

# **WATER AUTHORITY, SOCIAL SERVICES, AND PARKS COMMITTEE**

**Council of the County of Maui**

## **MINUTES**

**September 4, 2025**

**Online Only via Teams**

**CONVENE:** 9:05 a.m.

**PRESENT:** VOTING MEMBERS:

Councilmember Shane M. Sinenci, Chair  
Councilmember Gabe Johnson, Vice-Chair (Out 3:51 p.m.)  
Councilmember Tom Cook, Member  
Councilmember Tasha Kama, Member (In 1:34 p.m.)  
Councilmember Alice L. Lee, Member (Out 12:00 p.m.; In 1:34 p.m.)  
Councilmember Tamara Paltin, Member (Out 12:11 p.m.; In 1:43 p.m.)  
Councilmember Keani N.W. Rawlins-Fernandez, Member (Out 12:11 p.m.;  
In 2:28 p.m.)  
Councilmember Yuki Lei K. Sugimura, Member (Out 3:13 p.m.; In 3:44 p.m.)  
Councilmember Nohelani U'u-Hodgins, Member

**STAFF:** Clarissa MacDonald Legislative Analyst  
Ellen McKinley, Legislative Analyst  
Tiare del Castillo, Legislative Analyst  
Megan Moniz, Legislative Attorney  
Criselda Paranada, Committee Secretary  
Lei Dinneen, Assistant Clerk  
Ryan Martins, Council Ambassador

### Residency Area Offices

Christian Balagso, Council Aide, West Maui Residency Area Office  
Zhantell Lindo, Council Aide, Molokai Residency Area Office  
Roxanne Morita, Council Aide, Lānaʻi Residency Area Office  
Mavis Oliveira-Medeiros, Council Aide, East Maui Residency Area Office  
Buddy Almeida, Council Aide, Makawao-Haʻikū-Pāʻia Residency Area Office  
Bill Snipes, Council Aide, South Maui Residency Area Office

**ADMIN.:** Mimi Desjardins, First Deputy Corporation Counsel, Department of the  
Corporation Counsel  
Adrian Reifsnyder, Deputy Corporation Counsel, Department of the Corporation  
Counsel  
Lori Tsuhako, Director, Department of Human Concerns  
Noah Jackson, Executive Assistant, Department of Management  
Josiah Nishita, Managing Director, Department of Management  
Erin Wade, Deputy Managing Director, Department of Management  
Kaponōʻai Molitau, Director, Department of Ōiwi Resources  
Lisa Almeida, Park Permits Officer, Department of Parks and Recreation  
Pat McCall, Director, Department of Parks and Recreation  
Jan Pontanilla, Sergeant, Department of Police

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Paul Barany, Deputy Director, Department of Public Works  
Christopher Wegner, Hazard Mitigation Specialist, Emergency Management Agency  
Cynthia Lallo, Chief of Staff, Office of the Mayor  
Naomi Crozier, Homeless Coordinator, Office of the Mayor

**OTHERS:**    Testifiers  
Janice Hill  
Julie Checknita  
Mitchell Tipton  
Laura McClellan  
Kelsey Mapa  
Kalia Kapisi  
Lisa Darcy, Founder, Share Your Mana  
Testifier 1 (Stitch)  
Alyssa Evans  
Faith Chase  
Stacey Alapai  
Melvin Johnson Jr.  
Bart Evans  
Testifier 2 (The Royal House of Hawai'i)  
Junya Nakoa  
Elise Madison  
Kahaku Poepoe  
Mo'i Kawaakoa  
Maui Tauotaha  
Natasha Inaba  
Jasee Law

(50+) additional attendees

**PRESS:**        *Akakū: Maui Community Television, Inc.*

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CHAIR SINENCI: . . .*(gavel)*. . . Aloha kakahiaka kākou, and welcome to the...this special WASSP Committee meeting today. It's Thursday, September 4th, 2025. I'm Shane Sinenci, your Committee Chair, and it is 9:05. Mahalo, Members, for your patience, and also mahalo for taking the time out to join us this morning. Just a friendly reminder for members of the public to silence all cell phones and any noisemaking devices. Members, in accordance with the Sunshine Law, if you are not in the Council Chamber, please identify by name who, if anyone, is in the room, vehicle, or workspace with you today, and minors do not need to be identified. Also, please see the last page of the agenda for information on meeting connectivity. Let's begin with introductions.        Joining us this morning in the Chamber is Committee Vice-Chair Johnson. Aloha kakahiaka.

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VICE-CHAIR JOHNSON: Aloha, Chair, Councilmembers, community members. There's no testifiers at the Lānaʻi District Office, and I'm here and ready to work. Mahalo.

CHAIR SINENCI: And mahalo, Vice-Chair, for allowing us to use your...your monthly meeting space for this.

VICE-CHAIR JOHNSON: Yeah, well, this is a big bill with a lot of work to be done, so a full day is probably needed. So, thank you for . . . *(inaudible)*. . .

CHAIR SINENCI: Mahalo for that.

VICE-CHAIR JOHNSON: -- for chairing it.

CHAIR SINENCI: Thank you. Also joining us in the Chambers today is Member Cook. Aloha and good morning.

COUNCILMEMBER COOK: Aloha. Good morning, Chair, and all. There's currently no testifiers in the Kihei Regional Office, but we have people there, and I'm looking forward to the meeting. Thank you.

CHAIR SINENCI: Mahalo for being here. Do I see Member Kama?

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

CHAIR SINENCI: Okay. We'll...we'll come back to her. Also joining us in the Chambers this morning, we have Council Chair Alice Lee.

COUNCILMEMBER LEE: Aloha, Chair.

CHAIR SINENCI: Aloha.

COUNCILMEMBER LEE: And I want to say welcome back to Deputy Corp. Counsel Mimi Desjardins, and her trip, well-deserved vacation to Fiji, where people greet each other by saying bula bula.

CHAIR SINENCI: Bula bula. Thank you for that. Also joining us online is Councilmember Tamara Paltin. Aloha and bula bula. Oh, wait.

COUNCILMEMBER PALTIN: Aloha.

CHAIR SINENCI: Okay. Go ahead. We can hear you now.

COUNCILMEMBER PALTIN: Aloha kakahiaka and ni sa bula kākou. *(pause)*

CHAIR SINENCI: Okay. Thanks for joining us. Also joining us online is Member Keani Rawlins-Fernandez. Aloha kakahiaka.

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COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha kakahiaka kākou, mai Molokai nui a Hina. I'm at my private residence alone, and there are currently no testifiers at the Molokai District Office. Welcome back, First Deputy. And it looks like Member Paltin is alone at her kitchen table.

COUNCILMEMBER PALTIN: Yeah, that's what I forgot. I do have one minor canine with me right now, but she might have to go out because it's...it's that time.

CHAIR SINENCI: Oh, okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: Hi, Ipo.

CHAIR SINENCI: You'll be excused for that. Also joining us online, Members, is Councilmember Nohelani U'u-Hodgins. Aloha and good morning.

COUNCILMEMBER U'U-HODGINS: Good morning, Chair. Good morning, everyone. Bula bula. I'm at the Pā'ia District Office with Buddy Almeida and Kainoa Shimizu. Currently, we have no testifiers, but...but we will be here all day if somebody chooses to testify. Thank you.

CHAIR SINENCI: Okay. Mahalo for joining us. Also joining us in the Chambers is Member Yuki Lei Sugimura. Aloha and bula bula.

COUNCILMEMBER SUGIMURA: Good...good mor...what...what is the good morning greeting? Bula bula?

CHAIR SINENCI: Bula bula.

COUNCILMEMBER SUGIMURA: That sounds kind of cute. Came from Chair Lee? Good morning, everybody. Looking forward to an interesting meeting. Thank you.

CHAIR SINENCI: Thank you. Okay. I didn't forget anybody, and when Member Kama jumps on, we'll refer to her. From the Mayor's Office today, we have online, Chief of Staff Cynthia Lallo. Also, I do see in the Chambers Managing Director Josiah Nishita, as well as Managing Director [sic] Erin Wade, and I believe Mr. Jackson will also be joining us later on today. I do see online Director Lori Tsuhako from the Department of Human Concerns. Aloha and good morning. *(pause)* And then we also have Deputy Director Paul Barany. Aloha. From the Maui Emergency Management Agency, we have Mr. Christopher Wagner [sic]. From the Maui Police Department, we have Captain Joy Medeiros and Lieutenant Jan Pontanilla. From the Department of Parks and Recreation, we have Director McCall, as well as Ms. Almeida. From the Department of 'Ōiwi Resources, we have Director Molitau. And then joining us on the floor this morning, from Corporation Counsel, we have Ms. Mimi...Mimi Desjardins and Adrian Reifsnnyder. Welcome. Our Committee Staff helping us to conduct this meeting this morning, Ms. Criselda Paranada, Ms. Clarissa MacDonald, Ms. Ellen McKinley, Ms. Tiare del Castillo, Ms. Megan Moniz,

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Ms. Lei Dinneen, and Ms. Jean Pokipala. Welcome, everyone. Okay, Members, let's get started.

**ITEM 13: BILL 111 (2024), ESTABLISHING PROCEDURES FOR THE  
REMOVAL AND STORAGE OF PERSONAL PROPERTY AND A  
RIGHT TO SHELTER**

CHAIR SINENCI: On today's agenda, we have one item, as Vice-Chair Johnson has discussed, WASSP-13, Bill 111 (2024), Establishing Procedures for Removal and Storage of Personal Property in Public Places and a Right to Shelter. And...and again, I recognize Vice-Chair Johnson. I know he's...he and his Staff has been working hard, and trying to get everybody on board, and working with the advocates going out into the community. So, we appreciate you making this space for us to continue those discussions. Members, if there are no objections, I'd like to take testimony after receiving opening comments. I...I have a short presentation to discuss where we left off on Bill 111.

