

# MINUTES

of the

## COUNCIL OF THE COUNTY OF MAUI

October 20, 2017

THE REGULAR MEETING OF THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, WAS HELD IN THE COUNCIL CHAMBER, KALANA O MAUI BUILDING, WAILUKU, HAWAII, ON FRIDAY, OCTOBER 20, 2017, BEGINNING AT 9:00 A.M., WITH VICE-CHAIR ROBERT CARROLL PRESIDING.

VICE-CHAIR CARROLL: This Council meeting of October 20, 2017 will come to order.

Clerk, roll call.

### ROLL CALL

PRESENT: COUNCILMEMBERS ALIKA ATAY, ELEANORA COCHRAN, S. STACY CRIVELLO, DONALD S. GUZMAN, KELLY T. KING, YUKI LEI K. SUGIMURA, AND VICE-CHAIR ROBERT CARROLL.

EXCUSED: COUNCILMEMBER G. RIKI HOKAMA, AND CHAIR MICHAEL B. WHITE.

*(Councilmember Hokama was not present when the roll was called; however, he arrived at 9:05 a.m.)*

DEPUTY COUNTY CLERK JOSIAH K. NISHITA: Mr. Chair, there are seven Members present, and two Members excused. A quorum is present to conduct the business of the Council.

VICE-CHAIR CARROLL: Thank you.

We'd like to call on Ms. Cochran this morning for our opening remarks.

## OPENING REMARKS

The opening remarks were offered by Councilmember Elle Cochran.

VICE-CHAIR CARROLL: Thank you, Ms. Cochran.

If all could please rise for our Pledge of Allegiance.

## PLEDGE OF ALLEGIANCE

The Members of the Council, and others in attendance, rose and recited the Pledge of Allegiance.

VICE-CHAIR CARROLL: Before we proceed, if anyone has any cellphones or anything else that makes noise that would disturb the proceedings, please put it on the silent mode or turn it off. Decorum will be in effect at all times during this meeting.

Mr. Clerk.

DEPUTY COUNTY CLERK: Mr. Chair, proceeding with the presentation of testimony on ceremonial resolutions. The first person to testify is Dr. Keola Donaghy. He will be followed by Trinetta Furtado.

VICE-CHAIR CARROLL: When you come to the podium, please identify yourself by name and any organization you might be representing.

(Councilmember Hokama arrived at the meeting at 9:05 a.m.)

## PRESENTATION OF WRITTEN OR ORAL TESTIMONY

DR. KEOLA DONAGHY:

Mahalo. Aloha pumehana kakou. My name is Dr. Keola Donaghy. I am the faculty coordinator for music studies, as well as the Institute of Hawaiian Music Program at University of Hawaii, Maui College. I'm also a member of the Board of Governors of

the Hawaii Academy of Recording Arts, which produces the annual Na Hoku Hanohano Awards, and which honored Kumu Keli`i Tau`ā with its highest honor; the Lifetime Achievement Award, just this past Saturday. This award was recognition of Kumu Tau`ā's lifetime of achievement as a chanter, composer, and cultural resource.

He began in the 1970's, was a product of famed Kumu Maiki Aiu's Halau, and continued her tradition of teaching and still does to this day. Here on Maui he was a life, or a long-time resident, deeply involved in many Hawaiian programs and projects. An educator, he taught at Maui, or then, Maui Community College, now UH Maui College. He was also essential of the founding of the Institute of Hawaiian Music Program, along with Uncle George Kahumoku Jr., and which later became my kuleana having the opportunity to devote on the long, long, and solid foundation that the two of them established for it.

On a personal note, my own, how do I put it, career trajectory, 25 years ago, I was a humble guitar and keyboard sound system salesman at Nadine's Music in Kahului. And just a few chance conversations with Kumu Tau`ā about Hawaiian culture and my curiosity, he ended up introducing me personally to Hokulani Holt. And which began me working as a, again, humble assistant, unpaid pre-school teacher at the Punana Leo O Maui. I ended up moving to Hilo to work for with the Aha Punana Leo O Ka Haka `Ula O Ke`elikolani College of Hawaiian Language. So, my now 25 years of participation and the efforts to revitalize the Hawaiian language and perpetuate Hawaiian music really began with, with those conversations with Kumu Tau`ā. So, I humbly request that you folks honor him with this, and, and support the Council resolution.

And, unfortunately, he had to book his flights for our awards, and before learning of the date being set here, so he was unable to attend. But, I, I spoke with him last week, and he is truly grateful for the accolades that are given to him. And, for health reasons, he's now residing in the Pacific Northwest. But, I appreciate your folks consideration of this resolution, and hope that you will choose to honor him as worded in the resolution. Mahalo nui.

VICE-CHAIR CARROLL: Thank you.

Mr. Chair, I mean, Mr. Clerk.

DEPUTY COUNTY CLERK: The next testifier is Trinette Furtado. Ms. Furtado is the last individual who has signed up to testify in the Council chamber.

MS. TRINETTE FURTADO:

Aloha mai kakou, Chair and Councilmembers. My name is Trinette Furtado, and I come from Hamakualoa, Maui. I am testifying on the ceremonial resolution for Kumu Tau`ā. Though I personally have not been a student of his, I have benefitted along with the rest of our community, I believe, in all of the different things that Kumu has done throughout the years.

In his coaching of athletics, in his teaching of Olelo Hawaii, and Mea Hawaii, you don't need to have been a direct recipient of that. Many of his students continue to express the same aloha, the same `ike that he has. And it's very apparent today as, even though he's not here with that Lifetime Achievement Award from the Na Hoku Hanohano Award people, it's very apparent that, that even though he's not here, he really doesn't need to be here for all of his `ike, for everything that he's gained from his kupuna to be passed on.

And so, I hope that you will favorably consider and vote on this resolution to, to celebrate Kumu Tau`ā today. Thank you very much.

VICE-CHAIR CARROLL: Thank you.

Mr. Clerk.

DEPUTY COUNTY CLERK: Mr. Chair, there are no further individuals signed up to testify in the Council chamber nor the District Offices on ceremonial resolutions. Shall we close testimony on ceremonial resolutions?

VICE-CHAIR CARROLL: No objection, we'll close testimony on ceremonial resolutions. Ceremonial resolutions is now closed.

Mr. Clerk.

DEPUTY COUNTY CLERK: Mr. Chair, proceeding with ceremonial resolutions.

CEREMONIAL RESOLUTIONS

RESOLUTION  
NO. 17-146

CONGRATULATING KELI'I TAU`Ā FOR BEING  
AWARDED A HAWAI'I ACADEMY OF  
RECORDING ARTS LIFETIME ACHIEVEMENT  
AWARD

VICE-CHAIR CARROLL: Mr. Atay.

COUNCILMEMBER ATAY: Chair, could I request the Clerk to read the complete resolution?

VICE-CHAIR CARROLL: Mr. Clerk.

DEPUTY COUNTY CLERK: Mr. Chair, if we could have a motion on the ceremonial resolution first.

COUNCILMEMBER ATAY:

I MOTION THAT.

VICE-CHAIR CARROLL: Been moved by Mr. Atay.

COUNCILMEMBER CRIVELLO:

SECOND.

VICE-CHAIR CARROLL: Seconded by Ms. Crivello.

*(The resolution was read in its entirety.)*

VICE-CHAIR CARROLL: Mr. Atay.

COUNCILMEMBER ATAY: Chair, with great honor I, I support this resolution. When they say Lifetime Achievement Award, my relationship with Kumu Tau`ā dates back some 50 years, when he was my 8<sup>th</sup> grade, 9<sup>th</sup> grade basketball coach at Kamehameha Kapalama.

But, throughout the years, his commitment to Hawaiian culture in the practice of music created such albums as "Hokule`a", performed with such groups as Na Keonimana; all of these all recognized in the Hawaiian Music Hall of Fame. His involvement with the voyaging canoe Hokule`a dates back to the original days. He was the Kahu that presided and oversaw the various protocol ceremonies that the voyaging canoe Hokule`a took place, and participated in for many, many years.

So, his involvement and support of advancing, or upholding the traditions of the Hawaiian culture carried on here on Maui. It's to note that Keli`i Tau`ā comes from a Maui ohana; the Tau`ā ohana. So, today, as we honor Kumu Tau`ā, we also honor the family of Maui. He's a keiki o Maui Tau`ā.

He was also involved in leading the revival of Hawaiian outrigger canoeing. Also, participating in allowing the people of Maui to believe that their practice of going up to the mountains, and gathering and cutting down koa trees, and working together, and pulling those logs out of the mountain to be fashioned into active used koa canoes in the racing competition. So, he's connected to supporting Kihei Canoe Club with their canoe, Hawaiian Canoe Club with their koa canoe, as well as Hana Canoe Club with their canoe. So, because of his, not just music, but deep, deep cultural involvement with our island, we also honor in this, his Lifetime Achievement Award.

VICE-CHAIR CARROLL: Any further discussion on the resolution?

Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair. I would like to mahalo Councilmember Alikea Atay for recognizing this, you can't find the words to describe all of his contributions, not only to our Hawaiian culture, but I believe to the world. Because the Hokule`a became a symbol of, of who we are, where we, we, where we came from.

So, to be able to be part of this recognition, I am thankful that this will further deepen his footprints into the soils of Hawaii. And music, we know no matter what the language of music is a universal connection and language for all of us to be able to connect. So, his, his footprints are worldwide.

So, I congratulate and I mahalo, mahalo our Kumu for his contributions. And, and also mahalo his family for, for the ongoing support. And may, may God's grace always be upon him. Thank you.

VICE-CHAIR CARROLL: Thank you.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: I would like to also thank Mr. Atay for bringing forward this resolution. And I was so grateful to see him at the Maui Native Hawaiian Chamber conference that just happened. And, I mean, he's amazing. He was there in spirit and everybody honored him there too.

I would also like to mention besides all the accolades presented by the last two, I would, my last colleagues, I also wanted to mention it was nice to hear Keola Donaghy speak this morning in his behalf. And I would like to also say that he's probably a living testament of really the strength of, and the legacy of what is, is being left behind because of all of the good work that he does. So, I would like to also thank

Mr. Donaghy, and for him to continue on with his mission, and to helping Hawaiian music and culture. Thank you.

VICE-CHAIR CARROLL: Thank you.

Any further discussion on the resolution?

Seeing none, I would say before we close, that I've known him for, well, a very, very long time. And it was always an honor to do different activities and be involved in different organizations that he was with over the years. And he always had extraordinary integrity in everything he did to make sure that everything he did was right in the eyes of God, in the eyes of people.

Having no further discussion, all in favor of the resolution please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND VICE-CHAIR CARROLL.

VICE-CHAIR CARROLL: Opposed.

NOES: NONE.

EXCUSED: CHAIR WHITE.

VICE-CHAIR CARROLL: Motion carried; eight "ayes", one "excused"; Mr. White.

COUNCILMEMBER ATAY: Chair.

VICE-CHAIR CARROLL: Mr. Clerk.

COUNCILMEMBER ATAY: Chair.

VICE-CHAIR CARROLL: Oh, excuse me.

COUNCILMEMBER ATAY: Could I ask to have Kumu Tau`ā's representative, Kumu Keola to come forward to receive this resolution, as well as a lei of aloha?

VICE-CHAIR CARROLL: Please come forward.

Yes, proceed.

DR. KEOLA DONAGHY: Just want to express my gratitude. And I especially appreciate the comments of Council person Sugimura and Councilmember Atay also. Who was the earlier one? I'm sorry the--

COUNCILMEMBER CRIVELLO: Crivello.

DR. DONAGHY: I'm, I'm sorry, just a bit speechless right now. But, I accept this with gratitude on Kumu Keli`i's behalf and we'll see that it makes its way to him promptly. Thank you for your support of this.

VICE-CHAIR CARROLL: Thank you.

Clerk.

DEPUTY COUNTY CLERK: For the record, RESOLUTION 17-146.

RESOLUTION  
NO. 17-147

CONGRATULATING KIMBERLY YAP FOR BEING  
CROWNED MISS HAWAII FILIPINA 2017

VICE-CHAIR CARROLL: Ms. Cochran.

COUNCILMEMBER COCHRAN: Chair, thank you very much.

I MOVE TO ADOPT THE PROPOSED RESOLUTION  
ENTITLED "CONGRATULATING KIMBERLY YAP FOR BEING  
CROWNED MISS HAWAII FILIPINA 2017".

COUNCILMEMBER KING:

SECOND.

VICE-CHAIR CARROLL: Been moved by Ms. Cochran, seconded by Ms. King.

Ms. Cochran.

COUNCILMEMBER COCHRAN: Chair, thank you very much. And may I please request that the Clerk read the reso in its entirety?



VICE-CHAIR CARROLL: Mr. Clerk.

*(The resolution was read in its entirety.)*

VICE-CHAIR CARROLL: Ms. Cochran.

COUNCILMEMBER COCHRAN: Chair, thank you very much. And, I'm looking for support of this resolution this morning. I mean, if, you'll be seeing her soon, but she's just beautiful at such an early hour. I'm like, I don't know how you do that, but that's why you're Miss Filipina 2017, Hawaii Miss Filipina.

So, yes, this is a lot of pride and honor to this island, and in particular West Maui; Lahainaluna grad here. So, mahalo. But, it takes a lot of hard work, I know. And so, look at her, she's in college, so kept up her school work, and you know, everything else. The family, too, takes all the support to get her to where she is. So, I just am so happy to be here to honor, and thank, and give all the gratitude to everyone for keeping us at the forefront and making sure that we do uphold our, our motto; Maui No Ka Oi. And, hope for my fellow Members support of this resolution this morning, Chair. Thank you very much.

VICE-CHAIR CARROLL: Thank you, Ms. Cochran.

Any further discussion?

Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you. I would like to thank my colleague, Member Cochran, for putting this resolution for, forth. It is in the morning, I'm getting a hard time starting up the engine.

But, you know, Chair, the United Filipino Council of Hawaii, I'm just going to give a little preface and background. 1959, and I'm sure Mr. Hokama remembers those days when, when there was a struggle between, you know, almost culturally where the Filipino's were lacking a voice, and, and a united voice among the different islands. And the United Filipino Council of Hawaii organized all the different little organizations throughout the State, and to create one umbrella organization to have one voice for the Filipino community statewide. And, along the way, it wasn't all about pageantry, that that came thereafter, but pageantry was always a cultural aspect of the Philippines. And we had brought that forth within the years of the United Filipino Council.

I had a great pleasure of serving as a president in my mid 20's for the State, and had attended well over 100 pageants in my presidency term. So, from the littlest to the oldest, there's, there's these pageants that we, we groom our, our young ladies in the culture to become leaders.

And, Ms. Yap has gone through the training. And there is a vigorous training that they have to go through in order to compete at that State level. And when they are completed, they have a project they, that they, a platform that they pursue. And in addition to that, they take a trip to the Philippines. And for most, and I, and I'm thinking Ms. Yap as well, will be her first time in the Philippines. And so, she's going to learn a lot about the culture itself on the ground level and bring that back to Hawaii, and share it with the next generation, and, and that will be inclusive of her platform.

