

**BUDGET, FINANCE, AND ECONOMIC  
DEVELOPMENT COMMITTEE**  
Council of the County of Maui

**MINUTES**

**May 26, 2023**

**Online Only via BlueJeans**

**CONVENE:** 9:01 a.m.

**PRESENT:** Councilmember Yuki Lei K. Sugimura, Chair  
Councilmember Tasha Kama, Vice-Chair  
Councilmember Tom Cook, Member  
Councilmember Gabe Johnson, Member  
Councilmember Alice L. Lee, Member  
Councilmember Shane M. Sinenci, Member  
Councilmember Nohelani U'u-Hodgins, Member

**EXCUSED:** Councilmember Tamara Paltin, Member  
Councilmember Keani N.W. Rawlins-Fernandez, Member

**STAFF:** Lesley Milner, Senior Committee Analyst  
Kasie Apo Takayama, Senior Committee Analyst  
Richelle Kawasaki, Legislative Attorney  
Yvette Bouthillier, Senior Committee Secretary  
Lenora Dinneen, Council Services Assistant Clerk

**Additional staff:**

Executive Assistant for Councilmember Tom Cook:  
Jared Agtunong

Executive Assistant for Councilmember Gabe Johnson:  
Kate Griffiths

Executive Assistants for Councilmember Tasha Kama:  
Davideane Kama-Sickels  
Evan Dust

Executive Assistant for Councilmember Alice L. Lee:  
Michele McLean

Executive Assistants for Councilmember Keani N.W. Rawlins-Fernandez:  
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**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

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Executive Assistant for Councilmember Shane M. Sinenci:  
Dawn Lono

Executive Assistants for Councilmember Yuki Lei K. Sugimura:  
Arthur Suyama  
Jordan Helle  
Jennifer Matsumoto

Executive Assistants for Councilmember Nohelani U'u-Hodgins:  
Laura McDowell  
Susan Clements

Residency Area Offices (RAO):  
Mavis Oliveira-Medeiros, Council Aide, East Maui Residency Area Office  
Roxanne Morita, Council Aide, Lānaʻi Residency Area Office  
Zhantell Lindo, Council Aide, Molokaʻi Residency Area Office  
Jade Rojas-Letisi, Council Aide, Makawao-Haʻikū-Pāʻia Residency Area Office

**ADMIN.:** Marci Sato, Accounting System Administrator, Department of Finance  
Dan Shupack, County CIP Coordinator, Department of Management  
Bradford K. Ventura, Fire Chief, Department of Fire and Public Safety  
Robert Schmidt, Deputy Director, Department of Environmental Management  
Patrick McCall, Director, Department of Parks and Recreation  
Sam Marvel, Chief of Planning and Development, Department of Parks and Recreation  
Jordan Molina, Director, Department of Public Works  
John Stufflebean, Director, Department of Water Supply  
Thomas Ochwat, CIP Engineer, Department of Water Supply  
Ortaine Acidera, Waterworks Fiscal Officer, Department of Water Supply  
Maria Zielinski, Budget Director, Office of the Mayor  
Kristina Toshikiyo, Deputy Corporation Counsel, Department of the Corporation Counsel

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

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CHAIR SUGIMURA: . . .*(gavel)*. . . Good morning. Welcome to the Budget, Finance, and Economic Development Committee. It is now 9:01 a.m. Today is May 26, and we are ready for an interesting meeting. It's a continuation from what we were talking about in the Budget Committee. My name is Yuki Lei Sugimura, and I am the Chair of this Committee. And I would like to welcome everybody to this online meeting, which is being conducted in accordance with the Sunshine Law. As a reminder, when your name is called, if you are not in the Council Chamber,

**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

---

please identify who...who is with you by name, and if anyone is in the room, vehicle, or workspace with you today. Minors do not need to be identified. So, first of all, welcome, Vice-Chair Tasha Kama.

VICE-CHAIR KAMA: Aloha kakahiaka, Chair. And annyeonghaseyo to all of my colleagues there in the Chambers.

CHAIR SUGIMURA: Annyeonghaseyo. Now we have the expert, Chair Lee.

COUNCILMEMBER LEE: Actually, the expert is Member Cook. But I am Korean, so I can say annyeonghaseyo to everyone. Looking forward to your meeting, Madam Chair.

CHAIR SUGIMURA: Well done. Okay then, let's go to Member Cook. And let's hear how you say it.

COUNCILMEMBER COOK: Annyeonghaseyo, Chair and Members. And Aloha Friday, everybody.

CHAIR SUGIMURA: Annyeonghaseyo...sey...annyeonghaseyo. You'll call your wife? Okay. Next we have--good morning, Member Johnson.

COUNCILMEMBER JOHNSON: Good morning, Chair, Councilmembers, Committee Members. Annyeonghaseyo to you. That was not that very good, but that's okay. There's no testifiers at the Lānaʻi district office, and I'm here and ready to work. Mahalo.

CHAIR SUGIMURA: Ready. And do we have Member Sinenci here? We do. Member Sinenci, good morning.

COUNCILMEMBER SINENCI: Aloha kakahiaka and annyeonghaseyo to all my fellow Councilmembers. I'm here at the East Maui District Office with District Staff Dawn Lono and Mavis Medeiros, and there are no testifiers here.

CHAIR SUGIMURA: Annyeonghaseyo. Next we have Member Nohe Uʻu-Hodgins.

COUNCILMEMBER UʻU-HODGINS: Good morning, Chair. Annyeonghaseyo, everybody. Happy Aloha Friday.

CHAIR SUGIMURA: Good morning. Thank you very much, everyone. Also attending our meeting, we have Bob Schmidt from the Department of Environmental Management, Deputy Director. Department of Finance, Marci Sato, who is sitting up here ready for us. Department of Fire and Public Safety, Brad Ventura, which is our Chief. Department of Parks and Recreation, Director Patrick McCall. And Deputy...oh, Chief of Planning and Department, Sam Marvel. Department of

**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

---

Public Works, Jordan Molina. Department of Management, Dan Shupack, CIP Coordinator. Department of Water Supply, John Stufflebean, Director. Thomas Ochwat--is that how you say your last name...apologize if I'm saying it wrong--CIP Coordinator. Department of Corporation Counsel is Kristina Toshikiyo. And our awesome Staff is Yvette Bouthillier, our Committee Secretary, good morning, Yvette. Lesley Milner and Kasie Apo Takayama, our Analysts, thank you very much. And Richelle Kawasaki, Legislative Attorney...is she here? She's here. Online, okay. And from Corp. Counsel [sic] we have Lei Dinneen. Thank you very much, everyone, and welcome to the BFED Committee Meeting. We have one item on the agenda today, which is BFED-21(2), Capital Improvements Projects from lapse dates of 2018 or earlier. Please see the last page of your agenda for information on the meeting connectivity. Do we have any testifiers?

MS. MILNER: No, Chair. No one is currently signed up to testify.

CHAIR SUGIMURA: All right. Last chance for any testifiers. No one in the Chambers. So, at this time I'm going to close public testimony, receive any written testimony. I guess that's an indication of possibly a shorter meeting than you all thought. Thank you very much.

COUNCILMEMBERS: No objections.

CHAIR SUGIMURA: Thank you. So, no objections.

