENEFIT TO THE COUNTY IN CONTRIBUTING TO RESEARCH THAT MAY BETTER PREPARE AT-RISK COMMUNITIES FOR WILDFIRES ACROSS THE US. FINALLY, YOUR

COMMITTEE VOTED 7-0 TO RECOMMEND PASSING BILL 26 CD 1 (2024) ON FIRST READING, AND I RESPECTFULLY ASK FOR YOUR SUPPORT. >> ANY MORE DISCUSSION? MEMBER JOHNSON?

>> THANK YOU, CHAIR. I RISE IN FULL SUPPORT AND I WANT TO THANK DR. WALTON FOR COMING OUT IMMEDIATELY AFTER THE FIRES, TO COME HELP THIS COMMUNITY IN ITS TIME OF NEED. HE IS AN EXPERT IN FIRES AND THE FACT THAT WE DIDN'T HAVE TO REACH OUT TO HIM, HE CAME TO HELP US SHOWS A LOT ABOUT HIS CHARACTER. I RISE IN FULL SUPPORT. THANK YOU, CHAIR. >> THANK YOU.

ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE. >> NINE AYES, ZEROS NO, MOTION CARRIES. SO THE OTHER ITEM, WHEN WAS CR 24-32 WILL BE TAKEN UP AFTER LUNCH. SO DAVID, WOULD YOU BE ABLE TO CHECK WITH MR. PFOST?

OKAY. ALL RIGHT, MEMBERS. THIS MEETING -- TELL ME, 1:00 OR 1:30? 1:30. OKAY. THIS MEETING IS IN RECESS UNTIL 1:30. [GAVEL] [GAVEL] WILL THE COUNCIL MEETING OF MARCH 22ND, 2024 PLEASE RECONVENE. WE'RE STILL WAITING FOR THE ASF ON CR24-32. SO MEMBERS, ANY OBJECTIONS TO MOVING ON FOR NOW? SO ORDERED. MS.

CLERK WHERE ARE WE NOW? I GUESS WE FINISHED ALL THE CRS, EXCEPT FOR THAT ONE. OH, NO, WE'RE NOT FINISHED WITH THE CRS. SO THE NEXT ONE. WE'RE ON RESOLUTIONS. >> CHAIR, WE'RE ON RESOLUTIONS. SO AT THIS TIME, WE DO HAVE TESTIFIERS SIGNED UP.

THE FIRST TESTIFIER IS ROBIN KNOX, TESTIFYING ON RESOLUTION 24-23 AND 24-36, FOLLOWED BY CHARLENE SCHULENBURG. >> GOOD AFTERNOON, CHAIR. >> GOOD AFTERNOON. >> GOOD AFTERNOON, COUNCIL MEMBERS. I'M REALLY HAPPY TO BE HERE, EXCITED, AND HUMBLLED TO BE CONSIDERED FOR THE APPOINTMENT TO THE BOARD OF WATER SUPPLY. I WANT TO THANK COMMITTEE CHAIR UU-HODGINS AND ALL OF THE GREAT COMMITTEE MEMBERS FOR VOTING TO APPOINT ME TO THAT POSITION AND ASK THAT THE FULL COUNCIL ENDORSE THAT TODAY. I FOUND OUT TODAY IS WORLD WATER DAY.

SO IT COULDN'T BE A MORE APPROPRIATE TIME TO DO THIS. FOR THOSE THAT DON'T KNOW ME, I JUST WANT TO SAY THAT I'M THAT PERSON THAT IS ALWAYS THINKING, TALKING ABOUT WATER, ALWAYS TRYING TO FIGURE IT OUT. WHEN I'VE 40-YEAR CAREER, MORE THAN 40 HOURS A WEEK, DOING THAT. SOLVING WATER PROBLEMS. AND IT'S A PASSION, YOU KNOW? I CAN'T STOP. I CAN'T HELP MYSELF.

AND I'M REALLY GLAD THAT THAT EXPERIENCE COULD BE OF SERVICE TO MAUI COUNTY. I'M HUMBLLED BY NOT ONLY THE SUPPORT OF THE COMMUNITY, BUT I LOOKED AT THE BOARD OF WATER SUPPLY THE LAST FEW MINUTES AND THE PROBLEMS ARE HUMBLING AND THE CHALLENGES THAT WE FACE. THEY ARE LONGSTANDING CHALLENGES AND CLIMATE CHANGE, THAT IS TOTALLY UNPREDICTABLE. SO I THINK I CAN BE A REALLY STRONG TEAM MEMBER TO HELP THE BOARD AND HELP THE DEPARTMENT OF WATER SUPPLY AND THE COUNTY COUNCIL AND THE MAYOR FIGURE ALL THIS OUT. BECAUSE WE NEED ALL HANDS ON DECK, YOU KNOW? SO THAT'S ALL I'M GOING TO SAY ON THAT, AND I CAN TAKE ANY QUESTIONS YOU MIGHT HAVE. >> DO YOU HAVE ANY QUESTIONS?

IF NOT, THANK YOU VERY MUCH. >> OKAY, AND ON MY SECOND RESOLUTION. I WANTED TO TESTIFY ON IS THE APPOINTMENT TO THE MAUI PLANNING COMMISSION. IT'S SO IMPORTANT FOR SOUTH MAUI MEMBER TO BE ON THAT COMMISSION, WITH OUR CPAC COMING UP FOR REVIEW. AND JUST IN GENERAL, BECAUSE SEEMS LIKE A LOT OF DEVELOPMENT IS HAPPENING IN KIHAI, AND IN SOUTH MAUI. I DON'T KNOW -- I'M FORGETTING HIS NAME NOW. MR.

PASSAN? >> NO, I KNOW MR. PASSAN. WHO IS THE OTHER GENTLEMAN? >> BLACKBURN. I DON'T KNOW MR. BLACKBURN, CONCERNED BECAUSE HIS NAME KIND OF CAME UP AT THE LAST-MINUTE AND NONE OF THE PEOPLE THAT I HAVE BEEN ABLE TO TALK TO KNOW HIM EITHER AND WE HAVEN'T SEEN HIM AT COMMUNITY MEETINGS, AT COUNTY COUNCIL MEETINGS, OR COMMITTEE MEETINGS.

MAYBE HE GOES TO DIFFERENT ONES THAT I DO, BUT YOU KNOW, WE DON'T KNOW WHO HE IS. I DO KNOW WHO GARY PASSAN IS. I KNOW HE HAS KNOWLEDGE OF BUILDING, AND HAS BEEN A BIG FACTOR IN HABITAT FOR HUMANITY. I KNOW HIM AS A PERSON, NOT FOR A LONG TIME, BUT LONG ENOUGH TO KNOW THAT HE IS VERY GENTLE. HE IS VERY HEARTFELT. HE IS VERY FAIR. HE IS VERY INTELLIGENT.

I GO TO HIM WHEN I NEED TO BUILD SOMETHING, OR LIKE MY SPREADSHEET WON'T WORK, YOU KNOW? AND HE HELPS ME OUT. HE STEPPED UP TO BE ON OUR CPAC, WHEN WE HAD A SHORTAGE OF MEMBERS, AND I APPRECIATE THAT. I THINK HE WOULD BE AN EXCELLENT COMMUNITY -- AN EXCELLENT PLANNING COMMISSION MEMBER. HE DOESN'T JUMP TO CONCLUSIONS. HE IS VERY THOUGHTFUL. HE IS VERY THOROUGH, AND THAT WOULD BE MY VOTE, IF I WERE VOTING.

SO I URGE YOU TO VOTE FOR GARY AS WELL.

MAHALO. >> ANY QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH. NEXT. >> CHAIR, THE NEXT TESTIFIER IS CHARLENE SCHULENBURG, TESTIFYING ON RESOLUTIONS 24-23 AND 24-36 AND SHE WILL BE FOLLOWED BY KELLY KING. >> ALOHA ALL.\r\n\r\nCAN YOU HEAR ME? >> YES. ALOHA. AS IT RELATES TO KCA AND ME BEING NEW PRESIDENT WE'RE SUPPORTIVE OF ROBIN KNOX AS MEMBER OF THE BOARD OF WATER SUPPLY. REGARDING THE ENTIRE PROCESS OF ALL THE RESOLUTIONS 24-19, THROUGH 24-45, KCA DOES HAVE SERIOUS LEGAL CONCERNS MOST OF WHICH WERE DESCRIBED BY DICK MAYER'S TESTIMONY. FOR THE RECORD, PLANNING COMMISSIONS, PART 1 STATES THE NINE MEMBERS MUST-MONTH-OLD AT LEAST ONE, NOR MORE THAN TWO MEMBERS THAT RESIDE IN EACH COUNCIL RESIDENCY ON THE ISLAND. THIS IS ESPECIALLY IMPORTANT FOR KCA AND SOUTH MAUI AS THE CPAC WAS RECENTLY COMPLETED, AND IS SOON UP FOR MPC REVIEW.\r\n\r\nKCA ASKED FOR CONSIDERATION ON THIS LAST YEAR TO HAVE A SOUTH MAUI REPRESENTATIVE AND WE WERE ASKED, EXCUSE ME, WE WERE TOLD TO WAIT FOR SOMEONE TO TERM-OUT. SOUTH MAUI DESERVES TO HAVE A REPRESENTATIVE OF THEIR CHOICE. WE FULLY EXPECT TO HAVE THE BEST AND THE BRIGHTEST, AND THE PERSON WHO HAS BEEN GIVING HIS ALL TO MAUI AND TO SOUTH MAUI FOR THE LAST 14 YEARS AS A VOLUNTEER PER ALL OF THESE COMMUNITY HELPING POSITIONS HE HAS HELD, IT WOULD BE HARD TO ARGUE THAT GARY PASSAN IS NOT THE MOST QUALIFIED, EXPERIENCED AND HAS A HUGE GIVING HEART. KCA AND SOUTH MAUI WANTS THE MAYOR'S CHOICE. GARY PASSAN. PER THE CHARTER OUR STATE LATES IN APPENDIX 14 SECTION 13-2 PAGE 76 THAT THE MAYOR SHALL SUBMIT HIS NAME OF A NOMINEE AND THE MAYOR SUBMITTED JANUARY 31ST, THE DAY IT WAS DATED ACCORDING TO PAST RECORDS THIS IS WHEN MOST MAYORS HAVE SUBMITTED AND THE MAYOR DID. THERE IS SOMETHING ODD THAT HAPPENED ON THAT DATE, BUT WHAT WE HEARD ABOUT A LOT TODAY, I WAS HOPING WE WOULD HEAR THE FARM DISCUSSION A LITTLE BIT MORE, BUT WE HEARD A LOT ABOUT INTENT.\r\n\r\nLET'S THINK ABOUT THE INTENT WHERE THE MAYOR STANDS ON THIS. WE ALL KNOW THE INTENT OF THE MAYOR WAS TO GET HIS LIST IN ON TIME. THERE WAS DISCRETION THAT COULD HAVE BEEN EXERCISED IN THE SPIRIT OF ALOHA. SO WE CALL UPON YOU NOW TO PRACTICE THAT ALOHA SPIRIT AND CONSIDER THE MAYOR'S CHOICE FOR MPC, GARY PASSAN. THAT SAME CHARTER SECTION SAYS WITHIN 30 DAYS THEREAFTER THE COUNCIL SHALL ACT TO APPROVE OR DISAPPROVE THE NOMINEE. THE COUNCIL'S ONLY JOB WAS TO ACT TO APPROVE OR DISAPPROVE AND NOT TO DENY THE EXISTENCE OF THE LIST, BUT TO CONSIDER THE LIST. NOWHERE DOES THE CHARTER STATE THERE'S AN OPTION TO START FROM SCRATCH OVER A MANAGERIAL DIFFERENCE IN THE CRITERIA OF THE WORD "SUBMITTED." WE POINT OUT THE CONSCIENCE'S OWN PROCESS TO ACCEPT APPLICATIONS FOR THE OPEN POSITIONS A -- ALSO WITH CODE TITLE 2 SECTION 2.41.020. AND YOU GUYS HAVE MY SUBMISSION ON THIS.\r\n\r\nSO I WOULD REALLY APPRECIATE IT IF CORP. COUNSEL COULD MAKE A STATEMENT ON AT LEAST SOMETHING REGARDING THIS, BECAUSE I HAVE SEVERAL -- >> THANK YOU. >> SEVERAL OTHER SECTIONS THAT ARE OF BIG QUESTION. >> I'M AFRAID YOU HAVE RUN OUT OF TIME. >> THANK YOU VERY MUCH. >> QUESTIONS? MEMBER PALTIN.\r\n\r\n>> THANK YOU. JUST MY ONLY CLARIFYING QUESTION YOU WERE READING OUT THE CHARTER. I WAS WONDERING WHAT YEAR THAT ONE WAS DATED? >> THE CHARTER THAT WE MARKED HERE, OR WE MENTIONED IN THE LETTER, I BELIEVE IS THE ONE THAT WAS AMENDED. >> WHAT COLOR IS IT? >> SORRY, I DON'T HAVE A COLOR. I DON'T HAVE A COLOR.\r\n\r\nI THINK IT'S 1983 REVISED CHARTER OF THE MAUI COUNTY 1983. >> DO YOU KNOW WHEN IT WAS REVISED? WHAT YEAR IT WAS REVISED? IT SAYS REVISED CHARTER OF THE COUNTY OF MAUI 1983. >> THANK YOU. >> THANK YOU. >> SO ANY MORE QUESTIONS? IF NOT, THANK YOU VERY MUCH. >> THERE'S A QUESTION.\r\n\r\n>> MR. COOK. >> I DON'T HAVE A QUESTION FOR THE TESTIFIER. I HAVE A QUESTION FOR CORP. COUNSEL AFTER BEFORE THE NEXT TESTIFIER. >> THESE ARE CLARIFYING QUESTIONS. OKAY.\r\n\r\nMS. CLERK. >> CHAIR, NEXT TESTIFIER IS KELLY KING, TESTIFYING ON RESOLUTIONS 24-23 AND 24-36. >> KELLY, ARE YOU THERE? >> CHAIR, I DON'T SEE HER SIGNED INTO THE MEETING. OTHER PEOPLE DO SEE HER. >> OKAY, GO TO NEXT ONE. >> THE NEXT TESTIFIER IS RODRIGUES TESTIFYING ON RESOLUTION 24-35. >> AND THEN WHO IS AFTER THAT?\r\n\r\n>> TO BE FOLLOWED BY DAN BLACKBURN. ALOHA KAKOU. MY NAME IS EUNANA RODRIGUES WITH REGARDS TO RESOLUTION 23-35 FD 1. I AM APPLYING TO SERVE ON THE MAUI COUNTY CULTURAL RESOURCE COMMITTEE. I AM GOING TO MAKE THIS REALLY FAST, BECAUSE YOU PROBABLY ALREADY KNOW ME. IN THE

HAWAIIAN CULTURE IT'S VERY HARD TO TALK ABOUT YOURSELF, BECAUSE THAT IS CALLED OHUO. SO I WILL TREAT THIS LIKE A JOB INTERVIEW AND JUST TREAT IT LIKE A RESUME. FIRST OF ALL I HAVE A BACHELOR'S DEGREE IN HAWAIIAN STUDIES FROM THE UNIVERSITY OF HAWAII MANOA CAMPUS AND JURIS DOCTORATE, AND TEACHING AT COLLEGE FOR EIGHT YEARS.\r\n\r\nI ALSO SERVED AS THE EDUCATION COORDINATOR FOR ILANI PALACE AND MY LAST JOB WAS WITH THE STATE HISTORIC PRESERVATION DIVISION WHEN IS UNDER THE DEPARTMENT OF LAND AND NATURAL RESOURCES. I SERVED AS THE HISTORY AND CULTURAL BRANCH CHIEF FOR THE MOST PART MY JOB WAS TO DECIDE WHAT HAPPENS TO HUMAN SKELETAL REMAINS THAT ARE FOUND DURING CONSTRUCTION? I'M KIND OF JOKING ON THIS, BUT I SERVED ON WHAT WAS KNOWN AS THE MAUI HISTORIC COMMISSION, WHICH IS THE PREDECESSOR TO THE MAUI COUNTY CULTURAL COMMISSION, AND WHEN I SERVED IN 1974, THE BYLINE, BECAUSE I WAS ON THE SECOND PAGE AND NOT ON THE FIRST PAGE. SO IT'S NOT A HEADLINE BY BYLINE, BUT SAID YOUNGEST APPOINTEE TO THE MAUI HISTORIC COMMISSION. SHOULD YOU HUMBLY DECIDE TO CONFIRM ME WITH MAUI CULTURAL COMMISSION, PERHAPS THE BYLINE ON MONDAY MIGHT BE THE OLDEST MEMBER APPOINTED TO THE MAUI CULTURAL COMMISSION. LAST THING IS THAT I'M RETIRED; WHICH MEANS THAT IT SHOULDN'T BE A PROBLEM WITH QUORUM. IT'S MY UNDERSTANDING THAT YOU HAD FIVE MEETINGS CANCELED BECAUSE OF A LACK OF QUORUM.\r\n\r\nSO IT'S EASIER TO HAVE SOMEBODY THAT IS RETIRED. THAT'S IT. THANK YOU. >> QUESTIONS? MEMBER PALTIN AND VICE-CHAIR SUGIMURA. >> THANK YOU, MR. RODRIGUES.\r\n\r\nWHAT AN HONOR TO HAVE SOMEBODY OF YOUR CALIBER TO APPLY TO SERVE THIS COMMISSION. MY QUESTION REVOLVES AROUND, I GUESS, YOU KNOW, THE HISTORIC DISTRICTS 1 AND 2 IN WEST MAUI. AND I GUESS KIND OF BEING THAT WE WERE NOT ABLE TO ASK ANY QUESTIONS IN THE GREAT COMMITTEE, AND I WILL LET THE LAWYERS SORT THAT PART OUT, BUT LIKE, WHAT -- WITH THE STATE OF LAHAINA AS IT IS NOW, WHAT DO YOU SEE THE ROLE OF THE CULTURAL RESOURCES COMMISSION IN THE HISTORIC DISTRICT 1 AND 2? LIKE I BELIEVE, THE CULTURAL RESOURCE COMMISSION OVERSEES DESIGN GUIDELINES, AND THINGS LIKE THAT IN THE HISTORIC DISTRICT, AND I WAS WONDERING IF YOU COULD JUST GIVE US SOME THOUGHTS ABOUT YOUR VISION FOR THE FUTURE OF LAHAINA'S HISTORIC DISTRICT BEING WHAT IT IS NOW, AND WHAT IT PREVIOUSLY WAS, AND WHAT IT WILL BE INTO THE FUTURE? >> SO IT'S MY UNDERSTANDING THAT MOST OF LAHAINA, OR MOST OF THE BURN SCAR IN LAHAINA IS WITHIN THE HISTORIC DISTRICTS 1 AND 2 FOR THE COUNTY OF MAUI. WITH THAT SAID, THE CULTURAL MAUI COUNTY CULTURAL COMMISSION HAS AUTHORITY AND JURISDICTION WITH RESPECT AS TO WHAT HAPPENS WITHIN THOSE TWO HISTORIC DISTRICTS. I THINK THAT MY TENURE AT STATE HISTORIC PRESERVATION DIVISION, I HAVE A FULL UNDERSTANDING OF SIX E, WHICH IS THE HISTORIC PRESERVATION LAW AND I HAVE FULL UNDERSTANDING OF SECTION 106, WHICH IS FEDERAL ULLA. AND SO THIS IS UNPRECEDENTED.\r\n\r\nI HATE TO SAY IT, BUT WE KIND OF DON'T KNOW WHAT TO DO. THAT IS WHAT I THINK IS HAPPENING NOW. I THINK TO HAVE SOMEBODY LIKE ME, WHO KNOWS FEDERAL LAW, WHO KNOWS STATE LAW AND HAS APPLIED FOR 18 YEARS, HAVING SOMEBODY LIKE ME ON THE COMMISSION TO MANEUVER THROUGH THESE LAWS WILL MAKE THINGS GO A LOT FASTER. WITH RESPECT TO WHAT IS -- WHAT ARE THOSE THINGS THAT NEED TO GO A LOT FASTER? I DON'T THINK WE KNOW, AND I THINK YOU GUYS ARE PROBABLY WORKING ON SOME KIND OF MOA OR MOU, THAT WOULD DICTATE WHAT YOU WANT LAHAINA TO LOOK LIKE AND WHAT IS THE PROCESS WE'RE GOING TO USE TO GET THERE? AND AGAIN, I THINK YOU GOT TO HAVE SOMEBODY IN THERE WHO KNOWS HOW TO MANEUVER THROUGH THE RULES. >> THANK YOU.\r\n\r\nI GUESS THE LAST THING THAT I HAD A QUESTION ABOUT IS I HAVE HAD SOME CONSTITUENTS THAT THEIR PROPERTIES USED TO BE IN THE HISTORIC DISTRICT ASKING IF THEY ARE GOING TO BE FORCED TO REBUILD LIKE A PLANTATION HOME DESIGN? AND IF YOU FEEL IT'S IMPORTANT THAT ANY ONE ERA BE HIGHLIGHTED OVER THE REST OF THE ERAS, YOU KNOW? LIKE, WHEN EVERYTHING WAS IN EXISTENCE, WE WOULDN'T WANT TO DESTROY AN OLD PLANTATION HOUSE, OR WE WOULDN'T WANT TO DESTROY LIKE AREA THINGS, BUT IF IT'S NO LONGER IN EXISTENCE, DO YOU THINK PEOPLE SHOULD BE FORCED TO RECREATE A PLANTATION-ERA HOME OR JUST A MODEST HOME OR SOMETHING, YOU KNOW? >> LET ME ANSWER THAT QUESTION FROM A PERSONAL POINT OF VIEW. ON MY PATERNAL SIDE, I AM -- MY GRANDMOTHER IS PURE JAPANESE AND MY GRANDFATHER IS PORTUGUESE, BUT MY GRANDMOTHER WHEN WAS

PURE JAPANESE WAS ADOPTED BY A HAWAIIAN FAMILY AT AGE SIX MONTHS AND GREW UP IN THE HAWAIIAN CULTURE. MY MOM'S SIDE, MY MOM IS THREE-FOURTHS HAWAIIAN AND ONE-FOURTH JAPANESE. BECAUSE MY GRANDFATHER IS PURE HAWAIIAN AND HIS WIFE IS HALF JAPANESE, HALF HAWAIIAN.\r\n\r\nWHEN YOU LOOK AT IT FROM AN ETHNIC POINT OF VIEW, YOU ARE LOOKING AT IT FROM AN HISTORIC POINT OF VIEW, BECAUSE OF THE HISTORY OF LAHAINA IS BASED ON THE ETHNICITY OF LAHAINA, AND I THINK LAHAINA REPRESENTS, OR DID REPRESENT AND WILL REPRESENT BASED ON WHAT YOU DECIDE THE INDIGENOUS OR NATIVE HAWAIIAN CULTURE WOULD REPRESENT THE KINGDOM DAYS AND IT WOULD REPRESENT THE WHALING DAYS AND IT WOULD REPRESENT THE TERRITORIAL DAYS. I AGREE WITH YOU THAT OUR CHALLENGE IS THAT A LOT OF THOSE THINGS THAT WE CAN VISUALLY SEE ARE NO LONGER THERE. I THINK IT'S GOING TO BE UP TO YOU GUYS TO DECIDE HOW DO WE FACE THAT CHALLENGE? DO WE REBUILD WITH ALL OF THAT HISTORY, OR DO WE COMPLETELY SAY, IT DIDN'T HAPPEN? A LOT OF PEOPLE, AND I KNOW I GET ATTACKED FOR SAYING THIS, BUT A LOT OF PEOPLE THINK HISTORIC PRESERVATION IS ABOUT THINGS AND PLACES. IT IS NOT. HISTORIC PRESERVATION IS ABOUT PEOPLE AND ALL THESE THINGS THAT YOU SEE, AND EXPERIENCE ARE ABOUT THE PEOPLE, NOT NECESSARILY THE ITEM ITSELF.\r\n\r\n>> THANK YOU SO MUCH. I THINK THE ONLY THING I DISAGREE WITH IS IT'S NOT UP TO US, IT'S UP TO ALL OF US, COLLECTIVELY, INCLUDING THE COMMUNITY, AS WELL AS THE CRC. I WOULD NOT LIKE TO TAKE ALL OF IT ON THIS BODY. >> MY APOLOGIES. I DIDN'T MEAN JUST YOU GUYS. I DIDN'T MEAN NINE OF YOU GUYS AND EXECUTIVE BRANCH AND JUDICIAL BRANCH. YOU GUYS ARE THE REPRESENTATIVES OF THE COMMUNITY ITSELF.\r\n\r\nSO WHEN YOU SPEAK, YOU SPEAK FOR EVERYBODY. >> YES. OKAY. WE'RE ON THE SAME PAGE. THANK YOU. THANK YOU, CHAIR. THANK YOU, MR.\r\n\r\nRODRIGUES. >> VICE-CHAIR SUGIMURA. >> CLARIFYING QUESTION. SINCE YOU SAID THE HEADLINES, AND AS A BALDWIN HIGH SCHOOL GRADUATE; RIGHT? AGE, YOU AND I VERY SIMILAR. CLARIFYING QUESTION. >> WHETHER OR NOT I SHOULD SAY THAT, MY MIND WENT OH, MY GOSH, YUKI LEI AND I WENT TO THE SAME ELEMENTARY SCHOOL, INTERMEDIATE SCHOOL.\r\n\r\n>> I WAS JUST TRYING TO MAKE A JOKE. THAT WAS VERY GOOD WHAT YOU ANSWERED MS. PALTIN. I SUPPORT YOU. >> REMINISCING DOESN'T COUNT. >> DOESN'T COUNT FOR CLARIFYING QUESTIONS. >> NO.\r\n\r\nANYBODY ELSE? THANK YOU VERY MUCH. >> SURE. >> CHAIR, NEXT TESTIFIER IS DAN BLACKBURN TESTIFYING ON RESOLUTION 24-36, FOLLOWED BY GARY PASSAN. >> HELLO AGAIN EVERYBODY OF MY NAME IS DAN BLACKBURN. A LOT OF PEOPLE APPARENTLY DON'T KNOW ME, SO I WILL TELL YOU A LITTLE STORY ABOUT MY COMPANY. >> CAN YOU BRING THE MIC CLOSER.\r\n\r\n>> I WILL TELL YOU ABOUT MY COMPANY AND WHY I WOULD BE HONORED FOR YOU GUYS TO SELECT ME TO THE PLANNING COMMISSION. IN THE 20 YEARS THAT I HAVE BEEN THE DIVISION MANAGER FOR F & H CONSTRUCTION, MY PEOPLE ARE LOCAL PEOPLE AND I INTEGRATED MYSELF INTO THE COMMUNITY AND VERY MUCH IN TOUCH WITH THE WORKING PEOPLE AND MY COMPANY. I GO TO ONE BIRTHDAY PARTY, THREE FOUR DAYS A YEAR, MOLOKA'I COUNTLESS GRADUATION. I HAVE IMMERSSED MYSELF WITH THE WORKING PEOPLE AND A LOT OF, WORKING PEOPLE DON'T HAVE TIME TO COMMIT TO COMMUNITY MEETINGS AND EVERYTHING ELSE. AS MUCH AS I TRY TO IMMERSE MYSELF INTO THE COMMUNITY AND MY PEOPLE, EVERY THREE YEARS IN MY CORPORATION, I BRING IN AN OUTSIDE SOURCE AND THEY EVALUATE ALL OF THE THINGS THAT WE'RE DOING IN THE COMPANY AND THEY TALK TO INDIVIDUALS. IT'S ALL -- NOBODY KNOWS WHO IS SAYING WHAT OR WHATEVER. TO GET A BETTER UNDERSTANDING EVEN FURTHERMORE OF THE NEEDS OF THE PEOPLE THAT -ING WORK FOR ME AND THE COMMUNITY.\r\n\r\nTHE PEOPLE THAT ARE RUNNING AGAINST ME ARE INTELLIGENT PEOPLE AND SAT ON A LOT OF COMMITTEES WHICH I HAVEN'T. WHAT I HAVE NOTICED IS THAT THEY HAVE ALL SAT IN THESE COMMITTEES FOR YEARS AND THEY KNOW EACH OTHER AND THEY ARE IN THE CIRCLE. WHEN YOU ARE IN THE CIRCLE, YOU TEND TO BELIEVE THAT YOU ARE BEST REPRESENTING ALL THE SAME GROUP. I BRING A FRESH VOICE FROM AN OUTSIDE SOURCE, THAT I THINK REPRESENTS THE WORKING PEOPLE OF THE COMMUNITY THAT HAVEN'T HAD TIME TO PARTICIPATE IN THESE MEETINGS. THAT IS ALL I GOT. >> THANK YOU. MEMBERS, QUESTIONS? MEMBER PALTIN.\r\n\r\n>> I GUESS MY CLARIFYING QUESTION IS DO YOU LIKE TO READ? >> I DO. >> OKAY >> I DO. I READ DAILY. >> LIKE, YOU GOT A WORD PERMANENT? >> I CAN -- LIKE I SAID ALL THE WORKS ARE PUBLIC WORKS, PAPERWORK-DRIVEN. THE BUILDING PART ISN'T SO

