

**MAUI COUNTY COUNCIL
REGULAR COUNCIL MEETING
MINUTES**

**August 26, 2025
9:00 AM**

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

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

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

TIME MEETING CALLED TO ORDER: 9:04 a.m.

ROLL CALL

Councilmember	Pres.	Abs.	Exc.	Time(s) In/Out (during meeting)
C Pro Tempore Tasha Kama	√			
Vice Chair Yuki Lei Sugimura	√			
CM Tamara Paltin	√			Exc: 9:30 a.m. – 9:56 a.m.
CM Gabe Johnson	√			
CM Keani Rawlins-Fernandez	√			
CM Tom Cook	√			
CM Nohelani U‘u-Hodgins	√			
CM Shane Sinenci	√			
Chair Alice L. Lee	√			
TOTAL PRESENT	9			

COMMITTEE REPORTS:

CR 25-48 Recommending FIRST READING of Bill 93, CD1 (2025), to amend the Fiscal Year 2026 Budget by amending Section 3.B.17, Department of Police, by transferring one equivalent personnel and \$57,192 in Category A - Salaries for

the reallocation of a vacant Emergency Services Dispatcher II position from the Technical and Support Services Program to an Investigator V position in the Administration Program.

	AYE	NO	EXC	Time Deliberations Began	9:38 a.m.
Pro Tem Kama	√			Time Motion Made	9:38 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin			√	Maker	Sugimura
CM Johnson	√			Secunder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	9:39 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

CR 25-49 Recommending the following: 1. FIRST READING of Bill 79, CD1 (2025), to: 1) establish a paid parking zone and adopt a digital paid parking zone map for County beach parks in South Maui; 2) repeal paid and permit parking zone maps for Wailuku Town and adopt updated maps; and 3) amend special parking regulations under Title 10, Article II, Maui County Code, for clarity and consistency; and 2. FILING of Resolution 25-130.

	AYE	NO	EXC	Time Deliberations Began	9:39 a.m.
Pro Tem Kama	√			Time Motion Made	9:40 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin			√	Maker	Cook
CM Johnson	√			Secunder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	9:42 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

CR 25-50 Recommending ADOPTION of Resolution 25-139, CD1, to express the County’s intent to support a future land transfer or agreement for a portion of the Kahului Community Center Park site identified for real property tax purposes as tax map key (2) 3-8-007:097, located at 275 Uhu Street, Kahului, Hawai‘i. The land would be used to develop an approximately 100-unit workforce rental housing project by Hale Makua Health Services, in partnership with Alaka‘i Development II LLC.

	AYE	NO	EXC	Time Deliberations Began	9:42 a.m.
Pro Tem Kama	√			Time Motion Made	9:43 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin			√	Maker	Sinenci
CM Johnson	√			Secunder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	9:46 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

RESOLUTIONS:

Reso 25-166 "AUTHORIZING A LEASE EXTENSION FOR 2145 KAOHU STREET, SUITE 206, WAILUKU, MAUI, HAWAII, TO HAWAII GOVERNMENT EMPLOYEES ASSOCIATION, LOCAL 152, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO, TO JUNE 30, 2026, AND THEN MONTH-TO-MONTH FOR A PERIOD NOT TO EXCEED SIX MONTHS"

	AYE	NO	EXC	Time Deliberations Began	9:50 a.m.
Pro Tem Kama	√			Time Motion Made	9:51 a.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin			√	Maker	Sugimura
CM Johnson	√			Secunder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	9:53 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	9:52 a.m.
VC Sugimura	√			Motion	AMEND
CM Paltin			√	Maker	Sugimura
CM Johnson	√			Seconders	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	9:52 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	11:27 a.m.
VC Sugimura	√			Motion	SUSPEND Rule 19
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconders	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	11:28 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Reso 25-167 "APPROVING EXEMPTIONS FROM, AND MODIFICATIONS TO, THE REQUIREMENTS OF SECTION 3.35.070, MAUI COUNTY CODE, FOR THE HALE MAHAOLU KE KAHUA AFFORDABLE HOUSING PROJECT IN THE WAIIEHU COUNTRY TOWN DISTRICT"

	AYE	NO	EXC	Time Deliberations Began	9:53 a.m.
Pro Tem Kama				Time Motion Made	9:53 a.m.
VC Sugimura				Motion	ADOPT
CM Paltin				Maker	Kama
CM Johnson				Seconders	Sugimura
CM Rawlins-Fernandez				Time Vote Taken	
CM Cook					
CM U'u-Hodgins					
CM Sinenci					

Chair Lee					
TOTAL VOTES				MOTION & RESO POSTPONED TO 9/19/25	

	AYE	NO	EXC		
Pro Tem Kama		√		Time Motion Made	10:33 a.m.
VC Sugimura		√		Motion	REFER TO HLU
CM Paltin	√			Maker	Rawlins
CM Johnson	√			Secunder	Paltin
CM Rawlins- Fernandez	√			Time Vote Taken	10:51 a.m.
CM Cook		√			
CM U'u-Hodgins		√			
CM Sinenci	√				
Chair Lee		√			
TOTAL VOTES	4	5		MOTION FAILED	

10:59 a.m.: Resolution left on Clerk's desk, postponed to 09/8/25 Council meeting.

ORDINANCES:

Bill 115 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, APPENDIX A, PART I, DEPARTMENT OF THE PROSECUTING ATTORNEY, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM, INSERTING CONDITIONAL LANGUAGE FOR 0.9 LTA EQUIVALENT PERSONNEL"

	AYE	NO	EXC	Time Deliberations Began	11:29 a.m.
Pro Tem Kama	√			Time Motion Made	11:30 a.m.
VC Sugimura	√			Motion	PASS on first reading
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	Kama
CM Rawlins- Fernandez	√			Time Vote Taken	11:31 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Bill 116 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, DEPARTMENT OF HOUSING, HOUSING PROGRAM, EMERGENCY TRANSITIONAL HOUSING, UPDATING THE GEOGRAPHICAL REFERENCE"

	AYE	NO	EXC	Time Deliberations Began	11:33 a.m.
Pro Tem Kama	√			Time Motion Made	11:33 a.m.
VC Sugimura	√			Motion	PASS on first reading
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	Johnson
CM Rawlins-Fernandez	√			Time Vote Taken	11:35 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Bill 117 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, APPENDIX A, PART II, PLAN REVIEW, PROCESSING, AND INSPECTION REVOLVING FUND (FIRE), INCREASING THE APPROPRIATION FOR EQUIPMENT BY \$10,289"

	AYE	NO	EXC	Time Deliberations Began	11:32 a.m.
Pro Tem Kama	√			Time Motion Made	11:32 a.m.
VC Sugimura	√			Motion	PASS on first reading
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	Cook
CM Rawlins-Fernandez	√			Time Vote Taken	11:33 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Bill 118 (2025) "A BILL FOR AN ORDINANCE REPEALING CHAPTER 2.39, MAUI COUNTY CODE, ON THE COMMISSION ON CHILDREN AND YOUTH"

11:35 a.m.: Referred to the Government Relations, Ethics, and Transparency Committee.

Bill 119 (2025) "A BILL FOR AN ORDINANCE AMENDING SECTION 9.36.040, MAUI COUNTY CODE, ON PENALTIES FOR PROHIBITED NOISE VIOLATIONS"

11:35 a.m.: Referred to the Water Authority, Social Services, and Parks Committee.

ORDINANCES - SECOND AND FINAL READING:

Bill 95 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, COUNCIL SERVICES PROGRAM, OFFICE OF THE COUNTY COUNCIL FOR AMENDMENT NO. 1 TO GRANT G5401, SUSTAINABLE MOLOKAI"

	AYE	NO	EXC	Time Deliberations Began	11:35 a.m.
Pro Tem Kama	√			Time Motion Made	11:36 a.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	Rawlins-Fernandez
CM Johnson	√			Seconder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	11:38 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Bill 96, FD1 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, APPENDIX A, PART I, DEPARTMENT OF THE PROSECUTING ATTORNEY, VICTIM/WITNESS ASSISTANCE PROGRAM, INCREASING THE APPROPRIATION BY \$126,796"

Bill 97, FD1 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, APPENDIX A, PART I, EMERGENCY MANAGEMENT AGENCY, FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) HAZARD MITIGATION GRANT PROGRAM (HMGP), NEW APPROPRIATION OF \$54,496"

Bill 98, FD1 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, DEPARTMENT OF MANAGEMENT, OFFICE OF RECOVERY PROGRAM, DECREASE CATEGORY B BY \$25,000, AND OFFICE

OF THE MAYOR, ADMINISTRATION PROGRAM, BOYS & GIRLS CLUB OF MAUI, INC. FOR 2025 KA PEWA YOUTH LEADERSHIP SUMMIT, NEW APPROPRIATION OF \$25,000"

	AYE	NO	EXC	Time Deliberations Began	11:38 a.m.
Pro Tem Kama	√			Time Motion Made	11:39 a.m.
VC Sugimura	√			Motion	PASS Bills on second and final reading
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	Cook
CM Rawlins-Fernandez	√			Time Vote Taken	11:40 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Bill 108 (2025) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE U.S. GEOLOGICAL SURVEY, PACIFIC ISLANDS WATER SCIENCE CENTER, UNITED STATES DEPARTMENT OF THE INTERIOR FOR WATER RESOURCE INVESTIGATIONS"

	AYE	NO	EXC	Time Deliberations Began	11:40 a.m.
Pro Tem Kama	√			Time Motion Made	11:40 a.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	Cook
CM Johnson	√			Secunder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	11:41 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

TIME MEETING ADJOURNED: 11:41 a.m.

