

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

**MINUTES**

**October 8, 2025**

**Online Only via Teams**

**RECONVENE:** 9:05 a.m.

**PRESENT:** Councilmember Yuki Lei K. Sugimura, Chair  
Councilmember Tasha Kama, Vice-Chair (left at 10:04 a.m.)  
Councilmember Tom Cook, Member  
Councilmember Gabe Johnson, Member  
Councilmember Alice L. Lee, Member  
Councilmember Tamara Paltin, Member  
Councilmember Nohelani U'u-Hodgins, Member (arrived at 9:14 a.m.)

**EXCUSED:** Councilmember Keani N.W. Rawlins-Fernandez, Member  
Councilmember Shane M. Sinenci, Member

**STAFF:** Kirsten Szabo, Legislative Analyst  
Pauline Martins, Senior Committee Secretary  
James Krueger, Senior Legislative Analyst  
Peter Hanano, Legislative Attorney  
Lenora Dinneen, Council Services Assistant Clerk  
Ryan Martins, Council Ambassador

Residency Area Office (RAO):

Mavis Oliveira-Medeiros, Council Aide, East Maui Residency Area Office  
Bill Snipes, Council Aide, South Maui Residency Area Office  
Clyde "Buddy" Almeida, Council Aide, Makawao-Ha'ikū-Pā'ia Residency Area Office

**ADMIN.:** Kristina Toshikiyo, Deputy Corporation Counsel, Department of the Corporation Counsel  
Nancy Zhao, Deputy Corporation Counsel, Department of the Corporation Counsel  
Lesley Milner, Budget Director, Office of the Mayor  
Jordan Molina, Director, Department of Public Works  
Marcy Martin, Director, Department of Finance  
Guy Hironaka, Real Property Management Specialist, Department of Finance  
Shayne Agawa, Director, Department of Environmental Management  
Josiah Nishita, Managing Director  
James Kimo Landgraf, Deputy Director, Department of Water Supply  
Wendy Taomoto, Engineering Program Manager, Department of Public Works

**OTHERS:** James Langford  
Others (12)

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

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CHAIR SUGIMURA: . . .*(gavel)*. . . Good morning, everybody. Welcome to the Budget, Finance, Economic Development Committee. It is now 9:05 a.m., and this is a continuation from the recess...of a recessed meeting from yesterday. So, thank you, everybody, for making the time so that we could talk about this property acquisition. And...okay. So, my name is Yuki Lei Sugimura. I'm the Chair of this Committee, and I'd like to welcome everybody. And Member Kama...Member Kama, good morning.

VICE-CHAIR KAMA: Good morning, Chair. And I am in my workspace, and I am alone, and I have two other adults in the next room next door.

CHAIR SUGIMURA: Okay. Good morning. Member...Chair...Chair Lee.

COUNCILMEMBER LEE: Okay. Hana hou, kia ora, and ni hao. I am in my workspace with a whole bunch of other chickadees.

CHAIR SUGIMURA: . . .*(laughing)*. . .

COUNCILMEMBER LEE: Thank you.

CHAIR SUGIMURA: Kia ora and ni hao. Member Cook, kia ora and ni hao.

COUNCILMEMBER COOK: Kia ora, ni hao, good morning.

CHAIR SUGIMURA: No testifiers?

COUNCILMEMBER COOK: No testifiers in the Kihei office --

CHAIR SUGIMURA: Oh.

COUNCILMEMBER COOK: -- but we have people on standby.

CHAIR SUGIMURA: It's closed. Okay. All right. I see Member Paltin. Looks like she is cozy in New Zealand. Kia ora and --

COUNCILMEMBER PALTIN: Kia ora kākou. Streaming live and direct from the future...from the Kupe Waka Centre. In this specific room with me *(audio interference)* that's everybody. Everyone else is in the kitchen or the sleeping area. But they might come passing through until they leave for the *(audio interference)* --

CHAIR SUGIMURA: Okay. Thank you, Member Paltin. And next we have Gabe Johnson online.

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COUNCILMEMBER JOHNSON: Kia ora, Chair, Councilmembers, community members. I'm alone in the Lāna'i District office. And I'm here and ready to work. Boy, that was a lot of homework last night. Thank you.

CHAIR SUGIMURA: Yeah. Interesting, yeah? Next, we have Member U'u-Hodgins. If she's not here, she will be logging on from her district office. Is she on yet? Not yet, yeah. Okay. So, we'll greet her at that time. So, thank you, everybody, for coming back, and let's hope that we can go through this meeting, and be done early so all of you can continue on with your day, and thanks for making time for this. So, we expect the same resource team as yesterday. And the key would be for--Director Molina, is he on? Oh, he is. Okay. And do we have Water Department? Okay. Thank you. So, please see the last page of the agenda for information on meeting connectivity. And let's continue on with discussion that we left off yesterday...that we tabled from yesterday.

**ITEM 7: BILL 138 (2025), BILL 139 (2025), BILL 140 (2025), AND  
RESOLUTION 25-186, RELATING TO WEST MAUI LAND  
ACQUISITIONS (WEST MAUI COMMUNITY PLAN AREA)**

CHAIR SUGIMURA: So, as you know, we're on BFED-7, Bill 138, 139, 140 (2025), and Resolution 25-186, Relating to the [sic] West Maui Land Acquisition [sic] with the West Maui Community Plan...in the West Maui Community Plan Area. We are closed with oral testimony, and that written testimony will always be received and accepted. Let's see. So, we recessed yesterday's meeting to review documents associated with BFED-7. Specifically, we left off with the title report received at the beginning of the meeting. A letter and a map that identified 18 parcels without clear title were transmitted as testimony by Budget Director Lesley Milner. I'll start off by asking questions from Committee Chair [sic] Kama. And if you have any questions, we'll...everybody will have three minutes. And before we start that, I wonder if Ms. Milner or--is Director...there he is...Director Molina. Thank you for being with us.

VICE-CHAIR KAMA: Chair? Chair?

CHAIR SUGIMURA: Yes.

VICE-CHAIR KAMA: I think Member Paltin was trying to get your attention.

CHAIR SUGIMURA: Oh, sorry. Okay.

COUNCILMEMBER PALTIN: Oh, sorry. Kalehua Paltin-Vierra was in the room as well. Sorry.

CHAIR SUGIMURA: Oh. Thank you. They were so impressive yesterday, please thank them, all...all that testified, Member Paltin. So, I...I'm going to start this off, and if, Director Molina, you can introduce the 18 parcels that do not have title, and talk about it in relationship with what you're trying to do with your Department, and then we'll take Members' questions. So, did you all get this map? I think he...yeah? Okay. Okay. Go ahead, Director.

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VICE-CHAIR KAMA: I didn't get the map, Chair. Where is it?

CHAIR SUGIMURA: Oh.

VICE-CHAIR KAMA: Is it in Granicus?

CHAIR SUGIMURA: It's in Granicus. It's the last item. Can somebody send it to her?

VICE-CHAIR KAMA: Okay. Okay. I'll go get it.

CHAIR SUGIMURA: Well, we send it...we'll email it to you. Thanks.

