

HOUSING AND LAND USE COMMITTEE

Council of the County of Maui

MINUTES

August 6, 2025

Online Only via Teams

RECONVENE: 9:02 a.m.

PRESENT: Councilmember Tasha Kama, Chair
Councilmember Tom Cook, Member
Councilmember Gabe Johnson, Member
Councilmember Alice L. Lee, Member (Out 10:37 a.m.)
Councilmember Tamara Paltin, Member (In 9:07 a.m.)
Councilmember Shane M. Sinenci, Member
Councilmember Yuki Lei K. Sugimura, Member

EXCUSED: Councilmember Nohelani U‘u-Hodgins, Vice-Chair
Councilmember Keani N.W. Rawlins-Fernandez, Member

STAFF: James Krueger, Senior Legislative Analyst
Ellen McKinley, Legislative Analyst
Carla Nakata, Legislative Attorney
Jennifer Yamashita, Committee Secretary

Residency Area Office (RAO):

Zhantell Lindo, Council Aide, Moloka‘i Residency Area Office
Roxanne Morita, Council Aide, Lāna‘i Residency Area Office
Mavis Oliveira, Council Aide, East Maui Residency Area Office
Bill Snipes, Council Aide, South Maui Residency Area Office
Clyde “Buddy” Almeida, Council Aide, Makawao-Ha‘ikū-Pā‘ia Residency Area Office

ADMIN.: Chris Nāhulu Nunokawa, Deputy Corporation Counsel, Department of Corporation Counsel
Saumalu Mataafa, Deputy Director, Department of Housing
Kaponō‘ai Molitau, Director, Department of ‘Ōiwi Resources (on-call)
Kekai Robinson, Deputy Director, Department of ‘Ōiwi Resources (on-call)
Ana Lillis, Deputy Director, Department of Planning
Jacky Takakura, Planning Program Administrator, Department of Planning
Laury Sanger, Planner, Department of Planning
Kurt Wollenhaupt, Planner VI, Department of Planning
Jordan Molina, Director, Department of Public Works
Diane Yogi, Deputy Director, Department of Transportation (on-call)

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OTHERS: *Resource Personnel*
Karen Seddon, Regional Vice President, EAH Housing
Questor Lau, Senior Project Manager, EAH Housing
Tom Schnell, Vice President, PBR Hawai'i & Associates, Inc.
Bradley Furuya, Associate, PBR Hawai'i & Associates, Inc.
Randy Chu, Development Section Chief, Hawai'i Housing Finance & Development Corporation
Si Kim, Architects Hawai'i

Others (60)

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

CHAIR KAMA: . . .*(gavel)*. . . The recessed meeting of August 4th, 2025, will now reconvene. It is now 9:03 a.m. And today is August 5th...no 6th, sorry, so yesterday was August 5th. Okay. I'm not happy with my voice today, but I'm not singing for you, so you all can be happy about that. So, this morning, the Housing and Land Use Committee meeting will now come to order. I'm Tasha Kama, Chair of the HLU Committee. And yesterday we recessed our meeting, and our resources are all here, they've all been vetted, they've all been okie-dokied [*sic*]. And so, we're going to continue today with our discussion that we had yesterday. Okay. So, what else do I have to say, James? I forgot.

MR. KRUEGER: I think that's everything, Chair.

CHAIR KAMA: Okay.

MR. KRUEGER: Maybe you could just introduce...

CHAIR KAMA: I'll take roll.

MR. KRUEGER: Yeah.

CHAIR KAMA: Yeah. Okay. So, we're going to do roll call now, and we're going to start with Chair Lee. Do we have a new greeting this morning?

COUNCILMEMBER LEE: No, it's the same one, same one since we're reconvening, mālō e lelei. And I'm home alone in my workspace, looking forward to your meeting. Thank you, Chair.

CHAIR KAMA: Thank you. And we're going to continue with our Council Vice-Chair, good morning, mālō e lelei.

COUNCILMEMBER SUGIMURA: Good morning, everybody. I'm glad that we're continuing this meeting expeditiously, I look forward to a productive meeting. Thank you.

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CHAIR KAMA: Thank you. And we're going to continue on with Member Paltin. Is she going to be here today, did she say? I wasn't sure. But when she comes, we'll go ahead and acknowledge her once more. And we're going to say aloha kakahiaka and mālo e lelei to Councilmember Gabe Johnson.

COUNCILMEMBER JOHNSON: Mālo e lelei, Chair, Councilmembers, community members. I'm alone in my side of my workspace, and I'm here and ready to work. Mahalo, Chair.

CHAIR KAMA: Thank you. And we're going to say aloha kakahiaka and mālo e lelei to Councilmember Tom Cook.

COUNCILMEMBER COOK: Aloha kakahiaka, mālo e lelei, good morning. And looking forward to today's meeting, Chair. Thank you.

CHAIR KAMA: Thank you. We're going to say aloha kakahiaka and mālo e lelei to Councilmember Shane Sinenci.

COUNCILMEMBER SINENCI: Hey. Aloha kakahiaka, Chair, and mālo e lelei.

CHAIR KAMA: Thank you. And so, I'm going to excuse for now Member Nohe U'u-Hodgins, Councilmember Tamara Paltin, and Councilmember Keani Rawlins-Fernandez.

**HOUSING PROJECTS UNDER CHAPTER 201H, HAWAII REVISIED
STATUTES: KAIAHALE 'O KAHILUHILU AFFORDABLE HOUSING
PROJECT (HLU-1(1))**

CHAIR KAMA: So, we're going to continue on. So, we...we left off yesterday with looking at the responses from our proponent, and we're looking at what we...the item in Granicus 17, which is the exhibits. So, did we all get a copy of that, or did you copy it out, or are you just looking at it from where you're at? I want to make sure we're all on the same page because we're going to use that exhibit to follow today as our working document.

COUNCILMEMBER COOK: Chair?

CHAIR KAMA: Did you change it somehow, Mr. Schnell?

MR. SCHNELL: I'm sorry, Chair, could you refer to the document again?

CHAIR KAMA: Oh, okay. This is what you had sent back to us in your exemptions.

MR. SCHNELL: Oh, right, the redline --

CHAIR KAMA: The Exhibit A.

MR. SCHNELL: -- of the exemptions. Yeah.

CHAIR KAMA: It's Exhibit A.

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MR. SCHNELL: I understand.

CHAIR KAMA: And it's the redlined items.

COUNCILMEMBER COOK: Is that on Granicus?

CHAIR KAMA: That's Granicus number 17.

COUNCILMEMBER COOK: Thank you, Chair.

MR. SCHNELL: We haven't changed it since I transmitted it.

CHAIR KAMA: None?

MR. SCHNELL: Yeah.

CHAIR KAMA: Okay. So, that's the document we're going to be working off of today. So, yesterday, we took...I think we took care of number 1, correct, peoples [sic]?

COUNCILMEMBER SUGIMURA: And real property.

CHAIR KAMA: And we didn't do anything, but we just said we're...we're okay with it, right? Let me see, Chair Lee and...and Mr. Johnson are both online. Okay. And so, I think the one that I want to take on next is from...oh, and I'm going to wait for Member Paltin to get situated. So, while she's on her way down, we're looking at the Exhibit A from Mr. Schnell's response to us, which is in item 17 in Granicus. So, while you're waiting to set up, Ms. Paltin. In the meantime, I wanted to go back and revisit the exemption A, item C, Title 12, Maui County Code, streets, sidewalks, and public places. Because I think that's going to take us a while. And then what I'd like to do, Members, is hopefully we take care of all of our exemptions today, and if there are no other business, that we could either pass this or not pass this or modify this in some way by the end of noon today, if that works with everybody. If not, we'll have to probably for another recess date. Okay. So, is Member...Director Molina on the line, James?

MR. KRUEGER: Yes, Chair.

CHAIR KAMA: Okay. So, while we all had a great night's sleep, Mr. Schnell and Public Works, did we come up with any miraculous ideas or solutions for number C1, 2...2 and 2 [sic]?

MR. SCHNELL: I heard the Director of the Maui Department of Transportation talk about the bus hub and the exits and entrances, pathways. And I don't want to mischaracterize what he stated, but I believe the driveway we're talking about that would be close to the driveway of the project, the fire access driveway, the bus hub driveway is the entrance and the exit from the other side. So, if the Maui Department of Transportation Director is here or present, I don't want to mischaracterize what he said, but I believe he said they could work something out.

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CHAIR KAMA: I don't...is DOT here? I don't think so, right?

MR. KRUEGER: Apologies, Chair. We don't see a representative from the Maui Department of Transportation online, but we can reach out.

CHAIR KAMA: Okay. But I understood him to say that the entrance is...to the bus hub is closer to the Kaahumanu Shopping Center side, and the exit to the bus hub is on the Kahului Shopping Center side. So, if you...if you know what we're talking about, that you've got the two malls in between the bus hub, and you're entering from one end and then you exit from the opposite end. And that's what...I know you're not mischaracterizing, but that's what I heard him say yesterday. And so, it's clear to all of us, I think. So, you can continue and proceed.

MR. SCHNELL: No, that...that's...we haven't talked to the Director since the hearing yesterday. And yeah, we're at the same spot, I think. Yeah.

CHAIR KAMA: I'm sorry, what was that, Mr. Schnell?

MR. SCHNELL: We have not talked to the Director of the Maui Department of Transportation since yesterday. So, we're leaving off at the same spot we were yesterday.

CHAIR KAMA: Okay. So...so, you're not...you...you haven't moved from what you decided in this document. You're going to keep your entry at the same place.

MR. SCHNELL: Well, that's the most...I mean, there is virtually no other place to be able to put a driveway that would serve as a fire access driveway. And if the State, you know, needs to convert that into a driveway for their civic center building in the future, whenever that may be, if we move the driveway, they would have no building area. If...you know, there would be no usable building area for their building.

CHAIR KAMA: Member Paltin?

COUNCILMEMBER PALTIN: Just...with all due respect, the need right now is housing, safe housing. I don't hear anybody calling out for office space, you know. So, if they need to move the driveway so the housing can be safe, I'm okay with that. I don't know that this project make or break on the office space, you know?

MR. SCHNELL: No. The...the 201H, this project for affordable housing is solely for the affordable housing portion. If, in the future, that the...the State wants to come in for their office building, they're not requesting any 201H exemptions. They're not part of this application.

COUNCILMEMBER PALTIN: And...and I mean, not that I like it, but if the zoning for this is, what did you say, 90 feet?--maybe you can have the parking structure underneath the office building or something like that, and make it a little bit taller if...if they're committed to the office building in this space. But, you know, one of the low-income projects in Lāhainā, Kaiāulu o Kūku'ia, they've put dividers so people don't make a left turn. It's a right in, right out. Every day when I drive back into Lāhainā, people are

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waiting in the middle, the median, and traffic coming into Lāhainā, and they're still making left-hand turns. So, I'm not characterizing a group of people, but I think entry and exit into low- to moderate-income...or low-income projects needs to be as safe as possible, you know...because not everyone follows the traffic laws. And if a County bus and a person collide, or people collide in an automobile, that's the worst thing that could happen to us as the County. The liability is there, and we're getting signals from Public Works that they don't feel it's safe. So, I mean, safety, sidewalks, entry, exit, that's paramount. The office building space, if they got to redesign it, if they got to do it somewhere else, that's not our priority. Safety of our residents is our priority. And we're looking at an area that already has a large number of senior housing, a large number of like other housing coming up, and it's in the tsunami inundation zone. And we've seen already in the last week how unprepared we are for tsunami evacuation, how unprepared we are for even fire evacuation in a resort area. So, I mean, with these things staring at us in the face, just in the last two weeks, we got to make sure that the entry and exit is as safe as possible. And if...if the deal breaker is the office building, we're not in a critical need of office space. I don't know where they're getting the money to build the office building, but maybe they should look into rental. Maybe they can buy One Main Plaza. I'm not sure, but . . . *(timer sounds)*. . . office...the office space--and I don't know why they call it a civic--should not compromise the safety of our residents.

