

**MAUI COUNTY COUNCIL
MINUTES**

**February 28, 2024
9:00 AM**

TIME MEETING CALLED TO ORDER: 9:01 A.M.

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

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

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

Roll Call

Councilmember	Pres.	Abs.	Exc.	Time(s) In/Out (during meeting)
CM Pro Tempore Tasha Kama	√			Exc. 9:29-11:06 a.m.
Vice Chair Yuki Lei Sugimura	√			
CM Tamara Paltin	√			
CM Gabe Johnson	√			
CM Keani Rawlins-Fernandez			√	Arr. 9:42 a.m.; Exc. 10:30-10:32
CM Tom Cook	√			
CM Nohelani Ucu-Hodgins	√			Exc. 10:33 a.m.
CM Shane Sinenci	√			
Chair Alice L. Lee	√			
TOTAL PRESENT	8		1	

COMMUNICATIONS

CC 24-7 BUDGET DIRECTOR, transmitting a proposed amendment to Bill 39, (2024), entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, REVENUES AND DEPARTMENT OF MANAGEMENT, OFFICE OF RECOVERY".

Postponed, without objection, until Bill 39 was called.

COMMITTEE REPORTS

CR 24-19 Recommending FILING of Bill 8 (2024), to amend the Fiscal Year 2024 Budget by amending Section 3.B.10.a, Office of the Mayor, Administration Program by 1) deleting under (4). Environmental Protection, the conditional language that up to \$600,000 to be used for watershed management planning and implementation by Maui Environmental Consulting, Inc. (MEC) or Central Maui Soil and Water Conservation District and renumbering the subsequent conditions accordingly; 2) deleting the \$200,000 appropriation for Ho‘ahu Energy Co-op Molokai and renumbering the subsequent appropriations accordingly; and 3) adding a new appropriation entitled "Maui Family Young Men’s Christian Association" in the amount of \$200,000.

CR 24-20 Recommending FIRST READING of Bill 136 (2023) to amend the Fiscal Year 2024 Budget by: 1) amending Section 3.B.10.a.(1) by reducing Category A - Salaries and Total appropriations by \$223,290; and 2) amending Section 3.B by adding a new appropriation for the East Maui Water Authority, Administration Program, for 3.0 equivalent personnel, and adding a Category A - Salaries appropriation of \$223,290 and a Total appropriation of \$223,290.

CR 24-21 Recommending FIRST READING of Bill 9, CD1 (2024) to amend the Fiscal Year 2024 Budget, by: 1) amending Section 2, Estimated Revenues, by increasing Carryover/Savings from the General Fund by \$800,000; 2) amending Section 4.D.3., Department of Parks and Recreation, Kihei-Makena Community Plan Area, by adding "a. Parks and Recreation" before "(1) General Fund" and adding a new appropriation under General Fund entitled "Kihei Community Center Improvements" in the amount of \$800,000; 3) adjusting the totals accordingly; and 4) amending Appendix C - Capital Improvement Projects, Department of Parks and Recreation, Kihei-Makena Community Plan Area by adding a new project and project description entitled "Kihei Community Center Improvements" in the amount of \$800,000.

CR 24-22 Recommending the following: 1. FIRST READING of Bill 13, CD1 (2024) to amend the Fiscal Year 2024 Budget, by: 1) amending Section 2, Estimated Revenues, by increasing Bond/Lapsed Bond by \$2,020,000; 2) amending Section 4.G., Department of Transportation, by adding a new appropriation for Wailuku-Kahului Community Plan Area, Government Facilities, entitled "Transportation Baseyard Facility" in the amount of \$2,020,000; 3) adjusting the totals accordingly; and 4) amending Appendix C - Capital Improvement Projects, Department of Transportation, Wailuku-Kahului Community Plan Area, by increasing the appropriation for the Transportation Baseyard Facility by \$2,020,000; and 2. FIRST READING of Bill 14, CD1 (2024) to amend the Fiscal Year 2024 general obligation bond authorization ordinance by adding a new appropriation of \$2,020,000 for "Transportation Baseyard

Facility," for the Department of Transportation, Wailuku-Kahului Community Plan Area, Government Facilities.