DIFFICULT. IT'S DOING ALL THE PAPERWORK TO BRING THEM TOGETHER IS THE CHALLENGE. T JUST MAKING SURE. THANK YOU. >> THANK YOU. >> THE NEXT TESTIFIER IS TESTIFYING ON RESOLUTION 24-36 AND 24-33, FOLLOWED BY -- >> ALOHA CHAIR LEE AND COUNCIL MEMBERS. I AM HERE TO SPEAK TODAY ON TWO ITEMS, THE FIRST IS ON ITEM 24-23, THE WATER BOARD. I WOULD LIKE TO STRONGLY SUPPORT ROBIN KNOX FOR THE BOARD OF WATER SUPPLY. I HAVE KNOWN ROBIN FOR YEARS AND WORKED WERE ON A NUMBER OF PROJECTS INCLUDING WATER QUALITY AND WETLANDS, VERY INSTRUMENTAL PRODUCTS OF THE COMMUNITY THAT SHE HAS DONE AN OUTSTANDING JOB IN LEADING, AND PARTICIPATING IN. SHE CAN AND I BELIEVE WILL BE A VALUED VOICE UNDERSTANDING NOT ONLY THE SCIENCE, BUT UNDERLYING ORDINANCES, AND LAWS. I WORK WITH A LOT OF TALENTED SCIENTISTS AND ENGINEERS. I PERSONALLY AMONG THE FEW OTHER THINGS THAT WE HAVE TALKED OVER LAST FEW DAYS THAT I PARTICIPATED IN, I'M A VISITING SCHOLAR AT THE UNIVERSITY OF CALIFORNIA, BERKELEY FOR THE SCHOOL OF ENGINEERING. THAT PUTS ME IN A POSITION TO WORK WITH SOME REALLY AMAZING TALENTED PEOPLE, AND I SEE ROBIN AS ONE OF THOSE KIND OF QUALITY PEOPLE. SO I WOULD LIKE TO RECOMMEND HER FOR THAT POSITION. THE SECOND THING THAT -- SECOND ITEM I'M GOING TO TALK TO TODAY IS THE RESOLUTION 24-36 MAUI PLANNING COMMISSION. FIRST OFF, I WANT TO SAY AS I DID LAST TIME, I'M VERY HUMBLD BY THE MANY VOICES REPRESENTING SO MANY CONSTITUENCIES THAT HAVE COME OUT TO SUPPORT MY NOMINATION. NOT ONE, NOT A GROUP, BUT MANY GROUPS HAVE COME OUT TO SUPPORT THAT FROM THE MAYOR TO A PAST COUNCIL MEMBER, THE CHAIR OF THE SOUTH MAUI CPAC, AS WELL AS MANY OF MY FELLOW CPAC MEMBERS, PAST PLANNING DEPARTMENT DIRECTOR, PAST HABITAT EXECUTIVE DIRECTOR, ARCHITECTS, BUILDERS, FAITH LEADERS, SCIENTISTS, NATIVE HAWAIIAN COMMUNITY LEADERS, AS WELL AS THE LOCAL COMMUNITY ASSOCIATION. I HOPE THAT THAT HELPS ESTABLISH THAT I CAN BRING TO THE TABLE A VOICE THAT CAN WORK WITH EVERYBODY, AND WILL WORK WITH EVERYBODY. THE DESTRUCTION OF THE LANA'I COMMUNITY, AND THE LAHAINA COMMUNITY, AND THE LOST LIVES AND FAMILIES CREATES A NEED TO RISE UP AND COME TOGETHER TO TRY TO DO ALL WE CAN TO SUPPORT THE PROGRAMS TO HELP REBUILDING, RECOVERY AND HEALING FOR LAHAINA. FURTHER, WE NEED TO ADDRESS MAUI'S ENDURING AFFORDABLE HOUSING CRISIS AND THE CHALLENGES OF OVERTOURISM. CUMULATIVE, THESE ISSUES PRESENT GREAT CHALLENGES NEEDING SMART AND EFFECTIVE ACTIONS. I WANT TO HELP AND I WILL HELP BEING ON THE MPC. I HAVE WALKED THE WALK OF AFFORDABLE HOUSING WITH TEN-PLUS YEARS OF HABITAT AFFORDABLE HOUSING PROGRAMS, SWINGING A HAMMER ALL THE WAY TO HELPING FINANCE HUNDRED-HOME COMMUNITIES. I HAVE BEEN HANDS-ON, AND I WILL BE HANDS-ON. I'M A BUSINESS LEADER, I'M A BUSINESS OWNER. I HAVE EXTENSIVE FINANCIAL BACKGROUND WITH OVER 40 YEARS' OF INDUSTRY, AND OPERATIONAL EXPERIENCE. I AM BY TRAINING AND PERSONALITY AN ENGINEER, AND A SCIENTIST. I APPROACH PROJECTS, I APPROACH CHALLENGES LIKE AN ENGINEER AND LIKE A SCIENTIST. HOW DO WE GET -- WHAT DO WE NEED TO KNOW AND HOW DO WE GET THROUGH THIS? I HAVE BEEN ACTIVE IN THE COMMUNITY ENGAGEMENT WITH SERVICE ON MANY, MANY BOARDS AND SEVERAL COMMUNITY HUIS, AS WELL AS SUPPORTING TESTIFIERS HAVE, I BELIEVE, DEMONSTRATED. MY PARTICIPATION IN THE SOUTH MAUI CPAC IS JUST MY MOST RECENT EXAMPLE OF LISTENING AND ENGAGING WITH ALL CONSTITUENCIES, TO FIND THE BEST AND HIGHEST GOOD GROWTH PLAN FOR SOUTH MAUI AND ULTIMATELY FOR ALL OF MAUI. I'M VERY ACTIVE IN HELPING TO DEFINE THE -- I WAS VERY ACTIVE IN HELPING TO DEFINE THE BROAD AREAS OF PLAN THAT HAVE BEEN SET ASIDE FOR AFFORDABLE HOUSING, AND I'M PROUD OF THOSE WORKS. I HUMBLY AND RESPECTFULLY ASK FOR YOUR SUPPORT FROM MY NOMINATION TO THE MAUI PLANNING COMMISSION. THANK YOU. >> THANK YOU. MEMBERS, QUESTIONS? NO QUESTIONS, THANK YOU VERY MUCH. >> THANK YOU. >> CHAIR, THE NEXT TESTIFIER IS BRUCE UU FOLLOWED BY SHAY CHAN-HODGES. >> ALOHA EVERYONE. BRUCE UU. >> ALOHA. >> LIFE-LONG MEMBER OF MAUI COUNTY, GENERATIONAL, I WOULD SAY. SO I WANT TO TESTIFY ON RESOLUTION 24-35 IF FAVOR OF HANNONA RODRIGUES. I THINK HE IS A ONE-OF-A-KIND GUY. HIS KNOWLEDGE, YOU KNOW? THERE'S PEOPLE WITH KNOWLEDGE, AND THERE'S PEOPLE WITH THE HISTORY OF KNOWLEDGE. AND THEN THERE'S PEOPLE WITH THE HISTORY, KNOWLEDGE AND HUMILITY. WHEN YOU CAN COMBINE THREE OF THAT TO BE THE BIGGEST THREE THINGS THAT IT'S HARD TO FIND IN ANY ONE

INDIVIDUAL. YOU CAN FIND IT IN THAT GUY.\r\n\r\nTHAT WILL BE A BENEFIT FOR MORE THAN MAUI, SO I THINK YOU WILL BE AT THE HIGHEST STANDARD OF ANYONE FOR ANYTHING HE DESIRES TO DO, INCLUDING CULTURAL RESOURCE COMMISSION. ON RESOLUTION 24-36, FOR THE SAME REASONS I SUPPORT DAN. BUT MAYBE HE DOESN'T GOES AWAY BACK AS HU NANO. I HAVE HEARD ABOUT DAN FOR A WHILE, BECAUSE I HAVE BEEN TO THE LUAU PARTIES AND UNDERSTAND THE HUMILITY HE BRINGS TO THE TABLE. I UNDERSTAND A LOT OF WORK HE HAS DONE ISN'T RECOGNIZED, BUT IT DOESN'T MEAN IT'S NOT APPRECIATED. IT WAS AMAZING AT TIMES THE PEOPLE -- WHEN I SAY IMMERSSED AND WHEN I TALK ABOUT HISTORY HOW FAR YOU GO BACK, AND SOME PEOPLE CAN GO BACK SO FAR AND SOME PEOPLE CAN GO BACK A LOT FURTHER. SO THERE'S THAT GAPS BETWEEN THAT IS MISSING.\r\n\r\nAND SOME OF THE GAPS IS YOU DON'T SAY WHAT YOU DO. PEOPLE SAY IT FOR YOU. I KNOW DAN, AND IF I WAS TO TELL YOU EVERYTHING DAN DID, I PROBABLY FORGOT AND HE IS PROBABLY NOT GOING TO TELL YOU UNTIL YOU ASK HIM. HE IS WORTHY OR NOT TO SERVE? HE IS. GARY IS, TOO. I WOULD SAY.\r\n\r\nI THINK DAN IS MY GUY THAT I WOULD SEE THAT I HAVE THAT -- THAT UNDERLYING GRATITUDE OF HUMILITY, WHO UNDERSTANDS THE LOCAL COMMUNITY, AND I ALWAYS BELIEVE THAT WE GOT TO HAVE THE SUCCESSORSHIP OF PEOPLE TO BE REPRESENTED WITHIN OUR COMMUNITY. DAN IS FROM KIHAI. HIS FIANC E IS AN ARAZUMIE AND NOT EVERYONE CAN SAY IT FREELY, AS SAID EARLIER, IT'S HARD TO TALK ABOUT YOURSELF, AND THAT IS THE PART I LIKE ABOUT DAN. THANK YOU VERY MUCH. >> THANK YOU. MEMBERS, DO YOU HAVE ANY QUESTIONS? IF NOT, THANK YOU VERY MUCH.\r\n\r\n>> YOU'RE WELCOME. >> CHAIR, THE NEXT TO TESTIFIER IS SHAY CHAN-HODGES TESTIFYING ON RESOLUTION 24-33, FOLLOWED BY KELLY KING. >> SORE ARE YOU, I'M NEW TO TEAMS. ALOHA, THIS IS SHAY CHAN-HODGES AND TESTIFYING IN SUPPORT OF ROBIN KNOX FOR THE WATER BOARD. AS YOU PROBABLY KNOW, I'M A FORMER CHAIR AND VICE-CHAIR OF THE MAUI COUNTY WATER BOARD AND MY TERM ENDED 2021, I THINK. AND I WANT TO JUST SAY, I DON'T KNOW IF YOU FOLKS HAVE BEEN WATCHING THE WATER BOARD PROCEEDINGS RECENTLY, BUT I WAS ABLE TO WATCH YESTERDAY. AND IF ROBIN IS APPOINTED OR SUPPORTED BY YOU FOLKS, IT'S GOING TO BE -- I MEAN IT'S SUCH A GREAT GROUP.\r\n\r\nI HAVE TO TELL YOU. PLEASE DO TAKE THE TIME TO WATCH. I WAS SO IMPRESSED AND I WAS PRIVILEGED TO BE ABLE TO BE AT THE LAST MEETING OF BUDDY AND TONY EATON, WHO I SERVED WITH, AND BUDDY DID THE MOST AMAZING JOB RUNNING THIS MEETING. I WAS SO PLEASED WITH HOW EVERY SINGLE PERSON WAS ABLE TO GIVE THEIR MANA'O, AND THEY WERE ALL SO INCREDIBLY EXPERIENCED, HAD SO MUCH EXPERTISE SO MUCH MORE THAN I EVER HARD HONESTLY AS FAR AS REGULATORY, THE TECHNOLOGY, THE KNOWLEDGE, THE GENERATIONAL KNOWLEDGE AND IT WAS SUCH A DIVERSE GROUP. I DON'T KNOW HOW MANY OF YOU FOLKS REMEMBER HOW I WAS THE ONLY WOMAN ON THE BOARD WHEN I FIRST STARTED? AND THAT IS NO LONGER THE CASE. IT IS REALLY GREAT MIX AND ALSO GREAT GEOGRAPHICAL MIX, AND ONE REASON THAT THEY DISCUSSED YESTERDAY THE FREE-MARKET VENTURES CONTRACT, AND THEY HAD SOME INCREDIBLY SMART QUESTIONS.\r\n\r\nI REALLY, REALLY AS YOUR ADVISORY BOARD, I STRONGLY RECOMMEND IF YOU HAVE THE TIME, PLEASE DO WATCH, BECAUSE THEIR QUESTIONS WERE THOUGHTFUL. THEY WERE BASED IN EXPERIENCE AND REALITY. THEY WERE VERY TECHNICAL, SOME OF THEM. AND ALL OF THEM RECOMMENDED AGAINST MOVING FORWARD, ALTHOUGH BOTH BUDDY AND HUGH, JASON HUGH, DID SAY THEY WOULD LIKE TO SEE SOMETHING LIKE THIS HAPPENING, BUT THEY WERE VERY CONCERNED ABOUT THE SPECIFICS OF THE ENTITY THAT WAS INTERESTED, AND THEY ALSO TALKED ABOUT ISSUING AN RFP. THEY ASKED REALLY GREAT QUESTIONS. SO I KNOW I'M SUPPOSED TO TALK ABOUT ROBIN. SHE IS WONDERFUL.\r\n\r\nYOU HAVE HEARD HER SPEAK MANY TIMES AND YOU KNOW WHAT EXPERTISE SHE BRINGS TO IT. I GOT TO SAY, IT WAS JUST REALLY GREAT TO SEE THIS BOARD THAT WAS SO INCREDIBLY ENGAGED, AND DEMONSTRATING WHAT I THINK VOLUNTEER BOARDS REALLY SHOULD BE ARE PEOPLE THAT HAVE GOOD TIME WITH THE EXPERTISE, THE KNOWLEDGE AND THE WILLINGNESS TO ALL LISTEN TO EACH OTHER. >> THREE MINUTES. >> THANK YOU SO MUCH. THANK FOR ALL THE WORK YOU DO. HAVE A GREAT WEEKEND WHEN YOU ARE ALL DONE WITH THIS. MAHALO.\r\n\r\n>> THANK YOU. MEMBERS, QUESTIONS? IF NOT, THANK YOU VERY MUCH. >> CHAIR, THE NEXT TESTIFIER IS KELLY KING TESTIFYING ON RESOLUTIONS 24-23 AND 24-36. TO BE FOLLOWED BY IAN LAY. >> ALOHA, MEMBERS. CAN YOU HEAR ME? >> YES.\r\n\r\n>> OKAY. THANK YOU FOR INDULGING ME. I

WAS ON A BUSINESS MEETING AT 1:00 AND I DIDN'T QUITE FINISH IN TIME. BUT THANK YOU FOR GIVING ME THE SECOND CHANCE, AND I HAVE TWO ITEMS I WANT TO TESTIFY ON. THE FIRST ONE IS 24-23. I WON'T GO INTO ALL OF THE DETAILS, BUT YOU ALL HEARD ALL THE WONDERFUL TESTIMONY IN FAVOR OF ROBIN KNOX. ROBIN KNOX IS A WATER SCIENTIST. SHE IS HEADS UP ONE OF OUR VERY IMPORTANT WETLAND RESTORATION PROJECTS IN KIHEI AND HAS BEEN DOING THAT FOR YEARS.

SHE HAS SERVED AS A RESOURCE TO THIS COUNCIL, AND TO OTHER BOARDS AND COMMISSIONS ON WATER ISSUES. I WAS QUITE DISMAYED THAT OUR OWN COUNCIL MEMBER VOTED AGAINST HER IN COMMITTEE, TO TELL YOU THE TRUTH. YOU HEARD ALL THE TESTIMONY IN FAVOR OF HER AND YOU KNOW THE EXPERTISE SHE BRINGS TO THE WATER ISSUES. THERE'S REALLY NO ONE ELSE THAT CAN COMPARE WITH ROBIN KNOX. SO I'M NOT GOING TO GO INTO ALL THE OTHER DETAILS THAT YOU HAVE ALREADY HEARD FROM EVERYBODY ELSE. I JUST ASK YOU TO PLEASE SUPPORT HER, AND GIVE US THE QUALIFIED PEOPLE WE DESERVE ON THESE BOARDS AND COMMISSIONS, BECAUSE THIS IS NOT ABOUT POLITICS AND IT'S NOT ABOUT PERSONAL GAIN OR ANYTHING. IT'S JUST ABOUT WHO CAN DO THE BEST JOB FOR THE COUNTY OF MAUI?

THE SECOND ITEM I WANT TO TESTIFY ON IS THE 24-36, THE MAUI PLANNING COMMISSION. I WANT TO START BY SAYING WHEN I FIRST JOINED THE COUNCIL, BACK IN 2013 AND CHAIR THE PLANNING COMMITTEE. BACK THEN, NOBODY WAS TAKING THE COMMUNITY PLANS VERY SERIOUSLY. THIS WERE LOOKED AS YOU LOOSE GUIDELINE AND NOT REGULATORY. WHEN WE WENT THROUGH THE MOLOKA'I PLAN, TO TAKE OUT THE STATEMENT THAT SAYS THEY ARE NOT REGULATORY. AND I AM REALLY PLEASED THAT EVERYBODY IS TAKING THIS SO SERIOUSLY BECAUSE THEY ARE REGULATORY AND THEY ARE THE LIFE BLOOD OF OUR COMMUNITY, THOSE PLANS THAT WE HAVE FOR EACH COMMUNITY. SO I'M VERY CONCERNED ABOUT OUR CPAC PLAN, WHAT WAS PASSED OVER OUT OF THE CPAC BEING RESPECTED BY THE MAUI PLANNING COMMISSION, AND KEEPING ALL OF THE WONDERFUL POLICIES THAT THIS ORGANIZATION PUT TOGETHER.

I DON'T SEE THAT HAPPENING WITH DAN BLACKBURN, BECAUSE HE WAS NOT AT ANY OF THE MEETINGS. THE QUALIFICATIONS OF GARY PASSAN, YOU HEARD AND I WON'T GO THROUGH ALL OF HIS QUALIFICATIONS. HE HAS BEEN IN OUR COMMUNICATE AND OUT AND ABOUT ATTENDING MEETINGS. I TOO, AS MR. BLACKBURN SAID, I REPRESENT THE COMMUNITY WHEN I'M OUT AND ABOUT FOR ALL THE PEOPLE THAT CAN'T COME. IT DISTURBS ME THAT I HAVEN'T SEEN MR. BLACKBURN AT ANY OF THE CPAC MEETINGS AND YET THE MOST IMPORTANT THING THAT THEY DO FOR SOUTH MAUI IS SHEPHERD THE COMMUNITY PLAN THROUGH THE MAUI PLANNING COMMISSION PROCESS.

THAT IS THE MOST IMPORTANT THING TO THE CITIZENS, AND THAT IS WHY YOU HARD ALL THE CITIZENS COME UT FOR GARY PASSAN. WE HAD ONE DEVELOPER, AND ONE PERSON FROM THE CARPENTERS UNION THAT YOU WILL HEAR AFTER ME COME OUT IN FAVOR OF MR. BLACKBURN. HONESTLY IT FEELS WE'RE CHERRY PICKING MORE DEVELOPERS TO SERVE ON THE PLANNING COMMISSION TO KEEP DEVELOPMENT ROLLING ALONG, WHEN WE NEED TO STOP AND LOOK AT THE INFRASTRUCTURE. AND REALLY FOCUS ON TRULY AFFORDABLE HOUSING. BECAUSE EVERY HOUSING PROJECT THAT IS DESIGNATED TO COME INTO THIS PLAN IS PROBABLY GOING TO BE NOT MORE THAN 25% AFFORDABLE, IF IT'S EVEN TRULY AFFORDABLE FOR LOCAL PEOPLE. SO THIS IS A HUGE CONCERN FOR OUR COMMUNITY.

EVERYONE IS TALKING ABOUT IT. THE OTHER ISSUE WITH BARY, HE HAS ALREADY FILED HIS FINANCE DISCLOSURE AND HE WILL BE READY TO GO ON DAY 1, APRIL 1ST. THE PLANNING COMMISSION JUST HAD A RESIGNATION BY THE HANA MEMBER, IT HAS TWO MEMBERS THAT HAVEN'T FILED THEIR DISCLOSURES YET. IT HAS THE OPENING FOR SOUTH MAUI. IF YOU DON'T BRING SOME SOMEONE LIKE GARY, WHO IS INTELLIGENT AND ACTIVE AND UNDERSTANDING OF OUR ISSUES AS HE IS AND READY TO GO, THEY WON'T BE READY TO MEET FOR A FEW MONTHS, BECAUSE THEY WON'T HAVE QUORUM. THAT IS REALLY IMPORTANT PART AND TO IMPLORE YOU TO LOOK AT QUALIFICATIONS AND WHO IS TALKING TO THE RESIDENTS AND THE COMMUNITY AND NOT OUTSIDE CONTRACTORS WHO DON'T LIVE IN KIHEI. , AS MUCH AS I RESPECT BRUCE UU AND I LOVE WHAT HIS DAUGHTER IS SAYING ABOUT THE FARM BILL, BECAUSE THAT IS REALLY IMPORTANT AND I SUPPORT YOUR ON THAT NOHI.

WE NEED TO LISTEN TO THE VOICES OF OUR COMMUNITY, THE COMMUNITY PLAN AND WHY IT'S SO IMPORTANT TO GET A GOOD SOUTH MAUI MEMBER ON THIS PLAN OF I WAS ASKED BY CHAR SCHULENBURG TO CLARIFY SOMETHING. SHE SAID SHE WASN'T ABLE TO CLARIFY CHARTER SHE

WAS MENTIONING IN THE TESTIMONY AND TALKING ABOUT THE LATEST JANUARY 23RD CHARTER WITH THE AMENDMENT FOR HAVING REPRESENTATION FOR EACH DISTRICT, WHICH I THINK ALL OF OUR COUNCIL BACK THEN WAS IN FAVOR OF. SO THAT IS WHAT WE HAVE BEEN MISSING FROM THE PLANNING COMMISSION IS NOT HAVING A MEMBER FROM SOUTH MAUI FOR THE PAST FEW YEARS. SO -- >> YOUR TIME HAS RUN OUT. >> MY TIME IS UP? >> YES, SORRY. >> YOU CAN GO LIKE THIS, ALICE.\r\n\r\n[LAUGHTER] >> OKAY. ANY QUESTIONS FOR MS. KING? TO QUESTIONS. THANK YOU VERY MUCH. . OKAY. THANK YOU.\r\n\r\nNEXT. >> CHAIR, THE LAST TESTIFIER CURRENTLY SIGNED UP IS IAN LAY, DOING ON RESOLUTION 24-36. >> GOOD AFTERNOON, COUNCIL MEMBERS. CHAIR LEE, AND THANK YOU FOR GIVING ME THIS TUN TO TESTIFY BEFORE YOU. I'M SPEAKING ON AGENDA ITEM 24-36, AND IT'S ON BEHALF THE DAN BLACKBURN. MY NAME IS IVAN LAY, A REPRESENTATIVE WITH THE HAWAIIAN REGIONAL COUNCIL OF CARPENTERS AND I'M HERE IN SUPPORT OF DAN BLACKBURN. DAN WILL BE A GREAT ASSET TO THE MAUI PLANNING COMMISSION. WHAT MAKES A GREAT COMMISSION?\r\n\r\nA GREAT COMMISSION IS A DIVERSIFIED COMMISSION, A COMMISSION THAT IS NOT JUST ONE-SIDED, BUT YOU HEAR ALL SIDES OF THE SORRY YOU SO YOU HAVE A BETTER UNDERSTANDING OF WHAT IS GOING ON. IF YOU ARE ONE-SIDED YOU WON'T HERE THE OTHER SIDE, WHAT THEIR CONCERNS ARE. AND WHEN HEARING THEIR CONCERNS YOU MINOR LEAGUE PUT THINGS ON THEIR ITEM THAT WILL HELP THEM OUT AND HELP EVERYBODY OUT. DAN BRINGS TO THE COMMISSION SUCCESSFUL KNOWLEDGE AND EXPERIENCE FROM MAUI, HAWAI'I. HE IS A GREAT CONTRACTOR WHO HAS WORKED HIRE AND BEEN HERE A LONG TIME. HE HAS BEEN HERE A LONG TIME AND MOST OF THE JOBS HE HAS DONE IS SCHOOLS AND COMMUNITY JOBS. HE IS THE GUY WE GO TO IF WE HAVE QUESTIONS ON JOCK SITES. HE HAVE VERY THOROUGH AND MAKES SURE EVERYTHING IS DONE CORRECTLY, SO HE DOESN'T LOSE MONEY ON THE BIDS AND PEOPLE WHO HAVE INVESTED IN THE PROJECTS.\r\n\r\nHE IS A GREAT GUY. HE HAS BEEN HERE A LONG TIME. HE IS WELL-ESTABLISHED. THE MAJORITY OF HIS WORKERS ARE OVER 80% ARE HAWAIIAN PEOPLE AND THAT IS THE LOW NUMBER I'M GIVING SO HE IS HELPING TO SUPPORT THE COMMUNITY. WITH HIS EXPERIENCE AND BACKGROUND ON PROJECTS WHEN I PROJECTS COMES BEFORE THE PLANNING COMMISSION, HE CAN ASK QUESTIONS THAT ARE VERY IMPORTANT THAT OTHER PEOPLE HAVEN'T THOUGHT ABOUT AND EVEN THE PERSON WHO IS THE PROJECTS ARE COMING BEFORE HIM. SO ON BEHALF OF DAN BLACKBURN, I'M HOPING THAT YOU NOMINATE HIM TO THE PLANNING COMMISSION, JUST GIVE THAT DIVERSITY AND MAKE SURE THAT EVERY QUESTION IS ANSWERED AND THAT WE HAVE SOMEBODY KNOWLEDGEABLE IN THIS THAT CAN ANSWER THOSE QUESTIONS. THANK YOU.\r\n\r\n>> THANK YOU. ANY QUESTIONS, MEMBERS? THANK YOU VERY MUCH. >> THE LAST TESTIFIER CURRENTLY SIGNED UP IS RAINEY MATTHEWS AND MS. MATTHEWS IF YOU WOULD LET US KNOW WHEN AGENDA ITEM YOU ARE TESTIFYING ON, PLEASE. >> 24-34. ON BEHALF [INAUDIBLE] >> THANK YOU. YOU CAN PROCEED, PLEASE.\r\n\r\n>> ALOHA. . I JUST WANTED TO TAKE A FEW MINUTES AND SHARE WITH REGARDS TO MY CONTINUED DESIRE TO SERVE ON THE COMMISSION. THE MAUI COUNTY COMMISSION WITH PERSONS WITH DISABILITIES. FIRST OF ALL, I WOULD LIKE TO SAY ALOHA TO COUNCIL CHAIR ALICE LEE AND VICE-CHAIR YUKI LEI. I APPRECIATE THIS OPPORTUNITY TO BRIEFLY SHARE. I THOUGHT THIS TIME IT WAS IMPORTANT FOR ME TO BE ABLE TO GIVE YOU A LITTLE BACK STORY, EVEN BEYOND THE 2004 STROKE THAT I HAD, AND THE LATE 1970S I WAS THE EXECUTIVE ADMINISTRATOR AND COMMUNITY OUTREACH COORDINATOR FOR THE SOUTHERN CALIFORNIA DRUG TEEN CHALLENGE, DRUG REHAB, WHERE I HAD A LOT OF ENCOUNTERS WITH PEOPLE WITH DRUGS, INVOLVING DRUGS AND ALCOHOL. BUT UNKNOWINGLY, AND INSENSITIVELY AT THAT TIME, PEOPLE WITH DISABILITIES AS WELL.\r\n\r\nI MOVED TO -- I HAVE SERVED ON THIS COMMISSION SINCE 2022. I MOVED THE FIRST TIME TO MAUI IN THE LATE '70S. EXCUSE ME, THE EARLY '80S, AND '90S. I DID WORK AT THE MAUI MARRIOTT AND THEIR HUMAN RESOURCES DEPARTMENT THAT IS NOW, I BELIEVE, THE MAUI BEACH RESORT. I HAVE SERVED AS AN EXECUTIVE ADMINISTRATOR AND PERSONNEL AND BUSINESS MANAGERS FOR DIFFERENT ORGANIZATIONS. I HAVE MENTIONED THAT I WAS A 16-YEAR AWARD-WINNING FLIGHT ATTENDANT. HOWEVER, THE CAVEAT I WOULD LIKE TO MENTION HERE IN MY AWARD-WINNING ACHIEVEMENTS, I WAS OBLIVIOUS AND INSENSITIVE TO TRAVELERS WITH DISABILITIES. I KNEW THE RULES AND REGULATIONS, I KNEW WHAT WE WERE TRAINED AS FAR AS DE BRIEFINGS THAT WE WERE TO GIVE PASSENGERS WITH WHEELCHAIRS, BLIND AND DEAF AND IGNORANT TO THE

TRUE PLIGHT OF PERSONS WITH DISABILITIES. DUE TO THE STROKE, MY INSENSITIVITY CHANGED TO BEING HIGHLY SENSITIVE, AND THEN ALSO BEING EXPERIENCING SOME OF THE INEQUITIES AND WHAT HAVE YOU OF PEOPLE WITH DISABILITIES. IN 2015, I BEGAN TO ACTIVELY ADVOCATE ON BEHALF OF PERSONS WITH DISABILITIES.

>> THREE MINUTES? >> I WAS THE VICE-CHAIR OF THE FORT WORTH MAYOR'S COMMITTEE AND HEADED UP DIFFERENT INITIATIVES, SUCCESSFUL INITIATIVES AND WHAT I WANT TO END UP FOR YOU ALL HERE ON MAUI TO HAVE A VERY UNDERSTANDING OF WHO I AM AND THE STRENGTH OF MY ADVOCACY. IF YOU TRAVEL VIA AIR, THROUGH OGG, YOU WILL SEE THERE'S A WHEEL CHAIR ACCESS NEXT TO THE HAWAIIAN AIRLINES TICKET COUNTER, AS WELL AS THERE IS A SIGN -- >> THANK YOU, MRS. MATTHEWS. >> THAT I ADVOCATED FOR. >> THANK YOU. MEMBERS, ARE THERE ANY QUESTIONS?

