

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Council of the County of Maui

MINUTES

July 26, 2024

Online Only via TEAMS

CONVENE: 1:38 p.m.

PRESENT: Councilmember Nohelani U‘u-Hodgins, Chair
Councilmember Tamara Paltin, Vice-Chair
Councilmember Tom Cook, Member
Councilmember Gabe Johnson, Member
Councilmember Tasha Kama, Member (left at 2:44 p.m.)
Councilmember Alice L. Lee, Member (left at 3:42 p.m.)
Councilmember Shane M. Sinenci, Member
Councilmember Yuki Lei K. Sugimura, Member

EXCUSED: Councilmember Keani N.W. Rawlins-Fernandez, Member

STAFF: Kasie Apo Takayama, Senior Legislative Analyst
Jarret Pascual, Legislative Analyst
Eric Arquero, Legislative Analyst
Pauline Martins, Senior Committee Secretary
Richelle Kawasaki, Deputy Director, Office of Council
Services
Lori Tengan, Committee Secretary
Jean Pokipala, Council Services Assistant Clerk
Ryan Martins, Council Ambassador

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

ADMIN.: Richard T. Bissen Jr., Mayor
Josiah Nishita, Managing Director, Department of
Management
Marcy Martin, Acting Director, Department of Finance
Cody Minatodani, Deputy Corporation Counsel, Department
of the Corporation Counsel

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

Kristin Tarnstrom, Deputy Corporation Counsel,
Department of the Corporation Counsel
Kate Blystone, Director, Department of Planning
Patience Kahula, CDBG Program Director

OTHERS: Wes Sapp, Consultant, Tetra Tech
Tom Liu
Kai Nishiki
Kari McCarthy
His Highness Kaua
Jasee Law
Plus (23) other people

PRESS: Akakū: Maui Community Television, Inc.

CHAIR U‘U-HODGINS: . . .*(gavel)*. . . Good afternoon, everyone. Will the Government Relations, Ethics, and Transparency Committee meeting of July 6, 2024 [sic] please come to order. It is 1:38 p.m. I’m your Chair, Nohelani U‘u-Hodgins. Members, in accordance with the Sunshine Law, please identify by name who, if anyone, is in the room, vehicle, or workspace with you today. Minors do not need to be identified. Let’s begin with Committee Vice-Chair Tamara Paltin, good afternoon.

VICE-CHAIR PALTIN: Good afternoon, and aloha ‘auinalā kākou. Streaming live and direct from the Lahaina Recovery Center, and I am alone in this space.

CHAIR U‘U-HODGINS: In your closet. Sounds good, thank you. Councilmember Tom Cook, good afternoon.

COUNCILMEMBER COOK: Good afternoon, Chair, and everybody. I am in the Kihei Office, and I have my two aides in the other room...I’m alone in this office. And there are presently no testifiers here at the Kihei Office.

CHAIR U‘U-HODGINS: Thank you. Councilmember Gabe Johnson, good afternoon.

COUNCILMEMBER JOHNSON: Good afternoon, Chair, Councilmembers, community members. There’s no testifiers at the Lāna‘i District Office, I’m alone in my workspace, and I’m here and ready to work. Mahalo.

CHAIR U‘U-HODGINS: Thank you. Councilmember Tasha Kama, good afternoon.

COUNCILMEMBER KAMA: Aloha ‘auinalā, Chair, and good afternoon to everyone. I am home alone in my workspace, and there are no testifiers here. Thank you.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

CHAIR U‘U-HODGINS: Thank you. Council Chair Alice Lee, do we see her on? Okay. Councilmember Keani Rawlins-Fernandez is excused. We'll wait for Chair Lee. Councilmember Shane Sinenci, good afternoon.

MS. APO TAKAYAMA: She's on --

COUNCILMEMBER SINENCI: Aloha ‘auinalā, Chair, from my home office. I'm here with my District Staff members, Gina Young and Don Atay, and there are no testifiers at the Hāna District Office.

CHAIR U‘U-HODGINS: Thank you. Council Chair Alice Lee, good afternoon.

COUNCILMEMBER LEE: Good afternoon, everyone. I'm here in my workspace at home alone. Thank you.

CHAIR U‘U-HODGINS: Thank you. Councilmember Yuki Lei Sugimura, good afternoon.

COUNCILMEMBER SUGIMURA: Good afternoon, everybody. In Kula at my home office, and I have no one here in the office with me.

CHAIR U‘U-HODGINS: Thank you. From Corporation Counsel, we have today Cody Minatodani, Deputy Corporation Counsel. From Administration, we have with us Mayor Richard Bissen; Josiah Nishita, Managing Director; Marcy Martin, Acting Director of Finance; Patience Kahula, CDBG Program Manager. Later to join us, we will have Mahina Martin, Director of Public Affairs, and Director Kate Blystone of the Planning Department. We have our Committee Staff, Pauline Martins, Senior Committee Secretary; Kasie Apo Takayama, Senior Legislative Analyst; Jarret Pascual, Legislative Analyst; Eric--I'm sorry, I'm going to totally mispronounce your name--Arquero, Legislative Analyst; Megan Moniz, Legislative Attorney; Richelle Kawasaki, Deputy Director of Council Services; and Jean Pokipala, Council Services Assistant Clerk. Please see the last page of the agenda for information on meeting connectivity. Testimony. Testifiers wanting to provide testimony should sign up in the lobby, join on meeting...join on the meeting online via the Teams link, or call in to the phone number noted on today's agenda. Written testimony is encouraged, and can be submitted via the eComment link at mauicounty.us/agendas as well. Under the Sunshine Law, the Chair will receive oral testimony for agenda items at the beginning of the meeting, and as the item is called up. For individuals wishing to testify via Teams, please raise your hand by clicking on the raise-your-hand button. If calling in, please follow the prompts via phone; star-5 to raise and lower your hand, star-6 to mute and unmute. Staff will add names to the testifier list in the order the testifiers sign up or raise their hands. For those on Teams, Staff will lower your hand once your name is added. Staff will then call the name you are logged in under or the

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

last four digits of your phone number when it is your time to testify. At that time, Staff also enable your microphone and video. If you wish to testify anonymously, please notify Staff, otherwise, please state your name for the record at the beginning of your testimony. Oral testimony is limited to three minutes per item, and if you are still testifying beyond that time, I will kindly ask you to complete your testimony. Once you are done...done testifying, or you do not wish to testify, you can always view the meeting on *Akakū* Channel 53, Facebook Live, or mauicounty.us/agendas. We will do our best to take up each person in an orderly fashion, and we will now call on testifiers wishing to testify at the beginning of the meeting. Staff, if you could please call our first testifier.

MR. PASCUAL: Thank you, Chair. The first testifier is Tom Liu, followed by Kai Nishiki.

CHAIR U‘U-HODGINS: Aloha, Mr. Liu. You're welcome to join us at the podium.

. . . BEGIN PUBLIC TESTIMONY . . .

MR. LIU: I didn't expect so soon. . . *(inaudible)*. . .

CHAIR U‘U-HODGINS: Oh, we are waiting for you.

MR. LIU: Well, first of all, thank you very much, and thank you, all the Councilmembers and Mayor, to allow me this opportunity to come here to talk about the fire victims and some of the dilemma after everything has been done. And my name is Tom Liu, or Thomas Liu, and I am one of the fire victims. And my house and my cottage were completely burned to the...to the ground. I think, Mayor, you've seen it with my property. On...not long--thank you.

CHAIR U‘U-HODGINS: Thank you.

MR. LIU: Not long after the August 8th fire, a weekly meeting was established to update the fire victims of what kind of help we can receive from the government agencies--local, State, Federal--and what they can do to help us move forward with our shattered life and devastated property. U.S. Corps of Engineers was assigned by FEMA to help us clean our property, that's the first thing you had to do. And in order for them to start cleaning up our properties, a right-of-entry form has to be created by the County. So, we, as a group, all the victims, all the...the people who lost property, have to sign it, and not individually, but until all the forms were received by the Corps of Engineers. Then they send it to the County, then they start the--the clean up. I'm...I'm not sure that everybody knows that, but that's how the...the procedure went. And of course, all of us were under terrific pressure and stress, and we were all pressured to sign the form to get started, we couldn't wait to get started. And I doubted. I don't know

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

how many people really read the form, and we just want to sign it to get going. In fact, the County was nice enough to have two Staff members after one of the meeting [*sic*] to help us complete the form. On November 13th, I was one of the lucky...lucky one because I think that my property was the second one in Upcountry to start the...the removal of debris. The -- . . .(*timer sounds*). . . Did I do that?

CHAIR U‘U-HODGINS: Mr. Liu, you can have another 30 seconds to wrap up.

MR. LIU: Oh.

CHAIR U‘U-HODGINS: Yeah, we have a three-minute time period.

MR. LIU: Oh, I didn't know that.

CHAIR U‘U-HODGINS: That's okay.

MR. LIU: Because --

CHAIR U‘U-HODGINS: We can always take your written testimony if you choose --

MR. LIU: Okay.

CHAIR U‘U-HODGINS: -- to do that as well.

MR. LIU: Okay. All right. I think that the important part that I wanted to get it across is, I have a 160-foot driveway--and not myself, there's other people too--and it was severely damaged by the heavy loaded truck with concrete, with appliances, with everything that they have to remove. And there were the ECC, the local contractor, the Corps of the Engineers, and FEMA supervisor was standing there watching, and can see my driveway has been damaged. In fact, it's cracked all the way across and formed a V-shaped sinkhole. Now, I was told at that time that driveways like that is not built for heavy loaded truck, it's for the private...for the passenger cars.

CHAIR U‘U-HODGINS: Um-hum.

MR. LIU: And they will send me a form, a claim form to fill, and then they will report it up the chain, so don't worry, we'll take care of it. Now, six months later is when I heard the decision, but meantime, there were three, four...they came to inspect my driveway twice, Corps of Engineer, ECC, and both times they told me--well, ECC, the first time, they said, oh, we can't fix the whole driveway, but we can do the damaged part, the bad ones. It's about half of a--80 foot--and they will send

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

me an email to confirm that. And then the second time, it was Corps of Engineer, came. . . .(timer sounds). . .

CHAIR U‘U-HODGINS: Do you want to send us your testimony in writing?

MR. LIU: Absolutely.

CHAIR U‘U-HODGINS: Okay.

MR. LIU: Because I want to tell the whole story.

CHAIR U‘U-HODGINS: Okay. Please do that, and then we can post it.

MR. LIU: Okay. Who do I send it to?

CHAIR U‘U-HODGINS: The GREAT Committee. We can--somebody will get the email to you so --

MR. LIU: Okay.

CHAIR U‘U-HODGINS: -- it's easy for you. Okay. Thank you so much for your testimony, but before you leave, I'm going to ask if anybody has any clarifying questions, okay? Member Paltin has a clarifying question for you, would you please come back to the mic?

MR. LIU: Sorry.

CHAIR U‘U-HODGINS: No.

MR. LIU: My first time.

CHAIR U‘U-HODGINS: No. No, thank you so much for being here. Member Paltin, your clarifying question. And then Staff will get you the email so you can . . .(inaudible). . .

VICE-CHAIR PALTIN: Okay. Thank you, Chair. Thank you, Mr. Liu, for your testimony. I didn't catch your...your full name, is my first clarifying question.

CHAIR U‘U-HODGINS: Thomas Liu.

MR. LIU: Yeah.

VICE-CHAIR PALTIN: Oh, Thomas Liu. And then the second clarifying question is, I...I didn't understand what you're asking of us.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

MR. LIU: Oh, okay. Because I didn't get a chance to tell the whole story. I didn't understand the procedure, I'm sorry.

CHAIR U'U-HODGINS: That's okay.

MR. LIU: What I'm asking is what the Corps of Engineers, the FEMA, the government agency provided help to remove the debris. Actually, it's costing us more than what it costs to remove the debris because the driveway was damaged and they refer to the ROE to say, read that, and we're not responsible. So, now there's--nobody's responsible. And I'm not just speaking for myself, but here, I'm talking about my own story. And it costs more in some cases than the debris removal; is that fair? Is that something the government agency do? They come in and...and help you and collateral damage? That's more than what they...they have done for you. I'm asking for help. We don't know what to do. Not just myself, there's others involved.

CHAIR U'U-HODGINS: Okay. Thank you. Member Paltin, did that answer your question?

VICE-CHAIR PALTIN: Yes. Thank you for the clarifications.

CHAIR U'U-HODGINS: Okay. Thank you. We have...you have another question from Chair Lee, followed by Member Sugimura. So, Chair Lee will ask her question now.

COUNCILMEMBER LEE: Mr. Liu, how much is it going to cost you to repair your damaged driveway?

MR. LIU: Okay. If you...if...if you allow me, when the ECC came up to inspect the driveway, they even--I helped them measure the worst part, and they said, no, we...we probably will fix this part, and not the whole driveway. I said, that's fair enough, but never heard from them again. I --

COUNCILMEMBER LEE: Okay.

MR. LIU: -- did get estimate, and it's somewhere around \$80,000 because I have a 160-foot driveway. Half of it, that's around 40, \$45,000.

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

MR. LIU: Thank you.

CHAIR U'U-HODGINS: Thank you. Member Sugimura.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**

Council of the County of Maui

July 26, 2024

COUNCILMEMBER SUGIMURA: Nice seeing you--or hearing you. I can't see you, Tom. So, you got a \$80,000 estimate, and have you filed any claim, or done anything more besides this phone call to--or this testimony to us?

MR. LIU: Okay. After...after...actually, on June 17th is when I heard from U.S. Corps of Engineer, Colonel Swenson, 'cause he personally came up to inspect in April. He called to tell me that they are not responsible, I need to deal with the County. That's June 17th. Yes, I am filing with the claim form because that was what advice to me to do...and sending with the estimate. I'm waiting for the written estimate right now.

COUNCILMEMBER SUGIMURA: Okay. Thank you, Tom.

MR. LIU: I'm not asking for any more, it's just take care of the damage part.

CHAIR U'U-HODGINS: Okay. Member Kama, did you have a clarifying question?

COUNCILMEMBER KAMA: Yes, I did. I did, thank you. Mr. Liu, in your testimony, you mentioned that it's not just you and there's others. Do you have a sense of --

MR. LIU: Yes.

COUNCILMEMBER KAMA: -- how many others might have the --

MR. LIU: Yes.

COUNCILMEMBER KAMA: -- same thing happening to them?

MR. LIU: Yes. Some of them are even damaged more than my driveway.

COUNCILMEMBER KAMA: Do you...do you have a sense of how many, maybe two, three more?