So, along the ways, I have to give credit to those who help her in that journey. And that is (*Spoke in Filipino.*), which is Michelle Santos. And, and she has been a leader in the community in grooming these young ladies. And that is why we have four consecutive winners from this County. So, I must give credit to Ms. Santos, and, and all of her team as well; including the parents that have guided her, at least, Ms. Yap, in her journey. So, congratulations again, and mabuhay.

VICE-CHAIR CARROLL: Thank you, Mr. Guzman.

Further discussion?

COUNCILMEMBER ATAY: Chair.

VICE-CHAIR CARROLL: Mr. Atay.

COUNCILMEMBER ATAY: I want to say Salamat to Councilmember Cochran for bringing this resolution forward. And I also want to congratulate Kimberly Yap for her crown title of Miss Hawaii Filipina.

As a reminder, tomorrow we have a Filipino festival at Kaahumanu Center. And I was challenged by Councilmember Guzman to a balut eating contest. And I'd like to request Ms. Kimberly Yap's presence, so that she can be my proxy in this contest. No, anyways, congratulations.

VICE-CHAIR CARROLL: Thank you, Mr. Atay.

Any further discussion on the resolution?

COUNCILMEMBER COCHRAN: Chair. Chair.

VICE-CHAIR CARROLL: Ms. Cochran.

COUNCILMEMBER COCHRAN: I just have to add, and it does state her Marshallese ancestry also, and which gives her that very striking, you know, unique exotic look too, which is just outstanding.

And the dance, she did a performance at this gathering to honor all the winners. And it was, I've never seen this, the Marshallese dance, and it was just beautiful. It was energetic. And it was just of, a wonderful, yea, and so, I just want to say if, maybe she ever has a chance to share that with us, that would be a wonderful time for us to, to take in, cause I've never experienced that before. So, it was wonderful to get part of her Marshallese background too. Thank you, Chair.

VICE-CHAIR CARROLL: Thank you, Ms. Cochran.

Any further discussion on the resolution?

I would just like to say that we are very, very proud of you. Thank you so much for all you've done, and all you will do.

All those in favor signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND VICE-CHAIR CARROLL.

VICE-CHAIR CARROLL: Opposed.

NOES: NONE.

EXCUSED: CHAIR WHITE.

VICE-CHAIR CARROLL: Motion carried; eight "ayes", no "noes", one "excused".

Mr. Clerk.

Oh, excuse me, I'm sorry.

COUNCILMEMBER COCHRAN: No problem.

VICE-CHAIR CARROLL: Ms. Cochran.

COUNCILMEMBER COCHRAN: No problem, Mr. Chair. Mr. Chair, with your permission, may I have Ms. Yap, and her families, and supporters come and approach the podium at the front for the certificate and also some leis? Thank you.

Mr. Chair, and Members, and the gallery, let me, I present Ms. Kimberly Yap. And this is your resolution also. But, please share with us a few words.

MS. KIMBERLY YAP: Aloha and good morning. I'm Kimberly Yap, and I represent the United Filipino Council of Hawaii. Wow, it is an honor to be here today to receive this resolution for winning the Miss Hawaii Filipina 2017.

I would like to thank Councilmember Elle Cochran, and her staff for introducing the resolution to the Maui County Council. And I would also like to thank Council Chair Mike White, Council Co-Chair Robert Carroll, Councilmembers Alika Atay, Stacy Crivello, Don Guzman, Riki Hokama, Kelly King, and Yuki Lei Sugimura for this great honor.

Being Miss Hawaii Filipina is not about wearing a shiny crown and beautiful gowns. It's about representing my Filipino heritage, and being a role model to the Filipino women throughout the State of Hawaii.

The United Filipino Council has awarded me with a generous scholarship, therefore, I will be able to pursue my education at the, the University of Hawaii, Maui College. I will be majoring in Communications and Marketing. Without this scholarship, obtaining an education and pursuing my dreams would be impossible.

My goal as Miss Hawaii Filipina is to volunteer my time with community events and charities throughout the State of Hawaii. One of my many projects will be to hold a fundraiser to collect children's clothes and school supplies for my trip to the Philippines, where I'll be doing a humanitarian project.

Pageantry has given me an opportunity to pursue my dreams with the help of some very special people who have supported me, like my parents, and also Auntie Michelle Santos, Auntie Dolly, Auntie MaryInn, and Auntie Cherry, who have been my right-hand ladies, and been there for me throughout everything.

As a fourth Miss Maui Filipina to win Miss Hawaii Filipina title, I am proud to represent all of the women who have participated in this great tradition. Pageantry provides you with the important tools to help you in life; tools that make me a better person.

As I leave here today, I cannot forget what brought me here in the first place. It is my pride in my culture, and love for my community. I am a proud Filipina, and with that being said, I am also a proud Marshallese. And I plan to not only educate and inspire the Filipina community, but also the Marshallese community. And with this pageantry, I've been given opportunities like speaking to ELL students for Marshallese children, which I think is a great opportunity for me to be a voice for them as well.

I am proud to be from the beautiful island of Maui with this great opportunity. I'm privileged to represent all of you. Mahalo and Salamat Po. Thank you.

COUNCILMEMBER COCHRAN: Thank you very much, Chair.

VICE-CHAIR CARROLL: Mr. Clerk.

DEPUTY COUNTY CLERK: For the record, RESOLUTION 17-147.

Mr. Chair, proceeding with the presentation of testimony on agenda items. We have established limited interactive communication that enables the individuals from Hana, Lanai, and Molokai, to provide testimony from our District Offices.

Individuals who wish to offer testimony from Hana, Lanai, and Molokai should now sign up with District Office staff. Individuals who wish to offer testimony in the chamber, please sign up at the desk located in the eighth-floor lobby just outside the chamber door. Testimony at all locations is limited to the items listed on today's agenda.

When testifying, please state your name and the name of any organization you represent.

Currently, we have no testifiers waiting at our District Offices. We have nine individuals signed up to testify in the Council chamber. The first person to testify in the County chamber is Brian Moto, testifying on Committee Report 17-139. He will be followed by Stephen Kealoha.

### PRESENTATION OF WRITTEN OR ORAL TESTIMONY

MR. BRIAN MOTO, CATHOLIC CHARITIES HAWAII (testifying on Committee Report 17-139):

Good morning, Vice-Chair Carroll and Members of the County Council. My name is Brian Moto, and I am here in my capacity as Chairman of the Maui Advisory Board of Catholic Charities Hawaii, and as a member of the Board of Directors of Catholic

Charities Hawaii. I speak in support of the bill to amend the Residential Workforce Housing Policy, to promote the development of new low-income rental housing for the needy; Committee Report 17-139.

The story of Catholic Charities Hawaii begins in the 1940's, when three Maryknoll Sisters began an important mission of outreach and service to orphans, immigrants, plantation workers, and the poor. Today, Catholic Charities Hawaii is a Statewide non-profit organization committed to serving all in need without regard to religion, creed, or background.

As you are aware, Catholic Charities seeks to develop Kahului Lani, a 100 percent affordable 165-unit rental project for low-income and very low-income seniors. Kahului Lani will be Catholic Charities largest and most significant effort at addressing senior rental housing needs on a neighbor-island. Residents of Kahului Lani will live in modern safe housing that they can afford, and they will have access to on-site social services provided by Catholic Charities Hawaii. Your passage of the bill will help to make this project possible. Thank you.

VICE-CHAIR CARROLL: Thank you.

Any clarification needed from the testifier? Seeing none, thank you.

Mr. Clerk.

DEPUTY COUNTY CLERK: The next person to testify is Stephen Kealoha, testifying on Committee Report 17-139. He will be followed by Jim Smith.

MR. STEPHEN KEALOHA, CATHOLIC CHARITIES OF HAWAII (testifying on Committee Report 17-139):

Good morning, Chair Carroll, and Members of the County Council of Maui. I take this opportunity to speak to you in support of Committee Report 17-139, regarding residential housing benefits and credits.

I want to commend the Housing and Human Services Department for bringing this particular item forward to the County Council, because it's such an important item that we want to establish within our community. I also want to thank Chair Crivello for her Committee for bringing this forward further to now the full Council.

Why do I support this proposal? Well, first of all, let me say that I am also the Vice-Chair of the Maui Advisory Board of Catholic Charities Hawaii, Maui. And in our

assessment of why we feel this is important, in, in many, many years past, we have been unable, when I say we, I mean the community here, has been unable to fulfill our, our strong demand for affordable housing. I mean, it's been going on for many decades. It's a very vast problem, and we know that it's not easy, easily achieved. So, anything that can be brought forward to enhance this opportunity to make it possible, is a great thing that we can do for our community.

(Councilmember Sugimura was excused from the meeting at 9:37 a.m.)

**MR. KEALOHA:** It supports a large population of Maui families, including our young families, because we know that a lot of them, the young families who grow up here on Maui leave the island because they cannot afford to live here. And why can't they live here? Because of the cost of living through housing and affordable sustainable jobs. So, it's very critical that we try to do something for them.

In my 20 years of volunteering work with non-profits and so forth, I can attest to the fact that access to affordable housing and good jobs is the only way we can sustain our economy for our people. You know, this particular bill incentivizes further development. In the world of, of profits, like corporations and so forth, and even small mom and pop stores and that kind of thing, they always look at how they can make capital investments to, to provide more revenue for their company. In the, in the sense of looking at that for government, by doing things like creating affordable housing proposals through credits for the developer, that is an incentive for them to develop their projects. And so, I'm speaking on behalf of all of our community in that sense.

But let me turn to our particular project at Catholic Charities Hawaii, which is our Kahului Lani. Definitely we will benefit very much by having these credits available to our project, as already mentioned by our Chair Brian Moto. And so, I continue to support this particular proposal.

And I want to just say that in ending that, you know, this makes our project truly affordable for our kupuna. And let us not forget our kupuna, because quite often they are the ones who are left behind when we, when we do whatever we're trying to do. And so, I ask you to please vote for this and try to keep all of the parts within the bill, because everything put together makes it for a good bill. Please don't gut it and make it unworkable. So, I ask for your support. But, if you have a great recommendation, we're all for that too. So, mahalo for allowing me to testify. And thank you very much.

**VICE-CHAIR CARROLL:** Any clarification needed from the testifier? Seeing none, thank you.

Mr. Clerk.

DEPUTY COUNTY CLERK: Next person to testify is Jim Smith, testifying on County Communications 17-418, 17-419, and 17-421. He will be followed by Tyrone Spellman.

(Councilmember Sugimura returned to the meeting at 9:40 a.m.)

MR. JIM SMITH (testifying on County Communication Nos. 17-418, 17-419, and 17-421):

Vice-Chair Carroll, Members of the Maui County Council, aloha. This is really, to me, a very important time. And, there are some, and especially I appreciate the words are given in the beginning regarding the meaning of words, and how important words are, and the quote through all culture, how important words are. But more importantly, in this chamber, you protect the meaning of words. You make it real or you make it La La Land. So, you are the guardians that protect us from violence, from greed, from everything, because it's your words that does that.

And I bring to your attention the Charter, not the Charter, the agenda for today. And in the agenda for today, it says that "If approved by the presiding officer", presiding officer, you're talking about the Chair, but they're calling him a presiding officer in your agenda. But that's not this Council. That's not the Council Chair. It's a presiding officer. So, we are under siege, and we have been under siege by people who know so much better than we do, how much better thing, everything is for us as long as they say it's okay. So, I'm asking you to be very careful. And right here in our agenda; presiding officer. And that's just a small attack, but it's one that's obvious and we should see that.

So, I would ask you to look at this agenda very carefully, because I sit and read this and decide whether to testify. And I look at an item on the agenda and I find a sheet of paper that says this is related to this. And I'm supposed to testify on a sheet of paper that 418, 419, 420, whatever? We're bringing this up? We're going to bring up streamlining? That's a blank sheet of paper that says we're going to do this, and I'm supposed to decide to come and present myself to you, and ask you to do something regarding community plans when the agenda doesn't even provide substance to its items? So, I would ask you to be very, very careful, very careful with your agendas and change them to make it welcoming, to make it able to know whether it's important or not. And it doesn't happen now with a presiding officer. I'd ask you to change that if you could.



The second part of my testimony has to do with something that's very troubling to me, and that is a letter that is identified as County Communication 17-419. And it is from the Planning Director, and it's titled "public discourse", whatever the heck that means, alright. And it is very insulting. And it is signed approved by the Mayor. And it comes to you, and he calls you bad. And he says Councilmembers have insulted me. And he said all of this nonsense without any fact. And it really belongs between him and the Chair of the Council to decide and discuss these administrative coordinations. But, he brings this to the public.

And I would ask you to file this. This letter does not belong as official business, even though the Mayor signed it. It's a personal vent. It's worse than a letter to the editor. And it's here on the agenda. So, I would please ask you to file this letter, or ask him to withdraw it because he can't be a person and be a public official. He's got to separate the private and personal from the public. And this Administration obviously does not, because this is approved by the Mayor. So, please protect us. Thank you so much.

VICE-CHAIR CARROLL: Any clarification needed from the testifier? Seeing none, thank you.

Mr. Clerk.

DEPUTY COUNTY CLERK: Next testifier is Tyrone Spellman, testifying on Committee Report 17-139. To be followed by Kim Tempo.

MR. TYRONE SPELLMAN (testifying on Committee Report 17-139):

Good morning, Council Chair and Councilmembers. My name is Tyrone Spellman. I'm here to testify on Committee Report 17-139, a bill for an ordinance amending Chapter 2.96, relating to Residential Workforce Housing Policy, relating to housing credits. I've been a resident on Maui since 2013. Since June of this year, I've been participating for two homeless organization, with Catholic Charities being one of them.

And being a senior citizen, affordable housing for the elderly is paramount on the island, because the need is so great. I know all too well the hardships, the oppression, the feeling of not being heard, along with not being able to afford and find suitable, secure affordable housing. Our country continues to state we are one of greatness. How can this be true when we continue in delaying and building affordable housing for its citizens?

Catholic Charities is a discerning organization who engages in the lives of both clients and non-clients within our community with emphatic listening and pragmatic planning, thereby not abdicating from their responsibility in finding actionable solutions that can surmount the oppressive lack of affordable housing. We no longer have the finger-pointing, if you will, of delay. We must embrace all our island citizens who are suffering for a lack of affordable housing. Our greatness is in our collective courage and responsibility. Our greatness is in harvesting our integrity, our trust, and our loyalty that is needed in passing this proposed bill. Please pass this bill. Thank you.

VICE-CHAIR CARROLL: Any clarification needed from the testifier? Seeing none, thank you.

Mr. Clerk.

DEPUTY COUNTY CLERK: The next testifier is Kim Tempo, testifying on Committee Report 17-139. To be followed by Davis Kahakauwila-Cortez.