IF NOT, THANK YOU VERY MUCH. >> CHAIR, LOOKS LIKE MR. LAU IS OUR LAST TESTIFIER CURRENTLY. >> MADAM CHAIR, LONG TIME NO SEE. J.C. LAU FOR RESOLUTION 24-60. I'M PROUD TO ANNOUNCE JEAN H. POKIPALA IS THE FIRST RECIPIENT IN THE KINGDOM OF HAWAII OF THE PRESTIGIOUS AWARD KNOWN AS AN ALI'I. SORRY, AULI'I. AULI'I, NOT HAU'OLI. VICE-CHAIR SUGIMURA. IS COUNTY EMPLOYEES INCLUDING COUNCIL MEMBERS THAT HAVE SHOWN RIGHTEOUSNESS FOR PEOPLE AND CONSTANT VIGILANCE AND DEDICATION IN THEIR WORK.

JEAN IS ALWAYS THERE WHEN YOU IMMEDIATE HER, MODEST AND HUMBLE ABOUT ACCEPTING THANKS AND ALWAYS LISTEN AS YOU FIGURES OUT A FAIR AND EQUITABLE SOLUTION TO EVERY DAY SNAGS AND DIFFICULTIES. I GOT THAT EQUITABLE WORD FROM YOU GUYS. IT'S ABOUT TIME SHE IS RECOGNIZED AND SHE IS HAWAIIAN. JEAN POKIPALA, THAT IS -- I WOULD ASK COUNCIL SERVICES DIRECTOR DAVID RAATZ TO ACCEPT THIS TOKEN POKEMON ON HER BEHALF. >> THANK YOU. >> THANK YOU VERY MUCH. YOU DON'T HAVE TO THROW IT.

YOU COULD GIVE IT TO ONE OF THE LADIES THERE. THANK YOU VERY MUCH. >> I'M SORRY, CHAIR, THERE'S CURRENTLY NO ONE ELSE SIGNED UP TO TESTIFY. THIS IS LAST CALL. IF YOU WOULD LIKE TO TESTIFY ON RESOLUTIONS, THIS IS YOUR OPPORTUNITY. PLEASE MAKE YOUR WAY TO THE PODIUM, IF YOU WOULD LIKE TO TESTIFY, OR IF YOU ARE ON TEAMS, YOU CAN RAISE YOUR HAND. AGAIN, LAST CALL.

3, 2, 1. >> MEMBERS, ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY ON RESOLUTIONS AND ACCEPTING WRITTEN TESTIMONY INTO THE RECORD? >> NO OBJECTIONS, CHAIR. >> SO ORDERED. MS. CLERK. >> THANK YOU, MADAM CHAIR. MOVING ON TO RESOLUTION 24-19 APPOINTMENT OF A MEMBER TO THE BOARD OF ETHICS FOR THE COUNTY OF MAUI.

>> MEMBER UU-HODGINS IT'S ALL YOURS. >> THANK YOU I'M GOING TO APOLOGIZE IN ADVANCE TO EVERYBODY, BECAUSE WE'RE GOING TO DO A LOT OF TALKING TODAY. SO CHAIR, MAY I PLEASE ALSO ASK THE CLERK TO CALL UP RESOLUTIONS 24-S 22 FD 1 THROUGH 24-29 FD 1, RESOLUTIONS 24-31 FD 1, THROUGH RESOLUTIONS 24-39 FD 1 AND RESOLUTIONS 24-41 FD 1, 24-42 FD 1, 24-43 FD 1 AND 24-45 FD 1. THANK YOU SO MUCH. >> THANK YOU. MS. CLERK. >> THANK YOU, MADAM CHAIR.

RESOLUTION 24-22, FD 1 APPOINTMENT OF A MEMBER TO THE BOARD OF VARIANCES AND APPEALS FOR THE COUNTY OF MAUI RESOLUTION 24-23, FD 1 APPOINTMENT OF MEMBERS TO THE BOARD OF WATER SUPPLY FOR THE COUNTY OF MAUI. RESOLUTION 24-24, APPOINTMENT OF A MEMBER TO THE CIVIL. SERVICE COMMISSION FOR THE COUNTY OF MAUI. RESOLUTION 24-25, FD 1, APPOINTMENT OF MEMBERS TO THE COMMISSIONING ON HEALING SOLUTIONS FOR HOMELESSNESS FOR THE COUNTY OF MAUI. RESOLUTION 24-26 FD 1 APPOINTMENT OF MEMBERS TO THE CONSERVATION PLANNING COMMITTEE FOR THE COUNTY OF MAUI. RESOLUTION 24-27 FD 1 APPOINTMENT OF MEMBERS TO THE COST OF GOVERNMENT COMMISSION FOR THE COUNTY OF MAUI. RESOLUTION 24-28 APPOINTMENT OF A MEMBER TO THE COUNCIL ON AGING FOR THE COUNTY OF MAUI.

RESOLUTION 24-29 FD 1 APPOINTMENT OF MEMBERS TO THE FIRE AND PUBLIC SAFETY COMMISSION FOR THE COUNTY OF MAUI. RESOLUTION 24-31 FD 1, APPOINTMENT OF A MEMBER TO THE KULA AGRICULTURAL PARK COMMITTEE FOR THE COUNTY OF MAUI. RESOLUTION 24-3 FD 1 APPOINTMENT OF A MEMBER TO THE LIQUOR CONTROL ADJUDICATION BOARD FOR THE COUNTY OF MAUI. RESOLUTION 24-33, FD A POINT OF A MEMBER TO THE LIQUOR CONTROL COMMISSION FOR THE COUNTY OF MAUI. RESOLUTION 24-34 FD 1 APPOINTMENT OF MEMBERS TO THE MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES. RESOLUTION 24-35 FD 1 APPOINTMENT OF MEMBERS TO THE MAUI COUNTY CULTURAL RESOURCES COMMISSION. RESOLUTION 24-36 FD APPOINTMENT OF A MEMBER TO THE MAUI PLANNING COMMISSION.

RESOLUTION 24-37 FD 1 APPOINTMENT OF A MEMBER TO THE MAUI

REDEVELOPMENT AGENCY. RESOLUTION 24-38 FD 1 APPOINTMENT OF MEMBERS TO THE MOLOKA'I PLANNING COMMISSION. RESOLUTION 24-39 FD 1 APPOINTMENT OF MEMBERS TO THE PA'IA-HA'IKU ADVISORY COMMITTEE TO THE MAUI PLANNING COMMISSION. RESOLUTION 24-41 APPOINTMENT OF MEMBERS TO THE PUBLIC WORKS COMMISSION FOR THE COUNTY OF MAUI. RESOLUTION 24-42, FD 1 APPOINTMENT A MEMBER TO THE REAL PROPERTY TAX REVIEW BOARD FOR THE COUNTY OF MAUI. RESOLUTION 24-43 APPOINTMENT OF MEMBERS TO THE SALARY COMMISSION FOR THE COUNTY OF MAUI. RESOLUTION 24-45 FD 1 APPOINTMENT OF MEMBERS TO THE URBAN DESIGN REVIEW BOARD FOR THE COUNTY OF MAUI.\r\n\r\n>> MS. UU-HODGINS. >> THANK YOU, CHAIR. I MOVE TO DISCHARGE THE GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE FROM FURTHER CONSIDERATION OF THE RESOLUTIONS WE HAVE NOW CALLED UP UNDER RULE 5E OF THE RULES OF THE COUNCIL. >> MOVED BY MEMBER UU-HODGINS AND SECONDED BY VICE-CHAIR SUGIMURA TO WAIVE THE RULES OF COUNCIL REGARDING THE ITEMS THAT WERE JUST LISTED AND CALLED OUT. DISCUSSION, MEMBER UU-HODGINS. >> THANK YOU, CHAIR.\r\n\r\nMEMBERS, THE CHARTER REQUIRES THAT THE MAYOR PROVIDE COUNCIL WITH NOMINATIONS TO VARIOUS BOARDS, COMMITTEES AND COMMISSIONS AT LEAST 60 DAYS PRIOR TO THE EXPIRATION OF THEIR TERMS ON MARCH 31ST, 2024. THIS IS COMMONLY REFERRED TO AS MASS NOMINATIONS. AS DISCUSSED IN GREAT COMMITTEE ON FEBRUARY 16, THE MAYOR'S NOMINEES WERE RECEIVED 359 DAYS PRIOR TO THE EXPIRATION OF THE CURRENT MEMBER'S TERMS. CORPORATION COUNSEL PREVIOUSLY ADVISED US THAT THE IPD NOMINATION BOARD DID NOT EXIST UNTIL IT HAD ITS FIRST MEETING ELECTED OFFICERS AND HAD A QUORUM TO CONDUCT BUSINESS. IN ADDITION CORPORATION COUNSEL NOTED ON RECORD THAT THE MAYOR MISSED THE DEADLINE AND CONSEQUENTLY IN THE COUNCIL'S RESPONSIBILITY TO NOMINATE AND APPOINT MEMBERS FOR THE SEATS. THE DEADLINE TO APPROVE THE MEMBERS TO VARIOUS BOARDS, COMMITTEE AS YOU COMMISSIONS IS MARCH 31ST, 2024. DISCHARGE IS THE FIRST STEP TOWARDS MOVING THESE RESOLUTIONS FORWARD TODAY, SINCE THIS IS THE LAST COUNCIL MEETING PRIOR TO THE DEADLINE. >> ANY MORE DISCUSSION ON THE RULE WAIVER? RULE 5E. ANY MORE DISCUSSION ON THAT?\r\n\r\nIF NOT, ALL IN FAVOR OF THE DISCHARGE, RAISE YOUR HAND, SAY AYE. OKAY. EIGHT AYES, ONE EXCUSED. MEMBER RAWLINS-FERNANDEZ. MOTION CARRIES. MS. UU-HODGINS.\r\n\r\n>> THANK YOU, CHAIR. I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT FOR THE RESOLUTIONS WE HAVE CALLED UP ON RULE 7G OF THE RULES OF THE COUNCIL. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY VICE-CHAIR SUGIMURA TO WAIVE THE RULES OF THE COUNCIL, AND DISCUSSION? MEMBER UU-HODGINS. >> THANK YOU. I'M REQUESTING THIS WAIVER FOR THE EXACT SAME REASONS I STATED DURING MY MOTIONS TO DISCHARGE THE RESOLUTIONS. >> ANY MORE DISCUSSION?\r\n\r\nMEMBER PALTIN. >> CHAIR, WOULD IT BE OKAY AT THIS POINT TO HEAR FROM CORP. COUNSEL ABOUT THE LEGAL MATTERS? IT MIGHT AFFECT MY VOTE. >> SURE. WHAT IS YOUR QUESTION TO CORP. COUNSEL?\r\n\r\n>> ONE THE TESTIFIERS WAS CITING THE CHARTER ABOUT THE DATE IT WAS RECEIVED, AND I GUESS I JUST WANT TO MAKE SURE -- I MEAN, I'M NO LAWYER; RIGHT? YOU GUYS KNOW. AND I JUST WANT TO MAKE SURE, LIKE, WE'RE GETTING THE APPROPRIATE GUIDANCE DESPITE WHAT TESTIMONY WE RECEIVED? I JUST FOR MY OWN DUE DILIGENCE, BECAUSE I'M TAKING NO RESPONSIBILITY FOR ADVICE THAT WE'RE BEING GIVEN BY THE LAWYERS, BECAUSE I'M NOT A LAWYER. >> CORP. COUNSEL. >> THANK YOU, CHAIR.\r\n\r\nSO I HAVE A SUGGESTION. AND THAT IS THAT THE OFFICE OF THE CLERK, AND THE OFFICE OF COUNCIL SERVICES WERE THE ONES WHO MADE THE INITIAL DETERMINATION OF THE FAILURE TO MEET THE DEADLINE. WHAT I SUGGEST IS I'M GOING TO DEFER TO THEM IN TERMS OF EXPLAINING THEIR RATIONALE IN COMING TO THE CONCLUSION THAT THE SUBMISSION WAS DONE 59 DAYS, INSTEAD OF 60 DAYS. AT THAT POINT, IF YOU HAVE OTHER QUESTIONS REGARDING LEGALITIES, LIABILITIES, I AM WILLING TO ENTERTAIN THOSE IN EXECUTIVE SESSION, BUT NOT IN AN OPEN SESSION, GIVEN WHAT I THINK I'M HEARING FROM THE COMMUNITY IN TERMS OF ITS CONCERNS AND SOME OF THE CONCERNS THAT I HEARD FROM OTHER MEMBERS. SO I'M NOT IN A POSITION TO TALK ABOUT IT IN OPEN, BUT IF YOU WANT TO ASK OCS, AND THE CLERK'S OFFICE, HOW THEY CAME TO THAT DECISION, I THINK THAT WOULD BE A GOOD PRIMARY BASIS FOR START OF THE DISCUSSION. >> THANK YOU. MS.\r\n\r\nCLERK. >> THANK YOU, MADAM CHAIR. SO THE CLERK'S OFFICE RECEIVED THE MASS NOMINATIONS TRANSMITTAL FROM MAYOR'S OFFICE FEBRUARY 1ST, AND FOLLOWED UP WITH

CORRESPONDENCE LETTING THE COUNCIL AND MAYOR'S OFFICE KNOW OF DATE OF RECEIPT AND NOTING THAT THE MEMBERS THAT WERE SEEKING TO BE REPLACED THAT THEIR TERMS ENDED ON MARCH 31ST. >> AND THAT WAS 59 DAYS. CAN YOU EXPLAIN THAT PART? >> YES. SO 59 DAYS COUNTING BACKWARDS.\r\n\r\nTHAT WAS 59 DAYS IS THE TIME PERIOD BETWEEN VACANCY AND THE DATE OF RECEIPT. >> AND THE MAYOR IS SUPPOSED TO ALLOW US NO LESS THAN 60 DAYS. >> CORRECT. >> THAT IS THE REASON WHY HE MISSED HIS DEADLINE. >> OKAY. THANK YOU. JUST CLARIFYING THAT ON MARCH 31ST, ALL THOSE POSITIONS ARE VACANT.\r\n\r\n>> WHO WANTS TO ANSWER THAT? >> I'M GOING TO DEFER TO THE CLERK'S OFFICE, BUT I WANT TO MAKE ONE CLARIFYING COMMENT AND THAT IS I THINK SHE SAID FEBRUARY 1ST, 2023. I KNOW SHE MEANT 2024, JUST SO WE'RE CLEAR. THE ONLY OTHER INFORMATION THAT I HAVE, I DO KNOW THERE WAS AN EMAIL TO THE CLERK'S OFFICE, ON JANUARY 31ST AT 5:09 P.M. AND MY UNDERSTANDING IS THAT THE CLERK'S OFFICES' INTERPRETATION THE INFORMATION NEEDED TO BE TO THEM BY THE CLOSE OF BUSINESS AT 4:30 ON JANUARY 31ST. SO I THINK THAT IS IMPORTANT FOR PEOPLE TO UNDERSTAND. SO I WANTED TO ALSO PUT THAT ON THE RECORD. >> THANK YOU. >> SEEM LIKE YOU FILE YOUR PAPERS, KIND OF, HUH?\r\n\r\nCONSISTENCY. >> YES, THAT IS REALLY THE CLERK - - - MY POSITION IT'S THE CLERK'S OFFICE'S CALL AND WHY I WANTED THEM TO EXPLAIN ON THE RECORD WHY THEY MADE THE DECISION THAT THEY MADE. >> OKAY. >> SO WE'RE SAYING THAT ALL OF THE BOARDS AND COMMISSIONS THAT ARE EXPIRING THAT SEAT IS VACANT ON THE 31ST. >> YES. MS. CLERK, YOU CAN ANSWER.\r\n\r\n>> THANK YOU. PURSUANT TO THE CHARTER, THAT SECTION 13-2-1. SO THE MEMBERS OF ALL BOARDS AND COMMISSIONS SERVE STAGGERING TERMS BEGINNING APRIL 1ST, ENDING MARCH 31ST. >> 2023 VERSION? >> EITHER ONE, YES. THAT DOESN'T CHANGE. >> OKAY. ALL RIGHT.\r\n\r\nOKAY. BECAUSE I'M JUST GOING TO FOLLOW YOU GUYS ADVICE, BECAUSE YOU ARE THE EXPERTS HERE. >> THEY HAD MEETINGS ON THIS. THEY DIDN'T JUST COME WITH IT OVER LUNCHTIME TODAY, YOU KNOW? OKAY. SO WHERE WERE WE? MEMBER UU-HODGINS.\r\n\r\n>> OKAY. I MOVE TO ADOPT RESOLUTIONS 24-19, FD 1,24-26, FD 1, 24-32, FD 1,24-34 FD 1,24-38, FD 1. 24-42 FD 1 AND 24-45, FD 1. >> DID WE TAKE A VOTE ON 7G? OKAY. DO WE NEED ROLL CALL? >> CHAIR? >> ALL THOSE IN FAVOR OF WAIVING 7G? WHO SAID THAT, CHAIR? MEMBER SINENCI. >> THANK YOU, CHAIR.\r\n\r\nARE WE WAIVING OR ARE WE ADOPTING ON THIS MOTION? >> WE'RE JUST WAIVING. WE'RE NOT ADOPTING. >> OKAY. >> NOT YET. ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND SAY AYE. >> NINE AYES, ZEROS NO, MOTION CARRIES.\r\n\r\nMS. CLERK, AGAIN. >> THANK YOU, MADAM CHAIR. >> READY FOR THE VOTE. >> SO MEMBER UU-HODGINS MADE A MOTION TO ADOPT THE RESOLUTIONS AS SHE READ AND WE WERE WAITING ON A SECOND, I BELIEVE. CAN YOU REPEAT THE RESOS BECAUSE THEY -- >> NO THEY ARE NOT IN ORDER. THESE ARE THE ONES THAT WE HAD PRETTY MUCH DONE UNANIMOUSLY, WHICH I WAS ABOUT TO READ.\r\n\r\nI CAN DO IT AGAIN, IT'S 24-19 FD 1,24-26 FD 1,24-32 FD 1,24-34 FD 1. 24-38 FD 1. 24-42 FD 1 AND 24-45 FD 1. DO YOU WANT ME TO READ WHAT IT IS? OKAY. >> CHAIR? >> WHICH WERE THE ONES BEFORE 32 WAS 19? DID YOU SAY 19? >> YES. >> FOR CLARIFICATION THEN, IT IS THE APPOINTMENT OF A MEMBER TO THE BOARD OF ETHICS. APOINT TO THE MEMBERS OF CONSERVATION PLANNING COMMITTEES, A PERSON TO THE LIQUOR CONTROL ADJUDICATION, APPOINT FOR MAUI COMMITTEE WITH PERSONS OF DISABILITY, MOLOKA'I PLANNING COMMISSION, REAL PROPERTY TAX REVIEW BOARD, AND THE URBAN DESIGN REVIEW BOARD. >> SO WE VOTED UNANIMOUSLY FOR.\r\n\r\nOKAY. >> CHAIR? >> JUST TRYING TO TAKE THOSE FIRST. MEMBER SINENCI. >> THANK YOU, CHAIR. MAY I REQUEST TO SEPARATE OUT RESOLUTION 24-26 FD 1 FROM THE OTHER RESOLUTIONS AS I AM INTRODUCING A NEW VERSION LATER IN THE AGENDA. >> SO ARE YOU AMENDING YOUR MOTION TO DELETE RESOLUTION 24-26? >> MOVE TO FILE RESOLUTION 24-26 FD 1, CHAIR.\r\n\r\n>> WELL, LET HER FINISH HER MOTION FIRST, OKAY? >> OKAY. >> SO AGAIN DOES ANYBODY HAVE ANY QUESTIONS ON THE MOTION, AND ALL OF THE VARIOUS RESOS THAT ARE ON THE FLOOR? ANYBODY? NOBODY? OKAY. WE TOOK OUT 24-26 NOW.\r\n\r\nALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. MEMBER UU-HODGINS, I'M GOING TO ASK MEMBER SHANE SINENCI TO DO HIS MOTION, BECAUSE HE ONLY HAS ONE. >> POINT OF ORDER? >> YES. >> SO THE RESOLUTIONS THAT ARE ON THE AGENDA ARE BLANK.\r\n\r\nWE HAVE TO MOVE THE NAMES; RIGHT? NO? >> NOT FOR THOSE. >> OKAY GREAT. DISREGARD. >> SO MEMBER SHANE SINENCI. >> MAHALO, CHAIR.\r\n\r\nMOVE TO FILE RESOLUTION

24-26, FD 1. AND I WILL EXPLAIN ONCE I GET A SECOND. >> SECOND. >> SO WE HAVE MOTION BY MEMBER SINENCI TO FILE RESO 24-26, FD 1, SECONDED BY MEMBER JOHNSON. DISCUSSION, MEMBER SINENCI. >> MAHALO, CHAIR, FILING RESOLUTION 24-26, I HAVE A RESOLUTION 24-62 ON THE AGENDA LATER ON, WHICH HAS THE SAME APPOINTS AS RESOLUTION 24-26 FD 1, BUT IT ALSO ADDS MR. SAM KOI IV TO THE EAST MAUI PLAN AGENCY AND I ASK FOR THE MEMBERS' SUPPORT. THANK YOU.\r\n\r\n>> SUPPORT TO FILE RESO 24-26. >> YES, AND I WILL BRING IT UP LATER. >> YOU WILL BRING IT UP LATER. YOU WILL BRING IT UP LATER. MEMBERS, WE'LL TAKE RESO 24-26, FD 1, WHICH HE WANTS TO FILE LATER, WHEN THE OTHER ONE COMES UP, 24-62, I THINK IT IS. >> WHERE WE. >> NOW WE CAN CONTINUE ON. >> CHAIR, I WANTED TO MAKE SURE WE'RE ALL CLEAR ON WHAT WE'RE DOING AND MY UNDERSTANDING THAT MEMBER SINENCI MADE A MOTION TO FILE AND THE SECOND BY MR.\r\n\r\nJOHNSON. BUT WE HAVE NOT VOTE ON THAT YET. >> OKAY. BECAUSE I THOUGHT HE CHANGED HIS MIND AND SAID WE'LL TAKE IT UP LATER. OKAY. SO WE'LL FILE THIS ONE NOW, 24-26. ALL THOSE IN FAVOR THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE.\r\n\r\n>> NINE AYES, ZERO NOS, MOTION CARRIES. >> THANK YOU. >> SO WE'RE NOT GOING TO TAKE THIS UP LATER. SHALL WE CONTINUE ON? MADAM CLERK, YOU ARE GOING TO CALL UP THE NEXT TRANCHE. >> I ALREADY ASKED FOR ALL OF THEM TO BE CALLED UP; RIGHT? ALL OF THEM.\r\n\r\nWE HAVE THOSE -- >> WE DO NEED TO VOTE ON ALL OF THE RESOS READ BY COUNCIL MEMBER UU-HODGINS, WITH THE EXCEPTION OF 24-26, WHICH WAS PULLED OUT WITHOUT OBJECTION, AND JUST FILED. SO MY NOTES ARE THAT MEMBER UU-HODGINS IMMEDIATE THE MOTION, SECONDED BY MEMBER RAWLINS-FERNANDEZ: >> I BELIEVE WE TOOK THE VOTE. >> FOR ALL OF THEM?. MS. CLERK, ARE YOU SAYING WE DIDN'T VOTE, JOYCE? >> OKAY. IF WE NEED TO VOTE AGAIN, I'M HAPPY TO VOTE AGAIN. BUT ALSO, CHAIR, WHILE MS.\r\n\r\nTHOMSON IS CHECKING WITH MS. MURASHIGE, SO YOU DIDN'T ASK FOR ANY DISCUSSION BEFORE CALLING FOR THE VOTE. DID YOU ALREADY DISCUSS BEFORE I SAT DOWN? >> I KIND OF DISCUSSED WHY WE DID THE RULE 5, AND THEN RULE 7G. BUT HONESTLY, WHEN I WAS CALLING UP ALL THE THINGS I SAID MY DISCUSSION ANYWAY, WHICH JUST INCLUDED THE LIST OF THE ONES WE WERE GOING TO APPROVE AND IA EXPLAINED THAT WE HAD THE FULL VOTE PRETTY UNANIMOUS, WHICH WERE SEPARATED OUT, ON EXHIBIT B, THAT WE DID THE FIRST DAY, SO WE DIDN'T MOVE TO MOVE THOSE. THAT WAS GOING TO BE MY DISCUSSION, WHICH ENDED UP GOING PART THE DISCUSSION. >> DID WE NOT NEED TO AT THE SAY THE NAMES FOR THE RECORD? IT'S ON THE RESOLUTION.\r\n\r\n>> IT'S UP TO THE MEMBER WHO MADE THE MOTION. >> I'M GOING TO START SLURRING MY WORDS AND TALKING IN CURSIVE IN WE HAVE HAD TO READ THAT MUCH AND IF WE JUST READ THE RESOLUTION, BUT IF YOU NEED ME TO, WE COULD. >> IS ASKING IF YOU WOULD AND IT'S UP TO YOU, BECAUSE YOU MADE THE MOTION. I'M GOING TO CALL OUT EACH INDIVIDUAL PERSON AS WE MOVE THEM TO EXHIBIT B. THESE ARE THE ONES THAT WE HAVE THE NAMES FOR EXHIBIT B. I WOULD NOT LIKE TO, BUT I WOULD BE HAPPY IF SOMEBODY DID . MEMBER RAWLINS-FERNANDEZ. >> FOR RESOLUTION 24-19, BOARD OF ETHICS, MR. JOHNSON WAS ON THAT RESOLUTION. >> SO THEY WERE APPROVED.\r\n\r\n>> THAT IS WHO WE APPOINTED >> RESOLUTION 24-32, LIQUOR CONTROL ADJUDICATION BOARD, MS. FAVORITO. RESOLUTION 24-34, MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES, MS. COPPERFIELD AND MS. MATTHEWS. RESOLUTION 24-38, MOLOKA'I PLANNING COMMISSION, MS. KELLY, MR.\r\n\r\nSAGUARO AND MR. WILLS. RESOLUTION 24-42 REAL PROPERTY TAX REVIEW BOARD, MR. WILLIAMS. AND RESOLUTION 24-45 USUAL DESIGN REVIEW ODOR OR BOARD, MR. KENNEDY AND MR. STEWART.\r\n\r\n>> ANY COMMENTS OR QUESTIONS? THAT WAS JUST FOR INFORMATION. DID WE MISS SOMEBODY? ALL RIGHT. SO MS. CLERK. >> THANK YOU, MADAM CHAIR.\r\n\r\nI BELIEVE IT'S BACK TO MEMBER UU-HODGINS TO CONTINUE ON. >> MEMBER UU-HODGINS. >> THANK YOU, I'M EXERCISING MY CHEEKS. MOVING ON, I MOVE TO ADOPT RESOLUTION 24-22 FD 1. >> JUST ONE. OKAY. MOVED BY MEMBER UU-HODGINS AND SECONDED BY PRO TEM KAMA TO ADOPT RESOLUTION 24-22 FD 1. OKAY. DISCUSSION?\r\n\r\nMEMBER UU-HODGINS. >> THIS RESOLUTION RECOMMENDS THE APPOINTMENT OF JOSEPH JOE PETER WILSON 3RD TO THE BOARDS AND VARIANCES -- BOARD OF VARIANCES AND APPEALS, SINCE MARCH 123TH MEETING WE HAD ADDITIONAL DISCUSSION ON THIS APPOINTMENT AND SOME MEMBERS EXPRESSED CONCERN WITH THE PROPOSAL. I'M MAKING A SEPARATE MOTION FOR THIS RESOLUTION. BUT I DO ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. THANK YOU, CHAIR. >> YOU ARE ASKING FOR US TO --