CR 24-23 Recommending the following: 1. FIRST READING of Bill 17, CD1 (2024) to amend the Fiscal Year 2024 Budget, by: 1) amending Section 2, Estimated Revenues, by increasing Bond/Lapsed Bond by \$2,914,000; 2) amending Section 4.D.4.a., Department of Parks and Recreation, Lāna‘i Community Plan Area, Parks and Recreation, by adding a new appropriation under Bond Fund, entitled "Lāna‘i Youth Center and Skate Park" in the amount of \$2,914,000; 3) adjusting the totals accordingly; and 4) amending Appendix C - Capital Improvement Projects, Department of Parks and Recreation, Lāna‘i Community Plan Area, by adding a new project and project description, entitled "Lāna‘i Youth Center and Skate Park" in the amount of \$2,914,000; and 2. FIRST READING of Bill 18, CD1 (2024) to amend the Fiscal Year 2024 general obligation bond authorization ordinance by adding a new appropriation of \$2,914,000 for "Lāna‘i Youth Center and Skate Park," for the Department of Parks and Recreation, Lāna‘i Community Plan Area.

CR 24-24 Recommending FIRST READING of Bill 19, CD1 (2024) to amend the Fiscal Year 2024 Budget, by: 1) amending Section 2, Estimated Revenues, by increasing Carryover/Savings from the General Fund by \$510,500; 2) amending Section 4.D., Department of Parks and Recreation, by adding a new appropriation for Pā‘ia-Ha‘ikū Community Plan Area, Parks and Recreation, General Fund, entitled "Lower Pā‘ia Park Parking Lot" in the amount of \$510,500; 3) adjusting the totals accordingly; and 4) amending Appendix C - Capital Improvement Projects, Department of Parks and Recreation, by adding a new project and project description for the Pā‘ia-Ha‘ikū Community Plan Area, entitled "Lower Pā‘ia Park Parking Lot," in the amount of \$510,500.

	AYE	NO	EXC	Time Deliberations Began	9:20 a.m.
Pro Tem Kama	√			Time Motion Made	9:26 a.m.
VC Sugimura	√			Motion	ADOPT CR 24-19 to 24-24
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez			√	Time Vote Taken	9:29 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

CR 24-25 Recommending ADOPTION of Resolution 24-15, CD1, to approve the appointments of Viola Kauakea Diego (East Maui) and Kilia Waiomina Iona Purdy-Avelino (Molokai) to the Independent Nomination Board.

	AYE	NO	EXC	Time Deliberations Began	9:30 a.m.
Pro Tem Kama			√	Time Motion Made	9:30 a.m.
VC Sugimura	√			Motion	ADOPT CR 24-25
CM Paltin	√			Maker	U‘u-Hodgins
CM Johnson	√			Secunder	Sugimura
CM Rawlins-Fernandez			√	Time Vote Taken	9:31 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

CR 24-26 Recommending ADOPTION of Resolution 24-10, approving the Mayor’s appointment of Kate Blystone as Planning Director.

	AYE	NO	EXC	Time Deliberations Began	9:31 a.m.
Pro Tem Kama			√	Time Motion Made	9:31 a.m.
VC Sugimura	√			Motion	ADOPT CR 24-26
CM Paltin	√			Maker	U‘u-Hodgins
CM Johnson	√			Secunder	Johnson
CM Rawlins-Fernandez			√	Time Vote Taken	9:36 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

CR 24-27 Recommending ADOPTION of Resolution 23-242, CD1, authorizing settlement of various 2023 wildfire claims involving death or serious bodily injury.

	AYE	NO	EXC	Time Deliberations Began	9:36 a.m.
Pro Tem Kama			√	Time Motion Made	9:36 a.m.
VC Sugimura	√			Motion	ADOPT CR 24-27

CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Seconder	Sugimura
CM Rawlins-Fernandez			√	Time Vote Taken	9:37 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

CR 24-28 Recommending FIRST READING of Bill 21, CD1 (2024), to amend Chapter 16.25, Maui County Code, by: 1) consolidating the permits administered by the Department of Public Works into the modified application, which include electrical, plumbing, driveway, and grading permits; 2) including commercial properties in the modified application; 3) expanding the scope of repair work under the modified application, including the repair of damaged structures that can still be occupied, the reconstruction of previously existing structures within or exceeding the previous building footprint, and the construction of new dwellings, accessory dwellings, and commercial structures to the extent permitted by zoning restrictions and building codes; 4) allowing for the bypassing of agency reviews, except when reviews are necessary for non-conforming structures, commercial structures, and lots with more than two dwellings; 5) extending the approval of a modified application to 15 days to provide additional review time for the Department to reduce the risk and burden on property owners; 6) deferring permit fees for residential structures until the final inspection; and 7) allowing the reissuance of permits for recently built structures within the past five years.