CHAIR KAMA: Member Sinenci?

COUNCILMEMBER SINENCI: Mahalo, Chair. And my apologies, just for clarification. So, for Member Paltin, you're speaking to the civic center that is across the project area?

COUNCILMEMBER PALTIN: If you look at the...the document.

COUNCILMEMBER SINENCI: Yes.

COUNCILMEMBER PALTIN: On page GO.4 *(phonetic)*, the five-level civic center building, they clarified yesterday, was meant to be an office building. And then the civic center parking structure is office parking.

COUNCILMEMBER SINENCI: Is office parking.

COUNCILMEMBER PALTIN: It's not a civic center in like Lāhainā Civic Center.

COUNCILMEMBER SINENCI: And we're talking about the...the access entry onto Kane Street?

CHAIR KAMA: No. No, the entrance, right, Mr. Schnell?

COUNCILMEMBER SINENCI: Access.

MR. SCHNELL: We're discussing the fire access lane for the affordable housing that would exit on Vevau Street.

COUNCILMEMBER SINENCI: Oh, got it. Okay. I mean, this is...for me, when I looked at this, Chair, it's such a great plan, and it took a lot of creative minds to create it, to come up

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with this plan. And so, while we're still in the conceptual stages--I mean, we're not into the conceptual, we're ready to break ground--I mean, if...if we're able to just make those minor changes that could help, I mean, this would be the time prior to breaking ground, if it needs to be a couple parking...parking positions moved to create another access. I mean, I'm sure, looking at this plan, we can come up with some...hopefully some easier...while we're here, before we start laying concrete and...and metal, if we can make those changes now. I'm open to that, Chair. Thank you.

CHAIR KAMA: Would you like to respond to Mr. Sinenci, Mr. Schnell?

MR. SCHNELL: No, I didn't know that was a question. I thank you for your...your thoughts on that, yeah.

COUNCILMEMBER SINENCI: Yeah, thank you.

CHAIR KAMA: Okay. Thank you. Any...anyone else? Yes, Member Sugimura?

COUNCILMEMBER SUGIMURA: So, this...maybe HHFDC would be able to clarify, but I thought that this housing project is all part of the...the greater plans for what HHFDC and the State is trying to do, provide housing. When this was talked about in bigger terms, not...not this meeting, that housing and the office and this whole structure that is being piecemealed now is all part of a master plan for the State for...to have offices. And I think somehow in my memory--and I could be wrong, I don't know, maybe Carla might remember--but that whole across the street, the post office, that exchange of land with the post office came with us getting the bus hub property in Kahului. And then the State was planning on building, maybe across the street, something else for judiciary, but the old...old post office. And that this property that we're talking about, the housing was part of this bigger plan that the State had, of which--not on the agenda--which is the...the civic complex --

CHAIR KAMA: The complex.

COUNCILMEMBER SUGIMURA: -- right?

CHAIR KAMA: Yeah.

COUNCILMEMBER SUGIMURA: So, it's almost like we can't...we can approve what we have before us--because we need to do this by September 11th, 45 days--but the other things that may be obstructions is really not on the agenda, but yet part of it. That's the problem.

CHAIR KAMA: That's part of the problem.

COUNCILMEMBER SUGIMURA: That's the problem. So, I look for, you know, guidance as to how do we handle this, Corp. Counsel, because we don't want to stop this project from happening because yes, we all want housing. But if objections are coming, like a good one that we left with and we're going to have to revisit is this Complete Streets thing,

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which is all part of this, but yet, we should find out maybe from the developers if they have included portions of it because it's safer.

MR. MOLINA: Chair?

CHAIR KAMA: Yes, Mr. Molina?

MR. MOLINA: Jordan with Public Works.

CHAIR KAMA: Yes.

MR. MOLINA: Thank you. I appreciate the opportunity. I want to chime in a little to help kind of --

CHAIR KAMA: Yes.

MR. MOLINA: -- set some context. So, for...at least Public Works, you know, they came in and...well, they have a traffic assessment from 2021 that was part of their EA that was published in '22. And that contemplated the entirety of the site development. Part of the confusion here is, they're parceling out the work on the site because one-half is HHFDC and one side is DAGS, and they're not exactly in alignment. And so, this is where we're getting this conflict with these proposed improvements. And so, like the traffic study from '21 doesn't address this concern about the proximity of the driveways in any manner. So, this is a new issue. It also talks of...I mean, also the representation that--which might be correct--that the housing project doesn't intend to use it for full access, but the whole site development intends to be using it for full access. And so, that's creating some confusion about . . .*(timer sounds)*. . . what it is that we're looking at here today. And so, I just wanted to provide that context because it is piecemealed, and it is, you know, to some extent inconsistent with what was represented early on. And then speaking particularly to the Complete Streets, you know, they had a different consultant doing the EA work. There was more outreach and coordination with Public Works on what those County street improvements were. This project team was not a part of that. So, I'm not...so when they say they don't have knowledge of the Complete Streets, it's because they don't, but it's because, again, it's being piecemealed, and you don't have to have that continuity, which is problematic because it's one site. It's not two separate parcels that can be done independently. It's one site, you know, all the onsite infrastructure supports both, but we have this piecemeal proposal before us today. Thank you, Chair.

CHAIR KAMA: Thank you, Mr. Molina.

COUNCILMEMBER SUGIMURA: Randy's hand is up from HHFDC.

CHAIR KAMA: Yeah, Mr. Chu has his hand up. So, we're going to call on you, Mr. Chu.
(pause) Mr. Chu?

COUNCILMEMBER LEE: He's muted.

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UNIDENTIFIED SPEAKER: Can he hear us? *(pause)*

CHAIR KAMA: Can you hear us, Mr. Chu?

COUNCILMEMBER LEE: He has to unmute.

COUNCILMEMBER SUGIMURA: He's like frozen.

CHAIR KAMA: Oh. Mr. Chu --

COUNCILMEMBER PALTIN: He's not frozen on mine.

CHAIR KAMA: -- can you...yeah, he's not frozen. Can you unmute your microphone?

COUNCILMEMBER SUGIMURA: Oh, he's not frozen.

COUNCILMEMBER PALTIN: Maybe he's raising his hand because he can't hear.

CHAIR KAMA: Can you hear us, Mr. Chu? It doesn't look like it.

COUNCILMEMBER PALTIN: It's okay. He's not a Member.

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

MR. CHU: Thank you. Good morning, Chair Kama --

CHAIR KAMA: Yes.

MR. CHU: -- Members of the --

CHAIR KAMA: Thank you.

MR. CHU: -- Council. I'd like to say that Councilmember Sugimura was correct that this project was based as a . . .*(audio delay feedback)*. . . Oh, I'm muted?

COUNCILMEMBER SUGIMURA: You're fine.

UNIDENTIFIED SPEAKER: No, you're fine.

MR. CHU: Can...can you hear me now?

COUNCILMEMBER SUGIMURA: Yes.

CHAIR KAMA: We can hear you now. Go ahead.

MR. CHU: Yes. Can...can you hear me?

CHAIR KAMA: Yes --

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COUNCILMEMBER SUGIMURA: Yes.

CHAIR KAMA: -- we can hear you.

. . .(audio delay feedback). . .

MR. CHU: Okay. . . (audio delay feedback). . . Can you hear me now?

COUNCILMEMBER SUGIMURA: Yes.

CHAIR KAMA: Yes, we can hear you now.

MR. CHU: Okay. Great. The concept for the Kahului . . . (audio delay feedback). . . Yes, I can hear you. (pause) Yes. The concept of the Kahului Civic Center . . . (audio delay feedback). . .

COUNCILMEMBER LEE: Who's talking to you? Don't listen to that person.

COUNCILMEMBER JOHNSON: There's a lot of delay. He's getting lagged.

COUNCILMEMBER LEE: Somebody's talking to him.

MR. CHU: Okay. It's...okay. . . (audio delay feedback). . . Okay. Okay. Okay. Thank you. While this project was always meant to be a mixed-use project, where there would be a...a residential component and a civic center component... . . . (audio delay feedback). . .

CHAIR KAMA: You know what? I'm not sure what's going on, but...

COUNCILMEMBER SUGIMURA: He can hear you delayed.

CHAIR KAMA: Yeah. Mister...Mr. Chu, you're hearing me in delay, so let's take a recess, shall we?

COUNCILMEMBER SUGIMURA: Okay.

CHAIR KAMA: We're going to take a recess, Mr. Chu, and figure out what's going on. So, we're going to be in recess until 9:30. HLU is now in recess. . . (gavel). . .

RECESS: 9:25 a.m.

RECONVENE: 9:35 a.m.

CHAIR KAMA: . . . (gavel). . . The recessed meeting of the HLU committee of...on April...I mean, August 6th is now reconvened. It is now 9:35 a.m. And we left off with...let me see.

COUNCILMEMBER SUGIMURA: Randy.

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CHAIR KAMA: Yes, Mr. Chu. We can't hear you, Mr. Chu. *(pause)*

MR. KRUEGER: Apologies, Randy. We can't hear you. On...on your phone, you can press star-6, and that should unmute yourself.

CHAIR KAMA: Mr. Chu, we cannot hear you. Star-6.

COUNCILMEMBER PALTIN: Chair?

MR. CHU: Chair Kama --

CHAIR KAMA: Okay.

MR. CHU: -- Committee Members --

CHAIR KAMA: Good. Yes.

MR. CHU: -- please accept my apologies for the technical difficulties here. Something just kind of went haywire on our side, but I think we got it fixed.

CHAIR KAMA: Thank you.

MR. CHU: I would like to restate what I had said earlier.

CHAIR KAMA: Yeah.

MR. CHU: Councilmember Sugimura is correct, that this project was originally intended to be a mixed-use project, where there would be a residential component and a civic center component. This is quite a complicated exchange project, whereas the land for this project is owned by HHFDC, and we permitted the...the transit hub to be located on the property in exchange that the post office site in Wailuku was to, in the future, get permitted to have the State building office tower there also. The civic center component is office spaces, but it was considering the adult education school, as well as they were considering moving the library there at one point in time. So, it is...it's a master-planned project, being the residential is one component, and the civic center a second component, and the third component also is the transit center. So, it was planned in that fashion. The action for you today is regarding the residential component. They are moving along quite rapidly on this because we wanted to get the housing built as soon as we could. DAGS, on the other hand, needs to get funding for their project, so they're...timing-wise, they are behind the residential component. And I think the issue about the driveway is that, yes, the residential component needs it for fire access. The DAGS component needs it for access for their parking structure for their facility. So, I think it's a kind of a timing thing right now, but again, the action before you is for the residential component. And we may suggest that--you know, the details for the driveway has not been fully worked out yet because DAGS hasn't solidified their plans--we ask that we get permission to keep working on it, to have the engineers and architects

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resolve whatever concerns they have, so we can come up with a plan that is agreeable by everyone. Thank you.

