

EFFICIENCY SOLUTIONS AND CIRCULAR SYSTEMS COMMITTEE

Council of the County of Maui

MINUTES

November 30, 2023

Online Only via BlueJeans

CONVENE: 9:05 a.m.

PRESENT: VOTING MEMBERS:

Councilmember Keani N.W. Rawlins-Fernandez, Chair
Councilmember Tamara Paltin, Vice-Chair
Councilmember Tasha Kama, Member
Councilmember Alice L. Lee, Member
Councilmember Shane M. Sinenci, Member
Councilmember Yuki Lei K. Sugimura, Member (In 9:23 a.m.)

EXCUSED: VOTING MEMBERS:

Councilmember Tom Cook, Member

STAFF:

Ellen McKinley, Legislative Analyst
Paige Greco, Legislative Analyst
Samantha Tanck, Legislative Analyst
Megan Moniz, Legislative Attorney
Maria Leon, Committee Secretary
Executive Lei Dinneen, Council Services Assistant Clerk
Shelly Espeleta, Supervising Legislative Analyst

Zhantell Lindo, Council Aide, Molokai Residency Area Office
Roxanne Morita, Council Aide, Lānaʻi Residency Area Office
Mavis Oliveira-Medeiros, Council Aide, East Maui Residency Area Office
Bill Snipes, Council Aide, South Maui Residency Area Office
Jade Rojas-Letisi, Council Aide, Makawao-Haʻikū-Pāʻia Residency Area Office

Sarah Sexton, Executive Assistant to Councilmember Rawlins-Fernandez
Angela Lucero, Executive Assistant to Councilmember Paltin
Lei Kama-Sickels, Assistant to Councilmember Kama
Dawn Lono, Executive Assistant to Councilmember Sinenci
Gina Young, Executive Assistant to Councilmember Sinenci
Don Atay, Executive Assistant to Councilmember Sinenci
Jocelyn Moniz, Executive Assistant to Councilmember Sugimura
Axel Beers, Executive Assistant to Councilmember Johnson

ADMIN.:

Josiah Nishita, Deputy Managing Director, Department of Management
Jacky Takakura, Planning Program Administrator, Long Range Planning
Division, Department of Planning
Christie Trenholme, Deputy Corporation Counsel, Department of the Corporation
Counsel

EFFICIENCY SOLUTIONS AND CIRCULAR SYSTEMS COMMITTEE MINUTES
Council of the County of Maui

November 30, 2023

Yukari Murakami, Deputy Corporation Counsel; Department of the Corporation Counsel

OTHERS: Keoni Kuoha, Vice-Chair, Charter Commission
Cody Pueo Pata, Kumu Hula, Hālau Ka Malama Mahilani

Testifiers
Jasee Law

(11) additional attendees

PRESS: Akakū: Maui Community Television, Inc.

CHAIR RAWLINS-FERNANDEZ: . . .*(gavel)*. . . Aloha kakahiaka kākou. ‘Elima minuke i ka hala o ka hola ‘eiwa ma kanakolu o Novemapa i ka makahiki ‘elua kaukani iwakāluakūmākolū. E ‘olu‘olu mai, e ho‘omalū ke Kōmike Efficiency Solutions and Circular Systems. ‘O wau ‘o Keani Rawlins-Fernandez, ka luna ho‘omalū o kēia Kōmike. Aia au ma ‘ane‘i i ka Molokai District Office. Ke noho ho‘okahi nei nō au me kēia ‘ao‘ao. It's 9:05 on November 30th, 2023. Will the Efficiency Solutions and Circular Systems Committee please come to order. I'm your Chair, Keani Rawlins-Fernandez. I'm at the Molokai District Office, alone in my side of the office. And Staff is reporting no testifiers currently at the Molokai District Office. I kēia lā, me ko kākou, eia hope luna ho‘omalū ‘o Tamara Paltin. Aloha.

VICE-CHAIR PALTIN: Aloha kakahiaka kākou. Broadcasting live and direct from Nāpili. I've got two rowdy unnamed minors engaged in distance learning, and one named pocket Pitbull, King.

CHAIR RAWLINS-FERNANDEZ: Aloha. We have...Committee Member Tom Cook is excused today and then we have Committee Member Tasha Kama. Aloha.

COUNCILMEMBER KAMA: Aloha kakahiaka, Chair, and good morning to everyone else.

CHAIR RAWLINS-FERNANDEZ: Aloha. Next, we have Committee Member Alice Lee. Aloha.

COUNCILMEMBER LEE: Aloha kākou. I'm here in my workspace at home alone. However, my little puppy Koa Lei Lee is right outside the door eavesdropping.

CHAIR RAWLINS-FERNANDEZ: Eavesdropping, not snoring?

COUNCILMEMBER LEE: Nope. Not snoring.

CHAIR RAWLINS-FERNANDEZ: Aloha, Koa. Okay. Next, we have Committee Member Shane Sinenci. Aloha.

COUNCILMEMBER SINENCI: Aye, aloha kakahiaka kākou, mai kēia ‘āina, Nā Wai ‘Ehā. Staff has mentioned that there are no testifiers in Hāna. Aloha.

EFFICIENCY SOLUTIONS AND CIRCULAR SYSTEMS COMMITTEE MINUTES
Council of the County of Maui

November 30, 2023

CHAIR RAWLINS-FERNANDEZ: Aloha. And finally, Committee Member Yuki Lei Sugimura let Committee know...let the Committee Staff know that she will be late today. I'll recognize her when she arrives. And then we have two Non-Voting Committee Members, Member Gabe Johnson and Member Nohelani U'u-Hodgins, who are always welcome to join us. And...okay. So, we have...oh, Staff. Sorry. And then we have our Committee Staff with us today. Committee Secretary Maria Leon, Legislative Analyst Ellen McKinley, Legislative Analyst Paige Greco, Legislative Analyst Sam Tanck, Legislative Attorney Megan Moniz, Assistant Clerk Jean Pokipala, and Assistant Clerk Lei Dinneen. They are the ones who make the magic happen. Mahalo, Committee Staff.

ITEM 1(5): DEPARTMENT OF 'ŌIWI RESOURCES (Rule 7(B))

CHAIR RAWLINS-FERNANDEZ: Today we have one item on today's agenda, ESCS-1(5), Department of 'Ōiwi Resources. In accordance with Sunshine Law, testimony can occur at the beginning of the meeting, but cannot be limited to the start of the meeting. As we only have one item for today, we'll be taking testimony after the presentation, or opening remarks. And we'll proceed with the first agenda. Members, in 2022 voters approved an amendment to the Charter establishes the Department of 'Ōiwi Resources to affirm, and that the County shall operate as a bilingual government. This Department will be responsible to properly manage, design, and implement programs to care...to care for and develop 'ōiwi resources, guide the County in correct usage of the Hawaiian language, and promote healthy ecosystems through natural cultural resource regeneration, protection, and sustainable utilization. The Department is to be operating by July 1st, 2024, and then to refresh our memories, I will go over the relevant parts of the Charter Amendment. Organization. There shall be a Department of 'Ōiwi Resources consisting of a Director of 'Ōiwi Resources and the necessary staff. Director of 'Ōiwi Resources. The Director of 'Ōiwi Resources shall be appointed by the Mayor with the approval of the Council, and may be removed by the Mayor. The Director shall be experienced in Native Hawaiian cultural resource management, Native Hawaiian cultural practices in the County, and proficient in the Hawaiian language. The Director must have had five years of experience in a leadership capacity. Powers, Duties and Functions. The Director of 'Ōiwi Resources shall: 1), be administrative...administrative head of the Department of 'Ōiwi Resources; 2) collaborate with the Mayor, Executive Branch, and the Council to ensure proper management of 'ōiwi resources throughout the County; 3) design and implement programs to care for and develop 'ōiwi resources; 4) guide the County in correct usage of Hawaiian language, including place names, and the integration of Hawaiian language with...within County functions; 5) promote healthy ecosystems through natural cultural resource regeneration, protection, and sustainable utilization; 6) advise state and federal agencies on all programs and projects that affect 'ōiwi resources in the County; 7) report to the Mayor and Council annually on the County's overall performance in meeting 'ōiwi resources objectives and any issues that could be addressed by ordinance; 8) perform other duties and functions as assigned by the Mayor or Managing Director. Okay. It also amends the section under the Powers, Duties, and Functions for the Planning Director to Subsection 3, recommend revisions of the General Plan at least every ten years to guide the development of the County, in collaboration with the Director of 'Ōiwi Resources. Subsection 4, prepare, administer and enforce long-range planning programs in collaboration with the Director of 'Ōiwi Resources, as well as prepare, administer...5) prepare, administer, and enforce a