TRANSCRIPTION

Council of the County of Maui on 2025-08-26 9:00 AM - Regular Meeting

[GAVEL] >> Will the Council meeting of August 26th, 2025 please come to order. Ms. Clerk. >> Thank you, Madam Chair, proceeding with roll call. Council Member Pro Tempore Tasha Kama. >> Aloha Kakahiaka, Chair, and Aloha to everyone in the Chambers. I'm here and in my work space and I am alone.\r\n\r\n>> Can't hear you, Tasha. >> Tamara, can you do the sign language, please? >> Chair, I can hear her. Can you guys hear me? >> I can hear you, Gabe. >> Only the Chambers can't hear you, Council Member Kama. >> I don't know, what is wrong with those people over there; right?\r\n\r\nOkay, so Chair. >> Council Chambers video is unmuted. So on our end, it should work. But >> Okay, you think she doesn't understand sign language, but she can read your lips. >> I was talking can be Chair, yes, Member Kama cannot read my lips -- can read my lips. She read my lips. >> Beautiful lips.\r\n\r\n[Laughter] Beautiful lips. Can you hear me, Chair? Can you hear me? >> Maybe we can do us in the Chamber and we take a quick break to figure out how we can get Member Kama. >> We should take it only once. Why don't we take a break and see how -- >> It's your fault, it's your guys' fault. [Laughter] >> Anybody -- Eric?\r\n\r\n>> They can hear us, but we can't hear them let's take a five-minute break, 9:10, returning. [GAVEL] Recess. >> We can talk about them. [Laughter] >> We can still hear you. [Laughter] Member Sinenci, can you trying and speak. >> Yes, I'm here, can you hear me? >> I can hear you, Shane.\r\n\r\nI can hear you, Shane. >> Everybody online can hear us, but not the Chambers. >> Yes. I can hear him. Now we can talk about them, Shane. [Laughter] is Keani in the Chambers? >> Yes.\r\n\r\n>> I could hear Keani. >> We got it. >> Thank you, Member Sinenci. Member Kama? >> Yes. I'm here. >> Member Uu-Hodgins, say something, please?\r\n\r\n>> Good morning. >> Okay, we're all together again. Yay. Yes, thank you, Eric. Don't go far. Okay, let's call Akaku again. >> Testing for Akaku.\r\n\r\nCan you hear us in the Chambers? Okay. >> Don't tell me they can't hear us. >> Testing. Testing for Akaku. Still nothing? Okay.\r\n\r\nLet me -- Now you have got a signal? Okay, great. We'll go ahead and countdown for Akaku. 5, 4, 3, 2, 1. >> Will the Council Meeting of August 26th, 2025 please reconvene. I think we're ready for roll call, Ms. Clerk. >> Hawk, Madam Chair, proceeding with roll call, members participating from non-public locations should who if nip except minors is present with them as part of roll call.\r\n\r\nPro Tempore Tasha Kama. >> Aloha Kakahiaka, Chair and all those in the Chambers in Akaku land. I'm here in my work spacing, and I am alone. >> Vice-Chair Yukilei Sugimura. >> Good morning everybody. Looking forward to a very productive meeting. Thank you.\r\n\r\n>> Council Member Tamara Paltin. >> Aloha Kakahiaka kakou. >> Council Member Gabe Johnson? >> Aloha, Chair, Council Members, community members. There's no testifiers at the Lana'i District Office. I'm alone on my side of the office in my work space. Thank you.\r\n\r\n>> Council Member Keani Rawlins-Fernandez. >> Aloha Kakahiaka kakou. There are currently no testifiers at the Moloka'i District Office, but we do have testifiers from Moloka'i online that will be testifying later. Mahalo, Chair. >> Council Member Tom Cook? >> Aloha, good morning. There's no testifiers in the Kihei office Burke people are on standby and looking forward to the meeting.\r\n\r\n>> Council Member Nohelani Uu-Hodgins. >> Goldman Sachs, Chair. Good morning everybody. I'm at Pa'ia with my EA Buddy Almedia. Thank you. >> Council Member Shane Sinenci. >> Aloha Kakou, here at my home office, I'm here by myself and there's no testifiers at the Hana District Office.\r\n\r\n>> Council Chair Alice Lee. >> Aloha, my dear colleagues, and to everyone listening and

watching. >> Chair, there's nine members present, so a quorum is present to conduct the business of the Council. For the record, I'm the Deputy County Clerk Richelle Thomson and also present from our Office of the County Clerk are Legislative Division Staff Joyce Murashige, Dell Yoshida and Arthur Suyama. And assisting the Council with maintaining order and decorum is Council ambassador Ryan Martins. Joining the meeting from the Office of Council Services is Director David Raatz and legislative Attorney Peter Hanano and from Department of Corporation Counsel is corporation Counsel Victoria Takayesu. >> Okay.\r\n\r\nOpening remarks will be provided by yours truly. So I just, as you know, I'm not one for long speeches about myself. And what I would like to do this morning is recognize a very special person who I have been derelict in thanking for the lei that she provided to us, to all of us, I think about a week ago, and I did not, did not have a chance to thank her for it, and of course, Auntie Lori on Moloka'i, I'm speaking about you. And I'm taking my opportunity for opening remarks to thank you for your thoughtfulness and for always being so kind and courteous when you testify. We really appreciate that. We don't always agree on the same subjects, but nevertheless, you are an inspiration to all of us an example of how everyone should behave when testifying, and sharing opinions. So again, I'm sorry, I didn't thank you earlier.\r\n\r\nBut I'm thanking you now, in front of this wide variety of people about maybe 35, including the people watching at home. We don't attract big crowds, but nevertheless, it's not the number that counts. It's the thought. So Aloha to you, have a wonderful day from all of us at the County Council. Now please stand and say the Pledge of Allegiance. I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all. before we proceed, as a reminder testimony must pertain to items on the meeting agenda.\r\n\r\nWhen testifying please direct your remarks to the Council and not to any individual Council Member, or Member of the public. Each testifier will be allowed to speak for up to three minutes on each item. For individuals wishing to testify on teams, please click the raise your hand button to be added to the testifier log. If you are calling in, please follow the phone prompts to be added to the log. If you wish to testify anonymously, please sign in as anonymous, and you will be given a testifier number. Decorum shall be maintained at all times. Any person who behaves in a manner that disrupts, disturbs or impedes the orderly conduct of any meeting can at the discretion of Presiding Officer or a majority of present Council Members be ejected, or banned from Council meetings, or if participating remotely, muted or dropped from the meeting.\r\n\r\nExamples of disruptive behavior include, but are not limited to heckling, shouting, use of profanity, threatening or slanderous remarks. All meeting attendees, whether online or in-person, are expected to wear clothing in a manner that is respectful of others and appropriate for these proceedings. For example, attendees should wear a shirt when testifying. As well as the rest of it. You know? Slippers, pants, whatever. Ms.\r\n\r\nClerk, please proceed. >> Thank you, Madam Chair. At this time individuals may testify on any item on today's agenda. The first to testify is Anders Lyons, and he will be followed by Wes Lo. >> Good morning, Chair. Vice-Chair, and Members of the Council. I am Anders Lyons, Executive Director of Hale Mahaolu in Maui County I'm here to testify in support of 25-167 for the development.\r\n\r\nAnd I and some of our team members luck here throughout the discussion for any questions that might come up, thank you. >> Thank you. Any questions, Members? No questions, thank you. >> Chair, the next testifier is Wes Lo, and Mr. Lo, please let us know which I'm you are testifying on, followed by Lesley Milner. >> Aloha, Chair Lee and

Council Members, I'm testifying on Committee Report 25-50, related to resolution 25-139 CD 1. My name is Wes Lo the Chief Executive Director of Hale Makua house services and testifying in support of the Resolution and we'll be available for any questions that come up during the discussion.\r\n\r\nThank you very much. >> Thank you, any questions, Members? No hands. Ms. Clerk, please help me look for hands, because I don't see it all the time online. No questions, next testifier. >> Chair, the next testifier is Lesley Milner and please let us know which item or items you will be testifying on, she will be followed by Heidi Balthazar.\r\n\r\n>> Aloha, Chair, Council Members. As you can see, I am testifying from the airport. So today I'm doing my best Council Member Rawlins-Fernandez testifying on Bill 115, Bill 116, and Bill 117. These first two are housekeeping bills. Bill 115 is adding .9 LTA under one of the Grant Programs, that is for a graduate Assistant. Bill 116 is just correcting the TMK. Bill 117 some equipment for the Fire Department came in over what was budgeted. So we're asking to increase that allocation but that is an in appendix a, part 2. So no additional funds are needed.\r\n\r\nWe're just increasing the amount in the line item. Thank you, Chair. >> Thank you. Questions? >> Chair? >> Vice-Chair Sugimura and then Member Johnson. >> Thank you.\r\n\r\nSo thank you very much for testifying at the airport. And I want to just be clear, that you are asking to get this passed on first reading today? 115, 116, 117? >> Thank you, Chair. Thank you, Vice-Chair. Yes, that is correct. Thank you for the clarification. >> Thank you.\r\n\r\n>> Member Johnson. >> Thank you, Chair. My question was asked and answered. Mahalo. >> Thank you very much. No other questions, Ms. Clerk.\r\n\r\n>> Thank you, Madam Chair, the next testifier is Heidi Balthazar and please let us know what item you are testifying on, and she will be followed by Lola Johnson. >> Hi, Chair. This is and Council Members this is Heidi Balthazar testifying on the Bill 118. Repealing the Commission -- Board and Commission on children and youth. I am hoping that the Board, or the County Council will reconsider that. We are -- we're a green Board, like new members, and trying to get our footing. So we have undertaken some projects that are currently underway in the community. And one of them is the talking is teaching.\r\n\r\nSo hoping that you guys will consider not repealing our Board. Thank you. >> Questions, Members? Thank you for your testimony for sentimental reasons I agree with you, but I might be in the minority. Thank you. >> Next testifier. >> Thank you, Chair.\r\n\r\nThe next testifier is Lala Johnson testifying on resolution 25-167 to be followed by a testifier with the first name Harmonee. >> Aloha Mai kakou, I am here with my Kupunas, I bring them with me for today. I am here today to speak in strong opposition to the proposed exemptions for resolution 25-167. I want to state it clearly that I support the critical need of the housing crisis in our community. However, I am deeply concerned that these exemptions would undermine the very principles of good governance, public trust and fiscal responsibility that are County Code was designed to uphold. I have reviewed the proposed exemptions and find them to be not just problematic, but in direct conflict with the respectful and responsible approach to development. First, the exemption to Section p.35.07a1 and a3 would allow for the transfer and sale of property with only the written consent of the Director of Housing. This bypasses the public process and removes the Maui County Council's vital oversight role.\r\n\r\nThe public has a right to be part of the decision-making process for projects that use our tax dollars and these exemptions would create a dangerous loophole for transparency. Second, the proposed modification to the loans position is an unacceptable risk to our community's finances. By you allowing the County's -- or loan to be in a third or lower position, we're placing the public's investment in

the most vulnerable spot. This is not a prudent or responsible use of the affordable housing fund and a project's financial viability should not come at the expense of our taxpayer dollars. Finally, I want to address the most concerning part of this exemption especially as it relates to this specific project on land from as MEO states from their title that they received from the Lunalilo trust. The first exemption would waive the County's requirement that be held in perpetuity. This rule is meant to ensure long-term affordability.\r\n\r\nHowever, the very land we're discussing has a history that is in direct conflict with this concept of perpetuity, King William Charles Lunalilo 1874 established the trust that directed this land or his lands were to be sold to provide funds to care for his people. The land's original purpose was not to be held forever, but to be liquidated for noble cause. This brings us to the fundamental question, if the very idea of perpetuity title is already in conflict with the historical and original purpose -- let me just come to the conclusion -- this project can move forward if it does, without these exemptions. Upholding our and County Code on their historic land -- on this historic land is a matter of maintaining accountability and respect for the public's investment. We should not be recreating a loophole for required -- for a requirement that is already in conflict with the lands' original purpose. I for myself care about this if some of you don't care, mahalo. >> Mahalo, any questions?\r\n\r\nCouncil Member Rawlins-Fernandez. >>Thank you. For all the proposed exemptions to the attach Resolution in exhibit 1 are you asking the Council to refer to Committee for further discussion so that we can address your concerns? >> Yes. >> Mahalo for that clarification. >> Mahalo. >> More questions thank you very much, may we have the next testifier.\r\n\r\n>> The next testifier is Harmonee, and followed by Kaneali'i Williams. >> Chair, I just got to go to the HSAC thing real quick. >> Thank you, Chair, and Council Members. My name is Harmonee Williams, the former Executive Director of Sustainable Moloka'i, here to testify on Bill 95 regarding the grant of \$50,000 Budget Amendment which is now in the second reading. Mahalo for everyone who helped to get it passed on the first reading. We're just really looking forward to closing this Grant out. I will mention that I was able to present to the Komike 'aina agenda on the Moloka'i climate change and sea-level rise and adaptation plan.\r\n\r\nI know there was questions around the timeline, and just kind of how the project played out as far as the original timeline and the amended timeline, and so I am here to just help I guess provide a short summary of some of those questions that I had heard asked, as well as be available for any potential follow-up questions. Just to summarize our project was officially started in July of 2021, it was initially proposed to end July 1st, 2023. There was just a lot of circumstances in 2021 that made things a little bit more confusing than the normal kind of orderly timeline that we expected. The first being that I was offered a job with the Hawai'i good food alliance in 2021. So that year I kind of did double duty running both until we hired a new Executive Director, which is Tatani, who is here today. So during that time, I switched to Hawai'i good food alliance and become a contractor to Sustainable Moloka'i, but not as Executive Director. Because of that there were some hand-off things that did no-go as smoothly as usual and typical for our organization I apologize for that. And just the fact that OCS doesn't typically issue grants, so I feel it was kind of a steep learning curve for all of us, but in summer are you the bulk of project was completed during the two-year timeline as we were nearing the deadline of July 2023 we were in the midst of conversations with our team, as well as County Council Members if we could add three additional sites that were identified as coming up next to our community specifically, the landfill,