(Councilmember Cochran was excused from the meeting at 9:48 a.m.)

MS. KIM TEMPO (testifying on Committee Report 17-139):

Good morning, Vice-Chair. Good morning, Councilmembers. My name is Kim Tempo. I'm here, excuse me, I'm very nervous. I've never testified before. I am here on behalf of the proposal for 17-139, and I believe there is a great need for our community, for our kupuna.

Kupuna is very important to me. Ohana is very important to me. Our ohana and our kupuna need to be taken care of. I work as an outreach worker. I go out, I go to four different shelters. I go out into our community. I meet our kupuna, as well as our community members, and our mo`opuna.

Yesterday, I saw one of our kupuna who just came out of the ICU. Where was he put? He had nowhere to go. I met him at Burger King. His hale sits under a tree. This man has renal failure. He has nowhere to go. He's one of many community members, he is a member of our community that I go and I serve. And I serve with him wholeheartedly.

This is very dear to my heart, and I'm very embarrassed that I'm crying. E kala mai ia`u. Please, please consider this, this proposal. And please help our kupuna. Mahalo.

VICE-CHAIR CARROLL: Thank you. Any clarification needed? One moment please.

Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you. Aloha, Kim.

MS. TEMPO: Aloha.

COUNCILMEMBER CRIVELLO: Good to see you. I, I, no need to apologize. No hilahila. Mahalo. Mahalo for your caring ways. Thank you.

MS. TEMPO: Thank you.

VICE-CHAIR CARROLL: Any further clarification?

Ms. Sugimura. Excuse me.

(Councilmember Guzman was excused from the meeting at 9:49 a.m.)

COUNCILMEMBER SUGIMURA: I just wanted to thank you for being here. I just wanted to echo what Member Crivello already has just said. In fact, I just wanted to thank you for being here, and appreciate your commitment and passion to the people of Maui County. Thank you.

MS. TEMPO: Thank you.

VICE-CHAIR CARROLL: Thank you. Anyone else? If not, thank you so much.

Mr. Clerk.

(Councilmember Cochran returned to the meeting at 9:50 a.m.)

DEPUTY COUNTY CLERK: The next testifier is Davis Kahakauwila-Cortez, testifying on Committee Report 17-139, to be followed by Thelma Akita Kealoha.

MS. DAVIS KAHAKAUWILA-CORTEZ, CATHOLIC CHARITIES HAWAII (testifying on Committee Report 17-139):

Aloha. Good morning, Chair Bob Carroll, and the County Councilmembers. I'm Davis Kahakauwila-Cortez. I am here to support the bill amendment on the housing credits for Kahului Lani Project that would be built affordable housings.

I myself has been a homeless person, two kids. And this was in the 70's, and the beginning of the 80's, until I worked three jobs. And till then, I could never find a place to live. But, at the meantime, prices was very high at that time, now it's way over the price that we can even afford now.

Just from all of this, I just want you to know I have worked so hard to even help the homeless on my own behalf. Having to be a landlord, there has been a lot of problems for the local families. Looking for homes was very impossible. Rents are too high. If you could help more, if I could help more, I would wish I could. Seems like homeless families are struggling to have affordable housings. They even would even take a house, which they can't afford, even a room, even a room in a garage they can't even afford.

So, please try to help them to be able to support the bill on, on this amendment. And like I said, outsiders have been coming in and making it very more impossible, for even the children today, or your grandchildren, or your great-grandchildren will never be able to afford it ever. Please support the bill. Thank you.

VICE-CHAIR CARROLL: Any clarification needed from the testifier? Seeing none, thank you so much.

MS. KAHAKAUWILA-CORTEZ: Mahalo. Thank you, everyone.

VICE-CHAIR CARROLL: Mr. Clerk.

DEPUTY COUNTY CLERK: Next testifier is Thelma Akita-Kealoha, testifying on Committee Report 17-139. To be followed by Gary Colton.

MS. THELMA AKITA-KEALOHA, CATHOLIC CHARITIES HAWAII (testifying on Committee Report 17-139):

Aloha and good morning, Chair, County Councilmembers. I also want to express my thanks to Committee Chair Stacy Crivello for getting this passed out of her Committee. It's been long and arduous I'd say.

But, I am here, also, this morning asking for you to support this proposed bill. It's a bill for an ordinance amending Chapter 2.6, relating to the Residential Workforce Housing Policy, relating to the rental housing credits. I, you know, I strongly feel that this proposed bill will help Maui build much needed, and I was corrected this morning in

saying, not affordable but subsidized housing, because truly in fact, these rental credits will help us subsidize the housing to make it so families can afford it here.

And also, to say that rents are at an all-time high, as you folks have heard many times, I'm sure, and landlords have long lists of people looking for rentals. And also, that there's concerns that some of these rentals that were available to families before are now vacation rentals, and some of them are illegal. And I'm sure that costs the County money as well, because that money is not coming into the County.

I have met many people while working at Catholic Charities Hawaii. We work with people who are getting evicted. We work with homeless people who actually do get some kind of money coming into them whether they work, or it's social security, or you know, what have you. We have people who are living in overcrowded situations that cannot take that anymore, and are looking for housing themselves. And these folks are one paycheck away from being homeless themselves. If anything happens to them, that's why they come into our office, something has happened to them that they cannot make a payment. Something has happened, they want to get into housing, but they need more than what they have available. But, they can continue to pay the monthly rent.

One of the big issues I, you know, that is a concern and I hear over, and over, and over from my local folks is that our kids are moving away. You know, our kids, our grandchildren, they cannot afford to live, work, raise a family, own a home, or even rent, because, you know, rents are sky-rocketed at this time.

I also heard that there are more Hawaiians living in Las Vegas than in Hawaii. And, and that's a shame, you know. And these are our families. And, you know, I, I only have one daughter and she's away at college. And I can't begin to explain how I would feel knowing that she would never be able to come home. I'm quite attached to her as Councilwoman Yuki Sugimura knows. We travel all the time together to all kinds of things.

Also, the rental credits will help non-profit developers, like Catholic Charities Hawaii's Housing Development Corporation build affordable subsidized units for this community. And our own project will depend on these housing credits to subsidize the cost of the land.

(Councilmember Guzman returned to the meeting at 9:56 a.m.)

MS. AKITA-KEALOHA: You know, earlier this week, I had a, I attended a training with Iain De Jong, who is looked at as the expert for the coordinated entry housing for solutions for homelessness. And I was reminded at this meeting that housing is a right,

not a privilege and not a reward. So, and I also wanted to say that affordable housing is surely a fundamental solution to homelessness. Thank you for your time. I humbly ask you to support this proposed bill. Thank you.

VICE-CHAIR CARROLL: Any clarification needed from the testifier? Seeing none, thank you.

Mr. Clerk.

DEPUTY COUNTY CLERK: Next person to testify is Gary Colton, testifying on Committee Report 17-139. To be followed by Rosemary Robbins.

FATHER GARY COLTON (testifying on Committee Report 17-139):

Vice-Council Chair, Councilmembers, good morning. I'm a member of the Board of Directors for Maui Catholic Charities. Stephen Kealoha, Brian, and Thelma are here. And, when I heard about this hearing, I said I'd be willing to come. And their response to that was no, you better come.

As a member of this Board, and also a member of the Board of Directors for our shelter, Ka Hale A Ke Ola here on Maui, over the years, and I've been on Maui since January 1982, I'm aware of the issues that involve our, our people, our local people, our residents in finding affordable housing and rentals. And it is a real challenge, so much so that some have left, are no longer here.

As I look at this project, and as I see a layout and a map, it really is a wonderful looking project with a couple of buildings; 165-units, parking, also, for the residents, a multipurpose building. And I'm sure connected with that would be Catholic Charities on property to advise and help the residents and make it, you know, a model. An example of what something that we can be proud of in the way that we handle and care for our seniors.

So, I would ask for your support of this bill, so that it can continue to move forward. And there's a lot of steps to go. I, I see the process and I wince, but that's our task. And I want to support you in doing that so that by means of doing that, we have a sense of, you know, we're caring for those that we love, and we do love them very much. And we will continue to do so. So, I thank you for this opportunity and I look forward to hearing what takes place in regard to this project. Thank you very much, Council.

VICE-CHAIR CARROLL: Any clarification needed from the testifier? Seeing none, thank you.

FATHER COLTON: Thank you.

VICE-CHAIR CARROLL: Mr. Clerk.

DEPUTY COUNTY CLERK: Next person to testify is Rosemary Robbins, testifying on Bills 80, 81, 82, 83, 84, and 85. She will be followed by Lawrence Carnicelli.

MS. ROSEMARY ROBBINS [testifying on Bill Nos. 80 (2017), 81 (2017), 82 (2017), 83 (2017), 84 (2017), and 85 (2017)]:

Good morning, everybody. Not total time on each of those, believe me. But, I just have to start out with saying it's been a lot of years that a number of us had been testifying on needed compassion for genuine needs. And I wanted to start out this morning by saying this may seem like manini phraseology, but the idea that we are now seeing an evolution having begun where records are being required, being required timely, being required for review. So, the idea of having, we've looked every place and just can't find them, no longer valid.

We're going to do preliminary planning. Remember in South Pacific, you got to have a dream. If you don't have a dream, how you going to have a dream come true? That's the same way with the would be plans that we can't always find. So, it's happening. We're having submissions coming in wherein instead of a scribble for whoever it was that signed this, has a readable signature. And underneath that a, the record itself, the submission has that person's name and capacity. So, those might seem like not big things, but it's much more readable for folks who want to read what the story is that's coming down.

So, I'm particularly on the housing, and over the years we heard water, water, water, what a problem. And then it became housing, housing, housing, what a problem. I'm saying that we have an opportunity to continue that evolution to less hidden agendas which has been the complaint that some people have had. I don't necessarily think that's true, but I'm sure that some of them could have been more expansive than they have been.

So, this morning on Bill 80, this is the one for intergovernmental agreement with the Department of Health. Let's keep people protected from abuse, and that includes the tobacco legislation that had gone in. And the other Counties are doing this too. So, that's good news on that.

So, alright, one thing I want to say on this bill is that the "Maui County Code, provides that, unless authorized by ordinance, the Mayor shall not enter into any intergovernmental agreement or any amendment thereto which places a financial obligation upon the County or any department or agency thereof". Yay, big time. Alright, so your voice, your admissions to the letters to the County Council, etc., I mean, the Maui newspaper, very important in that.

So, when we indeed get these submissions for bills, we know, excuse me, that including the Chief of Police, very clearly knows how to write his name, is definitely putting it on documents where his name and capacity are on the document itself; clarity. Good news. That was 81.

In terms of 82, this is about Strategic Prevention Framework Partnerships for Success. And it's dealing with the varieties of things that we could only do so much on during the budget hearings that went until three o'clock in the morning within this past year, right in these chambers. And people were put to the test to say how come and who's going to pay for it. So, I think that's very important. And this one about the approved as to format was signed by somebody that we would know, but we couldn't read in here. So, we'll give him the opportunity to catch up with the rest of the folks on that.

Item number 3 bill, this morning, was a unanimous vote before the County Council when it was first proposed. And now, we're onto the second and final reading in today's agenda. And it's, pertains to the Department of Police by increasing the appropriation for Violence Against Women. And, there is a \$45,000 appropriation that's coming in under this. So, testimony has been given at this microphone with, within this month that we're in about it's too bad that it takes a law in order to say that women should not be abused. But if it needs to be said, we'll say it. So, that gets passed today, and it's in there. Thank you.

In terms of Bill 84 on our agenda this morning, it talks about Countywide upgrades and replacements. And this has to do with water related infrastructure and whatever other infrastructures that would be related to water and housing, like we mentioned at the beginning of this, sharing with you this morning that I had. And, item number 2 on page 2, from the Department of Water Supply, it talks about Countywide upgrades and replacements. Not just for the tourist areas, but including the tourist areas. So, the Countywide is in there under (2), roman numerals 1, 2, and 3, all of them clearly stating Countywide.

And then down on item number 4, the Wailuku-Kahului Community Plan Area, it talks about Central Maui Reliable Capacity. And that's coming from Unrestricted Funds.



So, it doesn't have to be in any particular geography up until now. And this one, though, is saying, yes, it's Unrestricted. It should be applied where it's needed. So, it's, and yet underneath that in the roman numeral it says, Central Maui Reliable Capacity. And we know we've got a growing population everywhere in Maui County. So, if the funds are not restricted, we need to make sure that they are applied Countywide. That's another one of those unreadable signatures as to the legality of the document that was coming up. And the person's name is underneath it. And those of us who have been around for a while with that recognize those too.

I also want to say that we need to make sure that we don't just use Granicus or the other electronic approaches for recording and maintaining current history. There certainly needs to be somewhere, hardcopy, not in the thousands of copies of it, but it needs to be there and not something that can just be manipulated in cyber space. Sorry, but we know that that happens sometimes.

So, I'm encouraging you with all of those to listen. I didn't hear anybody that was up here this morning saying that housing was not important. And they were giving credit to people who in the past, including the Maryknoll Sisters who had first put up some of the orphanages and the housing here. I taught with some of those Sisters in Kaneohe in 1962 and 63. I try not to drop names, but I can't resist; Sister Leona. Some of you may remember her; wonderful woman. She was the one who recruited one of the high school seniors that was only three years younger than I was when I was teaching Grade 3 over there, to teach me how to surf.

So, heart is big as a brain to be able to understand that we're growing in population. We need to grow in compassion. We need to stop what some people are considering stalling, and get the work done. So, thank you very much.

VICE-CHAIR CARROLL: Any clarification needed from the testifier? Seeing none, thank you.

MS. ROBBINS: You're welcome.

VICE-CHAIR CARROLL: Mr. Clerk.

DEPUTY COUNTY CLERK: The next testifier is Lawrence Carnicelli, testifying on Committee Report 17-139. He is the last individual who has signed up to testify in the Council chamber.

MR. LAWRENCE CARNICELLI (testifying on Committee Report 17-139):

Good morning, Chair, Council. It's a little scary not to have the light up here for me. But, I'll actually be brief. Lawrence Carnicelli with the Realtor's Association of Maui, testifying on Committee Report 17-139.

I've basically met with almost all of you in regards to this particular bill. You know where we stand. We are, this is something that's just important. It's an important step for us to take, you know, to have credits for rental housing as well. It's just something that the community needs.

And, anyways, I just wanted to show up again this morning, just once again reiterate our support for this and, and appreciate all the work that the Committee did; Chair getting this out; Housing, Human Concerns and, and actually all the work that you folks do as well. So, thank you, Chair.

VICE-CHAIR CARROLL: Any clarification needed from the testifier?

Mr. Clerk.

DEPUTY COUNTY CLERK: Mr. Chair, there are no further individuals signed up to testify in the Council chamber or at the District Offices.

VICE-CHAIR CARROLL: Is there any written testimony that has been received?