EFFICIENCY SOLUTIONS AND CIRCULAR SYSTEMS COMMITTEE MINUTES

Council of the County of Maui

November 30, 2023

cultural recourse management plan in collaboration with the Director of 'Ōiwi Resources; and 7) review the list of proposed capital improvement projects contemplated by the County, and recommend the order of their priority to the Mayor in collaboration with the Director of 'Ōiwi Resources. In Section 8-8.4, under Planning Commissions, it amended that section to read, the Directors of Department of 'Ōiwi resources, Public Works...so it just adds Department of 'Ōiwi Resources as the ex-officio member of the Commission. Okay, enough on that, then the bilingual government part. Okay. I've invited the former Vice-Chair of the Charter Commission, who introduced this proposal, Kumu Hula Puea...Pueo...Cody Pueo Pata, Deputy Managing Director Josiah Nishita, and then Planning...a representative from the Planning Department, and today we have Jacky Takakura, from the Long-range Planning Division. Okay. Keoni Kuoha is the Vice-Chair of the Charter Commission, and championed the Charter Amendment to establish the Department of 'Ōiwi Resources. Kumu Hula Cody Pueo Pata is a cultural practitioner, and served the former Mayor as his Hawaiian Cultural Advisor. Both are...are joining us on BlueJeans and we'll invite them first to provide opening remarks, followed by Deputy Managing Director Josiah Nishita, and then Ms. Takakura. Mr. Kuoha, mahalo for joining us.

MR. KUOHA: Mahalo, Chair. Aloha to the Council. Thank you for having me here today. I just wanted to both provide some...some high-level remarks, as well as be a resource for further questions by you folks. To start off the top, I think just the question of what are 'ōiwi resources is pertinent. And so, just, you know, to give you a sense, 'ōiwi resources are...they provision, they are the content of Hawaiian cultural practices and world view. They're both tangible and intangible resources, and Hawaiian culture doesn't exist without them. In the Charter, 'ōiwi resources are briefly described as the Hawaiian language...like some examples are...are described as the Hawaiian language place names, historical and archival materials, cultural sites, iwi and burials and the variety of natural resources used in cultural practice. Delving further into cultural practice, 'ōiwi resources include the places at which practices may be conducted in their fullest expression. Without those places, these practices are not as complete. The names of the places that lend context to these practices, the cultural knowledge and perspectives that are embedded in these practices, the 'Ōlelo Hawai'i used to convey knowledge and perspective around these practices and the materials themselves that are used in the practice, such as koa for...for canoes, for ukulele, for hula altars, koa is just one of a countless number of...of cultural resources that our community is familiar with. Looking a little bit closer, and I think the other question that, as...as you folks are considering the design of and the future function of the Department of 'Ōiwi Resources, the question of what could a County Department of 'Ōiwi Resources do comes up. You know, what...what function does it have? And I think this is where Pueo also can give some insight into how...how 'ōiwi resources have been addressed by the previous Administration. But just at a high level, for one, given that there's at least a director, a deputy director, likely future staff members, what this department does is brings a critical skillset into planning and decision-making within the government. We...the government, our County hires planners, hires engineers, hires people with...with a range of skillsets because those are important to make good decisions for the County. Having the Department of 'Ōiwi Resources and these...these positions adds...adds a skillset and knowledge set that was not required there before. Luckily, and I think to their credit, previous Administrations and the current Administration have employed people with the...these knowledge and skillsets. What the department does is...is formalizes and ensures that there's...there's always a source of this

EFFICIENCY SOLUTIONS AND CIRCULAR SYSTEMS COMMITTEE MINUTES

Council of the County of Maui

November 30, 2023

knowledge to lend to planning and...and decision-making within the County. Some of the specific items that are listed for the Department of 'Ōiwi Resources is to collaborate with the Mayor, Executive Branch, and Council to ensure proper management of...of 'ōiwi resources throughout the County, design and implement programs to care for and develop 'ōiwi resources, guide the County in correct usage of 'ōlelo, including place names, and the integration of 'ōlelo within County functions. To promote healthy ecosystems through traditional resource management practices, and to advise State and Federal agencies on all programs and projects that affect 'ōiwi resources in the County. Given just these five areas, I...I want to invite Pueo to speak to some of the specific ways that he has served the County, both previously, and I think he's still providing some of these functions to the current Administration, so we can get a better sense of...of how this works within the County. Mr. Pata.

MR. PATA: Aloha, kakahiaka. I think my camera might be frozen --

CHAIR RAWLINS-FERNANDEZ: Oh, it should...

MR. PATA: -- is that true?

CHAIR RAWLINS-FERNANDEZ: Oh. Okay, the...the camera function is unmuted, but we cannot see you now. We saw you earlier.

MR. PATA: Oh, perhaps...can you...can you perhaps do me? I mean . . .*(inaudible)*. . .

CHAIR RAWLINS-FERNANDEZ: Anytime. . . .*(laughing)*. . .

MR. PATA: . . .*(inaudible)*. . . Yeah. Well, maybe it's not going to work. You know, thank you, Chair Rawlins-Fernandez and Committee Members, for this opportunity, and thank you Keoni, who is in the room just beyond the door here, of me. Something that I'd like to just kind of demonstrate to you folks is how language, how these resources can be beneficial to the County. And of course, this is what I was involved in when I was serving as the Cultural Director under Mayor Victorino. There's a 1907 article that talks about Kakanilua, and I think a lot of us are familiar with Kakanilua, some of the land issues that have taken place there. And I'm going to read the Hawaiian first, and then read the English. It says, "He mea mokumoku 'āhua o ka na'au a me ka weliweli ho'i o ke ali'i mō'i Kalani'ōpu'u. No kona mau ali'i a me nā maka'āinana i make ahulau i ke kaua ma ka 'oawa o Kakanilua." And the English that most people depend on reads this, "It was something of great grief and dread in the heart of King Kalani'ōpu'u, on behalf of his chiefs and men who died in droves in the battle in the 'oawa of Kakanilua." Now, the 'oawa of Kakanilua has been largely translated in English as the Valley of Kakanilua. One of my kumu was Auntie Diane Amadeo, and it just came to my attention that Councilmember Alice Lee's mother, I believe, was Auntie Momi Lee; is that correct? And so Auntie Momi was close to Auntie Diane, and that's how I got to know your...your mother. But Auntie Diane was...was very specific when it comes to Maui usage of the 'Ōlelo Hawai'i. And so, when it comes to the word 'oawa, there were four terms that she taught us; hēkuawa, kuawa, 'oawa, awāwa. And they all can be translated to mean valley. But in the way that she showed us what they mean, 'oawa has a very specific shape to it, and so it's not necessarily valley. So when I was doing research on Kakanilua, I took the knowledge that I knew, the Maui-based knowledge of this word,

EFFICIENCY SOLUTIONS AND CIRCULAR SYSTEMS COMMITTEE MINUTES
Council of the County of Maui

November 30, 2023

‘oawa, and on Google Earth was able to locate this shape of ‘oawa. I...this was on a Saturday, I outlined this particular ‘oawa. Sunday, I reached out to Janet Six, our County Archeologist, and asked her for some information about, you know, where...where the hot spots were. Monday, she sent me her...a...a graphic of the hotspots. I overlaid it on Google Earth along with my illustration, and it was the exact same place where they found these high concentrations of remains, of iwi. Had anybody in the County been familiar with ‘Ōlelo Hawai‘i the way that I am, how many millions of dollars would have been saved by this...by this type of knowledge? When it comes to ‘ōiwi resources, people might say well, those are Hawaiian resources because ‘ōiwi does translate as indigenous. But my question is, who would not benefit from the maintenance and upkeep of our ‘ōiwi resources on our island in...in Maui County? There isn't one...one group or person or developer or agency that would not develop should these things be returned to some...because of the future actions of the Department of ‘Ōiwi Resources. Place names. When it comes to...to two fiascos that take place like in Kihei, with flooding issues. To those of us who speak Hawaiian, there's no question. When you have lowland places with all these water names, that water is going to be there, especially during rainy seasons. And so...so, ‘ōiwi resources, including the language, having access to this on a broader scale in formal capacity, we believe, of course, will benefit the County, save money, help developers when...when they're planning their projects, help the County when planning their projects, and so forth, and that's what we've been able to do so far. At least I have, in my capacity...former capacities...that's what I do today. Mahalo.

CHAIR RAWLINS-FERNANDEZ: Amazing. Mahalo. Mahalo for sharing that with us. Next, I will invite Deputy Managing Director Josiah Nishita to share with us, like, a status update on where we're at.