the old Moloka'i electric and Brown field sites and the Kapaka cemetery. We talked to our team including our consultants decided that we should really include those but to do so would require additional time, as well as an additional \$50,000 for the engineers and planners who had to increase their scope from 10 sites to 13. So I think Director Raatz did a great job last time in that Committee meeting that kind of outlining all of the really specific details.\r\n\r\nSo I will not repeat those, but happy to answer questions. If you our deliverables are completed and have been submitted we were able to present last week and we're just really hopeful we can wrap this up today, and I just, I will try to stick around if there's questions when this comes up on the agenda, but I do have another meeting at 12:00 p.m. Thank you.

>> Thank you. Questions, Members? No questions. Thank you. >> Chair, currently the last testifier signed up is Kaneali'i Williams testifying on resolution 25-167. >> Aloha kakou, Kaneali'i Williams testifying on 25-167 as I'm reading this exemption, one, kind of confusing because you know it says it has to be in perpetuity, but a grantee or borrower, that would be the developer; right?\r\n\r\nUnless conveyed to the County or qualified non-profit or Community Land Trust. So to me it sounds like this Resolution is an admittance that no party that is involved in the project, whether it's the County, a qualified nonprofit, which I understand would be MEO, or other Community Land Trust has title in perpetuity, otherwise you wouldn't be trying to get a Resolution for this exemption. So that is one thing. The exemption 2, you know, that part of the code that defines what the County Council's fiduciary duty is by code. So why would the County Council be voting on a Resolution to give up its fiduciary duties? You know, the Council gets paid to do its job and why would you vote to not do your job? And if that is the case, then salaries need to be cut, so that way you are not getting paid for not doing your jobs and of course, this that sketching would remove the public process, because everything that comes to the County Council has to have public testimony and by moving power over to Director of Housing this exemption is attempting to remove testimony, like this right now.\r\n\r\nFrom any future participation in the process. Which I don't know, I kind of reserve my right to be able to participate in the process. And the last thing is trying to give a \$6 million loan to the exemptions with the questions about the intentions behind that aren't being spoken or written down in the Resolution, to me so you had like a \$6 million racketeering scheme. There is that as well. That just my testimony for today. >> Thank you. Questions?\r\n\r\nMembers? No questions. Thank you. >> Mahalo. >> Chair, currently Mr. Williams is the last testifier. So we'll go ahead and give last call for any testimony at the beginning of the meeting.\r\n\r\nSeeing no one in Chambers or online raising their hand, countdown, 3, 2, 1, Chair, there's no one here to testify at the beginning of the meeting. >> Members, any objections to closing public testimony and accepting written testimony for the beginning of the meeting? >> No objections. >> So ordered. Ms. Clerk. >> Chair, moving on to Committee Reports Committee Reports.\r\n\r\nCurrently there's no one signed up to testify, so we'll go ahead and give last call for any testimony on Committee Reports counting down, 3, 2, 1. Chair, there's no one to testify on Committee Reports. >> Any objections? So ordered, Ms. Clerk. >> From the Budget, Finance, and Economic Development Committee Report 25-48 recommending first reading of Bill 93 CD 1 (2025) to amend the Fiscal Year 2026 budget by amending Section 3B17 Department of Police by transferring one equipment personnel and \$57,192 in category A salaries for the reallocation of a vacant Emergency Services dispatcher II position from the technical and Support Services program to an investigator V position in the administrative program Vice-Chair Sugimura. >> Thank you, Chair. I

many of to adopt the recommendations in Committee Report 25-48. >> Second.\r\n\r\n>> Moved by Vice-Chair Sugimura and seconded by Pro Tem Kama to adopt the recommendations. >> It transfers one vacant Emergency Services Dispatcher II position and \$57,192 in the salaries of Department - from the Department of Police's Technical and Support Services to the administrative program. The funds are and position will support a new Investigator position under the administrative program to support the Police Commission's overnight and investigative duties as required under Charter. I respectfully ask for the Members' support of my motion. Thank you, Chair. >> Further discussion? Not, all those in favor, raise your hand, say aye.\r\n\r\n>> Aye. >> Nine ayes, zero nos, motion carries. >> Chair, Member Paltin? >> Member Paltin is excused. >> Eight ayes, one excused, Member Paltin, motion carries. Ms. Clerk.\r\n\r\n>> Chair, from the Water and Infrastructure Committee is Committee Report 25-49 recommending the following: 1, first reading of Bill 79 CD 1 (2025) to 1, establish a paid parking zone and adopt a digital paid parking zone map for County Beach Parks in South Maui. 2, repeal paid and permit parking zone maps for Wailuku Town and adopt updated maps and 3, amend special Parking Regulations under title 10, Article II Maui County Code for clarity and consistency and it 2, filing of Resolution 25-130. >> Okay. Member Cook. >> Second. >> Moved by Member Cook, seconded by Vice-Chair Sugimura to approve the recommendations in Committee Report 25-49. Discussion, Member Cook? >> Thank you, Chair. Your Water and Infrastructure Committee met on August 4th, 2025 to discuss Bill 79 and resolution 25-130. Bill 79 establishes beach parks 1, 2, and 3, as designated locations under the Maui pilot parking program.\r\n\r\n\r\nThe Department of Transportation intends to launch the parking program in early 2026 pending permit reviews and mobile app testing. In addition, it revises the paid and permit parking zone maps for Wailuku Town to remove the parking lot and the County of Maui parking lot. The map's originally attached to resolution 25-130 were incorporated into the proposed CD 1 version of Bill 79 to comply with the Section 1077010A Maui County Code. This CD 1 version also clarifies the Director of Transportation's authority under Chapters 1077 and 1078 resolves conflicts between parking pass fees and Fiscal Year 2026 budget and includes non-substantive revisions. Because the maps are now incorporated into Bill 79, resolution 25-130 is no longer needed as a stand-alone item and your Committee recommends it be filed. Your Committee vote 7-0 to development message on first reading and filing resolution 25-130. I respectfully ask for the Members' support of my motion. >> Further discussion?\r\n\r\n\r\nIf not, all those in favor of the motion, please raise your hand, say aye? >> Aye. >> Eight ayes. One excused, Member Palatin, motion carries. >> Chair, from the Water Authority, Social Services, and Parks Committee is Committee Report 25-50 recommending adoption of resolution 25-139 CD 1 to express the County's intent to support a future land transfer or agreement for a portion the Kahului Community Center Park site identified for Real Property Tax purposes as Tax Map Key 2-3-8-007:097 located at 275 Uhu Street Kahului Hawai'i. The land would be used to develop an approximately 100-unit boric force rental house project by Hale Makua Health Services in partnership with Alaka'i Development II, LLC.. >> Mr. Sinenci. >> Mahalo, Chair.\r\n\r\n\r\nMove to adopt recommendation in CR25-50. >> Second. >> Moved by Member Sinenci, seconded by Vice-Chair Sugimura to adopt the Resolution as recommended in Committee Report 25-50. Discussion, Member Sinenci. >> Mahalo, Chair. Your Water Authority, Social Services, and Parks Committee met on August 4th, 2025, for resolution 25-139. Your Committee received a joint presentation from Hage Mak and Alaka'i Development on the project's history, design and status. The development of the Kahului Community

Center Park site began in 2018 to address the need for new health care delivery system for elderly services central location the Council supported granted Hale Makua lease and creating Kahului Community Center Park master plan to develop rehabilitation and Senior facilities. Members in 2024, the master plan was modified to incorporate a workforce rental housing project after consultation Maui Economic Opportunity Commission the proposed workforce rental housing project for design for entry to mid-level health care and education workers along with individuals displaced by the August 2023 Maki wildfires. It will consist of approximately 100 workforce rental units with rent and utilities capped at 30% of the resident's household income.

Providing housing for health care and education, workers will support Maui's need to attract educate and retain workers in these vital professions. Your Committee voted 7-0 to recommend adoption of resolution 25-139 CD 1 which was approved as form and legality by the Department of Corporation Counsel and Chair, I ask the Members' for full support of my motion. Thank you. >> Any more discussion? Vice-Chair Sugimura. >> Thank you. I want to thank Wes Lo for his perseverance and commitment to see this project forward as I have heard about it through many terms, but he moved it tremendously.

It's also part of the economic recovery Commission -- one of the items that was passed out of Commission. Resounding with a lot of financial support to move it forward also, and I think that the County's role of this which he -- which Mr. Lo has been able to embrace, he has taken it to where we want for workforce housing, education, and for a healthier community. Thank you. >> Any more discussion? If not, all those in favor of the motion, raise your hand, say aye? >> Aye.

I see eight ayes, one excused, Member Paltin, motion carries Ms. Clerk. >> Thank you, Madam Chair, moving on to resolutions, currently we have one person signed up to testify. That is Joslyn Costa, testifying on resolution 25-167. >> Thank you, Chair. Good morning Council Members. My name is Joslyn Costa, I would like to state for the record that I will have testified about this project before, and brought forward source documents which is a result of my extensive research on the lands of his royal highness I believe their Attorney confirmed title was that of King Lunalilo and perhaps Member Lee could speak more to the title since she was involved in the transaction with Sandford Carr in other capacity. Was there clear title then?

Was there quiet title ever done in the courts? I know the families were arrested for trespass were never found guilty and the judge encouraged the project to address the title. They never did. I know according to law and your oath of office this cannot be lawfully done. This type of title cannot be done in the court system of our County. This type of title cannot be done in the court system of this County. Article 2 Section 3 of the Executive Department explains the doctrine of political question.