MR. MOLINA: Okay. Yeah, good morning. I'm Jordan Molina, Director with Public Works. So, yeah. Yesterday Budget Director transmitted you the map we had helped prepare. And so this map kind of illi...or does illustrate all the lands we...in question today. It identifies the parcels with title issues, as well as the facilities, the Kuhua Street Extension, and the Lāhainā Flood Control Project, so you guys can get a sense of the...the conflict here from the...a land standpoint. So, on that exhibit, there's a light blue shading of the parcels that are the parcels with...without clear title or insurable title. Then for the most part, all of those parcels with the exception of maybe, two...two or three small...really small ones are all in conflict, currently, with the project. And so, these are titles we're going to have to...or would've had to address as the projects move forward. And so, again, maintaining my recommendation that, you know, we...we were going to have to deal with these at some point, I think, at...for purposes of being able to move forward most expeditiously, we recommend that these come over to the County with the purchase and we prepare, as we would've had to, to resolve any issues or concerns that...that arise when we get to that phase of the projects, and resolving those land rights. Additionally, having the additional acreage as part of this acquisition gives us opportunity to work with these landowners, should they come forward, and...or if they know, have land exchange be part of the conversation as opposed to outright acquisition. So, we think those are opportunities here with this...by packaging all of this into one acquisition and bringing the lands under County control. I'll stop there. And happy to answer any questions. Thank you.

CHAIR SUGIMURA: Okay, very good. Ms. Milner, do you want to say anything also before we go to questions?

MS. MILNER: Thank you, Chair. No, I don't have anything to add at this time. Mahalo.

CHAIR SUGIMURA: Okay. So, Member Kama, did you get a copy of this map? Or the document that has the --

VICE-CHAIR KAMA: I just got it now, and --

CHAIR SUGIMURA: Okay.

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VICE-CHAIR KAMA: -- and I'm opening it up.

CHAIR SUGIMURA: Very good. Okay. So, as you heard, Director and the Administration is recommending that we purchase all the property, even if there's a problem or clouded title. And this would be for the \$20 million price, as discussed yesterday. And I would then like, before we go to the questions, for...if the Administration can clarify the 13 million/17 million discussion that was in the appraisal, and explain again to the Members why we're purchasing the 20 million amount just so there's no confusion. Ms. Milner.

MS. MILNER: Thank you, Chair. I'm going to defer to Director Molina on this, and possibly Mr. Hironaka. Mahalo.

CHAIR SUGIMURA: Oh, okay. So, before you do that, Director, I just see Member U'u-Hodgins. Good morning. Welcome to the meeting.

COUNCILMEMBER U'U-HODGINS: Thank you, Chair. Good morning. I'm at my private residence. I do have one adult, Koa Hodgins...well, I guess, two adults...and Makoa Hodgins, and three minors with me today.

CHAIR SUGIMURA: Okay. Thank you for being here. All right. Director, you want to explain that?

MR. MOLINA: Yeah. Thank you, Chair. So, when we first opened negotiations, you know, the seller had their appraisal, and based on their approach, which is individual lot sales largely based on what they've been seeing themselves being able to sell lots off from these lands. And that put...you know, for their appraisal, put us in the 40 to 50...\$50 million valuation range. We had, in open negotiations, a bit lower from their offer. I believe it was in the \$28 million range. And eventually, through negotiations back and forth, we settled on this \$20 million number, which is reasonable from our standpoint when you look at our property tax assessment. Then the County's appraisal took a different approach, where we assumed that there wasn't very much value in some of these small lots. And so, our appraiser looked at --

VICE-CHAIR KAMA: I want coffee, son, please.

MR. MOLINA: -- bulking several of these lots into chunks, and then appraising the value of those grouped parcels, which they felt was more...more developable, or had more usable...usability as parcels than the individual lots. And so, that's where the disagreement lays in the appraisals, where we see it as...you know, you got to sell these things in bulk to make them have value. And the seller thinks, no, I can sell them individually and still have value. So, that's kind of the fundamental disagreement on the appraisal's approach is and where we're at with the number. All that being considered, again, like I mentioned, our ability to control the land is a huge advantage for us to be able to deliver on these projects, as well as be able and have a capacity to work through some of the land challenges...as well as, you know, we are aware there's going to be historic resources that we need to plan around as well. So, having the land

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space around these projects gives us that flexibility to more successfully deliver on the project. Again, the \$20 million is in alignment with what...how the County values lands for property tax purposes. And so, from that standpoint, you know, we think the price is reasonable --

CHAIR SUGIMURA: Okay.

MR. MOLINA: -- even...even with all the issues underlying that we discussed. So, thank you, Chair.

CHAIR SUGIMURA: Thank you for explaining that. That question did come up, and I just wanted it clarified. It's not normal practice unless it's unusual circumstances or special circumstances. All right. So...this time then, I'm going to take three minutes per Member. Oh, I...is...Member Paltin has her hand up. Go ahead.

COUNCILMEMBER PALTIN: I just was wondering if Director Molina could explain a little bit about the closing costs because I believe it said it was exclusive of the closing cost. And if the parcels were individually purchased, would the closing costs be more? And what do we expect the closing costs to be for the entirety of the purchase?

MR. MOLINA: If I can ask Mr. Hironaka to respond to that question?

CHAIR SUGIMURA: Mr. Hironaka, are you on? Oh, there you are.

MR. HIRONAKA: Oh. Good morning, Chair.

CHAIR SUGIMURA: Good morning.

MR. HIRONAKA: If...if we were to buy them individually, fiscal fees are based on the sale price. Because we're buying it in a bulk, we managed to get a...a quote because it's outside of their normal range. And so, they did give us some estimates, but, of course, everything is subject to, you know, final (*audio interference*). So, we do know approximately how much it's going to be for the bulk.

COUNCILMEMBER PALTIN: Can you tell it to us?

MR. HIRONAKA: Yeah. And I'm just pulling up the Excel spreadsheet as we speak. Okay. So, what they're expecting is, on a \$20-million deal, it's going to cost us approximately \$11,000 for escrow...the closing costs. The estimated title insurance is about 8,600. So, we're looking at about 20,000. So, it would be less than if we were to buy each individual lot. Because even though the values of the lots are small, they have a minimum fee that they would charge you, and you'd have to buy 120 individual policies, which would far exceed the \$8,000.

CHAIR SUGIMURA: Okay.

COUNCILMEMBER PALTIN: Thank you.

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CHAIR SUGIMURA: Thank you. Anybody else before we continue? Seeing none. Okay. So, at this time then--Member Kama, do you have questions?

VICE-CHAIR KAMA: Yes. Thank you, Chair. So, as you have said, Director Molina, that as we work through all the different parcels, that at some point in time we're going to have to figure out what that's going to be in terms of cost. So, do you have a estimate of what that would be as we work through we've got to get title for many of these parcels that we're talking about?

MR. MOLINA: I don't know if I'm able to speak to the exact cause of --

VICE-CHAIR KAMA: Oh, okay.

MR. MOLINA: -- of resolving a title matter --

VICE-CHAIR KAMA: Oh, okay.

MR. MOLINA: -- because I think...I think it'll depend greatly on the extent of the circumstances...things like how many heirs may be involved, and vetting all of that. But I guess my...my...my takeaway, though, is that those costs are de minimis relative to --

VICE-CHAIR KAMA: Okay.