**. . .CLOSE OF PUBLIC TESTIMONY. . .**

**ITEM 21(2): CAPITAL IMPROVEMENT PROJECTS WITH LAPSE DATES OF 2018 OR EARLIER (Rule 7(B))**

CHAIR SUGIMURA: So, at this time then, I'm going to start this. I wanted to...I wanted to mention that the reason that I'm taking this up is, during our Budget Committee meeting--which thank you everyone for working hard on it--when this came up for CIP improvement projects with lapse dates, I said that I wanted to take it up in Committee. And what I really am looking for is if there's additional funding that's sitting in the CIP projects that we could move to whatever fund it came from, whatever pot it came from, right...Highway Fund, or General Fund, or whatever. So, that was my overall goal. The other thing that I wanted to accomplish is to standardize the reporting. Because if you look at Bill 23 in the...in our budget bills, CD1, it...it has the reports that I'm referencing. And you'll see that it's...it's being submitted by the Department in pretty...pretty information that we need, but I wanted to find out from the Members if you wanted additional information so when this quarterly reports come to us, we can understand what's happening with the CIP reports--CIP projects that you have passed in the past. So, that is the intention of this. And it couldn't be taken up

**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

---

during Budget Committee because it would be too much to take up. And I think that a bigger discussion with the departments would be in order. So, in this case...so, that is my explanation as to why I'm taking up this about lapse funds. And again, my overall goal was to see if there's any funding that we could put back into our coffers by looking at these CIP projects, and seeing how we can work together with the departments. So, first on the agenda, I've asked for Marci Sato to come and talk to us from the Department of Finance to provide comments, including the process the departments...the departments need to go through in order to close out these projects. And Marci, when you're going through your explanation, could you also tell us about--or did you want Management to explain about the recent discussions you've had about doing exactly that, standardizing this reporting. So, thank you, Marci.

**DEPARTMENT OF FINANCE**  
**DEPARTMENT OF MANAGEMENT**

MS. SATO: Chair, Councilmembers. Happy Friday. The report that we were going over is the one from Appendix A-I, Capital Improvement Project Reports. So, I was asked to do a little bit of an overview on it. This report details all...all of our active capital improvement projects that still have balances in them. And what we mean by balances is that if they're older...older years, prior years, there's encumbrances. And so, once a capital project is appropriated in the budget, the departments will then go out to bid, fill through the procurement process. They'll start with contracts. So, once a contract is executed, say it's executed for a million dollars, the Department of Finance will encumber the money. So, that's where we're talking about right now. The life of a CIP project is 18 months. So, say if a project for Fiscal '23 was appropriated in Fiscal '23, the department has until December 31st, 2023 to encumber the monies. Once...if it's not encumbered, then it is lapsed. So, this report shows any projects from previous years that still have remaining encumbrances if they're not from the current fiscal year. So, Chair Sugimura is looking at the \$255 million in encumbrances overall, and that's what we will be discussing today. So, when we talk about the process of disencumbering, to make...that would make the monies available. So, say if a contract has an encumbrance of a million dollars, and they only use \$950,000 of it, the department can request the Department of Finance to disencumber the remaining amount of \$50,000 from the contract. That will make the funds...put the funds...disencumber the funds, and we will put it back into the original funding source...so, General Fund, Highway Fund. Every year...so, the department can do that at any time, or when they final pay a contract. Every year, the Department of Finance sends a report to the...all of the departments for any contracts that has had no activity on it for two years. So, we send the report, and if they want to keep the monies encumbered, they have to send the request for approval to the Budget Director and the Managing Director. If not, we will disencumber the funds automatically by a certain date. So, most of the

**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

---

report...most of the projects, if not all, were approved at some point by the Managing Director and the Budget Office for it to stay open. We don't...the Department of Finance doesn't have the expertise, so we rely on the project managers to determine whether or not to keep the encumbrances open. But in a nutshell, that is what the process is. So, in order to disencumber the monies, the Department of Finance would get a request from the departments. Thank you.

CHAIR SUGIMURA: Thank you very much. You know, I see Dan Shupack in the audience from Department of Management. He's our CIP Coordinator for the County of Maui. Would you like to come down and add to the conversation with the meeting that you all had? Okay. Well, he's here, so he can add to the conversation about...about the reporting period. So, this is Dan Shupack, who is our new CIP Coordinator, everyone. It used to be, as you know, Dave Taylor. And he is the newly appointed CIP Coordinator for Department of Management. Dan Shupack, would you like to contribute to the conversation about standardizing the reporting--or add to what Marci Sato just said? Is that on?

MR. SHUPACK: Oh, green light. Okay, thank you. Thank you, Madam Chair. Yeah, I think Marci covered, I guess, the...the report...the encumbrances and the...kind of the basic CIP, you know, I guess encumbrance process and lapsing funds pretty well. We did recently have conversations about, I guess, the reporting...the quarterly reporting that is sent to Council, at which a report is coming soon for third quarter of FY'23. We're looking at standardizing the report, just to kind of, I guess...I guess, to serve two purposes. To make...one, to make the reports easier to process, easier to read for Councilmembers, and kind of make sure it gets all the information that they're looking for. And...and two is to kind of consolidate--you know, Finance has different reports that they go to the various departments for in addition to the report that the CIP Coordinator asks of the...of the departments. So, it's kind of just consolidating those reports into one so that we're not, like, duplicating efforts. So, the Department of Finance actually put together a draft report, which we're working on. We're just kind of passing it back and forth, getting comments, then we'll probably get comments from the various departments as well. So, we're looking to implement that report by the first quarter of FY'20...FY'24, so...

CHAIR SUGIMURA: Okay. Very good.

MR. SHUPACK: Thanks.

CHAIR SUGIMURA: And Marci, you have anything to add? Ms. Sato, you have anything to add?

MS. SATO: Not at this time. Thank you, Chair.

**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

---

CHAIR SUGIMURA: Okay. So, since Dan Shupack is here, I'm going to go out of order. Would you like to make a comment on any of your CIP reports that are reported in Bill 23, CD1, or any of your CIP projects that you're...would like to talk about their lapse dates or information--that can contribute to this meeting. So, in your Granicus, Members, number 1 is a list of all the different CIP projects that has lapse dates earlier than 2018. And number 2 is the DEM report on their CIP reports. So, if you want to look on your Granicus, you'll find the information. So, do you have anything to add, Mr. Shupack, regarding Management...from Management?

MR. SHUPACK: Not at this time, no.

CHAIR SUGIMURA: You don't. So, you don't have any projects that's older than 2018?

MR. SHUPACK: Okay, sorry. Yes, I...I did find one...I believe one, which was under government facilities.

CHAIR SUGIMURA: Yes.

MR. SHUPACK: Wailuku-Kahului Community Plan area for the municipal parking lot, which is the redevelopment of the old Wailuku municipal parking lot into the Wailuku Civic Complex project. And I believe that that....that was for the initial design work...design and planning for the Civic Complex project. And I believe that according to the report, there was, I think, 12...\$13,000 which had already lapsed. And that was, I think, everything that was remaining. So, yeah. I don't believe that there's any encumbered funds remaining from that project, so...

CHAIR SUGIMURA: So, in that kind of case then, if there are unencumbered funds that are just sitting there because the parking structure is being built, can you use those funds for that, or is this like a separate contract?

MR. SHUPACK: Yeah, I believe it was a separate contract. So, I think that those funds would just be disencumbered.

CHAIR SUGIMURA: Okay. At a certain time. Okay. And Hāna has Nāhiku Community Center? So, you're saying of all the government facilities, that's the only one that you see that may be disencumbered at the appropriate time? All the rest would stay then?

MR. SHUPACK: Sorry.

CHAIR SUGIMURA: Oh, okay.

MR. SHUPACK: Just...that...sorry, that was just for the Department of Management.

**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

---

CHAIR SUGIMURA: Oh, okay.

MR. SHUPACK: As far as Countywide, I'd have to...

CHAIR SUGIMURA: Okay. That's okay. I'm...I'm being told that as...it'll appear in other departments. When Fire comes up, or Parks comes up, or Public Works for the baseyard. Okay. So, thank you. Anybody have any questions for Mr. Shupack or Marci Sato before I call up the next department? Oh, Mr. Cook. Member Cook.

COUNCILMEMBER COOK: Thank you, Chair. Just for my...my education, when I'm looking at the amount lapsed in the column for all of the projects, if I go down to, like, West Maui Community Plan Area, Lāhainā Watershed Flood Control, GO 14-371-321213, lapsed 12/31/12. So, it's 2.5 million in change was the original amount, allocated to date, 361, expended for prior years, 262. Nothing for this year, nothing lapsed. And then encumbered is 98,000. So, if...is that \$98,000 of the total 2.5 million?

