

HOUSING AND LAND USE COMMITTEE
Council of the County of Maui

M I N U T E S

April 5, 2024

Online via Teams Link

RECONVENE: 2:01 p.m.

PRESENT: Councilmember Tasha Kama, Chair
Councilmember Tom Cook, Vice-Chair
Councilmember Alice L. Lee, Member
Councilmember Tamara Paltin, Member
Councilmember Keani N.W. Rawlins-Fernandez, Member
Councilmember Shane M. Sinenci, Member (In 2:21 p.m.)
Councilmember Yuki Lei K. Sugimura, Member (In 2:21 p.m.)
Councilmember Nohelani U'u-Hodgins, Member (In 2:21 p.m.)

EXCUSED: VOTING MEMBERS:
Councilmember Gabe Johnson, Member

STAFF: Paige Greco, Legislative Analyst
Ellen McKinley, Legislative Analyst
Carla Nakata, Legislative Attorney
Maria Leon, Committee Secretary

Roxanne Morita, Council Aide, Lānaʻi Residency Area Office
Mavis Oliveira-Medeiros, Council Aide, East Maui Residency Area Office

Additional Staff:

Executive Assistants to Councilmember Kama

Evan Dust

Lei Kama-Sickels

Executive Assistants to Councilmember Cook

Jared Agtunong

Stacy Takahashi

Executive Assistant to Councilmember Johnson

Axel Beers

Executive Assistant to Councilmember Lee

Michele McLean

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Executive Assistant to Councilmember Paltin
Angela Lucero

Executive Assistants to Councilmember Rawlins-Fernandez
Sarah Sexton
Haunani Madela
Keomailani Hirata

Executive Assistant to Councilmember Sinenci
Dawn Lono

Executive Assistants to Councilmember U'u-Hodgins
Laura McDowell
Susan Clements

ADMIN.: Andrew Nelson, Deputy Corporation Counsel, Department of the Corporation Counsel
Tara Furukawa, Planner V, Department of Planning
Danny Dias, Planning Program Administrator, Department of Planning

OTHERS: Debbie Cabebe, Executive Director, Maui Economic Opportunity
Grant Chun, Executive Director, Hale Mahaolu
Monte Heaton, Highridge Costa
Trevor Yucha, Cultural Surveys Hawaii
Kelcee Mira, ATA
Peter Horovitz
Catherine Hall, Carlsmith Ball
Mark Roy, Munekiyo Hiraga
Hoku Krueger, Munekiyo Hiraga

Additional attendees: 8

PRESS: Akakū: Maui Community Television, Inc.

CHAIR KAMA: . . .*(gavel)*. . . Good afternoon, everyone. The HLU Committee meeting of...actually the recessed meeting of March 6th, 2024, which was recessed to reconvene on March 13th, 2024, which was recessed to reconvene on March 27th, 2024, and reconvene again today, is now come to order. It is now April 5th, 2024, it is now 2:02 p.m. And members of the public, we just got out of a late early morning meeting, and our Members have not yet been able to finish their lunches. And so, we're going to take a 15-minute break and a recess, and come back at 2:20 p.m. This meeting is now in recess. . . .*(gavel)*. . .

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RECESS: 2:02 p.m.

RECONVENE: 2:21 p.m.

CHAIR KAMA: . . .*(gavel)*. . . The Housing and Land Use Committee reconvened meeting of today will now reconvene. I'm Tasha Kama, Chair of the Committee, and this meeting is now reconvened at 2:21 p.m. So, before we begin, I'd like to say aloha 'auinalā to our Committee Vice-Chair Tom Cook.

VICE-CHAIR COOK: Aloha, Chair.

CHAIR KAMA: And to our Council Chair Alice Lee.

COUNCILMEMBER LEE: Chair, I'd like to say aloha to you and everyone, and especially the people from Zimbabwe. Hesi. I know they're watching, you know, right now.

CHAIR KAMA: Okay. Aloha, also, to our Vice...Council Vice-Chair Yuki Lei Sugimura.