COUNCILMEMBERS: No objections.

CHAIR SINENCI: Okay. Great. Thank you. *(pause)* Members, the Committee first considered Bill 111 last year. However, as noted in the Committee report generated at the end of last year's Council term, the Committee received testimony from advocates and individuals who experience houselessness, requesting that more time be had to review Bill 111. And since then, I understand community members, as well as the Administration, have been able to meet on Bill 111, and it continues to be a working document. The purpose of today's meeting is to discuss Bill 111 as agendized, which was done in accordance with the Sunshine Law, Section 92-7, Hawai'i Revised Statutes. And Members, houselessness continues to be a complex issue. It requires...requires a multifaceted approach, and Bill 111 is just one aspect in that overall effort. And so, I kindly ask that everyone keep this in mind during our testimonies and in our discussions for today. If we cannot conclude today by 4:30, we can recess the meeting to tomorrow morning. And we can also plan to, if...if need be, a lunch break at noon, yeah. At this time, I'll provide a recap on Bill 111. So, Staff, can you put up the presentation, please? *(pause)* Wait, mine's...mine is not showing up. Do we have a copy? Sorry. One moment, Members. *(pause)*

COUNCILMEMBER PALTIN: I see the presentation on my screen.

VICE-CHAIR JOHNSON: Chair, do we need a recess?

CHAIR SINENCI: Okay. No, no, we can...

VICE-CHAIR JOHNSON: Okay.

CHAIR SINENCI: Okay. Members, we'll...we'll begin. I prepared this presentation to provide a recap on Bill 111, and I'll just review the previous Committee meetings, including the

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agreed-upon amendments and revisits, to ensure that we're all on the same page. And this is just for context, yeah, Members. Next slide, please. As a quick refresher, Bill 111's purpose is to establish procedures for the compassionate removal and storage of personal property in public places; and two, to recognize a human right to shelter, including offering access to services to stabilize one's life and transition into supportive or permanent housing. Next slide, please. The WASSP Committee met three times, including twice in the prior term. During our first meeting on October 24th, 2024, we discussed the Managing Director's proposed revisions, and we agreed on several amendments and revisits. We then rescheduled Bill 111 for December 2nd, and at that time we heard from advocates and individuals who have experienced homelessness requesting more time to reveal...review the bill. They wanted to ensure the Managing Director's proposed amendments did not change Bill 111's protective measures for those affected by encampment removals. And to provide more time, we deferred that item. The third meeting on Bill 111 was held on March 24th, 2025, to keep it in our Committee because of Rule 15(A), Rules of the Council, which provides if a bill or resolution is not scheduled within 90 days of referral to a standing committee, it would automatically be referred to the Committee chaired by the introducing Councilmember. And so, the bill was posted for no legislative action, as more time was needed to continue meeting with community members and...and with the Administration. Next slide, please. During...

VICE-CHAIR JOHNSON: Chair?

CHAIR SINENCI: Yeah.

VICE-CHAIR JOHNSON: I don't mean to interrupt the...the presentation, but as I'm looking through it, there are going to be some of these that are not in the amended version. So, I don't want to confuse the Members. There's some of this stuff that we're not...is not in the amended ASF that I have.

CHAIR SINENCI: Oh, okay. Thank you for that. During our October 24th, 2024, meeting, the Committee reviewed amendments proposed through correspondence dated October 22nd, 2024, from the Managing Director, and that is uploaded on...onto Granicus under number 11, and the next few slides will go over the Managing Director's proposed amendments we agreed upon by consensus. Sorry, Councilmember Johnson, you...you're saying that some of these amendments did not...were...were removed in your...

VICE-CHAIR JOHNSON: Could we take a quick recess, and then we can...I can explain...

CHAIR SINENCI: It should be real quick, and then we can...

VICE-CHAIR JOHNSON: Okay.

CHAIR SINENCI: Yeah. Then we'll take a break. Next slide, please. Starting at the beginning of the bill, the first consensus item that we had was the bill's title, and the Committee agreed to replace in "public places" from "encampments." Because the bill is specific to

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encampments, not storage or personal property generally, we agreed a narrower title would be more appropriate. And again, Members, this is just an update on where we've been, and so the bill coming to the WASSP Committee, I felt like, you know, as a responsible Chair, I should keep you guys updated on...on the process and...and...and what...what the work that we did in...in the last --

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR SINENCI: -- eight months.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR SINENCI: So, if you can bear with me, it'll...it should be fast. We also agreed to add "to a reasonable extent" to the end of goals number 1 and number 3, to provide flexibility for the County to assist in these efforts. Next slide, please. *(pause)* In Subsection 9.37.040(A), the Committee agreed to delete the language, "if the Police Chief or Fire Chief determines a need to do so, and informs the Mayor, Managing Director, or Director of Human Concerns." So, this amendment allows the County to remove impediments without...if needed. And so, everyone agreed to this because mandating that the Police Chief or Fire Chief be the only ones to identify every impediment could stifle the County's ability to respond and assess situations in a timely manner. In 9.37.040(B), the amendments in Subsection B clarify that if personal property is relocated, a notice must be posted at the removal site. Next slide, please. In Subsection 9.37.050, when the County posts an initial notice that an encampment is subject to removal, we agreed to add the following condition...the date, time, and location of an informational meeting to be held in accordance with Subsection D. In Subsection 9.37.050(D), because of the informational meeting described in Subsection A, the Committee agreed to require the informational meeting take place at the site at least four calendar days before the removal. Next slide, please. In Subsection 3.37.050(G) *[sic]*, to prevent unnecessary administrative burden, we decided photos of notices should be made available upon request instead of requiring them to be uploaded onto the County website. Next slide, please. In Subsection 3 dot...excuse me, 9.37.080(A), the Committee agreed that necessary County personnel, contractors, outreach providers, and other required personnel should be available during encampment removal and cleanup instead of mandating them to be present at the start. Next slide, please. In Subsection 9.37.090(B), the Committee agreed to add a telephone number to call for information about retrieving property to Subsection 4, including a telephone number on post-encampment notices as agreeable by everyone. In Subsection 3...excuse me, 9.37.090(C), the Committee agreed to give the agency that organized the cleanup five instead of two business days after the cleanup to send electronic documentation of the cleanup to the Department of Human Concerns and to the Mayor. Next slide, please. Subsection 9.37.100(A) and (C), following a proposed amendment during the meeting, the Committee agreed it was reasonable to have personal property stored on the same island as the owner, and that it be accessible by means of public transportation. Subsection (C) of 9.37.110 was changed to reflect disagreement by adding, "or a separate accessible location design"...designated by the County." And in Subsection 3.37.110(D) *[sic]*, finally, the Committee agreed to delete

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the proposed section requiring a property storage or recovery fee. The Administration didn't foresee them imposing a fee for this, so there was no need to grant County authority to establish storage fee...a storage fee for personal property. Next slide, please. *(pause)* Okay. Members, if you...if you did go on Granicus or on the agenda, you did see the first ASF. And the first ASF had all of those proposed amendments in that...in that first CD1 after the original. Number 3 on the agenda is the remaining revisits. And this was revisits that we brought up during that October meeting, but we didn't get to discuss further. And I can quickly go through them. There might be a couple, again, that Member Johnson had addressed in his ASF.

COUNCILMEMBER SUGIMURA: Chair?

CHAIR SINENCI: Yes.

COUNCILMEMBER SUGIMURA: Can you reference what Granicus numbers you're talking about for the proposed ASFs, I guess?

VICE-CHAIR JOHNSON: It's the very last . . . *(inaudible)*. . .

CHAIR SINENCI: Was that 37 and 38, Staff?

MS. MACDONALD: It's 36 and 37.

CHAIR SINENCI: Sorry, 36 and 37. Thank you.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR SINENCI: Okay. We...we agreed to revisit some proposed amendments to three definitions on the proposed Section 3...9.37.030. One of them was the encampment definition, and we agreed to revisit replacing "one" with "five" or more tents. We discussed if one tent was considered an encampment, and whether it would be...reasonably--trigger a County action. For the po'o...pu'uhonua definition, the Committee considered whether either pu'uhonua or kauhale were appropriate terms to use. In November 2024, the Committee asked the Department of 'Ōiwi Resources' input, and they said to utilize the word kauhale, and that kauhale were a group of houses comprising a Hawaiian home formerly consisting of men's eating house, women's eating house, sleeping house, cook house, and canoe house. Next slide, please. *(pause)* The next revisit, Subsection 9.37.040(B), the proposed amendment would change the original from where any removed property will be stored, how it may be claimed, and the duration of storage before final disposition to how any removed personal property may be claimed, including a telephone number to call and the duration of storage before final disposition. When personal property is relocated and notice is posted, the proposed change would require the notice to include information as how to reclaim removed property instead of stating where it's stored. That was the...the discussion. Next slide, please. In proposed Subsection 3...excuse me, 9.37.050(A), the Committee agreed to revisit this proposed amendment because of the earlier discussion on whether notices would include the storage location of personal property. And in Subsection 3 is deleted,



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“the initial notice will not be required to include where the personal property will be stored.” In proposed Subsection 9.37.050(C), we also did not reach consensus on how many days an initial notice must be posted before the encampment removal starts. The proposed amendment would replace 45 days with 14 days, and remove the requirement to post at least 50 days before the encampment removal is projected to end. Next slide, please. And we just got a couple more here, Members. In proposed Subsection 9.37.050(E), we agreed to revisit this amendment because it deletes the requirement that initial and final notices must be printed in Hawaiian, English, Chuukese, Tagalog, Ilocano, Spanish, and any other language that would further the notice’s purpose. Instead, it would require that translated notices be provided upon request. In Subsection 9.37.070(A), this proposed change would require outreach providers contracted with the County to be notified of every scheduled encampment removal within one business day of the initial notice posting instead of requiring their presence at every removal. Next slide, please. In proposed Subsection 9.37.070(B), the first edit would replace “every effort” with “a reasonable effort” to ensure at least one female police officer responds if a woman or girl is present during an encampment removal, and the second edit replaces “majority of responding” to “at least one police officer certified in crisis intervention team training.” Maui Police Department advised that this change would be helpful from staffing perspective so they could effectively assist the County in these efforts. In Subsection 9.37.080(F), this revisited amendment would delete the first half of the subsection, and add language to allow vehicles tagged leading to the cleanup to be treated as abandoned or derelict, and removed under the listed Maui County Code provisions. This would also remove the requirement that the County must help to tow inoperable vehicles that are considered primary shelters. And on to the last slide, please. Finally, Members, Subsection 9.37.090(B), the proposed amendment deletes Subsection 3, where any personal property is being stored by the County. The post-encampment notice wouldn’t need to enumerate where the personal property is being stored. And because there wasn’t consensus on whether this should be included in the other notices, we agreed to revisit this item. And in Subsection 9.37.100, for Subsection B, instead of maintaining a log that itemizes everything removed from an encampment, the process would involve documenting groups of items by owner, or the specific location they were collected from. And finally, for Subsection (C), the proposal is personal property that is not claimed after 30 days, instead of 90 days, after being stored could be discarded or donated by the County. And thank you, Members. That was just an update on that October meeting that we had.