CHAIR KAMA: Member Sugimura?

COUNCILMEMBER SUGIMURA: Thank you very much, Mr. Chu, for providing that. And you are correct, before us today is this housing project. So, because DAGS and the State still has to finish off their project--thanks for allowing us to build the bus hub, which is basically done--and today we have the housing project. And we heard from Department of Public Works the concern about Complete Street safety and, you know, that's a whole 'nother discussion. But to do the project today, can we approve it based upon the information that we have, and ask the State, when they do their final plans for the DAGS portion, that they include this--whatever...whatever is needed for public safety--as part of their negotiation with the Legislature when the appropriate time comes? The concern...another concern, which is like another part of today's discussion, and separate, is what Department of Public Works is saying about Complete Streets. So, I don't know if that also is tied into what DAGS is...DAGS is doing, or, you know, this project is...is separate. But could...so your quest...a question to you, Mr. Chu, is, can portions of what we're asking be completed whenever DAGS is, and not interfere with this project? Because I think this project is very important. It's getting cloudy by these requirements.

MR. CHU: Yes, absolutely. Absolutely. When the details are...for the DAGS project is more formalized, they can identify the exact location for the driveway, and in consultation with both the Department of Transportation and DPW. So, you know, everyone's comments is considered.

COUNCILMEMBER SUGIMURA: And DAGS can pay for it...or the State can pay for it? Because it's going to delay us...delay this project from happening.

MR. CHU: Correct, correct.

COUNCILMEMBER SUGIMURA: Okay.

MR. CHU: The...the driveway would be on the DAGS' portion of the property.

COUNCILMEMBER SUGIMURA: Okay. So, that's one thing solved. And then the Complete Streets portion, Mr. Chu, do you have a thought on that? The discussion that came up yesterday afternoon with Public Works. Or is it separate?

MR. CHU: Well, I believe that the...I believe that the Complete Streets component needs to be determined...or determine what are the requirements for that. If...if...if DPW and EAH can work together to come up with what is required, then possibly it can be incorporated in as part of the design.

COUNCILMEMBER SUGIMURA: Today?

MR. CHU: Yes. Yes.

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COUNCILMEMBER SUGIMURA: Okay. . . .(timer sounds). . . They're separate then. Thank you.

CHAIR KAMA: Mr. Johnson?

COUNCILMEMBER JOHNSON: Thank you, Chair. Just to let you know, there are...Chair Lee had her hand up, as well as Councilmember Paltin.

CHAIR KAMA: Oh, okay. Thank you.

COUNCILMEMBER JOHNSON: But, you know, I'd like to speak to Director Molina on --

CHAIR KAMA: Yes.

COUNCILMEMBER JOHNSON: -- a suggestion I would have is, what if the Council removed the exemptions of C1, 2, and 3, and allow the departments to work with them to find that...that middle ground, and just...not just exempt everything? Because I think there is work...Director, what do you think if we remove the exemptions of C1, 2, and 3, and you guys go into talks with them to sort out all the things that they're concerned about...and the...the schedule of it all, the budget scheduling and everything? Director Molina?

MR. MOLINA: Thank you, Chair. Thank you, Member Johnson. I guess a couple of things to set the stage for where these comments come from. You know, they...this...this is one project, and the State is choosing to parcel out its development. But the problem is, they're relying on a single system of on-site improvements, but are trying to parcel out that. And they're not laying out the site. So, like the bus hub is laid out in a way...it's independent from the rest of the site. The State's not doing that here. They're trying to comingle--which I get it, right, cost savings and all that--but they're not basically dealing...they're not improving the site to be ready for vertical, and they're trying to get the Council to let them bypass that. And so, that's the concern here. To us, it's one project. And they're trying to get out of...which I get, again, the cost of housing, and all that. My concern would be, we don't know if the DAGS project is going to come through or not. And so, pushing it onto DAGS may result in never getting these improvements. Going through the housing, and as you mentioned, us being an investor, I think, gives us a better opportunity to ensure these improvements go in. Now, as far as my experience in affordable housing projects, what becomes critical for the financing is allowing...is getting people into units within those scheduling deadlines, which can be complicated by off-site improvements. And that is where I think we can work with them to allow those schedules to not be in conflict so they can preserve the financing they need for the vertical aspects while ensuring we get the off-site improvements that benefit --

COUNCILMEMBER JOHNSON: Yeah.

MR. MOLINA: -- the project. Thank you.

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COUNCILMEMBER JOHNSON: So, you...just to clarify, you would recommend removing the exemptions of C1, 2, and 3?

MR. MOLINA: Correct, yeah. So, that's in my comments, that they should provide those, and allow us, the Department, the discretion to work with them on the requirements and timing of delivering those improvements . . .*(timer sounds)*. . . to not compromise, you know, the financing for the project. Thank you.

COUNCILMEMBER JOHNSON: That...that's really the goal. We don't want to, you know, hurt the project, and make it not...cancel out, and make them miss deadlines, but we do want to have sidewalks for our community, shaded trees...all the things that were mentioned. It doesn't mean we don't...you know, you guys are forced to do it, it means that let's work together with Director Molina and his Department so that every...everyone's needs are met. You know, we...there should be some coming together on this. So, I heard my time. And Chair, that would be my recommendations is --

CHAIR KAMA: Okay.

COUNCILMEMBER JOHNSON: -- remove the exemption of C1, 2, and 3. Thank you, Chair.

CHAIR KAMA: Okay. I want to ask you a question, Mr. Johnson. You know, even if we delete that, we should say something about the developer working with the Department, and allowing the Department, I guess, to...to maybe take lead on how this should work and how it should look so that we do come out with --

COUNCILMEMBER JOHNSON: Right.

CHAIR KAMA: -- complete and safe streets.

COUNCILMEMBER JOHNSON: I'm not sure it would be in an exemption, but maybe...Director, how would...is there a place you would want it to say that? Or, you know, we want to make sure that, you know, it's known, it's stated, it's something we will do. You guys will work with them.

MR. MOLINA: Right.

COUNCILMEMBER JOHNSON: The intent...yeah. Thank you.

MR. MOLINA: Yeah, so I mean, the...the exemption would be from the 16.25 requirement for those improvements that are triggered with their...with their building, and basically to allow the Department to, you know, deviate from standards, you know, as we determine, to accommodate the project. And so, that would be kind of the extent of the exemption is, maintain the requirements, allow us to modify those standards as needed to facilitate the project. And I...I guess...maybe I would also offer--because, you know, the...the representation is, we're going to try to help fund this. That is not set in stone at this point. And so, perhaps allowing an out for the project, you know, should that funding not materialize, that they're going to be able to continue to proceed with...with the

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housing work without being caught in, you know, a technicality on the...on the County side. Thank you.

COUNCILMEMBER JOHNSON: Yeah. There's language in there somewhere in what you just stated, maintain requirements with amendments. I don't know. We'll let the lawyers speak on it, but I think that would be something that you said, Director Molina, that kind of makes sense, that maintain with amendments. Is that the...that's your words. Does that...that would suffice?

MR. MOLINA: Yeah, correct. I mean that's the gist of it. I can work with Staff to iron out the specific --

UNIDENTIFIED SPEAKER: Okay.

MR. MOLINA: -- wording of that if...if the concept is agreed to. Thank you.

CHAIR KAMA: Oh, thank you.

MS. NAKATA: Excuse me, Chair.

COUNCILMEMBER JOHNSON: Thank you. I see other hands up, and I'll...I'll back up.

CHAIR KAMA: Carla?

MS. NAKATA: Staff would just note that for C1, the exemption from the driveway permanent inspection fees, I believe Public Works had no objection to that. I think that's already provided under the Code for this project.

CHAIR KAMA: So, we'll keep 2...we'll keep 1 and delete 2.

MS. NAKATA: And I believe we're also constrained by Act 294 for reducing fee waivers. So, I believe at minimum, that we...we would not want to remove that particular exemption.

CHAIR KAMA: You don't want to remove that exemption.

COUNCILMEMBER LEE: Yeah.

CHAIR KAMA: Okay. I think Member Lee, and then Member --

COUNCILMEMBER LEE: Me?

CHAIR KAMA: -- Paltin.

COUNCILMEMBER LEE: Thank you, Chair. Okay. So, I'm wondering why we have to consider the...the future development with regard to the office building. I think we should focus only on the housing --

CHAIR KAMA: Um-hum.

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COUNCILMEMBER LEE: -- and not worry about...that's their problem in the future. It's their problem. And that's...and secondly, secondly, any requirements that are deemed necessary and appropriate to that next phase can be handled by Public Works because they don't get automatic exemptions for that portion of the project. So, if we just concentrate on the housing project, and what...what the...what our recommendations are--because we can't make changes, apparently--that's...I think that's what we should do, and not try and accommodate, and try and anticipate things that would benefit the next phase of their project...which, by the way, could be 30 years from now. Thank you.

CHAIR KAMA: Thank you, Chair. Member Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Member Lee. I think I'm in agreement. And in that case, the Fire Department access through...should be moved to be in compliance with Public Works, what they said, and Department of Transportation concerns for it being too close to the bus hub. And I...I feel like that can be accomplished if, whenever they do their civic center, they make the same kind of design, where it's six stories, with the bottom story being parking, and they can have their entrance more over. So, my question would be for Director Molina. If you had a problem at the entrance of Vevau Street to the permanent secondary Fire Department access through the civic center, how far does it need to be from the transit center towards Kane Street? Because we're not discussing the civic center, right? And so, if the problem is it's too close to the existing Kahului Transit Center, just move it over, and they can accommodate it whenever they decide to build it, like Chair Lee said.

MR. MOLINA: Yeah. And I...you know, I guess to...to clarify, it's not necessarily that it must move, but it hasn't been evaluated. And so, that's our concern. Like given the dynamics of how the traffic moves through that area, it could be acceptable as proposed. But because we're getting this piecemeal proposal of, okay, it's going to behave one way and then it's going to behave another way, that's where we have kind of lack of clarity on being able to make a determination on what is appropriate. And we don't have the traffic evaluation in hand to support that at this point. And so, it's more of a question of we need to vet this a bit more to alleviate concerns that it must be moved. Just to clarify. Thank you.

COUNCILMEMBER PALTIN: So, if we don't have the study, then where would you put it without a study? Like...

MR. MOLINA: We would be asking the project to provide that information in their proposal to us to review and comment.

COUNCILMEMBER PALTIN: For the project team, when is the permanent secondary Fire Department access going to be constructed?

MR. LAU: We understand the Fire Department requires it before occupancy. So, it's part of the construction of the...the project.

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COUNCILMEMBER PALTIN: And so, there's no plans and no studies on traffic flow there, except for the one from 2021?

MR. MOLINA: Yeah. Member Paltin, they did provide a memo update saying basically they don't have to change anything from the '21 study. But again, that...there was...that '21 study was absent in evaluation of this intersection conflict. . . .(timer sounds) . . .

COUNCILMEMBER PALTIN: The conflict between the transit center and the fire access, as well as the civic center access?

MR. MOLINA: Correct. Correct. And there's other inconsistencies with what that '21 study said and what the project is currently proposing. And so, that's...you know, we need to have a detailed conversation with them, which hasn't happened. And that's our concern for these blanket exemptions. Because neither side really has awareness of what we're asking to exempt. We're just exempting concept of requirements.