COUNCILMEMBER SUGIMURA: Did you say [es-ee]? [Es-ee, es-ee], oh, okay. Hesi, hesi. Looking forward to a productive meeting. Thank you.

CHAIR KAMA: I also want to say aloha 'auinalā to our Councilmember Tamara Paltin.

COUNCILMEMBER PALTIN: Aloha 'auinalā kākou.

CHAIR KAMA: Member Gabe Johnson has recused himself from today, but we want to say aloha to our Councilmember Keani Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha 'auinalā kākou.

CHAIR KAMA: And to our Councilmember Nohe U'u-Hodgins.

COUNCILMEMBER U'U-HODGINS: Aloha, Chair. Aloha, everyone.

CHAIR KAMA: And our Councilmember Shane Sinenci, *(audio interference)* today.

COUNCILMEMBER SUGIMURA: He was here. Oh, sorry.

MS. GRECO: Chair, he's joined online, but maybe not joined yet.

COUNCILMEMBER SINENCI: Aloha 'auinalā, Chair. I'm in the meeting from my home office, here by myself.

CHAIR KAMA: Aloha 'auinalā to you, Councilmember Sinenci. We all have with us, from the Department of the Corporation Counsel, our Deputy Andrew Nelson. And we have from

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the Department of Housing and Human Concerns, Lori Tsuhako, who is not able to join us. But if we need, we can always put in a call to her, and she will come back. We have from the Department of Planning, Tara Furukawa, Planner V, and Danny Dias, the Planning Program Administrator. We also have in the audience...

UNIDENTIFIED SPEAKER: Aloha, Chair.

CHAIR KAMA: Yes. Oh, aloha. We also have in the audience Debbie Cabebe, the Executive Director of MEO; Grant Chun, the Executive Director of Hale Mahaolu; Monte Heaton from Highridge Costa, who will be joining us remotely; Trevor Yucha from the Cultural Surveys Hawai'i; Kelcee Mira from ATA, who will be joining us remotely; Peter Horovitz as himself; Catherine Hall from Carlsmith Ball; Mark Roy from Munekiyo Hiraga; and Hoku Krueger from Munekiyo Hiraga. We have our Committee Staff; Paige Greco, our Legislative Analyst. Aloha.

MS. GRECO: Aloha, Chair. Aloha, Members.

CHAIR KAMA: And we have our other Legislative Analyst Ellen McKinley. Aloha, Ellen.

MS. MCKINLEY: Aloha, Chair. Aloha, Members.

CHAIR KAMA: And we have our Committee Secretary Maria Leon. Aloha.

MS. LEON: Aloha, Chair and Members.

CHAIR KAMA: And we have our Legislative Attorney Carla Nakata. Aloha.

MS. NAKATA: Aloha, Chair and Members.

CHAIR KAMA: And our Assistant Clerk Lei Dinneen. So, I just want to say thank you, Members, for being here today. And so, we have with us today the amended list of five conditions that was voted on by the Committee. Oh, wait, let me go this way. Sorry.

ITEM HLU-26: BILL 28 (2024), DISTRICT BOUNDARY AMENDMENT FOR
HALE MAHAOLU KE KAHUA PROJECT (WAILUKU)

CHAIR KAMA: So, Members, thank you for attending today's reconvened HLU Committee meeting, and we are considering our consideration of Bill 28(2024), District Boundary Amendment for Hale Mahaolu, Ke Kahua Project in Wailuku. So, this is a recessed meeting. Oral testimony is closed, but written testimony is accepted via eComment at mauicounty.us/agendas. So, Members, we have a main motion on the floor to pass Bill 28 (2024). We also have a motion to substitute Bill 28 with the CD1 version of the bill as amended on March 27th. The amended list of five conditions voted on by the Committee has been distributed at today's meeting, so you should have all had it on

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your desk. So, Members, pending before this body is a motion to substitute as amended. And any further discussion on the motion on the floor? Member Cook.

VICE-CHAIR COOK: Are we going to vote on the conditions? Yeah?

CHAIR KAMA: We're going to...the vote today is to amend, right? Then we're going to do a substitute, and then to take the vote on the main motion. So, those are two things we have to do today.

