

BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE

Council of the County of Maui

MINUTES

October 22, 2024

Online Only via Teams

CONVENE: 9:02 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 (out 11:46 a.m.)
Councilmember Tamara Paltin, Member
Councilmember Keani N.W. Rawlins-Fernandez, Member (in 9:32 a.m.; out 11:41 a.m.)
Councilmember Shane M. Sinenci, Member (out 11:46 a.m.)
Councilmember Nohelani U‘u-Hodgins, Member

STAFF: James Krueger, Senior Committee Analyst
Kasie Apo Takayama, Senior Committee Analyst (back up)
Carla Nakata, Legislative Attorney
Yvette Bouthillier, Senior Committee Secretary
Lenora Dinneen, Council Services Assistant Clerk
Ryan Martins, Council Ambassador

Residency Area Office (RAO):

Mavis Oliveira-Medeiros, Council Aide, East Maui Residency Area Office
Roxanne Morita, Council Aide, Lanai Residency Area Office
Zhanterell Lindo, Council Aide, Moloka‘i Residency Area Office
Bill Snipes, Council Aide, South Maui Residency Area Office
Jade Rojas-Letisi, Council Aide, Makawao-Ha‘ikū-Pā‘ia Residency Area Office

County of Maui Office of Recovery:

Christian Balagso, Council Aide, West Maui Residency Area, Office of Recovery at Lahaina Gateway

ADMIN.: Lesley Milner, Budget Director, Office of the Mayor (BFED-104, -21(24))
Sharon Banaag, Administrative Assistant, Office of the Mayor (BFED-104)
Leo Caires, Energy Commissioner, Office of the Mayor (BFED-21(24))
Marcy Martin, Director, Department of Finance (BFED-106)

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

October 22, 2024

Carmelito Vila, Motor Vehicle and Licensing Administrator, Department of Finance (BFED-106)

Jeff Giesea, Assistant Chief, Department of Fire and Public Safety (BFED-105)

Kristina Toshikiyo, Deputy Corporation Counsel, Department of the Corporation Counsel

OTHERS: Kenny Barr (BFED-106)
Ulfeo (Jingo) Tamayo, Taxi Operator (BFED-106)
Rudy (Loreto) Mendoza, Taxi Operator (BFED-106)
Danelle Keenan, Executive Director, Alexander Academy Performing Company (BFED-104)
Jasee Law (BFED-105)
Others (20)

Resource Personnel

Kenny Barr (BFED-106)

Ulfeo (Jingo) Tamayo, Taxi Operator (BFED-106)

Rudy (Loreto) Mendoza, Taxi Operator (BFED-106)

Danelle Keenan, Executive Director, Alexander Academy Performing Company (BFED-104)

Lowen Okamoto, Johnson Controls, Inc. (BFED-21(24))

Brandon Higashi, Bank of Hawaii (BFED-21(24))

PRESS: Akakū: Maui Community Television, Inc.

CHAIR SUGIMURA: . . .*(gavel)*. . . Oh, cute, the gavel. It is now--what is it?--9:02 a.m., and welcome to the Budget, Finance, Economic Development Committee. Today is October 22nd, and this meeting is now called to order. My name is Yuki Lei Sugimura. I'm the Chair of this Committee, and I'd like to welcome everyone, and say that this meeting is being conducted in accordance to the Sunshine Law. As a reminder, when your name is called, if you're not in the Planning Conference Room, please identify by name who, if anyone, is in the room with you, vehicle, or workspace today, and minors do not need to be identified. Vice-Chair Member Kama. And the greeting for the day is from...hatitu *(phonetic)* from Chair Lee.

VICE-CHAIR KAMA: Aloha kakahiaka, Chair, and hatitu to everyone else out there. I am in my workspace, and I am alone.

CHAIR SUGIMURA: Hatitu to you. And Member Cook, nice to have you here in the Chambers.

COUNCILMEMBER COOK: Habitu *[sic]*, and aloha, and good morning. It's good to be here.

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

October 22, 2024

CHAIR SUGIMURA: Good to be here. Thank you. Also, Member U‘u-Hodgins.

COUNCILMEMBER U‘U-HODGINS: Good morning, Chair. Good morning, everyone.

CHAIR SUGIMURA: Good morning. Gabe Johnson? Member Johnson.

COUNCILMEMBER JOHNSON: Good morning, Chair, Councilmembers, community members. Hatitu to all of you. There is no testifiers at the Lāna‘i District Office. I'm alone in my workspace and ready to work. Mahalo.

CHAIR SUGIMURA: And next we have Chair Lee.

COUNCILMEMBER LEE: Hatitu, Chair. I am home alone in my workspace. No one's here except three dogs and two cats staring at me, trying to convince me that they deserve a snack. Thank you.

CHAIR SUGIMURA: Three dogs? I thought you had one.

COUNCILMEMBER LEE: Yeah. I have one, but Gary has two.

CHAIR SUGIMURA: . . .*(laughing)*. . . Children playing together --

COUNCILMEMBER LEE: Yeah.

CHAIR SUGIMURA: -- for the day.

COUNCILMEMBER LEE: Yeah.

CHAIR SUGIMURA: Member Paltin.

COUNCILMEMBER PALTIN: Aloha kakahiaka kākou, and hatitu. Streaming live and direct from Nāpili. I have one adult male named George Vierra; two canines, one minor, and one adult, Kingy Poo Paltin-Vierra. Thank you.

CHAIR SUGIMURA: . . .*(laughing)*. . . Member Rawlins-Fernandez is joining us eventually. And Member Sinenci.

COUNCILMEMBER SINENCI: Aloha, and hatitu from Hāna, Chair. Here at the Hāna District Office with Staff members Dawn Lono and Mavis Medeiros, and there are no testifiers, Chair.

CHAIR SUGIMURA: All right. We are all here. We'll wait for Member Rawlins-Fernandez to join us. From the Department of Finance, I see Marcy Martin, Director, online. Do we have Maria Zielinski? I have her down also. I haven't seen her. Okay.

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

October 22, 2024

Lito Vila, Motor Vehicle and Licensing Administrator; from the Office of the Mayor, Lesley Milner, Budget Director; Leo Caires, Energy Commissioner, and Shannon...Sharon Banaag, Administrative Assistant. Department of Fire and Public Works, we have Assistant Chief Jeff Giese; Department of Corporation Counsel, Kristina Toshikiyo. Committee Staff. Yvette Bouthillier, Senior Committee Secretary; James Krueger, Senior Legislative Analyst; Kasie Apo Takayama, Senior Legislative Analyst; Carla Nakata, Legislative Attorney; and Lei Dinneen, Council Services Assistant Clerk. And you can see the last page of the agenda for information on meeting connectivity. Today...we have four items on the agenda today for this BFED Committee. Item number one is BFED-106, Bill 141 (2024), Amending Chapter 5.36...5.16, Maui County Code, Relating to Taxicabs; BFED-104, Bill 138 (2024), Amending the Fiscal Year '25 [sic] Budget; Office of the Mayor (Economic Development [sic]; Grants and Disbursements for Culture, Arts, and Tourism for [sic] Alexander Academy). The third item is Bill 140, Authorizing the Mayor to Enter into an Intergovernmental Agreement with the 16th...15th Space Surveillance and [sic] Squadron, Air Force Maui Optical & Supercomputing, and the [sic] Air Force Research Laboratory for Fire and Emergency/Non-Emergency Services. BFED-21 (2024), Johnson Controls, Inc., Emergency [sic] Performance Contract. Do we have any testifiers?

MR. KRUEGER: Yes, Chair.

CHAIR SUGIMURA: We do? Okay. So, for testifiers wanting to provide testimony, should sign up with Staff and join the online meeting...or join the online meeting via Teams link or call in to the phone number noted on today's agenda. Written testimony is encouraged and can be submitted via eComment link at mauicounty.us/agendas as well. Under the Sunshine Law, the Chair will receive oral testimony for agenda items at the beginning of the meeting and as an...as the item is called up. For individuals...individuals wishing to testify via Teams, please raise your hand by clicking on your raise-your-hand button. And if calling in, please follow the prompts via phone; star-5 to raise and lower your hand, star-6 to mute and unmute. Staff will add names to the testifier list in the order testifiers sign up or raise their hands. For those on Teams, Staff will lower your hands once you...your name is added. Staff will then call the name you logged in on...or under at the last...or the last five...four digits of your phone number when it is your time to testify. At this time, Staff will also enable your microphone and videos. If you wish to testify anonymously, please notify Staff. Otherwise, please state your name for the record at the beginning of your testimony. Oral testimony is limited to three minutes per person, and if you're testi...still testifying beyond this time, you will be given another 30 seconds to complete your testimony. Once you are done testifying, or if you do not wish to testify, you can also view the meeting on *Akakū* Channel 53, Facebook Live, or mauicounty.us/agendas. We will do our best to take each person up in an orderly fashion. We will now call on the first testifier, Staff, beginning...the begin...at the beginning of the meeting.

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

October 22, 2024

MR. KRUEGER: Chair, we have one person signed up to testify at the beginning of the meeting, and that would be Kenny Barr.

CHAIR SUGIMURA: Okay. Mr. Barr, when the item comes up, we're also going to ask if you can be a resource. But you're welcome to testify.

. . .BEGIN PUBLIC TESTIMONY. . .

MR. BARR: Good morning, Chair --

CHAIR SUGIMURA: Good morning.

MR. BARR: -- and Members, and thank you very much for taking this up. It's been a lot of years. So, I'm testifying just as a personal taxi driver, not as part of the committee, which I've testified before with. There were just three things I wanted to mention, is that just from my personal point of view in Section, uh...the 5.16.80, the part about charging for motorized wheelchairs, I personally have a problem with that. You know, the committee put it in there, so it's there. And I'm sure it'll still be up to individual drivers, but I want to make a point from my point of view that I don't think you should be charging anything for wheelchairs whether they're motorized. And already, it says in here that nonmotorized ones do not get charged. And then the other...second thing is that under 5.16.120, Special Operations, there's a B. and a C. about personal use, and about the Director describing the size and specification of metal sign, and the same shall be furnished at the Director, meaning the County, at no cost. I don't know how long that's been in there. I know this wasn't part of our committee. It's just...I would say just delete B. and C. because it's...it's just something that doesn't even matter. And then thirdly, I just want to say--and I know this is not part of this specific item, as we...we touched this before--and it's about the Uber thing. And although all the stuff about the rates is great because there hasn't been a fare increase in 19 years, so I think anybody would justify that. But until...at a...at a future time when you guys take up the situation about Uber following the same rules as...as taxis, since they're a part of the Maui transportation network, but yet we're, as taxis, operating under all these rules and expenses and requirements, and they're, as you know, required to do nothing. They just...they exist. And they're a...they're a competition against the taxis, and the shuttles, and the buses, and everything, but they have no rules. So, I just do want to comment that, like I did in '19...in '20...2019, before COVID, that we really need to--and I know I submitted nine different suggestions, and I hope that eventually you'll take that up--but for now, thank you very much for taking this up. This will really help. And again, I...there should be no question about it being deserved --

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

October 22, 2024

CHAIR SUGIMURA: Yeah.

MR. BARR: -- after all these years. Beside the taxi expenses, everybody, of course, has their personal expenses too. So, thank you very much.

CHAIR SUGIMURA: Thank you, Mr. Barr. One...one second. So, I have a question. In your testimony, did you just say that you agree with 5.16.080, Rates, Fees, and Baggage Charges...you agree with the rates. What did you say about B. and C.?

MR. BARR: About the what?

CHAIR SUGIMURA: B. and C.? Item B. and C. in the bill?

MR. BARR: Okay. I think that wasn't...I mean, I think that's part of...that's been part of that.

CHAIR SUGIMURA: And you're fine with that?

MR. BARR: That's been part of it for years.

CHAIR SUGIMURA: Yeah.

MR. BARR: And I'm just saying since you have that before us right now under the Special Operations, if you want to delete it...because it's going to put...I mean, I don't know. We've never seen this dealt with before, but this is going to--kind of what it says is that Lito has to come up and buy these metal plates and...and give them to taxi drivers who never use them anyway. I mean, it's just a...I...I --

CHAIR SUGIMURA: Okay.

MR. BARR: -- have no idea, that in the late '70s, when they came up with this ordinance, why it was even in there. But since you're dealing with them, just same sugg...if you don't want to delete it, that's fine. That's...just making that point.

CHAIR SUGIMURA: Okay. Thank you. Oh, I see. Tamara has a question. Member Paltin has a question for you.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Barr. I just wanted to clarify what you said about C. The way I read it is that it's not at no cost, it's at cost, which...when I interpret at cost means that he passes on the cost to the...and doesn't put like a profit at it. It says, the Director must prescribe the size and specification of the metal sign, and the same will be furnished by the Director at cost. And before the must and will were shalls, and I guess sometimes shall is not as compelling as must. But is...is that what your copy says, at...at cost or at no cost?

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

October 22, 2024

MR. BARR: No, I don't think it should be...that nobody should have to pay for it because it's just something that we...we would never...never use.

COUNCILMEMBER PALTIN: Okay. So, then how does the public know that you're not for hire?

MR. BARR: Because the airports...the taxi air...the taxicabs at the airport are all online, so anybody online there, they would know they're...they're...you know, that they're available. And as far as the rest of us being on the outside, most of our business comes in by calls.

COUNCILMEMBER PALTIN: Okay. And so, you guys don't ever use the taxi for personal use?

MR. BARR: Well, you may use it at the store, but I don't...you know, to go somewhere, but you don't have to put a sign on top of your meter. So, I don't see the point of it, is what I'm saying. But if you just want to leave it in, that's fine. You know, it's just...I'm just going over some things that I didn't think were pertinent. So...

COUNCILMEMBER PALTIN: Oh, okay. Because it seems like --

MR. BARR: And that's my perspective.

COUNCILMEMBER PALTIN: -- that's just to let the people know that they can't hire you because...and...and I don't care if it's a metal sign or what, but it seems like that was the point, to let people know that you're just driving your taxi around for personal use and that you're not...you're not there to be hired. But if you don't have a problem with that, I don't have a problem with it.

MR. BARR: Yeah. All I'm...all I'm saying is that in my 41 years, I've never had a problem with that, or I've never had anybody come up to me and, you know...and have to cover the...cover the meter. That's all.

COUNCILMEMBER PALTIN: Okay. Maybe we can choose that to...change that to may instead of must. If somebody wants it, they can, if they don't want it --

MR. BARR: Sure.

COUNCILMEMBER PALTIN: -- they don't need to.

MR. BARR: That's...that's fair. That's great.

COUNCILMEMBER PALTIN: Okay. Thank you. Thank you, Chair.

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

October 22, 2024

MR. BARR: Thanks for the question.

CHAIR SUGIMURA: Okay. Great questions. Anybody else have questions for Mr. Barr?
Seeing none. Thank you.

MR. BARR: Okay.

CHAIR SUGIMURA: Thank you very much.

MR. BARR: I just want to say thanks again for taking this up. You know, you could
have just let this ride because...since COVID. So, thank you very much.

CHAIR SUGIMURA: Yeah, it's been long time. But thank you. And then I'm going to
ask if you can stick around so when we take up the item, if you could be a
resource. So, don't leave.

MR. BARR: Yes.

CHAIR SUGIMURA: Okay. Thank you. Next testifier.

MS. APO TAKAYAMA: Chair, Staff has not received any further requests for testimony
at the beginning of the meeting. If it...would you like me to do a countdown?

CHAIR SUGIMURA: Yes.

MS. APO TAKAYAMA: If anyone would like to testify, please raise your hand by clicking
on the raise-your-hand button or following the prompts via phone. Last call for
testimony...three, two, one. Chair, seeing no divi...no individuals wishing to
testify at this time.

CHAIR SUGIMURA: Great. So, I'm going to close public testimony for this beginning of
the meeting, and we will call up testifiers as we go through each individual items
in case there are testifiers.

. . .CLOSE PUBLIC TESTIMONY AT BEGINNING OF THE MEETING. . .

**ITEM 106: Bill 141 (2024), AMENDING CHAPTER 5.16, MAUI
COUNTY CODE, RELATING TO TAXICABS
(BILL 141 (2024))**

CHAIR SUGIMURA: So, now I'm going to take up BFED-106, Bill 141 (2024), Amending
the Charter...Amending Chapter 5.16, Maui County Code, Relating to Taxicabs.
And Members, this first...this item is on our agenda, Bill 141, which makes
various adjustments to rates and fees...and fares taxicab drivers, owners,

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

October 22, 2024

licensees, and operators may charge. The bill also lies...allows for a \$5-airport-pickup fee, and sets a \$20 flat rate if the distance that the taxi travels is three miles or less. These revisions are based on the 2021 Taxi Review Committee's recommendations, which were discussed at our meeting on August 20th, as well as discuss...discussions with the Department of Finance, which has been set with stake...was set with stakeholders. Joining us today to assist with the discussion is Director Marcy Martin and Mr. Vila. And Ms. Martin and Mr. Vila, I want to open...open this up for your opening comments.

MS. MARTIN: Thank you, Chair. The Department of Finance is here to support the discussion regarding taxicab operation updates to the Maui County Code. Lito Vila, the DMVL Administrator, is here to answer questions for you. Thank you.

CHAIR SUGIMURA: Thank you. Thank you, Ms. Martin. Thank you. Mr. Vila?

MR. VILA: Hi. Good morning, Chair. Thank you so much --

CHAIR SUGIMURA: Good morning.

MR. VILA: -- for having us. And hello to Mr. Barr. It's nice to hear you. I'm here to...as a resource for the Department of Finance, and also to hear...answer any questions Council may have, and participate in...in the discussion. Good morning.

CHAIR SUGIMURA: Thank you very much for submitting this bill. And as it was discussed, long awaited for. I think we tried to take up something like this, and then COVID hit, and it put this whole discussion aside. So, here we are, trying to do something. So, at this time, to move forward, I guess we can designate...do we have to designate both of them as being resources for this, as well as I'd like to ask Mr. Barr. And...and we have two members from the airport taxicab group--and if you would like to come here--and I would like to designate them under Rule 18(A) to be...to be resources.

