

**MAUI COUNTY COUNCIL
SPECIAL COUNCIL MEETING
MINUTES**

**December 1, 2025
9:00 AM**

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

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

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

TIME MEETING CALLED TO ORDER: 9:08 a.m.

ROLL CALL

Councilmember	Pres.	Abs.	Exc.	Time(s) In/Out (during meeting)
Vice Chair Yuki Lei Sugimura	√			
CM Tamara Paltin	√			
CM Gabe Johnson	√			
CM Keani Rawlins-Fernandez	√			
CM Tom Cook	√			
CM Nohelani U‘u-Hodgins	√			
CM Shane Sinenci	√			
Chair Alice L. Lee	√			
TOTAL PRESENT	8			

CR 25-82 Recommending FIRST READING of Bill 9, CD1 (2025), to amend the Comprehensive Zoning Ordinance by disallowing Transient Vacation Rentals in the Apartment Districts as of January 1, 2029, in the West Maui Community Plan Area and January 1, 2031, for the County's other areas.

	AYE	NO	EXC	Time Deliberations Began	2:40 p.m.
				Time Motion Made	2:41 p.m.
VC Sugimura		√		Motion	ADOPT recommendations, as amended
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Seconder	Paltin
CM Rawlins-Fernandez	√			Time Vote Taken	4:59 p.m.
CM Cook		√			
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee		√			
TOTAL VOTES	5	3		MOTION PASSED	

	AYE	NO	EXC	Time Deliberations Began	3:23 p.m.
				Time Motion Made	3:23 p.m.
VC Sugimura	√			Motion	AMEND
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Seconder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	3:25 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8			MOTION PASSED	

	AYE	NO	EXC	Time Deliberations Began	3:25 p.m.
				Time Motion Made	3:25 p.m.
VC Sugimura	√			Motion	AMEND
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Seconder	Sinenci

CM Rawlins-Fernandez	√			Time Vote Taken	3:28 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8	0		MOTION PASSED	

	AYE	NO	EXC	Time Deliberations Began	3:29 p.m.
				Time Motion Made	3:29 p.m.
VC Sugimura	√			Motion	AMEND
CM Paltin		√		Maker	Cook
CM Johnson		√		Secunder	Sugimura
CM Rawlins-Fernandez		√		Time Vote Taken	3:41 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci		√			
Chair Lee	√				
TOTAL VOTES	4	4		MOTION FAILED	

	AYE	NO	EXC	Time Deliberations Began	3:42 p.m.
				Time Motion Made	3:42 p.m.
VC Sugimura	√			Motion	AMEND
CM Paltin	√			Maker	Cook
CM Johnson		√		Secunder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	4:16 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7	1		MOTION PASSED	

TIME MEETING ADJOURNED: 5:00 p.m.

TRANSCRIPTION

Council of the County of Maui on 2025-12-01 9:00 AM - Special Meeting

>> GOOD MORNING. COUNCILMEMBERS, STAFF AND MEMBERS OF THE PUBLIC, ALOHA, EVERYONE. THE SPECIAL COUNCIL MEETING OF DECEMBER 1, 2025 WILL NOW COME TO ORDER. MS. CLERK, PLEASE PROCEED WITH ROLL CALL. >> PROCEEDING WITH ROLL CALL FOR MEMBERS WHO ARE PARTICIPATES FROM A REMOTE LOCATION, PLEASE LET US KNOW IF ANYONE EXCEPT FOR MINORS IS WITH YOU. COUNCIL MEMBER SUGIMURA? \r\n\r\n>> EXCUSED. >> COUNCIL MEMBER TAMARA PALTIN. >> ALOHA. >> COUNCIL MEMBER GABE JOHNSON? >> ALOHA, CHAIR, COUNCILMEMBERS, COMMUNITIES MEMBERS, THERE'S NO TESTIFIERS AT THE LANA'I DISTRICT OFFICE, I'M ALONE IN MY HOUSE IN MY WORK SPACE WHERE THE DOGS ARE SNORING. >> KEANI RAWLINS-FERNANDEZ. >> ALOHA, LOVE HAVING OUR COMMUNITY FILL OUR GALLERY. \r\n\r\n\r\nTHERE ARE CURRENTLY NO TESTIFIERS AT THE MOMENT AT DISTRICT OFFICE, MAHALO, HAPPY TO BE HERE. >> COUNCIL MEMBER TOM COOK. >> ALOHA, THERE'S CURRENTLY NO TESTIFIERS IN THE PA'IA OFFICE. >> COUNCIL MEMBER U'U-HODGINS. >> GOOD MORNING. >> COUNCIL MEMBER SINENCI? >> GOOD MORNING. \r\n\r\n\r\n>> AND COUNCIL MEMBER LEE? >> ALOHA. >> FOR THE RECORD, I'M THE COUNTY CLERK, PRESENT FROM MY LEGISLATIVE STAFF, ASSISTING THE COUNCIL IN MAINTAINING ORDER AND DECORUM IS COUNCIL AMBASSADOR MARTIN RONALD. DIRECTOR DAVID ROTS AND LEGISLATIVE ATTORNEY CARLA NICATA, FROM THE CORPORATION COUNSEL IS CORPORATION COUNSEL VICTORIA AND DEPUTY CORPORATION COUNSEL KRISTIN TARNSTROM. >> MS. CLERK, PLEASE PROCEED WITH TESTIMONY. >> THANK YOU. \r\n\r\n\r\nWE WILL BEGIN WITH JORDAN TO BE FOLLOWED BY LESLIE BROWN. >> ALOHA, MY NAME IS JORDAN, I WILL BE PRESENTING TESTIMONY TODAY, MAHALO FOR THE OPPORTUNITY TO TESTIFY. YOU FOLKS HAVE HEARD IT ALL FROM BOTH SIDES, WE WANT TO KEEP IT SHORT, SIMPLE AND RESPECT YOU FOLKS TIME TODAY, INSTEAD OF ASKING FOR HUNDREDS OF PEOPLE TO SHOW UP AND GIVE TESTIMONY TODAY, WE ASK YOU ACCEPT THIS TESTIMONY ON ALMOST ON BEHALF OF THE ALMOST 2 THOUSAND COMMUNITY MEMBERS TO PASS BILL 9 WITHOUT ANY FURTHER DELAYS. IT IS BEEN MORE THAN THOUSED YEARS AND OUR FIRE MEMBERS, AND COMMUNITY MEMBERS HAVE BEEN DISPLACED ENTIRELY. THROUGH THE DEVASTATION, THE GRIEF AND TRYING TO REBUILD OUR LIVES AND TOWN, WE STAYED RESILIENT, WE'VE EDUCATED OURSELVES AND THE COMMUNITY, WE'VE ENGAGED IN THE SYSTEM, SHOWED UP EVERY STEP OF THE WAY FROM COUNCILMEMBERS, PLANNING, NITRATION, TAKE HEARINGS AND THOUSAND WE'RE HERE FOR THE FULL COUNCIL MEETINGS. WE PASSED SB2119 TO RESTORE BALANCE AND RETURN HOMING BACK TO RESIDENCE. IT IS TIME FOR OUR COUNTY'S TOIM TO FOLLOW THROUGH. \r\n\r\n\r\nTHAT IS A SYSTEM THAT HAS PLACED PROFITS OVER PEOPLE FOR FAR TOO LONG, WE URGE YOU, CHOOSE YOUR PEOPLE, THE PEOPLE WHO ELECTED YOU FOLKS TO BE THE LEADER AND THE CHOICE FOR THEM, CHOOSE TO PROTECT OUR FUTURE HERE IN MAUI COUNTY, CHOOSE HOUSING OVER SPECULATION. SO JUST AS WE'RE WITH THE VOICE OF ROUGHLY 2 THOUSAND COMMUNITY MEMBERS TODAY, WE URGE YOU TO BE THE VOICE OF YOUR CONSTITUENTS, PLEASE PASS BILL 9 TODAY. >> THANK YOU, ARE THERE ANY QUESTIONS? ANYONE? .NOT, THANK YOU. >> CHAIR, THE NEXT TESTIFIER IS LESLIE BROWN TO BE FOLLOWED BY FAYE TAYLOR. >> GOOD MORNING, MS. \r\n\r\n\r\nLEE AND COUNCILMEMBERS, CHAIR LEE, SORRY, FIRST MY SINCERE CONDOLENCES TO TASHA KAMA'S FAMILY, I'M SORRY FOR YOUR LOSS, MS. KAMA WILL BE VERY MISSED. I AM LESLIE BROWN AND I HAVE RUN A SHORT TERM RENTAL COMPANY KIHEI FOR THE PAST 40 YEARS, I'M HERE TO RESPECTFULLY ASK THAT YOU VOTE NO ON BILL 9, HERE ARE SOME MY CONCERNS, TOURISM MAUI'S NUMBER ONE TOURIST INDUSTRY, THE NEGATIVE PUBLICITY FROM BILL 9 IS ALREADY HAVING AN ADVERSE EFFECT ON OUR ECONOMY. I HAD TO LAY OFF A 19 YEAR-OLD EMPLOYEE, I'M SORRY, THE RIPPLE EFFECT IMPACTS ALL OF US, FOOD TRUCKS, THRIFT SHOPS, ACTIVITIES COMPANIES, BOAT TRIPS, RESTAURANTS, SHOPS AND MANY HOUSE KEEPERS DEPEND UPON TOURISM TO KEEP THEM AFLOAT. THE EXEMPTION LIST MADE BY THE TIG COMMITTEE IS NOT COMPLETE. PROPERTIES WERE LEFT

OFF THE LIST WITH THE THOUGHT, OOPS, JUST FILE FOR ZONING CHANGE, WHILE LIVELIHOODS ARE HANGING IN THE BALANCE, THAT'S NOT A GOOD SOLUTION. PLUS THERE IS NO GUARANTEE THAT THE EXEMPTION LIST WILL BE PASSED.\r\n\r\nTHAT DEPENDS ON A VOTE FROM THE COUNCIL. MS. KAMA'S UNTIMELY PASSING IS PROOF THAT THERE ARE NO GUARANTEES AND ANYTHING CAN HAPPEN. PLUS THE NEGATIVE PRESS THAT MAUI HAS VOTED TO SHUT DOWN SHORT TERM VACATION RENTALS IS WHAT THE MEDIA WILL FOCUS ON. ANOTHER CONCERN IS WHAT ABOUT LOCAL PEOPLE WHO ARE EMPLOYED IN TOURIST RELATED BUSINESS THAT ALREADY HAVE A MORTGAGE ON A PROPERTY WHERE THEY LIVE? HOW ARE THEY SUPPOSED TO CONTINUE PAYING FOR THEIR MORTGAGE WHEN THE VACATION RENTALS ARE SHUT DOWN? I DON'T THINK THIS IS THE ANSWER TO FIX THE LONG TERM HOUSING CRISIS.\r\n\r\nFOR LOCAL PEOPLE WANTING TO BUY, BANKS WILL NOW LOAN MONEY ON PROPERTIES INVOLVED IN A LAWSUIT. THIS MEANS ONLY CASH BUYERS WOULD BE ABLE TO BUY CERTAIN PROPERTIES. THIS CLEARS THE WAY FOR MORE MAINLAND BUYERS OR BIG CORPORATIONS TO BUY UP FOR OF MAUI. I THINK THE MONEY THE COUNTY WILL WASTE ON A LAWSUIT FOR THIS WOULD BE BETTER SPENT ON THE PROPOSED DESALINATION PLANT OR AFFORDABLE OR WORKFORCE HOUSING. I RESPECTFULLY YOU VOTE NO ON BILL 9. SORRY. THANK YOU. >> THANK YOU.\r\n\r\nMEMBERS, LET THE RECORD SHOW THAT VICE CHAIR SUGIMURA IS IN A MEETING. ANY QUESTIONS, ANYONE? IF NOT, THANK YOU. CHAIR, THE NEXT TESTIFIER IS FAYE TAYLOR TO BE FOLLOWED BY TERRY ZAGER. >> GOOD MORNING, MY NAME IS FAYE TAYLOR, OUR MAYOR HAS PRESENTED BILL 9 AS AN EXPEDIENT SOLUTION TO OUR HOUSING CRISIS. HE CLAIMS THAT FORCING THE SHUTDOWN OF OVER 7 THOUSAND LEGALLY OPERATING SHORT TERM RENTALS WILL MAGICALLY CREATE AFFORDABLE LONG TERM HOUSING. THIS IS A FANTASY.\r\n\r\nTHE PROOF IS RIGHT HERE IN WAIMEA, LOOK AT WAIMEA PALMS ONE AND TWO, THEY ARE IDENTICAL COMPLEXES SIDE BY SIDE BUT WITH ONE DIFFERENCE, ONE ALLOWS SHORT TERM RENTALS, THE OTHER DOESN'T. LOOK AT WAIMEA 2, WHAT DO WE SEE, WHERE ONLY LONG TERM RENTALS ARE ALLOWED, WHAT DO WE SEE, OUT OF 120 UNITS, ONLY 4 ARE RENTED LONG TERM, ALMOST ALL THE REST ARE VAI VANT FOR MOST OF THE YEAR. WITH VALUES STARTING AT 1.4 MILLION AND RENTS APPROACHING 7 THOUSAND DOLLARS A MONTH, DOES THAT SOUND LIKE AFFORDABLE HOUSING? SO, IF WORKING COST FAMILIES WON'T BENEFIT FROM THIS LITIGATION, WHO WILL? THE ANSWER IS OBVIOUS, IT'S THE HOTELS. THIS BILL ELIMINATES THEIR COMPETITION AND HANDS THEM A MONOPOLY OF MAUI'S TOURISTS. SO WHO GETS HURT, PEOPLE LIKE ME, I'M 80 YEARS OLD AND FOR THE LAST 11 YEAR, I HAVE RENTED OUT MY HOME DURING THE HIGH SEASON SO THAT I CAN AFFORD TO LIVE THERE THE REST OF THE YEAR. THIS BILL WILL FORCE ME AND COUNTLESS OTHER SENIORS TO SELL OUR HOMES AT FIRE SALE PRICES TO PEOPLE THAT DON'T NEED THE INCOME.\r\n\r\nWHO ELSE WILL BE HURT? WELL, ALMOST EVERYBODY ON THIS ISLAND THAT CAN SO DEPENDENT ON TOURIST DOLLARS BECAUSE IT WILL CRIPPLE OUR ECONOMY. FURTHERMORE, THE MAYOR HIMSELF ADMITS THAT THIS BILL WILL TRIGGER COSTLY MITIGATION. THERE IS NO GUARANTEE THE COUNTY WILL WIN. WHO WILL PAY FOR THIS COSTLY LITIGATION, WE, THE TAXPAYERS, WILL. AND IF THE COUNTY DOES WIN, IT WILL THEN LOSE MILLIONS IN TAT, GET AND PROPERTY TAX REVENUE. IN SUMMARY, BILL 9 IS BUILT ON A FALSE PROMISE, IT TARGETS THE ELDERLY, BENEFITS POWERFUL HOTEL INTERESTS, DEVASTATES OUR LOCAL ECONOMY AND GAMBLES WITH TAXPAYER MONEY ON A LOSING LEGAL BATTLE.\r\n\r\nI URGE YOU TO VOTE NO ON BILL 9. MAHALO. >> THANK YOU, QUESTIONS? >> WE HAVE ONE FOR YOU, VICE CHAIR SUGIMURA? >> YOU'RE SAYING WAIMEA ONE OR TWO, ONE IS AVAILABLE FOR ONLY LONG TERM? >> THAT'S CORRECT. >> WHICH ONE? >> TWO.\r\n\r\n>> AND THEN WHY MAY WHAT ONE IS SHORT TERM VACATION RENTAL? >> THAT'S CORRECT. >> THANK YOU. >> CHAIR, THE NEXT TESTIFIER IS TERRY ZAGER TO BE FOLLOWED BY DAVE ROSS. >> GOOD MORNING, THANK YOU SO MUCH FOR THE OPPORTUNITY TO SPEAK TODAY. NAME IS TERRY AND I AM HERE TO OPPOSE BILL 9. I WANT TO THANK YOU FOR THAT WONDERFUL PRAYER THIS MORNING, THAT WAS UNEXPECTED AND VERY MUCH NEEDED. I OPPOSE THE BILL FOR MANY REASONS BUT MOSTLY BECAUSE IT'S NOT GOING ACCOMPLISH THE

GOALS THAT ARE BEING PARROTED.\r\n\r\nIN MY OWN COMMUNITY, IT WAS CLEARLY NOT DESIGNED FOR RESIDENTIAL LIFE, WE DON'T HAVE A GROCERY STORE, WE DON'T HAVE A CHURCH, WE DON'T HAVE A SCHOOL, WE DON'T HAVE SPORTING FIELDS, WE DON'T HAVE ANYTHING CONDUCIVE FOR RESIDENTIAL LIFE AND IT WAS CLEARLY DESIGNED FOR THE VISITOR, AND OF COURSE IT'S GOING TO AFFECT MY PROPERTY VALUES, THAT'S NOT WHAT I'M HERE TO EXPRESS. ELIMINATING THESE SHORT TERM RENTALS IS MORE THAN A HOUSING POLICY, IT WILL RESHAPE THE WORKFORCE STABILITY, LOCAL FAMILY LIVELIHOODS AND THE ECONOMIC HEALTH OF THIS ISLAND. THERE ARE BETTER SOLUTIONS. IT HAS BEEN CLEARLY IDENTIFIED AND INDICATED IN PREVIOUS HEARINGS AND MEETINGS THAT THE MILLIONS -- TENS OF MILLIONS OF TAX DOLLARS THAT WILL BE GONE IF THIS BILL PASSES IS NOT NEEDED, SO IT MAKES ME WONDER WHY THROUGH ALL THE DECADES OF RECEIVING THIS MONEY, WHY HAS THE HOUSING ISSUE NOT BEEN IDENTIFIED AND PROVIDED A SOLUTION FOR -- WHAT HAVE YOU DONE WITH THAT MONEY, WHY HAVEN'T YOU BUILT HOMES FOR THESE PEOPLE THAT NEED IT ALREADY AND IF YOU HAD DONE THAT AND BEEN CONSCIOUS WITH THE MONEY THAT WE RECEIVE FROM THESE TAXES, WE WOULDN'T BE HAVING THIS ISSUE RIGHT NOW BECAUSE THERE WOULD BE PLENTY OF HOUSING. MAUI HAS BEEN THROUGH SO MUCH DEVASTATION OVER THE LAST FEW YEARS AND MY HEART BREAKS FOR THE PEOPLE AND THE FAMILIES THAT MAY HAVE TO LEAVE THE ISLAND BECAUSE TOURISM HAS ALREADY BEEN AFFECTED. MANY OF THESE UNITS THAT YOU ARE REFERRING TO LIKE I SAID BEFORE ARE NOT VIABLE HOUSING FOR THESE FAMILIES FOR MANY REASONS. YOU KNOW, SMALL LAYOUTS, NO PARKING, NO STORAGE, ALL OF THOSE TYPES OF THINGS, AND HOTELS, THEY CAN'T ABSORB THE VISITORS THAT DEPEND ON THIS TYPE OF HOUSING TO BRING THEIR FAMILIES OVER FOR VACATION, THEY LIKE THE GATHER TOGETHER AND HAVE KITCHENS AND NOT HAVE THE THE RESORT COMMUNITY IN THEIR FACE, AND SO IN CLOSING, WE ALL WANT MAUI TO BE STRONG, WE WANT OUR LOCAL FAMILIES TO THRIVE AND WE WANT SOLUTIONS.\r\n\r\nBILL 9 IS NOT A SOLUTION TO THIS HOUSING ISSUE AND I URGE THIS COUNCIL TO INVESTIGATE AND CHALLENGE YOURSELVES TO PURSUE SOLUTIONS THAT GENUINELY CREATE WORKFORCE HOUSING WITHOUT DESTROYING JOBS AND CRITICAL COUNTY REVENUE. THANK YOU FOR YOUR TIME. >> THANK YOU. MEMBERS, QUESTIONS? IF NOT, THANK YOU. >> CHAIR, THE NEXT TESTIFIER IS DAVE ROSS TO BE FOLLOWED BY ACE DERKY. >> HELLO, COUNCIL AND GUESTS, I APPRECIATE THE OPPORTUNITY TO SPEAK TODAY.\r\n\r\nMY NAME IS DAVE ROSS, A PROPERTY OWNER IN MAUI. >> PUT THE MIC. CLOSER TO YOU. >> OKAY. I'M HERE TODAY TO CHALLENGE THE PASSING OF BILL 9 ON FOUR NONMETAL GROUNDS, THESE POINTS ARE FACTUAL, DOCUMENTED AND WOUNDED IN THE COUNTY'S OWN LEGAL HISTORY AND NUMERIC REALITY, NUMBER ONE, THE CLAIM THAT THE MONITORIAL PROPERTIES IS FALSE, THERE'S NO DOCUMENT, PLAN, POLICY OR HISTORICAL REFERENCE ANYWHERE THAT SUPPORTS THIS IDEA. EVERY PROPERTY ON THE MONITORIAL LIST WAS APPROVED FOR TOURIST USE, VISITOR ACCOMMODATION OR SECOND HOME USE. WORKFORCE HOUSING DID NOT EVEN EXIST AS A LEGAL DEFINITION IN MAUI UNTIL 2006. 17 YEARS AFTER THESE BUILDINGS WERE ALREADY OPERATING EXACTLY AS INTENDED.\r\n\r\nNUMBER 2, THE TIG CRITERIA ARE VAGUE, UNPUBLISHED AND INCONSISTENTLY APPLIED. THERE'S NO SCORING SHEETS OR TRANSPARENT THRESHOLDS, NO OBJECTIVE RUBRIC, NEARLY IDENTICAL PROPERTIES SOMETIMES NEXT TO ONE ANOTHER WERE PLACED ON DIFFERENT LISTS. THIS IS NOT PLANNING, THIS IS ARBITRARY GOVERNMENT ACTION. TIG USES THE TERM AFFORDABILITY YET NEVER PROVIDES ANY AMI TARGET, NO AFFORDABILITY CALCULATION OR ANY PRICE OF RENT THRESHOLD. SO, A \$5,500 A MONTH, 550 SQUARE FOOT CONDO THAT REQUIRES ABOUT 180 THOUSAND OR 220 THOUSAND HOUSEHOLD INCOME, THAT'S NOT AFFORDABLE FOR MAUI WORKFORCE, NOT NOW, NOT EVER. NONE OF THE 7 THOUSAND UNITS IN QUESTION MEET THE COUNTY'S AFFORDABILITY STANDARDS UNDER MCC 2.96, NONE THE 7 THOUSAND, AND ITEM 3, YOUR PLAN WILL DESTROY MAUI COUNTY'S TAX BASE. IF THE COUNTY CAN TRULY AFFORD TO GIVE UP 7 MILLION DOLLARS PER MONTH, OVER 80 MILLION DOLLARS PER YEAR IN TAT, GET AND PROPERTY TAX REVENUE, THEN WHY IS THAT

MONEY NOT ALREADY BEEN USED TO FUND AFFORDABLE HOUSING PROJECTS.\r\n\r\nELIMINATING YES YARDS DOES NOT ELIMINATE HOUSING. IF THIS PLAN WERE WELL CRAFTED WHICH I DON'T BELIEVE IT IS, IT'S NOT LEGAL. THE COUNTY ALREADY ABDICATED THIS ISSUE IN 2001 WITH THE RULING WHEN I WAS GROUNDED IN SECTION 11 THAT WAS PASSED BY YOUR COUNCIL IN 1989, THAT RULE EXAMINED EACH PROPERTY INDIVIDUALLY AND CONFIRMED THESE UNITS WERE LAWFULLY PERMITTED FOR VISITOR USE AND SECONDS HOMES. THERE WAS TEN OR 11 YEARS THERE BETWEEN ORDINANCE 1797 AND THE MONITORIAL RULING WHERE THERE WAS CHAOS, SO THE COUNTY ITSELF ASKED FOR THE MONITORIAL LIST TO BE DEVELOPED SO THEY TOOK EVERY SINGLE PROPERTY AND LOOKED AT THE PERMITS AND THE PLANS AND CAME UP WITH THAT LIST SO THEY'RE ALL VERY WELL VETTED. >> CHAIR? >> OKAY, I'M SORRY. SO, AT ANY RATE, I URGE NOT PASSING THE BILL.\r\n\r\nTHANK YOU. >> THANK YOU. VICE CHAIR SUGIMURA? >> COULD I HAVE A COPY OF YOUR TESTIMONY, PLEASE, OR COULD WE HAVE A COPY IF AVAILABLE, THANK YOU. >> NEXT TESTIFIER? >> THE NEXT TESTIFIER IS ACE DERKY TO BE FOLLOWED BY PAULA FLYNN. >> GOOD MORNING, THAT MIGHT BE BETTER, GOOD MORNING, I'M ACE DERKY, A BOARD MEMBER IN KILE, I WANT TO THANK THE MAYOR'S OFFICE, THE MAUI COUNTY COUNCIL AND THE STAFF FOR THEIR TIME AND DEDICATION ADDRESSING MAUI'S AFFORDABLE HOUSING ISSUES.\r\n\r\nAT REVIEWING BILL 9, THE BOARD OF DIRECTORS BELIEVES THE BILL AS WRITTEN WILL NOT MEANINGFULLY IMPROVE LONG TERM AFFORDABLE HOUSING. IT RISKS WORSENING THE SITUATION WHILE ALSO HARMING AN ECONOMY THAT IS ALREADY UNDER SIEGE, WE OPPOSE BILL 9. IN OUR SUBMITTED PACKET WHICH IS RIGHT HERE YOU, GUYS SHOULD ALL HAVE THIS, WE OUTLINED HISTORICAL AND LEGAL INFORMATION ON WHY THE BEACH MEETS THE SAME CRITERIA USED FOR THE TIG LIST EVEN THOUGH WE WERE NOT INCLUDED IN EXHIBIT 2 OR THE TIG LIST, WE REFLECT MANY OTHER COMPLEXES WITH SIMILAR CIRCUMSTANCES WHERE RELEVANT DOCUMENTATION MAY HAVE BEEN OVERLOOKED OR MAY NOT HAVE BEEN AVAILABLE AT THE TIME OF THE REVIEWS. REGARDING AFFORDABILITY, YOU HAVE HEARD A LOT OF NUMBERS, I'M SURE YOU'RE AWARE OF A LOT OF THEM, AS REFERENCED IN EARLIER COUNCIL, 700 THOUSAND DOLLARS WAS AIN AFFORDABILITY BENCHMARK. MAUI'S MEDIAN HOUSEHOLD INCOME IS AROUND 95 THOUSAND DOLLARS, YET A ONE BEDROOM UNIT IS 939 THOUSAND DOLLARS, AT THE CURRENT INTEREST RATES, BUYERS WOULD NEED TO EARN MORE THAN 230 THOUSAND DOLLARS A YEAR WHICH IS WAY BEYOND ANYTHING THAT LOCAL PEOPLE -- AVERAGE WORKING PEOPLE MAKE. CONVERTING THESE UNITS TO LONG TERM HOUSING WILL NOT CREATE AFFORDABLE HOUSING, IT WILL SIMPLY CREATE UNAFFORDABLE INVENTORY. THIS REPRESENTS TENS OF MILLIONS OF DOLLARS. A MORE CONSTRUCTIVE PATH MAY BE TO PRESERVE SHORT TERM RENTALS IN THE ECONOMIC BENEFITS THEY SUPPLY, CAPTURE THAT REVENUE AND PURSUE LEGISLATION EFFORTS TO ALLOCATE THOSE MONIES DIRECTLY TO AN AFFORDABLE HOUSING FUND AS WELL AS THE MONIES THAT HAVE ALREADY BEEN CAPTURED.\r\n\r\nMOST COMPLEXES IMPACTED BY BILL 9 WERE BUILT ON OR NEAR THE SHORE LINE NECESSITATING MAINTENANCE COSTS THAT HAVE SMALLER SQUARE FOOTAGE, ONLY ONE DESIGNATED SPACE DESIGNED FOR SHORT TERM USE. SMALL BUSINESSES AND THE INTERCONNECTED GLOBAL COMMUNITY WHO RETURN YEAR AFTER YEAR WHO ADD TO THE CULTURAL ASPECT. THIS WILL CAUSE UNNECESSARY HARM TO BUSINESSES AND WORKERS. IT MUST INCLUDE FINDING AN EXPEDIENT PATH FORWARD FOR PROPERTIES LIKE WHY HUGELY TO GET ON TO H3, H4 ZONING, WE BELIEVE THERE IS A BETTER PATH, INSTEAD OF ELIMINATING SHORT TERM RENTALS, LET US HARNESS -- VOTE NO ON BILL 9. >> THANK YOU, ANY QUESTIONS, MEMBERS? OKAY, TESTIFIERS, I WOULD ASK THAT THE SOUND THAT YOU HEAR IS NOT JUST -- YOU KNOW, A SOUND THAT IS NOT PERTINENT TO THESE MEETINGS. THAT SOUND MEANS YOU HAVE REACHED YOUR TIME LIMIT, OKAY, SO PLEASE FOLLOW THAT. YOU GOT THREE MINUTES.\r\n\r\n>> YOU'LL GET A 30 SECOND WARNING. >> AND THEN SOMETIMES IF I FEEL YOU'RE IN THE MIDDLE OF A SENTENCE AND ALMOST READY TO CONCLUDE, I'LL JUST LET YOU GO OVER A COUPLE OF SECONDS BUT PLEASE TRY AND ABIDE BY OUR RULES, THANK YOU. >> CHAIR, THE NEXT TESTIFIER IS PAULA FLYNN TO BE FOLLOWED BY ANONYMOUS ONE. >> MY NAME

IS PAULA FLYNN, ALOHA TO THE COUNCIL CHAIR AND THE MEMBERS AND THE STAFF AND THANK YOU FOR ALL OF YOUR WORK TO TRY TO BRING AFFORDABLE HOUSING TO MAUI RESIDENTS. I'VE BEEN COMING HERE FOR OVER 30 YEARS, AND IT HAS ALWAYS BEEN -- IT WAS CONSTRUCTED USE FOR OWNER RENTAL, IT'S BEEN USED FOR THAT PURPOSE FOR THAT PURPOSE, IT WAS FOR OWNERS AND RETURNING VISITORS TO COME TO ENJOY THE SPIRIT OF ALOHA HERE AND REMAIN FRIENDS WITH PEOPLE HERE, THAT'S PRIMARILY WHAT I HAVE SEEN OVER 30 YEARS AND MY PARENTS BEFORE ME. IT'S LIKE A HOME AWAY FROM HOME, BECAUSE WE ARE OCEAN FRONT, PROPERTY THERE'S VERY HIGH MAINTENANCE COSTS, THEY'RE VERY SMALL UNITS AS OTHER PEOPLE HAVE SPOKEN ABOUT. THIS COMPLEX WILL ALSO LIKELY REMAIN UNAFFORDABLE FOR MEDIAN INCOME, MAUI RESIDENTS FOR MOST PEOPLE IN MY COMPLEX WITHOUT THE USE OF SHORT TERM RENTAL TO HELP COVER THESE COSTS, THEY WILL LIKELY REMAIN UNAFFORDABLE AND UNUSED LIKE OTHER PLACES IN MAUI.\r\n\r\nAND WE SUPPORT THE NEED FOR MORE AFFORDABLE HOUSING BUT WE DON'T BELIEVE BILL 9 WILL ACCOMPLISH THIS THE WAY IT IS. WE BELIEVE THERE NEEDS TO BE NEW ZONING THAT WOULD INCLUDE PLACES THAT THE BEST POSSIBLE USE IS FOR SHORT TERM RENTAL THAT ALLOWS MAUI'S ECONOMY TO CONTINUE AND PLACES THAT ARE NOT SUITABLE FOR SHORT TERM RENTAL TO BE LONG TERM RENTAL, SO UNLESS THAT ZONING COMES INTO EFFECT PRIOR TO BILL 9, WE DON'T SUPPORT PASSING BILL 9 AS IT IS. THANK YOU FOR YOUR TIME. >> THANK YOU. QUESTIONS? IF NOT, THANK YOU VERY MUCH. >> CHAIR, THE NEXT TESTIFIER IS ANONYMOUS ONE TO BE FOLLOWED BY ANONYMOUS TWO.\r\n\r\n>> ALOHA CHAIR AND COUNCIL MEMBER, I'M A FULL TIME RESIDENTS OF MAUI, MY KIDS WENT TO SCHOOL HERE, AND MY GRANDDAUGHTER WAS BORN HERE, MY SON AND DAUGHTER-IN-LAW LOST EVERYTHING THEY OWNED IN THE FIRE. I DIDN'T KNOW WHERE MY KIDS WERE FOR 18 HOURS SO I'M WITH YOU, REALLY, BUT I DO OPPOSE BILL 9. WE LIVED THROUGH THE FEAR, THE TRAUMA AND THE HEART BREAK OF THAT FIRE, MAUI IS OUR HOME, THE BILL HAS CAUSED A LOT OF DIVISION IN OUR COMMUNITY, EVERY WEEK ANOTHER SMALL BUSINESS CLOSING REMOVING SHORT TERM RENTALS WILL REDUCE VISITORS MORE AND PUT ADDITIONAL STRAIN ON OUR ALREADY FRAGILE LOCAL ECONOMY. THERE ARE IMPORTANT FACTS TO CONSIDER, CITIES LIKE ANAHEIM, SANTA MONICA, NEW YORK CITY AND BERLIN EXPERIENCED MANY FIRES AFTER BANNING STR'S, IT DID NOT FIX THE HOUSING PROBLEM IN ANY OF THOSE CITIES. THEY LOST TOURISM, INCOME BASED LAWSUITS AND ENFORCEMENT BECAME DIFFICULT. SHORT TERM RENTALS BRING IN MILLIONS THAT MAUI DEPENDS ON, FUNDING COUNTY SERVICES AND SUPPORTING LOCAL WORKERS ACROSS OUR ISLAND. IF THIS BILL PASSES, LITIGATION IS LIKELY AND BANKS WILL NOT LEND ON THESE PROPERTIES, THAT MEANS UNITS BECOME CASH ONLY SALES OPENING THE DOOR FOR MAINLAND INVESTORS INSTEAD OF LOCAL FAMILIES AND PEOPLE WHO LOVE THE ISLAND. REMOVING STR REMOVES STABILITY FROM SPA OWNERS WITHOUT PRODUCING ANOTHER SINGLE ADDITIONAL HOME.\r\n\r\nWE ALL WANT MORE HOUSING FOR LOCAL FAMILIES BUT ELIMINATING STR'S IS NOT THE SOLUTION, FOR THIS REASON, I'M STRONGLY AGAINST BILL 9 AND I'M NOT ANONYMOUS ANYMORE, I'M SUSAN RAMOS. THANK YOU. >> ANY QUESTIONS, THANK YOU. >> ANN MOUSE 2 TO BE FOLLOWED BY BOBBY PAHIA. ANONYMOUS 2? WE'RE MOVING ON TO BOBBY TO BE FOLLOWED BY NICHOLAS. >> CHAIR LEE, COUNCILMEMBERS, GOOD MORNING, MY NAME IS BOBBY PAHIA AND I SUPPORT BILL 9 AND SHORT TERM RENTALS, REGARDING SHORT TERM RENTALS. YOU KNOW, I HAVE LISTENED TO TESTIMONY BY THOSE THAT OPPOSE BILL 9, HOWEVER, I JUST WANT TO MAKE THIS POINT THAT GRANTED THE TOURIST INDUSTRY AND ECONOMY ELAPSES OUR COMMUNITY HAVE JOBS AND WHATNOT, BUT I ALSO GOT TO STRESS THIS, THAT THE TOURIST INDUSTRY AND SHORT TERM RENTALS AND VENUES LIKE THAT, IT HOLDS OUR PEOPLE HOSTAGE TO THE ECONOMIC RAMIFICATIONS OF BRINGING IN INCOME, AND I THINK THAT HAWAII AND MAUI COUNTY IN SPECIFIC NEEDS THE THE LEAD THE WAY AND CREATE A DIFFERENT PATH FOR ECONOMIC PROSPERITY IN OUR ISLANDS.\r\n\r\nYOU KNOW, I STAND UP HERE AND I SUPPORT BILL 9. THE 2 THOUSAND PEOPLE THAT TESTIFIED OR SUPPORT THIS BILL ARE LOCAL FAMILIES AND MANY OF THEM HAVE GENEALOGICAL TIES TO HAWAII. IN MY OPINION, I THINK THAT YOU

SHOULD HONOR THAT, HONOR THEIR HERITAGE AND THE KUPUNA THAT CAME BEFORE THEM. ALSO I WOULD ENCOURAGE OUR COUNTY COUNCILMEMBERS TO USE THIS TO STEM THE TIDE OF WHAT'S HAPPENING HERE IN HAWAI'I ECONOMICALLY BECAUSE I BELIEVE IN OUR COUNCILMEMBERS AND OUR PEOPLE OF HAWAI'I AND SPECIFICALLY ON MAUI, WE CAN CREATE A MORE SUSTAINABLE FUTURE FOR OUR PEOPLE HERE ON MAUI. THANK YOU VERY MUCH FOR YOUR TIME, ALOHA. >> THANK YOU, MEMBERS, QUESTIONS? IF NOT, THANK YOU. >> CHAIR, THE NEXT TESTIFIER IS VICTOR NICHOLAS TO BE FOLLOWED BY JOE CLARK. >> MY NAME IS VICTOR NICHOLAS AND I'M RETIRED AND A RESIDENT OF MAUI.\r\n\r\nMY MAJOR CONCERN IS THE LOSS OF REVENUE. ONE REASON I PICKED MAUI IS MY PRIMARY RESIDENCE AND WHERE I WANTED TO LIVE WAS THE EXCELLENT POLICE, FIRE, EMERGENCY SERVICES, WELL MAINTAINED ROADS AND EXCEPTIONAL PARKS. MY CONCERN IS THE POTENTIAL LOSS OF MILLIONS AND MILLIONS OF DOLLARS COULD CAUSE A DEGRADATION OF THOSE SERVICES AND FOR THAT REASON, I AM OPPOSED TO BILL 9. >> THANK YOU. QUESTIONS? THANK YOU VERY MUCH. >> CHAIR, THE NEXT TESTIFIER IS JOE CLARK TO BE FOLLOWED BY EMMANUEL BALTIZAR. >> ALOHA, CHAIR, AND COUNCILMEMBERS, THANK YOU SO MUCH FOR YOUR TIME.\r\n\r\nI'VE LIVED IN MAUI 38 YEARS, I HAVE THREE KIDS BORN IN LAHINI, REPRESENTED HAWAI'I, FEEL PRIVILEGED TO BE PART OF THIS COMMUNITY. I'M HERE TODAY BECAUSE THIS PROPOSAL AFFECTS THE MOST PERSONAL PART OF MY LIFE. FOR 19 YEAR, I HAVE RUN A SMALL VACATION RENTAL BUSINESS, I DO LOVE HOSTING VISITORS, I ALWAYS THOUGHT IT WAS GIVING BACK TO THE COMMUNITY AND PART OF WHAT I LOVE TO DO. I DIDN'T DO IT FOR ANY HARM TO ANYBODY AT ALL, THAT'S NEVER BEEN MY INTENTION OR HURTING ANYBODY FOR HOUSING. I ALSO DO OWN A LEGAL SHORT TERM RENTAL BUSINESS AND A LITTLE STUDIO ACROSS THE STREET FROM IT THAT I BOUGHT TWO YEARS AGO. I BOUGHT IT FOR MY GRANDKIDS, I BOUGHT IT FOR A PLACE FOR THEM TO STAY BUT ALSO TO SECURE MY OWN FUTURE. I WOULD HAVE NEVER DONE IT IF IT WERE ILLEGAL OR ANYWAY IT WOULD HURT ANYBODY FOR THEIR FUTURE HOUSING.\r\n\r\nI DEPENDS ON MY INCOME TO LIVE, I HAVE SOME EMPLOYEES THAT HAVE BEEN WITH ME FOR 15 YEARS, MANY OF THEM LOST THEIR HOUSES TO THE FIRES. THEIR STABILITY IS TIED TO THE LEGAL RENTALS LIKE MINE AND I FEEL RESPONSIBLE FOR THEM. BUT SINCE THE PHASE-OUT WAS INTRODUCED, FEAR AND ANGER, I HAVE SEEN THROUGH THE COMMUNITY AND IT'S REALLY SAD AND HARD TO SEE, THREE OF MY PROPERTIES THAT I MANAGE SOLD IN THE LAST TWO MONTHS, ALL THREE DID NOT GO TO HELP LOCAL HOUSE, THEY WENT TO OUTSIDE FOREIGN INVESTORS. THREE ARE NOW LISTED SINCE NOVEMBER AND I HAVE SEVER OTHER PEOPLE TALKING ABOUT LISTING THEIR PROPERTY AT A LOSS AND MAYBE THAT IS THE POINT TO GET THE RATES DOWN -- GET THE PRICES DOWN SO PEOPLE CAN AFFORD, IT IS DOING THAT. I'M SEEING EVEN MORE SMALL UNITS TURN -- I'M NOT SEEING EVEN MORE SMALL UNITS TURN INTO HOMES FOR MAUI FAMILIES. I WOULD WE WILL WELCOME THAT IF IT HELPED MY COMMUNITY. BUT REMOVING LEGAL TERM SHORT TENT ORALS, ESPECIALLY THE SMALL ONE, DOES NOT SEEM TO BE HELPING THE HOUSING CRISIS.\r\n\r\nI FEEL MORE AFFORDABLE HOUSING WOULD, SO JUST TO SUM IT UP, MY 400 SQUARE FOOT HOME UNIT, I HAVE TO MAKE 5 THOUSAND DOLLARS A MONTH TO TAKE A LITTLE LOES LOSS AND I DON'T KNOW HOW PEOPLE CAN AFFORD THAT UNLESS IT KEEPS COMING DOWN AND DOWN AND DOWN. I JUST WANT TO SAY I URGE YOU GUYS TO FIND SOME WAY TO HELP EVERYBODY. I DON'T KNOW THE ANSWER AND I AM OPPOSED TO THE BILL, THANK YOU. >> MEMBERS, QUESTIONS? IF NOT, THANK YOU. >> CHAIR, THE NEXT TESTIFIER IS EMMANUEL BALTIZAR TO BE FOLLOWED BY KIMBERLEE SMITH. >> GOOD MORNING, COUNCIL CHAIR LEE AND RESPECTED MEMBERS OF THE COUNCIL, I'M EMMANUEL, I'M [INAUDIBLE] ILW142, FROM THE TITLE OFFICER IN LOCAL 142, ALONG WITH OUR THOUSAND MEMBERS AND OUR FAMILIES AND THE FILIPINO COMMUNITY, I STAND HERE TO SUPPORT IN PAPER BILL 9, MEMBERS OF THE COUNCIL, TAKE A LOOK AT RESIDENTS, THEY'RE THE PEOPLE WHO ELECTED AND PUT YOU IN YOUR POSITION, THE MOST THING TO PASS IS BILL 9. LOOK AT RESIDENTS, THE TRIBE IN THIS ISLAND, WE HAVE TO WORK HARD FOR THESE LOCAL PEOPLE, PLEASE, BILL 9 IS OUR TOP PRIORITY FOR LOCAL 142, THAT'S WHY WE