MR. LIU: I . . . *(inaudible)* . . . the County...the County has a list.

COUNCILMEMBER KAMA: Oh.

MR. LIU: The County has a list of these people with that...with the driveway who was damaged.

COUNCILMEMBER KAMA: Oh.

MR. LIU: Cinder Wood *(phonetic)* driveway was damaged, my neighbor.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

COUNCILMEMBER KAMA: Okay.

MR. LIU: And there...I believe there's a list of...of the people, and then I think all of us were advised to file the claim with the County.

COUNCILMEMBER KAMA: Okay. Thank you so much, Mr. Liu, for your testimony. Thank you, Chair.

CHAIR U'U-HODGINS: Of course. Thank you. Thank you, Mr. Liu.

MR. LIU: Thank you.

CHAIR U'U-HODGINS: Next testifier, please.

MR. PASCUAL: Thank you, Chair. The next testifier is Kai Nishiki, to be followed by Kari McCarthy.

MS. NISHIKI: Aloha, Chair, Members. Thank you. Kai Nishiki, testifying on my own behalf. I am a registered Aloha 'Āina lobbyist. I wanted to testify to--am I allowed to testify on both items --

CHAIR U'U-HODGINS: Yeah.

MS. NISHIKI: -- at the beginning? Yeah?

CHAIR U'U-HODGINS: Yeah, you can.

MS. NISHIKI: Okay. I wanted to testify on the first resolution, to support Ms. Marcy Martin. She has been a lifelong servant to our community, she is always available, she always answers questions from the public, and that is just so important for our community to stay informed and to have good relationship with our government. So, I just wanted to say that we really--and the...and the community really appreciate how willing she is to...to interact with the...with the community. Sometimes, like, you'll call and call different offices, and it'll take a really long time to ever hear back. And, you know, within hours, or the same day, she's always been so responsive. So, just want to say mahalo for your service to our community, and the County is so lucky to...to have you. And on the second agenda item, thank you to the Administration for providing consistent updates and the Wednesday meetings, always try to attend those, and it's really nice to have the interaction back and forth with members of the community. And so, very, very appreciative of that, thank you. I would like to just offer that many in our community are very concerned with the sea-level rise exposure area and the SMA area, and because a lot of the community doesn't have access to see kind of

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

like what's going on in Lahaina Town, there's a lot of things that are just swirling around in people's heads. And so, it'd be really great...and I know that the Planning Department is working diligently on the input that came from the...the meetings that are being held at Lahainaluna regarding all of these issues. And I guess we would just really like--because we've seen like videos on social media of like big, huge two-story houses being built right on the shoreline, you know, there's a lot of concerns. One, there's going to be increasing frequency and intensity of storms, and if the County allows building in these areas, it's really irresponsible and sets the...the County up for liability, and we really should take what we have seen--say, for instance, the Kahana Sunset, which is a condominium that the ocean is washing over, and yet they have sought and received protection on the shoreline from the County, and that is currently in litigation. And...and so, we want to make sure that when we are...when we have this chance to rebuild, that we--like, Archie Kalepa has said, we have one chance to do it right. And we had a fire that happened, but what is coming is hurricanes, tsunamis, sea-level rise that's going to cause flooding and wetland increasing in...in these areas. And so, just really need to have more transparency, and more information about what is going on regarding SLR-XA and...and the SMA. And then in regards to housing, 87...we have heard...you know, everyone's heard 87 percent were renters. With the rebuild, there's no guarantee that folks who are renting, you know, a converted garage or an add...an illegal add-on, will ever have those rentals again, let alone at those prices, with people rebuilding and then prices being--going skyrocketing for...for rentals. So, it would be nice to...for the County to prioritize who's getting water in Lahaina, like should we be providing water to Puamana and the...the visitor industry hotels in Lahaina, or should there be a focus on-- . . .(timer sounds). . . Do I have 30 seconds?

CHAIR U'U-HODGINS: Yeah.

MS. NISHIKI: -- that there be a focus on long-term housing? Because there has just been a lot of focus on temporary housing, but with 87 percent of folks being renters, we really need to hear what the long-term plan is with timelines. Like multifamily in Lahaina, what...what specific projects are being...going to be rebuilt, and what is the timeline for that? Thank you.

CHAIR U'U-HODGINS: Thank you. I think Member Kama has a question for you.

COUNCILMEMBER KAMA: Thank you, Chair. So, I'm sorry, I missed--you mentioned in your testimony that you were a lobbyist from Aloha 'Āina. Is that an...was that the...the name of the organization, or did I miss the title or something?

MS. NISHIKI: Oh, I said that I'm a registered Aloha 'Āina lobbyist, so I'm a registered lobbyist, and I'm stating that I lobby for love of the land and love of the people.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

COUNCILMEMBER KAMA: Oh, so there's not...it's not a lobbyist organization?

MS. NISHIKI: No, that's not the...the name of the organization, that is the items and the perspective that I come from.

COUNCILMEMBER KAMA: So, you're...so, who are you lobbying on behalf of, just the love of the land, but no organization?

MS. NISHIKI: Oh, I'm a registered lobbyist under a nonprofit that I work for, Maui Nui Resiliency Hui, but I am in general a Aloha 'Aina lobbyist, and almost all of my testimony that I provide comes from that perspective.

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

CHAIR U'U-HODGINS: Thank you. Anybody else have any clarifying questions for Ms. Nishiki? Seeing none. Thank you so much.

MS. NISHIKI: Thank you.

CHAIR U'U-HODGINS: Staff, next testifier, please.

MR. PASCUAL: Chair, the last testifier currently signed up is Kari McCarthy on Teams. Kari, you're muted on our end. If you're able to hit the mic button.

MS. MCCARTHY: How's that?

MR. PASCUAL: There we go.

CHAIR U'U-HODGINS: We can hear you.

MS. MCCARTHY: Okay. Thank you. Thank you. I am here on the same subject that Tom was speaking on earlier with regard to the roads, and the state of them after Army Corps left. I'm a resident of Kualono Place, and I'm appalled by the position of the Army Corps on the subject. After the fire, several of...residents with burned homes attended multiple County-organized meetings, where we were assured of the expertise and the experience of USACE, Army Corps, sold on the merits, and given many reasons why they were the best for the job of clearing our properties. At no time was there ever any mention of what all the heavy equipment and dozens of truckloads of weighted debris would do to our small County roads, and given the manpower and the equipment that they had on site, the repairs that Tom speaks of and that I'm talking about would have taken less than a half a day to deal with...way shorter than any forensic examination that was supposed to happen. I think my biggest disappointment is the fact that we waited and wasted a full eight months as the roads deteriorated further while we listened to USACE

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

telling us that there was a forensic examination going on. But I feel like the reality is, they knew when they roared out of Kula, they had no intention of fixing anything. And I don't doubt for a minute that there's a clause in the ROE that exempts them of the damages, but it doesn't make it right. And I don't feel like I was pressured into signing my ROE, we were eager to do it because we wanted to get the work cleaned up. I was eager to get mine cleaned up much earlier than the Army Corps originally quoted us, which was a 6-to-12-month window. I wanted to use Goodfellow Brothers, but I was told by the County, by Yuki, that no, we have to wait until we have rules for outside contractors. And I feel like it--that essentially pushed us into using the Army Corps because the rules never came out, and then suddenly, Army Corps' timeline changed, and they were able to do the job. And I've lived on Kualono Place for 41 years, so I know what normal wear and tear is on a road, and USACE's position is, they aren't going to do this because this is normal wear and tear, and that's simply not the case. That's just not true. They cleared two properties and left huge potholes alongside our road, and huge chunks of asphalt strewn across. So, we were told just wait a while until all the work's cleared up and this will all get handled, but it's been kicked around and kicked around, and now nobody's really responsible, and it's our job to file a claim . . . *(timer sounds)*. . . with the County on it.

CHAIR U'U-HODGINS: You have 30 seconds.

MS. MCCARTHY: I can stop there. You have the...you have the gist of what I had to say, but I just feel really, really disgusted with the way it was handled, really disappointed in the way that the Army Corps left, and how now it's our job to have to get quotes on clearing up damage that we didn't do.

CHAIR U'U-HODGINS: Okay. Thank you, Ms. McCarthy. We have some clarifying questions from Member Sugimura, followed by Member Kama.

MS. MCCARTHY: Sure.

COUNCILMEMBER SUGIMURA: Hi, Kari. So, when you say...when you say roads, you mean your driveway, right? That's what you're talking about?

MS. MCCARTHY: I'm speaking specifically of my driveway, just like Tom was speaking of his, but --

COUNCILMEMBER SUGIMURA: Okay.

MS. MCCARTHY: -- Donna Waters *(phonetic)* that's up on Alanui Place. There's a handful, very small amount of people that have complained, but you all...you...you guys know who we are.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

COUNCILMEMBER SUGIMURA: Okay. So...okay. Thank you. I'll...I'll get other things clarified elsewhere. Thank you.

MS. MCCARTHY: Um-hum.

CHAIR U'U-HODGINS: Thank you, Member Sugimura. Member Kama, followed by Member Paltin.

COUNCILMEMBER KAMA: Thank you, Chair. Thank you for being here, Kari. So, Tom mentioned that there's a whole list of people. Do you know many names are on that list?

MS. MCCARTHY: I don't know the names, but I think if we revisit it--if I just look at the people on my list, I've got Linda Linden (*phonetic*), she's another one. That's...I know that --

COUNCILMEMBER KAMA: Kari, I don't need the names, I just need the number. I'm just asking for the number.

MS. MCCARTHY: Oh, okay.

COUNCILMEMBER KAMA: You don't need to read to me the names.

MS. MCCARTHY: I'm going to guess it's under ten...I'm going to guess it's under ten people, ten properties. Could be as few as six.

COUNCILMEMBER KAMA: Okay. So, have any of you gone to the Mayor and...or his office and talked to them about this, or are you just going to go ahead and file the claim?

MS. MCCARTHY: No, we've sort of been...we've been having it ushered through by a friend and family member who's helped us try and point us in the right direction of which County Department to deal with. When we originally raised it, we were told it would get repaired, we just didn't know which government agency. So, it's been sort of kicked around, only to learn that at this point, Army Corps isn't taking responsibility.

COUNCILMEMBER KAMA: Right. Right. Okay. So, I would just offer that you should go talk to the Mayor. I mean, after getting kicked around a lot, then you kind of like got to figure out that--how to get the...the kicking to the can stop. So, that's my suggestion, thank you. Thank you, Chair.

MS. MCCARTHY: Well, I'd like to...I'd like to think that when we have our Upcountry Representative, Yuki, that maybe she could do that for us, you know? It's

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

ridiculous to ask eight property owners to do it when we have an Upcountry rep, isn't it?

COUNCILMEMBER KAMA: You're absolutely correct, you...you could. But you also could band together and make one meeting just with you all and the Mayor. That's what I was offering. Thank you.

MS. MCCARTHY: Thank you for the suggestion.

CHAIR U'U-HODGINS: Thank you. Member Paltin, your clarifying question.

VICE-CHAIR PALTIN: Thank you, Chair. Thank you, Ms. McCarthy, for your testimony. My clarifying question is, were you allowed to watch that, and if you had seen the damage as they were cleaning up?

MS. MCCARTHY: We were--I was...I was on a property above mine and, you know, could I have watched it? I could have spent three days watching each truck come and go. But technically, they really didn't want us there, just because we're an added danger and another car or person there. And, you know, in the moment, the trucks are going to and from, there's just dozens of trips on each property. So, it's--to say, well, this is exactly when it happened would be impossible, you know? We were...we were dealing in a really disastrous-looking area at the time. So, there was so much dirt and ash and mess that it would have been hard to determine how much of it was done.

VICE-CHAIR PALTIN: Oh, I just was asking because that's a different experience. In Lahaina, they encouraged the property owners to watch, and be there to give them direction, so I...I wasn't clear. Thank you for the clarification.

MS. MCCARTHY: Thank you.

CHAIR U'U-HODGINS: Thank you. Anybody else have any clarifying questions? Seeing none. Thank you very much for your testimony. Staff, next --

MS. MCCARTHY: Thank you.

CHAIR U'U-HODGINS: Thank you.

MR. PASCUAL: Chair, your next testifier is His Highness Kaua.

MR. KAUA: Hello, my name is Highness Kaua, representing the Kingdom of Hawai'i, sovereign nation of --

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

CHAIR U‘U-HODGINS: You got to come to the mic, and then you can introduce yourself. Okay.

MR. KAUA: Aloha. I'm Highness Kaua, representative for Kingdom of Hawai‘i, sovereign nation of God...of God Government, and one thing is great is that...this day, is one thing great is we are looking at each other. I know, I didn't even know he was...he's not looking at me, but looking at each other now. And it's the best time ever because what I've been hearing from these other guys is totally not fair, would--this amenity is not enough. They're trying to get things across to you guys right now, and it's...it's basically what I've been sharing with me and you guys' Mayor back then. As being the Mayor, he chose to be this job, this duty.

CHAIR U‘U-HODGINS: Uncle Gary, you can talk about the two items we have on the agenda.

MR. KAUA: Yes. I am talking about --

CHAIR U‘U-HODGINS: Okay.

MR. KAUA: I will talk about the two items, but it's great that we're here to get together right now because we need to do this upfront because we saw each other back then in the courtroom as a judge. And he is a judge, and he is the Mayor, which I'm happy that he became the Mayor on his choice. He chose to be the Mayor, therefore, we get to see each other again, and now it's going all the way to the end, beginning and the end, which never ends with...with our Lord, Jesus Christ. The great thing is that our Father...our Father, hallowed be the name is...is Jesus Christ. God is Jesus in flesh, bottom line. He lives in me, in you, you, you, so you can't get around this at all. Cahill was one of the biggest judge, that he already knew that it represented 37,000...39...37,000 brothers and sisters here in the islands.

CHAIR U‘U-HODGINS: Uncle Gary, which item are you speaking on?

MR. KAUA: Before I speak on that, I need to speak about this because I didn't...they not going know what...what I'm talking about.

CHAIR U‘U-HODGINS: Okay. You have three minutes, okay?

MR. KAUA: Oh, I get three--I could talk to the next one later, and next other one later, and next other one later, because --

CHAIR U‘U-HODGINS: Okay. It has to be on topic. You have three minutes to talk about --

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**

Council of the County of Maui

July 26, 2024

MR. KAUA: So, on --

CHAIR U'U-HODGINS: -- what we talking about on --

MR. KAUA: -- on topic --

CHAIR U'U-HODGINS: Yeah.