DEPUTY COUNTY CLERK: Mr. Chair, we have received written testimony.

VICE-CHAIR CARROLL: If there's no objection, we will enter the written testimony into the record.

MEMBERS VOICED NO OBJECTION.

THERE BEING NO OBJECTION, WRITTEN TESTIMONY RECEIVED FROM THE FOLLOWING WERE MADE A PART OF THE RECORD OF THIS MEETING:

1. Lori Tsuhako;
2. Dayton M. Nakanelua, United Public Workers; and
3. Dominic Suguitan.

VICE-CHAIR CARROLL: Thank you. Hearing none at the District Office or in the chamber, if there's no objection, we will end public testimony.

MEMBERS VOICED NO OBJECTION.

VICE-CHAIR CARROLL: Public testimony is now over.

Mr. Clerk.

DEPUTY COUNTY CLERK: Mr. Chair, proceeding with minutes.

VICE-CHAIR CARROLL: Brief recess.

(THE MEETING WAS RECESSED BY THE VICE-CHAIR AT 10:12 A.M., AND WAS RECONVENED AT 10:23 A.M., WITH ALL MEMBERS PRESENT, EXCEPT MEMBERS ATAY AND COCHRAN, AND CHAIR WHITE, EXCUSED.)

VICE-CHAIR CARROLL: This Council will come back, Committee meeting will come back to order.

Mr. Clerk.

DEPUTY COUNTY CLERK: Mr. Chair, proceeding with minutes.

## MINUTES

The minutes of the Council of the County of Maui's regular meeting of July 28, 2017, and regular meeting of August 8, 2017, were presented at this time.

VICE-CHAIR CARROLL: Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair.

I MOVE TO ACCEPT THE MINUTES OF THE REGULAR MEETINGS OF JULY 28, 2017, AND THE REGULAR MEETING OF AUGUST 8, 2017.

COUNCILMEMBER SUGIMURA:

SECOND.

VICE-CHAIR CARROLL: Been moved by Ms. Crivello, seconded by Ms. Sugimura.

Discussion, Ms. Crivello?

COUNCILMEMBER CRIVELLO: No discussion, Chair.

(Councilmembers Atay and Cochran returned to the meeting at 10:24 a.m.)

VICE-CHAIR CARROLL: Any further discussion? All in favor of the motion signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND VICE-CHAIR CARROLL.

VICE-CHAIR CARROLL: Opposed.

NOES: NONE.

EXCUSED: CHAIR WHITE.

VICE-CHAIR CARROLL: Motion carried; eight "ayes", one "excused".

Mr. Clerk

DEPUTY COUNTY CLERK: Mr. Chair, proceeding with county communications.

### COUNTY COMMUNICATION

NO. 17-401 - CAROL K. REIMANN, DIRECTOR OF HOUSING AND HUMAN CONCERNS, (dated September 22, 2017)

Transmitting a copy of the notice of grant award from the State of Hawaii, Executive Office on Aging, for the Kupuna Care Program in the amount of \$368,663.

VICE-CHAIR CARROLL: Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, thank you. With no objections from the Members, I will ask the Clerk to also bring up 402, 404, and 405.

VICE-CHAIR CARROLL: Any objections?

MEMBERS VOICED NO OBJECTION

COUNCILMEMBER HOKAMA: Thank you.

VICE-CHAIR CARROLL: No objections. Mr. Clerk.

NO. 17-402 - TIVOLI S. FAAUMU, CHIEF OF POLICE,  
(dated September 27, 2017)

Transmitting a copy of the grant modification from the Office of National Drug Control Policy for the 2016 High Intensity Drug Trafficking Areas Grant to increase the budget by \$15,894.65.

NO. 17-404 - HERMAN ANDAYA, INTERIM EMERGENCY MANAGEMENT OFFICER, (dated September 28, 2017)

Transmitting a notice of grant award from the State of Hawaii, Hawaii Emergency Management Agency for the Emergency Management Performance Grant for the period of July 1, 2017 to June 30, 2018 in the amount of \$100,000.

NO. 17-405 - HERMAN ANDAYA, INTERIM EMERGENCY MANAGEMENT OFFICER, (dated October 2, 2017)

Transmitting a copy of grant award from the State of Hawaii, Department of Defense for the FY 2017 Homeland Security Grant in the amount of \$733,000.

VICE-CHAIR CARROLL: Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, thank you.

I MOVE TO FILE COMMUNICATION 17-401, 402, 404, AND 405.

COUNCILMEMBER SUGIMURA:

SECOND.

VICE-CHAIR CARROLL: Been moved by Mr. Hokama, seconded by Ms. Sugimura.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, these are just required notifications to Council of grant funding that will be received by the Departments.

VICE-CHAIR CARROLL: Further discussion? All in favor of the motion signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND VICE-CHAIR CARROLL.

VICE-CHAIR CARROLL: Opposed.

NOES: NONE.

EXCUSED: CHAIR WHITE.

VICE-CHAIR CARROLL: Motion carried; eight "ayes", no "noes", one "excused".

Mr. Clerk

NO. 17-403 - TEENA M. RASMUSSEN, ECONOMIC DEVELOPMENT DIRECTOR,  
(dated October 4, 2017)

Transmitting a notice of grant award from Innovate Hawaii for the Made in Maui County Festival FY 2018 in the amount of \$5,000.

VICE-CHAIR CARROLL: Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, this is an interesting proposal with the County. The dollar amount is not critical. What is critical is the details in the agreement, and therefore, with no objections by the Members, I would request 17-403 be referred to the Budget and Finance Committee.

MEMBERS VOICED NO OBJECTION.

COUNCILMEMBER HOKAMA: Thank you.

VICE-CHAIR CARROLL: No objections.

The recommended action is that County Communication No. 17-403 be referred to the Budget and Finance Committee.

VICE-CHAIR CARROLL: Mr. Clerk.

NO. 17-406 - MARK R. WALKER, ACTING DIRECTOR OF FINANCE,  
(dated October 6, 2017)

Informing of the acceptance of a Warranty Deed for a 10 - 12.5 foot wide roadway lot, Lot 3, Ke Kani Kai Subdivision, TMK: (2) 2-1-005:117 (por).

VICE-CHAIR CARROLL: Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. May I please request Clerk also bring up County Communication 17-407?

VICE-CHAIR CARROLL: Any objections?

MEMBERS VOICED NO OBJECTION.

COUNCILMEMBER COCHRAN: Thank you.

VICE-CHAIR CARROLL: Seeing none, Mr. Clerk.

NO. 17-407 - MARK R. WALKER, ACTING DIRECTOR OF FINANCE,  
(dated October 6, 2017)

Informing of the acceptance of a Warranty Deed for Road Widening Lot 1-B, Makawao Avenue Reconstruction Subdivision, TMK: (2) 2-7-001:072 (por).

VICE-CHAIR CARROLL: Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. So, these matters are housekeeping in nature. In accordance with Section 3.44.015H of Maui County Code, the Director of Finance is required to notify the Council in writing of any acquisition or conveyance made to the County pursuant to this Section.

So, County Communication 17.4-6 [sic], 17-406, is the dedication for that road widening lot consisting of .047 acres in Ke Kani Kai Subdivision, running along a portion of Makena Road in Makena. And the purpose of this roadway lot is to widen that portion of Makena to provide access for service of the surrounding area.

And no County funds were used. Director of Public Works has approved the dedication of the lot, and transmitted this County Communication. And it has been constructed in accordance with County standards.

The County Communication 17-407, is a Road Widening Lot 1-B. It consists of .002 acres. And it's part of J.P. Tavares-Makawao Road Subdivision, which runs along a portion of Makawao Avenue in Makawao. And this roadway lot is part of the Makawao Avenue Reconstruction Project.

CIP funds totaling \$978 were used to acquire the lot. And, Public Works has approved the dedication. And the construction is in accordance with our County standards.

SO, WITH ALL OF THAT, I REQUEST FILING OF BOTH  
COMMUNICATIONS AT THIS TIME, CHAIR.

Thank you.

VICE-CHAIR CARROLL: We have a, do I have a second?

COUNCILMEMBER SUGIMURA:

SECOND.

VICE-CHAIR CARROLL: Been moved by Ms. Cochran, seconded by Ms. Sugimura.

Discussion? Seeing none, all in favor signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND VICE-CHAIR CARROLL.

VICE-CHAIR CARROLL: Opposed.

NOES: NONE.

EXCUSED: CHAIR WHITE.



VICE-CHAIR CARROLL: Motion carried; eight "ayes", no "noes", one "excused".

Mr. Clerk

NO. 17-408 - DAVID TAYLOR, DIRECTOR OF WATER SUPPLY,  
(dated October 3, 2017)

Transmitting the Department of Water Supply's Monthly Source Report and Groundwater Use Report for the month ending September 2017.

VICE-CHAIR CARROLL: Mr. Atay.

COUNCILMEMBER ATAY:

MR. VICE-CHAIR, I MOVE TO FILE COUNTY  
COMMUNICATION 17-408.

COUNCILMEMBER COCHRAN:

MR. CHAIR, SECOND THE MOTION.

VICE-CHAIR CARROLL: Been moved by Mr. Atay, seconded by Ms. Cochran.

Mr. Atay.

COUNCILMEMBER ATAY: Mr. Vice-Chair, this report is strictly informational. There is no Council action needed. I appreciate receipt of this information from Administration, and respectfully request this communication be filed.

VICE-CHAIR CARROLL: Any further discussion? All in favor of the motion signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND VICE-CHAIR CARROLL.

VICE-CHAIR CARROLL: Opposed.

NOES: NONE.

EXCUSED: CHAIR WHITE.

VICE-CHAIR CARROLL: Motion carried; eight "ayes", no "noes", one "excused".

Mr. Clerk

NO. 17-409 - DON S. GUZMAN, COUNCILMEMBER,  
(dated October 12, 2017)

Transmitting a proposed resolution entitled "URGING THE MAYOR AND THE DEPARTMENT OF PUBLIC WORKS TO UPDATE THE 2006 MAUI INLAND SAND RESOURCE QUANTIFICATION STUDY".

VICE-CHAIR CARROLL: Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair.

I MOVE TO ADOPT THE PROPOSED RESOLUTION ATTACHED TO COUNTY COMMUNICATION 17-409, AND TO FILE THE COMMUNICATION.

COUNCILMEMBER ATAY:

I SECOND.

VICE-CHAIR CARROLL: Been moved by Mr. Guzman, seconded by Mr. Atay.

Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair. May I request the Clerk to read the resolution in its entirety?

VICE-CHAIR CARROLL: Mr. Clerk.

*(The resolution was read in its entirety.)*

VICE-CHAIR CARROLL: Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair. As stated in the resolution, in 2006, the Maui Inland Sand Resource Quantification Study was prepared by SSFM International, Inc. for the County of Maui, Department of Public Works and Environmental Management.

This study was done to help the County better understand the extent of the inland sand supply available for excavation on Maui.

In a correspondence dated April 27, 2017, the Mayor asked that the 2006 study be referred to the appropriate Committee for discussion and that Committee explore a temporary moratorium on exporting sand mined in Maui County. Thus, the subject matter remains in IEM under Chair Cochran.

As stated, as you know, Chair, under the Charter, the Council cannot initiate an amendment to the FY 2018 Budget. However, the executive branch is permitted to do so to initiate amendments under the Charter.

It's also stated that, by the Mayor in, in the letter that he had transmitted to the Council, it shows that he stated that 5 to 7 years lifespan of the resource if mining continued at a current pace in 2006. And the, the export rate of Maui sand to Oahu exceeds our County's use by approximately 2.5 to 1. We are well beyond the five-year to seven-year period, therefore, we need current updated information.

This resolution urges the Mayor and the Department of Public Works to update the 2006 Maui Inland Sand Resource Study. There provide, thereby, providing us on the Council and the Committee with the current and updated information we require before taking action on Maui's sand resources.

I ask for the Members full support of the motion. Thank you, Chair.

VICE-CHAIR CARROLL: Thank you.

Any further discussion to the motion on the floor?

Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. And, Chair, I support the passage of this resolution. As the Council is aware, and Mr. Guzman did mention also, the IEM Committee has been discussing a moratorium on mining of Maui Inland Sand for several months now.

One important question that has been during the duration of this moratorium, and what, important question has been the duration of the moratorium, and also what would we be accomplishing by imposing one? And primary purpose behind the moratorium would be to allow time for an update to this 2006 Maui Inland Sand Resource Quantification Study.

So, I am extremely glad to see this resolution here today on the Council agenda, because we need to be moving in this direction while a moratorium is in place. And it will serve to reduce the period of time needed to impose a moratorium if we can get the update, updated study under way.

I urge passage of this reso so we can quickly move forward to solve this serious problem. Thank you very much, Chair. Thank you, Mr. Guzman.

VICE-CHAIR CARROLL: Thank you, Ms. Cochran.

Any further discussion to the motion?

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, thank you. I speak in support of the motion this morning, Chairman, with some additional comments. I would say, Chairman, one, I'm pleased to see this request at this time. I believe we had chatted about moving something like this forward in the second or third meeting of Ms. Cochran's IEM Committee months ago, so I can support this this morning.

I find it disappointing from one perspective, Chairman, that the Department's need something like this to get the fire lit and the butts moving. We've been talking about this for a while. One of the areas of concern in Ms. Cochran's Committee was enforcement. That's can be already addressed and given status to this Council by the Department already.

With regarding the update, I thought they would have already started it on their own. They have access to their own funds currently. There is no reason why financially they're not able to move some, something forward in a very short time. So, my disappointment is why is the Administration waiting for some kind of signal from the Council. We've been talking it for half a year already.

And my concern, Chairman, is while there is no official moratorium, there is still a sense of ad hoc moratorium in this County regarding that use of that sand, good or bad. My concern is, so what does that mean for public benefit projects? Okay, we have an item coming up on the agenda shortly for housing. Is this sand going to stop that project? I don't know. We haven't even talked about how, what they building, with what they building and where they're getting their materials from.

So, I am, I have my concerns. All I can say, Chairman, is we will do our part. I'm supporting Mr. Guzman's proposal. I appreciate where Ms. Cochran's going with

Committee. But my disappointment, again, is why is the Department's waiting? They have service already responsibilities and authorization either through the Code or the Charter. And so, why are they giving us now an update, especially regarding the questions, public comments about enforcement regarding the current rules and regulations surrounding those critical resource areas? Thank you, Chairman.

VICE-CHAIR CARROLL: Thank you, Mr. Hokama.

Any further discussion to the motion on the floor? Seeing none, all in favor signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND VICE-CHAIR CARROLL.

VICE-CHAIR CARROLL: Opposed.

NOES: NONE.

EXCUSED: CHAIR WHITE.

VICE-CHAIR CARROLL: Motion carried; eight "ayes", no "noes", one "excused".

Mr. Clerk.

DEPUTY COUNTY CLERK: For the record, RESOLUTION 17-148.