MR. KRUEGER: So, Chair, yes. If you'd like, you...you can designate individuals as resource persons if the Committee is willing to approve that --

CHAIR SUGIMURA: Right.

MR. KRUEGER: -- at this time. And then if they...they have opening remarks to provide, and then we can proceed with testimony afterwards.

CHAIR SUGIMURA: Okay. So, I would like to ask if--Rudy Mendoza, if you could come forward. Rudy? And...and Jingo. I'm so sorry. I do not have your full name. Could...could you also come forward and you can give us your name. And

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

October 22, 2024

Mr. Barr, if you could come forward. Thank you. So, you can sit here, and then you can put up the mics.

UNIDENTIFIED SPEAKER: Thank you.

CHAIR SUGIMURA: Those are the mics. They're always live, so if you're going to talk in between to each other, we can hear every word you're saying. . . .*(laughing)*. . . Just want to kind of warn you.

COUNCILMEMBER U'U-HODGINS: No secrets in this room.

CHAIR SUGIMURA: Yeah. No secrets in this room. Okay. So, if you would like to give us some of your opening comments. And Mr. Barr, you did give us your opening comments in your testimony, but is there anymore that you would like to share?

MR. KRUEGER: Chair, apologies. Before they provide their opening comments, could you confirm with the Committee if they're --

CHAIR SUGIMURA: Oh, sorry. I need to --

MR. KRUEGER: -- willing to designate them as resource people.

CHAIR SUGIMURA: Yeah. I need to...I'd like to designate --

COUNCILMEMBER U'U-HODGINS: Sounds good.

CHAIR SUGIMURA: -- thank you--Rudy, and Jingo, and Mr. Barr to be resource persons under Rule 18(A) of the Rules of the Council because of their expertise that they provide in taxicab operations. You heard from Mr. Barr, and Jingo and Rudy are part of the airport taxicab groups. And did meet with Finance, and...to go over these rates and fees that we're...rates and fares that we're talking about today. So, Rudy, would you give us your full name, and then Jingo can go after, and he can say whatever you would like to say.

MR. MENDOZA: My name is Loreta Mendoza, but I am more known as Rudy. And I'm a taxi driver at the airport--well, actually, all over the island. And I am the Vice-President for ILW 1222. And good morning.

COUNCILMEMBER U'U-HODGINS: Good morning.

CHAIR SUGIMURA: Okay. Thank you. All right. And Mr. Jingo.

MR. TAMAYO: Good morning, Ms. Chair. My name is Jingo. I'm known as Jingo Tamaya because of my radio name, but...but my real name is Ulfeo. But I'm the President of LOCAL 1222. It's a newly-organized union. It only started last year,

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

October 22, 2024

July 2023. And this is the very first time that we had the union for the taxi operators of the entire Island of Maui.

COUNCILMEMBER COOK: Congratulations.

MR. TAMAYO: Good morning, everyone, and thank you for having us.

CHAIR SUGIMURA: Good morning. Okay. And how many members...since you brought it up, how many members do you have?

MR. TAMAYO: Right now, we are growing to 128 members.

CHAIR SUGIMURA: Wow. Oh, okay.

MR. MENDOZA: And everybody votes.

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

UNIDENTIFIED SPEAKER: . . .*(laughing)*. . .

CHAIR SUGIMURA: No, no, no. . . .*(laughing)*. . .

COUNCILMEMBER COOK: Important detail.

CHAIR SUGIMURA: Okay. So, they have been designated as resource. And as--we can talk about the bill, and then we can hear from you. So, at this time then, do we have any more testifiers? None?

MS. APO TAKAYAMA: Chair, the two individuals currently signed up were designated as resources, so if they'd like to testify. Otherwise, I can do a last call for testimony.

CHAIR SUGIMURA: Okay. Do a last call. Wait just a second. You can do a last call for testifiers.

MS. APO TAKAYAMA: Would you like to provide testimony?

CHAIR SUGIMURA: Oh, you want to--well, they're sitting here, so they can just talk.

COUNCILMEMBER COOK: They're resources, yeah?

CHAIR SUGIMURA: Yeah. As resource.

MR. MENDOZA: Well, I'm just going to put my story about --

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

October 22, 2024

CHAIR SUGIMURA: Oh.

MR. MENDOZA: -- our life as a taxi driver.

CHAIR SUGIMURA: Oh, okay. So, you're going to testify?

COUNCILMEMBER U'U-HODGINS: Yeah.

CHAIR SUGIMURA: Okay.

MR. MENDOZA: All right.

CHAIR SUGIMURA: Go ahead.

MR. MENDOZA: My first time.

CHAIR SUGIMURA: Okay.

MS. APO TAKAYAMA: Okay. The first testifier is Loreta Mendoza.

. . . OPEN PUBLIC TESTIMONY (BFED-106). . .

MR. MENDOZA: It was January 6, 2006 when Maui taxi rates were last increased, about 18 years ago. On O'ahu, taxi-meter rates have been raised twice--in 2013 and 2023--every ten years, pretty much. Other measures have been implemented in...on O'ahu to make reasonable adjustment to the taxi fee...taxicab fees. The cost of living and cost of doing business has increased every year, and greater on Maui than on O'ahu. For example, our gasoline prices increased. When we had the 2006 increase, the gas price at the time is only \$1.95. Do you see the difference? Car parts, prices increased. Car maintenance, prices increased. So, like oil change. It used to be \$36, now it's 130 to change oil. Car insurance increased. It used to be only 1,000-something, now it's like 6,000. Car registration fee increased also, it's tripled. Airport dues increased, harbor dues increased, taxi license renewal increased from \$5 to \$50. Traffic abstract fee increased from \$6 to \$20. All . . . *(inaudible)*. . . increased triple. I'm renting 2,800 a month. GE tax increased. Van's tires for four tires at a time is only \$300...\$380, now almost 1,000 for four tires if you have a van. That's why we're asking for the first one-eighth mile or less, or fraction thereof, or first 45 seconds of waiting time, or fraction thereof, it's going to be 5 bucks. For each additional one-eighth mile, or a fraction thereof, 50 cents. For each 45 seconds of waiting time, or fraction thereof, 50 cents. That makes in a one-hour waiting time, right now it's only \$18. But if we...you approve this, then it's going to be \$40 an hour for the waiting time, which helps us a lot. For each price of baggage handled by the drive...by the driver in loading, unloading, or both, the following charge may

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

October 22, 2024

be made per trip, 50 cents. That's all we're asking. Honolulu, 75 cents. Every time, you always give discount. This is our thing in Maui as a taxi drivers. We are always giving discount. But in order to give discount, we need to increase our price the way we can keep discount. Otherwise, no discount. For each surfboard, bicycle...for each motorized wheelchair, large pet crate, surfboard, or bicycle, the following charges may be made, \$10. The reason is that motorized wheelchair are very heavy and require two people to load, unload, taking time. Also can cause damage or soiling due to oil leaks or dirty tires. Large...large pet crate--yeah, just like for the dog, you have the bigger one--it takes a lot of space and it's stinky. It's stinky, real. That's why a lot of guys, a lot of taxi drivers, they get doctor's--what you call it?--like a certification that they cannot take animals because they get sick. Some guys, they just keep sneezing, I'm one of them just keeps sneezing, smelling that stinky crate. Surfboards --

CHAIR SUGIMURA: Rudy?

MR. MENDOZA: Yes?

CHAIR SUGIMURA: So, we have three-minute time period that you --

MR. TAMAYO: Yeah, you got cut short.

CHAIR SUGIMURA: Yeah. So, we're going to talk about the bill, and then you can --

MR. TAMAYO: Continue.

CHAIR SUGIMURA: You can talk about it. You can...because you're going item by item about the bill.

MR. MENDOZA: Well, to cut short, we taxi drivers hold ourselves to high standards for amazing hospitality and service, and we'll continue to devote our time and money efficiently and ethically to help our community. Please, we need this.

CHAIR SUGIMURA: Okay. Thank you very much.

MR. MENDOZA: Thank you. I appreciate your guys' time.

CHAIR SUGIMURA: Okay. Very good. All right. Now, we have Ulfeo --

MR. TAMAYO: Yes.

CHAIR SUGIMURA: -- Jingo.

MR. TAMAYO: Well, I think--good morning, once again. I think everything has been well said by Rudy. And just to make a little recap of what we've been talking

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

October 22, 2024

here, is that at the airport alone, every time we pick up a ride, we pay a fraction of about \$5.42 just to pick up a ride at the airport. To pick up a ride at the airport is not free. We pay SpeediShuttle \$5.42 every time we pick up a passenger. That's how heavy it is on the side of the driver. So, that's one thing that I'd like you guys to also consider. And another thing, with the existence of Uber and Lyft, which is--we could coexist with them. We're not in any way trying to stop their business. We...they're...they're just like us. They want to survive. However, you should remember that Uber and Lyft can surge...can change the rates at a given time. When there's a time when there's a high surge, and there is no limit...there's limited Uber drivers, they would raise up their prices, and even twice higher than our rate...whereas taxis cannot change their rate. Regardless of what time of the day, whether it's surge or not, we have the same rate. So, these are the things that I'd like you to take a look at it. And another problem that we do have, we service the harbor. The taxis are the only ones that's allowed to get inside the harbor to pick up the passengers for one reason...we have the Feds clearance. We have the TWIC card. So, the harbormaster is very strict about that, so we have to comply with that. However, the competition does not stop because Uber and Lyft is just around the corner. And most people, they would go there and take the ride because for them, it's way cheaper. Which...okay, that's given. However, their chances that they would give us a double ride...you know, like...there's like four, five people, six people all heading to the airport, and that's less than three miles, right? So, how much do you think they would pay for three different groups in our cab? It's \$12.15. That's for one, two, three...three groups. So, that's triple loading on our part, see? We cannot charge them each group, see? That's how hard...that's how difficult it is for the taxi drivers. We...we don't have a certain rules or guidelines that we could implement, that there's no...there should be no double loading...because we are not rideshare. The rideshare are the ones should be doing that because they're called rideshare, see? But they're not doing it. And us, taxi, we do it. So, these are just a lot of things that I'd like to discuss. I know I have a limited time. Thank you very much.

CHAIR SUGIMURA: Okay. Thank you very much.

COUNCILMEMBER COOK: Perfect.

CHAIR SUGIMURA: Yeah. Perfect timing. Okay. I'd like to also welcome Member Rawlins-Fernandez, who's joined the meeting.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha kakahiaka kākou. E kala mai for my tardiness. I'm at the Molokai District Office, alone on my side of the office, and there are no testifiers here. Mahalo.

CHAIR SUGIMURA: Thank you. Good morning. Okay. Thank you very much for sharing your thoughts on this.

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

October 22, 2024

MR. TAMAYO: You're welcome, Chair.

CHAIR SUGIMURA: So, now --

MS. APO TAKAYAMA: Chair, would you like to close testimony on this item?

CHAIR SUGIMURA: Oh, yes. I guess they were testifiers. Yes. I'd like to close public testimony if there's no other testifiers. Seeing none. Okay. We're going to close public testimony and --

UNIDENTIFIED SPEAKER: . . .*(inaudible)*. . .

CHAIR SUGIMURA: And receive any--oh, Member Johnson, you have a question?

COUNCILMEMBER JOHNSON: Chair, could I ask the testifier a question?

CHAIR SUGIMURA: Yes. Yes.

COUNCILMEMBER JOHNSON: It's a clarifying question. So, good morning. You...you mentioned that you need a TWIC card to go into the harbor. That's Kahului Harbor. How about the small-boat harbor? You guys don't need TWIC cards to go in down...down to Ma'alaea, do you?

MR. MENDOZA: No, sir.

COUNCILMEMBER JOHNSON: Oh, okay. Thanks for that clarification. Thank you, Chair.

CHAIR SUGIMURA: Okay. No other questions? At this time then, I'm going to close public testimony. Oh, Tamara, you have a question? Go ahead. Member Paltin.

COUNCILMEMBER PALTIN: Oh, I guess my question would be when Lahaina Harbor was...did you need one for there?

CHAIR SUGIMURA: Lahaina Harbor.

MR. MENDOZA: No, only at that Kahului Harbor, ma'am.

COUNCILMEMBER PALTIN: Oh, okay.

CHAIR SUGIMURA: Okay. No other questions. Okay. I'm going to close public testimony and receive written testimony, Members, with your permission.

COUNCILMEMBERS: No objections.

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

October 22, 2024

CHAIR SUGIMURA: Okay. Thank you.

. . .CLOSE PUBLIC TESTIMONY (BFED-106) . . .

CHAIR SUGIMURA: All right. So, I'm going to start off--and I'm going to need the assistance of Finance--but I made some notes about the bill. So, we are talking about 5.16.080, Rates and Fees, Baggage Charges. And the initial meter activation from 3.50, which it is now, and they are requesting for it to go to \$5. Any comments, Mr. Lito, or...yeah, you're fine with that? Okay.

MR. TAMAYO: I'm fine with that.

CHAIR SUGIMURA: Okay, and, um...and...and this will entitle the passenger to one-tenth changing to one-eighth of a mile or less, which is a change from one-tenth and/or one-minute to 45 seconds waiting time or less thereafter. And for each additional one-eighth...I'm sorry, one-tenth to one-eighth of a mile, or a fraction thereof, 50 cents. And for each additional one minute, change that to 45 seconds of waiting time, or any fraction thereof, changing that to 50 cents. So, basically, you are increasing pennies, it sounds like, from 30 to 50 cents in some cases, and time, that you're making it, you know, stricter. Any comments on that, Mr. Lito, or any of the...Rudy or...you're all fine with that, right? I think Mr. Barr was fine with that too. Okay. So, that's fine. Next section under that is D., Item D. For each passenger or equipment or baggage, other than motorized wheelchairs, large pet crates, included in there...that was added. And also, under that category and not--changes bicycles and surfboard handled by the driver in loading, unloading, or both, at a charge of 50 cents may be added per trip. So, this was 30 cents. Any comments on that? I know Rudy had a comment about the smell of the crates?

MR. MENDOZA: Oh, yes. About--well, actually, I categorized this. Like, the motorized wheelchair, I...I told that already. The large pet crate, I told that. Surfboards. Cases take time to land...to...to load and are often soiled, filthy, wet, stink, and often filled with items. This increases time and gas consumption, also time cleaning the mess made by cases. The bicycle stain or soil cab interiors. Also could be within cases, loaded with other items, similar to surfboard cases. Professional cleaning is expensive, \$100 or more, and is often required by contract with airport or dispatch service company.

CHAIR SUGIMURA: Okay. So, basically, you're saying you're fine with the changes, right?

UNIDENTIFIED SPEAKER: Yes.

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

October 22, 2024

MR. MENDOZA: Yes. I'm just telling you the reason why.

CHAIR SUGIMURA: Okay.

MR. MENDOZA: Why we have it.

CHAIR SUGIMURA: And I know Mr. Barr had a concern about wheelchairs. Mr. Barr, you want to say anything about wheelchairs? So, for each motorized wheelchair, large pet crate, there is a change of the charge from \$3 to \$10 to be added. You're fine? Are you...are you all fine with that, the change?

MR. BARR: I...I have a personal problem with that, but I'm not--you know, it's--they've explained themselves well. A lot of the...a lot of the testimony I always give is the for the...for the whole taxi operation, and I'm out of the...I'm not in the airport, so I don't have a lot of the situations that Rudy is speaking about. So, I'm really glad they came down here today to --

CHAIR SUGIMURA: Explain.

MR. BARR: -- to explain that. Yes.

CHAIR SUGIMURA: Okay. Yeah, I guess...different situation. Okay. So...so, this...added into this bill is nonmotorized wheelchairs will be transported at no charge when accompanied by its user. So, regular wheelchairs, no charge, right?

MR. BARR: Yes.

CHAIR SUGIMURA: Okay. So, that's fine. And then added to this bill is Item E., airport pickup fee of \$5 may be added to the fare, and you're all fine with that. Section F. is not withstanding Subsection B., the flat rate...a flat rate of \$20 will be charged when the distance travelled is three miles or less. So, that's like from the airport to...

MR. MENDOZA: Courtyard, Costco --

MR. TAMAYO: Costco.

MR. MENDOZA: -- Heliport.

CHAIR SUGIMURA: Oh.

MR. MENDOZA: Triangle, where there's a rental car in there, you know, by Krispy Kreme? A lot of people, other islands, they go there to buy Krispy Kreme by the dozen.

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

October 22, 2024

MR. TAMAYO: That's where they pick up their tour rides.

MR. MENDOZA: Oh, the tour rides too.

CHAIR SUGIMURA: I see. You're saying that would be a flat rate of \$20?

MR. TAMAYO: Yes.

MR. MENDOZA: \$20.

MR. TAMAYO: . . . *(inaudible)*. . .

CHAIR SUGIMURA: A change.

MR. TAMAYO: Less than three miles.

CHAIR SUGIMURA: Okay. The distance travelled is three miles or less. So, Mr. Barr, do you have a thought about that? Because you...you're not at the airport, so you make it...ask to do some...

MR. BARR: I'm okay with that.

CHAIR SUGIMURA: You're okay with that? Okay. So, \$20 will be like a flat-rate fee for \$20... . . *(inaudible)*. . .

MR. MENDOZA: Which is like generous...generous. Because even the resort taxi drivers, they're experiencing the same. Like, for outside fare, many drivers are coming from three to five miles for a one- to two-miles' fare, then travel three to five miles, again, to go back to their holding area. This is also happening to the taxicab drivers operating at...at resort area. They have also a holding area where you're going to go back again and wait for call. Because nobody is moving around anymore because of this expensive everything. We want to keep our times more longer.

CHAIR SUGIMURA: Okay.

MR. BARR: As far as...again, on that, the outside cabs, is that they're dealing with people coming right up to them and doing that. In our case, you know, we could be at one end of Kihei and get a...you know, a run just from, you know, Star Market down to Sugar Beach. So, although the run is only three or four...three or four miles, you're travelling five miles to go get the run, and then you do it, and you go back, and another one. So, all I'm saying is that, I mean, you're using your gas to do it. And that's kind of more of a justification as not to sock it to the to...to the tourist, you know, just to kind of break even and --

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

October 22, 2024

CHAIR SUGIMURA: Okay.