MR. KAUA: -- it's--be the whole Kingdom of Hawai'i itself, which is Lahaina. Kapu I live in, it's hopeless in Maui's Kingdom. All the way around four . . . *(inaudible)* . . . acres, we got. This is already...I knew this was going to happen, this kind of situation where you guys have our claims, words, and numbers, it's unrighteous words and numbers. It's the biggest Satan has, that we've been using unrighteous words and numbers against each other, and we of people, Kānakas, was said by our people, giving by Pua Hashimoto. . . . *(inaudible)* . . . embrace literacy . . . *(inaudible)* . . . through people reading...reading and writing. By the mid-1850s, we far surpassed . . . *(timer sounds)* . . . U.S. and America, so therefore, we really newer thing, but what they had to do is get rid of our language.

CHAIR U'U-HODGINS: Okay. Uncle Gary, you got 30 seconds, okay?

MR. KAUA: So, 30 seconds is this. You guys been doing this all this time, snake...State of Hawai'i and County...County of Maui, written by serpent States of America. We are a sovereign nation of God. We had a better chance to help everybody out over here that--they going get problems already. I can tell it's going to get problems. With our government, it's going to be held completely, and it'll be done completely . . . *(timer sounds)* . . . and therefore, there is more that I'll say and next one and...

CHAIR U'U-HODGINS: Okay, pau.

MR. KAUA: Okay.

CHAIR U'U-HODGINS: Thank you.

MR. KAUA: Okay. So, I pau for now, but I'll see you in next minute, so...
. . . *(inaudible)* . . .

CHAIR U'U-HODGINS: Do we have any other testifiers?

MR. PASCUAL: Chair, that is all the individuals signed up to testify at the beginning of the meeting. If anyone in the audience or on Teams that would like to testify, please come up to the mic and begin your testimony or use--oh, sorry. There is one here.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

MR. LAW: Thank you, Chair. Aloha awakea, aloha kākou. Long time, no see, everybody.

CHAIR U‘U-HODGINS: Um-hum.

MR. LAW: Where's Keani?

CHAIR U‘U-HODGINS: She's excused today, but you can continue your testimony.

MR. LAW: Oh, speaking on...this is Jasee Law. I was kind on vacation, it was work...it was a working vacation. And so, I just want to come in and see you again, Nohelani, face to face. I'm --

CHAIR U‘U-HODGINS: I'm here.

MR. LAW: I'm glad to see you, it's not a hologram. And I wanted to say it's a good occasion for Marcy Martin, just for me to say ho‘omaika‘i for the Director of Finance, and just be careful with the pocketbook. Usually the women keep the pocketbooks. I don't...I don't see any change in that, but sometimes I have a problem with the women taking everything and running everything, so I might have some comments later on in your office. I wanted to see what a bond was, that was one of my questions. Alice Lee's talking about the bonds all the time, and I was wondering if it's like a piece of paper, or is it just something like on a--a bank statement somewhere. So, thanks for working for the County, mahalo Kahana Kalama o Maui. The Office of Recovery thing, GREAT-5(4), is--so, I was at the Salvation Army this morning in Kahului, that's like the only one they have left, I guess, besides the thrift shop in Kahului--and that's a good time to put a plug in for anybody in...in Kihei, shop at the Salvation Army thrift shop. They could use the money. There was a nice lady who was--I think she used to work in Lahaina, her name is Rita (*phonetic*), but now she's working in Kahului helping a lot of people. She's--from what I see, I would estimate she's doing ten times more work than most of the people out there that are in the agencies. So--but the funny thing is, I was talking to her this morning, she said that she might be living in her car pretty soon, which is kind of strange to me because if she's in charge of helping people, how come she can't even help herself? But I would ask someone in...in...in a power position to--they...they have a couple of trailers over there at the Kahului location, and I'm wondering why, when they get two brand new huge trailers...besides from all the residency rules and stuff, why couldn't they--what's...what's the hold up with bringing the trailers to Lahaina, and maybe she could claim that she's working 24 hours a day and just stay in the trailer? Thank you for the time.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

CHAIR U‘U-HODGINS: Thank you. Members, any clarifying questions? Seeing none. Thank you. Any other testimony?

MR. PASCUAL: No, Chair, there's no further individuals signed up to testify. Would you like me to do a final call?

CHAIR U‘U-HODGINS: Yes, please.

MR. PASCUAL: Okay. This is the last call for oral testimony. Please come up to the podium or raise your hand on Teams if you would like to testify. The countdown is three, two, one. Seeing none. Chair, no one has indicated that they wish to testify.

CHAIR U‘U-HODGINS: Uncle Gary, you already testified so we cannot take --

MR. KAUA: No, I get one more, the other one's too--because the thing is, I'm here for a pre-trial right now, and pre-trial again --

CHAIR U‘U-HODGINS: Gary, that's not what we're talking about today.

MR. KAUA: Yeah, but I'm talking about the whole Kingdom Government. That--the whole point --

CHAIR U‘U-HODGINS: But we're not talking about today.

MR. KAUA: Well, but what is the County going to be doing for us guys all this time when I already am a representative --

CHAIR U‘U-HODGINS: Uncle Gary, if you could please sit down so I can carry on with my meeting, we have a lot of things to do. Please sit down.

MR. KAUA: So, nobody can speak already? That's it?

CHAIR U‘U-HODGINS: Not right now. We pau unless you have something --

MR. KAUA: Are--to later. To later.

CHAIR U‘U-HODGINS: Yeah, you pau your testimony.

MR. KAUA: To later.

CHAIR U‘U-HODGINS: You pau your testimony for now, so if you could please get down.

MR. KAUA: Are we having time to talk?

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

CHAIR U‘U-HODGINS: Sure, but now right now.

MR. KAUA: When?

CHAIR U‘U-HODGINS: We have three minutes to testify, we...you pau your time. Thank you. We have no other peoples wishing to testify?

MR. PASCUAL: No, Chair.

CHAIR U‘U-HODGINS: Sounds good. Thank you.

. . . END OF PUBLIC TESTIMONY AT BEGINNING OF MEETING . . .

ACTION: Close oral testimony.

GREAT-1(5) RESOLUTION 24-124, RELATING TO THE APPOINTMENT OF MARCY MARTIN AS THE DIRECTOR OF FINANCE

CHAIR U‘U-HODGINS: Moving on, we have before us Resolution 24-124, "RELATING TO THE APPOINTMENT OF MARCY MARTIN AS THE DIRECTOR OF FINANCE." We have before us Resolution 124, approving the appointment of Marcy Martin--124--as the Director of Finance. Resolution 1...24-124's purpose is to approve the appointment of Marcy Martin as the Director of the Department of Finance in according...in accordance with Section 6-2(5) and 8-4.2 of the Revised Charter of the County of Maui, 1983, as amended. At this time, if I could request opening comments from our Mayor, Mr. Richard Bissen.

MR. BISSEN: Mahalo, Chair U‘u-Hodgins, and Vice-Chair Paltin, and Members of the Committee. I come before you today asking for your support of Resolution 24-124 and my recommendation of appointment of Marcy Martin as the Director of the Department of Finance. Marcy has a multifaceted background in the Department of Finance, nearly 25 years of experience in numerous leadership roles within the County's Finance Department. She was the Real Property Tax...she currently is--no, I actually take that back. Just before being our Acting Finance Director, she was the Real Property Tax Administrator from 2019 until 2024, she was the administrative authority for the County's appraisal assessment, admin tax mapping, title abstraction, compliance, and enforcement, as well as GIS mapping for our real property taxes. She has received her Bachelors of Arts in mathematics from San Diego State University. She has been a Hawai‘i-certified residential appraiser, as well as a Hawai‘i State-licensed appraiser since 1992. She's also received well-deserved accolades over the years, including being elected to the Board of Directors of the International Association of Assessing

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**

Council of the County of Maui

July 26, 2024

Officers, as well as an award of excellence from Tyler Technologies in the public sector. She's a longtime resident of Pā'ia. She has...she is both a mom and a grandmother, as well as in her spare time, an avid long border. I know we got caught up in the canoe world the last time we were here. She is not a canoe paddler, but rather a longboard paddler, having surfed over 40 years. She also competes even today. In fact, just, I want to say, a week or two ago, she competed in the Ole Longboard Classic. In her division, she placed fifth, the other eight contestants were all men. She's also a member, and has been a member, of Iola Balubar's Halau Hula O Keola Ali'i O Ke Kai for 14 years. And I have complete confidence in Marcy and her ability to lead during...in this critical role during this critical time. And so, I humbly ask the support of the Committee that this be passed on to full Council for the appointment of Marcy as our Finance Director. Thank you for this time, Chair.

CHAIR U'U-HODGINS: Thank you, Mayor. Acting Director Martin, if you would like to speak on your behalf right now, I'd appreciate it. Thank you.

MS. MARTIN: Thank you very much. Like the Members of this body, I am a dedicated public servant. I am grateful for the 25 years that the County of Maui has invested in my career. The last five years have been in a leadership role where I've received professional development, and I've also built relationships with all of my coworkers. I am committed to effectively managing the Department of Finance through this challenging time, and I would appreciate your support. Thank you.

CHAIR U'U-HODGINS: Thank you. Before we get into discussion, can we please do a last call for testimony on this item, GREAT-1(5)?

MR. PASCUAL: Yes, Chair. There's no individuals signed up to testify. If anyone would like to testify on this item, please come up to the podium or raise your hand on Teams. Countdown--oh, I see Member Paltin's hand up, I'm not sure if she had a clarifying question.

CHAIR U'U-HODGINS: Member Paltin?

VICE-CHAIR PALTIN: Thank you, I did have a clarifying question. Did he say the Old Longboard Contest, or was it the Ole one?

MR. BISSEN: Ole. I said old, but I didn't say old. O-L-E, but Ole, yes.

VICE-CHAIR PALTIN: Oh, okay. How's Ole doing, okay?

MR. BISSEN: You have to answer.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

MS. MARTIN: He wasn't there, but I have heard he's doing okay. I think he...he got a place to live.

VICE-CHAIR PALTIN: Okay. Thank you for the clarification.

CHAIR U'U-HODGINS: Thank you.

MR. PASCUAL: Apologies, Chair. Okay. The countdown is three, two, one. Seeing none. Chair, no one has indicated that they wish to testify.

CHAIR U'U-HODGINS: Thank you. Members, seeing there are no individuals wishing to testify on this item, without objection, I will now close oral testimony. And as a reminder, written testimony is still accepted.

COUNCILMEMBERS: No objections.

ACTION: Close oral testimony for GREAT-1(5).

CHAIR U'U-HODGINS: Thank you. I'm going to be implementing a three-minute questioning period. And since I'm here by myself, please raise your hands since you are not in front of me, but I will start with Committee Vice-Chair Paltin.

VICE-CHAIR PALTIN: Thank you, Chair. Thank you, Ms. Martin and Mayor Bissen. I guess my first question is, what kind of experience do you have in the other divisions, like treasury, accounting, purchasing? Because your...yours one was real property, right?

CHAIR U'U-HODGINS: Please.

MS. MARTIN: Yes, correct. My experience has been with real property. However, as the...the Administrator within the Department of Finance, we work with all of the other divisions. And my experience is with the legal, personnel, finance, tax, land use, and customer service operational framework within the County.

VICE-CHAIR PALTIN: And then have you had to go through any grievance procedures in your current--former role as Real Property?

CHAIR U'U-HODGINS: Please.

MS. MARTIN: Do you mean like a HGEA grievance? Is that --

VICE-CHAIR PALTIN: Yes, that's the one.

MS. MARTIN: Yes, I've been through several.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

VICE-CHAIR PALTIN: And in your former role with Real Property, were all your annual performance reports timely?

MS. MARTIN: For the Real Property Assessment Division?

VICE-CHAIR PALTIN: Yeah.

MS. MARTIN: For the staff? We do our best to keep timely. We used the software, and I'm proud of how up to date we are with our annual evaluations. But thank you for mentioning how important they are.

VICE-CHAIR PALTIN: Thank you. And then my last question is, do you have like a first 60 days as not acting kind of framework, or you have like a top five priorities you're working on, or anything like that?

MS. MARTIN: Thank you, Chair. So, we are very busy. Strengthening the administration of TAT, or transient accommodation tax, is a priority. The first step is transitioning the program to a long-term software solution. We are also establishing a time frame for the bonds, the GO bonds. And also, it's my understanding that recovery will take many years. And I would like to maintain continuity for those who come after me, so I've already begun documenting the business practices of the Director position. So, it's important to me that when I leave the position, if I get it, that they can continue on at the same pace.

VICE-CHAIR PALTIN: Thank you. . . .*(timer sounds)*. . . Oh, I was just going to say I didn't hear the bell yet, but I heard that. Thank you.

CHAIR U'U-HODGINS: Thank you.

VICE-CHAIR PALTIN: Thank you, Ms. Martin. Thank you, Chair.

CHAIR U'U-HODGINS: Thank you. Member Kama, your questions.

COUNCILMEMBER KAMA: Yes. Thank you, Chair. This--my question is for Mayor, and then I'll ask one of Acting Director Martins [*sic*]. So, Mayor, in your...in your opening comments, you mentioned how vast the responsibilities are that Marcy Martin is leaving, and it...and over the years I've known her, she has really been so effective and efficient in those responsibilities and tasks. Do you have someone, and is there someone that is going to be able to take on all those tasks and responsibilities as efficient and effective as she has?

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

MR. BISSEN: Well, I'm going to have that conversation. We're not going to count these chickens before they hatch, but when we...Mr. Nishita and I will begin discussing that with Ms. Martin should we be successful with your support today.

COUNCILMEMBER KAMA: Okay, thank you. And Ms. Martins [sic], my question for you is, are you comfortable in the role in which you are at, and do you feel confident?

MS. MARTIN: Yes, I do. I've been the Acting Director since June 5th, and I realized in that role that my skillset, and experience, and gen...genuine concern for the County is needed right now. Thank you.

COUNCILMEMBER KAMA: Thank you very much, Ms. Martins [sic]. And thank you, Chair.

CHAIR U'U-HODGINS: Thank you, Member Kama. Members, does anybody else have any other questions? Chair Lee, followed by Member Johnson.

COUNCILMEMBER LEE: Well, Marcy, I...I think--well, I'll just speak for myself. I...I certainly support you primarily because you have been very straightforward with us. I like that quality. I know it'll be a learning experience for you to get to know the rest of your Department, but as you said, because I've been in the Administration before, you work with the other division heads as well on a regular basis. So, I know you must be very familiar with what they do, and so, I know you'll do a great job. But there is one thing. Besides making sure we collect all of our taxes, I just want you to know that I'm the only person in Maui County...in Maui County that pays for my electric bike, and you can check the records on that. Nobody pays the fee except me, so you might want to work on that one.