COUNCILMEMBER PALTIN: So, then the question, Director Molina, is when the future office buildings get built, they don't have a right to ask for those exemptions. They don't have a right to ask for unsafe conditions. So, could it be --

MR. MOLINA: Correct.

COUNCILMEMBER PALTIN: -- addressed at that time?

MR. MOLINA: It could. I guess the...just the awareness that I want Council to have is, the bulk of the impact and the need is going to be from the housing project. And so, these facilities more particularly support the housing. And like Chair Lee said, it could be 30 years, could be never. And so, it's...you know, it's not guaranteed that we can rely on the DAGS project to provide these facilities for the residents.

COUNCILMEMBER PALTIN: What is the civic center parking and site going to look like during housing construction, just gravel?

MR. LAU: We would use it as a staging yard during...during the construction. And then afterwards, we are to maintain it. So, you know, if it's...if...to prevent erosion, that kind of thing.

COUNCILMEMBER PALTIN: Just gravel and cut any weeds kind of thing?

MR. LAU: Pretty much.

COUNCILMEMBER PALTIN: So, I mean, people may end up parking there. You may have to...

MR. LAU: We wouldn't...we wouldn't want it to be used for that purpose because it's housing next door, and if it becomes an attractive nuisance, or it...it...it attracts other things that aren't desirable or compatible with the...the housing...I mean, we want to maintain it as a...you know.

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

MR. LAU: Yeah. Right.

COUNCILMEMBER PALTIN: So, you're going to have security then?

MR. LAU: Not...not security per se, but we do have a...the property...the resident manager. So, we have eyes on the site to...to keep it safe for our residents.

COUNCILMEMBER PALTIN: Good luck with that. Thank you.

CHAIR KAMA: . . .(laughing). . . Yes, Member Sinenci?

COUNCILMEMBER SINENCI: Thank you, Chair. For the project team, there was discussion about the proclamation about access of...onto Kaahumanu Avenue. Can you speak to that, the proclamation?

MR. SCHNELL: Councilmember, I'm not sure what you're referring to for the proclamation. Was it the Governor's proclamation?

COUNCILMEMBER SINENCI: That...that you couldn't access from...the...the site onto Kaahumanu Avenue directly.

COUNCILMEMBER PALTIN: There's a historic stone wall fronting.

COUNCILMEMBER SINENCI: Oh, so we cannot move the stone wall?

MR. LAU: Yeah, there is that historic stone wall. There is also, in the executive order, a restriction against having driveway access onto Kaahumanu.

COUNCILMEMBER SINENCI: Even if it's for fire evacuation?

MR. LAU: It's...it's a...it's a restriction against access.

CHAIR KAMA: Of the EO . . .(inaudible). . .

COUNCILMEMBER SINENCI: I mean, even if lives --

MR. LAU: Correct.

COUNCILMEMBER SINENCI: -- even if lives are at stake, it's a restriction?

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

CHAIR KAMA: It's a...it's a short [sic] wall.

COUNCILMEMBER SINENCI: Okay. Because it just seems that when you're looking at the site plan, you've got all these roads that surround the site, but everybody's going to be

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funneling through to the back of the site from the front, and then going either out to Kane or Vevau Street, in this...in this case.

MR. LAU: Correct. It's in the executive order for this project, for this property site, and is one of the reasons why the Fire Department has this temporary secondary fire access requirement for the housing.

COUNCILMEMBER SINENCI: I guess to save lives, you can just leave your car and then just access the street. Yeah? Okay. Thank you.

CHAIR KAMA: I have a question. So, you know, at the end of, towards the end of Kane and Vevau, the stone wall actually ends somewhere towards the end of Kane, maybe closer to Vevau. But continuing on, there's no stone wall, right? So, could you not acce...

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

CHAIR KAMA: Huh?

UNIDENTIFIED SPEAKER: . . .*(inaudible)*. . . closer to Kaahumanu.

CHAIR KAMA: Yeah. Yeah.

MR. SCHNELL: It wraps around Kaahumanu, and continues on Kane Street for...for a while.

CHAIR KAMA: Yeah.

MR. SCHNELL: But...I mean that...that should...

CHAIR KAMA: But then there's a parcel, right, that just has no wall, it's pretty much open.

MR. SCHNELL: Correct.

CHAIR KAMA: Right? Did you consider that as an entrance, or for the fire, or for whatever?

MR. SCHNELL: So, we're...we're talking about Kane Street, right?

CHAIR KAMA: Yeah.

MR. SCHNELL: Yeah. So, we...we do have an access on Kane Street, but we don't have two access...

CHAIR KAMA: Closer to the wall, or farther?

MR. SCHNELL: It's about midway...mid-block between Vevau and Kaahumanu.

CHAIR KAMA: Yeah. So, that's one of your entrances, is that what you're saying?

MR. SCHNELL: Yes.

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

CHAIR KAMA: Yeah. Okay. I was trying to think about something else, but thank you. Okay. Any other questions, Members? Okay. So, I think we're trying to look for language for C2, right? So, kind of like Miss...

COUNCILMEMBER PALTIN: Chair, point of information.

CHAIR KAMA: Yeah.

COUNCILMEMBER PALTIN: On the C2 --

CHAIR KAMA: Yeah.

COUNCILMEMBER PALTIN: -- yesterday we were looking at 3, and then we're looking at the one in there. Are we on Granicus 17 version?

CHAIR KAMA: Yes.

COUNCILMEMBER PALTIN: Okay.

CHAIR KAMA: Yeah, so number 1, Carla had reminded us that Public Works is okay with that, right? And then I think we're...we're looking at 2 right now. And then 3, I'm not sure if we want to talk about the trees and things like that after we're done with 2, but...so who's supposed to come up with the verbiage for number 2? Is that going to be Staff, James? The verbiage for number 2?

MR. KRUEGER: Chair, I...I think Staff just needs more clarity on...on the...the direction that the Committee is --

CHAIR KAMA: Okay.

MR. KRUEGER: -- proposing to...to do with number 2, and we can take a look at that. I think Director Molina also offered to perhaps touch base with us, and...and we can check with him as well.

CHAIR KAMA: So, Mr. Molina, could you do that with our Staff? Work with him on the language for number 2 so that it's clear, and it actually gives guidance and direction?

MR. MOLINA: Yes, Chair, I'll make myself available.

CHAIR KAMA: Thank you. Thank you. Okay. So, that...that's that for number 2...C2. I want to...yeah, let's go to 3 since we're already on item C. Did we say okay to number 3, or we still wanted trees? I thought we said we wanted trees.

COUNCILMEMBER JOHNSON: Chair, I'm...I'm...I'm not okay with...

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CHAIR KAMA: Mr. Johnson?

COUNCILMEMBER PALTIN: I have a question regarding number 3. But if Member Johnson wanted to go first...

COUNCILMEMBER JOHNSON: Ask the question. I'm...I'm...I...you guys know my opinion on this, but go ahead. I'll...I'll back down for now.

COUNCILMEMBER PALTIN: On the first page of the design package, it shows, I think, the Kane Street in full shadow. Is that meant to be early morning? Is it like the shadow is on Kane Street in the morning? So, then --

MR. SCHNELL: Yeah, I believe...I believe that would be true, yeah.

COUNCILMEMBER PALTIN: -- in the afternoon is when it would be unshaded. Also, the rendering around the corner of Kaahumanu and Kane Street, I don't necessarily see the...the historic wall.

MR. SCHNELL: We've essentially done that rendering after we found out we could preserve the wall. So, we have a new version of the rendering with the wall wrapping around. It's not in your package, I'm sorry.

COUNCILMEMBER PALTIN: Okay. So...

CHAIR KAMA: Can we get that rendering, please?

COUNCILMEMBER PALTIN: So, the --

MR. SCHNELL: Yes.

COUNCILMEMBER PALTIN: -- Kane Street in the afternoon is not going to be shaded. So, I mean, if we're making a walkable area...because obviously, we don't have enough parking for plenty cars. I guess, you know, people would prefer to walk if it's like a shaded...shaded area. I mean, it looks like great walking in the early morning when you're in the shade, but then when the sun is coming from the other direction, when most kids are coming home from school and whatnot, full sun. But you said there's powerlines on Kane Street.

MR. SCHNELL: The primary powerline...the large powerlines are along Kaahumanu, but there are, you know, smaller level powerlines along Kane Street.

COUNCILMEMBER PALTIN: Would it be possible to plant the trees elsewhere and have like awnings over the sidewalk?

MR. SCHNELL: So, if...if...I think you have a landscape plan in your package. I don't have it in front of me, but...I don't have your package in front of me. But if you could refer to our landscape plan, it would be...it would probably be numbered sheet L1.1. And you

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can see, we have...we have trees planted on the property towards the property line, but not in the public right-of-way.

COUNCILMEMBER PALTIN: And...and this rendering L1.1 is memorialized somewhere? Like it's...it's a requirement, or it's just a picture? Because if we're exempting from the tree landscaping requirement, is this what you're committing to?

MR. LAU: Yes. I mean, the...the problem with the street tree requirement is, it's within the right-of-way. So, the trees that are shown here are on the property outside of the right-of-way.

COUNCILMEMBER PALTIN: And...and it's a commitment for what you...the picture is a commitment to happen?

MR. LAU: Right. It...it still has to go through the building permit process to be approved, but that's what we're prepared to do.

COUNCILMEMBER PALTIN: Oh, okay. I am pretty much okay with it because there's trees, it's just not in the right-of-way. I'll yield to Member Johnson.

CHAIR KAMA: Mr. Johnson?

COUNCILMEMBER JOHNSON: Thank you, Chair. You know, some of the things I mentioned yesterday still hold true. The idea that this is State land, and the State office of DLNR has a goal of 35 percent tree canopy cover, and this area is 3 percent. If you look at the tree canopy viewer, a map that's on the DLNR website. I just...you can simply Google DLNR tree canopy viewer, and it'll show you the maps. It's GIS. I think the idea that there are trees, I'm curious of what types of trees because, you know, some trees offer more shade than others. So, let's start with that. Do you guys have a species of trees you're considering?

COUNCILMEMBER PALTIN: On L1.1, it says Manele tree, Joannis palm, Geiger tree, and tulipwood tree. Is that the entirety of the trees?

MR. SCHNELL: That's correct. That's what's represented on L1.1, yes.

COUNCILMEMBER JOHNSON: And I've seen the map, and it's...is it going to be over the hardscapes and public areas? What about your parking lots?

MR. SCHNELL: So, within the parking lot, you can see that there are some trees within the parking lot. A lot of the parking lot is underneath the buildings too because parking is the entire first floor. Residential is above the parking lot on the first...on the second floor. But in the pukas where there's, you know, that's not part of the building, there are trees in the parking lot.

COUNCILMEMBER JOHNSON: Okay. I want to ask Director Molina, in regards to burying the powerlines. Because maybe...if the concern is that you can't have trees by the

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powerlines, I understand that. So, burying powerlines is something the County could consider. I'd like to hear Director Molina on that. Director? *(pause)*

MR. MOLINA: Sorry, I'm finding my...my window. There we go. Yeah. So, again, I mean, these are typical conflicts that we have to navigate with projects. And so, we often have to apply flexibility in how we apply these requirements because you just can't...you know, you can't just power through all the time. Or often, you know, there's multiple disciplines that draw a set of plans, not all of them are aware of where they're putting trees, or where they're putting objects. And so, there's often conflicts we have to resolve. And so, we are willing to work with them to be able to accommodate both aspects of the trees and the undergrounding to make it work. Thank you.