MS. SATO: Yes. So, the 2.563 million was what was originally appropriated. The 3...361,000 was what was actually used, whether it be in expenditures or encumbered. So, that 361,349, if...the expenditures of that 262,000 was expended and the remaining 900...98,899 is what is encumbered.

COUNCILMEMBER COOK: So, there's sort of a...a large amount of funds between what was allocated, expended, and encumbered. Where's the rest of it?

MS. SATO: That's a good question, Councilmember. I would have to research that one.

COUNCILMEMBER COOK: Okay.

MS. SATO: Right now, there's 98,899 to be disencumbered.

COUNCILMEMBER COOK: Right. So, yeah. Thanks. This...I'm just...I think this meeting is really good for my education and understanding, and then, with the department working on doing streamlining and working. So, thank you for that. I'll continue to study.

MS. SATO: You're welcome.

CHAIR SUGIMURA: Thank you. Good question. And that is the purpose for the meeting, you know, is to try to see if we can figure these...these things out. Okay. So, no one else have questions for Ms. Sato, or --

VICE-CHAIR KAMA: Chair.

CHAIR SUGIMURA: -- or...oh, I'm sorry.



**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

---

VICE-CHAIR KAMA: Chair.

CHAIR SUGIMURA: Member Kama.

VICE-CHAIR KAMA: Thank you. So, I just wanted to say that--you know, when Members are asking questions about what they're going to be referring to or if the departments are going to make a statement about whatever, would it...I think it would be helpful if they gave us a page number --

CHAIR SUGIMURA: Okay.

VICE-CHAIR KAMA: -- and a reference number or something so that we can go to the page to figure out what are we talking about, as opposed to trying to figure it out with these 32 pages that I'm flipping through. So, if that would...if you could ask the departments if they could do that, I would appreciate that. And then, I think then we can really follow along with the information that's being transmitted.

CHAIR SUGIMURA: Okay.

VICE-CHAIR KAMA: And a question for you, Chair. According to what Ms. Sato said, that, you know, every two years, right, they go through, they ask for the reports so that they can continue to encumber. And if they don't get a report, then they automatically disencumber, right? So, although we are looking for those that have been lapsed, can we also ask for those that had already been disencumbered?

CHAIR SUGIMURA: Oh. So, Ms. Sato and Mr. Shupack, did you hear that question . . . *(inaudible)* . . . to the report back to the Council?

MS. SATO: Chair.

CHAIR SUGIMURA: Yes.

MS. SATO: Councilmember. There are reports of what has been disencumbered, but unfortunately, it won't give a time frame. So, we can't run a report that has all of our reports that were disencumbered on a certain date.

VICE-CHAIR KAMA: How would you run the reports? Based on what, if not the dates?

MS. SATO: Yes. Because sometimes a disencumbrance is a fully paid. And so, there we would have to look into our system to see if we would be able to identify ones that resulted from an actual disencumbrance.

VICE-CHAIR KAMA: Okay. Okay.

**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

---

MS. SATO: But we can explore that option for you.

VICE-CHAIR KAMA: Okay. Thank you. Thank you, Chair.

CHAIR SUGIMURA: Good question. Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. So, okay, I guess I can speak to Councilmember Kama's question. I'm looking at page 19 in the documents under roads, and it says Lānaʻi Community Plan area, Sixth Street/Lānaʻi Avenue intersection. Original appropriation was 150,000. If I'm reading this right, they spent about 24,000. Is it just for that intersection? It's a very small intersection. So, I just...I'm wondering, like, what is it that...that the money's for? Is it for speed tables, or something just to...fixing the road? Page 19, top of the page, 13-907 Roads is the very top of the --

CHAIR SUGIMURA: What is the street?

COUNCILMEMBER JOHNSON: Sixth Street/Lānaʻi Avenue intersection.

CHAIR SUGIMURA: Oh.

COUNCILMEMBER JOHNSON: Oh, you know what? I should say --

CHAIR SUGIMURA: Oh, okay.

COUNCILMEMBER JOHNSON: -- 19 on the PDF file. But actually, the page number says 18. I beg your...beg your pardon. There's two different pages and, you know, I --

CHAIR SUGIMURA: You want us to ask Jordan Molina when he --

COUNCILMEMBER JOHNSON: When he gets up here?

CHAIR SUGIMURA: Right?

COUNCILMEMBER JOHNSON: Sure.

CHAIR SUGIMURA: Because it's probably more relevant, yeah?

COUNCILMEMBER JOHNSON: Okay.

CHAIR SUGIMURA: Or are you just asking how...ask them how the report would read, or...from Finance?

**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

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COUNCILMEMBER JOHNSON: Yeah, I guess I'll wait for --

CHAIR SUGIMURA: Shall we?

COUNCILMEMBER JOHNSON: -- Jordan, if that's all right.

CHAIR SUGIMURA: Is that all right?

COUNCILMEMBER JOHNSON: Yeah.

CHAIR SUGIMURA: Yeah, Marci?

MS. SATO: Yes, Chair.

CHAIR SUGIMURA: Okay. That's good.

MS. SATO: We wouldn't know what --

COUNCILMEMBER JOHNSON: Okay.

MS. SATO: -- is the specific details of it, yeah.

COUNCILMEMBER JOHNSON: Yeah, we'll...we'll wait for that. Thank you.

CHAIR SUGIMURA: So, we'll wait for the departments. Okay. Okay, any other questions for Finance or Management? If not, I'll excuse them. So, Ms. Sato and Mr. Shupack, because you would be looking over the CIP reports--so, after we hear from the departments, I'm going to ask the Members if they have anything they would like to add to that...to your report to us, the quarterly reports. And we'll send a letter to you. So, you can either stay here and listen to us, or you can, you know, be excused. And we'll send you a letter just to make sure that we have their comments, and then we'll hear back from you. And you'll send us the quarterly report and...and--but let us know what's going to be in the report before, yeah?

MS. SATO: Thank you, Chair.

CHAIR SUGIMURA: Okay.

MS. SATO: Have a great meeting.

CHAIR SUGIMURA: Okay. Thank you.

MR. SHUPACK: Thank you.

**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

---

CHAIR SUGIMURA: Thank you very much. Okay. Thank you very much, Mr. Shupack. And congratulations on your position. We have all these CIP Coordinators in all the departments that will be working with you from what we saw with our budget process. So, appreciate it. Okay, next we have...alphabetically, we'll do Fire. So, do we have Chief Ventura on the line?

MS. MILNER: Yes, Chair. He's in BlueJeans.

**DEPARTMENT OF FIRE AND PUBLIC SAFETY**

CHAIR SUGIMURA: Oh, okay. Good morning, Chief.

MR. VENTURA: Aloha, good morning.

CHAIR SUGIMURA: Good morning.

MR. VENTURA: Can you hear me?

CHAIR SUGIMURA: Yes, I can hear you.

MR. VENTURA: Excellent.

CHAIR SUGIMURA: So, I don't know if you heard the earlier discussion, but we were . . . *(inaudible)*. . . at CIP projects that have lapse dates that are old. And we're wondering if --

MR. VENTURA: Yeah.

CHAIR SUGIMURA: -- you have projects that we...you're going to...you know, disencumber it.

MR. VENTURA: Okay. Thank you, Chair. The project that I'm aware of that's older than 2018 is our Lānaʻi Fire Station project. That's CBS-1005. That project has had multiple phases to it. The initial phase was to do consultation with Austin Tsutsumi & Associates to do subdivision and land acquisition that was being donated by Pūlama Lānaʻi. That documentation is currently with Land Court and has been there since 2019. Since then, we've received a right of entry for the particular parcel from Pūlama Lānaʻi, where construction has begun, and should be concluded at the end of the year, that construction project.

CHAIR SUGIMURA: Members, it's page 7 on that CIP report. Did you get that, Gabe? Okay.

MR. VENTURA: Yeah. Sorry, I don't have that document that's being referenced.

**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

---

CHAIR SUGIMURA: So, it's the very bottom of page...Lānaʻi...Lānaʻi Fire Station --

MR. VENTURA: Oh, okay.