MS. MARTIN: . . .*(laughing)*. . . Thank you, Chair Alice Lee.

CHAIR U'U-HODGINS: That's the 50 cents bike tax, yeah? . . .*(laughing)*. . .

COUNCILMEMBER LEE: No, it was \$30.

CHAIR U'U-HODGINS: Oh, wow.

COUNCILMEMBER LEE: Yeah.

CHAIR U'U-HODGINS: Oh, good, good, good. Member Sugimura, you're going to follow Member Johnson. So, Member Johnson, you're welcome to go, followed by Member Sugimura.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**

Council of the County of Maui

July 26, 2024

COUNCILMEMBER JOHNSON: Thank you, Chair. Thank...I want to thank everybody who's joining us. Thank you, Mr. Mayor, I know you're very busy...busy. Thank you, Act...Acting Director Martin, for all of your work up until now and in the past. You...you really--when we...whenever we had questions during budget, we really turned to Acting Director Martin, she was a wealth of knowledge, and I appreciate that. I want to thank the Mayor for coming out...putting in new blood. And with new blood comes some fresh ideas, and that's really where my question is for Acting Director Martin. You mentioned some of your priorities, the long-term software solution, the GO bonds expansion, rebuilding Lahaina, and then coming up with a long-term plan for that. Those are your priorities, I just--if you want to expand on them, but I also want to see if you have any fresh new ideas. Maybe that is part of them, but I'd like to hear some of your new ideas, Acting Director Martin.

CHAIR U'U-HODGINS: Please.

MS. MARTIN: Well, I...I think that there is a lot of opportunity with that transient accommodation tax in terms of getting ahold of the data, and we've been in contact with the State Tax Office. And I also think it's important, as we move into the apartment zone short-term rental bill, that Finance is able to provide this body with not only revenue data, but also expense data related to housing.

COUNCILMEMBER JOHNSON: I'm glad you mentioned that bill. Are you...are...is the Department ready to...with the data?

CHAIR U'U-HODGINS: Please.

MS. MARTIN: Chair, thank you. We have compiled quite a bit of data, but now that we've made it through this first process, we will be expanding, and we'll be ready for the future.

COUNCILMEMBER JOHNSON: Great. You know, some of the new ideas that we've been trying to push forward--and one of them, my...my...my...personal one is coming up with a category of a vacancy tax. As we know, the lands that were left fallow have a lot of fuel on it, adding to the fire. There's homes that sit empty for 50 weeks out of the year until Christmas time. Those are not...those are examples of I don't think the best use of our lands and properties. So, what's your opinion on a vacancy tax, Acting Director Martin?

MS. MARTIN: Thank you, Chair. So, that's not particularly uncommon. I think we need to define the type of...of vacant land, you know. Is it for large parcels, or small parcels, or all parcels, does it include vacant homes? So, I can think of a few jurisdictions, but with that being said, I can...I'm going to the IAAO conference where Real Property is receiving the Certificate of Excellence in

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

Assessment Administration, and that can be a topic that I research with my peers.

COUNCILMEMBER JOHNSON: Okay, wonderful. Because that--I'm . . .*(timer sounds)*. . . actually . . .*(inaudible)*. . . on my end. So, I'd love...I think it's wonderful when Administration and the Council, the body here, the Legislative body, come together with good policies working together on things, and I think that was something we could work on in the future. My time's up. Thank you, Chair.

CHAIR U'U-HODGINS: Thank you, Member Johnson. Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. So, appreciate your putting yourself out there, Ms. Martin. And I have to tell the Members and the community that she's an excellent hula dancer. I saw her the other...the other night, I didn't know it was her, she her hair up, she looked really beautiful, and she came to say hello. So very talented. And I was surprised when I learned years ago that she's a surfer, and she has a lot of other interests. But for us, where we worked closely with her was after the fire, and going through the RPT bill. She was instrumental in putting that together in behalf of the Administration, and I appreciate her, and I saw her in action. So, I totally support this, and I think that as we are assessing our community and the new bill that's before us, Ms. Martin, I believe that your expertise in real property, although you're leaving the leadership of it, that for you to be in Finance and in the leadership, the Director's position, that will help us to try to figure out how we can fill some of these gaps that may happen, or these deficits, really, with the switch, if...if the bill passes--there's no guarantee, but if it does, we would need to have that in terms of some finance and...and some...maybe some recommendations. So, I look forward to working with you further. So, anything you would like to share with us, Marcy?

MS. MARTIN: Thank you, Chair. Thank you. I just want to assure you that the success of Real Property is because the team is so great there. There's just a great group of people that work there, they're very knowledgeable, and I'm confident that they will be able to assist you if your revenue and data information needs moving forward.

COUNCILMEMBER SUGIMURA: Very good. And oh, your Deputy is Maria Zielinski, right?

MS. MARTIN: Correct.

COUNCILMEMBER SUGIMURA: Okay. And so, how do you guys have your work cut out, or...or divided?

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

MS. MARTIN: Well, between the two of us, we have a broad shared skillset, you know, and her strength is in accounting and investment. And she has...also has government management experience, so I think our skills are very well paired.

COUNCILMEMBER SUGIMURA: Okay. Thank you.

CHAIR U‘U-HODGINS: Thank...thank you, Member Sugimura. Did you say to Member Johnson that you folks are winning an award? Can you please --

MS. MARTIN: Yes, we are.

CHAIR U‘U-HODGINS: -- can you please tell us about that?

MS. MARTIN: Real Property is receiving...so, we had received the Certificate of Excellence in Assessment Administration in 2018, and then we recertified this year. So, in addition to working on all of the recovery efforts, we completed the self-audit, which is every five years, and we passed the audit, and so it's a great honor. It recognizes jurisdictions for best practices in assessment administration.

CHAIR U‘U-HODGINS: Congratulations.

MS. MARTIN: Thank you.

CHAIR U‘U-HODGINS: Very well-deserved. Member Cook, do you have any questions you would like to ask...ask Acting Director? Go ahead.

COUNCILMEMBER COOK: Not really a question, it's basically I'm really supportive of this nomination. I've been impressed and happy to work with Marcy. Excellent communication skills, great work ethic, and I think the Mayor made a good choice, and we're going to be in good hands. So, congratulations, and thank you.

CHAIR U‘U-HODGINS: I agree, Member Cook. Thank you very much. Member Sinenci, do you have any questions you would like to ask Acting Director?

COUNCILMEMBER SINENCI: Mahalo, Chair. No questions for Ms. Martins, I just wanted to mahalo her for stepping up to the plate, also to Mayor Bissen. And I'm happy to hear that she's going to be helping us punch numbers as we get more information about the short-term rental bill. Thank you.

CHAIR U‘U-HODGINS: Me too. Thank you, Member Sinenci. Members, does anybody else have any other questions they would like to ask? No? Sounds good. At this time, I would like to entertain a motion to recommend the adoption of Resolution 24-124, including any nonsubstantive revisions.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

COUNCILMEMBER KAMA: So moved.

UNIDENTIFIED SPEAKERS: So moved.

COUNCILMEMBER SUGIMURA: Second.

CHAIR U‘U-HODGINS: Thank you. I think I heard a motion made by Member Kama, seconded by Member Sugimura. Any further discussion?

COUNCILMEMBER KAMA: Chair?

CHAIR U‘U-HODGINS: Go ahead, Member Kama --

COUNCILMEMBER KAMA: I --

CHAIR U‘U-HODGINS: -- followed by Member Paltin.

COUNCILMEMBER KAMA: Thank you. I know that with the experience that we have had with Ms. Martins [sic] in the past, she...she in a great leadership role, and I'm very happy that her skills and talents have been recognized, you know, by the Administration, and that she is able to take on a larger role, a greater role, a challenging role at...at best. But I know that with our collaboration with the Administration, that we will...we will be strengthened, and we will be able to move on together, and our County will be the better for it. So, thank you so much.

CHAIR U‘U-HODGINS: Thank you, Member Kama. Member Paltin, do you have anything you'd like to add?

VICE-CHAIR PALTIN: I'm good, thank you.

CHAIR U‘U-HODGINS: Okay. Thank you. Member Sugimura.

COUNCILMEMBER SUGIMURA: Yeah, thank you. I also want to thank the Mayor and Managing Director for being with us, and for this nomination. I want to also thank Maria Zielinski for stepping into the Deputy Director's position, and as Ms. Martin said, you know, they...you...they...it sounds like they both can add to the strength of the Department. So, thank you, Maria, and...and thank you very much, Mari...Marcy Martin. And ready...ready for the vote.

CHAIR U‘U-HODGINS: Thank you. At that time--Chair Lee, did you have anything you'd like to add? No?

COUNCILMEMBER LEE: No, but thank you.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

of rules of the Council, the Committee intends to receive updates on the Office of Recovery, including on the County's long-term recovery plan, and one-year anniversary events, and the Community Development Block Grant--congratulations, see you guys later--and Disaster Recovery program, CDBG-DR. That's a lot of...a lot of acronyms there. At this time, we're going to request opening comments. Did you want to go, Managing Director, or would you like--okay. We'll ask Ms. Mahina Martin for her opening comments.

MS. MARTIN: Hi, aloha. And it's--I'm sorry, I'm the second Martin that you're dealing with. . . .*(laughing)*. . . But must be a good day. So, thank you, Councilmembers. I'm here today to simply give you an update on how it's going with the one-year anniversary. I apologize, I am actually at the Remembrance Ride, the day one of three days that we're offering the Remembrance Rides to--we have about 750 of Lahaina residents registered on five buses a day for three days. Today was our first one, we started at 8:00 a.m., our final one is later this afternoon. It's been a tremendous success. I have to say, it's quite a privilege to be able to offer community-inspired events, and the Remembrance Ride is absolutely one of them, to give Lahaina residents a chance to see their town as unrecognizable as it is today from their recollections. So, we have experienced a good turnout, steady flow, and I just wanted to let you know that this has been a remarkable day, and will continue for the next two days. We have completed our final announcement coming up shortly on the programs in the next few days for each of the nine remembrance week events that kick off on August 8th, your offices will be getting those details. We have launched a web page, kuhinia.org...kuhiniamauui.org. We've also launched social media, both Facebook and Instagram, under Kuhinia Maui. The responses have been very positive, and because they are community-inspired events, a lot of volunteers are coming forward, and a terrific amount of kokua has been offered. I look forward to coming back to you with a complete report once everything is done so that you too can see the behind-the-scenes information, as well as hopefully experience the nine events that we're hosting. If I can help with any questions, please let me know.

CHAIR U'U-HODGINS: Thank you. We're going to have to do questions after testimony. But I think at this time, unless Members have any clarifying questions for Ms. Martin, I'm going to take a quick recess.

COUNCILMEMBERS: No objections.

CHAIR U'U-HODGINS: Anybody have any clarifying questions for Ms. Martin? Seeing none. Okay. Thank you very much. We're going to return at 2:54. See you folks in ten minutes. . . .*(gavel)*. . .

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**

Council of the County of Maui

July 26, 2024

RECESS: 2:44 p.m.

RECONVENE: 2:58 p.m.

CHAIR U‘U-HODGINS: . . .*(gavel)*. . . Welcome back, Members.

UNIDENTIFIED SPEAKER: Thank you.

CHAIR U‘U-HODGINS: It is 2:58, and we left off with Public Affairs Director giving us an update on some of the ceremony that is going to be happening. And now we're going to turn it over to Managing Director Josiah Nishita for him to also give us an update.

MR. NISHITA: Thank you very much, Chair U‘u-Hodgins and Members, for allowing us to be here today. Just for GREAT Committee Staff, we're going to start with the long-term recovery plan that Director Blystone will be presenting. Director Blystone is here with us today, will be talking about the long-term recovery plan, and then moving on to the update regarding the Community Development Block Grant Disaster Recovery Program. I'll turn it over now to Director Blystone to provide the overview and presentation. Thank you.

MS. BLYSTONE: Aloha kākou. I am coming at you from my office. Can you confirm that you can hear me okay, please?

CHAIR U‘U-HODGINS: We can hear you just fine. Thank you.

MS. BLYSTONE: Mahalo, Chair. I'm going to share my screen, one second...okay. Can you see my screen okay?

CHAIR U‘U-HODGINS: We can.

MS. BLYSTONE: Okay, great. I can't see you, so if anything happens, you'll have to scream at me. So, mahalo for this time, I appreciate your...your attention to this issue. I gave this presentation on Wednesday to the Lahaina community, and out in West Maui at the Wednesday meeting, and I'm excited to present it to you today. This is--tonight we're going...today to be talking about the long-term recovery plan and the...the highlights from our community engagement process so far, so I'll get started with that. So, community engagement is a key component in the long-term recovery plan. Without talking with the community, we can't possibly know all of the projects that they need to thrive in recovery to...to recover from this disaster. And we've certainly seen that through this process, that there are things that we as Departments know that...that needs to be considered in recovery. But when we talk to community, we get bigger ideas,

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

better ideas, more comprehensive approach to recovery, so that's why community engagement is a key approach, key part of the process. So, let's talk just briefly about what a long-term recovery plan is. I get this question a lot. So, it really starts with this community-driven process that I just mentioned, and that leads us to a road map to recovery. That road map to recovery is the long-term recovery plan, and it consists of projects and programs, plus a timeline for those projects and programs, and what that recovery plan gets us to is funding. So, all kinds of funding that's available, including the CDBG-DR funding that you're going to hear about next, but also other types of funding that we wouldn't normally have access to. And I'll just warn you that if you ask me later what that list is, I still haven't seen the whole list yet. We've been working with our FEMA partners on that. But in addition to Federal funding, this is an opportunity--we can use this for State funding, to get State funding as well, and to tell the story of our recovery process to the State partners, and then also to philanthropic dollars. So, this is a...it's a huge step in the process. All communities that go through a disaster develop a long-term recovery plan. So, this is a highlight of our community engagement so far, and it really started with all of the hearings that you did in September and November of last year. We synthesized that data in January, and started using that data to conduct face-to-face interviews. Then we opened a strength, weaknesses, and opportunities piece of our...our public engagement, and that was an opportunity for people to start thinking about the future. Then we followed that up with an online recovery planning survey, and what you're probably all most familiar with is our neighborhood workshop. So, those ran...ran through April...from April 20th through July 7th, and I'll talk more about...about that in a minute, but I'm not going to do a deep dive. We also did interviews with kūpuna, and so plenty of things were talked about, or plenty of ways that we've gotten public engagement so far. So, let's take a look at...a glance at this. We have engaged 3,038 people in 11 different types of activities, that's including five neighborhood workshops where we saw more than 900...around 900 participants, rough guess there. So, we did three surveys, and those were all available online so people could access them from anywhere, resulting in 2,743 respondents. That's a really important piece of this. Because after the fire, as you know, we lost a lot of community members who just could not stay on the island. And so, we want them to be involved in recovery as well, which is why these online components are really important. I'm also proud of the 190 interviews that we conducted. Those one-on-one conversations are sometimes the best way for the community to discuss their concerns, especially when you're talking about kūpuna. You know, sometimes they come to these neighborhood workshops, cannot hear, and it's better for them to be able to talk one-on-one with someone. So, today, I just want to talk about what the results were from our neighborhood workshops. And just to level set with you all, those workshops, like I said, occurred April 20th. We started in Kelawea Mauka and Mill Camp and Kuhua Camp, that general area. Then we moved to Wahikuli on May 4th. On June 1st, 15th, and 29th, we were in Lahaina Town, makai of Honoapi'ilani