MR. BARR: -- earn a living like . . . *(inaudible)*. . .

CHAIR SUGIMURA: Okay. So, you're fine with that change.

MR. BARR: Yes.

CHAIR SUGIMURA: Item G., passengers not traveling together but agreeing to share the taxicab to the same destination or along the same route will each pay the meter rate and receive 20 percent discount to the fare. Ridesharing.

MR. TAMAYO: For me, that's just the right approach, and I think it's just being fair to who the...to the passenger.

CHAIR SUGIMURA: Okay. Okay.

MR. MENDOZA: Well, one more reason for that, more passengers and luggage increase time and effort and fuel consumption. There is also increase in liability and tear and wear on the vehicle. More passengers are...also increases virus exposure probability. A rule similar this is...was already put in place by Hawai'i County on the Big Island. One more. This is what's happening to us a lot. At the harbor, harbormasters imposing double to triple loading for airport fare, asking passenger their destination and loading them all in one cab, advising them to pay just one fare. And if we don't comply, he threatened us to cancel our permit to work at the harbor. Those are the things that...we really need to have that, you know, that prorate or rate to be changed. That they have to pay the meter rate, each group, and then minus 20 percent discount. Which is...I believe it's more tangible of what we are experiencing right now.

COUNCILMEMBER PALTIN: Chair, is this the homework we were supposed have done, or are we asking questions too? Do you need us here, or...just asking.

CHAIR SUGIMURA: You can ask questions as we go along. I'm just trying to go through the bill. Unless...if all of you have read it line by line, you're fine.

COUNCILMEMBER PALTIN: Yeah, that's what I thought the job was, to come to work prepared.

CHAIR SUGIMURA: Okay. Thank you for your unsolicited comments, but I was just trying to --

COUNCILMEMBER PALTIN: I have a question.

CHAIR SUGIMURA: Please.

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

October 22, 2024

COUNCILMEMBER PALTIN: It's for Corporation Counsel. Is there a Corporation Counsel there?

CHAIR SUGIMURA: Yes. Who is here? Kristina Toshikiyo?

MS. TOSHIKIYO: Yes, Chair. I'm here.

CHAIR SUGIMURA: Go ahead.

COUNCILMEMBER PALTIN: Ms. Toshikiyo, my question is, if someone is like a paraplegic, and that's the only way they can get around, with a motorized wheelchair, is it fair to discriminate against them in that manner and charge them while not charging someone without a motorized wheelchair?

MS. TOSHIKIYO: I don't know the specific answer to that. . . .*(laughing)*. . . I'm sorry. I have to think about that. But whether or not to charge for the motorized wheelchair, that's a policy decision to--if you want to distinguish between in the nonmotorized and the motorized wheelchair.

COUNCILMEMBER PALTIN: Okay, yeah. I --

UNIDENTIFIED SPEAKER: . . .*(inaudible)*. . .

COUNCILMEMBER PALTIN: I kind of feel the same as Mr. Barr. And then my other question is, they said that the cost to the SpeediShuttle is \$5.42 but the airport pickup in the bill is \$5, and I just was wondering if they don't want it to be 5.50 or \$6?

CHAIR SUGIMURA: Rudy, you want --

MR. MENDOZA: We just want an even number, ma'am. It's easier to do that way. And besides, we are inclined to give discounts. That's how we are as a taxi drivers.

COUNCILMEMBER PALTIN: Okay. Thank you.

MS. TOSHIKIYO: Yes. Member Paltin, I was going to say that that could be a...that's a policy decision for this body as well, to decide, you know, what would be the amount in the bill.

COUNCILMEMBER PALTIN: Yeah. I...I'm not for the charging of a motorized wheelchair if that's the only way they can get around. But if it's like a luxury, like a scooter thing and they can stand up, then I'm okay. But if it's they don't have any other option to travel, policy-wise, I'm not okay with that. Because they have a hard enough life as it is, you know? Thank you.

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

October 22, 2024

CHAIR SUGIMURA: Okay. Okay. Members, I guess from Member Paltin's comments, all of you have looked at the bill and you don't need to go through this line by line. I was trying to do this for the members in the audience or the public that may not have done it, but if you're all fine, let's proceed with accepting the bill. Are you all fine?

COUNCILMEMBER U'U-HODGINS: Um-hum.

CHAIR SUGIMURA: Okay.

COUNCILMEMBER COOK: I'm fine.

CHAIR SUGIMURA: Let's go. So, at this time then, thank you very much all --

COUNCILMEMBER PALTIN: Member Johnson had a question.

CHAIR SUGIMURA: Oh, Member Johnson. Please proceed.

COUNCILMEMBER JOHNSON: Thank you, Chair. Thank you, Councilmember Paltin. You know, I...I often mention this. When I first got into working with the County, I sat on the Commissions for Americans with Disabilities Act, and I...I kind of agree with Councilmember Paltin, we shouldn't...we should look at that as kind of a necessity, the electric wheelchairs. So, putting an extra fee on someone's necessity, I...I...it really kind of puts me in a bad feeling. Because these folks are limited as it is in mobility, and if we limit them by financial things, that's just one more...one more thing that they...they'll probably stay home or not go, and we don't want that. We want folks to have multimodal, you know, many ways to get around. We want people to be out and about, as they say. So, just one more fee is--I don't...I don't...I don't really feel comfortable doing that. You know, we are supposed to be looking at these folks as, you know, not just like...you know, like let...we want them to be able to move around. And a wheelchair--going into a cab, to...or going for a doctor's appointment--we...we know some of the folks who are disabled are really struggling with bills financially. That's just one more thing that they want to--I...I just don't see the point to it. We're raising the rates in so many other scenarios that I...I...I think it would be...it's not really the--I...I don't feel comfortable. So, if there's a time to amend it --

CHAIR SUGIMURA: Okay.

COUNCILMEMBER JOHNSON: -- I'll look to making that amendment, Chair. Thank you.

CHAIR SUGIMURA: Okay. Thank you very much. Appreciate your...okay. Here's Member Kama.

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

October 22, 2024

VICE-CHAIR KAMA: Thank you, Chair. I just have a question. I'm not sure who to address this to, but what is the weight of a motorized wheelchair or a motorized scooter?

MR. MENDOZA: Well, we don't exactly know, ma'am, but we need two person to put it on the...at that time. Two person to carry it, and we don't want to be disabled too.

VICE-CHAIR KAMA: So, you know, I know that...I know how heavy those motorized wheelchairs are, or motorized scooters. So, my question is, you know, they have Handi-Vans --

UNIDENTIFIED SPEAKER: Yes.

VICE-CHAIR KAMA: -- you know, where they have the --

MR. MENDOZA: Yeah.

VICE-CHAIR KAMA: --what do you call...the ramps?

MR. MENDOZA: That's what --

VICE-CHAIR KAMA: Right?

MR. MENDOZA: The local people are using that Handi-Van.

VICE-CHAIR KAMA: Yeah.

MR. MENDOZA: The tourists, they're using the taxi, ma'am.

VICE-CHAIR KAMA: Okay. Okay.

MR. MENDOZA: The tourists, they're prepared. Whenever they come to visit Maui, vacationing --

VICE-CHAIR KAMA: Yeah.

MR. MENDOZA: -- they're prepared. They have money.

VICE-CHAIR KAMA: Yeah. Yeah. But...but --

MR. MENDOZA: We don't want to be . . . *(inaudible)*. . . too.

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

October 22, 2024

VICE-CHAIR KAMA: But to Member Johnson's question about if there is a paraplegic, meaning this guy has no legs, and he utilizes his scooter to get around, who would be that second person to put the wheel...the motorized wheelchair onto the vehicle if there's only you and that passenger, who's a paraplegic?

MR. MENDOZA: Okay. Every time we line up, ma'am, there's always a taxi behind us, so we always ask help from the taxi driver behind us.

VICE-CHAIR KAMA: Hmm. Interesting.

MR. MENDOZA: And we...we...when it comes to locals, just like what I said, we always give discount. We understand. We know our kuleanas. If they need help, we don't charge. That's the truth.

VICE-CHAIR KAMA: Um-hum.

MR. MENDOZA: We even give free...free rides, but we don't advertise that. We do it because we love our kuleanas.

CHAIR SUGIMURA: Okay. Member Kama, are you done?

VICE-CHAIR KAMA: Okay. Yeah. I was just reading...so, I was just reading Item D., where it says, for each piece of equipment or baggage other than motorized wheelchairs or large pet crates, bikes, and so on and so forth, a charge of 50 cents may be added per trip. And then that's--so...so, you're saying in this one, you don't charge the 50 cents for the motorized wheelchairs and the large pet crates, but then you do charge them the \$10 for the wheelchairs and large pet crates. Am I reading that right?

CHAIR SUGIMURA: That changed to \$10.

MR. MENDOZA: Okay. That 50 cents for each piece of luggage handled by the driver, loading, unloading, or both --

VICE-CHAIR KAMA: Yeah.

MR. MENDOZA: -- the following charge may be added, right?

VICE-CHAIR KAMA: Yeah.

MR. MENDOZA: That's 50 cents. We usually don't charge, ma'am, because we don't want to lose our tip. That's what happened. Because you can--what we do on the 50 cents, on the meter, they had this--what do you call this?--different button to add up the 50 cents. So, the more you punch in, they're looking at you, and next thing you know, you lost your tip. So, basically, we don't really charge them

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

October 22, 2024

except...except those people coming from Europe where they don't really tip, then we apply the --

CHAIR SUGIMURA: Different customs.

MR. MENDOZA: Yes.

CHAIR SUGIMURA: Okay.

MR. MENDOZA: Sometimes with the--we have to do something also because, you know, it's really hard to make money now.

CHAIR SUGIMURA: Okay. Thank you. Next, I'm going to go to --

VICE-CHAIR KAMA: Thank you, Chair.

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

COUNCILMEMBER U'U-HODGINS: Thank you, Chair. It does say that \$10 may be added, so it's up to the driver and I'm assuming the level of difficulty in that moment. My grandfather has a motorized wheelchair, and it takes up half of my grandma's car. But she's so tiny, she can't load it up by herself. And they have a mechanical thing, and their van has turned into like a three-person car. So, I can't imagine how much space it takes up, and I know how heavy it is. What happens after you pick up somebody, and you're at the airport and there's two people to help you load, when you drop them off there's not two people to help you unload, what do you do then?

MR. MENDOZA: That's simple, ma'am. What we do is to ask the workers of the hotels to help us out.

COUNCILMEMBER U'U-HODGINS: Okay.

MR. MENDOZA: And if they go to the park, there's always some Samaritan in there that we could ask, and they always willing to help--especially when they see these disabled people.

COUNCILMEMBER U'U-HODGINS: Um-hum. Yeah.

MR. MENDOZA: And they understand too that they don't want us to be disabled too.

COUNCILMEMBER U'U-HODGINS: Yeah. It's...it's a heavy piece of --

MR. MENDOZA: It is.

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

October 22, 2024

COUNCILMEMBER U‘U-HODGINS: It's heavy.

MR. TAMAYO: It's the battery, I guess...that's why.

UNIDENTIFIED SPEAKER: Yeah.

COUNCILMEMBER U‘U-HODGINS: Yeah. Well, I mean, my grandpa has a scooter and a wheelchair in the house.

MR. MENDOZA: Especially the bigger the person --

COUNCILMEMBER U‘U-HODGINS: Yeah.

MR. MENDOZA: -- the bigger the battery.

COUNCILMEMBER U‘U-HODGINS: My grandpa looks like Santa Claus, so it's a big motorized scooter. Thank you.

CHAIR SUGIMURA: Thank you.

MR. MENDOZA: Thank you.

CHAIR SUGIMURA: Anybody else have questions? Member Paltin.

COUNCILMEMBER PALTIN: Thank you. My other question--oh, and Ms. Toshikiyo might have had a question--but my question was for Mr. Vila about what Mr. Barr was saying about those placards for when they're off duty. How often do you issue those, and do we have them already?

MR. VILA: Thank you, Chair. I'm not opposed to striking those sections out.

COUNCILMEMBER PALTIN: Oh, okay. Cool.

CHAIR SUGIMURA: Great.

COUNCILMEMBER PALTIN: And then --

MR. VILA: If...if you're not using it. And this ordinance was enacted way, way before my time.

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

MR. VILA: And if the body wants to remove it, unless there is some legal means to prevent us from moving it, I'm...I'm not opposed to.

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

October 22, 2024

COUNCILMEMBER PALTIN: Have you ever issued a metal sign?

MR. VILA: No, I don't...I don't have any pre-made, so I don't think it's being used anymore.

COUNCILMEMBER PALTIN: Oh, okay. Great. I'll yield to Ms. Toshikiyo.

CHAIR SUGIMURA: Okay. Ms. Toshikiyo, your legal opinion about striking B. and C.

COUNCILMEMBER U'U-HODGINS: Oh, her mic.

CHAIR SUGIMURA: Can't hear you.

MS. TOSHIKIYO: Sorry, I forgot to unmute myself. For--regarding deleting 5.1 --

CHAIR SUGIMURA: Deleting --

MS. TOSHIKIYO: -- 120, Subsections B. and C...

CHAIR SUGIMURA: B. and C.

MS. TOSHIKIYO: Yeah. I...I think that's fine, if that's the body's will.

CHAIR SUGIMURA: Okay.

MS. TOSHIKIYO: I did kind of want to go back if--Chair, if I may--because of what Member Paltin initially asked me about the...the extra charge for the motorized vehicle...wheelchairs, I'm sorry. So, that, you know, kind of spurred me on to do a lot of research on the side. And...and it looks like--and I don't have a definitive answer--but I guess I would caution against including that extra charge for the motorized vehicle. Thank you to the...the Members for raising that.

CHAIR SUGIMURA: Okay.

COUNCILMEMBER PALTIN: You mean motorizing chair?

MS. TOSHIKIYO: The--yeah. What did I say? Motorized wheelchairs. Thank you.
...*(laughing)*...

CHAIR SUGIMURA: Okay. So, you're saying we...we can --

MS. TOSHIKIYO: I'm cautioning against including the extra surcharge for that one.

CHAIR SUGIMURA: Oh, okay.

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

October 22, 2024

MS. TOSHIKIYO: And...and I'm sorry, I missed it when I went through my initial review.

CHAIR SUGIMURA: Okay. So, you're against charging that additional. Okay. Member--are you done, Ms. Paltin?

COUNCILMEMBER PALTIN: Yes. Thank you, Chair.

CHAIR SUGIMURA: Okay. Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. So, I could see us, you know, moving to strike the \$10 fee added, but the sentence above mentions motorized--or if you...right in the beginning of Section D., it says, for pieces of equipment or baggage other than motorized wheelchairs. So, do we have to strike that as well, Ms. Toshikiyo?

MS. TOSHIKIYO: Yes. Thank you. Yes, that sentence would also need to be amended.

CHAIR SUGIMURA: Thank you.

COUNCILMEMBER JOHNSON: Thank you for that clarification. Thank you, Chair.

CHAIR SUGIMURA: Okay. All right. So, there's...it's mentioned twice in that paragraph. Member Paltin.

COUNCILMEMBER PALTIN: Seemed like regular wheelchairs though, if there's not a person attached to the motorized wheelchair, I think that's fine to...to charge, right? Because, like they charge for a wheelchair if there's not a person, so same thing with motorized, if there's not a person. Because...you know what I mean?

UNIDENTIFIED SPEAKER: They're just moving it?

COUNCILMEMBER PALTIN: They're just moving the wheelchair. So, they...they--wheelchairs...regular wheelchairs are free with the person in the wheelchair, but there's a cost if there's no person in the wheelchair. So, it feels like motorized wheelchair, if there's not a person in the motorized wheelchair, that should allow a \$10 cost if there is not a person.

CHAIR SUGIMURA: So, do you ever have a situation like that?

MR. MENDOZA: So far, nothing.

MR. TAMAYO: Yeah. There's --

MR. MENDOZA: Everybody always have the person --

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

October 22, 2024

MR. TAMAYO: The person.

MR. MENDOZA: -- the person using it.

CHAIR SUGIMURA: Okay. Okay. Makes sense. Okay. Members...

MS. TOSHIKIYO: Chair, if I could jump in really quick. I just wanted to ask a question. Because right now, if you take out from Subsection D. the first sentence, the added language for motorized and read this whole paragraph together, including the last added sentence, that nonmotorized wheelchairs--and I...I think it could just be wheelchairs--will be transported no charge when accompanied by its user. So, if it's not accompanied by its user, the charge would be 50 cents added per trip. That's the way the bill currently reads with those revisions that were just discussed by the Members.

MR. MENDOZA: Well, just --

MS. TOSHIKIYO: That's --

MR. MENDOZA: -- like what was said--I'm sorry.

CHAIR SUGIMURA: Oh, go ahead, Rudy.

MR. MENDOZA: Just like I said, we always give discount. Those nonmotorized wheelchair, we will continue to...not to charge.

CHAIR SUGIMURA: Okay. I guess you're... you're questioning, Ms. Toshikiyo, about a person with the wheelchair. Ms. Toshikiyo.

MS. TOSHIKIYO: Yes. So, the...if we're looking at the bill that's before you, with that last sentence of Subsection D., so it says that the nonmotorized wheelchairs transported at no cost when accompanied by its user. So, then the question came up of whether--what would be the charge if it is not accompanied by its user? And that would be under the first sentence of Subsection D. So, it's...because it's under that list, if you take out motorized, it would be 50 cents...charge of 50 cents may be added per trip.

MR. MENDOZA: Yes. Thank you.

CHAIR SUGIMURA: Okay.

MR. MENDOZA: If you put it that way, we thank you.

CHAIR SUGIMURA: Okay. So, you're fine with the way it is?

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

October 22, 2024

MR. MENDOZA: Yes.

MR. TAMAYO: Yeah.