VICE-CHAIR COOK: Okay.

CHAIR KAMA: But yes...your answer to the question is yes, we're going to vote today. Yes, Member Paltin, and then Member Sugimura.

COUNCILMEMBER PALTIN: Oh, I just wanted to clarify. Is there a motion on the floor at this time? And if there is, what...what is it?

VICE-CHAIR COOK: Yeah, that's what I wanted. Go ahead.

CHAIR KAMA: So, the motion on the floor would be a motion to substitute, but it is not on the floor, no. I will ask for a motion to substitute, as amended, which is the exhibit, which includes the revised list of the amendments that you just got a little while ago, which is . . . *(inaudible)*. . .

MS. NAKATA: Excuse me, Chair?

CHAIR KAMA: Yes?

MS. NAKATA: Chair, I'm sorry. So, I believe we have the main motion pending, and also a motion to substitute as amended. So, that motion is already pending on the floor.

CHAIR KAMA: Oh, the motion's pending, so we just need to vote? Is that what you're saying, Carla? So, there is a motion?

MS. NAKATA: There is a motion to substitute as amended pending on the floor.

CHAIR KAMA: Okay.

MS. NAKATA: So, discussion and voting.

CHAIR KAMA: Okay, so the discussion. There is a motion. Thank you. Member Paltin.

COUNCILMEMBER PALTIN: Can I further clarify? So, the vote right now is to substitute what was posted with these conditions --

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CHAIR KAMA: Yeah.

COUNCILMEMBER PALTIN: -- and then after that vote, it would be the...we would be voting on the main motion as amended?

CHAIR KAMA: Correct. You are correct.

COUNCILMEMBER PALTIN: Okay.

CHAIR KAMA: So, if I understand, Carla, then right now, we should be taking...discussion, and then taking the vote on the substitution, correct?

MS. NAKATA: Yes, Chair. Thank you.

CHAIR KAMA: Okay. Is that clear, Members? I know it's been a while since we were here last. Member Lee?

COUNCILMEMBER LEE: So, if this was on the floor, then some of these were agreed to and some weren't?

CHAIR KAMA: No, this is what we...we did agree to all of this.

COUNCILMEMBER LEE: This...we agreed to...we voted and agreed to all of these five conditions?

CHAIR KAMA: Yes.

COUNCILMEMBER LEE: So, the...the ones that we...you're going to pass out next --

CHAIR KAMA: No, this is it.

COUNCILMEMBER LEE: Oh, this is it?

CHAIR KAMA: This is it.

COUNCILMEMBER LEE: Oh, okay.

CHAIR KAMA: This is the motion to substitute.

COUNCILMEMBER LEE: Okay, thank you.

CHAIR KAMA: I'm sorry. Then Member Sugimura, you had a question or a discussion? No?

COUNCILMEMBER SUGIMURA: So, that's what I was going to say.

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CHAIR KAMA: Okay.

COUNCILMEMBER SUGIMURA: Based upon the last meeting, this is...and has --

CHAIR KAMA: Okay.

COUNCILMEMBER SUGIMURA: -- has...has the developers seen this final version? I know I have a scribbly one that I marked up, but can we share it with them?

CHAIR KAMA: I don't know that question, but we can ask them.

COUNCILMEMBER PALTIN: Whenever you're ready for discussion, I have discussion.

CHAIR KAMA: Okay. Okay, now...so, Member Sugimura, they now already have it.

COUNCILMEMBER SUGIMURA: Okay. So, I just want to make sure that they're...they're fine, right?

CHAIR KAMA: Yeah.

COUNCILMEMBER SUGIMURA: This going to impact them.

CHAIR KAMA: Okay. So, Member Paltin, yes. Discussion.

COUNCILMEMBER PALTIN: So, I would...I would support the...the motion to substitute because I think that the new Number 3 is more specific. It calls out when and how often the minimum amount of times that they would inspect and clean the drainage culvert. It also calls out that the developer must give preference to Maui County residents based on their length of residency, and to those displaced by the August 2023 Maui...wildfires on Maui Island. So, I think that is an improvement to the previous list of conditions. Even if all the conditions that I was for didn't get in, I'll vote for the improvement to be substituted to what was previously under consideration.