NO. 17-410 - YUKI LEI K. SUGIMURA, CHAIR, POLICY, ECONOMIC  
DEVELOPMENT, AND AGRICULTURE COMMITTEE,  
(dated October 12, 2017)

Transmitting a proposed resolution entitled "RELATING TO THE APPOINTMENT OF SHELLY PREZA AS THE NATIVE HAWAIIAN TRADITIONAL AND CUSTOMARY PRACTICES EXPERT TO THE LANAI PLANNING COMMISSION".

VICE-CHAIR CARROLL: Ms. Sugimura.

COUNCILMEMBER SUGIMURA:

MR. CHAIR, I MOVE TO DISCHARGE THE POLICY,  
ECONOMIC DEVELOPMENT, AGRICULTURE COMMITTEE

FROM FURTHER CONSIDERATION OF THE PROPOSED  
RESOLUTION ATTACHED TO COUNTY COMMUNICATION  
17-410.

COUNCILMEMBER CRIVELLO:

SECOND.

VICE-CHAIR CARROLL: Been moved and seconded by?

COUNCILMEMBER CRIVELLO: Crivello.

COUNCILMEMBER SUGIMURA: Ms. Crivello.

COUNCILMEMBER CRIVELLO:

SECOND.

VICE-CHAIR CARROLL: Oh, by Ms. Crivello. Thank you.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. Pursuant to Section 13-2(17) of the Revised Charter of the Maui, of the County of Maui (1983), as amended, the deadline for the Council to approve or disapprove the nomination of Shelly Preza is October 31, 2017.

Discharge is needed to enable the Council to consider action today on the proposed resolution. Thank you, Chair.

VICE-CHAIR CARROLL: Any further discussion to the motion on the floor? Seeing none, all in favor signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND VICE-CHAIR CARROLL.

VICE-CHAIR CARROLL: Opposed.

NOES: NONE.

EXCUSED: CHAIR WHITE.

VICE-CHAIR CARROLL: Motion carried; eight "ayes", no "noes", one "excused".

COUNCILMEMBER SUGIMURA: Thank you.

VICE-CHAIR CARROLL: Thank you.

Mr. Clerk.

DEPUTY COUNTY CLERK: Mr. Chair, we're back to Councilmember Sugimura.

VICE-CHAIR CARROLL: Oh, I'm sorry.

COUNCILMEMBER SUGIMURA:

SO, SO, MR. CHAIR, I MOVE TO WAIVE THE REQUIREMENT  
OF COMMITTEE REFERRAL AND REPORT PURSUANT TO  
RULE 7(E) OF THE RULES OF THE COUNCIL.

COUNCILMEMBER CRIVELLO:

SECOND.

VICE-CHAIR CARROLL: Been moved by Ms. Sugimura, seconded by Ms. Crivello.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. Approval of my motion by a two-thirds vote of the entire membership of the Council will enable the Council to consider the proposed resolution today. Thank you, Chair.

VICE-CHAIR CARROLL: Further discussion? All in favor signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND VICE-CHAIR CARROLL.

VICE-CHAIR CARROLL: Opposed.

NOES: NONE.

EXCUSED: CHAIR WHITE.

VICE-CHAIR CARROLL: Motion carried; eight "ayes", no "noes", one "excused".

Ms. Sugimura.

COUNCILMEMBER SUGIMURA:

I MOVE TO ADOPT THE PROPOSED RESOLUTION  
ATTACHED TO MAUI, TO COUNTY COMMUNICATION 17-410,  
AND TO FILE COUNTY COMMUNICATION 17-410.

COUNCILMEMBER CRIVELLO:

SECOND.

VICE-CHAIR CARROLL: Been moved by Ms. Sugimura, seconded by Ms. Crivello.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. Your Policy, Economic Development, Agriculture Committee met on October 2, and October 16, to discuss the proposed resolution relating to the appointment of Shelly Preza as a native Hawaiian cultural and customary practices expert to the Lanai Planning Commission, for a term expiring March 31, 2018.

Your Committee had an opportunity to question Ms. Preza and was satisfied. She understands the island's needs and would meet the requirements of Section 2.28.070, Maui County Code, of demonstrating expertise in native Hawaiian traditional and customary practices.

I believe she will be a fine addition to this Board, and I ask for the Members full support of my motion.

VICE-CHAIR CARROLL: Any further discussion to the motion? Seeing none, all in favor signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND VICE-CHAIR CARROLL.



VICE-CHAIR CARROLL: Opposed.

NOES: NONE.

EXCUSED: CHAIR WHITE.

VICE-CHAIR CARROLL: Motion carried; eight "ayes", no "noes", one "excused". Thank you.

COUNCILMEMBER SUGIMURA: Thank you.

VICE-CHAIR CARROLL: Mr. Clerk

DEPUTY COUNTY CLERK: For the record, RESOLUTION 17-149.

NO. 17-411 - YUKI LEI SUGIMURA, CHAIR, POLICY, ECONOMIC  
DEVELOPMENT, AND AGRICULTURE COMMITTEE,  
(dated October 12, 2017)

Transmitting an amendment to the proposed State bill entitled "RELATING TO  
OXYBENZONE AND OCTINOXATE".

VICE-CHAIR CARROLL: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Mr. Chair, may I request that County Communication  
17-411 be taken out of order and considered when County, Committee Report 17-148  
is called by the Clerk?

VICE-CHAIR CARROLL: Any objection?

MEMBERS VOICED NO OBJECTION.

COUNCILMEMBER SUGIMURA: Thank you.

(See pages 64 through 72 for discussion and action.)

VICE-CHAIR CARROLL: So, proceed, Mr. Clerk.

DEPUTY COUNTY CLERK: Mr. Chair, proceeding with County Communications for referral.  
The following County Communications are recommended for referral to the following  
Committees as noted:

NO. 17-412 - LYNN A.S. ARAKI-REGAN, BUDGET DIRECTOR,  
(dated October 6, 2017)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2018 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES – SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2018, MOLOKAI DIVERSIFIED AGRICULTURAL REVOLVING LOAN PROGRAM".

The recommended action is that County Communication No. 17-412 be referred to the Budget and Finance Committee.

NO. 17-413 - LYNN A.S. ARAKI-REGAN, BUDGET DIRECTOR,  
(dated September 29, 2017)

Transmitting the following:

1. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2018 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF PARKS AND RECREATION, KIHEI-MAKENA COMMUNITY PLAN AREA, PARKS AND RECREATION, WAIPUILANI PARK IRRIGATION SYSTEM; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)";
2. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2018 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF PARKS AND RECREATION, KIHEI-MAKENA COMMUNITY PLAN AREA, WAIPUILANI PARK IRRIGATION SYSTEM"; and
3. "CERTIFICATION OF ADDITIONAL REVENUES FOR FISCAL YEAR 2018".

The recommended action is that County Communication No. 17-413 be referred to the Budget and Finance Committee.

NO. 17-414 - LYNN A.S. ARAKI-REGAN, BUDGET DIRECTOR,  
(dated October 10, 2017)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2018 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE DEPARTMENT OF PARKS AND RECREATION, ADMINISTRATION PROGRAM, RECREATION AND SUPPORT SERVICES PROGRAM".

The recommended action is that County Communication No. 17-414 be referred to the Budget and Finance Committee.

NO. 17-415 - LYNN A.S. ARAKI-REGAN, BUDGET DIRECTOR,  
(dated October 10, 2017)

Transmitting the following proposed bills entitled:

1. "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2018 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF PUBLIC WORKS, KIHEI-MAKENA COMMUNITY PLAN AREA, DRAINAGE, SOUTH MAUI DRAINLINE REPAIRS, WAILUKU-KAHULUI COMMUNITY PLAN AREA, DRAINAGE, CENTRAL MAUI DRAINLINE REPAIRS; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)";
2. "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4454, BILL NO. 63 (2017), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI (SOUTH MAUI DRAINLINE REPAIRS) (CENTRAL MAUI DRAINLINE REPAIRS)"; and
3. "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2018 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF PUBLIC WORKS, KIHEI-MAKENA COMMUNITY PLAN AREA, SOUTH MAUI DRAINLINE REPAIRS, WAILUKU-KAHULUI COMMUNITY PLAN AREA, CENTRAL MAUI DRAINLINE REPAIRS".

The recommended action is that County Communication No. 17-415 be referred to the Budget and Finance Committee.

NO. 17-416 - STACY CRIVELLO, COUNCILMEMBER,  
(dated October 9, 2017)

Relating to the increase of one-half percent in the General Excise Tax.

The recommended action is that County Communication No. 17-416 be referred to the Budget and Finance Committee.

NO. 17-417 - KA'ALA BUENCONSEJO, DIRECTOR OF PARKS AND RECREATION, (dated October 12, 2017)

Transmitting a copy of the Wells Park Master Plan.

The recommended action is that County Communication No. 17-417 be referred to the Parks, Recreation, Energy, and Legal Affairs Committee.

NO. 17-418 - KELLY T. KING, COUNCILMEMBER,  
(dated October 9, 2017)

Relating to streamlining the community plan review and amendment process.

The recommended action is that County Communication No. 17-418 be referred to the Planning Committee.

NO. 17-419 - WILLIAM SPENCE, PLANNING DIRECTOR,  
(dated October 5, 2017)

Relating to public discourse.

The recommended action is that County Communication No. 17-419 be referred to the Policy, Economic Development, and Agriculture Committee.

NO. 17-420 - ALAN M. ARAKAWA, MAYOR,  
(dated September 29, 2017)

Informing of the resignation of the Director of Finance and appointment of an interim Director of Finance.

The recommended action is that County Communication No. 17-420 be referred to the Policy, Economic Development, and Agriculture Committee.

(See page 47 for discussion.)

NO. 17-421 - ALIKA ATAY, COUNCILMEMBER,  
(dated October 10, 2017)

Relating to water conservation measures.

The recommended action is that County Communication No. 17-421 be referred to the Water Resources Committee.

(COUNTY COMMUNICATION NO. 17-421 WAS LATER REFERRED TO THE INFRASTRUCTURE AND ENVIRONMENTAL MANAGEMENT COMMITTEE. See page 46.)

VICE-CHAIR CARROLL: Members, is there any objection to the referrals as read by the Clerk?

Thank you. Mr. Clerk.

COUNCILMEMBER HOKAMA: Chairman.

VICE-CHAIR CARROLL: Excuse me. I'm sorry. Short recess at the call of the Chair.

(THE MEETING WAS RECESSED BY THE VICE-CHAIR AT 10:47 A.M., AND WAS RECONVENED AT 10:48 A.M., WITH ALL MEMBERS PRESENT, EXCEPT MEMBER GUZMAN AND CHAIR WHITE, EXCUSED.)

VICE-CHAIR CARROLL: This Council Committee meeting is now reconvened.

Mr. Clerk.

DEPUTY COUNTY CLERK: Mr. Chair, just for confirmation that there was no objections to the referrals as read by the Clerk.

COUNCILMEMBER SUGIMURA: No objections.

COUNCILMEMBER HOKAMA: No objections.

VICE-CHAIR CARROLL: With no objections--

DISCUSSION AND ACTION RELATING TO  
COUNTY COMMUNICATION NO. 17-421

COUNCILMEMBER COCHRAN: Wait, no, no.

COUNCILMEMBER ATAY: Objection, Chair.

VICE-CHAIR CARROLL: Oh, excuse me. Mr. Atay.

COUNCILMEMBER ATAY: Yes, Chair, in regards to County Communications No. 17-421, relating to water conservation measures. I think this is an issue that we covered before in a Water Resource meeting pertaining to Wailea conservation measures. But then, in that meeting our discussion was, we brought out was involvement of West Maui wastewater water conservation measures.

(Councilmember Guzman returned to the meeting at 10:49 a.m.)

COUNCILMEMBER ATAY: So, I think the more appropriate Committee would be to go to IEM to address. It was, it was left broad so that whatever water scalping of wastewater projects could be created to address water conservation measures. So, I think the more appropriate Committee would be to go to IEM.

VICE-CHAIR CARROLL: Any objections?

MEMBERS VOICED NO OBJECTION.

VICE-CHAIR CARROLL: That matter will be transferred to IEM. Thank you.

The recommended action is that County Communication No. 17-421 be referred to the Infrastructure and Environmental Management Committee.

DISCUSSION RELATING TO  
COUNTY COMMUNICATION NO. 17-420

VICE-CHAIR CARROLL: Mr. Clerk.

COUNCILMEMBER HOKAMA: Chairman.

VICE-CHAIR CARROLL: Mr. Hokama.

COUNCILMEMBER HOKAMA: No objections to your, the recommendations. I just wanted to state that regarding 17-420, since the Mayor has sent us official correspondence regarding the position of the Director of Finance, I would just state that from your budget and finance component, we are moving forward in fulfilling the Charter's requirement of doing an audit of the Finance Director that we plan to do very expeditiously and thorough to meet our responsibilities, yet being time enough to give appropriate guidance to the Council on a consideration of a new director through a confirmation process. Thank you.

VICE-CHAIR CARROLL: Thank you, Mr. Hokama.

Mr. Clerk.

DEPUTY COUNTY CLERK: Mr. Chair, proceeding with committee reports.

COMMITTEE REPORTS

COMMITTEE REPORT  
NO. 17-135 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. That Resolution 17-150, entitled "APPROVING COST ITEMS FOR BARGAINING UNIT 1, NON-SUPERVISORY BLUE COLLAR EMPLOYEES," be ADOPTED; and
2. That County Communication 17-354, from the Mayor, be FILED.

VICE-CHAIR CARROLL: Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, I would ask you and the Members, if there is no objections, if the Clerk may also bring up the following three Budget and Finance Committee reports up to and including 17-138?

MEMBERS VOICED NO OBJECTION.

VICE-CHAIR CARROLL: No objection.

Mr. Clerk.

COMMITTEE REPORT  
NO. 17-136 - BUDGET AND FINANCE COMMITTEE:

Recommending that Bill 86 (2017), entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT AMENDING THE MEMORANDUM OF AGREEMENT FOR LIFEGUARD SERVICES BETWEEN THE STATE OF HAWAII AND THE COUNTY OF MAUI FOR MAKENA BEACH PARK," be PASSED ON FIRST READING and be ORDERED TO PRINT.

COMMITTEE REPORT  
NO. 17-137 - BUDGET AND FINANCE COMMITTEE:

Recommending that Bill 87 (2017), entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2018 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX A, PART I, GRANT REVENUE – SCHEDULE OF GRANTS BY DEPARTMENTS AND PROGRAMS, DEPARTMENT OF PUBLIC WORKS (STATE OF HAWAII DEPARTMENT OF HEALTH)," be PASSED ON FIRST READING and be ORDERED TO PRINT.