VICE-CHAIR JOHNSON: So, Chair, I wanted to bring up the...you’re going to do testimony, right?

CHAIR SINENCI: Yeah, we’ll probably...yeah.

VICE-CHAIR JOHNSON: So, before we get a testimony, you know, the ASF that we’ll be working on, I think it’s number 38 in Granicus? Or maybe Staff can tell us the actual number.

MS. MACDONALD: Yes, it’s 38.

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VICE-CHAIR JOHNSON: So, just to clarify, that a lot of these things that were in the presentation, we incorporated...we worked on all those things. So, just to...I don't want to confuse the Members, you know what I mean? So, ASF number 38 is the one we'll be working on. So, I didn't mean to jump in, Chair. I just wanted to get...

CHAIR SINENCI: No, thanks for that --

VICE-CHAIR JOHNSON: Thank you.

CHAIR SINENCI: -- yeah, for that addition. Okay. At this time, before we go...okay. Members, before we go to testimony, does...Corporation Counsel, you have any opening remarks? I know...I don't know if you wanted to address the Sonia Davis case.

MS. DESJARDINS: Thank you, Chair. And thank you, Members. I just wanted to provide a brief update since the last time we spoke about the Davis v. Bissen decision, and to let you know, in the last three interventions that the Administration conducted, there were procedures in place that comply with that law. In other words, the notice that was required by that decision was established. There was an informational meeting where folks were given an opportunity to be heard and voice their concerns five days prior to the intervention. There is a system in place for the storage of personal property. That storage is for a minimum of 30 days. However, I can tell you that after the Amala Place intervention, that storage was actually extended because there were some issues for folks who were trying to get their belongings back. And so, that has been extended another 30 days. So, just wanted to let you know that as far as the Administration was concerned, our Department has been working with them to make sure they're compliant with the law. And there is a vendor...there was a vendor off island that was being used. They weren't able to locate somebody on island, but it appears that there may be somebody on island who can take this work over. That would be preferable, obviously. But I just wanted to let you know that that was in the making. Thank you.

CHAIR SINENCI: We have a clarifying question for you from Chair Lee.

COUNCILMEMBER LEE: Ms. Desjardins, so the...you found a person to take...possibly take this over. You're talking about a nonprofit or something? Or agency?

MS. DESJARDINS: Thank you, Chair. Just briefly, and then we can get into this during deliberation. That is a vendor who--there was an RFP that was written, I believe, and Ms. Crozier can probably answer that better--who is in charge of the storage, with the County's assistance, in helping people retrieve their belongings.

COUNCILMEMBER LEE: Okay.

MS. DESJARDINS: But when we get into the deliberation process, I can definitely give you more detail on it.

COUNCILMEMBER LEE: Okay.

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MS. DESJARDINS: Thank you.

COUNCILMEMBER LEE: That's only having to do with the storage. Yeah, thanks.

CHAIR SINENCI: Okay. And then I'll refer...was there anyone from the Administration who wanted to provide some opening comments at this time before testimony? And we can always have a more robust discussion after testimony. *(pause)* Okay. Let's begin with public testimony then, Members. Oral testimony via phone or video conference will be accepted. Testifiers wanting to provide video or audio testimony should sign up in the Chamber, join the online meeting via the Teams link, or call in to the phone number noted on today's agenda. For individuals wishing to testify via Teams, please raise your hand by clicking on the raise-your-hand button. And for those calling in, please follow the prompts via phone, star-5 to raise and lower your hand, and star-6 to mute and unmute. Staff will add names to the earlier list...into the testifier list in the order testifiers sign up or raise their hands in. And for those on Teams, Staff will lower your hand once your name is added. Staff will then enable your microphone and video, and call the name you're logged in under, or the last four digits of your phone number when it's your time to testify. Written testimony is encouraged and can be submitted via the eComment link at [mauicounty.us/agendas](http://mauicounty.us/agendas). Oral testimony is limited to three minutes, and will be accepted prior to the Committee's deliberation on the single item on the agenda. If you are still testifying beyond that time, I'll kindly ask you to complete your testimony, and check if any Members have any questions for your testimony. Please ensure your name appears in Microsoft Teams as the name you prefer, to be referred to, or as anonymous if you wish to testify anonymously. If you're in person, please notify Staff that you would like to testify anonymously. Otherwise, please state your name for the record at the beginning of your testimony. Once you're done testifying, and if you do not wish to testify, you can always view the meeting on *Akakū* Channel 53, Facebook Live, or [mauicounty.us/agendas](http://mauicounty.us/agendas). Again, thank you for your cooperation in advance, and we'll be maintaining decorum at all times. Committee Members, I'll now proceed with oral testimony, and we'll do our best to take each person up in an orderly fashion. Staff, could you please call the first testifier?

MS. DEL CASTILLO: Chair, the first testifier signed up is Janice Hill, to be followed by Julie Checknita.

CHAIR SINENCI: Good morning.

**. . . BEGIN PUBLIC TESTIMONY FOR WASSP-13. . .**

MS. HILL: Aloha kakahiaka and bula. My name is Janice Hill. I'm testifying in favor of amendments to Bill 111 to make procedures for compassionate relocation better. A few years ago, PBS had a program about the houseless in Honolulu. I watched a family of three try to relocate from downtown, and I watched the policemen throw a tricycle--a brand-new tricycle gifted to their three-year-old daughter--throw it right into the dumpster because there was no place to put their stuff. We need kama'āina prosperity for locals, and humanity for all...not sweet deals for home developers, luxury home

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developers. In 1987, when my two daughters' dad left us, I really had to scramble to pay the full mortgage on our small home. I got very helpful advice from Women Helping Women about how to make a plan. I was a full-time teacher, but I got two more jobs just to make ends meet. That left, of course, latchkey children. There are many, many reasons for houselessness. We must kōkua all who request help. I see...and I remember when Judge Bissen, or Mayor Bissen was saying that we could use some of the empty strip mall stores, not just for storing their stuff, but maybe even figuring out some plumbing and some short-term housing. We've got Sears. We've got the old Borders. We've got the old Sports Authority, and the old Kahului Safeway. And these, at least, could store some of the belongings of these people. We need to do better. And what good is government when this is still a problem? Housing should be a right, not a privilege. Mahalo. . . .*(inaudible)*. . .

CHAIR SINENCI: Mahalo, Ms. Hill. We have a question for you from Vice-Chair Johnson.

MS. HILL: Um-hum.

VICE-CHAIR JOHNSON: Ms. Hill, thank you for your powerful testimony. Do you have that in writing? We could...you could submit it to us?

MS. HILL: I...I just kind of...it's chicken scratch right now, but I'll get something to you.

VICE-CHAIR JOHNSON: That...that was very valuable chicken scratch. Thank you so much.

MS. HILL: . . .*(laughing)*. . . Thank you. Mahalo.

CHAIR SINENCI: Any other questions for Ms. Hill? Seeing none. Mahalo for your testimony.

MS. HILL: Um-hum.

CHAIR SINENCI: Staff?

MS. DEL CASTILLO: Chair, the next testifier is Julie Checknita, to be followed by Mitchell Tipton.

MS. CHECKNITA: Aloha. Thank you for the opportunity to speak on this. I was going to submit a written testimony, but I woke up this morning really feeling called to come and speak on behalf of the people that I've been servicing. A group of friends and I have been providing food to some of the encampments that have been swept in the past few months, and have seen firsthand the impact it's had on an already traumatized and vulnerable population. I've seen the decline in mental health, in just the spirits of these people. And I know the public opinion on houseless is that they're all drug addicts and that they're...you know, they don't want help, but that is so far from the truth. These people do want help. These people do...yeah, do have so much to offer. And I think it's time that we come, so many of us with so many resources, to stand up for these people to help our community because with the cost of living in this state, many of us are a few life disasters away from also being on the street with them. So, I think it's time we do

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better. The truth is, there's not enough space in the shelters to house all these people who are without shelter. Many of them don't fit into the shelter standards. You know, they don't have IDs. They don't have the documents necessary to get in. So, I would like to see these barriers be looked at, you know, and to see that many people want help, but there's not enough support for them. So, I think that it's time that we do better. I think that there needs to be an adequate amount of notice before these sweeps happen. And the language "sweeps" also, I have a problem with. Sweeps are for trash, not for humans. So, I think it's time that we really revisit a lot of these things. This bill is a great start, but I think there's a lot more that needs to be done. I think that trauma-informed people need...the police officers, things I've witnessed, the...the lack of compassion, the last of...lack of heart that I've seen, it's...yeah, I can't even speak on it because I will start crying. It's horrible. People need to...people who are involved in these sweeps need to...need better training. Yeah, we need more support. Family Life Center is the one contracted to help these people, but I've seen so many people turned away. There's not enough space. Families want to be together. People want to be with their community. These camps are communities. They're people who support each other. And tearing them apart, and sending them scrambling out...such a waste of resources. You know, where are they going to go? They're not going to disappear. They're human. They're here. They need somewhere to go. There needs to be safe spaces for people to go, whether it's safe parking spaces. There...there's so much land on this island, you know, we can do better. I had a whole written testimony, which I will submit in writing, but right now, my heart is just taking over, and I really ask that you guys, when you make amendments to this bill, you think bigger rather than just little things like language. Think of the people. . . .*(timer sounds)*. . . Thank you.