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

Highway, and Lahaina Town...Lahaina Town North, then that's north of Lahainaluna Road on June 1st, South on June 15th, and then we focused on the Central Business District...District--apologize--in 20...on the 29th. So, in these community engagement workshops, these neighborhood workshops, we talked about two questions. We asked what should stay the same when the community's rebuilt, what should go back exactly the way it was? And then also what should change, what wasn't working in Lahaina and needs to be addressed with this rebuild? So, we asked these two questions across ten different topic areas. So, we had 10 tables--and in some cases we had 14, so we doubled up on tables--and had--these topics were the anchor of each of those tables. So, you could go to the Community Service table, the Streets table, the Utilities tables. If you see there's some asterisks on here, those asterisks were for topics that we changed or added for the Lahaina Town meeting because they were more appropriate for Lahaina Town. And I'm going to go into all of the data that we got, the high-level data. And I...I always want to preface this with something really important, that this...because this is a presentation, you're getting very, very high-level data. You're not going to see individual comments from individuals in here because, you know, there's just no time. I could spend three days talking to you about everything that we learned, thousands and thousands of comments. So, what you're going to see is the high...the things that rose to the top. And then later, I'll talk about what happens next, and what happens next, you'll get to see all of that hard data if you're curious about the raw data. So, the Culture and Historic Resources table is as the name suggests. It...it--you know, there's no question that Lahaina is a cultural and historic place, and so we wanted to have a table devoted to that. So, these are the things that we heard at that table. Retain the plantation-style architecture and design, critical, but at the same time, on the cultural side, restoring Moku'ula and Loko O Mokuhinia, was critical to that community. They were asking for a multicultural museum and restoring historic properties, so those are the things that showed up at the table and rose to the top. Natural resources and resiliency, this table where...is where we talked about our...our natural resources like water and . . . *(inaudible)* . . . to climate change. There was a lot of talk about restoring historic waterways and returning control of water to the people. Also, interest in increasing public...public education on shoreline hazards, specifically around sea-level rise and...and then giving them options for relocation. They want us to use more native and drought-resistant plants when we rebuild, in landscaping and streetscaping, and then manage those nonnative grasses, restoring agriculture to those places that have been fallow for a long time. On the Public Lands table, this is where we took a deep dive into those State and County lands, and what people want to do with those State and County lands, what should stay the same, and what should change. So, providing more community gathering spaces was important, and coordinating recreation and flood control--and that I think is evidence of the Moku'ula concept--improving--and also...and also, the river there as well. Improving...coordinating...improving maintenance of parks

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

and harbors were critical, so it's clear that the community wanted to see their...their parks better cared for...and again, we see native trees and plants on public land. And I'll say yesterday, I was speaking with the State, I gave an abbreviated version of this presentation to them, and they were excited to see some of the stuff on parks, and harbors, and public lands because it's certainly on their mind as well. Community services. These are all the things that keikis to kūpuna need to...to thrive in a community. And so there was a lot of call for kūpuna...kūpuna centers to be rebuilt, having adult daycare, and cultural programs, field trips, and the arts. They want their library back, and I...I gave this, like I said, on Wednesday, and I mentioned the West Side Hospital and Clinic, and a big hurrah erupted from the community, so it's clear we hit a nerve there, it was important for them. And then the community center, building a community center was important to the...for keikis to kūpuna for all different types of activities. The Housing table is, as you would suspect, it was all about housing, shelter, our most basic...basic need. And so, providing affordable housing for residents and local workers was on everyone's minds, and I think that's...that's obvious, that's clear across the entire island, not just here in Lahaina. And then limiting oversized homes and short-term...eliminating short-term rentals came up again and again. The kūpuna housing was on folks' mind, they want to make sure that kūpuna were cared for. And then because we're in the process of rebuilding, reducing permitting and rebuilding costs was critical for the community as well. Community design, just for those of you who are less familiar with the concept, is how the Lahaina community will look and feel after...after we rebuild, so maintaining unique architecture and a small-town neighborhood feeling was really important to the community, and they felt that Lahaina should feel like home for locals, and then welcome visitors. There was an idea that came up a couple of times to build parking structures on either end of town with shuttle bus services into town. And then the West Maui Greenway came up again and again--walkability, bicycle lanes, the green spaces--and connecting downtown to residential areas was important. Streets. And when I prompted them on this subject, we...we said streets, not just for cars, but also for people, so think about those things that you need as a pedestrian as well. But to start off, they...they have great support for the Lahaina bypass extending north, that came up again and again. Increasing the number of evacuation routes and connecting and extending streets, specifically Dickenson and Kuhua, were...were identified as places. Better street lighting. This is one of those items that you can't necessarily know unless you live in Lahaina Town, and this is especially critical for them on Lahainaluna Road and Waine'e. Mauka to Makai, widening streets for the purposes of sidewalks, that was something that came up a lot, but also maintaining the historic look and feel. So, they don't want to widen the streets and make them all like suburbia, but they do want wider streets so that they can have sidewalks in their community. Utilities. We all know what utilities are. In this case, they talk a lot about undergrounding power lines, and that makes a lot of sense given what...what they went through. Developing a

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

resilient infrastructure plan so that infrastructure is solid, regardless of the disaster that we're facing. Improving cell phone tower...tower service was critical as well, and that's...that's no surprise, given what happened on August 8th. And technology, such as solar, as an alternative power source. Again, that comes from feeling that cut off. If there was a way to...to make the community more resilient with their utilities, that was critical to them, and it came up again and again. Public safety, as we know, is everything that makes a community safe--fire, police, EMS--and improving fire mitigation response was top of mind for the community. Making communication systems more resilient and increasing redundancies came up also. Instructing...constructing additional West Side fire stations and increasing the number of trained emergency responders. They want to see more protection for their community, more fire protection. And also, increasing public awareness on what happens when they do need to evacuate, having drills and making sure that people know where to go in an emergency. This table is a little strange, it's the...the All Thoughts Matter table, which really just means miscellaneous. These are the topics that didn't come up in...didn't fit neatly into another bucket, and so they...they came to this table and said, I want to prioritize, for example, local voices in the rebuilding of Lahaina. Kind of a big picture concept, but something that came up. Providing tax benefits and incentives to businesses that mentor youth in the community, and rebuilding and improving Māla Wharf. Again, when I met with the State yesterday, they're like oh, yeah, we didn't...we should probably add that to our list. And then incentivizing regenerative tourism came up there at the All Thoughts Matter table. So, how does this community engagement show up in the long-term recovery plan? So, the next thing we're going to do is right now, we're analyzing the data even further and creating a public engagement report. We'll...we'll have that prepared and out to the public in August, and it'll show everything. So, today, I gave you a really, really high level, 30,000-foot level look at what we're seeing so far, and...but this one will be a deeper dive, and it will cover all the community engagement we've done so far. So, it's a pretty...pretty extensive document. And as an attachment to that document will be all of...all of the raw data. So, if you just want to see this sheet that I showed in an earlier slide where people were...what people had written down, you'll be able to see that as well. And then you'll see some of our--we did a survey with anthology research, you'll be able to see the report that they produce, so you'll be able to dive deeply into the data if you want. So, we're also taking that data and sharing it with our partners in the other recovery support functions, the other teams that are working on recovery, as they create lists of projects and programs that need to go into this long-term recovery plan. So, what we're doing is, we're saying...we're checking that list against what we heard in...in public engagement, and looking for gaps between those two things, and filling those gaps with the projects and programs that showed up in public engagement, but weren't on our minds. What we expect to have is a long-term recovery plan draft available in the fall of 2024, and I hesitate to give you a date for that because it's a...it's a heavy list, and I

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**

Council of the County of Maui

July 26, 2024

want to make sure that we hit the target. So, fall is the is the best I can give you today, but maybe in a couple months I'll be able to give you a little bit more...maybe in a month or so, I'll be able to give you a little bit more detail. Then we'll go into the public review of that draft. And public review in this case will look like open houses, including an online open house, so folks who have moved away can participate. What we're looking for in these open houses is, did we get it right, did we answer the concerns that you have with the project or program? And when we get that...that result...those results of that public engagement, then we'll put all that into the final long-term recovery plan. And I don't show this on this slide, but we will update the public engagement report as well. The final long-term recovery plan will...will be the document that we'll move forward with when it comes to seeking out funding, including CDBG-BR, and Patience is going to talk about that. It will show us the...basically the list of tasks we have to get accomplished, and then we'll be able to go forward getting that funding, and accomplishing those tasks. I will also say, just for the benefit of the next program that you're going to hear from Patience, that in the long-term recovery plan, we will be identifying projects and programs that would be eligible for CDBG-DR, so that connection will be really clear between this plan and the action plan that she's writing. So, that is the end of my presentation. I'll stop sharing, and happy to answer any clarifying questions. Thank you for the time.

CHAIR U'U-HODGINS: Thank you. Before we do, we're going to continue with our presentations, and the Members will have their opportunity to ask questions after all the presentations and testimony. Managing Director?

MR. NISHITA: Thank you very much, Chair. And then just to add on to Director Kate's presentation, just wanted to note that, you know, we're very appreciative of a lot of the FEMA resources that they provided in assisting us in developing the plan and the community engagement activities, as well as FEMA has agreed to fund the development of the plan for us. So, that's been a big cost savings for the County as well. And in addition, our Community Planning RSF, as well as our other teams have been meeting with the State to make sure to incorporate any State-related projects and programs that their departments and agencies have been coming up with through, you know, engagement activities and...and other resources. So, just wanted to add that to the...to the record, and I'll now turn it over to Patience Kahula, who's our CDBG Program Director, to talk about the CDBG-DR program. Thank you, Chair.

CHAIR U'U-HODGINS: Oh, I have one, but thank you. Yeah.

MS. KAHULA: Okay. Okay.

CHAIR U'U-HODGINS: Thank you very much.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**

Council of the County of Maui

July 26, 2024

MS. KAHULA: Good afternoon, Chair, Councilmembers. Mahalo for having us here today. My name is Patience Kahula, CDBG Program Director. As requested, I am here to provide a high-level overview of CDBG-DR. So, that stands for Community Development Block Grant Disaster Recovery, so a little bit of twist on our acronym there. So, to start off, I...I want to be clear that the County of Maui is not a formal CDBG-DR grantee, and so what we've done to this point is with--and I'm sorry, I'll back up. Sitting with you...with me here today is Wes, and he's a consultant with Tetra Tech, and I believe online, we also have Jorge, who is also a consultant from Tetra Tech.

CHAIR U'U-HODGINS: I'm sorry, I thought I had one, but I don't. Can I have one?

MS. KAHULA: Oh, yeah.

CHAIR U'U-HODGINS: Thank you. Sorry to interrupt you.

MS. KAHULA: Oh, no problem, no problem. Okay. So...where was I? To start off, I wanted to just disclose that the County of Maui right now is not a formal CDBG-DR grantee. However, we've been...as Director Kate mentions, we've...the County has put in a lot of work into working on long-term recovery, disaster recovery, and we also did a lot of work into learning of CDBG-DR, the ins and outs, and all things possible. Are you doing the slides?

MR. PASCUAL: Staff . . .*(inaudible)* . . .

MS. KAHULA: Oh, okay, we do? Next slide, please. Okay. So, high-level overview, again, for CDBG-DR--and I'm going to talk with this slide on what we know about CDBG-DR. And what we know is that grantees, allocation amounts, and so on, and the spending requirements, HUD regulations, waivers, and other regulatory requirements will be disclosed within the publishing of a Federal Register notice. We also know that CDBG-DR is a funding of last resort, and it is made by a special or supplemental appropriation by Congress. DR funds are typically appropriated after a presidentially-declared disaster, and also takes into consideration the unmet needs, you know, after...and that's taken into account, you know, after other Federal sources of funds. The...the funds are also flexible--oh, actually, I'll back up. CDBG-DR funds are a supplemental source of funds, meaning that the funds should not supplant or replace any other identified sources of funds for...for a specific CDBG-DR-eligible activity. Similar to CDBG, our annual appropriation, the funds are flexible, and it allows grantees to deploy in a variety of disaster-recovery activities. The funds, again, similar to CDBG, is primarily to benefit the 80 percent and under, or lower-moderate income population, households or individuals, and the funds are likely to last six or more years. And so, it's...the road to recovery is long. The CDBG-DR program also takes a while to push through. Sorry, next slide, please. This slide is a high-level

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Council of the County of Maui