ARE SUPPORTING THIS.\r\n\r\nTHANK YOU. >> MEMBERS, QUESTIONS? IF NOT, THANK YOU. >> CHAIR, THE NEXT TESTIFIER IS KIMBERLEE SMITH TO BE FOLLOWED BY MONICA. >> THANK YOU VERY MUCH, THIS IS KIMBERLEE SMITH, CAN YOU HEAR ME OKAY? >> YES. >> OKAY.\r\n\r\nTHANK YOU. I'M SORRY IF MY CAMERA'S NOT WORKING SO IT COULD BE MORE PERSONABLE, I WANT TO THANK CHAIR LEE AND THE MAUI COUNTY COUNCIL AND YOUR DEDICATED STAFF FOR THE COUNTLESS HOURS YOU HAVE BEEN PUTTING INTO TACKLING THE MAUI AFFORDABLE HOUSING CRISIS. I KNOW THIS ISN'T EASY. MY NAME IS KIM SMITH, I'M AN OWNER IN KEY KEY AND I'M HERE BECAUSE I OPPOSE THE PASSING OF BILL 9. WHY HULIHAI POLY WAS NOT INCLUDED, AND I SUSPECT WE'RE NOT ALONE, MANY SIMILAR COMPLEXES ARE LIKELY IN THE SAME BOAT. THEREFORE I BELIEVE IT'S IMPORTANT TO NOT PASS BILL 9 UNLESS THERE IS A CLEAR, SPE DIETED PATHWAY FOR PROPERTIES LIKE THE WHY HOLLY BEACH HOLLY TO RECEIVE PROPERTY H3/H4, I BELIEVE THIS BILL WON'T DELIVER THE AFFORDABLE HOUSING OUR NEIGHBORS DESPERATELY NEED, I'M WORRIED IT MIGHT MAKE THINGS WORSE BY DAMAGING AN ECONOMY THAT IS ALREADY STRUGGLING. I BELIEVE CONVERTING THESE UNITS TO LONG TERM HOUSING WON'T CREATE AFFORDABILITY, CREATE HOMES THAT OUR LOCAL FAMILIES STILL CAN'T AFFORD TO PURCHASE OR RENT LONG TERM. THERE'S ANOTHER REALITY WE NEED TO FACE TOGETHER.\r\n\r\nMOST PROPERTIES AFFECTED BY BILL 9 INCLUDING OURS WERE BUILT RIGHT ON OR NEAR THE SHORE LINE, THESE ARE SMALL UNITS WITH HIGH MAINTENANCE COSTS, PURPOSE BUILT FOR SHORT TERM RENTALS AND ARE CURRENTLY SUPPORTING THOUSANDS OF JOBS ACROSS MAUI, BEHIND EVERY SHORT TERM RENTAL ARE REAL PEOPLE, HOUSE KEEPERS, MAINTENANCE WORKERS, PROPERTY MANAGERS AND SMALL BUSINESS OWNERS WHO DEPEND ON THE INDUSTRY FOR THEIR LIVELIHOODS. THESE ARE OUR NEIGHBORS, OUR FRIENDS, OUR OHANA, THESE AREN'T JUST VACATION RENTALS, THEY ARE STABLE EMPLOYMENT FOR LOCAL RESIDENTS AND A VITAL PART OF MAUI'S ECONOMIC ENGINE. I BELIEVE THERE'S A SMARTER SOLUTION HERE, WHAT IF WE REVERED THE ECONOMIC BENEFITS OF SHORT TERM RENTALS AND TAXED THOSE TAX DOLLARS DIRECTLY TO TDR'S, BILL 9 AS IT STANDS ELIMINATES A MAJOR REVENUE SOURCE WITHOUT CREATING ANY VIABLE HOUSING SOLUTION. I TRULY BELIEVE WE CAN FIND A BETTER PATH FORWARD TOGETHER, ONE THAT KEEPS OUR ECONOMY STRONG WHILE GENUINELY HELPING LOCAL FAMILIES FIND AFFORDABLE HOMES, INSTEAD OF ELIMINATING SHORT TERM RENTALS, LET'S HIT AND RUN NESZ WHAT THEY CONTRIBUTE. THANK YOU VERY MUCH, AND TO BUILD A BETTER HOME FOR MAUI. I RESPECTFULLY ASK YOU VOTE NO ON BILL 9. THANK YOU. >> QUESTIONS, MEMBERS?\r\n\r\n>> CHAIR, THE NEXT TESTIFIER IS MONICA TO BE FOLLOWED BY STEVE MEYER. >> ALOHA, GOOD MORNING, MY NAME IS MONICA ALEXANDRA. I'M A RESIDENT OF SOUTH MAUI AND HERE TO TESTIFY AGAINST BILL 9. I WORK FOR A PROPERTY MANAGEMENT HERE ON MAUI AND I DIRECTLY WORK WITH VISITORS, OWNERS, CLEANERS, MAINTENANCE CREWS, RESTAURANTS AND THE WORKERS WHO KEEP THIS ISLAND FUNCTIONING EVERY SINGLE DAY. I'M HERE TO BE VERY DIRECT, BILL 9 WILL NOT BRING STABILITY, IT WILL BRING AND TRIGGER A CRISIS. I SEE HOW MAUI'S ECONOMY REACTS THE NUMBER VISITOR'S NUMBERS DIP, THE TIPS SHRINK, SCHEDULES GET CUT, EVERYBODY WHO ARE HANGING BY A THREAD CAN'T MAKE RENT. A POLICY IMPLEMENTED THIS FAST WON'T JUST AFFECT A FEW HOME OWNERS, IT WILL IMPACT THE ENTIRE WORKFORCE. IF THOUSANDS VISITORS ACCOMMODATIONS ARE ELIMINATED OVER NIGHT, YOU ARE CREATING LAYOFFS.\r\n\r\nHOUSE KEEPERS, RESTAURANTS, STAFF, SHOP WORLDLINESS, MAINTENANCE TEAMS, ALL OF THEM WILL FEEL THE HIT IMMEDIATELY. WHEN WORKERS LOSE HOURS IN INCOME, THERE'S ONE PLACE THEY'RE FORCED TO TURN, WELFARE AND STATE ASSISTANCE, SO WHEN PEOPLE LOSE THEIR JOBS BECAUSE OF THIS BILL WHO, WILL PAY FOR THE SPIKE IN WELFARE SUPPORT, THE ANSWER IS SIMPLE, THE VERY TAXPAYERS YOU SAY YOU'RE TRYING TO PROTECT. AND HERE'S THE TRUTH, NO ONE IS SAYING OUT LOUD, THE SOLUTION TO OUR HOUSING AND ECONOMIC CONCERN IS NOT CUTTING SHORT TERM RENTALS AND ELIMINATING JOSHES, THE REAL SOLUTION IS TO INCREASE WAGES AND OPPORTUNITIES FOR THE RESPONSIBLE HARDWORKING PEOPLE OF MAUI. SO, LOCAL FAMILIES CAN THRIVE WITHOUT

SACRIFICING THE BACKBONE OF OUR ECONOMY. A SUDDEN SWEEPING SHUTDOWN OF STR'S IS NOT A SOLUTION, IT'S AN ECONOMIC SHOCK WAVE, ONCE THE WAVE HITS, YOU CANNOT UNDO THE DAMAGE, WE NEED LEADERSHIP OF WHO UNDERSTANDS THE FULL PICTURE, DECISIONS WILL LARGE REQUIRE STRATEGY, BALANCE AND REAL ECONOMIC INTELLIGENCE. IF THIS BILL DESTABILIZES OUR WORKFORCE, IT WON'T BE THE COUNCIL PAYING THE PRICE, IT WILL BE THE COMMUNITY YOU WERE ELECTED TO PROTECT. I URGE YOU TO MOVE CAREFULLY, TRANSPARENTLY AND RESPONSIBLY, THE PEOPLE OF MAUI ARE WATCHING AND THEY WILL REMEMBER WHO SAFEGUARDED THEIR JOBS AND WHO IGNORED THE CONSEQUENCES.\r\n\r\nVOTE NO ON BILL 9. THANK YOU. >> MEMBERS, QUESTIONS? IF NOT, THANK YOU. >> CHAIR, THE NEXT TESTIFIER IS STEVE FEVER TO BE FOLLOWED BY CARL GAN, MR. MEYER? >> OKAY. >> HI, GOOD MORNING.\r\n\r\nTHANK YOU TO THE COUNCIL, THANK YOU, EVERYBODY, FOR GIVING US A CHANCE TO TESTIFY IN OPPOSITION TO BILL 9. I OWN AT THE MAUI SUNSET IN KEY HEY, MY SISTERS AND I OWN AND OPERATE A LICENSED PROPERTY MANAGEMENT COMPANY THERE, ITS'S A FAMILY RUN COMPANY FOR OVER 30 YEARS NOW. WE'VE ALREADY SUBMITTED WRITTEN TESTIMONY SO I'LL KEEP THIS BRIEF. WE DO OPPOSE BILL 9, THANK YOU. >> THANK YOU, MEMBERS, QUESTIONS? THANK YOU. >> CHAIR, THE NEXT TESTIFIER IS CARL GAN TO BE FOLLOWED BY RICHARD PRADA. >> ALOHA, CHAIR AND COUNCIL, WE KNOW FROM THE 2008 FINANCIAL COLLAPSE THAT WHEN YOU LOSE YOUR JOB, YOU CAN'T AFFORD A HOME AND BILL 9 IS GOING TO CAUSE THE LOSS OF JOBS.\r\n\r\nHOWEVER, WE HAVE A GREAT INCOME STREAM FROM THE SHORT TERM VACATION RENTALS THAT CAN BE USED TO HELP OUR BROTHER AND SISTERS TO GET INTO HOUSE, SOLUTION NUMBER ONE, OFFER 0% INTEREST RATES TO PEOPLE WHO NEED TO BUY HOMES. WE KNOW THAT THE GREAT MAJORITY OF THE MORTGAGE PAYMENT IS INTEREST RIGHT UPFRONT, DO THIS FOR 5-8 YEARS, SOMETHING THAT MAKES SENSE, THE PEOPLE WILL BUILD EQUITY INTO A NEW HOME THAT THEY WANT AND THEN FOLLOWING THAT, YOU WILL WANT TO -- WHEN IT TURN GASES OFF, YOU WILL SEE WAGES RAISED OVER THE YEARS, SO PEOPLE WILL BE ABLE TO AFFORD THEIR OWN HOMES. SOLUTION NUMBER TWO, WITH THIS REVENUE STREAM, THE COUNTY COULD PURCHASE PROPERTIES AND RESELL THEM TO THE PEOPLE WHO NEED THEM, MORTGAGES ARE BOUGHT AND SOLD ALL THE TIME. SOLUTION NUMBER 3, DESALINATION, WE KNOW WE NEED IT, THE REVENUE STREAM SHOULD BE USED FOR THE VACANT RENTAL PROPERTIES AND OTHER TOURISM TO BUILD THESE PLANTS AND USE SOLAR POWER AND WIND POWER AND WAVE POWER BECAUSE ENERGY IS THE MAIN THING THAT IS NEEDED WHEN WE NEED DESALINATION. I THINK BILL 9 WAS A GOOD INTENTION BUT IT WON'T PUT PEOPLE INTO HOUSE, WE CAN DO IT BUT IT WILL TAKE BOLD, OUT OF THE BOX THINKING BY THE COUNCIL TO HELP PEOPLE GET THE FINANCIAL ASSISTANCE THEY NEED. YESTERDAY I CHECKED THE REALTOR'S ASSOCIATION FOR MAUI AND THE MAUI COUNTY, THERE WAS 1621 RESIDENTIAL AND MULTIRESIDENTIAL PROPERTIES FOR SALE. WHY AREN'T THEY IN THOSE PROPERTIES NOW?\r\n\r\nGIVE THEM THE OPINIONS AND MEANS TO DO IT. WE WANT THEM TO HAVE HOMES. >> THANK YOU. QUESTIONS? IF NOT, NEXT TESTIFIER? >> CHAIR, THE NEXT TESTIFIER IS RICHARD PRADA TO BE FOLLOWED BY RICHARD STEWART. >> I'M RICHARD PRADA.\r\n\r\nWHY CAN'T MAUI BE DIFFERENT? WHY -- THEY DON'T ADDRESS PONO OR OHANA, WE'RE REGULAR PEOPLE HERE AND WE'RE CAUGHT UP IN A TIDAL WAVE OF SHORT TERM PARENTAL, I BOUGHT MY CONDO 30 YEARS AGO, I HAD NO INTENTION OF MAKING IT AS A SHORT TERM RENTAL, I STILL LIVE THERE, I JUST WANT TO BE PART OF THE SOLUTION, NOT PART OF THE PROBLEM. THERE'S WAYS -- OTHER WAYS WE CAN BRING IN TAX REVENUE. WHY DON'T WE ADDRESS ALL THE ILLEGAL RENTALS, PEOPLE SAY I'M RENTING IT TO MY GRANDMOTHER, WINK, WINK, AND THIS DOESN'T HAPPEN. IT'S JUST THAT THERE'S DIFFERENT WAYS THAT WE CAN BRING IN REVENUE AND HOPEFULLY GET THROUGH THIS PROBLEM. THANK YOU. >> THANK YOU.\r\n\r\nQUESTIONS? NEXT TESTIFIER? >> THE NEXT TESTIFIER IS JOSEPH STEWART TO BE FOLLOWED BY DAVID LUIS. >> THANK YOU, MY LAW PARTNER DAVID WILL BE TESTIFYING AND RATHER THAN WE'RE DUPLICATIVE, I'LL DEFER MY TESTIMONY TO HIM. >> THANK YOU. MS. CLERK, NEXT TESTIFIER?\r\n\r\n>> THE NEXT TESTIFIER IS DAVID LUIS TO BE FOLLOWED BY

NATALGA PIZIK, SORRY IF I MESSED THAT UP. DAVID LUIS? >> NEXT TESTIFIER? >> CHAIR, THE NEXT TESTIFIER IS -- >> HE HAS -- >> HE'S ONLINE, I CAN SEE HIS HAND IS UP. MR. LUIS, YOU'RE UNMUTED ON OUR END. >> CAN YOU HEAR ME NOW?\r\n\r\n>> YES. >> HELLO, OKAY. LET ME SEE IF MY CAMERA WILL WORK, THERE WE GO. OKAY. THANK YOU VERY MUCH, ALOHA, AND THANK YOU FOR ALLOWING ME TO TESTIFY. MY NAME IS DAVID LUIS, I SERVED AS THE FORMER ATTORNEY GENERAL UNDER NEIL ABERCROMBIE, GOVERN NEW YORK CITY, I'M A REGISTERED LOBBYIST FOR AN AIRBNB, I AM HERE TO TESTIFY AGAINST THE PASSAGE OF BILL 9, PRIEL I APPRECIATE ALL OF THE WORK THAT HAS GONE INTO THIS, WE BELIEVE THIS BILL WILL NOT ASSIST WITH ALL OF THE HOUSING ISSUES. I HAVE SUBMITTED WRITTEN TESTIMONY SEVERAL TIMES ON THE TIG AND THE PRIOR HEARINGS IN THE HLU COMMITTEE ON THIS AND YOU HAVE THAT.\r\n\r\nWHAT IS NEW IN OUR PRIOR -- FROM OUR PRIOR TESTIMONY IS THAT WE'VE ALSO SUBMITTED A REPORT WHICH WE COMMISSIONED WHICH AIRBNB COMMISSIONED SINCE I'M TESTIFYING HERE ON BEHALF OF AIRBNB, WE COMMISSIONED A REPORT BY DR. PAUL BRUBAKER WHO IS A NOTED AND RESPECTED ECONOMIST, HE PROVIDED A DATABASE ANALYSIS OF THE INCREDIBLE ADVERSE EFFECTS THAT BILL 9 IS GOWNING TO HAVE ON THE ECONOMY AND HAS ALREADY HAD IN THE RECENT PAST SO FAR. SO, LET ME JUST MENTION THAT THE KEY POINTS ARE THIS, BILL 9 IS GOING TO ELIMINATE SHORT TERM RENTALS WHICH HAVE BEEN LAWFUL RESIDENTIAL USES FOR DECADES AND WHICH ARE GOING TO IMPAIR THE VESTED RIGHTS OF THOUSANDS OF OWNERS. THE VESTED RIGHTS ISSUE HAS BEEN LOOKED AT BY BOTH HAWAI'I STATE COURTS AND THE U.S. DISTRICT COURT IN HONOLULU AND HAS BEEN UPHELD, IT IS A VIOLATION OF THE U.S. CONSTITUTION AND THE HAWAI'I CONSTITUTION, JUST TAKE AWAY VESTED RIGHTS WITHOUT COMPENSATION, AND THAT IS THE PROBLEM HERE, IT CREATES THIS GIGANTIC RISK, LITIGATION IS LIKELY AND IT IS LIKELY THAT THE COUNTY WILL LOSE. AND COULD BE ON THE HOOK FOR HUNDREDS OF MILLIONS OR EVEN BILLIONS OF DOLLARS, WELL, ONE BILLION DOLLARS. THERE HAS BEEN SO FAR A 30% DROP, ONE OF THE OTHER TESTIFIERS ALLEGED -- NOTED THAT, THERE'S ALREADY BEEN A DROP IN HOUSING PRICES. IF THERE IS A BIGGER DROP, IT IS GOING TO PERHAPS BANKRUPT THE COUNTY.\r\n\r\nNOW, THE COUNTY ATTORNEYS MAY SAY, DAVID LUIS IS WRONG, THAT AIRBNB IS WRONG, HAVE THEY TOLL YOU THE RISK OF BEING WRONG ON THEIR END, CAN THEY GUARANTEE YOU 100% THERE WILL NOT BE ANY ADVERSE AFFECTS TO THE COUNTY? I DON'T THINK SO. IN ADDITION AND BOTH NOTED BY THE UHERO REPORT AND DR. BRUBAKER'S REPORT IS THE FACT THERE'S GOING TO BE A NEGATIVE IMPACT. >> COULD YOU CONCLUDE YOUR TESTIMONY, PLEASE. >> YES, AND BECAUSE OF THOSE IMPACTS, IF YOU WILL LOOK AT DR. BRUBAKER'S REPORT, IT'S VERY ADVERSE.\r\n\r\nTHANK YOU FOR THE OPPORTUNITY TO TESTIFY. >> THANK YOU, MEMBERS, QUESTIONS? >> CHAIR? ALOHA HAD, MR. LUIS, AS A LOBBYIST, WOULDN'T YOU AGREE IT'S UNETHICAL TO CONTINUOUSLY MENTION YOUR POSITION AS THE FORMER STATE ATTORNEY GENERAL FOR THE PURPOSE OF IMPLYING CREDIBILITY AND HONESTY? >> NO, I DISAGREE WITH THAT. THE FACT THAT -- >> MAHALO FOR YOUR RESPONSE.\r\n\r\n>> OKAY. THE NEXT TESTIFIER, PLEASE. >> THE NEXT TESTIFIER IS NATALKA TO BE FOLLOWED BY ELIZABETH RAY. >> NATALKA, THIS IS YOUR OPPORTUNITY, YOU ARE UNMUTED ON OUR SIDE. CHAIR, I SEE ELIZABETH RAY IS ON LINE, DO YOU WANT TO PROCEED WITH HER AND THEN COME BACK. >> ELIZABETH RAY, WE'LL BEGIN WITH YOU. >> I DID GET MY MIC.\r\n\r\nUNMUTED NOW IF ELIZABETH ISN'T READY TO GO. CAN YOU HEAR ME MOW? >> -- NOW? >> YES. >> MS. RAY, WE'LL GET BACK TO YOU. >> MY FIRST TIME ON TEAMS, THANK YOU, CHAIR LEE, MY FAME IS NATALKA, I'M IN OPPOSITION OF BILL 9, YOU DECIDED ON A CAREER AS A COUNCIL MEMBER, YOUR SKILL SET WAS RECOGNIZED AND YOU NOW REPRESENT YOUR ELECTORATE, THEN THINGS CHANGED DRASTICALLY OVER THE LAST FIVE YEARS, A GLOBAL PANDEMIC, THE LOHAINA NATURAL DASHER, THEN BILL 9 IS BROUGHT FORTH AS A POSSIBLE SOLUTION TO AN AFFORDABLE HOUSING CIES OSIER A COMMON ISSUE IN CITIES IN NORTH AMERICA.\r\n\r\nWE MUST CONSIDER THE OVERALL IMPACT OF BILL 9 WILL HAVE ON OUR ECONOMY DESPITE THE DRASTIC CHANGES, HENCE, YOUR ACTUAL JOB DESCRIPTION

HAS CHANGED, YOU ARE NOT A CEO OF A MULTIMILLION DOLLAR CORPORATION. THIS ISLAND IS A BUSINESS. BILL 9 WILL HAVE DEVASTATING EFFECTS FOR ALL RESIDENTS, NOT JUST THOSE LOOKING FOR HOUSING. AS CEO OF YOUR MULTIMILLION DOLLAR BUDGET, YOU WILL NEED -- IT COULD LEAD TO INSOLVENCY IF DECISIONS ARE MADE FOCUSING ON A SINGULAR ISSUE LIKE HOUSING. REAL ESTATE PRICES HAVE DROPPED. WITH NO RUSH TO BUY. COMPANIES ARE IN HIRING FREEZES DUE TO IS UNCERTAINTY.\r\n\r\nTHE STAGE IS BEING SET FOR BANKRUPTCY. YOU MUST BE CERTAIN BEYOND REASONABLE DOUBT THE DECISION WILL FOLLOW YOUR CAREER. IT IS OKAY TO CHANGE YOUR MIND. PLEASE ASK YOURSELF BEFORE CASTING YOUR VOTE, ARE YOU 100% CERTAIN THERE WILL BE FUNDING TO COVER THE POLICE, THE FIREFIGHTERS, EMERGENCY TEAMS, GARBAGE AND YOUR OWN SALARIES? ARE YOU 100% CERTAIN, DO ALL FOLKS WITHOUT HOMES WANT TO BE HOME OWNERS WITH 40 YEAR MORTGAGES? ARE YOU 100% CERTAIN THAT THE U.S. FEDERAL GOVERNMENT SUPPORT SUGGESTED IN THESE ASSISTANCE PROGRAMS, IS IT THERE, THE FINANCIAL STATE OF THE NATION IS ALSO IN BANKRUPTCY. COUNCILMEMBERS, IF YOU ARE NOT 100% CERTAIN, PLEASE ABSTAIN FROM VOTING.\r\n\r\nIF YOU FEAR REPRISAL FROM THE LOBBYISTS, PLEASE ABSTAIN FROM VOTING. IF YOUR ELECTORATE IS NOT FROM THIS ISLAND OF MAUI, PLEASE ABSTAIN FROM VOTING. DO WHAT IS RIGHT, VOTE NO. IT IS OKAY TO CHANGE YOUR MIND, MAHALO. THANK YOU. >> QUESTIONS? IF NOT, THANK YOU.\r\n\r\n>> THE NEXT TESTIFIER IS ELIZABETH TO BE FOLLOWED BY CHRISTIAN O'CONNOR. >> ALOHA, CAN YOU HEAR ME? >> YES. >> ALOHA, THANK YOU, COUNCIL, I WOULD LIKE YOU TO PASS BILL 9, I WANT TO TESTIFY AND TALK ABOUT COMMUNITY HERE FROM SOMEONE BORN AND RAISED IN LAHINI, HEALERS, CONTRIBUTING WORKERS, WHO MAKE PROGRAMS FOR THE PEOPLE, BY THE PEOPLE, LIKE MAUI RAPID RESPONSE, HELPING MOTHERS HEALTHY BABIES, LOHAINA COMMUNITY CLINIC, THOSE GUYS WHO FEED HOT FOOD TO THE PEOPLE IN NEED, ALL THESE PEOPLE SHOW COMPASSION WITH STRENGTH AND RESILIENCE. THE DEVASTATING -- WHAT HAPPENED TO LOHAINA, IN 2023, IT TOOK OUT MOST HOMES. NOW WE'RE TRYING TO REBUILD AND FINDING THAT 80% WEST SIDE OUR HOUSING INVENTORY WAS EATING UP BY STR'S, THEY'RE SHORT TERM RENTAL UNITS LOCATED TO TOURISTS, OUT OF STATE, UPPER CLASS, THEY TAKE UP OUR BEACH ACCESS, OUR VIEWS, OUR HOUSING INVENTORY, MY FAMILY NOW LIVES WEST SIDE HALLELUJAH, THANK YOU, LORD, WE'RE BACK IN THE CULTURE, WE WANT LOCALS TO COME TAKE THESE SPACE IN THESE STR'S AND HAVE AFFORDABLE LONG TERM HOUSING INSTEAD OF LACK OF COMPASSION TO OUR RESIDENTS AND OUR RESIDENTIAL NEIGHBORHOODS IS ANNOYING, I DON'T WANT STRANGER DANGER, FAMILIARITY, UNDERSTANDING OUR HOME LIVES. HOW CAN WE BE SO BLIND TO THIS DISRESPECT SYSTEM TO THIS SUPERPOWERFUL STR GAME.\r\n\r\nYOU HAVE BLOCKED THE VIEWS, YOU HAVE BLOCKED ACCESS TO THE BEACH, YOU HAVE OVERDEVELOPED, SHORE LINES ARE DEPLETED, WHAT THE WORST IS PRICED OUT OUR LOCALS OUT OF THEIR HOMES BECAUSE STR'S HAVE HELPED TO GENTRIFY MAUI, THIS SACRED FERTILE ONCE ABUNDANT ISLAND WHO WE CALL HAWAIIAN, DO THEM JUSTICE TO HAWAI'I, MAHALO, PASS BILL 9. >> THANK YOU, MEMBERS, QUESTIONS? IF NOT, THANK YOU. NEXT. >> CHAIR, THE NEXT TESTIFIER IS CHRISTIAN O'CONNOR TO BE FOLLOWED BY JEFF GILBERT. >> ALOHA, COUNCIL, MY NAME IS CHRISTIAN O'CONNOR, I COME FROM LOHAINA, I GREW UP IN THE HARBOR IN LOHAINA AND I WENT TO THAT HIGH SCHOOL, I'VE LIVED IN SEVERAL OF THESE SO-CALLED SHORT TERM VACATION RENTAL UNITS THROUGHOUT MY LIFETIME, MY PARENTS LIVED IN HANA, KUWAI, AS A YOUNG WOMAN, I WAS GOING TO LAHAINA HIGH SCHOOL, WE LIVED IN ANOTHER VACATION RENTAL BUILD, THE TWO OF US LIVED IN A STUDIO RENTAL APARTMENT. EVERYTHING WAS COOL, EVEN IN MY 20'S, I LIVED AT THE KAPALUA VILLAS FOR A TWO BEDROOM UNIT AND WORKED AT THE HOTEL. PRIOR TO AIRBNB AND VRBO COMING INTO THE STATE OF HAWAI'I AND PEOPLE FIRST ILLEGALLY VACATION RENTING OUT PROPERTIES, NOT PAYING TAXES AND NOT BEING LEGAL VACATION RENTALS, WE HAD HOUSING.\r\n\r\nEVERYBODY HAD A PLACE TO LIVE AND WE ALL WORKED AND MADE GOOD WAGES. I CLEANED KAAHAPALI ROYAL, I WORKED AT CRAB CATCHER, I WORKED AT COBY'S, I WORKED ON FRONT STREET, ALL OF THE PLACES I KNOW AND LOVED, THEY'RE ALL GONE NOW, WE DON'T

HAVE OUR STRUCTURAL BUSINESSES LEFT BUT WHAT WE DO HAVE, WE STILL HAVE ALL OF KAAPALI AND ALL OF THESE LEGAL HOTELS AND RESTAURANTS AND SHOPS WHERE ALL OF US HAVE A PLACE TO WORK BUT THERE'S NOWHERE TO LIVE. SO, YOU KNOW, THIS IS ABOUT KEEPING -- SORE RISING I GET REALLY EMOTIONAL ABOUT THIS, THIS IS MY HOMETOWN, THIS IS MY TRIBE, THIS IS MY OHANA, I LOST COUNTLESS AUNTS AND UNCLES, ENTIRE FAMILIES DIED IN THEIR VEHICLES ON FRONT STREET, WE'RE -- NOBODY'S TALKING ABOUT THAT, NONOWNER THESE PEOPLE THAT GOT UP HERE AND TALKED ABOUT THE PLACES THEY OWN AND THE MONEY THEY'RE GOING TO LOSE, NOT ONE OF THEM TALKED ABOUT THIS, YOU KNOW. LIKE, THIS IS OUR HOME. WE'RE NOT FROM LOHAINA, WE ARE LOHAINA, THIS ISLAND BUILT US, THE WATER, THE FOOD, EVERYBODY'S OHANA, IT DOESN'T MATTER WE'RE HAWAIIAN AND FILIPINO AND JAPANESE AND DIRTY KNEES, YOU KNOW, WE ALL GREW UP TOGETHER IN THIS TOWN, WE LOVE EACH OTHER. WHEN THE FIRES HAPPENED, IT'S US THAT HELPED EACH OTHER, WE HOUSED EACH OTHER, WE FED AND CLOTHED EACH OTHER. WE'RE JUST ASKING YOU, COUNCIL, THAT YOU WOULD HELP US BE ABLE TO STAY IN OUR HOME WHERE WE'RE FROM.\r\n\r\nTHAT'S ALL I GOT, THANK YOU. >> THANK YOU. NO QUESTIONS. NEXT TESTIFIER? >> THE NEXT TESTIFIER IS JEFF GILBERT TO BE FOLLOWED BY ANONYMOUS 3. >> GOOD MORNING, ALOHA I'LL SAY WITHOUT INAPPROPRIATE CULTURAL APPROPRIATION. I'M A NON-RESIDENT OWNER OF A SINGLE UNIT AND LESLIE BROWN'S COMPLEX OF LOU WANNA CHI. I DO WANT TO START OFF WITH -- I DON'T KNOW WHAT IT IS ABOUT MAUI CITY GOVERNMENT BUT YOU FOLKS DO THE BEST ZOOM MEETINGS, I'VE BEEN DOING A THOUSAND OF THEM WITH TECHNOLOGY COMPANIES, SO THESE ARE THE MOST AMAZING ZOOM MEETINGS YOU HAVE.\r\n\r\nI WANTED TO MENTION THAT FROM MY STANDPOINT, MY GRANDMOTHER USED TO SAY -- I WAS 7 YEARS OLD, SHE USED TO SAY SPEAK THE TRUTH AND SHAME THE DEVIL. LET'S TALK ABOUT THE TRUTH HERE, BILL 9 IS A SOLUTION IN SEARCH OF A PROBLEM, IT WILL NOT PROVIDE HOUSING. I THINK EVERYONE RAZES THAT WHEN YOU THINK ABOUT IT, IT WON'T PROVIDE US HOUSING, JUST BECAUSE THE ECONOMICS, THE REAL WORLD ECONOMICS SAY IT WON'T AND THE TIME DELAY OF FIVE YEARS OR TWO YEARS AFTER THE LOHAINA TRAGEDY AND WE'RE FIVE YEARS MORE FROM THE FULL IMPACT OF THIS, IT'S NOT REALISTIC TO CALL THIS A HOUSING SOLUTION, THIS IS AN ATTEMPT TO TAKE AN EXISTING SET OF ASSETS AND REALLOCATE THEM BY THE MEANS OF THE GOVERNMENT. IT'S NOT GOING TO WORK. IT HAS NEVER WORKED, IT MAY HAVE SOME MINOR SHORT TERM BENEFIT BUT IT WILL NOT WORK ON A LONG TERM BASIS. WHAT WILL HAPPEN BY THE WAY BECAUSE IT WILL BE ECONOMIC, THERE WILL BE PRICE CONTROL AND LIMITS AND IT WILL BE A DISASTER FROM THE STANDPOINT OF TRYING TO PROVIDE MORE HOUSING FOR LOCAL RESIDENTS, AND PEOPLE LIKE ME, I DON'T CARE -- THERE'S NOT A TON OF MONEY I MAKE IN STR, I HAVE A TEN THOUSAND DOLLAR LOSS THAT I CARRY FORWARD, I'LL JUST KEEP IT AND MY FAMILY AND FRIENDS WILL GO THERE AND IT WILL NOT BE NEW HOUSING STOCK, I THINK ABOUT HALF THE SHORT TERM RENTAL OWNERS SAY THAT TOO. IN FACT, THE SOLUTION, IF YOU WANT A SOLUTION TO HOUSING IS TO DEAL WITH THE SUPPLY/DEMAND, ADD SUPPLY, TAKE ONE SQUARE MILE OUT OF THE 741 SQUARE MILES OF MAUI, GO TO R9 OR R10 RESIDENTIAL DENSITY AND DEVELOP OVER THE FIVE YEARS THAT IT TAKES OR THE FIVE YEARS -- DEVELOP THAT PROPERTY INTO 6 THOUSAND, 7 THOUSAND UNITS.\r\n\r\nYOU WANT A CANDIDATE FOR THE PROPERTY THE DRIVE FROM KAHALU'U WI DOWN TO KIHEI WAS ABANDONED FOR A LONG TIME, THAT'S YOUR SOLUTION, WORK ON THE SUPPLY SIDE, ADD MORE SUPPLY. >> TIME. >> THANK YOU FOR THE OPPORTUNITY TO TESTIFY, I REALLY APPRECIATE THE EFFORT YOU PUT INTO DOING THIS, HAVE A GREAT DAY. >> THANK YOU, MEMBERS, QUESTIONS? IF NOT, NEXT TESTIFIER. >> CHAIR, I HAVE A CLARIFYING QUESTION. >> MEMBER JOHNSON?\r\n\r\nFOR THE TESTIFY? >> ARE YOU STILL ON THE CALL, MR. GILBERT? >> I'M STILL HERE. >> THANKS FOR THE COMPLIMENT ON OUR ZOOM MEETINGS, I APPRECIATE THAT. >> I HAVE TO SAY I FORGOT TO SHAVE THIS MORNING SO I APOLOGIZE, I DIDN'T REALIZE I WOULD BE ON VIDEO. >> I WANT TO CLARIFY YOUR QUESTION SO I'LL BE SHORT, YOU SAID ABOUT HALF OF THE FOLKS THAT WOULD BE AFFECTED BY BILL 9 WOULD NOT