YOU ARE GOING TO ADOPT 24-22, WHICH HAS SOMEBODY ELSE'S NAME ON IT. >> 24-22 HAS MR. WILSON III NAME ON IT. THE REASON WHY THIS WAS SEPARATED FROM THE EARLIER ONES IS BECAUSE THIS ONE WE DIDN'T HAVE UNANIMOUS APPROVAL DURING COMMITTEE. SO I SEPARATED THEM OUT, SO THE MEMBERS CAN VOTE HOW THEY SEE FIT. >> OKAY. SO DISCUSSION? MEMBER PALTIN. >> THANK YOU, CHAIR. THANK YOU, COMMITTEE CHAIR UU-HODGINS. I WOULD LIKE TO SPEAK IN STRONG SUPPORT OF MR. JOE WILSON III. I HAD NEVER MET HIM EXCEPT FOR THAT ONE TIME DURING THE FIRE RESPONSE, BUT I THINK IT IS IMPORTANT THAT WE DO HAVE WEST MAUI REPRESENTATION ON THIS BOARD, AND HE SEEMS LIKE A FAIR GUY THAT CAN FIGURE IT OUT, AND HE HAS WATCHED THE MEETINGS. SO I APPRECIATE THE SUPPORT FOR MR. WILSON III. >> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I ALSO SPEAK IN SUPPORT OF THE MOTION TO APPOINT MR. WILSON, AND THEN JUST FOR WHOEVER IS WATCHING, INFORMATION, THERE'S THE THREE APPLICANTS NAMES ON -- IT'S NOT CALLED AN EXHIBIT, BUT JUST SHOWS THE NAMES. THERE IT IS. SHOOT. I JUST TOUCHED SOMETHING AND MADE IT DISAPPEAR. HOLD ON. EXHIBIT A. AND THEN ON EXHIBIT B HAS MR. WILSON'S NAME. THAT WAY IT GIVES ALL THE MEMBERS FLEXIBILITY TO AMEND THE RECOMMENDATION FROM THE GREAT COMMITTEE CHAIR. BUT I DON'T WANT TO AMEND IT. I SUPPORT IT. I THOUGHT MR. WILSON'S RESPONSES TO OUR QUESTIONS DURING THE COMMITTEE MEETING WAS EXCELLENT. I LOOK FORWARD TO HIM SERVING. MAHALO MEMBER UU-HODGINS, DO YOU WANT TO MAKE AN AMENDMENT? >> NO, CHAIR, I DON'T. >> OKAY. SO WE'RE JUST GOING TO VOTE ON THAT MOTION RIGHT NOW; RIGHT? OKAY, ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND SAY AYE. >> VARIANCES AND APPEALS TO APPOINT MR. WILSON TO THE BOARD OF VARIANCES AND APPEALS. IS THERE A REQUEST FOR ROLL CALL? >> YOU WANT ROLL CALL? I DID HAVE A QUESTION. MEMBER UU-HODGINS, THIS BOARD ONLY HAS ONE OPENING. OKAY. ALL RIGHT. ROLL CALL. >> COUNCIL MEMBER PRO TEMPORE TASHA KAMA? >> NO. >> VICE-CHAIR SUGIMURA? COUNCIL MEMBER PALTIN? >> SORRY, I JUST HAD DISCUSSION. THERE'S TWO OPENINGS, BUT ONE FOR US TO FILL. SO AYE. >> WHO IS THE OTHER ONE TO FILL? >> THAT IS FOR THE INB. >> I SEE. >> INDEPENDENT NOMINATION BOARD FOR ANYONE WATCHING. >> COUNCIL MEMBER JOHNSON? >> AYE. >> COUNCIL MEMBER RAWLINS-FERNANDEZ? >> AYE. >> COUNCIL MEMBER COOK? >> NO. >> COUNCIL MEMBER UU-HODGINS? >> AYE. >> COUNCIL MEMBER SINENCI? >> AYE. >> COUNCIL CHAIR LEE? >> NO. >> CHAIR, THERE ARE FIVE AYES, FOUR NOS, MOTION CARRIES. >> >> ALL RIGHT, MOVING ON. THANK YOU I MOVE TO WAIVE RULE 19C OF THE RULES OF THE COUNTY FOR RESOLUTION 24-23 FD 1, RESOLUTION 24-24, FD 1, 24-25, FD 1, 24-27 FD 1, 24-28, FD 1, 24-29 FD 1, 24-31 FD 1. 24-33 FD 1, 24-35 FD 1. 24-36 FD 1, 24-37 FD 1, 24-39 FD 1, 24-41 FD 1, AND 24-43 FD 1. >> SECOND. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY MEMBER RAWLINS-FERNANDEZ TO -- DID I SAY MOVE. WAIVE RULE 19C OF THE RULES OF THE COUNCIL. >> ANY DISCUSSION ON THAT? >> YES. THIS WAIVER IS NECESSARY SO WE CAN AMEND THE REMAINING RESOLUTIONS AS LISTED TO PLACE THE NAMES ON EXHIBIT B FOR APPROVAL TO THE RESPECTIVE BOARDS, COMMITTEES AND COMMISSIONS. >> AND THIS IS GOING TO GO DOWN MENTION EACH NAME? >> THIS ONE I AM. >> ANY MORE DISCUSSION ON THE RULE? MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. SO THAT WE CAN TAKE FINAL ACTION ON THE RESOLUTION TODAY, AFTER THE AMENDMENT. CLARIFYING QUESTION. WE'RE GOING TO TAKE ALL OF THEM, OR WE'RE GOING TO TAKE THEM EACH ONE AT ALL TIME AND MAKE AMENDMENTS. TO WAIVE THE RULE BECAUSE WE'RE GOING AMEND IT, BUT STILL TAKE EACH RESOLUTION ONE AT A TIME ? >> YES, AFTER THIS, I'M GOING TO CONTINUE ON WITH THE REST OF THEM. THEY WILL GO ONE AT A TIME. MAHALO. MAHALO, CHAIR. >> YOU'RE WELCOME. >> ANYBODY ELSE? ALL IN FAVOR, RAISE YOUR HAND SAY AYE. >> AYE NINE AYES, ZERO NOS, MOTION CARRIES MEMBER UU-HODGINS. (MAKING MOTION) >> SECOND. >> OKAY >> MOVED BY MEMBER UU-HODGINS, SECONDED BY MEMBER RAWLINS-FERNANDEZ TO ADOPT THOSE VARIOUS 24-28, 29, 31, 42, 43 RESOLUTIONS. DISCUSSION? MEMBER UU-HODGINS. >> DO MEMBER RAWLINS-FERNANDEZ QUESTION, I DON'T KNOW IF YOU WANT TO VOTE INDIVIDUALLY, BUT I HAVE TO VOTE ALL OT ONCE AND LIST ALL THE DIFFERENT AMENDMENT FOR EACH RESOLUTION. >> CHAIR, I WOULD PREFER THE AMENDMENTS ONE AT A TIME. FOR THE FIRST ONE, BOARD OF WATER SUPPLY WE HAVE TWO NAMES ON THE LIST. >> I THINK WE'RE ONLY DOING -- I DON'T THINK MS. KNOX IS UP RIGHT NOW, BECAUSE WE HAVE TO ADD ANOTHER

PERSON. SO I SEPARATED THAT ONE OUT. >> OKAY. >> SO WE'RE GOING TO DO 24. >> LET ME READ IT. IT WILL BE -- >> AT SOME POINT. >> I MOVE TO AMEND RESOLUTION 24-24 FD 1 BY PLACING MR. WONDER ON EXHIBIT B, ET CETERA.\r\n\r\n>> SECOND. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY MEMBER PALTIN TO ADOPT WHICH NUMBER AGAIN? >> 24-24 FD 1. >> 24-24 FD 1. ANY DISCUSSION ON THAT? MEMBER UU-HODGINS? >> NO. >> THIS IS STILL THE CIVIL SERVICE COMMISSION. ARNOLD WONDER.\r\n\r\n>> WE DISCUSSED THIS IN COMMITTEE. >> ANY MORE COMMENTS OR QUESTIONS? IF NOT, ALL THOSE IN FAVOR OF THE MOTION? NINE AYES, ZEROS NO, MOTION CARRIES NEXT I MOVE TO AMEND RESOLUTION 24-28 FD 1 BY PLACING MS. [SPEAKER NOT UNDERSTOOD] >> SECOND. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY PRO TEM KAMA TO ADOPT RESOLUTION 24-28 FD 1. COUNCIL OF AGING, MS. RESO.\r\n\r\nANY DISCUSSION? >> WE VIGOROUSLY DISCUSSED THESE IN COMMITTEE, CHAIR. >> OKAY. ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION. NINE AYES, ZERO NOS, MOTION CARRIES. ME UU-HODGINS.\r\n\r\n>> THANK YOU, CHAIR. I MOVE TO AMEND RESOLUTION 24-29 [SPEAKER NOT UNDERSTOOD] EACH NEXT TO TERM EXPIRATION 3/31, 2029. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY VICE-CHAIR SUGIMURA TO ADOPT RESOLUTION 24-29 FD 1. FIRE AND PUBLIC SAFETY COMMISSION. DISCUSSION, MEMBER UU-HODGINS? >> NO. CHAIR, AGAIN, ON MARCH 12TH AND 18TH WE DISCUSSED THESE RESOLUTIONS AT LENGTH. >> ANY DISCUSSION FROM ANYBODY ELSE? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND SAY AYE NINE AYES, ZERO NOS, MOTION CARRIES.\r\n\r\nMEMBER UU-HODGINS. >> ALL RIGHT. >> CHAIR? >> YES. >> MEMBER RAWLINS-FERNANDEZ? >> MAHALO, CHAIR. MY APOLOGIES.\r\n\r\nI MISUNDERSTOOD WHAT MEMBER UU-HODGINS WAS EXPLAINING THESE NOMINEES. THESE APPOINTEES WERE VOTED ON UNANIMOUSLY. AND THEY ARE ONLY ONE AND WE'RE NOT MAKING ANY AMENDMENTS. SO I WOULDN'T BE OPPOSED -- I DON'T KNOW IF ANYBODY ELSE WOULD BE? I WON'T BE OPPOSED TO LISTING THEM ALL AND TAKING ONE MOTION AS AMENDED. >> OKAY. >> THERE'S ONLY THREE MORE, SO I'M HAPPY TO CONTINUE TO READ AND VOTE ON THE THREE.\r\n\r\n>> YOU DRIVE ME CRAZY. >> AT LEAST WE'RE CONSISTENT, CHAIR. SO I MOVE TO AMEND RESOLUTION 24-31 FD 1 BY PLACING SARAH SALARY ELIZABETH BARR FOR THE KULA AGRICULTURAL COMMITTEE, TERM EXPIRATION 3/31/2029. THEN CONTINUING ON, I MOVE TO AMEND RESOLUTION 24-41 FD 1 BY PLACING LEE ALLEN CHAMBERLAIN TO THE PUBLIC WORKS COMMISSION NEXT TO ALTERNATE, TERM COMPARATION 3/31/2029 AND DELETING THE REMAINING TWO UNFILLED VACANCIES AND AMENDING RESOLUTION 24-43 FD 1 BY PLACING LINDSAY HALL AND JERRY LEWIS FOR APPROVAL NEXT TO THE SALARY COMMISSION NEXT TO EACH TERM EXPIRATION 3/31/2029. >> SECOND. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY MEMBER SINENCI TO ADOPT THESE FOUR -- YES. >> THREE. >> THREE RESOLUTIONS. TO THE VARIOUS COMMISSIONS.\r\n\r\nDISCUSSION, MEMBER UU-HODGINS? >> THANK YOU, CHAIR. AGAIN, THE GREAT COMMITTEE HAD MEETING MARCH 12TH AND RECONVENES FOR DISCUSSION AND HAD UNANIMOUS SUPPORT. >> VICE-CHAIR SUGIMURA. >> CLARIFICATION. FOR THE 24-41 PUBLIC WORKS COMMISSION, LEE ALLEN CHAMBERLIN. IS THERE SOMEBODY ELSE?\r\n\r\nKEVIN - >> NO. >> HE DIDN'T SHOW UP. >> I HAVE HIM FOR A DIFFERENT ONE BECAUSE I WAS ABLE TO MAKE CONTACT WITH HIM YESTERDAY. FOR RESOLUTION 24-41, FD 1, THE ONLY QUALIFIED PERSON WAS LEE ALLEN CHAMBERLIN, BECAUSE IT'S QUITE SPECIFIC AND HE IS AN ALTERNATE. >> EVERYBODY GOT THAT CLEAR? >> READY TO VOTE. >> ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE.\r\n\r\nNINE AYES, ZERO NOS, MOTION CARRIES. PROGRESS. >> CHAIR? >> MEMBER RAWLINS-FERNANDEZ. >> THAT WAS FOR THE THREE, AND NOW WE HAVE THE MAIN MOTION AS AMENDED MULTIPLE TIMES? >> MEMBER UU-HODGINS, DID YOU HAVE ANYTHING ELSE CONNECTED TO THIS? >> NO, I DO NOT.\r\n\r\n>> SO THOSE ARE CONSIDERED AMENDMENTS. >> YES. >> CHAIR? >> YES. >> SORRY, ONE MORE TIME IF YOU COULD READ THE RESO NUMBERS. >> DO YOU WANT ME TO START FROM THE BEGINNING OR LAST THREE? THE BEGINNING OF THE MAIN MOTION, FOR THIS MOTION.\r\n\r\n>> OKAY. THAT ONE IS 24-31, FD 1. 24-41, FD 1. AND 24-43 FD 1. >> SORRY, JUST FOR THE THREE, FOR ALL. >> BEFORE WE TAKE THIS MAIN MOTION AS AMENDED VOTE, WE KNOW ALL OF THE RESOLUTIONS THAT WE'RE VOTING ON. >> THERE'S THREE MORE, SIX IN TOTAL. >> SO YOU DON'T HAVE ANY MORE AFTER THIS? >> WE DO. >> YOU DO? \r\n\r\n>> BUT THEY ARE SEPARATED OUT. >> ANY MORE QUESTIONS? >> THESE ARE THE ONES -- >> I WILL GIVE ANYBODY CREDIT IF THEY ARE FOLLOWING US. >> THESE ARE THE ONES THAT WERE

UNANIMOUS, BUT WE DIDN'T HAVE TIME TO PUT THEM ON EXHIBIT B. BECAUSE WE DID THAT LATER IN THE COMMITTEE. >> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. RESOLUTION 24-29, EXHIBIT B IS BLANK.\r\n\r\nSO DID YOU AMEND IT TO ADD NAMES? >> WHICH COMMISSION IS THAT? >> THAT IS THE FIRE AND PUBLIC SAFETY. >> YES. MY MOTION WAS TO AMEND RESOLUTION 24-29 FD 1 BY PLACING ROGER WADE ANTONE AND DESMOND CAPES ON EXHIBIT B FOR APPROVAL >> OKAY. MAHALO. I'M READY TO VOTE.\r\n\r\n>> IT'S A LOT, I KNOW. >> EVERYBODY GOT IT? >> YES. >> GOOD. ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. NINE AYES, ZEROS NO, MOTION CARRIES. MEMBER UU-HODGINS, I MOVE TO ADOPT RESOLUTION 24-23 FD 1. >> SECOND.\r\n\r\n>> THIS IS THE BOARD OF WATER SUPPLY. MOVED BY MEMBER UU-HODGINS, SECONDED BY VICE-CHAIR SUGIMURA TO APPROVE -- ADOPT RESOLUTION 24-23 FD 1. DISCUSSION? >> THANK YOU, CHAIR. I MOVE TO AMEND RESOLUTION 24-23 FD 1 BY PLACING KEVIN FOR EXHIBIT B FOR TERM EXPIRING 3/31/2029. >> SECOND. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY PRO TEM KAMA TO ADD KEVIN TO THIS COMMISSION -- COMMITTEE, BOARD. DISCUSSION? MEMBER UU-HODGINS.\r\n\r\n>> THANK YOU. THE RESOLUTION ALREADY LISTED JAKE MUSSON AND ROBIN KNOX ON EXHIBIT B FOR APPROVAL, BUT SINCE WE DEFERRED DISCUSSION OR THE THIRD SEAT, I'M MAKING THE MOTION FOR THE PROPOSAL FOR THIRD SEAT AND FOR THAT REASON THAT I ASK WE TAKE THIS SEPARATE FOR THE OTHER, SO WE PLAN TO HANDLE THE REMAINING RESOLUTIONS IN THE SAME WAY AND ALL MY MOTIONS THUS FAR AND MOVING FORWARD DIRECTLY REFLECTS THE DISCUSSIONS AND PREFERENCES FROM THE COMMITTEE FROM THE MEETINGS, NONE OF THE MOTIONS ARE BASED ON MY PREFERENCES ALONE. THE ONLY EXCEPTION FOR THOSE SEATS THAT WE DID NOT MAKE RECOMMEND RACINGS FOR AND DEFERRED DISCUSSIONS ON I'M PUTTING FORTH PROPOSALS BASED ON DISCUSSIONS THAT WOULD HAVE PROVIDED DURING MY MEETINGS. AT THIS TIME, I ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. EIGHT. >> THAT WE DID NOT VOTE ON. >> THAT WE DID NOT VOTE ON.\r\n\r\n>> SO DISCUSSION ? MEMBER PALTIN. >> THANK YOU, CHAIR. THANK YOU, COMMITTEE CHAIR UU-HODGINS. YOU DIDN'T SPEAK TO HIM AND WONDERING IF YOU COULD GIVE US THE FLAVOR AND WHAT ABOUT SPEAKING WITH HIM IN YOUR RECOMMENDATION. >> SURE. I GOT TO TALK TO HIM BRIEFLY YESTERDAY, THAT IS FOR SURE. HE'S SERVING ON THE PUBLIC UTILITIES.\r\n\r\nHE IS FAMILIAR WITH THE BOARD OF WATER SUPPLY. I ASKED KIND OF MEMBER RAWLINS-FERNANDEZ TYPICAL QUESTIONS TO MAKE SURE HE COULD ATTEND TO ENSURE QUORUM. HE FITS THE SEAT OF WHERE WE NEED HIS KAHULUI RESIDENT AND SEEMED LIKE A LOCAL GUY WHO WAS CONCERNED AND GETTING INVOLVED IN HIS COMMUNITY. >> THANK YOU. APPRECIATE IT. >> NO WORRIES. >> BUT DOES HE HAVE LAND?\r\n\r\nMY MOTHER USED TO ALWAYS SAY THAT. OKAY. ANYBODY ELSE HAVE ANY QUESTIONS? MEMBER SINENCI. >> THANK YOU, CHAIR. MAHALO, MEMBER PALTIN. JUST CHECKING WITH CORP.\r\n\r\nCOUNSEL WITH HIS POSITION WITH THE PUC, IF THAT IS OKAY? >> CORP. COUNSEL? >> THANK YOU, CHAIR AND COUNCIL MEMBER SINENCI. THERE'S NO PROHIBITION OF HIM SERVING ON THE PUBLIC UTILITIES COMMISSION AND THE BOARD OF WATER SUPPLY AT THE SAME TIME. >> THANK YOU. THANK YOU, CHAIR.\r\n\r\n>> ANY OTHER QUESTIONS SOME ALL RIGHT. DO YOU WANT ROLL CALL? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. NINE AYES, ZERO NOS, MOTION CARRIES. MEMBER UU-HODGINS. >> THANK YOU. I MOVE TO ADOPT RESOLUTION -- >> I'M SORRY, THAT WAS -- IF I'M GETTING THIS RIGHT, THAT WAS THE MOTION TO AMEND THAT WE JUST ADOPTED.\r\n\r\nSO BACK TO MAIN MOTION AS AMEND, WE NEED TO TAKE THE VOTE ON IT. >> DOES THAT INCLUDE THE OTHER TWO? >> IT DOES; RIGHT? ROBIN KNOX HAS BEEN SITTING HERE AND WONDERING WHEN WE VOTED. >> WE VOTED ON HER IN COMMITTEE AND WE VOTE ON HER NOW, ALONG WITH THE THIRD PERSON, AND IT WILL MAKE IT OFFICIAL. >> IT'S OFFICIAL. MEMBER RAWLINS-FERNANDEZ.\r\n\r\n>> MAHALO, CHAIR. SO MS. KNOX, AND MR. MUSSON BOTH APPEAR ON EXHIBIT B ON THE POSTED RESOLUTION, AND ONE BLANK, AND WE JUST FILLED THE BLANK NAME. >> YEP. >> OKAY. ROBIN, YOU CAN GO HOME NOW, IF YOU WANT TO.\r\n\r\nMAIN MOTION, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. NINE AYES, ZEROS NOS, MOTION CARRIES. OKAY. NOW YOU GO A GOOD JOB NOW FOR US. MEMBER UU-HODGINS. >> I MOVE TO ADOPT RESOLUTION 24-25 FD 1. >> MOVED BY MEMBER UU-HODGINS AND SECOND BY MEMBER KAMA TO ADOPT RESOLUTION 24-25, DISCUSSION. >> THANK YOU, I MOVE TO AMEND RESOLUTION 24-25 FD 1 BY PLACING DILLON FAITH LEADER EXPIRATION AND REMOVING THE

OTHER TERMS FROM THE RESOLUTION.\r\n\r\n>> SECOND. >> ANY MORE DISCUSSION? DO YOU HAVE DISCUSSION, MEMBER UU-HODGINS. >> SURE. ON MARCH 18TH, THE MEMBERS EXPRESSED THEIR SUPPORT FOR PLACING MR. ANDREW IN THE FAITH LEADER SEAT. UNFORTUNATELY, ANOTHER CONSIDERATION WAS MS.\r\n\r\nFRASSENBURG AND SHE WITHDREW HER APPLICATION AND TODAY WE ONLY HAVE MR. ADRIAN -- I ALWAYS MISPRONOUNCE HIS NAME AND WE'LL HAVE THREE EMPTY SEATS. MOTION CARRIES. MEMBER UU-HODGINS. >> CALL FOR THE VOTE, MAIN MOTION AS AMENDED MOTION CARRIES MOVED BY MEMBER UU-HODGINS, SECONDED BY PRO TEM KAMA TO ADOPT RESOLUTION 24-27, FD 1. MEMBER UU-HODGINS. >> THANK YOU, CHAIR, I MOVE TO AMEND RESOLUTION 24-27 FD 1 BY PLACING LEE ALLEN CHAMBERLIN, KEVIN BLAIR SPELLMAN, DEBORAH KAY MOORE, AND DILLON ADRIAN ON EXHIBIT B FOR APPROVAL NEXT TO EACH TERM EXPIRATION 3/31/2029. >> SECOND. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY MEMBER SINENCI TO ADOPT -- WELL, YOUR AMENDMENT AS STATED.\r\n\r\nDISCUSSION MEMBER UU-HODGINS? >> SURE. DURING OUR RECONVENED MEETING MARCH 18TH WE HAD ADDITIONAL DISCUSSION ON THESE APPOINTEES AND SOME MEMBERS EXPRESSED CONCERN WITH THE PROPOSAL AND SUPPORT FOR THE BOARD MEMBERS NAME WAS NOT UNANIMOUS. REGARDLESS, THIS PROPOSAL REFLECTS THE MAJORITY OF THE MEMBERS' SENTIMENTS DURING THE RECONVENED GREAT MEETING. >> MEMBER PALTIN . FOR MY DISCUSSION, I WAS WONDERING I THOUGHT WE PUT OFF THE STAGGERING THE DATES SO IF SOMETHING HAPPENED IN THE FUTURE, THEY WOULD HAVE QUORUM WITHOUT THIS ACTION THAT WE'RE TAKING. ARE WE STILL ABLE TO DO THAT TODAY? >> MEMBER UU-HODGINS.\r\n\r\n>> THANK YOU, CHAIR. I APPRECIATE YOU ASKING ME THAT QUESTION, BUT I BELIEVE THAT IS A CORP. COUNSEL QUESTION THAT I'M NOT QUALIFIED TO ANSWER. THAT IS WHAT WE DISCUSSED IN THE MEETING. >> SORRY, YOU HAVE NOBODY TO POINT AFTER YOU. OKAY. >> THANK YOU, CHAIR.\r\n\r\nTHANK YOU, COUNCIL MEMBER. I DID LOOK INTO THIS. THE SHORT ANSWER IS THAT TODAY, FOR THIS RESOLUTION, THE COUNCIL IS -- DOESN'T HAVE THE AUTHORITY TO STAGGER THESE TERMS OR CHANGE THE TERM LIMITS. I DO BELIEVE IN THE FUTURE THOUGH COUNCIL COULD ACT EITHER BY CHARTER AMENDMENT OR ORDINANCE TO GIVE THEMSELVES THE POWER TO ALTER THE TERM LIMITS AND TERM SETTINGS OF THIS, SOMETHING TO EXPLORE IN THE FUTURE. BUT AT THIS TIME, SINCE THAT AUTHORITY DOESN'T EXIST YET, THESE WOULD HAVE TO BE RECOGNIZED AS THE TERM ENDING IN 2029. >> OKAY. SHE IS THE EXPERT. THERE YOU GO.\r\n\r\n>> YES. MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. MAHALO, FOR THAT OPINION. SO I GUESS, MY READ OF THE CHARTER IS WHERE IT'S COUNCIL COULD COME IN WITH RESOLUTION, OR PROPOSED ORDINANCE EVEN IF THE AUTHORITY ITSELF IS NOT ENUMERATED WITHIN THE CHARTER UNDER SECTION 2-3. >> THANK YOU, COUNCIL MEMBER. >> COULD YOU SPEAK A LITTLE LOUDER. >> SURE.\r\n\r\nI HAVE A LOT OF PAPER. I DO BELIEVE THAT IS ULTIMATELY ACCURATE. THAT THE WAY THE CHARTER IS FRAMED IN 13-2.1 SAYS UNLESS OTHERWISE PROVIDED THE TERM LIMITS HAVE TO BE FIVE YEARS SPECIFICALLY. SO THE QUESTION IS WHAT OTHERWISE PROVIDED MEANS? AND I THINK YOU'RE ACCURATE AND THE CHARTER, THAT COULD POTENTIALLY MEAN THIS COUNCIL COULD PASS AN ORDINANCE, GIVING ITSELF THAT AUTHORITY. BUT AT THIS POINT BY RESOLUTION, IT'S PROBABLY NOT PERMITTED. THESE ARE RESOLUTIONS.\r\n\r\n>> SO IN SECTION 13-2, IT SPECIFICALLY TALKS ABOUT THE INITIATION OR ESTABLISHMENT OF A NEW BOARD OR COMMISSION AND THAT 13-2 GUIDES US IN PROVIDING BASICALLY THE DEFAULT RULES FOR ANY BOARDS AND COMMISSIONS, UNLESS OTHERWISE PROVIDED IN ORDINANCE. SO HERE, WE'RE DISCUSSING A RESOLUTION NOW, THAT IS BEFORE US, OF AN EXISTING ONGOING COMMISSION COST OF GOVERNMENT. AND SO THIS IS WHERE WE WOULD PASS THE RESOLUTION TO AMEND THE TERMS. >> THANK YOU, COUNCIL MEMBER. THIS RESOLUTION IS ESTABLISHED NOW TO HAVE THE TERMS ENDS IN 2029. AND IN ORDER TO HAVE AUTHORITY OVER CHANGING THOSE TERMS, I THINK A PRE-EXISTING LAW HAS TO EXIST TO GIVE YOU THAT AUTHORITY, AND YOU DON'T HAVE IT CLEARLY NOW. TO DO IT BY RESOLUTION IN THIS BATCH OF COMMISSIONERS IS WITHOUT AUTHORITY NOW. SO IN THE FUTURE, I'M SUGGESTING BY CHARTER AMENDMENT OR ORDINANCE, THE COUNCIL COULD PASS LAW GIVING ITSELF AUTHORITY TO SHIFT AND STAGGER THE TERMS OF AN ALREADY EXISTING BOARD, SINCE THAT LANGUAGE THAT SPECIFIES THE THREE YEARS AND TWO YEARS IS ONLY FOR NEW BOARDS.\r\n\r\n>> OKAY. I THINK I SEE WHERE YOU ARE CITING. SECTION 13-2.1. FIVE YEARS THEREAFTER. UNLESS OTHERWISE PROVIDED. SO IT'S IN THE