MR. MOLINA: -- implementing these projects. So --

VICE-CHAIR KAMA: Oh, okay.

MR. MOLINA: -- you know, I'm not concerned about having to take on that extra work relative --

VICE-CHAIR KAMA: Oh, okay.

MR. MOLINA: -- to the...the tens of millions of dollars we're going to have --

VICE-CHAIR KAMA: Okay.

MR. MOLINA: -- to coordinate to get delivery of these projects.

VICE-CHAIR KAMA: Okay.

MR. MOLINA: Thank you.

VICE-CHAIR KAMA: Okay. So, we...we're going to buy the whole lot. Do we have an idea as to how we're going to use...we...we know how we're going to use some of it, do we know what we're going to do with the rest of it (*audio interference*)?

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MR. MOLINA: Yeah. Yeah. So, preliminarily...at least right now, based on what we need from the fire recovery, is --

VICE-CHAIR KAMA: Right.

MR. MOLINA: -- Ka Hale A Ke Ola expansion --

VICE-CHAIR KAMA: Yeah.

MR. MOLINA: -- Salvation Army relocation, Parks has plans--I'm not sure to what detail--for expanding their facilities in that area. And really, that's all that's concrete at this point...or sounds concrete, maybe. And so, with the remnant, you know, we have opportunity to either explore additional housing. I know...I...I've been asked about ag park use in that area too, potentially.

VICE-CHAIR KAMA: Uh-huh.

MR. MOLINA: And so, those are all opportunities. I think --

VICE-CHAIR KAMA: Uh-huh.

MR. MOLINA: -- worst case scenario, if...if the County is really just concerned about its cost, once these projects go in, there is potentially leftover lands that could be disposed of if --

VICE-CHAIR KAMA: Uh-huh. Uh-huh.

MR. MOLINA: -- there was a need to recover costs, or for --

VICE-CHAIR KAMA: Oh.

MR. MOLINA: -- whatever reason a housing project doesn't pencil out. So, I...I think there is a lot of utility for the remaining lands, and that are...the utility of those lands are improved by...once these infrastructure projects go through --

VICE-CHAIR KAMA: Uh-huh. Uh-huh.

MR. MOLINA: -- and set those alignments and those accessways --

VICE-CHAIR KAMA: Uh-huh.

MR. MOLINA: -- to the public infrastructure.

VICE-CHAIR KAMA: Uh-huh.

MR. MOLINA: Thank you.

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VICE-CHAIR KAMA: So, is...is the zoning on that land all ag?

MR. MOLINA: Currently, yes.

VICE-CHAIR KAMA: Oh, okay. Okay. Well, thank you. Thank you, Chair.

CHAIR SUGIMURA: Okay. Thank you very much. Next, we have Chair Lee.

COUNCILMEMBER LEE: Thank you, Chair. I really don't have any questions. Of course, there will be a lot of questions as you proceed. But I think the overall intent is much greater than, as you mentioned, some of these more minor issues, which can be handled legally as we proceed either through eminent...imminent...eminent domain, or what we did when we first bought that prop...not...when we first acquired that property for Ka Hale A Ke Ola and for the Senior Center, there was some title questions. And we notified the public, and gave them ample time to...to come and make any claims, whatever. And actually, nobody came, so we proceeded with the project. So, there are legal...legal tools that you can utilize to ensure that the public is not excluded from, you know, due process. Thank you.

CHAIR SUGIMURA: Okay, great. Member Johnson?

COUNCILMEMBER JOHNSON: Thank you, Chair. You know, hearing Director Molina's comments...first off, I appreciate Director Molina for having that kind of like openness to all of the solutions. It seems like a lot of things are on the table right now, to see...you know, like the ag park, you mentioned land swaps. Is it...does that...is that something that you would consider? I know you said something about affordable housing, and if that "doesn't pencil out," you would...would you consider a land swap? Can you kind of elaborate on that, Director Molina?

MR. MOLINA: Yeah. Land exchange is an option, ag parks are an option, I guess selfishly, once my projects go in, and given that I'm the one pushing this purchase, I'm going to be in a need to find a caretaker for the rest of these lands. And so --

COUNCILMEMBER JOHNSON: Okay.

MR. MOLINA: -- I'm going to be motivated to find one of our partners --

COUNCILMEMBER JOHNSON: Okay.

MR. MOLINA: -- in the County or somebody else that has a program that they can get on them lands so we don't have another abandoned field out there in our inventory.

COUNCILMEMBER JOHNSON: That's exactly where I'm going with this, Director Molina. And thanks for the . . .*(inaudible)*. . . because...I was going to say is, you know, we get the lands, we need someone to manage those lands. We don't want the same thing to be happening across the islands, and you've seen them. So, is there money in the budgets for someone to manage these lands once we acquire them? Is that going to be...whose

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purview is it going to be under, Department of Ag because it's ag? Or is it going to be under yours? That's kind of where like...and if it is under yours...your Department, do you have the budget to manage that?

MR. MOLINA: Yeah. So, it will be Public Works assuming --

COUNCILMEMBER JOHNSON: Okay.

MR. MOLINA: -- inventory of these assets. And so, our crews out in Lāhainā will be tasked with managing that end. We'll...we'll kind of be --

COUNCILMEMBER JOHNSON: Will you be --

MR. MOLINA: -- where we're at...yeah. I mean we anticipate we will need some assistance. But these lands have been, for...for the most part, where some of the flood . . . *(inaudible)*. . . have been maintained over the years, so we have a sense of what that obligation is. And I think more additionally, just securing the perimeters and monitoring the area until our projects come through.

COUNCILMEMBER JOHNSON: Well, come budget season, Director, I...I hope that...that the budget reflects that thought process. Thank you so much. Thank you, Chair. No further questions.

CHAIR SUGIMURA: Thank you. Member Paltin?

COUNCILMEMBER PALTIN: Thank you. Yeah, I got skipped. The --

CHAIR SUGIMURA: Yeah, sorry.

COUNCILMEMBER PALTIN: -- question I had was, the appraisal report recommended an environmental assessment. Is that...is the County plan to do one of those?

CHAIR SUGIMURA: Director.

MR. MOLINA: Yeah, that'll be part of when we move forward with our project delivery. Those specific projects --

COUNCILMEMBER PALTIN: Okay.

MR. MOLINA: -- projects will have to include those studies.

COUNCILMEMBER PALTIN: Okay. And then in the process of clearing the title for those 18 parcels, like Salvation Army didn't want to sell, and they wanted to swap land. Is that an opportunity that would also be given to any heirs that potentially come forward?

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MR. MOLINA: I can speak for my interests. And yeah, I would be open to relocating as a preference, like I mentioned, selfishly to get people on those lands so we can get help managing them as well.

COUNCILMEMBER PALTIN: Okay. And then, you know, I...I believe the purple is the old flood control pathway, and the blue is the new proposed flood control pathway. And it seems as though there is a gap from Lahainaluna Road to mauka of Aina Nalu that isn't protected, as it was in the old flood control pathway. Is there a possibility to extend that blue sharp right-hand turn north to Lahainaluna Road, just to offer additional protection mauka of the whole Aina Nalu development area?