CHAIR KAMA: Thank you. Any other discussion? Seeing none. So, can we take a roll call...do we need to take a roll call vote, or can we just...yes, Member Lee?

COUNCILMEMBER LEE: I thought we were going to try and get the response from the developer?

CHAIR KAMA: You want...okay. We could. So, please state your name for the record.

MR. ROY: My name is Mark Roy with Munekiyo Hiraga. Good afternoon, Chair, Members of the Committee. The applicant has reviewed the five conditions that are being discussed on the floor this afternoon, and are in agreement with those five conditions. Thank you very much for your consideration today.

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CHAIR KAMA: Are you good with that, Member Sugimura and everybody?

COUNCILMEMBER LEE: Yeah, you know, that's fine.

CHAIR KAMA: Thank you, Mr. Roy. Okay, so we're back to the vote. So, my question to the body was, do we need a roll call vote, or can we just call for the vote? Roll call? Okay. Member Lee.

COUNCILMEMBER LEE: Aye.

CHAIR KAMA: Member Sugimura.

COUNCILMEMBER SUGIMURA: Aye.

CHAIR KAMA: Member Paltin.

COUNCILMEMBER PALTIN: Aye.

CHAIR KAMA: Member Johnson is recused. Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: No.

CHAIR KAMA: Member Cook.

VICE-CHAIR COOK: Aye.

CHAIR KAMA: Member U'u-Hodgins.

COUNCILMEMBER U'U-HODGINS: Aye.

CHAIR KAMA: Member Sinenci.

COUNCILMEMBER SINENCI: No.

CHAIR KAMA: Thank you. So, the vote is six...oh, and I vote yes, so the vote is six to two, with six...with one recused and one no. Thank you so very much.

COUNCILMEMBER SUGIMURA: Two "noes."

COUNCILMEMBER LEE: Two "noes."

COUNCILMEMBER SUGIMURA: Sinenci and --

CHAIR KAMA: Oh, two "noes," and one recusal. So, it's six, right?

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CHAIR KAMA: Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. And at the last meeting, I had expressed my...my comments, and...and like I said back then, I supported the land swap for this project so that those residents in this AMI category would be near wraparound services and have walkability to stores and shops. I liked the property when it was used as a pu'uhonua for prisoners seeking reentry back into society, and when it had little to no impacts on the 'āina. The Waiehu community had concerns about building out the area without first addressing the traffic challenges and the...and the roadways, and the Pehuino family has expressed their claims to the property from before plantation days. So, Chair, these are the reasons I won't be supporting the project today. Thank you.

CHAIR KAMA: Thank you, Member Sinenci. Any other discussion?

VICE-CHAIR COOK: . . .*(inaudible)*. . .

CHAIR KAMA: Roll call? Oh, I'm sorry. Member Cook.

VICE-CHAIR COOK: . . .*(inaudible)*. . .

CHAIR KAMA: Oh, okay. So, we're going to do roll call, starting with Member Lee.

COUNCILMEMBER PALTIN: I'll...I'll do my discussion.

CHAIR KAMA: Yes.

COUNCILMEMBER PALTIN: I think I jumped the gun on my discussion last time because it was on the motion to substitute instead of the --

CHAIR KAMA: Main motion, yeah.

COUNCILMEMBER PALTIN: -- main motion as amended. So, I think this would be the appropriate time for the discussion that I had. Just that I agree. I...I totally could have supported this development on the land swap parcel, which was bigger and better situated for low-income housing. And we definitely do have that need for low-income housing, but we can't just put it any of the places. And, you know, I'll...I'll kind of reiterate what I said last time, that I met Mr. Harry Brown long before I became on the Council. I met him the first time in doing adaptive kayaking with Kahiau, his son. And we took folks out on jet skis and...or a sled, or kayaks, and things like that, and that was the first time I met Mr. Brown. And...and every time after, when I see them, it's...you know, say hi and whatnot. And when he came...the multiple times that he came, he indicated that he knew that his family's iwi is on that land, and I don't have any reason to believe that he would be lying. And as we heard in previous presentations, you know, like from Dr. Sai himself, that his grandfather's father...grandfather was a citizen of the Nation of Hawai'i, and in November 20th, 1843,