THEREAFTER THAT IT MUST BE FIVE YEARS. UNLESS OTHERWISE PROVIDED. IT'S A GOOD QUESTION BECAUSE IT'S NOT CLEAR.\r\n\r\n>> SO THAT FUTURE COUNCILS CAN GO BACK TO HOW WE ARRIVED AT THIS POINT AND INTRODUCE NEW LEGISLATION THAT WOULD BE NECESSARY TO FIX IT. OKAY. MAHALO, CHAIR. >> ANY MORE DISCUSSION? OKAY. READY TO VOTE? MEMBER PALTIN.\r\n\r\n>> I HAVE ADDITIONAL DISCUSSION. >> SURE. >> THANKS. I JUST -- I'LL BE SUPPORTING THE RECOMMENDATION. I JUST WANTED TO STATE THAT WE DID REQUEST THAT MR. HUGO GET AN ADVISORY OPINION FROM THE BOARD OF ETHICS WITH HIS EMPLOYMENT AS CONSULTANT THAT SHAPES THE DEPARTMENT'S -- I THINK RIGHT NOW HOUSING AND HUMAN CONCERNS, AND RESOURCES AND ABIDE BY THE BOARD OF ETHICS RULING, JUST WANTED TO GET THAT IN THERE. >> ON THE RECORD.\r\n\r\n>> ON THE RECORD. >> ANYBODY ELSE? MEMBER JOHNSON. >> THANK YOU, CHAIR. THERE'S TWO OF THE THREE MEMBERS I WOULD WANT TO SUPPORT ON THIS, AS COMMISSIONS -- AS COMMISSIONERS. I THINK I MADE MY POINTS IN THE COMMITTEE ON MY STANCE. AND I DON'T WANT TO VOTE NO, BECAUSE AT THIS POINT, THERE'S TWO OTHER PEOPLE I WOULD BE VOTING NO AGAINST.\r\n\r\nSO I WILL VOTE TO SUPPORT AND LIKE MEATLOAF SAID, TWO OUT OF THREE AIN'T BAD. >> THERE'S FIVE -- [LAUGHTER] ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? NINE AYES, ZERO NOS, MOTION CARRIES. MEMBER UU-HODGINS. >> THANK YOU, CHAIR. I THINK WE NEED TO DO AGAIN THE MAIN MOTION AS AMENDED. >> OKAY.\r\n\r\nWHAT WAS THAT? >> NOT FROM ME. >> OKAY. ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND SAY AYE. NINE AYES, ZERO NOS, MOTION CARRIES; RIGHT? MEMBER KAMA? OKAY.\r\n\r\nMEMBER UU-HODGINS. >> THANK YOU, CHAIR. CONTINUING ON, I MOVE TO ADOPT RESOLUTION 24-33 FD 1. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY VICE-CHAIR SUGIMURA TO ADOPT RESOLUTION 24-31. >> YES. >> 33. >> 33. OKAY. LIQUOR. ALL RIGHT. LIQUOR.\r\n\r\n>> LIQUOR CONTROL COMMISSION. >> DISCUSSION? MEMBER UU-HODGINS? >> THANK YOU, CHAIR. I MOVE TO AMEND RESOLUTION 24-33 FD 1 BY PLAYING CARTER KIMBALL BARTOW ON EXHIBIT B FOR APPROVAL NEXT TO EACH TERM EXPIRATION 3/31/2029. MOVED BY MEMBER UU-HODGINS, SECOND BY MEMBER COOK TO ADOPT RESOLUTION 24-33, FD 1. DISCUSSION, MEMBER UU-HODGINS? >> THANK YOU. THIS PROPOSAL REFLECTS MAJORITY OF MEMBERS' SENTIMENTS DURING THE MARCH 18TH RECONVENED GREAT COMMITTEE MEETING.\r\n\r\nI ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. THANK YOU, CHAIR. >> ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. WHERE DID MR. JOHNSON GO? EIGHT AYES, ONE EXCUSED, MR.\r\n\r\nJOHNSON, MOTION CARRIES. MEMBER UU-HODGINS. >> THANK YOU, CHAIR. I THINK WE NEED TO VOTE AGAIN ON THE MAIN MOTION AS AMENDED. >> ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MOTION, AS AMENDED, RAISE YOUR HAND, SAY AYE. NINE AYES, ZERO NOS, ONE EXCUSED, MEMBER JOHNSON, MOTION CARRIES.\r\n\r\n>> EIGHT AYES. >> WHAT DID I SAY? >> NINE. >> OH, OKAY. NINE MINUS ONE. >> THANK YOU, CHAIR. I MOVE TO ADOPT 24-35 FD 1 CULTURAL RESOURCES.\r\n\r\n>> SO DISCUSSION? >> I JUST HAVE TO RECOGNIZE YOU FIRST. MOVED BY MEMBER UU-HODGINS, SECONDED BY VICE-CHAIR SUGIMURA AND PRO TEM KAMA. TO APPROVE ADOPT RESOLUTION 24-35 FD 1. MAUI COUNTY CULTURAL RESOURCES COMMISSION. DISCUSSION? >> THANK YOU, CHAIR, I MOVE TO AMEND RESOLUTION 24-35 FD 1 [SPEAKER NOT UNDERSTOOD] ON EXHIBITED B FOR APPROVAL NEXT TO EACH TERM EXPIRATION. >> SECOND.\r\n\r\n>> MOVED AND SECONDED ON THE AMENDMENT TO RESOLUTION 24-35 FD 1 WE DEFERRED THIS ITEM IN COMMITTEE SO THIS IS MY PROPOSAL AND I'M UP FOR DISCUSSION. >> WHAT DID YOU SAY? >> PROPOSAL. MEMBER PALTIN. >> I'M IN TOTAL SUPPORT OF THESE NOMINEES, BUT WOULD LIKE TO CHECK IN THE LAWYERS THAT WE'RE LEG ON IT? >> WHY WOULDN'T WE BE? >> BECAUSE THERE WERE SOME NOMINEES THAT GOT -- OR APPLICATIONS THAT WENT TO THE MAYOR, AND WE DIDN'T KNOW ABOUT IT AND THIS IS JUST ONE APPLICATION THAT WE FOUND OUT ABOUT.\r\n\r\n>> I SEE. >> SO IF WE'RE CONSISTENT, OR NOT CONSISTENT? I JUST DON'T WANT TO GET SUED BY SOMEBODY ELSE THAT SENT THEIR APPLICATION TO THE MAYOR AND WASN'T CONSIDERED. I'M TOTALLY DON'T WANT TO JEOPARDIZE LOSING ANYONE, BUT I DON'T WANT TO GET SUED EITHER. >> OKAY. IT'S REALLY NOT THAT BAD. IT DEPENDS IF IT GOES TO THE SUPREME COURT.\r\n\r\nCORP. COUNSEL. >> THANK YOU, CHAIR. I DON'T REALLY HAVE AN OPINION ON THAT. I DON'T KNOW. THIS IS THE FIRST I HAVE HEARD OF IT. I CAN'T REALLY SAY ONE WAY OR THE OTHER.\r\n\r\nI WOULD HAVE TO LOOK INTO IT. I HAVE TO ASK SOME CLARIFYING QUESTIONS. >> COULD WE ASK OUR OCS ATTORNEY

THEN? >> DAVID. >> OR THE OTHER ATTORNEY FOR OCC? >> CAN I ADD THAT HE APPLIED DURING THE TIME WHEN THE COUNCIL HAD ASKED FOR APPLICATIONS. WE HAVE A RECEIPT OF HIS APPLICATION, I BELIEVE IT'S ON THE 21ST, OR THE 22ND, AND OUR APPLICATION PROCESS ENDED ON THE 29TH.\r\n\r\nSO IT FELL WELL WITHIN THE TIME THE COUNCIL WAS ASKING FOR APPLICATIONS. HE DID APPLY THROUGH -- >> HE IS HE. >> HINANO RODRIGUES, BECAUSE POI POI APPLIED THROUGH THE COUNCIL'S APPLICATION FOR LACK OF A BETTER WORD AND ONE OF THE FEW WHO ASKED TO BE ON THIS COMMITTEE. SO DID MR. RODRIGUES AS WELL. >> MEMBER PALTIN. >> JUST MY CONCERN IS IF A NUMBER OF PEOPLE TURNED THEIRS INTO THE MAYORS, AND THIS IS THE ONLY ONE THAT WE'RE GETTING TURNED INTO THE MAYORS OR CONSIDERING, JUST IN TERMS OF PROCESSWISE, I DON'T WANT PEOPLE TO SAY, LIKE, WELL, HOW COME HE WAS CONSIDERED?\r\n\r\nAND HE TURNED IT INTO THE MAYORS AND I'M NOT CONSIDERED? AND I TURNED INTO THE MAYORS? IT'S THE ONLY CONCERN I HAVE ON FAIRNESS. >> SO DO OUR ATTORNEYS ON MY LEFT HAVE ANY OPINION? OCC? MS. CLERKS?\r\n\r\nYOU WANT TO BOUNCE IT TO DAVID? >> CHAIR, I DON'T THINK IT WOULD BE APPROPRIATE FOR US TO ISSUE A LEGAL OPINION. WE HAVE LOTS OF OPINIONS, BUT YES. >> WE DO THAT OURSELVES ALL THE TIME. DAVID? DAVID? >> THANK YOU, CHAIR.\r\n\r\nCOMMITTEE STAFF HAS BRIEFED ME, INCLUDING THE LEGISLATIVE ATTORNEY AND THERE'S NO LEGAL ISSUE WITH CONSIDERING THIS NOMINATION. THANK YOU. >> NOW YOU TWO HAD YOUR HANDS UP. >> I WAS JUST GOING TO SAY, WE CAN CONSIDER ALL THE APPLICATIONS. WE TALKED ABOUT ALL OF THEM AND WE CAME TO A DECISION AND I THINK WE DID OUR JOB. THANK YOU. >> YOU DID A GOOD JOB.\r\n\r\nALL RIGHT. READY TO TAKE THE VOTE? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. NINE AYES, ZEROS NO, MOTION CARRIES. NOW THE MOTION AS AMENDED. ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MAIN MOTION AS AMENDED, NINE AYES, ZERO NOS, MOTION CARRIES.\r\n\r\nVERY GOOD. HOW MANY MORE DO WE HAVE? >> GOOD QUESTION. ONE, TWO, THREE, -- THREE. >> GO FOR IT. >> I MOVE TO ADOPT RESOLUTION 24-36 FD 1. >> SECOND. >> OKAY.\r\n\r\nMOVED BY MEMBER UU-HODGINS. SECONDED BY PRO TEM KAMA TO ADOPT THE RESOLUTION 24-36 FD 1. DISCUSSION? MEMBER UU-HODGINS. >> THANK YOU, I MOVE TO AMEND RESOLUTION 24-36 FD 1 BY PLACING DANNY BLACKBURN ON EXHIBIT B FOR APPROVAL NEXT TO TERM EXPIRATION 3/31/2029. >> SECOND. >> SO WE HAVE AN AMENDMENT MADE BY MEMBER UU-HODGINS AND SECONDED BY PRO TEM KAMA. DISCUSSION MEMBER UU-HODGINS. >> WE DEFERRED THIS ITEM IN COMMITTEE TO DISCUSS ON THE FLOOR, AND THIS IS MY PROPOSAL AND I'M UP FOR DISCUSSION WITH THE COUNCIL MEMBERS.\r\n\r\nI DO ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. THANK YOU, CHAIR. >> MEMBERS? DISCUSSION? >> THANK YOU, CHAIR. THIS IS A DIFFICULT ONE FOR ME. ALL OF THE APPLICANTS INCLUDING THE NON-SOUTH MAUI APPLICANTS WERE LOVELY PEOPLE.\r\n\r\nI DID HAVE SOME CONCERNS ABOUT MR. PASSAN'S SHORT-TERM RENTAL INFLUENCE THAT MEMBER UU-HODGINS -- OR COMMITTEE CHAIR UU-HODGINS BROUGHT UP. BUT THEN IN CONSIDERING THAT A FINANCIAL INTEREST WOULD CAUSE FOR RECUSAL, I'LL BE SUPPORTING THE WISHES OF THE KIHEI COMMUNITY ASSOCIATION, AND TESTIFIERS, AND NOT ABLE TO SUPPORT THIS CANDIDATE. THANK YOU. >> ANYBODY ELSE WANT TO SAY ANYTHING? OTHERWISE, WE'LL DO A ROLL CALL. MEMBER COOK?\r\n\r\n>> THANK YOU, CHAIR. I THINK THAT WE WERE FORTUNATE TO HAVE THREE QUALITY APPLICANTS FROM KIHEI. I'M SUPPORTING MR. BLACKBURN, BECAUSE I FEEL HE HAS MORE OF A FOOTPRINT IN THE COMMUNITY THAN ACKNOWLEDGED. BUT I WANT TO THANK BOTH GARY AND BRIAN FOR -- I'M ENCOURAGING THEM TO PARTICIPATE WITH THE PLANNING COMMISSION REVIEW OF SOUTH MAUI COMMUNITY PLAN, AS WELL AS WHEN THE COUNTY COUNCIL REVIEWS IT. BECAUSE THEIR EXPERIENCE WILL BE QUITE VALUABLE. THANK YOU.\r\n\r\n>> ANYBODY ELSE? PRO TEM KAMA. >> THANK YOU, CHAIR. SO YOU KNOW, WHEN I LOOKED AT THE MAUI PLANNING COMMISSION AND REALIZED THAT WE DID NOT HAVE A PERSON FROM THE KAHULUI DISTRICT, AND THAT WAS MY MAIN CONCERN. BUT MR. KEHA, AFTER DISCUSSING WITH MEMBER UU-HODGINS, HAS AGREED TO SIT ON THE BOARD OF WATER SUPPLY. SO I FEEL REALLY GREAT HAVING A MEMBER OF KAHULUI DISTRICT SITTING ON THE WATER PLANNING COMMISSION.\r\n\r\nSO THEREFORE, I WOULD BE SUPPORTING MEMBER UU-HODGINS'S RECOMMENDATION. THANK YOU. >> ANY MORE? ROLL CALL. OKAY, WE HAVE MEMBER RAWLINS-FERNANDEZ, AND THEN MEMBER JOHNSON. >> MAHALO, CHAIR. I MOVE TO AMEND THE NAME OF GARY PASSAN ON EXHIBIT B. >> SECOND.\r\n\r\n>> MOVED

BY MEMBER RAWLINS-FERNANDEZ, SECONDED BY MEMBER PALTIN TO ADD THE NAME GARY PASSAN. DISCUSSION, MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I ECHO MEMBER PALTIN'S SENTIMENTS. I THINK A LOT OF IT WAS DISCUSSED, AS WELL AS MEMBER COOK, IN THAT THEY ARE ALL, YOU KNOW, QUALIFIED, AND CONTRIBUTING MEMBERS OF THE SOUTH MAUI COMMUNITY. AND I THINK I WOULD LIKE TO SUPPORT KIHEI COMMUNITY ASSOCIATION'S RECOMMENDATION. MAHALO, CHAIR.\r\n\r\n>> MEMBER JOHNSON. >> THANK YOU, CHAIR. I WOULD LIKE TO SUPPORT THIS AMENDMENT, AND I DON'T THINK THAT IS REFLECTIVE OF MR. BLACKBURN OR ANY OF THE OTHER GREAT CANDIDATES WE HAVE. SOMETIMES THIS BODY HAS TOUGH DECISIONS TO MAKE AND WHEN WE LISTEN TO THE COMMUNITY, I THINK IT SHOULD REFLECT IN OUR VOTE. I KNOW THAT IF YOU LOOK AT THE AMOUNT OF PEOPLE WHO CALLED IN, TESTIFIED AND WROTE, WE ALL KNOW HOW MANY EMAILS WE GOT FOR MR. PASSAN TO BE ON THIS BOARD OR THIS COMMISSION.\r\n\r\nSO THAT INFLUENCES MY OPINION, AND I AM GOING TO VOTE TO SUPPORT THIS. THANK YOU, CHAIR. >> ANYBODY ELSE? YES, MEMBER UU-HODGINS. >> THANK YOU. I DON'T DISAGREE WITH THE OTHER MEMBERS, HOWEVER I WON'T BE SUPPORTING THIS MOTION. MR.\r\n\r\nPASSAN IS A VERY NICE PERSON, NO DIFFERENT THAN ALL OF THE OTHER APPLICANTS THAT WE CONSIDERED. BUT I WILL SAY, HAVING ELEVEN ROOMS IN A TVR, I SAW THE WEBSITE. IT'S QUITE DIFFICULT, I THINK, WHEN YOU HAVE TO RECUSE YOURSELF ON THINGS THAT ARE GOING TO COME UP, NO DIFFERENT THAN THE CPAC, HE WILL HAVE TO RECUSE HIMSELF. SO WE'LL BE ASKING HIM TO PARTICIPATE IN A COMMISSION THAT HE HAS TO RECUSE HIMSELF A LOT. I WOULD RATHER HAVE A VOTE FOR THE SOUTH MAUI SEAT WHEN IT COMES TO CPAC AND ALL THE OTHER THINGS THAT THEY ARE GOING TO DO. TWO, ELEVEN ROOMS IS A LOT AND WHILE HE IS A NICE GUY, THAT IS A PRINCIPLE I DON'T THINK I CAN SUPPORT IN A PERSON, WHEN HE SAYS THAT HE SUPPORTS THE WILDFIRE VICTIMS, I WONDER HOW MANY ROOMS HE OPENED UP? FOR ELEVEN ROOMS HE COULD HAVE HOUSED A LOT OF FAMILIES.\r\n\r\nI'M NOT SAYING HE DIDN'T, BUT I REALLY HOPE HE DID. WHEN WE TALK ABOUT AFFORDABLE HOUSING, WE ALL UNDERSTAND THAT SHORT-TERM RENTALS, TVRS HAVE A DIRECT IMPACT TO OUR AFFORDABLE HOUSING, AND OUR HOUSING CRISIS, AND THE AMOUNT OF HOMES THAT WE HAVE AVAILABLE FOR LONG-TERM RENTAL AND FOR PEOPLE TO LIVE HERE. AGAIN, ELEVEN ROOMS IS KIND OF A HARD PILL TO SWALLOW. MR. BLACKBURN, TO ME, SUPPORTS OUR WORKING-CLASS PEOPLE, AND WE NEED A VOICE. AND I APPRECIATE MR. PASSAN, AND HE CAME HERE TO RETIRE, AND THAT IS GREAT.\r\n\r\nBUT WHAT WE NEED IS REPRESENTATION FOR THE PEOPLE WHO WORK EVERY SINGLE DAY, WHO STRUGGLE TO WORK AND LIVE HERE EVERY SINGLE DAY. I DON'T DISAGREE HE IS PROBABLY A SMART ACTIVE COMMUNITY MEMBER, AND THIS IS NO REFLECTION ON WHAT I THINK ABOUT HIM AS A PERMANENT THANK YOU, CHAIR. >> MEMBER KAMA. >> THANK YOU, CHAIR. SO A COUPLE OF THINGS THAT TROUBLED ME ABOUT THIS PARTICULAR INDIVIDUAL, AND ONE OF THE THINGS THAT ACTUALLY CEMENTED IT WAS WHEN HE TALKED ABOUT SOME OF THE ISSUES THAT OUR COUNTY FACES, AND HE MENTIONED THE WORD "OVERTOURISM." BUT HIS BUSINESS ACTUALLY CATERS TO TOURISM. SO I'M NOT REALLY CLEAR ABOUT WHERE HIS HEART AND HIS MIND AND HIS POCKETBOOK CONNECT OR DON'T CONNECT? I WON'T BE SUPPORTING THIS EITHER.\r\n\r\nTHANK YOU. >> ANY MORE DISCUSSION? MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. GREAT COMMITTEE CHAIR UU-HODGINS IS NOT WRONG. THIS WASN'T A TOTAL EASY ONE FOR ME EITHER. WE NEED MAJOR HOUSING USE REFORM.\r\n\r\nI DON'T KNOW THE ANSWER TO HER QUESTIONS THAT SHE POSED EARLIER. I KNOW MR. PASSAN IS SITTING IN THE GALLERY AND WE COULD JUST ASK HIM AND HE COULD ANSWER IT FOR US. BUT IN THE SAME RESPECT OF SHORT-TERM RENTALS, VACATION RENTALS, INDUSTRY, WE ALWAYS HAVING REALTORS, DEVELOPERS, CARPENTERS, CONSTRUCTION WORKERS, THAT REPRESENT THE INDUSTRY ON THE PLANNING COMMISSION ALL THE TIME. WE HAVE THEM THERE NOW. UNIONS, AND SO YOU KNOW, THE INDUSTRY THAT THEY WORK FOR BENEFITS FROM THEM BEING ON THE PLANNING COMMISSION. SO IT GOES BOTH WAYS.\r\n\r\nSO I WOULD BE SUPPORTIVE OF MR. BLACKBURN AS WELL, BUT HE IS GOING TO RECUSE HIMSELF WHEN THERE'S DEVELOPMENTS BEFORE HIM AS WE EXPECT MR. PASSAN TO RECUSE HIMSELF, WHEN AN STR OR B&B APPLICATION COMES BEFORE HIM THAT IS NOT HIS, AND HE DOES NOT RECEIVE ANY FINANCIAL BENEFIT FROM? IT'S NOT DIFFERENT. SO I DON'T WANT TO HOLD ONE PERSON TO ONE STANDARD, EXPECTING ONE PERSON TO RECUSE THEMSELVES BECAUSE THEY FINANCIALLY

BENEFIT FROM AN INDUSTRY, AND YET, OTHERS WHO HAVE HISTORICALLY SAT ON THIS COMMISSION, AND HAVE VOTED ON THINGS THAT THEIR INDUSTRY FINANCIALLY BENEFITS FROM, WE ALLOW THAT TO HAPPEN. SO YOU KNOW, IF THIS VOTE FAILS, THEN I HOPE WE'RE GOING HOLD THE OTHERS TO THE SAME STANDARD. MAHALO, CHAIR.\r\n\r\n>> ROLL CALL. >> COUNCIL MEMBER PRO TEMPORE TASHA KAMA >> NO. >> VICE-CHAIR SUGIMURA. >> NO. >> COUNCIL MEMBER TAMARA PALTIN? >> AYE. >> COUNCIL MEMBER GABE JOHNSON >> AYE.\r\n\r\n>> COUNCIL MEMBER KEANI RAWLINS-FERNANDEZ? >> AYE. >> COUNCIL MEMBER TOM COOK? >> NO. >> COUNCIL MEMBER NOHELANI UU-HODGINS? >> NO. >> COUNCIL MEMBER SHANE SINENCI?\r\n\r\n>> AYE. >> AND CHAIR ALICE LEE? >> NO. >> CHAIR, THAT IS FIVE NOS, FOUR YESES, THE VOTE FAILS. >> OKAY, TAKE THE OTHER VOTE NOW. ROLL CALL. THE ORIGINAL MOTION.\r\n\r\n>> CHAIR? >> THAT WAS THE MOTION TO AMEND. >> MEMBER RAWLINS-FERNANDEZ. >> SHOULD WE ASK MR. BLACKBURN TO GO BEFORE THE BOARD OF ETHICS TO SEE WHEN HE SHOULD BE RECUSING HIMSELF BECAUSE HE IS A CONSULTANT NOW FOR A CONSTRUCTION COMPANY IN COMMITTEE. HE IS IN THE GALLERY. >> HE IS HERE AND HE CAN COME AND EXPLAIN.\r\n\r\n>> MEMBERS, DO YOU HAVE ANY OBJECTIONS TO ASKING MR. BLACKBURN A QUESTION >> NO OBJECTION. >> MEANWHILE, YOU CAN ASK YOUR QUESTION. >> DO YOU WANT TO DESIGNATE HIM AS A RESOURCE. >> MEMBER COOK. >> I WASN'T GOING TO ASK A QUESTION, I WAS GOING TO SAY THAT EVERYBODY HAS TO COMPLY WITH THE ETHICS. SO ANYTHING THAT THERE'S A POTENTIAL CONFLICT OF INTEREST, YOU GO BEFORE AND DO THAT.\r\n\r\nSO I WELCOME MR. BLACKBURN TO SAY IT, BUT I WILL SAY THAT IS A STANDARD THAT WE HOLE EVERYBODY TO. >> OKAY. THANK YOU FOR COMING DOWN. MEMBER RAWLINS-FERNANDEZ COULD YOU ASK THE QUESTION? >> MAHALO, CHAIR. ALOHA, MR.\r\n\r\nBLACKBURN. WOULD YOU BE WILLING TO GO BEFORE THE BOARD OF ETHICS AND ASK FOR AN OPINION ON WHICH VOTES OR MATTERS THAT MAY COME BEFORE THE PLANNING COMMISSION THAT YOU SHOULD RECUSE YOURSELF ON? >> YES, I WANT TO SAY SOMETHING ABOUT MY CONSULTING COMPANY. MY CONSULTING COMPANY IS ONLY A CONSULTING COMPANY FOR CONSTRUCTION COMPANIES. I DON'T DO DEVELOPMENT AND I DON'T BUILD HOUSES, SO I DON'T BENEFIT OFF ALL OF THE THINGS THAT I'M STANDING FOR, NOR DO I BUILD HOUSES. I WOULD GO BEFORE THE BOARD. I HAVE NO ISSUE WITH THAT >> MAHALO FOR THAT CLARIFICATION.\r\n\r\nMAHALO, CHAIR. >> ROLL CALL. >> MEMBER JOHNSON. >> JUST FOR DISCUSSION, I WILL SUPPORT MR. BLACKBURN THIS TIME. I THINK WE DO NEED A WORKING-CLASS VOICE ON THERE, AND THAT IS WHAT I'M LOOKING TO HEAR FROM HIM IS THE WORKING-CLASS POINT OF VIEW ON SOME OF THESE PROJECTS OR SOME OF THESE ISSUES THAT COME BEFORE THE MAUI PLANNING COMMISSION. THANK YOU, CHAIR.\r\n\r\n>> ANYBODY ELSE? ROLL CALL. >> COUNCIL MEMBER PRO TEMPORE TASHA KAMA? >> YES. >> VICE-CHAIR YUKI LEI SUGIMURA? >> YES. >> COUNCIL MEMBER TAMARA PALTIN?\r\n\r\n>> NO. >> COUNCIL MEMBER GABE JOHNSON? >> AYE. >> COUNCIL MEMBER KEANI RAWLINS-FERNANDEZ? >> AYE. >> COUNCIL MEMBER TOM COOK? >> AYE.\r\n\r\n>> COUNCIL MEMBER NOHELANI UU-HODGINS? >> AYE. >> COUNCIL MEMBER SHANE SINENCI? >> NO. >> AND CHAIR ALICE LEE? >> AYE. >> CHAIR, YOU HAVE SIX AYES, THREE NOS -- I'M SORRY, SEVEN AND TWO.\r\n\r\n>> MOTION CARRIES. >> YES. >> MEMBER UU-HODGINS. >> THANK YOU, CHAIR. I THINK WE NEED TO TAKE THE VOTE FOR THE MAIN MOTION AS AMENDED. BEFORE WE DO SO, I GOT A TEXT MESSAGE WE MIGHT HAVE TO ADD SOMETHING. I WILL LET DIRECTOR RAATZ INCLUDE THE LANGUAGE, IN NECESSARY, IF WE NEED TO INCLUDE SOUTH MAUI?\r\n\r\n>> MR. RAATZ. >> THANK YOU, CHAIR AND COUNCIL MEMBER UU-HODGINS. JUST BASED ON THE 2022 CHARTER AMENDMENT, WHICH READS FOR THE MAUI PLANNING COMMISSION THAT THE NINE MEMBERS MUST INCLUDE AT LEAST ONE, AND NO MORE THAN TWO MEMBERS, WHO RESIDE IN EACH COUNCIL RESIDENCY AREA ON THE ISLAND OF MAUI. WE THOUGHT IT MIGHT BE HELPFUL FOR THIS RESOLUTION AND PERHAPS MOVING FORWARD TO DESIGNATE WHICH COUNCIL MEMBER RESIDENCY AREA THAT THE NOMINEE IS FROM, SO WE CAN KEEP TABS ON FULFILLING THIS CHARTER REQUIREMENT. THANK YOU, CHAIR. >> ALL RIGHT, KEEP TABS.\r\n\r\n>> MEMBER PALTIN. >> I'M IN FULL SUPPORT OF THAT. WE THOUGHT WE HAD ONE, BUT APPARENTLY SHE MOVED TO WAILUKU, BUT JUST TO KEEP IT CLEAR, WE MADE A DUE DILIGENT EFFORT TO COMPLY WITH CHARTER AND FROM THERE, WE DON'T HAVE CONTROL IF THEY WANT TO MOVE SOMEPLACE ELSE. SO I'M SUPPORTIVE OF DOING THAT. >> OKAY. DID YOU

HAVE YOUR HAND UP? PRO TEM KAMA.\r\n\r\n>> SO YES, THAT KIND OF TROUBLED ME, TOO. THAT WHEN A PERSON WHO REPRESENTS A PARTICULAR DISTRICT MOVES OUT OF THAT DISTRICT, SHOULD THEY EVEN CONTINUE TO SIT ON THAT PARTICULAR BOARD? IF ANY ONE OF US MOVED FROM OUR DISTRICT, WE COULDN'T SIT ON COUNCIL, DOES THAT APPLY TO BOARDS AND COMMISSIONS, TOO? >> CORP. COUNSEL. >> THANK YOU, CHAIR, I THINK THIS QUESTION CAME UP WHEN THE COME MOVED TO WAILUKU AND MR. HOPPER OPINED WHEN THE LAW WENT INTO EFFECT, WE WEREN'T GOING TO RETROACTIVELY TELL THE PEOPLE TO LEAVE THE COMMISSION ALREADY SEATED.\r\n\r\n\r\nI WOULD THAT IF YOU MOVED TO HAIKU, YOU ARE NO LONGER REPRESENTING SOUTH MAUI AND YOU WOULD LOVE LEAVE THAT COMMISSION AND OPEN UP A SPOT GOING FORWARD. >> THANK YOU. >> I THINK WE ALL AGREE TO THAT. >> THERE IS NOTHING SET IN STONE TO ALLOW THAT TO HAPPEN; RIGHT? . >> CHAIR? >> YES. >> JUST THAT, IT'S A REQUIREMENT IT'S A REQUIREMENT OF SEAT, AS YOU SAID, MOVING FROM KAHULUI, YOU WOULD NO LONGER BE KAHULUI MEMBER AND DEFINITELY INTERPRET THAT AS A REASON FOR THEM TO HAVE TO LEAVE THE COMMISSION.\r\n\r\n\r\nTHANK YOU. >> NOW THE INTENT IS ON THE RECORD. OKAY. >> DO I NEED TO EXPLICITLY SAY THAT? OR DOES THAT COUNT AS OUR INTENT? CAN I MAKE AN AMENDMENT TO INCLUDE SOUTH MAUI NEXT TO DANNY RAY BLACKBURN >> WELL, IT SHOULD BE EVERYBODY. >> HE IS THE ONLY ONE WE'RE DOING NOW SPECIFICALLY FOR THE PLANNING COMMISSION.\r\n\r\n\r\n>> NO, WE TRY TO GET THE GEOGRAPHIC REPRESENTATION FOR EVERY BOARDS AND COMMISSION. YOU ARE SAYING PLANNING COMMISSION IS DIFFERENT. SO YOU WILL ADD ONE MORE AMENDMENT. MAKE THE MOTION AGAIN ON THAT. >> THANK YOU. I MOVE TO AMEND RESOLUTION 24-36 FD 1 TO PLACE SOUTH MAUI NET TO DANNY RAY BLACKBURN, HIS NAME AND HIS TERM TO EXPIRE 3/31/2029 SECOND . MOVED BY MEMBER UU-HODGINS. SECONDED BY MEMBER PALTIN TO ADD THE GEOGRAPHIC AREA NEXT TO MR.\r\n\r\n\r\nBLACKBURN'S NOMINATION/APPOINTMENT. ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? NINE AYES, ZERO NOS, MOTION CARRIES, ARE YOU READY FOR THE MAIN MOTION? WE TOOK THAT VOTE BECAUSE WE HAD A ROLL CALL. OKAY. SO ROLL CALL THEN.\r\n\r\n\r\nI JUST ASKED THEM IF WE JUST VOTED AND THEY SAID NO. >> MAIN MOTION AS AMENDED TWICE. SO WE'RE GOING TO BE NOW VOTING ON THE MAIN MOTION THAT INCLUDES MR. BLACKBURN'S NAME, WITH THE SOUTH MAUI BEFORE THE TERM EXPIRATION. >> I ASKED FOR ROLL CALL. WE DON'T NEED ROLL CALL I THINK THAT ORIGINAL ROLL CALL WAS ON THE AMENDMENT TO GO BACK, AND THEN MEMBER RAWLINS-FERNANDEZ IS RIGHT. SO WE DID THE AMENDMENT TO ADD SOUTH MAUI.\r\n\r\n\r\n>> I WAS JUST CONSIDERING MEMBER PALTIN'S NO-VOTE, BUT SHE IS GOING TO SAY AYE. >> I WAS TRYING TO SAVE TIME, BUT I DON'T KNOW IF WE ACCOMPLISHED THAT. >> WHO DID ALL THE TALKING? MEMBER RAWLINS-FERNANDEZ? >> IT WASN'T ME, I WASN'T DOING ALL THE TALKING. MEMBER SINENCI WAS ALSO A NO-VOTE. SO WE JUST HAVE TO CHECK IN WITH MEMBER SINENCI.\r\n\r\n\r\n>> MEMBER SINENCI, DO WE NEED ROLL-CALL VOTE? >> NO NEED. I ONLY WANTED TO SAY THAT AND I CAN COUNT, AND I SEE THE MEMBERS ARE SUPPORTING MR. BLACKBURN. SINCE OUR LAWYERS SAID WE HAVE IT GOOD, I CAN SUPPORT THE REGULAR VOTE, CHAIR. THANK YOU. >> OKAY.\r\n\r\n\r\nALL THOSE IN FAVOR THE MOTION, MAIN MOTION AS AMEND, RAISE YOUR HAND, SAY AYE. NINE AYES, ZERO NOS, MOTION CARRIES. MEMBER UU-HODGINS. >> THANK YOU, CHAIR. MOVING ON, I MOVE TO ADOPT RESOLUTION 24-37 FD 1. >> SECOND >> MOVED BY MEMBER UU-HODGINS, SECONDED BY PRO TEM KAMA TO ADOPT THE RESOLUTION 24-37 FD 1 DISCUSSION, MEMBER UU-HODGINS. >> THANK YOU, CHAIR. FOR EVERYBODY'S REFERENCE, THIS IS FOR THE MRA, THE MAUI REDEVELOPMENT AGENCY.\r\n\r\n\r\nAND I MOVE TO AMEND RESOLUTION 24-37 FD 1 BY PLACING GARY PASSAN FOR APPROVAL AND EXPIRATION 3/31/2029. >> SECOND. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY VICE-CHAIR SUGIMURA. OKAY. DISCUSSION? MEMBER UU-HODGINS. >> THANK YOU, CHAIR. AGAIN, THIS IS ANOTHER ITEM WE DEFERRED AND THIS IS JUST MY PROPOSAL AND UP FOR DISCUSSION WITH MY MEMBERS.\r\n\r\n\r\n>> ANY MORE DISCUSSION? MEMBER VICE-CHAIR SUGIMURA AND MEMBER PALTIN. >> I'M CURIOUS IF HE WANTS -- I'M LOOKING FOR HIS APPLICATION. OH, HE DID. OKAY. VERY GOOD THEN. >> MEMBER PALTIN.\r\n\r\n\r\n>> I GUESS SIMILAR SITUATION IF HE CAN GET A BOARD OF ETHICS ADVISORY OPINION ON WHEN HE SHOULD RECUSE HIMSELF REGARDING CONFLICTS OF INTERESTS. OTHER THAN THAT, I CAN SUPPORT IT. >> DO YOU WANT TO ASK HIM? >> I'M JUST DOING IT FOR THE RECORD. I THINK I EMAIL HIM AND HE WAS