CHAIR SUGIMURA: Okay. Okay, Members. Any other discussion on the bill before we take it up? Seeing none. Okay. So, at this time then, I would like to entertain a motion to recommend passage on first reading of Bill 141, entitled, "A BILL FOR AN ORDINANCE AMENDING CHAPTER 5.16, MAUI COUNTY CODE, RELATING TO TAXICABS," incorporating any nonsubstantive revisions.

COUNCILMEMBER U'U-HODGINS: So moved.

COUNCILMEMBER COOK: So moved.

COUNCILMEMBER PALTIN: So moved. Second.

CHAIR SUGIMURA: Made...motion made by Member U'u-Hodgins, seconded by Member Cook. And any...any discussion? So, I guess now we can do...do amendments. Ms. Paltin, do you want to do the amendments to delete?

COUNCILMEMBER PALTIN: Sure. I'll amend Section 2, 5.16.120 to strike letters B. and C.

CHAIR SUGIMURA: Okay.

COUNCILMEMBER U'U-HODGINS: Second.

CHAIR SUGIMURA: Okay. Motion made by Member Paltin, seconded by Member U'u-Hodgins. Any discussion? I think we also heard from the Department that they're fine with that. So, any discussion? If not, all in favor, Members, say, "aye."

COUNCILMEMBER COOK: Aye.

COUNCILMEMBERS: Aye.

CHAIR SUGIMURA: Aye. Is it nine "ayes?" You see everybody? Okay. Nine "ayes," motion carries.

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

October 22, 2024

VOTE: **AYES:** **Chair Sugimura, Vice-Chair Kama, and Councilmembers Cook, Johnson, Lee, Paltin, Rawlins-Fernandez, Sinenci, and U‘u-Hodgins.**

NOES: **None.**

ABSTAIN: **None.**

ABSENT: **None.**

EXC.: **None.**

MOTION CARRIED.

ACTION: **APPROVE** amendment to main motion

CHAIR SUGIMURA: Next amendment. We're going to delete motorized vehicles.

COUNCILMEMBER U‘U-HODGINS: Motorized wheelchairs.

CHAIR SUGIMURA: Oh, sorry. . . .*(laughing)*. . .

COUNCILMEMBER PALTIN: Okay. I'll make it.

CHAIR SUGIMURA: Okay.

COUNCILMEMBER U‘U-HODGINS: Second. . . .*(inaudible)*. . .

COUNCILMEMBER PALTIN: For Section 1, 5.16.080, letter D., I would change it to, for each piece of equipment or baggage, other than wheelchairs, large pet crates, bicycles, and surfboards handled by the driver in loading, unloading, or both, a charge of 50 cents may be made...oh, may be added per trip.

COUNCILMEMBER JOHNSON: Second.

COUNCILMEMBER PALTIN: For each large pet crate, surfboard, or bicycle transported, a charge of \$10 may be added. Motorized and nonmotorized wheelchairs will be transported at no charge when accompanied by its user.

COUNCILMEMBER JOHNSON: Second.

CHAIR SUGIMURA: Motion made by Member Paltin, seconded by Member Johnson. Was that correct, Mr. Johnson? Okay.

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

October 22, 2024

COUNCILMEMBER JOHNSON: Yes, Chair.

CHAIR SUGIMURA: Members, any discussions?

COUNCILMEMBER PALTIN: I'm okay if Corp. Counsel pretties that up for form and legality, nonsubstantive revisions.

CHAIR SUGIMURA: . . .*(laughing)*. . . Okay. I guess she's not popping up. We have Member Johnson with his hand up. Go ahead.

COUNCILMEMBER JOHNSON: Yeah. Just to add for discussion, you know, what Councilmember U'u-Hodgins mentioned, how she has family members who are in those kind of motorized vehicles. I too have an uncle who's in--I call it a motorized vehicle--a motorized wheelchair.

UNIDENTIFIED SPEAKER: . . .*(inaudible)*. . .

COUNCILMEMBER JOHNSON: And, you know, that's his...that's his lifeline. Without that thing, he...he would stay home. And we want our folks to be out and about, as they say. So, full support on this amendment. Thank you, Chair.

CHAIR SUGIMURA: Okay. Great. Do you have any more comments?

COUNCILMEMBER U'U-HODGINS: I do not. Thank you, Chair.

CHAIR SUGIMURA: Okay. All in favor then, raise your hand, say "aye."

COUNCILMEMBERS: Aye.

CHAIR SUGIMURA: Nine "ayes," motion carries. Great.

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

October 22, 2024

VOTE: **AYES:** **Chair Sugimura, Vice-Chair Kama, and Councilmembers Cook, Johnson, Lee, Paltin, Rawlins-Fernandez, Sinenci, and U‘u-Hodgins.**

NOES: **None.**

ABSTAIN: **None.**

ABSENT: **None.**

EXC.: **None.**

MOTION CARRIED.

ACTION: **APPROVE** amendment to main motion

CHAIR SUGIMURA: Any other amendments? Seeing none. All right, Members. So at this time then, I'd like to vote on the motion as amended.

COUNCILMEMBER COOK: May I speak to the motion?

CHAIR SUGIMURA: Oh, yes. You can speak to the motion.

COUNCILMEMBER COOK: I just wanted to say that it's quite enlightening, and thank you for educating us--the...the cost, the differences from your last rate increase to now. I frankly don't know how you stayed in business. And the service that you provide in the community is welcomed, and...anyway, I just wanted to acknowledge that it seems like it's well overdue, and I am very supportive of it. Thank you.

MR. TAMAYO: Thank you.

CHAIR SUGIMURA: Thank you. Oh, thank you. Anybody else have any comments before we vote? Seeing none. Members, all in favor, say "aye" on the main motion as amended.

COUNCILMEMBER COOK: Aye.

COUNCILMEMBER LEE: Aye.

COUNCILMEMBERS: Aye.

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

October 22, 2024

CHAIR SUGIMURA: Nine "ayes," motion carries. Yes, James? Do you see everybody? Okay. Nine "ayes," motions carries.

VOTE: **AYES:** **Chair Sugimura, Vice-Chair Kama, and Councilmembers Cook, Johnson, Lee, Paltin, Rawlins-Fernandez, Sinenci, and U'u-Hodgins.**

NOES: **None.**

ABSTAIN: **None.**

ABSENT: **None.**

EXC.: **None.**

MOTION CARRIED.

ACTION: Recommending **FIRST READING** of Bill 141, CD1 (2024) by C.R.

CHAIR SUGIMURA: Very good. Okay, taxicab. Yay. Thank you very much and --

MR. TAMAYO: Yes. Thank you, all.

CHAIR SUGIMURA: Yeah.

MR. TAMAYO: Thank you.

CHAIR SUGIMURA: Thank you very much. And...

MR. MENDOZA: Thank you. Thank you.

CHAIR SUGIMURA: So, Mr. Barr, thank you for sticking through this all these years.

MR. BARR: Thanks.

UNIDENTIFIED SPEAKER: Thank you.

CHAIR SUGIMURA: Okay. Now we're going to go to the second item.

MR. TAMAYO: Thank you for starting us.

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

October 22, 2024

MR. MENDOZA: Gonna be hard.

CHAIR SUGIMURA: . . .*(laughing)*. . . Okay. Congratulations, and thanks for working on this.

MR. MENDOZA: Thank you. Thank you very much.

COUNCILMEMBER U‘U-HODGINS: Thank you, guys. Have a good day. Bye.

**ITEM 104: BILL 138 (2024), AMENDING THE FISCAL YEAR 2025
BUDGET: OFFICE OF THE MAYOR (ECONOMIC
DEVELOPMENT PROGRAM; GRANTS AND
DISBURSEMENTS FOR CULTURE, ARTS, AND
TOURISM (ALEXANDER ACADEMY)) (BILL 138 (2024))**

CHAIR SUGIMURA: Okay. Members, now the second item on the agenda, it is regarding Alexander Academy, and it's BFED-104, Bill 138. At this time, do we have any testifiers? Do you want to testify?

MS. APO TAKAYAMA: Chair, we currently have two individuals signed up to testify, Danelle Keenan and Jasee Law.

CHAIR SUGIMURA: Okay. Hi, Danelle.

. . . OPEN PUBLIC TESTIMONY (BFED-104). . .

MS. KEENAN: Hi. Thank you so much for have...having me at this time. I know I spoke a couple weeks ago, so I do...I'll try to be very brief. I just want to kind of just remind of what--how we've grown and how things have changed. I think since pre-COVID, I was...my belief was I was teaching extracurricular activity, and I was teaching dance. And then since COVID, I saw the real impact of real change with mental health, by staying open and being creative by doing online classes, which I'm not in favor for because I really believe in connection. So, I do see the value through dance being a real support of connection. The fires, also, we brought in a lot of Lahaina students, and just asking for their feedback was really revealing of showing, oh, wow, they have joy in their life. Oh, they've moved on. They've found some way of coping. So, I...I personally am driven, as Executive Director, to create opportunities and see the lifeline in this, of how it caters to many. We...I think post-COVID, everything going up post-fires in whatever it is, nationwide or Maui as well...just the rents. We got evicted, which I think is not bad because we were growing, so there is a silver lining to having a bigger space. But I think in the past, we've always had our overhead very low, and now our overhead is very high. We haven't quite grown into that, so it's not sustainable

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

October 22, 2024

right now, but I do believe in the growth being now located in Kahului opposed to Upcountry, even though we're getting a lot of people who want us to have a satellite program Upcountry--we lost a lot of Upcountry students--we...our overhead for our productions have quadrupled. Even Seabury Hall, who's always been there for us and has always helped us when we were in need, their theater space went from 2,500 to 14,000 to do less than a week of being at their theater. So, they're just...the cost of employees, becoming employees, not independent contractors. It's just people who we...we have a ton...a ton of volunteers, but we have more people employed. I think the higher the overhead, the more events we have. So, we're just trying to find sustainability, and I think right now, we're just asking for some support with the renovations and to keep...to keep going.

CHAIR SUGIMURA: Okay. Thank you. Anybody have questions for Danelle Keenan? Miss...Member Paltin.

COUNCILMEMBER PALTIN: Thank you. Thank you, Ms. Keenan, for your testimony. I just was wondering, do you partner with any of the local schools, like elementary, intermediate school? We...we had--I--when you spoke about the plays or the productions, we had the opportunity during the Remembrance Week to go to the Kamehameha School's play, and I haven't seen too much of that from public schools. You know, over here in West Maui, Maui Preparatory Academy puts on a play. I just was wondering, like that might be a way to drum up some support if kids find like their passion that might not otherwise be exposed to singing, dancing, acting, and things like that. Like I couldn't drag my kids to that play, but I really enjoyed it.

MS. KEENAN: . . . *(laughing)*. . . It's a hard one, in the sense of...like we definitely want that. We're in the process right now for summer, trying to implement a performing arts camp that qualifies for working families that also caters to--we're trying to get some grants for...to supplement it as well, so that we can cater--kind of a daycare situation, but also give more of the performing arts of what kids might not be getting in school versus when I was a student. So, we are definitely on that. We haven't quite been successful. Like I know I've tried to talk to the MACC about bussing kids in and doing some shows, but I have run into a lot of walls on that so far. But it's still in the vision of having a lot of growth, and building more to have some of our teachers go to the schools and do extracurricular after school. Yeah.

COUNCILMEMBER PALTIN: Thank you. Thank you, Chair.

CHAIR SUGIMURA: Okay. Any other questions for Ms. Keenan? Member Kama.

VICE-CHAIR KAMA: Thank you, Chair. So, thank you for being here. And I see that, you know, you're only asking for 55,000 for, I think, renovations for the new facility at QKC. So, how do you...how do you...how are you going to be able to

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

October 22, 2024

manage, and for how long are you going to be able to be at QKC? Or do you have other funding to help pay rent and help with the operations with...with your studio?

MS. KEENAN: We are...we are planning more...we're doing a Nutcracker Tea as a fundraiser, and we're hoping that'll help. We've got a third show at the MACC versus last year, so we're hoping that will help. We are trying to get...we continue our scholarship where we...anyone who can't afford to pay what the performance fees are, the tuition, we offer discounts. And so, we're asking some...we're getting some funds for people to help support that. We are doing a few other fundraisers, and then we're also applying to about five or six other sources of grant sources. And then we are also doing a more...marketing to try to get more students and growth. And so, we're...we're working in a lot of different areas, yeah, to make sure that we can sustain. Yeah. I'm actually very excited about our location. There's a hula, there's two music schools, there's a theater school, so it's nice to kind of feel like there's a central Mecca, a little location.

VICE-CHAIR KAMA: Yeah.

CHAIR SUGIMURA: So, the feeling of our space is pretty beautiful. So, I do believe in it, it's just scary and risky.

VICE-CHAIR KAMA: Yeah.

MS. KEENAN: Trying not to be scared. Just work hard.

VICE-CHAIR KAMA: Yeah. Well, thank you. Thank you, Chair.

CHAIR SUGIMURA: Thank you. Anybody else have questions for Ms. Keenan? All right. Seeing none. So, Members, at this time then--Ms. Keenan, do you want to join the--sit here, if you could. The second item on our agenda is Bill 138 (2024), which amends Fiscal Year '25 --

MR. KRUEGER: Chair?

CHAIR SUGIMURA: -- Budget...

MR. KRUEGER: Apologies. Did you want us to do a last call for...for testimony on this item?

CHAIR SUGIMURA: Oh, yeah. Sorry. Go ahead. Do a last call.

MS. APO TAKAYAMA: Chair, the second individual signed up to testify --

UNIDENTIFIED SPEAKER: Oh.

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

October 22, 2024

MS. APO TAKAYAMA: -- cancelled, so at this time, we have no further requests for testimony.

CHAIR SUGIMURA: Okay. All right. Members, then I'll close public testimony and receive written testimony on this item. Thank you very much.

. . .CLOSE PUBLIC TESTIMONY (BFED-104) . . .

CHAIR SUGIMURA: And I'd also like to designate with no...if...with your consideration --

VICE-CHAIR KAMA: No objections.

CHAIR SUGIMURA: -- Ms. Keenan as a resource person. I think you heard her in her testimony explain why she would be qualified to do this under Rule 18(A) of the Rules of the Council.

COUNCILMEMBER U'U-HODGINS: Sounds good.

CHAIR SUGIMURA: Okay.

COUNCILMEMBER COOK: No objections.

CHAIR SUGIMURA: Thank you. So, that...there we go. So, you has...been able to say a few words. Would you like to say a few words, Ms. Keenan? And then we'll ask the Administration.

MS. KEENAN: I think I just want to say at this time it's a nice reflection to feel seen as being a foundation in the arts and culture here on Maui of how we've grown in the 15 years I've been Director.

CHAIR SUGIMURA: Thank you.

MS. KEENAN: So, thank you.

CHAIR SUGIMURA: Thank you. Ms. Milner. And then nice to see you here, Sharon Banaag. . . .(laughing). . .

MS. MILNER: Thank you, Chair. Yes, we received this request from Chair Lee to add these funds to support the relocation to Queen Ka'ahumanu Center, and spoke to the Mayor, and he was happy to support that request. So, we've submitted this, and we're happy to be here to answer any questions the Members may have. Mahalo.

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

October 22, 2024

CHAIR SUGIMURA: Okay. Ms. Banaag?

MS. BANAAG: Good morning, Chair.

CHAIR SUGIMURA: Good morning.

MS. BANAAG: Good morning, Councilmembers. No opening remarks. Thank you.

CHAIR SUGIMURA: No opening? Okay. So, Members, this item is recognizing \$55,285 in Carryover Savings from the General Fund, and appropriating it to the Office of Economic Development for a grant to Alexander Academy Performing Arts. Members, we did see a request...we did send a request to the Administration. They submitted their response to the questions. You'll see it on Granicus 3 and 4, under BFED-104, and the responses are there. So, anybody else, Members, have any discussion regarding this? Would you like to explain what the correspondence is? I don't--3 and 4...I guess 4 has the answers.

MS. MILNER: Yes. Thank you, Chair. You had sent some correspondence to the Chief of Staff asking for some clarification of the grant rules and regulations for the County of Maui. As you all may recall, the Council amended the County Code to allow for costs prior to the execution of a contract to be allowable, but they're only allowable from the period that the application is received, so not prior to when the application is received. And the second question was regarding the procurement procedures required for grantees. They're not required to follow County procurement procedures, but there is specific language in the contracts regarding procurement, including that all procurement transactions for construction of nonstructures and procurement transactions for goods and services should be conducted in a manner to provide, to the maximum extent possible, open and free competition. Mahalo, Chair.

CHAIR SUGIMURA: So, what does that mean for a grant of this size? And they have done their renovations, I think.

MS. KEENAN: We're still in the works.

MS. MILNER: Thank you, Chair. That would mean that once the application is submitted, any costs from that point forward are reimbursable. So, whatever they've spent out of pocket to date would not be reimbursable, but moving forward, those costs would be reimbursable.

CHAIR SUGIMURA: Okay. And it depends on when the grant is submitted, and there's criteria that has to be followed. Okay, Members. Chair Lee, would you like to say something? This was your request.

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

October 22, 2024

COUNCILMEMBER LEE: No. I just ask for the Members' support. I think this is a very good cause, and I think we need to help our youngsters have opportunities in the arts and culture area. Thank you.

CHAIR SUGIMURA: Okay, very good. So, I'm going to ask for the motion. But before I do, I want to say that I would like to thank Maui Land & Pineapple Company, who provided opportunities for you and your dance studios at their facility for what, seven years?

MS. KEENAN: Seven and a half. They also let us stay longer --

CHAIR SUGIMURA: Yeah.

MS. KEENAN: -- also.

CHAIR SUGIMURA: And worked with you until you could find your space at Queen Ka'ahumanu Center. I got this from you when I talked to you on the phone. And they worked with you to help you have enough time, I guess, to move out, and worked with your time schedule as best as they could; is that correct? Okay. Thank you. Keani Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Councilmember.