MR. NISHITA: Thank you very much, Chair Rawlins-Fernandez, and Members of the Committee. Thanks for allowing me the opportunity to be here today. I'm going to share my screen real quick, and it will be a lot shorter presentation since a lot of the items were kind of already covered by our...our great panelists earlier, as well as yourself, Chair. First of all, I'd just like to --

CHAIR RAWLINS-FERNANDEZ: Perfect. . . .(inaudible). . .

MR. NISHITA: -- acknowledge...I...I'm sorry; what was that, Chair?

CHAIR RAWLINS-FERNANDEZ: Oh, I just said, perfect, we can see your --

MR. NISHITA: Oh. Okay.

CHAIR RAWLINS-FERNANDEZ: -- your screen.

MR. NISHITA: Thank you. Yeah. Now I'd just like to acknowledge the great work the Charter Commission and...you know, put into the proposal itself, and evaluating a lot of the community feedback, as well as I...I know we just heard from Kumu Hula Pueo Pata. But in...in my time in Government, as well as even going through my MBA program and whatnot, I...I think I've learned more about just almost everything from working with like Auntie Hōkū, and Pueo, and others, than I have in pretty much all my time in the

EFFICIENCY SOLUTIONS AND CIRCULAR SYSTEMS COMMITTEE MINUTES

Council of the County of Maui

November 30, 2023

educational system. So I...I can see how tremendously valuable, you know, this historical knowledge, insight, as well as just understanding, you know, culturally what, you know, places mean, cultural practices, how...how it affects downstream environments...the list goes on and on. And so, you know, I really appreciate the hard work everybody put into this, and just wanted to also...also acknowledge that we are a little bit behind, I think, where we would have liked to be in the creation of the department. Obviously, the circumstances of August 8th have really diverted a lot our attention, and Staff time, and whatnot, but I...I will give you a brief overview of kind of where we are today in this. I won't go over powers, duties, and functions, that was covered already, as well as some of the overview of the director. The timeline that we were working with previously, some...some of this is a little different than kind of where we are today, but we are in the process of establishing the Hawaiian Language Specialist position. That has made its way through DPS, and the class specs were distributed to all the Hawai'i counties for comment, which was due yesterday for their comments. So, once that's complete, DPS will be able to create the class, and then we'll be able to recruit for the position. And then that position right now is in the Department of Management for FY'24, but our hope is to recruit and hire and then transfer the position to the new Department of 'Ōiwi Resources in FY'25. We did do an RFP to try to assist, as we did with the Department of Agriculture. Some of you may remember, we had Karey Kapoi at that time assisting us with the creation of the department, and so we did issue an RFP. We did not select anyone from that RFP that was issued, and we're in the process of resoliciting with modifications to the RFP to try to attract additional vendors to that. So, we're in the process in that. And I would hope, assuming that we get qualified bidders from that round, that we'd be able to have somebody onboarded sometime in January. We...we'll be meeting with the Salary Commission likely in January, and probably no later than February of next year. Many of you probably remember the rounds we went through with the Salary Commission the last time for the Department of Agriculture. And so, I do recommend if...if any of you have some ideas or strong feelings about how the salary level that the County should be recommending to the Salary Commission, we'd...you know, more than willing to...to hear your ideas and...and feedback so that when we present to them, probably in January or February, that we can have a unified front on that. The Salary Commission would set for the director and deputy director positions, and then our hope was that that would be finalized prior to...around March or so of next year, so that we can begin the recruitment process and then have a individual for Council approval basically in about the May or June time period of next year. There's some other areas that we're working on now. We are kind of evaluating different office spaces that may be available, what the cost structure for that might be. Obviously that will depend, too, on the amount of staffing and...and programs anticipated to take place in this department, but we'll talk about in a little bit. And then obviously, during your annual Budget Session, we'll come to you probably in April, and then talk more about the proposal that was set forth in March to the Council. We do hope to be able to do some more public and community outreach, similar to what we did with Department of Ag, and...and so, being able to onboard somebody would assist us in helping to develop that, as well as kind of a draft strategic planning outlook for the department that then the new director would be able to kind of hit the ground running with. We...we still are on track to implement the new department July 1st, 2024, and we will update the Council if anything changes with that. But we...we still are on track, just a...a...a bit behind from where I'd like to be but, you know, considering the circumstances, we're...we're still on our way there. So all of this is subject to change. Nothing has been set yet or anything. We...we have had

EFFICIENCY SOLUTIONS AND CIRCULAR SYSTEMS COMMITTEE MINUTES

Council of the County of Maui

November 30, 2023

some initial discussions with Mayor and some others, and we'd like to, you know, thank you, Chair Rawlins-Fernandez, for allowing us the opportunity to get some Council feedback as well on, you know, what the Council's consideration is for the budget, as well as positions for the new department. I...I think, you know, we're probably estimating around a million dollars, that could be higher or lower depending on feedback we get from community and...and Council and whatnot for salaries, operations, lease costs, and equipment to set up the new department. I think the...the three primary positions that Mayor had identified early on was, of course, the director, private secretary, and then the Hawaiian language specialist, which is what already exists and is in the process of being created. You know, there's...you know, we're looking for additional recommendations, whether or not, for example, at the outset, a deputy should be included, and then if there's other positions, either transferred from other departments or to be created within this department, you know, we'd like feedback on that. I...I can't remember if it was at the Charter Commission or at other public meetings, but there was recommendations such as possibly moving like the Principal Archeologist, or maybe other types of positions to this department, and so, you know, we'd be looking for feedback kind of in those...those realms so that we can plan out the department appropriately. Some things, you know, we've kind of heard along the way, as well as, you know, pulling off of the Charter Amendment, of course, you know, strategic planning will need to be done for the department. We hope that there's a lot of community outreach activities, natural resour--natural and cultural resource activities as well. We do anticipate, given the powers, duties, and function in the Charter that there'd be a significant role in advising and planning on, you know, different County, State, Federal programs and projects. I know Kumu Hula Pueo Pata's been really instrumental in this previously, so, you know, that kind of role, I think, could be a...a significant benefit to our projects going forward, as well as, you know, the role that Janet Six and...and others have played too have really helped put us in a...a better position for a lot of our projects going forward. And then there is a provision in the Charter about the bilingual Government, and so, you know, we do see this department kind of taking on a...a role and function in that realm, as well as, you know, other types of education activities, both internally with County departments, as well as, you know, externally with community partners. And there may be a variety of community projects that are community desires as well. And then, of course, with all of our departments, we always like them to seek out additional funding sources that may be available for different community projects, or for even department functions. I think, Chair, I'll conclude the brief presentation on that, and then happy to answer any questions when the time is right. Thanks.

CHAIR RAWLINS-FERNANDEZ: You must have more than 24 hours in your day. I...I don't know how you do all the things, Josiah...always so impressive. Mahalo for all those updates. It's really exciting. Okay. Let me look at my notes so I stay on track. Oh, okay. I have to acknowledge that...Committee Member Sugimura, Yuki Lei Sugimura. Aloha, mahalo for . . .*(inaudible)*. . .

COUNCILMEMBER SUGIMURA: Mahalo, and very interesting...I...I'm sorry I'm late, but I was dealing with a lot of rain in Kula and...but not down here as much. Kind of good. Good morning.

CHAIR RAWLINS-FERNANDEZ: Lonoikamakahiki! Okay, so I don't see anyone on the testifier list. Do we have any testifiers? Because if we don't, then I'm not going to read the

EFFICIENCY SOLUTIONS AND CIRCULAR SYSTEMS COMMITTEE MINUTES
Council of the County of Maui

November 30, 2023

testifier instructions. Are there any testifiers?

MS. MCKINLEY: Chair, there is no one currently signed up to testify. If you'd like, we can do a last call for testifiers, or a...

CHAIR RAWLINS-FERNANDEZ: Yes, please.

UNIDENTIFIED SPEAKER: We do have someone approaching the podium, Chair.

CHAIR RAWLINS-FERNANDEZ: All right. Okay, Mr. Law.

MR. LAW: Aloha kakahiaka.

CHAIR RAWLINS-FERNANDEZ: One moment. We will proceed to oral testimony. Limit is three minutes. *(Audio interference)*. Please state your name for the--yikes. Sorry about that. Can we fix that? Yeah. Okay. Oh, where'd Mr. Law go?

. . . BEGIN PUBLIC TESTIMONY . . .

MR. LAW: I'll let you read the...the riot act. So to save time, I'll just go ahead. Jasee Law for Kula Uka. It's a pleasure to be here.

MS. MCKINLEY: Chair, excuse me. Would you like to read the instructions for testifiers first?