WILLING TO GET AN OPINION. >> OKAY. WOULD YOU LIKE TO COME DOWN AND SAY SOMETHING?
>> GOOD AFTERNOON, CHAIR AND COUNCIL MEMBERS. I WOULD LIKE TO RESPECTFULLY DENY PARTICIPATION ON THAT BOARD. I HAD SENT A MESSAGE MAYBE IT HADN'T GOTTEN TO YOU, THAT THE ADDITIONAL ONES THAT I HAD ORIGINALLY PUT ON THERE, THAT I WAS NO LONGER INTERESTED IN PARTICIPATING IN. SO I WANT TO THANK YOU ALL FOR YOUR INTEREST, AND TO THE FOUR PEOPLE THAT VOTED FOR ME THIS AFTERNOON, THANK YOU, GREAT RESPECT. I'M GOING TO CONTINUE TO FIGHT HARD FOR THE WORKING PEOPLE KAM AAINA OF MAUI. >> I MOVE TO FILE RESOLUTION. >> DO WE HAVE TO WITHDRAW THE MOTION?
I WANT TO WITHDRAW THE MOTION. >> I WITHDRAW THE MOTION. >> AND THE SECOND IS WITHDRAWN. NOW YOUR NEW I WAS JUST CHECKING, SO NONE OF THE OTHER APPLICANTS WERE NOT OKAY WITH THOSE? >> THE APPLICANTS ON OTHER THINGS, EXCEPT MR. IMBACH, HOLD ON, LET ME GET MY GIGANTIC FOLDER OF PEOPLE. I DON'T REMEMBER -- I MEAN I'M HAPPY TO PUT MR. IMBACH BUT WE DIDN'T HAVE AN OPPORTUNITY TO DISCUSS WITH HIM, IF HE WAS WILLING TO PUT UP THE \$15,000 BOND. >> I JUST WAS WONDERING IF WE'RE NOT OKAY WITH MR. SPELLMAN? >> YOU HAVE TO PUT UP A BOND. >> WE DID PUT HIM ON THE COST OF GOVERNMENT. SO IF HE IS WILLING TO DO MORE THAN ONE? >> I JUST REMEMBER, I THOUGHT HE WAS ONE OF THE MAYOR'S ORIGINAL NOMINEES, AND I WOULD HAVE THE SAME THING JUST ABOUT RECUSE -- WHEN HE SHOULD RECUSE HIMSELF?
I WOULD BE OKAY WITH MR. SPELLMAN, IF HE STILL WANTS IT? >> OKAY. >> ON MRA. ARE YOU TALKING ABOUT MRA? >> YES. >> OKAY.
THEN CHAIR? >> YES. >> I MOVE TO AMEND RESOLUTION 24-37 FD 1 BY PLACING KEVIN SPELLMAN ON EXHIBIT B FOR APPROVAL NEXT TO TERM 3/31/2029. >> MOVED BY MEMBER UU-HODGINS AND SECONDED BY PRO TEM KAMA, I SAW VICE-CHAIR SUGIMURA'S HAND FIRST. DISCUSSION? >> HAPPY TO SUPPORT HIM, CHAIR. >> MEMBER PALTIN. >> I'M SUPPORTIVE.
JUST SAME THING I HAVE BEEN SAYING IF HE CAN GET A BOARD OF ETHICS OPINION BECAUSE HE WORKS FOR THE PLANNING DEPARTMENT AS WELL. OTHER THAN THIS . HE AGREED JUST NOW. PRO TEM KAMA AND MEMBER RAWLINS-FERNANDEZ -- IT WASN'T PRO TEM KAMA. IT WAS VICE-CHAIR SUGIMURA. >> EITHER, YOU WANT TO GO? SO I APPRECIATE MR. SPELLMAN PUTTING HIS NAME FOR THE MRA, BECAUSE HIS PLANNING EXPERIENCE WILL BE VALUABLE IN TERMS OF MOVING THE MRA FORWARD WITH WHAT IT NEEDS TO DO.
SO I APPRECIATE THAT. >> DID YOU HAVE YOUR HAND UP >> YES, I DID. I WAS JUST GOING TO AGREE WITH MEMBER SUGIMURA, THIS IS HIS NO. 1 CHOICE. >> MEMBER RAWLINS-FERNANDEZ. >> MAHALO CHAIR, I SUPPORT MR. SPELLMAN AND TO ASK MR. SPELLMAN, SINCE HE IS HERE, ABOUT THE \$15,000 BOND. >> MR. SPELLMAN, COULD YOU COME UP TO THE MICROPHONE, PLEASE? >> THAT WAY WE CAN HAVE IT STATED FOR THE RECORD, AS WELL. MAHALO FOR BEING HERE, MR. SPELLMAN. I WILL REPEAT THE QUESTION, AS YOU WALK DOWN.
WOULD YOU BE WILLING TO PUT -- \$15,000 BOND FOR SERVING ON THE MRA. >> A THOUSAND DOLLAR BOND. >> WHAT IS \$14,000 MORE; RIGHT? . >> THANK YOU SO MUCH FOR YOUR WILLINGNESS TO SERVE ON TWO BOARDS AND COMMISSIONS. >> IS IT OKAY TO SAY SOMETHING? >> NOT TOO LONG, OKAY? >> LIKE AUGUST 22ND, I DID SUBMIT A LETTER TO THE EDITOR PUBLISHED ON MAUI NEWS.
I HAD URGED THE COUNTY TO CREATE A DEVELOPMENT ECOSYSTEM. AND I KNOW THAT THE STATE LEGISLATURE SPECIFICALLY IN THE CONTEXT OF REDEVELOPMENT FOR THE FIRE ZONES, AND I KNOW STATE LEGISLATURE HAS BEEN HAVING A LOT OF PROBLEMS KIND OF PRODUCING THAT OUT COME. BUT REALLY THEY DON'T NEED TO RECREATE THE WHEEL. LIKE EVERYTHING THEY NEED IS RIGHT IN THE MRA. AND IN CHAPTER 53, THEY CAN PROVIDE THAT TO THE MRA IN CASES THAT FIRE IS THE CAUSE OF DESTRUCTION. SO LIKE MY -- I KNOW SOME PEOPLE MAY SAY MY ROOTS AREN'T DEEP IN WEST MAUI, BUT LIVING THERE FOR 13 YEARS AND WORKING THERE, THEY AREN'T INSIGNIFICANT EITHER. SO I'M REALLY EXCITED TO DO MY PART TO HELP THE PEOPLE THAT I HAVE LIVED WITH FOR SUCH A LONG TIME.
THANK YOU. >> MAHALO, MR. SPELLMAN. MAHALO, CHAIR. >> GOOD. THANK YOU. >> THANK YOU SO MUCH.
>> ANY MORE DISCUSSION? SO THIS IS ON THE AMENDMENT. ALL THOSE IF FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. NINE AYES, ZERO NOS, MOTION CARRIES. ANY MORE DISCUSSION? THE MAIN MOTION AS AMENDED. ALL THOSE IN FAVOR, RAISE YOUR HAND, SAY AYE.
NINE AYES, ZERO NOS, MOTION CARRIES. IT'S STILL YOUR TURN. >> LAST ONE, CHAIR. I PROMISE, FOR NOW, TODAY. >> WELL, I HAVE TO SAY THIS BEFORE EVERYBODY RUNS HOME, THAT NOBODY, NOBODY HAS DONE THIS MUCH WORK ON THE BOARDS

AND COMMISSIONS AS YOU, BECAUSE IT WAS A MISTAKE. IT WAS A MISTAKE THAT THE MAYOR MISSED THE DEADLINE AND IT LANDED ALL THE IN YOUR LAP. >> IT DID.\r\n\r\n>> IT'S QUITE A FEAT, WE REALLY APPRECIATE IT. >> THANK YOU, CHAIR. I APPRECIATE YOURS AND THE COMMITTEE'S HARD WORK. IT WAS A FULL EFFORT OF OCS STAFF, AND ALL OF OUR HARD WORK. THANK YOU. OKAY. MOVING ON.\r\n\r\nI MOVE TO ADOPT RESOLUTION 24-39 FD 1. >> SECOND. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY PRO TEM KAMA TO ADOPT RESOLUTION 24-39 FD 1. DISCUSSION, MEMBER UU-HODGINS? >> THANK YOU, CHAIR. I MOVE TO AMEND RESOLUTION 24-39 FD 1 BY PLACING THESE NAMES ON EXHIBIT B FOR APPROVAL NEXT TO PA'IA HAIKU ADVISORY COMMITTEE TO THE MAUI PLANNING COMMISSION NEXT TO EACH TERM EXPIRATION 3/31/2029. >> SECOND. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY MEMBER VICE-CHAIR SUGIMURA TO AMEND RESO 24-39, FD 1. DO WE HAVE DISCUSSION? >> SURE. THIS PROPOSAL REFLECTS MAJORITY OF THE MEMBERS' SENTIMENTS DURING THE MARCH 18TH RECONVENED GREAT MEETING.\r\n\r\n>> I THOUGHT WE VOTED ON THEM ALREADY. ACTUALLY. ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MOTION RAISE YOUR HAND, SAY AYE. NINE AYES, ZERO NOS, MOTION CARRIES. THE MOTION AS AMENDED. DISCUSSION?\r\n\r\n>> I'M HAPPY TO SUPPORT THESE TWO WELL-RESPECTED WAHINI OF OUR COMMUNITY. THANK YOU, CHAIR. >> ALL THOSE IN FAVOR OF THE MOTION WHICH IS TO AMEND THE MAIN MOTION, RAISE YOUR HAND, MOTION AS AMENDED. NINE AYES, ZERO NOS, MOTION CARRIES. DO WE HAVE ANYTHING ELSE? >> NEXT ONE, MEMBER SINENCI IS GOING TO MAKE. >> THAT IS THE LAST ONE?\r\n\r\n>> YES. >> THANK YOU, CHAIR. >> THANK YOU. MEMBER SINENCI, IT'S YOUR TURN. >> CHAIR, WAS THAT ONE CALLED UP? YES. BECAUSE THERE'S -- >> WE JUST VOTED.\r\n\r\nWE CAN CALL IT UP. I THOUGHT WE SAID WE WERE GOING TO WAIT FOR IT. MS. CLERK. >> DID YOU WANT US TO CALL 24-62 OUT OF ORDER OR JUST PROCEED? >> I THOUGHT THAT WAS -- HERS WAS THE LAST ONE. NO, NO, DON'T CALL IT OUT OF ORDER.\r\n\r\nKEEP GOING IN ORDER. >> CAN WE TAKE A PIV HAD THE MINUTE BREAK TO MAKE SURE WE HANDLED ALL OF THAT CORRECTLY BEFORE WE MOVED ON? >> ALL OF HER AMENDMENTS. OKAY. YES, MEMBER PALTIN. >> OKAY. BEFORE WE TAKE A RECESS, IF MY ASF WAS DELIVERED, I WAS WONDERING IF WE COULD HAND IT OUT, SO THAT PEOPLE CAN GO OVER IT DURING THE RECESS, SO THAT WE'RE EFFICIENT WITH OUR TIME USAGE.\r\n\r\n>> CHAIR, WE DO. >> YOU DO >> YES. >> OKAY. ALL RIGHT. SO IT'S 4:00. >> CHAIR? >> YES, MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR.\r\n\r\nI WOULD ALSO LIKE TO ASK FOR RECONSIDERATION OF RESOLUTION 24-38, THE MOLOKA'I PLANNING COMMISSION. IT WAS TOO FAST FOR ME. I NEEDED TO MAKE AN AMENDMENT TO ADD THE CONSERVATION SEAT THERE. >> WE'LL BE BACK AT 4:10. MEETING IN RECESS [GAVEL] MEMBERS, DON'T MAKE TOO MUCH NOISE. OKAY. I SCARED HIM. WILL THE MEETING RECONVENE.\r\n\r\nAND WE HAD A REQUEST, MEMBERS, FOR RECONSIDERATION. ANY OBJECTIONS? ALL RIGHT. SO CAN YOU MAKE YOUR MOTION, MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. IS THAT OKAY TO DO THE RECONSIDERATION THAT WAY OR DOES IT NEED A FORMAL RECONSIDERATION MOTION? >> NO, NO.\r\n\r\nYOU NEED TO VOTE. WE NEED TO VOTE ON THE RECONSIDERATION, YES. >> YES SO YOU WILL MAKE A MOTION TO RECONSIDER? >> OKAY. I MOVE TO RECONSIDER RESOLUTION 24-38, MOLOKA'I PLANNING COMMISSION. >> SECOND. >> OKAY.\r\n\r\nMOVED BY MEMBER RAWLINS-FERNANDEZ. SECONDED BY VICE-CHAIR SUGIMURA. AND AGREED UPON BY 'ELE'ELE THAT WE DO A RECONSIDERATION REGARDING THE MOLOKA'I PLANNING COMMISSION. HOWEVER, YOU REALIZE WHEN WE DO MAKE THAT -- WHEN WE DO THE MOTION, IT'S NOT ON A SINGLE ITEM, IT'S MULTIPLE COMMISSIONS, YOU KNOW? FOR PRACTICAL PURPOSES WE'RE GOING TO VOTE ONLY ON THE MOLOKA'I PLANNING COMMISSION. SO ALL THOSE IN FAVOR OF RECONSIDERATION, RAISE YOUR HAND, SAY AYE. NINE AYES, ZERO NOS, MOTION CARRIES.\r\n\r\nSO WE'RE BACK TO THE MAIN MOTION, AND MEMBER RAWLINS-FERNANDEZ, YOU WANT TO MAKE YOUR MOTION TO AMEND. >> YES, MAHALO, CHAIR. I MOVE TO AMEND THE RESOLUTION TO ADD A SECOND BE IT RESOLVED CLAUSE, AND THEN RENUMBER THE OTHER BE IT RESOLVED CLAUSES BELOW IT TO ADD SECOND CLAUSE THAT READS 2, THAT IT DESIGNATES BY DEMONSTRATING BACKGROUND AND CONSERVATION, NATURAL RESOURCES OR CLIMATE CHANGE, AS EVIDENCED BY HER WORK, HISTORY, SUFFICIENT TO DEMONSTRATE AN APPROPRIATE LEVEL OF KNOWLEDGE IN LAND AND NATURAL RESOURCES INCLUDING PARKS AND RECREATION, PUBLIC LANDS MANAGEMENT, NATURAL AREA RESERVES, AQUATIC RESOURCES, FORESTRY AND WILDLIFE, WATER RESOURCE MANAGEMENT, OR

CONSERVATION RESOURCES. THAT IS MY MOTION. >> OKAY. MOVED BY MEMBER RAWLINS-FERNANDEZ, SECONDED BY MEMBER UU-HODGINS. ANY DISCUSSION ON THAT MOTION?

MEMBER RAWLINS-FERNANDEZ. >> AND IF THERE ARE NO OBJECTIONS TO ADD AFTER HER NAME, AND BEFORE THE TERM EXPIRATION IN PARENTHESES CONSERVATION. >> ANY OBJECTIONS, MEMBERS? SO ORDERED. >> OKAY. AND THEN THAT WILL -- SHE'LL HOLD THE CONSERVATION SEAT FOR THE MOLOKA'I PLANNING COMMISSION, AND THEN LATER, I WILL INTRODUCE A RESOLUTION TO OFFICIALLY DESIGNATE WHO CURRENTLY SITS ON THE MOLOKA'I PLANNING COMMISSION AS THE CULTURAL -- FOR THE CULTURAL SEAT. MAHALO, CHAIR.

>> ALL RIGHT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. NINE AYES, ZERO NOS, MOTION CARRIES AND THE MAIN MOTION AS AMENDED. ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. NINE AYES, ZERO NOS, MOTION CARRIES. THAT TAKES CARE OF THAT ONE. SINCE WE'RE KIND OF OUT OF ORDER AS IT IS, DO YOU WANT TO GO BACK TO MEMBER JOHNSON'S ONE?

OKAY, BECAUSE I DON'T KNOW HOW LONG THE PLANNER CAN WAIT FOR 23. MEMBER JOHNSON. >> THANK YOU, CHAIR. AS EVERYONE PROBABLY KNOWS THAT WE HAD A BILL ON THE FLOOR WITH AN AMENDMENT FROM RECOMMENDED BY THE DEPARTMENT, AND WORKING TOGETHER WITH THEM. BUT SINCE THAT TIME, MEMBER PALTIN HAS AN ASF FOR US. SO I DON'T MIND WITHDRAWING MY AMENDMENT, AND ALLOWING HER TO MOVE FORWARD ON HER AMENDMENT. DO I NEED A SECONDER TO REMOVE THAT AS WELL? >> I THINK THE ASF WAS WRITTEN IN A WAY THAT WOULD AMEND YOUR ONE.

SO IT'S NOT NECESSARY TO AMEND -- I MEAN WITHDRAW HIS. WE CAN JUST AMEND IT. >> I DON'T KNOW. >> I DON'T MIND WITHDRAWING MINE, BECAUSE THE FULL BILL IN ITS ENTIRETY IS HERE, YES? >> THE WAY IT WAS DRAFTED WAS TO AMEND MEMBER JOHNSON'S AMENDMENT. >> RIGHT. >> YOU COULD JUST PROCEED THAT WAY WITHOUT WITHDRAWING MEMBER JOHNSON'S AMENDMENT.

OKAY. SO I MOVE TO AMEND MEMBER JOHNSON'S AMENDMENT WITH THIS ASF. >> SECOND. >> MOVED BY MEMBER PALTIN, SECONDED BY MEMBER RAWLINS-FERNANDEZ TO AMEND THE MOTION, AND WHAT IS YOUR AMENDMENT? >> SURE. TO GET ALL FORMAL AND STUFF, I MOVE TO AMEND THE PROPOSED FD 1 VERSION OF THE BILL ATTACHED TO COUNTY COMMUNICATION 24-10 IN THE DEFINITION OF FARM LABOR DWELLING AS FOLLOWS: ONE, IN THE UNDERSCORED SENTENCE THAT STARTS FOR THE ISLANDS OF LANA'I AND MAUI, AND THE FOLLOWING ADD THE FOLLOWING AFTER EMPLOYEES. WHO HOLD A RESIDENTIAL LEASE OF AT LEAST SIX MONTHS.

2, IN THE FINAL SENTENCE REPLACE THE EMPLOYER OR PROPERTY OWNER MUST NOT RECEIVE COMPENSATION FOR THE EMPLOYEE OR EMPLOYEES' FAMILY FOR RESIDING IN THE FARM LABOR DWELLING. AND WITH -- SO I'M REPLACING THAT WITH, AT NO TIME MAY THE FARM LABOR DWELLING BE USED AS A TRANSIENT VACATION RENTAL, AND THE EMPLOYER. 3, ADD THIS CONCLUDING SENTENCE: FARM LABOR DWELLINGS MUST BE AFFORDABLE TO RESIDENTS EARNING 140% OR LESS OF THE COUNTY'S AREA MEDIAN INCOME AS ESTABLISHED BY HUD, IRRESPECTIVE OF ANY TENANT'S ACTUAL INCOME. AND THEN IT WAS SECONDED ALREADY. >> YES. >> SO THEN FOR DISCUSSION, IF IT'S OKAY? IF MY AMENDMENT IS APPROVED, THE DEFINITION WILL READ: FOR THE ISLANDS OF LANA'I AND MAUI, FARM LABOR DWELLING MEANS "A DWELLING UNIT OR LODGING UNIT THAT EXCUSSED EXCLUSIVELY BY FULL-TIME AND PART-TIME AGRICULTURAL EMPLOYEES WHO HOLD A RESIDENTIAL LEASE OF AT LEAST SIX MONTHS INCLUDING INTERNS ARE, APPRENTICES OR VOLUNTEERS WORKING ON A FARM OR RANCH ON WHICH THE UNIT IS LOCATED.

FAMILY MEMBERS OF THE AGRICULTURAL APRIL MAY RESIDE IN THE FARM LABOR DWELLING UNLESS THE FARM LABOR DWELLING IS LOCATED ON IMPORTANT AG LANDS UNDER SECTION 2035-45.5 HAWAII REVISED STATUTES. AT NO TIME MAY THE FARM LABOR DWELLING BE USED AS A TRANSIENT VACATION RENTAL. AND THE EMPLOYER MUST MAINTAIN DOCUMENTATION OF THE AGREEMENT BETWEEN EMPLOYEE AND EMPLOYER AT ALL TIMES, AND PROVIDE THE DOCUMENTATION TO THE DIRECTOR UPON REQUEST. FARM LABOR DWELLINGS MUST BE AFFORDABLE TO RESIDENTS EARNING 140% OR LESS OF THE COUNTY'S AREA MEDIAN INCOME AS ESTABLISHED BY HUD, IRRESPECTIVE OF ANY TENANT'S ACTUAL INCOME. THIS AMENDMENT ADDRESSES CONCERNS RAISED IN TESTIMONY AND DELIBERATIONS ON THE BILLS THIS MORNING. AND IT ALSO ALIGNS ITSELF WITH SOMETHING THAT MAYOR BISSEN ADDRESSED IN HIS STATE OF THE COUNTY ADDRESS. YOU KNOW, WE DON'T NEED LUXURIOUS MANSIONS AS FARM LABOR

DWELLINGS BECAUSE WE DON'T NEED LUXURIOUS RENTS FOR FARM LABORERS.\r\n\r\nIT'S UNDERSTOOD THAT YOU KNOW THE PERSON WHO OWNS OR EMPLOYS THE LABOR, KNOWS WHAT THEY MAKE AND WHAT IS AN APPROPRIATE SALARY OR RENT, AND CORRESPONDING SALARY. IN THIS WAY, I HOPE IT ADDRESSES THE CONCERN ABOUT SHORT-TERM USES AND ADDRESSES THE CONCERN ABOUT THERE BEING NOT RETURNING TO PLANTATION-STYLE SERVITUDE, AND IT ALSO STABILIZES RENT PRICES TO SOMETHING THAT IS AFFORDABLE AND NOT LIKE \$5,000 FOR ONE BEDROOM AND STUFF. AND I HAVE MORE, BUT MAYBE WHEN WE GET TO THE MAIN MOTION. >> YOU HAVE MORE TO ADD? >> YES. >> MEMBER JOHNSON. >> THANK YOU, CHAIR.\r\n\r\nAFTER READING THE ASF AND HEARING FROM COUNCIL MEMBER PALTIN, I WOULD SUPPORT THIS. I THINK IT'S A GOOD COMPROMISE AND THAT IS ONE YOUR FAVORITE WORDS, CHAIR LEE. SO AFTER HEARING FROM MULTIPLE SOURCES, WE -- SHE CAME UP WITH A REALLY GOOD COMPROMISE AND I'M HERE TO SUPPORT IT. THANK YOU, CHAIR. >> ANYBODY ELSE? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. NINE AYES, ZERO NOS, MOTION CARRIES.\r\n\r\n>> THANK YOU, MEMBERS. >> I HAVE AN AMENDMENT, TOO. >> YES. MEMBER JOHNSON. >> SO CHAIR, WE HAD -- WE HAD SOME DISCUSSION FROM SOME FARMERS IN REGARDS TO WHAT THE LIST -- THEY HAD IN THE BILL THAT WE TALK ABOUT ACCESSIBLE FEASIBLE LANDS FOR AGRICULTURAL USE. WE MENTIONED STREAMS, GULCHES AND SLOPES STEEPER THAN 1:1 AND TO TALK ABOUT STREAMS AND GULCHES AND TO ADD "FLOOD ZONES ." JUST ONE MORE ADDITIONAL THING. I WILL READ THE SENTENCE FOR THE PURPOSE OF THIS DEFINITION, LAND THAT IS NOT USABLE, ACCESSIBLE, OR FEASIBLE FOR THE ACTIVE AGRICULTURAL USES, SUBJECT TO APPROVAL OF THE DIRECTOR MUST INCLUDE CULTURAL SENSE TERRI SCHIAVO AREAS, SLOPES STEEPER THAN 1:1, STREAMS, GULCHES OR FLOOD ZONES, OR LAND CONTAINS EARTH MATERIAL -- SO THAT IS THE AMENDMENT.\r\n\r\n>> SECOND. >> MOVED BY MEMBER JOHNSON, SECONDED BY MEMBER UHODGINS TO ADD FLOOD ZONES IN THAT SECTION. MEN RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. A QUESTION FOR MEMBER JOHNSON. FLOOD ZONE, IS IT DEFINED SOMEWHERE IN THE CODE THAT YOU HAD ENVISIONED A FLOOD ZONE BEING >> WE COULD ASK MR. PFOST, BECAUSE HE IS ON THE CALL AS A RESOURCE, OR I KNOW SOME OF OUR CORPORATION COUNSEL IS HERE.\r\n\r\n>> IT MIGHT BE A GIS LAYER YOU CAN TURN ON YOUR TMK RPT. I WILL LET THE EXPERT. >> MR. PFOST? >> YES, THANK YOU. >> DID YOU HEAR THE AMENDMENT? >> YES, I DID AND ACTUALLY LOOKING UP THE CODE TO SEE IF THERE'S A CODE DEFINITION.\r\n\r\nIN FLOOD ZONES THERE'S A VARIETY OF DIFFERENT TYPES OF FLOOD ZONES, SOME THAT YOU CAN DO THINGS IN, SOME THAT YOU CAN'T. I'M NOT SURE I HAVEN'T TIME TO REALLY CONSIDER THAT. BUT I THINK IT MAKES SENSE. I'M NOT SURE IF THERE'S SOME FLOOD ZONES YOU COULD DO AG USE IN? I DON'T KNOW. THAT WOULD BE ONLY -- I'M NOT FAMILIAR WITH THAT. >> OKAY. CAN WE ASK DAVID RAATZ TO ADD SOMETHING TO THIS DISCUSSION?\r\n\r\n>> MR. RAATZ, COMMENTS? >> THANK YOU, CHAIR. WE DID A SIMILAR SEARCH OF THE CODE, AND THE TERM "FLOOD ZONE" IS USED, BUT NOT DEFINED. SO THAT SOMETIMES CAN BE AN ISSUE, TO HAVE DEFINED TERMS, IF IT'S NOT READILY APPARENT, WHAT WORD OR PHRASE MEANS. I WOULD SAY IN THIS CASE, THE ABSENCE OF A DEFINITION MAY NOT MATTER THAT MUCH, BECAUSE THERE'S ALREADY CONDITIONAL LANGUAGE IN THIS SENTENCE. I SEE SUBJECT TO THE APPROVAL OF THE DIRECTOR, THE WORD "OR." IN THE LIST.\r\n\r\nSO UNLESS MR. PFOST HAS A DIFFERENT VIEW, IT SEEMS WORKABLE TO US. THANK YOU, CHAIR. >> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I GUESS THE QUESTION GOES BACK TO MR. PFOST, IS THERE A SPECIFIC ONE THAT MAKES SENSE TO PUT THERE?\r\n\r\nWHEN YOUR DEPARTMENT IS READING IT? >> THANK YOU FOR THE QUESTION. I CAN'T THINK OF ONE OFFHAND. I THINK MR. RAATZ MADE A VERY GOOD POINT, IN THAT THIS IS SUBJECT TO THE DIRECTOR. SO THERE IS IN THAT SENSE IT INDICATES THE DIRECTOR HAS TO OPINE UPON WHETHER OR NOT THESE ARE USABLE OR NOT USABLE OR FEASIBLE? SO I THINK AT THAT TIME, THE DIRECTOR CAN MAKE THAT CHOICE, OR WILL HAVE THE OPPORTUNITY TO DETERMINE WHETHER OR NOT IT'S FEASIBLE?\r\n\r\nI THINK JUST ADDING FLOOD ZONES WOULD BE FINE IN THE LANGUAGE THEN. >> SO, LIKE, FLOOD HAZARD AREA, OR KEEPING IT BROADER, FLOOD ZONE WOULD BE PREFERABLE? >> THAT IS A GOOD QUESTION. I'M NOT SURE I CAN PROVIDE YOU AN ANSWER ON THAT ONE, WHICH I THINK -- I UNDERSTAND THE INTENT OF IT OUR FLOOD AREAS THAT ARE FLOOD ZONES, USUALLY BY OUR FLOOD MAPPING SO IT'S UNDERSTOOD WHAT IS MEANT AND FLOOD HAZARD AREAS COULD BE INCORPORATED, EITHER ONE IS FINE. I