MR. MOLINA: Yeah. So, we...we're actively discussing this change to the original NRCS project that came about with Kamehameha Schools' plans for their Ku'ia makai lands. And so, yeah, we still looking at options on how...one, how much water we're talking about is being excluded from this change, and how we can mitigate that. And so, potentially, some of the lands under the SLD71 (*phonetic*) parcels, which is the parcels closer to Dickenson Street, may have more function for flood mitigation than previously thought because of that change with the channel alignment.

COUNCILMEMBER PALTIN: And I guess...you know, I'm not an engineer, but I'm...I'm a little concerned about the hard right there, and that the line looks much skinnier than the purple was. Is it that it's just going to deeper and narrower rather than wider and shallower? And I kind of would like to know what total capacity of rainfall that you folks are planning for. Is it the 100-year storm, 500-year storm? Like because as . . .(*timer sounds*). . . you know, like I guess it's been raining a lot right now, and it's more like, you know, really localized nowadays, rather than far and wide.

MR. MOLINA: Yeah. So, the...the NRCS project has us modeling for the 100-year event. And so, like you mentioned, that channel...the intent of that channel is to get a deeper, skinnier channel to allow more usable area over KS's (*phonetic*) portion of these lands, whereas our existing channel is pretty...is significantly shallower and wider, creating a larger footprint. But yeah, we will be authorizing and reviewing all the designs by the developer to make sure that those channels are adequately sized. And really, I think, most likely we anticipate participating in that construction because we're trying to utilize that Federal funding we have for this...for the facility.

COUNCILMEMBER PALTIN: Okay. I mean, it just seems when you move more water through a narrower space, things kind of accelerate a little...I mean at least in the ocean, and in the wind through the Venturi --

MR. MOLINA: Correct.

COUNCILMEMBER PALTIN: -- effect. So...

MR. MOLINA: Yeah.

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COUNCILMEMBER PALTIN: I'm not...I mean, I just want to make sure it's safe because that's the whole point of it, that it's...it's public health and safety.

MR. MOLINA: Yeah, noted. We have similar concerns as well.

COUNCILMEMBER PALTIN: Thank you.

CHAIR SUGIMURA: Okay. Thank you. You heard the buzzer? Okay, good.

COUNCILMEMBER PALTIN: Yes.

CHAIR SUGIMURA: Okay. Member Cook.

COUNCILMEMBER COOK: Thank you, Chair. I'm supportive of this as proposed. I think that Public Works has addressed all the issues. The challenges that we face with the not potentially clear title on some of the properties are probably much more manageable comprehensively, as opposed to trying to do them independently. So, anyway, I appreciate everyone being here, and such a thorough conversation and discussion on it. But I am supportive of this, and I have confidence that this particular purchase is going to substantively address the transportation and flood mitigation in Lāhainā. It's a super-unique opportunity, and I think that the...I hope the Council is 100 percent supportive. Thank you.

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

COUNCILMEMBER U'U-HODGINS: Thank you, Chair. Primarily, my question was regarding the appraisal price difference, which Director Molina had already answered when I logged on. So, as of right now, as long as we kind of handle the title thing, I think...which will come, I have no further questions, and I'm happy to support. Thank you.

CHAIR SUGIMURA: Oh, very good. Okay. So, I think we're waiting for...soon we're going to have Deputy Director Landgraf from Water join us. I have a question for him. Did he join us? It's 9:32. Not yet. Okay. We'll wait. Are we also getting John Smith to join us, Office of Recovery?

MS. MILNER: Thank you, Chair. He's not available until 9:45.

CHAIR SUGIMURA: Okay. All right. So, I'll wait for both of them.

COUNCILMEMBER LEE: Do we really need them?

CHAIR SUGIMURA: Yeah.

COUNCILMEMBER PALTIN: I have further questions for Corporation Counsel, if you're --

CHAIR SUGIMURA: Yeah.

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COUNCILMEMBER PALTIN: -- stalling for time.

CHAIR SUGIMURA: Oh, no, I'm not. But...okay. So, Director Molina, it sounds like you have your plans. And now I know why, when they said this land was available, that you were smiling because a lot of your projects, then, will make good use of this land. So, do you have a time schedule that you're trying to work towards? And the other thing, for the Lāhainā Flood Control, I know that there was NRCS funding that was given to the County. Do you know what the balance is, or where that is in terms of the funding that we did get? And are you going to use it?

MR. MOLINA: Yeah. So, the NRCS funding was prior to getting the environmental and the design completed, which ironically, has been held up because of these land issues --

CHAIR SUGIMURA: Oh.

MR. MOLINA: -- the changes by Kamehameha Schools, the uncertainty about whether we going to get the land for the channel alignment. And so, this...this tremendously helps that project gain clarity and be able to move forward to getting closer to construction. Both Kahua and the Flood Control Project, we are aiming to use the CDBG-DR infrastructure funding to support. And so, that puts us on this five-year implementation window, which is going to be very fast. And so, like I...like I mentioned, that this purchase greatly improves our ability to deliver on these projects that we're planning to try and get delivered within the funding time frame. Thank you.

CHAIR SUGIMURA: Oh. Okay, great. So, that's good that we're going to have John Smith that's going to join us, then maybe he could expound on that. So, I...did my buzzer go off? It did, yeah? *(pause)* More. Okay. So, I have...we talked about the different uses. Okay. I'm going to...I'm going to go on, not waste time. So, next, we have...Chair Lee, you have more questions?

COUNCILMEMBER LEE: No. I think Member Paltin what...had questions for Corp. Counsel.

CHAIR SUGIMURA: Oh, yeah, I trying to go down the line. So, then we get to --

COUNCILMEMBER LEE: Oh, you...you can skip me.

CHAIR SUGIMURA: Okay.

COUNCILMEMBER LEE: I...I'm ready to vote. Thank you.

CHAIR SUGIMURA: You're ready to vote. How...how about you, Member Kama? No. Okay. Member Paltin, for Corp. Counsel.

COUNCILMEMBER PALTIN: Thank you, Chair. You know, while I did read all 330 pages that was given to us, I'm just a lifeguard. And so, I was wondering if Corporation Counsel could go over the exceptions and the exclusions in the title report with us in layman's terms...if Corp. Counsel is in the meeting?

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CHAIR SUGIMURA: Oh, Kristina.

MS. TOSHIKIYO: Good morning. Yes. Actually, I'm going to punt really quickly to Nancy. Sorry to throw her in the hot seat, but she has been working closely with Mr. Hironaka and Ms. Taomoto on the...reviewing the title reports.

MS. ZHAO: Good morning, Member Paltin, and everyone. My name is Nancy Zhao. I'm a new Deputy Corporation Counsel. I actually just joined last Wednesday, so pleasure to meet you all, and I'm happy to be part of the team working on this. So, I --

COUNCILMEMBER PALTIN: E komo mai.

MS. ZHAO: Thank you. Mahalo.

COUNCILMEMBER PALTIN: Welcome.

MS. ZHAO: Thank you very much. So, I, like yourselves, just received this title report yesterday, so I haven't done an in-depth --

COUNCILMEMBER LEE: Could you have her speak directly into the mic?

MS. ZHAO: Excuse me. Sorry about that.

COUNCILMEMBER LEE: Because every time you turn your head to look at her, we can't hear you.