CHAIR SUGIMURA: Yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo. And were you going to open up questions to everyone before calling for the motion, or just --

CHAIR SUGIMURA: Oh, I...I asked, and nobody else except Tamara and Alice. But go ahead.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. My question is for...I don't know if it would be for OED, or--I...I guess my question is about process. I support this, but process is important, and it seems like this kind of, you know, came up abruptly. So, it wasn't something that was planned all along to try to get a grant from the County, but there...I'm sure there were grant applications submitted to OED that perhaps did not receive a grant award, or perhaps didn't receive a full grant award. And so, in getting an OED grant, how do we ensure that we're not, as Councilmembers, kind of helping groups kind of like...like circumvent, you know, the application process with funding that is--I...I can't remember what...what it's called right now--not discretionary--it is competitive. So, competitive pots of funding where, you know, there are applicants that perhaps didn't get funding, and then, you know, if they come to a Councilmember or something, then they can kind of get expedited through. So, I...I...I just want to...us to be mindful that, you know, like we're not creating a precedent in that

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

October 22, 2024

way. Yeah. So, perhaps it...it's a question for the Administration. When a Councilmember comes to you folks with their request for funding on behalf of a group for a grant, do you work with us, as Councilmembers, to kind of share what some of the background application process was for that individual, if there was one? Just...like what...what are the protocols and...and...in place?

CHAIR SUGIMURA: Ms. Banaag, are you representing OED?

MS. BANAAG: I am as a...as a reference, but we also have Miss--the grant manager from OED available virtually if --

CHAIR SUGIMURA: Oh.

MS. BANAAG: -- if we do need to --

CHAIR SUGIMURA: Okay.

MS. BANAAG: -- be more specific. But I will try to --

CHAIR SUGIMURA: Tina Silva's on?

MS. BANAAG: I hope...I hope so. . . .*(laughing)*. . .

CHAIR SUGIMURA: Oh, I don't know. I can't --

MS. BANAAG: But if not, I...I --

CHAIR SUGIMURA: We can...is she on? Okay. Ms. Silva, can you answer that question? I don't see her on my...I guess we can ask you. Did you apply at OED, Ms. Keenan?

MS. KEENAN: So, forgive me because I'm...this isn't my expertise on knowing protocol. But I believe that we were waiting to get approved to be able to --

CHAIR SUGIMURA: Today?

MS. KEENAN: Right.

CHAIR SUGIMURA: Oh, so you haven't...you haven't applied at all?

MS. KEENAN: I believe so, yes. So, I think this was something to get approved, but it's been a little unsure on how it works. But the more delay, the harder it is on us.

CHAIR SUGIMURA: Okay. Is Ms. Silva on the line? Oh.

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

October 22, 2024

MR. KRUEGER: Chair, Ms. Silva is online. We've made her a presenter so she's unmuted on our end, but she'll have to unmute on her end in order to respond.

CHAIR SUGIMURA: Okay. I still don't see her. Ms. Silva, or Ms. Milner, or--somebody want to say something?

MS. MILNER: Yes. Thank you, Chair. When we receive the requests from Councilmembers, we do initiate a conversation with the Departments and with other members of Administration. In this case, I talked to Chair Lee about the possibility of having Alexander Academy apply for the competitive grants and disbursements for culture, arts, and tourism pot. The thought was, as was just indicated by the Alexander Academy representative, that Chair Lee had requested that they receive the funding sooner. That period does not close until November 1st. So, I spoke to the Mayor, and he said he was supportive of it moving forward with a line item rather than the competitive pot in this situation. But we do discuss with the Councilmembers all the funding opportunities that are available, and I also reach out to the Departments to make sure they're supportive of the requests before we move forward.

CHAIR SUGIMURA: Member Rawlins-Fernandez, does that answer your question?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Director...Budget Director Milner. Appreciate it. Yeah, that's good.

CHAIR SUGIMURA: Okay. Any other Member have questions for this? Okay. Seeing none. No questions. Okay, so, at this time then, I'd like to --

COUNCILMEMBER PALTIN: Oh, Chair. Sorry. Late...late hand.

CHAIR SUGIMURA: Go ahead, Member Paltin.

COUNCILMEMBER PALTIN: Ms. Keenan, how long is your lease at QKC for?

MS. KEENAN: The maximum we could get was 13 months. And --

COUNCILMEMBER PALTIN: I'm --

MS. KEENAN: -- I think we...we've invested a lot, so we're hopeful that we'll be able to renew. But QKC would not rent us a longer lease because we're not retail, we're service, and we rented there because it was the only place we could find.

COUNCILMEMBER PALTIN: And then --

MS. KEENAN: Or . . . *(inaudible)*. . . we found were more expensive.

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

October 22, 2024

COUNCILMEMBER PALTIN: The improvements that you're making, can you take them with you if you like aren't allowed --

MS. KEENAN: The floor --

COUNCILMEMBER PALTIN: -- to renew?

MS. KEENAN: The floors, we can. The mirrors will be trial and error if we can get them off the wall because we've gone with a plexiglass mirror instead of a glass mirror. The walls, I think some of it could be salvaged. But yeah, we've done our best to...we've done a lot of recycling in the process of this too. Yeah.

COUNCILMEMBER PALTIN: Okay. And then, I mean, just because in Member Kama's Committee we've been going forward with changing things so that they can do a live-work-play, but, I mean, I imagine that would help your cause if they allow you to stay because then, you know, parents could just let their kids go downstairs to the dance class. But if there's construction and things like that, and maybe they'll renew your lease for cheaper in that case, but is that going to be a problem for your productions--I mean, your classes?

MS. KEENAN: So, I think I'm just taking the hopeful...Maui OnStage did renew their lease. And just the basis of how the mall is doing and what--how many open places are in there, I feel hopeful that we're going to be there a long time. But --

COUNCILMEMBER PALTIN: Okay.

MS. KEENAN: -- we're...we don't have . . .*(inaudible)*. . .

COUNCILMEMBER PALTIN: They did inform you that the...I mean, like they've been telling us that they want to do like apartments, and they're promoting a live-work-play...Member Kama probably knows more than me, but they...they informed you of that?

MS. KEENAN: No, they did not. I saw it in the paper. Yeah.

COUNCILMEMBER PALTIN: Oh. Okay.

MS. KEENAN: I guess I don't know the time range on that, and I also do know that it takes a long time to build, so . . .*(laughing)*. . . that's --

COUNCILMEMBER PALTIN: Yeah. I think they need their SMA permit and everything, right, Member Kama?

MS. KEENAN: -- that --

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

October 22, 2024

COUNCILMEMBER PALTIN: It's not fully finished. They got to go through the Planning Commission and all that. And all of Lahaina almost needs to go through the Planning Commission too. Okay. Got it. Thank you.

CHAIR SUGIMURA: Okay. Great. Any more questions? Okay. Seeing none. So, at this time then, I'd like to entertain a motion to recommending passage on first reading, Bill 138 (2024), entitled, "A BILL FOR AN ORDINANCE AMENDING FISCAL YEAR '25 [sic] BUDGET FOR THE COUNTY OF MAUI, ESTIMATED REVENUES [sic], OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM, GRANTS AND DISBURSEMENTS FOR CULTURE, ARTS, AND TOURISM," incorporating any nonsubstantive revisions.

COUNCILMEMBER LEE: So moved.

VICE-CHAIR KAMA: So moved. Second.

CHAIR SUGIMURA: Motion made by Chair Lee, second by Member Kama. Any discussion? Okay. All in favor, raise your hand, say "aye."

COUNCILMEMBER COOK: Aye.

COUNCILMEMBER LEE: Aye.

COUNCILMEMBERS: Aye.

CHAIR SUGIMURA: I think we have eight "ayes;" is that correct? Eight "ayes," one excused, Member U'u-Hodgins.

VOTE: **AYES:** **Chair Sugimura, Vice-Chair Kama, and Councilmembers Cook, Johnson, Lee, Paltin, Rawlins-Fernandez, and Sinenci.**

NOES: **None.**

ABSTAIN: None.

ABSENT: **None.**

EXC.: Councilmember U'u-Hodgins..

MOTION CARRIED.

ACTION: Recommending **FIRST READING** of Bill 138 (2024) by C.R.

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

October 22, 2024

CHAIR SUGIMURA: Thank you. Thank you very much.

MS. KEENAN: Thank you.

COUNCILMEMBER LEE: Thank you, Members.

CHAIR SUGIMURA: Thank you. Thank you.

COUNCILMEMBER COOK: Can we take a bio break?

CHAIR SUGIMURA: Oh, yeah. Let's take a...so, we'll come back. We're going to take a little break here. It is now...so, 10:40, let's come back. . . .(gavel). . .

RECESS: 10:27 a.m.
RECONVENE: 10:42 a.m.

ITEM 105: BILL 140 (2024), AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH 15TH SPACE SURVEILLANCE SQUADRON, AIR FORCE MAUI OPTICAL & SUPERCOMPUTING, AND AIR FOR RESEARCH LABORATORY FOR FIRE AND EMERGENCY/NON-EMERGENCY SERVICES (BILL 140 (2024))

CHAIR SUGIMURA: . . .(gavel). . . The next item on our agenda is BFED-105, Bill 140, Authorizing the Mayor to Enter into an Intergovernmental Agreement with the 15th Space Surveillance Squadron, Air Force Maui Optical & Supercomputing, and Air Force [sic] Research Laboratory for Fire and Emergency and Nonemergency Services. Members, the third item on our agenda is for Bill 140, which authorizes the Mayor to enter into an IGA and...with the Department of Fire and Public Safety to provide services for their facility to the County. Assisting us with this item today is Assistant Fire Chief Jeff Giese. Assistant Chief Giese, any comments?

MR. GIESE: Yes. Good morning, everybody.

CHAIR SUGIMURA: Good morning.

MR. GIESE: Can you all hear me?

CHAIR SUGIMURA: Yes.

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

October 22, 2024

MR. GIESEA: Okay. Yeah. So this is actually a very straightforward matter. The MOA we were drafting with the Space Force was just to replace an older MOA that we had with the Air Force. But since their facilities here on Maui--excuse me--moved from the Air Force to the Space Force, they asked us if we would update the MOU to reflect that change, and then we made a few other little improvements and simplifications and such. There's really nothing, you know, controversial here in the MOA. It pretty much just establishes in writing what's going to happen anyway. Basically says if there's a fire or other emergency at one of their facilities here on Maui, and 911 is called, we're going to respond, they're going to let us in, and we're going to pretty much handle it the way we would for any other facility, right? So, it specifies things like when we show up, we're in charge of our people still. They don't tell us what to do. They're in charge of their people, and that's pretty much how it always works. They'll give us information and access for pre-incident planning so we know what we're getting into when we respond up there. If there is a need for an exercise, then we'll work with them on scheduling that and...and in principle, we'll be available to participate if we can find a time that works for everybody. Nobody's going to be charging anybody for services. And we never charge anybody anyway. So, no matter where the fire is or incident, we...we don't bill anybody for that. So, the MOA specifies that, but again, it's just laying out in writing, like I said, what...in what pretty much is going to happen even if we didn't have an MOA. They do specify in the MOA some priority structures. So, some of their facilities have multiple structures, so if everything's on fire, what do they hope...what they want us to save first? It's in the MOA. There'll be somebody on scene to remind us of that anyway, so not...not especially controversial there. We can cancel this. Either party can cancel it. I don't know why we ever would, but it's...it's explicitly there in the MOA that, you know, with...with proper notice in writing, we can cancel it. Apart from that, it's scheduled to be good for ten years. There are some points of contact listed in there, but those can get updated as necessary, and there's no reason that I can think of that we would need to redo the whole MOU just, for example, if I retire, or somebody else moves on to another position over at the Space Force or something. So, that...that's the basics of the MOA. It's...it's a very short document, again, just to kind of revise what we already had in place, reflecting that it's now the Space Force and not the Air Force that...that owns and operates those facilities here on Maui. I'm happy to answer any questions for you if...if there are any remaining questions.

CHAIR SUGIMURA: Okay. Any questions for Mr. Giesea before we take up the bill? Member...Member Kama, did you have your hand up? Okay. Go ahead.

MR. KRUEGER: Chair, apologies. Should we do testimony first before --

CHAIR SUGIMURA: Oh, we--well, I wondered if she had a question for him. We can...you can ask the question later.

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

October 22, 2024

VICE-CHAIR KAMA: Yeah, I can.

CHAIR SUGIMURA: Okay.

VICE-CHAIR KAMA: We'll do testimony first.

CHAIR SUGIMURA: Thank you. Okay. At this time then, we'll open for public testimony.

MR. KRUEGER: Chair, we currently do have one person signed up to testify on this item. That would be Jasee Law.

CHAIR SUGIMURA: Okay.

. . . OPEN PUBLIC TESTIMONY (BFED-105). . .

MR. LAW: Aloha kakahiaka, Councilmembers. Domo arigatou, Chair Sugimura. And yeah, thank you, Fire Chief...Fire Officer Jeff.

MR. GIESEA: You're welcome.

MR. LAW: It just caught my attention here, they didn't put the United States on there. But the Air Force...I heard you say it's the Space Force now, and not the Air Force. And my mind goes back to 1893, and it was the United State Marines that took over the Queen's palace. But yeah, I'm just a little guy here from Appalachia in the United States. And I can't do anything about it if they decide to blow us away and then bomb us from the...the space, or from the air, or whatever, but I can ask somebody, if they're listening, to quit selling bombs to Israel and supplying them with ammunition and stuff because they're killing a lot of . . .(inaudible). . .

CHAIR SUGIMURA: Mr. Law, we need to stick on subject.

MR. LAW: I got it in there, Chair.

CHAIR SUGIMURA: . . .(inaudible). . .

MR. LAW: Thank you.

CHAIR SUGIMURA: Any questions for the testifier?

MR. LAW: I reserve my final time for the Hawaiians.

CHAIR SUGIMURA: Any questions for the testifier?

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

October 22, 2024

COUNCILMEMBER COOK: None.

CHAIR SUGIMURA: None? Okay. Any other testifiers?

MR. KRUEGER: Chair, we currently do not have any other individuals signed up to testify on this item, so we'll do a last call. If there is anybody else who would like to testify on this item, please identify yourself now. On Teams, you can do that by using the raise-hand function. We'll do a countdown...three, two, one. Chair, no one else has identified themselves as wishing to testify.

CHAIR SUGIMURA: Thank you. So, at this time then, I'm going to close public testimony. We'll receive any written testimony on this item and...

COUNCILMEMBER COOK: No objections.

VICE-CHAIR KAMA: No objections.

COUNCILMEMBERS: No objections.

. . .CLOSE PUBLIC TESTIMONY (BFED-105) . . .

CHAIR SUGIMURA: Thank you. All right, Members. Now we can ask questions of the Department, and everyone will have three minutes. First, Member...Member Kama, would you like to go first? You had your hand up.

VICE-CHAIR KAMA: Thank you. So, my question is for Assistant Chief Jeeseea (*phonetic*)? Is that how you pronounce your name, sir?

MR. GIESEA: [Gee-see].

CHAIR SUGIMURA: Giesea.

VICE-CHAIR KAMA: Giesea. Okay.

MR. GIESEA: Giesea. Yeah.

VICE-CHAIR KAMA: Well, thank you.

MR. GIESEA: It's easier to say than spell.

VICE-CHAIR KAMA: Okay. Giesea. Okay. So, the...the...the purpose of the MOA is really to correct the fact that the Air Force Research...Research Lab is now being

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

October 22, 2024

deactivated, and then was actually being activated as the Space Force 15, correct? So, we put the new names in there; is that right?

MR. GIESEA: Yeah. I...I don't know if it was ever deactivated. I think they've kept operations constant. It's just when the Space Force was created several years back, some facilities that were under the Air Force at that time --

VICE-CHAIR KAMA: Yeah.

MR. GIESEA: -- got moved under the Space Force. So, like the --

VICE-CHAIR KAMA: Okay.

MR. GIESEA: -- telescope up on the mountain, and then you may be aware there's--they have some facilities off of Lipoa in...Lipoa Parkway in Kihei, and then one here in Kahului. So, those used to be Air Force facilities, now they're Space Force. But I...I...my understanding is the operation's been continuous throughout.

VICE-CHAIR KAMA: Okay. Only because on...in the...in the memorandum of agreement, it says...the background talks about the research lab detachment being inactivated and transitioned to the Space Force Space Surveillance Squadron. I just want to make sure I understood that, what...what was happening.

MR. GIESEA: Oh, yeah. No, I...I...I guess...so, I...to my knowledge, they kept operating, but again --

VICE-CHAIR KAMA: Yeah.

MR. GIESEA: -- I'm not positive.

VICE-CHAIR KAMA: Yeah.

MR. GIESEA: And maybe that's just how they...their internal process for --

VICE-CHAIR KAMA: Yeah.

MR. GIESEA: -- moving something from one branch to another.

VICE-CHAIR KAMA: Okay. So, all the...so, all...so, the facility is located up at the Tech Park?

MR. GIESEA: So, there...there are three main facilities that the Space Force has here on Maui. You've got the Space Surveillance Complex, which is up on Haleakalā, right? That's the...the telescope. Then they have another facility--or a couple

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

October 22, 2024

facilities technically, I guess--off of Lipoa Parkway in Kihei, and then a logistics center off of Ho'ohana Street here in Kahului.

VICE-CHAIR KAMA: Okay. Okay. So, this just kind of describes how your relationship is going to occur should you need emergency services, and that's it, right?

MR. GIESEA: Yes.

VICE-CHAIR KAMA: Okay.

MR. GIESEA: Yes.

VICE-CHAIR KAMA: Okay. I understand. It's very clear. Thank you, Chair.

MR. GIESEA: You're welcome.

CHAIR SUGIMURA: Thank you.

VICE-CHAIR KAMA: Thank you, Mr. Giesea.

CHAIR SUGIMURA: Thank you, Member Kama. Next we have Chair Lee, followed by Member Paltin, Member Johnson next.

COUNCILMEMBER LEE: No questions. Thank you.

CHAIR SUGIMURA: Okay. Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Chief Giesea...Giesea. I was wondering, where in it did it say that this was good for ten years?