CHAIR SINENCI: Mahalo, Ms. Julie. Any questions? Seeing none. Thanks for your testimony. Staff?

MS. DEL CASTILLO: Chair, the next testifier is Mitchell Tipton, to be followed by Laura McClellan.

MR. TIPTON: All right. Aloha, everyone. My name is Mitchell Tipton, and I'm testifying in support for Bill 111 and the amendments. For me, it is about humanity. We all know what it feels like to be kicked when we're down, and it's not good. And we continue to do it to our most vulnerable communities that need our love and support the most. We are only as strong as the ones that get left behind. This is a...a continued responsibility. It doesn't...it doesn't stop with this. But as previous testifiers said, this is a step in the right direction. Community is here to support this. Yeah . . .*(inaudible)*. . .

CHAIR SINENCI: Mahalo, Mr. Tipton, for your testimony. Members, any questions for Mr. Tipton? Seeing none. Thanks for joining us. Next testifier?

MS. DEL CASTILLO: The next testifier is Laura McClellan, to be followed by Kelsey Mapa.

MS. MCCLELLAN: Aloha and good morning.

CHAIR SINENCI: Good morning.

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MS. MCCLELLAN: I would...I'm discouraged, frustrated. I wish I were not here to be addressing a sweep bill, but instead, to be commending you for putting resources into helping the unhoused community. As you've heard, a lot of people are slipping through the cracks. The recommendations report talks about root causes of rising housing costs, low affordable housing availability, and income inequality, which all need to be seriously addressed on...in our County and in our State. Mahalo to Councilor Johnson for the latest update with input from the unhoused community and advocates. That's exactly what's needed in order to do this humanely, if it needs to be done. But realizing that, you know, you're also concerned about public safety. It was very confusing to me this morning as to which amended bill you were discussing. And so, my comments are referred to the last attachment with the agenda, which was the latest amendment bill, I believe, that was put out...at least online. It was dated August 29th. And so, I just want to address those. And one of them was addressed this morning already, the definition of encampment. I saw in there where it was defined as one tent, which is not an encampment. That could be an individual. And so, defining it as at least five tents is useful because that is more of an encampment. The outreach provider definition, to me, was still a little disturbing because I have a lot of friends in this room who have really gone all out during the past few months in providing help to the unhoused communities and encampments that have been swept. And according to that definition, they are not included unless the person who's being swept mentions to include them. And so, I would like to see that definition broadened. The final amendment that I want to comment on is 9.37.060, I...it may have been .050 at one point, but it's identifying and providing alternative shelter before removing encampments. It seems that that definition says you have to provide a viable option for shelter from the date that the encampment removal is posted until the encampment removal is completed, and after that, you don't have to provide anything. . . .*(timer sounds)*. . . I would like to see that expanded because that, to me, just creates more disruption and trauma in an individual's life if they have to move once, and then find another place to move to. So, mahalo for your efforts so far. And again, I hope the next time I'm here, I'm commending you for resources put towards addressing the unhoused. Thank you.

CHAIR SINENCI: Mahalo for your testimony, Ms. McClellan. Members, any questions for our testifier? Seeing none. Thank you --

MS. MCCLELLAN: Thank you.

CHAIR SINENCI: -- for being here. Staff?

MS. DEL CASTILLO: The next testifier is Kelsey Mapa, to be followed by Kalia Kapisi.

MS. MAPA: Aloha. Thank you guys for bringing this bill. I'm testifying today in support of Bill 111 and the amendments. My name is Kelsey Mapa. And as a community member, my heart breaks every few months as I watch my unhoused neighbors, who already endure so much hardship just to survive, get dehumanized and swept away like trash. Last year, a friend asked me to attend the Kahului Harbor sweep as a legal observer. It was my first time, and it definitely opened my eyes. I think if you guys ever have the

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opportunity--I know you're very busy--but to go to one of these, and to see what happens, it's really important that we all witness that, and it can really help us to develop compassion. The morning of the sweep, one of the men living in the harbor died by suicide. He was unable to deal with the stress of having to move again. He left behind a family who loved him, and who through their grief, had to pack their things that day with no place to go. How we treat our most vulnerable says a lot about our character and who we are as a community. The way we currently treat our unhoused community members is absolutely unacceptable and immoral, and we must do better. As I was thinking about this bill on the way down here today, I was thinking about any counter arguments, like who could vote against something like this? And the only thing that came to mind was the economic costs. Like maybe it's too expensive to provide these things, or to provide shelter. And what's really sad to me is that we have the resources in our community. We live in the richest country in the world. We have very wealthy people here in the State of Hawai'i, and especially on Maui, who pay taxes, who want to live in safe communities. And we spend it on things that don't contribute to solutions. And I know this is out of your power, but what came to my mind was the fact that we...in Kahului, just the...the Town of Kahului, has sent 1...\$1,365,456 to funding genocide in...since October 2023. That could provide 856 households with one month of rent. Like our resources are allocated in ways that are not building a better world. And I know that specific example is not in your guys' jurisdiction, but I hope that we are looking for ways to better spend our resources, and that we're all fighting things like that. Like our Federal Government should not be taking our money to fund these things. They should be giving it back to us to fund housing for our own community members. . . .(timer sounds). . . And so, I just want to point out that it's all connected, and that I hope we can look for real solutions. I'm grateful for you guys for taking this step to work towards those solutions. And I hope that we can build a community of care and compassion. Thank you.

CHAIR SINENCI: Mahalo, Ms. Mapa, for your testimony. Any questions for Ms. Mapa? Seeing none. Thank you again. Staff?

MS. DEL CASTILLO: Chair, the next testifier is Kalia Kapisi, to be followed by Lisa Darcy.

MS. KAPISI: Aloha. My name is Kalia Kapisi. I'm testifying in favor of the amendments that require the County to give 45 days' notice before the sweeps, and also provide somewhere for these unhoused people to go that is sufficient shelter. As someone who was born and raised here on Maui, I am confused why we are putting so much resources into removing these people, but also, why are we treating people this way at all? Something that came to my mind as we were driving down here. We have the military who get access to land here in Hawai'i for pennies on the dollar. Our land and water gets polluted, bombed, and becomes unlivable. The biggest example, Kaho'olawe, an entire island we cannot use because of the military and their treatment...mistreatment of the land that was not done by our unhoused neighbors. Why is it possible for the military to have this privilege, and not our own people and Kānaka, many of which were born into the unhoused population? I think the people who are not in favor of these amendments and this bill are not only soulless, but also forget...or do not recognize how easily they could become unhoused and put on the receiving end of these bills. These

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people are just trying to live and survive in an environment ruled by a government that constantly puts profits over people. Please allow your conscience to be clear, and pass these amendments and this bill. Thank you.

CHAIR SINENCI: Mahalo, Ms. Kapisi, for your testimony. Members, any questions for our testifier? Seeing none. Thank you again. Staff?

MS. DEL CASTILLO: Chair, the next testifier is Lisa Darcy, to be followed by Stitch.

MS. DARCY: Good morning, Chair. Good morning, Council. Thank you so much for being here today. My name is Lisa Darcy. I'm the founder of Share Your Mana. And whether you know it or not, I think today is one of the most important days in maybe the last ten years because I started following all this, and really being very deeply involved in 2016 when the Arakawa Administration went ahead and was moving the sit-lie laws forward. And a lot of what you're doing here today is really Councilmember King and Councilmember Johnson really, really championing these...these pieces of information. I do not have the ability in three minutes to go over all of the really important and valuable information that's necessary to make any comments. I haven't even actually read...because I didn't even see this until Tuesday, I haven't even looked at the amendments. What I am here to say...here to say is that it's very clear to me that every resident and everybody who lives on Maui needs the same protections, whether they're housed or not. And so, everything and all the work that the Share Your Mana advisory committee has done over the last 10 years...and really, actually probably 20 years...has been based on equality. And so, I would love to have Corp. Counsel come out with me every single time and really witness what is happening to people who are unhoused so that they can actually experience it...or maybe even live side-by-side with some people for a while, like I have, and to actually see that they are not being afforded the same rights and responsibilities, nor are they receiving compassion, or even just being a human being. That said, I want to...I did hear Attorney [sic] Desjardins indicate that procedures were in place, and that there was a community meeting, there was a storage procedure. I have to tell you, the community meeting was not...there was no discourse. It was, this is what's going to happen, good luck. Okay. That was the community meeting. There was no opportunity to have anything changed, to have any input. It was simply, we're here in the...in the hot sun, and we're telling you what's going to happen. Okay. That's not a community meeting. So, A, I think you need to review that. B, is the process by which people are to--this has nothing to do with the testimony that I wrote, by the way--the process by which people are to regain their property. This laminated card was stuck on the side of the fence where their belongings were taken, where they were told if they were returned or they'd be there, they would be arrested. So, how many people are going to grab a bus, or walk on down to Amala Place, and go read this? They don't...didn't even know it was there. I had to send this and...and go and show people this...this is the process the County put in place. The other piece that's really fascinating, and...and I think the County thinks that this is such a great process, is that it's taken probably 30 to 40 calls, texts, and emails to get one person's . . . (timer sounds) . . . property back. And they only were able to do that because Share Your Mana used their phone, Share Your Mana showed up, Share Your Mana actually purchased a storage space for them. Share Your Mana helped...did...did pretty



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much all of that for them. The...the phone tagging that goes back and forth...and if you don't have a phone, you can't get your property back. So, do not sit there and act like any of this is acceptable. Do not, for one minute, regard your conscience as going, wow, this doesn't make sense. I have been trying to educate . . .*(timer sounds)*. . . this community for so many years, and I'm here to protect your conscience and the soul of Maui, okay?