MS. ZHAO: I'll look this way.

COUNCILMEMBER LEE: Okay.

MS. ZHAO: I can see on the screen over here.

COUNCILMEMBER LEE: All right, thanks.

MS. ZHAO: So, like yourself, I received this lengthy title report yesterday. So, I have had the opportunity to do a high-level flip-through, looking through the title report. And with regards to an in-depth review and analysis of the encumbrances that are listed in the title report, that was handled primarily by Wendy Taomoto and Guy in the Department of Finance. So, the three of us will continue to work together in looking at specific encumbrances for the parcels. And hopefully, with the passing of this resolution, we would work towards now...between now and closing to resolve any kind of encumbrances that need additional attention. But I can say that with regards to the encumbrances that are listed, you may have noticed that many of them are repeated because several of these encumbrances are ones that affect many of these parcels. And you'll see there are many that deal with --

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COUNCILMEMBER PALTIN: Yeah. I was talking more about the one at the end...you know, at the end of like 107 pages where it says excluded and exceptions, if you could go over that part. I...I...a lot of the title reports on the individual properties are repetitive, as you said, like for utilities, or SCS, water drainage, or something like that. But at the very end of each block of individual title reports, where it goes about exceptions and exclusions . . .*(timer sounds)*. . . I was wondering if you could go over that. Sorry, because limited time, yeah.

MS. ZHAO: Yeah. No problem. If there is a particular page that you can direct me to, I would be happy to provide you with a more thorough answer. But from the top of my head, from what I believe...what you may be talking about, they may be standard exclusions that are listed in title reports that the title company puts as part of what they pri...what they typically don't put in in their title insurance policies for the...for the parcels. But I'm happy to --

COUNCILMEMBER PALTIN: Yeah, I think it was around page 110.

MS. ZHAO: 110. Okay, let me flip to that. I have a print copy, so if that's the same number that is on the pdf...let me take a look. *(pause)*

COUNCILMEMBER PALTIN: And then...because it was in two blocks. So, like the first block went over all that repetitive stuff, and then at the end of all the repetitive stuff, it talks about like exclusions and exceptions. And I know it's standard, but you know me, just lifeguard. I don't really deal with this kind of thing on the daily.

MS. ZHAO: No problem. I'm just pulling up the electronic copy because my one on the print does not show what you are referring to. So, I have the pdf, and I'm going to page 110. And I see on that a legal description exhibit, which I don't believe is what you're referring to.

COUNCILMEMBER PALTIN: Okay. Let me pull it up on my side. I'm...I'm on page...let's see...1-0...let's...okay. No, no still yet. Should've wrote down the pages. Okay, here it is. Exhibit 1 [sic], page 129, sorry, of the pdf.

MS. ZHAO: Oh, no problem. Okay. So on page 129, pdf, Exhibit I may be the reference.

COUNCILMEMBER PALTIN: Oh, sorry. Exhibit I.

MS. ZHAO: No problem. And I'll just read it out loud for the benefit of those who don't have it in front of them. The title of that says, California Land Title Association's Standard Coverage Policy Exclusions From Coverage. And then it goes on to list boilerplate-type things that are excluded from the title company's coverage when they provide title insurance. So, these are things that we see on...by we, I mean just folks who look at title reports...as boilerplate language that doesn't get changed typically. It's just saying what the title company is willing to insure as part of their title insurance that they would be giving when we do obtain the title insurance for these parcels. So, is there a

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particular one that you would...that you have a specific question on, or would...were you just wondering as a whole what these refer to?

COUNCILMEMBER PALTIN: Kind of like is there a date that it goes back to? The first testifier yesterday mentioned like how her family is involved in a land court battle where it was presumably a clear title, but they didn't get all the siblings to sign off on the title. And so it was...it was thought of as a clear title, but, you know, in one report it said five siblings on there, and then in the sale it only said like two siblings, and the other three siblings were left out. So, just concerned that there is title insurance protection on those kind of cases where, you know, there were big families back in the day, and still today, and that...that there is title insurance protection should those type of cases arise. I think the Supreme Court recently overturned a 100-year case of Pioneer Mill land, I think it was for Lot 3A, and I just want to ensure that the title insurance that we have on this would protect the County in that kind of instance.

MS. ZHAO: Yes, thank you very much for voicing what your concerns are about this. And I want to just relate back to what Guy was saying during yesterday's meeting to you. And my understanding is that the title company would only provide title insurance for the parcels where there is clean title. And with regards to the 18 that have clouded title, they would not be providing title insurance. That's my understanding. But please, if others have another understanding, let it...let us know. And with regards to --

COUNCILMEMBER PALTIN: So, I...I guess...yeah, the...the heart of the issue is, do we have...that situation that I explained, is that excluded, or an exception in this title insurance policy?

MS. ZHAO: So, from what I understand, to the extent anybody has come forward to put a claim on title, and they have filed something such that it would show up on the title report, then the title company would show that as an encumbrance. So, if somebody were to bring a quiet title claim, or claim that the land is theirs and it's going through the courts, for example, that is something that the title company would pull up in their title...in their search when they look back to see the chain of ownership. And with regards to whether there's a timestamp on that, I don't know if there would necessarily be a cutoff in time. When...when we talk about statute of limitations with regards to how long somebody has before they can bring a claim and such, it goes into a bigger topic of adverse possession, which I don't think we need to get into today. It's something that talks about, you know, when somebody can bring forth a claim, and how long they would have to be on the land.

COUNCILMEMBER PALTIN: Yes, I understand adverse possession very well.

MS. ZHAO: Thank you.

COUNCILMEMBER PALTIN: The other question I had was like, you know, if we go through the eminent domain process for those 18 titles, if you understand historical land use in Hawai'i, that some of the...the names on those quit claim might trigger areas that kuleana plots were able to farm elsewhere. So, in trying to clear the title for those 18

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parcels, it might bring up other areas, and I just want to ensure that the title insurance would cover that trigger that would...because, you know, even from just 20 years ago, a lot of people are a lot more educated than they were, and...and the whole entire history of...of land tenure in Hawai'i is...is pretty cloudy from 1893 to after 1893. So, I just want to ensure that this title insurance doesn't exclude those types of cases, or except...give an exception to those types of cases because I don't understand the legalese there in Exhibit I. *(pause)*

CHAIR SUGIMURA: Corp. Counsel . . .*(inaudible)*. . . --

COUNCILMEMBER PALTIN: Because, you know, in...in the kuleana lands they had their homestead, and then also areas where they farmed the kalo, or other access to things that they needed in their daily life. And so if...if the eminent domain process for the quit claim areas might trigger other 'āpana that kuleana tenants had access to, I just want to ensure that the County is protected with the appropriate title insurance for that.

MS. ZHAO: Yes, thank you very much, Member Paltin. We noted your concerns, and we'll certainly have them top of mind as we go through this process to...to make sure that it is something that's accounted for during that review process.

CHAIR SUGIMURA: Very good.

COUNCILMEMBER PALTIN: Okay. Thank you.

MS. ZHAO: Thank you.

CHAIR SUGIMURA: Thank you. Next, I have Gabe Johnson. Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. This question is going to be a follow up for Director Molina, if he's still on the call.

CHAIR SUGIMURA: Uh-huh.