This is a political question, not a legal one. I must ask if this body is acting as a political branch of the United States? I have provided a document of the at or about for your resource if you choose to act upon TMK and assume payment of taxes that is one thing. But in your Resolution it states requiring that title to all real property may be held in perpetuity by grantee or borrower. No. 2, the project must not be sold, exchanged, diverted or converted into other uses as set forth without the prior approval of the Council by Resolution. No. 3, be secured by a first mortgage lien in favor of the County. I have provided for you King Lynna Lillo's holdings according to the probate and the requirements therein that are required by the Supreme Court of the Hawaiian kingdom to determine what you now attempting to do in your Resolution. Ignorance is no excuse of the law and I come as a friend of the Maui County Council. I am providing

documents, retrieved from the State of Hawai'i archives in hopes to provide another first-source documents for you to make well-informed decisions. I counted five, who did not decide well the last time. This matter came to the floor, which is why we're here today. This time however it is to break promises that were required before.

Just as what happened in favor of the Wailea 670 development liability is your choice, if not now, in the future. I would request -- I would be asked to read on the record briefly the probate for King Lunalilo and in closing I would be remiss if I did not mention -- Resolution runs rampant in Hawai'i and how they illegally seize our County through a joint Resolution and here we are today. >> Members, any questions? If not, thank you very much >> I can leave this with your Clerk. Chair, Ms. Costa is the only person signed up to testify on resolutions so last call for any testimony on the Resolutions on today's agenda, Chair, seeing no one raising their hand in teams, or make their way to the podium, we'll countdown, 3, 2, 1, Chair, there's no one else to testify on resolutions any objections to closing public testimony and receiving written testimony? on Resolutions?

No objections. >> So order, Ms. Clerk. >> Chair, before you is resolution 25-166 authorizing a lease extension for 2145 Kaohu Street, Suite 206 Wailuku, Maui, Hawai'i to Hawai'i Government Employees Association local 152, American Federation of State, County and Municipal Employees American Federation of Labor-Congress of Industrial Organizations to June 30, 2026 and then month-to-month for a period not to exceed six months. >> Vice-Chair Sugimura. >> Chair I move to adopt resolution 25-166. >> Second. >> Moved by Vice-Chair Sugimura, and second by Pro Tempore Kama to approve the recommendation in resolution 25-166, discussion, Vice-Chair Sugimura.

Thank you, Chair. This Resolution extends the lease of County-owned property at 2145 Kaohu Street, Suite 206, Wailuku, Maui, Hawai'i. In 2023 the Council authorized the acquisition of this parcel approved a two-year rent-free lease of Suite 206 to HGEA. Council approval is now required under Section 3.40.180 (a) Maui County Code to extend the lease. The purpose of the proposed rent is \$2.75 were square foot for a total of \$8406.75 per month. I have an ASF, which all of you have received and I move to Substitute Resolution 25-166 with proposed FD 1 version attached to my ASF. >> Second. >> Moved by Vice-Chair Sugimura, seconded by Pro Tem Kama to amend the main motion with the ASF that was circulated.

Vice-Chair Sugimura, Discussion. >> Thank you. Members, the proposed FD 1 corrects the lessee's name and incorporates technical revisions. I respectfully ask for the Members' support. Thank you, Chair. >> Any more discussion? If not, all those in favor of the motion, raise your hand, say aye.

Aye. >> Looks like eight ayes, zero nos, one excused. Member Paltin. Motion carries. So the main motion as amended. Any more discussion? All those in favor of the motion, please raise your hand, say aye.

Aye. >> Eight ayes, zero nos, one excused. Member Paltin, motion carried. Ms. Clerk. >> Chair, before you is resolution 25-167 approving exemptions from and modifications to the requirements of Section 3.35.070 Maui County Code for the Hale Mahaolu Ke Kahua affordable housing project in the Waiohu Country Town District. >> Member Kama.

I move to resolution 25-167. >> Second. >> Moved by Pro Tem Kama, seconded by Vice-Chair Sugimura to adopt resolution 25-167. Discussion, Pro Tem Kama. Pro Tem Kama? >> Thank you, Chair. Yes. Members, the Hale Mahaolu Ke Kahua affordable housing project was approved with modifications back in 2023 by the Director of Housing and Human Concerns, under Chapter 2.97 Maui County Code after the Council's time to consider the project expired. Last year the Council passed Ordinance 56-91 to grant a conditional District boundary Amendment from AG District to Urban District for the

project.\r\n\r\nNow the project is before us again with this request for exemptions from and modifications to Section 3.35.070 Maui County Code relating to affordable housing fund grant or loan requirements in connection with the \$6 million loan approved for project in Fiscal Year 2024. I'm requesting we consider adopting this Resolution today so we can keep this project moving forward, and I have requested the project Representatives, as well as the Department of Housing to be present today if Members may have any questions. Thank you, Chair. >> All right, Member Johnson, then Vice-Chair Sugimura. >> Thank you, Chair. Usually on something like this, I would like to have it in discussion in Committee. So Council Member Kama, what is the time-sensitivity? Is there something that we need to move this forward on?\r\n\r\n>> I think Mr. Mohanna is probably in the Chambers, if you wouldn't mind, Mr. Johnson, allowing him to step to the podium. >> Mr. Lyons is going to come speak. >> Oh, Mr. Lyons is there.\r\n\r\n>> Mohanna is on his way. The time-sensitivity is the rest of the funding of the project through the LIHTC system. That comes up once a year, typically in February. So we're trying to move this as quickly as we can to be eligible for those LIHTC tax credits. If we miss February, we get to go to next February for the project, for funding the construction portion of the project. >> Okay. >> Excuse me.\r\n\r\nMr. Johnson, you had a follow-up question. >> I understand that everybody has to -- everybody who is in line for that LIHTC money, the deadline is February. I thought maybe we could have it heard before then in Council Member Kama's Committee, because we're talking about exemptions. >> Do you have any more questions for the testifier? >> No, I don't. Thank you. >> So does anybody else, since he is up here?\r\n\r\nAny questions? So February is the deadline for submitting your application? >> Correct, for HHFDC consideration of LIHTC application. >> So when do you have to finish preparing your application for submittal. >> Typically in January. >> In January. Okay.\r\n\r\nAny more questions? >> Chair? >> Mr. Hanano has come up with a question as to whether or not the FY'2024 appropriation from the affordable housing fund has been encumbered? >> Do we have the Housing Director online or Ms. Tshako online -- we have the new housing Director here? Remy, after you state your name and position, could you -- did you hear the question completely?\r\n\r\n>> Good morning, Chair, good morning Council. Remy Mitchell, Director of Housing. No, I walked in just as the question was concluding. >> Okay, we'll ask it again. >> Thank you. >> Mr. Hanano.\r\n\r\n>> The question is whether the FY'2024 appropriation from the affordable housing fund has been encumbered? >> No, I don't believe the funds have been encumbered at this time. >> Any follow-up questions, Mr. Hanano? >> No, Chair. >> Any more questions for the Housing Director? Member Paltin.\r\n\r\n>> I guess, my question would be for Mr. Hanano, does it matter? Like, why did we ask that question? >> Thank you, Mr. Mitchell. >> I think the issue is if the fundings are no longer available, then it's moot as to whether or not the Resolution can be adopted. >> So if they haven't been encumbered, are you interpreting them as no longer available?\r\n\r\nDoes the Council have to re-authorize the 2024 funds? Or are they just always sitting there? Because Pulelehua we didn't re-authorize. >> I'm consulting with our legal team. >> Are we doing this work on the Council floor? We're not referring it to Committee? >> We're just asking clarification questions.\r\n\r\n>> Sorry. >> He started it, you know? >> Staff started it. >> Good job, Mr. Hanano, I like it when you are thorough. >> If the additional question is whether or not the funds have been gone -- have been put back into the general pot? >> I think now we need Mr.\r\n\r\nMitchell. >> I don't know the answer to that. >> Mr. Mitchell, did you hear that question? I know you were talking to the other guy. >> Sorry, Chair I was talking to -- having your

discussion. >> The question had to do with the funds still available for used for this purpose or have to be reappropriated.\r\n\r\n>> The funds should still be available, Chair, and our practice has not been to reappropriate if we pass over this year, that they were initially appropriated. . >> Okay, you are going to be sorry you said those words no with me, Member Paltin, further questions? any more questions? >> Are we referring this to Committee? >> No, we're still haven't gotten to had a point yet, we're still asking questions. Thank you. >> Thank you, Mr.\r\n\r\n\r\nMr. Mitchell. >> In other projects don't we hold onto the title or something? Mr. Mitchell in the past for like, say when we funded their insurance gap had wanted us to be the owner of the property and in this case, it's not the same, and I guess I'm just wondering why? >> You know, MEO has title, yes? I know my name was mentioned, but the County never owned it. >> Yes, but I mean, last time when we gave the money to Kupawai, wanted to be the owners of it, so we spent an additional 3. something million before we give them the money for the insurance gap, but at n this case we're just giving away money and does that affect the length of afford ability?\r\n\r\n\r\nDo we have the right of first offer at the end of the affordability, and like, I mean, kind of goes to my point that different progresses get treated differently. >> I knew you were going to say that. >> But, like, the justification for one project us giving them money, we wanted to own the property, and this one, we're not owning the property and we're saying it could be sold. So just, I guess, all of the changes that we're considering, I would either like a written analysis of why we're considering and not in other projects? I would like to further discuss in Committee, because a little bit it seems each new housing project whatever we do forwards or backwards or sideways comes with a different justification than the previous projects. So that's why I don't feel comfortable voting on this today. >> Okay.\r\n\r\n\r\n>> Until we sort those things out. >> Vice-Chair Sugimura, did you have your hand up? >> I was just wondering from the Department, what their position is on what is before us today? I just want to hear. Everybody is talking around it, talking directly. >> Was this your proposal? >> Thank you, Chair.\r\n\r\n\r\nThank you, Vice-Chair Sugimura. This was proposed by the project proponent, but all of the exemptions requested are not dissimilar from exemptions that we have considered with other projects, where due to financing requirements, so exemptions are needed in our loan documents. So from the Department's perspective, this is a standard policy issue on whether to Grant the exemptions. >> So Vice-Chair, do you have any follow-up questions? >> Just clarification, it's not creating an exemption for anything special, but just standard procedure that you are clarifying? >> Correct. >> Okay.\r\n\r\n\r\n>> Okay, thank you. >> You can ask more questions, if you want everybody, because we're in discussion actually. We're not just asking clarifying questions. Anybody else have questions before I call on Member Paltin? Apparently not, Member Paltin. Oh, Member Johnson, I didn't see your hand, Member Johnson. >> Thank you, Chair.\r\n\r\n\r\nI guess I kind of want to ask Council Member Kama, if we could shoot for November, if this was going to go to Committee? February is kind of far off for this, just to have -- want to be Committees to address this, if I recall, this was not an easy -- it was contentious. So maybe we do need a little bit of discussion. I'm curious what Council Member Kama things. >> Pro Tem Kama. >> Thank you, Chair. Thank you, Mr.\r\n\r\n\r\nJohnson. If you are asking me my opinion and we already went through round 1 and all of that contention, I do not want to go through that again. And that is why I wanted to do this on the floor today. Whatever we went through that first go around and all of the people that came that first go around, I feel like we have already beaten this horse dead. Either we let the