CHAIR SUGIMURA: -- Improvements. So, that's the only one you have. And the...the encumbrance is \$6 million...is it 8...\$8 million that's sitting there. So, Chief, you're basically saying that it's tied up in court and it'll stay there...this will stay there until the appropriate action can be taken?

MR. VENTURA: So --

CHAIR SUGIMURA: You're going to keep --

MR. VENTURA: If I...I'm just catching up to you now. On page 7, what I see for Lānaʻi Fire Station Improvements is \$110,000, and thus far encumbered, about 83. Am I reading that correctly?

CHAIR SUGIMURA: Yeah. Yeah. Yeah. And --

MR. VENTURA: Okay. So, the last remaining funds on that 110,000 would be for Austin Tsutsumi & Associates. When the land court decision is made or documentation is submitted, then they would close out their end of the land donation, basically. That's all they're tasked with for this particular CIP.

CHAIR SUGIMURA: So, will you keep this open? This particular...I'm not understanding what your court case is about. But...and Mr. Johnson . . . *(inaudible)* . . .

MR. VENTURA: Yeah, I guess when...when land changes names and it's subdivided and, I guess, when it's donated to us, the County, through a private entity, it goes to land court for the documentation change. And we've just been...we've had very little contact, but occasional contact, with Austin Tsutsumi to just give us an update. And basically, it's not in their hands, it's with the State at this point. Once it's completed, I guess they have some final paperwork to do, in which they'll probably bill us to kind of close out that process, or that part of this construction project.

CHAIR SUGIMURA: Okay. So, that's the only one you have. Mr. Johnson, do you have any questions?

COUNCILMEMBER JOHNSON: No, I think the Chief explained it very well. And I saw the...the construction happening on Lānaʻi, we're very happy. I guess I could ask, now...now that we're talking about it, how's the new truck coming? Is it

**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

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going to...is the timing going to work, or when the (*audio interference*) is built, then they could put the truck in?

MR. VENTURA: Yeah, this will be...thanks for the question, Councilmember Johnson. The...the truck is still on schedule to be shipped to Hawai'i, as we mentioned, kind of the end of summer. It will come to Maui for its final inspection and the mechanic's check on it, and then, we'll get it over to Lāna'i. So, that's still...still planned to happen.

COUNCILMEMBER JOHNSON: So then, the station that you're building, that's . . . (*inaudible*). . . that new truck?

MR. VENTURA: The new truck will go in the...in the station that's there right now. Because we --

COUNCILMEMBER JOHNSON: Oh, okay.

MR. VENTURA: -- respond out on Fraser Avenue. What you're seeing being built --

COUNCILMEMBER JOHNSON: Right.

MR. VENTURA: -- in the back is going to be for the relief apparatus and the...the expanded space that we need for the firefighters there. So, we're just trying to put some of that equipment that's out in the sun. It's going to be protected, and it'll have more life in that back building.

COUNCILMEMBER JOHNSON: Great news. Thank you so much. Thank you, Chair.

CHAIR SUGIMURA: Good slipped-in question, so relevant. Thank you very much, Chief. Anybody else have any questions for Chief? Okay. Thank you very much. Thank you, Chief, for...for that good information. Next we have --

MR. VENTURA: Mahalo, Chair.

CHAIR SUGIMURA: Yeah. Good morning and thank you. Next we have...from the Department of Environmental Management, we have Deputy Director Schmidt, and--to provide comments on lapsed projects. And thank you for working on your report, which is Granicus number 2, that's...that he prepared for us for discussion. Thank you very much, Mr. Schmidt. Yeah, go ahead.

**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

MR. SCHMIDT: Good morning, Council.

**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

---

CHAIR SUGIMURA: Good morning.

MR. SCHMIDT: Do you want me to just go through project by project, or...

CHAIR SUGIMURA: Yeah. So, I actually am wondering...well, what we want to know is, of the projects that are lapsed from 2018 or older, are there projects that we can disencumber? We're looking for projects that...or are these all still open?

MR. SCHMIDT: Yeah.

CHAIR SUGIMURA: Because there's quite a bit.

MR. SCHMIDT: Of all the projects that were listed on the spreadsheet that I saw, yeah...all the projects are still viable and still moving forward in various stages. So, yeah. We don't have any that have specific ability to disencumber at this time.

CHAIR SUGIMURA: Okay. Okay. Thanks for working on that report. I was impressed.

MR. SCHMIDT: Certainly.

CHAIR SUGIMURA: Members, anybody have questions for Department of Environmental Management? Seeing none. Okay. Thank you very much.

MR. SCHMIDT: You're welcome.

CHAIR SUGIMURA: That was fast. Next we have CIP Coordinator, which we just spoke to, which is Dan Shupack. So, I see Mr. McCall in the audience. So, Director McCall from Parks, as well as Mr. Marvel. I wanted to call him Deputy Director, right? That was...thank you. So, you can come and sit up here. Good morning, good morning. Good morning, Director. Thank you, Mr. Marvel, for being here.

**DEPARTMENT OF PARKS AND RECREATION**

MR. MCCALL: Good morning, Chair. Good morning, Councilmembers.

CHAIR SUGIMURA: So, Parks is on page 10 of...in the CIP report. So, Mr. McCall, maybe you could give us comments on your projects that are still open and are there's that...are there projects that you will be encumbering...disencumbering?

MR. MCCALL: Yes. Mr. Marvel will give you the list of those that can be disencumbered --

CHAIR SUGIMURA: Very good.

**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

---

MR. MCCALL: -- unencumbered at this point, right?

CHAIR SUGIMURA: Thank you.

MR. MARVEL: Thank you, Councilmembers. Good morning. So we...we have quite a few projects on this list. And really, most of them are still active and ongoing. There's a couple on the list that we can probably go ahead and disencumber. The...the two on my list for disencumbrance is the...the new Kahului Community Center. That is on page 11, the second item from the top. And this was a project that was...that was started several years ago with a conceptual idea of a new...a new community center in Kahului. The lands and the site never materialized, so not much work was done other than a conceptual--some sketches and ideas from the consultants, so, not much of the money was spent. But we'll be...we'll be closing that contract out and disencumbering the funds. And the other item that isn't in the Parks list--I'm actually not sure what page it's on, but it's under Parks--is the Nāhiku Community Center project. And this can be disencumbered as well. This was discussed in...at the PSLU Committee back in 2021.

CHAIR SUGIMURA: Page 6, sorry.

MR. MARVEL: Oh, thank you.

CHAIR SUGIMURA: Page 6.

MR. MARVEL: Thank...thank you, Chair. So, this...this project was closed out by Council at the PSLU Committee back in 2021. And we'll go ahead and close that project out and disencumber the funds. There's actually several on this list that are projects that are complete. The construction is complete, the project's done, but we're just in the process of closing out the contracts and getting the paperwork. So, we would expect several of these items to be finished by the...probably by the end of this calendar year. And those items would be the Waikapu Community Center expansion, that project is done. The community center's been reopened now for several months, we're just closing out the contracts. Waipuilani Park irrigation, that project was completed several years ago, closing out those contracts. The Lānaʻi Community Center permitted kitchen is done, complete. We're actually not sure why this is on this list because all the contracts on our end have been closed out at least a couple of years ago. Everything else on the list is...they're ongoing projects. And I can answer any questions or go into detail --

CHAIR SUGIMURA: Okay.

MR. MARVEL: -- as you like.

CHAIR SUGIMURA: Chair Lee has a question.



**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

---

COUNCILMEMBER LEE: This would actually be a question for all the departments that have these...are in this situation. So, Mr. Marvel, is there any reason why you didn't lapse these funds in the upcoming...in the current...well, not the current, but the new budget, FY'24?

MR. MARVEL: Thank you for the question, Councilmember. Honestly, I think a couple of these projects fell off our radar. And now...you know, now that we're, you know...for example, the new Kahului Community Center was just sort of on the...on the backburner. And now that it's been brought to our attention, we can go ahead and close that project out.