July 26, 2024

overview, again, of the eligible uses of funds. The top three--four are...generally speaking, we'd be here for quite some time if we did a deep dive into each eligible use of funds, but those are broad categories, with the bottom two being Mitigation and Planning, which is where the County has an opportunity to use CDBG-DR funds for future planning, you know, to increase resiliency and...in the event of another disaster, to maybe be better prepared somehow. Next slide, please. So, as you've heard from Director Kate, and with the great and awesome foresight of our Managing Director Josiah here, and our Mayor Bissen, the County is put in a lot of effort and...and taken, you know, great strides in preparing and planning proactively for disaster recovery. And some of the additional activities or actions that we've done to date includes an advocacy trip to Washington, DC, where we met with delegates and officials. We also completed an unmet needs assessment, which just kind of further defines the additional assistance that we need for disaster recovery. We've completed--or we're--you know what? I...I shouldn't say completed, we're working on an action plan, and right now, we're calling it a pre-allocation plan because we have yet to be announced as a grantee. We are continuing to coordinate with stakeholders. And I'll also add here that we've also connected with other CDBG-DR grantees, you know, in South Carolina, County of Hawai'i, CNMI, Alaska, Guam, Sāmoa. And so, we're, you know, constantly on the learning curve of just trying to gain whatever knowledge we can, you know, about the substantial possibility of funds. Internally, we've conducted a variety of preliminary use of funds workshops, and that would be with our different RSFs, as Director Kate mentioned. You know, their long-term recov (*phonetic*) will, you know, direct some activities into the CDBG-DR funding possibilities, and so we've connected there as well. And then last on that list is the...is the development of standard operating policies and procedures and org charts. And I can--oh, thank you. Here is just a quick overview of the funding process, if you will, and...and what we're anticipating. And so, at this point, we are awaiting Congress to approve a supplemental appropriation. And once that happens, HUD would then receive the appropriation and use the formula calculation, announce the grantee allocation specific to each presidentially-declared disaster, and then all that information would be published in a Federal Register notice. And then, of course, HUD would award funds. I...I should back up and--I'm not HUD, obviously, or work for HUD--but what we know about CDBG-DR funds is that it...it just takes a while to come in, and I know that not all disasters are...are funded as well. So...so, after HUD does their awarding of funds, the grantees are then required to submit financial certifications to HUD, and--followed by an action plan based on an unmet needs analysis, and then we move towards implementation and...and program administration. Here we have identified a few keys to success. While there are many, many, many, we've identified just at least a few for points of discussion here today. As again, Director Kate mentioned, the long-term recovery plan has...has helped us identify all projects...many projects, and also ones that may be eligible for CDBG-DR funding. And to map out the process, we understand with CDBG-DR funds or, you know, HUD requirements,

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Council of the County of Maui

July 26, 2024

that the programs, and the activities, and the projects that we likely take on will require a full-on mapping out, developing of procedures, and steps, and policies, and so on. And with that, we realize that we'll have to continuously evaluate and update the processes along the way, just to ensure compliance and increase efficiency. The third column there speaks to our financial management policies and certifications. Now, HUD is--they have very strict rules and compliance guidelines, and these financial management policies are due to HUD within 60 days of the Federal Register notice. Now, the...I...I--it's quick in one little block there, but that financial management policies actually refers to six or eight different documents, and so it's--I'm...I'm kind of breezing over everything, and I'm in, you know, one-minute blather (*phonetic*), but it's...it's...it's a lot of work. Which leads to the understanding of the road ahead. We understand that CDBG-DR is a very complex program. As we speak to different grantees, to HUD, different officials and delegates, we understand that it is a huge lift. And we are thankful though, again, to our RSFs, our Department leaders--Josiah, Mayor Bissen--for just having the foresight to...to have us continuously work since the...the disaster occurred, and to just hopefully be...be better...best prepared, which I believe we are. We are--no community is ever fully prepared to respond to a disaster, to engage in...to CDBG-DR, but at this point, I believe we are as best prepared as...as we can be. And we're continuing to work and improve on that. And I'll turn it over to--oh, is there another slide? I'm sorry. Oh, yeah. Thank you. So, I'll stop there. If you have anything you want to add, or Jorge may be online, I'm not sure. He's actually in New Jersey or New York joining by phone.

MR. NISHITA: Thank you, Chair. Yeah, I believe...was informed Jorge's not on the line right now. But just a couple of things I want to add before we got to maybe our question-and-answer period, just for the Committee's understanding. One of the things I think that may have confused Committee Members too early on was when the White House announced an allocation, you...you know, for funding for DR, and specifically talked about Maui County and the need for funding. The amount that they added was \$700 million, and I think a lot of people maybe got confused, thinking that that was a direct allocation and/or amount being set aside for the County of Maui. And I...I just wanted to note, just as it, you know, indicated in Patience's presentation, that that allocation and amount hasn't been determined yet. The funding that goes into that program will service and...and provide resources to disasters that are happening all across the country. And so, just for clarification purposes, you know, we are supportive of the request, we are hopeful that Congress will take it up, you know, as soon as they can and, you know, we'd look forward to a favorable determination that Maui County is a direct recipient of CBGD-DR funds. But I just wanted to clarify that for the Committee. Also, our teams are working through--one...one of the pieces that Patience talked about was on the...the mitigation activities, and I...I just wanted to assure the Committee that we are working through the Hazard Mitigation Grant Program for

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

resources for mitigation activities. Specifically, the State received about 300 million...\$300 million or so that the counties will put in a variety of projects and programs for...to access those resources. We do intend to try to secure as much of that funding as possible for the County of Maui for various types of mitigation activities. And so, just for the Committee's benefit, in...in addition to the mitigation activities that DR can provide, we are seeking additional funding and resources for those types of projects and programs as may be possible. And then the last thing I would just note is, I know it can get--I'm sure you folks are getting a lot of different requests from community members and, you know, private companies or nonprofits or whatnot, in the potential development regarding DR funding. And...and what I would really relay to the Committee is, definitely no promises to anything yet, this is going to be a community-driven process. We will get a significant amount of input from the community to help develop what those programs, projects, and activities will be. So, you know, as we go through it, we'll stay in communication, and we'll work with all of you and your offices to make sure that, you know, we're getting as much community feedback as possible. But in the...in the absence of, you know, the...the allocation from the Fed and... (*audio interference*) Okay. In the absence of the allocation from the Feds, and then those community engagement activities kind of concluding, and an action plan being developed, I...I would just really urge that, you know, we...we just hold off on making any commitments or anything regarding the funding until all that can be developed. And we'll work with all...all of you folks on that when that time comes. Thank you very much, Chair.

CHAIR U'U-HODGINS: Thank you, Managing Director and Ms. Kahula. Do we have any other presentations? If not--okay. Staff, can we please take testimony on the...this item before we move on, on GREAT-5(4)?

MR. PASCUAL: Yes...yes, Chair. There's no individual signed up to testify. If anyone would like to testify, please come up to the podium or raise your hand on Teams. The countdown is three, two, one. Seeing none. Chair, no one has indicated that they wish to testify.

CHAIR U'U-HODGINS: Thank you. Members, seeing there are no individuals wishing to testify, without objection, I will now close oral testimony for this item.

COUNCILMEMBERS: No objections.

ACTION: Close oral testimony for GREAT-5(4).

CHAIR U'U-HODGINS: Thank you. I'm seeing no objections. As a reminder, written testimony will continue to be accepted. We're going to now start a three-minute questioning period with a follow-up round if necessary, and we're going to begin with Committee Vice-Chair Paltin.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

VICE-CHAIR PALTIN: Thank you, Chair, and Administration. I understand this is all very important procedural things to get us set up for the long-term recovery. My big question is, you know, while helping us, and we help the community, I don't know the plan or the pathway for helping the individuals. And there's a lot of lack of information in the community about their own personal recoveries. You know, the commercial folks, local commercial property owners, have been paying mortgages for the past year, and they don't know where, when, or how they will be able to rebuild. People--every week at the community meetings, we hear that Corp. Counsel is going to sign off this week on the new shoreline SMA rules, and it's the same thing every week, we don't have it. There's...you know, there's--people said they want more open space and places to gather, and then, you know...Kahoma Villages, are we working towards a settlement? Because, you know, I got yelled at last night by some guy saying, just issue the permit. I'm like, that's not even my job, we don't touch SMA, you know? And he wouldn't listen. He was still yelling, and people are crying, and they cannot handle seeing other people cry. And so...I mean, I know that this stuff is important, but people feel that there is lack of sense of urgency for their own personal recovery on houses, commercial, and things like that. One of the things that I heard in a lot of the neighborhood community meetings was, we didn't want to see corporations all along Front Street, we wanted to retain the mom-and-pop stores. But, you know, the local landowners--I mean, there's people in disaster forbearance that are getting foreclosed upon, and HCL is doing what they can, but I'm not sure the sense of urgency, or direction, or even how decisions will be made on who can rebuild, where they can rebuild. Plenty of the plaintiffs, including us, in executive session was never fully told about the land swap option that Kamehameha Schools was offering. And so like...you know, I understand that this stuff is critical for...for government funding, but the people that lost all their stuff, whether it's houses or businesses, are...are not doing okay. And, you know, it's...it's--everything is harder on August 8th approaching, and, you know, losing possibly a bunch of his...like being told all these historic structures are gone, maybe the smokestack is gone, we're not going to be using Lahainaluna Road when school starts. So, I was just . . . *(timer sounds)*. . . wondering, is there a time we're going to get to that part?

CHAIR U'U-HODGINS: You can answer, if you can.

MR. NISHITA: Thank you, Chair. Yeah, I had to keep a lot of notes there because there was a lot of different areas covered. So, I apologize, Councilmember Paltin, I'll try to address as much as I was able to scribble as...as we're going along. One of the things, I guess I would start and just note, is that, you...you know, in essence--and I...I'm paraphrasing here--but some of the things that you brought up were specific to maybe some of the not-so-good news we've had to share with the community about, you know, certain things that have been occurring and

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

whatnot. Some of those--I would say overall, I...I think what we're trying to be is as transparent to the community as possible, whether that's good news, bad news, neutral news. And unfortunately, you know, there...there has been some hiccups recently and/or finalization of some things that we have to share with the community with. So, we do apologize to the...the community for, you...you know, some of those areas that may not be good news, but we do want to be as transparent as possible regarding that as soon as we're able. The...the...the other piece, you know, just specifically related to Lahainaluna Road, you know, obviously, I think a lot of those factors are beyond our...outside of our control, just given the effects of the wildfire, and I...I think we're trying to take a very precaution...precautionary and safety-first approach to that. I know that there's conflicting opinions regarding the safety of the smokestack, but in an abundance of caution, you know, public safety is our top priority, so, you know, we are taking those actions. I won't be able to comment about some of the things relating to the litigation and/or settlement pieces. Apologize to that, but just given the nature of some of the discussions that are on...ongoing, I'll defer to Corporation Counsel at...at a later time if there's any items that can be discussed. I...I would like to highlight just a lot of, you know, I mean, progress, of course, that has occurred. We are significantly ahead of the recovery and rebuilding process than every other community that we've ever heard from, or that our Federal agencies have ever come across, and that's in very large part to the community standing up and coming together to address a lot of needs, and to work with all of our government agencies in responding to this. One of the...the areas I...I identify is, you know, there was concerns over what property owners may do on their property, maybe specifically the commercial property owners or whatnot. I...I think there's two different, maybe, statements and/or questions there, one...one more so about owners not, maybe, knowing what to do, or...or not knowing what will be allowed, and then the other regarding just concerns over what they might do. I would just note on that second part that there are, you know, specific entitlements and private property rights that are already assigned to...to properties, and, you know, we are looking at different programs and whatnot that can accommodate private property owners who may want to participate in some sort of, you know, land swap and/or a buyback program to participate, you know, through either mitigation efforts or...or other types of efforts, especially as it relates to sea-level rise and...and other, you know, factors related to climate change. The second piece, I would just note, and our Director has stated this many times, that in the absence of, you know, the new rules coming to effect, private property owners--there's nothing stopping them from applying now and submitting under the existing rules. And so, we are encouraging people that they do not have to wait, we are prioritizing the rebuilding process. I...I will say, you know, in full transparency, that our priority is on the...the residential piece, just given we want to make sure people are housed, but we are not in any way trying to lose sight of the business owners and/or commercial property owners because they play a very important role in our community and our recovery process as

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

well. That...that...that process is already existing, and...and they can go through that process. And as we work through, you know, some of the new rules that are being developed and/or some of the things that will come out of the long-term recovery plan, we'll continue to work with those property owners who have already submitted on any potential changes or developments that may potentially either benefit them or, you know, maybe affect what they're doing. The--but ultimately, our number one encouragement is just go ahead and submit as soon as you're ready. I would just note, FHA did extend their mortgage forbearance until January, that was released recently by the...the White House. There may be other, you know, mortgage assistance through other programs, such as HCL and...and others, who are trying to assist people who still owe on their mortgages, and of course, people may have mortgages with companies and/or institutions that are not subject to those, you know, same requirements and/or same benefits. And then the...the last things I would add is, we do have a few different entities trying to stand up some homeowner navigators to provide assistance to the rebuilding process, and we will have more information for you shortly, as a couple different agencies are coming together to help provide and set up that assistance. And I think one thing that is...that many communities experience, that we're slowly kind of entering the phase of is, you know, FEMA really steps in and provides a lot of resources and financial assistance in this kind of response and/or temporary phase, and then HUD is really the agency that comes in on that more long-term and/or permanent phase of recovery. And there's...there's always kind of a gap that's felt as the--you know, FEMA, that more temporary response assistance starts, you...you know, phasing out, and before that HUD assistance comes in. And that's really where we're...we're looking to work with the State, our County partners, as well as private philanthropy, to help find ways to stand in the gap before a lot of those larger resources are available to us. So, I apologize if I missed anything, but I'd be happy to catch it on round two if I did. Thank you very much, Chair.

CHAIR U'U-HODGINS: Thank you, Managing Director. Member Sugimura, do you have any questions?

COUNCILMEMBER SUGIMURA: Thank you. Yeah. So, if I could, what is the homeowner negotiator [sic], Managing Director?

MR. NISHITA: Thank you, Chair. I apologize. A homeowner navigator. So, yeah, I think for a lot of people, as you can imagine, they maybe have never gone through a process of trying to build a home before. You know, most people, I think, just buy a pre-existing built home, and/or they may have had their home handed down to them from, you know, generation to generation through the family. So, for a lot of homeowners, I think it's, you know, very difficult to help to start navigating this process, just because they've never had to do this before, and maybe don't even know where to start. And so, you know, we're working with a

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**

Council of the County of Maui

July 26, 2024

few different agencies to help provide services to the community, to help people get on the right page, know where to start, know who to talk to and get going. 4LEAF has been, you know, really helpful to a lot of different people, but this is also where a lot of our private contractors, and developers, and other nonprofit agencies can help step into, who have experience, you know, more--especially on the front end of development--to help people navigate that process to rebuilding their home. Thank you.

COUNCILMEMBER SUGIMURA: So, is this set up now? Can people reach out to--is it 4LEAF, or are you going to be contracting with somebody new?

MR. NISHITA: Thank you, Chair. As...as you can imagine, this program is fairly complex, and so there are a lot of different people working on all different aspects of this. We would...I...I would expect there be some more information and/or announcements on this in the near future, but we are working with a lot of different partners to get some assistance set up as quickly as possible. Thank you.

COUNCILMEMBER SUGIMURA: Oh, so this is to happen in the future?

MR. NISHITA: Yes. And I...I would just note that there are agencies helping people now, but, you know, we...we do want a little bit more consolidated and...and/or concerted effort in that regard. Thank you.

COUNCILMEMBER SUGIMURA: Okay. And then on the DR funds, Managing Director, could you tell us if this is only for West Maui?