CHAIR SINENCI: Mahalo.

MS. DARCY: I'm not here to complain.

CHAIR SINENCI: We have a question...

MS. DARCY: So, thank you for that. I am appreciative of the extra time. Thank you, buzzer.

CHAIR SINENCI: . . .*(laughing)*. . . Go ahead, Member Johnson.

VICE-CHAIR JOHNSON: Thank you, Chair. Ms. Darcy, you mentioned the amendments and the amended bill. So, just to clarify...because we're not in discussion yet, just to clarify --

MS. DARCY: Yes.

VICE-CHAIR JOHNSON: -- it's number 38 on Granicus. We're going to be using the August 29th version of the...of the amended bill. So, that way, it allows you time to see what we'll actually be discussing. I just wanted to clarify that for you.

MS. DARCY: Well, to clarify that, myself and the advisory committee need a minimum of a week to two weeks because I have to help people get bus passes. I have to help people get food for that day. I have to help people get to a location where they can sit and discuss this. So, while everyone sits in air-conditioned offices and drives in and out of their jobs, the people who are...who are...you are affecting, the people that are being harmed by this, need about two weeks minimum to get to this conversation. And we can't sit in here in a comfy little place with a nice little working water fountain and think that you're going to get actual --

CHAIR SINENCI: You got your...

VICE-CHAIR JOHNSON: Yeah.

MS. DARCY: -- intelligent information in this capacity.

VICE-CHAIR JOHNSON: Thank you.

MS. DARCY: So, thank you for bringing that up. I really appreciate it. And thank you for never letting go of this, Councilmember Johnson.

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CHAIR SINENCI: Thank you. Any other questions for Ms. Darcy? Seeing none. Thank you for your testimony.

MS. DARCY: I can't believe you see none all the time. One day, see a question for me, please.

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

MS. DARCY: I know, but that was like a statement. It wasn't quite a question, but thank you.

CHAIR SINENCI: Staff?

MS. DEL CASTILLO: Chair, the next testifier, Stitch, to be followed by Primo *(phonetic)*. *(pause)*

TESTIFIER 1: Good morning.

CHAIR SINENCI: Good morning.

TESTIFIER 1: First of all, I'd like to say mahalo to Councilmember Johnson for giving us that young man, Axel, to work with us on this. I wasn't alerted to this happening until yesterday, so I'm...I'm really kind of unprepared. But I'm going to reiterate on something that I said before. If you would just set aside a little piece of land for these people to legally camp on, we wouldn't be here discussing sweeps. Just give them a piece of land, throw a couple of Porta-Potties out there, police it like you would police any other public area, and encourage them, and work with them to get back on their feet again. Fortunately, for myself and my friend, we have found a piece of privately-owned property where they let us camp in exchange for keeping the fire danger down, and keeping the other homeless people out of there because they're afraid people are going to come in there and start fires and whatnot. But even at that, I'm sure it's not zoned for camping. And so, it's just a matter of time before the authorities are probably going to come down on us too. So, again, I would encourage the government, or whoever makes the decision, to please put some place for these people to go and camp legally. Thank you.

CHAIR SINENCI: Mahalo, Stitch, for your testimony. Any questions for Stitch at this time? Seeing none. Thanks for joining us. Staff?

MS. DEL CASTILLO: The next testifier is Primo, to be followed by Alyssa Evans. *(pause)*

CHAIR SINENCI: Okay. Can you call the next...next testifier?

MS. DEL CASTILLO: The next testifier is Alyssa Evans, to be followed by Faith Chase.

CHAIR SINENCI: Is she online?

MS. DEL CASTILLO: Yeah.

CHAIR SINENCI: Oh. *(pause)* Good morning, Ms. Evans. Oh, there she is.

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MS. EVANS: Hi. Sorry. Sorry, a little bit connectivity issues. Hi. Good morning. I'm going to actually read some testimony on behalf of Nicole Huguenin, the Executive Director of Rapid Response [sic], this morning. So, aloha. Good morning. For two years, community partners like us, service providers, and County Staff, including the Mayor's Office, worked together to shape amendments to Bill 111. These amendments are not optional extras, they are linchpins that keep this bill from becoming just another sweep policy. Shelter preconditions, no one is removed unless there is safe, appropriate shelter or an alternative available. Cultural safeguards, Native Hawaiian consultation, and multilingual notices because Hawaiians are disproportionately impacted. Transparency, public reporting so those impacted and their community know who is displaced, what's offered, and what's destroyed. Last night, the Mayor's Office walked away from these efforts, saying they need flexibility. But let's be clear. Flexibility means sweeping people with nowhere to go. Flexibility means ignoring Hawaiian voices on Hawaiian 'āina. Flexibility means repeating the same failed cycle we've already seen, and resulted in a lawsuit. That is not flexibility, that is harm. The Mayor's statement says sweeps will be balanced by outreach. But in October 2024, Family Life Center testified that they do not provide outreach before or after sweeps, and will not be connected to enforcement. Despite that, the County continues to lift...to list FLC as the main outreach provider, and has not updated their long-term contract. So, who is really doing the outreach? Where is the accountability? This contradiction makes the Mayor's proposal confusing at best and misleading at worst. And I have some proof here from recent sweeps. Amala Place in 2025, people who asked for shelter were given options that didn't fit. A kupuna with a dog was offered only a top bunk in a crowded shelter, an impossible choice. They and others were pushed deeper into the bush, and now the County blames them for fire danger when in fact, the sweep itself created the danger by not having adequate shelter options, or working collaboratively with others, like the State, where rooms were available at the former Haggai Institute. At Ukumehame, long-time residents were displaced without alternatives on 'āina with deep cultural meaning. The sweep ignored kuleana and aloha 'āina, replacing them with police and bulldozers. In fact, the first announcement to residents for this relocation included the burnt-down Lahaina shelter and phone number. If they can't update flyers, how can they be trusted with harm reduction and dignity? These sweeps destabilized lives, wasted resources, and harmed Hawaiian, exactly what we warned would happen without clear safeguards. The evidence is already in hand. . . .(timer sounds). . . The ECONorthwest study and recent trainers that DHC brought in, both of which this County paid for, could not be clearer. Enforcement-first approaches cost more and solve nothing. Real progress comes from shelter, coordination, and cultural grounding. Our request is that Bill 111 can only work with the linchpin amendments intact. Without them, it's a new name for old sweeps. We urge you to reject the Mayor's call for flexibility. Pass Bill 111 only with the shelter precondition, cultural safeguards, and transparency amendments we worked two years to craft together. . . .(timer sounds). . . Now you already have the evidence, the recommendations, and the community . . .(inaudible). . . Thank you.

CHAIR SINENCI: Mahalo, Ms. Evans, for your testimony. Members, any questions for Ms. Evans? Thank you for your testimony.

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MS. DEL CASTILLO: Chair, the next testifier is Faith Chase, to be followed by Stacey Alapai.

CHAIR SINENCI: Good morning, Ms. Chase.

MS. CHASE: Aloha. Thank you for bringing it this far. I have some changes, or some things that probably need to get addressed. And maybe if I can...somebody can clarify about the first reading. Is this first reading? Second?

CHAIR SINENCI: This is Committee...Committee meeting.

MS. CHASE: Okay. So, the Committee may consider whether to recommend the passage of Bill 111 on first reading.

CHAIR SINENCI: Out of Committee.

MS. CHASE: Okay. So, potentially it could have a second reading in this Committee; is that right? No?

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

MS. CHASE: Okay. All right. Well, then, so the changes need to be made here today if they're...okay. so, first of all, I went to the Hawai'i State Supreme Court, you know, hearing with Davis and Lau, and that was really exciting. And I'm pretty clear that posting where stuff is going to be is not following the Hawai'i State Supreme Court ruling. You need to actually say, how's it, what's your name? Here's a list of all your items. Here's where they're going to be. Here's where you can access from that. That...so, that needs to be corrected. There's some part...I can't...this is really...like that's a lot of red. So, I can't...forgive me. I was listening on the way in, but you...the part where you said agencies shall be at site to offer accommodation services? That needs to be changed to must, not shall...I mean, shall, not must, not shall...must, not shall...please. Because there...there's a history, right? There's this tit for tat...like oh, they were there, they came, they gave services. No, they didn't. I've been down there many, many times. They say they are, maybe they drive by, they don't want to get out of their car. I mean, you know, no offense to all those faith-based organizations that year after year get the line item budget, but...like it's not happening. So, that should be must, not shall. The off-island subcontractor to help come and move things off the property, is it HTM, or something like that, the acronym? The...I'm really concerned about that because those individuals who are coming from O'ahu, what it does is...I'm not sure what the clinical term is, but these are individuals who are...a lot of them are individuals who suffered barriers to employment because of rehabilitation, or incarceration, or justice-involved. And so, a lot of them have experienced houselessness themselves. And so, now you're bringing a whole population from another island, O'ahu. Because I know these individuals on that one sweep that were wearing the shirts--the one compassionate relocation, sorry, that were wearing those shirts, and they were helping to store...you know, move all those things either to throw them away or supposedly storage. And that's just...like that's just salt in the wound. That's twisting the knife. It's uncomfortable, but just because you go bring other braddahs and sistas

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from another island, so then it doesn't hurt as much. Like, honestly, that's just not...I don't care about that off-island subcontractor. Something's better got to be done about that. I totally don't agree with that. . . .*(timer sounds)*. . . I just want you to review the DOT, Bureau of Indian Affairs ruling that is supposed to be going into place soon, where you need to give...anything is going to happen on department...any kind of action project plans on a DO...Department of Transportation property or whatever, they have to do a community meeting where they are given 60 days' notice. And so, if it's not County, but it's like a State property, that's something you guys should be aware of. I don't know if any researchers or administrative assistants have seen that. . . .*(timer sounds)*. . . And I echo Stitch about the 'āina. I mean, I've been gone for two years, and while I'm proud that this is still a conversation, I can't believe that there's no 'āina been indicated for people to be safe. That's all.