COUNCILMEMBER LEE: Okay. So, if you add the several projects you've mentioned, how much is that altogether? Roughly, just roughly.

MR. MARVEL: I'd have to look at the report, but...

CHAIR SUGIMURA: So, Nāhiku's \$36,000, and the new Kahului Community Center is almost...almost --

MR. MARVEL: 200,000.

CHAIR SUGIMURA: -- 200,000. It is 198,000. I didn't find the other two...other three.

COUNCILMEMBER LEE: So, at least 136,000?

MR. MARVEL: Correct.

COUNCILMEMBER LEE: Not 200.

CHAIR SUGIMURA: Yeah.

COUNCILMEMBER LEE: 200,000.

CHAIR SUGIMURA: Yeah, it's 236,000.

COUNCILMEMBER LEE: 236.

CHAIR SUGIMURA: Yeah.

MR. MARVEL: Correct.

CHAIR SUGIMURA: Not finding the other Lānaʻi Community or Waikapu...or Waipuilani.

**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

---

COUNCILMEMBER LEE: So, routinely, when you prepare for the new budget, you don't look at these funds that are no longer being used or planned for?

MR. MARVEL: That's...that's a great question, thank you. And it's...I agree, it's something that we should be doing on a routine basis, and it's something we will do.

COUNCILMEMBER LEE: Okay. Thank you. So, I'm...I'm assuming that if the Budget Director were here, she would say that those funds that the departments have, that are not planning to use, are not included in the Carryover/Savings. They haven't been recognized as Carryover/Savings, right? I would think. Maybe that's a question, Staff, for the Budget Director. Thank you.

CHAIR SUGIMURA: Okay. Good question. Are you done? Okay. Councilmember Kama.

VICE-CHAIR KAMA: Thank you, Chair. So, Mr. Marvel, regarding the Kahului Community Center. So, are you saying that that center is...all the renovations have been done, it's completed, and therefore, you're ready to take the encumbrances and say, okay, we're done with that, it's finished, it's over?

MR. MARVEL: Thank you for the question, Councilmember Kama.

VICE-CHAIR KAMA: Yes.

MR. MARVEL: The...that particular project was more of a conceptual idea that never happened. I...I think--from what I can tell, and this was before my time--but from what I can tell, the...the site did not materialize in the way we thought it would. We never got the land, and it...it never really made it past the conceptual stage. And so, the...the consulting contract was kept open. My...my guess would be just, you know, to keep the project alive while...while there was a possibility of it happening, but...

VICE-CHAIR KAMA: So, what you're saying is that at this point, it's probably not going to happen, so let's just close out the...the contract and let it go. Is that what you're saying?

MR. MARVEL: Correct. That's what I'm saying.

VICE-CHAIR KAMA: Okay. I can agree to that. But I would...but next time around, what I'd like to say is the lighting in that place is horrible. That even after dark when the lights come on--and they come on automatically, or you can go and turn them on--there's not enough lighting in that place. It look...still looks semi-dark, you know, even when the lights are on, as compared to Wailuku Community Center, Kihei Community Center, even Waikapu Community Center.

**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

---

So, we're going to close out the contract with these guys, and hopefully next year we'll put that into, you know, the budget to go and get those lights taken care of. Is that possible?

MR. MARVEL: Yeah. Thank you, Councilmember, for the...the comment. We'll definitely take a look at that and...and see if that needs to be included in our budget. Thank you.

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

CHAIR SUGIMURA: Oh, Member Johnson?

COUNCILMEMBER JOHNSON: Thank you, Chair. So, I'm looking at page 13 and 14 in the PDF version of the Lānaʻi Community Plan area. You mentioned a little bit about the Lānaʻi Community Center community kitchen. And it was 800,000, and we got that money back, it's my understanding. So, where does that money go now?

MR. MCCALL: Thank you for the question, Councilmember. The...it's my understand that it went back to General Fund out of...out of Parks. But that would be, I think, a better question for the Budget Director.

COUNCILMEMBER JOHNSON: Okay. All right. Thanks so much.

CHAIR SUGIMURA: Okay. Thank you. Any other questions for Parks Department? Member Cook.

COUNCILMEMBER COOK: Thank you, Chair. Director, when...when the Parks Department goes out to bid, you put an RFP, you know, the plan and the project, get proposals, you'll select somebody. Does it...is it common for the County to have a contingency in there? I'm just curious. Like, if it's 1-1/2 million dollars is funded for the project, the bids come in at \$1.4 million. So, you know, there's potential \$200,000. Is that basically just a contingency that you'll keep, and then they'll build out the project? And then at the end of the project, when it close out, you'll have residual funds?

MR. MCCALL: Thank you for the question, Councilmember Cook. But to my understanding, yes. The projects that I've been working on since I started, yes, we do have a contingency fund. The potential change order is--the change sometimes, as you well know in your construction past, we often, especially in renovations, we find things as we open up the buildings that weren't projected. And so, the change order is what...we do keep the contingency funds for that.

COUNCILMEMBER COOK: Thank you for that explanation. I'm...Chair, I'm thinking that inherently, there may be leftover funds from virtually all projects because

**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

---

they're not necessarily going to zero out. So, that'll be something...you know, it's a...I have one more question about park assessment fees. Sorry, my watch. Park assessment fees, does that go into the General Fund or a special restricted fund?

MR. MARVEL: Thanks for that question. Yeah, that's a...the park assessment fees go into a...a special fund. It's separate from the General Fund.

COUNCILMEMBER COOK: And that's separated by district? So, that's why my district, South Maui, has X amount of money --

MR. MARVEL: Correct.

COUNCILMEMBER COOK: -- and West Maui has Y amount of money?

MR. MARVEL: Correct. Yeah, the funds have to be used in the...the plan area where they were donated.

COUNCILMEMBER COOK: What's the current park assessment fee?

MR. MARVEL: It varies.

COUNCILMEMBER COOK: Okay. . . .*(inaudible)*. . . Thank you very much, Chair.

CHAIR SUGIMURA: Thank you. Any other questions? There. Member Kama, and Member Sinenci has. Member Kama first, then Member Sinenci.

VICE-CHAIR KAMA: Thank you, Chair. So, I'm...I'm over here on Countywide, on...I think it's page 14 on the PDF. And it's under Countywide, about three-quarters of the way down. It says, Large Capacity Cesspool, the date for the lapse is 12/31/16. Can you talk about where that's at, or what that is?

MR. MARVEL: Sure. Thank you for the question, Councilmember Kama. Yeah, so this project was a series of cesspool closures. So, it was several facilities, I think nine or ten facilities, where the State mandated that we go in and fill in cesspools and replace them with septic systems. So, all the work was done for those projects. And the final part...final piece to get that closed out is SHPD has to sign off on the archeological monitoring, and they haven't done so yet. And so, we're...we're working with the County Archeologist, Dr. Six to --

CHAIR SUGIMURA: Six, yes.

MR. MARVEL: -- to help us get some activity out of SHPD on that. I know they are very busy and overwhelmed as well, but that's why that contract is still open.

VICE-CHAIR KAMA: Thank you.

**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

---

MR. MARVEL: And I think there's less than 20,000 left...18,000 left in that contract, which will pay out when we get final approval from SHPD, and we can close that out.

VICE-CHAIR KAMA: So...so, do we have to pay SHPD every time they came out and do an assessment, or make a recommendation, or give comments, or things like that?

MR. MARVEL: From my understanding, there...there are some fees for...for their reviews. But they're fairly minimal.

VICE-CHAIR KAMA: So, do we have any inkling as to where we are? I mean, I know that you're trying to get Ms. Six to weight in and see how much...or how much movement can be garnered through that. So...it's like seven years going. I mean, does it take SHPD that long?

MR. MARVEL: Thanks for the question. You know, we hopefully will get a status update from them. I know they do have a very heavy workload, and...and even getting a response is sometimes challenging. But we do --

VICE-CHAIR KAMA: Yes.

MR. MARVEL: We are doing everything we can on our end to...to make this happen and get it closed out.