CHAIR RAWLINS-FERNANDEZ: Oh, I did already.

MS. MCKINLEY: Okay. Thank you.

CHAIR RAWLINS-FERNANDEZ: No problem.

MR. LAW: The Hawaiian word of the day is mao...maoli, which means native, indigenous, aborigine, genuine, true, real, actual or very, really, truly. And that's from the Pukui-Elbert Hawaiian Dictionary. I thank you for the presenters for being here. This...this feels really special today. And thank you for all the Staff for coming in today in the...the dreary weather. This kind of reminds me of that movie about the...the story...and it's the true story...about the Navaho Code Talkers, where they actually won the war for the Americans by using the language of the Native American people. And I feel very privileged being a kanaka haole from Northern Appalachia. And I just have a question for Mr. Nishita, if he's still on there. Does the...any of the other counties of Hawai'i have a Department of Ōiwi Resources? And I've got another question. I'd like to know where Shane Sinenci got his makeover, because I need one too.

CHAIR RAWLINS-FERNANDEZ: . . .*(laughing)*. . . Mahalo, Mr. Law. Any questions or our testifier? Okay, seeing none. Yeah, nice haircut, Member Sinenci. . . .*(laughing)*. . . Okay. And then...oh, Staff, I just kind of abbreviated it, I hope it's okay. . . .*(laughing)*. . . Okay. Any other testifiers? Anyone signed on, you may unmute yourself now and proceed with your testimony. Is anyone approaching the mic in the Chambers? It doesn't look like it.

EFFICIENCY SOLUTIONS AND CIRCULAR SYSTEMS COMMITTEE MINUTES
Council of the County of Maui

November 30, 2023

MS. MCKINLEY: Chair, we don't see anyone else wishing to testify here.

CHAIR RAWLINS-FERNANDEZ: All right. Are there any objections to closing public testimony . . . *(inaudible)* . . .

COUNCILMEMBERS: No objections.

CHAIR RAWLINS-FERNANDEZ: And...okay, great. Thank you.

. . . END PUBLIC TESTIMONY . . .

CHAIR RAWLINS-FERNANDEZ: Here we go. Okay. All right. So before I open the floor for discussion...for questions from the Members, I'd like to invite Mr. Kuoha and Kumu Pueo to share any insights on the presentation that was provided by Managing Director Nishita.

MR. KUOHA: Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Aloha, Mr. Kuoha.

MR. KUOHA: Aloha nō. I...actually, the testifier asked a question that I can also touch upon. He asked whether there are any Departments of 'Ōiwi Resources in any other counties, and the answer to that is no. However, there are increasing positions, and I've start...we're seeing this in actually the Federal level for Native Hawaiian knowledge. We have Summer Sylva who's been really working with us in recovery. She's senior advisor for Native Hawaiian Affairs at...at the Federal level. I just got a email from a HUD specialist yesterday, and her title was...is Lead Native Hawaiian Program Specialist, and that's for...for HUD. I...I myself have served...worked for the National Oceanic and Atmospheric Administration as...as a Native Hawaiian Program Coordinator. And so, these...these positions are out there. Various levels of government have started to recognize the value of...of bringing people with these skillsets, 'ōiwi skillsets, and...and also relational networks into government, in order to...to make better decisions. I, you know, appreciate our...our Deputy Managing Director's presentation, and I think...the one thing...he mentioned that it will go before the Salary Commission, sort of the request. And I'm just trying to think through who might apply for this, what kind of skillsets might be involved. I...I know that there are a lot of professionals that have both organizational experience, which...which I think is...is critical to...to both starting a department, but also running a department, understanding how...how change happens within...within organizations, and...and being a change manager. I think those are going to be really important skillsets. At the same time, there are folks that come with those skillsets, and are cultural practitioners, and...and are skilled at a...at a range of...or in a range of 'ōiwi practices so...so I...you know, I know a bunch of lawyers that have those skillsets, and so, these...you know, and...and...and so they're bringing multiple skills, not just our...our 'ōiwi skills, but multiple skills to the table. And so, this Commission should probably take that into consideration. And since I'm speaking to that, I should also say, I have no intention of applying for this job. I...I like where I'm at. Housing is a critical issue for our...everyone in our County, but especially Native

EFFICIENCY SOLUTIONS AND CIRCULAR SYSTEMS COMMITTEE MINUTES
Council of the County of Maui

November 30, 2023

Hawaiians. It...it impacts our ability to maintain this as our one hānau. So...but I...I am...you know, I'm beating the bushes at finding good people and...and a number of good candidates for...for consideration is going to be important so that we can get this department off to a good start.

CHAIR RAWLINS-FERNANDEZ: Wonderful. Mahalo, Mr. Kuoha, and mahalo for already getting the feelers out because it's going to be important to get good leadership in. Kumu Pueo, did you want to share any mana'o? Oh, we can see you now.

MR. PATA: Okay, aloha...my lovely background. Something I also...mahalo to Deputy Director, is...is it Deputy Director Nishita? I...sorry, I didn't catch your title, your new title, Josiah. I would also recommend that, just as much as there's a Principal Archeologist, you know, usually employed by the County, I would...for this particular department, I would recommend a Principal Language and Cultural Researcher. This Principal would serve as--of course, just...just as an idea--when an issue comes in, they could either do the research themselves, or delegate it to the appropriate person to...to do that, but just to make sure that there's some kind of uniformity in how each issue gets...gets addressed, or researched, or...or the type of tangent that needs to be taken for it. So I would recommend the Principal Language and Cultural Researcher as well. To take it back off what Keoni said, I've also been involved with the Federal contractors who are...who have come in, the--FEMA, the Army Corps of Engineers, EPA--they all are required now to have cultural monitors on site as well, and to work closely with 'Āina Archeology, Tanya Lee-Greig, who also have Native Hawaiian cultural background. And so, for...at the County level, for this to be a resource for those types of interactions as well, I think would be a great boon to our County.

CHAIR RAWLINS-FERNANDEZ: Wonderful. Mahalo, Kumu Pueo. Okay. Let's see. Okay. I'll open the floor for questions. And I think Member Paltin's five minutes yesterday worked really well. So, I will follow that model, and time the clock for whoever wants to ask questions. And you can raise your hand, and then I'll call on you, and then I'll give you five minutes. And if you don't have questions, I do. Okay. Member Paltin.

VICE-CHAIR PALTIN: Thank you, Chair. Thank you, Mr. Pata, Mr. Kuoha, and Deputy Nishita. I was wondering, in what you guys were saying, that the cultural has been involved already with the recovery and response due to August 8th fire. And I believe that we're wanting to keep the Historic District. And if we want to figure out how that Historic District is moving forward with the majority of things destroyed, could we include that, or would it be the Administration that includes that in the roles and responsibilities of the Department of 'Ōiwi Resources?

MR. NISHITA: Thank you, Chair Rawlins-Fernandez. Thank you, Councilmember Paltin, for the question. Yeah. All the departments, no matter what it says in the specific job description, we all have to do what is necessary to serve our community. So even if it's not outlined specifically, the directors and deputy directors will be expected to step up to assist our community in times of need. And I can tell you, if this department was...had been created already, and we had people in place, that they'd be huge players in this role. And at many times, I really wish we had them in place already, just because of the struggles that we face trying to ensure that, not only are our natural and cultural resources maintained, but just, you know, cultural sensitivities, archeological findings, you know, I could...the list could go on and on, but their expertise would be highly

EFFICIENCY SOLUTIONS AND CIRCULAR SYSTEMS COMMITTEE MINUTES
Council of the County of Maui

November 30, 2023

valuable in this time.

VICE-CHAIR PALTIN: And then same for the Olowalu landfill. Has that already been decided, and if so, who...who, if the 'Ōiwi Department is not created yet, will advise on the proper protocols? Because we're dealing with a cultural place, as well as various cultural . . . *(inaudible)*. . . So, if the Department of 'Ōiwi Resources is not in place yet, how will we address those things...like, the proper cultural protocol for wherever it is the final disposition site is?

MR. NISHITA: Thank you, Chair Rawlins-Fernandez. Thank you, Councilmember Paltin, for the question. I'm probably not going to be able to answer that fully without some of our additional resources, but, you know, in...in general, although I think that we need to be doing a lot more in these areas, but a lot of the...our Federal partners have contracted with cultural advisors and whatnot to help kind of guide some of the...their efforts. And then I'll have to...I'll have to defer to Department of Environmental Management specifically about the efforts on the landfill. But just as you mentioned earlier, you know, for these types of issues, specifically even the landfill, I...I really wish we had these experts in place already at our disposal.