COMMITTEE REPORT  
NO. 17-138 - BUDGET AND FINANCE COMMITTEE:

Recommending the following:

1. That Bill 88 (2017), entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2018 BUDGET FOR THE COUNTY OF



MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES – SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2018, HAWAIIAN CULTURAL RESTORATION REVOLVING FUND," be PASSED ON FIRST READING and be ORDERED TO PRINT; and

2. That County Communication 17-285, from the Budget Director, be FILED.

VICE-CHAIR CARROLL: Mr. Hokama.

COUNCILMEMBER HOKAMA:

CHAIRMAN, I MOVE THAT COMMITTEE REPORT 17-135, 36, 37, 38, ALONG WITH ITS RECOMMENDATIONS, BE ADOPTED BY THE BODY.

COUNCILMEMBER CRIVELLO:

SECOND.

VICE-CHAIR CARROLL: Been moved by Mr. Hokama, seconded by Ms. Sugimura *[sic]*.

COUNCILMEMBER CRIVELLO: Crivello.

VICE-CHAIR CARROLL: Oh, excuse me, Crivello.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, thank you. Very quickly, Members. One, we are approving and ratifying the Cost Items for Unit 1, UPW, employees of the County, through their contract proposal. It is only a one-time review and approval by the Council through a resolution.

The other three is, of course, first reading, be ordered to print of the various bill for an ordinances.

I bring into focus, Members, specifically item 136. This is for lifeguard services already provided by the County of Maui for the State of Hawaii. This expired on September 30. So, currently, again, our employees are at risk providing a State service that they're currently not getting compensated for from the State of Hawaii.

And again, Chairman, that is an issue for us on how the State deals with the Counties, expecting County to respond, and yet, either by constitutional agreement we're not being fairly compensated for our efforts. It's an issue for me. We currently have no agreement with the State of Hawaii. We had to buy, secure additional insurances to cover our employees for their State responsibilities. So, this is not over yet, Chairman, the issue of governance.

Regarding the other two components, again, Chairman, the last one I would just, I give comment is on 138. Your Committee is moving forward the efforts and adjustments in policy that we have worked through our various standing Committees as it regards to Moku`ula and the West Maui project, and its impact through a Hawaiian Cultural Restoration Fund. So, I thank Ms. Cochran and Mr. Guzman for their energy and efforts in bringing this forward before the body. Thank you.

VICE-CHAIR CARROLL: Thank you, Mr. Hokama.

Any further discussion to the motion on the floor? Seeing none, all in favor signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND VICE-CHAIR CARROLL.

VICE-CHAIR CARROLL: Opposed.

NOES: NONE.

EXCUSED: CHAIR WHITE.

VICE-CHAIR CARROLL: Motion carried; eight "ayes", no "noes" one "excused".

Mr. Clerk.

DEPUTY COUNTY CLERK: Relative to Committee Report 17-135, that's RESOLUTION 17-150. Relative to Committee Report 17-136, BILL 86 (2017). Relative to Committee Report 17-137, BILL 87 (2017). And relative to Committee Report 17-138, BILL 88 (2017).

COMMITTEE REPORT

NO. 17-139 - HOUSING, HUMAN SERVICES, AND TRANSPORTATION  
COMMITTEE:

Recommending the following:

1. That Bill 89 (2017), entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.96, MAUI COUNTY CODE, RELATING TO RESIDENTIAL WORKFORCE HOUSING POLICY," be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That the correspondence dated August 8, 2016, from the Director of Housing and Human Concerns, be FILED.

VICE-CHAIR CARROLL: Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN  
COMMITTEE REPORT 17-139.

COUNCILMEMBER SUGIMURA:

SECOND.

COUNCILMEMBER KING: Second.

VICE-CHAIR CARROLL: Been moved by Ms. Crivello, seconded by Ms. Sugimura.

Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you. Your Housing, Human Services, and Transportation Committee met on August 17, 2017 and October 5, 2017, to consider a revised proposed bill amending the County's Residential Workforce Housing Policy, Chapter 2.96 of the Maui County Code.

The revised proposed bill establishes credits for residential workforce housing rental units in a process similar to credits issued for work, residential workforce housing for sale units.

The bill also includes a process for maintaining the required distribution of workforce housing rentals among appropriate income groups, an annual recertification requirement to ensure that tenants continue to meet income guidelines, and processes to address graduated income tenants.

Your Committee voted 4-0, at that time we just had bare-quorum, to recommend passage of the revised proposed bill on first reading, and filing of the communication. I respectfully ask for the Council's support. Thank you, Chair.

VICE-CHAIR CARROLL: Thank you.

Any further discussion to the motion on the floor?

COUNCILMEMBER COCHRAN: Chair.

VICE-CHAIR CARROLL: Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you. And, thank you, Committee, for working on this. I'm not a voting member of it so at this time, I am, I will support this but there are just a couple things that I feel could use work. But, with the applicant, or the testimonies that we heard today, I think, you know, this is very quite suitable for that entity.

But, in the bigger picture, I think I see there could be some concerns in my eyes, anyways, with, with other entities. They may utilize the newly possibly adopted bill here. So, I just wanted to point out, Chair, that the section in reference to allowing Department, or just only allowing Department of Housing and Human Concerns to utilize HUD numbered, HUD guidelines and not, and taking themselves out of the picture as being able to propose alternate number or alternate option.

Because our newly printed Maui County Data Book basically states that our, in reference, so HUD guidelines, Maui area median income via HUD guidelines for 2015 are at 75,100. And then the most recent Maui County Data Book through OED states Maui median's household income is 66,476 for that same year. So, we are clearly \$10,000 plus under the stated amount that HUD puts us in. So, that's a, that's a huge, to me, discrepancy in figures.

So, I'd like to, again in this language, allow Department to set better affordability numbers in the future, and not so much only focus on the HUD numbers at this time, Chair. So, thank you. I will be in support as stated, and my reasons. Mahalo, Chair.

VICE-CHAIR CARROLL: Thank you, Ms. Cochran.

COUNCILMEMBER ATAY: Chair.

VICE-CHAIR CARROLL: Mr. Atay, followed by Ms. King.

COUNCILMEMBER ATAY: Okay. In line with Member Cochran's explanation of our recent Data Book, and the levels being below HUD's standards, I think in correlation, I was just in Hana with the approval of the Hana side, and Hana has their own set standards. So, I think Member Cochran's line of thinking has merit for Department of Housing to really consider establishing a true Maui only housing standard.

VICE-CHAIR CARROLL: Thank you, Mr. Atay.

Ms. King.

COUNCILMEMBER KING: Chair, no, I just wanted to, to say that I agree with Ms. Cochran. This bill needs a little bit more work, but we, we, I think we came up with a good, a pretty good amended bill for the time being to address the immediate needs. And so, I'm in support of it, but I, I would like to see us go back and look at some of the details of this bill in the future.

VICE-CHAIR CARROLL: Thank you, Ms. King.

Any further, Ms. Sugimura.

COUNCILMEMBER SUGIMURA: I just want to say I support this, as I know and all of us have seen the housing shortage, and you're right, we heard a lot of it yesterday when we were, Wednesday, when we were in Hana and heard many stories. But in general, I think that this will help kickstart the rental units that we basically need in, in dire need. I think 80 percent of our residents rent versus purchase. So, I would like to address our, our shortages. I, I fully support this bill.

VICE-CHAIR CARROLL: Any further discussion to the motion on the floor?

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, I speak in support of the motion this morning with some reservations. And, let me just share those reservations. I see this proposal as something on a more broad approach. For me, this is not about Catholic Charities. They are potentially one non-profit user of this consideration. But this is not a, this bill is not for Catholic Charities.

I just want the community to be aware, this is about a policy that we're looking at to see if we can provide more units. And I'm going to call it what it is; subsidized housing until we can figure out how we're going to address affordability. And even Congress is currently having their issues of saying we want to protect the middle class but unfortunately, they themselves cannot define what is middle-class. Or does it really exist in this country anymore?

My concern, Chairman, is of course, I would say at times the irony of what we're trying to accomplish. I understand what the proponents are saying. And yet, we know very well if we're going to go for State and Federal tax credits, what is one of the requirements that impacts pricing and cost? Davis-Bacon Wage Law, okay. Take your Hana project, no government funding, 100 percent private. You have to still honor Davis-Bacon knowing that without that, they could possibly reduce each lot by up, maybe \$20,000 more. So much for the affordable support in government, you know.

So, being Maui, maybe we should tell the State and Feds they can go kiss it where they need to. And maybe Maui needs to conduct its own housing process; we follow our own rules and regulations. It's something I think Ms. Crivello can work on as the Chairman of our Committee, standing Committee, to give us a consideration that it be a Maui process with Maui County standards. And one of them would be under authority of exemption to see if we can waive things that we know is still impacting the price, and that's the Davis-Bacon Wage requirement.

I don't have a problem paying fair, fair wages to our employees. But, it shouldn't be when it's now against the benefit of who we're trying to address in the community. And I find this to be a major stumbling block for projects to pencil out even smarter.

The other thing I want to bring up, Chairman, is, you know, and again, I agree this is not the perfect, but we need to consider . . . and you know, for me is we need to be stronger on the length we put up front, and when we expect those units to be completed. I'm tired of waiting, Chairman. I've been waiting 20 years, okay. So, I think clocks, deadlines, minimum unit performance is things we got to think about.

And I think one of the things that we also need to think about as we move this forward with our agencies is please get out of this entitlement attitude. It's going to drive this country, this County down the toilet. Entitlement attitude, okay. What's so hard about working for what you want, earning what you deserve, instead of assuming somebody else is going to provide it for you? This County has great pride, Chairman. And I think our people want to earn what they want. They don't need it given it to them.

I think we can work on these type of projects with an adjustment and attitude that this is not an entitlement. We do what we can to support our community. But I want to

encourage those and help those that want the help, Chairman. Cause we don't have the money to take care of the whole spectrum, but I'm happy to give it to those that want the help. Thank you.

COUNCILMEMBER CRIVELLO: Chair.

VICE-CHAIR CARROLL: Thank you, Mr. Hokama.

Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you. I appreciate the comments from my colleague, Mr. Hokama. I understand also that, you know, our, sometimes are handcuffed because of Davis-Bacon Wages. And, I also understand his concerns about entitlement and people being able to earn their way.

If we do not support efforts of the entity that would like to use the opportunity to subsidize this, where it's either government will subsidize or the developer will subsidize with, with the credits. And, you know, we look at our, our taxpaying, I don't care what anyone says, when we do not address the needs of our people, it will still be a burden on us as taxpayers.

And, attitudes, we have no control of. Our own attitudes we have control of. Is how much we will find means and policies to address what has not been addressed for many years on this, in this County. I have not seen the kind of actual performance to provide affordable or rentals, or what we're going to do to address the needs of our residents. And it, it's frustrating, because we always going to put some condition, or all types of conditions to make it harder for us to be able to. Are we going to build? We just built a \$13 plus million complex in Kulamalu, all government. Is there any way that we provide so that we get some monies back into our funds? No. But, that's a major subsidy. As opposed to allowing some policy so that the developer will subsidize their own efforts to pencil out.

Yes, this is not necessarily just for Catholic Charities. I don't look at it that way. I look at it meeting the needs at this particular development for our kupuna, na kupuna. Needs they are at, they've earned as best as they could throughout the years. Perhaps this will add further for those who will need it more when it comes to our families. I'm sorry. I'm sorry I want to look for any possibility.

And I do not deny that 2.96 needs lots and lots of more scrubbing and dissecting. And I personally will continue to work with the Department and with our, our Departments that will help us to do the scrubbing. For the end result is to collaborate and to work with, whether it's the developer, whether it's the private or public entity to come out and

start putting things out there. We do a good talk, but not enough of us actually find the means that how we're going to provide.

Yes, I wish government wasn't filled with entitlements. But, find, give me a solution, some other way; our prevailing wages, how do we meet so that the career paths are there open, and that our young people can stay here to be surrounded with family? And that when na kupuna ready to hala, they're surrounded by their family. That's what we're about, and we cannot forget that.

And, I'm sorry about my emotions, but I think this is just baby steps that we need to take. But let's, let's make those steps. And that's all I'm saying. I continue to look for your support. Thank you.

VICE-CHAIR CARROLL: Thank you, Ms. Crivello.

Any further discussion on the motion on the floor? Seeing none, all in favor signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND VICE-CHAIR CARROLL.

VICE-CHAIR CARROLL: Opposed.

NOES: NONE.

EXCUSED: CHAIR WHITE.

VICE-CHAIR CARROLL: Motion carried; eight "ayes", no "noes", one "excused".

Mr. Clerk.

DEPUTY COUNTY CLERK: For the record, BILL 89 (2017).

COMMITTEE REPORT

NO. 17-140 - INFRASTRUCTURE AND ENVIRONMENTAL MANAGEMENT  
COMMITTEE:

Recommending that County Communication 17-86, from the Director of Finance, informing of the acquisition of Waterline Easement 4, Mailepai Hui Partition, TMK: (2) 4-3-001:033, be FILED.



VICE-CHAIR CARROLL: Ms. Cochran.

COUNCILMEMBER COCHRAN: Chair, may I also request Clerk bring up Committee Report 17-141?

VICE-CHAIR CARROLL: Any objection?

MEMBERS VOICED NO OBJECTION.

VICE-CHAIR CARROLL: Seeing none, Mr. Clerk.

COUNCILMEMBER COCHRAN: Thank you.

COMMITTEE REPORT  
NO. 17-141 - INFRASTRUCTURE AND ENVIRONMENTAL MANAGEMENT  
COMMITTEE:

Recommending that County Communication 17-88, from the Director of Finance, informing of the acquisition of Waterline Easement 6, Maui Preparatory Academy Subdivision, Lahaina, TMK: (2) 4-3-001:090, be FILED.

VICE-CHAIR CARROLL: Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN THE  
COMMITTEE REPORT 17-140 AND 17-141.

COUNCILMEMBER KING:

SECOND.

VICE-CHAIR CARROLL: Was seconded by--

COUNCILMEMBER COCHRAN: Kelly.

VICE-CHAIR CARROLL: --Ms. King.

Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. This matter was considered at the IEM Committee meeting October 2, 2017, and it does involve acquisition by this County of a waterline easement, referred to as "Easement 4". And it's located in the Mailepai Hui Partition in Lahaina, for improvements for the West Maui Village Project.

And your Committee reviewed the Warranty Deed related to this acquisition, and reports no concerns. The County, no County funds were used to acquire the waterline easement.

In Number 17-141, this was also considered on the same day at IEM on October 2. And it involved acquisition of another waterline easement, referred to as "Easement 6", located in the Maui Preparatory Academy Subdivision in Lahaina, which is also for improvements of the West Maui Village Project.

And our, the Committee reviewed the Warranty Deed related to this acquisition, and we reported no concerns. And this one, no County funds were utilized for the easements.

So, at this time, I'm recommending both communications be filed, and ask for my Members support. Thank you, Chair.

VICE-CHAIR CARROLL: Thank you.

Any further discussion to the motion on the floor? Seeing none, all in favor signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND VICE-CHAIR CARROLL.