VICE-CHAIR KAMA: Well, you know, one of the things, you know, that I myself as a consumer, when I have to really advocate on behalf of my kids, I mean, I become a nag. And I think sometimes, you know...I think agencies, County, State, Federal, I mean, we send these really lovely letters and, you know, urging and encouraging, that kind of stuff. But at some point we have to become nags. And I'm not sure if...if that's where you folks end up going sometimes, but it's always about that squeaky wheel. So, I'm just, you know, looking...I mean, I'm happy that Chair brought this forward to us so we can take a look at it. And then, we can probably help you folks to get stuff off your books that it doesn't get lost somewhere in all of this years and years and years of stuff. But anyway, that's possible. Deeply appreciate it. Nag, nag, nag. Thank you, Chair. Thank you, Mr. Marvel.

MR. MARVEL: Thank you.

CHAIR SUGIMURA: Thank you. Any other questions for Parks? Yes.

COUNCILMEMBER SINENCI: Chair.

**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

---

CHAIR SUGIMURA: I'm going to...oh, Member Sinenci, I'm sorry. Member Sinenci. You've been waiting patiently.

COUNCILMEMBER SINENCI: Thank you, Chair. And yeah, Pro Tem Kama, I agree. A lot of the times...and...and speaking from the East Maui District, a lot of our projects have been either delayed due to some other projects that have come up, or other department projects that have delayed this project. So...but my question--and mahalo, Director McCall. My question is on page 10, and it looks like the Pa'ani Mai Park improvements lapsed in...in 2015. So, it...it predates us. But maybe my question to Mr. Marvel is, is there clarification on the 29,840 that lapsed...or for that park improvement?

MR. MARVEL: Thanks for that question, Councilmember. Yes, it...it is. The...so, this project is...we do have a design and a master plan for that park. And we have a design for the access to that park. And so, the contracts in question here is the...the design contract for the access. And the problem is, the access goes through the private land.

COUNCILMEMBER SINENCI: Right.

MR. MARVEL: So, until we can acquire or have...get an agreement with the private landowner, we can't move forward with...with developing the park. So --

COUNCILMEMBER SINENCI: Got it.

MR. MARVEL: -- we're...we're essentially, with that project, on hold until...until we can get access through that land.

COUNCILMEMBER SINENCI: Okay. Thank you for that clarification. Yeah, we understand. We're waiting on the...the ranch to get that. Thank you, Chair.

CHAIR SUGIMURA: Thank you. Member Cook, and then Member U'u-Hodgins. Okay.

COUNCILMEMBER COOK: Thank you, Chair. Director McCall. I look at this list, it's pretty...the Parks Department, as big as it is, with as many parcels and projects, maintenance, repair, capital improvements, I commend the Department for being able to get it to function. I just...I just...the Administration's working on building permits now, with the outside, you know, County group, as well as an industrial...industry group. I think that it would be very appropriate for your Department to weigh in and point out some of the challenges you have with SHPD. And not...not complaining, but just pointing out, like, these are the things saying...preventing us from being able to get our work done. Because it shares...the departments share a lot of the same challenges that our private industry do in being able to get approvals and execute projects. So, you know, keep up the good work. And hopefully in this next year, the Administration can

**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

---

make some substantive progress. It isn't simply the departments not doing their job. It's...sometimes it's just way complicated. So, anyway. I'm curious, I did have a question about the Lānaʻi Youth Skate Park. 12/21/20, lapse \$3.497 million.

CHAIR SUGIMURA: What page?

COUNCILMEMBER COOK: Page 13. Thank you, my apologies.

MR. MARVEL: Thank...yeah, thank you for that question. I...I believe that is for the...the Lānaʻi Youth Center. And that, I believe, lapsed because our bids went over what we had budgeted, so we weren't able to award that contract. And so, that's why we were...we were here just recently to request the budget amendment so we could award that. And actually, construction started on that...that project, and we are...we broke ground last week on that. So, it...it worked out.

CHAIR SUGIMURA: Thank you.

COUNCILMEMBER COOK: Thank you.

CHAIR SUGIMURA: Fabulous. Member Uʻu-Hodgins?

COUNCILMEMBER UʻU-HODGINS: Thank you. And this just for my curiosity, but going back to the new Kahului Community Center, the one you said we can disencumber. It is at \$250,000. And for a new community center, \$250,000...so, we're not talking about a new building, one, right? Two, why did we...why did we allocate any money to something when we didn't have the land?

MR. MARVEL: Those are great questions, thank you. So, the \$250,000 is just...just for the design. So, it was just to bring a consultant on board. And from my understanding, we...we thought we had the land, and we...we didn't have a solid agreement. Or it didn't work out for whatever reason, it...it seemed like it was going to at the time. I'm not sure what those reasons are, but the...the projects had support and had optimism at the time. And I think once the consultant started to dig into it, and we got some conceptals put together, it just didn't seem feasible or really even necessary. So, not...you know, nothing further was done on the...on the project.

COUNCILMEMBER UʻU-HODGINS: Okay. Thank you.

CHAIR SUGIMURA: Any other questions for Parks Department? Seeing none. Thank you very much. So, I guess we can look forward to these funds, then, being disencumbered and...okay. And we'll ask the Department...or we'll ask Finance to give us a report so we can see, you know, those numbers, which we can't tell

**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

---

right now from the report that they've submitted to us in this format. So, thank you very much, Director. Thank you very much, Mr. McCall, Mr. Marvel.

MR. MCCALL: Thank you, Chair.

CHAIR SUGIMURA: Yeah.

MR. MCCALL: Thank you, Councilmembers. Have a good weekend.

CHAIR SUGIMURA: You too. I have to say that these directors work really hard. One evening, I got a text message from him wondering when the Kula Community Association meeting was. And it had changed, and you had a free evening with your family. So, that was a nice gift to you. Thanks for working hard. Oh, pickleball courts. Thank you very much. Ongoing, ongoing. Next we have, from the Department of Public Works, Director Jordan Molina. Oh, yes. You want to take a five-minute break? Okay. Oh, Director Molina needs to leave at 10:00. So, Tom, can you...you can wait? Okay. Yeah. Go ahead, Director Molina. And he has probably the most roads.

**DEPARTMENT OF PUBLIC WORKS**

MR. MOLINA: Good morning, Chair and Committee. Based on the conversation, I'll just leave you with our amount of funds predating 2018 is 2.3 million according to the report. And we estimate approximately 600,000 of that will be disencumbered by the next report. Most of these projects are consultant contracts, which generally span, you know, multiple years as design, land, and planning efforts are underway to get us to construction. Thank you, Chair.

CHAIR SUGIMURA: Okay. Okay, thank you for your summary. Anybody have questions for Public Works? All right, you're fine then. All right. Oh, Member Sinenci? Sorry. Member Sinenci.

COUNCILMEMBER SINENCI: Thank you. Yeah, real quick, Jordan, on page 15 for the Hāna Community Plan area. It looks like the Ke'anae Road Safety Improvement, there's \$2 million there, is...that hasn't been encumbered? To expound on that one?

MR. MOLINA: Sorry, which page?

COUNCILMEMBER SINENCI: 15.

CHAIR SUGIMURA: 15...one-five.

COUNCILMEMBER SINENCI: That's for the...the cliff.



**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

---

CHAIR SUGIMURA: It's in the middle of . . . *(inaudible)* . . .

MR. MOLINA: Yeah, I have to follow up on that one. Because I know the project's done, the only thing lingering is we have some land...land acquisition that's still pending.

COUNCILMEMBER SINENCI: Okay.

MR. MOLINA: And that looks to be State funding. So, I have to follow up on that one.

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

CHAIR SUGIMURA: Does anybody else have questions for the Department? Okay. Seeing none. Thank you very much, Jordan, I know you...Jordan Molina, you have to leave. So, do you have...do you have a question, Nohe? Okay. So, at this time then--thank you very much, Director, for your homework that you did to give us these summaries. And we'll look forward to the quarterly report and...and get a disencumbered list so we can see what you're talking about. At this time, I'm going to call a short recess, 15 minutes, so...or 10...10 minutes, okay? 10:10. So, see you back in ten minutes. This meeting is now in recess. . . *(gavel)* . . .