VICE-CHAIR PALTIN: And then...shoot, I forget the exact phrase, but that all the knowledge doesn't come from one school, if...how do we address differences of opinions or styles within the one culture of Hawaiian... 'ōiwi resources?

MR. PATA: Aloha, this is Pueo. Thank you, Councilmember Paltin, for that question. From my understanding, the Department of 'Ōiwi Resources identifies and is there for the protection and the nurturing of these resources. And so, “‘a‘ohe pau ka ‘ike i ka hālau ho‘okahi, not all taught in just one school.” If this, say...say this particular community, or this resource, is found in that community, the community knowledge is also considered the resource that's been passed down. And so, it wouldn't be the governing...it wouldn't necessarily be the governing authority that says, this is what needs to be done. It would be able to consult the resources, the human resources, the documented resources for those particular mea in that community to ensure that...that...that knowledge gets perpetuated through...through the nurturing, perhaps, or the saving, perhaps, or the...the continuation of these resources.

VICE-CHAIR PALTIN: Oh, I didn't hear that.

MR. KUOHA: If I...if I may --

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

MR. KUOHA: -- respond to Councilmember Paltin's question as well. I think that's a really great point, because we have so many different lineages of knowledge, right, and...and different knowledge keepers. How do we...how do we respect and...and acknowledge that diversity while creating a...a department with...you know, it's only going to have, at least to start, a number of...a handful of employees, right? That's not...they're not going to encompass all of the 'ike that...that Maui has in our communities. In the Charter, and I think it's Item 7, Section 8-21.3, under Powers, Duties and Functions, Item 7 says "Report to the Mayor and Council annually on the County's overall

EFFICIENCY SOLUTIONS AND CIRCULAR SYSTEMS COMMITTEE MINUTES
Council of the County of Maui

November 30, 2023

performance in meeting 'ōiwi resource objectives, and any issues that could be addressed by ordinance." This...this section also speaks to the design and implementation of programs. What the Charter doesn't speak to directly, but I think is certainly in the purview of this Council, are...are the more specific functions of...of designing those things. How does this department reach out into community and co-design these things? That's something that's going to have to be established. It doesn't belong in the Charter, but at...at some point the...a department that is seeking to...to represent and to utilize the range of knowledge and skills that our community has in 'ōiwi resources is...is going to have to do that--reach out to our community, create these plans, discuss sort of priorities and...and such.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Kuoha.

VICE-CHAIR PALTIN: Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Committee Vice-Chair Paltin. The timer went off, but I didn't want to interrupt the mana'o that was being shared, so I just put it in the chat. Okay, anyone else with questions? Council Chair Lee?

COUNCILMEMBER LEE: Thank you. First, for Deputy Director Josiah Nishita. Josiah, you said you're looking at where you're going to house this department. May I suggest One Main Plaza, since it'll be next to Planning. It can work with Planning, you know, easily. Kalana Pukui is already taken, yeah? And so, are you kind of thinking along those lines as well? One Main Plaza?

MR. NISHITA: Thank you, Chair Rawlins-Fernandez. Thank you, Council Chair Lee. Yeah, the...One Main Plaza is an option on the table because we've got some movement kind of already occurring with Department of Water Supply. There may be some shifts that are kind of occurring down there that may open up space for the Department of 'Ōiwi Resources, so that...that may ultimately make sense. But of course, we want to, you know, evaluate all options and make sure we're getting, you know, the best price for our taxpayers and...and --

COUNCILMEMBER LEE: Also --

MR. NISHITA: -- if there was some space that opened up then great, too, you know, that we weren't aware of.

COUNCILMEMBER LEE: Okay. Also, may I suggest that you consider designating an office in Lahaina, on the West Side. When you redevelop the West Maui Resource...I mean the West Maui Senior Center, when we first built that, we actually built an office for Liquor and--which was later, you know, abandoned--but for several years we charged them rent. And so, that was very helpful because that's...the money is from the licensees, yeah? And so, even that Old Pioneer Office Building, we never did...we just left it untouched because it was...there were so many issues with that, but that could be a building for...for the County because oftentimes you need extra space, you know, just for people going down, doing some work there. So, you know, that might be an option. And so...and then going back to the other resource folks, Mr. Pata and Mr. Kuoho...Kaoho...Kuoha...well, okay, you know who I mean. I just...I just want to thank you for your...your input this morning. I really enjoy when you guys present

EFFICIENCY SOLUTIONS AND CIRCULAR SYSTEMS COMMITTEE MINUTES
Council of the County of Maui

November 30, 2023

because, although you're obviously very committed to the culture, you're very reasonable, and I like that balance in both of you. And thank you, Cody, for mentioning my mom. That's all...that's all I have to say.

CHAIR RAWLINS-FERNANDEZ: And Kumu Pueo put in the chat, "Mahalo a nui e Councilmember Lee." Okay. All right. Reasonable, unlike the Committee Chair, right? I'm just kidding, Chair. I'm just kidding. Okay. Anyone else with questions? . . .*(laughing)*. . . Committee Member Kama.

COUNCILMEMBER KAMA: Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Oh no, I'm sorry. Wait. Wait. Hold on. Hold on. Hold on. I forgot again, almost for the third time. Ms. Takakura, mahalo for joining us today.

MS. TAKAKURA: Well, yeah. Thank you, yeah.

CHAIR RAWLINS-FERNANDEZ: . . .*(inaudible)*. . . It...it's hard online because I...I...I can't see you. Anyway. I would like to invite any feedback that you have on thoughts from the Planning Department as the Charter Amendment incorporates, you know, the...the requirement to collaborate with the new director, if the Planning Department has thoughts on how it would go about doing that, and any other mana'o that you would like to share with us.

MS. TAKAKURA: Thank you, Committee Chair Rawlins-Fernandez. I don't have any presentation. I do want to say that we will definitely work with this, with the new director and the new department. Just like when the Department of Agriculture first started up, we met with them several times just to talk. And, you know, when a new department comes along, they always have a lot of questions about how things are organized and things, so...be happy to provide that advice to them. And then, I think once the department gets formed, we're going to have to look at if anything on our side needs to change in terms of the Cultural Resources Committee, you know, just the administrative rules and those kind of things. So, we'll definitely be working with them to make sure our processes and procedures and roles are consistent with them. Thank you, that's all I have. And I can answer any Planning Department-related questions. Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo Ms. Takakura. Mahalo for joining us, and I'm so sorry for...for not calling on you earlier. Okay, Committee Member Kama. Five minutes on the clock for you.

COUNCILMEMBER KAMA: Thank you, Chair. So I just wanted to ask Mr. Nishita if his presentation is available. I was trying to find it on Granicus and I couldn't find it, but maybe it's not there yet...if he could make that available to us? And then the second thing is--but I did see on Granicus the...the RFP that was put out. So, I wanted to know if...if they have any takers for the RFP? Because it said, according to the timeline, the award should have gotten in...gotten out in September. So, has that been done for both the Department of Housing and also for the Hālau of Ōiwi Arts?

MR. NISHITA: Thank you, Chair Rawlins-Fernandez. Thank you, Councilmember Kama, for the question. I...I'd just like...there was a comment earlier about having more than 24

EFFICIENCY SOLUTIONS AND CIRCULAR SYSTEMS COMMITTEE MINUTES
Council of the County of Maui

November 30, 2023

hours in a day. I think the key is, you just have great people around you to...to help you out a lot. So, you know, I'm really appreciative to all my Staff that help pick up a lot of the...the ball as...as we keep rolling forward. And to Councilmember Kama's point, the RFP that was issued, we did have a...a single firm apply, and for various reasons I can't identify at this time, because we're still in the --

COUNCILMEMBER KAMA: Yeah.

MR. NISHITA: -- nonselection phase, we decided to re-procure services. So, that's...that's...that's where we're at right now. And then I apologize, I forgot the first question you asked.

COUNCILMEMBER KAMA: If your presentation was available...can you make that available?

MR. NISHITA: Yeah. Yeah, I'll send that to the Committee. Thank you.

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

CHAIR RAWLINS-FERNANDEZ: Mahalo. Committee Member Kama, and mahalo, Deputy Managing Director for...and team...for that wonderful presentation because it was definitely helpful. And we'll...we'll get that uploaded as soon as we receive it. Committee Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you . . .*(inaudible)*. . . days ahead. I wanted to thank Pueo Pata. I went to his ceremony that he did when the U.S. Army Corps of Engineers, EPA, and all...that whole team with the cultural practitioners. Keeaumoku Kapu was there, he did a...could you tell me what it was called? And could you explain it to everybody? It was just amazing, opening of the...