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Hawai'i was legally recognized as an independent sovereign state. And as we have learned, that the only way for an independent sovereign state to be taken over by any other independent sovereign state is through a treaty, as it states in the U.S. Constitution--I believe it's Article VI, Section 2, the Supremacy Clause--and that there never was a treaty, whether it would be of annexation or cession, and then asking the question then, how is Hawai'i a part of America? And all the information points to a joint resolution of Congress. And if there could be a joint resolution of Congress that could make one sovereign nation take another sovereign nation without a treaty, then they could just joint resolution of Congress Ukraine, or Gaza Strip, or anything, and they can't do that because it's not the way it's done. And then, if it's not the way it's done, then what we're suffering from is illegal, belligerent, prolonged occupation by the United States. And, you know, we've heard from...from the community during some of the budget hearings where they think that because of the situations in their communities, that we're living in a third world country. I heard it multiple times at the budget hearing. And...and I think that's part of the confusion. We're not living in a third world country, we're living in an occupied nation, where the rules on paper and the laws are not benefiting the people of...that live here, of this place, because it's a constitution that was developed for a different nation, that isn't this nation. We're subject to the Jones Act, which is harmful to us; we're subject to Federal IRS taxes, which is harmful to us; all these paper rules that...that don't benefit us here in Hawai'i, and in fact, are just kind of like playing a football game with baseball rules. And so, when a person that I've met and have a great deal of respect for tells me that his iwi kūpuna is on that land and...you know, I...I believe him. And although we...we desperately do need affordable housing, it's not to take away somebody else's land, or desecrate somebody else's iwi kūpuna in the process of doing it, especially when there was another way to provide it through a land swap. And then, you know, even if we're considering that United States [sic] is a part of America, if that were true, the people around there are saying that the traffic is an issue, the flooding is an issue, and that they're expecting, I guess, you know, many, many, many more homes up above as well, I think is what Director Sniffen said, he didn't have the exact details of that project, I think. So, I...I...it's...it's a difficult position to be in when there are so many things that are out of our control in terms of America and Hawai'i, and the State of Hawai'i, that the only thing I...I have...have a choice over right now is this vote. And I think that to vote yes would be like the...the war crime of usurpation of sovereignty, the war crime of the law of sepulcher, and it's not like other cases where we did not have any other choices. In...in this opportunity, there was a choice of more land someplace else that didn't run into this problem of 'ohana that are pili to this place. So, I don't think it's my place to say that they don't know where their 'āina is, and so I won't be able to support the main motion as amended. Thank you, Chair.

VICE-CHAIR COOK: Chair?

CHAIR KAMA: Thank you, Member Paltin. Yes, Member Cook?

VICE-CHAIR COOK: Can we call for the vote?

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COUNCILMEMBER RAWLINS-FERNANDEZ: Chair?

VICE-CHAIR COOK: Or ask Corp. Counsel. I...my heart goes out, and I hear it, but I'd like to hear from Corp. Counsel. We're here at the Council, we're making a meeting, and, like, what is the law we're following? What is the guidelines that we're following? This...this project has come before us, it's been signed off by Corp. Counsel, we've had multiple hearings about it, and I need to know where we stand legally. And I'd like to be able to vote on it and move on. What's the status of our...of the legality of this particular bill that we're working on now?

MR. NELSON: I...I don't think there's any legal issues with you voting on it. That'd be Corp. Counsel's position.

VICE-CHAIR COOK: Okay. So, Chair?

CHAIR KAMA: Yes?

VICE-CHAIR COOK: Can we vote? Call for the vote?

CHAIR KAMA: Roll call vote?

COUNCILMEMBER RAWLINS-FERNANDEZ: I'm sorry, Chair. Point of order.

CHAIR KAMA: Yes?