RECESS: 10:00 a.m.  
RECONVENE: 10:15 a.m.

CHAIR SUGIMURA: . . . *(gavel)* . . . Welcome back, everybody, to the Budget, Finance, Economic Development Committee. It is now 10:15, and our meeting is back in order. We have one more department to hear from, and then Maria Zielinski, Director Zielinski, is here from the Budget Office. And we'll ask her to come down and maybe contribute to this conversation, some of the questions that came...came up. So, Mister...Director Stufflebean and CIP Coordinator for Water--I'm sorry, I think I said your name wrong--please introduce yourselves.

**DEPARTMENT OF WATER SUPPLY**

MR. STUFFLEBEAN: Sure. Good morning. Yeah, I'm going to turn right over to...to our CIP Coordinator, Tom Ochwat. Tom, go ahead. Thanks.

MR. OCHWAT: Yeah. Good morning, Chair and Councilmembers. This is Tom Ochwat on the --

CHAIR SUGIMURA: [Ok-watt]. Ochwat.

**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

---

MR. OCHWAT: -- CIP head over here at the Water...Water Department. And I wanted to say that I met with the Fiscal Division Chief, Ortaine, to go over these items. And I want to say that the Water Department--well, we're pretty good on lapsing our funds and putting them back into General Funds annually. So, we don't have a whole lot of projects that are outstanding prior to...or including Fiscal Year 2018 and prior to that. Out of the list that you provided, there are seven contracts that are still outstanding, totaling \$2.3 million. And there are two large contracts there that are about \$2 million that are on hold, for the most part. I don't know how detailed you would want me to get into, but I'll leave it up to you to ask questions.

CHAIR SUGIMURA: Okay. Do you have questions for the Water Department? I'm trying to find you in the...in the list, the CIP list. What page is Water on?

MR. OCHWAT: It's at the very end.

MS. MILNER: The Water Department --

MR. OCHWAT: It's like the last...last three pages of the document.

MS. MILNER: Yes. Water Department is Appendix A-2, so it begins after page 27.

CHAIR SUGIMURA: Okay. I found it. Thank you. Anybody have questions for Water? So, basically you're saying that you have kept up with all of your lapsed funds, or...and you have disencumbered funds that you do not need?

MR. OCHWAT: Yes. We go through this usually in December and in June on projects that are cold or been completed that still have funds available in...in their contract. And we typically clean them up and close them out in lapsed funds. Twice a year, typically.

CHAIR SUGIMURA: Okay.

MR. OCHWAT: I work with the Fiscal Department on those items.

CHAIR SUGIMURA: Okay. Ochwat. Is that how you say your last name?

MR. OCHWAT: That is correct.

CHAIR SUGIMURA: Ochwat. All right.

MR. OCHWAT: Yes.

CHAIR SUGIMURA: Anybody have questions for Water? Member Cook.

**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

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COUNCILMEMBER COOK: Thank you, Director, and Mr. Ochwat. In executing your projects, your CIP projects, what kind of permitting issues do you encounter?

MR. OCHWAT: Oh, that's a very good question. With CIP, I go through the same frustrations and headaches as the private sector. Building permits, grading permits, well pump permits, noise permits...just like the private sector. I...I feel like that sometimes the DSA Department makes sure that I am just like one of them...I mean, private sector. There's no...there's no special treatment for...for CIP at Water Department. It took me a year to get a building permit on one of my projects. So, I hope that answers your question --

COUNCILMEMBER COOK: . . .*(inaudible)*. . .

MR. OCHWAT: -- Member --

COUNCILMEMBER COOK: It does, thank you. And that's...the Administration is working on that now, trying to...all of the departments, your Department too, as far as for permitting, is backed up because of Staff. And hopefully --

MR. OCHWAT: Yes.

COUNCILMEMBER COOK: -- they'll refine the system a little bit, but...getting more people hired. Anyways --

MR. OCHWAT: That...that's one thing I guess you could say. I can go next door and say, hey, can you approve my...hey, Water Department, can you approve this part of the permit? And that's about it.

COUNCILMEMBER COOK: Thank you very much.

MR. OCHWAT: Yeah.

CHAIR SUGIMURA: Thank you very much. Any other questions? I have...Member Kama had a question?

VICE-CHAIR KAMA: Thank you, Chair. Thank you for being here, Mr. Ochwat. I'm on page A-2 04, basically it's the Wailuku-Kahului area, and...so, all of those under that particular district. Are all of those continuously ongoing? Are they still...still all in the works and...and worked on and things like that?

MR. OCHWAT: Yes, to some extent. We only took projects that were Fiscal Year 2018 and prior. There's current projects that are ongoing, as well as projects that may have been encumbered prior to 2018 that are still ongoing. Some of my projects last...unfortunately, last longer than expected. You know, they kind of drag on due to unforeseen circumstances, procuring materials, delivery dates. So...but

**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

---

annually, we...we go through all of our projects and determine which ones are complete and which remaining funds need to get lapsed. Because we like to use those funds for future years.

VICE-CHAIR KAMA: So, can you talk about the acquisition of real property, Wailuku Water Company, the \$2 million there, and the other one, 1888 Wili Pa Loop?

MR. OCHWAT: That one is still in negotiations with the landowner, or the Wailuku Water Company, with regards to our involvement in purchasing some of their facilities, I guess you could say. And that's actually at the Director level. EFP doesn't get that much involved other than the funding portion. And Director Stufflebean might want to --

MR. STUFFLEBEAN: Yeah. Tom, I would just add, that's actually at the Mayor's Office, in terms of the Wailuku Water Company issue.

MR. OCHWAT: Yeah.

MR. STUFFLEBEAN: Thanks.

VICE-CHAIR KAMA: And 1888 Wili Pa Loop?

MR. OCHWAT: What was that again, Member Kama?

VICE-CHAIR KAMA: The one just below. That's the 1888 Wili Pa Loop.  
. . .*(inaudible)*. . .

MS. ACIDERA: Tom, I think that's the --

MR. OCHWAT: Yes.

MS. ACIDERA: -- Maui County Credit Union building.

VICE-CHAIR KAMA: So, I --

MS. ACIDERA: Do you want me to talk about it? Yes. Member Kama, this is --

VICE-CHAIR KAMA: Yeah.

MS. ACIDERA: -- Ortaine Acidera, the Fiscal Officer from Department of Water Supply.

VICE-CHAIR KAMA: Okay.

**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

---

MS. ACIDERA: And this is the Maui County Federal Credit Union building, which we recently purchased, and getting ready to prepare the building for Fiscal Division to relocate to the new location --

VICE-CHAIR KAMA: Yeah.

MS. ACIDERA: -- at this point in time. Yes.

VICE-CHAIR KAMA: Okay.

MS. ACIDERA: Thank you.

VICE-CHAIR KAMA: Okay, thank you.

MS. ACIDERA: You're welcome.

VICE-CHAIR KAMA: I thought the address looked familiar. It's on my checking account. . . .(laughing). . . Thank you.

CHAIR SUGIMURA: Okay.

VICE-CHAIR KAMA: Thank you, Chair.

CHAIR SUGIMURA: Anybody have any other questions? I know that early on, the acquisition of Wailuku Water Company was a priority for one of the Members here. So...but no questions? Seeing none. Okay. Thank you, Water Department, for being on top of things. And nice to meet you, Mr. Ochwat...Ochwat.

MR. OCHWAT: You're welcome. Thank you --

CHAIR SUGIMURA: Yeah.

MR. OCHWAT: -- Councilmembers.

CHAIR SUGIMURA: Yeah. You must be doing a...a good job working in the background. I...I have an opportunity, finally, to meet you after all these years. So, thank you for doing your good work, and thank you, Director Stufflebean. Members, now we have...the last person who has come before us is Director Zielinski. If you want to come here to answer maybe some of the questions that were asked earlier by Chair Lee. Yeah. So, the question that came up from Chair Lee was these monies, then, that the departments are saying they want to disencumber, how is that recognized in the budget?