	AYE	NO	EXC	Time Deliberations Began	9:37 a.m.
Pro Tem Kama			√	Time Motion Made	9:38 a.m.
VC Sugimura	√			Motion	ADOPT CR 24-28
CM Paltin	√			Maker	Cook
CM Johnson	√			Seconder	Sugimura
CM Rawlins-Fernandez			√	Time Vote Taken	9:41 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

Reso 24-46 "AUTHORIZING A GRANT OF LEASE OF COUNTY REAL PROPERTY TO COUNCIL FOR NATIVE HAWAIIAN ADVANCEMENT"

	AYE	NO	EXC	Time Deliberations Began	9:56 a.m.
Pro Tem Kama			√	Time Motion Made	10:08 a.m.
VC Sugimura	√			Motion	WAIVE Rule 7G
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconders	U'u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	10:09 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama			√	Time Motion Made	10:09 a.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconders	U'u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	10:21 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama			√	Time Motion Made	10:09 a.m.
VC Sugimura	√			Motion	Amend per distributed ASF
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconders	U'u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	10:17 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama			√	Time Motion Made	10:17 a.m.
VC Sugimura	√			Motion	WAIVE Rule 19C
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	Cook
CM Rawlins- Fernandez	√			Time Vote Taken	10:21 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

Reso 24-47 "AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI, TO ENTER INTO A WATER SOURCE DEVELOPMENT AGREEMENT WITH FREE MARKET VENTURES, LLC., PURSUANT TO CHAPTER 14.01, MAUI COUNTY CODE"

9:58 a.m.: Referred to the Water and Infrastructure Committee:

Reso 24-48 "AUTHORIZING THE GRANT OF REAL PROPERTY TO HALE MAKUA HEALTH SERVICES"

10:21 a.m.: Referred to the Water Authority, Social Services and Parks Committee

Reso 24-49 "PROPOSING AN AMENDMENT TO ARTICLE 13 OF THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, TO ALLOW REAPPOINTMENT OF BOARD OF ETHICS MEMBERS FOR ONE SUCCESSIVE TERM"

10:22 a.m.: Referred to the Government Relations, Ethics, and Transparency Committee

Reso 24-50 "AUTHORIZING THE COUNCIL CHAIR TO ISSUE A REQUEST FOR PROPOSALS AND CONTRACT FOR THE PREPARATION OF A ROAD AND PUBLIC INFRASTRUCTURE MASTER PLAN CONSISTENT WITH THE WEST MAUI COMMUNITY PLAN FOR THE WILDFIRE-AFFECTED AREAS IN WEST MAUI"

10:23 a.m.: Referred to the Water and Infrastructure Committee

Bill 41 (2024) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI, TO ENTER INTO AN INTERGOVERNMENTAL

AGREEMENT WITH THE U.S. DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE RELATED TO THE KULANIHAKOI STREAM SEDIMENT REMOVAL EMERGENCY WATERSHED PROTECTION PROJECT"

10:29 a.m.: Referred to the Water and Infrastructure Committee

Bill 42 (2024) "A BILL FOR AN ORDINANCE AMENDING THE DEFINITIONS OF 'FARM' AND 'FARM LABOR DWELLING' IN THE COMPREHENSIVE ZONING ORDINANCE"

10:30 a.m.: Referred to the Agriculture, Diversification, Environment, and Public Transportation Committee

Bill 43 (2024) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF PUBLIC WORKS PRIVATE DONATIONS"