COUNCILMEMBER JOHNSON: Can I hear from our builders? Is that something you guys would consider as working with Department on what he just mentioned? . . .*(timer sounds)*. . .

MR. LAU: It would add substantial cost to the project that we'd prefer to direct towards the housing.

COUNCILMEMBER JOHNSON: Sure.

CHAIR KAMA: Yeah.

COUNCILMEMBER JOHNSON: The substantial costs...what if the County paid?

MR. LAU: Right now, the...the surrounding neighborhood is overhead lines. So, what you're asking for is for just this segment of the street and neighborhood, to provide undergrounding of the lines that HECO has recently just replaced the poles for. So, that...that sort of redo, rework of recently-installed infrastructure is...is something that we're wondering if it might be more efficient to...to leave as is, and instead focus on the housing.

COUNCILMEMBER JOHNSON: Okay. I hear what you're saying. You know, you guys are a O'ahu-based, right? In O'ahu, all powerlines in new developments have to be buried. Over here on...in Maui County, it's only residential that doesn't have to bury their powerlines in new developments. So, it seems to pencil out on O'ahu. I...I understand what you guys are saying, but for some reason, O'ahu can do it. And I heard my time. So, thank you so much. Thank you, Chair.

CHAIR KAMA: You're welcome.

MR. NUNOKAWA: Chair?

CHAIR KAMA: Yes, Mr. Nunokawa.

MR. NUNOKAWA: I just wanted to add to the conversation. Act 294 is unclear. We're having trouble determining sort of the boundaries of what they were stating. But the intent of it seemed to be that for State-initiated affordable housing, 201H projects, they wanted

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to avoid some of...most of these larger costs that had been approved by HHFDC from getting associated to the affordable housing project. So, in situations like these that could increase the cost of the project, trying to figure out a way to avoid it being associated with the project would probably be the safest...if there were other funding mechanisms, if we were going to not approve the exemption that was approved of by HHFDC.

CHAIR KAMA: Oh, interesting.

COUNCILMEMBER PALTIN: . . .*(inaudible)*. . . 2.94

COUNCILMEMBER JOHNSON: Chair, can I follow-up with that statement?

CHAIR KAMA: Member Sinenci, and then Member Johnson.

COUNCILMEMBER SINENCI: I can allow Gabe to...to respond.

CHAIR KAMA: Mr. Johnson, go right ahead.

COUNCILMEMBER JOHNSON: I just...I just wanted to follow on that. So, what can we do then? It seems like we're just...I don't want to...I don't want to say that we're rubber stampers...rubber stampers. I mean, what can we do if we...if this is this new act and this is State land, Mr. Nunokawa?

MR. NUNOKAWA: The Legislature, in their committee reports, did talk about things like modifying of the drawings, the plans, to make it conform with the counties. But the overall intent of it seemed to be to reduce things that would increase costs. And so, if there were things that increase the cost of the development, figuring out other ways to offset that rather than that specific development.

COUNCILMEMBER JOHNSON: Okay. Let me follow-up on that. So, can...can we, as the County, pay so it doesn't increase their costs? I want to remind everybody, we're going to August 8th anniversary here. It's a whole town that burned down. I'm just trying to make it more trees and underground powerlines. Seems like a good thing to me. But if the cost is a concern, can we, the County, kick in?

MR. NUNOKAWA: I think that if we could make it pencil out for the County, I think that that is something that could be done as long as the associated costs wasn't on the affordable housing. If we could figure out other ways to distribute it, I think that that would be something that fit the intent of the Legislature.

COUNCILMEMBER JOHNSON: Thank you. Thank you, Chair.

CHAIR KAMA: Mr. Sinenci?

COUNCILMEMBER SINENCI: Mr. Nunokawa, did you mean to use Affordable Housing Fund when you mentioned?

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MR. NUNOKAWA: I...I'm not sure exactly what funds would be pulled from. I think that that is something that need... . . .*(laughing)*. . . would need to be figured out, exactly where to pull the funds, if that's where we want it to go.

COUNCILMEMBER SINENCI: Okay. For the project team, so it looks like L1.1 is your proposed landscape plan. However, you're asking for exemption 3 because the number of plants...is that what you're...what are you being exempted?

UNIDENTIFIED SPEAKER: In the right-of-way.

COUNCILMEMBER SINENCI: Oh, just in the right-of-way.

MR. SCHNELL: Right, right.

COUNCILMEMBER SINENCI: But...but you...

MR. SCHNELL: Because we're asking for an exemption to provide the trees in the right-of-way.

COUNCILMEMBER SINENCI: Okay. Got it. Thank you. Because you're still going to be planting along Kaahumanu and Kane Street. The other question was, on the existing site plan, there are existing coconut trees, and I don't know how old those coconut trees are. Are...

UNIDENTIFIED SPEAKER: They're tall.

COUNCILMEMBER SINENCI: Are you...are you taking those down?

MR. SCHNELL: You mean any coconut trees that are on the site right now?

COUNCILMEMBER SINENCI: Currently. I don't know if it fits into the plan, or right in...in the building's way. But there --

MR. SCHNELL: I'm not sure the demolition plan.

COUNCILMEMBER SINENCI: -- it looks there are...there are --

MR. SCHNELL: Yeah.

COUNCILMEMBER SINENCI: -- one...two...three...four...five...six...seven coconut trees, and probably a couple big banyan trees that currently on the site.

MR. SCHNELL: One moment. Are you referring to a demolition plan? Yeah.

COUNCILMEMBER SINENCI: A.1B.

MR. SCHNELL: I see. Yeah. It looks to me that most of those trees would have to be removed or relocated. Yeah.

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COUNCILMEMBER SINENCI: Or relocated?

MR. SCHNELL: More likely removed. The relocation might be too expensive.

COUNCILMEMBER SINENCI: Okay. As...as practitioners, I mean, the...the coconut tree can be reused. So, Chair, I would want to suggest maybe if the Department of 'Ōiwi Resources has...has any recommendations on what we can do with those trees. Thank you. If they're going to be removed.

CHAIR KAMA: Relocated.

COUNCILMEMBER SINENCI: Or relocated, yes. Thank you.

CHAIR KAMA: Okay. So, if we're going to relocate those coconut trees, what is the cost to...I mean, is that already included in your budget? I mean, did you anticipate pulling out all these trees, and then relocating them, and then transporting [*sic*] them?

MR. LAU: No, we did not.

CHAIR KAMA: Okay. Just a question.

COUNCILMEMBER LEE: Chair?

CHAIR KAMA: Yes, I hear you, Chair. Go ahead, Chair.

COUNCILMEMBER LEE: Okay. So, as Corp. Counsel mentioned, we...we are not allowed to add conditions as part of the new State law. And by the way, I did, during session, testify against that numerous times...because I always support home rule, but it passed anyway. But...but the thing is, we're...we're...we were dealt this, and so we have to accept the fact that we cannot be adding conditions. So, we can vote this up or down, but no...not adding conditions. But...but as you can see, all the conditions that are being suggested would add cost to the...to the project. And the...the good part about this project is that it's for those earning 30 to 60 percent of median income. So, that's the reason why we have to be careful about...you know, what are the things that we insist on in terms of trying to persuade the...the developers to...to our point of view. But the actual job of this Council is to vote this up or down, not add conditions. But I'm sure the developers would be open to suggestions. Thank you, Chair.

COUNCILMEMBER SINENCI: Chair?

CHAIR KAMA: Thank you. Yes, Mr. Sinenci?

COUNCILMEMBER SINENCI: My apologies. I do see Director Molitau jumped on when I mentioned about the trees, if he wanted to respond?

CHAIR KAMA: Okay. Director Molitau, and then...followed by Member Paltin. Director Molitau?

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MR. KRUEGER: Apologies, Chair. We...we just made him a Director...sorry, for...I mean, we made him a presenter. Sorry for the delay.

CHAIR KAMA: Wasn't he already, when we brought him on the other day, no?

MR. KRUEGER: Oh, sometimes when they join, Admin joins as attendees, and then we have to promote them to presenters. So, Director Molitau, you should be able to turn on your camera and mic now.

MR. MOLITAU: Good morning, everyone. *(echoing)*

CHAIR KAMA: Good morning.

MR. MOLITAU: I'm having some technical difficulties here. In regards to the trees, the...the . . .*(inaudible)*. . . I think it'll be a great opportunity for halau and kumu hula alike to acquire them for ahu or...and/or lapaiki usages. There were trees that were there prior when they did the...the miniature golf course, and many of the kumu hula acquired the lā'au from that...that time as well.

COUNCILMEMBER SINENCI: Okay. Thank you, Director. So, for the project team, would you be...should the Department have need for...for them, from what I hear, is it okay that they use those lā'au lapa'au?

MR. MOLITAU: Yes, yes.

COUNCILMEMBER SINENCI: Okay.

MR. MOLITAU: Maika'i.

COUNCILMEMBER SINENCI: Thank you.

CHAIR KAMA: Member Paltin, and then Member Johnson.

COUNCILMEMBER PALTIN: Thank you, Chair. I guess my question would be for Corporation Counsel, as well as the developer on condition 3, under street sidewalks and public places. I don't think I have a problem with an exemption from Code, Chapter 12.24A, landscape planting and beautification is granted, and all of that. Would it be possible to add in favor of the plan L1.1? And I'm not necessarily attached to any of these tree types, just more so the...the location and number of trees to indicate, you know, we're okay with the exemption from the right-of-way, but there still will be trees on property, and this is the number of trees...and locations.

MR. LAU: Yeah. We understand in the resolution language, it actually refers to the plans in the packet as being what the Council is approving. So, effectively, it's already...I understand it's already in...in the package.

COUNCILMEMBER PALTIN: Memorialized. Is that carry the force and effect of law, or is it just pretty words?

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MR. NUNOKAWA: The...the representations made do carry some force of law. Determining what becomes a substantial change is kind of case-by-case. But the plans that they represent is what's represented to be built. I'm not sure if that fully answers your question, but it carries some weight, as this is what they represented would be the development.

COUNCILMEMBER PALTIN: In previous 201H projects, we've added a condition...like something about the representations made at Council would be complied with, or something like that. Is that...are we prohibited from doing that from that Act, that number you said? Or could it be added in the resolution that, you know, we expect that representations made would be fulfilled?

MR. NUNOKAWA: Sorry, just trying to process.

COUNCILMEMBER PALTIN: And number 17 on Granicus doesn't have the resolution. Is there a specific resolution? Like is the resolution in the packet the one that we can go off of, or just so that we're reading off of the same resolution?

CHAIR KAMA: Carla?

MS. NAKATA: Councilmember, it would be Granicus number 3.

COUNCILMEMBER PALTIN: Which is different from the one that was in the packet?

CHAIR KAMA: Yes. Yeah.

COUNCILMEMBER PALTIN: Oh.

MS. NAKATA: Yes. Chair, Staff would just...

MR. MOLINA: Chair, if I may? . . .*(timer sounds)*. . .

CHAIR KAMA: Yes, Mr. Molina.

