

COUNCIL OF THE COUNTY OF MAUI

# EFFICIENCY SOLUTIONS AND CIRCULAR SYSTEMS COMMITTEE

November 20, 2023

**Committee  
Report No.** \_\_\_\_\_

Honorable Chair and Members  
of the County Council  
County of Maui  
Wailuku, Maui, Hawaii

Chair and Members:

Your Efficiency Solutions and Circular Systems Committee, having met on November 2, 2023, makes reference to a Miscellaneous Communication dated May 25, 2021, from the County Clerk, transmitting a proposed bill, entitled “A BILL FOR AN ORDINANCE AMENDING SECTION 3.38.020, MAUI COUNTY CODE, RELATING TO HAWAIIAN CULTURAL RESTORATION AND REVOLVING FUND.”

The purpose of the proposed bill is to add Kamehameha Iki Park to the list of historic and cultural sites eligible for preservation and restoration under the Hawaiian Cultural Restoration Revolving Fund (Revolving Fund).

Your Committee notes that the Revolving Fund was established by Ordinance 4393 (2016) to require that all proceeds from the parking concession located on County property, identified as tax map key (2) 4-6-007-036, Lahaina, Maui, Hawai‘i, be used “for the preservation and restoration of Hawaiian historic and cultural sites and artifacts relating to Moku‘ula and the ponds of Mokuhinia at Lahaina, Maui, Hawaii, including maintenance of the sites.”

Your Committee noted that Appendix A, Part II, of the Fiscal Year 2024 Budget estimates the Revolving Fund balance to be \$1,327,928 as of June 30, 2023. Of this amount, up to \$250,000 must be allocated for Nā ‘Aikāne o Maui, Inc., “to conduct public meetings and to develop and implement a plan for the cleaning and caring for Moku‘ula and Mokuhinia, to include informational and code of conduct signage, provide appropriate curation or display of cultural and historic artifacts, and the appropriate reinterment of iwi kupuna, subject to required approvals.”

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Your Committee received comments in support of the proposed bill from multiple cultural advisors who shared mo‘olelo (history and stories) related to the cultural significance of Moku‘ula, Mokuhinia, and the surrounding wahi pana (noted or legendary place), Pākalā, including Kamehameha Iki Park.

Your Committee received comments from the Principal Archaeologist; Ke‘eaumoku Kapu, President of Nā ‘Aikāne o Maui, Inc.; Blossom Feiteira, former Executive Director of Friends of Moku‘ula, Inc.; Kaipo Kekona, a lineal descendant of the area; and a representative from the United States Army Corps of Engineers about restoration efforts for Moku‘ula, Mokuhinia, and Pākalā.

Your Committee also received a presentation from Kepā Maly of Kumu Pono Associates, LLC, that referenced Hawaiian Kingdom maps and renderings of the area encompassing portions of the former capitol of Hawai‘i.

The Principal Archaeologist warned that iwi kupuna would be disturbed if sacred burial sites, such as King Kamehameha III Elementary School, are redeveloped. She commented that additional sites, such as 505 Front Street, are also part of the larger complex of traditional cultural properties that could be considered for protection. She also shared some post-Hawaiian Kingdom history of the area, including the diversion of water for plantations and the infilling of ponds and wetlands.

Your Committee discussed the importance of more community discussion and cultural restoration plans as being foundational to the rebuilding of Lahaina following the August 8, 2023, wildfires. Your Committee also discussed expanding the resources designated for the Revolving Fund to potentially include a portion of all public parking lot proceeds in Lahaina, and that such County funding could provide necessary cost-sharing to make the sites' restoration eligible for federal funding through the United States Army Corps of Engineers.

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Your Committee expressed appreciation for the work of Nā ‘Aikāne o Maui, Inc., Friends of Moku‘ula, Inc., and other cultural and historic advisors.

Your Committee agreed to amend the proposed bill’s title to accurately reflect the name of the Revolving Fund and to amend the bill to reflect the historical name of Pākalā, which includes Kamehameha Iki Park.

Your Committee voted 5-0 to recommend passage of the revised proposed bill on first reading and filing of the Miscellaneous Communication. Committee Chair Rawlins-Fernandez, Vice-Chair Paltin, and members Kama, Lee, and Sinenci voted “aye.” Committee members Cook and Sugimura were excused.

Your Committee is in receipt of a revised proposed bill, entitled “A BILL FOR AN ORDINANCE AMENDING SECTION 3.38.020, MAUI COUNTY CODE, RELATING TO HAWAIIAN CULTURAL RESTORATION REVOLVING FUND,” approved as to form and legality by the Department of the Corporation Counsel, incorporating your Committee’s recommended revisions and nonsubstantive revisions.

Your Efficiency Solutions and Circular Systems Committee RECOMMENDS the following:

1. That Bill \_\_\_\_\_ (2023), as revised herein and attached hereto, entitled “A BILL FOR AN ORDINANCE AMENDING SECTION 3.38.020, MAUI COUNTY CODE, RELATING TO HAWAIIAN CULTURAL RESTORATION REVOLVING FUND,” be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That the Miscellaneous Communication be FILED.

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This report is submitted in accordance with Rule 8 of the Rules of the Council.

  
\_\_\_\_\_  
KEANI N.W. RAWLINS-FERNANDEZ, Chair

escs:cr:23003aa:ebm

ORDINANCE NO. \_\_\_\_\_

BILL NO. \_\_\_\_\_ (2023)

A BILL FOR AN ORDINANCE AMENDING SECTION 3.38.020,  
MAUI COUNTY CODE, RELATING TO HAWAIIAN CULTURAL  
RESTORATION REVOLVING FUND

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Section 3.38.020, Maui County Code, is amended to read as follows:

**“3.38.020 - Purpose.** A. The Hawaiian cultural restoration revolving fund [shall] must provide funds for the preservation and restoration of Hawaiian historic and cultural sites and artifacts relating to Moku‘ula, [and] the ponds of Mokuhinia, and Pākalā (Kamehameha Iki Park) at Lahaina, Maui, [Hawaii,] Hawai‘i, including maintenance of the sites.

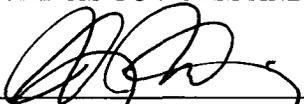
B. In adopting each fiscal year's budget and capital program, the council may make appropriations to the fund. Any balance remaining in this fund at the end of the fiscal year [shall] must not lapse, but [shall] must remain in the fund accumulating from year to year.

C. The revenues in this fund [shall] must not be used for any purpose except those listed in subsection A [of this section].”

SECTION 2. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 3. This Ordinance takes effect on approval.

APPROVED AS TO FORM AND LEGALITY:



YUKARI MURAKAMI

Department of the Corporation Counsel  
County of Maui

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LF2023-0139