COUNCILMEMBER RAWLINS-FERNANDEZ: You cannot stop discussion if there is continued discussion. Sorry, that's procedure.

CHAIR KAMA: . . .*(inaudible)*. . .

VICE-CHAIR COOK: I apologize. I thought...I thought that our discussion was complete.

CHAIR KAMA: Yeah, she is.

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, I have discussion.

COUNCILMEMBER PALTIN: My...my discussion is complete.

VICE-CHAIR COOK: Chair?

CHAIR KAMA: Yes?

VICE-CHAIR COOK: It's up to you. Are we going to...am I inter---am I out of order by calling for the vote?

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COUNCILMEMBER SUGIMURA: Just let Keani give her --

CHAIR KAMA: Yeah. And so, I mean, he was asking Corp. Counsel a question, which is okay, but he still wants to vote, right? And so, Keani said wait, I'm not finished with my discussion. So, now it's...okay, I didn't realize Keani had a discussion, and so she has said she does --

COUNCILMEMBER RAWLINS-FERNANDEZ: Councilmember Rawlins-Fernandez.

CHAIR KAMA: -- and so --

COUNCILMEMBER RAWLINS-FERNANDEZ: Not Keani.

CHAIR KAMA: Oh, I'm sorry.

COUNCILMEMBER RAWLINS-FERNANDEZ: It's okay.

CHAIR KAMA: Member Sinenci, did you have discussion?

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

CHAIR KAMA: Oh, okay. So, yes, now you have discussion.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR KAMA: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: So, Robert's Rules say you cannot call for the question until discussion is exhausted, and it hasn't been exhausted. I'm sorry, Member Cook, if this discussion makes you uncomfortable. It shows that you care. I can see that it makes you visibly uncomfortable, and it should. It should. This morning, we heard Librarian of the Year Betsy Knight share how a library patron recently told her, "I feel erased. I feel erased." I feel that so deeply. It's what we heard from the descendants of Pehuino, who have come to every meeting, hoping and praying their pleas--do not erase them from this place--would not fall on deaf ears. That it would open the hearts of our Councilmembers so that they could be heard and understood. I know some of my colleagues see placing building units for people of lower AMI as adequate justification for severing the 'ohana from their 'āina, and their ancestral kuleana of protecting the iwi at Kuhimana, as their kūpuna did before them. That perhaps this 'ohana and other local people will get the opportunity to live there. We have tried with the condition...conditions on Exhibit C, but cannot fully guarantee who will get a spot there, not when Federal funds would be used. It would have to be opened up to anyone in America to also get an opportunity to a unit. I don't know how that justifies forever severing an 'ohana from their ancestral 'āina for others...it doesn't

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for me. As we have learned from Dr. Kēhaulani Kauanui, colonization is not a one-time event. It is an ongoing process that continues today, literally today, in this meeting. As a reminder, settler colonialism occurs when foreign settlers arrive in an already-inhabited territory to permanently inhabit it and establish a new society. Intrinsically connected to this is the displacement or elimination of existing residents, and destruction of their society. That's what this project is doing, permanently displacing and eliminating existing 'ohana, who have, intrinsically, a connection to this place, and further destroying our culture. Professor Dean Saranillio presented in my Committee about the history of native people stewarding 'āina, and perpetuating a healthy ecosystem for everyone, versus how capitalist control of land and ecosystem collapse. Aside from the flooding, traffic, and crowding, this project would be concretizing fertile 'āina. If we want to restore the ecosystem and heal our lands and our people, then we cannot support this DBA or this project. The trespassing case MEO pursued did not result in them quieting the title. Any heir, at any time in the future could challenge MEO's possessory interests, which means the County is investing in something that is not legally sound, and incurs risk and liability. In the findings of facts and conclusions of law, it states, "The records presented by MEO to assert its possessory interests, however, does not sufficient"... "is not sufficient to entitle MEO to quiet title against the potential claimants, even if they had been named as parties." And that's from the Court, since, Member Cook, you're interested in that. On the website...on his website, it says Peter Horovitz advises clients in the areas of commercial and residential real estate, corporate land use and development, ensuring that his clients are positioned to thrive in Hawai'i's unique regulatory and challenging business environment. This is undoubtedly the...not the first time Mr. Horovitz had to deal with pesky Kānaka with legitimate claims to their ancestral 'āina. Why would I, or any of us, trust the opinion of someone who made a living displacing 'ohana from their 'āina? Especially after Ms. Costa provided us with documentation that Mr. Horovitz did not consider, in formulating his opinion, whether he just didn't find it, or intentionally did not include it because it inconveniently doesn't align with the opinion he would like. Even our own attorneys wouldn't verify title because they know it's not their place, even if it's not illegal for us to take this vote today. MEO was given the opportunity to move this project to Kahului in Pu'unēnē, in a far less culturally-sensitive area, with possibly...for...for twice the amount of units, and they declined, using timeline as the excuse. Continuing in Waiehu is not going to be more expedient if they continue to have legal issues because the title hasn't been quieted. This project will never be built.