MR. MOLINA: Thank you. I just want to note a concern that, you know, the plans submitted are not of sufficient detail to really clarify the requirements. And the way the exemption is written so broadly leaves kind of lack of clarity. And so, I would recommend that the exemption be tightened up so it is more clear what exactly the limits of the exemption being requested are. Thank you.

MS. NAKATA: Also, Chair, Staff would just point out that I believe the developer informed the Committee today that the street plan that we've received is not the current version. So, to the extent the Council is being asked to approve the preliminary plans and specifications, I think we need to get the same information that everyone's referring to.

COUNCILMEMBER PALTIN: Chair, you know what? My next Committee meeting, you can have it for this if...if we need it.

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CHAIR KAMA: Next week, the week after.

COUNCILMEMBER PALTIN: My next one, it's all you.

CHAIR KAMA: On 1:30?

COUNCILMEMBER PALTIN: No, not today.

CHAIR KAMA: Oh, that's why I was asking.

COUNCILMEMBER PALTIN: The one...

CHAIR KAMA: Okay.

COUNCILMEMBER PALTIN: The next one coming up.

CHAIR KAMA: Yeah.

COUNCILMEMBER PALTIN: It's still in August.

CHAIR KAMA: Thank you. I was just thinking about that --

COUNCILMEMBER PALTIN: Yeah.

CHAIR KAMA: -- when Carla said that.

COUNCILMEMBER PALTIN: Because I got the team coming for this afternoon, but --

CHAIR KAMA: Okay.

COUNCILMEMBER PALTIN: -- you can have it for next week.

CHAIR KAMA: Okay. What...what is that date, Member Paltin?

COUNCILMEMBER PALTIN: Maybe the 20th? Is that...because...I mean, it's really hard when we look at Granicus 3 for the updated --

CHAIR KAMA: Yeah.

COUNCILMEMBER PALTIN: -- reso that's not in the packet, and we're looking at Granicus 17 for the updated conditions, and now we're --

CHAIR KAMA: Looking at a...

COUNCILMEMBER PALTIN: -- it's like, it's...it's very difficrite [*sic*]. If we could just get a packet of what we're looking at, that's the most cleanest, updatest [*sic*] version, instead of like...

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CHAIR KAMA: Piecemeal.

COUNCILMEMBER PALTIN: I don't know. I mean, the whole thing is...I just...it's very hard to make a decision when...when we're not all on the same page of the most updated info.

CHAIR KAMA: And just for your info, the exemptions and the costs are on Granicus 23. They sent that. So, I just wanted to let you all know that. Yeah.

MR. SCHNELL: Chair, may...may I make a clarification?

CHAIR KAMA: Sure.

MR. SCHNELL: I believe Carla was stating that the plans in the package...or I was going to be providing updated plans, but what I was referring to was, in response to a question, the actual plan that was in question was...it's sheet A3.3. That's the rendering that does not show the wall around the corner. That was the question. We have an updated rendering for this sheet, not an entire plan set change. So, the landscape plan, as represented in the package you have --

COUNCILMEMBER SUGIMURA: Is correct.

MR. SCHNELL: -- has not changed.

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

MR. SCHNELL: It's sheet A3.3. I believe that's the one you were referring to when you said the --

COUNCILMEMBER SUGIMURA: The landscape.

MR. SCHNELL: -- the picture, the rendering did not show the wall going around to Kane Street.

COUNCILMEMBER SUGIMURA: It's not numbered.

COUNCILMEMBER PALTIN: Oh, you mean the...the very front page?

MR. SCHNELL: Yes, that's the one. Yeah.

COUNCILMEMBER PALTIN: Oh, okay. Okay.

COUNCILMEMBER SUGIMURA: . . .*(inaudible)*. . . G. There's no number on it. Yeah, I have that one. So, Chair?

CHAIR KAMA: Yes, Member Sugimura?

COUNCILMEMBER SUGIMURA: I like the idea of getting all the documents that are pertinent, and then meeting on the 20th...you're right, is...is your next meeting day. And then we can get everything, and we can all talk on the same...you know.

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COUNCILMEMBER PALTIN: I would also like to give time for Member...or Director Molina --

COUNCILMEMBER SUGIMURA: Yeah.

COUNCILMEMBER PALTIN: -- a lawyer...a few lawyers, and the developer group to iron out their...their things, and their verbiage.

COUNCILMEMBER SUGIMURA: B2. B2.

CHAIR KAMA: Oh, yes. Very good.

COUNCILMEMBER SUGIMURA: B2.

CHAIR KAMA: Member Cook?

COUNCILMEMBER COOK: Thank you, Chair. So, as far as the timing, and the...the parameters of the deadline for approval to move on, this is...the Council's approval is one. That I'd like to ask the developers what the next step is in County to be able to go and qualify for the...the LIHTC funding. Because basically--clarify and correct me--what we're doing is, we're enabling this project to move forward, and qualify, and compete for the LIHTC funding in February?

MR. LAU: Yeah, that's correct. So, this 201H approval is required for our next step, which is the SMA. And we need to have that completed so that we can submit the consolidated application in February.

COUNCILMEMBER COOK: So, do you...do you submit it in February?

MR. LAU: The consolidated app is submitted in February, but a lot of these...the process and the documents that are required to be submitted, we do need completed before February so that we have time to assemble the complete package. And...and that includes things like costs, and other certifications that the State requires with the application to be deemed acceptable.

COUNCILMEMBER COOK: So, what kind of time frame do you need from us in this discussion of postpone a couple weeks? I just want to have transparency that if we're asking for something that is not going to meet the time frame, then we need to be aware of it.

MR. LAU: Ultimately, it's the 45-day timeline that this Council has to either approve or deny this project, I think, is the critical time that we're looking at.

COUNCILMEMBER COOK: Thank you, Chair.

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

COUNCILMEMBER SINENCI: Chair?

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CHAIR KAMA: Yes. Any other questions, Members? Member Sinenci, yes?

COUNCILMEMBER SINENCI: Thank you, Chair. And I am looking at Granicus number 23, and it comes...and it looks like the valuations of all the exemptions comes out to 3,730,000, if I'm not...or no, there's some different numbers. But I was wondering, while we have Deputy Mataafa here, my question from yesterday was about using...should some of the departments, like the Department of Water that has a set budget for those exemptions, would the Affordable Housing Fund be paying for those exemptions...the cost of those exemptions?

CHAIR KAMA: Mr. Nunokawa?

MR. NUNOKAWA: I think that Deputy Kristina Toshikiyo was planning to be on Teams to address that question.

CHAIR KAMA: Oh. Well, Housing's here.

MR. NUNOKAWA: Oh, okay.

COUNCILMEMBER SINENCI: Thank you, Chair.

MR. MATAAFA: Thank you, Chair. And thank you, Councilmember Sinenci, for the question.

COUNCILMEMBER SINENCI: Yeah.

MR. MATAAFA: I believe your question is related to whether the Affordable Housing Fund could pay for some of the fees that are being asked to be waived by the developer. And the gener...general short answer to that is, yes. They can be used...the Affordable Housing Fund can be used to offset some of the costs related to fee waivers. The one in particular that comes up most often is the water system development fee, and that's crucial because I believe the Department of Water Supply is semi-autonomous, and they depend on that fee to operate their Department. So, in particular, that one is really important, and we have worked with them in the past to provide that fee from the Affordable Housing Fund.

COUNCILMEMBER SINENCI: And then should some of the other departments request as well...I don't know if Director Agawa also mentioned. I...I did hear Director Stufflebean say, so long that the fees are being paid. But if...should the other departments request that the Affordable Housing Fund be used, would they have to...what's the process? Would they have to make a...like a formal request?

MR. MATAAFA: Thank you again, Chair. And thank you, Councilmember Sinenci, for that question. To answer the first part of that is, the Department can't unilaterally provide those fees to the developer. We would have to go through some sort of competitive process, whether it's with FY '27 funding application round, where the developer would . . .(timer sounds). . . apply to have those fees reimbursed through that process in Affordable Housing Fund competitively. Or what's available to the developer now is their FY '26 funds, where the budget language is broad enough that they could provide that

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as part of their application, their grant agreement with the department, to cover those fees. So, there's two options that they could do, either competitively apply in FY '27, or work with the \$10 million that they have now to pay and offset some of those fees.

COUNCILMEMBER SINENCI: Okay. Thank you.

CHAIR KAMA: Oh, thank you --

COUNCILMEMBER SINENCI: Thank you, Chair.

CHAIR KAMA: -- Mr. Mataafa. Okay. Members, any other questions? If not, we're going to take a...oh.

COUNCILMEMBER SINENCI: Gabe. Gabe.

CHAIR KAMA: Mr. Johnson, I'm sorry.

COUNCILMEMBER JOHNSON: Chair, I have one.

CHAIR KAMA: Go ahead.

COUNCILMEMBER JOHNSON: And I don't want to delay the...the Members' breaks. I'll just be real quick. I have one question, and I'm going to go back to trees. But basically, I understand what this new State law is saying, so we can't add costs. So, how about...I'm curious what the builder would feel about if you guys just went before our Arborist Committee to discuss your trees and, you know, the shade, and listen to their recommendations? I don't think it'll cost you anything to at least just explain...you know, explain your landscape plan to the Arborist Committee, which is full of experts. So, what do you guys feel? Would that be something you would consider?

MR. LAU: I think the...the direction we're coming from is, what is the fastest way we can accomplish adding housing on Maui. And going through additional committees or additional approvals...I mean, I note that we do go through the...we will go through the Urban Design Review Committee, and then there's the Planning Commission, and then we do come before this Council again for approval of the AHF funds. So, there is a process, and it does have this Committee's input, and other folks as well. So, it's not to say that we're proceeding without...without that. It is a process, and we are complying with the process.

COUNCILMEMBER JOHNSON: Well, I agree with your statement that housing is important. It's important to us. I mean, that's...we...we...we totally want to have this happen. All the things that are important to having a good landscape plan--the climate change, the actual shade--do those trees produce enough shade? Are they creating widow-makers? We don't want them to fall on people. You know, all the things that a good landscape plan has...public safety, everything. I just would hope you guys could go before, and just discuss it with them, and hear their recommendations. But we don't want you to go to the point where you can't make that deadline. Because fast track is fast, you know...45 days, and the clock is ticking. So, I was just hoping you guys would at least

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consider that and just, you know, see...see the overall picture of what...what's happening. Okay.

MR. MOLINA: Chair --

COUNCILMEMBER JOHNSON: Thank you.

MR. MOLINA: -- if I may, this is Public Works.

CHAIR KAMA: Yes. Yes, Mr. Molina.

MR. MOLINA: I guess to kind of carry on Member Johnson's concern. Perhaps a question to the applicant is, if they can specify the extent of their exemption. Again, that's one of the concerns here is, these broad exemptions, without sufficient detail in the application to really determine what is being asked to be waived. I have heard that they do intend to provide trees. But when they ask for a blanket exemption from the requirements, it's hard to know what exactly they really intend to be doing. . . .*(timer sounds)*. . . If..if it's as simple as following the County planting plan, and just not putting it in the road, you know, that's...that's reasonable, and I don't think it necessarily has to go through the Arborist Committee again. But if it's beyond that, then that should be clarified. Thank you.

CHAIR KAMA: Thank you, Mr. Molina. Okay. Seeing as how we are...

COUNCILMEMBER LEE: Recess.