project go through or not let the project go through. Let's be serious, you know? We have got a lot of housing to build.\r\n\r\nWe have got a lot of people that need housing and every day that goes by, things get harder and harder for people, who are now not allowed to be on Medicaid or EBT or public assistance. We got to take care of those people and they are coming. But let's take care of what is in front of us first and why Mr. Johnson, that is my honest opinion. Thank you for asking. >> Well, I appreciate your honesty. That is really important.\r\n\r\nI just remember this with the traffic, the bridge, the title, all those things, and we got to kind sort that out, especially with this new State Bill coming down, with the -- what we can do with the any kind of adding money to these projects through our Amendments and our modifications, and it's trickier now than it was before. So I'm curious if we could have time to discuss it? But I see other hands. I Might not -- some people might not feel that way, but thank you for your honesty, Member Kama. >> Member Uu-Hodgins, is your hand up? >> Yes, thank you, Chair. I'm wondering if Director Mitchell could explain in very plain language for me, what these exemptions, proposed exemptions and modifications are requesting?\r\n\r\nSo we have four of them. I understand it's standard policy, but if you could please do me a favor and break it down, so I can digest it all. >> Thank you, Chair. Thank you, Member Uu-Hodgins. The first exemption Maui County Code 3.3507A1 relates to permitting transfer to the project proponent without Council Resolution. That would require the Director's approval. That is fairly consistent with many other projects we have done in the past of this nature.\r\n\r\nThe second is subsection A3. That relates to the property being permitted to be sold, exchanged or divested without prior consent of the written prior consent of the Director of Housing. That would occur either at closing or post-closing when you transfer to a qualified housing provider. Section B1 relates to the priority of the mortgage, typically the County would want to be in first position, but for a variety of lending requirements, the County will need to slide down its lending position, and the final one relates to the interest rate. And that would be reducing the interest rate. That is really what those exemptions are. >> Thank you, Chair. Thank you, Director.\r\n\r\n>> Again, pretty standard >> Okay, for No. 3, they require LIHTC funding and we discussed this with other projects that are supported by the State and that kind of have the first right and we get second or whatever? >> So I will defer to we have our developer here Mohanna, since he is right here. >> Are you able to come down? So Member Uu-Hodgins, can you repeat your question? >> Okay. I just wanted for No.\r\n\r\n3, the reason why the County slides down on our the priority of mortgage, is it because the State is providing us a bunch of money and therefore, they come before us? I think we discussed for other LIHTC projects, but if you could just clarify that for me? >> Madam Chair, Members, good morning. Apologies for my late arrival. My flight was delayed. This all has to do with the LIHTC structure. That is correct.\r\n\r\nThese funds have been approved for this project and have already been set aside for this project and there's no change, no change what so offer in the aspects or the conditions of the approval of this project as approved previously by this body, so that is set. All that is occurring here sat the time of construction loan closing additional funds in the tens of millions of dollars for example federal tax-exempt bonds that will come in that will be a Senior institutional investor lender, they come in first and then State of Hawai'i comes in with a revolving housing rental fund then the Maui fun as in in County fund we have worked in Hawai'i comes in after that. Those funds by the State and Counties are typically soft monies meaning paid out of available cash flow, again, as this loan has been approved. The question in front of you today is

to simplify it. It would have come in at auction loan closing. We're asking for it to come before construction loan closing for the exact same purpose of the project it will remain. The reason we're asking for it to come sooner rather than later is because HHFDC has changed the rules of engagement and their qualified allocation plan across all projects in the State, asking them to advance their drawing closer to building permits, having understanding that long time it takes the various counties to process those plans.

The approval is in place as I said and kick off what is called construction drawings architectural. These funds will be allocated to completing those drawings in order to make any Maui project, this Maui project competitive against other state-owned projects and direct such funds to state -- sorry to the County of Maui, my apologies and therefore, that money will slide in exactly as it was intended when the \$6 million was previously approved at construction loan closing in the same process. All the transfers we're talking about as you know is in the name of MEO at the time of closing. The partnership, the tax credit partnership with the tax credit investor, so affordability, the plans that were approved, the conditions that were approved all remain the same, this is simply a matter of moving the timing up, allowing us to send the money spent this money on third-party only. Project related expenses. No overhead, no profit, only third-party-related expenses such expenditures and drawings are reviewed by your Housing Department and approved and confirmed and when they're audited by third-party and audited by the state and audited by the lender and investor to verify at the type of choosing and they remain the interest rate very simply put there is no income from the property currently to pay anything that occurs at loan conversion and as originally intended when construction is done, lease up is done. There's rent and income coming.

We start paying down on these various loans and at that time they accrue interest. Not before so everything that the Director has presented today is a standard approach and is intended to direct federal tax-exempt bonds federal credits to Maui County to this project specifically. If we don't complete for them, they'll simply go to another project in another County and Maui loses out. >> I think that answered the question. Any more questions? >> Yes, thank you, Mr. Mohanna.

>> We have another question from Member Sinenci. >> Thank you, Chair and mahalo, Mr. Lo. I don't remember in our previous discussions having an exemption 1 that property can be sold. I always thought that the property was going to be managed by MEO. I don't know if you can correct me on that? Because it now says that it's able to be sold.

And so if MEO is going to be selling the project, can you speak to that about any profits or how would they conduct such a transaction? >> Thank you, Council Member. Very good question. The term "sold" is simply used in a transactional perspective is a leasehold interest. MEO will always own the underlying title, but there's a sale of the leasehold interest so there's a leasehold interest by the tax credit partnership that will develop and own this project. Those are standard -- those are standard transactions allowing us to have that partnership being a leasehold purchaser. So that is the sale that is being described.

It's just a generic term and then for the tax credit institutional investor to then come in and enter into that partnership. But the underlying ground with the MEO and they will not be receiving anything, but the \$1 that they are committing this affordable land in perpetuity. So they are not receiving any profits as the leasehold sale transfer. >> Thank you, thank you. Thank you, Chair. >> Any more questions? Member Paltin.

>> Thank you. I had a couple of questions. The first question following off of Member Sinenci's question might be for a lawyer. Does the verbiage in the Amendment specify it's not a sale how he said, it's a

leasehold transfer like they said. >> Corp. Counsel. >> It probably could be clearer, but I believe that is the intent of the exemption.\r\n\r\nI mean, it could be clearer though. >> I mean, I would like it to be clearer what he said is how it is. I don't know the verbiage. The second question I had was I don't know if for Mr. Mitchell or whom, but going off of Member Kama's talking points we knew this was a very controversial situation the first time it occurred, and that these are standard verbiage that we're amending. Why didn't we do it the first time around? Like why come back two years?\r\n\r\n>> If I may? >> The developer can. >> Two years ago, when this project was approved as you know the entire affordable housing program was currently oversubscribed in the State of Hawai'i. The requirement to start the working drawings was not in the rule and regulations and not contemplated to use these funds early on. This is a recent change that was implemented last year. We have actually put this request very early in with the County, early this year, when the change occurred and just waiting our turn to come in front of you for this consideration. This is the reason it was not considered earlier. We were just reacting to the changes in state qualified allocation plan and rules of submittal.\r\n\r\n>> When did those changes occur? >> They occurred I believe they were adopted earlier this year in '25. And one thing to point out here, one of the main reasons we're in front of you with all of this, this money is typically given as a grant. We're asking for it to be a loan. To be repaid. We could have went down the path and MEO could have accepted it as a grant, but we choose to repay it to the fund, and therefore, have processed not only this one, but our previous project that is under development in Kihei, Lola Hale and again, it was offered as a grant and we opted to take it as a loan to repay it to this fund, so this fund can be replenished for future projects. So do understand this is of our own making because we're saying that we would like to pay you back. We could have went down the path of grant and granted it to MEO and then, it wouldn't be that case.\r\n\r\nSo this is kind of best practices that we follow, and the County has been fantastic working with us with the previous project that we did and this one. But this is a request to make it a loan to be repaid back and not as a grant as they are originally structured. >> Thank you. I hope we can look into how LIHTC and HHFDC made the changes, because we need to also make changes that they are not tying up our money until they are actually using it as well. >> Good question. >> That is good question. Your money is not tied up until it's used and your money proposals are actually in hand.\r\n\r\nIf this loan was here, in February, as we started the process with the County, our working drawings would have been completed and the money spent and the actual physical drawings would have with County being processed. The deadline for submittal is February and they are going to measure every progress by how far it is long in the process. So we're now in argue and we have kicked off part of those plans, but we're in desperate need to demonstrate that significant progress in order to put this progress in a very competitive process delaying it further, meaning we don't continue on the drawings and we can't get it submitted in and will not put us in a competitive position again this year. So we're trying to be competitive to dreg these funds, but these funds are not coming to Kosta, they are not coming to the partnership. They are being paid to third-party consultants to prepare the plans to submit to the Building Department. >> And then I just had one last question, was it always the plan not to submit in this last February? Because if the money was granted in like 2024, something, why we didn't submit for the LIHTC funding in this past February?\r\n\r\n>> Very good question. The money that was approved before did not allow us to use it as pre-development and only allowed us to use it at

construction are. When we submitted back in 2024, the rules said make sure have your old planning discretionary approvals, which I believe we went under the 2.97 and we met that requirement, but they did not allocate that year. They change the rules this year and said no not only 2.97 I would like to ideally see building permit, but I think that is too high a bar for anybody to achieve, being building permit ready. But as far as proximity, this year had we submitted the application would have been non-competitive. It would have been 120k in fees to submit an application and so we immediately went to the Housing in Maui and asked can we move this up? Because of the change?

And the House Department quite well with us and there were delayed for whatever reason in Council timing and everything, and here we are today in August, but if it was a perfect world, to your question, which is a perfect question I would have been before you if February if it was my choice. We would have kicked up the plan and would have be able to say September. We're submitting putting us in a much better position that we're today, but really need to get moving otherwise any delay is going to cost us North year.

>> And I saw Member Johnson's hand up. Member Johnson. >> Thank you, Chair. I'm going to ask this question for Director Mitch yell, why was it taking so long to come out of the deterrent?

And come before Council? Why does it take so long to get to Council? >> Mr. Mitchell. >> Thank you, Chair, and thank you Mr. Johnson for the question. I actually reviewed all the email changes this morning on this project and it really wasn't a delay within the Department.

It was a challenge getting it on the Council schedule. So we moved fairly quickly within a matter of two months, the Department. That is the issue. >> So was that. >> Excuse me. >> Go ahead, Chair. >> Give me one second.

I just wanted to ask, you submitted it while we were still in the budget process? >> I think we had budget challenges on the agenda. >> Sorry for interrupting, Mr. Johnson please continue. >> That's exactly the follow-up is you know, why did it take four months to get it on agenda or four to six months to get it on the agenda? Was it budget season? I'm curious what it was our issue was?

>> Thank you, Chair. Thank you, Member Johnson. So budget was a part in the challenge and we had a number of submissions that we came and had delayed a few times to get on the Council agenda. So it was just an issue of timing. >> Any response from the Clerk on that? >> Maybe Pro Tem Kama might have information along those lines? >> I don't have any information, Chair, why it didn't come to the Council sooner than what Mr.