COUNCILMEMBER JOHNSON: Director, I...I was looking at the map that Director Lesley Milner sent us, which--by the way, thank you, Director Milner, for the map. It has the color coordination right. So, when I was looking at the Kuhua [*sic*] Street coming into...it looked like the...the existing Lāhainā bypass, the yellow line when it comes into the existing Lāhainā bypass road. Is there going to be a stoplight there? And...and let me know if I'm...this is not the proper time to ask this, but I'm concerned about the traffic in that little intersection there. Because just above it, there's another...like looks like a three-way intersection. So, are we going to have...it sounds like...it's looking like a big jam-up spot, which is already I...kind of is sometimes. So, Director, can you speak on that? Do you know where I'm talking about exactly?

MR. MOLINA: To clarify, are you referring to the left side of the map --

COUNCILMEMBER JOHNSON: Yes.

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MR. MOLINA: -- at Keawe Street? Yeah.

COUNCILMEMBER JOHNSON: Yes.

MR. MOLINA: Yeah. So, we are assessing that corridor currently. This is part where we got our Safe Streets For All [sic] grant to improve the accessways into the commercial area. We are also expanding the study to assess Kahua and Kupuohi collectively. I'll just note that a lot of those problems go away if the State finish [sic] the bypass, but that's a different matter.

COUNCILMEMBER JOHNSON: I'm sorry, say that again? You...you...you broke up a little bit (*audio interference*) --

MR. MOLINA: Oh, sorry. A lot of the problems we see on Keawe Street are because the State hasn't finished their bypass.

COUNCILMEMBER JOHNSON: Okay.

MR. MOLINA: So, if we didn't have a major arterial roadway emptying onto a local collector road, we wouldn't have so much congestion there, but we are where we are. So, we are...we...we do have studies on the way to assess improvements there. Potentially a traffic signal, preferably roundabouts for...for me, if possible, because it's less equipment I need to manage if the space is provided. So, yes, we are looking at those areas. Thank you.

COUNCILMEMBER JOHNSON: Okay. Because when I look on the map, and I know that...and...and I mean we all see that area, right? And we're like, oh, it's...you're adding another intersection. And it's very close to the existing kind of three-way intersection. And I...I'm not a traffic planner, but I know that when the intersections are close, it really makes it trafficy [sic]. I don't know. That's...so usually --

MR. MOLINA: Yeah.

COUNCILMEMBER JOHNSON: -- they try to spread them out a little bit but, Director, you can (*audio interference*) --

MR. MOLINA: Yeah. Unfortunately, all of that is not driven by traffic planning, it's driven by land use changes. And so...I don't know, I...I don't always get to get my say on how we lay out our (*audio interference*) --

COUNCILMEMBER JOHNSON: . . .(*laughing*). . .

MR. MOLINA: . . .(*timer sounds*). . . Thank you.

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COUNCILMEMBER JOHNSON: Okay. Just...just noted my concern. Letting you know that...that that road can get kind of gnarly, and we're putting another road on there, there's that. So, thank you, Chair.

CHAIR SUGIMURA: Okay, thank you. I see Member Paltin's hand up, but also Member Cook, I don't want to forget you. You want to...you don't? Okay. Member U'u-Hodgins, you have a question before I go back to Member Paltin? Oh, you're fine? Okay. Member Paltin.

COUNCILMEMBER PALTIN: Thank you. Yeah, I did want to follow up on Member Johnson's question. I know that intersection already exists, but if we're turning it into an extended street, I just wanted to a little bit clarify...like I really appreciate the color coding, but still, it's a little bit of a jumble of repeat use of colors, and colors that aren't explained, and things like that. But is it...it...the Kahua Street, option A, and those improvements through Pioneer Mill land, that's a different conversation where we may need to eminent domain those yellow pieces that are coming like up and down...what is it called?...vertical...off of the proposed Kuhua [sic] Street...that's a separate conversation. And then if you follow that yellow, is it going under the green, and then up by the base part of Ka Hale A Ke Ola, and then around is the first option, and the second option with the thin purple line, is that Kuhua [sic] Street would merge onto Mill Street, and then both of them...in both options, they combine into Highway 30? Just wanted to clarify, verify what we're all seeing because it's...it's a little...a lot of colors, and a lot of...not all the colors. And then there's that little tiny legend on the left-hand side, which when you enlarge it, it's kind of --

CHAIR SUGIMURA: Hard to read.

COUNCILMEMBER PALTIN: -- what you call...blurry. So, the...the maroon, I think, is Highway 30. The yellow with the two parallel lines coming down onto Highway 30, that would be a separate eminent domain conversation. The yellow coming down from Dickenson and Mill Street is a different conversation. But the yellow going across under the green, and then it comes up like around the...the bottom part of Ka Hale A Ke Ola, around, around, back down to Highway 30. And then the second alternative with the thin purple would have Kuhua [sic] Street merging onto Mill Street. And then that up-and-down blue line after Dickenson, is that supposed to be another road, or is it just a quit claim parcel? And...and was...is that all one parcel, the Dickenson Street, Mill Street light blue, and it's not necessarily a road...the up and down one next to Dickenson on the right...south side? Just trying to clarify what I'm seeing.

MR. MOLINA: Yeah. So, the alignments . . .(timer sounds). . . for Kahua are come...comes from our 2016 EA. And so, that's available on the DRP (*phonetic*) page at the State, if you want to look at that analysis that was proposed. So, that hasn't changed from 2016 when the project put out that EA. And so, yeah, it involves extending Kahua from Keawe down to Front Street, and those connector roads at Pāpalaua, Lahainaluna, Dickenson, Prison is potentially another one. That's that other roadway lot you mentioned, as well as coming into Shaw, and I think the other one is (*audio interference*). So, yeah. So, this...this exhibit is compilation of several exhibits over the years. So, the base map is

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our...from the EA...our 2016 EA with the shading for the lots and the flood control noted on there.

COUNCILMEMBER PALTIN: And then the other --

MR. MOLINA: But, yeah, those are all additional lands we have to get to deliver the whole corridor that we're contemplated.

COUNCILMEMBER PALTIN: Okay. The other question I had was the black things across the bypass, are those like bridges? What is the purposes of those black...like --

MR. MOLINA: Those are drainage culverts.

COUNCILMEMBER PALTIN: Oh, drainage culverts. Okay. And then the...the thin red line that goes along the...the start of the yellow of Kuhua [sic] Street, what...what is the indication or the purpose of that?

MR. MOLINA: That's the rail...that's the railroad.

COUNCILMEMBER PALTIN: Oh, oh, oh. Okay. Chair, 2016 was a little before my time. I was still enjoying my life on the beach. Do you think that Staff could pull that up and add it to Granicus, or email it to us? The 2016 EA for Kuhua [sic] Street.

CHAIR SUGIMURA: Is that something Director has, or can provide? Or shall we ask it in --

MR. MOLINA: We can send --

CHAIR SUGIMURA: -- in writing?

MR. MOLINA: -- we can just send you the link.

CHAIR SUGIMURA: Okay. *(pause)* Okay. So, Member Paltin, did you hear? He's going to send you the link.

COUNCILMEMBER PALTIN: Oh, okay. Okay.