MR. NISHITA: Thank you, Chair. Thank you, Councilmember Sugimura. The funds--and I'll let our CDBG Program Manager correct me if I say anything wrong--but the...I mean, the funds, depending on how they're allocated by the...by the Feds, you know, assuming that the County of Maui is the direct recipient of CDBG-DR funds, those funds would be available to the County of Maui, and we would work with, you know, the community to ensure . . . *(timer sounds)*. . . that the money is spent appropriately, and in programs that will actually assist in what our long-term recovery efforts and needs are, specific to the August 2023 wildfires. And I'll let our Program Manager expand...expand upon that, or correct me if I'm wrong.

MS. KAHULA: Thank you. So, Managing Director's overall correct, and I would just add that the Federal Registered notice adds another layer of regulations, if you will. Sometimes regulations include specific ZIP codes in which we can spend the money. We're hoping that it, you know, won't...that the funds won't be restricted to just a specific or a couple specific ZIP codes, but we won't know until we see the Federal Registered notice. The last thing I think I'd add to your

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**

Council of the County of Maui

July 26, 2024

comment, Member Sugimura, is that the...the activities funded with CDBG-DR must tie back to the disaster. And so, there may be occasions where we can spend funds on activities that directly or indirectly benefit the...the wildfire, or burn zone, or area, but we won't know until that actual Federal Registered notice is published. I hope that answers your questions.

COUNCILMEMBER SUGIMURA: Okay. Thank you.

CHAIR U'U-HODGINS: Thank you.

COUNCILMEMBER SUGIMURA: . . .*(inaudible)*. . .

CHAIR U'U-HODGINS: Member Johnson, any questions?

COUNCILMEMBER SUGIMURA: -- question.

CHAIR U'U-HODGINS: Oh, Member Sugimura, the bell rang, but if you have any more questions, we can have a follow-up round if necessary. Thank you. Member Johnson, any questions?

COUNCILMEMBER JOHNSON: Sure. Thank you, Chair. Thank you, everybody, for joining us today, I know everyone's so busy. But basically, my question is in regards to that action plan that allows us to access the CDBG-DR funds. I'm curious, is it...is my--okay, correct me if I'm wrong--is that my understanding is that in order for us to access this...the CDBG-DR funds, we have to have the action plan finished. So, is it that we're...they're waiting on us, and is it...are us...are we the ones slowing this down because we don't have an action plan in hand?

CHAIR U'U-HODGINS: Please.

MR. NISHITA: Yeah.

MS. KAHULA: Mahalo, Chair. And thank you, Member Johnson, for your question. So, you are correct in that an action plan is what helps us access the funds. However, we cannot submit an action plan until a Federal Registered notice is published by HUD. And so, I don't know if you remember the slide with the three arrows there, the one spoke to Congress, and so that's where we are really. We're waiting for Congress to make a special or supplemental appropriation announcing...as Director Nishita says, announcing the County as a direct recipient of CDBG-DR. Until that happens, we...we're...we're waiting, but we're not waiting --

COUNCILMEMBER JOHNSON: Okay.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

MS. KAHULA: -- doing nothing, we're planning and preparing.

COUNCILMEMBER JOHNSON: Right. So, I guess it--again, this is...that's where it gets kind of complicated for me to understand what happens at the Federal level on the political side. So, is it that we're waiting for them to decide, you know, like, both sides of the aisle to agree on how much money our community should get? Is that how it works? Or is there...they're waiting for after elections? Or is it--I mean, there's politics involved, I--that's what...where I want to kind of see how that works, the process of it all.

MS. KAHULA: If you can.

MR. NISHITA: Thank you, Chair. I...I mean unfortunately, funding at...at any level, you know, in regarding to Congress, can get political. And while, you know, I think you've seen in the news recently and in the past months, there have been other states that have been devastated by wildfires, flooding, hurricanes, you know...you know, what have you, through different types of disasters. The...you know, as...as Congress evaluates, I think, the funding, whether an allocation should be made and the amount of funding to provide to disasters across the country, I...unfortunately it does play a role into --

COUNCILMEMBER JOHNSON: Yeah.

MR. NISHITA: -- what states get impacted and, you know, the...the needs that are being expressed by all those communities. . . .*(timer sounds)*. . .

COUNCILMEMBER JOHNSON: That's...that's why I think your job is so hard. Because how do you balance that when it's all up in the air on politics, and it's this state had a disaster, and this state didn't have a disaster. I mean, oh, my God, that sounds crazy. But I...I appreciate you guys' time, and my time's up. Thank you, Chair.

CHAIR U'U-HODGINS: Thank you, Member Johnson. Go ahead.

MR. NISHITA: Thank...thank you, Chair. I just would add that then that's why--I mean, we only can control what we can control, and what we can control is to be as prepared as possible, to have as much plans in place as possible to, you know, gear up and be ready for it, should the time come. And that's really the most that we can control that...at this moment, and that's what Patience and her team, as well as all of our recovery support functions, are doing. Thank you.

CHAIR U'U-HODGINS: Thank you, Managing Director.

COUNCILMEMBER JOHNSON: Thank you, Managing Director. Thank you, Chair.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

CHAIR U‘U-HODGINS: Yeah, of course. Thank you. Member Cook, any questions?

COUNCILMEMBER COOK: Thank you, Chair. My questions are for Director Nishita and Director Blystone both. Have you had sit-down meetings with the Front Street commercial property owners?

MR. NISHITA: Thank...thank you, Chair. I'll...I'll let Director Blystone answer after me, but I have had at least maybe one or two meetings with--I think they're called, like, the Front Street...or Front Street Association--and then there was another commercial group too that I met with in the past, I don't know, maybe six months or so. And then I'll let Director Blystone answer as well.

MS. BLYSTONE: Mahalo, Chair. My answer is very similar, I have sat down with...with that group that Managing Director mentioned, and then also, even today, I had a meeting. So, we've had conversations with multiple of those owners. In fact, they also showed up at our neighborhood workshops as well, and I spoke with...with several of them there.

COUNCILMEMBER COOK: So, when I was at the Planning meeting that you had at Lahainaluna, which was very...very...I think very well organized, Managing Director, and very well attended, there was a lot of dots on the--I'm going to just paraphrase it, put Front Street back the way it was. And there's been que...people have asked me, and just conversationally, about how...how the sea-level rise issue is going to relate to Front Street. Is there any is...has there been any determinations? How solidified is the planning regarding that, and when is it...when is it the intended to let people know?

MS. BLYSTONE: Mahalo, Chair. That is a big question, Councilmember, and --

COUNCILMEMBER COOK: It is a big question. . . .*(laughing)*. . .

MS. BLYSTONE: . . .*(laughing)*. . . I...I understand. And I just...I would like to point out too, that in addition to--add that if you had looked also on that sheet, there were...there was alternatives, that people said we had to be prepared for sea-level rise and climate change when rebuilding Front Street. So, as you can imagine, this is a really complicated subject. What I can tell you is that the community plan has policies that are related to sea-level rise, and climate change, and how we would respond to that with our building. I will also say that I just can give you an update that I--sitting right here behind me are the shoreline rules ready to be signed, and the SMA rules ready to be signed, so this is good news for everybody. But in...in the absence of that, we also had our existing shoreline rules and SMA rules. Every project is a different story. I can't say it's going to be universally one way or the other, but I will say that in my conversations with

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

Front Street owners, I have encouraged them to start talking with their community about how rebuild should happen. And, you know, the...the plans--but as far as the plans being set, as you...as you said, there...there are . . .*(timer sounds)*. . . plans in place and we could continue with those plans exactly as they are, but I've encouraged the...the property owners to have conversations with their community about that subject.

COUNCILMEMBER COOK: Well, thank you, both, for your update and your efforts. That's...that's my only question. Oh, I had one more question.

CHAIR U'U-HODGINS: Okay, wait. You're going to have to save it for the next round because your bell just rang. So, I'm going to ask Member Sinenci if he has any questions, then we can come back to you.

COUNCILMEMBER COOK: Thank you.

CHAIR U'U-HODGINS: Thank you. Member Sinenci?

COUNCILMEMBER SINENCI: Mahalo, Chair. Yeah, just clarification with Director Nishita about the 700 million. You said that is the amount, but it still needs to be approved by Congress for the CBDG-DR?

MR. NISHITA: Thank...Thank you, Chair. There's an announcement from the White House, I can't remember, it was probably in the last few months or so, that they had submitted a request to Congress for--I can't remember if it was 3.5 billion plus 700 million, or if it was 3.5 billion including the 700 million. But what...whatever it was, there was a \$700 million figure that was stated specifically in the announcement, and in it, there was a narrative piece that related to the Maui wildfires, and...and that I think that's what got some people confused. But the request has been made from the White House to Congress, and so we're just waiting on Congressional approval before being able to move forward. Thank you.

COUNCILMEMBER SINENCI: Okay. Thank you. And is the Administration lobbying at...at the House or the Senate for--at Congress for that?

MR. NISHITA: Thank you, Chair. Yes, we have been in constant communication with our Federal delegation. We have a huge cheerleader, and a person who's been standing in the gap for us up there in Senator Schatz. He's been an amazing partner, him and his staff. And I couldn't believe how many Maui residents watched C-SPAN --

CHAIR U'U-HODGINS: . . .*(laughing)*. . .

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

MR. NISHITA: -- because he's...he's given a variety of very impassioned pleas to Congress to provide funding for the County of Maui and, you know, our residents are really appreciative of that. But yes, we are working with our Federal delegation, and they are all very supportive and trying their best, but of course, you know, it will take both, you know, Republicans and Democrats to help move things forward. Thank you.

COUNCILMEMBER SINENCI: Okay. Thank you, Director. And then for Director Blystone, I know the focus is on getting housing for our residents, but you mentioned a couple of the civic buildings, like the Lahaina...the library, the kūpuna center, the...the clinic. Where would those types of funds--these...where do you speculate those funds to rebuild those buildings?

MS. BLYSTONE: Mahalo, Chair. Mahalo for the question. It's--I...I said during my presentation, and I'm going to stick to it, it...it is not something that I am an expert in. Our FEMA partners have mentioned from time to time the...the potentiality of many different types of funding sources for all different types of things. I think there's a combination of sources that are possible for all of these things, perhaps private philanthropic dollars and . . .(timer sounds). . . public funds in the form of, you know, State dollars and...and the Federal dollars. So, I can't speak to specific grants that...that we would be eligible for. I apologize for that, it's just not my...not my skillset.

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

CHAIR U'U-HODGINS: Managing Director?

MR. NISHITA: Thank you, Chair. Just...Councilmember Sinenci, like I think some of the things you mentioned, maybe like public facilities, and/or State, and/or County-owned, some of those things, you know, may be eligible for like public assistance through FEMA, and we're already in talks with the State about, you know, matching requirements and...and things like that that may be needed. There's other sources of funds too that can help step in some of those gaps, and then as Director Blystone mentioned, there could be a variety of, you know, philanthropic--I always get that--anyway, you know what I'm talking about. And in...in addition to that, our teams have been working with FEMA and other partners that we have for like competitive grant opportunities as well, that may be available. Thank you.

CHAIR U'U-HODGINS: Thank you. Member Cook, I know you had another question, would you like an opportunity to ask?

COUNCILMEMBER COOK: Yes. Thank you, Chair. This is for the Managing Director. Is there...is there an--okay. Design registered homes normally have to go through

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**

Council of the County of Maui

July 26, 2024

a review process like any other home, and before it gets labeled as a design registered home. Since a lot of homes are being reviewed and approved, and some of it is pro bono by architects, is there...is it happening, or would the Administration be willing to take some of those homes that are being approved, make them design registered homes to expedite the potential for people to be able to build if they chose to use that design?

CHAIR U‘U-HODGINS: The architects would have to approve their design to be used for public use and not--other than the intended owner. But you can answer.

MR. NISHITA: Thank...thank you, Chair. Yeah. So, I guess I would echo Chair U‘u-Hodgins' comments. But in...in addition to that, there are a number of different entities that have been working on plans, and are already working with our Department of Public Works to meet those design, you know, registration standards. I know American of Insti...Institute of Architects has been one working on a variety of things, and there's been private developers too that have been offering to different homeowners a range of plans that they may already have, and have already been permitted in the past to help, you know, ease the process for a lot of these homeowners. But yes, we're...we've seen in a lot of different communities that being a part of the really successful efforts of...you know, rebuilding a community is getting those, you know, pre-approved plans and...and designs for people to help start and navigate the process. We did have exten...extensive conversations with like Sonoma and...and Paradise, who actually set up--I believe it was called Rebuilding Paradise or...or...or some name like that--that helped establish a lot of pre-approved plans and...and designs for a lot of the homeowners. So, we're trying to utilize a lot of the best practices that other communities have gone through as well. Thanks.

COUNCILMEMBER COOK: Thank you, Director. And thank you, Chair. That's my...end to my questions.

CHAIR U‘U-HODGINS: Yeah, thank you. No worries. It would be up to the architect though to work with the...the individual landowners because they are site-specific, the plans. Even if the plans overall are the same house, the site plan will have to be site-specific. And then I think the County will--is happy to work with the architects if they're happy to work with us.

COUNCILMEMBER COOK: Thank you.

CHAIR U‘U-HODGINS: Yeah. Member Paltin, did you have any more questions? Oh, shucks, I think you're still muted. And then I'll call on you, Member Sugimura.

VICE-CHAIR PALTIN: I had a few questions. You know, when they said that the existing SMA rules and stuff are still in place--so, like just as an example, my husband's

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**

Council of the County of Maui

July 26, 2024

grandmother's house and plenty other houses are makai of the erosion hazard line. And so, does that mean if they put their SMA permit exemption for a single-family home in right now, before the Mayor signs the new rules, before the 30 days is up, they could then get their SMA permit exemption, even though they are makai of the erosion hazard line? And how many SMA permit exemptions for single-family homes have been submitted so far?

MS. BLYSTONE: Mahalo, Chair. So, to answer the first question is, if they submit their...their...their applications now, they would be subject to the rules that are in place now. So, I can't say, without knowing the property, whether or not they would be approved for their exception or anything like that, I have to understand more about the project in order to answer that question. Second question --

VICE-CHAIR PALTIN: It's just the single-family home, two doors south of like Lahaina Roads...single-family home on the makai side.

MS. BLYSTONE: I would need a little time to look into the...to the property to be sure, so I...I...I apologize that I can't answer that question...and I...I would need to consult with my team as well. The other question you had was whether--how many we've received? I apologize.

VICE-CHAIR PALTIN: How many --

MS. BLYSTONE: Yeah.