MR. PATA: Thank you.

COUNCILMEMBER SUGIMURA: And that's when I really saw, wow, you were embracing the cultures, and bringing it together in a way that I...I wish it was televised. I've never seen it before, anybody do that, but I hope you don't mind, I asked that little bit off-the-subject question, but I wanted to share, if that's okay.

CHAIR RAWLINS-FERNANDEZ: Sure. I'll allow it.

COUNCILMEMBER SUGIMURA: Thank you.

MR. PATA: Thank you, Chair. Thank you, Councilmember Sugimura. What it was, was a way to offer ho'oponopono to the land, which is a rebalancing of the land. And it was also a way that we invoked the different entities involved in that region, along with people's ancestors, for maximum safety of the workers who were there, you know, out of their own generosity. They're there to...to make a difference to help Maui. And it was kind of a very truncated version of...of the set of ceremonies that we did in Lahaina because in Kula, we didn't need to do as much. There weren't deaths involved, and...and the amount of...of land involved was...wasn't as vast. But it was...yeah, it was...it was for that. And it was a formal...a formal setting, so...but I will say that I was there because I'm a contractor also to the Council for Native Hawaiian Advancement, and in our

EFFICIENCY SOLUTIONS AND CIRCULAR SYSTEMS COMMITTEE MINUTES
Council of the County of Maui

November 30, 2023

contract has us doing those types of ceremonies all over the place nowadays for the better...benefit and betterment of our community. But I...I'm glad you were there, and had there been cameras there, I definitely would have a makeup person on . . .*(inaudible)*. . . So, thank you very much. Mahalo. . . *(laughing)*. . .

COUNCILMEMBER SUGIMURA: You are so precious. You always bring humor too . . .*(laughing)*. . . at whatever you do, and embrace the...the audience. I mean, you were just fabulous. So, thank you very much.

MR. PATA: Mahalo.

COUNCILMEMBER SUGIMURA: And that is continuing, right, with everything you do. So, I have a...I hope that this can be added to some of the tasks that this department will do. I'm hoping our Charter...I think it was presented that the Charter would be translated into Hawaiian, and I'm not too sure once Kathy Kaohu left if it's still continued --

CHAIR RAWLINS-FERNANDEZ: It is.

COUNCILMEMBER SUGIMURA: Oh, is it done?

CHAIR RAWLINS-FERNANDEZ: It's just that the Charter Amendments that were adopted last year needed to be translated. And so, I can see if Staff can get someone to provide an update on the status.

COUNCILMEMBER SUGIMURA: It's almost finished?

CHAIR RAWLINS-FERNANDEZ: Well, in its entirety, prior to the adoption of the new Charter Amendments from last year.

COUNCILMEMBER SUGIMURA: Okay. So it still...it still needs to be completed, is what you're saying; is that right? Well, anyway, I...I thought maybe that this department could finish it. It sounds like a...a place that, you know, could make it happen with its connections, but maybe it belongs to the Clerks. Well, they'll end up working together. I was curious about budget, and I heard from Deputy Director, soon-to-be Managing Director, but Deputy Director Nishita that it's \$1 million. I do hope that you add on a deputy to this. It sounds like it's going to be a pretty active department, and we don't want to overextend a talented director. So if you end up adding that position, I'm sure this, you know, will go up. And I just look forward to learning more and seeing how it can embrace so many other things that just happens often in the Council Chambers, and how we can all work together. That's it. Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Awsome, mahalo. Kumu Pueo put in the chat, mahalo for that mana'o. Okay. Member Sinenci, did you have your hand up for your turn?

COUNCILMEMBER SINENCI: Thank you, Chair. Yeah, a couple questions, and for Deputy Nishita, kind in the same lines as Member Paltin. We did, I believe on Tuesday, receive some of our assignments from the Chair about our Committee assignments. And it looks like this Committee had a lot of things from the Lahaina community about historic cultural preservation of Lahaina, it being a center for Hawaiian cultural heritage, and the capital of the Hawaiian Kingdom, so...including the preservation of Moku'ula and

EFFICIENCY SOLUTIONS AND CIRCULAR SYSTEMS COMMITTEE MINUTES
Council of the County of Maui

November 30, 2023

Mokuhinia. So, it sounds like it...it can, I guess, kind of overlap when...when you say, you know, we're moving forward with Lahaina, this...this Committee does address a lot of the things that the Lahaina people asked for. Is this part of your strategic plan that you gave us on Tuesday?

MR. NISHITA: Thank you, Chair Rawlins-Fernandez. Thank you, Councilmember Sinenci, for the question. Yeah, I mean we do see this new department playing a vital role going forward. Unfortunately, some of the things that, as we're moving just due to time constraints or timelines in effect, or whatever, have to kind of be taking place either concurrently, as we're developing the new department, or prior to. So, in all likelihood, I mean, we're going to have to contract some support, and...and things like that. But, you know, depending on how the hiring process goes, it could potentially be possible--as well as the discussion with the Salary Commission--could potentially be possible to bring in an individual or individuals in earlier, but, you know, I think our expectation is that they'll come in July 1st, and...and we'll have to seek some outside assistance through our community partners, or maybe outside contractors, to assist with this. You know, as many of you are aware, how much assistance individuals like Kumu Hula Pueo Pata provide, he does a lot of stuff for us for free too, so we don't want to take advantage of...of people and services. So, you know, we want to make sure that we provide appropriate compensation, whether that be in the form of County employees or...or outside contractors, but we do need outside assistance to...to help make this happen.

COUNCILMEMBER SINENCI: And then it looks like a lot of these positions are under the Department of Management, like you mentioned a Hawaiian Language Speaker Researcher; Dr. Six, the County Archeologist; as well as the GIS. Would you be planning to move these positions into the new Department of 'Ōiwi Resources?

MR. NISHITA: Thank you, Chair Rawlins-Fernandez. Thank you, Councilmember Sinenci, for the question. Our plan, for sure, is to move the Hawaiian Language Specialist, I think is what it's titled, to the new department. I think it's up for consideration, and to hear Council and community feedback, as to whether it makes sense to move individuals like the Principal Archeologist or others, you know, since there's cross-functional uses, and...and...and job responsibilities, and whatnot. But we're...we're open to all the discussions, and then we'll try to help to map out with the Committee and the Council what the best path forward is.

COUNCILMEMBER SINENCI: Okay. Thank you for that. And then for Kumu, you mentioned about some of the...you spoke about the director, possible director. Do you feel that a director would need--or what kind of additional trainings, possibly in archeology, or in the culture, do you foresee a director of this department have?

MR. PATA: Actually, I think that's...oh, thank you, Councilmember Sinenci. I think that that's a question for Keoni Kuoha.

COUNCILMEMBER SINENCI: To ask Keoni?

MR. PATA: Yeah. Yeah.

COUNCILMEMBER SINENCI: Okay --

EFFICIENCY SOLUTIONS AND CIRCULAR SYSTEMS COMMITTEE MINUTES
Council of the County of Maui

November 30, 2023

MR. PATA: I'm a researcher.

COUNCILMEMBER SINENCI: -- well, good. Well, speaking of the research, do you see this as holding a lot of the research that is...is going to be done?

MR. PATA: I see it as, yes, completing...directing and completing research that's...that's necessary, but also, being able to identify researchers that might not be under the employment of this department, who might have better specialization in different...different cultural aspects. So it could be a place to congregate these resources and contract out, perhaps.

COUNCILMEMBER SINENCI: Would it also be a plows (*phonetic*) or archive research?

MR. PATA: Thank you for that question. So when I worked under Mayor Victorino's Administration, the first thing I asked were, what are our County resources? Where are the archives? Where are the maps? And the answer was, oh, you gotta go Honolulu. And so, being able to have direct access to those types of things here, I believe, should be one of the priorities in the initial setting up of the department. For instance, the Maui Historical Society and Bailey House having incredible archives that are not necessarily in climate control...in the best climate-controlled settings or environments, and there's other places where certain documents are kept. But to have those things digitized, not only for use of the department, but by use of the County--or the public, I guess--would be extremely valuable. So, yeah, those types of resources are not necessarily...we might have them around, but they're not necessarily as available as they could be for the department when we need them.

COUNCILMEMBER SINENCI: Mahalo for that. Then --

MR. PATA: Mahalo.

COUNCILMEMBER SINENCI: -- Keoni as well?

MR. KUOHA: Aloha nō. I think the question was skills for the director?

COUNCILMEMBER SINENCI: The director, additional trainings, cultural trainings or archeological trainings?