CHAIR KAMA: Thank you. Any other discussion, Members? Member Lee.

COUNCILMEMBER LEE: Thank you. I appreciate the many comments both for and against the project. However, international law does not fall under the...you know, not within the Council's jurisdiction. Also, I believe that MEO has done its due diligence, has tried to comply with our legal requirements. And one thing about MEO is that no other agency can compare to how much they've helped the less fortunate, from preschool to senior citizens. This project is an indication of exactly how they fulfill their mission, is

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to help the less fortunate, those who need and are desperate for affordable housing, and that's why I'm supporting this project. Thank you.

CHAIR KAMA: Thank you. Any other discussion, Members? If not, roll call. Paige?

MS. GRECO: Councilmember U'u-Hodgins.

COUNCILMEMBER U'U-HODGINS: Yes.

MS. GRECO: Councilmember Sugimura.

COUNCILMEMBER SUGIMURA: Yes.

MS. GRECO: Councilmember Sinenci.

COUNCILMEMBER SINENCI: 'A'ole.

MS. GRECO: Councilmember Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: 'A'ole.

MS. GRECO: Councilmember Paltin.

COUNCILMEMBER PALTIN: No.

MS. GRECO: Chair Lee.

COUNCILMEMBER LEE: Aye.

MS. GRECO: Councilmember Johnson is recused. Committee Vice-Chair Cook.

VICE-CHAIR COOK: Aye.

MS. GRECO: Committee Chair Kama.

CHAIR KAMA: Yes.

MS. GRECO: Chair, you have five "ayes," three "noes," one excused...sorry, one recused.
Motion carries.

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Council of the County of Maui

April 5, 2024

VOTE: **AYES:** **Chair Kama, Vice-Chair Cook, and Councilmembers Lee, Sugimura, and U‘u-Hodgins.**

NOES: **Councilmembers Paltin, Rawlins-Fernandez, and Sinenci.**

ABSTAIN: **None.**

ABSENT: **None.**

EXC.: **Councilmember Johnson.**

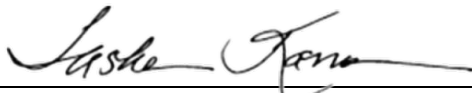
MOTION CARRIED.

ACTION: **Recommending FIRST READING of Bill 28, CD1 (2024).**

CHAIR KAMA: Thank you. So, Members, this will...this bill will now move on to the Council, with our recommendation for passage on first reading as amended. Seeing as how there is no further business for the Committee today, thank you, everyone, for attending today's meeting. The time now is 2:52, and today's recessed meeting of the Housing and Land Use Committee is now adjourned. . . .*(gavel)*. . .

ADJOURNED: 2:52 p.m.

APPROVED:



TASHA KAMA, Chair
Housing and Land Use Committee

hlu:min:240405r:mll:kr

Transcribed by: Kaliko Reed

**HOUSING AND LAND USE COMMITTEE MINUTES
Council of the County of Maui**

April 5, 2024

CERTIFICATION

I, Kaliko Reed, hereby certify that pages 1 through 16 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 25th day of April 2024, in Wailuku, Hawai'i



Kaliko Reed