CHAIR SINENCI: Mahalo, Ms. Chase.

MS. CHASE: Thank you.

CHAIR SINENCI: Nice seeing you. We have a question for you from Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Ms. Chase. Long time no see.

MS. CHASE: How's it?

COUNCILMEMBER RAWLINS-FERNANDEZ: . . .*(laughing)*. . . I...I just wanted to clarify, you said that there was an O'ahu-based subcontractor that came to Maui to assist with the relocation. Was that the...this last incident in Ukumehame, or was this a different time?

MS. CHASE: I believe it was almost a year and a half ago is the...maybe a year ago, and it was down at the harbor, Kahului Harbor.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay.

MS. CHASE: And it was hard to follow because I was off island, but I remember seeing distinctly...distinctly seeing the t-shirts of the company, and I know that they're O'ahu-based. And I know how their workforce development program works, so...

COUNCILMEMBER RAWLINS-FERNANDEZ: Got it. Okay. Mahalo for that clarification. Mahalo, Chair.

CHAIR SINENCI: Okay. Mahalo, Member Rawlins-Fernandez. We have another question for you from Chair Lee.

COUNCILMEMBER LEE: Hi, Faith. I was wondering about that Supreme Court case that you went to attend --

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MS. CHASE: Yeah.

COUNCILMEMBER LEE: -- and...and did it cover other things besides the notice on where the storage was going to be?

MS. CHASE: They need to have access to it, and they need...all that information needs to be given at the time when their items are...are compassionately removed, for lack of a better...

COUNCILMEMBER LEE: Thank you.

CHAIR SINENCI: Okay. Mahalo, Chair Lee. Seeing no more questions. Mahalo for your testimony.

MS. CHASE: Mahalo.

CHAIR SINENCI: Staff?

MS. DEL CASTILLO: Chair, the next testifier is Stacey Alapai, to be followed by Melvin Johnson.

MS. ALAPAI: Aloha, Councilmembers. I...I'm here to support the amended versions of this bill. I'm not sure if you're using Chair Sinenci's version or Councilmember Johnson's version, but I...I support both of those versions. Without these amendments, I'm concerned that this bill could be punitive, and further contribute to criminalizing being poor. And I think with all that's going on in the world, on this island, we, as a community, as a County, have a kuleana to lead with compassion and care first. You can change the name of what this practice of moving people without their consent. You can call it a forced relocation. You can call it a compassionate relocation. You can call it a sweep. But the way...it's...it's still the same thing. It's a...it's treating these people like garbage, especially when you see PR from the County announcing this...this sweep, without even acknowledging the human impact of what's happened, of the people who've committed suicide because of this...this push from our government. And you all are supposed to be public servants. The entire County, anybody, if you're an employee or an elected official, whatever, you take an oath as public servants to serve us, our people. And that includes these people who are really struggling right now. And watching the last couple of months of criminalizing...and honestly, terrorizing these people, it feels like government trying to push these people to the edge, and like that the purpose of it is to push them to suicide, to push them to drug, or like worse things. And so, it's...you all, as an...as a body, are complicit in this. Every person who dies on the street is a result of these kinds of policies. And it's frustrating to hear the public discourse about it, of every time that there's a fire anywhere close to a homeless encampment, they're just blamed for it. There's no investigation. They just...there's this narrative that homeless people are starting all the fires, when last time I checked, the catastrophic fires from two years ago were not caused by homeless encampments. And so, if this is the data that you're going to be using to make these decisions about public health and safety, I think you have to actually go in and see, have the fires increased in those areas,

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or have they decreased in those areas because of the outreach being done? Because I believe on Holomua Road, the incidents have decreased since the outreach has been happening there. . . .(timer sounds). . . And so, we pay for all of these studies. I...I hope that you listen to the studies that we use. Mahalo. I heard the bell.

CHAIR SINENCI: Mahalo, Ms. Alapai, for your testimony this morning. We have a question for you from Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. Nice to see you, Ms. Alapai. In your testimony, you referenced the fires of two years ago. What fires are you referencing?

MS. ALAPAI: The Lahaina and Kula fires.

COUNCILMEMBER SUGIMURA: Oh, so you're thinking that the hurricane...that the August 8th were caused by...you're hearing from homeless people? Is that what you're talking about?

MS. ALAPAI: No, I'm saying that's the narrative that for fire mitigation is, we have to sweep these people because...to prevent fires, but the most catastrophic fire in our history was not caused by these people. So, calling it fire mitigation is --

COUNCILMEMBER SUGIMURA: Thank you. Thank you.

MS. ALAPAI: -- untrue and --

COUNCILMEMBER SUGIMURA: Thank you.

MS. ALAPAI: -- and harmful.

COUNCILMEMBER SUGIMURA: Thank you, thank you.

CHAIR SINENCI: We have another question for you from Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Ms. Alapai. I just wanted to clarify the report that your...that...that you mentioned in your testimony. That's the report that we got that was supposed to be a strategic plan. Is that the one?

MS. ALAPAI: I think so. It was...

COUNCILMEMBER PALTIN: The EConorthwest one?

MS. ALAPAI: EConorthwest one. And then I don't know if it's the same umbrella, but there was also one about like the causes of homelessness. And it's mostly about housing availability, and recommended redirecting costs of...the cost that...the money we spend on these sweeps to new shelters and actually helping these people. But yeah, EConorthwest was the one I was referring to.

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COUNCILMEMBER PALTIN: Oh, for...for both the ones that you just mentioned, is...it was both done by EConorthwest?

MS. ALAPAI: I don't know if they both were, to be honest. It was a lot to read at last minute notice. . . .*(laughing)*. . . I'm trying to get caught up on this.

COUNCILMEMBER PALTIN: Okay.

MS. ALAPAI: I can...I can find if it wasn't EConorthwest. I will let you...I can send you an email.

COUNCILMEMBER PALTIN: Thank you.

CHAIR SINENCI: We have a follow-up from Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Ms. Alapai. Mahalo for your testimony. So, to clarify, your reference to the...the fires in Lahaina and Upcountry, your...the purpose for you mentioning those fires was to use the...the trauma caused by that experience to justify some of these sweeps?

MS. ALAPAI: I think that the County, either intentionally or unintentionally, is weaponizing the trauma of those fires to sweep or relocate the homeless under the name of fire mitigation. It seems like a PR move, whether intentional or unintentional.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Ms. Alapai. Mahalo, Chair.

CHAIR SINENCI: Mahalo, Member Rawlins-Fernandez. Any other questions for Ms. Alapai? Seeing none. Thank you for your testimony this morning.

MS. ALAPAI: Mahalo for hearing this.

CHAIR SINENCI: Staff?

MS. DEL CASTILLO: Chair, the next testifier is Melvin Johnson, to be followed by Bart Evans.

CHAIR SINENCI: How many testifiers do we have, Ms. Castillo *[sic]*? Four? Okay.

MR. JOHNSON: Sorry, got to put on the glasses. Good morning, Council. Thank you for the time, and to present testimony on this bill.

CHAIR SINENCI: Good morning.

MR. JOHNSON: I am Melvin Johnson, Jr., and I provide testimony here today in opposition of this bill as my own opinion and experience in our communities. It is not a reflection of any of my employees, contractors, or clients on this. I'm providing testimony on issues in the bill alone, not on the issue of homelessness as a whole. I would like to firmly establish that I agree that there are points in this bill necessary towards the goal of



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getting help for people amongst our homeless populace that want to stop the cycle they are in and better themselves, as each individual person should do. But as a whole, this bill is flawed, and should not be passed in its current form, including the recent amendments. I would also take a...a quick moment, please, to wholeheartedly thank you, the Council, our Council...County agencies, and their personnel for their hard work, efforts, and energy in addressing these important issues, and working towards providing safe environments for all of Maui County. This bill recommends solutions and policies and procedures that does not take into consideration the already-devastating effects in our communities by enabling poor life choices or actions, and not enforcing existing laws and common sense standards of conduct that makes civilized communities flourish. I would like the Council to also take strong consideration and follow compliance with President Trump's recently issued executive order on July 24th, and safeguard a community from the potential loss of Federal support necessary to programs that address the homelessness issues. These issues we face in our communities around the homeless community is complex, and affects many different lives. It will take many different layers and actions towards solutions to heal and work towards resolution and homelessness. But policies and procedures outlined in this bill will set the current efforts from your own County agencies and partners back tremendously. I know many members of Maui County that are not accustomed to come forth and give their valuable opinions and testimony, but I would call on everyone, please come forward and speak on these...our issues, and weigh in so our County can be prosperous in the future. Thank you for your folks' time. I appreciate it greatly.

CHAIR SINENCI: Mahalo, Mr. Johnson, for your testimony. We have a question for you from Vice-Chair Johnson.

VICE-CHAIR JOHNSON: Thank you, Mr. Johnson. No relation. Real...real quick, you said you opposed the bill. Did you oppose the bill with the amendments?