VICE-CHAIR CARROLL: Opposed.

NOES: NONE.

EXCUSED: CHAIR WHITE.

VICE-CHAIR CARROLL: Motion carried; eight "ayes", no "noes", one "excused".

Mr. Clerk.

COMMITTEE REPORT  
NO. 17-142 - LAND USE COMMITTEE:

Recommending that General Communication 17-6, from Kathryn S. Matayoshi, Superintendent, State Department of Education, submitting the 2017 Annual Report in accordance with Condition 3 of Ordinance No. 4135, Kihei High School change in zoning, be FILED.

VICE-CHAIR CARROLL: Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, with no objections, I'll ask the Clerk to bring up all Committee Reports 143, 144, and 145.

VICE-CHAIR CARROLL: Any objections?

MEMBERS VOICED NO OBJECTION.

VICE-CHAIR CARROLL: Thank you.

Mr. Clerk.

COMMITTEE REPORT  
NO. 17-143 - LAND USE COMMITTEE:

Recommending that General Communication 17-5, from Blanca Lafolette, Project Coordinator for CMBY 2011 Investment, LLC, submitting the Conditions of Zoning Compliance Report for Ordinance No. 4220, CMBY 2011 Investment, LLC, TMK: (2) 3-8-008:019, be FILED.

COMMITTEE REPORT  
NO. 17-144 - LAND USE COMMITTEE:

Recommending the following:

1. That Resolution 17-151, entitled "REFERRING TO THE MAUI PLANNING COMMISSION PROPOSED BILLS TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION, ZONING, AND MAKAWAO-PUKALANI-KULA COMMUNITY PLAN AND LAND USE MAP FOR PROPERTY SITUATED AT MAKAWAO, MAUI, HAWAII, TAX MAP KEYS (2) 2-4-002:011 AND

(2) 2-4-002:006 (POR.) (HUI NO'EAU VISUAL ARTS CENTER)," be ADOPTED; and

2. That the proposed District Boundary Amendment map, Change in Zoning map, and Community Plan Amendment map, and written testimony be TRANSMITTED, along with certified copies of the resolution, to the recipients of the resolution.

COMMITTEE REPORT

NO. 17-145 - LAND USE COMMITTEE:

Recommending the following:

1. That Bill 90 (2017), entitled "A BILL FOR AN ORDINANCE TO TRANSFER A CONDITIONAL PERMIT FROM SOUTH MAUI BUSINESS PARK PARTNERS TO WAILEA GOLF LLC FOR THE CONTINUED OPERATION OF A PARKING LOT WITHIN THE A-2 APARTMENT DISTRICT ON PROPERTY IDENTIFIED AS TAX MAP KEY NUMBER (2) 2-1-008:141, WAILEA, KIHEI, MAUI, HAWAII," be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 17-364, from the Planning Director, be FILED.

VICE-CHAIR CARROLL: Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Chairman.

I MOVE THAT COMMITTEE REPORTS 17-142, 43, 44, AND 45,  
ALONG WITH ITS RECOMMENDATIONS, BE ADOPTED BY  
THE COUNCIL.

COUNCILMEMBER CRIVELLO:

SECOND THE MOTION.

VICE-CHAIR CARROLL: Been moved by Mr. Hokama, seconded by Ms. Crivello.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, we'll just take note of one, 144. This is a Council initiated land use request being forwarded to the Maui Planning Commission for review and comments. Thank you.

VICE-CHAIR CARROLL: Any further discussion to the motion on the floor? All in favor signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND VICE-CHAIR CARROLL.

VICE-CHAIR CARROLL: Opposed.

NOES: NONE.

EXCUSED: CHAIR WHITE.

VICE-CHAIR CARROLL: Motion carried; eight "ayes", no "noes", one "excused".

Mr. Clerk.

DEPUTY COUNTY CLERK: Relative to Committee Report 17-144, RESOLUTION 17-151.  
Relative to Committee Report 17-145, BILL 90 (2017).

COMMITTEE REPORT

NO. 17-146 - PARKS, RECREATION, ENERGY, AND LEGAL AFFAIRS  
COMMITTEE:

Recommending the following:

1. That Resolution 17-152, entitled "AUTHORIZING THE EMPLOYMENT OF THE LEGAL AID SOCIETY OF HAWAII AS SPECIAL COUNSEL FOR LEGAL SERVICES ADMINISTERED THROUGH THE OFFICE ON AGING," be ADOPTED; and
2. That County Communication 17-367, from the Director of Housing and Human Concerns, be FILED.

VICE-CHAIR CARROLL: Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair.

MOVE TO ADOPT THE RECOMMENDATIONS IN COMMITTEE  
REPORT 17-146.

COUNCILMEMBER KING:

SECOND.

VICE-CHAIR CARROLL: Been moved by Mr. Guzman, seconded by Ms. King.

Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair. Your Committee met on September 19, 2017, to consider a proposed resolution to authorize the County's Office of Aging to employ the Legal Aid Society of Hawaii as special counsel to provide legal services to qualified individuals for a period of October 1, 2017 through September 30, 2019, for a total compensation not to exceed 70,000 per year.

The Office on Aging is required by the Older Americans Act to allot a minimum percentage of Federal funds for legal services to seniors and grandparents raising grandchildren. The Legal Aid Society was successful bidder for the contract.

The Council, from 2015 through 2017 term previously adopted Resolution 15-93, authorizing employment of the Legal Aid Society as special counsel for the period of October 1, 2015 through September 30, 2017.

Your Committee was informed and the previous contract was extended to December 31, 2017. The Executive on Aging informed your Committee that the Office requested proposal process took longer than expected. To prevent a gap in service, the Office extended the contract.

Your Committee noted that the assistance provided by Legal Aid, through the Office of Aging, is vital to the population it serves. I respectfully request the Council's support for your Committee's recommendations. Thank you, Chair.

VICE-CHAIR CARROLL: Thank you, Mr. Guzman.

Any further discussion to the motion on the floor? Seeing none, all in favor signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND VICE-CHAIR CARROLL.

VICE-CHAIR CARROLL: Opposed.

NOES: NONE.

EXCUSED: CHAIR WHITE.

VICE-CHAIR CARROLL: Motion carried; eight "ayes", no "noes", one "excused".

Mr. Clerk.

DEPUTY COUNTY CLERK: For the record, RESOLUTION 17-152.

COMMITTEE REPORT

NO. 17-147 - PARKS, RECREATION, ENERGY, AND LEGAL AFFAIRS  
COMMITTEE:

Recommending that the correspondence dated September 21, 2017, transmitting a proposed resolution, entitled "AUTHORIZING SETTLEMENT OF LESLI LYN OTANI V. COUNTY OF MAUI, ET AL., CIVIL NO. 17-00281 DKW-KJM," be FILED.

VICE-CHAIR CARROLL: Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN  
COMMITTEE REPORT 17-147.

COUNCILMEMBER KING:

SECOND.

VICE-CHAIR CARROLL: Been moved by Mr. Guzman, seconded by Ms. King.

Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair. Your Committee met on October 3, 2017, to consider the proposed resolution authorizing settlement.

Following an executive meeting, your Committee voted to recommend filing of the correspondence. Respectfully ask the Council's support of your Committee's recommendations. Thank you.

VICE-CHAIR CARROLL: Thank you, Mr. Guzman.

Any further discussion on the motion on the floor? Seeing none, all in favor signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND VICE-CHAIR CARROLL.

VICE-CHAIR CARROLL: Opposed.

NOES: NONE.

EXCUSED: CHAIR WHITE.

VICE-CHAIR CARROLL: Motion carried; eight "ayes", no "noes", one "excused".

Mr. Clerk.

COMMITTEE REPORT  
NO. 17-148 - POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE  
COMMITTEE:

Recommending the following:

1. That Resolution 17-153, entitled "APPROVING FOR INCLUSION IN THE 2018 MAUI COUNTY LEGISLATIVE PACKAGE A STATE BILL PROHIBITING THE USE, SALE, OR DISTRIBUTION FOR SALE OF SKIN CARE PRODUCTS CONTAINING OXYBENZONE AND OCTINOXATE," be ADOPTED; and
2. That Resolution 17-154, entitled "APPROVING FOR INCLUSION IN THE 2018 MAUI COUNTY LEGISLATIVE PACKAGE A STATE BILL TO INCREASE REVENUE FOR EACH COUNTY'S AFFORDABLE HOUSING FUND THROUGH AN ADDITIONAL ONE PERCENT CONVEYANCE TAX ON PROPERTIES VALUED AT MORE THAN \$2 MILLION," be ADOPTED.



DEPUTY COUNTY CLERK: Mr. Chair, also pending before the body at this time is:

COUNTY  
COMMUNICATION  
NO. 17-411 - YUKI LEI SUGIMURA, CHAIR, POLICY, ECONOMIC  
DEVELOPMENT, AND AGRICULTURE COMMITTEE,  
(dated October 12, 2017)

Transmitting an amendment to the proposed state bill entitled "RELATING TO OXYBENZONE AND OCTINOXATE".

VICE-CHAIR CARROLL: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair.

I MOVE TO ADOPT THE RECOMMENDATIONS IN  
COMMITTEE REPORT 17-148.

COUNCILMEMBER CRIVELLO:

SECOND THE MOTION.

VICE-CHAIR CARROLL: Been moved by Ms. Sugimura, seconded by Ms. Crivello.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair.

I MOVE TO AMEND THE FIRST PROPOSED RESOLUTION ATTACHED TO COMMITTEE REPORT 17-148, BY AMENDING THE PROPOSED STATE BILL ATTACHED AS EXHIBIT "A", ENTITLED "A BILL FOR AN ACT RELATING TO OXYBENZONE AND OCTINOXATE," BY (1) INSERTING INTO THE PURPOSE STATEMENT IN SECTION 1 OF THE BILL THE WORD "USE," FOLLOWED BY A COMMA, PRIOR TO THE WORD "SALE," TO READ, "THE PURPOSE OF THIS ACT IS TO PROMOTE OCEAN HEALTH BY PROMOTING, PROHIBITING THE USE, SALE, OFFER FOR SALE, OR DISTRIBUTION FOR SALE OF SUNSCREEN OR PERSONAL CARE PRODUCTS CONTAINING OXYBENZONE AND OCTINOXATE."; AND

(2) INSERTING INTO SECTION 2 OF THE BILL, FOLLOWING THE NEW SECTION HEADING, AN "(A)" TO CREATE A SUBSECTION; A NEW SUBSECTION (B) TO INCORPORATE A DEFINITION OF "OXYBENZONE"; AND A NEW SUBSECTION (C) TO INCORPORATE THE DEFINITION OF "OCTINOXATE," AS REFLECTED IN THE BILL ATTACHED TO MY AMENDMENT SUMMARY FORM; AND TO FILE COUNTY COMMUNICATION 17-411.

COUNCILMEMBER CRIVELLO:

SECOND.

VICE-CHAIR CARROLL: Any further discussion?

Ms. Crivello.

COUNCILMEMBER CRIVELLO: No, no discussion.

COUNCILMEMBER SUGIMURA: Thank you, Chair. The proposed housekeeping amendments to this bill, State bill will provide clarity and consistency to the bill's purpose statement by inserting the word "use", and inserting definitions for Oxybenzone and Octinoxate that are identical to the proposed definition under Chapter 328, Hawaii Revised Statutes, as set forth in this proposed bill.

These revisions were overlooked when the prohibition use, against use was added into the bill at the Committee meeting. Thank you, Chair.

VICE-CHAIR CARROLL: Thank you.

Any further discussion to the motion on the floor?

COUNCILMEMBER KING: Chair, just a question.

VICE-CHAIR CARROLL: I'm sorry, Ms. King.

COUNCILMEMBER KING: Thank you. So, just to clarify that this, the resolution is to, is to, or actually, we're just basically asking the State Legislature to pass this, this bill. And we have a similar legislation being considered in the IEM Committee, so I just wanted to, because I'm not on that Committee, ask my colleague Ms. Sugimura if this bill mirrors the bill that's being considered on the County level that we have control over?

VICE-CHAIR CARROLL: Ms. Sugimura.

COUNCILMEMBER KING: Or maybe Ms. Cochran can answer.

COUNCILMEMBER SUGIMURA: I don't know if it, word for word mirrors, so that's what mirrors means, but the intent of today is to basically do housekeeping measures and to, to clarify those items that we needed to do when it was taken up on the floor. So, that's the purpose of today. And as far as the other question, I, I would defer to somebody else who maybe can put word for word to see if it does mirror it.

COUNCILMEMBER KING: Maybe Ms. Cochran can address.

VICE-CHAIR CARROLL: Ms. Cochran, could you help to clarify the matter?

COUNCILMEMBER COCHRAN: Yea, thank, yes, thank you, Ms. King. So, as stated, this is a housekeeping item. And so, it is basically mirroring. What we did on the floor is just, yea, putting it accurately now into the bill itself. So, it's, it's not, really not a substantive change at all from what we discussed and what we worked on within Committee.

COUNCILMEMBER KING: Okay. But, it didn't pass in Committee was my understanding, or did it pass out of IEM?

COUNCILMEMBER COCHRAN: No.

COUNCILMEMBER KING: Okay.

COUNCILMEMBER COCHRAN: Not yet.

COUNCILMEMBER KING: I guess that's my confusion. If we're, if we're proposing this for the State level, why are we not passing it at the County level?

COUNCILMEMBER SUGIMURA: So, Chair.

VICE-CHAIR CARROLL: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. If I could. So, we're not done discussing this in, in Member Cochran's Committee of IEM. There was a lot of questions that the Members brought up. So, yes it didn't pass out of the County Committee, cause it's not finished. So, I believe Member Cochran can confirm, but we had questions about, you know, different aspects of the County proposed bill.

But today, the bill before you is what we are proposing as housekeeping measures, actually, for the proposed bill that was presented and discussed in my Committee. And--

COUNCILMEMBER KING: I guess my, my concern is, Chair, why don't we have those same concerns and, and we're passing this bill out to the State Legislature that we had at the County level? So, I mean, if we're supporting this bill as it is, and we're asking the State Legislature to support it and to pass it, then we should be able to pass this ourselves at the County level. So, I have a little bit of conflict with passing out something that did not pass in, out of our Council Committee.

COUNCILMEMBER SUGIMURA: We did pass this.

VICE-CHAIR CARROLL: Thank you, Ms. King.

COUNCILMEMBER SUGIMURA: We did pass this out of our, out of our PEA Committee.

COUNCILMEMBER KING: Well, out of IEM. The, no, no, no, I'm talking about actually, you know, we have the authority to pass this.

VICE-CHAIR CARROLL: Ms. Sugimura, please wait till you're called on. This is not an open floor discussion.

Alright. Ms. King.

COUNCILMEMBER KING: Yea, so, my, my concern is that we had the authority to pass this out at a County level out of our Committee, but there are, seem to be questions, but yet we're asking the State Legislature, now with this bill, to pass this at a State level. And so, if we, I mean, shouldn't we wait till we have something that we could fully support at the County level before we are asking the State to do this?