CHAIR SUGIMURA: *(Audio interference)* --

COUNCILMEMBER PALTIN: And then the extension of Kuhua [sic] Street is not contingent on eminent domaining or acquiring those other parcels that go makai through the Pioneer Mill lot, or...what is it...Shaw Street? That's just like future steps that we will need to take for additional ingress/egress evacuation routes, or access routes. I was wondering...like you know how we have evacuation or access routes, is this intended to be like an emergency use only gated, or is it intended to be everyday use?

MR. MOLINA: Public Works, we build public roads. I don't...I don't build --

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CHAIR SUGIMURA: Private.

MR. MOLINA: -- nonpublic roads. So, these are all intended to be open full-time for public use.

COUNCILMEMBER PALTIN: And is Dickenson...that portion that we're purchasing that's a quit claim, is it intended to extend mauka and connect to Lahainaluna in the future as well?

MR. MOLINA: It...what was originally contemplated in the Lāhainā Bypass EIS is...is that Dickenson would extra...extend mauka and connect to that...that curve that comes off the bypass and connects to Lahainaluna. So, Dickenson would --

COUNCILMEMBER PALTIN: Oh.

MR. MOLINA: -- terminate at the bypass. That was what was --

COUNCILMEMBER PALTIN: Oh.

MR. MOLINA: -- originally contemplated, but since then, the State and Kamehameha Schools have chosen different plans for their alignments based on their ideas on how they want to develop the area. So, we're still in discussions with them on how we need to change and reconcile the alignment of roads through this area.

COUNCILMEMBER PALTIN: So, the portion of the Dickenson Street that isn't shaded blue and connects to...I think it's Kelawea Street, is that already under County control, and it's already...I don't really drive down that...that side that much, is it already a public road up until...from where the light blue portion on Dickenson Street is to Kelawea?

MR. MOLINA: I don't think it connects all the way through at the moment.

COUNCILMEMBER PALTIN: Is that part of the plan in the future, to provide better --

MR. MOLINA: We're looking at that, but as you know, when you come through a neighborhood, the people that live there don't like your new road. And so, we're going to have to deal with those kinds of issues as we develop these roadways through the existing neighborhoods.

COUNCILMEMBER PALTIN: Oh, okay. So, it's kind of like a...a private dirt road, and we don't know who the owner is.

MR. MOLINA: No, it's a County remnant that we own.

COUNCILMEMBER PALTIN: Oh.

MR. MOLINA: It's just not --

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COUNCILMEMBER PALTIN: County?

MR. MOLINA: -- it's just very substandard, and so it's not...it doesn't function as a through road currently.

COUNCILMEMBER PALTIN: Okay. And so, the...the --

CHAIR SUGIMURA: Okay, Member...Member Paltin?

COUNCILMEMBER PALTIN: Yeah.

CHAIR SUGIMURA: So, the buzzer went off a while ago.

COUNCILMEMBER PALTIN: Yeah.

CHAIR SUGIMURA: This is very interesting and detailed, but if...if I could ask some questions. We have Josiah Nishita in...in the Chambers, and I would...really would like to ask him some questions too. Are you almost pau?

COUNCILMEMBER PALTIN: Okay. It seemed like nobody else had questions, so I was just asking my questions. But I just was wondering like how the light blue goes up partially to...on Dickenson Street. Like what is the purpose of improving Dickenson Street if it doesn't connect to any other road? Like it seems like it's just...it's just going up --

MR. MOLINA: So, this exhibit is just for the lands we're acquiring right now. It's not the full master plan for Dickenson.

COUNCILMEMBER PALTIN: So, if it's not the full plans, why are we acquiring it?

MR. MOLINA: The portions you're referring to are outside of the West Maui lands that we're talking about today.

COUNCILMEMBER PALTIN: Oh, okay. Got it. All right. Thank you.

CHAIR SUGIMURA: Okay. Thank you. Thank you very much. So, we have Director Landgraf also in the audience. I mean...oh, you want to come down here? And then also, Managing Director, thanks for patiently sitting up there. And I...I wonder if you could answer questions that I would've asked John Smith, but since he's not here...are any portion of the acquired property is being considered for housing or disaster recovery uses, and will DR funds be used, and what planning steps or community engagements would be required before any decisions as...as it would affect timelines?

MR. NISHITA: Okay. Yeah, thank...thank you very much, Chair. And, yeah, we have a lot of conflicting things happening in the moment. So, I'm here to represent Office of Recovery if anything is needed. In terms of the first part of your question, we have talked to our DR consultants, as...as well as the rest of our team about how eligible activities could be potentially planned for this property. For the Council's consideration, use of

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CDBG-DR funds for activities would need to meet national objectives in this area. Housing, park space, nonprofit support, services, things like that do fall within...to the buckets of supporting national objectives. So, potentially, those are eligible activities to be funded out of the DR program in this area. Obviously, there'll be environmental reviews required, other steps along the way that would be required with HUD, as well as significant amount of community feedback, and working with the Council to ensure that, you know, whatever is happening in this area is meeting the...the community's needs and...and desires as well. But the short answer is, HUD CDBG-DR funds could meet...could help to fund eligible activities in this area.

CHAIR SUGIMURA: Within a five-year time limit right? We...we're on a short fuse for this. Is there enough time?

MR. NISHITA: Thank you, Chair. Yes. Right...right now, we have a six-year time window for our HUD CDBG-DR funds, and we're operating under the assumption that, you know, no...no extensions can be given, given the...the landscape of the...the Federal Government and...and what we're experiencing right now. So, you know, depending on the types of activities...for example, like park space, or other thing...kinds of things might be eligible in the...the current entitlements that the property has already. Or, you know, certain types of like infrastructure development, or things like that. The school redevelopment is going through, you know, the EP process, which could be possible to help meet, you know, certain types of community needs that could be justified under the EP. So, there's...there's a variety of different types of activities and mechanisms to help get there, but we are operating under the six-year time window.

CHAIR SUGIMURA: Oh, fast. And as it relates to water...because right now, the project does not have any water--or the appraisal says we do, but I'm hearing it doesn't come with any water. . . .*(inaudible)*. . . we have Director.

MR. NISHITA: The...yeah. I guess I...I'll let Kimo expand on it more. I mean, what...what you have before you right now is just, you know, purely a land acquisition, identifying some of the major infrastructure improvements, such as street connectivities . . .*(timer sounds)*. . . roadway improvements, and then, you know, the drainage master plan essentially. Those types of activities don't require water usage. You know, of course, additional activities to the area, if we were to pursue like, you know, housing or...or other things like that would require, you know, water allotments. And, you know, we can have further discussions with Council on those types of, you know, requirements. My understanding for the land acquisition is, it...it doesn't include...I think they call them the skimming wells, but that's a part of a separate, you know, entity. So, it would just be purely the...the land that we're acquiring at this time.

CHAIR SUGIMURA: Okay. I heard my bell...buzzer go off. Anybody have questions for Managing Director...or we also now have Deputy Director Landgraf with us? Wow, none. Oh, Member Paltin. Member Paltin.

COUNCILMEMBER PALTIN: I know that the skimming wells is not a part of the acquisition, but do we know the capacity, like the daily yield? *(pause)*

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CHAIR SUGIMURA: Deputy Director, do you have that?