MR. JOHNSON: With amendments currently as well. I still...I feel it's still litigious for our community as a whole, the County, in enacting any of these things as a whole. And I'm...I'm open to --

VICE-CHAIR JOHNSON: And you read the amendments?

MR. JOHNSON: -- more conversation. I read the amendments.

VICE-CHAIR JOHNSON: Okay.

MR. JOHNSON: Thank you for that question.

VICE-CHAIR JOHNSON: All right. Thank you, Chair.

CHAIR SINENCI: Any other questions, Members, for Mr. Johnson? We have one from Member --

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair?

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CHAIR SINENCI: -- Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Mr. Johnson. Mahalo for your testimony --

MR. JOHNSON: Aloha.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- this morning. I'm...I'm sorry, did you say you're with an organization?

MR. JOHNSON: I said I'm here alone, testifying on my own experience and opinion.

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, okay. Okay. As an individual. Okay.

MR. JOHNSON: Yes, ma'am.

COUNCILMEMBER RAWLINS-FERNANDEZ: Got it. Mahalo for that clarification.

MR. JOHNSON: Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR SINENCI: Okay. Mahalo. And then we have one more from Member Paltin.

MR. JOHNSON: Oh, sorry.

COUNCILMEMBER PALTIN: Thank you, Mr. Johnson, the testifier. That's my question for the testifier. I wanted to clarify the points in the bill that you said were...that you support, and the points in the bill that you said you didn't support. Is that possible?

MR. JOHNSON: I'm open to conversation for that, for sure, as I feel many of the community is. But I think as a whole, the bill is flawed at this current juncture, and I still think it needs much more work to make it happen in the community...just from my own experience of what I'm seeing out there. Thank you for the question.

COUNCILMEMBER PALTIN: Yeah, thank you. I...I did hear that. I was wondering if you...if you could cite the parts that you thought were flawed.

MR. JOHNSON: I could, but I think that's a long conversation, that this is not the proper forum for that. I definitely would like to speak to any agency coming forward, and maybe elaborate more.

COUNCILMEMBER PALTIN: Okay. Thank you.

CHAIR SINENCI: Mahalo, Member Paltin. Oh, we have another question for you from Member Cook.

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COUNCILMEMBER COOK: Thank you...thank you, Mr. Johnson. Having reviewed this, do you have any suggestions of what the County could do constructively, broad strokes, to...to address some of the unhoused situation?

MR. JOHNSON: I mean, again, like I stated, it's a complex issue. There's going to be many layers and solutions coming forward for this. I don't...I mean, I know the past approach was housing first. One solution is not...there's so many different layers for us to go from where we're at in this current junction, where nobody wants to be, to the utopia everybody wants. There's the individual...that middle part is where we need to work, and I do think we're making valuable steps towards that. I just think there needs to be a lot more discourse among these organizations, and the County, and everyone as well, so that we can come together, not butt heads. We're all working towards one solution, and that is our community as a whole to get better. So...but just on this bill, just in dealing with this, as far as I see, you know, the property issues and stuff like that, yes, we do want to help the people in...in these situations as much as we can that are seeking help, but at the same time, a lot of this enables some individuals that are not seeking help and giving just carte blanche to continue with these actions that they're doing. So, I think we need to come back and still work on it more. And again, no disrespect to Councilmember Johnson's hard work that he's been trying to come on this issue, but I think there just still needs to be more work, and more inclusion of other agencies, and consideration on that. Thank you for the question.

COUNCILMEMBER COOK: Thank you, Chair.

CHAIR SINENCI: We have Chair Lee, and then Vice-Chair Johnson.

COUNCILMEMBER LEE: Mr. Johnson, you seem to be knowledgeable about this topic, but how are you involved exactly?

MR. JOHNSON: Well, from my experience, and again, just speaking on my own, I have 30 years of...I mean, 25 years, a former Maui Police Department. I've worked within the communities --

COUNCILMEMBER LEE: Oh, I see.

MR. JOHNSON: -- for that long.

COUNCILMEMBER LEE: I see.

MR. JOHNSON: I've handled many different operations within the Department. And again, not representing them. Now, just saying that that's my experience in...in coming forth. And then I have...I also have our company, Aegaeon, that is security in many different issues for the...out in the community. And again, I'm not representing my organization as such today. I'm just coming forward with my experience of what I've worked through and...and experience out there, out on the streets, out in the community.

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COUNCILMEMBER LEE: Thank you.

CHAIR SINENCI: Vice-Chair Johnson, and then Member Sugimura.

VICE-CHAIR JOHNSON: Chair, I just want to clarify, you mentioned something that I forgot to ask you. You said that one of the Trump policies or Trump decrees...

MR. JOHNSON: The executive order, yes --

VICE-CHAIR JOHNSON: Executive orders?

MR. JOHNSON: -- that was issued on July 24th.

VICE-CHAIR JOHNSON: I'm not familiar with that. How would that help with this situation?

MR. JOHNSON: Well, I believe he added some issues inside there, and again, Federal Government is a broad...they do a broad stroke as far as that. But my goal with bringing that up was to make sure that we don't come against or are not in compliance with whatever is coming down, that we do lose potential Federal aid, such as HUD, such as this, that...you know, if they find us in noncompliance. So, again --

VICE-CHAIR JOHNSON: I see.

MR. JOHNSON: -- I'm not advocating that we, you know, carte blanche and wholeheartedly enforce.

VICE-CHAIR JOHNSON: I'm not here to debate you on those --

MR. JOHNSON: Yeah.

VICE-CHAIR JOHNSON: -- issues, Mr. Johnson.

MR. JOHNSON: No, no, I'm not looking for a debate.

VICE-CHAIR JOHNSON: But we are getting sued left, right, and center in what we're doing presently.

MR. JOHNSON: Yeah.

VICE-CHAIR JOHNSON: This bill is trying to attempt to, you know, fix that compassionately --

MR. JOHNSON: Of course.

VICE-CHAIR JOHNSON: -- and not get the lawsuits, so...

MR. JOHNSON: I just was bringing up a point, maybe we not go against it, but --

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VICE-CHAIR JOHNSON: Thank you.

MR. JOHNSON: -- thank you for the question, sir.

CHAIR SINENCI: And I think to Vice-Chair's point, there was a...litigation, Supreme Court ruling, that the County would have to store people's property. So, I think that's one of the impetus of the bill.

MR. JOHNSON: Of course.

CHAIR SINENCI: But I'll go to Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. Nice seeing you.

MR. JOHNSON: Good seeing you.

COUNCILMEMBER SUGIMURA: Appreciate your work.

MR. JOHNSON: Thank you.

COUNCILMEMBER SUGIMURA: And I guess...I was...I was going to ask you about Trump's...his actions in D.C. So, that's what you're talking about, what we're seeing the Trump Administration and the National Guard coming forward to clear the homeless and his actions. Is that what you're saying?

MR. JOHNSON: Not so much. I'm not making reference to that. Not so much the enforcement. I'm just saying that we be careful in our compliance with whatever we're putting forward that we don't fall out of compliance, and then lose Federal support, such as HUD programs and stuff like that, that are instrumental for other organizations that trickle down to us that seek that...that...that type to help the homeless in this community. Not specifically speaking towards, you know, straight-up enforcement.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR SINENCI: . . .*(inaudible)*. . . other questions? Seeing none. Mahalo for your testimony.

MR. JOHNSON: Thank you. Thank you for the time. Appreciate it.

CHAIR SINENCI: Mahalo. Staff?

MS. DEL CASTILLO: Chair, the next testifier is Bart Evans, to be followed by the Royal House of Hawai'i. *(pause)*

CHAIR SINENCI: Good morning.

MR. EVANS: Good morning. Aloha, Council Chair [*sic*] and Councilmembers.

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CHAIR SINENCI: Aloha.

MR. EVANS: My name is Bart Evans. Brief introduction. I've worked as a licensed social worker here on Maui for the last 35 years. I have quite a bit of experience in working with all types of people, including our homeless population. I'd also like to just say out loud that my thoughts and prayers are with our victims and survivors of the Lahaina and Upcountry fires. They've been in my thoughts daily since the occurrence of the fires. So, regarding this bill, I...I don't know where all the amendments are. I kind of looked at it. So, I would say I'm in support of the spirit. From what I've observed from being a service provider, this last sweep that was done was done a lot better than the previous one. But I also want you folks and anybody that...to know that the homeless issue, as you know, it's complex. There's layers. And, you know, I work in mental health. The mental health resources here are poor, at best. We pump a lot of money into these programs. There's very little accountability. You know, I have a vision. I can still dream that we could all work together, like Mr. Johnson just said, and come up with a plan that works, and there's accountability...not only fiscally, but you do what you're paid to do when you sign these contracts. You know, homelessness, we have to start talking about race, it seems. I'm haole. I'm originally from the mainland. I moved here when I was 17 years old. I love this 'āina. I care deeply about this community. So, yes, we have to have open conversations. It's not just the haoles. It's not, they're all drug addicts. They're not all drunks. I've worked with families where both parents are working. They have five kids. Sell the place, got to move. They need to come up with--this is pre-fire--10 grand, let's say. A lot of people don't have that kind of money. And so, to ask them to find housing...they struggle. So, the kids were coming to school. They were good parents. They're staying down at Kanaha in a tent. The roaches got into the kid's backpack. He gets bullied at school because of that. So, we need to be compassionate people. . . .(timer sounds). . . So, they're not all just one type, local people, haole people. We need to increase other services--mental health, substance abuse, case management. And we need to have affordable housing for our people of Maui. It's an economic issue. It's scary, what's going to happen. We've created a socioeconomic condition where our middle class is disappearing. There's going to be more homeless people. They'll be working people. This is our families, our friends, our . . .(timer sounds). . . community.

CHAIR SINENCI: Mahalo, Mr. Evans.

MR. EVANS: Enough said. Thank you.

CHAIR SINENCI: Members, any questions for Mr. Evans? We have one from Member Paltin.