UNDERSTAND THE INTENT. >> MAHALO, BECAUSE FLOOD HAZARD AREA IS IN 19.62. MAHALO, MS. THOMSON.\r\n\r\nMAHALO, CHAIR. >> ANOTHER QUESTION FOR MEMBER UU-HODGINS THANK YOU. I'M ACTUALLY GOING TO BUILD ON WHAT MEMBER RAWLINS-FERNANDEZ WAS ASKING. SO WE RECENTLY MOVED THE FLOOD PERMITS TO PUBLIC WORKS. SO MAYBE THEY CAN TALK ABOUT IT? TO MEMBER JOHNSON'S POINT, I UNDERSTAND WHAT HE IS SAYING. FOR INSTANCE, FLOOD X IS ALSO A ZONE, WHICH DOESN'T PROVIDE ANY HAZARD.\r\n\r\nSO IF YOU ARE GOING TO SAY SOMETHING LIKE FLOOD ZONES, THAT WOULD INCLUDE FLOOD ZONE X, WHICH IS NOT A HAZARD AREA. SO YOU MIGHT WANT TO BE A LITTLE MORE SPECIFIC LIKE FLOOD ZONES, AND I WOULD ASK PUBLIC WORKS FOR THEIR OPINION. >> MEMBER PALTIN. >> I WOULD KIND OF JUST SAY THAT A LOT OF TIMES WE HAVE PEOPLE THAT WANT TO BUILD THEIR HOMES IN AREAS THAT ARE CONSIDERED FLOOD ZONE, AND WHILE I MAY NOT THINK THAT IS APPROPRIATE, OR SMART, I THINK WE ALLOW IT, OR IS IT HAPPENING. YOU KNOW, THERE'S NOTHING STOPPING TREES, TREES IS LIKE FARMING, A LOT OF PEOPLE FEEL LIKE PLANTING A BUNCH OF ORANGE TREES OR CITRUS IS FARMING. AND SO MAYBE YOU MIGHT WANT TO DO YOUR LEAFY GREENS IN AREAS THAT FLOOD A LOT, BUT I DON'T THINK THAT IT COULD BE NO TYPE OF FARMING. YOU COULD PLANT SOME COCONUT TREES, BANANA TREES, MAYBE HAVE YOUR SHEEP GRAZE THERE, BECAUSE RETENTION BASIN SOMETIMES HAS GOATS GRAZING AND SOMETIMES IT'S FLOODED.\r\n\r\nSO I DON'T KNOW UPON PONDERING IT, IF I WOULD ADD THAT TO THE UNUSABLE AREA? BECAUSE IT OCCASIONALLY FLOODS, IT JUST DEPENDS ON WHAT KIND OF FARMING YOU USE IT FOR, AND BEING THAT WE'RE ALREADY INCREASING THE ABILITY TO DO AG LANDS I WOULD JUST GIVE THIS A LITTLE BIT OF TIME TO WORK ITSELF OUT AND SEE. WE'RE REDUCING GULCHES, STREAMS, STEEP SLOPES, AND INACCESSIBLE AREAS LIKE THAT. JUST WANT TO SEE HOW THAT GOES FIRST, BEFORE WE GET ALL CRAZY. >> MR. JOHNSON. >> I THINK THAT THE FLOOD HAZARD AREA AT FIRST MY INITIAL REACTION WAS A GOOD IDEA, BUT I REALIZED IT'S NOT A HAZARD TO PEOPLE PER SE TO PLANT THERE.\r\n\r\nIT'S A HAZARD TO MY CROP AS A FARMER. SO THAT IS WHAT -- WE DON'T WANT TO ENCOURAGE FARMERS TO PLANT IN AREAS THAT FLOOD, AND YOU RUIN YOUR CROP; RIGHT? SO I THINK IT SHOULD BE UP TO THE FARMERS. AND AS IT STANDS NOW, WE WOULD BE FORCING THEM TO BUILD IN FLOOD ZONES AND THAT IS WHAT I'M TRYING TO PUSH AWAY FROM. SO I THINK FLOOD ZONES IS FINE. IF IT DOESN'T PASS IT STILL GOES TO DIRECTOR'S PURVIEW. I DON'T WANT TO PUNISH THEM OR ENCOURAGE THEM TO GROW IN FLOOD ZONES, FOR ME AS A FARMER, I WOULD BE REALLY AGAINST PUTTING ANYTHING IN THAT ZONE, BECAUSE YOUR IRRIGATION GOES, YOUR FERTILIZER GOES IF YOU PUT MULCH ON IT, IT ALL GOES DOWNHILL, DOWNSTREAM AND IT'S A MESS.\r\n\r\n>> ALL RIGHT. ANYBODY ELSE? MEMBER UU-HODGINS. >> I DON'T DISAGREE WITH MEMBER JOHNSON, BUT AGAIN, WE HAVE FLOOD ZONE X, WHICH WOULD BE INCLUDED IN YOUR LANGUAGE, AND THAT IS NOT A FLOOD HAZARD AREA. SO MAYBE YOU MIGHT WANT TO CONSIDER ADDING THE LANGUAGE TO READ ABOUT FLOOD HAZARD AREAS, AND AGAIN, WE HAVE A PERMIT THAT SPECIFIES FLOOD HAZARD AREA. SO I THINK FLOOD ZONES IS EVERYWHERE INCLUDING FLOOD ZONE X, WHICH AGAIN IS IN A HAZARD AREA. SO IF YOU WANT TO SPECIFICALLY PROTECT FROM THE FLOODING YOU MIGHT WANT TO BE SPECIFIC AND SAY FLOOD HAZARD AREA.\r\n\r\n>> OKAY. I'M OPEN TO THAT. I WOULD LIKE TO HEAR DAVID RAATZ OR SOMEBODY THAT MIGHT KNOW THAT DEFINITION? IT SOUNDS TO ME, I'M WILLING TO GO THAT ROUTE. FROM WHAT YOU ARE EXPLAINING. OKAY. THERE'S GOT TO BE A DEFINITION FOR IT SOMEWHERE.\r\n\r\nOKAY. ALL RIGHT. THANKS FOR THAT. SO I'M GOING TO AMEND MY -- WHATEVER -- SAY JUST CHANGE TO FLOOD HAZARD AREA, INSTEAD OF FLOOD ZONE. IS THAT CLEAR FOR THE MEMBERS? IS THAT CLEAR FOR THE STAFF? >> MEMBERS, IS IT OKAY?\r\n\r\nANY OBJECTIONS TO CHANGING TO SPECIFY FLOOD HAZARD AREAS INSTEAD OF FLOOD AREAS? FLOOD ZONES? >> OKAY. FLOOD HAZARD AREAS. >> OKAY. >> FLOOD HAZARD ZONE -- I'M SORRY OKAY. FLOOD HAZARD AREA.\r\n\r\nMY MISTAKE. WORDS MATTER, YOU'RE RIGHT. >> SO ALL THOSE IN FAVOR OF THAT MOTION, RAISE YOUR HAND AND SAY AYE? NINE AYES, ZERO NOS, MOTION CARRIES. ANY MORE AMENDMENTS? MEMBER PALTIN. >> THAT WAS A FALSE ALARM.\r\n\r\n>> OKAY. THE MOTION AS AMENDED. EVERYBODY READY FOR THAT? RAISE YOUR HAND, SAY AYE. >> THIS IS JUST ON THE AMENDMENT FIRST. >> I THOUGHT WE JUST DID -- >> DID WE? OH, GOSH, THANK YOU.\r\n\r\n>> THE MOTION -- MAIN MOTION AS AMENDED. >> I MISSED IT. I THOUGHT WE JUST VOTED ON ADDING FLOOD HAZARD AREAS TO THE AMENDMENT.

>> WE DID. NOW THE MAIN MOTION AS AMENDED. >> I HAVE DISCUSSION. >> WE NEED TO VOTE, JOYCE JUST CONFIRMED, WE NEED TO VOTE ON THE FIRST AMENDMENT THAT WAS AMENDING PER COUNTY COMMUNICATION 24-10, AND FILING.\r\n\r\nAND THEN THAT HAS BEEN SUBSEQUENTLY AMENDED A COUPLE OF TIMES. >> I THOUGHT WE VOTED ON ASF. >> MY ASF AMENDED HIS. >> OKAY. WHERE ARE WE THEN? >> THE MAIN MOTION AS AMENDED. >> THE MOTION TO AMEND.\r\n\r\n>> THE AMENDMENT PER COUNTY COMMUNICATION 24-10, AND FILING 24 -10 AS AMENDED, AS HAS BEEN FURTHER AMENDED. >> DID YOU HEAR THAT? >> YES. >> GOOD. ALL THOSE IN FAVOR, RAISE YOUR HAND, SAY AYE. NINE AYES, ZERO NOS. MOTION CARRIES.\r\n\r\nREADY AGAIN? >> DISCUSSION. >> MORE DISCUSSION? MEMBER PALTIN. >> THANK YOU. I THINK THIS IS GOOD CHANGES, AND COMPROMISE, AND WHAT NOT. I JUST KIND OF I WANTED TO MAKE SOME MORE AMENDMENTS, BUT THEY SAID IT WASN'T LEGAL BECAUSE THE SECTION I WANTED TO AMEND WAS NOT WHAT WAS GOING TO THE PLANNING COMMISSION.\r\n\r\nSO I JUST FEEL THAT IT SHOULD TRACK, YOU KNOW? IF WE'RE TAKING OUT SOME OF THE LAND ACREAGE AS UNUSABLE, INFEASIBLE AND INACCESSIBLE, I TOTALLY SUPPORT THAT ACREAGE SHOULD ALSO BE TAKEN OUT OF THE QUALIFICATIONS OF THE FIVE ACRES. BECAUSE YOU'RE SIGNIFICANTLY LESS ACREAGE DEPENDING ON WHAT IS USABLE, FEASIBLE, ACCESSIBLE. AND SO THEN THAT SHOULD FOLLOW ON THE EVERY FIVE ACRES. BECAUSE WHAT IF YOU HAVE 100 ACRES AND ONLY 20 ACRES IS USABLE? ARE WE STILL GOING TO COUNT THE 100 ACRES TO DIVIDE BY FIVE AND 20 LABOR DWELLINGS FOR 20 ACRES OF USABLE, WHICH COULD BE ELEVEN ACRES FARM OR WHATEVER. SO I THINK IT'S IMPORTANT TO TRACK WHAT IS ALLOWED WITH WHAT IS USABLE, ACCESSIBLE, FEASIBLE, NOT FLOOD HAZARD AREA.\r\n\r\nSO THAT WAS JUST SOME OF MY COMMENTS OF WHAT I WOULD HAVE TRIED TO DO, IF THE LAWYERS DIDN'T REIN ME IN AND WHAT I WILL TRY TO DO MOVING FORWARD. >> >> >> DAVID, SHE CAN MAKE THAT ON SECOND READING >> THANK YOU, CHAIR, JUST TO CLARIFY, IT'S NOT A SUNSHINE LAW NOTICE ISSUE, WHICH SOMETIMES ARISES WITH AMENDMENTS BUT A CHARTER ISSUE >> I SEE. >> YOU CAN ALWAYS MAKE A CHAPTER AMENDMENT. YOU KNOW HOW EASY IT IS. >> I WILL JUST TAKE IT UP ON MY OWN THROUGH OTHER VENUE. >> I DON'T WANT TO EVEN ASK.

MS.\r\n\r\nCLERK, TAKE US BACK TO THE TRAIL CAN I SPEAK TO THE MAIN MOTION? >> OKAY. >> JUST A QUICK. >> GO AHEAD, MEMBER JOHNSON. >> I JUST WANT TO THANK EVERYBODY INVOLVED, BECAUSE THERE WAS A LOT OF PEOPLE INVOLVED IN THIS BILL AND CHANGING A DEFINITION SEEMS SIMPLE, BUT AS WE WENT ON, WE REALIZED THAT NOTHING LIVES IN A VACUUM. I THINK IT WAS A LOT OF HARD WORK AND HOPEFULLY, WE GET SOME LABOR DWELLINGS FOR OUR LABORERS. THANK YOU, CHAIR.\r\n\r\n>> READY FOR THE VOTE YOU SURE NOW EVERYBODY? ALL THOSE IN FAVOR OF THE MOTION, THE MAIN MOTION AS AMENDED, RAISE YOUR HAND. NINE AYES, ZERO NOS, MOTION CARRIES. ALL RIGHT. MS. CLERK. >> RESOLUTION 24-59 AUTHORIZING ACCEPTANCE OF THE DONATION OF SPORT COURT PAINT TO THE DEPARTMENT OF PARKS AND RECREATION PURSUANT TO CHAPTER 3.56 MAUI COUNTY CODE.\r\n\r\n>> IS THIS FOR MR. SINENCI? MR. SINENCI. >> THANK YOU, CHAIR. MOVE TO WAIVE THE REQUIREMENT OF COMMIT REFERRAL AND REPORT UNDER RULE 7G OF THE RULES OF COUNCIL AS IT RELATES TO RESOLUTION 24-59. >> MOVED BY MEMBER SINENCI, SECONDED BY VICE-CHAIR SUGIMURA. TO WAIVE RULE 7G REGARDING RESO 24-59, DISCUSSION, MEMBER SINENCI.\r\n\r\n>> THANK YOU, CHAIR. THIS RESOLUTION IS JUST TO ACCEPT THE DONATION OF SPORT COURT PAINT. SO REFERRAL TO COMMITTEE IS NOT NECESSARY, AND SO APPROVAL OF THE WAIVER WILL CONSIDER ADOPTING THIS TODAY, CHAIR. >> ALL RIGHT. ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF WAIVING THE RULE, RAISE YOUR HAND, SAY AYE. NINE AYES, SCORES NO, MOTION CARRIES.\r\n\r\nNOW BACK TO YOU, MR. SINENCI. >> MAHALO, CHAIR. MOVE TO ADOPT RESOLUTION 24-59. >> MOVED BY MEMBER SINENCI. SECONDED BY PRO TEM KAMA TO ADOPT RESOLUTION 24-59. DISCUSSION, MR. SINENCI. >> THANK YOU, CHAIR.\r\n\r\nTHIS RESOLUTION IS ACCEPTING A DONATION OF \$8,841.33 FOR THE SPORT COURT PAINT FROM BAYWOOD SERVICES, LLC., WHICH CAN BE USED TO REPAINT TENNIS COURTS. WE DO HAVE DIRECTOR MCCALL FROM THE PARKS AND RECREATION DEPARTMENT HERE IF MEMBERS HAVE ANY QUESTIONS FOR HIM. AND I ASK FOR MEMBERS' PULL SUPPORT. >> ANY MORE DISCUSSION? THANK YOU VERY MUCH ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND THANK YOU, MR. MCCALL. NINE AYES, ZERO NOS, MOTION CARRIES >> CHAIR, BEFORE YOU IS RESOLUTION 24-60. >> MOVE.\r\n\r\n>>

SECOND. >> MOVED BY VICE-CHAIR SUGIMURA AND SECOND BY PRO TEM KAMA TO ADOPT RESOLUTION 24-60. DISCUSSION? VICE-CHAIR SUGIMURA. >> THANK YOU, CHAIR. ALL OF US KNOW MS. POKIPALA, EMPLOYED PART-TIME, OFFICE OF COUNCIL SERVICES, CONSCIENCE SERVICES ASSISTANT. AND SHE HAS BEEN WITH US FOR THE PAST TEN YEARS.\r\n\r\nAND SHE IS WELL-VERSED IN OUR OPERATIONS, VERY HARD-WORKING PERSON. AND I JUST WANT TO ADD THAT SHE IS VERY COMMITTED TO HER FAMILY AND BEFORE SHE TOOK THIS DECISION TO GO FROM 30 HOURS TO 40 HOURS SHE HAD A FAMILY MEETING. AND ONE OF THE OTHER THINGS THAT YOU DON'T KNOW ABOUT HER, UNLESS YOU GET TO KNOW HER A LITTLE BIT, SHE LOVES TO GO TO THE LIBRARY AND SHE BORROWS BOOKS ACROSS THE STREET, COMES BACK. I'M JUST IMPRESSED WITH HER AS A PERSON, AND I WELCOME HER TO BECOME A FULL-TIME EMPLOYEE OF THE OFFICE OF COUNCIL SERVICES AND REQUEST YOUR APPROVAL OF THIS. THANK YOU. >> I WISH I COULD PINED MY LIBRARY CARD. ANY MORE DISCUSSION?\r\n\r\nALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. NINE AYES, ZERO NOS. >> CHAIR, WE HAVE ONE EXCUSED, MEMBER JOHNSON. >> ONE EXCUSED MEMBER JOHNSON. CONGRATULATIONS, MS. POKIPALA. NEXT.\r\n\r\n>> CHAIR, BEFORE YOU IS RESOLUTION 24-61 REFERRING TO THE MAUI PLANNING COMMISSION A PROPOSED BILL RELATING TO A CONDITIONAL CHANGE IN ZONING FROM R3 RESIDENTIAL DISTRICT TO P-1 PUBLIC/QUASI-PUBLIC DISTRICT FOR APPROXIMATELY .75 ACRES LOCATED AT LAHAINA, MAUI, HAWAII TAX MAP KEY 2-4-5-014:054, GRACE BAPTIST CHURCH. >> MEMBER PALTIN. >> THANK YOU, I MOVE TO ADOPT RESOLUTION 24-61. >> SECOND. >> MOVED BY MEMBER PALTIN, SECOND BY VICE-CHAIR SUGIMURA TO ADOPT RESOLUTION 24-61. DISCUSSION, MEMBER PALTIN. >> THANK YOU, CHAIR. IN THE DAYS AFTER THE FIRE, BEFORE WE HAD ANY CONNECTIVITY, I MET MR. BROWN AND SOME OF HIS PARISHIONERS WHO CAME ONE WEEKEND AND SET UP A TENT AND TABLES, AND LUGGED IN FOUR, FIVE LARGE SUITCASES AND INSIDE THE SUITCASES THEY HAD HANDMADE BLANKETS, QUILTS, AND EACH HANDMADE BLANKET HAD IN THE PACKAGE A BIBLE, AND FINANCIAL DONATION, THAT THEY DIDN'T ADVERTISE OF THE FINANCIAL DONATION AS PEOPLE PICKED OUT THEIR QUILTS, THEY WOULD GIVE THE PERSON A HUG, AND JUST LET THEM KNOW OF WHAT WAS ALSO INSIDE THE PACKAGE.\r\n\r\nAND A LOT OF SURVIVORS WERE HAPPY TO GET SOMETHING LIKE THAT, YOU KNOW? BECAUSE IT'S NOT SOMETHING THAT YOU CAN BUY IN A STORE. YOU KNOW? IT WAS HANDMADE BY FOLKS THINKING ABOUT MAUI, AND THE SURVIVORS. AND MR. BROWN SHARED WITH ME SOME OF THE CHALLENGES THAT THEY WOULD HAVE IN REBUILDING THE CHURCH, BECAUSE YOU KNOW, THEY HAD TRIED TO MAKE SOME CHANGES OVER THE YEARS, AND WITH THE ZONING NOT ALIGNING WITH THE USAGE, HAD RUN INTO THESE PROBLEMS, AND SO HE WAS CONCERNED AT HIS ADVANCED STAGE, HAVING LOST HIS OWN HOUSE AND OTHER PASTORS AND MEMBERS OF HIS CHURCH, EVEN LOSING SOME MEMBERS OF THE CHURCH, IF HE WOULD BE AROUND TO SEE THE REBUILD. AS WE GOT TO TALKING I MENTIONED THAT WE HAD JUST DID I CHANGE OF ZONING FOR MOKU ROOTS TO MOVE INTO THE OLD CHARTER HOUSE AND WANTED TO MOVE BY THE END OF THE YEAR, BECAUSE THEIR LEASE WAS UP.\r\n\r\nSO YOU KNOW, THAT MOVES FORWARD, BUT UNFORTUNATELY, THAT WHOLE PROPERTY BURNED DOWN AND THEY ARE GETTING REMOVED FROM THEIR EXISTING LEASE ANYWAY. BUT I PRESENTED THIS AS A POSSIBLE OPTION TO SAVE TIME, AND EXPENSE, AND HE WAS VERY GRATEFUL. HE SAID HE WOULD COME TO ALL THE MEETINGS THAT WE TOLD HIM ABOUT TO SUPPORT IT, AND I HAD FORGOTTEN TO CALL HIM TODAY, AND YET, HE WAS STILL HERE. SO I THINK THAT SHOWS SOME OF HIS COMMITMENT. I MADE ATTEMPTS TO REACH OUT TO OTHER CHURCHES OUTSIDE OF THE SMA, BECAUSE I KNOW THE SMA IS ITS OWN ANIMAL. SO FAR, THEY ARE THE ONLY ONES THAT HAVE POSITIVELY RESPONDED. I DON'T KNOW IF PEOPLE WERE AT THE CONVENTION ON MAUI AND THAT WAS ONE OF THE VISIONS OF THE MAYOR'S ADVISORY GROUP ARCHIE KALEPA TO SEE ALL OF OUR CHURCHES REBUILT.\r\n\r\nTHIS IS JUST THE FIRST ONE, OUT OF MANY. IF WE COULD MOVE THIS FORWARD TO THE PLANNING COMMISSION TODAY, I THINK IT WOULD MEAN A LOT TO ALL THE PARISHIONERS OF THE GRACE BAPTIST CHURCH IN THAT THEY WILL BE ABLE TO MOVE FORWARD THAT MUCH FASTER. TCH I WENT TO THAT CEREMONY WITH ALL OF THE CHURCHES IN LAHAINA AND IT WAS VERY MOVING. IT'S AMAZING HOW MUCH THESE LITTLE CHURCHES DID FOR THE COMMUNITY, THEY GAVE AND THEY HELPED AND THE INTERESTING THING, I WENT TO CATHOLIC SCHOOL ALL MY LIFE AND NEVER SAW SO MANY PASTORS WEARING SLIPPERS, ALL THOSE YEARS

I NEVER SAW THE PRIESTS' FEET. EVERYBODY READY TO VOTE ON THIS? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? OKAY.\r\n\r\nNINE AYES, ZERO NOS, MOTION CARRIES. >> CHAIR BEFORE YOU IS RESOLUTION 24-62 APPOINTMENT MEMBERS TO THE CONSERVATION PLANNING COMMITMENT FOR THE COUNTY OF MAUI. >> OKAY, MR. SINENCI. THIS IS YOURS. >> THANK YOU, CHAIR. MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT UNDERSTAND RULE 7G OF THE RULES OF THE COUNCIL, AS IT RELATES TO RESOLUTION 24-62. >> SECOND.\r\n\r\n>> MOVED BY MEMBER SINENCI, SECONDED BY PRO TEM KAMA TO WAIVE RULE 7G. AND DISCUSSION? MEMBER SINENCI. >> THANK YOU, CHAIR. THIS RESOLUTION IS PART OF THE MASS NOMINATION PROCESS THAT HAS BEING TAKING PLACE TODAY TO ENSURE THE SEATS ARE FILLED BEFORE THEIR EXPIRATION DATE ACTION MUST BE TAKEN TODAY. SO WE MUST APPROVE THIS WAIVER BEFORE WE CAN CONSIDER THIS RESOLUTION TODAY, CHAIR. >> ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. >> AYE.\r\n\r\n>> NINE AYES, ZR NOS, MOTION CARRIES, MR. SINENCI. >> THANK YOU, CHAIR. MOVE TO ADOPT RESOLUTION 24-62. >> SECOND. . MOVED BY MEMBER SINENCI, SECONDED BY PRO TEM KAMA TO ADOPT RESOLUTION 24-62. DISCUSSION, MEMBER SINENCI. >> THANK YOU, CHAIR. THIS ADDITION SOUTH DAKOTAS MR.\r\n\r\nSAM AKOI 4TH TO THE EAST MAUI COMMUNITY PLAN AREA RESIDENCY SEAT AND KEEPS THE NOMINATIONS OF -- [SPEAKER NOT UNDERSTOOD] FOR THIS REASON, I ASK FOR THE MEMBERS' FULL SUPPORT. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. NINE AYES, ZEROS NO, MOTION CARRIES. >> THANK YOU, MEMBERS. >> THANK YOU. CHAIR BEFORE YOU IS RESOLUTION 24-635 AUTHORIZING ACCEPTANCE OF PRIVATE DONATIONS TO THE DEPARTMENT OF MANAGEMENT TO HELP THE COUNTY'S RECOVERY FROM THE AUGUST 8TH, 2023 WILDFIRES.\r\n\r\n>> VICE-CHAIR SUGIMURA. >> I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REVEL AND REPORT UNDER RULE 7G OF THE RULES OF COUNCIL AS IT RELATES TO RESOLUTION 24-65. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY PRO TEM KAMA TO WAIVE RULE 7G. DISCUSSION, MEMBER SUGIMURA. >> MEMBERS, THIS RESOLUTION AUTHORIZES ACCEPTANCE OF DONATIONS FROM VARIOUS ENTITIES FOR THE COUNTY'S WILDFIRE RECOVERY EFFORTS. COMMITTEE DISCUSSION MA NOT BE NECESSARY ON THIS ITEM AND WAIVING THIS RULE TODAY WILL ALLOW US TO TAKE ACTION. >> ANY MORE DISCUSSION? I WANT TO LET YOU KNOW THAT I'M WORKING ON AN ORDINANCE.\r\n\r\nI WISH WE HAD IT IN PLACE, BUT IT'S NOT TOO LATE. SO WHEN WE ALL GO ON THE AIR OR INTERVIEWED BY REPORTERS, WE REFER THEM TO ONE PLACE, AND THAT IS THE MAUI COUNTY -- THE MAUI COUNTY WEBSITE AND UNDER A SPECIFIC, A SPECIFIC CATEGORY. BECAUSE THIS WAY, WE CAN ATTRACT AND INVITE PEOPLE TO SEND IT TO DIRECTLY TO THE COUNTY, SEND THE MONEY TO THE COUNTY. IF WE HAD DONE THAT EARLIER, I THINK WE WOULD HAVE BEEN HALF A BILLION DOLLARS BY NOW. ANY MORE DISCUSSION? >> I MOVE TO ADOPT RESOLUTION 24-65. >> SECOND. >> MOVED BY MEMBER VICE-CHAIR SUGIMURA AND SECONDED BY MEMBER KAMA.\r\n\r\n>> CHAIR, MY APOLOGIES, WE DIDN'T TAKE THE VOTE ON THE MOTION. >> ALL IN FAVOR SAY AYE. NINE AYES, ZEROS NO, MOTION CARRIES, YOUR MOTION TO ADOPT BY YOU AND PRO TEM KAMA. ANY MORE DISCUSSION? >> YEAH. SO I JUST WANTED TO MENTION THE DONATIONS THAT ARE COMING FORWARD. TO EXPRESS MY SINCERE APPRECIATION TO ASAKA JAPAN, AND THE AMERICAN ASSOCIATION OF MOTOR VEHICLE ADMINISTRATORS AND OTHER PRIVATE INDIVIDUALS FOR THEIR GENEROUS DONATIONS TO THE COUNTY AS IT CONTINUES TO DO RECOVERY WORK.\r\n\r\nTHE DONATIONS ARE LARGE AMOUNTS FROM FUKUYAMA CITY. \$47,000. ALMOST \$48,000. FROM KALANA IT'S ALMOST \$200,000. MI YOKO GIMA CITY - [SPEAKER NOT UNDERSTOOD] IT HELP WITH THE RECOVERY OF THE AUGUST 8TH WILDFIRE. >> ALL IN FAVOR THE MOTION, RAISE YOUR HAND, SAY AYE. NINE AYES, ZERO NOS, MOTION CARRIES GOING ON TO ORDINANCES. >> I JUST HAD A QUESTION . SURE. WHERE IS THE MONEY GOING TO? >> IT'S GOING TO HELP THE DEPARTMENT OF MANAGEMENT TO HELP THE COUNTY'S RECOVERY.\r\n\r\n>> OKAY. FOR WEST MAUI. >> YES. NATURALLY, OF COURSE. ORDINANCES. >> MADAM CHAIR, CURRENTLY WE HAVE TWO PEOPLE SIGNED UP TO TESTIFY ON ORDINANCES. THE FIRST TESTIFIER IS SHAYNE AGAWA TESTIFYING ON BILL 55, FOLLOWED BY FAITH CHASE.\r\n\r\nTHANK YOU, CHAIR, THANK YOU MEMBERS TO WORKING SO HARD AND SO LET YOU KNOW SPECIFICS ABOUT BILL 55 THAT YOU MAY NOT KNOW ALREADY. SO THE DETERMINE ASKED TO FILE THE ORIGINAL BILL 40 THAT WAS HEARD IN BFED. BUT THE OFFICE ASSISTED US IN CREATING BILL 55, WHICH IS A REVISED