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**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

---

MS. ZIELINSKI: Okay. Thank you, Chair.

CHAIR SUGIMURA: Did I get that correct, Chair Lee?

COUNCILMEMBER LEE: Yes, in a way. Yeah.

MS. ZIELINSKI: Thank you, Chair and Chair Lee. Yes, the...the bottom line is, if...if they do indeed say these are lapsed and disencumber the funds, then that does ultimately transfer to...translate to, you know, monies that will become part of Carryover/Savings. So, you know, the bottom line is, if...if you have a project that is not going anywhere and is...actually has lapsed and the money is just sitting there, you know, it's...it's tied up. So, it behooves the...the County to...you know, to...to disencumber those funds and to...and then we have that extra money...the extra Carryover/Savings.

CHAIR SUGIMURA: Okay.

MS. ZIELINSKI: Yeah.

CHAIR SUGIMURA: Chair Lee.

COUNCILMEMBER LEE: When you do ordinarily recognize these lapsed funds as Carryover/Savings?

MS. ZIELINSKI: Chair?

CHAIR SUGIMURA: Okay.

MS. ZIELINSKI: Chair? Yeah, we would typically...that would be when we are preparing the budget. So, obviously when we were doing the Fiscal '24 budget, that's when we...we actually...Finance, as...as I believe Marci Sato had said, indicated...Finance sent them an email to...or a...you know, some sort of communication to all of the departments. They...they want to know if anything has lapsed, then that money becomes lapsed and it gets disencumbered. And then we get the report from Finance that basically converts to...it's basically Carryover/Savings for us. So, for the...and when we construct the budget. So, it...the pertinence of it is actually at the beginning of the budget process. Yeah.

COUNCILMEMBER LEE: Chair.

CHAIR SUGIMURA: Yes.

COUNCILMEMBER LEE: Follow-up question. So, in other words, it's...the monies that we are discovering now will not affect the new upcoming budget. It...it cannot be

**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

---

included in the FY'24 budget, but it's probably going to be included in Carryover/Savings for FY'25 next year?

MS. ZIELINSKI: Chair?

CHAIR SUGIMURA: Yes.

MS. ZIELINSKI: Yes, Chair. That's correct.

COUNCILMEMBER LEE: Okay. Thanks. I didn't want the Members to think oh, here's extra money we can add to the budget. Okay, thank you.

CHAIR SUGIMURA: You didn't want us to spend it. Okay. That was a very, very good question. Member Cook.

COUNCILMEMBER COOK: Thank you, Chair. Thank you, Director. So, it would...the funds would have been available in the budget process we just completed if the departments had reported them?

MS. ZIELINSKI: That is correct. Chair? Yes --

CHAIR SUGIMURA: Yes.

MS. ZIELINSKI: Yes, that is correct. And...and in fact as I indicated, Finance and Budget Office went through that process...and monies were released and became part of the Carryover, but obviously some were not. And that's...that's the point. So, the more thorough, you know, the review is, the more potential for some...some Carryover/Savings.

CHAIR SUGIMURA: Okay. Anybody have any other questions for Director Zielinski? Okay. Seeing none. Thank you very much. You can stick around, we're going to...the next thing I'm going to ask is--and you might have some input already from earlier discussions, but--so, the next thing I wanted to find out from the Members was, based upon the discussion that we had today...and part of the objective that I had was to find out what we want to see in the quarterly reports and if...if it can be standardized. And from what Ms. Sato said, as well as a discussion that...that went on with Management, that there is already a discussion going on about trying to standardize the reports that they are going to be sending to us. So, it's not going to be every department sends whatever they want in their own format. So, it'll come down to a more...you know, a more communicated document to us. I wanted to find out from you if we could send a letter to Finance and...and Management about any other things you want to see in the CIP quarterly reports. I heard from you that you want to know also the funds that were being suggested for disencumbering or that will be disencumbered. And...and I have...for myself, I would like to see that the projects

**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

---

that are being maintained or left on the CIP report for a long period of time, if a reason could be given as to why. And from talking to the Finance Department earlier, they said that when they send this list to all the departments about projects that could be disencumbered on a yearly basis, they send this list, the departments have to respond in writing as to why these funds need to be kept open. So, there's that communication already happening, and I wondered if it could already...it could be communicated to us also. So, that was something that I wanted to add to that, and...and we'll send it in writing. But anybody have anything else that they would like to say on this quarterly report? Oh, Ms. Kama.

VICE-CHAIR KAMA: I'd like to see by...by departments what the total encumbrances and the total disencumbrances are, if they could just total those up.

CHAIR SUGIMURA: Okay.

VICE-CHAIR KAMA: So that we won't have to figure it out ourselves or ask them, that it's already part of the report being generated.

CHAIR SUGIMURA: Okay. Add that to the list, okay. Any other...Member Cook.

COUNCILMEMBER COOK: Thank you, Chair. I'm curious, do all of the departments use the same accounting software? I mean, like, in the reports they do, does --

CHAIR SUGIMURA: Oh. Director Zielinski.

COUNCILMEMBER COOK: -- does everybody use the same software?

MS. ZIELINSKI: Thank you, Chair. I believe they do, but, you know, I...I believe Water, because we saw it's a different format, may have something different. I...I'm not going to...I'm not totally certain because some departments operate a little differently, but they do use the...what they call the FE, which is the Financial Enterprise system for accounting. So, CIP, I believe, is all...I know when we get reports, they tend to...they look standard to me. But I'd have to get...just to be certain--I don't want to give you inaccurate information--I would think probably Water is not, but I would think the others are. But we can certainly, you know, inform you, let you know for sure.

CHAIR SUGIMURA: Okay.

MS. ZIELINSKI: Yeah.

CHAIR SUGIMURA: Member Cook.

COUNCILMEMBER COOK: Thank you, Chair. I just...I just say that, like, asking them for the reports, but being sensitive to the fact that we don't want to gum up their



**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

**May 26, 2023**

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processes and cause a lot of extra work when they're already understaffed. So, you know, really looking forward to getting reports that are more distilled that we can review, but cautious of...letting them know that if it's going to be, like, super big job, let us know.

CHAIR SUGIMURA: Okay. Okay. Anybody else have any comments on what you would like to see in the CIP report? Seeing none. No? Okay. Member Sinenci? You're fine? Okay. All right. So, Members, we're going to send a letter then to the Administration basically with the questions that you have shared. And we look forward to seeing what they have come up with. They're already working on trying to standardize a report. So, we'll add our comments in, and hopefully we can hear back from the Department with...with what the new CIP report would look like. I don't want to call another meeting just to look at the report, but if...if they can include us in that communication. Ms. Milner or Ms. Apo Takayama, what do you recommend?

MS. MILNER: Chair, we can find out where they are in the process. And if they have a draft available, we can ask that they attach it to the letter, at which will be uploaded to Granicus --

CHAIR SUGIMURA: Okay.

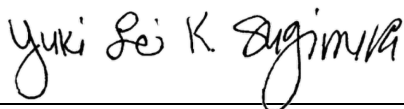
MS. MILNER: -- for the Members to review.

CHAIR SUGIMURA: Okay. But...very good. Thank you very much everybody for this. And if there's no other questions, this meeting is going to adjourn at 10:34 with no recess. We are adjourned. Thank you very much. . . .(gavel). . .

**ACTION: DEFER pending further discussion.**

ADJOURN: 10:34 p.m.

APPROVED:



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YUKI LEI K. SUGIMURA, Chair  
Budget, Finance, and Economic  
Development Committee

**BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES**  
**Council of the County of Maui**

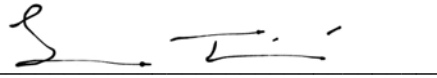
**May 26, 2023**

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CERTIFICATION

I, Logan Tsuji, hereby certify that pages 1 through 33 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 26th day of June 2023, in Wailuku, Hawai'i



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Logan Tsuji