Moanna said. I know when it comes to Council, it gets referred to my Committee. But this came right from Remy, and then you put it on -- Remy sent it to us a couple of weeks ago and you put it on the Council agenda and here we are today. But I don't know anything on that, Chair. >> If I may? >> Yes. >> It's a combination.

Obviously the request had to be properly reviewed by the Housing Department, which they did, you know? Then after that was completed, the documents, legal documents had to be prepared and reviewed because it's a loan, it's not simply a grant. Then we had to work with corporate Counsel and our Counsel also to prepare those documents. That I think took up at least a couple of months if not 2-3 months and then Council was in budget. It was one of those situations that all of the things happened, but it was not a matter that anybody delayed it. It's just the matter, this stuff takes time. It has to be reviewed.

Corporate Counsel has to review it. Our Counsel has to review the comments from corporate Counsel and the description of what you are asking many, many questions about actually has been through the through very carefully, including the word "sale," because it turns out legally and I'm not an Attorney, the leasehold ownership is defined under the word "sale," and gives Corp. Counsel and Housing Authority the ability to allow the

transaction to move forward under tax credit transfer by having that term. Because again, that is the legal term that is encompassing leasehold interest. So it's a lot of matters to work out as always. As a developer, we would us like to move faster, but this is the process that it takes and it takes time to review it and I think between Corp. Counsel and the Housing Authority, they did a very good job in doing their due diligence and reviewing what is being presented before you today to protect the County, protect the fund and make sure this is being utilized in the right manner, and that is I give them credit.\r\n\r\nBut as I said as a developer, I'm hopeful optimistic and always ask for things faster, but that is a genetic fault of mine. So I understand that. I'll just end. >> You know, had if it's the lawyers hold it up, you know, and that is frustrating. But the ping-ponging of application going from here to there that it just has to be a better way. I mean, I just feel like we were done in budget since April and then all of a sudden we have to rush now. I don't know it's like this.\r\n\r\nYou know, we have questions and I'm not rubber-stamp body, so I think we should take time to look at it, but I hear what you are saying. I just want to express myself. Thank you, Chair. >> Member Rawlins-Fernandez. >> Mahalo Chair. So our Resolutions log has this Resolution received on August 18th, 2025 and if I understand everything that is being said, that it was ready before February and that the Administration, the Developer and everyone in Corp. Counsel and everyone involved had eight months to review this and now we're being asked to approve this in less than one hour, which is highly inappropriate.\r\n\r\nThat we're being denied the opportunity for even Committee referral at this point. That whatever discussion took eight months or more that we as the Council, who has the Kuleana to provide a public forum to our community, to be able to hear the discussions on why it took eight months to develop these exemptions, and why -- whatever is being proposed, and considered for our approval is not going to be publicly discussed in Committee. Just because some Committee Members including the Housing Chair does not want to hear what the public has to say about this project does not mean that we should deny them the opportunity to speak, Chair. >> Thank you. >> Mahalo. >> Leave out the commentary. Member Cook.\r\n\r\n>> Thank you, Chair. Thank you for the clarification it surrounds like it's been accepted by Corp. Counsel and been accepted by the Housing Department and it's been thoroughly reviewed. The competitiveness of the LIHTC friends is a perennial issue that we had with these affordable housing projects that funding am I correct that is one of the principal aspects of enabling these projects to move forward. >> It's the Principal and only one available. >> Thank you. So Chair, the Council supported it.\r\n\r\nIt's been vetted by Corp. Counsel and it's been vetted by the Department of Housing. I'm an advocate of us voting on this today and enabling them to move forward, because this is an affordable housing project that is really needed. It's been vetted and I would like to see people able to move-in. Thank you. >> Thank you. >> More discussion?\r\n\r\nVice-Chair Sugimura? >> I appreciate this discussion for clarity on the situation or housing projects that have come before us. What I really like about Highridge Kosta, your construction company, which is a nonprofit, and they are proposing a loan. Projects that come before us wanting grants, you know? Try to get away with having that ability, but I appreciate that. I'm also with an your clarification, the reason why there's an urgency today, because you want to move the project forward and have it ready as soon as possible, because HHFDC will grade us according to our ability to meet certain requirements. And this will take us to the position of being top of mind.\r\n\r\n>> That is correct. Thank you for the question. It is the rating. As soon as this change occurred, we started the

dialogue with the Housing authority in February. As we explained what we need and worked through it, our goal was to get these plans moving and we have started on the plans, by the way, for the record. It is critical to get it moving. It was vetted properly and it was reviewed by all parties so when it comes to you, it's the same loan that you approved >> There's no increase in amount of it's just a matter of time and for the same intended purpose, for the same intended project at the same-levels of affordable and all of the conditions of approval attached but it is imperative, as Council Member Cook mentioned.\r\n\r\nWithout it, it will simply not score again next year, and that is why it was a moot point submitting it this year. It will be pushed to net year. For the record, the State itself on various state agencies, which we happen to work with, including on a project here in Maui, which I won't specify which one, are putting their own money to allow us to advance the drawings. So they can expedite the process to working drawings. On the State projects they are putting their own money up. So if Maui County doesn't compete, other state projects are putting the money up. This is the nature of today's competitive environment in Hawai'i, and we're simply reacting to that, to ensure that this project is needed.\r\n\r\nThis project by the way aside from being critically needed for affordable housing is very important for the Wailuku area, because with you don't see a lot of development in that area. We're working on another state project Hakili Terrace, you cannot relocate the residents to redevelop that site because there's no homes available so this is critical. Those homes are in such dilapidated shape that they need to be acted on. We cannot act on relocating, this is a Mr. Example, two and three-bedroom large families to relocate, some of families, not all of them obviously, to be able to stay within the same District with the same jobs. Aside from the overall need for this project, and we can discuss the various needs, but this is a critical project and this is a critical component aside from the fact that the money is being used before construction and timing, there are no changes to the facts before you from all of the previous discussions and hearings that this Council Council has had. >> You're done with your questions?\r\n\r\nAny more questions? I'm going let the resource people go. Thank you. Any more discussion, members? Member Rawlins-Fernandez. >> Mahalo, Chair. I move to refer this Resolution to Committee.\r\n\r\n>> Second. >> Second. >> Moved by Member Rawlins-Fernandez, seconded by Member Paltin to refer this matter to Committee. Discussion? Member Rawlins-Fernandez. >> Mahalo, Chair. As stated in discussion with the developer, and Housing Director, the deadline to submit the application for LIHTC is February, we're now in August.\r\n\r\nAugust, September, October, November, December, there's time. I take great offense at denying our community members the opportunity to have a voice. I do not support any effort of censoring our people, even if it's painful. That is our Kuleana. That is what we're elected to do, so listen and make space for our people to express themselves, even if we don't agree. This is a Resolution. So there's only one hearing.\r\n\r\nIf it passes today, that is it. It's the only opportunity. As I stated earlier, this -- in discussion, this has been going back and forth for like eight months or something. And now we're being pushed to approve it without it even being referred to Committee. So while a lot of questions were asked here today, there could be other questions, and in hearing the discussion, Members of the public, and community members who testified today did not have that opportunity to hear the discussion, to provide feedback on what they heard in the exchange right now. And so I do not support denying our community members the opportunity to give us feedback. We're elected by the people.\r\n\r\nWe work for the people. So I know it's painful to hear

things that you know -- that is painful. But this project sickens me. It proposes to sever Kanaka from 'aina, that they have stewarded, and have been servant to for generations. And while we acknowledge that there is a need for workforce housing, and affordable housing, that there are a lot of other places and we don't have to deprive Kanaka continuously, especially the government. I did not support any of the motions before this, any of the votes I was in the minority in moving this project through. So when it says the Council, when any statement says the Council approves these things, approves the \$6 million, approved the project for 2.97, I voted against it every time.\r\n\r\nSo I support a public process. I support giving our people their voice and not taking their voice away. So this should be sent to Committee. Mahalo, Chair. >> Any more discussion? If not, Member Paltin. >> If not sent to Committee because Member Kama won't hear it in time, I would also support laying it on the table, so that the folks who testified can now testify on what they heard was the explanation in Council Committee work today, because otherwise the normal process would have been from Council to Committee, back to Council.\r\n\r\nSo they would have had by right three opportunities to testify. So if the vote to send it to Committee doesn't pass, I would hope the compromise would be to let it sit on the table for one more time and have them have a second opportunity to testify. But I will support this here. >> Any more discussion? If not, roll call. Member Uu-Hodgins? >> Thank you, Chair.\r\n\r\nI will not be supporting this. I'm okay to pass this today. I think this is probably why we have an affordable housing crisis is because it takes so long to get things permitted. I understand it took a little while to get to this point, but at the same time, we have ability right now to make it happen, to ensure that it doesn't take longer to house people. I don't know where the cognitive dissonance is when we say we support affordable housing and then we prevent it all the time. I know this is a struggle and I get it and I am not saying this is an answer, but sometimes I find the struggle when we say we support affordable housing, but we know it's expensive. We know the project takes a long time and it takes a long time to even get it to right now and where we can discuss it.\r\n\r\nI'm okay if we wanted to hold it one more time, to give the people an opportunity, and I would prefer to pass it today, but in the spirit of compromise, I'm okay with that. I don't want people to feel like we won't want to hear from them. Because we do, we have discussed this project ad nauseam at this point I feel. But if we must hear it one more time, I'm okay with that because I'm not trying to license people, but at the time, this is why things are so expensive. That is why we have a housing crisis. It's not just represented in the project. But it's represented time and time against when we discuss projects so I'm going to be voting no today, but I understand.\r\n\r\nBut for me, it's going to be a no. Thank you, Chair. >> Pro Tem Kama. >> Thank you, Chair. So for my discussion, I just wanted to say that the Council meets twice a month. The Committee meets twice a month, some more often than others. But those are all opportunities for our constituents and our community to weigh-in on any matter that they would like to.\r\n\r\nThey have all of these opportunities to, and so I don't want to feel like I don't want to listen, I don't want to hear from people have to say, just the opposite. But everybody has an opinion about everything. And not everybody is right about anything. But we were elected, because people trust our judgment. They trust our judgment, even if we don't trust each other, they trust our judgment and you look at election time we run and you look at people every time who voted for you. Those are the people that are saying I understand you are my Representative and I'm okay with that, and they elect you. Sometimes not the same people that vote for me or you or each other.\r\n\r\nBut