CHAIR KAMA: I heard somebody.

COUNCILMEMBER SUGIMURA: That was Chair Lee. Recess.

CHAIR KAMA: Chair Lee, did you have a question? No?

COUNCILMEMBER LEE: No, I was just saying recess.

CHAIR KAMA: Okay. Recess, said Chair Lee, until 10:36...40...46 p.m.

UNIDENTIFIED SPEAKER: a.m.

CHAIR KAMA: a.m., a.m. Oh, yeah. Okay. I still got it here. The HLU Committee is now in recess until 10:47...oh, just go to 10:50. Recess. . . .*(gavel)*. . .

RECESS: 10:37 a.m.

RECONVENE: 10:54 a.m.

CHAIR KAMA: . . .*(gavel)*. . . The HLU Committee...recessed Committee meeting of August 5th is now being reconvened today at 10:55 a.m. One...two...okay, we're here. One...two...three. Okay. There's seven of us...six. Yeah, six. Okay. So, thank you,

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Members, for that break. And I think we left off with...there was a recommendation that I think we're going to really take to heart, is for the proponent and the departments to get together, and to work it out, and...and come as close as they possibly can come to some kind of an agreement. Because if you leave it up to us, we're going to end up somewhere else probably. But if Mr. Schnell, you and Public Works, and I think--who else?--Housing, and Fire, and Transportation, right?--Water...but I think we already resolved Water. Who else? Planning. Planning. And anyone else that I haven't read off, please, Mr. Schnell, are you able to meet with them before the August 20th meeting? Because what I'm looking for is something...so we post a week before so that all the...all the Members can get whatever it is that they need to get so that they can preview it so that when they come, they're pretty well-equipped. I feel like we weren't well-equipped because we get...we kept getting things last minute, and we had to revise things, and we're looking...and we weren't all looking at the same document. So, I'd like us all to be able to see if you all can work on a...on the exemptions collectively together, and come up with something that when we get it, I'd like to be able to say, Members, let's go through this, one, two, three, and...and...and actually make a motion to approve it, or amend it, or whatever it is we need to do, but...so that meeting on the 20th is going to be probably looking at whatever work that you've worked with, with the departments so that we can just say yes or no. Does that sound right, Members? Does it sound like something we could do? Member Paltin?

COUNCILMEMBER PALTIN: I thought that Planning was okay with things, and we were okay if Planning was okay.

CHAIR KAMA: I'm not sure if that was, so I wanted to just --

COUNCILMEMBER PALTIN: Double-check.

CHAIR KAMA: -- have them, right...reiterate. Because, you know, what Mr. Molina said a couple of times today, it's the details, right? And when I think about that, I always think about the devil is in the details. I don't want to go chasing the devil, but I mean...

COUNCILMEMBER PALTIN: If...if that's the case, if Planning was okay, I just would like 'Ōiwi Resources to --

CHAIR KAMA: Yes.

COUNCILMEMBER PALTIN: -- I mean also. be...like maybe they're not relocating the trees, but if the trees are getting cut down, if they can come and collect or distribute the trees.

CHAIR KAMA: And how does that work, right?

COUNCILMEMBER PALTIN: As well as just double-check on the name of the property. I did read what it said, but it seemed like it was mostly about Kama (*phonetic*) Mahi'ai's story, that he was an excellent person. So, just double-check on the name of the place, and...and how the trees get distributed in a way that doesn't add time or money.

CHAIR KAMA: Right.

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COUNCILMEMBER PALTIN: For 'Ōiwi Resources, just adding that to your list.

CHAIR KAMA: Well, I was going to ask, what about the trees? Are they...are those the only trees we have? I mean...I mean, don't we have a better selection of trees than what they...the four, right? The...

COUNCILMEMBER PALTIN: The existing trees.

CHAIR KAMA: Yeah, the Manele tree, and...

COUNCILMEMBER PALTIN: Oh, I was talking for 'Ōiwi Resources, the --

CHAIR KAMA: Yeah.

COUNCILMEMBER PALTIN: -- existing trees, how they get disposed of.

CHAIR KAMA: Oh, okay. Oh, yeah, yeah.

COUNCILMEMBER PALTIN: But --

CHAIR KAMA: Yeah.

COUNCILMEMBER PALTIN: -- I mean, I don't know...I don't know anything about the best species of trees.

CHAIR KAMA: Yeah.

COUNCILMEMBER PALTIN: That's not me.

CHAIR KAMA: Me too. But anyway, that's...yes, Member Sugimura?

COUNCILMEMBER SUGIMURA: I think that what is really feels like a hangup is this new Act 294, and what it means in terms of what we're saying versus, you know --

CHAIR KAMA: What we can.

COUNCILMEMBER SUGIMURA: -- I think...I think we all want to have a housing project. And the conditions that we're talking about, we don't want to add cost to it. So, can that discussion happen including us, I guess, once the Department speaks with the developers as to what the impact is...is to the project? And the biggie, of course, is, you know, how do you even incorporate the DAGS project, which is not part of this project, but may have some implications. So, I don't even know if we want to do that, but there may be some, you know, part of it that touches.

CHAIR KAMA: Yeah.

COUNCILMEMBER SUGIMURA: But HHFDC would know, I think.

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CHAIR KAMA: Yes, they would. Okay. Members, I ask...

COUNCILMEMBER JOHNSON: Chair?

CHAIR KAMA: Yes. Mr. Johnson, yes.

COUNCILMEMBER JOHNSON: I'm sorry.

CHAIR KAMA: No, go ahead.

COUNCILMEMBER JOHNSON: Yeah, I also would...thanks for recognizing me. I also would like to...and I didn't hear if he's mentioned it, forgive me, but also bring...have the builders speak to Department of Housing in regards to those Affordable Housing Funds.

CHAIR KAMA: Yes.

COUNCILMEMBER JOHNSON: And what's the best route that everybody can get together. And...because if that Act says we can't add costs, well, then, there's...then we pay, and the Department of Housing has the Affordable Housing Fund. So, I'd like for them to kind of reach out. And...and Chair, it sounds --

CHAIR KAMA: Yes.

COUNCILMEMBER JOHNSON: -- like we're kind of wrapping up until next meeting.

CHAIR KAMA: You are correct, sir.

COUNCILMEMBER JOHNSON: So, I have a few questions.

CHAIR KAMA: Yes.

COUNCILMEMBER JOHNSON: So, I have a few questions that I don't want to delay the wrap-up. So, would you allow me just to read into the record like --

CHAIR KAMA: Sure.

COUNCILMEMBER JOHNSON: -- a few of my questions? And they don't have to answer them. I'll just let you guys know, this is what some of my concerns, questions, comments were. And I'll be...I'll just go through the list, and I'll be done with it, if that's okay with you, Chair.

CHAIR KAMA: Oh, absolutely. And we'll have other Members do the same thing too, if they have any other comments.

COUNCILMEMBER JOHNSON: Yeah. Because --

CHAIR KAMA: Go ahead, Mr. Johnson.

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COUNCILMEMBER JOHNSON: -- I don't want to give them like some curve balls in the next meeting. Like, you know, so give this...something to think on while...until we meet again. So, thank you, Chair. This one is about your guys' water. Will you be adopting all of the Department of Water Supply conservation recommendations in their letter dated April 30th, 2025? And that's Exhibit G, page 8. What are your best management practices for stormwater management? What alternative water sources are you looking into? And this one's for Housing. This is...or this is a question for you guys. Of course, it's about housing. We need all of the AMIs in housing. And why did you change it from 100 percent, 60 percent AMI and below? And are you eligible...are you able to consider 80 percent AMI? And I know HHFDC and Ikaika Ohana are kind of working on things like that. Like maybe a few can go in the 80s. And the next question is, how long is the ground lease? That's an important question because it's attached to affordability. And the environmental question I had was, I know the project is next to the new transit hub, but what other elements are you incorporating to enhance the use of multiple types of transportation to reduce carbon emissions? What energy-efficient technologies are you using? And what sustainable recycling or low-emission materials in construction and manufacturing are you using? You know, I know it's LEED-certified, which I applaud you guys for that. And it goes back to my idea that if you guys are, you know, putting in trees, remember, you do a bus hub that pushes out a lot of that fumes, and trees are a great way to filter that from the community. So, just once again, I am pounding on the trees idea, but that's...it's important. And then will you be installing HAWK beacons and raised cross ruts as suggested in Exhibit G, and that's page 8. So, those were my questions, Chair. I didn't want to delay the meeting, but I wanted to put them out there so the builder can at least know where I'll be coming from on our next meeting. Thank you, Chair.

CHAIR KAMA: A good bunch of questions. Member Sinenci? And we're going to come around this way.

COUNCILMEMBER SINENCI: Okay. Thank you, Chair. I just had one to Member Sugimura's comment about DAGS. I don't know if...if it's appropriate to maybe have a MOU or...or some...what's the partnership between. I know it's all one big project, but maybe some of the details would be, you know, the timeline for...for the office project, as well as, you know, some comments to the...the permanent evacuation route through the site. Thank you.

CHAIR KAMA: Okay. Very good. Member Sugimura?

COUNCILMEMBER SUGIMURA: So, yeah. I agree with what Member Sinenci is saying, and I see there's Mr. Kim here from Architects Hawai'i who represents DAGS. So, maybe he has something he wants to add to it.

CHAIR KAMA: Mr. Kim?

MR. KIM: Thank you. I just wanted to point out that, yeah, we can be there as well for . . . *(inaudible)* . . . representing DAGS for the next meeting to answer any questions that you might have.

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COUNCILMEMBER SUGIMURA: Okay. Good.

MR. KIM: That was all. Thank you.

COUNCILMEMBER SINENCI: Oh, Chair?

CHAIR KAMA: Thank you. Mr. Sinenci?

COUNCILMEMBER SINENCI: While we have Mr. Kim, sorry. You know, maybe, Mr. Kim, just general timelines. It was suggested that it might be 30 years out, that the project get...so we're just looking at the timeline. And some...if you've got...the discussion went around the...the evacuation route through the site to Vevau Street. And in the interim, you know --

MR. KIM: Okay.

COUNCILMEMBER SINENCI: -- how can that be used as...as more of a temporary site while it's being...while the civic center is either being planned or built. Thank you.

MR. KIM: Yeah. Yes, I could provide a quick overall schedule for the project. We're going to be going to funding request in early January in next year...of next year to 2026, and we're going to the permitting process by next year as well, which we're planning to have it approved in fall of 2027. And hopefully, if everything comes through, the occupancy will start in 2030, maybe perhaps summer. And to answer your question on the...again, the access on Vevau Street, it is needed for the whole project. Again, I think we mentioned yesterday the EA, environmental assessment plan, shows the access, not just the fire lane on Vevau. Because we only have one access to this project, and that would be...that would create a lot of traffic and circulation issues, not just for DAGS and the offices, but for the whole project as a whole. So, we, you know, kind of mentioned that yesterday, and wanted to continue to stress that we would need that accessing for the whole project, for those reasons.

COUNCILMEMBER SINENCI: Thank you, Chair.

MR. KIM: And we also met with the Fire...Fire, County, as well previously to confirm that lane, whether it was a fire lane or access. Thank you.

CHAIR KAMA: Thank you. Thank you very much. Member Paltin?