MR. KUOHA: You know, I...the core experience that's going to enable their success is around Hawaiian cultural resource management. And that happens in a lot of different venues, both resource management organizations, as well as...as a...a variety of nonprofits in our community. So, I...I...I think that would be on the cultural side. Trainings...you know, the director and the deputy would need to have these skillsets already. I...I would hope that they look for ways of continuing to...to expand their knowledge, but they're going to have to be highly skilled. Just one note on language proficiency. You know, just to ensure as broad a net as possible, I would recommend--at least as we start out--that language proficiency, that's...that's worded very broadly, and to keep it broad so that we don't...we don't raise the bar too high because we know many of our practitioners are still oftentimes learning the language because they didn't grow up with it. So that's my other recommendation.

EFFICIENCY SOLUTIONS AND CIRCULAR SYSTEMS COMMITTEE MINUTES

Council of the County of Maui

November 30, 2023

COUNCILMEMBER SINENCI: Okay. Thank you. Sorry, I didn't hear the timer. Sorry, Chair.

CHAIR RAWLINS-FERNANDEZ: No apologies necessary. I...I just put timer in the...in the chat so that I wouldn't interrupt you folks speaking. Okay. So...let's see. I think...did everyone go? Okay, I think everyone went. All right. Okay. My questions. Okay. Okay, let's see. First, for Deputy Managing Director...and then I did...mahalo for sending the presentation. Staff did get it uploaded, it's Granicus item number 2 under this item, and then I put the link to it in the chat for the Committee. So, the question about community outreach, similar to that which you folks conducted for the Department of Ag. Do you know who would lead that outreach...community outreach work, and...um-hum...would you folks like help with that?

MR. NISHITA: Thank you, Chair Rawlins-Fernandez, for the question. Yeah, I...we'll accept any help that's being offered. So our...our department kind...kind of led it with the assistance through the stakeholder meetings and whatnot with Karey Kapoi's group previously for the Department of Agriculture, and so, we're...we're trying to onboard some assistance with that piece of it. But I know Councilmember Sinenci was really helpful to us too, in gathering community feedback and helping to set, like, kind of the initial direction and what-not for the Department of Ag. And so, whatever assistance can be provided, we'd greatly appreciate it. Thanks.

CHAIR RAWLINS-FERNANDEZ: Mahalo. Okay. And then similar to the Department of Ag director, we added language via ordinance to require certain minimum qualifications, such as knowledge and . . .*(inaudible)*. . . For this director position, in reviewing some of the minimum requirements, I guess my thought was maybe to add experience in management and budget. In the Charter, it kind of broadly states that the director must have had five years' experience in a...in a leadership capacity. Is that enough guidance and direction for the Administration, to include budget experience, management experience, would it be helpful to add that in the Code?

MR. NISHITA: Thank you, Chair, for the question. I...I...I think the...the way to, I guess, consider the minimum qualifications is just...you know, we got to understand what the pool of applications we have is. So, we don't want to unnecessarily, of course, whittle away individuals who would be great in the role because we have too much very specific qualifications in there that maybe a candidate who would do a great job, you know, wouldn't meet. So just...you got to balance it with that. But of course, you know, in a leadership role such as a department head, we would hope that they would have that type of experience coming in. And we do view the department head, as well as the deputy director of that department, as kind of a...a team effort. So, you know, if one individual doesn't, you know, meet all of the maybe highly desirable or preferable qualifications of that, we might be able to find some of those qualities in a deputy to complement their role. Thank you.

CHAIR RAWLINS-FERNANDEZ: Perfect segue into my next question, deputy. So the deputy was not identified as the position that may be included in the budget proposal for FY'25. And so, I think there's value in complementing the skillset that the director may not have, such as budget experience. But also, if the director is away, then there wouldn't be a...a stand-in head for the department. So, for...for those two big reasons, I...I would advocate for a deputy to be included in the initial budget proposal. I know that in your presentation, Managing Director, you were seeking feedback, and so, it wasn't anything

EFFICIENCY SOLUTIONS AND CIRCULAR SYSTEMS COMMITTEE MINUTES
Council of the County of Maui

November 30, 2023

that's set in stone, so I'm...I'm providing that feedback. But I wanted to hear your feedback on perhaps why not having a deputy would not...you wouldn't encounter those two issues by not having a deputy?

MR. NISHITA: Thank you, Chair Rawlins-Fernandez, for the question. I think in response to that last part, we...we would experience that, I mean, of...in the absence of the director or if, on a kind of team-based environment, you would be limited in that sense. So, you know, that is some of the cons of not including a second-in-command role at the outset. I think Mayor was just looking for feedback as to what, kind of, the community and Council feels. Of course, we want to be judicious with taxpayer resources. And at the outset of a department, you know, I think he's just wanting to see some additional feedback from kind of what the Council is thinking, as well as our community, on the amount of resources and...and personnel that should go into the...the new department. Thank you.

CHAIR RAWLINS-FERNANDEZ: Amazing, mahalo. Those are most of my quest--oh, okay, the RFP. So Deputy Managing Director, you mentioned the plan to re-post the RFP. Do you know approximately when you might do that?

MR. NISHITA: Thank you, Chair Rawlins-Fernandez, for the question. We...we have it, the revised RFP finalized already, ready to be posted. We'll ask for the shortest amount of time possible for the posting. The...the only time frame we're waiting on to post it is there's a contest period allowed by the entity that was...the services were declined previously. And so, once that protest period is up, assuming we don't have any protests or we can resolve it, then we can move forward with posting the new procurement. And I would...I would hope by like sometime in maybe mid- to late-January, we could have somebody onboarded. Thanks.

CHAIR RAWLINS-FERNANDEZ: Great. And then just...so the RFP that was previously posted on August 1st was an RFP to have program to establish both the new Department of 'Ōiwi Resources, and then the bifurcated Department of Housing, as well as executive-level training. So, that's what the RFP is...is seeking bids on? Okay, that I...my timer sounded. Oh. Oh, go ahead. But it might be amended?

MR. NISHITA: Yeah, Chair, just letting you know, we did remove that last component that you mentioned, so it's just focusing...the new RFP will just be focused on the new Department of Housing and the Department of 'Ōiwi Resources. Thanks.

CHAIR RAWLINS-FERNANDEZ: Okay. And then you'll handle the training for executive-level positions internally, or that'll be a separate RFP?

MR. NISHITA: Thank you, Chair Rawlins-Fernandez. Yeah, we were...I think some of you got to participate with us...we were trying to run a...a program for the deputies previously. I think a couple of Councilmembers were able to participate previously to the wildfire. And so, we were looking to build upon that to further educate our department heads on not just, you know, community concerns and whatnot, but also on just being better managers and leaders and decisionmakers. So, we will look to restart that separately, but of course, you know, everybody's time right now is absolutely swamped with wildfire response and recovery. So it...that would likely happen a little bit later in this fiscal year. Thanks.

EFFICIENCY SOLUTIONS AND CIRCULAR SYSTEMS COMMITTEE MINUTES

Council of the County of Maui

November 30, 2023

CHAIR RAWLINS-FERNANDEZ: Mahalo for that . . . *(inaudible)* . . . Member Sugimura, your question about the Charter Amendment. I actually asked Ms. Lutey back on November 1st about getting the Charters printed, and the update that I got was that there's an ordinance for review and approval by Council that I...will be placed on the agenda for Committee referral. So this was on November 1st. I'm not sure if it did or not. I don't know if Staff knows. And then once they get that ordinance approved, we can get the Charter published in English, and she reported that they asked Awaiaulu for assistance in translating the Charter Amendments from last year because they were the ones that who translated the Charter in its entirety prior to the Charter Amendments from last year. That's the update. Okay. Any need for a round two? Okay, Committee Vice-Chair Paltin.

VICE-CHAIR PALTIN: Thank you, Chair. This question is for three folks to weigh in on; Mr. Kuoha, Ms. Takakura, and Mr. Nishita. I was wondering you folks' thoughts on Department of 'Ōiwi Resources taking over the facilitation of the Cultural Resources Commission.

MR. NISHITA: Thank you, Chair Rawlins-Fernandez. Thank you, Councilmember Paltin, for the question. I would love to hear what our other resources have to think about it. I think before we give a firm determination, at least from the County side, we'd like to have more discussion with our Planning Department and...and others to...to identify, you know, if that's the appropriate choice or...or whatnot, but I think that discussion is one that we need to have. Thanks.