nonetheless, they have those opportunities to speak, and many of them do. They come here all the time. We have the same letters from the same people, the same phone calls from the same people. We're not silencing anybody's voice. If anything, this Council probably is probably the most lenient of Councils for all the time we give people and the transparency to make Shuber that it's clear for our people. So I just wanted to say that and put that on the record, Chair. Thank you.\r\n\r\n>> Thank you. Member Sinenci and Member Johnson mahalo, Chair. I'm supportive of the motion, but if it doesn't pass, I too, would be open to keeping it on the table for next time, Chair. I do appreciate you allowing us to ask our questions on the floor. I mean, I would still want to ask a little bit more. My hesitation though, I often drive through Happy Valley. And during two times during the day, that road is very congested.\r\n\r\n\r\nAnd that was one of the reasons why I didn't support the project in the first place. And I would want to, to your suggestion, Chair, look into getting another access, just for safety reasons. We just saw the tsunami warning evacuation, and that was tell-tale sign of how things could happen, did we have an actual emergency. So this area, for me, yeah, it's housing, but also to make sure that our residents are safe, and able to evacuate, you know? And should there be a reason to. So those are my thoughts. Thank you.\r\n\r\n\r\n>> Member Johnson. >> Thank you, Chair. So I support this motion on the floor. Sending it back to Committee, if you guys recall, this was a lot of discussions that really went unresolved. The traffic that Council Member Sinenci mentioned, I don't see it has changed anything, if anything, has gotten worse. Title ambiguity, land swap proposal, all of these things, maybe we could moved needle on some of them? When we look at affordable housing projects in total, nuance is needed.\r\n\r\n\r\nOur job is to look at nuance and say this is a really good project, but here the negative and this project no can. Nuance is needed and just blank approving things and I feel like we have been getting into the weeds of blanketing approving projects. You know? Look at 111, I said it before and really think it's true. The Council, the County we should be looking as investors we're putting in affordable housing funds loan or grants. It's still big chunks of change to look at us as investors as going to add more people to the topic to this discussion, to this project, the lineal descendants of what area should be considered as investors as seat at table with their needs and desires are for these projects. I think it's really important and we're missing with developers and wish the builders would look at the County Council as and the County in general as investors, but also look at lineal descendants as well.\r\n\r\n\r\nSo those are my points, I really think this should go to Committee. If not, I will support the compromise. Thank you, Chair. >>s Member Cook. >> Thank you. Thank you, Chair. I won't be supporting the motion of today the agenda was approving exemptions and the modifications or requirements.\r\n\r\n\r\nWe heard perfect both the developer, the Housing Director, if we want affordable housing, and this project, then we pass this today and we move forward. If we go back into Committee and rehash it and basically what I have heard from my colleagues is basically rehashing things that we spent days and weeks on, and the public had copious amount of input. It was very contentious. I look at the Council as an investor and I look at the Council also as an impediment. Maui County -- Maui County Council has a reputation of basically being supportive verbally of affordable housing, but making it extremely difficult to do affordable housing. I would like to vote on the Amendment, and vote on the main motion and move on. Thank you.\r\n\r\n\r\n>> Vice-Chair Sugimura. >> Thank you. Thank you for this opportunity to discuss this. I am going to be voting against the motion. You know, as the other members have spoken about, we have had had a lot of

opportunity to share our thoughts as well as to hear from the community. And I believe that we have not silenced people that they have come forward today, and you know, in other meetings and we hear them. It's a decision that is greater than this body to make.\r\n\r\nAnd so let that rest, and be decided, you know, outside of this Council. So today for the motion that is before us, I totally support what is being recommended, but for this particular motion, to send it to Committee, I'm going to be voting no. >> Anybody else? Member Rawlins-Fernandez? >> Mahalo, Chair and mahalo Member Uu-Hodgins for your willingness to compromise. We have had affordable housing project and workforce housing projects that have been completed like within 2-3 years very quick, when there's a lot of support that things just move and fall into placing, such as Aiko 'Ohana projects and we can save them all the time and they move quickly. There's a lot of community support.\r\n\r\nThey do the work, they find the appropriate land, and so when there's opposition, they just listen to the community, instead of like steamrolling the community, because it costs more money. And then what? The final product ends up costing more money and then we blame ourselves, the Council, the government, we blame the community for being Nimby's, but at the very forefront of the project, it was told don't do the project. It's not going to be built or it's going to cost more money, so you know, listen to the community, yeah I do. I support work force housing, I support affordable housing, but not along the Shoreline, not in Firer or blood-prone areas, not in wetlands, not in Wahi Pana not in stolen land, not in Kuleana land, not to displace Kanaka so I don't support workforce housing or affordable housing at any or all costs. They must make sense and they must be responsible to our people. When we take items to Committee, the public has an opportunity to hear the presentation and discussion before providing their testimony.\r\n\r\nIn Council, they don't get that same opportunity. So we're denying them the details that they just heard in the exchange. So I can count, the motion is not going to pass. But it sounds like we'll be and to have it at the next Council Meeting, which is bare minimum, I think. So I'm going to still support my motion, and will be supportive of it staying on the Clerk's desk, I guess, at the very least. Mahalo, Chair. >> Members, any more questions or comments?\r\n\r\nI want to call for roll call right now. >> Chair? >> Sorry, Member Kama. it's hard for me to see you, because there's a message right over your face. I keep trying to close it, but it doesn't go away. >> That is why you have to keep watching Tamara. >> That is why I asked Staff to let me know if I missed somebody's hand, because there's this message that says, "you no longer can share your video, your camera has been disabled." Right over your head.\r\n\r\nSo I can't see you when you raise your hand. Go ahead. >> Thank you. I just wanted to bring us back to where we started from the beginning. That the project itself is not the subject of the action we're taking. What we're taking up today is strictly about the financing of the project. Doesn't have anything to do with what we debated yesterday, last week, last year.\r\n\r\nIt's only about financing. That is all it is. And that is all we want to do is just let the financing go through so that housing can be built for our people. Thank you, Chair. >> Any more comments? Questions? If not, roll call.\r\n\r\n>> Council Member Pro Tempore Tasha Kama? >> This is whether or not to defer or refer this matter to your Committee? >> No. >> Vice-Chair Sugimura? >> >> Council Member Paltin? >> Aye. >> Council Member Johnson?\r\n\r\n>> Yes. >> Council Member Rawlins-Fernandez? >> Aye. >> Council Member Cook? >> No. >> Council Member Uu-Hodgins? >> No.\r\n\r\n>> Council Member Sinenci? >> Aye. >> Council Chair Lee? >> No. >> Chair, there four ayes, five nos, motion fails. >> Now we're on whether or not -- Member Rawlins-Fernandez? >> I didn't mean to cut you off, Chair.\r\n\r\n>> I

was just going to bring up whether the members would consider leaving this matter on the Clerk's table, or anything else? >> Yes. >> Or further objections to that? Let's hear it, Member Cook. >> My preference would be to vote on it today. I think it's been discussed in detail. It's been expressed to us that timing is important.\r\n\r\nThe LIHTC projects are extremely competitive with the Federal government, the changes that we have seen, the funding for these projects is extremely expensive. Maui County's contribution by comparison is small, but it's profound in its impact. So I would prefer to vote on it today, and the fact that it is what is on the agenda is what we're voting on is exemptions, et cetera, that are then validated, clarified by both the housing Department, and the developer, and I would like to honor their efforts today by passing this. >> Thank you. But you already heard Member Nohe -- Member Uu-Hodgins say she is going to support it. So let's not spend a whole lot of time on it. Member Sinenci.\r\n\r\n>> Thank you, Chair. I believe we just took a vote on it to move it forward, but it's been approved, but just to keep it for one more time, correct? >> Yes, the final vote on the Resolution itself would wait until the next Council meeting? The vote we just took was on my motion to refer it to Committee. It wasn't the main motion to adopt the Reso. >> Got it. Thank you for the clarification.\r\n\r\n>> Was there another hand up? Vice-Chair, I think I saw your hand up. >> I think Member Cook was very clear, so I'm ready to vote and move this forward. >> Members, Member Uu-Hodgins didn't you say that you would support leaving this on the Clerk's table? If that is true, the vote would be 5-4 the other way, okay? So why go through all the drama? Okay?\r\n\r\n>> Yeah. >> I would prefer to vote on this now. Don't get me wrong, but in the effort to find some sort of compromise for the community, and this Council, I'm happy to leave it on the next agenda. That is not my first option. But I realize I don't like to fight with my Council Members. This is unnecessary. I would rather find a way to happily find a way to make us all a little bit unhappy and to find a way forward.\r\n\r\nSo if we must hold it to the next agenda, which is September 8th, I'm okay with it. Because it gives us space to work politely with each other for the rest of the day and the rest of our working life. But fighting over all of this stuff for me is not worth it. That is for this project and other things moving forward. >> I this -- I think we all agree with you, nobody likes to fight over these things. Everybody is entitled to a different point of view and how we handle, and we have thousands of issues before us. So save your energy everybody.\r\n\r\nMember Cook? >> Thank you, Chair. Could you clarify what that would entail for the developer and the Housing Department as far as we're going to postpone it? Is it a Public Hearing? Is it a discussion? To what extent -- what is going to occur? >> What is going to occur is we would leave it on the Clerk's desk for the next Council Meeting in two weeks or so and bring it up and have the same discussion.\r\n\r\nBut the folks who have been watching this meeting have learned From the discussions of the developer, and the Housing Director that they explained, they explained why the conditions are necessary. So that information was not probably clear to the public before, which should be clear now, and that may trigger more questions from them, or more discussion? >> To the public or us either? >> The public or us. Okay. Yes, Mr. Cook.\r\n\r\n>> So the testimony and questions would be regarding the exemptions. >> We would hope that the community- >> No redoing the entire project. Well we can't stop that, you know? We would hope whomever testifies the next time will focus on the four items, the conditions that are before us, and not the land title or anything that is not on the agenda. Okay. >> Chair? >> If there's no objections, yes, Member Kama.\r\n\r\n>> So I just want to