MR. GIESEA: So, if you look near the very bottom, Section 6.6, Termination of Agreement. Oh, wait. All right, let's go below that. 6.10, Expiration Date. This MOA expires on ten years minus one day after the last party signs.

COUNCILMEMBER PALTIN: Okay. And nobody signed it yet because we have to authorize it first?

MR. GIESEA: Correct.

COUNCILMEMBER PALTIN: And then if the point of contact changes, you don't need to come before us again, right? You can just do that as a...on your own?

MR. GIESEA: Yeah. I...I would be extraordinarily surprised that...if we would have to come before Council for...for making a small modification like that. Yeah. Certainly, the Fire Department would have no need to...to bother you folks with

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

October 22, 2024

that. And I...and I would guess the same on the Space Force. You know, people get promoted and reassigned, and I'm sure they have no interest in going through this process again. This...this has been in the works for close to two years now, mostly because we spent a big chunk of time after August 8th with this well on the back burner. But there was a lot of back and forth on...on just specific language here, just...you know, nothing controversial, just little mistakes here and there and such. So, I don't think either party is really that interested in...in going through that whole process again if it's not absolutely necessary.

COUNCILMEMBER PALTIN: And so, this is ten years now or two years ago was ten years that it expired?

MR. GIESEA: It...it'll be ten years from the date that we...that it gets signed. So, ten years from a date in the near future.

COUNCILMEMBER PALTIN: Yeah.

MR. GIESEA: . . .*(inaudible)*. . .

COUNCILMEMBER PALTIN: I mean of the last memorandum of agreement. Has it expired, or...

MR. GIESEA: I...I would have to go look at that again to see if there was an expiration date in that MOA, or if it was just, you know, good in perpetuity.

COUNCILMEMBER PALTIN: Okay. And then the last question I had is, I see 4.15...4.1.5.1 is the summit site. Is there any additional training or equipment that our folks need to operate at those elevations?

MR. GIESEA: Nothing that...that I'm aware of. The...the--our Engine 13, the Kula crews would do pre-plans there to...if there's anything specific they need to know about. The equipment we operate is our equipment. We...we don't touch anything from the Space Force. There's...there's nothing...you know, nothing special regarding that. So, I think it would largely be just, you know, firefighting and emergency medical operations as usual, it's just it's on a Federal Department of Defense facility as opposed to, you know, anywhere --

COUNCILMEMBER PALTIN: Do you know the elevation of that summit site?

MR. GIESEA: You know, not...not really. I mean, it...it...it affects, you know, how heavy a load our...our helicopter can carry. It...it can affect certain--like...like if we were drafting from a lake or something up there, but we've got water pressure up there. So, there are certain things here and there that will vary with elevation, but I don't think anything of significance for what we're talking about here.

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

October 22, 2024

COUNCILMEMBER PALTIN: Okay. I mean, in...at Mauna Kea, they don't let, like small children and elderly. I had a friend like start bleeding out her eyes when she went up when little. But I don't know that Haleakalā is as tall, so maybe not any kind of problems. Like, sometimes you have hard time to breathe if the air is thinner or something. But you guys, if you're stationed in Kula, that's not too, too much of an elevation change for folks that are stationed at sea level?

MR. GIESEA: Yeah. And...and I mean, we...we've always responded up there. We...we would never refuse service just because of the elevation. We go there to...for missing hikers, as well...as well as other incidents up at the observatory, and our...and our folks have been up there to pre-plan. So, it's true, you're going to get winded faster, and there...there are some...you know, some risks to rapidly going...you know, changing elevations and such, but this MOA doesn't...doesn't change how we're going to operate. We're...we're going to go if there's a fire up there, or a hazardous material spill, or an emergency medical, or...or whatever it happens to be kind of regardless. We...we don't say no for that...for that purpose.

COUNCILMEMBER PALTIN: And you guys don't regularly use the --

CHAIR SUGIMURA: And so, I'm going to ask if you can save for the second round maybe? The bell went off.

COUNCILMEMBER PALTIN: Oh, okay. I didn't hear the bell.

CHAIR SUGIMURA: Okay. Next, Member Johnson, and Member Cook after that, followed by Member U'u-Hodgins.

COUNCILMEMBER JOHNSON: Thank you, Chair. Good morning, Chief Giese. Thank you for joining us today. I know you're busy, and I appreciate you being here. Well, you know, in reviewing the document, you know, I had some, you know, questions and concerns for you guys, and maybe you can help shed some light on it. You know, it...it seems like you--you know, I...I don't know what's in those buildings, but after the Lahaina fires, I know that some of the science equipment, like the...you know, the X-ray machines and the really technical machines, when they catch on fire, it's really toxic. So, if I think of, you know, this high-tech material up there, are you guys concerned with anything that if it does catch on fire, you would have to have special precautions made? So, that's one of my first concerns because it doesn't really list--hazardous material incident response was the term that I saw in the document, and I don't know what type of hazardous materials are in those buildings. And this...you know, I'll...I'll just...I'll just finish my long question. You can respond how . . . *(inaudible)*. . . And you know, when I think of military, I think of like very secure areas. They're going to have gates, they might have road spikes or things that might prevent the...the...for your trucks from actually getting in. You know, and...that's something I...I was concerned about. Maybe you can speak on that, that if you...this...this MOU

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

October 22, 2024

does allow you to get the gate code or things of that nature. And then the last thing is, is, you know, it says in 4.24 you...you're going to have specific documents that they're going to exchange with you guys. Is...is that...is that enough? Is it clear to you what you guys will be responding to? So, those are my questions, Chief. I don't know if you can speak to any of those.

MR. GIESEA: Sure. Let's take the first one. So, you were concerned about products of combustion based on, you know, what might be up there in terms of new technology or, you know, chemicals and such. So, of course, that's a concern. It always is. Any time we...you know, we respond anywhere actually. So, that's the importance of the pre-planning. So, what they've specified in this MOA is that they will make their facility available to us. And...and that's the sort of documents they're talking about. Like --

COUNCILMEMBER JOHNSON: Okay.

MR. GIESEA: -- for example, we call it the tier 2 form, which is a Federally-required list of certain hazardous material, right, extremely hazardous materials and...and other things in large quantities. So, they would be providing all of that for us. When it comes to products of combustion and toxicity, as far as our respiratory protection, we already carry with us the best that there is. If there were other concerns--and...and I'm not aware of anything in any of those facilities. I...I've been there. It's been a long time, but I...I've been to a couple of them. Nothing made me really especially concerned to respond there. But those are the sort of things you...you...you identify in your pre-planning process. And you might decide--and you would put this in your pre-plan--if this particular area of this particular building . . . (timer sounds) . . . is burning, we're going to let it burn, and we're just going to stay away.

COUNCILMEMBER JOHNSON: Yeah.

MR. GIESEA: Or you may determine that it's perfectly safe and there...there's nothing unusual...no unusual hazards there. Chair, am I allowed to continue answering the questions?

CHAIR SUGIMURA: Yeah.

MR. GIESEA: I heard the bell go off.

CHAIR SUGIMURA: Yeah. The bell went off, but you can answer the second question.

MR. GIESEA: Okay. Security, they're going let us in. So, any special security measures...you know, we're not going to force our way in there through any security measures. They want us there, right? This is part of why there's the MOA, right? They don't have firefighting capacity, so we're...we're it for that. So,

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

October 22, 2024

if they don't want us there, they won't call us, and--or...or they'll meet us at the gate and say, it's okay, we're going to let this burn, and...and we won't argue with them. And then I think I already addressed the documents, so that--I...

COUNCILMEMBER JOHNSON: Yeah.

MR. GIESEA: My understanding. So, those are pre-plan documents we need to make hazard assessments and decide how we're going to handle certain emergencies in certain parts of the facility.

COUNCILMEMBER JOHNSON: Okay. Thank you so much for your response, Chief. Thank you, Chair.

MR. GIESEA: You're welcome.

CHAIR SUGIMURA: Thank you. Good questions. Next, we have Member Cook, followed by Member U'u-Hodgins.

COUNCILMEMBER COOK: Thank you, Chair.

CHAIR SUGIMURA: And then Member Sinenci.

COUNCILMEMBER COOK: Thank you, Chair. I don't have any questions, and I'm supportive.

CHAIR SUGIMURA: Oh, very good. Member U'u-Hodgins?

COUNCILMEMBER U'U-HODGINS: Thank you, Chair. I also have no questions. Thank you so much to MFD for what they do to keep all of us safe.

CHAIR SUGIMURA: Yes.

MR. GIESEA: Thank you.

CHAIR SUGIMURA: Member Sinenci?

COUNCILMEMBER SINENCI: Mahalo, Chair. And thanks, Chief Giesea. Did I hear that the closest station would be in Kula, to the top of the mountain?

MR. GIESEA: That would be the closest fire station to the...the facility up on the mountain. Yeah.

COUNCILMEMBER SINENCI: And so, how--do you guys antic...I mean, how...how long a drive is that?

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

October 22, 2024

MR. GIESEA: That, I couldn't tell you. I'd be happy to get on Google Maps, and then be extra conservative because it's...it's a fire truck, not a passenger vehicle.

COUNCILMEMBER SINENCI: Right.

MR. GIESEA: We do routinely respond up to the crater and--for, like I said, you know, missing hikers, injuries, bicycle accidents, things...things of that nature. It...it is a ways, and that does...that does have an implication for what you're going to find when you get there. You know, if...if you get dispatched to a...you know, a working fire and you're that far away, you can anticipate--depending upon what was burning, and the sprinkler system, and if anybody has tried to put it out--that by the time you get there, there may not be much left. But it doesn't always work out that way. And...and there are other sorts of emergencies we could respond to. So, yeah. It's a long ways, but that...that's just...that's just the situation we're...we're faced with for response up there.

COUNCILMEMBER SINENCI: Okay. And then the--I guess that my question is the distance...this distance from the Kula station, that's kind of taken into account in the memorandum, that we are at a lower elevation that would...I mean, I...I wouldn't want us to commit ourselves, and then we're liable for--I...I mean, it sounds like they do have some sprink...a sprinkler system.

MR. GIESEA: Yeah. I...I'm not sure. I haven't inspected the facility, so I'm not sure. Whether they have it or not would depend upon various factors that...you know, what...the hazards, the size of the building, and such. So, the...the MOA is not obligating us to any particular response time or...or any--we're not...it's not obligating us to anything that we can't meet. It's basically just saying, we'll respond, they'll provide us access, we're in charge of our own folks, so just because it's a military facility, that they're not going to be ordering us around. So, they're...they're providing us that assurance. But there's no obligation to get there within, you know, "X" number of minutes or, you know, pro...provide anything in particular. We're going to respond with what we have available and what our incident commanders order after that based upon what they find on scene or the dispatch information. And there...there's nothing...you know, nothing incumbent upon us because of this MOA that we're not going to be able to meet.

COUNCILMEMBER SINENCI: Is there, like, water suppression up...up on the mauna, or...or you would have to take your own water?

MR. GIESEA: You know, I'm not sure what the hydrant system is like up there. I...I would presume that they do have pressurized hydrants. I...I'd be surprised to find out otherwise. I...I...you know, if...if we got there and there wasn't enough . . . *(timer sounds)* . . . volume or pressure of water, then we would call for a tanker and, you know, again, that's just...that's going to take longer to get there. And

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

October 22, 2024

this is something that...that is identified in pre-planning also. So, one of the things the Fire crew --

COUNCILMEMBER SINENCI: Right.

MR. GIESEA: -- will find out when they go up there is, well, what's the water supply like, how many hydrants . . .*(inaudible)*. . . flow. So, they'll know when they get dispatched whether they need to have a tanker dispatched along with them, or if they think that they should be able to handle it on their own, or with...with just the...the normal complement of fire engines and support companies.

COUNCILMEMBER SINENCI: Or if the Air Force is required to have some amount of water for water suppression should they have a fire again?

MR. GIESEA: Yeah. Typically, yes. You know, if...if you have a facility like that, you're...you're required, just per Fire Code, to have, you know, a certain amount of...of water and water pressure. So, again, I...I would be very, very surprised to find out. I don't want to testify that...what they have there because I haven't personally been up there looking at that. But, yeah. It would...it would be quite surprising if they didn't have, you know, a sufficient amount of...of water available.

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

MR. GIESEA: You're welcome.

CHAIR SUGIMURA: Thank you. So, at this time, Member Rawlins-Fernandez is in transit making her way back to her office, I suppose. So, Member Paltin, do you have more questions?

COUNCILMEMBER PALTIN: Just a couple. Chief Giese, are you familiar with the REPI program?

MR. GIESEA: The REPI program?

COUNCILMEMBER PALTIN: Yeah.

MR. GIESEA: No.

COUNCILMEMBER PALTIN: So, it's like this Federal program that doesn't require matching funds, and it is provided to like jurisdictions with military bases like, you know, to restore habitat. And I just was wondering, like maybe we could use this memorandum. Because from what I understand, if this was anywhere else that had military firefighting capacity, like O'ahu or something like that, they would be the ones to respond instead of the County firefighters; is that correct?

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

October 22, 2024

MR. GIESEA: Well, I...I do know that there is a Federal fire department, and they have a...I...I want to say it's over at Hickam--although again, don't quote me on that--that's on O'ahu, and it's been a while...quite...quite a long time since I've...I've been over there looking. But...so, on some Federal installations, they do have their own fire department, their own fire emergency response capability. Maui does not have a Federal...like a fire station that's part of the Federal fire department that could come and do fire suppression or other emergency response. So...so, we're it for them, yeah? We never looked at additional funds. We...we don't go up there very often, or to their facilities very often, so it...it really doesn't represent a significant expense to us. I mean, if there's money available and...and, you know, we...we can...we can look for that. But this MOA doesn't really involve us spending any more money than we're already going to spend, which most of the time, is nothing. And just...you know, of course, every response we go on, we incur some cost, right? There's fuel and maintenance and --

COUNCILMEMBER PALTIN: I guess...I have limited time, so I...I just would utilize this, you know? Like, we're providing this service for them that...other areas where they have their own capacity, that they...they would provide it for themselves [sic] as a reason to, you know, pick us for their funding things. The other question I had was, if this is already kind of in agreement with the Air Force and not the Space Force, how come you don't know what their system is like up there with fire hydrants right now?

MR. GIESEA: So, I don't know because I'm in support services. I would guess if you had one of our Kula Fire Station captains here, and...and one who has been up in the Kula District for a while, they can answer all those questions for you. Or they could call up the pre-plan that somebody has done, and they would have all those answers. So, yeah. I just...you...you got the wrong...the wrong guy to answer water-supply-up-on-the-crater questions. We can get that ...*(timer sounds)*... for you. Regardless though --

COUNCILMEMBER PALTIN: No, that's okay.

MR. GIESEA: -- ...*(inaudible)*... if there's a fire, we're going to go.

COUNCILMEMBER PALTIN: I...I heard the bell, but maybe check into that REPI program and utilize this memorandum of agreement. Like because it's money that's offered to any place with military installations, and there's no matching funds required.

MR. GIESEA: Okay. We'll...we'll definitely do that.

CHAIR SUGIMURA: Thank you. Member Paltin, are you done?

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

October 22, 2024

COUNCILMEMBER PALTIN: Yes. And I heard the bell.

CHAIR SUGIMURA: Okay. So, anybody else have round two questions? Seeing none. So, at this time, I'd like to entertain a motion to recommend passage on first reading of Bill 140 (2024), entitled, "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE 15TH SPACE SURVEILLANCE SQUADRON, AIR FORCE MAUI OPTICAL & SUPERCOMPUTING, AND AIR FORCE RESEARCH LABORATORY FOR FIRE AND EMERGENCY/NON-EMERGENCY SERVICES," incorporating --

COUNCILMEMBER U'U-HODGINS: So moved.

COUNCILMEMBER COOK: So moved.

VICE-CHAIR KAMA: Second.

CHAIR SUGIMURA: -- any nonsubstantive --

VICE-CHAIR KAMA: Second.

CHAIR SUGIMURA: -- revisions. Motion made by Member Cook, seconded by Member U'u-Hodgins. Thank you, Member Kama. And I also have a ASF to substitute this bill with a proposed CD1 version, which incorporates revisions to make the bill consistent with our current intergovernmental agreement authorization bill format. The Chair will entertain a motion to substitute Bill 140 (2024) with the proposed CD1 version attached to my ASF. Motion.

COUNCILMEMBER COOK: So moved.

CHAIR SUGIMURA: So moved, Member Cook. Second by --

COUNCILMEMBER U'U-HODGINS: Second.

COUNCILMEMBER LEE: Second.

VICE-CHAIR KAMA: Second.

CHAIR SUGIMURA: -- U'u-Hodgins. Okay. Thank you. Did you all get the ASF? Is it in Granicus, all the --

COUNCILMEMBER PALTIN: It is posted on Granicus as the third item. It doesn't look like it's signed by Corp. Counsel, this one.

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

October 22, 2024

CHAIR SUGIMURA: Corp Counsel? Ms. Toshikiyo? Oh, go ahead.

MR. KRUEGER: Chair, yes. Well, if...if the Committee approves the amendment, we'll transmit it to Corp. Counsel for signature.

CHAIR SUGIMURA: Okay. Okay.

MS. TOSHIKIYO: Yes. Chair, sorry. Thank you. I...I haven't reviewed it yet, but I know...and I've reviewed the...the template from OCS regarding the IG ordinances. So, I'm familiar with this, and we'll review it.

CHAIR SUGIMURA: Okay. Thank you. So, I guess what Mr. Krueger said, that if we pass it, then they'll forward it to you for signature. Received the motion and second. Anybody have any discussion? If not, I'll call for the motion...call for the vote. All in favor, say "aye."

COUNCILMEMBER COOK: Aye.

COUNCILMEMBER LEE: Aye.

COUNCILMEMBERS: Aye.

CHAIR SUGIMURA: It'll...it'll be eight ayes. Member Rawlins-Fernandez is still in transit, so excused.

VOTE: AYES: Chair Sugimura, Vice-Chair Kama, and Councilmembers Cook, Johnson, Lee, Paltin, Sinenci, and U'u-Hodgins.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmember Rawlins-Fernandez.