REGISTRATION. THERE WAS SOME CLARIFICATIONS AS TO THE FUNDING SOURCES REGARDING CIP VERSUS OPERATION. SO YOU SEE SOME CHANGES THERE. JUST WANTED TO MAKE NOTE THAT THE ORIGINAL REQUEST RELATED TO BILL 40 WAS \$7 MILLION WITH HELP OF THE SOLID WASTE DIVISION AND WORK WE BROUGHT THAT TOTAL DOWN TO \$5,850,000 I BELIEVE IT IS. SO THERE WAS A DECREASE IN THE ASK.\r\n\r\nAND THIS MONEY IS USED -- IS GOING TO BE USED TO PRODUCE, AND DEVELOP THE TDS AT THE CENTRAL MAUI LANDFILL, AS WELL AS THE PERMANENT DISPOSAL SITE. SO WE ASK COUNCIL'S SUPPORT IN APPROVING THIS TO EXPEDITE THOSE OPERATIONS. THANK YOU. >> DID SOMEBODY HAVE QUESTIONS? THE NEXT PERSON TO TESTIFY? >> THANK YOU, CHAIR. THE NEXT TESTIFIER IS FAITH CHASE, TESTIFYING ON BILL 55. MS.\r\n\r\nCHASE, THIS IS YOUR OPPORTUNITY TO TESTIFY. YOU ARE UNMUTED ON OUR END. MS. CHASE SHE IS NOT ON. LET'S GO. >> CHAIR, WE'RE NOT BEING ABLE TO GET A RESPONSE FROM MS. CHASE.\r\n\r\nAND THERE IS NO ONE ELSE CURRENTLY SIGNED UP TO TESTIFY. >> ALL RIGHT. COUNTDOWN. >> CHAIR, IF THERE'S ANYONE WHO WOULD LIKE TO TESTIFY AT THIS TIME, PLEASE LET US KNOW. AND THIS IS LAST CALL. THE COUNTDOWN IS 3, 2, 1. >> MEMBERS, ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY ON ORDINANCES? >> NO OBJECTION.\r\n\r\n>> OKAY. MS. CLERK. >> THANK YOU, CHAIR, BEFORE YOU IS BILL 50 (2024) A BILL FOR AN ORDINANCE AMENDING ORDINANCE 5546 TO CORRECT THE PLACEMENT OF DEFINITION OF "NON-DWELLING AGRICULTURAL CONSUMER." . >> MEMBER SINENCI. >> MAHALO, CHAIR. MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT UNDER RULE 8G OF THE RULES OF THE COUNCIL, AS IT RELATES TO BILL 50 (2024). >> SECOND MOVED BY IT MEMBER SINENCI, SECONDED BY VICE-CHAIR SUGIMURA TO WAIVE RULE 7G. DISCUSSION ON THE RULE, MR. SINENCI.\r\n\r\n>> MAHALO, CHAIR. MEMBERS, THIS BILL CONNECTS AN INADVERTENT ERROR IN THE MAUI COUNTY CODE AND REFERRAL TO COMMITTEE IS NOT NECESSARY, BUT APPROVING THE WAIVER TODAY WILL GET IT PASSED ON FIRST READING. THANK YOU. >> >> OKAY. ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. >> AYE. >> EIGHT AYES, ZERO NOS, ONE EXCUSED.\r\n\r\nMEMBER KAMA, MOTION CARRIES. MR. SINENCI. >> THANK YOU, CHAIR, MOVE TO PASS BILL 50 (2024) ON FIRST READING. >> SECOND. >> MOVED BY MR. SINENCI, SECONDED BY VICE-CHAIR SUGIMURA TO PASS BILL 50 ON FIRST READING.\r\n\r\nMY MORE DISCUSSION. >> THANK YOU, CHAIR. MEMBERS THIS BILL IS TO CORRECT THE ERROR IN ORDINANCE 5546, WHICH INADVERTENTLY PLACED A NEW WATER CODE DEFINITION IN THE WRONG MAUI COUNTY CODE SECTION INSTEAD OF PLACING THE DEFINITION IN SECTION 14.01.040, IT WAS PLACED IN SECTION 14.01.010. CORPORATION COUNSEL IS AVAILABLE FOR ANY QUESTIONS, IF YOU HAVE ANY. THANK YOU, CHAIR. >> ANY QUESTIONS OR COMMENTS? NONE, ALL IN FAVOR THE MOTION, RAISE YOUR HAND, NINE AYES, -- EIGHT AYES, ZERO NOS, ONE EXCUSED. MEMBER KAMA.\r\n\r\nMOTION CARRIES. NEXT. >> THANK YOU, CHAIR, FOR REFERRAL TO THE GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE IS BILL 51 (2024) BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH STATE OF HAWAII, DEPARTMENT OF HEALTH. >> ANY OBJECTIONS TO REFERRING THIS MATTER TO THE GREAT COMMITTEE? >> NO OBJECTIONS. >> SO ORDERED NEXT. >> CHAIR FOR REFERRAL TO THE WATER AUTHORITY, SOCIAL SERVICES, AND PARKS COMMITTEE IS BILL 52 (2024) BILL FOR AN ORDINANCE TO AUTHORIZE A COMMUNITY RECREATIONAL GARDENS PROGRAM.\r\n\r\n>> ANY OBJECTIONS TO REFERRING THIS MATTER TO THE WASSP COMMITTEE? NO OBJECTIONS ER SO ORDERED NEXT. >> CHAIR TO THE REFERRAL TO THE BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE IS BILL 54 (2024) BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 204 BUDGET FOR THE COUNTY OF MAUI REVENUES AND DEPARTMENT OF FINANCE, COUNTYWIDE COSTS, INSURANCE PROGRAMS AND SELF-INSURANCE, MAUI WILDFIRES COMPENSATION PROGRAM. >> ANY OBJECTIONS TO REFERRING THIS MATTER TO THE BFED COMMITTEE. >> NO OBJECTIONS. >> SO ORDER. >> CHAIR, BEFORE YOU IS BILL 55 (2024) BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI REVENUES, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, SOLID WASTE OPERATIONS PROGRAM DEPARTMENT OF FINANCE, COUNTYWIDE COUNTIES SUPPLEMENTAL TRANSFER TO THE SOLID WASTE FUND CAPITAL IMPROVEMENT PROJECTS DEPARTMENT OF ENVIRONMENTAL MANAGEMENT WAILUKU-KAHULUI COMMUNITY PLAN AREA.\r\n\r\n>> VICE-CHAIR SUGIMURA. >> I MOVE TO WAIVE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT AS IT RELATES TO BILL

55. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY MEMBER JOHNSON TO WAIVE RULE 7G ON THIS ITEM, WHICH IS BILL 55. ANY DISCUSSION ON THIS MATTER? >> I THINK DIRECTOR AGAWA EXPLAINED IT, BUT THIS BILL REPLACES BILL 40 (2024), WHICH WE RECOMMENDED FILING EARLIER IN THE MEETING IN COMMITTEE REPORT, AND WE DISCUSSED THIS BILL IN COMMITTEE. >> OKAY. SO ALL THOSE IN FAVOR OF WAIVING THE RULE -- RAISE YOUR HAND, SAY AYE. >> AYE.\r\n\r\n>> EIGHT AYES, ZERO NOS, ONE EXCUSED. MEMBER KAMA. MOTION CARRIES. VICE-CHAIR SUGIMURA. >> I MOVE TO PASS BILL 55 (2024) ON FIRST READING. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY MEMBER COOK TO PASS BILL 56 ON FIRST READING.\r\n\r\nDISCUSSION -- >> 55. >> 55. >> HAD BILL RECOGNIZES CARRY OVER SAVINGS AND TRANSFERS IT TO THE SOLID WASTE FUND. \$1.279 MILLION WILL GO TO OPERATIONS PROGRAM FOR COSTS RELATING TO THE TDS, TEMPORARY DISPOSAL SITE FOR THOSE IN THE ALTERNATIVE DEBRIS REMOVAL PROGRAM, AND FOR EXPENDITURES INCURRED WHILE THE DEPARTMENT EVALUATED PERMANENT SITES INCLUDING OLOWALU. THE REMAINDER \$4,575 MILLION WILL BE FOR CIP FOR THE LAHAINA WILDFIRE DISPOSAL SIDE INCLUDING LAND ACQUISITION, DESIGN PERMITTING OTHER ACTIVITIES TO THE PERMANENT DISPOSITION SITE AND FOR DESIGN AND CONSTRUCTION COSTS FOR THE ALTERNATIVE DEBRIS REMOVAL PROGRAM TEMPORARY SITE, BOTH OF WHICH WILL BE LOCATED AT CENTRAL MAUI LANDFILL. I RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT FOR MY MOTION. THANK YOU. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR, RAISE YOUR HAND, SAY AYE EIGHT AYES, ZERO NOS, ONE EXCUSED, PRO TEM KAMA.\r\n\r\nMOTION CARRIES. >> CHAIR, BEFORE YOU IS BILL 56 (2024) BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM GENERAL PAUKUKALO PARK FENCING. >> VICE-CHAIR SUGIMURA I MOVE TO WAIVE REQUIREMENT UNDER RULE 7G THE RESULTS OF THE COUNCIL AS IT RELATES TO BILL 56 (2024). >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY MEMBER COOK TO WAIVE RULE 7G REGARDING BILL 56. DISCUSSION? VICE-CHAIR SUGIMURA. >> MEMBERS THIS IS CHAIR LEE'S BILL. THIS BILL CHANGES THE ORGANIZATION THAT WILL HANDLE PAUKUKALO PARK FENCING WHICH IN THE FISCAL YEAR 24 BUDGET UNDER THE MAYOR'S ECONOMIC DEVELOPMENT PROGRAM COMMITTEE DISCUSS MAY NOT BE NECESSARY ON THIS ITEM AND ACTION TODAY IS APPROPRIATE. THANK YOU.\r\n\r\n>> ANY MORE DISCUSSION? THIS IS BEING DONE SIMPLY, BECAUSE THIS IS PART MY OF MY DISTRICT FUNDS AND WE HAD ORIGINALLY ASSIGNED IT TO DHHL, WHICH WAS A BIG MISTAKE, SO NOW WE'RE TAKING IT BACK TO OED. ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. EIGHT AYES, ZERO NOS, ONE EXCUSED. MEMBER KAMA. MOTION CARRIES. NEXT.\r\n\r\n>> DID WE VOTE? >> ALL THOSE -- SO YOU ARE MAKING YOUR MAIN MOTION MAIN MOTION NOW. I MOVE TO PASS BILL 56 (2024) ON FIRST READING, AND CHAIR LEE EXPLAINED WHY. >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY MEMBER COOK TO PASS BILL 56 ON FIRST READING. AND DISCUSSION? ANY MORE DISCUSSION? >> NO.\r\n\r\n>> OKAY. ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. EIGHT AYES, ZERO NOS, ONE EXCUSED. MEMBER KAMA. MOTION CARRIES. >> CHAIR FOR REFERRAL TO THE BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE IS BILL 57 (2024) BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI APPENDIX A, PART 1 DEPARTMENT OF HOUSING AND HUMAN CONCERNS AMERICAN RESCUE PLAN ACT HOMEOWNER ASSISTANT FUND. >> MEMBERS, ANY OBJECTS TO REFERRING THIS TO BFED COMMITTEE.\r\n\r\n>> NO. >> SO ORDER NEXT. >> CLAIR BEFORE YOU IS BILL 58 (2024) BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI OFFICER OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM GRANTS AND DISBURSEMENTS FOR BUSINESS DEVELOPMENT AND TECHNOLOGY KAHULUI MAKAWAO-PA'IA- HAIKU, PUKALANI-KULA-'ULUPALAKUA AND MOLOKA'I, SOUTH MAUI AND WEST MAUI ECONOMIC DEVELOPMENT, ENVIRONMENTAL, AND CULTURAL PROGRAMS. >> VICE-CHAIR SUGIMURA. >> I MOVE TO WAIVE RULE 7G OF THE RULES OF THE COUNCIL AS IT RELATES TO BILL 58 (2024). >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY MEMBER UU-HODGINS TO WAIVE THE RULE 7G. DISCUSSION, VICE-CHAIR SUGIMURA. >> MEMBERS, THIS ADDS AND UPDATES CONDITIONS TO VARIOUS ECONOMIC DEVELOPMENT, ENVIRONMENTAL, AND CULTURAL LINE ITEMS IN THE FISCAL YEAR 24 BUDGET. >> ANY MORE DISCUSSION?\r\n\r\nIF NOT, ALL THOSE IN FAVOR OF THE RULE WAIVER, RAWS YOU'RE HAND, SAY AYE. >> AYE. >> NINE AYES, ZERO NOS, EIGHT AYES, ZERO NOS. ONE

EXCUSED. MEMBER KAMA. MOTION CARRIES. NOW MEMBER SUGIMURA I MOVE TO PASS BILL 58 (2024) ON FIRST READING.\r\n\r\n>> OKAY. >> MEMBER SINENCI. >> CHAIR? >> OKAY SEVEN AYES. SEVEN AYES, >> HE JUST VOTED. >> TOO LATE. [LAUGHTER]. >> SEVEN AYES, TWO EXCUSED.\r\n\r\nMOTION CARRIES. VICE-CHAIR SUGIMURA. >> SO THIS BILL AMENDS FISCAL YEAR 24 BUDGET FOR THE OFFICE THE MAYOR, MAYOR'S ECONOMIC DEVELOPMENT PROGRAM TO UPDATE VARIOUS ECONOMIC DEVELOPMENT ENVIRONMENTAL CULTURAL PROGRAMS LINE ITEMS. >> MY APOLOGIES WE JUST NEED A SECOND ON YOUR MOTION SORRY ABOUT THAT. >> YOU CAN FINISH YOUR DISCUSSION. >> SO THAT IS IT. IT'S PROBABLY ALL OF OUR DISTRICT POTS THAT ARE BEING UPDATED.\r\n\r\nI WANT TO THANK LUANA MAHI AND TINA SILVA FOR REACHING OUT AND WORKING WITH THE COUNCIL MEMBERS ON REMAINING FUNDS IN THEIR RESPECTIVE RESIDENCY AREAS AND NO NEW FUNDING IS BEING ADDED TO THE BUDGET BY THIS BILL. I WILL LET THE OTHER MEMBERS SPEAK TO THE NEW OR REVISED CONDITIONS OF THE PROGRAMS FOR THEIR RESPECTIVE RESIDENCY AREAS, IF THEY WOULD LIKE, BUT IF NOT, LET'S VOTE. THANK YOU, CHAIR. >> I HAVE NO IDEA WHAT YOU MEANT JUST NOW. >> YOU CAN SAY WHATEVER YOU WANT REGARDING YOUR RESIDENCY AREA, BUT I DON'T THINK YOURS IS IN THERE. >> ANY DISCUSSION? ALL THOSE IN FAVOR, RAISE YOUR HAND, SAY AYE.\r\n\r\nSO THAT IS EIGHT AYES, ONE EXCUSED, MEMBER KAMA. >> BEFORE YOU IS BILL 59 (2024) BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI APPENDIX A, PART 1 DEPARTMENT OF HOUSING AND HUMAN CONCERNS FEDERAL DISASTER RELIEF GRANT FUNDS. >> VICE-CHAIR. >> I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT AS IT RELATES TO BILL 59 (2024). >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY MEMBER UHODGINS TO WAIVE THE RULE 7G ON BILL 59. DISCUSSION? VICE-CHAIR SUGIMURA. >> MEMBERS THIS ADDS GRANT TO APPENDIX A OF FISCAL YEAR 24 BUDGET FOR THE DEPARTMENT OF HOUSING AND HUMAN CONCERNS, COMMITTEE DISCUSSION MAY NOT BE NECESSARY ON THIS ITEM, SO ACTION TODAY IS APPROPRIATE. THANK YOU.\r\n\r\n>> YES, MEMBER PALTIN. >> I DON'T HAVE A PROBLEM WITH TAKING ACTION TODAY. JUST A COUPLE OF QUESTIONS IS THIS GRANT FUNDS FOR THE COMMUNITY TO APPLY FOR? OR IS IT GRANT FUNDS FOR THE DEPARTMENT TO UTILIZE IN RESPONSE TO THE DISASTER? >> SO THIS IS OFFICE ON AGING. AND THEY ARE ASSISTING SUPPORT RECOVERY EFFORTS FOR OLDER ADULTS CAREGIVERS, EMPLOYED CARE GIVERS AFFECTED BY THE MAUI WILDFIRE. >> SO I GUESS MY MAIN QUESTION, HOW WILL PEOPLE IN THE COMMUNITY THAT ARE DOING THIS KIND OF WORK AND MAY NEED THESE TYPES OF FUNDS KNOW ABOUT IT?\r\n\r\nIN ORDER TO APPLY FOR THOSE FUNDS? >> GO AHEAD, VICE-CHAIR. >> I DON'T KNOW IF SHE IS STILL ON, BUT ROWENA DAGDAG-ANDAYA WOULD BE AVAILABLE. >> SHE IS ON VACATION. >> MAYBE MS. MILNER KNOWS THE ANSWER. SHE IS THE ACTING BUDGET DIRECTOR.\r\n\r\n>> SHE IS RAISING HER HAND. I DON'T KNOW IF SHE IS UNMUTED. >> OKAY. >> HI. GOOD EVENING COUNCIL MEMBERS AND THANK YOU FOR ALLOWING THIS PRESENTATION ON THE FEDERAL DISASTER RELIEF GRANT FUNDS FROM THE ADMINISTRATION ON COMMUNITY LIVING OF THE FIRST OFF I WANTED IT THANK YOU AGAIN FOR ALLOWING THIS ITEM TO BE DISCUSSED TODAY AND TO THANK FAITH GORDON OF REGION 9 OF COMMUNITY LIVING AND STATE EXECUTIVE OFFICE ON AGING FOR REACHING OUT TO US IMMEDIATELY AFTER THE FIRES TO DISCUSS THESE DISASTER RELIEF GRANT FUNDS. THESE MONIES ARE TO BE USED SPECIFICALLY FOR RECOVERY FROM THE MAUI WILDFIRE INCIDENT. THEY ARE NOT DIRECT MONEYS THAT ARE USED DIRECTLY TOWARDS CAREGIVERS OR PARTICIPANTS BUT THEY ARE TO BE USED FOR TITLE III SERVICES SUCH AS ADULT DAYCARE, OR PERSONAL CARE, HOME-DELIVERED MEALS, CONGREGATE PROGRAM AND SORRY -- HEALTHY AGING PROGRAMS.\r\n\r\nIT'S IS TO BE USED FOR -- THEY ARE NOT TO BE ALSO USED TOWARDS PREVENTION, RESPONSE FROM OTHER MAJOR DISASTERS, AND EMERGENCIES. IT'S SPECIFICALLY FOR THE MAUI WILDFIRE INCIDENT THAT OCCURRED ON AUGUST 8TH. EXPENDITURES MAY INCLUDE THINGS LIKE OVERTIME COSTS FOR US OUR OFFICE STAFF, PURCHASE OF REPLACEMENT EQUIPMENT OR RENTAL OF SPACE. THIS IS FOR -- WE CAN USE IT TOWARDS ASSISTING OUR SENIOR CENTER IN PAYING FOR ANY PURCHASE OF EQUIPMENT THAT WAS LOST FROM THE FIRE, OR TO RENT SPACE, PURCHASE SUPPLIES. IT CANNOT BE USED TOWARDS CONSTRUCTION OR TO REPLACE OR RENOVATE ANY KIND OF BUILDING IMPACTED BY THE FIRE. WE PREPARED A BUDGET ALONG WITH STATE EXECUTIVE OFFICE ON AGE AUK IDENTIFIED THE FOLLOWING ITEMS, AGAIN AS I

MENTIONED EQUIPMENT PURCHASES FOR THE WEST MAUI SENIOR CENTER, RECOVERY TO REPLACE ALL OF OUR NON-PERISHABLE FOODS AND MEALS READY-TO-EAT THAT WE UTILIZED DURING THE FIRE GIVEN TO THE RED CROSS THE DAY AFTER AND ALSO USING THE MONIES TO PROPOSE TO USE THE MONEY TO COVER ANY TITLE 3 CONTRACTED SERVICES FOR PARTICIPANTS AFFECTED IN WEST MA I AND UP COUNTRY, THINGS AGAIN, LIKE I MENTIONED ADULT DAYCARE, IN HOME RESPITE AND LEGAL SERVICES THROUGH OUR CONTRACTOR AND FINANCIAL MANAGEMENT. IT ALSO WOULD COVER SERVICES IN TITLE III D HEALTHY AGING PROGRAMING, COVERING RENTAL FOR ANY TEMPORARY SPACES NEEDED FOR OUR ENHANCED FITNESS PROGRAM.\r\n\r\nRIGHT NOW WE DON'T HAVE A LOCATION. WE USE THE SENIOR CENTER, AND WE'RE CURRENTLY LOOKING FOR A SPACE THAT IS APPROPRIATE TO HOLD THESE FITNESS CLASSES, AND TO DO MORE ONLINE PROGRAMS TO CONNECT OUR SENIORS IN WEST MAUI. AND HELP THEM STAY PHYSICALLY ACTIVE. SO THAT IS BASICALLY WHAT THE MONIES ARE INTENDED FOR. >> >> THANK YOU MS. DAG DAG-ANDAYA. IF I COULD JUST ASK YOU VERIFY THAT IT'S WEST MAUI AFFECTED SENIORS RECEIVING THESE SERVICES?\r\n\r\n>> YES. AND WE WOULD HAVE TO PREPARE A REPORT THAT WE WOULD SHARE WITH THE STATE EXECUTIVE OFFICE ON AGING. SO THEY HAVE BEEN VERY -- YOU KNOW, IN PARTNERSHIP OR IN COLLABORATION, IN CONSULTATION ACTUALLY WITH ACL, THE MONIES, I MEAN WE HAVE A VERY STRICT CONTRACT WITH THEM, THAT THE MONIES ARE TO BE USED TOWARDS SERVICES THAT WOULD DIRECTLY BENEFIT, AND ASSIST IN RECOVERY FOR WEST MAUI WILDFIRE, AS WELL AS UP COUNTRY. THOSE WHO WERE AFFECTED. >> I WOULD JUST SAY, LIKE, YOU KNOW, ONLINE IS GREAT, BUT IF FOR OUR WEST MAUI SENIORS, ESPECIALLY, IF THERE'S AFTER AN OPPORTUNITY TO GATHER THEM IN-PERSON, EVEN JUST TO WALK THE KA'ANAPALI BOARDWALK OR SOMETHING, FROM WHAT I SEE, THAT IS INVALUABLE. LIKE YOU KNOW, PEOPLE WITH FACE TIME THEIR FRIENDS OR GO ON A COMPUTER, LIKE COVID ERA. BUT I HEARD RAVE REPORTS OF THE BINGO AT LAHAINA AND IT WASN'T ABOUT THE BINGO, BUT SEEING THEIR FRIENDS.\r\n\r\nEVEN COFFEE AT MCDONALDS TO SEE EACH OTHER IN PERSON AND WALK AROUND THE MALL AND BOARDWALK, TO DO THAT, I THINK IS MUCH MORE VALUABLE. SO TRANSPORTATION IS DEFINITELY AN ISSUE, AS THERE'S A WEST MAUI -- WORLD GOING ON. IF WE CAN USE THE MAJORITY OF THE MONIES TO BE ABLE TO LET THEM SEE EACH OTHER IN-PERSON, BECAUSE THAT THE BENEFITS OF THAT IS IMMEASURABLE, IN MY OPINION. THANK YOU. >> THANK YOU, COUNCIL MEMBER. TO HAVE THOSE PROGRAMS AND COMBAT SOCIAL ISOLATION. >> ANY MORE DISCUSSION?\r\n\r\nIF NOT ALL THOSE IN FAVOR, RAISE YOUR HAND, SAY AYE. EIGHT AYES, ONE EXCUSED. MEMBER KAMA. MOTION CARRIES. >> THANK YOU, ROWENA FOR BEING WITH US. >> THANK YOU. >> VICE-CHAIR, I THINK WE'RE STILL -- WE'RE NOW ON YOUR MOTION TO PASS FIRST READING?\r\n\r\n>> I MOVE TO PASS BILL 59 ON FIRST READING. >> SECOND. >> MOVED AND SECONDED TO PASS THIS BILL ON FIRST READING. EIGHT AYES, ZERO NOS, ONE EXCUSED MEMBER KAMA. MOVING ON TO ORDINANCES SECOND AND FINAL READING, BILL 6 CD IS (2024) BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER PINTO AN INTERGOVERNMENTAL AGREEMENT WITH THE UNIVERSITY OF HAWAII REGARDING THE HAWAII BROADBAND EQUITY ACCESS AND DEPLOYMENT PROGRAM INITIAL PLANNING FUNDS. >> VICE-CHAIR SUGIMURA. >> IF THERE'S NO OBJECTIONS TO ASK THE CLERK TO BRING UP BILL 34 CD 1 (2024) BILL 35 CD 1 (2024) AND BILL 45 (2024). >> ANY OBJECTIONS?\r\n\r\nSO ORDERED. MS. CLERK. >> BILL 34 CD 1 (2024) BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI APPENDIX A, PART II SPECIAL PURPOSE REVENUES, SCHEDULE OF REVOLVING/ SPECIAL FUNDS FOR FISCAL YEAR 2024 AFFORDABLE HOUSING FUND HALE PILINA. BILL 35 CD 1 (2024) BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI APPENDIX A, PART II SPECIAL PURPOSE REVENUES, SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2024 AFFORDABLE HOUSING AIKANAHA. AND BILL 45 (2024) BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI APPENDIX A, PART 1 OFFICE OF THE PROSECUTING ATTORNEY, OFFICE FOR VICTIMS OF CRIME. >> VICE-CHAIR SUGIMURA.\r\n\r\n>> THANK YOU. I MOVE TO PASS BILL 6 CD 1 (2024), BILL 34 CD 1 (2024) BILL 35 CD 1 AND BILL 45 ON SECOND AND FINAL READING. >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY UU-HODGINS TO PASS BILLS 6 CD 1,34, CD 1,35 CD 1,45. ON SECOND AND FINAL READING. DISCUSSION, VICE-CHAIR SUGIMURA. >> NO DISCUSSION. BUT I WANT TO JUST THANK THELMA KEALOHA SITTING HERE WAITING ALL DAY

FOR US TO PASS HALE PILINA AND NOW YOU CAN GO HOME. I ASK FOR MEMBERS' SUPPORT.\r\n\r\nTHANK YOU FOR WORKING HARD ON THESE BILLS. >> ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MOTION RAISE YOUR HAND, SAY AYE. EIGHT AYES, ONE EXCUSED, MEMBER KAMA. MOTION CARRIES. NEXT. >> LAST.\r\n\r\n>> CHAIR, BEFORE YOU IS BILL 46 (2024) BILL FOR AN ORDINANCE ESTABLISHING AN ASH DEBRIS TRANSPORTATION FUND. >> >> MEMBER PALTIN, LAST BILL. THE ASH ONE. BILL 46. >> ASH DEBRIS TRANSPORTATION FUND I MOVE TO ADOPT BILL 46 ON SECOND AND FINAL READING. >> YOU DON'T WANT TO ADOPT IT, BUT PASS IT. >> I MOVE TO PASS IT ON SECOND AND FINAL READING. >> VERY GOOD.\r\n\r\nMOVED BY MEMBER PALTIN, SECONDED BY MEMBER JOHNSON TO PASS BILL 46 (2024) ON SECOND AND FINAL READING. DISCUSSION, MEMBER PALTIN. >> THANK YOU, MEMBERS. THIS IS MY ATTEMPT TO THE AFFECTS THAT LOOKS LIKE CENTRAL MAUI WOULD BE THE FINAL DISPOSITION SITE. THIS WAS MY EFFORT TO ADDRESS IT. IT REMAINS TO BE SEEN, IF WHAT THE FEES DURING BUDGET WILL BE. BUT THIS IS IN PLACE, IF WE'RE ABLE TO FIGURE IT OUT DURING BUDGET OF WHAT FEES WOULD BE APPROPRIATE TO OFFSET SOME OF THE IMPACTS >> ANY MORE DISCUSSION?\r\n\r\nALL THOSE IN FAVOR OF THE MOTION, PLEASE RAISE YOUR HAND AND SAY AYE. EIGHT AYES, ONE EXCUSED, MEMBER KAMA, MOTION CARRIES. THAT BRINGS US TO THE END, I BELIEVE, MS. CLERK? ARE YOU SURE? WE WOULD LOVE TO STAY HERE LONGER TO COMMISERATE. ANYBODY HAVE ANYTHING IMPORTANT TO SAY?\r\n\r\nWELL HAVE A NICE WEEKEND. SAFE ONE, BEHAVE YOURSELVES AND I WILL SEE YOU ON MONDAY, PROBABLY. THANK YOU EVERYBODY, ALL OUR STAFF, EVERYBODY WHO IS ON THE CALL. THANK YOU SO MUCH FOR ALL YOUR SUPPORT. THIS MEETING IS ADJOURNED. [GAVEL]