COUNCILMEMBER PALTIN: Thank you. And to add on to your list of departments besides 'Oiwī Resources, MEMA said that they have software to do evacuation modeling, given the senior center...senior housing across the street, the low-income housing, and then the Waterfront Apartments at Kahului, as well as Maui Beach Hotel, Maui Seaside Hotel, if they could run some evacuation modeling with the parameters that they need, along with the developers. I'm also...some of my questions regarding how many ADA units are planned, and if we're not adhering to the County's parking plan, how many ADA parking. If they plan to comply, I think, with Chapter 16 of the EV parking

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requirements, I think that means that it would be EV-ready, as well as any plans for multimodal charging stations for e-bikes, or scooters, or things like that, since there's less parking stalls. We already covered laundry. Yeah, I think those...those are my questions for the 20th, and...and Department that they could work with. Just given the evacuation situations the last two weeks, what the modeling looks like, given the parameters of the developer and MEMA software.

COUNCILMEMBER SUGIMURA: Good idea.

CHAIR KAMA: Okay. Very good. And I don't see Chair Lee. I don't know what happened to...my picture fell off. I think I have to rejoin.

COUNCILMEMBER PALTIN: All the --

CHAIR KAMA: Yes, Member Paltin?

COUNCILMEMBER PALTIN: -- like A3.3, the updated...if we have all the updated documents, and then when you start the meeting, you say we're Granicus 3 resolution, Granicus 17 conditions, or...so that at the start of the meeting, we're all looking at the most current stuff.

CHAIR KAMA: Documents. Okay. My prayer is that we'll only have one document, the one with the exemptions. . . .*(laughing)*. . . But yes, thank you, Member Paltin, we'll make sure we have that done. Okay. So, my hope, Mr. Schnell, is that you'd be able to get with the departments, and be able to submit to us at least by the 13th or the 14th, James? Because we post...we post a week before, right?

MR. KRUEGER: Chair, it just depends on how...how the Committee wants to approach the August 20th meeting. We...we could...if we...if you intend to post, yes, posting would be on August 14th, but if the intent is to just recess this meeting, then there's no posting deadline per se for the 20th.

CHAIR KAMA: Oh, okay. Okay. I just want to make sure that we got something in the hands of the...the Members so that they can at least brief themselves too on that. Maybe things will go smoothly. Yes, Member Paltin?

COUNCILMEMBER PALTIN: I think I have a question for Mr. Krueger. So, if she recesses this meeting, could she still upload documents the three days before?

MR. KRUEGER: Chair, yes. I believe that...that applies, and as well as...you know, if we're receiving things from the developer --

CHAIR KAMA: Yes.

MR. KRUEGER: -- you know, we are able to upload that to Granicus as well. But I defer to the Committee Attorney in case I misstated anything.

CHAIR KAMA: Carla?

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MS. NAKATA: Thank you, Chair. Yes, I believe our updated document transmittal policy is in progress, and based on the update to the Sunshine Law this year, our understanding is it now requires three working days out from the meeting --

CHAIR KAMA: Oh, good.

MS. NAKATA: -- to transmit board packets. So, if something is coming from you, Chair, we would consider that to be within the three day...three days is when we would shoot to have things uploaded. As James mentioned, if it comes from the developer or outside source, then we can upload that at any time.

CHAIR KAMA: Okay.

COUNCILMEMBER PALTIN: And is the three working days, it would be Friday for Wednesday?

MS. NAKATA: Yes, that's correct, Chair. Oh, wait. I'm sorry, Friday's a holiday, so I believe it would be Thursday. Thank you, Chair.

CHAIR KAMA: What Friday's a holiday?

COUNCILMEMBER PALTIN: Admissions.

CHAIR KAMA: No, what...what Friday?

MS. NAKATA: Friday, August 15th.

CHAIR KAMA: Oh, the 15th. Oh.

COUNCILMEMBER PALTIN: I guess then in that case, my vote would be for a recess...if everyone else is amenable.

COUNCILMEMBER SUGIMURA: So, we'll get the documents on the 14th.

COUNCILMEMBER PALTIN: If it's from the Chair, if it's from the developer, whenever, they can upload it.

CHAIR KAMA: Yeah. I mean, it's the same thing. Like if you all have...thought of questions after you leave here, you do the same thing. You send it to them, they can send it on, and then you can get it back.

COUNCILMEMBER PALTIN: Does...does the developer have a preference as to recess or adjourn right now?

MR. SCHNELL: I was looking at the calendar, and I appreciate the clarifications of timelines and dates. Because looking at the calendar, today's the 6th, the next hearing...or meeting is on the 20th. Yeah, I'm still not...I'm still not clear on when we have to provide documents for the Committee.

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COUNCILMEMBER PALTIN: The developer could upload at any time, I think they said. And there would be no deadline if we recess, but if we adjourn, we need to post six working days in advance or something.

MR. SCHNELL: I see the difference. Okay. But I'm thinking the Committee doesn't want to get all the documents the day before the hearing, so...

COUNCILMEMBER PALTIN: Oh, yeah, no, we don't.

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

MR. SCHNELL: So, yeah.

CHAIR KAMA: So, yes.

MR. SCHNELL: Some timeline would be good...you know, some guidance on that would be appreciated, yeah.

COUNCILMEMBER PALTIN: I mean, Thursday works for me because then --

COUNCILMEMBER SUGIMURA: The 14th.

COUNCILMEMBER PALTIN: -- I can read it on the weekend. Because we might have other Committees on Monday, Tuesday...but it's been known to happen the night before.

MR. SCHNELL: Okay.

COUNCILMEMBER PALTIN: Or the morning of.

MR. SCHNELL: I saw that there was mention to meet with a lot of departments, so meeting with...I don't know if that would be one meeting with all the departments gathered or individually, but we would have basically a week to meet with all these departments. So, I think we can try our best, and we can hopefully...you know, especially Public Works, we can get a meeting with Public Works ASAP.

COUNCILMEMBER PALTIN: Would it help us to rank the departments?

MR. SCHNELL: Yeah. That would be super helpful, yeah.

CHAIR KAMA: Okay. Let's rank them.

COUNCILMEMBER PALTIN: So, Public Works is the most.

CHAIR KAMA: Yeah, Public Works.

COUNCILMEMBER PALTIN: And then --

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CHAIR KAMA: Housing.

COUNCILMEMBER PALTIN: -- maybe Housing and Water.

CHAIR KAMA: Water. Planning?

COUNCILMEMBER PALTIN: To me, Planning is --

CHAIR KAMA: You don't think Planning?

COUNCILMEMBER PALTIN: -- last. Because they said they were okay, and if they're okay...they said they were okay, right, with the exemptions? Was there one that they had a situation?

MR. SCHNELL: I think the Planning Director was specifically talking about the issue about the community plan designation. But like I said, I don't want to mischaracterize what she said, but --

COUNCILMEMBER PALTIN: Okay.

MR. SCHNELL: -- I think she said she...she was generally all right with the project in general.

UNIDENTIFIED SPEAKER: Housing.

CHAIR KAMA: Yeah, we got Housing.

COUNCILMEMBER SUGIMURA: As soon as you can.

COUNCILMEMBER PALTIN: Yeah, I think... I think Public Works, Housing, Water situation are the top three, and then everything else is somewhat important, but, you know, do your best. Yeah. Maybe we can meet with 'Ōiwi Resources and --

CHAIR KAMA: And work that out?

COUNCILMEMBER PALTIN: -- work that out. Because if the tree gets cut down, you don't care if they take it, right?

MR. SCHNELL: No, that's fine...or if they want to...if they want to transport it or relocate it, that's fine also, yeah.

COUNCILMEMBER PALTIN: Okay. So, I don't know that you need to meet with them.

COUNCILMEMBER SUGIMURA: And soon.

COUNCILMEMBER PALTIN: Maybe for me, of those after the top three, MEMA would be high up there too, but they're fairly busy. I can't even meet with them.

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CHAIR KAMA: But at some point in time, they would have to meet with 'Ōiwi when they decide when they're going to cut it down so that they'd be prepared, or set up to figure out where they're going to move. I mean, those --

COUNCILMEMBER SUGIMURA: And the cost.

CHAIR KAMA: -- trees are tall. They're like --

COUNCILMEMBER SUGIMURA: Yeah.

CHAIR KAMA: -- I don't know, 100-feet tall, maybe --

COUNCILMEMBER SUGIMURA: Yeah.

CHAIR KAMA: -- or taller.

COUNCILMEMBER SUGIMURA: Yeah.

CHAIR KAMA: I mean, I was watching them the other day as they were all leaning during the wind, yeah?

COUNCILMEMBER SUGIMURA: It's by your house.

CHAIR KAMA: I'm thinking, oh, and then the wind came back the other way. I was just mesmerized, I was watching it like that from the mall. But they're very tall, and that's a lot of trees, seven, right, you said? Seven tall coconut trees, and all that coconut --

COUNCILMEMBER SUGIMURA: Oh, the old kind.

CHAIR KAMA: -- branch.

COUNCILMEMBER SINENCI: I...I think, just to add, he would just maybe know the schedule when you're --

CHAIR KAMA: Yeah.

COUNCILMEMBER SINENCI: -- when you're going to be taking them down. That way, in case they want to prep --

CHAIR KAMA: Call them or something.

COUNCILMEMBER SINENCI: -- protocol, whichever, then they can...they can just --

CHAIR KAMA: Yes.

COUNCILMEMBER SINENCI: -- know your schedule.

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CHAIR KAMA: Yeah, yeah. And there's a protocol for that. So, that might do a little interruption with your day, but okay. Anyone else? Any other questions?

MS. NAKATA: Oh, Chair?

CHAIR KAMA: Yes.

MS. NAKATA: If I could, I --

CHAIR KAMA: Yes.

MS. NAKATA: -- I just wanted to clarify. I'm...I'm trying to double-check on whether the three-working day prior guideline applies also to a recessed meeting. But I think we should just plan on that conservatively for the time being. Also, I wanted to let you know that I did hear from Director Molina, Director of Public Works, and he said that he can be available to meet right after this meeting with the applicant in his conference room.

CHAIR KAMA: Perfect.

COUNCILMEMBER SUGIMURA: Oh, good.

CHAIR KAMA: Perfect.

COUNCILMEMBER SUGIMURA: Good, good.

CHAIR KAMA: Okay.

COUNCILMEMBER SUGIMURA: Yay, progress.

CHAIR KAMA: Number one priority. Thank you. Okay. Members, so I'm going to recess this meeting --

COUNCILMEMBER SUGIMURA: Okay.

CHAIR KAMA: -- until the 20th --

COUNCILMEMBER SUGIMURA: Good.

CHAIR KAMA: And so, it is now 11:18 on August 6th. The HLU Committee meeting is now in recess until August 20th, 9:00 a.m. Same time, same space, same Microsoft links, and here in the Chamber. Anything else?

MR. KRUEGER: Yes, 9:00 a.m., August 20th, same in-person location is here in the Council Chamber, and same Microsoft Teams meeting link.

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CHAIR KAMA: Okay. Thank you very much. The HLU Committee meeting of August 6th, 2025 is now in recess. . . .(*gavel*). . .

RECESS: 11:19 a.m.

hlu:min:250806r-min:ds

Transcribed by: Daniel Schoenbeck

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CERTIFICATION

I, Daniel Schoenbeck, hereby certify that pages 1 through 46 of the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 10th day of September 2025, in Wailuku, Hawai'i



Daniel Schoenbeck