SELL THEIR UNITS AND KEEP IT VACANT.\r\n\r\nARE YOU SUGGESTING THAT THE OTHER HALF WOULD SELL? >> SO, WHEN THERE WAS A SURVEY OF THE MAUI RENTAL VACATION RENTAL SAID, 50% SAID THEY WOULD KEEP IT FOR THEIR PERSONAL USE. A SUBSTANTIAL PORTION SAID I DON'T KNOW, SOME WOULD TRY TO SELL IT AND WOULD TRY TO DISPOSE IT BY SALES AND SOME WOULD TRY TO DO THE LONG TERM RENTAL. IT'S AN OPINION, RIGHT. I DON'T KNOW, SO PEOPLE -- >> THAT'S GOOD DATA, THANK YOU FOR YOUR RESPONSE. THANK YOU, CHAIR. >> ANYMORE QUESTIONS?\r\n\r\nIF NOT, NEXT TESTIFIER. >> CHAIR, THE NEXT TESTIFIER IS ANONYMOUS 3 WHO IS ONLINE TO BE FOLLOWED BY PAUL CARTER. >> MAHALO, THANK YOU, CLERK. ALOHA, I'M HERE FOR THE 2 THOUSAND FAMILY WHO IS LOST EVERYTHING, SO DID THE OTHERS, BILL 9 CLAIMS TO HELP BUT LOOK AROUND, EMPTY CAN -- CONDOS, MAW'S POPULATION IS 166 THOUSAND, THOSE SIGNATURES REPRESENTING BILL 9 REPRESENT 1% OF OUR COMMUNITY, THAT 1% DESERVES HELP. THE MATH IS SIMPLE, 1% VERSUS 99%, LET'S LIFT UP THE 1% WITHOUT ERODING THE 99% WHO WILL BEAR THE CONSEQUENCES OF A POORLY DESIGNED PLAN. WHY IS SET THE REST OF THE ISLAND ON FIRE. BILL 9 PROPOSES 9 THOUSAND UNITS YET WE'RE LIVING ON THE REALITY OF ITS FAILURE, EMPTY BUILDINGS BECOME ABANDONED AND NEGLECTED CREATING A LONG TERM PROBLEM FOR THE ISLAND.\r\n\r\nTHIS IS NOT SPECULATION, IT IS HAPPENING NOW, BILL 9 IS NOT SOLVING THE HOUSING CRISIS. MEANWHILE 2.1 BILLION OF RECOVERY FUNDS IS AVAILABLE, WE NEED TRANSPARENCY AND STRATEGIC SOLUTIONS THAT ARE GRASS ROOTS SOLUTIONS TO PROVIDE SUBSIDIZED HOUSING AND RENTAL ASSISTANCE FOR THAT 1%. BILL 9 LACKS VISION. LET'S FOCUS ON BACK TO THE ENFOLDING DASHING IF WE'RE GOING TO CONSIDER BILL 9 TO SCALE IT BACK, STOP WASTING TIME ON PRESENTING A BILL ALL TOGETHER THAT DECIDES US THE WAY IT WAS PRESENTED. REAL SOLUTIONS FOR REAL FAMILY, NOT EMPTY UNIT, BILLIONS IN AIDS, 0 IN RESULTS, STOP BILL 9, BILL IS NOT HOPE, IT IS HARM. >> QUESTIONS? IF NOT, THANK YOU. >> THE NEXT TESTIFIER IS PAUL CARTER TO BE FOLLOWED BY TARA ROJAS.\r\n\r\n>> ALOHA, EVERY TIME I COME TESTIFY ABOUT THIS BILL, IT SEEMS MORE DIFFICULT TO SAY SOMETHING. I JUST WANT TO CRY. BECAUSE I LISTEN AND I DON'T SEE ANY BAD PEOPLE, I SEE EVERYONE TRYING TO DO SOMETHING RIGHT AND I LISTENED TO SOME OF THE NUMBERS AND FROM WHERE I COME FROM, THAT'S WHAT I WAS TAUGHT IS YOU CALCULATE EVERYTHING, LOOK AT THE NUMBERS AND SEE WHAT'S BEST THAT WAY, STATISTICALLY WHAT WILL WORK FOR MOST OF THE PEOPLE. THE PROBLEM IS I ALSO -- NOW I'M 71 AND I HAVE LIVED THAT WAY FOR A LONG TIME AND I MADE A LOT OF MONEY AND I OPEN A COUPLE OF PROPERTIES, SOLD A COUPLE OF PROPERTIES, HAD A LOT OF FUN BUT IT DIDN'T REAL -- REALLY LEAD TO HAPPINESS AND I LOOK AROUND AT THE WORLD RIGHT NOW AND MAUI WHERE I LIVE AND THIS MODEL OF CALCULATING, OF ADDING THE NUMBERS, OF THIS, THAT, THE NUMBERS, YOU CAN ALWAYS MAKE THE NUMBERS LOOK THIS WAY OR THAT WAY, STATISTICS, YOU CAN SAY THIS MEANS THIS AND ALL THESE PEOPLE CAULKING ABOUT IF YOU'RE 100% SURE OR IF YOU'RE THIS AND THAT, NOBODY'S 100% SURE, WE DON'T KNOW, THAT'S THE TRUTH, NOBODY KNOWS EXACTLY WHAT'S GOING TO HAPPEN, SO I DON'T THINK YOU CAN BASE YOUR DECISION ON ANY OF THOSE NUMBERS. WHAT I HOPE AND WHAT I'M TRYING TO DO BECAUSE IT MAKES ME HAPPY IS TO LOOK AT WHAT'S WRONG AND WHEN I SEE SOMETHING IS WRONG, TRY TO CORRECT IT, YEAH. AND THE WRONG MAY HAVE BEEN DONE LIKE IN THIS CASE IT WASS DONE A FEW HUNDRED YEARS AGO, AT LEAST STARTING AND THEN ESPECIALLY WHEN THE MONITORIAL CAME OUT, IT WAS WRONG, IT BROKE THE AGREEMENTS, SO WHAT I SEE, THIS BILL IS A CHANCE TO CORRECT ONE WRONG OR MAYBE A FEW MORE WRONGS, IT'S NOT PERFECT, IT'S NOT GOING SOLVE ALL THE PROBLEMS. SOME OF THE PEOPLE ON BOTH SIDES CARE ABOUT BOTH SIDES AND REALLY MAKING THINGS WORK.\r\n\r\nSO IF IT'S DIFFICULT FOR SOME FAMILY TO AFFORD THE RENT IN THIS BUILDING, WE CAN GIVE SOME GRANTS FOR THAT, RIGHT, AND HELP THEM. THE FACT IS THERE ARE THESE HOMES RIGHT NOW THAT ARE SUPPOSED TO BE HOUSING PEOPLE LONG TERM WHO LIVES HERE AND WORK HERE. PLEASE CONSIDER THAT, FORGET THE NUMBERS AND LOOK AT, HEY, THIS IS A CHANCE TO

CORRECT SOMETHING THAT WAS REALLY WRONG. LET'S START WITH THAT AND LET'S DO MORE TOO, YEAH. THANK YOU. >> QUESTIONS, MEMBERS? IF NOT, MEMBERS, WE'RE GOING TO TAKE A SHORT BREAK UNTIL 10:30, MEETING IN RECESS.\r\n\r\n(MEETING IN RECESS UNTIL 10:30). >> WILL THE SPECIAL COUNCIL MEETING OF DECEMBER 1, 2025 PLEASE RECONVENE, IT IS 10:43, WE RESUME OUR TESTIMONY, MS. CLERK? >> THE NEXT TESTIFIER IS TARA ROJAS TO BE FOLLOWED BY EVE LOGAN. >> ALOHA. TARA, I STRONGLY SUPPORT BILL 9 ON FIRST READING. LET'S BE CLEAR, THE REAL CRISIS IN MAUI IS NOT THE CRISIS FOR STR OWNERS, IT IS THE DISPLACEMENT OF THE RESIDENTS, LONG BEFORE THE FIRES. THIS BILL ALREADY PASSED COMMITTEE BECAUSE MAUI NEEDS HOUSING FOR MAUI RESIDENTS.\r\n\r\nI DO WANT TO BRING TO LIGHT WHEN THERE ARE LOCALS AND KAMAAINA, IT HAS BEEN A CHALLENGING SITUATION TO DISCUSS AND LOOPED AND LOCKED INTO THIS IS THE FACT THAT THERE ARE -- THE LOCALE ASK THE KANAKA TOGETHER IS THE SUFFERING, SPECIFICALLY ABOUT STR OWNERS, THEIR TALKING POINTS THAT CAUGHT MY ATTENTION IS WHERE THEY'RE TALKING ABOUT THE ECONOMIC CRISIS, IT REALLY IS UPON YOU TO DECIDE WHAT THE CRISIS IS THAT HAS BEEN UNFOLDING FOR DECADES, FAMILIES BORN AND RAISED AND OF HERE NOT BEING ABLE TO COMPETE WITH MAINLAND MARKETING PIPELINES AND SPECULATIVE TOURISM DRIVEN REAL ESTATE WHICH LEADS KAMAAINA TO BE LOCKED INTO THIS ECONOMY. HOWEVER, YOU HAVE TO THINK ABOUT ESPECIALLY SINCE AFTER THE FIRES HOW LONG THIS BILL HAS BEEN IN DISCUSSION AND GOT HEARD AND GOT PASSED AND THAT'S NOW FULL COUNCIL WITH THE CRISIS OF ENTIRE GENERATIONS BEING PUSHED OFF THE ISLAND AND YOU HAVE TO HAVE IN MIND THE PEOPLE OF THIS PLACE BECOMING A MINORITY IN THEIR OWN HOMELANDS AND THIS HAS NOT HAPPENED IN HYPOTHETICAL HANDS. YOU KNOW MAUI CANNOT SURVIVE WITHOUT THE PEOPLE THAT CARRY THE ANCESTRAL CONNECTIONS TO THIS AINA, WHAT IS HAWAI'I WITHOUT HAWAIIANS, THE MAKE-UP, THE FEEL, EVERYTHING JUST CHANGES. AND THEN IT'S THE CONTINUING OF PROFIT OVER PEOPLE AND WE KNOW WE HAVE LOCALS, WE HAVE FAMILIES THAT ARE FROM HERE THAT ARE INTO THIS AND I WANT TO SAY IN THIS LAST 24 SECONDS THAT IT'S NOT HYPOTHETICAL HARM, TOURISM INTEREST TOLD A FULL OF INVESTOR, GIVE ME MONEY AND I'LL MARKET HAWAI'I AND IT HAS BROUGHT A MONEY MAKING MACHINE, SO TOURISM EXPANSION WAS A BUSINESS DECISION, SO MAKE THE RIGHT DECISION, CONSULT YOUR NEIGHBORS, MAHALO. >> MEMBERS, QUESTIONS? IF NOT, THANK YOU. >> CHAIR, THE NEXT TESTIFIER IS EVE LOGAN TO BE FOLLOWED BY KAREN SMART.\r\n\r\n>> GOOD MORNING, I WASN'T GOING TO SPEAK TODAY BECAUSE YOU ALREADY KNOW HOW I FEEL, I'M OPPOSED TO BILL 9, I'M NOT IN OPPOSED TO HOUSING BUT I DON'T BELIEVE BILL 9 WITH SOLVE THE PROBLEM. LOHAINA STRONG SHOWED UP WITH BINGO, WHEN I SAW THEM CHECK OFF EVERYTHING THAT WE SAID, CAN YOU IMAGINE THAT BEING DONE TO YOU, CAN YOU IMAGINE IF THEY DID THAT TO YOU, WHAT LEFT OFF ON THEIR CIRCLES WAS TRUST AND I THINK IT'S IMPORTANT THING TO HAVE ON HERE, WE NEED TO TRUST OUR GOVERNMENT TO DO WHAT THEY SAY AND TO HONOR THEIR AGREEMENTS. WE NEED TO TRUST CANDIDATES WHO TELL US THAT THEY'RE NOT OPPOSED TO SOMETHING WHEN THEY'RE CAMPAIGNING THAT THEY'RE TELLING THE TRUTH. WE NEED TO TRUST THIS ALTERNATE ECONOMY WE'RE ALL HOPING FOR INSTEAD OF TOURISM, YEAH, SHOWS UP BEFORE YOU SHUT DOWN THE TOURISM. WE NEED TO TRUST THAT THE HOUSING IS GOING TO BE AFFORDABLE AND ACCESSIBLE TO PEOPLE AND THAT THE SUBSIDIES THE GOVERNMENT MAY BE OFFERING ARE GOING TO COME THROUGH AND FOR HOW LONG, WE NEED TO TRUST ALL THAT, WE NEED TO TRUST THAT THE COMPANION BILL TO BILL 9 WILL HAPPEN. WE HAVE A LOT OF THINGS WE HAVE TO TRUST. IF TRUST WAS ON THIS LIST, I DON'T THINK ANY OF US COULD CHECK IT OFF AND MAYBE THE FREE SPOT, THE MIDDLE IS WHERE WE'LL GO, SHE TALKED ABOUT TRUST, WE'LL PUT IT IN THE FREE SPOT.\r\n\r\nTHE PROBLEM IS BILL 9 IS NOT FREE FOR ANY OF US. AND IT IS NOT A GAME FOR ANY OF US. AND THE TRUTH OF THE MATTER IS IF IT IS, IT'S ONE EVERY SINGLE ONE OF US IS GOING TO LOSE. I DON'T WANT PEOPLE TO BE SUFFERING ON MAUI, I DON'T WANT PEOPLE TO HAVE NO HOUSING. I WANT A SOLUTION THAT SOLVES THE PROBLEM. THANK YOU. >> MEMBERS, QUESTIONS?\r\n\r\nVICE

CHAIR? >> [INAUDIBLE] >> THANK YOU. OKAY, EVERYBODY, TAKE A BREATH, EVERYBODY. WE HAVE A QUESTION. >> THAT WAS BEING THREATENED AND RUDE AND THAT'S ON THE LIST. >> OKAY. WE'LL TAKE A SHORT RECESS AGAIN UNTIL THE CROWD CALMS DOWN, OKAY, WHEN YOU CALM DOWN, WE'LL RECONVENE.\r\n\r\nSO, 11:00, WE'LL START AGAIN. (MEETING IN RECESS UNTIL 11:00). >> WILL THE SPECIAL COUNCIL MEETING OF DECEMBER 1, 2025 PLEASE RECONVENE, MS. CLERK, PROCEED. >> CHAIR, THANK YOU, WE'LL PROCEED WITH KAREN SMART'S TESTIMONY TO BE FOLLOWED BY JUNA NAKOA. >> MS. SPENCE. >> KAREN SMART WHO'S IN CHAMBERS.\r\n\r\n>> MS. SPENCE, IF YOU CAN TURN OFF YOUR VIDEO, PLEASE. >> ALOHA, COUNCILMEMBERS, RESPECTFULLY, I AM ASKING WHY IS ANYONE STILL FOR A BILL WHICH PROMISES TO PROVIDE HOUSES FOR LOCALS BY TAKING STR RIGHTS FROM OWNERS WHO LEGALLY BOUGHT AND PAID FOR THESE RIGHTS KNOWING THAT LAWSUITS WILL ENSURE AND KNOWING THAT BOTH OLD AND NEW BUYERS WILL NOT LONG TERM RENT OUT THESE PLACES AT A HUGE LOSS. THE ONLY WAYBILL 9 WILL WORK IS IF THE COUNTY BOUGHT THESE CONDOS AND SUBSIDIZED THEM TO RENT OUT LONG TERM WITH COUNTY MONEY WHICH IS WHAT THE COUNCIL HAS TALKED ABOUT AND IS PROBABLY ON THE AGENDA. HOWEVER, WHY DO WE NEED BILL 9 IF THE COUNTY IS THE ONLY ONE THAT WOULD BE ABLE OR WILLING TO BUY AND SUBSIDIZE THESE CONDOS. THESE CONDOS HAVE BEEN AVAILABLE FOR DEEPLY DISCOUNTED PRICES NOW AND THEY DON'T NEED BILL 9 TO BUY THEM AND TURN THEM INTO LONG TERM SUBSIDIZED PRICING. IT WILL COST THE COUNTY SO MUCH MONEY IN LAWSUITS WHEN THE SOLUTION AND OUTCOME IS ALREADY THERE AND IS AN IMMEDIATE SOLUTION FOR LOCAL HOUSING INSTEAD OF WAITING FOR A 5 YEAR PHASE-OUT PERIOD AND POSSIBLE DELAYS FROM LITIGATIONS.\r\n\r\nIF BILL 9 LEADS TO ECONOMIC DAMAGE THAT MANY PREDICT, THE EFFECTS WILL BE LONG LASTING AND DEEPLY FELT. ITS LEGACY WILL BE A DEVASTATION THAT THE PEOPLE OF MAUI WILL REMEMBER FOR DECADES. VOTE NO ON BILL 9. AS THE HOUSING SOLUTION IS ALREADY AVAILABLE, ALREADY THERE, IMMEDIATE AND FAR LESS COSTLY. MAHALO. >> THANK YOU, QUESTIONS? IF NOT, NEXT TESTIFIER. >> CHAIR, THE NEXT TESTIFIER IS JUNA TO BE FOLLOWED BY SUNNY CAVE.\r\n\r\n>> CAN YOU HEAR ME? >> YES. >> OKAY. I HAVE TO TAKE A DEEP BREATH. I WISH I WAS OVER THERE SO I COULD PLAY THE BINGO, YEAH, BECAUSE YOU KNOW WHAT, ALL THESE SHORT TERM RENTAL OWNERS AND ALL THESE REALTORS HAS BEEN PLAYING GAMES WITH OUR LIVES ALL THESE DECADES, OKAY. THEY'VE BEEN PLAYING GAMES WITH OUR LIVES. WE ARE THE LOSERS RIGHT NOW, OKAY.\r\n\r\nSO, I'M GOING TO TELL YOU GUYS RIGHT NOW THAT I'M SORRY I COULDN'T BE THERE, TODAY I SPEND TIME WITH MY OLDER DAUGHTER, ALL THESE BUILDINGS, THEY'RE ALL LONG TERM RENTALS RIGHT HERE, OKAY, MY DAUGHTER WILL BE LIVING HERE, MY DAUGHTER [INAUDIBLE] TO LIVE HERE, OKAY, SHE'S WENT COLLEGE FOUR YEAR, SHE GOT HER MASTERS, SHE GOT A JOB, SHE'S A LICENSED SOCIAL WORKER HERE IN HONOLULU, SHE DIDN'T COME HOME. IF YOU CAN GIVE HER THE OPPORTUNITY FOR RENTAL RENT CONDO LIKE THIS BUGGER THAT ONLY GET ONE PARKING, OKAY, ONLY ONE PARKING, THAT IS WHAT HAWAIIANS AND THAT IS WHAT US LOCALS DO, WE'RE RESILIENT, DON'T LET THESE SHORT TERM RENTAL OWNERS TELL US LOCALS, WE CANNOT MAKE IT HAPPEN. LET US DECIDE THAT. GIVE US A CHANCE TO DECIDE THAT, YEAH. I WALK AROUND THIS SPACE, I DO IT FOR FIVE DAYS, PEOPLE WALK AROUND WITH THEIR DOGS, ALL LOCALS, WHEN MY DAUGHTER WAS IN THE FEMA HOUSING HERE IN HAWAI'I, WHEN THAT PLACE USED TO BE FOR THE RESIDENTIAL AND ALL THAT, SHE HAD A SHORT TERM RENTAL NEXT DOOR. I DON'T KNOW THESE GUYS THAT LIVE NEXT TO MY GRANDSON, TRY BRINGING BACK THAT LOCAL BACK TO HAWAI'I THAT WE CAN CAULK AROUND WITH OUR KIDS, WE USED TO RIDE BIKES DOWN THERE, NOW YOU CANNOT BECAUSE IT'S ALL SHORT TERM RENTALS DOWN THERE. GIVE US A CHANCE, GANG, YOU GUYS DECIDE -- ESPECIALLY THE SIX THAT VOTE YES, THEY VOTE YES IN THE COMMITTEE, STILL YES, STAND STRONG THE GIVE US THE OPPORTUNITY TO SHOW YOU THE RESILIENCE OF US GUYS, WHAT WE CAN DO, NOT BE TOLD WHAT WE CANNOT BE DONE.\r\n\r\nTALK ABOUT TAX DOLLARS, OKAY, ALL THE TAX DOLLARS THAT LAHINI HAS BEEN WORKING WITH DECADES. [INAUDIBLE] PARKS, IT'S UGLY, YOUR MEETING

WITH SOMEBODY AND YOU WRITE THE MAYOR'S OFFICE TO SEND A REPRESENTATIVE TO COME AND TALK BECAUSE US LOCALS, HAWAIIANS KNOW HOW TO LIVE HERE. >> THANK YOU. MEMBERS, DO YOU HAVE ANY QUESTION? S IF NOT, THANK YOU VERY MUCH, MAY WE HAVE THE NEXT TESTIFIER, PLEASE. >> THE NEXT TESTIFIER IS SONNY CAVE TO BE FOLLOWED BY SEA ROSE RILEY. >> CAN YOU HEAR ME OKAY?\r\n\r\n>> YES. >> THANK YOU FOR THE OPPORTUNITY TO TESTIFY, MY NAME IS SONNY CAVE, MY WIFE AND I OWN ONE CONDO UNIT AT MALACHI, I TESTIFIED PREVIOUSLY AT BOTH THE PLANNING COMMISSION AND THE HOU COMMITTEE. THE PRIOR TESTIMONY FOCUSED ON THE FACT THAT BILL 9 AS CURRENTLY DRAFTED IS OVERLY BROAD AND THAT IT SHOULD BE AMENDED TO INCLUDE AN OFF RAMP CAPABILITY FOR PROPERTIES THAT ARE NOT SUITED FOR THE BILL'S ULTIMATE PURPOSE OF CREATING AFFORDABLE HOUSING STOCK FOR LOCAL RESIDENTS. THE HOU COMMITTEE FORMED THE TIG, THE TIG HEARD OUR VOICES, THE TIG SPENT AN INCREDIBLE AMOUNT OF TIME AND ENERGY TO DEVELOP A SOLID REPORT WITH VERY DEFINITIVE RECOMMENDATIONS. MY ASK IS VERY SIMPLE, AMEND BILL 9 NOW TO INCLUDE THE RECOMMENDATIONS OF THE TIG. THIS IS REQUIRED FOR FUNDAMENTAL FAIRNESS. THE PROPERTIES PARTICULARLY THAT WERE IDENTIFIED AND LISTED ON EXHIBIT 2, THE PROPERTY THAT I OWN WAS LISTED THERE.\r\n\r\nIN ORDER TO ACTUALLY RESOLVE THIS ISSUE OF THE OVERBROADNESS OF BILL 9, THE RECOMMENDATION OF THE TIG ARE VERY SOLID AND I ENCOURAGE YOU TO AMEND BILL 9 NOW BEFORE VOTING ON ITS FINAL APPROVAL. OTHERWISE THE RECOMMENDATIONS THERE WHICH WERE APPROVED BY UNANIMOUSLY BY THE MEMBERS OF THE TIG IS MERELY A GLIMMERING RAY OF HOPE WHEN IT COULD AND SHOULD BE A BOND OF CERTAINTY FOR THE FUTURE, THANK YOU, I'LL BE VERY HAPPY TO ANSWER ANY QUESTION? S >> MEMBERS, QUESTIONS? IF NOT, THANK YOU. >> THE NEXT TESTIFIER IS SEA ROSE RILEY TO BE FOLLOWED BY TONY SPENCE. >> AFTER SPENDING THE LAST 15 YEARS STUDYING WATER, HOUSING AND ECONOMICS IN MAUI AND AROUND THE WORLD AND PARTICIPATING TO BRING FORTH SUSTAINABLE FUTURE PRACTICE, I FEEL BILL 9 IS THE MOST PROGRESSIVE ACTION I CAN EXPECT FROM THIS GOVERNMENT. AS A CONSCIOUS CITIZEN, IT'S THE BEAR MINIMUM.\r\n\r\nI FEEL THE TIG IS BASED ON FEELINGS OF DESPERATION TO BE HEARD, THE REPORT CARD OF HOW THIS MANAGEMENT IS TURNING OUT, DYING FROM NEGLECT IN SO IN OTHER WAYS, THE STATE EVALUATED, FOUND ITS PRACTICES UNSUSTAINABLE AND DECIDED TO CONTINUE FOR TWO AND A HALF YEARS IN LAHAINA, THEY WERE TOLD TO GET TRUCKS IN THE WATER TRUCKS. THE COMMUNITY GATHERED, RALLIED AND CRIED ABOUT THE LACK OF WATER FOR THE PROJECT. THEY WERE IGNORED AND THE UNITS WENT IN AND THEN THEY HAD NO WATER IN THOSE UNITS. SO, THE COUNTY TOOK FROM LONG TERM FINANCIALLY SIMPLE MEMBERS OF THIS COMMUNITY TO GIVE TO THOSE NOW RICH INVESTORS, FANTASY WATER PLANS HAVE EXTREMELY SERIOUS CONSEQUENCES, ON TINY ISLANDS, THOUSANDS OF MILES FROM LAND MASSES. WE FIND 50 YEARS OF DOUBLING THE BASE WATER AVAILABLE BUT THEN TO UNCOVER MORE DECADES OF FINANCIAL EXPERIMENTATION IN THE HIGHER MARKET, 200 TO 400 PERCENT AS MUCH WATER THAN THE UNITS THAT WERE ALLOTTED IN THE DEVELOPMENT PLANS. THOSE EXPERIMENTAL PRACTICES DROVE THE HOUSING MARKET INTO UNSUSTAINABLE HOUSING AND UNSUSTAINABLE WATER USE AND LOCAL COMMUNITY ACCESS AND FOR WHAT, A FEW LOCAL RESIDENTS WITH SMALL BUSINESSES AND A MASSIVE OUTSIDE INTEREST FUELING UNGROUNDED AND UNSUBSTANTIATED CLAIMS TO A FRAGILE ECOSYSTEM THEY KNOW NOTHING ABOUT. WHO'S RESPONSIBLE?\r\n\r\nWHO'S EVEN CAPABLE TO RESPOND? THE LOCAL COMMUNITY, TAKING THE BRUNT OF THE STRESS STEPPED UP INTO THE RESEARCH ORGANIZED FOR SOLUTIONS AND BRING FORTH PLANS FOR REAL SUSTAINABLE FUTURE OPTIONS BECAUSE THEY ARE AINA, THEY ARE THIS PLACE, THEY CAME FORWARD FROM THEIR TRAUMA FROM ALOHAS, GRACE, VISION AND THE CAPACITY TO DELIVER. I EXPRESS MY SINCERE GRATITUDE FOR NOT ONLY BRINGING FORWARD THIS PROGRESSIVE ACTION WITH CONTINUING RESEARCH BUT THE ENTIRETY OF THIS PLAN BUILT ON THE BACK OF BILL 9, I WANT TO EXPRESS MY GRATITUDE TO THE MEMBERS THIS COUNCIL, I HAVE WORKED FOR ABOUT A DECADE TO BRING FORWARD REAL HOUSING SOLUTIONS TO MAKE THIS COMMUNITY SUSTAINABLE. THE DIVINE CALL BACKS ARE BEAUTIFUL,

TO THIS COUNCIL TODAY I CALL FOR THE PASSING OF BILL 9 CLEAN, FOR THROWING OUT THIS TIG BASED ON FANTASY WATER SUPPLY AND THE NECESSARY RESPONSIBILITY FROM LEARNING OF PAST MISTAKES AND CHANGE THIS WITH SUSTAINABLE FOCUS. AND I WILL HAVE TO COME FORWARD AND SAY I LIVED IN KIHEI FOR A LONG TIME, MY FAMILY HAS BEEN THERE FOR 30 YEAR, I HAVE A LIST OF HOUSING THAT I WOULD LIKE TO SEE NOT ON THE TIG. >> OKAY, BUT COULD YOU CONCLUDE IN 15 SECONDS. >> YES.\r\n\r\nI HAVE A DRIVE-THRU LIST OF HOUSING AND APARTMENTS IN KIHEI AND I'M CONCERNED THEY'RE ON THE MONITORIAL LIST, THERE ARE MANY MORE, AND THIS LIST IS INCOMPLETE BUT I AM AVAILABLE FOR MORE SPECIFICS IF NEEDED. THESE SHALL BE RESIDENCES, THE THREAT OF SEA LEVEL RISE IS FAR OFF ON THESE COMPLEXES COMPARED TO THE THREAT OF NO RUNNING WATER, TOURISTS HAVE COMPLAINED ABOUT THE MISMANAGEMENT OF TOURISM, EVERYBODY IS READY TO FEEL GOOD ABOUT BEING HERE AND THAT RESPONSIBILITY WITH THE WATER IS LIFE, THANK YOU FOR LETTING ME FINISH. >> OKAY, QUESTIONS, MEMBERS? MEMBER JOHNSON HAS A QUESTION FOR YOU. >> CHAIR, I'M SORRY, I DON'T HAVE A QUESTION FOR ROSE, I WANT TO LET YOU GUYS KNOW MY MOTHER HAS ENTERED THE ROOM, I'M NOT ALONE ANYMORE. >> OKAY, THANK YOU. >> THE NEXT TESTIFIER IS TONY SPENCE TO BE FOLLOWED BY JAMES LANG FORD.\r\n\r\n>> TONY? >> YES, CAN YOU HEAR ME? >> MY NAME IS TONY, A RESIDENT OF MAUI, THANK YOU FOR ALLOWING ME TO TESTIFY TODAY, I STAND AGAINST BILL 9. I HAVE FOLLOWED THE PATH OF BILL 9 AND THE MAYOR'S FIRSTS NEWS RELEASE, HE STATED IT IS IMPORTANT TO NOTE THAT MOST IF NOT ALL OF THESE TVR'S THAT WERE PREVIOUSLY BUILT AND DESIGNED FOR WORKFORCE HOUSING AND OUR GOAL IS TO RETURN THEM TO THEIR INTENDED PURPOSE, IF SUCK SINFUL THIS DECISION WILL SUPPORT THE RETURN OF APPROXIMATELY 7 THOUSAND TRANSIENT VACATION RENTALS TO THE LOCAL HOUSING MARKET AND SPECIFICALLY 2200 IN WEST MAUI FOR LONG TERM RENTAL CONSIDERATION. I FEEL HAD THERE BEEN MORE RESEARCH PRIOR TO INITIATING BILL 9, A LOT OF TIME COULD BE SAVE, LOT OF TIME CONDOS AND A1 AND A-2 ZONING WOULD NOT INTENDED TO BE FOR WORKFORCE HOUSE, TIG PUT MANY HOURS INTO EXAMINING EACH OF THE CONDO COMPLEXES IN BOTH WEST MAUI AND SOUTH MAUI COMING UP WITH EXHIBIT 2, RECOMMENDING COMPLEXES ON THE LIST GET REZONED TO A FUTURE ZONING OF H3 AND H4 TO ALLOW FOR CONTINUE USE OF TVR'S, I BELIEVE THAT SHOULD HAVE BEEN DONE BEFORE THEY PUT THOSE ON THE MONITORIAL LIST. I OWN A CONDO WHICH DID NOT MAKE EXHIBIT 2 LIST, HOWEVER WHEN DIGGING DEEP, OUR BOARD WAS ABLE TO COME UP WITH DOCUMENTATION THAT -- WHILE HULI WAS NEVER CREATED FOR WORKFORCE HOUSING BUT FOR TRANSIENT VACATION RENTALS AND I WOULD LIKE TO THANK COUNCIL MEMBER COOK WHO WILL CHAMPION OUR CAUSE TO REMAIN A TVR IN THE FUTURE. AS HARD AS THE TIG WORK, THEY COULDN'T HAVE FOUND THE DOCUMENTS WE DID. GOING BACK TO OWNERS, ORIGINAL OWNERS AND THE HEIRESS OF OWNERS, WE FOUND ORIGINAL PURPOSES AND THE INTENT OF BEACH HOLLY, THERE ARE MANY OTHER COMPLEXES WHO WOULD LIKE THE CHANCE TO BE CONSIDERED FOR THE EXHIBIT 2 LIST AS WELL.\r\n\r\nA PATHWAY FOR CONSIDERATION SHOULD BE OUTLINED SO ALL CONDOMINIUMS CAN KNOW WHAT DOCUMENTS NEED TO BE PROVIDED IN HOPES OF MAKING THE LIST. SO MANY HAVE TESTIFIED OF THE DOWN SIDES OF BILL 9, ECONOMIC DISASTER FOR MAUI COUNTY, JOB LOSS, PROPERTY VALUES, PROPERTIES DEVALUED, VIOLATION OF CONSTITUTIONAL RIGHTS, IT WON'T CREATE AFFORDABLE HOUSING AND MANY OTHERS. I KNOW IT'S TAKEN A LONG TIME TO GET TO THIS POINT IN THE PROCESS AND EVERYONE IS GETTING TIRED BUT I URGE YOU TO NOT GET WEARY IN YOUR WELL DOING, VOTE NO ON BILL 9, THE BILL COMES FROM A GOOD HEART BUT IT IS THE WRONG VEHICLE FOR AFFORDABLE HOUSE, OTHER SOLUTIONS ARE OUT THERE, THE COUNTY IS MAKING STRIDES IN THIS AIR C. THE OTHER DAY I WATCHED A NEWS ARTICLE WHERE 8 FAMILIES RECEIVED -- >> TIME, CAN YOU PLEASE CONCLUDE. >> YES, I CAN. I DOUBT ANY OF THEM WERE THINK, WOW, NOW I CAN BUY THAT SMALL ONE BEDROOM CONDO FOR A LARGE FAMILY. >> THANK YOU, QUESTIONS, MEMBERS? IF NOT, THANK YOU, MAY WE HAVE THE NEXT TESTIFIER, PLEASE.\r\n\r\n>> THE NEXT TESTIFIER IS JAMES LANG FORD TO BE FOLLOWED BY KATELYN

MILLER. >> ALOHA, CHAIR, HELLO, COUNCIL PEOPLE JUST REALLY BRIEFLY, BILL 9, I'M IN SUPPORT OF IT PASSING TODAY. I'VE RUN ALL KINDS OF ASSESSMENTS AND LOOKED AT IT FROM ALL KIND OF ANGLES AND STRAIGHT UP, YOU FOLKS AND THE CORPORATION HAVE THE RIGHT TO REZONE THESE AND HOW THEY'RE BEING USED VIOLATES THE REAL ESTATE BROKER'S LICENSE AND HR64, THERE'S A WHOLE LOT OF THINGS BECAUSE FOLKS ARE TRYING TO MAKE MONEY, BUT THEY 'RE GOING TO END UP NOT HAVING REAL ESTATE BROKERAGE LICENSES ANYMORE WHICH VIOLATES EVERY REAL ESTATE UNDERNEATH THEM AND I ASSURE YOU IT'S AN EASY WIN IN THIS SITUATION. IF FOLKS WANT TO BRING THE LAW INTO THIS, THE BEST CASE SCENARIO THAT HELPS THE MOST AMOUNT OF PEOPLE WITH THE LEAST AMOUNT OF ECONOMIC DESTRUCTION IS YOU PASSING THIS BILL, IT MINIMALISTS AND GETS IT GOING IN THE RIGHT WAY, THAT'S FINANCIAL AND LEGAL COSTS. I'M PRETTY SMART, YOU GUYS KNOW, SO THAT'S WHY. AND ALL OF THE SPIRITUAL AND CULTURAL REASONS ARE MY PERSONAL REASONS BUT MY ADVICE TO YOU FOLKS IS A LOT OF PEOPLE WILL LOSE THEIR BROKERAGE LICENSES, I PROMISE YOU THAT WITH EVERY FIBER OF MY BEING. SO, HEY, HAVE A BEAUTIFUL DAY, I LOVE YOU, HARD STUFF BUT NOT REALLY IF YOU LOOK AT BILL 9 ERADICATES THE MAUI COUNTY POLICY THAT'S SUPPOSED TO KEEP A THREE TO ONE RATIO TO RESIDENTS AND WE WERE ALREADY PUSHING 50% AND THAT'S REALLY WHAT CAUSED THE INFRASTRUCTURE TO FAIL AND A LOT OF PEOPLE DIED WITH THE FIRES, SO I'M NOT OKAY WITH THAT, THIS IS AN OPPORTUNITY TO SET THAT INSTITUTIONAL HARM THAT IS WELL DOCUMENTED IN NEWSPAPERS HERE IN HAWAI'I, IT PUTS US IN A LESS RISK SITUATION, SO THANK YOU, AND JUST FROM SHEER MATH, LIKE, NO FEELINGS, YOU KNOW, IT IS WHAT IT IS.\r\n\r\nSO, I LOVE YOU ALL, LOOKING FORWARD TO A GREAT CHRISTMAS AND HAPPY HEARTS, SO MAY YOUR HEART LIGHT GLOW, EVERYBODY, SORRY YOU GUYS ARE IN A TOUGH SPOT. >> THANK YOU, QUESTIONS, MEMBERS? I HAVE A QUESTION, JAMES. WHAT'S THAT AROUND YOUR NECK? >> THIS IS MY -- >> IS THAT AN ANIMAL? >> THAT'S MY HAIR. >> THAT'S YOUR HAIR.\r\n\r\n>> SORRY. >> OH OKAY. >> IT'S NOW -- YOU CAN GIVE IT A PET NAME TO IT. >> THANK YOU. HAPPY HOLIDAYS TO YOU AS WELL. THANK YOU. >> THANK YOU, YEAH, AND GOD BLESS.\r\n\r\n>> OKAY. >> CHAIR, WERE YOU INTERESTED IN GETTING AN ANIMAL LIKE THAT TOO? >> NO, I WANTED TO RESCUE IT. >> CHAIR, THE NEXT TESTIFIER IS KATELYN MILLER TO BE FOLLOWED BY ROBERT BENZ. >> THANK YOU FOR THAT COMIC RELIEF, ALOHA, COUNCILMEMBERS, THANK YOU FOR YOUR TIME, FOR HEARING TESTIMONY AGAIN ON BILL 9. MY NAME'S KATELYN MILLER WITH RENTAL VACATION ASSOCIATION. I WANT TO START WITH WHAT YOU NIGHTS US, WE WANT HOUSING FOR LOCAL MAUI RESIDENTS, WE WANT CHILDREN RAISED LEER TO HAVE THE CHANCE TO STAY HERE. WE WANT PEOPLE TO AGE HERE SAFELY AND FOR FAMILIES TO THRIVE, NONE OF US OPPOSE THIS VISION, WE OPPOSE HOW THIS BILL TRIES TO REACH IT.\r\n\r\nBILL 9 DOES NOT GUARANTEE HOUSING AND THE DATA HAS BEEN INCONSISTENT ON THAT POINT. THREE SEPARATE ECONOMIC IMPACT STUDIES AND REAL EXAMPLES FROM OTHER JURISDICTIONS ACROSS THE COUNTRY SHOW THEY REMAIN INACCESSIBLE TO MOST MAUI FAMILIES, VACANCY IS NOT AFFORDABILITY AND YET WITH THIS BILL, WE ARE MOVING TO ELIMINATE ONE OF THE LARGEST CONTRIBUTORS TO OUR COUNTY BUDGET AND THE SINGLE BIGGEST SOURCE OF REVENUE FOR OUR AFFORDABLE HOUSING FUND. THEY FUND HOUSING PROGRAMS, INFRASTRUCTURE NEEDS, EMERGENCY SERVICES, IT REMOVES THEM WITHOUT REPLACING THE INCOME, WE REPLACE THE INCOME THAT PRODUCES HOUSING AT ALL. THIS IS ABOUT PEOPLE AND JOBS. STR SUPPORT THOUSANDS OF WORKERS ACROSS MAUI AND SO MANY OTHERS WHO RELY ON THIS SECTOR TO FIELD THEIR FACTORS, IT IS A LOST CONTRACT AND A LOST BUSINESS, BILL 9 DOESN'T THREATEN UNIT, IT THREATENS WORK AND STABILITY AND THE PEOPLE WE WANT TO HELP. I HAVE TO ASK, WHY ARE THE FACTS BEING IGNORED, WHY ARE WE CHOOSING AT THE COST OF THOUSANDS OF LIVELIHOODS, AN ECONOMIC CLASS WITHOUT ENSURING HOUSING IS CREATED ON THE OTHER SIDE OF THIS. THERE ARE RESIDENTS DESPERATE FOR HOUSING AND RESIDENTS WHO VOTE EVERY LAW AND PAID THE TAXES ASKED OF THEM.\r\n\r\nTHIS BILL DOES NOT LIFT ONE GROUP, IT PUSHES ONE DOWN WHILE HOPING THE