	AYE	NO	EXC	Time Deliberations Began	10:30 a.m.
Pro Tem Kama			√	Time Motion Made	10:31 a.m.
VC Sugimura	√			Motion	WAIVE Rule 7G
CM Paltin	√			Maker	Cook
CM Johnson	√			Seconder	Sugimura
CM Rawlins-Fernandez			√	Time Vote Taken	10:31 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama			√	Time Motion Made	10:32 a.m.
VC Sugimura	√			Motion	PASS on first reading
CM Paltin	√			Maker	Cook
CM Johnson	√			Seconder	Sugimura
CM Rawlins-Fernandez			√	Time Vote Taken	10:32 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

Bill 137, CD1 (2023) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, REVENUES; CAPITAL

IMPROVEMENT PROJECTS, DEPARTMENT OF PARKS AND RECREATION, WAILUKU-KAHULUI COMMUNITY PLAN AREA; AND APPENDIX C, DEPARTMENT OF PARKS AND RECREATION, WAILUKU-KAHULUI COMMUNITY PLAN AREA"

Bill 138, CD1 (2023) "A BILL FOR AN ORDINANCE AMENDING ORDINANCE 5530 (2023), RELATING TO THE ISSUANCE, SALE, AND DELIVERY OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI (DEPARTMENT OF PARKS AND RECREATION)"

Bill 2 (2024) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, APPENDIX B, DEPARTMENT OF FIRE AND PUBLIC SAFETY, FEES - FIRE - PERMIT INSPECTION, ETC."

Bill 4 (2024) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART II, SPECIAL PURPOSE REVENUES - SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2024, AFFORDABLE HOUSING FUND"

Bill 5, CD1 (2024) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, OFFICE OF THE MAYOR "

	AYE	NO	EXC	Time Deliberations Began	10:32 a.m.
Pro Tem Kama			√	Time Motion Made	10:34 a.m.
VC Sugimura	√			Motion	PASS Bills 137 CD1 (2023), 138 CD1 (2023), 2, 4, 5 (2024) on second and final reading
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	Cook
CM Rawlins-Fernandez	√			Time Vote Taken	10:39 a.m.
CM Cook	√				
CM U'u-Hodgins			√		
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

Bill 1, CD1 (2024) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN AMENDMENT TO AN

INTERGOVERNMENTAL AGREEMENT WITH THE UNITED STATES DEPARTMENT OF THE ARMY (US ARMY) REGARDING A DESIGN AGREEMENT FOR THE IAO STREAM, MAUI, HAWAII - FLOOD RISK MANAGEMENT PROJECT"

	AYE	NO	EXC	Time Deliberations Began	10:39 a.m.
Pro Tem Kama			√	Time Motion Made	10:39 a.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	Cook
CM Johnson	√			Secunder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	10:40 a.m.
CM Cook	√				
CM U'u-Hodgins			√		
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

Bill 38 (2024) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, REVENUES AND EMERGENCY MANAGEMENT AGENCY"

	AYE	NO	EXC	Time Deliberations Began	10:40 a.m.; recalled 11:12 a.m.
Pro Tem Kama	√			Time Motion Made	10:40 a.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	Cook
CM Rawlins-Fernandez	√			Time Vote Taken	11:22 a.m.
CM Cook	√				
CM U'u-Hodgins			√		
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

Bill 39 (2024) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, REVENUES AND DEPARTMENT OF MANAGEMENT, OFFICE OF RECOVERY"

CC 24-7 BUDGET DIRECTOR, transmitting a proposed amendment to Bill 39 (2024), entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, REVENUES AND DEPARTMENT OF MANAGEMENT, OFFICE OF RECOVERY".

	AYE	NO	EXC	Time Deliberations Began	10:42 a.m.
Pro Tem Kama			√	Time Motion Made	10:42 a.m.
VC Sugimura	√			Motion	PASS on second and final
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	Cook
CM Rawlins-Fernandez	√			Time Vote Taken	10:47 a.m.
CM Cook	√				
CM U‘u-Hodgins			√		
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama			√	Time Motion Made	10:45 a.m.
VC Sugimura	√			Motion	AMEND per CC24-7; FILE CC24-7
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	Cook
CM Rawlins-Fernandez	√			Time Vote Taken	10:46 a.m.
CM Cook	√				
CM U‘u-Hodgins			√		
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

TIME MEETING ADJOURNED: 11:28 a.m.