clarify what I thought Tom was saying is that the testimonies should only be on the financial aspect of this Reso, and not on the project itself. Is that correct? yes.
>> Yes. >> I just want to be clear about that, because whatever finances going on wen all of those guys and HHFDC is all on them and just like whatever finances have got going that is on you, I don't have my business in your finances unless they lean over into Council business and stuff like that. But I just want to be clear about that, this is about a financing exemption and what we're talking about is a project that has been debated and voted, and I thought was put to bed, but I don't want to do this again, Chair. >> I realize that.\r\n\r\nNot everybody wants to vote on the final vote today, and in spirit of compromise, what we're trying to do is give it one more time, one more hearing, in the sense that it will be brought up at the next Council meeting. Okay. So if there are no objections, recommendation by the Chair is to postpone this matter until the next Council Meeting. >> No objections. >> I have a question, Chair? >> Yes, Member Kama. >> So you have a motion on the floor; right?\r\n\r\nBecause I made the motion. Why did you dispose of that motion or just leave it hanging? >> We just leave it as-is. >> Okay. >> All right, Member Rawlins-Fernandez. >> Mahalo, Chair. I think that motions are all disposed of when we adjourn the meetings and they don't carry over to the next meeting.\r\n\r\nI mean it's not hard to make the motion again on September 8th. >> Well, we have done it before. David? >> I think that is a question for OCC. Thank you. >> Generally, the new rules Rosenberg is silent on motions that remain live for tabled items. However, in past practice, the maker has withdrawn the motion and the seconder has withdrawn.\r\n\r\n>> In this case, if there's no explicit rule against it, this is how it's going to be. Member Rawlins-Fernandez. >> Mahalo, Chair. So my question for Ms. Thompson then, Deputy Clerk, is would it be preferable if I make a motion to set it on the Clerk's desk or to postpone to September 8th meeting? And then that would then supersede the main motion? >> You know, I wouldn't mind consulting with OCS on whether it would supersede the motion?\r\n\r\nBut Rosenberg does talk about tabling, and being a simple majority vote. If there's consensus though, I don't see the need to take that vote. >> The question is whether the motion would -- so you are saying that the motion would just stand for September 8th? >> Correct, unless withdrawn. >> Okay, whatever. >> All right, that takes care of that item and so that brings us to when is next one? We're still on Ordinances and we'll be there for a while.\r\n\r\nHow about taking a short ten-minute break? Okay until recess until 11:11. Recess. >> Will the August 26th, 2025 Council Meeting please reconvene. It's 11:27, a.m. Ms. Clerk. >> Thank you, Madam Chair. If we could take care of one housekeeping matter and request that Vice-Chair Sugimura move to suspend the rules relating to rule 19 that is Amendment at final reading for resolution 25-166. >> So Vice-Chair Sugimura.\r\n\r\n>> Took the words right out of my mouth. So moved. Need a second. >> Second. >> Okay. >> Thank you. >> All right.\r\n\r\nMoved and seconded. Moved by Member Sugimura, seconded by Pro Tem Kama to -- was it suspend rule 19? >> Yes. >> Suspend rule 19. Discussion, Vice-Chair Sugimura. >> Thank you. We did not make that motion at the appropriate time. So thank you. >> Okay.\r\n\r\nAll those in favor of the motion, please raise your hand, say aye. >> Aye. >> Okay. Let's see, who is missing? We have eight -- somebody is missing. I see eight. Somebody is missing?\r\n\r\n>> Shane is there. >> Keani? So there's nine, is there nine? Okay. Nine ayes, zero nos, motion carries. >> Thank you. >> Ms.\r\n\r\nClerk. >> Chair, we're moving on to Ordinances currently there is no one signed up to testify on Ordinances on today's agenda. So we'll go ahead and give last call for any testimony on Ordinances. Counting down, 3, 2, 1. Chair, there's no one to testify on

Ordinances. >> Any objections to closing public testimony and accepting written testimony on Ordinances? >> No objections. >> So ordered.\r\n\r\nMs. Clerk Saturday thank you, Chair. Before you is Bill 115 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 budget appendix a part 1 Department of the prosecuting Attorney, Edward J. Byrne Memorial Justice Assistance Grant inserting conditional language for 0.9 LTA equivalent personnel. >> Vice-Chair Sugimura. >> Thank you. May I ask the Clerk also call up Bill 116 and 117. >> Vice-Chair, if you don't mind, because you have an ASF on the next one, can we just do them one at a time? Might be faster.\r\n\r\n>> I don't have an ASF. >> Do you have an ASF? >> In my notes, intends to adopt will amend via distributed via ASF. >> For what Bill? >> 116. You don't have it? Why don't we skip that and move on, Ms. Clerk, 115, you called that up already.\r\n\r\nVice-Chair, let's handle that one. >> You want me to do it one by one? >> Yes. >> I don't have an ASF. >> Let's do 115. >> I move to pass Bill 115 (2025) on first reading. >> Second. >> Moved by Vice-Chair Sugimura, seconded by Pro Tem Kama to pass Bill 115 on first reading.\r\n\r\nDiscussion, Vice-Chair Sugimura. >> Bill 115 has language Appendix A, Part 1 of Fiscal Year 26 budget to authorize up to .9 limited-term appointment person until under the Prosecuting Attorney ensures Grant Funding he be used for this position. >> Byrnes. >> Yes. >> Sorry, I said Bryan. >> Any more discussion? All those in favor of the motion to pass Bill 115 on first reading these raise your hand, say aye.\r\n\r\n>> Aye. >> Assuming nine ayes, zero nos, motion carries. Ms. Clerk. >> Thank you, Madam Chair and just on Bill 116, the advanced notice that we got relate to an Amendment to correct the Tax Map Key number, if that helps. Would you like me to skip that and go to 117? >> Okay. >> So Bill 117 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 budget Appendix A, Part II plan review processing and inspection revolving fund Fire increasing the appropriation for equipment by \$10,289. >> Vice-Chair Sugimura.\r\n\r\n>> Thank you, I move to pass Bill 117 (2025) on first reading. >> Second. >> Moved by Vice-Chair Sugimura, seconded by Member Cook to pass Bill 117 (2025) on first reading. Discussion, Vice-Chair Sugimura. >> Bill 117 increases the equipment appropriation for the Fire Department plan review processing and inspection revolving funds by \$10,289. The increase is needed because vendor bid for an SUV came in higher than the originally budgeted and ask for Members' support of this motion. >> Any more discussion? If not, all those in favor of the motion to pass Bill 117 (2025) on first reading, please raise your hand and say aye?\r\n\r\n>> Aye. >> Nine ayes, zero nos, motion carries. Okay. Now going back to 116. David, Peter Hanano? >> Yes, Chair. So I think initially there's some intention to submit an ASF to Clerk team Member and I think in the actual Bill there's a correction that is made. >> Okay.\r\n\r\nAll right. So let's go back to that one. >> Thank you. Chair, before you is Bill 116 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 budget Department of Housing, Housing program emergency transitional housing updating the geographical reference. >> Vice-Chair Sugimura. >> Chair, thank you. I move to approve Bill 116 on first reading.\r\n\r\n>> Second. >> Moved by Vice-Chair Sugimura, seconded by Member Cook to pass Bill 116 (2025) on first reading. 116. Vice-Chair Sugimura, discussion? >> Bill 116 corrects the Tax Map Key for property that would be purchased by Maui Grassroots Collective, Inc. under the emergency transitional housing appropriation. This technical correction ensures appropriation is tied to the correct parcel. That's it.\r\n\r\n>> Any more discussion? >> Yes, Chair. >> Mr. Johnson. >> Thank you, Chair. I just wanted to mention that I seconded, it was one of my priorities and I think it's an important model that the County can look at to follow to kind of have nonprofits work with

nonprofits on purchasing homes within residential Districts that could help service the needs of these people who need it the most. Thank you, Chair.\r\n\r\n>> Thank you. So let the record show that Member Johnson seconded that motion. Ms. Clerk. >> Mahalo, Chair. >> All those in favor of the motion, raise your hand, say aye. >> Aye.\r\n\r\n>> Nine ayes, zeros no, motion carries. >> Thank you. >> Ms. Clerk. >> Thank you, Madam Chair. For referral to the Government Relations, Ethics, and Transparency Committee is Bill 118 (2025) a Bill for an Ordinance repealing Chapter 2.39 Maui County County on the Commission on Children and Youth. >> Any objections to referring the matter to the Great Committee?\r\n\r\n>> No objections. >> So ordered, Ms. Clerk. >> Chair, for referral to the Water Authority, Social Services, and Parks Committee is Bill 119 (2025) a Bill for an Ordinance amending Section 9.36.040 Maui County Code on penalties for prohibited noise violations. >> Any objections to referring this matter to the Wassap Committee? >> No objections. >> So ordered.\r\n\r\n>> Moving to Ordinances for second and final, before you is Bill 95 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 budget Council Services program Office of the County Council for Amendment No. 1 to grant G5401 Sustainable Moloka'i. >> Ms. Rawlins-Fernandez. >> Thank you, Chair, I move to pass Bill 95 on second and final reading. >> Second. >> Moved by Member Rawlins-Fernandez and seconded by Vice-Chair Sugimura to pass Bill 95 on second and final reading. Member Rawlins-Fernandez.\r\n\r\n>> Mahalo Chair and Members for your support, and for the testimony providing some information asked for at first reading, and also saw the final product that Miss Williams, Ms. Mokuia worked very hard on and with an outstanding presentation that they gave in my Komike aloha 'aina and anyone wishing to see that final product can go to the recording of that meeting last week Thursday available on MauiCounty.US/agendas. >> Member Sinenci. >> Mahalo, Chair. I rise in full support of this motion. And yes, mahalo to the Grassroots Collective for such an awesome excuse me, Sustainable Moloka'i. And they did an awesome job with the video and just an example on seeing our taxpayers money going towards a good project and especially when looking towards going into the future, and setting a precedent for their own community so very appreciated. Thank you.\r\n\r\n>> Yes, our friends on Moloka'i are ahead of their time. Any more discussion? >> Real quick, Chair. Somewhat related to this item. >> Okay. >> Ms. Buchanan did hear your opening remarks and sends her Aloha and mahalo to her favorite Council in the whole wide world.\r\n\r\nMahalo, Chair. >> Love to hear that. Love to hear that. Any more discussion on this item? If not, all those in favor of the motion, raise your hand, say aye. >> Aye. >> Nine ayes, zero nos, motion carries congratulations Member Rawlins-Fernandez.\r\n\r\n>> Mahalo, members. >> You had a lot to do with this, we know. Ms. Clerk. >> Chair, before you is Bill 96, FD 1 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 budget Appendix A, Part 1 Department of the Prosecuting Attorney Victim-Witness Assistance Program, increasing the appropriation by \$126,796. >> Vice-Chair Sugimura. >> If there's no objections, may I please request the Clerk also call up Bill 97 FD (2025) and Bill 98 FD 1 (2025). >> No objections. Ms.\r\n\r\nClerk. >> Bill 97 FD 1 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 budget Appendix A, Part 1 Emergency Management Agency FEMA Hazard Mitigation Grant Program, P HMGP appropriation of \$54,496. And Bill 98 FD 1 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 budget Department of Management, Office of Recovery Program, decrease category B by \$25,000 and office the Mayor Administration program Boys and Girls Club of Maui, Inc. for 2025 Ka Pewa youth leadership summit new appropriation of \$25,000. >> Vice-Chair Sugimura. >> I move to pass Bill 96 FD (2025), Bill 97 FD 1 (2025) and Bill 98 FD (2025) on second

reading. >> Second. >> Moved and seconded. Discussion, Member Sugimura.\r\n\r\n>> No further discussion. >> Any more discussion anyone? If not, all those in favor of passing these three bills on second and final reading please raise your hand, say aye. >> Aye. >> Nine ayes, zero nos, motion passes. Ms. Clerk.\r\n\r\n>> Final Bill 108 (2025) a Bill for an Ordinance authorizing the Mayor to enter into an Intergovernmental Agreement with the U.S. Geological Survey, Pacific Islands Water Science Center, United States Department of the Interior for water resources investigations. >> Member Cook. >> I move to pass Bill 108 (2025) on second and final reading. >> Second. >> Moved by Member Cook, second by Vice-Chair Sugimura to pass Bill 108 (2025) on second and final reading the discussion, Member Cook. >> Thank you, Chair. Your Water and Infrastructure Committee held a rule 7b discussion on Bill 108 at our August 18th, 2025 meeting.\r\n\r\nThe agreement supports data collection, and scientific studies that inform water Planning, watershed restoration and drought resilience. I respectfully ask the Members' support of my motion. >> Any more discussion? If not, all those in favor of the motion, please raise your hand, say aye? >> Aye. >> Nine ayes, zero nos, motion carries. That brings us to the end of the calendar.\r\n\r\nAny more business, Ms. Clerk? Mr. Raatz? Members? Okay. Then this meeting is adjourned.\r\n\r\nIt's 11:41.