MS. TAKAKURA: Thank you, Chair Rawlins-Fernandez, and Vice-Chair Paltin. This is Jacky from the Planning Department. Just in my experience looking at...or attending Cultural Resources Commission meetings, a lot of their agenda items are related to architecture, so it's really going to depend on what the scope of the Department of 'Ōiwi Resources, you know, if they're going to be more archeological-based or architecturally-based. I'm sure there's going to be some changes, but I think it would be better for us to wait to see what exactly this new department is going to focus on, and then we can change accordingly. And I would imagine that both departments would be actively involved in any CRC agenda items. And then also, there would be two parts of the Maui County Code that would probably need revising. One is Chapter 2.88, which, you know, is the basis of the CRC, our Cultural Resources Commission. And then also, in our Title 19 Zoning Code, you know, we have the Historic Districts, Lahaina 1 and 2, and also Wailuku. So, those are kind of under the CRC's purview, so those might need updating too. Thank you.

MR. KUOHA: I just want to note, I...I agree with what Ms. Takakura has said, and just want to identify that this was a conversation in front of the Charter Commission, and we decided not to...to add in there because of the...the...the various roles that Cultural Resources Commission does. So, yeah, it...it...I think there's further study needed.

VICE-CHAIR PALTIN: If I could follow up with Ms. Takakura. My understanding of Lahaina Historic Districts 1 and 2. One is kind of focused...one of the historic districts is kind of focused more on possibly pre-contact site, and the other historic district is...is focused on structures. And plenty of those structures got lost in the fire. And, you know, if...if the Department of 'Ōiwi Resources comes in line...comes online in time for the beginning

EFFICIENCY SOLUTIONS AND CIRCULAR SYSTEMS COMMITTEE MINUTES
Council of the County of Maui

November 30, 2023

of the rebuild, could we possibly re-define the historic district that relates to structures? Because the architecture of that time period that that historic district was made for might not be the historic time period that is highlighted. So, could the architectural portion of that historic district be re-defined? Like what if...we did meet some folks at the Seventh-day Adventist gathering that had previously purchased a historic district with a plantation house, and that resident was concerned that the plantation house didn't fit her needs, her family's needs, and the cost involved in rebuilding it. And...and is it even plantation time period that we...we want to highlight?

MS. TAKAKURA: Thank you, Chair [sic] Paltin. So Historic Districts 1 and 2 in Lahaina, they are...they do have in the Code, you know, the jurisdiction...I mean the...where they are, you know, Shaw Street, and Front Street, and so forth, defined in the Code. And just a fun fact, Historic Districts Number 1 and 2 were from a map dated March 22nd, 1967, so that's how old those historic district maps are. But short answer to your question is yes, the Historic Districts 1 and 2 in the Code may need updating, but to complicate matters, there's also the National Historic Landmark District boundary, and that is going to be National Park Service jurisdiction, so we kind of got to follow that. We can't just, you know, make changes without working with them and what...what it's going to end up looking like, you know, once...you know, when things get rebuilt. So I...I don't know yet, but you know, we are going to, like I said, have to work with National Park Service and, of course, Department of Land and Natural Resources, SHPD, and then these parts of the Code that are going to have to change. So, sorry, I don't really have a good answer for you yet, but things may change. We've got to wait and see how things come out.

VICE-CHAIR PALTIN: Okay. Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Committee Vice-Chair Paltin. And then, Ms. Takakura, I...I wanted to make sure that I heard that correctly. So, March 22nd, 1967?

MS. TAKAKURA: Yes, Chair Rawlins-Fernandez, that's from 19.50 of the Zoning Code, that the maps for Historic Districts 1 and 2, the map is dated March 22nd, 1967. So I just thought that was kind of interesting that it's older than a lot of us.

CHAIR RAWLINS-FERNANDEZ: Oh, but it's not that old. Because some people were born before then that's on this Council, right?

MS. TAKAKURA: Well, I'm...yeah, I'm just referring to the map is dated 1967.

CHAIR RAWLINS-FERNANDEZ: It was a complement. I said it's not that old. . . .(laughing). . . All right. Okay. Any other questions? Okay. I have one more question for Kumu Pueo Pata with the archive. How do you...like, would you provide a little more detail about what you envision, like the maps and different archival material looking like being on...on Maui Island? And...or would they be like duplicated from the different agencies on O'ahu, or would it be kind of digitized, like you kind of spoke to?

MR. PATA: Yeah. So I think the existing hard copies of things, the originals, we probably need to invest in archival-quality preservation of those things, simultaneously digitizing those, and thoroughly registering them, perhaps in an inventory, so that we know that

EFFICIENCY SOLUTIONS AND CIRCULAR SYSTEMS COMMITTEE MINUTES

Council of the County of Maui

November 30, 2023

they exist. The digitized copies can be accessible from anywhere. As an example, when I did the research for my...my placenames book, it was during the pandemic, and all of the archives and libraries were closed for about a year and a half. And so, because so much has been digitized, and in great detail, I was able to access this information, and even zoom in quite close to see the details of pen strokes to...now, that's important to say, is this an a, or is this an o, or is this an e, or is that a dot over it, does it make it an i? Those types of things. And so, having those...everything digitized in high quality, it...it benefits the physical item because it no longer needs to necessarily be physically handled or exposed to deterioration, but it also benefits the researcher who can, in oftentimes great detail, zoom in close enough, even closer than you would be able to on...on, you know, the physical item. Documents and things like that, having them digitized, and then through different processes now on different applications, they can also become searchable, a searchable database. And so, being able to open a document, press command F to find something in the document and it pop it immediately, has also been...been something that we've been able to benefit from in recent times. And then having the resources scoured over once again because oftentimes they'll be in the Hawaiian language spell checks and things like that don't necessarily recognize, it's not necessarily applicable in those algorithms. And so, having the second set of eyes to be able...to transcribe, perhaps, is...is another thing that would need to be done. But altogether, having them congregated in...or aggregated into one repository is extremely beneficial. Right now, I have to literally fly to the Hawai'i State Archives. I have to fly to Punahou, their archives there...all these different places, and it...it takes a lot of time. But when...if we were able to request en masse and have those particular resources digitized, it would...it would make things a lot easier for us.

CHAIR RAWLINS-FERNANDEZ: Yes. Amazing. . . .*(inaudible)*. . . on Moloka'i just launched the Moa'e Moloka'i Digital Repository, so exciting work surrounding that effort, but super, super, especially with the Lahaina fire, and losing a lot of material at Nā 'Aikāne was so heartbreaking. To have a climate-control and as...as fireproof as possible to preserve, you know, our history --

MR. PATA: Sure.

CHAIR RAWLINS-FERNANDEZ: -- I think is...yeah.

MR. PATA: If something was to ever threaten the Bailey Houses' archives or their resources in a similar manner, it would be absolutely devastating.

CHAIR RAWLINS-FERNANDEZ: Okay. One of the priorities of this new department. Mahalo, Kumu Pueo. Okay. Any last questions, members. If not, we'll...we'll adjourn. Okay. I see no hands. And again, you know, we'll have this topic agenda item in...in the Committee again to get an update, and to see how we can kōkua with this effort. Mahalo, Deputy Managing Director and team for all your folks' work on this, Ms. Takakura, and . . .*(inaudible)*. . . Pueo Pata, and Mr. Kuoha. Oh, I guess I'll invite any of you if you have any last mana'o to share.

MR. NISHITA: Nothing from me, Chair. Just wanted to thank the Committee, and I appreciate the time. Thanks.

EFFICIENCY SOLUTIONS AND CIRCULAR SYSTEMS COMMITTEE MINUTES
Council of the County of Maui

November 30, 2023

MR. PATA: This is Pueo. Mahalo, Chair, Committee Members, and fellow resources. Thank you for this opportunity.

MR. KUOHA: Mahalo no a hui hou kākou.

MS. TAKAKURA: Thank you very much.

CHAIR RAWLINS-FERNANDEZ: Mahalo nunui. Okay, if there are no objections, the Chair will defer this item.

COUNCILMEMBERS VOICED NO OBJECTIONS (excused: TC).

ACTION: DEFER pending further discussion.

CHAIR RAWLINS-FERNANDEZ: Wonderful. Okay, it's 10:39 on November 30th, and the ESCS Committee is now adjourned. . . .(gavel). . .

ADJOURN: 10:39 a.m.

APPROVED:



KEANI N.W. RAWLINS-FERNANDEZ, Chair
Efficiency Solutions and Circular Systems
Committee

escs:min:231130min:mll:ch

Transcribed by: Charlotte Hunter

EFFICIENCY SOLUTIONS AND CIRCULAR SYSTEMS COMMITTEE MINUTES
Council of the County of Maui

November 30, 2023

CERTIFICATION

I, Charlotte Hunter, hereby certify that pages 1 through 26 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 8th day of January 2024, in Wailuku, Hawai'i



Charlotte Hunter