MOTION CARRIED.

ACTION: APPROVE amendment to main motion

CHAIR SUGIMURA: So, at this time then, I would like to ask for a vote of the main motion. All in favor, say "aye"...as amended.

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

October 22, 2024

COUNCILMEMBER LEE: Aye.

COUNCILMEMBER COOK: Aye.

COUNCILMEMBERS: Aye.

CHAIR SUGIMURA: Thank you. Thank you. Eight "ayes," one excused, Member Rawlins-Fernandez.

VOTE: AYES: Chair Sugimura, Vice-Chair Kama, and Councilmembers Cook, Johnson, Lee, Paltin, Sinenci, and U'u-Hodgins.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmember Rawlins-Fernandez.

MOTION CARRIED.

ACTION: Recommending **FIRST READING** of Bill 140, CD1 (2024) by C.R.

CHAIR SUGIMURA: And yay, we are done with this item. Thank you very much, Deputy Chief Giese, for your hard work. And thank you, Members.

ITEM 21(24): JOHNSON CONTROLS, INC. ENERGY PERFORMANCE CONTRACT (RULE 7(B))

CHAIR SUGIMURA: So, now we have the last item on our agenda, which is JCI, and we have Dr. Leo...Leon [sic] Caires. I don't see him. Oh, there you are. Thank you. Thank you, Leo. So, Members, this item, which is BFED-21, Johnson Control [sic], Inc., Energy Performance Contract, and I wanted to take this item up. It's a 7(B), so no...no votes, and to...for transparency, and to keep the Members informed about the contract as...just so that we don't have any surprises. We did hear that the contract Phase 1 was amended 4 and 5, so we're interested in the scope and cost, as well as payment for the first installation, which was talked about during budget and continued on with our...within our meetings here of

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

October 22, 2024

payment to Bank of Hawai'i. And so, I'd like to request for any information that we can receive from Dr. Caires at this time for opening comments. And is there somebody also from JCI here, Dr. Caires?

MR. CAIRES: Aloha, Chair. Yeah, I...I believe so. In preparation for the meeting, we requested representatives from JCI to also be here. So, I don't see them in the...there's quite a few names on the...the --

CHAIR SUGIMURA: I think...I think I see Lowen Okamoto.

MR. OKAMOTO: Yes.

MR. CAIRES: Yes. Oh, perfect. Okay.

CHAIR SUGIMURA: Okay.

MR. CAIRES: There we go. Yeah, we...we have a representative from JCI.

CHAIR SUGIMURA: Okay. So, Dr. Caires, you want to make opening comments? And then we can hear from JCI.

MR. CAIRES: Okay.

CHAIR SUGIMURA: And then we'll go to public testimony.

MR. CAIRES: Happy to do so. Mahalo, Chair. Aloha kakahiaka to the Members of the Committee, members of the public, and all the Staff here today. Really was glad to prepare to be here today to provide information regard...regarding the work performed in the JCI contract, any questions around the amendments and the lease...the lease going forward with Bank of Hawai'i. So, just welcome the questions. If there's any greater detail, happy to work towards getting you more detail on the project itself. I will just say that work...to this point, it's just been a long construction period since I've been asked to further help it on this short-term basis on Phase 1, which, you know, was a very big challenge and lift to get it past the finish line. And today, we'll...we'll have others with JCI with us here today speak around the project specifically, and talk a little bit about looking ahead towards a Phase 2, and the differences that I think is very important to note. So. I will stop there, Chair, and I will turn it over to JCI to jump into some specifics for you and go from there.

CHAIR SUGIMURA: Okay.

MR. CAIRES: Mahalo, Chair.

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

October 22, 2024

CHAIR SUGIMURA: Members, if you would allow me to designate Mr. Lowen Okamoto to be a resource under Rule 18(A) of the Rules of the Council for his expertise with JCI.

COUNCILMEMBER LEE: No objections.

COUNCILMEMBERS: No objections.

CHAIR SUGIMURA: Thank you. Okay. Mr. Okamoto, please give your opening comments.

MR. OKAMOTO: Good morning, Councilmembers. Yeah. Lowen Okamoto here on behalf of Johnson Controls. I'm the project manager that oversaw this project for the last two years. Phase 1 has just come to an end on September 30th. Just to recap on some of the work we did and...on the highlights. JCI did pursue interior lighting retrofits in vast majority of the County facilities. We've done seven out of the eight aquatic facilities, converted them from using Accu-Tab for the chlorine generation to just salt. We did a few electrical transformer upgrades within various facilities, you know, window film and that sort of stuff. You know, I...I...I wanted to just maybe share a few highlights if I can. I think that's one of the benefits of joining via Teams. If I can share my screen, if I have the option, let me know if you guys can see it. You know, one of the highlights that I wanted to present was...this is a photo, if you guys can see my screen, of the Molokai Gym. We did interior lighting within the gym. This is a before picture of the old metal halide fixtures, and then, you know, when we went through, we replaced with LED. So, we took out eight very old, inefficient, high-wattage fixtures that are intended to be on a baseball field outside, and we put in 15 LED lights. So, really impactful for...for me personally and the community. You know, a lot of people, from what I've heard from the maintenance staff, thought they got a new court because the...the gym was just so lit up. So, you know, this was done September 19th...19th. You know, just to showcase some other work we did. We did some AC installations on Lānaʻi Fire Station for Chief Rylan. You know, we did a new roof--one...one of the items we showcased was a new roof for Kula Fire Station. And then the exterior lighting pilot project. We did a pilot of the exterior Bill 21 compliant just outside Kalana O Maui. If you guys are around the building at night, this is what the compliant lighting would look like, just in time for Halloween. Maybe we can do a trunk-or-treat out there --

UNIDENTIFIED SPEAKER: . . .*(laughing)* . . .

MR. OKAMOTO: -- or something. But...and then last but not least, this is October 1st. We...we were able to get the conversion for Lahaina Pool. So, we got the Lahaina Pool up and running. I...I wanted to take this picture and share just because of how awesome it looked. You know, post-Lahaina Fire, the pool look like you're looking into, you know, a bottle of shoyu down there. So, now it's nice and blue,

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

October 22, 2024

and I believe people...and the pool is open, so people are swimming. So, just one of the things I wanted to showcase. But if you guys have any questions with regard to that, any of the amendments, contract value, payment, you know, let...let me know. I'm here to answer questions if you guys have any.

CHAIR SUGIMURA: Well, thank you for the photos. And Staff asked if you could email those photos to us.

MR. OKAMOTO: Absolutely.

CHAIR SUGIMURA: Okay. So, bfeedcommittee@mauicounty.us, bfeed.committee@mauicounty.us. And anybody have questions for those beautiful pictures? I think Tamara swam in your pool yesterday. Ms. Paltin?

COUNCILMEMBER PALTIN: Oh, I can wait if there's testimony. But if there's not, I did have a question. Is this the right time?

. . .OPEN PUBLIC TESTIMONY (BFED-21(24)). . .

CHAIR SUGIMURA: I'm going to...I'm going to ask for public testimony. I think we don't have any.

MR. KRUEGER: Chair, that's correct. We don't have anybody signed up to testify at this time. We can do a last call real quickly.

CHAIR SUGIMURA: Yes, please.

MR. KRUEGER: If there is anybody who would like to testify on this item, please identify yourself now. On Teams, you can do that by using the raise-hand function. We'll do a countdown...three, two, one. Chair, no one has identified themselves as wishing to testify.

CHAIR SUGIMURA: Okay. So, with your permission, I'm going to close public testimony and receive written testimony on this item. And Member Rawlins-Fernandez has joined us.

. . .CLOSE PUBLIC TESTIMONY (BFED-21(24)) . . .

VICE-CHAIR KAMA: No objections, Chair.

COUNCILMEMBER LEE: No objections.

CHAIR SUGIMURA: Thank you.

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

October 22, 2024

COUNCILMEMBER RAWLINS-FERNANDEZ: No objections. And Chair?

CHAIR SUGIMURA: Thank you. Yes.

COUNCILMEMBER PALTIN: Thank you. Oh.

COUNCILMEMBER RAWLINS-FERNANDEZ: I...I'm...Chair, just for the Sunshine Law disclosure, I am in my vehicle --

CHAIR SUGIMURA: Oh.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- with my sick child. My apologies for missing the last item. There's...yeah, no one else in the vehicle.

CHAIR SUGIMURA: Okay. I hope she feels better. Thank you very much. So, at this time then, we'll take questions from the Members, three minutes each. We'll start off with Member Paltin and continue on. Okay, Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Okamoto. I guess my first question is, I thought one of the previous times when JCI was before us, they had hard time finding compliant lighting. So, you...with those pictures, looks like you were able to find compliant lighting?

MR. OKAMOTO: Yeah. So, we selected 14 fixtures. They are available, just not, you know, in stock. So, we selected 14, in which one of the lighting vendors we work with was able to make something happen. So, it's just...it's just two fixtures, two different types, and we picked 14. So, we picked the one of them on the pool, and then one of the decorative lighting, both of them on the pools.

COUNCILMEMBER PALTIN: Oh, awesome. So, that's good. And then the other question I had was, replacing the gym with more light and different kind, but they're LED instead of the Ha-something (*phonetic*). It's more energy-efficient, even though there's more because it's the LED? Like there's more, but it uses less energy than the eight previous?

MR. OKAMOTO: Correct. And...and, you know, don't quote me on this, but I honestly think that all 15 of those LEDs uses less energy than maybe one of those 1,000 watts. Those eight fixtures were 1,000 watts each. You know, they get turned on, and they don't come on automatically. They got actually warm up. So...and then they're really warm and hot, so...

COUNCILMEMBER PALTIN: . . .(*inaudible*). . . Yeah. And then for the pool, yeah, it's fabulous. I...I went Monday morning. What'd you guys do over there, the pumps?

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

October 22, 2024

MR. OKAMOTO: Yeah. We replaced pumps, and then we converted the chlorine system to--from using Accu-Tab, which is these blue tabs that really cost a lot of money to ship here and make, and then they're just...they're also kind of hazardous to ship--we...we converted it to using salt. So, now they just buy bags of salt with, you know, the lady with the umbrella, and then they put it in this machine that uses...does a chemical reaction to separate the chlorine...breaks down the salt crystal to make chlorine out of that. So, it's not a salt pool, it just uses the salt to make the chlorine. So, it's pretty cool technology. I, myself, had to get familiar with it and learn it. And yeah, I think it's now becoming more popular in resorts and stuff.

COUNCILMEMBER PALTIN: Oh, thanks for explaining that. Because somebody was telling me it's a salt pool, but when I swam in it, it still, a little bit, smelled like chlorine...so I was confused. But it's...you use salt, but there still is chlorine. You use salt instead of chlorine?

MR. OKAMOTO: Correct, yeah. I...I mean, chemically, I think it's...sodium hypochlorite is...is what salt is, and it just does an electrolysis thing where it breaks the salt down to make chlorine.

COUNCILMEMBER PALTIN: Yeah.

MR. OKAMOTO: But --

COUNCILMEMBER PALTIN: I smelt little bit chlorine, but it didn't like stay on my skin for hours after like how before times. Like even if you shower, like you still, like sweat chlorine or something. It wasn't like that. So, good job. Thank you. Thank you, Chair.

CHAIR SUGIMURA: Oh, very good.

MR. OKAMOTO: Appreciate that.

CHAIR SUGIMURA: Member Johnson, then Member Rawlins-Fernandez, Member Cook, Member U'u-Hodgins. Member Johnson.

COUNCILMEMBER JOHNSON: Chair, I have no questions at this time.

CHAIR SUGIMURA: Okay. Member Rawlins-Fernandez. Is she still driving?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. No questions at this time.

CHAIR SUGIMURA: Okay. Member Cook?

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

October 22, 2024

COUNCILMEMBER COOK: Can you kind of clarify the phasing? I...I don't understand--and maybe I've been told--but Phase 1 going to Phase 2, how many phases there are, and how much the contract varies from phase to phase, or does the contract have this phasing listed in it as part of the...the original RFP?

CHAIR SUGIMURA: Is it Dr. Caires or Mr. Okamoto?

COUNCILMEMBER COOK: We'll start with Dr. Caires.

MR. CAIRES: Mahalo, Chair. Mahalo, Member Cook, for the question. I'll take it on its...on its macro level from the difference in the phase. What Lowen, on behalf of JCI, described today was the work done and performed under the Phase 1, which really centered around, you know, lighting, low-cost...the driving through low-cost lighting, other efficient equipment, even, you know, just the basic unit of replacing the...you know, the...the water fountain on...on the Council Chamber floor, as it's a new system. And so, that phase was really a phase of...of working with Bank of Hawai'i through a TEL financing structure. And moving into Phase 2, the Phase 2 will be centered around the County installing systems to generate power. So, Phase 1 really centered around being cost-efficient, installation of new technology to drive savings, baseline savings. Phase 2 will be looking to install solar and battery capability across County assets to generate power for the County and next generation for years to come. That's the real difference. And one highlight--before I turn over to Lowen--is there will be...there's not going to be another TEL financing to finance Phase 2, as we had discussed in Phase 1. So, no...no...no, you know, ask for that...that sort of amount of funds. It would be financed through the...the development partner in Phase 2. I'll turn it over to Lowen for further...if you want to add anything, Lowen. Mahalo.

COUNCILMEMBER COOK: So, I have a question for Lowen, if I may. Is the --

MR. OKAMOTO: Yeah. Go ahead.

COUNCILMEMBER COOK: -- cleaning--I'll have time, right?

CHAIR SUGIMURA: Yeah.

COUNCILMEMBER COOK: I'm curious. Like the solar panels, the efficiency from dust and dirt, you know, lowers the efficiency. Is that part of like Phase 2 or Phase 1? Are...are they going to start cleaning the panels on a regular basis to maximize . . .(timer sounds). . . the output?

MR. OKAMOTO: So . . .(inaudible). . . to answer that question, if I may. Well, once the solar panels are installed, it's up to the investor, the PPA investor, to maintain...to do their own operation and maintenance. So, it's not a County responsibility. If the PPA investor deems that it's necessary that the panels are that--you know,

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

October 22, 2024

the dust has caked on that hard, or that much to justify cleaning--then yes. But the O&M provider would do their own maintenance...or the PPA investor.

COUNCILMEMBER COOK: Okay. Thanks. I won't get in the weeds. Mahalo.

CHAIR SUGIMURA: Okay. So, next we have Member U'u-Hodgins, Member Sinenci next, and Kama, and Lee after that.

COUNCILMEMBER U'U-HODGINS: Thank you, Chair. Thank you, Dr. Caires and Mr. Okamoto, for being with us today. Number 3--this is for Mr. Okamoto--on the work that you guys have done for the \$2 million that was overpaid, thank you for sharing the photos with the...the lighting on Molokai, and the photos for Lahaina Aquatic Center and Kalana O Maui. Then you have four more buttons here, or dots here. One of them is the roof at Kula Fire Station, another is the purchase of 12 Tesla models, 6 EV charging stations, and replacement of the 6 drinking fountains. Did you do the...did you say that you did the Kula Fire Station yet?

MR. OKAMOTO: Yes.

COUNCILMEMBER U'U-HODGINS: Okay. So, what about the other three--for the purchase of the Teslas, the installation of the EV, and the replacement of the six drinking fountains? Did you do those yet?

MR. OKAMOTO: So, everything except six fountains have been installed in Kalana O Maui, which we're looking at doing November 4th.

COUNCILMEMBER U'U-HODGINS: November 4th. Okay. Yeah, I just walked past those. They're not fixed.

MR. OKAMOTO: We have them, it's just a matter of getting the thumbs-up that we can go and do those.

COUNCILMEMBER U'U-HODGINS: Okay. What do you need for the thumbs-up?

CHAIR SUGIMURA: After election.

MR. OKAMOTO: Working with the Public Works, just on the schedule.

COUNCILMEMBER U'U-HODGINS: Okay. Okay. November 4th. That's all I have. Thank you. Thank you.

CHAIR SUGIMURA: Okay. Very good. So, next we have Member Kama, then Member Lee, and Member Sinenci.

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

October 22, 2024

VICE-CHAIR KAMA: So, this question is for Mr. Okamoto...or Okamoto. You know, in the...the finances that was overpaid, could they not have just been refunded?

MR. OKAMOTO: Yes. Those...those funds have been refunded. So, as of right now, I believe where we stand, we have...Johnson Controls has remit or reconciled that. On October 15th, we reimbursed a check --

VICE-CHAIR KAMA: Okay.

MR. OKAMOTO: -- to the Bank of Hawai'i.

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

COUNCILMEMBER COOK: Awesome.

CHAIR SUGIMURA: Okay. Next we have Chair Lee, followed by Member Sinenci.

COUNCILMEMBER LEE: Sorry, Member Sinenci. I have to leave, that's why. Mr. Okamoto, I...I was curious about the salt you talked about, breaking down to become chlorine. Are you familiar with desal...desalinization? Because what happens is, you would end up with a salt byproduct that we can't get rid of, it...it appears. Can you...you break that down to something more productive?

MR. OKAMOTO: Thank you for the question. I actually had the same question myself. And, you know, just getting familiar with this technology, what I was told is that there is no byproduct of salt. It actually uses it to offset the pH. So, from what I understand, the salt is broken down to make chlorine, the rest uses to offset the pH, which is the...the acidity of the water. So, some of the pools use muriatic acid, others use CO2. I think the byproduct helps offset the pH level. You know, that's...that's about all I know about this, and this was just at a training that we did with the lifeguards last week because they were asking these questions that I overheard. So, I, myself, need to get a little more familiar with that too.

COUNCILMEMBER LEE: Okay. Can you go get more familiar with that and then come let us know?

MR. OKAMOTO: Will do.

COUNCILMEMBER LEE: Okay. Okay. Thank you very much. Thank you, Chair.

CHAIR SUGIMURA: Thank you. Member Sinenci.

COUNCILMEMBER SINENCI: Mahalo, Chair. Just following up with Mr. Okamoto. So, after you install the...the water fountains, that would complete the Contract C7619?