OTHER ONE WILL RISE, HOPE IS NOT HOUSING POLICY, CONSTRUCTION IS, INFRASTRUCTURE IS, PERMITTING EFFICIENCY IS, INVESTMENT INTO BUILDING HOMES, NOT REMOVING INCOME STREAMING IS. MAUI DESERVES KEYS IN HANDS HOME, NOT POLICIES THAT DISMANTLE AN INDUSTRY ELIMINATE TAX REVENUE AND LEAVE BOTH HOME OWNERS AND HOUSING SEEKERS WOULD NO ANSWER. PLEASE VOTE BILL 9 BECAUSE YOU BELIEVE DATA MATTERS, BECAUSE YOU BELIEVE MAUI CAN DO BETTER THAN WHO LOSES, LET US BUILD HOMES, THANK YOU FOR YOUR TIME TODAY. >> THANK YOU. MEMBERS, QUESTIONS? >> NO QUESTIONS, THANK YOU. >> CHAIR, THE NEXT TESTIFIER IS ROBERT BENZ TO BE FOLLOWED BY PAMELA TUMPOP.\r\n\r\n>> ALOHA, CHAIR, COUNCILMEMBERS, I AM IN STRONG SUPPORT OF PASSING BILL 9 CLEAN AND IT'S REALLY UNCLE BOBBY'S TESTIMONY THAT MADE ME WANT TO TESTIFY HERE TODAY. I FEEL BAD FOR SOME OF THESE PEOPLE THAT ARE LOOKING AT THEIR INVESTMENTS BUT IT'S REALLY INTERESTING I THINK THAT VERY FEW -- I HAVEN'T SEEN ANY THAT ARE FROM HERE ARE PROFITING OFF OF THESE, THESE WERE ORIGINALLY WORKFORCE HOUSING. IT WAS DESIGNED FOR WORKFORCE HOUSING. I GUESS I -- I'M NOT A LAWYER, THEY'RE GOING TO HAVE TO WORK THAT OUT IN COURT, BUT HOPEFULLY I KNOW WITH THE GRMO THING, IF THE STATE HAD ALLOWED THE COUNTY TO DO IT, IT WOULD BE OKAY, SO I THINK THE STATE HAD ALLOWED THE COUNTY TO DO HAD THIS, MAYBE IT WILL BE OKAY BUT THERE'S TIME BEFORE IT BECOMES LAW, BUT IF MY MOM WAS HERE, SHE'S IN NEW ZEALAND, I THINK SHE WOULD BE TESTIFYING FOR PASSING BILL 9 AND PASSING THEM CLEAN BECAUSE LIVING IN TENTS IS A LOT HARDER THAN LIVING IN THESE APARTMENTS AND THESE APARTMENTS ARE USING A LOT MORE WATER THAN THEY WOULD USE IF THEY WERE SINGLE PEOPLE WORKFORCE HOUSING OR SMALL FAMILIES, AND BEFORE THE FIRES, WE WERE -- AS THE PREVIOUS TESTIFIER SAID, WE WERE ALREADY OVER THE CARRYING CAPACITY FOR THE ISLAND PLAN OF VISITORS AND EVEN BACK THEN THEY WERE SAYING WE'RE ON THE NO VISIT LIST BECAUSE TOO MANY PEOPLE, SO, I GUESS THE ORIGINAL DEAL A LONG TIME AGO WAS KIND OF KEEP THE TOURISM IN KANUPOLY AND I GUESS WAIMEA, BUT THIS KEEP IT IS TOURISM SPREADING ACROSS EVERYWHERE. THANK YOU VERY MUCH. >> MEMBERS, QUESTIONS? IF NOT, NEXT.\r\n\r\n>> THE NEXT TESTIFIER IS PAMELA TO BE FOLLOWED BY STEPHANIE. >> ALOHA, I'M PAMELA TESTIFYING ON BEHALF OF THE MAUI CHAMBER OF COMMERCE, WE APPRECIATE THE COMMITMENT TO ADDRESSING OUR HOUSING CRISIS, THE WORK OF THE TIG AND THE IMPROVEMENTS MADE TO CD1, WHILE IMPROVED, IT DOES NOT ADDRESS ESSENTIAL TIG RECOMMENDATIONS NOR GUARANTEE THE ECONOMIC BENEFITS, MOST OF THE UNITS EXPECTED TO CONVERT ARE NOT AFFORDABLE, NOT ALIGNED WITH THE TWO, THREE BEDROOM HOMES AND ARE UNLIKELY TO BECOME ATTAINABLE LONG TERM RENTALS GIVEN THE COST. WE NEED HOUSING AND ECONOMIC RECOVERY NOW. WE NEED BOTH. WE MUST BUILD OUR WAY OUT OF THIS. THE TIG WAS CLEAR, RESIDENTS NEED MULTIBEDROOM HOMES WITH SPACE, STORAGE AND PARKING, OUR SURVEY SHOWS THE SAME. THEY WILL NOT COME FROM TVR CONVERSIONS, THEY WILL COME FROM BUILDING NEW HOMES.\r\n\r\n\r\nIN PARTNERSHIP WITH HOME BUILDING ORGANIZE SAYINGS. LET'S GET GOING, A WEAKENED ECONOMY DELAYS FURTHER HOUSING FOR FAM KISSINGER CHILDREN AND FUTURE GENERATIONS. WE CANNOT TAKE MORE ECONOMIC RISING, WE HAVE TO LOOK AT THE UHERO REPORT. THIS WILL HARM SMALL BUSINESSES, NON-PROFIT, SOCIAL SERVICES AND IMPACT HOUSING AND RECOVERY FUNDING. WE CANNOT SOLVE THIS CRISIS BY [INAUDIBLE] THE ECONOMIC CRISIS. WE NEED A STRONG ECONOMIC DEVELOPMENT PLAN TO COME FIRST THAT SHOULD REQUIRE AND ADDRESS REDUCED VISITOR COUNTS, STABILIZING THE COUNTY REVENUE, SUPPORTING DIVERSITY -- DIVERSIFICATION. WE HAVE TO LOOK AT THE TIG REPORT WHICH RECK MED WRAP AROUND LEGISLATION SAYING IT WAS REQUIRED BUT CD1 DOES NOT REQUIRE THOSE MEASURES, LITIGATION IS HIGH, IT WILL COST US A GREAT DEAL, WHETHER THE COUNTY WINS OR LAOUS AND IS WILL DELAY HOUSING.\r\n\r\n\r\nWE RESPECTFULLY REQUEST COUNCILMEN AMEND CD1 TO REQUIRE WRAP AROUND LEGISLATION, A COMMUNITY DEVELOPMENT PLAN, A HOUSING IMPLEMENTATION PLANNED TIED TO NEW HOMES THAT MEET RESIDENTS' NEEDS AND OUR COMMUNITY PROGRAMS BEFORE ANY PHASE OUT. WITHOUT THESE

AMENDMENT, IT'S A HUGE GAMBLING. COUNCIL MEMBER MATEO IGNORED ECONOMIC IMPASSE BY COMMUNITY GROUPS, WHEN AMENDING THE AFFORDABLE HOUSING POLICY WHICH RESULTED IN A HUGE HOUSING LOSS, WE CANNOT AFFORD ANOTHER DISASTER LIKE THAT AND NEED HOUSING AND ECONOMIC RECOVERY NOW. WITHOUT SUCH MEASURES, WE CAN SUPPORT THIS BILL. WE STAND FOR LEGISLATION THAT GROWS MAUI'S LONG TERM HOUSE, TAKE MORE TIME AND LOOK AT THIS BILL, CONSIDER FURTHER AMENDMENTS TO CD1 TO REQUIRE THE PLAN THAT EVERYBODY SAID WAS NEEDED AND PUT IT IN PLACE. MAHALO. >> THANK YOU.\r\n\r\nQUESTIONS, MEMBERS? MEMBER JOHNSON? >> THANK YOU, CHAIR. THANK YOU FOR YOUR TESTIMONY, THERE WAS SOME THINGS I HAD SOME SHARED AGREEMENT WITH YOU AND I APPRECIATE THAT. THE DIVERSITY IN HOUSING PLANNING, I SUPPORT THAT. IF THERE'S TIME YOU WOULD LIKE TO, I WOULD LOVE TO SIT DOWN AND TALK WITH YOU MORE ABOUT THAT. YOU MENTIONED THE UHERO REPORT AND I'M CURIOUS THAT'S WHERE YOU GOT THAT INFORMATION BECAUSE I LOOKED AT THE LEE BED REPORT SAID 6.7% INCREASE OF SPENDING SINCE LAST YEAR BUT YOU SAID IN THE UHERO, THE SPENDING WENT DOWN, DID I MISHEAR YOU ON THAT?\r\n\r\n>> THAT WAS WHAT -- 900 UNTIL IN LOST VISITOR SPENDING WAS PART OF THAT PROJECTION. I WILL TELL YOU IN TERMS OF THE DBED REPORT, WHILE THERE WAS SUPPORTING OF SPENDING AT TIMES, IT'S CYCLICAL, FROM THE BUSINESSES WE ARE HEARING CONSIDERABLE LOSSES, YES, WE SAW PEOPLE WHO HAD INCREASED SPENDING DURING THE FESTIVAL BECAUSE OF THE PARTICULAR EVENT, OVERALL, WE ARE HEARING FROM BUSINESSES EVERY DAY THAT ARE IN ANY WAY IMPACTED BY THE VISITOR INDUSTRY, THEY'RE DOWN AND STRUGGLING. >> OKAY. THANKERS NAR CLARIFICATION. THANK YOU, CHAIR. >> THANK YOU, AND I WOULD LOVE TO WORK WITH YOU, THANK YOU. >> THANK YOU, MS.\r\n\r\nCLERK? >> THE NEXT TESTIFIER IS STEPHANIE TO BE FOLLOWED BY ALEXANDER. >> ALOHA, EVERYONE, THANK YOU FOR THE TIME. I'M HERE THE SUPPORT BILL 9 TO GET IT PASSED. AND I'M GOING TO TAKE A STAND AND LOOK AT EACH COUNCIL MEMBER IN THE EYE, MS. YUKI, MR. COOK, MS.\r\n\r\nLEE. MANY OF YOU CAME TO THIS UNION, ILW UNION, AND YOU TOLD US THAT YOU SUPPORTED BILL 9. WELL, NOW'S THE TIME TO PAY IT FORWARD. ENOUGH WITH THE STALLING, MS. LEE. IT'S BEEN TWO YEARS AND IT CAN BE DONE MUCH QUICKER THAN THIS. AS FAR AS THESE YOUNG KIDS GO, THIS LITTLE BINGO THE LADY SAID, IT'S NOT FUNNY, IT'S NOT FUNNY TO US BUT I APOLOGIZE IF WE DON'T HAVE THE MONEY TO RUN ADS ON YOUTUBE, THESE KIDS ARE GRASS ROOTS, I HAVE ROUGHLY 500 MEMBERS WITHIN 14 UNITS, 5 THOUSAND STRONG FOR THE ENTIRE ISLAND OF ILW MEMBERS. TRUST YOU ME, I WAS TEXTING MY BROTHERS ON THE DOCKS AND THOSE -- >> COULD YOU LOOK AT THE COUNCILMEMBERS.\r\n\r\nYOU'RE NOT TALKING TO THE AUDIENCE, YOU'RE TALKING TO THE COUNCIL. >> THIS IS JUST MY HULA TALKING, BUT -- >> TURN YOUR HULA THIS WAY. >> I'M GOING TO GET THEM HERE AND WE'RE GOING TO SHOW YOU WHAT OUR NUMBERS CAN DO BECAUSE IT'S OUR NUMBER THAT IS GOT YOU THESE JOBS AND YOU'RE STALLING. I'M GLAD MAYOR BIEN WAS STRONG ENOUGH BECAUSE THIS IS AN UNPOPULAR THING, I'M GOING TO TELL YOU, WHY NOT TAKE HIS LEAD AND GET IT DONE? NOBODY'S GOING TO -- WE ADAPT IT AND OVERCOME, ALL THESE NUMBERS, LOSE REVENUES, WE'RE GOING DO IT, THAT'S WHAT WE DO AS LOCALS, WE'RE RESILIENT, WE'LL ADAPT, WE'LL OVERCOME. THE COUNTY, YOU'LL ADAPT AND YOU'LL OVERCOME TO WHATEVER LOST REVENUES YOU GET, THAT'S JUST HOW IT ROLLS. SO, YEAH, BILL 9 IS IMPORTANT TO US.\r\n\r\nI WAS AT THE BEACH PARK TWO DAY THIS IS LONG WEEKEND, ME AND MY TWO GRANDSONS WERE THE ONLY LOCALE THERE. PAK MAUI HAS SHORT TERM RENTALS, ALL AROUND HAS SHORT TERM RENTALS, IN THE AFTERNOON, THEY CAME FISHING, BUT IT'S SAD TO KNOW THAT I DON'T KNOW ANYBODY THERE BECAUSE I GREW UP THERE, MY GRANDMOTHER OWNS PROPERTY RIGHT THERE. THAT'S A NEIGHBORHOOD, IT WAS ALWAYS INTENDED TO BE A NEIGHBORHOOD. IF YOU BOUGHT YOUR PLACE IN AN APARTMENT ZONE, TOO BAD SO, SAD, ANYWAY, I'M STEPHANIE AND I APPROVE THIS MESSAGE. >> ANY QUESTIONS? MEMBERS, DO YOU HAVE ANY QUESTIONS? YES, MEMBER RAWLINS-FERNANDEZ?\r\n\r\n>> I WANTED TO GIVE YOU AN OPPORTUNITY TO CLARIFY WHEN YOU SAID BILL 9 IS UNPOPULAR, IS IT SOLELY UNPOPULAR OR

UNPOPULAR TO CERTAIN GROUP AND IS POPULAR TO OTHER GROUPS. I HAVE MIXED REVIEWS IN E-MAIL TESTIMONY AND A LOT ARE SAYING IT IS POPULAR AND FAVORABLE SO I WANTED TO ASK IF YOU COULD CLARIFY ON WHAT YOU MEANT WHEN YOU SAID UNPOPULAR. >> WHAT I MEANT IS UNPOPULAR, IT'S A HOT POTATO ISSUE, NOBODY WANTS TO HANDLE IT, EVERYONE WANTS TO SEEM LIKE THEIR HANDS ARE CLEAN BUT NOW IS THE TIME, MS. YUKI, WE SUPPORTED MANY OF YOU. >> OKAY. >> LET'S STAY ON THE SUBJECT. >> OKAY, IT'S UNPOPULAR AS A HOT POTATO FOR POLITICIANS.\r\n\r\n>> YES, VICE CHAIR SUGIMURA? >> JUST FOR CLARIFICATION OF THE LISTENING AUDIENCE, I NEVER SAID I WOULD SUPPORT BILL 9 TO THE ILW, I'M NOT SURE WHERE YOU GOT THAT FROM BUT YOU DIDN'T GET IT FROM ME. >> I KNOW MANY OF YOU CAME TO THE UNION HALL, I KNOW WHAT WAS SAID, I KNOW THAT'S WHY WE DID IT. >> THERE'S A DIFFERENCE OF OPINION HERE SO, JUST LET IT STAND, OKAY. >> ON THURSDAY WE HAVE AN EMERGENCY PAC MEETING, THE UNION IS CAREFULLY LOOKING AT THE WAY WE ENDORSE POLITICS NOW. >> THAT'S WONDERFUL BUT WE'RE TALKING ABOUT BILL 9, RIGHT. >> IT'S LINKED TO BILL 9. >> VERY GOOD.\r\n\r\n>> ANYMORE QUESTIONS FOR THE TESTIFIER? IF NOT, THANK YOU VERY MUCH. >> THANK YOU. >> CHAIR, THE NEXT TESTIER IS ALEXANDER TO BE FOLLOWED BY [INAUDIBLE] >> GOOD MORNING, OR GOOD AFTERNOON, PLEASE EXCUSE ME, MY NERVES AND EMOTIONS ARE HIGH TODAY. I AM BORN AND RAISED MAUI RESIDENT, I OWN ONE SHORT TERM RENTAL THAT I INHERITED, IT WAS THE HOUSE PROPERTY I GREW UP IN AND I MANAGE ONE OTHER UNIT THAT IS OWNED BY A MAUI RESIDENT. MY SMALL BUSINESS ALLOW MES TO AFFORD TO STAY ON MY ISLAND HOME TO BE A WORK FROM HOME MOM THAT CAN TAKE CARE OF MY FOUR YEAR-OLD, THE THIRD GENERATION OF MY FAMILY ON THIS ISLAND. IN JULY OF 2023, MY SMALL BUSINESS SUPPORTED 11 LOCAL FAMILY OWNED BUSINESSES.\r\n\r\nDUE TO THE DOUP TOWN IN TOURISM AND ECONOMIC UNCERTAINTY SINCE THEN, I HAVE HAD TO TAKE ON MOST OF THAT WORK MYSELF. I NOW ONLY EMPLOY TWO OTHER BUSINESSES BESIDES MYSELF, 11 TO 2. BILL 9 WOULD WIPE OUT WHAT IS LEFT OF MY LIVELIHOOD AND FURTHER HARM THE SMALL LOCALLY OWNED BUSINESSES THAT DEPEND ON THIS INDUSTRY. I RESPECTFULLY URGE YOU TO VOTE NO ON BILL 9 AND TO PROTECT MAUI FAMILY WOULD ARE WORKING HARD TO STAY ROOTED ON OUR ISLAND HOME AS WELL. MAHALO FOR YOUR TIME. >> THANK YOU, MEMBERS, DO YOU HAVER ANY QUESTIONS. WE HAVE ONE FROM MEMBER JOHNSON. >> YES, SIR?\r\n\r\n>> THANK YOU, CHAIR, FIRST OFF, I APPRECIATE YOUR TESTIMONY AND THANK YOU FOR BEING HERE TODAY. I'M VERY SORRY FOR YOUR FINANCIAL STRESS AND YOUR PAIN AND I THINK WE NEED TO PIVOT OUR COMMUNITY TO CREATE BETTER HOUSING BALANCE. WHAT DO YOU THINK, WHAT DO YOU SUGGEST WE COULD DO TO EASE YOUR PAIN IF THIS BILL GOES FORWARD? >> I THINK THE ISSUE OF HOUSING IS VERY PREVALENT ON THE ISLAND, IT HAS BEEN MY ENTIRE LIFE ON THIS ISLAND, THERE'S MANY THINGS THAT COULD HAVE BEEN DONE OVER TIME THAT HAVE NOT BEEN DONE. I DON'T BELIEVE THIS IS THE SOLUTION TO FIX THAT PROBLEM. >> SO, MORE AFFORDABLE HOUSING IS WHAT YOU WOULD SUPPORT IS WHAT I'M HEARING? >> I THINK WE NEED TO LOOK AT HOW WE BUILD THINGS ON THIS ISLAND.\r\n\r\nI HAVE LOTS OF IDEAS, I DON'T THINK MY TESTIMONY HERE SHOULD BE THE PLACE TO DISCUSS THESE IDEAS BUT I'M HAPPY TO PUT THEM OUT THERE IF SOMEONE WANTS TO SPEAK WITH ME DIRECTLY. >> OKAY. I KNOW YOU'RE A BUSINESS PERSON, HOW DO YOU THINK THE COUNTY CAN SUPPORT YOUR BUSINESS? >> MR. JOHNSON, WE'RE JUST GOING FOR CLARIFICATION QUESTIONS. >> RIGHT, I JUST WAS TRYING TO ADDRESS HER CONCERNS ABOUT THE BUSINESS. >> BY NOT VOTING YES TO BILL 9 WOULD HELP MY BUSINESSES AND THE BUSINESSES I EMPLOY.\r\n\r\n>> THANK YOU, WE'RE DONE, THANK YOU. >> THE NEXT TESTIFIER IS RON TO BE FOLLOWED BY FRED. >> ALOHA. CHAIR AND COUNTY COUNCIL, I APPRECIATE YOU GIVES US THE TESTIMONY TODAY. I'M IN STRONG SUPPORT OF PASSING BILL 9 CLEAN. I'VE BEEN TO A LOT OF THESE TESTIMONIES, I DON'T HAVE TOO MUCH TO SAY, I THINK YOU GUYS SHOULD KNOW THE RIGHTFUL THING TO DO, I KNOW IT'S A TOUGH ONE FOR YOU GUYS, I APPRECIATE YOUR HARD WORK, BUT, YEAH, I SEE THE SUFFERING, WE'VE BEEN THROUGH A LOT WITH THIS BUT I THINK A START WOULD BE

PASSING THIS BILL CLEAN. BILL 9. IF YOU WOULD NOT PASS IT, WE WOULD NEVER KNOW WHAT IT WOULD BE, RIGHT, I DON'T WANT TO BE HARSH ON THIS ONE, I HAD FAMILY BE AFFECTED IN THIS THING, SO I WANT TO BE MORE PROFESSIONAL AS I COME UP HERE AND TALK, BUT I APPRECIATE ALL YOU GUYS AND HANG IN THERE IN THE COMMUNITY OF LANAI. STR GUYS, THINK ABOUT IT, THANK YOU.\r\n\r\n>> THANK YOU, QUESTIONS, MEMBERS? THANK YOU. >> CHAIR, THE NEXT TESTIFY IS FRED TO BE FOLLOWED BY BRIAN. >> MS. CLERK, HOW MANY MORE TESTIFIERS DO WE HAVE? >> WE HAVE A TOTAL OF 56 AND WE ARE CURRENTLY ON NUMBER 41. >> OKAY, WE'RE GOING TO HAVE TO TAKE A BREAK SOON. >> FRED KILBY.\r\n\r\n>> GOOD DAY, MY NAME IS FRED, I OWN I'M AGAINST BILL 9 AND OPPOSE THE PLAN TO TAKE THESE SHORT TERM RENTALS AWAY, BY NOW YOU HEARD HUNDREDS OF HOURS OF TESTIMONY AND RECEIVED THOUSANDS OF PAGES OF THE TESTIMONY, I ASK YOU TO VOTE WITH THE OPPOSITION OF BILL 9. MILLIONS OF NEEDED REVENUE LOST, EVEN THE TIG REPORT DEMONSTRATE THIS IS LEGISLATION IS NOT NEEDED BY TRYING TO SOFTEN THE ECONOMIC IMPACT BY HAVING PHASE OUT PERIODS OF 3-5 YEARS AND REACH AN EXCLUSION OF ALMOST TWO THIRDS OF THE UNITS ON THE LIST. THERE APPEARS TO BE NO LEGITIMATE PUBLIC NEED TO TAKE AWAY EXISTING PROPERTY RIGHTS AND THESE ARE EXISTING CODIFIED PROPERTY RIGHTS. PRIOR TO 1989, EVEN MOTELS WERE ALLOWED IN A1 AND A-2 APARTMENT DISTRICTS. IT WASN'T UNTIL ORDINANCE 1797 IN 1989 THAT THE CONCEPT OF LONG TERM USE WHICH WAS DEFINED AS SIX MONTHS, NOT 12 MONTHS WAS INTRODUCED. THIS WOULD INDICATE IN PLAIN READING THAT PRIOR TO 1989, THERE'S NO REQUIREMENT FOR LONG TERM USE AND THAT ALL UNITS COULD BE USED FOR SHORT TERM USE. THE [INAUDIBLE] OPINION FURTHER CLARIFIED THE PROPERTY RIGHTS REFERENCING ORDINANCE 1797 AND ALSO ORDINANCE 1989 WHICH WAS PASSED IN 1991. THEN IN 2014 OR ITS 4167 SPECIFICALLY CODIFIED THE TRANSIENT VACATION RENTALS INTO MAUI COUNTY CODE BY REFERRING TO THE DIRECT LANGUAGE USED IN ORDINANCE 1797 AND THE MONITORIAL OPINION, THIS WAS TO MAKE SURE THERE WAS NO FUTURE DOUBTS ABOUT THE LEGITIMACY. THIS IS A CLEAR AND UNAMBIGUOUS CHAIN OF LEGISLATION AND LEGAL OPINIONS SHOWED THE COMPLEX ON WHAT'S ON THE MONITORIAL LIST TO USE THEIR PROPERTY FOR TRANSIENT VACATION RENTALS TO PLEASE VOTE NO ON BILL 9. THANK YOU.\r\n\r\n>> THANK YOU. THIS WILL BE THE LAST ONE BEFORE OUR BREAK WHEN HE'S DONE. >> I'M BRIAN WHITMAN, HELLO, COUNCIL, AND MAYOR, IS THE MAYOR HERE, I DON'T KNOW. OKAY. I'M GOING TRY TO READ FAST BECAUSE I HAVE A PAGE HERE, IT'S NOW GENERALLY KNOWN THE CONTROVERSIAL BILL 9 ALONE EVEN IF PASS PASSED WILL NOT QUICKLY ELIMINATE THE HOUSING CRISIS AFFECTING MAUI LOCALS INCLUDING 223 FIRE SURVIVORS, AS THEY SAY IN A MOMENT OF CRISIS, THE SOLUTION CAN ONLY COME FROM THE IDEAS THAT ARE PRESENT AT THE TIME. SO, THEREFORE AS PART OF THE PROCESS, I WOULD LIKE TO HUMBLLY OFFER THIS IDEA FOR A COMPANION BILL WHICH I WILL CALL BILL 9A, HERE'S THE BASIC IDEAS, IMMEDIATELY DECREE THAT ALL TWO ACRE OR LARGER AG LOTS WHICH ARE CURRENTLY ALLOWED A MAIN HOUSE AND A SMALLER HOUSE TO BUILD A THIRD SMALL HOUSE NO MORE THAN 1500 SQUARE FEET, THIS SHOULD BE USED FOR LONG TERM RENTAL AND NEVER FOR AIRBNB OR OTHER HOLIDAY RENTAL. TWO, CREATE A TWO YEAR GRANDFATHERING UNION -- UNIT, INTENT TO BUILD TO CODE HOMES WITH THE BUILDING PERMIT SECTION, BUILDING PERMITS WOULD NOT BE REQUIRED AT THE BEGINNING OF CONSTRUCTION AND EVERY HOUSE MUST INCLUDE ITS OWN SEPTIC SYSTEM, BUILD UNDER ITS INTENT TO CODE FORM.\r\n\r\nEXISTING NON-PERMITTED BUSINESS CAN USE THIS PROCESS TO BECOME LEGAL. SINCE INCEPTIONS WILL NOT BE REQUIRED, ANY ABUSES WILL BE HANDLED TO PREVENT UNSAFE STRUCTURES TO BE OCCUPIED. YOU HAVE TO WORK WITH THE COUNTY TO IMPROVE THEM. NUMBER 4, ATTEND OF TWO YEARS, ALL PROJECTS BUILT UNDER THE TWO YEAR GRANDFATHER WINDOW WILL BE GRANTED AFTER THE FACT BUILDING PERMITS IN EXCHANGE FOR RECORDING LIGAMENTS TO HOLD THE COUNTY OF MAUI HARMLESS IN ANY LAWSUITS AND ACCEPTING FULL LIABILITY IN THE EVENT OF ILLEGAL ACTION. UNLESS EXTENDED AFTER THE TWO YEAR WINDOW, THE PERMIT PROGRESS KRESS WILL RETURN TO THE CURRENT EXISTING

SYSTEM. IN ADDITION, FINALLY CREATING THE BYPASS WILL BE -- THIS WILL BE BEST ACCOMPLISHED BY USING SUNNY SIDE ROAD, REJOIN HANA HIGHWAY, THEY CAN PROVIDE THE RIGHTS OF WAY AS AN EVEN EXCHANGE FOR ALLOWING THEM TO CLOSE HOLOMUO ROAD. ADVANTAGES, IT'S POSSIBLE THAT SUCH A BILL COULD STIMULATE ISLAND WIDE INTEREST AND EXCITEMENT TO TAKE IMMEDIATE ADVANTAGE OF TWO YEAR GRANDFATHERING WINDOW.\r\n\r\nLOCAL BANKS WILL SEE AN INVESTMENT ADVANTAGE IN LENDING LOCAL OWNERS THE NECESSARY FUNDS. NUMBER THREE, EXISTING LAND OWNERS WILL HAVE INCREASED OPPORTUNITY TO CREATE FAMILY COMPOUNDS IN THE KOHALA TRADITION. MADE YAT JOBS WILL BE CREATED ISLAND WIDE. ALL THE GUYS THAT LOSE WORK FROM CLEANING CONDOS, THEY CAN BUILD HOUSES. >> QUESTIONS? NO QUESTION, WE'LL TAKE ONE MORE AND THAT'S IT. >> THE NEXT TESTIFIER IS BILL FORSIGHT.\r\n\r\n>> I HAD TO TAKE YOU, YOU'RE STANDING THERE LOOKING SO SAD. >> IT WORKED, THANK YOU SO MUCH. THANK YOU, CHAIR, AND EVERYONE, COUNCIL, I REALLY APPRECIATE EVERYONE'S TIME AND EFFORT ON SUCH AN IMPORTANT TOPIC. MY NAME IS BILL, I'M A 45 YEAR MAUI RESIDENT, TODAY I CAME ONLY TO LISTEN BUT AFTER LISTENING TO THE COMPASSION AND THE HEARTS OF SO MANY PEOPLE ON BOTH SIDES OF THIS ISSUE, I DECIDED AND WAS COMPELLED TO TESTIMONY, SO I DON'T HAVE -- DIDN'T HAVE A LOT OF TIME TO PREP. >> YOU HAVE TO LOOK AT US. >> OKAY, THANK YOU. OHANA MEANS FAMILY, OHANA MEANS HOME.\r\n\r\nI MET MY WIFE AT KIMO'S RESTAURANT 45 YEARS AGO I WAS A BOAT CAPTAIN AT LAHAINA HARBOR, WE HAVE CHILDREN, MANY OF MY MAUI FRIENDS NOW ARE OVER 70 YEARS OLD, THEY ALL RENTED APARTMENTS THAT WERE ZONED AS APARTMENTS FOR MANY, MANY YEARS. WHAT WAS THE ORIGINAL INTENT OF APARTMENT ZONING? OHANA MEANS FAMILY. I STAND WITH MAYOR BISEN, MAUI IS OUR HOME, RESIDENTS MUST TAKE PRIORITY OVER VISITORS. WE MUST STOP PUTTING PROFIT OVER PEOPLE. I PLEAD WITH YOU, PLEASE VOTE YES ON BILL 9. THANK YOU. >> THANK YOU, QUESTIONS, MEMBERS?\r\n\r\nIF NOT, THANK YOU VERY MUCH. >> THANK YOU. >> MEMBERS, WE WILL BE TAKING A LUNCH BREAK NOW AND RETURN AT -- YES? >> DO YOU WANT TO ANNOUNCE THE NEXT THREE OR FOUR TESTIFIERS AND THAT WAY WE KNOW WHO'S GOING START WHEN WE COME BACK. >> YES, MADAM CLERK, COULD YOU NAME THE NEXT THREE TESTIFIERS BUT ALSO LET US KNOW HOW MANY ARE STILL IN LINE. >> SURE, THE NEXT THREE TESTIFIERS WILL BE PATRICIA CHAR, RYAN [INAUDIBLE] AND MIKE. THEY ARE NUMBERS 44, 45, 46, WE CURRENTLY HAVE 56 TESTIFIERS SIGNED UP.\r\n\r\n>> SO, ABOUT TEN MORE? >> YES. >> OKAY, ALRIGHT, MEMBERS, THIS MEETING IS IN RECESS UNTIL 1:30, OKAY, THANK YOU. (MEETING IN RECESS FOR LUNCH AND WILL RECONVENE AT 1:30). >> WILL THE SPECIAL COUNCIL MEETING OF DECEMBER 1, 2025 PLEASE RECONVENE. IT IS 1:37 P.M., MS. CLERK, SHALL WE CONTINUE WITH TESTIMONY. >> CHAIR, THE NEXT TESTIFIER IS PATRICIA TO BE FOLLOWED BY RYAN.\r\n\r\n>> MS. CHAR, YOU CAN START. >> GOOD AFTERNOON, OKAY, THANK YOU. I'M PAT CHAR, I OPPOSE BILL 9. >> CAN YOU SPEAK LOUDER, PLEASE. >> I REFER THE COUNCIL TO MY WRITTEN STATEMENT EXPLAINING THAT MY UNIT IN A HOTEL DISTRICT SHOULD BE EXCLUDED FROM EFFECTS OF THE BILL. TODAY HOWEVER THE FOCUS OF MY TESTIMONY IS THE COUNCIL'S PROPOSED ACTION IN RELIANCE ON THE MONITORIAL LIST. IF THE COUNCIL VOTES FOR BILL 9, ITS ACTION WILL BE FOUNDED ON A LIST THAT WAS CAPRICIOUSLY AND CARELESSLY PREPARED.\r\n\r\nACCORDINGLY, THE COUNCIL'S ACTIONS COULD BE CATEGORIZED THE SAME WAY. I HAVE BEEN ATTEMPTING TO FIND OUT WHEN THE MONITORIAL LIST WAS PREPARED, TO FIND OUT HOW EACH PROPERTY WAS PLACED ON THE LIST WHO, DID IT AND HOW TO GET MY PROPERTY OFF. TO DATE, THIS IS WHAT I DISCOVERED, THE MONITORIAL LEGAL OPINION AS YOU KNOW IS DATED JULY 30, 2001. WHEN I ASKED THE PLANNING DEPARTMENT IN A PUBLIC RECORDS REQUEST FOR THE FIRST VERSION OF THE MONITORIAL LIST, IT STATED REALTOR'S ASSOCIATION OF MAUI CREATED THE MONITORIAL LIST, PLEASE CONTACT RAM FOR THE LIST. RAM'S COOPERATIVE RESPONSE TO MY INQUIRY WAS ALTHOUGH RAM PROVIDED SOME INFORMATION FOR THE CREATION OF THE MONITORIAL LIST, WE DO NOT HAVE A COPY OF SAID LIST THAT IS AVAILABLE TO THE PUBLIC. THEN WHEN I WENT

BACK TO THE PLANNING DEPARTMENT AND ASKED THEM TO PROVIDE ALL VERSIONS OF THE MONITORIAL LIST FOR ANY OFFICIAL PURPOSE, THE VERSION PRODUCES THE FIRST LIST DATED IN 2019, 18 YEARS AFTER THE MONITORIAL LEGAL OPINION. THESE FACTS SUGGESTED THE MONITORIAL LIST WAS NOT PREPARED AT THE SAME TIME THIS COMMUNION WAS INPUT FROM THE LAWYER FOR WHOM IT IS NAMED. RATHER IT SEEMS THE LIST WAS ADOPTED BY THE PLANNING DEPARTMENT OUTSIDE OF ANY PUBLIC PROCESS ALLOWING PROPERTY OWNERS TO PROVIDE INFORMATION OR TO CHALLENGE THE CATEGORIZATION OF THEIR PROPERTY.\r\n\r\nON ITS FACE, THE CURRENT LIST STATES THAT IT MAY BE SUBJECT TO ERROR. THE COUNCILMEMBERS WHO ARE PART OF THE TIG PROCESS APPEARED TO EXERCISE MORE CARE AND DUE DILIGENCE THAN THEIR OWN PLANNING DEPARTMENT IN DETERMINING IF INDIVIDUAL PROPERTIES SHOULD BE ON THE LIST. PROCEEDING FORWARD WITH BILL 9 KNOWING OF DEFECTS IN THE LIST, KNOWING IT WILL BE USED FOR ENFORCEMENT BUT STILL AUTHORIZING THE COUNTY TO TAKE AWAY OWNER RIGHTS WITHOUT ANY INFORMED PUBLIC PROCESS ON INDIVIDUAL PROPERTIES AND NO APPARENT ROUTE FOR OWNERS TO CHALLENGE OR CLARIFY PLACEMENT OF PROPERTY ON THE LIST CREATES SERIOUS DUE PROCESS RIGHTS FOR AFFECTED PROPERTY OWNERS. I OPPOSE ADOPTION OF THE BILL FOR THESE REASONS AND FOR REASONS STATED IN MY WRITTEN TESTIMONY. THANK YOU, MAHALO. >> THANK YOU, DO YOU HAVE ANY QUESTIONS? IF NOT, THANK YOU VERY MUCH.\r\n\r\n>> THE NEXT TESTIFIER IS RYAN TO BE FOLLOWED BY MIKE. >> HI, EVERYONE. I'M HORRIBLE AT PUBLIC SPEAKING, SO FORGIVE ME IF I'M GOING TO READ FROM MY PHONE. MY NAME IS RYAN AND I'VE BEEN AN OWNER AT MAUI SANDS FOR 12 YEARS, BUILT IN 1965, MAUI SANDS A PIECE OF OLD HAWAII, IT IS THE THIRD OLDEST CONDO HO THE TELL IN WEST MAUI AND IT HAS OPERATED AS A VISITOR LODGING FOR 60 YEARS. I WANT TO OFFER MAUI SANDS AS A CASE STUDY WITH REAL NUMBERS HOW THIS PIECE OF MAUI'S HISTORY WOULD BE AFFECTED IF IT IS NO LONGER ABLE TO VACATION RENT. BECAUSE MAUI SANDS IS A LEASEHOLD PROPERTY OPENERS MUST PAY LEASE RENT ON TOP OF MAINTENANCE FEES, TAXES AND INSURANCE, SO FOR A TWO BEDROOM UNIT, THE FIXED MONTHLY COSTS ARE LEASE FEE, \$1,430 A MONTH, MAINTENANCE FEES, \$1,692 A MONTH, PROPERTY TAX, 357, HOME INSURANCE IS 115. SO, THAT'S TOTALING \$3,600 BEFORE ANY MORTGAGE OR OTHER EXPENSES THAT AN OWNER MIGHT HAVE. THESE ARE UNAVOIDABLE COSTS.\r\n\r\nI CHECKED CRAIG'S LIST LAST NIGHT, THE AVERAGE LONG TERM RENT IN WEST MAUI FOR A TWO BEDROOM IS \$3,186, WITH THE FIELDLED COST OF 3600 PER MONTH, THEY WOULD LOSE \$414 EACH MONTH AND THAT IS WITHOUT TAKING INTO CONSIDERATION OTHER COSTS THAT AN OWNER MIGHT HAVE LIKE MORTGAGE, ELECTRICITY AND ONGOING EXPENSES OF SUCH AN OLD PROPERTY. IF MAUI SANDS LOSES THE ABILITY TO RENT TO OWN VISITOR O OWNERS WILL NOT BE ABLE TO COVER THEIR COSTS, THAT WOULD QUICKLY LEAD TO DELINQUENCIES, RISING FEES AND EVENTUALLY THE FINANCIAL COLLAPSE OF A 6 YEAR OLD SHORE LINE PROPERTY. IS BILL 9 BAD, SHOULD THERE BE A REVISION, A BILL 10? I DON'T KNOW, BUT WHAT WE DOKNOW IS THAT THE MATH OF ONLY LONG TERM RENTING AT MAUI SANDS WILL BE THE END OF THIS HISTORICAL PROPERTY. SO, THANK YOU. >> THANK YOU, MEMBERS, QUESTIONS? NO QUESTIONS, THANK YOU. >> CHAIR, THE NEXT PERSON TO TESTIFY IS MIKE FOLLOWED BY JONATHAN SILVA.\r\n\r\n>> I'M MIKE, I HOPE EVERYONE HAS THEIR BINGO CARDS READY SO START SIGNING UP. I HAVE SIX KIDS THAT GREW UP HERE, THREE STILL AT HOME, AND I CAME OVER HERE MOVING TO MAUI BECAUSE I LOVED THE PEOPLE. IT WASN'T ANYTHING ELSE. I FELL IN LOVE WITH THE PEOPLE. THEY'RE REALLY FRIENDLY BUT WHAT ALSO HAPPENED IS THEY LOST ALOHA AND I'VE SEEN IT OVER THE YEARS AND I DON'T BLAME THEM. I SEEN IT WHERE THE COST OF LIVING AND TO OWN PROPERTY OVER HERE IS OUT OF SIGHT AND I TOTALLY GET IT. I FEEL FOR THEM.\r\n\r\nFORTUNATELY I DO OWN A HOUSE, BUT I USED TO RENT AND I SEEN IT KEPT ON GOING UP AND UP. I'M A CONTRACTOR. MOST OF MY GUYS ARE HAWAIIAN. ALMOST EVERYBODY THAT WORKS WITH ME IS HAWAIIAN AND I GET IT, THE ONLY THING IS IF WE PASS THIS BILL, IT'S ALREADY BAD ENOUGH HOW IT IS WITH JUST PEOPLE TALKING ABOUT NOT HAVING VISITORS COMING OVER HERE, THEY STOPPED COMING. IF YOU GO