VICE-CHAIR PALTIN: -- SMA permit exemptions for single-family homes under 7,500 square feet?

MS. BLYSTONE: I think...I think the number--we talked about this this morning--I believe the number is 12, but I would have to confirm with my team because they...they have been coming--or not coming in.

VICE-CHAIR PALTIN: And --

MS. BLYSTONE: But I'll have to confirm with my team.

VICE-CHAIR PALTIN: And then, you know, we...we know like about 80 percent of the people were renters, and we haven't approved any permanent housing, it's all temporary. And so, I was wondering like at what point are we going to be building permanent housing for renters? And, you know, there's properties--like, you know, Spinnaker, Channel House, Lahaina Crossroads, 'Āina Nalu, Pioneer Mill--all the properties makai of the erosion hazard line. Are we polling people about like if they plan to build back? Like is the County planning to build back Lahaina Crossroads? Can you take that water and give it away to other

GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE

Council of the County of Maui

July 26, 2024

permanent housing? Because...I mean five years is going to go by in the blink of an eye, and DHHL wants their land, you know? So, that's at least 450, plus the 169 they're building there. . . .(timer sounds). . . Come to find out, it's not HUD-approved, it's HUD-habitable, and so, we don't even know how long those will last because it's not set up for wind readings and things like that, is what I heard yesterday.

CHAIR U'U-HODGINS: Director or Managing Director?

MR. NISHITA: Yeah. Thank you, Chair. Thank you, Councilmember Paltin, for the questions. Sorry, once again, I was trying to jot down as much as I could, and apologies if I...if I miss anything. One of it, I would just note, is the...the sample size is a little too small yet to determine on water usage, but what we have seen on other communities is that as people rebuild back, they tend to rebuild back bigger. One of the things, you know, just maybe in relation to--you...you know, since they had their original home and weren't able to add maybe additions or whatnot, now they're, you know, seeking to do so since they have to rebuild back, or they may be trying to accommodate, you know, other family members or whatnot who were unable to rebuild, or maybe were renters previously. So, I...I think that the data set is a little bit too small yet to determine if that's going to be widespread, but we have seen in high, I guess, assessed-value communities that people tend to build back bigger, meaning that more resources are needed for those existing homeowners. There may be a lot of illegal, you...you know, unpermitted structures that were on previously, and now as they rebuild back those, they're going to try to seek permitting for those structures. So, we're...we're going to have to kind of work with these individual property owners as...as we're going through this whole process on that. I...I would just note that you had identified that a lot of these things are...are temporary, and...and not permanent. I...I would just note that we are working with a lot of landowners. As you can imagine, getting through this whole process for an individual landowner, especially one who's doing like multifamily housing projects and...and things like that, is very complex, and may involve a lot of different funding mechanisms for their financial stack for the project. In addition, you know, they're going to have to navigate the existing, you know, building codes, and...and rules, and whatnot to determine how they can pencil out certain projects. But as the Council knows, I mean, we've worked extensively with the--well, I guess I'll...I'll use one example. For like I Ke Kuana (*phonetic*), for example, like we have expedited their permits, and the Council has agreed to provide funding for that project, and that is a permanent rebuild. We are working with different property owners, such as--like Hawai'i Public Housing Authority, like Weinberg Foundation, and...and others regarding rebuilding back a lot of the multifamily units that were in Lahaina, specifically to help take care of renters. And there are, you know, a lot...a lot of different landowners. I mean, it remains to be seen how many will actually invest in...in the individual properties, but

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

there are landowners who previously provided rental space for individuals that will continue to do so, and are planning to do so. The State is also working with us on a variety of different projects, as well as like Hale Mahaolu and...and other entities like that, and we're trying to help them navigate that process as...as quickly as possible, as well as working with all our partners to identify potential funding mechanisms to assist in the rebuilding process. Thank you.

VICE-CHAIR PALTIN: Chair.

CHAIR U'U-HODGINS: Yes?

VICE-CHAIR PALTIN: With your permission, can I just have three questions for transmittal since they don't have the answer at this time?

CHAIR U'U-HODGINS: Of course. Would you like to send it to us, or would you like to verbally say it and we can take notes?

VICE-CHAIR PALTIN: If it's okay, I'd like to verbally say them.

CHAIR U'U-HODGINS: Okay. Is that okay? You ready? We ready.

VICE-CHAIR PALTIN: What...what are the plans for people who are makai of the erosion hazard line to rebuild? What...what advice has been given to Jodo Mission already on their rebuild? And if we're pursuing plans with the State or private landowners on permanent housing, are we prioritizing those permanent housing that have land already entitled and are in our community plan? Thank you.

CHAIR U'U-HODGINS: Thank you. Got it? They got it.

VICE-CHAIR PALTIN: Thank you.

CHAIR U'U-HODGINS: Member--of course. Member Sugimura, your questions.

COUNCILMEMBER SUGIMURA: Thank you. So, Josiah, or Managing Director, I just wanted to follow up with the testifiers Tom...Tom Liu, as well as Kari McCarthy, regarding your...their driveway concerns. So, I have a meeting with you on August the 2nd, can we discuss that?

MR. NISHITA: Yes. Thank you, Chair. Thank you, Councilmember Sugimura. Yeah. I guess just for the public's benefit--because I know some of the testifiers, or maybe one of the testifiers indicated about their Councilmember reaching out or whatnot--I just want to state publicly that Councilmember Sugimura blows up my phone all the time --

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

CHAIR U‘U-HODGINS: . . .*(laughing)*. . .

MR. NISHITA: -- with desires for her community, and questions she's hearing, and whatnot. And we do have a meeting that Councilmember Sugimura has requested previous to this meeting to talk about a lot of the issues that her community is facing. So, I...I know she won't say that publicly, but just...just for the...the public's benefit, she does reach out to me all the time, without question, and I will be glad to help out as much as possible.

COUNCILMEMBER SUGIMURA: Okay. That's--thank you, I appreciate that. And the other thing that we've been hearing, and I wonder if the DR funds would cover this, is the Lahaina bypass. So, it's an infrastructure concern, State, DOT, and it...it really relates to MPO funds that only a limited amount comes to the County because the size of our population versus O‘ahu, but I think it's easily \$100 million project. Would this be included in DR funds?

MR. NISHITA: Thank...thank you, Chair. Thank you, Councilmember Sugimura, for the question. My...my understanding is, it's probably in excess of \$110 million, maybe somewhere around there, for the Lahaina bypass. I...I guess what I would say about DR funding is that we really shouldn't make any plans and/or allocations from DR, especially until we see what kind of rules and regulations may be set up in the Federal Register and...and by HUD, as well as we want to make sure we hear from the community in terms of their desires on how to spend the money. The...the only thing I would note is that although I...I am unsure that it will qualify, we are trying to do our due diligence on if the bypass extension could potentially be covered under some type of hazard mitigation grant funding. I'm not aware of any other community being successful in obtaining funding for that through hazard mitigation grants, but we are...we have been making that inquiry to see, since we are putting in soon our potential projects for that consideration. Thank you.

COUNCILMEMBER SUGIMURA: Okay. And then also, I've been hearing a concern about insurance companies may want to pull out of Maui, and really Hawai‘i, because of the wildfire, and...and is looking at us with a different lens of high risk. And . . .*(timer sounds)*. . . I'll add that to my list.

CHAIR U‘U-HODGINS: Member Sugimura --

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR U‘U-HODGINS: -- you can quickly finish that question if you want.

COUNCILMEMBER SUGIMURA: . . .*(inaudible)*. . . Thank you.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

CHAIR U‘U-HODGINS: You want to --

COUNCILMEMBER SUGIMURA: Oh, just...yeah.

CHAIR U‘U-HODGINS: Just the insurance question because Maui is high risk?

COUNCILMEMBER SUGIMURA: Yeah. If Managing Director has been hearing that, and if we're doing anything to build back better...safer, I guess.

MR. NISHITA: Thank you, Chair. Thank you, Councilmember Sugimura, for the question. I...I would just note, we have heard from residents, both inside and outside of the impact area--actually, in other communities as...as well, like other islands in the State of Hawai‘i, just regarding the overall concerns regarding insurance, and maybe what they may be hearing from insurance companies, or how their rates may be affected as they look to renew policies. Some of this relates to potential like State legislation and/or State assistance that may be needed. And I...I'd just really like to thank Senator Hashimoto. He's been real diligent on this for many months now, and so, you know, we are working with his office, we're working with the State, a State insurance commissioner, and others regarding, you know, the potential effects, and if there's any ways to kind of mitigate the effects of that. Unfortunately, a lot of communities that do experience types of disasters, you know, there...there is a, I guess, cascading effect that takes place on insurance companies and their desire and/or willingness to continue to participate in the market, or at any type of reasonable rate, and so, you know, our teams are working on it. It is not a simple solution and/or a simple answer, and there's a lot of variables to it. So, I...I guess that's...that's pretty much as much as I can say at this time, and...and we'll continue to work on that as we move forward.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR U‘U-HODGINS: Thank you. I have a couple of quick questions, and then I'll get to Member Sinenci and Member Johnson if they have any more questions, and Member Cook. We do only have about 12 minutes. Okay. Thank you. Okay. Thank you. I just have a couple of questions. So, I know you said, one, don't count on the money. I hear you, County of Maui, not a formal grantee just yet. Are we though--if we do get the money, is it going to come to the County of Maui or the State?

MR. NISHITA: Thank...thank you, Chair. So, that's...that's where it would get listed in the Federal Register as to who the direct recipient of CDBG-DR funds are.

CHAIR U‘U-HODGINS: Okay.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

MR. NISHITA: Yeah.

CHAIR U'U-HODGINS: Do we have a timeline on when we can hear from the Federal Government at all?

MR. NISHITA: Thank you, Chair. I...I think...you know, I think most people's guesses are as...probably as good as our educated, you know, assumptions.

CHAIR U'U-HODGINS: Um-hum.

MR. NISHITA: Just given, I guess, the timeline of when Congress is in sess...session and whatnot, I think the absolute earliest that they would potentially take anything up would be in the like September to October time frame. But that doesn't necessarily mean that they would pass anything at that time, that's...probably the next time they're in session, that would be a potential.

CHAIR U'U-HODGINS: Okay. Thank you. And then I understand that the criteria for this funding, the requirements is quite difficult. We have the Staff to do so, to ensure that we meet all the requirements if it does come to the County of Maui, or do you need any...do we need to get anymore Staff members to ensure?

MR. NISHITA: Thank...thank you, Chair. Yes, I think the...the first step really is--and we thank the Council for appropriating additional funds on this last budget session so that we can continue doing as much work as possible in the planning and preparation. A lot of it, you know, will come down to once we know that there is an allocation being made and who the recipient is, I think will play a lot into how we're able to plan and prepare moving forward. But I would say all communities that receive DR funding, there is a significant need to add a lot of staffing and resources, as well as contracted resources and consultants to assist in the overall effort. As you can imagine, I mean, if you just think about it, it's...it's not apples to apples, but if you think about it, the County has about, you know, a \$1.7 billion budget, and we have 2,800 employees. So, you know, depending on what the allocation is made, I--that...that is nowhere near--and I don't want to scare anybody--that's nowhere near like what...you know, what...what a community would need or whatnot. But there is a significant amount of employees and resources that are needed to help manage that money, and then implement projects.

CHAIR U'U-HODGINS: Okay. Thank you. I appreciate that. Members, we do have Member Paltin's three questions to send to Administration to ask for their answers in writing. If you have any questions, please let us know and we'll send them over at the same time. But if we don't have any questions, then I'll happily end this meeting. Do we have any more questions? We do have a few minutes. Member Sinenci, go ahead.

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**

Council of the County of Maui

July 26, 2024

COUNCILMEMBER SINENCI: Thank you, Chair. I just wanted to add to the list of...of what types of funding mechanisms are going towards just the water...water issue, and securing more water for...for the development of West Maui? Just kind of a general question. Thank you.

CHAIR U‘U-HODGINS: Okay. We got it, thank you. Member Sugimura, your hand is up. Do you have a question?

COUNCILMEMBER SUGIMURA: Yeah, just real fast. So, I have somebody who has commercial property parking, and they actually said they would gladly do residential. And I know Director Blystone did those community meetings, and I'm not too sure when...when these people can approach the County, or...what is your advice?

MS. BLYSTONE: Mahalo, Chair. Anytime. We're happy to talk about housing, I would encourage them to talk with the Department of Housing as--and...and talk with us. I've been meeting with...with...with my colleagues there and property owners a little bit, so we're happy to do that anytime.

COUNCILMEMBER SUGIMURA: Okay.

MS. BLYSTONE: Happy.

COUNCILMEMBER SUGIMURA: Okay. I thought we were...we had to wait until you had your study ready or...or none. Okay. So, I'll just tell them to send something or call Remi--or Richard Mitchell then. Not you --

CHAIR U‘U-HODGINS: Okay.

COUNCILMEMBER SUGIMURA: -- right?

MS. BLYSTONE: Correct. Mahalo.

CHAIR U‘U-HODGINS: Okay. Thank you. Members, any other questions? Member Paltin.

VICE-CHAIR PALTIN: Just also, what is the plan for the Lahaina Crossroads property and water allocation? Because it used to be the County's one. And what are the status of on...or if there is ongoing talks with the Weinberg, as they were a major landowner? And...and I know the advice was for the commercials to get together amongst themselves and reach out to the community, but is...is the County not considering convening--like what commercial would look like in a Lahaina rebuild, and where...where it should be?

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**

Council of the County of Maui

July 26, 2024

CHAIR U‘U-HODGINS: You want that answered now, or you want that answer in writing?

VICE-CHAIR PALTIN: In writing, please.

CHAIR U‘U-HODGINS: Can do. Anybody else have any questions? Okay. This item was posted for no legislative action today, so I will defer this item.

COUNCILMEMBERS: No objections. (Excused TK, AL)

ACTION: DEFER.

CHAIR U‘U-HODGINS: This concludes the Government Relations, Ethics, and Transparency Committee meeting. Thank you very much, Members. The time is now 4:24, and this meeting is adjourned. . . *(gavel)* . . .

ADJOURN: 4:24 p.m.

APPROVED BY:



NOHELANI U‘U-HODGINS, Chair
Government Relations, Ethics, and
Transparency Committee

great:min:240726

Transcribed by: Logan Tsuji

**GOVERNMENT RELATIONS, ETHICS, AND
TRANSPARENCY COMMITTEE**
Council of the County of Maui

July 26, 2024

CERTIFICATION

I, Logan Tsuji, hereby certify that pages 1 through 57 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 18th day of September 2024, in Wailuku, Hawai'i



Logan Tsuji