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

October 22, 2024

MR. OKAMOTO: Yes. We actually have the water fountains, and we're just looking at doing, you know, the close-out patches. We're in the close-out phase, so we're trying to just handle over all the warranty booklets, you know, documentation, and things like that. So...and for the pools, being that the Lahaina Pool, you know, just finished on the 30th, we are in kind of this optimization period to make sure, you know, we don't just hit the button, turn it on, walk away. We are kind of just, you know, trying to babysit the equipment to ensure it all works right and meets our energy-savings targets. You know, a lot of...this whole project is built around a performance guarantee, so ensuring that our team comes behind and makes sure everything is saving the amount of energy that we are guaranteeing, you know, whether it be lighting, the pools, the transformers. So, we're...we're going to be in this, you know, kind of hold pattern to just keep in touch with the County going forward.

COUNCILMEMBER SINENCI: Okay. And this part is just Phase 1. Phase 2 is the equipment lease agreement with Bank of Hawai'i; is that correct?

MR. OKAMOTO: Phase 1 is the...the work that we did for lighting and everything else. Phase 2 is a solar power-purchase agreement. So, Phase 2 is going to involve just...just solar.

COUNCILMEMBER SINENCI: Okay. And that will be coming up next?

MR. OKAMOTO: Correct.

COUNCILMEMBER SINENCI: Okay. All right. Thank you. Thank you, Chair.

CHAIR SUGIMURA: Okay. Great. So, I want to continue on that with payment. So, the first payment...the first payment to Bank of Hawai'i, was that made? That would be Dr. Caires. And when was the payment made, and what appropriation was done?

MR. CAIRES: Mahalo, Chair. I would just defer to--I think Ms. Lesley is still on the call.

CHAIR SUGIMURA: Oh, is she on the call? I don't see her. Oh, she is. Okay. Ms. Milner?

. . .*(silence)*. . .

MR. KRUEGER: Chair, we do see Ms. Milner on...on the call. We've made her a presenter, so she'll just need to unmute on her end.

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

October 22, 2024

CHAIR SUGIMURA: Okay. So, before she gets on the call...for Phase 2, Dr. Caires, the purchase...the power-purchase agreement is with another bank; is that correct? Or is that not a concern for us?

MR. CAIRES: We will not be engaging in another type of financing. The Phase 2 is a power-purchase agreement, which basically spell out the...the responsibilities of the County, which would be to purchase the energy delivered and generated at a reduced cost against the normal power we would have purchased from the utility if we had no solar. So, no...no...no bank we would be seeking to help financing for the purpose of Phase 2, Chair.

CHAIR SUGIMURA: We just pay our bills, basically?

MR. CAIRES: Yes, ma'am.

CHAIR SUGIMURA: Lesley is having a tech issue, so she has to rejoin. Okay. Thank you. Okay. So, Phase 1 is completely done, right? And so --

COUNCILMEMBER PALTIN: Chair?

CHAIR SUGIMURA: -- we're now toward these --

COUNCILMEMBER PALTIN: Mr. Brandon Higashi had his hand up. I'm not sure what entity that he's with.

CHAIR SUGIMURA: I don't even see him. Brandon Higashi, are you with...with the bank?

MR. CAIRES: Bank of Hawai'i, yeah. Oh, great.

CHAIR SUGIMURA: Okay, Brandon. Can I designate him as a resource for...under Rule 18(A)? And I guess you are with Bank of Hawai'i?

MR. HIGASHI: Correct. Correct.

VICE-CHAIR KAMA: No objections.

COUNCILMEMBER COOK: No objections.

CHAIR SUGIMURA: Okay. Thank you. Thank you.

MR. HIGASHI: Thank you, Chair. I just wanted to answer your question. Yeah, the bank has received the first payment from the County. We received it, I want to say the first or second week of this month, and it was applied, I believe, on the 15th or 16th of this month.

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

October 22, 2024

CHAIR SUGIMURA: And the amount?

MR. HIGASHI: \$1,708,372.

CHAIR SUGIMURA: Okay. I guess we can hear further. Wow, that's a far . . . *(timer sounds)*. . . cry from what we thought it would be. We can hear further from Ms. Milner. Did she get back on? Or Finance. Is somebody here from Finance?

MS. MILNER: I'm back on, Chair. My apologies.

CHAIR SUGIMURA: Yeah.

MS. MILNER: When I turned my camera on, Teams crashed. . . *(laughing)*. . .

CHAIR SUGIMURA: A sign. Okay.

MS. MILNER: So, yes. As was stated, the first payment was \$1,708,372. This ended up being lower than we had previously discussed because of that remittance payment that JCI made to the Bank of Hawai'i. So, that reduced our overall obligation to the Bank of Hawai'i. Also, the lease period is now 16 years rather than 20. That was changed due in part to the fact that the County has received electric vehicles as a part of this Phase 1. You can't finance something for longer than the life of the equipment, so that is why that payment period was reduced. And the lease-period-payment schedule was included in the final amendment, which I will check with Corporation Counsel to ensure that has been transmitted over to the County Clerk so that you all have a copy. Thank you, Chair.

CHAIR SUGIMURA: Okay. Also, did we receive the 12 Teslas? I guess that's what Member U'u-Hodgins was talking about.

MS. MILNER: Thank you, Chair. I'll defer to Dr. Caires on that. Mahalo.

MR. CAIRES: Yeah. Mahalo, Chair, for that question. So...

COUNCILMEMBER U'U-HODGINS: Uh-oh.

CHAIR SUGIMURA: Oh, he froze.

COUNCILMEMBER COOK: Mr. Caires is frozen.

. . . *(silence)*. . .

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

October 22, 2024

MS. MILNER: Thank you, Chair. I'm guessing Leo might need to reboot as well. But my understanding, having been in these meetings, is that the County opted not to proceed with acquiring the 12 Teslas, and that is why the repayment from JCI to the Bank of Hawai'i was approximately \$800,000, because we didn't utilize those funds to make that purchase. It was deemed not to be the way we wanted to proceed at this time. But once Mr. Caires gets back on, I'm sure he'll have more information. Mahalo, Chair.

CHAIR SUGIMURA: Okay. Member Paltin, do you have questions?

COUNCILMEMBER PALTIN: I just had a clarification. When Member Kama asked if the amount was remitted to the bank, was that the 800,000 that Ms. Milner was talking about, or was it the full amount of the overpayment, or was some of that overpayment addressed with the things that Ms. U'u-Hodgins...or Councilmember U'u-Hodgins was saying?

CHAIR SUGIMURA: . . .*(inaudible)*. . .

MS. MILNER: Thank you, Chair. The amount that was remitted to the Bank of Hawai'i was the total remaining amount of the overpayment. So, we did utilize some of the funds on some of the projects that Mr. Okamoto was discussing, but the remaining amount was remitted to the bank.

COUNCILMEMBER PALTIN: And that was the 800,000?

MS. MILNER: Yes.

COUNCILMEMBER PALTIN: So, you use like roughly 1.2 or something?

MS. MILNER: I believe so, yes.

COUNCILMEMBER PALTIN: Okay. And then...so, otherwise, the amount we would have paid the bank the first time would have been plus 800,000?

MS. MILNER: Yes. To account for interest and...yeah, all of that.

COUNCILMEMBER PALTIN: So, the exterior lighting and the saltwater for the pool, those weren't originally in, it was when the overpayment happened that we decided that we wanted those things?

MS. MILNER: It's gone through several phases. Initially, there was more exterior lighting that was planned that was descoped because we were trying to figure out how to address the compliant lighting issue. So, that's why Dr. Caires opted to proceed with the pilot project instead, to see sort of where that would be and get an estimate for what costs would be. But as a part of that, I believe JCI did go

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

October 22, 2024

through and do a count of all of the lighting fixtures on all County properties. But...so, some of the exterior lighting was descoped, and then we added other things to the scope, like the water fountains, and I think maybe the Kula Fire Station, and some other things to use up some more of those funds.

MR. CAIRES: . . .*(inaudible)*. . .

COUNCILMEMBER PALTIN: Okay. So, the --

MS. MILNER: Leo is back.

COUNCILMEMBER PALTIN: Oh, is my time up? Okay.

MR. CAIRES: Oh.

COUNCILMEMBER PALTIN: Thanks.

CHAIR SUGIMURA: Dr. Caires is back on.

MR. CAIRES: Sorry.

COUNCILMEMBER PALTIN: Yeah.

MR. CAIRES: Sorry, Chair. My...my device crashed, overheated. But I'm...I'm --

CHAIR SUGIMURA: Oh.

MR. CAIRES: -- calling in from other device, my phone.

CHAIR SUGIMURA: Okay.

MR. CAIRES: If...if you need more clarify, I can address it. Or I don't know what was said, I missed the 30 seconds of the comments.

CHAIR SUGIMURA: Okay. Tamara, you want to ask your question again, or did you get your answer?

COUNCILMEMBER PALTIN: I got all the answers, I just had one further question. It was about the descoping of the lighting, and then he said they found two compliant lightings. I guess, you know, moving forward, if we now have compliant lightings, would those compliant lightings be compliant for all the lights that were descoped? Sorry, I'm just using your guys' words. I don't...

MR. CAIRES: Sure. I--this is Leo here. I...I...I'll speak to just the...the lighting as a whole, and then I can defer it back to Lowen again. . . .*(timer sounds)*. . . Really,

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

October 22, 2024

what...what's before us is a lighting ordinance that ultimately--in the beginning, when...you know, when I got involved into the project, we wanted to ask questions beyond, you know, what was initially understood. JCI, you know, did the work of trying to find, I guess, you know, in...in the industry, readily-available lights that, you know, can get off the shelf. But I know Lowen has discussed that, you know, they needed to go back to some of these specific providers that I...I'm assuming have more capability or wherewithal to provide such lighting, which they did. And looking ahead for us, at this time, Johnson Controls did a great body of work in understanding what is the projected need to...to transform the County to meet lighting compliance. And so, that was a self-engineering study that they did, and we are currently, right now, in discussions on whether or not that work product can be sole sourced from them, or if Public Works would look to do a RFP to ask for the same work. So, we are actually right now having those discussions on whether or not we can do it through this contract, or it would need to be RFPed out. I can stop there if there's any further questions and turn it over to Lowen.

COUNCILMEMBER PALTIN: Thank you. I'm open to hearing from Lowen, but I did hear my bell ring.

CHAIR SUGIMURA: Yeah. Members, is it okay if we continue on the lighting question?

COUNCILMEMBER U'U-HODGINS: Yeah.

CHAIR SUGIMURA: Okay. Mr. Okamoto, you want to continue on with that--JCI and how they're addressing this compliance issue with Bill--is it 122, that lighting bill?

MR. OKAMOTO: Yeah. So, I mean, I...I guess we're not necessarily addressing it, but we kind of found a solution. We...compliant lighting is available, I think it was more just the...the criteria of which vendor, right? So, we kind of did our due diligence to assess the different vendors that are available who...who say they can meet compliant lighting without being, you know, biased to one. But, you know, I think our...our team has procurement rules as well. You know, we did this pilot project basically because we had a vendor, like I was saying, who we work closely with, I just picked two types of fixtures, you know, as one shoe box, and we did one pole. And we gave them the specs, and we said can you meet this? And...and they actually came through. And so, we wanted to do the pilot as...not only as a--more as a proof of concept--you know, this is what it looks like. And we didn't know which direction the County would take because again, the bill wasn't...wasn't too...wasn't fully clear on exactly how we'd go about it. And not only that, right, this all pertains to energy savings. So, what we initially developed and sold to the County was just your traditional LED lighting, right? So, these new amber lights--I think is what we're referring to them are--they still have energy savings, but not as much as your traditional white LED. And, you

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

October 22, 2024

know, I can share the photo again, but you can really see the contrast in the different lighting, yeah. And so, it was really more just a proof of concept, you know. Because the County doesn't only have a shoebox light fixture and a light pole, you know? You got everything from, like, a porch light to a recessed can. And then the...the deviation between what is exterior, right? If it's outside but under a porch, is that exterior? You know, we got into all of that, and we just needed, like, the black and white on which...what is considered exterior, you know. So, that's kind of where we are at now, and...and I guess we need to work with the County to determine fully what...how to comply, and...and where.

COUNCILMEMBER PALTIN: Thank you so much. Thank you for your diligence and hard work on this and, you know, making it happen. Chair, I heard the bell, and I just wanted to let you know that I don't know if there's some Internet issue, but Member Sinenci did say that he does not have Internet wherever it is that he's at.

CHAIR SUGIMURA: Okay. Okay. Yeah. We are having some issues. All right. So, Member Sinenci left the meeting then. I wanted to find out...before we run out of time, I know that all the work that was done on Phase 1--and this sounds like a Dr. Cairnes question--that we were to receive some savings, and that would be applied to...to the overall cost of the contract. And I don't mean by not getting the Teslas, I mean by, you know, saving on electricity. So, do we have an assessment of that, or is that too early...is it too early?

MR. CAIRES: I...I can share just a couple of things, and I would probably, you know, share--ask Lowen or Lesley to speak to some of the more details. But overall, the...a lot of the decisions that are drive to make sure that this project could be successful and get it across the finish line was really focusing on for every dollar that we would approve the County invests through this TEL financing with Bank of Hawai'i would produce, you know...you know, a meaningful savings factor that would make sure that the overall project complies with the rules of energy-performance contracting, you know, governed by the State statute. And so, part of the...the decision-making process wasn't...we weren't interested in really spending costs that wouldn't garner, or generate, or position the County for future savings. So, that really drove, you know, a lot of our...our...just our decision-making overall, and...and really, to stay in compliance with the...this whole concept of energy-performance contract...contracting, excuse me. So...so, yeah. I'll...I'll turn it over to anything additionally, you know, to add...to the team as well.

CHAIR SUGIMURA: Okay. Mr. Okamoto, do you want to add to the conversation?

MR. OKAMOTO: Yeah.

CHAIR SUGIMURA: . . .*(inaudible)*. . .

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

October 22, 2024

MR. OKAMOTO: I just...I just wanted to say that...so, Johnson Controls, part of the agreement, right, for the ongoing M&V, you know, measurement and verification of the guarantee, we owe the County, or the customer, within 60 days of the commencement period, a report of--you know, basically a snapshot of where we were at within the two years of construction period, and then that will continue annually every year, right? And like Leo was saying, in order to meet the statute, we need to meet or exceed savings by at least \$1. So, I think the lease payment was 1.7 million, we needed to exceed savings of that by at least \$1. So, every year annually, our team will provide a report outlining how we got there, and that's for the County to, you know, review and make sure, you know, it, you know, passes the smell test and stuff. So...and just making sure both parties meet their responsibilities.

CHAIR SUGIMURA: Okay. So, we haven't gotten what your audit is yet; is that correct?

MR. OKAMOTO: No. I was told by November 30th, we'll have it. So, we're...our team is working on that right now.

CHAIR SUGIMURA: Okay. All right. Anybody else have questions for JCI? Okay. If not, then I'm going to...I'm going to defer this item because I'm sure we're going to end up talking about this further, and we hope to hear more of the successes. And the pilot project, which is the lighting project here, I'm very curious to see how this impacts the whole County because all of our traffic lights, and it's our streetlights, building lights --

UNIDENTIFIED SPEAKER: Yeah.

CHAIR SUGIMURA: -- all of that has to then comply with this lighting. And I --

UNIDENTIFIED SPEAKER: Yes.

CHAIR SUGIMURA: -- I think that's part of your study, yeah? Member Johnson, question?

COUNCILMEMBER JOHNSON: Thank you, Chair. On that...on that note, the vendor that you folks found, is that a local vendor for the lighting?

MR. CAIRES: Chair, this is Leo here. I...I'll defer to Lowen on...on that specific question regarding to local vendors on the lighting, and what other vendors they might have engaged with that might have been locally too.

CHAIR SUGIMURA: Okay. Mr. Okamoto?

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

October 22, 2024

MR. OKAMOTO: Yeah. Local, as in--it's not Hawai'i based. It's...it's definitely a mainland company, and we've used them, you know, across...in our lighting projects across the nation throughout...throughout all of the U.S. But they are a big, reputable company. I think it's Lithonia brand or Acuity.

COUNCILMEMBER JOHNSON: All right. Thanks for that clarification. Thank you, Chair.

CHAIR SUGIMURA: Okay. Dr. Cairnes, you...you were saying something. You want to continue, or are you done?

MR. CAIRNES: I'm...I'm done for just right now until there's more questions, Chair.

CHAIR SUGIMURA: Okay. So, we're at the end of our meeting. Any more questions for the resource people? Okay. So, I'm going to defer this item, and take it up again. I'm sure we want to continue hearing about the successes of JCI. Thank you very much. Very interested in hearing more about this lighting compliance, and who's going to do it if...if it is or is not JCI, and the studies that were done. Because I think it has impacts...huge impacts because it's going to affect our whole County, and how our lighting is for all of our buildings, and street lights, and traffic lights, and whatever. So, at this time then, with your permission, I'd like to defer this item...yes?

COUNCILMEMBER COOK: No objections.

CHAIR SUGIMURA: Thank you.

COUNCILMEMBER U'U-HODGINS: No objections.

ACTION: DEFER pending further discussion

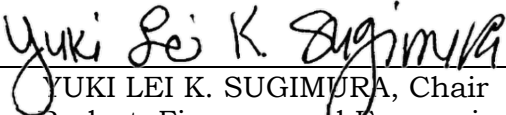
BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE MINUTES
Council of the County of Maui

October 22, 2024

CHAIR SUGIMURA: Thank you. And this meeting is now adjourned at 11:53.
...*(gavel)*...

ADJOURN: 11:53 a.m.

APPROVED:


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

bfed:min:241022:lt

Transcribed by: Logan Tsuji

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

October 22, 2024

CERTIFICATION

I, Logan Tsuji, hereby certify that pages 1 through 77 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 20th day of November 2024, in Wailuku, Hawai'i

A handwritten signature in black ink, appearing to read 'Logan Tsuji', is written over a horizontal line.

Logan Tsuji