AND STOP ALL THE VISITORS AND ASK OUR ONLY ECONOMY OVER HERE, AND IT'S A TRICKLE DOWN EFFECT AS EVERYONE NEGOTIATION IT INFLUENCES EVERYBODY, SO IF WE STOP JUST SOME OF THE VISITORS OVER HERE, IT'S GOING TO HAVE A BINGEING EFFECT, SO THESE PEOPLE THAT THINK THEY COULD GO BUY A HOUSE WITH NOT HAVING A JOB OR BE ABLE TO RENT A PLACE WITHOUT HAVING A JOB OR HAVING TO LIVE HERE WITHOUT A JOB, I DON'T KNOW WHAT THEY'RE THINKING ABOUT. THE ONLY MONEY THAT COMES IN TO OUR STATE JUST ABOUT AT LEAST ON MAUI IS FROM VISITORS. THERE'S NO OTHER PLACE THAT IT COMES FROM.\r\n\r\nWE HAVE A LITTLE BIT OF AGRICULTURE AND THAT WENT OUT THE WINDOW TOO SO WE DON'T HAVE CANE, WE DON'T HAVE PINE, WE HAVE SOME PEOPLE THAT HAVE ORCHARDS GROWING BUT THEY'RE GOING PICK IT AND SEND IT OUT, SO I DON'T KNOW WHERE ANYBODY THINKS THEY'RE GOING TO HAVE TO HAVE MONEY COMING INTO STATE, NOBODY WILL BE ABLE TO LIVE HERE UNLESS THEY'RE PAID BY THE GOVERNMENT OR THEY'RE ON SOCIAL SECURITY. I DON'T KNOW WHAT ANYBODY IS THINKING ABOUT IT, BUT IF THERE'S NO MONEY, THERE'S NOT GOING TO BE ANYBODY LIVING HERE. EVERYBODY'S GOING TO BE IN GRASS AXE, IT'S THE TRUTH. I DON'T KNOW HOW YOU PAY FOR FUEL. THANK YOU SO MUCH, I APPRECIATE IT. >> QUESTIONS? IF NOT, THANK YOU.\r\n\r\n>> CHAIR, THE NEXT TESTIFIER IS JONATHAN SILVA TO BE FOLLOWED BY RUSSELL NGUYEN. JONATHAN SILVA? >> HI, CAN YOU HEAR ME? >> YES. >> I'M ONLINE, I DON'T KNOW IF YOU CAN SEE ME, CAN YOU SEE ME, NO? OKAY. I'M GOING TO -- MY NAME IS JONATHAN SILVA, I'M AN 8TH GENERATION LOCAL RESIDENT TESTIFYING ON BEHALF OF MY FAMILY, STRONGLY SUPPORTING YOUR BILL 9. ALSO I'M SURPRISED WE STILL ARE HAVING THESE CONVERSATIONS BECAUSE I THOUGHT THIS PASSED A WHILE A I BELIEVE I HAVE A UNIQUE TAKE ON THIS SHORT RENTAL TOPIC AND I'M GOING TO USE CARS AS AN EXAMPLE, I WANTED TO USE THE CAR MARKET, BUT THEN THIS EXAMPLE, I'M GOING TO ADDRESS TWO COMMON PUSH BACK POINTS, LOCAL PEOPLE CAN'T AFFORD THESE CONDO AND IS THEY'LL BE BOUGHT UP BY OUTSIDERS, COVID SHUT DOWN AND ALL THE RENTAL CAR COMPANIES SHIFTED THEIR CARS OFF ISLAND BECAUSE THERE'S NOWHERE TO STORE THEM, THE GOVERNOR FLIP IT IS SWITCH AND TURNS IT BACK ON AND THERE WAS A STRONG DEMAND FOR CARS.\r\n\r\nPEOPLE STARTED RENTING THEIR OWN CARS AND EVEN MORE, I CAN'T KEEP UP THE DEMAND, I'M GOING TO BUY A BUNCH OF CARS. MY ONE NUMBER BOUGHT 15 JEEPS. ANOTHER DAY I WAS AT THE DEALERSHIP CHATTING WITH MY FRIEND WHO WORKED THERE WHILE I WAS WAITING FOR MY CAR TO GET SERVICED, HE SAID YOU SEE THAT LADY, THIS IS HER THIRD SUV SHE BOUGHT THIS WEEK, INTERESTING, REALLY? HE SAID, YEAH, PEOPLE ARE BUYING UP EVERYTHING OVER MSRP BECAUSE THEY DON'T CARE WHAT THE PRICES ARE, THEY'RE LOOKING AT THE MONTHLY PAYMENT AND THEY'RE LOOKING AT THE PROFIT OF HOW THEY'LL BE RENTING IT OUT. THIS DROVE UP CAR PRICES BECAUSE PEOPLE WOULD WERE INTERESTED TO BUY A CAR COULDN'T COMPETE WITH PEOPLE WHO WERE USING IT FOR BUSINESS PURPOSES. I SAY THAT AGAIN, PEOPLE WHO JUST WANTED TO GET A CAR JUST TO USE TO WORK, DRIVE TO WORK, COULDN'T BUY A CAR BECAUSE EVERYONE WAS BUYING IT FOR BUSINESS PURPOSES. SOUNDS FAMILIAR?\r\n\r\nI COMPARE THE STR MODEL TO THE CARS, ONCE THE CAR WILL BE TRANSITIONED OFF OF THE FLOOR, THEY WILL GO BACK TO MARKET LEVEL. THEY WILL BE RECLASSIFIED FOR ITS ORIGINAL PURPOSE. AND THEN THE MARKET RATE WILL DROP FOR THE PRICE OF THESE HOMES OR UNITS AND LOCALS WILL BE ABLE TO PURCHASE THEM. OF COURSE THEY'RE GOING TO BE PURCHASING THEM TO LIVE IN AND NOT TO RENT IT OUT FOR INVESTMENT. LAST THING, I GOT 27 SECONDS, AS A YOUNG MAN, I TRAVELER ALL AROUND THE WORLD SURFING THE DREAM LOCATION, I TRAVELED TO FIJI THREE TIMES, HAD THE OPPORTUNITY TO MEET WITH HIGH LEVEL CHIEFS AND THEY SAID, THEY TEACH HAWAIIAN HISTORY IN OUR SCHOOLS IN FIJI SO OUR KIDS DON'T MAKE THE SAME MISTAKES HAWAIIANS DID. THAT HIT HARD. PLACES AROUND THE WORLD RECOGNIZE THAT THEY DON'T WANT TO END UP LIKE US.\r\n\r\n>> TIME. >> THANK YOU. >> THANK YOU. MEMBERS, QUESTIONS? IF NOT, THANK YOU. >> CHAIR IT CANER NEXT TESTIFIER IS RUSSELL NGUYEN TO BE FOLLOWED BY DEANDRE MAKAKOA. >> GOOD AFTERNOON, COUNCIL, THANK YOU FOR THE OPPORTUNITY TO

SPEAK.\r\n\r\nMY NAME IS RUSSELL, I DO WORK WITH THE PROPERTY MANAGEMENT AND VACATION RENTAL PROPERTY I DO OPPOSE BILL 9. I DON'T PERSONALLY OWN A VACATION RENTAL BUT WE DO EMPLOY OVER 60 EMPLOYEES WHO WORK IN THE INDUSTRY AND HELP SUPPORT THEIR FAMILIES. WE ALSO -- THE ANCILLARY REPORT EMPLOY CLEANERS, PLUMBERS, AIR CONDITIONING, ELECTRICIANS SO A NUMBER OF FAMILIES WHO LIVE ON MAUI ARE BENEFITED BY THE VACATION RENTAL INDUSTRY AND THE WORK THEY DO. I WANT TO COMMEND THE MAYOR AND COUNCIL FOR A COUPLE OF PROJECTS, THE PROJECT THAT WAS DONE FOR TEACHERS, RIGHT PROJECT, RIGHT TIME. THE PROJECT THAT WAS DONE IN KAMPA LUA, RIGHT PROJECT AT THE RIGHT TIME, HELPING THE COMMUNITY HELP PEOPLE LIVE IN A NEIGHBORHOOD. I THINK WE HAVE A GREAT OPPORTUNITY TO DO BETTER AND ONE OF THOSE WAYS IS WITH PEW KAILAI HUA, IT IS A LARGE PROPERTY AT A SCHOOL ON THE SITE, IT IS NEAR THE SEWAGE TREATMENT PLANT, WE CAN MAKE THAT -- IT CAN BE MADE 100% AFFORDABLE. GO TO THE DEVELOPER, OFFER HIM A FAIR AMOUNT. IF HE DOESN'T ACCEPT IT, USE THE LEGAL PROCESS OF EMINENT DOMAIN, PAY HIM A FAIR COMPENSATION AND TAKE THAT PROPERTY AND MAKE IT 100% AFFORDABLE.\r\n\r\nIT IS A NEIGHBORHOOD THAT FAMILIES CAN LIVE IN WITH MORE THAN ONE CAR, WITH A PET, WITH A YARD, WITH PARKS. IT SOUNDS LIKE, FOLKS, THAT A DECISION HAS BEEN MADE TO WHEN THE PROPERTY COMES TO MOVE CAM 3, DON'T LET THAT ASSET GO AWAY, MAKE THAT PLACE THAT'S CAM 3, MAKE IT A COMMUNITY COLLEGE, MAKE IT A TECHNICAL SCHOOL. TEACH PEOPLE HERE ON MAUI SKILLS, BE IT ACCOUNTING OR NURSING OR PLUMBING OR HVAC, ANYTHING LIKE THAT SO THEY CAN STILL MAKE A LIVING WAGE AND BE HERE ON MAUI. I KNOW THERE IS A WATER ISSUE, LET'S BE AN EXAMPLE LIKE WE WERE FOR PLASTIC BAGS, LIKE WE'RE STARTING TO BE FOR OCEAN SAFETY, INFORM NOT ONLY THE VISITORS WHO STAY IN VACATION RENTALS BUT ALSO THE VISITORS WHO STAY IN HOTELS, WATER IS A FINITE RESOURCE, LET'S BE THE LEADER IN CONSERVING. I STILL HAVE A LITTLE BIT MORE TIME. WE CAN GET EVERYONE TO CONSERVE NOW. WE HAVE FOUR YEARS IT SOUNDS LIKE UNTIL THIS PROCESS IF IT GOES THROUGH WILL START FOUR YEARS IS A LONG TIME TO ALLOW BUILDING, USE SOME OF THAT 1.6 BILLION DOLLARS TO BUILD A NEIGHBORHOOD IN PEW LAI HUE FOR A THOUSAND FAMILIES TO LIVE IN A NEIGHBORHOOD SETTING WITH PARKS, GREAT VIEWS, ACCESS TO OTHER THINGS ON THE WEST SIDE.\r\n\r\nTHANK YOU FOR YOUR TIME. >> THANK YOU. QUESTIONS? NO QUESTIONS. >> CHAIR, THE NEXT TESTIFIER IS DEANDRE TO BE FOLLOWED BY LISA DARCY. >> MAHALO FOR THE OPPORTUNITY TO SPEAK AND THANK YOU FOR YOUR TIME IN HEARING THIS. I WANT TO SAY ONE THING REAL QUICK, WE'VE SEEN BOTH SIDES THROUGHOUT THIS WHOLE PROCESS, ON ONE SIDE, YOU HAVE A BROAD COALITION THAT IS DIVERSE WHEN IT COMES TO CLASS, AGE, RACE AND INDUSTRY, RIGHT.\r\n\r\nAND THEN ON THE OTHER SIDE, YOU HAVE A VERY SMALL DEMOGRAPHIC OF PEOPLE WHO ARE PROTECTING THEIR PROFITABLE INTERESTS. WE HAVE PEOPLE FLYING IN FROM OTHER ISLANDS WITH NO FINANCIAL STAKE IN THIS TO SUPPORT THE BILL. I PLEAD WITH YOU TO SEE THAT AND THEN TO VOTE ACCORDINGLY. >> ANY QUESTIONS, MEMBERS? IF NOT, THANK YOU. >> THE NEXT TESTIFIER IS LISA DARCY TO BE FOLLOWED BY ANONYMOUS 4. >> GOOD AFTERNOON, COUNCIL, ALOHA, CHAIR, MY NAME IS LISA DARCY AND I'M THE FOUNDER OF SHARE YOUR MANA, I'M IN SUPPORT OF BILL 9, THERE NIECE WAY AROUND THE CRISIS THAT MAUI HAS BEEN EXPERIENCING FOR DECADES AND AS SOMEBODY WHO HAS WORKED IN A COMMUNITY WITH PEOPLE WITH DISABILITIES AND HAVE LIVED HOUSELESS, THERE NEEDS TO BE SOME MOVEMENT FORWARD. I SAY THIS OVER AND OVER AGAIN, THE COMMUNITY THAT IS LIVING UNHOUSED CANNOT SUPPORT ONE MORE PERSON IN IT AND IF THIS BILL CAN EVEN SHIFT A LITTLE BIT OF PEOPLE'S WILLINGNESS OR THEIR ATTITUDE TOWARDS TRYING SOMETHING VERY DIFFERENT AND THERE ARE PEOPLE WHO HAVE TO GIVE STUFF UP IN ORDER FOR OTHER PEOPLE TO GAIN IT.\r\n\r\nI THINK THAT AS JUST A PERSON WHO CARES ABOUT MY NEIGHBOR AND NO MATTER WHO THEY ARE, I REALLY INVITE THE COUNCIL TO CONSIDER THAT WE NEED TO INVITE PEOPLE WHO DO HAVE TO GIVE BACK TO PEOPLE WHO DON'T AND TO REALLY TAKE CARE OF THE MAUI COMMUNITY, IT'S BEEN IN CRISIS FOR A LONG TIME

AND I'M VERY TIRED AND I DON'T WANT TO SEE ONE MORE PERSON TO HAVE TO LIVE IN THE CONDITIONS TO BE TICKETED, TO BE CRIMINALLY CHARGED, TO LOSE THEIR DIGNITY, TO HAVE PHYSICAL PROBLEMS, MENTAL HEALTH PROBLEM, ADDICTION ISSUES ONCE YOU COME INTO THESE CIRCUMSTANCES, PLEASE, WE NEED TO DO EVERYTHING -- THE COMMUNITY DO EVERYTHING THEY CAN TO SUPPORT THE LAHAINA COMMUNITY AND THE ENTIRE MAUI COMMUNITY SO MORE PEOPLE DO NOT BECOME UNHOUSED AND WE CAN SHIFT PEOPLE INTO SOME HOUSING AND I KNOW THIS IS DIFFICULT AND I'M HAVING A LOT OF CONVERSATIONS WITH DEAR FRIENDS WHO ARE NOT IN SUPPORT OF THIS AND I JUST INVITE THEM ALSO TO LET GO OF SOME OF THE FINANCIAL GAINS THEY HAVE IN THEIR LIFE TO SUPPORT THE MAUI COMMUNITY SO I REALLY APPRECIATE THIS OPPORTUNITY AND I SUPPORT EVERYBODY WHO'S REALLY TRYING TO MAKE A DIFFERENCE, SO MAHALO PLENTY. >> THANK YOU, QUESTIONS? IF NOT, THANKS. >> THE NEXT TESTIFIER IS ANONYMOUS 4 TO BE FOLLOWED BY AUTUMN NESS. >> ALOHA, NICE TO SEE EVERYONE. I JUST WANT TO THANK ALL THE COUNCILMEMBERS, MY HEART GOES OUT TO YOUR SPINES AND YOUR NERVOUS SYSTEMS, WE SEE YOU, BUT I'M HERE TO TALK ABOUT AS A DEVELOPER OF A WEBSITE CALLED FLUSTERWARE.COM, I HAVE COMPILED WATER QUALITY DATA FOR EVERY WASTEWATER DISPOSAL METHOD IN ALL OF HAWAII. THERE ARE A COUPLE OF ISSUES WITH ANY SPEAKING REZONING TO HOTEL DISTRICTS AND I'LL GO TO THOSE QUICKLY. ON PAGE 515 OF THE WRITTEN TESTIMONY, THERE'S AN ANALYSIS THAT SHOWS THAT THE LOHAINA RECLAMATION FACILITY HAS A NEW MPDES PERMIT RELEASED IN AUGUST IS NOT IN COMPLIANCE WITH THAT PERMIT, THE WONDERFUL ACTIVISTS ADVOCATED FOR A STRINGENT NUTRIENT LIMIT.\r\n\r\nCURRENTLY THE PLANT IS DISCHARGING OVER 100 POUNDS A DAY OF TOTAL NITROGEN BY MASS, YOU'RE ONLY ALLOWED TO CHARGE 8-13 POUNDS PER DAY, THEY ARRIVED AT THAT BY MULTIPLYING THE OCEAN WATER QUALITY STANDARD BY THE DESIGN FLOW OF PLANT AND KUDOS TO EVERYONE WHO ADVOCATED FOR THAT. THE RESULT IS THAT PERMIT IS NOT IN COMPLIANCE. I CONFIRMED WITH DEM THEY ARE IN A CONTESTED CASE HEARING -- >> EXCUSE ME, ARE YOU TESTIFYING ON BILL 9? >> YES, I PROMISE YOU I WILL MAKE THIS RELEVANT, WHICH IS THAT MY UNDERSTANDING IS THAT TO RESOUND SOMETHING THAT YOUR WASTEWATER PERMITS HAVE TO BE IN COMPLIANCE, IT'S KIND OF SIMILAR TO WHEN YOU SELL A HOUSE THAT HAS A CESSPOOL, SO MY UNDERSTANDING IS THAT ANY REZONING TO A HOTEL DISTRICT BY ANY PROPERTY THAT DISCHARGE INTO THAT PLANT IS A LEGAL NON-STARTER BECAUSE THE WASTEWATER PERMITS ARE NOT IN COMPLIANCE. SIMILARLY IN MAALAEA, NONE OF THOSE HAVE MPDES PERMITS, AND THEY HAVE WAIVED WATER MONITORING SINCE THE 90'S OR MID 2000'S, WE TALKED ABOUT WATER FOR THESE FACILITIES, YEAH, THEY'RE NOT EVEN MONITORING FOR THINGS LIKE NUTRIENTS AND PATHOGENS. MPDES VIOLATIONS ARE 15 THOUSAND A DAY PER -- SAY YOU HAVE STR'S THAT ARE BRINGING IN X AMOUNT OF DOLLARS, 50 THOUSAND DOLLARS PER DAY OF FINES THAT AREN'T BEING ENFORCED, THE IDEA THAT THOSE WERE REZONED IS JUST NOT LEGALLY VIABLE. YOU CAN'T SELL A HOUSE WITH A CESSPOOL, YOU CAN'T REZONE SOMETHING THAT IS NOT IN COMPLIANCE WITH THE WASTEWATER PERMITS SO THIS IS ABOUT ANY POTENTIAL CARVE OUTS OR AMENDMENTS THAT WOULD INTRODUCE REZONING. I WOULD ENCOURAGE ANYONE WHO PROPOSES THAT TO ALSO INCLUDE A SOLUTION TO THIS BARRIER.\r\n\r\nTHANK YOU. >> THANK YOU. QUESTIONS, MEMBERS? COUNCIL MEMBER PALTIN? >> THANK YOU, MR. ANONYMOUS 4 FOR YOUR TESTIMONY. I WAS WONDERING WHERE YOU GOT THAT DATA FROM BECAUSE MAJORITY OF WEST MAUI FEEDS INTO THE WATER TREATMENT FACILITY AND THERE'S BEEN CLOSINGS AND SALES ALL THE WHILE SINCE THE FIRE, SO WHERE -- CAN YOU CITE WHERE YOU GOT YOUR DATA FROM THAT IF IT GOES INTO THE WATER TREATMENT FACILITY, PROPERTIES CAN'T BE SOLD OR REZONED?\r\n\r\n>> YEAH, LET ME JUST REALLY QUICKLY ANSWER THAT. THE IDEA WITH THE CESSPOOL BEING UPGRADED FOR A DEED TRANSFER FOR A HOUSE, THAT WAS JUST A METAPHOR, WHAT I'M TALKING ABOUT IS REZONING TO A HOTEL DISTRICT WHICH WHETHER OR NOT IT WILL INCREASE THE LOAD ON THE WASTEWATER SYSTEM, IT'S IMPLICIT THAT REZONING MAY DO THAT AND SO JUST THE IDEA IS YOU CAN NOT INCREASE THE LOAD ON A SYSTEM IN VIOLATION

BECAUSE IT'S LIKE ADDING INSULT TO JURY. >> THANK YOU FOR YOUR EXPLANATION. THAT DOESN'T APPLY BECAUSE IT'S NOT INCREASING THE USAGE AT ALL, SO THANK YOU. >> ALRIGHT, THANK YOU. >> ANY OTHER QUESTIONS? OKAY, NO MORE QUESTIONS.\r\n\r\nMS. CLARK? >> THE NEXT TESTIFIER IS AUTUMN TO BE FOLLOWED BY WAY MING. >> ALOHA, GOOD TO SPEND THE DAY WITH YOU GUYS AGAIN. I'M THE EXECUTIVE DIRECTOR OF LAHAINA COMMUNITY LAND TRUST AND A SETTLER TO MAUI. LAHAINA COMMUNITY LAND TRUST STANDS IN STRONG SUPPORT OF BILL 9. I'VE SAID THIS BEFORE AND I'LL SAY IT AGAIN, JUST BECAUSE SOME PEOPLE HAVE INVESTED IN A A TOURIST ECONOMY DOES NOT MEAN THIS COMMUNITY IS OBLIGED TO MAINTAIN SUCH AN ECONOMY, ESPECIALLY WHETHER THE VERY NATURE IS DESTRUCTIVE AND IS CAUSING GENERATIONAL HARM TO OUR FULL POPULATION. WE HAVE A DUTY TO CORRECT OUR ECONOMICS AND REGULATE THINGS BACK INTO BALANCE.\r\n\r\n\r\nEVEN IF WHAT IS GOOD FOR THE COLLECTIVE MAY NOT BE GOOD FOR INDIVIDUAL INVESTORS. SOME ECONOMIC DRIVERS WILL FAIL WHEN THEIR TIME HAS COME AND PEOPLE HOLDING SOME BAD INVESTMENTS WILL FEEL THE FALLOUT AND THAT'S THE NATURE OF INVESTMENTS. MANY OF THE PEOPLE AGAINST BILL 9 TALK ABOUT THIS CURRENT ECONOMIC AND EMPLOYMENT REALITY IS, IT'S THE REALITY, LIKE WE MUST CONTINUE TO KEEP PLAYING THIS GAME THAT FRANKLY MOST OF OUR COMMUNITY IS LOSING AT. WE CAN DO BETTER. REMEMBER WHEN WE SPENT OVER 7 YEARS TRYING TO BAN STYROFOAM PLATE LUNCHES AND DISPOSAL COOLERS AND THEY FLEW PEOPLE OUT TO MAUI SAYING WE WERE KILLING THE PLATE LUNCH. IT HAS EVOLVED BECAUSE IT WAS FORCED TO. REMEMBER THE SUN SCREEN BAN, MORE INDUSTRY FOLKS CAME IN SAYING MINERAL SUN SCREEN BASE PUGS ARE GOING TO BE CRAB AND WE'RE ALL GOING TO GET SKIN CANCER, NOW THERE'S FULL OF MINIMAL BASE SUN SCREEN, THE SPRAY KIND THEY SAID WAS IMPOSSIBLE, THEY DID IT BECAUSE THEY HAD TO.\r\n\r\n\r\nDURING COVID, WE ALL PANICKED ABOUT OUR FOOD SYSTEM AND DECIDED TO FUND A FOOD HUB, THOSE BROUGHT IMMENSE CHALLENGES AND NOW LOOK, WE HAVE A LOT OF GROWTH TO DO BUT I CAN TELL YOU THAT OUR FOOD SYSTEM IS IN A SUCH BETTER PLACE THAN WE WERE IN FIVE YEARS AND WE'RE EVOLVING BECAUSE WE HAVE TO, BECAUSE WE CAN. MANY OF THESE PEOPLE IN THIS ROOM ARE COMMITTED TO BUILDING SOMETHING DIFFERENT, NOT JUST TO GRIPPING TIGHTLY ON TO AN ECONOMIC SYSTEM THAT IS STRANGLING US AND TAXING OUR RESOURCES BUT TO BUILDING SOMETHING BETTER, SOMETHING INVESTED IN COMMUNITY VITALITY, NOT INDIVIDUAL INVESTOR WEALTH THAT DOESN'T STAY HERE. MANY OF US IN THIS ROOM HAVE FRONT SEATS TO WATCHING THAT CHANGE HAPPEN AND IT IS A GREAT HONOR IN MY LIFE TO WATCH THAT HAPPEN EVERY DAY. MAUI'S ECONOMY WILL TANK WITHOUT THE MONITORIAL SHORT TERM RENTAL UNITS MIGHT THINK THAT WAY BECAUSE THEY DON'T WHAT IT LOOKS LIKE WITHOUT THEM. SO, LET'S SHOW THEM. WE CAN DO THIS. LET'S SHOW THEM AND LET'S SHOW THE REST OF OUR VISITOR DESTINATIONS ACROSS THE COUNTRY THAT ARE GRAPPLING WITH THIS SAME THING THAT WE CAN DO BETTER.\r\n\r\n\r\nI BELIEVE IN US, YOU GUY, WE GOT THIS. >> THANK YOU. >> MEMBERS, QUESTIONS? IF NOT, THANK YOU. >> CHAIR, THE NEXT PERSON TO TESTIFY IS WEIGH MING BEYOND TO BE FOLLOWED BY THE ROYAL HOUSE OF HAWAII. >> HELLO, CAN YOU HEAR ME? >> YES.\r\n\r\n\r\n>> THANK YOU. THANK YOU FOR THE TIME AND FOR -- GIVEN TO ME FOR THE OPPORTUNITY THAT I AM WAY MING, I'M A RETIRED PROFESSIONAL CIVIL ENGINEER FROM WASHINGTON STATE AND INCOMING RESIDENT OF KAPPA LUA, I AM OPPOSED TO BILL 9 WITH THE FOCAL POINT THAT THE AFFORDABLE HOUSING AND ECONOMIC DEVELOPMENT CAN CO-EXIST AT THE SAME TIME, OKAY. I'M GOING TO TALK ABOUT THE NEW AFFORDABLE HOUSING DEVELOPMENT FIRST BECAUSE THAT WILL STRIVE THE ECONOMY LIKE MANY SEVERAL GENTLEMEN ALREADY STATED THAT -- AND ALSO THAT I HAD WRITTEN BACK IN LATE 2023 IMMEDIATELY AFTER THE FIRE THAT AFFORDABLE HOUSING CAN BE ACHIEVED BY THE FOLLOWING POINTS, THAT AS A CAVILER ENGINEER, I WOULD LIKE TO SAY THAT A WATER RESOURCE IS THE MOST CRITICAL PART AND THE COUNTY CAN FIND DEVELOPMENT AREAS THAT'S CLOSE TO THE WATER RESOURCE, THAT IS ONE AFFORDABILITY FACTOR. AND ONCE YOU HAVE WATER RESOURCE, WASTEWATER TREATMENT PLANT, THAT THE INDIVIDUAL ONE AND POWER CAN BE EASILY

INSTALLED AND THEN THE HOUSING WITH OUR FAIR WEATHER IS THE HOUSE ITSELF IS ACHIEVABLE, LIKE ELON MUSK'S FABRICATED HOUSE IS VERY STYLISH WITH NEW FEATURES AND STARTING FROM 8 THOUSAND DOLLARS OR 9 THOUSAND DOLLARS, PLUS SHIPPING AND INSTALLATION OF COURSE. AND THE GOVERNMENT COUNTY SPECIFICALLY NEEDS TO EXPEDITE THE PERMIT APPLICATION REVIEW AND LIKE SOME GENTLEMAN ALREADY MENTIONED AND I DON'T HAVE TO REPEAT HERE. WHAT I WOULD LIKE TO STRENGTHEN TO SAY THAT IS MAUI COUNTY NEEDS TO UPDATE ITS RISK MANAGEMENT PLAN FOR CATASTROPHIC EVENTS LIKE THIS, TO MINIMIZE FUTURE RISKS. TO ME, IT IS EQUIVALENTLY IMPORTANT TO AFFORDABLE HOUSING AND BECAUSE I HAVE SOME LIMITED RESERVATION THAT THE COUNTY WHEN I WENT TO THE LAHAINA'S ISLAND GROCERY, AND THEN THE RAINBOW PLAZA, THAT'S SOUTH OF THE BYPASS IMMEDIATELY EAST OF THE LAHAINA DOWNTOWN AND THEN I ENCOUNTERED THE TRAFFIC SIGNAL MALFUNCTIONING.\r\n\r\n>> CAN YOU PLEASE CONCLUDE. >> OKAY. AND THE RECENT FIRE WAS IN HONG KONG ALSO SUPPORT THE IMPORTANCE OF THE RISK MANAGEMENT PLAN AND IF WE HAVE THAT PROPERLY IN PLACE, WE CAN CALM DOWN HERE, WE CAN MAKE PEOPLE MORE RATIONAL AND THEN BRING OUR BEAUTIFUL LAHAINA AND REBUILD MAUI INTO A SELF-SUFFICIENT BEAUTIFUL HEAVEN. THANK YOU VERY MUCH. >> QUESTIONS, MEMBERS? MEMBER PALTIN? >> THANK YOU, CHAIR, I WANTED TO CLARIFY, WAS SHE AN UPCOMING RESIDENT TO WORK IN HAWAII COUNTY AS A CIVIL ENGINEER?\r\n\r\n>> NO, I'M A RETIRED ENGINEER. ENGINEER THAT I'M RETIRED. >> WHAT DOES THE INCOMING RESIDENT PART MEAN, YOU VISIT HERE? >> I HAVE A [INAUDIBLE] HERE, RIGHT NOW IT'S IN THE SHORT TERM RENTAL STATUS. >> OKAY, GOT IT, THANK YOU. >> YEAH. THE REASON I'M SAYING THAT I'M A CIVIL EPG NEAR IS BECAUSE I'VE NOTICED THE TRAFFIC SIGNALS MALFUNCTION AND THEN I HAVE TO -- >> THAT'S WHY I WAS GOING TO ASK YOU TO GET A JOB OVER HERE, BUT THANK YOU.\r\n\r\n>> IN A PROFESSIONAL MANNER, RIGHT, I REPORTED IN A PROFESSIONAL MANNER. >> AND THEN I THINK IT IS VERY, VERY IMPORTANT TO THE RISK MANAGEMENT PLAN UPDATE. >> THANK YOU, DO WE HAVE ANYMORE QUESTIONS, IF NOT, THANK YOU VERY MUCH. MS. CLERK? >> THE NEXT TESTIFIER IS THE ROYAL HOUSE OF HAWAI'I TO BE FOLLOWED BY ANDREW CHURCH. >> ALOHA, THIS IS THE ROYAL HOUSE OF HAWAI'I AND I'M HERE TO SPEAK BEFORE YOU ALL TODAY AS A ROYAL PATENT DESCENDANT HEIR AND HOLDER, AND UNDER CACOUNA, ROYAL PATENT 7447, [INAUDIBLE], AND I'M GOING TO BE SPEAKING ON THE HIGHEST CONCERNS AND THE PEOPLE WHO ARE HIGHEST -- WHO ARE AT THE HIGHEST RATE OF HOUSING WHO NEED HOUSING AND SO WE ALL KNOW THAT KA KNACK KA ARE THE ONUSES THAT ARE HIGHLY AFFECTED BY THESE CHANGES AND ALL OF THAT BUT THE THING IS -- OH, I AGREE AND I AGREE WITH THIS BILL THOUGH, NOT ONLY YOU GUYS SHOULD END ALL RENTALS BUT YOU GUYS SHOULD ALSO HAVE TO GIVE BACK THE LANDS.\r\n\r\nYOU ALL MUST NOT HAVE READ YOUR HOUSE PAPERWORK AND KNOW THE LAWS AND KNOW WHERE YOU ARE IN HAWAI'I BECAUSE AS YOU GUYS SHOULD KNOW, ALL OF HAWAI'I IS ROYAL PATENTED TITLE, AND WITH THE TITLE, THAT IS THE MOST CLEAR TITLE OUT OF ALL YOU GUYS, IT SUPERSEDES ANY SUBSEQUENT ATTEMPTS MADE AND ALL THE LANDS ARE BEING [INAUDIBLE], SO, WHAT ABOUT THAT THOUGH. I DO AGREE THAT YOU GUYS SHOULD BE ENDING THE -- OR PASS THIS BILL TO TEND RENTALS BUT YOU NEED CALL UP THE DESCENDANTS OF ALL THE LANDS BECAUSE IT'S ROYAL PATENTED AND IF ANYBODY TRIES TO GO TO [INAUDIBLE] A DEED, THEY WILL COME AND RISE AND WHAT IS THAT CALLED? [INAUDIBLE] HAWAI'I, SO ALL THE PEOPLE THAT I HEARD SAYING ALL THESE BUSINESSES, THIS AND THAT, WHAT ABOUT US, MY FAMILY AND MANY OTHER FAMILIES HAVE BEEN HERE FOR OVER 100 GENERATIONS AND STILL IS OVER HERE. HOW IS THAT ONE? HOW DO YOU THINK US FEEL AND YOU'VE ON THE BEEN HERE FUCKEN YOUR OWN GENERATION. >> WATCH YOUR LANGUAGE. >> THE ROYAL HOUSE OF HAWAI'I. FUCKEN TELL ME HOW TO SPEAK.\r\n\r\n>> TIME. >> ANY QUESTIONS FOR THE TESTIFIER? >> IF NOT, THANK YOU, MAY WE HAVE THE NEXT TESTIFIER? >> THE NEXT THERE IS ANDRE CHURCH TO BE FOLLOWED BY STEVEN WEST. ANDRE CHURCH? >> ALOHA, COUNCIL MEMBER, I WANT TO START OFF BY OFFERING MY CONDOLENCES FOR TASHA KAMA, I'M STRONGLY OPPOSING BILL 9,

MY FAMILY AND I WERE BORN OFF THE ISLANDS OF MAUI. BILL 9 WOULD WIPE OUT OUR ENTIRE HOUSEHOLD INCOME.\r\n\r\nMAYOR BIEN HAS INTRODUCED A BILL WITH FLAWED DATA, THIS IS AN ATTEMPT TO PROVIDE -- THAT WAS BADLY WORDED. THIS IS AN ATTEMPT TO PROVIDE -- WE ALL AGREE MAUI NEEDS AFFORDABLE HOUSING. BILL 9 IS NOT THE SOLUTION. MOST OF YOU COUNCILMEMBERS AGREE THAT BILL 9 IS FLAWED TO SOME DEGREE AND OTHERS, THERE IS NO PLAN TO -- IN MARCH 2025, THEY HELD A TOWN HALL WHERE HE SAID HE NEEDED 25 UNITS TO SOLVE THE PROBLEM, SORRY, UNDER THIS PLAN, HE SAID THEY WERE MANY YEARS ON THE LIST THAT WERE RESORTS AND WERE INTENDED -- NOT INTENDED TO BE WORKFORCE HOUSING. ACCEPTING THE TIG'S RECOMMENDATION EXCEPTIONS WOULD PUT THE BILL IN PLAN. I RECEIVED FOUR CASH OFFERS ON MINE, I HAD ZERO OFFER FROM LOCAL RESIDENTS. MY UNITS HAVE MAJOR FLOODING ISSUES, I CANNOT OBTAIN INDIVIDUAL FLOOD INSURANCE NOW, I WOULD LIKELY HAVE TO SELL TO CASH BARS BUZZ NO NOBODY WOULD INSURE THEM.\r\n\r\nTHE FLOODING AT MY COMPLEX HAS BEEN SO BAD OVER THE PAST YEARS THAT CARS HAVE LITERALLY FLOATED INTO SOUTH KIA ROAD, OUR DUMPSTERS HAVE ENDED UP IN THE OCEAN. THIS COMPLEX IS ON THE TIG EXEMPTION LISTS AND NOT SUITABLE OR SAFE FOR AFFORDABLE HOUSING. I'M SPEEDING UP HERE, IT'S FAST, THE TIG RECOMMENDATION THAT H3/H4 ZONING BE CREATED FOR THE EXEMPTION LIST, THESE ZONING CHANGES MUST BE IMPLEMENTED BY PASSING BILL 9. IT MUST BE 100% CONTINGENT ON TIG'S ZONING ENFOLDING DASHING, PLEASE REMEMBER THAT YOU ARE RESPONSIBLE FOR ALL MEMBERS OF MAUI, NOT JUST A SMALL GROUP. I RESPECTFULLY ASK YOU TO VOTE NO ON BILL 9. THANK YOU. >> QUESTIONS, MEMBERS? .NOT, THANK YOU VERY MUCH. >> THE NEXT TESTIFIER IS STEVEN WEST TO BE FOLLOWED BY JENNY HENDRICKS.\r\n\r\n>> MR. WEST? >> IS HE ONLINE? >> WE'RE MOVING ON TO JENNY HENDRICKS AND COME BACK TO MR. WEST. JENNY HENDRICKS, THIS IS YOUR OPPORTUNITY TO TESTIFY. I SEE HER ONLINE, YOU'RE UNMUTED ON OUR SIDE, MS.\r\n\r\nHENDRICKS. CHAIR, I GUESS WE CAN MOVE ON TO TOMMY ROUSSEAU, HE'S IN PERSON. >> CAN YOU HEAR ME NOW, I THOUGHT YOU HAD TO UNMUTE ME. >> OKAY. >> AIM OKAY TO GO? >> PLEASE PROCEED. >> OKAY, THANK YOU SO MUCH, THANK YOU.\r\n\r\nTHANK YOU FOR THE OPPORTUNITY. I AM HERE TO RESPECTFULLY AND FIRMLY STATE IS THAT I OPPOSE BILL 9 BECAUSE IT WILL HARM LOCAL RESIDENTS WITHOUT SOLVING THE HOUSING CRISIS. I OWN A CONDO IN KIHAI, I HAVE INVESTORS AND PROPERTY MEMBERS WHO CARE FOR THE UNIT, THESE PEOPLE TRUST AND SUPPORT, THEIR LIVELIHOODS DEPEND ON LEGALLY ESTABLISHED SHORT TERM RENTALS. MOST OF THESE INDIVIDUALS ARE LOCAL FAMILY WHO IS RELY ON THIS WORK TO STAY IN THEIR HOMES. I HAVE HEARD STORY AFTER STORY FROM CLEANERS, LANDSCAPERS, RESERVATION COORDINATORS, LOCAL CONTRACTORS, RESTAURANT SERVERS, RETAIL WORKERS WHO TELL ME THE INCOME FROM VACATION RENTALS IS WHAT ALLOWS THEM TO PAY FOR THEIR RENT, COVER CHILD CARE, GET GROCERIES, THAT OPUSES THOSE FAMILIES AT IMMEDIATE RISK. A SHORT PERSONAL ANECDOTE, I OWN A SHORT TERM RENTAL MANAGEMENT COMPANY IN A DIFFERENT STATE, AND A RESORT AREA THAT I MANAGED RECENTLY PROPOSED LIMITING SHORT TERM RENTALS, THE PROPOSAL WAS OPPOSED FROM THE SAME FOLKS IN OUR COMMUNITY, RETAIL WORKERS AND EMPLOYEES, THE PROPOSAL WAS PULLED BECAUSE THE TOWN COUNCIL REALIZED THE NEGATIVE ECONOMIC IMPACT IT WOULD HAVE ON OUR COMMUNITY BECAUSE OF THE LOSS OF TOURISM WHICH IS THE BACKBONE OF OUR TOWN. I'M SURE YOU HAVE SEEN THIS DATA, I WANT TO EMPHASIZE JUST A COUPLE OF THINGS.\r\n\r\nTOURISM DOES REMAIN THE BACKBONE OF MAUI'S ECONOMY, REMOVING SHORT TERM RENTALS WILL REMOVE A SOURCE OF EMPLOYMENT WITHOUT OFFERING ALTERNATIVE JOBS TO THE THOUSAND OF WORKERS WHO RELY ON IT. SHORT TERM RENTAL PROPERTY TAXES ACCOUNT FOR 20% OF THE 5.5 BILLION DOLLAR OPERATING BUDGET, THERE VEER CONSEQUENCES FOR SCHOOLS, INFRASTRUCTURE, CONDO PRICES HAVE FALLEN IN ABOUT 30%. EXISTING UNITS DOES NOT TRANSLATE INTO AFFORDABILITY. THIS POLICY WILL ELIMINATE JOBS INSTEAD OF REASSIGN THEM. THERE IS NO ALTERNATIVE CURRENTLY, INDUSTRY WAITING TO ABSORB THEM. AS SOMEONE WHO HAS BEEN DEEPLY INVOLVED IN THE AFFORDABLE HOUSING CRISIS IN MY HOME STATE, I RECOGNIZE AS