VICE-CHAIR CARROLL: Ms. Sugimura.

Oh, excuse me, Ms. Crivello.

COUNCILMEMBER CRIVELLO: I, I just want to ask why wasn't it passed out of Committee? I'm not on IEM. So, perhaps the Chair of that Committee can explain why it hasn't passed out of the IEM Committee as of date?

VICE-CHAIR CARROLL: If you'll defer to Ms. Cochran.

COUNCILMEMBER COCHRAN: Chair.

COUNCILMEMBER GUZMAN: Chair.

COUNCILMEMBER COCHRAN: Yea, thank you for the ones who are not part of IEM. It was just the initial to present to the body to see what tact we wanted to go. And also, next month, looking forward to a panel type discussion to address all the scientific data type questions that need to be brought forward. So, that is in the making to occur.

And there's, so that's mainly why it was the first initial just to bring it out to the body to discuss and see where we wanted to go with it; use or, or no use. And, so that was some of the main things, and we had accomplished that and people wanted the word "use" to be included. And we're doing that today also in this package. But, no, the actual item has not passed out of IEM currently.

VICE-CHAIR CARROLL: Thank you.

COUNCILMEMBER COCHRAN: It's in, it's still in process.

VICE-CHAIR CARROLL: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: So, yes, just clarification. So, I'm a member of that Committee and we had one meeting, and I think great questions came up like what are the personal use, you know, things like Shiseido or other products that does have this, these ingredients in it. So, we asked for additional information on the bill.

But, this is a great question. Maybe we shouldn't pass it and send it to the, through the Legislature if this Committee feels like we're not ready. It, it's happening on two separate levels. And when it came up in IEM, it came up with other questions along with having a panel to come before us in November. So, it was presented like it was just a first pass for this bill to move forward. So, that, that's really where we are.

I mean, this, this item passed to go forward to State Legislature. And then IEM had their own proposal which came up in the Committee, which, which we all said we wanted, you know, additional information. So, it's probably a good question.

VICE-CHAIR CARROLL: Alright. We're still discussing a motion on the floor.

COUNCILMEMBER GUZMAN: Chair.

VICE-CHAIR CARROLL: Mr. Guzman.

COUNCILMEMBER GUZMAN: Just, just for clarity purposes. I'm more than willing to pass this measure out that's being presented on the floor through, only because there's deadlines and there's timeframes that we need to meet. And I know once it gets, once this measure gets to the State, they're going to do further vetting, especially on the commerce clause issues that, that would affect the State in posing this type of legislation through.

Same, in the same breath, we on the Council are discussing issues of the commerce clause, which basically are the products that are interstate, being passed through to our County. And so, just like the styrene bills and other bills that deal with products, we have to place on the floor, in the record, the rationale as to why we want to prohibit these type of products, sale or use of so that we can at least have a defensible reason in the record to at least be, be prepared for any, like, challenges that come forth.

So, we do have to take our time at our County level. Same is true as the State would have to do their vetting through. So, I'm more than willing to pass this through, because I know that they, at the State level, they're going to have to do the same type of vetting through as we do.

VICE-CHAIR CARROLL: Alright, Members, I've allowed more discussion, more than was actually by our rules by how many times I've called on individuals. So, I'm going to call for the question. All in favor of the motion on the floor signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND VICE-CHAIR CARROLL.

VICE-CHAIR CARROLL: Opposed.

NOES: NONE.

EXCUSED: CHAIR WHITE.

VICE-CHAIR CARROLL: Motion carried; eight "ayes", no "noes" one "excused".

Mr. Clerk.

DEPUTY COUNTY CLERK: Mr. Chair, we're back to the main motion.

COUNCILMEMBER SUGIMURA: Yea, so.

VICE-CHAIR CARROLL: Oh, excuse me.

COUNCILMEMBER SUGIMURA: If I could, if I could, Chair.

VICE-CHAIR CARROLL: We are back to the main motion. I am sorry. See, we talk too much.

Alright, Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Good discussion. Thank you, Chair.

Your Policy, Economic Development, Agriculture Committee met on September 18, 2017, and October 2, 2017, to consider four proposals for inclusion in the 2018 Maui County Legislative Package, including State bills to: 1) allow for more stringent enforcement for the Basic Bills of Rights for Victims and Witnesses; 2) prohibit the sale of skin care products containing Oxybenzone and Octinoxate; 3) increase revenue in each county's affordable housing fund through an additional one percent conveyance tax on the sale of condominium or single-family residents properties with a value of more than \$2 million; and 4) raise the State minimum wage to \$15.00 per hour.

Your Committee deferred the basic right, the Basic Bill for Victims and Witness proposals. In addition, a motion to recommend an adoption of the minimum wage proposal failed.

Number, also, for the Oxybenzone and Octinoxate proposal, in addition to prohibiting the sale of, distribution for sale of skin care products containing these chemicals ingredients, your Committee recommended the scope be expanded to include a prohibition against use. This Committee, your Committee voted 6-0 to recommend adoption of the revised proposed resolution.

With respect to the conveyance tax proposal, the revenue generated would be deposited into the affordable housing fund for the County where the properties were sold, allowing for County control of the funds. The one-percent conveyance tax would be repealed in five years to June 2023. And your Committee voted 8-0 to recommend adoption of the proposed resolution.

I respectfully ask for the Council's support of your motion as amended. Thank you, Chair.

VICE-CHAIR CARROLL: Thank you.

Any further discussion to the motion as amended on the floor? Hearing none, all in favor signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND VICE-CHAIR CARROLL.

VICE-CHAIR CARROLL: Opposed.

NOES: NONE.

EXCUSED: CHAIR WHITE.

VICE-CHAIR CARROLL: Motion carried; eight "ayes", no "noes", one "excused".

Mr. Clerk

DEPUTY COUNTY CLERK: For the record, RESOLUTION 17-153 and 17-154, respectively.

Mr. Chair, proceeding with ordinances second and final reading.

## ORDINANCES

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 80 (2017)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE  
COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT  
WITH THE STATE OF HAWAII, DEPARTMENT OF HEALTH

VICE-CHAIR CARROLL: Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, if the Members have no objections, I would  
request the Clerk to bring up all bills listed for second and final reading.

MEMBERS VOICED NO OBJECTION.

VICE-CHAIR CARROLL: Proceed, Mr. Clerk.



ORDINANCE NO. \_\_\_\_\_  
BILL NO. 81 (2017)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE UNITED STATES SECRET SERVICE (USSS) REGARDING PAYMENT OF EXPENSES FROM JOINT OPERATIONS BETWEEN USSS AND THE MAUI POLICE DEPARTMENT

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 82 (2017)

A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2018 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX A, PART I, GRANT REVENUE – SCHEDULE OF GRANTS BY DEPARTMENTS AND PROGRAMS, DEPARTMENT OF HOUSING AND HUMAN CONCERNS (STRATEGIC PREVENTION FRAMEWORK PARTNERSHIPS FOR SUCCESS)

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 83 (2017)

A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2018 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX A, PART I, GRANT REVENUE – SCHEDULE OF GRANTS BY DEPARTMENTS AND PROGRAMS, DEPARTMENT OF POLICE (VIOLENCE AGAINST WOMEN ACT (VAWA) – STATE ATTORNEY GENERAL)

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 84 (2017)

A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2018 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES; DEPARTMENT OF WATER SUPPLY, WAILUKU-KAHULUI COMMUNITY PLAN AREA, WATER SUPPLY, WAILUKU WATER COMPANY ACQUISITION; TOTAL CAPITAL IMPROVEMENT PROJECT APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 85 (2017)

A BILL FOR AN ORDINANCE AMENDING  
THE FISCAL YEAR 2018 BUDGET FOR THE COUNTY OF MAUI  
AS IT PERTAINS TO APPENDIX C – CAPITAL IMPROVEMENT PROJECTS,  
DEPARTMENT OF WATER SUPPLY,  
WAILUKU-KAHULUI COMMUNITY PLAN AREA,  
WAILUKU WATER COMPANY ACQUISITION

VICE-CHAIR CARROLL: Mr. Hokama.

COUNCILMEMBER HOKAMA:

CHAIRMAN, I MOVE THAT BILLS 80 THROUGH 85, AS READ  
BY THE CLERK, PASS SECOND AND FINAL READING.

COUNCILMEMBER CRIVELLO:

SECOND.

VICE-CHAIR CARROLL: Been moved by Mr. Hokama, seconded by Ms. Crivello.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, unless there's questions by the Members, the digest is very specific on the action being proposed by the Council this morning. Thank you.

VICE-CHAIR CARROLL: Any further discussion to the motion on the floor? Seeing none, all in favor signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,  
CRIVELLO, GUZMAN, HOKAMA, KING,  
SUGIMURA, AND VICE-CHAIR CARROLL.

VICE-CHAIR CARROLL: Opposed.

NOES: NONE.

EXCUSED: CHAIR WHITE.

VICE-CHAIR CARROLL: Motion carried; eight "ayes", no "noes", one "excused".


Mr. Clerk.

DEPUTY COUNTY CLERK: Mr. Chair, there is no further business before the Council.

VICE-CHAIR CARROLL: Members, I thank you all for attending today. And all the members that came and in television land, thank you. There being no further business before the Council, this Council meeting stands adjourned.

### ADJOURNMENT

The regular meeting of October 20, 2017 was adjourned by the Chair at 11:35 a.m.



\_\_\_\_\_

DENNIS A. MATEO, COUNTY CLERK  
COUNTY OF MAUI, STATE OF HAWAII

RECEIVED

2017 OCT 19 AM 11:15

Lori Tsuhako, LSW, ACSW  
P.O. Box 1565  
Wailuku, HI 96793  
[Itsuhako@hotmail.com](mailto:Itsuhako@hotmail.com)

OFFICE OF THE  
COUNTY CLERK

October 18, 2017

The Honorable Mike White, Chairman  
Maui County Council  
200 S. High Street  
Wailuku, HI 96793

**SUBJECT: A Bill for An Ordinance Amending Chapter 2.96, Relating to Residential Workforce Housing Policy**

Dear Council Chairman White and Members:

I am writing in support of the proposed bill to amend Chapter 2.96, the Residential Workforce Housing Policy. The proposed amendment will provide Rental Housing Credits for the construction of much-needed affordable rental housing for our community. The Rental Housing Credits will allow Catholic Charities Hawaii to develop a 164 unit, 100% affordable housing complex for seniors. The financing offered through the housing credits will allow this developer to secure additional resources for construction of this project.

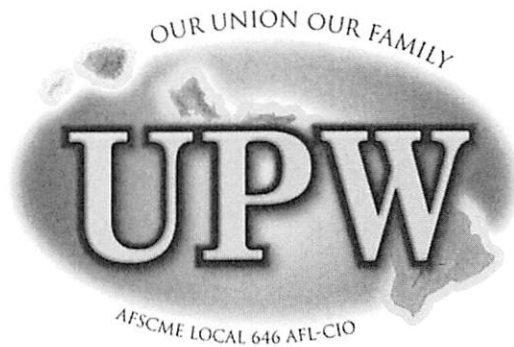
As a professional social worker and the former administrator of the State of Hawaii's Homeless Programs Office, I know that affordable housing is a fundamental solution to homelessness. Development of truly affordable housing for income challenged senior citizens will allow them to live without fear of constantly rising rents, and with the added security of having on-site services. Creative solutions offered by experienced, trustworthy developers such as Catholic Charities will contribute to addressing long-neglected affordable housing needs in Maui County.

I ask that you support the proposed Bill for An Ordinance Amending Chapter 2.96 because it is a step in the right direction for addressing our need for affordable rental housing. I thank you for the opportunity to provide written testimony prior to the Council's vote.

Sincerely,



LORI TSUHAKO, LSW, ACSW  
Concerned Citizen



OFFICE OF THE  
COUNTY CLERK

2017 OCT 19 AM 11:54

RECEIVED

October 20, 2017

Council of the County of Maui  
Council Chamber  
Kalana O Maui Building, 8<sup>th</sup> Floor  
200 South High Street  
Wailuku, Hawaii, 96793

Honorable Mike White, Council Chair  
Honorable Robert Carroll, Council Vice Chair  
Honorable Members of the Council

Date of Hearing: Friday, October 20, 2017  
Time of Hearing: 9:00 a.m.  
Place of Hearing: Council Chamber

TESTIMONY IN SUPPORT OF COMMUNICATION 17-135 RECOMMENDING THE  
ADOPTION OF RESOLUTION TO APPROVE THE COST ITEMS FOR BARGAINING  
UNIT 1, NON-SUPERVISORY BLUE COLLAR EMPLOYEES, REPRESENTED BY THE  
UNITED PUBLIC WORKERS, FOR FISCAL YEARS 2018, 2019, 2020, AND 2021.

My name is Dayton M. Nakanelua, State Director of the United Public Workers (UPW), AFSCME Local 646 AFL-CIO. The UPW is the exclusive representative for approximately 14,000 public employees, which include blue collar, non-supervisory employees in Bargaining Unit 01 and institutional, health and correctional employees in Bargaining Unit 10, in the State of Hawaii including Maui County, Kauai County, Hawaii County and the City and County of Honolulu. The UPW also represents about 1,500 members in the private sector.

The UPW strongly supports CR-17-135 that recommends the adoption of resolution to approve the cost items for Bargaining Unit 01, Non-Supervisory Blue Collar Employees, represented by the United Public Workers, for Fiscal Years 2018, 2019, 2020 and 2021. The UPW humbly requests the County Council to adopt said resolution.

Thank you for the opportunity to testify on this measure.

Dominic Suguitan  
914 Wailupe Dr.  
Wailuku, HI 96793

RECEIVED  
2017 OCT 19 PM 1:20  
OFFICE OF THE  
COUNTY CLERK

Date: October 17, 2017

County Council  
200 South High Street  
Wailuku, Hi 96793

Subject: Proposed Bill Amending 2.96 Relating to Rental Housing Credits...  
HHT-2(1)

Dear Council Chair Mike White and Council Members,

I am writing in support of the bill to amend the Residential Workforce Housing Policy to promote the development of new low-income rental housing for the needy. This proposed bill to amend 2.96 pertaining to Rental Housing Credits will help Maui build much needed affordable housing on Maui.

There is a big void on Maui and housing is not being built quick enough to fill the needs of the working people living here. This is especially true of affordable housing - whether that is workforce housing or low-income rental housing.

In turn these housing credits will help Catholic Charities Hawai'i's Housing Development Corporation build 164 much needed affordable senior rental units. Rental housing credits as proposed, especially for 100% affordable developments such as ours, will greatly enhance our project's ability to obtain needed government financing. Catholic Charities Hawai'i, Housing Development Corporation is a 100% low-income developer with experience in building affordable housing.

I respectfully ask for your support to pass this bill! Mahalo.

Sincerely,