MR. LANDGRAF: I think it's about a million gallons, somewhere around there.

COUNCILMEMBER PALTIN: And so, would we be leasing the wells--because it's going to be on land that we purchase--like leasing it out to whoever they sell it to?

MR. LANDGRAF: I'm not sure it's --

COUNCILMEMBER PALTIN: How does that work?

MR. LANDGRAF: -- I'm not sure if it's going to be leased or...you know, it depends if it becomes available, and we do acquire it, then...and everything is...let's say if the water is viable, and we can use it, and we put it in the system.

COUNCILMEMBER PALTIN: But...so, I just want to clarify that we're buying the land that the wells sit on, but we're not buying the wells. So, essentially, the land doesn't...we're not able to use the land. And so, is that discount reflected in the appraisal report? Because the appraisal report seemed like we were purchasing the wells.

CHAIR SUGIMURA: Yeah.

COUNCILMEMBER PALTIN: I mean it's all okay, I just want to know the details. I mean I think it's our responsibility.

MR. NISHITA: Yeah. Chair, if --

COUNCILMEMBER PALTIN: But I'll...I'll hear from Ms. Taomoto.

MR. NISHITA: Yeah, I was going to say if Wendy wants to chime in on that, just to make sure we're accurately relaying the info.

CHAIR SUGIMURA: Is she here? Oh. Hi, Wendy.

MS. TAOMOTO: Hi. Can you --

CHAIR SUGIMURA: Hi.

MS. TAOMOTO: -- hear me?

CHAIR SUGIMURA: Yes.

MS. TAOMOTO: Okay. So, the seller is reserving easements for the well site and the transmission lines for the Launiupoko Irrigation Company. So, it's not...the well site will be an exclusive to the seller, but the water line easements will be nonexclusive. So, that means that we will also have rights over the water line...transmission lines.

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COUNCILMEMBER PALTIN: So, it...that wasn't reflected...that value discount was reflected in the appraisal? But we're not --

MS. TAOMOTO: Yes.

COUNCILMEMBER PALTIN: -- following the appraisal anyway, so...and then I guess Hokiokio Road is also privately owned by Peter Martin, but that's not a part of this deal. Is that correct?

MS. TAOMOTO: Hokiokio Road, isn't that outside of our acquisition area, if I know where...it's south, right, of Kaua'ula Stream?

COUNCILMEMBER PALTIN: That's my question to you.

MS. TAOMOTO: Yeah, it is south. Yeah, it's south of Kaua'ula Stream, so it's excluded from...it's outside of this acquisition area.

COUNCILMEMBER PALTIN: Oh, okay. So, he's keeping Hokiokio Road then?

MS. TAOMOTO: Yeah. It's not on the acquisition lands.

COUNCILMEMBER PALTIN: Okay. Thank you.

CHAIR SUGIMURA: Okay. Any...or...anymore questions for Managing Director, Wendy Taomoto, or Deputy Director Landgraf...or anybody? Okay. Are you all done with questions? Are you guys ready to vote, maybe?

COUNCILMEMBER PALTIN: Oh, just --

CHAIR SUGIMURA: Okay.

COUNCILMEMBER PALTIN: -- how Miss--shoot, I forget Nancy's last name--but if...if she could, a little bit, get back to us, like maybe in between now and first reading about those other concerns, if they're addressed in the title insurance. And then I guess I can read the Kuhua [*sic*] Street 2016 EA before first reading. I mean I would...I would like time to do more, but I understand that there's a November 14...15 deadline. And so, I'm willing to advance at this point, and just...you know, as more information becomes available, as more answers become available, continue on with first and second reading simultaneously.

CHAIR SUGIMURA: Okay. Thank you. Corp. Counsel, you got that? You got it? Okay. And also the EA, Director Molina, you sent that for us? (*pause*) Yes?

MR. MOLINA: Oh. Yeah, I'll get that transmitted.

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CHAIR SUGIMURA: Okay. Thank you. All right. Members, are you ready to start digging in for the vote? You are? I know most of you have exhausted your questions. Member Paltin, are you ready to vote? Yes?

COUNCILMEMBER PALTIN: I'm ready to go into discussion.

CHAIR SUGIMURA: Okay. All right. So, at this time then, I'd like to entertain a motion to recommend passage on first reading...Bill 138, 139 (2025), and 140 (2025), incorporating any nonsubstantive revisions, and also adoption of Resolution 25-186, incorporating any nonsubstantive revisions.

COUNCILMEMBER LEE: So moved.

COUNCILMEMBER COOK: Second.

CHAIR SUGIMURA: Chair Lee, second by Member Cook. Now, let's discuss. Any discussions on the motions or the reso? Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. So, for my discussion, I think we heard a lot of the testifiers pretty loud and clear that, you know, health and safety is the priority. There's a lot of things that are beyond our control. But in the aftermath of the August 8th fire, more access roads, more evacuation routes are sorely needed above everything else that pertains to land use, and title, and everything like that. So, first and foremost, health and safety would be a reason that I support this. The flood control...definitely we're going to have future discussions on it, and I hear that there's three different sets of engineers that are going to be reviewing the plans through NRCS, Public Works, and probably KS as well. And I think that's very important because I'm not an engineer, and if the plan is to put our elementary school children below of this flood control project, that there's not a minimum amount of engineers that can review the safety of the flood control. 100-year storms are not what they used to be because they seem to happen every other year in Kihei sometimes, so I just want to ensure that is taken into account. The...the quiet title parcels, I...I hope anyone that is watching or...or listening to these meetings does their genealogy and their research. I wouldn't know where to start in reaching out, or do genealogy and research, so I hope they do that. And as the County uses...those lands are open to swaps, if...if people make their claims on it, similar to the place that we're extending to the Salvation Army, expansion of Ka Hale A Ke Ola...definitely in full support. Moving Salvation Army out of Moku'ula, Mokuhinia area, in full support. And, you know, we don't know what Peter Martin's, or Waive'e Home and Land [sic], or Hope Builder's, or whoever they call themselves' intentions are with the money they receive, but I think the County acquisition is the lesser of the evils. Because we've seen what he's done with land, and how he sells off land to kind of sucker people that don't really do their due diligence, and then come and blame the County for the situation that Peter Martin has put himself in. And so, I will be voting in support.

CHAIR SUGIMURA: Okay. Anybody else want to have any comments regarding this? Okay. I just want to say, I'm going to, of course, support this...all the bills and the reso. I do



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CHAIR SUGIMURA: Okay. All right, Members, we have passed it. So, this will now move on to Chair Lee. And thank you very much, everybody, for coming in today so we could continue this discussion and finalize this. I want to thank Director Molina, who is actually on vacation, who has spent time with us to get this project moving forward. It's going to be a huge undertaking for his Department. I think we're all...by the questions and the comments, that we're here to help the Administration to move forward and to make West Maui safer. So, thank you very much. And this meeting is now adjourned at 10:15. . . .*(gavel)* . . .

**ADJOURN: 10:15 a.m.**

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Transcribed by: Tricia Higa

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CERTIFICATION

I, Tricia Higa, hereby certify that pages 1 through 28 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 11th day of November 2025, in Mililani, Hawai'i.

  
Tricia Higa