I'M SURE YOU DO THAT MAUI DESERVES REAL DATA DRIVEN HOUSING POLICIES THAT INCREASE SUPPLY, SUPPORT LOCAL PEOPLE AND MAINTAIN STABLE REVENUE FOR THE COUNTY. CLEARLY THERE IS NO GUARANTEE THAT BILL 9 WILL CREATE AFFORDABLE LONG TERM HOUSING, EXPERIENCE TELLS US AFFORDABLE AND ATTAINABLE HOUSING IS A COMPLEX MULTI-FACETED ISSUE THAT REQUIRES A THOUGHTFUL, LONG TERM SOLUTION USING A COLLABORATIVE AND STRATEGIC APPROACH AND INCLUDES ALL STAKEHOLDERS. FOR THE SAKE OF THE MAUI RESIDENTS, I URGE YOU TO OPPOSE BILL 9, THANK YOU FOR THE TIME.\r\n\r\n>> MEMBERS, QUESTIONS? VICE CHAIR SUGIMURA? >> WAS IS THE NAME OF THE MUNICIPALITY YOU REFERENCED THAT DECIDED NOT DO IT? >> IT'S A TOWN CALLED BUY YAN HEAD IN SOUTHERN UTAH, IT'S A SKI RESORT TOWN IN UTAH. >> IT'S CALLED -- WHAT IS THE NAME OF THE TOWN? >> IT'S CALLED BRIAN HEAD TOWN. >> THANK YOU.\r\n\r\n>> AND IT'S EXPERIENCING AN ACUTE AFFORDABLE AND ATTAINABLE HOUSING SHORTAGE SO, WE'RE DEALING WITH THE SAME ISSUES THAT ARE ON THE TABLE TODAY IN MAUI. >> ANYMORE QUESTIONS? MEMBER JOHNSON? >> THANK YOU, CHAIR, THANK YOU, MS. HENDRICKS, FOR YOUR TESTIMONY. I WANTED TO CLARIFY, YOU MENTIONED A LOT ABOUT JOBS, DO YOU THINK ONE JOB SHOULD BE ENOUGH? >> ONE JOB FOR WHAT, I'M SORRY, I DON'T UNDERSTAND THE QUESTION?\r\n\r\n>> A LOT OF FOLKS ARE LIVING ON TWO JOBS, THOSE JOBS YOU MENTIONED CLEANING HOMES, THEY DON'T REALLY PAY ENOUGH, SO THEY HAVE TO DO TWO JOB, I KNOW WE'RE TALKING ABOUT AFFORDABILITY OF HOMES, IS ONE JOB NOT ENOUGH? >> I TOTALLY HEAR WHAT YOU'RE SAYING AND WE'RE DEALING WITH THAT. >> THINK IT'S A NATIONAL ISSUE, WE'RE DEALING WITH THAT'S IN MY AREA AS WELL. I WOULD LOVE TO GET TO A POINT WHERE ONE JOB IS ENOUGH. I THINK THAT IS AN ABSOLUTE GOAL THAT WE SHOULD HAVE. I ALSO THINK THAT SOME OF THESE JOBS ARE ENTRY LEVEL SO THEY'RE TRAINING FOR DIFFERENT THINGS. IN MY EXPERIENCE IN WORKING WITH ATTAINABLE AND AFFORDABLE HOUSING, IT TAKES ALL OF THE STAKEHOLDERS, THE STATE, THE COUNTY, IT TAKES LENDERS, IT TAKES SO MANY PEOPLE INVOLVED TO REALLY CREATE LONG TERM SOLUTIONS TO THIS VERY REAL ISSUE OF AFFORDABLE AND ATTAINABLE HOUSING.\r\n\r\n>> THANK YOU FOR YOUR RESPONSE. THANK YOU, CHAIR. >> ANYMORE QUESTIONS? MEMBER PALTIN? >> THANK YOU, CHAIR, THANK YOU, MS. HENDRICKS, WHAT IS THAT AREA YOU'RE REFERRING TO WHERE YOU LIVE THAT ONE JOB ISN'T ENOUGH EITHER? >> I THINK IT'S A NATIONAL ISSUE BUT SPECIFICALLY IN TOURISM BASED ECONOMIES, I THINK THAT IS SOMETHING WHERE WE FIND THAT TOURISM BASED ECONOMIES TEND TO HAVE ENTRY LEVEL POSITIONS SO I DO AGREE THAT THAT IS AN ISSUE.\r\n\r\nI ALSO FIND THAT -- >> YOU SAID THAT'S AN ISSUE WE'RE DEALING WITH IN OUR AREA TOO SO, MY CLARIFICATION IS WHAT AREA IS THAT THAT YOU'RE REFERRING TO? >> SURE. I'M LOCATED IN SOUTHERN UTAH WHERE WE HAVE A LOT OF TOURISM BASED ON THE NATIONAL PARKS, GRAND CANYON, I DON'T KNOW IF YOU HEARD OF THOSE, BUT IMPROVING OUR ECONOMY TO HAVE THE TOURISM BASE WHILE ALSO ADDING OTHER PIECES INTO THE ECONOMY IS STARTING TO BE AN EFFECTIVE WAY TO MANAGE THE THE AFFORDABLE AND ATTAINABLE HOUSING PIECE OF WHAT WE'VE HAD TO DEAL WITH IN OUR AREA. >> IS THAT [INAUDIBLE] UTAH? I HEARD THAT IS THE FASTEST GROWING COUNTY IN UNITED STATES. >> YES, SO ST. GEORGE IS IN WASHINGTON COUNTY.\r\n\r\n>> THE RESOURCES ON THE CONTINENT, NOT SO MUCH OVER HERE, SO THANK YOU. >> YEAH, NO -- YEAH, THANK YOU FOR THE OPPORTUNITY. >> I'M GLAD YOU KNOW WHERE ST. GEORGE IS. >> MORE QUESTIONS? IF NOT, THANK YOU. >> THE NEXT TESTIFIER IS THOMAS ROUSSEAU TO BE FOLLOWED BY GREG RESSISKI.\r\n\r\n>> I THINK HE RAISED HIS HAND. >> MR. WEST, WE'LL CIRCLE BACK TO YOU IN A MINUTE. >> ALOHA, COUNCIL MEMBER AND IS CHAIR, I TAKE OFFENSE THAT THE CLERK REFERRED TO ME AS TOMMY EARLIER, I DON'T REALLY APPRECIATE THAT, BUT THANKS ANYWAYS. I WOULD LIKE TO THANK THE COUNCIL FOR HEARING THIS OUT, I WOULD LIKE TO THANK ALL THE TIME IT SPENT IN COMMITTEE, I WOULD HOPE THE VOTES IN COMMITTEE WOULD REMAIN WHEN IT COMES TO FINAL VOTE AND NOT THE FLIP FLOPPING WE'VE SEEN IN THE PAST, I WOULD LIKE TO THANK ALL THE WORK THAT LAHAINA STRONG AND SUPPORT

OF BILL 9 HAS DONE, I WANT TO GIVE RECOGNITION TO THAT. I JUST WANT TO GIVE MY SUPPORT FOR BILL 9 AND URGE THAT IT PASSES. THANK YOU.\r\n\r\n>> QUESTIONS, MEMBERS? IF NOT, THANK YOU. >> WE'LL CIRCLE BACK TO MR. WEST, STEVEN WEST FOLLOWED BY GREG RESISKI. MR. WEST, ARE YOU ONLINE? WE CAN SEE YOU, YOU'RE UNMUTED ON OUR SIDE.\r\n\r\n>> SORRY, I THOUGHT I SAW HIS HAND RAISED. DID SOMEBODY ELSE SEE THAT? OKAY. >> MR. WEST? WE'LL COME BACK TO YOU. MOVING ON TO GREG.\r\n\r\nHE'LL BE FOLLOWED BY STEVEN WEST WHO'S CURRENTLY OUR LAST TESTIFIER SIGNED UP. >> GOOD AFTERNOON, COUNCIL, THANK YOU FOR HAVING ME HERE TODAY, I'M IN STRONG SUPPORT OF BILL 9. THERE'S NO SHORTAGE OF VISITOR ACCOMMODATIONS ON THE ISLAND, SO I'M NOT SURE WHERE THAT ARGUMENT COME FROM. I CAN ONLY KEEP REMINDING MYSELF, 94% OF THESE PROPERTIES ARE OWNED BY NON-COUNTY RESIDENTS, SO THAT'S 6% THAT COULD POTENTIALLY BE AFFECTED, FROM THE SOUNDS OF THESE BUILDINGS, THEY'RE IN HORRIBLE CONDITIONS SO I DON'T THINK THE CONTRACTORS ARE GOING TO HAVE SHORTAGE OF WORK OR THE ELECTRICIANS OR THE PLUMBERS OR ALL THOSE PEOPLE, SO I WOULD LIKE TO KIND OF THANK THE TIG FOR THEIR WORK AND ONE OF THE THINGS THAT REALLY KIND OF STANDS OUT TO ME IS THAT THE TIG SEEM TO ADDRESS A LOT OF THE COUNCILMEMBERS THAT VOTED NO IN THOSE ISSUES, I KNOW SOUTH MAUI HAS A LOT OF PROPERTIES ON THIS POTENTIAL LIST, I KNOW THE CHAIR OF THE TIG'S BASICALLY BET THE CHAIR LEE THAT SHE COULD GET THIS STUFF DONE SO I WANT TO SEE HER MAKE GOOD ON THAT BET AND GET THESE THINGS DONE SO THERE NIECE EXCUSES ON ANY COUNCILMEMBERS, THEY'RE GETTING WHAT THEY WANT. THE PRIOR TESTIFIER TALKED ACT FLIP FLOPPING, YOU GUYS HAVE BEEN CONSISTENT, COUNCIL MEMBER COOK IS NODDING BECAUSE HE KNOWS THE THINGS HE ASKED FOR FROM THE STREAMLINING OF THE PLANNING TO HAVING CERTAIN SHORE LINE BUILDINGS, THAT'S ALL COVERED BY THE TIG. SO, I JUST WANT TO SAY THAT'S THAT PART, LET'S NOT FORGET THE RESIDENTS, THESE BUILDINGS HAD RESIDENTS AT ONE POINT, THEY CAN HAVE RESIDENTS AGAIN. I'VE BEEN IN MULTIPLE SMALL UNITS WITH ONE PARKING SPACE, IT DIDN'T KILL ME, I'M STILL HERE AND STILL PURSUING MY BUILDING PERMITS, I WANT TO MOVE BACK HOME BUT THERE IS NO REASON WHY ANY OF THESE PROPERTIES ARE UNSUITABLE FOR RESIDENCE, SO THANK YOU VERY MUCH, I KNOW IT'S BEEN A LONG DAY, I'M DONE. >> QUESTIONS, MEMBERS?\r\n\r\nIF NOT, THANK YOU. >> CHAIR, GOING BACK TO MR. WEST, HE'S CURRENTLY OUR LAST TESTIFIER THAT SIGNED UP. WE CAN SEE HIM ONLINE. MR. WEST? YOU'RE UNMUTED ON OUR SIDE.\r\n\r\n>> YOU CAN SEE HIM? >> HE'S ONLINE, CHAIR, BUT HE'S NOT UNMUTED ON HIS SIDE. WOULD YOU LIKE TO PROCEED WITH LAST CALL, CHAIR? >> YES. >> CHAIR, AT THIS TIME WE'LL MAKE LAST CALL FOR ANYONE WHO WOULD LIKE TO TESTIFY AND HAS NOT YET. LOOKS LIKE MR. KIOKONO IS MAKING HIS WAY TO THE MIC.\r\n\r\n>> ALOHA, CHAIR AND COUNCIL, I WANTED TO START OFF WITH APOLOGIZING FOR MY ACTIONS EARLIER TODAY, IT WON'T HAPPEN AGAIN, IT HAS BEEN HARD LISTENING TO CERTAIN STATEMENTS WHEN THE ATTACKS THAT WE HAVE ALL EXPERIENCED AND HAS BEEN NOTHING SHORT OF HARASSMENT, SO THIS IS VERY PERSONAL FOR US BUT THAT BEING SAID, I DO APPRECIATE ALL OF YOU FOR YOUR TIME, FOR LISTENING TO OUR HOURS UPON HOURS OF TESTIMONY, FOR STANDING STRONG THROUGH ALL OF THE CONTROVERSY, FRUSTRATION AND THE TRIGGERING COMMENTS SO WE MAHALO ALL OF YOU FOR BEING HERE. I WANT TO KEEP IT FRESH IN MIND THE TESTIMONY TODAY HAS BEEN LARGELY ONE SIDED AND THAT IS BECAUSE YOU ALL HEARD EVERYTHING YOU ALL NEEDED TO HEAR ALREADY AND NOTHING NEW WAS REALLY PRESENTED TODAY, WE USED OUR FORETHOUGHT AND TOOK IT UPON OURSELVES TO MINIMIZE THE AMOUNT OF TESTIFIERS THROUGH OUR PETITION THAT YOU FOLKS RECEIVED THAT JUST HIT OVER TWO THOUSAND SIGNATURES. WE ALREADY HEARD THE RELIANCE AND YOU LEADER THE REPORT THAT SAY ASS LOSS OF REVENUE THAT DOES NOT ACCURATELY REPRESENT ANY OF THE REALITY. WE ALREADY HEARD THAT [INAUDIBLE] 200-400 % WERE LONG TERM RENTAL, WE HEARD THE FALSE STATEMENT THAT IS HAS HAS BEEN SHORT TERM RENTALS. >> WE HEARD WHAT THEY SAID ABOUT US, BUT WE DON'T CHOOSE TO VICTIMIZE OURSELVES. WE SHOW UP, WE DON'T HIDE, WE COME

WITH TRANSPARENCY AND SHOW UP IN PERSON AND NEVER HAVE TO SIT BEHIND A SCREEN, WE ALOHA BECAUSE WE ARE THE SOURCE OF IT BUT ONLY TO THOSE WHO ARE DESERVING. WE DON'T VICTIMIZE OURSELVES WHEN REALLY WE ARE THE VICTIMS OF THIS INDUSTRY.\r\n\r\nAND THAT IS WHAT HASN'T BEEN HEARD YET, THE BREAKDOWN OF THIS BUSINESS MODEL, EARLIER SOMEBODY SAID THIS ISSUE IS ONLY TO SERVE THE MULTI BILLION DOLLAR INDUSTRY AND FOR THE HOTEL AND IS NOT FOR LOCALS, WHERE ARE THE OWNERS OF HOTELS, THE MANAGEMENT OF THE HOTELS? THEY'RE NOT HERE, WHAT WE DO IS A BROAD GROUP OF RESIDENTS, WORKING PEOPLE, WORKING CLASS RESIDENTS ALL HERE SUPPORTING BILL 9. THE PICTURE IS CLEAR, ONE SIDE IS PROTECTING THEIR FINANCIAL INTEREST, THE OTHER SIDE IS FIGHTING THE BASIC RIGHT TO LIVE IN THEIR OWN HOME. THE TRUTH IS SIMPLE, STR BUSINESS MODEL IS NO DIFFERENT THAN THE MODEL THAT IS DESTROYING MAUI, IT'S THE EXACT SAME STRATEGY, YOU BUY A PROPERTY YOU PUT MONEY INTO IT, YOU BORROW AGAINST IT, AVOID TAXES BECAUSE YOU NOW SHOW DEBT, THEN USE THAT LEVERAGE TO BUY ANOTHER ONE. BUY, GROW, BORROW, BUY AGAIN, THAT'S THE BILLION DOLLAR MINDSET. JUST SCALE DOWN TO INDIVIDUALS, THAT'S WHY MANY PEOPLE ARE HANGING ON FOR DEAR LIFE BECAUSE THEY DEBT TO TRY TO AVOID TAXES, THAT'S NOT OUR FAULT AND IT'S NOBODY'S JOB IN THERE TO BAIL THEM OUT OF THE DEBT THEY'RE EXPERIENCING. >> TIME. >> I WANT TO SAY THIS IN CLOSING, THAT'S WHY WE'RE HERE AND BILL 9 MATTERS, THE MODEL IS THE SAME, THE IMPACT IS THE SAME AND OUR COMMUNITY IS THE ONE PAYING THE PRICE BUT RATHER THAN VICTIMIZE, WE CHOOSE TO STAND AND FIGHT, WE CHOOSE TO HELP MAKE CHANGE WHERE WE SEE CHANGE IS NECESSARY AND WE CHOOSE BILL 9. MAHALO.\r\n\r\n>> THANK YOU. MEMBER, QUESTIONS? IF NOT, I DON'T SEE QUESTIONS, THANK YOU. >> CIRCLING BACK TO MR. WEST, WE STILL SEE HIM ONLINE, HE'S UNMUTED ON OUR SIDE. MR. WEST, IF YOU COULD PRESS STAR 6 AND SEE IF THAT MIGHT HELP YOU.\r\n\r\nIN THE MEANTIME, THIS IS LAST CALL, IF THERE'S ANYONE ELSE THAT WOULD LIKE TO TESTIFY, YOU CAN RAISE YOUR HAND IN TEAMS OR MAKE YOUR WAY TO THE PODIUM. MR. WEST, I'M SORRY, WE DON'T SEE YOU OR HEAR YOU, SO CHAIR, WOULD YOU LIKE TO MOVE ON? THERE'S PHONE NUMBER IF YOU CAN SEE IT IN OUR CHAT. IT'S (808) 977-4067, (808) 977-4067, AND YOU WOULD ADD IN THE ID WHICH IS 234794559#. >> YOU SHOULD REPEAT THAT. >> THE CONFERENCE ID IS 2347 -- WE SEE YOU. >> OKAY, YEAH.\r\n\r\n>> COUNCILMEMBERS, CAN YOU HEAR ME? >> YES. >> ALOHA, STEVEN WEST, I'M A DIVISION DIRECTOR, I'LL MAKE MY TESTIMONY VERY SHORT BECAUSE I THINK YOU ALREADY KNOW OUR POSITION. OBVIOUSLY WE STAND UNITED WITH PINA STRONG AND WITH OUR MEMBERS AND PEOPLE IN THE COMMUNITY THAT LIVED IN THESE APARTMENTS MANY YEARS AGO, LOCAL FAMILIES. WE WANT THAT OPPORTUNITY TO BASICALLY CLAIM BACK WHAT WAS FOR THE PEOPLE, BY THE PEOPLE OF MAUI COUNTY, NOT LONG TERM SPECULATOR, PEOPLE WHO ARE SPECULATING ON MAKING MONEY, THIS WAS FOR HOMES FOR LOCAL PEOPLE. FRANKLY THE PEOPLE OF THE ILW IS THIS, WE WANT ALL TRANSIT VACATION RENTALS OUT OF OUR NEIGHBORHOODS, KEEP THE TOURISTS WHERE THEY ARE THAT WERE ORIGINALLY SUPPOSED TO BE THERE FOR. WE HAVE HOUSE KEEPERS PAYING 4 -- \$4,100 A MONTH FOR RENT IN ONE BEDROOM.\r\n\r\nSOME OF THE PROPERTIES ARE UNATTAINABLE TO GET INTO. I'LL KEEP MY TESTIMONY FAIRLY SHORT, THANK YOU FOR THE OPPORTUNITY TO SPEAK TODAY, PLEASE PASS BILL 9, THANK YOU VERY MUCH. >> MEMBERS, QUESTIONS? NO QUESTIONS, THANK YOU. >> WE HAVE SOMEONE WITH THE LAST DIGITS 3876, I'M NOT SURE IF THAT WAS MR. WEST. 3876. CHAIR, THERE'S NO ONE ELSE SIGNED UP AFTER THAT PERSON, WE CAN DO LAST CALL AGAIN.\r\n\r\nIF THERE'S ANYONE PRESENT THAT WOULD LIKE TO TESTIFY, MAKE YOUR WAY TO THE PODIUM. IF YOU'RE ONLINE, YOU CAN RAISE YOUR HAND IN TEAMS. SEEING NONE, THE COUNT DOWN IS 3, 2, 1,, THERE'S NO ONE INDICATING A DESIRE TO TESTIFY. >> WE ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY? >> NO OKAYS. >> 25-82 RECOMMENDING FIRST READING OF BILL 9, CD1, IS TO AMEND THE COMPREHENSIVE ZONING ORDINANCE BY DISALLOWING TRANSIENT VACATION RENTALS IN THE APARTMENT DISTRICTS AS OF JANUARY 1, 2029 IN THE WEST MAUI COMMUNITY

PLAN AREA AND JANUARY 1, 2031 FOR THE COUNTY'S OTHER AREAS. >> OKAY.\r\n\r\n>> CHAIR? >> SO MOVED. >> I MOVE TO ADOPT THE RECOMMENDATION IN CR25-82. >> SECOND. >> OKAY. DISCUSSION? >> THANK YOU, CHAIR, THIS IS A LOT. YOUR HOU COMMITTEE MET AND RECONVENED THROUGHOUT JUNE AND JULY TO CONSIDER THIS BILL.\r\n\r\nAFTER THIS BILL WAS PROPOSED BY MAYOR IN MAY OF 2024, EACH OF THE PLANNING COMMISSIONS SUBSEQUENTLY REVIEWED IT, WHILE EACH RECOMMENDED APPROVAL, THEY ALSO RECOMMENDED THAT COUNCIL CONSIDER VARIOUS RELATED POLICY ISSUES. WHILE CONSIDERING BILL 9, YOUR COMMITTEE RECEIVED MORE THAN 3500 PIECES OF WRITTEN TESTIMONY AND HEARD FROM MORE THAN 200 PEOPLE WHO PRESENTED LIVE TESTIMONY, TESTIFIERS SHARED THEIR PERSPECTIVES ON BOTH THE POSITIVES OF THE BILL INCLUDING LONG TERM HOUSING THAT COULD COME AVAILABLE TO RESIDENTS BECAUSE OF IT AS WELL AS THE DRAWBACKS THAT HAVE THE POTENTIAL LOSS OF HOSPITAL THEY REALITY JOBS AND TAX REVENUE. YOUR COMMITTEE ALSO CONVENED AN EXECUTIVE MEETING UNDER SECTION 92-5A4 TO CONSULT WITH LEGAL COUNSEL WITH ISSUES RELATED TO THE DUTIES, POWERS, PRIVILEGES, IMMUNITIES AND LIABILITY OF THE OUTSTAY, THE COUNCIL AND YOUR COMMITTEE RELATED TO BILL 9. AFTER WEIGHING THE COMMISSION'S DECISIONS TO -- AND THE TESTIFIERS' PERSPECTIVES, AND THE LEGAL CONSIDERATION, YOUR COMMITTEE VOTED 6-3 TO RECOMMEND THE PASSAGE OF THE CD1 VERSION OF BILL 9. THE CD1 VERSION SETS THE AMORTIZATION AS FOLLOWS, THROUGH DECEMBER 31, 2028 FOR APARTMENT DISTRICTS IN THE WEST MAUI COMMUNITY PLAN AREA AND THROUGH DECEMBER 31, 2030 FOR APARTMENT DISTRICT PROPERTIES AND COUNTIES OTHER AREAS, YOUR COMMITTEE ALSO RECOMMENDED A SHORTER AMORTIZATION PERIOD FOR THE WEST MAUI COMMUNITY PLAN AREA FOR SEVERAL REASONS, MANY OF THEM RELATED TO THE HOUSING SHORTAGE EXACERBATED BY THE AUGUST 2023 WILD FIRES. OVER CHANGES INCLUDE CLARIFYING THAT VALIDLY EXISTING TIMESHARE UNITS OR TIMESHARE PLANS AND PERMITTED AND OPERATED WITHIN THE TERMS OF A VARIANCE AND OTHER USES PERMITTED BY LAW ARE EXEMPT FROM BEING PHASED OUT AND REQUIRING THE DIRECTOR OF FINANCE WITH THE PLANNING DIRECTOR'S HELP TO PROVIDE NOTICE TO RELEVANT PROPERTY OWNERS OF THE PERMITTED USES BEING PHASED OUT AND OTHER PERTINENT INFORMATION. I DO HAVE TWO ASF'S FOR CLARIFYING LANGUAGE FOR THE BODY'S CONSIDERATION THAT I WOULD LIKE TO INTRODUCE AT THE APPROPRIATE TIME, FOR NOW, I WILL YIELD THE FLOOR TO OTHERS TO COMMENT ON THE BILL, THANK YOU, CHAIR. >> MEMBERS? DISCUSSION?\r\n\r\n>> I'LL HOLD MY DISCUSSION UNTIL I SEE THE ASF'S. >> SO, NO DISCUSSION ON THE MAIN MOTION? ANYBODY? >> I HAVE DISCUSSION BUT I DON'T HAVE IT RIGHT THIS -- >> YOU WANT TO WAIT UNTIL THE AMENDMENTS ARE FINISHED. >> I HAVE AN AMENDMENT. >> WE'LL DO THE ASF ONE FIRST. >> YEAH. >> AND I ALSO HAVE AN ASF.\r\n\r\n>> I THINK THERE ARE TWO SEPARATE ONES, YEAH. THANK YOU. >> CHAIR, JUST FOR YOUR INFORMATION, WE'RE NOT FOLLOWING ROBERT'S RULES NOW. >> YES, YOUR BUDDY ROSENBERG IS WHO WE'RE FOLLOWING, SO CAN WE GET A COUNT SO WE HAVE AN IDEA OF HOW MANY ASF'S TO EXPECT, SO I HEARD WE HAVE TWO FROM MEMBER U'U-HODGINS, ONE FROM YOU, ONE FROM MEMBER COOK, ANY OTHERS? FOUR TOTAL? OKAY, GREAT. AND THEP CAN WE -- SOMETHING SENT SO I CAN HAVE TIME TO DIGEST.\r\n\r\n>> WHAT WE COULD DO IS ASK LAUREN TO DISTRIBUTE ALL AND THEN TAKE 15 MINUTES, HOW MUCH? OKAY. NO, THE REASON WHY I CITED ROSENBERG, I WAS GOING TO, THE CHAIR CAN MAKE HER OWN MOTION, YEAH, SAVE TIME. YES, MS. RAWLINS-FERNANDEZ. >> MAYBE BEFORE WE RECESS, MAYBE YOU CAN EXPLAIN COUNCIL MEMBER COOK'S PROPOSAL AND THEN WE TAKE A 15 MINUTE RECESS TO DIGEST THE ASF'S WE'RE RECEIVING RIGHT NOW. >> THAT'S A GOOD IDEA, I DON'T KNOW IF EVERYBODY CAN REMEMBER.\r\n\r\n>> I CAN DO MINE REAL QUICK, MINE IS CLARIFYING STUFF. SO, WE CAN GO WITH THE FIRST ONE, YOU'LL NOTICE THAT IT'S DISHT'S JUST STRIKING JANUARY AND CHANGING THAT TO MARCH 1 OF 2026. IN CONVERSATION WITH THE DIRECTOR OF FINANCE, SHE'S GOING TO NEED A LITTLE BIT MORE TIME TO ALERT THE PROPERTY OWNERS OF THIS IMPENDING CHANGE SO THIS IS HER REQUEST TO GIVE HER MORE TIME. SHE SAID SHE NEEDED

ABOUT 60-SOMETHING DAYS, SO THAT'S WHAT THE FIRST ONE IS ABOUT. YOU'LL NOTICE IT JUST SCRATCHES OUT JANUARY AND HIGHLIGHTS MARCH. THAT IS THE FIRST ONE. OH, I CAN READ ALL THE THINGS I NEED TO READ BUT I'LL EXPLAIN IT TO YOU FIRST BEFORE WE MAKE THOSE MOTIONS FIRST IF THAT'S THE CASE. THE SECOND ONE IS GOING TO CLARIFY THE LANGUAGE FOR TIMESHARE RELATED PROPERTIES THAT ARE NOT BILL 9 AFFECTED WHICH REALLY JUST SCRATCHES OUT THE LANGUAGE THAT SAYS OR TIMESHARE PLANS AND LEVERES THE REST AS IS.\r\n\r\nTHIS IS TO ALLOW FOR THE TIG'S WORK THAT WE DID IN CONSULTATION WITH NO HULU AND CORP. COUNCIL THAT ANY PROPERTIES WITH TIMESHARES WILL BE NOT BE BILL 9 AFFECTED SO THAT LANGUAGE BETTER CLARIFIES THAT. THE SECOND CHANGE IS REALLY -- I WROTE DOWN SOME NOTES BUT IT'S FOR PROPERTIES THAT HAVE ALREADY ENGAGED IN LITIGATION WITH MAUI COUNTY THAT THEIR SETTLEMENT STILL STANDS, SO IT DOESN'T GIVE THEM ADDITIONAL PROPERTY RIGHTS, FOR THOSE WHO HAVE ALREADY SUED US IN LITIGATION AND WANT TO HAVE THE RIGHT TO CONTINUE OPERATING AS TVR'S IN THIS AREA WILL CONTINUE WITH THAT RIGHT, THEY'RE NO LONGER BILL 9 AFFECTED AS WELL. THOSE ARE -- I WORKED WITH CORP. COUNSEL TO CREATE THAT AND WENT WITH THEIR SUGGESTED LANGUAGE. THAT'S WHAT MINE ARE. >> I'LL GO SECOND.\r\n\r\nOKAY. MINE IS VERY SIMPLE. HALF OF YOU MIGHT LIKE IT AND THE OTHER HALF WON'T. OKAY. MY PROPOSAL WOULD SET THE ORDINANCE'S EFFECTIVE DATE TO BE CONVINCED WITH IMPLEMENTATION OF RECOMMENDATIONS BY BILL 9'S TEMPORARY INVESTIGATIVE GROUP. SO, IN OTHER WORDS, WE WOULD IMPLEMENT THE RECOMMENDATIONS FIRST AND THEN BILL 9 WOULD BE TRIGGERED. SO, THAT WOULD BE MINE. AND THEN BEFORE WE GO TO MEMBER COOK, I JUST WANT TO GET A FEELING FROM THE MEMBERS ABOUT EXECUTIVE SESSION.\r\n\r\nMEMBER PALTIN? >> AT SOME POINT, I WOULD LIKE TO KNOW CORPORATION COUNSEL'S INPUT ON THE DEFENSIVENESS OF THE BILL WITH THE ASF'S. I MEAN, IT DOESN'T HAVE TO BE RIGHT THIS MINUTE BUT AT SOME POINT BEFORE WE VOTE, I WANT TO HEAR FROM THEM IF THE ASF IS LEGAL AND HOW IT AFFECTS BILL 9 DEFENSE. >> RAW LINS? >> I COULD BE SUPPORTIVE OF GOING INTO AN EXECUTIVE SESSION IF THERE ARE FIVE FOLKS THAT WOULD BE SUPPORTIVE OF THIS OR FIVE COUNCILMEMBERS. I DON'T SUPPORT THIS. I KNOW HRS-46-4A, I KNOW WHAT THAT SUBSECTION SAYS AND THIS WOULD NOT BE IN COMPLIANCE WITH STATE STATUTE. SO, I ALREADY KNOW THAT THIS DOESN'T FOLLOW STATE LAW.\r\n\r\n>> WHAT ARE YOU TALKING ABOUT? >> YOUR PROPOSAL. >> MINE. >> YOURS AND IT LOOKS LIKE -- >> I DIDN'T EXPECT YOU TO SUPPORT ME ANYWAY. >> I SUPPORT YOU, CHAIR. JUST NOT THIS PROPOSAL. AND SO I'M LOOKING AT BOTH YOUR ASF'S AND THEY LOOK ALMOST IDENTICAL AND IT WAS WORKED ON BY THE SAME ANALYST, THAT'S WHY.\r\n\r\n>> OKAY, NO, I WANTED TO JUST GET A TEMPERATURE CHECK ON EXECUTIVE SESSION BECAUSE IT COULD BE LENGTHY AND SO THERE ARE TIMES WHEN YOU GUYS SAY, WELL, WE DON'T NEED THE ATTORNEY'S ADVICE AND OTHER TIMES YOU DO, SO I'M JUST CHECKING. MEMBER PALTIN AND VICE CHAIR SUGIMURA? >> IT'S LEGAL IF WE JUST ASK CORP. COUNSEL DURING THE RECESS JUST BETWEEN LIKE SAY ME AND THEM THREE, THAT'S LEGAL, RIGHT? BECAUSE WE'RE NOT SUNSHINE LAW, THEY'RE NOT MEMBERS, THAT'S GOOD ENOUGH, THAT'S OKAY? >> I THINK THE OTHER MEMBERS WOULD LIKE TO HEAR THEIR ANSWER ON THOSE QUESTIONS. >> THEY CAN LINE UP AFTER ME.\r\n\r\n>> OKAY, I'M JUST TRYING TO SAVED YOUR TIMES TIME TO GET YOUR FEELINGS AHEAD OF TIME SO WE DON'T GET INTO A LONG DEBATE ON WHETHER WE SHOULD CONSULT WITH THEM IN EXECUTIVE SESSION BECAUSE LET'S FACE IT, A LOT OF PEOPLE ARE WAITING FOR AN ANSWER. >> THAT WAS LEGAL THOUGH, RIGHT. >> IF YOU ALL START IT YOURSELF, BUT OTHER PEOPLE MIGHT WANT TO KNOW THE ANSWERS TOO. >> THEN LINE UP. >> MEMBER COOK? >> REGARDING GOING INTO EXECUTIVE SESSION, I THINK IT WOULD BE MORE APPROPRIATE IF THE ENTIRE COUNCIL WENT INTO IT AND WE ALL HAD THE CONVERSATION COMPREHENSIVELY WITH CORP. COUNSEL.\r\n\r\nTHAT'S MY FEEDBACK. >> VICE CHAIR SUGIMURA? >> I THINK WE HEARD FROM A LOT OF TESTIFIERS THAT THEY SAID WE WOULD LIKE TO PASS A CLEAN BILL SO I WOULD LIKE TO HEAR FROM CORP. COUNSEL IF IT HAS TO BE AN

EXEC SESSION, WHAT DOES IT MEAN, I THINK THAT'S WHAT WE HEARD WHEN THIS BILL WAS FIRST INTRODUCED FROM THE ADMINISTRATION, NOW WE'RE HAVING AMENDMENTS THAT WE'RE TRYING TO PROPOSE, SO, WHAT DOES THAT MEAN ABOUT THE CLEAN BILL? >> WE'LL TAKE 15 MINUTES, EVERYBODY GOES OVER THE ASF'S AND WHEN WE COME BACK, CORP. COUNSEL CAN TELL US FROM WHAT THEY READ WHETHER THEY'RE ADVISING US TO GO INTO EXECUTIVE SESSION. YES, ARE MEMBER COOK?\r\n\r\n>> I WOULD LIKE TO READ MY DESCRIPTION. >> WE'LL GET TO YOURS. >> EXECUTIVE SESSION, OKAY, IS THAT FINE WITH EVERYBODY? >> IF WE NEED. >> AFTER THE RECESS, WE WILL ASK THEM -- YES, I STILL HAVE TO GET TO MR. COOK. >> YES, WE'LL GET TO HIM, MAHALO, CHAIR.\r\n\r\nI WANTED TO CLARIFY WHAT CLEAN BILL MEANS. A CLEAN BILL MEANS UNAMENDED AND THAT WAS WHAT FOLKS WERE ASKING FOR. AND THEN SO, AGAIN, I WOULD SUPPORT GOING INTO EXECUTIVE SESSION IF THERE ARE FIVE AND IF THERE AREN'T FIVE, THEN I DON'T THINK IT WOULD BE NECESSARY. >> OKAY. GOOD TO KNOW. MEMBER COOK? >> MY AMENDMENT WOULD ALLOW BILL 9, CD1 2025 TO TAKE EFFECT ON APPROVAL BUT WOULD REQUIRE FOR THOSE PROPERTIES LISTED IN EXHIBIT 2 OF BILL 9 TEMPORARY INVESTIGATIVE GROUPS FINAL REPORT THAT THE RECOMMENDATIONS TO REZONE TO A DISTRICT ALLOWING FOR CONTINUAL TVR'S USE FIRST BE IMPLEMENTED.\r\n\r\n>> OKAY, SO DOES EVERYBODY HAVE A COPY OF THOSE FOUR ASF'S? OKAY, HOW MUCH TIME DO YOU NEED? >> [INAUDIBLE]. >> MEMBER JOHNSON, DID YOU GET IT BY E-MAIL? OKAY. YOU GOT IT. MEMBER PALTIN? >> YEAH, I GOT IT. >> JUST CHECKING IF CORP.\r\n\r\nCOUNSEL HAS A COPY. >> I BELIEVE THEY WERE GIVEN. ANYBODY ELSE BEFORE WE TAKE ABREAK? OKAY. YES, MEMBER JOHNSON? >> I'M JUST PUTTING THIS OUT THERE. WE DISCUSS EVERYTHING, DO WE NEED 15? I WOULD BE HAPPY WITH 10. I'M SAYING DO WE NEED FULL 15, IF YOU GUYS THINK WE DO.\r\n\r\n>> YEAH, HOW ABOUT TEN MINUTES, YEAH. OKAY. SO, THAT MAKES IT 3:02, EVERYBODY. AND WHAT IS THAT? OKAY. THIS MEETING IS IN RECESS UNTIL 3:03, THANK YOU. (MEETING IN RECESS UNTIL 3:03). >> WILL THE SPECIAL COUNCIL MEETING OF DECEMBER 1, 2025 PLEASE RECONVENE, IT'S NOW 3:21 P.M., AND FOR YOUR INFORMATION, I AM WITHDRAWING MY AMENDMENT, PROPOSED AMENDMENT BECAUSE I CAN NOW SEE THAT IT'S VERY SIMILAR TO MR.\r\n\r\nCOOK'S, SO, YOU HANDLE IT, OKAY. SO, INSTEAD OF FOUR, WE'LL HAVE THREE ASF'S, SO MEMBER U'U-HODGINS, YOU CAN CONTINUE WITH YOUR DISCUSSION OR AT THIS POINT, MAKE THE MOTION ON THE AMENDMENT. >> THANK YOU, ARE WE GOING TO DO MY ASF'S? >> YES. >> OKAY. OKAY, SO MEMBERS, IF WE COULD PLEASE BEGIN -- >> ONE AT A TIME, YEAH? >> LET'S BEGIN WITH THE ONE THAT HAS A DATE CHANGE FROM JANUARY TO MARCH. SO, I MOVE TO AMEND SECTION 19.12.070 MAUI COUNTY CODE, D, BY STRIKING JANUARY AND INSERTING MARCH IN ITS PLACE.\r\n\r\n>> SECOND. >> MOVED BY MEMBER U'U-HODGINS, SECOND BY VICE CHAIR SUGIMURA, TO PASS HER ASF, DISCUSSION? MEMBER U'U-HODGINS? >> THANK YOU, IT REQUIRES THE DIRECTOR OF FINANCE WITH THE DIRECTOR OF PLANNING'S HELP TO PROVIDE RELEVANCE TO OWNERS, THE DIRECTOR WILL NOT HAVE ENOUGH TIME TO ISSUE THE NOTICE BY JANUARY 1 BECAUSE THAT'S NEXT MONTH, THE PROPOSED DATE OF MARCH 1 GIVERS THE DEBITING TORS ENOUGH TIME TO PROVIDE THE REQUIRED NOTICE WHILE STILL ENSHRINING THE NOTICE GOES OUT IN A TIMELY MATTER. THANK YOU, CHAIR. >> ANYMORE DISCUSSION, VICE MEMBER RAWLINS-FERNANDEZ. >> MAHALO TO THE ANALYST WHO PREPARED THIS ASF FOR HIGHLIGHTING THE AMENDMENT TO FIND IT EASY TO FIND.\r\n\r\nMAHALO, CHAIR. >> ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE. >> AYE. >> OKAY. THAT'S 8 AYES, 0 NO'S, MOTION CARRIES. >> MEMBER U'U-HODGINS? >> THANK YOU, CHAIR, MOVING ON TO MY NEXT ASF, I MOVE TO FIRST AMEND SECTION 4 PROPOSED CODE SUBSECTION 19.12.070B BY STRIKING AND THIS IS A LOT OF NUMBERS, 19.37.010 AND INSERTING 19.37.010B IN ITS PLACE.\r\n\r\nSTRIKING JULY 1, 2025 AND INSERTING THE EFFECTIVE DATE OF THIS ORDINANCE IN ITS PLACE AND INCORPORATING NON-SUBSTANTIVE REVISIONS TO CAPITALIZE ORDINANCE BEFORE 1797 AND DELETING THE COMMAS AFTER 1989 AND 19.500.110. SECOND, AMEND SECTION 4, PROPOSED

CODE SUBSECTION 19.12.070C BY STRIKING THE PHRASE OR TIMESHARE PLANS. AND THIRD, AND I'M SORRY, IT'S NOT HIGHLIGHTED, TO ADD SECTION 11 TO READ AS FOLLOWS AND RENUMBER THE EXISTING SECTION 11 TO SECTION 12, SECTION 11, THIS ORDINANCE SHALL NOT TERMINATE ANY RIGHTS ACCRUED PURSUANT TO A PREEXISTING MINDFUL LAWFUL AGREEMENT BETWEEN THE COUNTY AND INDIVIDUALS OR ENTITY THAT WAS EXECUTED IN ACCORDANCE WITH THE REQUIREMENT OF THE MAUI COUNTY CHARTER. THANK YOU, MEMBERS, AND AGAIN I DID WORK WITH CORP. COUNSEL ON THIS LANGUAGE AS WELL AS OCS, IF THEY HAVE ANYTHING THEY FELT THE NEED TO INCLUDE, PLEASE FREE TO ASK THEM, THANKS. >> MOVED BY MEMBER U'U-HODGINS, SECONDED MY MEMBER SIN SINENCI TO PASS THIS AMENDMENT. ANY DISCUSSION? >> THANK YOU, CHAIR, THIS IS JUST GOING TO CLARIFY THE BILL'S INTENT AND EFFECT.\r\n\r\nTHANK YOU. >> VICE CHAIR SUGIMURA? >> I WOULD LIKE THE HEAR FROM CORP. COUNSEL THAT THIS IS OKAY. >> CORP. COUNSEL? >> THANK YOU, CHAIR, THANK YOU, MEMBER, FOR THE QUESTION.\r\n\r\nCORP. COUNSEL DOESN'T SEE ANY LEGAL ISSUE WITH THESE ADDITIONS. >> MEMBER PALTIN? >> MY QUESTION WAS ANSWERED. I JUST WANTED TO CLARIFY WITH CORP. COUNSEL THAT THIS IS PRETTY MUCH JUST CLARIFICATION AND IT STILL COUNTS AS A CLEAN BILL. >> THANK YOU, CHAIR, THANK YOU MEMBER PALTIN, YES, WE BELIEVE THESE ARE CLARIFICATION AMENDMENTS, THANKS.\r\n\r\n>> THANK YOU. >> MEMBER RAWLINGS FERNANDEZ? >> I SPEAK IN SUPPORT OF THE MOTION, IN REVIEWING THE PROPOSED AMENDMENTS THAT WERE ALSO RECOMMENDED BY CORP. COUNSEL, NOT ONLY KEEPS THE BILL CLEAN, IT KEEPS IT MORE LAWFUL BY NOT MAKING IT RETROACTIVELY APPLY FROM JULY 1 OF THIS YEAR AND TO JUST AMENDING IT TO THE EFFECTIVE DATE WHICH WOULD MAKE IT THIS MONTH SOMETIME IF THE IT PASSES, WHEN IT PASSES INTO LAW. SO, I THINK THAT'S A GOOD CATCH ON OUR ATTORNEY'S PART TO MAKE THAT AMENDMENT, SO MAHALO FOR CATCHING THAT. MAHALO, CHAIR. >> ANYMORE DISCUSSION?\r\n\r\n>> ALL IN FAVOR OF THE AMENDMENT, RAISE YOUR HAND AND SAY AYE. >> AYE. >> 8 AYES, 0 NO'S, MOTION CARRIES. THEN THE MOTION AS AMENDED. ANYMORE DISCUSSION? >> I DO NOT HAVE -- I DON'T HAVE ANYMORE DISCUSSION, CHAIR. >> ANYBODY ELSE, DISCUSSION?\r\n\r\nTHE IF NOT, ALL THOSE IN FAVOR OF THE MAIN MOTION AS AMENDED? >> I BELIEVE MEMBER COOK HAD -- >> I'M SORRY. I WAS GOING TO TAKE HERS FIRST, THAT'S FINE. I THINK WE SHOULD TAKE HERS FIRST. >> WHO'S HER, CHAIR? >> WE HAD FOUR, YOU HAD YOURS, MEMBER U'U-HODGINS HAD TWO, WE COMPLETED BOTH OF HERS. >> I THOUGHT WE JUST DID ONE OF YOURS, WE DID TWO.\r\n\r\n>> YOU'RE SO FAST, GOOD JOB FOR BEING SO EFFICIENT. >> THANK YOU. THAT HAPPENS WHEN EVERYBODY WORKS HAPPILY TOGETHER. >> EMPHASIS ON THE HAPPY. >> OKAY. MEMBER COOK? >> THANK YOU, CHAIR, THANK YOU, MEMBERS.\r\n\r\nI MOVE TO AMEND THE BILL SECTION 11 BY STRIKING ITS CONTENT AND INSERTING IT AS PLACED THE FOLLOWING, SECTION 11, THIS ORDINANCE TAKES EFFECT ON APPROVAL EXCEPT FOR THE PROPERTIES IDENTIFIED IN EXHIBIT 2 OF THE DOCUMENT ON FILE WITH THE OFFICE OF COUNSEL SERVICES ENTITLED TEMPORARY INVESTIGATIVE GROUP ON TRANSIENT VACATION RENTALS AND APARTMENT RENTAL DISTRICTS FINAGLER REPORT DATED OCTOBER 14, 2025. AS PRESENTED TO THE COUNCIL'S HOUSING AND LAND USE COMMITTEE, THIS ORDINANCE TAKES EFFECT ON APPROVAL OF ONE OR MORE ORDINANCES THAT PROVIDE FOR CHANGES IN ZONING FOR THE PROPERTIES IDENTIFIED IN EXHIBIT 2 TO A DISTRICT AND ALLOWS FOR TRANSIENT VACATION RENTAL USE. ON OCTOBER 14, 2025 -- >> THAT'S HIS MOTION. >> OKAY. MOVED BY MEMBER COOK, SECONDED BY WHO? >> THERE NEEDS TO BE A SECOND. I'M NOT THE SECONDER. >> OKAY.\r\n\r\n>> WHERE'S YOUR TEAM SPIRIT? SECONDED BY VICE CHAIR SUGIMURA, OKAY. DISCUSSION? NOW YOU CAN TALK ABOUT YOUR REASONS. >> OKAY. ON OCTOBER 14, 2025, BILL 9 TIG PRESENTED ITS FINAL REPORT TO THE HOUSING AND LAND USE COMMITTEE AND THE REPORT'S EXHIBIT 2, THE TIG IDENTIFIED APARTMENT DISTRICT PROPERTIES WHERE TVR'S SHOULD CONTINUE AS PERMITTED USE. THE TIG RECOMMENDED A CHANGE IN ZONING FOR THOSE PROPERTIES TO H3 HOTEL DISTRICT AND H4 HOTEL DISTRICT.\r\n\r\nTHIS AMENDMENT WOULD AMEND THE BILL TO DELAY

THE ORDINANCE'S EFFECTIVE DATE FOR TWO PROPERTIES UNTIL THE ORDINANCES ARE ENACTED TO REZONE THE PROPERTIES IN ACCORDANCE WITH BILL 9 TIG'S RECOMMENDATIONS. >> ANYMORE DISCUSSION? MEMBER RAWLINS-FERNANDEZ? >> I'LL EXPLAIN THE REASON WHY I WASN'T THE SEER OF THIS MOTION AND WHAT I ALLUDED TO BEFORE WE WENT ON RECENT, SO, THE STATE STATUTE THAT GIVES COUNTY ZONING AUTHORITY IS HR'S 464A AND IT STATES PROVIDED THAT A ZONING ORDINANCE MAY PROVIDE FOR THE ELIMINATION OF NONCONFORMING USES AS THE USES ARE DISCONTINUED OR FOR THE AMORTIZATION OR PHASING OUT OF NONCONFORMING USES OR SIGNS OVER A REASONABLE PERIOD OF TIME IN COMMERCIAL INDUSTRIAL RESORT AND APARTMENT ZONED AIRS ONLY, A REASONABLE PERIOD OF TIME IS A REQUIREMENT IN OUR STATE STATUTE TO GIVE THE PROPERTY OWNERS CERTAINTY OF WHEN THE PHASE OUT WOULD START AND WHEN IT WOULD END AND THE USE WOULD NO LONGER BE PERMITTED ON THAT -- IN THAT ZONE. AND THE PROPOSAL BEFORE US WOULD NOT HAVE A SET START DATE FOR THE PHASE OUT PERIOD AND SO IT'S NOT IN COMPLIANCE WITH STATE STATUTE TO GIVE THAT CERTAINTY TO THE PROPERTY OWNERS BECAUSE IT'S BASED ON WHEN SOMETHING ELSE MAY HAPPEN AND SOMETHING THAT MAY HAPPEN IS UNCERTAINTY AND THAT'S NOT WHAT WE'RE REQUIRED TO PROVIDE UNDER STATE STATUTE. MAHALO, CHAIR. >> MEMBER COOK?\r\n\r\n>> THANK YOU, CHAIR. I HEAR THAT INTERPRETATION AND WE'VE TALKED BEFORE, I WANTED TO STATE THAT THIS AMENDMENT WOULD ALLOW BILL 9 TO TAKE EFFECT ON THE APPROVAL AND EFFECTIVE DATE OF EXHIBIT 2 PROPERTIES AND WOULD BE DELAYED UNTIL THE ORDINANCES ARE ENACTED TO REZONE THE PROPERTIES IN ACCORDANCE WITH THE TIG'S RECOMMENDATIONS. HAD WOULD PROVIDE TIME FOR THE IMPLEMENTATION OF THE TIG'S REPRESENTATION. I SUPPORT THE BILL'S INTENT TO PROVIDE HOUSING FOR OUR LOCAL FAMILY, HOWEVER WE ACKNOWLEDGE THE TIG REVIEWED ALL THE PROPERTIES ON THE LIST AND ONLY CERTAIN PROPERTIES ARE SUITABLE FOR LONG TERM. THE TIG'S RECOMMENDATIONS FOR A NEW ZONING CLASSIFICATION TO BE CREATED AND IDENTIFIED PROPERTIES THAT SHOULD BE ALLOWED TO CONTINUE TVR USE, THIS AMENDMENT PROVIDES A COMPROMISE FOR THE IMPLEMENTATION OF BILL 9 WHILE ALLOWING FOR THE COMMENCEMENT OF AMORTIZATION PERIOD AND INCORPORATES THE TIG'S RECOMMENDATIONS. IT ALLOWS BILL 9 TO BECOME EFFECTIVE IMMEDIATELY AND ALLOWS THOSE PROPERTIES THAT HAVE BEEN IDENTIFIED BY THE TIG TO CONTINUE THEIR USE. HOPEFULLY THIS WILL SOFTEN SOME OF THE ECONOMIC IMPACT, DECREASE THE NUMBER OF LAWSUITS, SECURE UNEMPLOYMENT AND SECURE EMPLOYMENT, ETC.. MY OFFICE HAS BEEN WORKING WITH OCS PLAN INCORPORATION COUNSEL TO ESTABLISH A NEW H3/H4 ZONING CLASSIFICATION WHICH HAS BEEN TRANSMITTED TO THE CLERK'S OFFICE FOR POSTING ON THE COUNCIL'S AGENDA.\r\n\r\nBILL 9 DOES NOT SOLVE OUR HOUSING CRISIS BUT IT DOES ADDRESS A NEED. WE NEED TO IDENTIFY AND ADDRESS THE ROOT PROPS AND INHIBITED THE HOUSING AND START BUILDING GENERATIONAL HOMES FOR LOCAL FAMILIES. I'M AN ATTORNEY BUT BASICALLY WE DO HAVE SOME CERTAINTY IN THIS, THE PERCENTAGE OF THEM, IT GOES INTO EFFECT WHEN THIS IS PASSED, IT'S SIMPLY WE NEED TO IMPLEMENT THE TIG REQUIREMENTS. WE'VE CONVEYED TO THE COMMUNITY THAT REZONING IS AN OPTION, THAT I BELIEVE THAT IT'S DISINGENUINE TO SIMPLY PASS BILL 9 AND SAY -- AND NEGATE THE TIG AND NEGATE WHAT WE EVER BEEN DOING AND SAY, OH, YOU KNOW, WE'RE GOING TO DO SOMETHING AFTER THIS. I PERSONALLY DON'T THINK 9 IS DEFENDABLE PASSED CLEAN OR NOT, AND I'M LOOKING FORWARD TO EXECUTIVE SESSION, BUT THANK YOU FOR THE OPPORTUNITY TO STATE MY REASONING. I AM ASKING FOR THE MEMBER SUPPORT OF MY AMENDMENT AND THANK YOU VERY MUCH, CHAIR. >> MEMBER PALTIN?\r\n\r\n>> I WON'T BE SUPPORTING THE AMENDMENT, SO IF WE'RE VOTING, I'M REQUESTING A ROLL CALL. I GUESS FOR MY DISCUSSION, IT WOULD JUST BE IF CORP. COUNSEL CONCURS WITH MEMBER RAWLINS ESTIMATION OF THE SITUATION. >> THANK YOU, CHAIR, THANK YOU FOR THE QUESTION. I CAN'T SAY TOO MUCH OUTSIDE OF EXECUTIVE SESSION. WE DO ANTICIPATE VARIOUS LEGAL CHALLENGES TO BILL 9 NO MATTER WHAT AND FOR ALL THE REASONS WE DISCUSSED EARLIER THIS YEAR, WE THINK IT'S GOING TO HOLD UP TO ALL OF THOSE LEGAL CHALLENGES. WE CAN NEVER BE CERTAIN, WE

BELIEVE IS IT'S IN STRONGEST FORM WITH U'U-HODGINS AMENDMENTS.\r\n\r\nANY CHANGES SUCH AS THOSE REFERENCED IN MEMBER COOK'S AMENDMENT WILL CREATE NEW LEGAL CHALLENGES THAT WE BELIEVE MAKE IT LESS DEFENSIBLE AND WE CAN EXPLAIN MORE ONLY IN EXECUTIVE SESSION IF THE BODY NEEDS TO HEAR IT. >> THANKS, I DON'T NEED TO GO INTO EXECUTIVE SESSION EITHER, THANK YOU. >> VICE CHAIR SUGIMURA? >> I LOOK FORWARD TO HEARING WHAT THE CORP. COUNSEL HAS TO SAY IN EXECUTIVE SESSION BECAUSE CLEAN BILL, RIGHT, THAT WHOLE CONCEPT. >> MY POINT IS AS I TRIED TO MAKE EARLIER, VICE CHAIR, IS THAT IF SOMETHING DOESN'T HAVE THAT SUCH SUPPORT -- WELL, IF THERE ARE ENOUGH VOTES TO PASS SOMETHING AND LET'S SAY THERE IS NOT ENOUGH PEOPLE THAT COULD MAKE A CHANGE THAT COULD STOP THAT VOTE, THERE'S NO SENSE GOING INTO EXECUTIVE SESSION BECAUSE I DON'T THINK THAT WOULD MAKE ANY DIFFERENCE. THE WAY I COUNT THE VOTES NOW LOOKING AT EVERYBODY, IT DOESN'T LOOK LIKE THIS IS GOING TO PASS.\r\n\r\nWHAT DID YOU SAY? >> GOING TO EXEC SESSION, YOU NEED SIX VOTES? >> YOU KNOW, WE'RE 4-4 AND WE'RE IN A SITUATION WHERE IT'S DIFFICULT TO PASS ANYTHING . SO, THERE'S NO NEED TO GO INTO EXECUTIVE SESSION IF THE WRITING IS ON THE WALL ALREADY IS WHAT I'M SAYING. >> YEAH. >> BUT EVEN THOUGH YOU DONE HAVE THE -- YOU PROBABLY DON'T HAVE THE VOTES NECESSARILY, I'M SUPPORTING YOUR AMENDMENT BECAUSE I AGREE WITH YOU WHOLEHEARTEDLY EXCEPT MINE WOULD ENCOMPASS EVERYBODY ACTUALLY BECAUSE IT'S NOT GOOD LEGISLATION TO PUT EXTREME REQUIREMENTS ON PEOPLE AND GIVE THEM NO RECOURSE. IN FACT, YOURS WOULD BE IF SOMETHING IS CREATED DOWN THE ROAD, BUT WHAT IF IT'S NOT CREATED DOWN THE ROAD? WE ARE THE COUNCIL, WE WILL NOT BE HERE MORE THAN A FEW MORE YEARS AND NEITHER WILL THE PLANNING COMMISSIONERS, SO WE CAN'T PREDICT HOW PEOPLE ARE GOING TO VOTE IN THE FUTURE.\r\n\r\nI MEAN, THAT'S FOOL HEARTY TO TRY TO DO THAT. AND SOME OF US ARE VERY CONCERNED ABOUT THE HORRENDOUS ECONOMIC IMPACT OF SUCH A BILL. BUT AT LEAST YOURS WAS KIND OF A COMPROMISE, MR. COOK, YOURS WAS AN ATTEMPT AND COMPROMISE WHICH IS ALWAYS GOOD THAT YOU'RE NOT HELPING EVERYONE BUT YOU'RE HELPING AS MANY PEOPLE AS POSSIBLE AND YOU'RE TRYING TO ENSURE THAT WHAT'S NECESSARY TO CREATE A ZONING AND THE NEW ZONING DISTRICT WILL HAPPEN. DID YOU HAVE SOMETHING ELSE TO SAY? >> NO, SOUNDS LIKE A ROLL CALL. >> YEAH.\r\n\r\nMEMBER RAWLINS-FERNANDEZ? >> I WANTED TO COMMEND MY NEIGHBOR FOR TRYING ALL THE DIFFERENT WAYS TO ADDRESS THE ISSUES THAT HE'S HEARING FROM HIS DISTRICT AND I'LL BE VOTING AGAINST THE MOTION BUT I JUST COMMEND HIM FOR HIS WORK. MAHALO, CHAIR. >> THAT'S VERY NICE OF YOU. VICE CHAIR SUGIMURA. >> THAT'S HOW I AM, I'M NICE. >> I'LL BE SUPPORTING THE MOTION AND I APPRECIATE MEMBER COOK IS TRYING TO INCORPORATE THE HARD WORK THAT THE TIG DID BECAUSE IT WAS DAYS I THINK THEY SPENT GOING THROUGH LINE BY LINE OR ITEM BY ITEM, PROPERTY BY PROPERTY TRYING TO CREATE EXHIBIT 2. SO, I APPRECIATE MEMBER COOK AND I LIKE THAT HE HAS THE PHILOSOPHY OF IF IT WALKS LIKE A DUCK, QUACKS LIKE A DUCK, IT IS A DUCK, SO I THINK THAT YOU'VE INCORPORATED THE REALITY OF SOME OF THE PROPERTIES THAT ARE OPERATING LIKE A HOTEL AND INCLUDING IT IN THIS EXHIBIT 2 ALSO, THANK YOU.\r\n\r\n>> ANYMORE DISCUSSION? IF NOT, ROLL CALL. >> VICE CHAIR SUGIMURA? >> YES. >> COUNCIL MEMBER PALTIN? >> NO. >> COUNCIL MEMBER JOHNSON?\r\n\r\n>> NO. >> COUNCIL MEMBER RAWLINS-FERNANDEZ? >> NO. >> COUNCIL MEMBER COOK? >> YES. >> COUNCIL MEMBER U'U-HODGINS? >> YES.\r\n\r\n>> COUNCIL MEMBER SINENCI? >> NO. >> AND COUNCIL CHAIR LEE? >> YES. >> CHAIR, THERE ARE 4 AYES, 4 NO'S, MOTION FAILS. >> OKAY, ANYMORE AMENDMENTS? ASF'S? >> NO ASF'S. >> NO?\r\n\r\nMEMBER COOK? >> I MOVE TO AMEND SECTION 4, BILL 9, CD1, 2025 BY AMENDING SECTION 19.12.070 MY COUNTY CODE TO ADD A NEW SUBSECTION F TO READ AS FOLLOWS, THE DIRECTOR OF FINANCE MUST TRANSMIT TO THE COUNCIL, THE PLANNING DIRECTOR AND THE MAYOR A LIST OF ALL PARCELS OF REAL PROPERTY THAT ARE SUBJECT TO AMORTIZATION UNDER THIS SECTION ALONG WITH EACH PARCEL'S CORRESPONDING REAL PROPERTY TAX CLASSIFICATION BY MARCH 15, 2026. THE

DIRECTOR OF FINANCE SHALL ANNUALLY UPDATE REAL PROPERTY CLASSIFICATION FOR EACH PARCEL ON THE LIST AND TRANSMIT SAID UPDATES TO THE COUNCIL. THE PLANNING DIRECTOR AND THE MAYOR BY MARCH 15 OF EACH SUBSEQUENT YEAR. THIS DATA WILL PROVIDE INFORMATION NECESSARY FOR THE COUNCIL, THE PLANNING DEPARTMENT AND THE MAYOR TO ANTICIPATE FURTHER HOUSING NEEDS BASED ON THE PHASE OUT OF TRANSIENT VACATION RENTALS. THE MARCH 15 DATE CORRESPONDS WITH THE ISSUANCE OF THE NOTICE OF ASSESSMENTS AS REQUIRED BY SECTION 3.48.130 COUNTY CODE. >> IS THERE A SECOND? >> SECOND.\r\n\r\n>> MOVED BY MEMBER COOK, SECOND BY VICE CHAIR SUGIMURA TO APPROVE OF THE PROPOSED AMENDMENT AS JUST READ BY MEMBER COOK. DISCUSSION, MEMBER COOK? >> THANK YOU, CHAIR. BILL 9 PASSING, I FEEL IT'S IMPORTANT FOR THE COUNTY TO TRACK THE IMPACT SO WE CAN ASSESS WHAT THE USE OF THE DIFFERENT VARIOUS PROPERTIES ARE AT THE END OF EACH YEAR, OTHERWISE, WE WON'T REALLY BE ABLE TO MONITORING WHAT THE IMPACT HAS BEEN. IT'S INTENDED TO BE [INAUDIBLE] AND THIS WILL BE AN OPPORTUNITY FOR US TO ASSESS WHAT THE SALES WERE, WHAT THE IMPACT IS. THANK YOU VERY MUCH. >> DISCUSSION, MEMBER RAWLINS-FERNANDEZ?\r\n\r\n>> WHO WAS THE SECOND? >> VICE CHAIR SUGIMURA? >> MY QUESTION IS FOR MEMBER COOK. IS THAT THE SAME LANGUAGE THAT YOU INTRODUCED IN HOUSING COMMITTEE IN ONE OF YOUR ASFS, YEAH? THE PLANNING DIRECTOR AND DIRECTOR OF FINANCE MUST MAINTAIN A PUBLIC AVAILABLE LIST OF TRANSIENT RENTALS TO THE BEST OF THE DEPARTMENT'S KNOWLEDGE, ETC? IT'S DIFFERENT? >> IT'S DIFFERENT.\r\n\r\n>> DO YOU HAVE MATERIAL FOR US TO REVIEW? >> YES. >> RECESS? >> YEAH. >> FIVE MINUTES. >> MEMBER PALTIN? >> JUST A QUICK QUESTION.\r\n\r\nDID YOU CONSULT WITH THE FINANCE DEPARTMENT ON THIS LANGUAGE OR HAS IT BEEN APPROVED THROUGH FORMALITY BY CORP. COUNSEL. >> IT WASN'T RUN BY CORP. COUNSEL, IT WAS IN DISCUSSION WITH FINANCE AND THAT IT WAS POSSIBLE. >> FINANCE WAS SUPPORTIVE THAT THEY CAN DO THIS WITHOUT ANY EXTRA HARDSHIP? >> YES, BECAUSE OF THE TIMING AND ALL THAT'S BASICALLY HAPPENING AT SAME TIME THAT YEAR. >> SO, WE WANT TO KNOW IF THIS IS FORM AND LEGAL AND DOESN'T AFFECT THE CLEANNES OF BILL 9 IS THE ONLY OTHER QUESTION?\r\n\r\n>> EXCUSE ME, YOU GUYS, CAN YOU SPEAK LOUDER SO EVERYBODY CAN HEAR. >> MY OTHER QUESTION IS IF CORPORATION COUNSEL WOULD APPROVE TO THE FORM AND LEGALITY AND SAY THAT IT DOESN'T AFFECT THE CLEAN PASSING OF BILL 9. >> DO YOU WANT TO TAKE A FIVE MINUTE -- >> THEY NEED TO ANSWER RIGHT NOW. >> THANK YOU, CHAIR, THANK YOU, MEMBERS, WE WOULD LIKE TO SEE THE WRITTEN PROPOSAL AND THEN WE CAN GIVE YOU AN ANSWER. >> WE'LL TAKE A FIVE MINUTE RECESS UNTIL 3:50. >> BEFORE YOU DO, IS THERE ANYMORE OF THESE ORAL KIND OF THINGS SO THEY CAN LOOK AT THEM ALL AT THE SAME TIME, THAT'S THE LAST ONE? THAT'S YOUR ORAL, GOT IT. GOT IT. >> 3:50 RETURNING.\r\n\r\n>> CHAIR, SORRY, BEFORE YOU RECESS, CAN WE RECEIVE A COPY OF IT IF IT'S -- OKAY, I WANT TO SEE PROCEDURALLY IF WE COULD GET A COPY OF IT DURING THE RECESS, YEAH. AND THEN MY QUICK UNDERSTANDING OF THIS IS JUST A LIST OF THE PROPERTIES AND JUST HAVING THAT LIST FOR THE COUNCIL TO BE ABLE TO REVIEW, OKAY. MAHALO, CHAIR. >> OKAY. RECESS. (MEETING IN RECESS UNTIL 3:51). >> WILL THE SPECIAL COUNCIL MEETING OF DECEMBER 1, 2025 PLEASE RECONVENE. MR.\r\n\r\nCOOK, YOU GAVE US -- YOU ALREADY READ ONE ASF AND YOU MADE A MOTION ON THAT AND SECONDED, WAS IT VICE CHAIR SUGIMURA? THEN WE NEED TO VOTE ON IT AFTER WE HAVE DISCUSSION, OKAY. DO YOU HAVE ANYMORE DISCUSSION? >> MY DISCUSSION WAS WE -- I SHOWED IT TO CORP. COUNSEL AND ALSO MARCY FROM REAL PROPERTY LOOKED AT IT, THE LAST LINE, BY MARCH 15 INSTEAD OF EACH SUBSEQUENT YEAR FOR THE NEXT FIVE YEARS, BASICALLY SO THIS WOULD HAVE AN END DATE AND THE REASON IS FOR MONITORING AND RECORDING THE DIFFERENCE IN THE USE OF THE PROPERTIES AND IT WOULDN'T BE NECESSARY AFTER THE FIVE YEAR AMORTIZATION. >> OKAY, EVERYBODY GOT THAT? MEMBER PALTIN?\r\n\r\n>> I THOUGHT THEY HAD SOME VERBIAGE CHANGE AS WELL. >> MARCY, NO, SHE'S NOT HERE. >> TO A TO OR AN OF. >> CORP. COUNSEL? >> THANK YOU, WE JUST WANTED

TO SUBSTITUTE INSTEAD OF A LIST TO ALL PARCELS, A LIST OF ALL PARCELS, JUST A MINOR GRAMMATICAL CHANGE. >> DO YOU ACCEPT THAT AS A FRIENDLY AMENDMENT?\r\n\r\n>> YES. >> SO, INSTEAD OF -- >> IT WOULD READ THE DIRECTOR OF FINANCE MUST TRANSMIT TO THE COUNCIL, THE PLANNING DIRECTOR AND THE MAYOR A LIST OF ALL PARCELS OF REAL PROPERTY THAT ARE SUBJECT TO AMORTIZATION UNDER THE SECTION ALONG WITH PARCELS CORRESPONDING REAL PROPERTY TAX CLASSIFICATION BY MARCH 15, 2026. SO, A LIST OF ALL PARCELS INSTEAD OF A LIST TO ALL PARCELS, AND THEN HAVE IT LAST FOR FIVE YEARS. OKAY. GOT IT, THANK YOU. I CAN SUPPORT THIS, CORP. COUNSEL, JUST DOUBLE CHECKING THAT THIS DOESN'T HURT YOUR DEFENSIBILITY. >> THE LIST IS WORDED WILL NOT AFFECT OUR DEFENSE.\r\n\r\n>> >> EVEN IF FINANCE MAKES MISTAKES OR ANYTHING ON THEIR LIST THAT THEY TRANSMIT TO US? >> WHAT DEPARTMENT DOESN'T MAKE MISTAKES? NO, NO, NO, SERIOUSLY, NO, IT WILL NOT AFFECT OUR DEFENSES REGARDLESS. >> OKAY. THANK YOU. I CAN SUPPORT IT. >> ANYMORE DISCUSSION?\r\n\r\nMEMBER RAWLINS-FERNANDEZ? >> MAHALO, CHAIR. SO, WE'RE GOING TO STRIKE BY MARCH 15 OF EACH SUBSEQUENT YEAR OR WHAT IS THE REPLACEMENT LANGUAGE? >> I'LL READ THE LAST, THE DIRECTOR OF FINANCE SHALL ANNUALLY REPORT THE REAL PROPERTY CLASSIFICATION FOR EACH PARCEL ON THE LIST AND TRANSMIT SUCH SAID UPDATE TO THE COUNCIL, THE PLANNING DIRECTOR AND THE MAYOR BY MARCH 15 FOR THE NEXT FIVE YEARS. >> CHAIR? >> YES. >> WOULD IT PREFERABLE FOR THE NEXT FIVE YEARS OR WOULD YOU PREFER A YEAR CERTAIN 2030? UNTIL 2030? >> CORP.\r\n\r\nCOUNSEL? >> I THINK IT'S 2031. >> COUNTING THE 26. IF WE'RE COUNTING NEXT YEAR, AND THAT'S PRECISELY WHY I'M ASKING IF IT WOULD BE PREFERRED AND IT WOULD BE CLEARER SO THAT WE'RE NOT GUESSING IS FIVE YEARS -- DOES IT MEAN 2030 OR 2031? >> 2030 WOULD BE PREFERABLE SINCE WE'RE SITTING HERE SAYING WHETHER OR NOT THAT'S FIVE YEARS. >> I ACCEPT THAT AS A FRIENDLY AMENDMENT. >> ALRIGHT. ANYMORE DISCUSSION ON THIS? VICE CHAIR SUGIMURA? >> THE REASON WE'RE CHOOSING 2030 IS BECAUSE THE SOUTH MAUI, WHEN THAT AMORTIZATION STARTS IS 2030, AT THAT POINT, WE WOULDN'T NEED ANYMORE REPORTERS OR FEEDBACK, WE TRUST THAT THIS WILL ALL BE DONE.\r\n\r\n>> WELL, I THINK THAT'S COUNCIL MEMBER COOK'S OPINION. I MEAN, I THINK IT WAS HIS SUGGESTION OF FIVE YEARS. >> MEMBER COOK? >> THE INTENT IS BASICALLY TO BE ABLE TO MAP EACH YEAR WHAT IMPACT IT HAS, WHETHER IT'S OWNER OCCUPIED OR LONG TERM RENTAL AND IT'S ONLY NECESSARY FOR THE PERIOD UNTIL THE AMORTIZATION PERIOD IS OVER, SO IT'S JUST A MEASURING AND MONITORING METHOD SO THAT WE CAN ADDRESS AND SEE HOW MANY HOUSES WE'RE GETTING AND HOW SUCCESSFUL WE ARE. >> OKAY. I WONDERED IF YOU WANTED 2031, YOU TRUST THAT IT WILL BE DONE? >> MOVING RIGHT ALONG, FOLKS.\r\n\r\nWE'RE GOING TO VOTE ON THIS AS SOON AS DISCUSSION IS OVER. >> DONE. >> WE'RE VOTING ON THIS NUMBER 3 ONE, RIGHT? >> NUMBER 3. >> OKAY, JUST MAKING SURE WE'RE ALL ON THE SAME ONE. >> OKAY. DO WE NEED ROLL CALL? ALL THOSE IN FAVOR, RAISE YOUR HAN, SAY AYE.\r\n\r\n>> ROLL CALL, CHAIR. >> ROLL CALL, MS. CLERK. >> VICE CHAIR SUGIMURA? >> YES. >> COUNCIL MEMBER PALTIN? >> OKAY, SURE.\r\n\r\n>> COUNCIL MEMBER JOHNSON? >> NO. >> COUNCIL MEMBER RAWLINS-FERNANDEZ? >> AYE. >> COUNCIL MEMBER COOK? >> AYE. >> COUNCIL MEMBER U'U-HODGINS?\r\n\r\n>> AYE. >> COUNCIL MEMBER SINENCI? >> AYE. >> AND CHAIR LEE? >> YOU HAVE 7 AYES, ONE NO, MOTION CARRIES. >> OKAY, MOTION CARRIES, THE NEXT ASF, MR. COOK?\r\n\r\n>> I MOVE TO AMEND SECTION 4, BILL 9 CD1, 2025 BY AMENDING SECTION 19.12.070C, MAUI COUNTY CODE TO READ AS FOLLOWS, EXEMPTIONS, THE FOLLOWING ARE EXEMPT FROM THIS SECTION -- >> MR. COOK, COULD YOU SPEAK LOUDER. WE HAVE A COMPETITION OUT THERE. >> EXEMPTIONS, THE FOLLOWING ARE EXEMPT FROM THIS SECTION, VALIDLY EXISTING TIMESHARE UNITS, PART TIMESHARE PLANS, USES PERMITTED AND OPERATING WITHIN THE TERMS OF A VARIANCE AND USES OTHERWISE PERMITTED BY LAW. TWO, THE FOLLOWING PROPERTIES WITH A RESORT, HOTEL, COMMUNITY PLAN DESIGNATION THAT ARE AT LEAST PARTIALLY IN AN APARTMENT DISTRICT. A, HOLLY COME OLY MASTER TAX MAP KEY, TWO,

-- >> MINE DIDN'T SAY -- >> OKAY. >> I HAVE TO PUT MY GLASSES ON.\r\n\r\nHOLICONOPALI MASTER TAX MAP KEY 244006011 AND MALI EL DORADO MASTER TAX MAP KEY 244008021. >> OKAY, MOVED BY MEMBER COOK, SECOND BY VICE CHAIR SUGIMURA TO PASS THE ASF JUST READ BY MEMBER COOK, DISCUSSION, MEMBER COOK? >> THE MAUI PLANNING COMMISSION REQUESTED THE COUNCIL CONSIDER EXCLUDING PROPERTIES THAT ARE COMMUNITY PLANNED DESIGNATED FOR HOTEL USE, THE TWO ABOVE LISTED PROPERTIES MEET THIS DESCRIPTION. THE COUNCIL ADOPTED THE WEST MAUI COMMUNITY PLAN UPDATE 2022 THROUGH ORDINANCE 5334, PLACING THE SUBJECT PROPERTIES AND THE RESORT HOTEL COMMUNITY PLAN DESIGNATION. THIS AMENDMENT FOLLOWS THE RECOMMENDATION OF THE MAUI PLANNING COMMISSION AND WILL ENSURE THAT THE INTENT OF THE WEST MAUI COMMUNITY PLAN IS FULFILLED WHILE ALSO AVOIDING AN INCONSISTENCY BETWEEN THE ZONING APARTMENT DISTRICT WILL NO LONGER ALLOW HOTEL USE AND COMMUNITY PLAN DESIGNATION RESORT HOTEL WHICH IS INTENDED FOR EXISTING AND FUTURE VISITED ORIENTED DEVELOPMENT FOR THE SUBJECT PROPERTIES. >> OKAY, ANYMORE DISCUSSION ON THIS? MEMBER PALTIN? >> I WOULD LIKE THE HEAR FROM CORPORATION COUNSEL IF THIS WOULD NEGATIVELY AFFECT THEIR DEFENSE OF BILL 9 AND IF IT WOULD CALL AS PASSING OF A CLEAN BILL IN THEIR OPINION.\r\n\r\nTHEY DON'T NEED GO INTO DETAILS, LIKE A YES OR NO KIND OF THING. >> CORP. COUNSEL. >> THANK YOU, CHAIR, THANK YOU, MEMBER PALTIN, AGAIN, WITHOUT GOING INTO TOO MUCH DETAIL BECAUSE WE CANNOT OUTSIDE OF EXECUTIVE SESSION, I DO BELIEVE CARVING OUT ENTITIES MAY HARM THE DEFENSE -- THE BILL. I'M NOT SURE HOW MUCH DETAIL I CAN GO INTO. >> THAT'S GOOD ENOUGH, BUT IF BILL 9 WERE TO PASS AND THEN WE WERE TO DO THE -- THE COUNCIL WAS TO DO A COUNCIL INITIATED CHANGE IN ZONING FOR THOSE PARCELS OR THE TAKE TWO EXHIBIT TWO PARCELS, THAT'S A DIFFERENT THING THAT YOU DON'T HAVE PROBLEMS WITH. >> THANK YOU, CHAIR, THANK YOU, MEMBER, FOR THE QUESTION.\r\n\r\nTHE TIG WILL GO FORWARD I'M SURE UNDER ALL APPLICABLE RULES AND ALL CONSIDERATIONS AND SENT TO THE PLANNING COMMISSION AND THEY'LL HAVE A WHOLE DIFFERENT PROCESS INVOLVED TO INFECT THE CHANGE IN ZONING, SO I THINK THAT WOULD BE DISTINCT FROM WHAT'S CONSIDERED HERE, YEAH. >> OKAY. SO, FOR THE DISCUSSION PART, I WON'T BE SUPPORTING THIS, IT'S KIND OF LIKE A POISON PILL, AND I THINK WE ARE CONSIDERING WHAT THE PLANNING COMMISSION DID ARE SUGGESTING TO BE CONSIDERED AND WE'RE DOING IT A DIFFERENT METHODOLOGY AND THAT THE PLANNING COMMISSIONERS ARE NOT LAWYERS AND SO WE'RE TRYING TO FIND A LEGAL SAFER WAY TO TAKE THEIR RECOMMENDATIONS UNDER ADVISEMENT AND ACT ON THEM WHICH IS NOT THIS WAY AND SO I WON'T BE SUPPORTING IT. >> ANYMORE DISCUSSION? VICE CHAIR SUGIMURA? >> SO, I'M GOING TO SUPPORT THIS BILL BECAUSE THAT'S WHAT THE PLANNING COMMISSION RECOMMENDED AND I WOULD IMAGINE THAT PLANNING COMMISSION RECOMMENDATION THAT CAME THROUGH THE PLANNING DEPARTMENT WAS CHECKED BY CORP. COUNSEL, SO I DON'T THINK THAT THEY'RE NOT ATTORNEYS OR WHATEVER, SO WE DON'T GIVE THE CREDIBILITY THAT I THINK THEY HAVE FOR THIS COMMUNITY BASED BODY THAT WE'RE ASKING THEM TO REVIEW ALL THESE BILLS SO WE CANNOT SAY, SOMETIMES WE LIKE YOU AND SOMETIMES WE DON'T, BUT I DON'T AGREE.\r\n\r\nTHANKS. >> ANYBODY ELSE? MEMBER RAWLINS-FERNANDEZ? >> I WILL NOT BE SUPPORTING THE MOTION TO AMEND. THE REQUEST OR RECOMMENDATION FROM THE MAUI PLANNING COMMISSION IS JUST THAT, IT DOESN'T HAVE THE WEIGHT OF FINALITY THE WAY THAT THE BOARD OF VARIANCE AND APPEALS DOES, IT'S NOT A FINAL DECISION. WE ARE THE FINAL DECISION MAKERS THAT RECEIVES RECOMMENDATIONS FROM THE PLANNING COMMISSIONS AND PROVIDE THE PUBLIC VENUE FOR OPEN PROCESS TO HEAR FROM THE COMMUNITY TO MAKE THAT DETERMINATION ON WHETHER THAT RECOMMENDATION SHOULD BE APPROVED BY THE COUNCIL WHO IS THE FINAL DECISION MAKERS. OF COURSE I RESPECT AND APPRECIATE OUR VOLUNTEER PLANNING COMMISSIONERS AND I KNOW HOW HARD THEY WORK.\r\n\r\nI WATCH THEM ON THEIR MEETINGS AND I HEAR THEIR DISCUSSIONS AND I HEAR THEM MAKING THOUGHTFUL RECOMMENDATIONS AND IF WE HAD THAT

OPPORTUNITY TO HAVE THAT DISCUSSION AND MAKE -- TAKE A VOTE ON THAT RECOMMENDATION, THEN IT WOULD HAVE THAT FINALITY. OKAY, SO, BILL 9 PHASES OUT A USE AND WE ARE MOVING AWAY FROM EXEMPTIONS AND THAT WAS WHAT THE TIG RECOMMENDED WAS CREATING NEW ZONES THAT WOULD AVOID EXEMPTIONS FROM ZONING DISTRICTS AND I THINK FOR THESE TWO PROPERTIES, YOU KNOW, A CHANGE IN ZONING WOULD BE STRONGER THAN AN EXEMPTION TO BILL 9 AND, AGAIN, I'M SUPPORTIVE OF A BILL 9 THAT WILL HAVE THE STRONGEST DEFENSIBILITY IN COURT BECAUSE AS WE HEARD FROM TESTIFIER AFTER TESTIFIER THAT THEY DO PLAN TO SUE US AND THAT'S THEIR RIGHT TO, AND WE WILL MAKE OUR ARGUMENTS IN COURT AND THEY WILL MAKE THEIRS AND I BELIEVE THAT BILL 9 IS DEFENSIBLE AND DOES FOLLOW THE LAW AS SET OUT IN STATE STATUTE AND THE U.S. CONSTITUTION. MAHALO, CHAIR. >> ANYMORE DISCUSSION? MEMBER COOK? >> CHAIR, CAN I ASK, I WOULD LIKE THE ASK CORP. COUNSEL IF INSTEAD OF NAMING, COULD IT JUST STATE PROPERTIES THAT HAVE COMMUNITY PLAN DESIGNATION OR HOTEL RESORT, DOES THAT MAKE A DIFFERENCE?\r\n\r\n>> CORP. COUNSEL? >> YES OR NO? >> THANK YOU, CHAIR, WE JUST NEEDED A MOMENT TO DISCUSS IT. HOLD ON ONE SECOND IF THAT'S OKAY, MEMBER COOK. AGAIN, WITHOUT EXECUTIVE SESSION, THE CARVING OUT BASED ON A GIVEN CRITERIA, IT'S POSSIBLE BUT IT'S POTENTIALLY WEAKNESS THE BILL. >> I'LL WITHDRAW IT.\r\n\r\n>> OKAY. SO, YOU'RE NOT DOING NUMBER TWO THEN, RIGHT? OKAY, WITHDRAWING NUMBER TWO. SO, WE'RE ON NUMBER 3. WE VOTED ON NUMBER 3 ALREADY. ALL DONE. >> NEVER MIND. >> OKAY.\r\n\r\n>> HE WANTED TO DO MORE ORAL. >> JUST WHEN YOU NEED IT, YEAH, AT THE END OF THE DAY. OKAY. MADAM CLERK, WHERE ARE WE? >> WE'RE NOW AT THE MAIN MOMENT AS AMENDED. >> ANYMORE DISCUSSION? DO WE NEED ROLL CALL?\r\n\r\n>> ROLL CALL. >> ROLL CALL. >> VICE CHAIR SUGIMURA? >> SO, THIS IS THE FINAL. >> THANK YOU, YOU CALLED ME, RIGHT. >> NO. >> GO AHEAD, WHY NOT.\r\n\r\n>> GO FOR IT. >> NO, NO, WHAT'S YOUR QUESTION. >> THAT'S OKAY, DISCUSSION BEFORE A VOTE, BEFORE WHENEVER YOU'RE READY. >> NO, WE'RE IN DISCUSSION. >> OKAY, SO, I'M NOT GOING TO BE SUPPORTING THE BILL AND ONE OF THE THINGS THAT I WANTED TO ENSURE WAS TO SEE THE WORK OF THE TIG BE INCLUDED MANY IN THE BILL AS MEMBER COOK TRIED TO AMEND AND IT DID NOT PASS. I'M MISSING COUNCIL MEMBER COMMA AS WE'RE STUCK ON 4-4 VOTES, THAT'S SO UNFORTUNATE, I HOPE THAT RESOLUTION HAPPENS FOR WHO'S GOING TO BE SITTING IN THE CHAIR NEXT TO ME. THIS COUNCIL IS CRIPPLED BECAUSE OF THAT AND I HOPE THAT THE COMMUNITY GETS TO HAVE ALL OF US TAKE UP ISSUES AND BE ABLE TO MOVE FORWARD.\r\n\r\n\r\nTHAT'S NUMBER ONE. THE OTHER THING THAT THE REASON I'M VOTING AGAINST THIS IS THAT I'M GOING TO TAKE WORDS FROM TESTIFIERS AND THEY SAID, THIS BILL WILL CRIPPLE THE ECONOMY. WHEN IT DOES GO INTO EFFECT WHICH MEANS SOON, BY 2028 AND 2030, IT'S GOING TO HAVE A REAL PROPERTY TAX IMPACT ON THE COUNTY AND IT'S YEARLY, I THINK IT WAS LIKE -- ACCORDING TO WHAT WE RECEIVED FROM THE ADMINISTRATION, THE IMPACT WOULD BE -- FINANCE SAID IT'S 61 MILLION DOLLARS IN REAL PROPERTY TAX PER FISCAL YEAR, UHERO SAID THERE WILL BE AN ADDITIONAL 15 MILLION FROM GET AND TAT AND THAT'S HUGE AMOUNTS EVERY SINGLE YEAR OF REAL PROPERTY TAX WE WILL NOT BE ABLE TO COLLECT OR MAY BE IMPACTED BY HIMONT WE KNOW ALSO, GET IS GOING AWAY IN 2030 SO THERE'S OTHER IMPLICATIONS OF -- THAT WILL HAPPEN BECAUSE OF THAT. THE LONG TERM IMPACT WILL BE TO SERVICES SUCH AS POLICE, FIRE, THE THINGS THAT WE NEED NOW FOR OUR HEALTHY ECONOMY THAT WE'VE BEEN RELYING ON THE SHORT TERM VACATION TAXES. IT BOTHERS ME THIS IS GOING TO BRING COSTLY LITIGATION, THAT'S ANOTHER THING TESTIFIERS SAID WHICH WE COULD BETTER USE THAT FUNDING TO BUILD HOUSE, INFRASTRUCTURE, WATER, ALL THE THINGS WE CAN USE TO RUN OUR COUNTY OR WE COULD CUTBACK SERVICES, SO THOSE ARE THE OPTIONS. WITH THE THINGS WE'VE BEEN READING WITH OUR FEDERAL GOVERNMENT AND TARIFFS THAT WE ARE RUNNING INTO A RECESSION OR ECONOMIC IMPACTS AND THAT TRUMP, THE STATE, THE COUNTY CANNOT REALLY PAY FOR SO, FOR TOWNS HAVE A SOLID REAL PROPERTY TAX OR OUR ECONOMY WHICH WE RELY ON THESE SHORT TERM

VACATION RENTALS, TO HAVE IT SOLID AND NOT BIM ACTED BY THIS PACT -- BE IMPACTED BY THIS BILL IS REALLY IMPORTANT. IT IS SOMETHING THAT WE WILL SEE, THANKS, MEMBER COOK, FOR YOUR AMENDMENTS WITH YOUR REPORTS THAT WE WILL BE SEEING UP TO 2030 SO WE CAN SEE WHAT THE IMPACTS ARE.\r\n\r\nWE SUPPORT HOUSING AND WHATEVER THIS BILL IS PROPOSING TO DO, YES, BUT I BELIEVE IT WAS PUT TOGETHER ON FALSE PRETENSES BECAUSE OF THE IMPACT THAT WE SAW, REACTION FROM THE COMMUNITY OF HOW IMPORTANT THE TIG WORK WAS, BUT IT IS WHAT IT IS, I CAN COUNT THE VOTES AND I LOOK FORWARD TO DOING EVERYTHING WE CAN TO HAVE A BETTER PLAN, STRENGTHEN OUR ECONOMY, BUILD HOUSING, ALL THE THINGS THAT ADMINISTRATION IS PROPOSING TO DO. LET'S SEE IT, THANKS. >> ANYBODY ELSE? MEMBER COOK? >> THANK YOU, CHAIR. I WON'T BE VOTING YES ON THIS, I'M SUPPORTIVE OF THE HOUSING AND THE INTENTION. AND I'M NOT GOING TO DEBATE IT, BUT MY PROPOSAL WAS TO TRY AND MAINTAIN A MAJOR PERCENTAGE OF THE TAX REVENUE SO WE COULD FUNNEL THAT REVENUE INTO DOING THE HOUSING AND NOT HAVE THE NEGATIVE IMPACT.\r\n\r\nSO, YOU KNOW, IT IS WHAT IT IS. I WISH -- THE PROBLEM, THIS ISN'T GOING TO BE LIKE PULLING A TOOTH AND IT'S OVER, IT WILL BE LIKE GETTING A DRILL FOR YEARS AND THAT'S MY REAL CONCERN IS IT'S GOING TO BE THE LITIGATION AND ALL OF THAT IS JUST GOING TO BE HARD ON EVERYBODY, SO I WON'T BELABOR THIS ANYMORE, THANK YOU, ALL. >> ANYBODY ELSE? NOBODY ELSE? MEMBER PALTIN? >> MEMBER JOHNSON? >> ALRIGHT, WELL, THANK YOU FOR YIELDING, THANK YOU, MEMBERS, I WANT TO THANK EVERYBODY'S WORK ON HAD AND I APPRECIATE THE TESTIFIERS COMING OUT AND SPEAKING.\r\n\r\nI'LL JUST START WITH SOME OF THE THINGS I WANT TO MENTION FIRST, WE TALK ABOUT THE ECONOMY, IT SOUNDS LIKE THAT'S A LOT OF THE DISCUSSION GOING ON RIGHT NOW. 1.7 BILLION WAS SPENT FROM OUR TOURISM INDUSTRY LAST YEAR, 1.7 BILLION WITH A B, THAT'S A 6.7% INCREASE FROM LAST YEAR, OCTOBER 2024 TO NOW. PEOPLE ARE COMING AND SPENDING MORE MONEY, \$277 A DAY, NOW IT DOES OFFSET A DECREASE OF 2.9% IN ARRIVALS, THAT IS A FACT, BUT THAT IS THE INDUSTRY WE HAVE PUT OUR DUCKS IN, THE RISING AND FALLING OF THIS ECONOMY KNOWN AS TOURISM. I THINK OUR COMMUNITY IS SMART, ADAPTABLE AND RESILIENT, WE CAN COME UP WITH A BETTER PLAN ON WHAT WE HAVE ON THE TABLE WITH TOURISM. I LOOK FORWARD TO COMING UP WITH A DIVERSITY -- ECONOMIC DIVERSITY PLAN, I WANT TO PUSH FOR THAT. I DON'T WANT TO OPERATE FROM A POSITION OF SCARCITY AND I THINK WE DO HAVE THE FUNDS TO COVER THE THINGS WE WANT TO GET BUILT. I THINK THAT IF YOU LOOK AT WHAT THE COMMUNITY HAS BEEN DOING UP UNTIL NOW, FOR EXAMPLE, HERE ON LANA'I, WE LIMITED OUR SHORT TERM LIMITS BY RENTALS, WE PUT A CAP ON THEM, AS WELL AS OTHER PLACES, WE PUT CAPS ON THEM WE CANER KNOW FOLKS ARE TAKING OUR OLD PLANTATION HOMES, THE PLACE THAT WAS BUILT FOR WORKING CLASS FOLKS, THE CONDOS BACK IN THE DAY AND TURNING THEM INTO PROFIT MAKING UNITS THAT ARE NOT SERVICING OUR COMMUNITY, SO THAT'S WHY I'M GOING TO SUPPORT THIS.\r\n\r\nI THINK THAT IT'S BEEN A LONG TIME COMING AND WE ARE SMART AND WE CAN PIVOT FROM THIS, THAT'S WHY I'M RISING IN FULL SUPPORT, THANK YOU, CHAIR. >> THANK YOU, MEMBER PALTIN? >> THANK YOU, CHAIR, FOR MY FIRST OPPORTUNITY OF POSSIBLY TWO OR NOT. THE INTRODUCTION OF THE WORLDWIDE WEB WAS IN 1989, THE RISE OF THE INTERNET WAS LIKE MID 90'S, I WOULD SAY MOST MAYBE GOT THEIR OWN COMPUTERS, LATE 90'S, EARLY 2000'S POSSIBLY, WHICH IS LIKE 20-SOMETHING YEARS AGO. THE AIRBNB PLATFORM WAS CREATED IN LIKE 2008 ABOUT AND REALLY ROSE TO POPULARITY HERE ON MAUI AROUND MAYBE 2014, 2016, SO THIS HISTORY OF PEOPLE SEEING HAS THEY'VE ALWAYS HAD THE RIGHT TO DO SHORT TERM RENTAL BEYOND THAT TIMEFRAME WAS REALLY DIFFERENT. LIKE, YOU HAD TO USE A TRAVEL AGENT AND THINGS LIKE THAT AND SO MANY OF US THAT LIVED HERE PRE-2000, EARLY 2000, PRE-2008 BEFORE THE EXISTENCE OF THE WORLDWIDE WEB AND WHATNOT, TOURISM LOOKS MUCH DIFFERENT IN BOTH SOUTH AND WEST MAUI AND A LOT OF THE TESTIFIERS WE HEARD FROM TODAY ACT AS THOUGH THEY DON'T REMEMBER THAT TIME PERIOD, LIKE, MS. SMITH WAS SAYING I REMEMBER WHEN HONA KAUAI WAS FILLED WITH PEOPLE AND

PEOPLE HAD PLACES LIVE AND THAT'S HOW THEY WENT TO WORK AND THAT'S HOW IT WORKED.\r\n\r\nI THINK IT WAS A MISTAKE, THE WAY THAT THE MENATOYA OPINION WAS QUANTIFIED BECAUSE MR. MENATOYA SAID THOSE UNITS THAT HAD PREVIOUSLY BEEN USED AS SHORT TERM RENTALS COULD CONTINUE ON AND THEN I BELIEVE IT WAS THE PLANNING DEPARTMENT OF THAT TIME THAT SAID, OH, THAT'S TOO HARD TO KEEP TRACK OF, LET'S LET THE WHOLE ENTIRE BUILDING DO SHORT TERM RENTALS, AND THEN WORD OF MOUTH CAME AROUND, LIKE, WHY ARE YOU RENTING IT TO A FAMILY FOR 200 A MONTH, 500 A MONTH WHEN YOU CAN MAKE 200 A NIGHT, 500 A NIGHT, AND THEN LIVING IN WEST MAUI AT THAT TIME, WE SAW AN EXODUS OF FAMILIES WHO SAID THEIR OWNERS WERE TURNING INTO SHORT TERM RENTAL AND AT THAT TIME, FORMER COUNCIL MEMBER BISA WAS WRINGING ON THE SHORT TERM RENTAL HOUSING LEGISLATION, SO IN THE COMMUNITY, THE CHATTER WAS HOW ARE THEY DOING IT, DO THEY HAVE PERMITS AND THEY'RE LIKE, NO, THE LANDLORD DOESN'T HAVE A PERMIT, THEY'RE SAYING THEY CAN DO IT, SO THE THOUGHT THAT THE TIME WAS THESE ARE ALL ILLEGAL, BUT, YOU KNOW, LIKE MANY THINGS AND MANY OF THE TESTIFIERS WE HEARD TODAY, NOT A LOT OF PEOPLE KNOW ACCURATE DETAILS OF THINGS AND A LOT OF PEOPLE JUST SAY THINGS THEY THINK TO BE TRUE. SO, TO ALL THE PEOPLE THAT ARE SAYING IT WON'T WORK, IT WORKED. I WAS THERE, I LIVED THERE. LIKE MS. SMITH, LIKE JORDAN, LIKE WE REMEMBER IT AND WHATEVER YOU SEE, YOU CANNOT CHANGE WHAT WE LIVED THROUGH, AND TO ALL THE PEOPLE THAT ARE SEEING THAT LOCAL PEOPLE CAN'T AFFORD THESE AND YET THEY LIVE HERE AND OWN MONEY, ARE THEY THEN CALLING THESES NOT LOCAL BECAUSE THEY OWN THEM? AND TO THE FOLKS THAT ARE SAYING, WELL, WHAT DID WE DO WITH ALL THAT MONEY.\r\n\r\nUP UNTIL LAST MONTH, OUR AFFORDABILITY PERIOD FOR A SINGLE FAMILY HOME WAS TEN YEARS, NOW IT'S 15 YEARS SO IT DOESN'T MATTER, SAY WE MADE 500 THOUSAND AFFORDABLE HOMES, IN 15 YEARS, THEY'LL BE MARKET RATE. IN 15 YEARS WE MADE AFFORDABLE HOMES, FIVE YEARS AGO THE AFFORDABILITY PERIOD RAN OUT SO IT'S ZERO SUM GAME TO PLAY THAT WHY AREN'T YOU BUILDING HOUSING UNTIL YOU FIX THE HOLES IN THE BUCKET. I THINK THIS WORK BOOK HAS RIGHT HERE, THERE WILL NEVER BE ENOUGH AFFORDABLE HOMES AND WHAT WE'VE SEEN IS WHAT THEY'RE CALLING THESE OLD HOMES ONLY STEADILY INCREASE IN VALUE AND TO THE POINT WHERE PEOPLE CAN'T KEEP UP, WAGES, CAN'T KEEP UP, AND SO I'M GOING TO SUPPORT THIS BILL BECAUSE PRE-COVID, PRE-FIRE WHEN IT WAS THE HEIGHT OF TOURISM, WHEN ALL THE SHORT TERM RENTALS WERE FILLED UP WITH VACATIONERS, WHETHER THE HOTELS WERE FILLED UP, OUR QUALITY OF LIFE WAS HORRENDOUS, YOU COULDN'T GO TO THE SUPERMARKET, YOU COULDN'T GO OUT TO EAT, YOU COULDN'T GO TO YOUR FAVORITE BEACH AND FIND PARKING PAST LIKE 8:00 IN THE MORNING. AND SO REALLY I FEEL LIKE THIS IS BALANCE FOLLOWING OUR GENERAL PLAN, IT'S NOT TAKING AWAY EVERY SINGLE LEGAL SHORT TERM RENTAL. I FEEL COMMITTED TO PASS THE H3/H4 LEGISLATION, I FEEL COMMITTED TO THOSE TIG PARCELS, TO BALANCE IT OUT AND I SUPPORT THIS LEGISLATION BECAUSE, YOU KNOW, [INAUDIBLE], IT'S A 201G PROJECT, WHO REMEMBERS THAT, THAT NEVER GOT BUILT. ALL ITS ENTITLEMENTS, THERE'S PEOPLE ON THIS COUNCIL THAT DON'T SUPPORT IT. CALPOLLI 2020 WAS SUPPOSED TO BE BUILT IN 2020. WE'RE TRYING BUT IT'S NOT WORKING.\r\n\r\nTHIS ISN'T THE ONLY SOLUTION, PROGRAMS WILL HAVE TO BE DEVELOPED, WE NEED HOUSING FOR THE EMPTY NESTERS CAN'T MAINTAIN A BIG YARD TO GO TO WHETHER IT'S AFFORDABLE OR NOT, YOU HAVE ALL RANGES OF INCOME THAT PEOPLE HAVE IN MAUI COUNTY. WE HAVE ALL RANGES OF LOCALS. IT'S NOT ONE SIZE FITS ALL AND SO I'M SUPPORTING THIS BILL TO TRY AND BRING BACK OUR NEIGHBORHOODS, BRING BACK OUR FAMILIES, BRING BACK FAMILIES FOR OUR ELDERLY EMPTY NESTERS WHO DO HAVE A SOLID INCOME OR A BIG RETIREMENT. MAYBE THEY SELL THEIR HOUSE TO AN UP AND COMING FAMILY AND THEN THEY HAVE THAT REVENUE TO BUY A HOUSE, A UNIT THAT THEY DON'T NEED TO CUT GRASS IN THE YARD OR DO THEIR OWN REPAIRS. SO, TO ME IT'S ABOUT BALANCE AND RIGHT SIZING THE TOURISM INDUSTRY, PRIORITIZING OUR PEOPLE OVER PROFIT BECAUSE AS WE SEE HOW SHORT TERM RENTALS HAVE GONE SINCE THE

INTRODUCTION OF THE WORLDWIDE WEB, THE INTRODUCTION OF AIRBNB, TOO MUCH WILL NEVER BE ENOUGH FOR THEM. EVEN WHEN IT WAS TOO MUCH, THERE WAS NO EFFORTS TO LIMIT, SO IF TOO MUCH IS NEVER ENOUGH, THEN JUST ENOUGH SHOULD BE MORE THAN ENOUGH. THANK YOU.\r\n\r\n>> ANYONE ELSE? MEMBER RAWLINS-FERNANDEZ? >> MAHALO, CHAIR. SO, FOR THE RECORD, THE POSTED COMMITTEE REPORT DID NOT STATE THAT THE RECOMMENDATION FROM THE COMMITTEE WAS A 4-4 SPLIT OR EVEN A 5-4 SPLIT, THE COMMITTEE REPORT POSTED ON THE AGENDA, YOUR COMMITTEE VOTED 6-3 TO VOTE FOR IT ON FIRST READING, COMMITTEE CHAIR CHOOSES AND SUGIMURA VOTED NO. THE DIFFERENCE FROM OPPONENT AND IS PROPONENTS OF BILL 9 CRYSTALLIZED THEIR POSITIONS TODAY. SOME PEOPLE SEE MAUI AS A BUSINESS AND SOME PEOPLE SEE MAUI AS OUR HOME. UNLIKE THE GENERATIONAL FAMILY AND IS RESIDENTS THAT HAVE BUILT COMMUNITY HERE, MANY STR OWNERS WE HEARD FROM ARE FREE FROM EXPERIENCING THE CHALLENGE OF WEIGHING THE LOSS OF FAMILY AND FRIENDS BEING PRICED OUT OF A SYSTEM THAT IS DESIGNED TO PRICE THEM OUT.\r\n\r\nAS STATED IN TESTIMONY, THEY HAVE WORKERS, THAT'S A DIFFERENT RELATIONSHIP. AS ONE TESTIFIER, MS. NESZ STATED, JUST BECAUSE SOME PEOPLE HAVE INVESTED IN TOURIST ECONOMY DOES NOT MEAN THIS COMMUNITY IS OBLIGED TO MAINTAIN SUCH AN EXTRACTIVE ECONOMY, I ADDED EXTRACTIVE, SORRY ESPECIALLY WHEN THE NATURE OF THAT ECONOMY IS EXTRACTIVE AND IS CAUSING GENERATIONAL HARM TO OUR FULL POPULATION. UNCHECKED EXTRACTIVE CAPITALISM IS AN ORIS BORIS, A SNAKE THAT WILL EAT ITSELF IF NOT STOPPED, UNCHECKED CAPITALISM IS WHAT CAUSED THE FIRE IN MAUI THAT LED TO THE LOSS OF LIVES AND HOMES. WE HEARD SUGGESTIONS OF DESAL, DESTRUCTION OF OUR ENVIRONMENT FOR A PROFIT FOR THE FEW AT THE STENS OF MANY. DESAL IS NOT THE DIRECTION THAT OUR KUPUNA ADVISED US TO GO, OUR KUPUNA TAUGHT US TO LEVER WITHIN OUR MEANS, IF THE WATER WE CURRENTLY HAVE IS INSUFFICIENT, WE DON'T BUILD DESAL PLANTERS THAT CREATE FAR MORE CONSEQUENCES THAN WE ARE READY TO DEAL WITH AS A SOCIETY RIGHT NOW. THOSE EXTRACTORS THAT SOLD HAVAI AS A BRAND A BRAND OF ALOHA AND HAPPY NATIVES DANCING CREATED AN OVERDEPENDENCE ON TOURISM AND HAS MADE MAUI COUNTY VULNERABLE.\r\n\r\nRESIDENTS ARE SMARTER THAN TO NOT TAKE ON A MORTGAGE THAT IS OVERINFLATED AND HAS TOO HIGH OF AN INTEREST RATE, FOR FOLKS THAT ARE WONDERING WHY AREN'T RESIDENTS BUYING UP THESE FIRE SALE UNITS. THE PRICES THESE UNITS HAVE ONLY STARTED TO CORRECT TO PRE-FIRE LEVELS, NOT EVEN PRE-PANDEMIC LEVELS. EVEN AS WE BUILD MORE HOUSING, THE CONVERSION OF FROM RESIDENTIAL USE TO TOURISM USE COULDN'T COMPETE WITH THE INDUSTRY TAKING OUR HOUSING INVENTORY. TECHNOLOGY CAN AND DOES MAKE THINGS EASIER BUT SOMETIMES EASIER COMES WITH -- NEEDS TO COME WITH NECESSARY PROTECTIONS. ONLINE PLATFORMS MADE IT EASIER TO BOOK AS FOLKS TRAVEL BUT WITH THAT EASE CAME THE APPETITE TO CONSUME AND PROFIT AND I PERSONALLY SAW PROLIFERATION OF ADVERTISEMENTS TO TRAIN PEOPLE ON MAKING PASSIVE INCOME BY CONSUMING OUR HOUSING INVENTORY HERE. HOUSING IS A COMMON GOOD, ONE THAT NEEDS TO BE ACTIVELY PROTECTED LIKE WITH DEED RESTRICTION PROPOSED TO CAP RESALE PRICES, TO MAKE PROPERTIES OWNER OCCUPIED OR LONG TERM RENTAL IN PERPETUITY, AND WHAT BILL 9 DOES WHICH IS RECLAIM THE HOUSING THAT WAS LOST TO THAT CONSUMPTION. I UNA ASHAMEDLY STAND WITH OUR COMMUNITY MEMBERS THAT HAVE TAKEN ON THE KELANA OF PROTECTING OUR AINA AND THE WEALTH OF KNOWING WHO OUR COMMUNITY ARE FOR GENERATIONS.\r\n\r\nMAHALO, CHAIR. >> ANYBODY ELSE? MEMBER SINENCI? >> FOR MY OPPORTUNITY, CHAIR, I WOULD BE UPHOLDING MY VOTE FROM COMMITTEE FOR OTHER REASONS THAT I DID STATE THEN. I WILL ALSO ENTERTAIN A CLEAN BILL AS RECOMMENDED BY OUR LEGAL TEAM TO MAINTAIN BILL 9'S LEGAL STANDING. MY VOTE IN SUPPORT ALSO COMES WITH A COMMITMENT THAT I WILL SUPPORT SOME FORTHCOMING LEGISLATION, COMPANION LEGISLATION THAT WILL CONTINUE SHORT TERM USES IN NEW ZONING AREAS. FROM TODAY'S TESTIMONY, THERE WAS A FEW PEOPLE, I THINK THEY THOUGHT THAT WE WERE BANNING ALL SHORT TERM RENTALS BUT WE'RE JUST BANNING THOSE IN -- OR ADDRESSING THOSE IN APARTMENT ONE AND

APARTMENT TWO ZONES WHICH IS AFTER THE TIG RECOMMENDATIONS WOULD BE ABOUT 13% OF THE TOTAL, WE STILL HAVE OVER 23 THOUSAND SHORT TERM RENTALS ON THE ISLAND, SO WHEN THEY'RE TALKING ABOUT AN ECONOMIC CRASH, I MEAN, WE STILL HAVE THOSE FOR REVENUES AND WITH THE TIG RECOMMENDATIONS, THOSE SHORTFALLS WOULD BE CUT IN HALF SHOULD THOSE COMPANION BILLS COME FORTH.\r\n\r\nBILL 9 PASSES, IT DOESN'T TAKE EFFECT FOR ANOTHER FIVE YEARS. CONDO OWNERS CAN CONTINUE TO RENT THEIR SHORT TERM RENTALS FOR ANOTHER FIVE YEARS. IF THEY DIDN'T MAKE IT ON THE EXHIBIT TWO LIST AS PROPOSED, THERE'S PLENTY OF TIME FOR THEM TO APPLY FOR A ZONING CHANGE SHOULD THEIR PROPERTY MEET THE CERTAIN CRITERIA. CHAIR, BILL 9 IS SOME PEOPLE MAY CALL IT EXTREME BUT WE WANT THE LOOK AT THE CONTEXT OF WHY THIS BILL IS HERE BEFORE US, AN ENTIRE TOWN BURNT DOWN, WE HAVE OVER 700 THOUSAND OF OUR NATIVE POPULATION WHICH IS NOW THE DIASPORA, THE HAWAI'I [INAUDIBLE] THAT LIVES ON THE CONTINENT NOW AND IT WAS ONE OF MY -- WHEN OUR PEOPLE MOVED TO THE CONTINENT, IT'S JUST NOT THE SAME AND FOR ME AS A COUNCILMAN, I WANT TO DO EVERYTHING POSSIBLE TO KEEP THEM HERE ON THE ISLAND ESPECIALLY THEIR KIDS. WHEN HAWAIIAN AND LOCAL PEOPLE SEE THE OCEAN AND THE MOUNTAINS, WE DON'T JUST THINK ABOUT HOW WE CAN MAKE MONEY OFF OF THEM AND PROFIT, WE THINK ABOUT TAKING OUR FAMILIES AND OUR CHILDREN AND GRANDCHILDREN TO THE BEACH AND TO COMMUNE WITH THE NATURE AROUND US. WHEN WE THINK OF A HOUSE OR AN APARTMENT, WE THINK OF RAISING OUR FAMILIES OR TAKING CARE OF OUR KUPUNA AND NOT JUST ABOUT HOW WE CAN BUY AS MANY AS WE CAN IN ORDER TO MAKE MONEY. THESE ARE THE THINGS, WE DON'T HAVE NOWHERE ELSE TO GO, HOWEVER A LOT OF US HAVE ALREADY LEFT, SO THOSE ARE SOME OF THE REASONS, CHAIR, THAT I'M SUPPORTIVE OF BILL 9 TODAY.\r\n\r\nTHANK YOU. >> MEMBER U'U-HODGINS? >> I WILL BE SUPPORTING THIS AS WELL TODAY. I WILL CAUTION THAT I DON'T THINK THIS IS GOING TO BE THE PANACEA, WE CAN WORK ON ALL THE TOOLS NECESSARY TO NIX CRISIS, I WILL WORK HARD WITH THE OTHER COUNCILMEMBERS TO ENSURE THAT THE TIG'S RECOMMENDATION IS IMPLEMENTED SO THAT WE ARE NOT MAKING A DECISION THAT WILL COST US TOO MUCH OF OUR TAX REVENUE. I DON'T DISAGREE WITH MEMBERS SUGIMURA THAT WE WILL MOST LIKELY HAVE TO TIBETAN OUR BELT BUT I DON'T DISAGREE WITH YOU, MEMBER, SINENCI, THIS IS THE ONLY PLACE PEOPLE COME HOME, THERE IS NO GOING BACK. I WANT TO GO HOME AND DECORATE FOR CHRISTMAS, I WANT THAT FOR EVERYBODY, SO I'LL BE SUPPORTING THAT FOR TODAY. THANK YOU.\r\n\r\nAND I'M GOING WORK WITH YOU FOLKS AND MAKE SURE THAT THE TIG REPORT IS DONE AND SO AS I BET YOU ON THE FLOOR THE OTHER DAY, SO WE ALL GOT TO WORK -- >> I HOPE YOU HAVE THE CASH WITH YOU. >> YEAH, MY GOD, I DON'T KNOW HOW MUCH WE BET, IT'S PRIDE AND HUGS, THANKS. >> I'M NOT ONE FOR HUGS. YOU GUYS TAKE CARE OF ALL THE EMOTIONAL STUFF. >> I'M THE ONE THAT PAYS THE BILLS. OKAY. HONESTLY, DON'T TAKE THIS PERSONALLY BECAUSE YOU'RE NOT LEGISLATORS, BUT I'VE BEEN IN THIS BUSINESS OVER 26 YEARS AND HONESTLY THIS IS ONE OF THE WORST BILLS I HAVE EVER SEEN STRUCTURALLY AND THE WAY IT HAS BEEN HANDLED IN A SORT OF BACKWARDS FASHION, IN OTHER WORDS, YOU COME UP WITH A BILL AND THEN YOU RATIONALIZE IT LATER, YOU JUSTIFY IT LATER, AS YOU GO ALONG, AND THIS HAS BEEN THE JOURNEY.\r\n\r\nTO ME, THIS PROCESS HAS CONTRIBUTED TO MAKING THIS COMMUNITY VERY DIVISIVE,, YOU KNOW, WE HAVE A LOT OF PEOPLE THAT ARE ANGRY AND FRUSTRATED AND IT'S REALLY HARD TO BE GOOD AT PROBLEM SOLVING WHEN YOU'RE ANGRY BECAUSE YOU HAVE TO SEPARATE THE PROBLEM FROM YOUR EMOTIONS ABOUT A LOT OF THINGS, YOUR PERSONAL LIFER, WHAT'S HAPPENED IN THE PAST, HISTORY, SO FORTH, YOU HAVE TO FOCUS ON PROBLEM ITSELF. SO, HOPEFULLY WE CAN FIX THIS GOING FORWARD AND WITH MORE COOPERATION AND FAIR MINDEDNESS, I'M HOPING THAT THERE'S SOME WAY WE CAN FIND COMMON GROUND OR SOME KIND OF COMMON PURPOSE SO WE'RE NOT CONSTANTLY FIGHTING BECAUSE THERE ARE GOOD ANSWERS OUT THERE BUT SOMETIMES YOU MISS THOSE ANSWERS WHEN YOU'RE NOT FOCUSING ON THE THING AND YOU'RE FOCUSING ON A PERSON AND SO I'M VERY CONCERNED THAT THE MONEY WE'RE GOING TO LOSE IS HUGE. IT'S NOT A ONE-TIME LOSS, IT'S

EVERY YEAR, SO IF IT'S 60 -- 75-80 MILLION DOLLARS LET'S SAY WITH ALL THE DIFFERENT TAXES, THAT'S PER YEAR, YOU KNOW, IN TEN YEARS OR SO, THAT'S CLOSE TO A BILLION DOLLARS. SO, ALONG WITH ELIMINATING MORE VISITORS, YOU HAVE TO FIGURE OUT HOW DO WE REPLACE THE MONEY THAT THEY USED TO PROVIDE. HOW DO WE DEAL WITH PROGRAMS THAT WE NO LONGER CAN AFFORD AND HOW DO WE DEAL WITH THE JOBS THAT ARE GOING TO BE LOST. THOSE ARE THE THINGS THAT I GENERALLY FOCUS ON AND I'M HOPING THAT SOMEBODY'S GOING TO HELP -- IN FACT, EVERYBODY, IF WE ALL PUT OUR MINDS IN, YOU KNOW, OUR ENERGY TOGETHER, WE CAN FIGURE THIS OUT BUT WE CAN'T DO THIS WHEN WE'RE FIGHTING SO I'M HOPING THE FUTURE HOLDS AS MORE POSITIVE PATH FOR ALL OF US AND I HONESTLY HOPE IT WORKS BECAUSE -- I DON'T KNOW WHY PEOPLE KEEP MENTIONING HOW PEOPLE VOTED BEFORE. I VOTED YES WITH RESERVATIONS BECAUSE I HAD A LOT OF CONCERNS.\r\n\r\nI THINK I MENTIONED TO SEVERAL PEOPLE THAT I WISH WHAT WOULD HAVE HAPPENED IS WE WOULD TAKE THE MONIES FROM THE STR TAXES AND SO FORTH AND DESIGNATE THEM FIRST TO TAKE CARE OF WEST MAUI'S PERMANENT AFFORDABLE HOUSING, BRAND NEW PERMANENT, DECENT DIGNIFIED HOUSE, NOT CRACKER BOX HOUSES THAT WERE BUILT IN THE 60'S, I'M TALKING ABOUT DECENT HOUSING THAT WILL LAST ANOTHER 50-90 YEARS, THAT'S WHAT I'M TALKING ABOUT, THAT'S A SOLUTION. THAT OF COURSE WENT RIGHT IN THE RUBBISH CAN BECAUSE ALONG WITH THAT I WAS ALSO THINKING WE SHOULD PHASE OUT STR'S IN THE PROPER WAY AND I TALKED ABOUT ATTRITION OVER TIME, THAT WOULD GIVE US LOTS OF TIME TO FIGURE OUT HOW TO GET THE REST OF THE MONEY FROM OTHER SOURCES AND HOW TO GENERATE DIFFERENT JOBS, SO THOSE ARE THE THINGS THAT I WAS LOOKING AT BUT APPARENTLY NOT TOO MANY PEOPLE WERE LOOKING IN THAT DIRECTION, SO THIS IS THE WAY THINGS WORK AROUND HERE. WE DON'T ALWAYS GET OUR WAY BUT WE HAVE TO COME BACK TO THE CENTER WHERE EVERYBODY IS AND TRY AND TRY AGAIN, WORK AT COMING UP WITH BETTER SOLUTIONS THAT HELP THE MOST PEOPLE. WE CAN'T EVER HELP EVERYBODY BUT WE CAN TRY AND HELP THE MOST PEOPLE. SO, I WILL BE VOTING NO AND ANYBODY WANT TO HAVE A LAST SAY BEFORE WE CALL FOR A ROLL CALL? ROLL CALL. >> VICE CHAIR SUGIMURA?\r\n\r\n>> NO. >> COUNCIL MEMBER PALTIN? >> AYE. >> OTHERWISE WE CAN SAY YOU VOTED HAWAI'I. >> COUNCIL MEMBER JOHNSON? >> YES. >> COUNCIL MEMBER RAWLINS-FERNANDEZ? >> AYE.\r\n\r\n>> COUNCIL MEMBER COOK? >> NO. >> COUNCIL MEMBER U'U-HODGINS? >> AYE. >> COUNCIL MEMBER SINENCI? >> AYE. >> AND COUNCIL CHAIR LEE?\r\n\r\n>> NO. >> CHAIR, YOU HAVE 5 AYES, 3 NO'S, MOTION CARRIES. >> OKAY, THERE YOU HAVE IT. SO, THIS ADVANCES AND WE'RE HOPING, MADAM CLERK? >> WE WILL HAVE SECOND READING ON DECEMBER 15TH TO GIVE US AN OPPORTUNITY TO PUBLISH AND THAT'S THANKS TO MEMBER SINENCI WHO HAS CANCELLED HIS MEETING DATE WITH US SO WE CAN MEET OUR PUBLICATION DEADLINE AND IS RECONVENE AT THAT TIME. >> SO, EVERYBODY, PLEASE KEEP IN MIND, TRY NOT TO TRAVEL ON THAT DAY, SO WE CAN FINISH THIS UP AND GET GOING, ALRIGHT. ANY LAST ITEMS TO DISCUSS, MADAM CLERK?\r\n\r\n>> NO. WE HAVE NOTHING FURTHER, CHAIR. >> OKAY.