MR. EVANS: Yes, good morning.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Evans, for your testimony and your service. I just wanted to clarify what you were saying. I mean, it...it does seem obvious we need more mental health resources, but then you also said that we need accountability. And I just wanted to clarify what that looks like to you, the...the fiscal accountability, as well as the other accountability.

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MR. EVANS: So, I'm talking about...there's a lot of good people that work in this community. Their heart is in the right place. I don't want to name names, but contracts are given to certain agencies. They sign the contracts, they take the money. I worked as a case manager once and...a mental health organization. I went to the homeless encampments. So, if you're going to take the money, you take the grant money, you're required to do certain...like meet with the client so many times. And it's difficult. It's difficult when people don't have phones. You know, I mean...but my point is, is so the fiscal accountability, yes. But also, if you sign a contract and you're supposed to meet clients, say, you know, "X" amount of hours per month, that that happens...and it's not happening, and because they're overwhelmed. And so, to have like 50 people on your caseload, and you're expected to go out and see them without phones. Some of the places are dangerous. People don't want to go out there. But just more accountability with once you accept grant money, you got to provide the service, or at least make an effort. You know, I don't want to go into detail, but it's kind of like they do the best they can, but I give them like a two out of a ten because it's just...it's not happening. And...and then the same people get the same money, and they do the same services. So, we're not making any improvements. We're just spinning our wheels. We need to come together as a community.

COUNCILMEMBER PALTIN: Thank you. Thank you for that clarification.

CHAIR SINENCI: Mahalo, Member Paltin. Mr. Evans, you got one more question from Member Cook.

COUNCILMEMBER COOK: Thank you, Mr. Evans, for your testimony, experience, and compassion. One of the things you said about accountability and accountability for the government, the agencies providing the services, and accountability for people who are unsheltered. One of the challenges, people have made a comment about public being overly judgmental about people being drug addicts, and alcoholics, and like that. One of my concerns...I'm the representative from Kihei. Kalama Park, I'm going to use that as an example. I don't see families there, homeless families, et cetera. I see a lot of middle to late-aged men, various races, various things. I talk to people who are...have been afraid to go to the park, being hassled, it seems to be drug and alcohol. From my family, from my friends, I completely can understand and feel the interconnection between mental health and substance abuse. They're basically...they're very intermingled, and so can't be overly judgmental. But in this bill, and the relocation and whatnot, do you have...I'm...I'm finding...I'm trying to find out from myself, how do we differentiate the people who are, like you mentioned, kids going to school, they're working, down and out, they need a hand, we want to help them. I want to help everybody. I've built five...if we build places, I'm supportive of that. But how do we filter out the people who are simply not cooperating, and not...they flew here, they're at the beach, they're partying, drinking, and they don't really...they're not going to comply. Do you have any advice as a mental health practitioner?

MR. EVANS: Yeah, those are good questions. Thank you. And I am familiar with Kalama Park. If you walk through there in the evening, it can be quite scary. And that's not

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appropriate use of our parks. You know, those parks are for our kids and others. But...so, I...I see your point. No easy answers, but I will say those type...there's always going to be that percentage of people that don't want to be helped. They're severely addicted. They're...you know, we can come up with labels. I don't like to label, but you know, let's say, unmotivated for change, okay? They weed themselves out. Because if you set up programs that have parameters--and by the way, like zero tolerance with drugs and alcohol--you'll capture about 20 percent. Because these people are going to drink, they're going to drug. But if you can monitor, you know, make it safe, lots of security, they need bathrooms, access to phone, you know, just the basic needs. And then they can begin...if you don't have a shelter over your head, it's hard to get clean and sober, okay? They use the drugs to either stay up all night because they're going to get ripped off. There's people that have just gotten to the bottom where they've kind of just given up. You know, that's sad, but there is that population. So, you set up parameters, you make it reasonable, you give them one or two chances because we all need to be compassionate. Who...who amongst us is perfect? But they'll weed themselves out. What do we do to those people? You know, again, treat them compassionately. There's programs where...relocate back to where you came from. If that sounds racist, I apologize. Again, I'm haole. I've helped people do that. Get them...get them an airplane ticket, you know. You know, states were sending their probationers to Hawai'i in the, you know, '80s.

COUNCILMEMBER COOK: Thank...thank you for your testimony.

MR. EVANS: Work with their government, you know, the flyback --

COUNCILMEMBER COOK: Thank you.

MR. EVANS: -- program.

COUNCILMEMBER COOK: Thank you for your testimony. Thank you for your experience. And please continue your work. We are trying to provide housing. I'm a big advocate of that. I think most Councilmembers are. Thank you.

MR. EVANS: Understood. Thank you all.

CHAIR SINENCI: Okay. Mahalo, Mr. Evans, for your testimony. Members, my apologies. We did...didn't offer a mid-morning break. So, I've been requested that we take a ten-minute break from the testimony. How many more testifiers do we have? Five. Five more testifiers. So, with that, we'll take a short recess and be back at 10:52. The WASSP Committee meeting of Thursday, September 4th, is in recess. . . .(gavel). . .

**RECESS:** 10:42 a.m.

**RECONVENE:** 10:57 a.m.



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CHAIR SINENCI: . . .*(gavel)*. . . Aloha, and welcome back to the WASSP Committee meeting of Thursday, September 4th. It is now 10:57. Mahalo, everybody, for that quick break. And we'll continue with testimony. Ms. Castillo?

MS. DEL CASTILLO: Chair, the next testifier is the Royal House of Hawai'i, to be followed by Junya Nakoa.

TESTIFIER 2: Aloha. Oh, okay. Aloha, Members of the Senate...or...oh, sorry, Committee, County Council. I stand before you today as a member of the Royal House of Hawai'i, and a descendant and royal patent heir of Hewahewa, and assert that any attempts to pass bills, permits, and titles related to the land in Hawai'i are fundamental, flawed, and potentially very much highly illegal. The reason is simple. All the land in Hawai'i is held under royal...a royal patent allodial title patented by the royal government of Hawai'i, and the title lasts forever. We all know Kānaka are the greatest ones affected, and everything done on their 'āina is a clear violation on an international level. Break my heart because actually and factually, each kanaka own all the 'āina across the entire Kingdom from the Mahele because all of Hawai'i is royal patented, which are allodial titles that last forever, no matter what. Even if they brainwash you kānakas that you had go sell your land, you can claim them anytime. As much...as such, any efforts to create land trusts or schemes that contradict the existing royal patented allodial titles, which have been done because I guarantee you, each of those houseless kānaka has never been contacted about their royal patented land that they guarantee our descendants of. So, return the royal patent descendants to their lands and contact them, which you are already supposed to do by right by law because it...that's fraud...because their lands is all frauded. Like isn't...wait, frauded. Yeah, frauded their royal patented lands, and is a crime on an international level. This is because these titles are rooted in the constitution of Kamehameha III and the laws of the Kingdom of Hawai'i, which supersede any subsequent attempt to alter and/or undermine these rights, since the Kingdom of Hawai'i very much still exists. Given the historical context and existing legal framework, it is evident that the Native Hawaiians with the royal patented allodial titles would be the best suited to govern and decide what happens on all their ancestral lands. After all, they have lived through from the challenges and the effects of land mismanagement, and would likely prioritize sustainable and community-driven solutions, avoiding the massive evictions. And you guys is breaking your guys' own constitution. What about the law of the splintered paddle? Ke Kānāwai Māmalahoe. Oh my people, honor thy gods, respect alike the rights of men great and humble. See it that our age and the women and the children lie down...let them lie down and sleep by the roadside without fear or harm. Disobey and die. Okay. I would like to bring your attention to a personal matter that highlights the disregard for these titles. For example, myself, as a beneficiary and a royal patent heir of Kaonoulu Ahupua'a, I have yet to be contacted regarding the development . . .*(timer sounds)*. . . of our land, including the construction of an entire hotel. Let me finish up. So, as a royal patent holder, I would love to offer the Hilton Hotel for housing. So, I demand that Hilton Hotel be used for our houseless community as a solution. And I see...and I see that it says that the County owns it or the State, how could that be? Is it because my papa is an advisor for the king? Make it...King, making it Hawaiian Kingdom government lands, and that's why it's in your guys' name. . . .*(timer sounds)*. . .

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And...and those seats that you guys is in, that's supposed to be my 'ohana's seats, making these decisions for our kingdom. And having the documents that prove the beneficiary status, I have been completely ignored. This is unacceptable, and a clear example of the . . . *(timer sounds)*. . . systemic disregard for Native Hawaiian rights and interests and a crime on an international level. Mahalo.

CHAIR SINENCI: Mahalo, Mr. Royal House...

TESTIFIER 2: And I'm...we're all protected under Kamehameha III's constitution. Mahalo.

CHAIR SINENCI: Mahalo. Members, any questions for the testifier? Seeing none. Thank you for your testimony. Staff?

MS. DEL CASTILLO: Chair, the next testifier is Junya Nakoa, to be followed by Maui Tauotaha.

MR. NAKOA: Yessah. You can hear me?

CHAIR SINENCI: Yes, we can hear you.

MR. NAKOA: Yessah. Mahalo. Yeah, I would be there because this is an important issue. The one over there by the freaking...they...they...the clean-up over there. Oh, shit. Dude, hey, when I went over there to the one, the Ukumehame one, yeah, had the security guy over there, yeah, the security guy, his...his group over there, they never know what the heck they was doing. But there was also da kine, yeah, the...all the different guys had the MEMA, had...had MEMA, had the Mayor's...people from the Mayor's office, had the police, had the DLNR, all those guys. When I went go over there, me and my grandson, I go talk to all of these entities, yeah? And I told...I told them straight up, how are we going to fix this, brah? This was happening...this has been happening for years. Years. And you guys not doing nothing...maybe not you guys, but the guys in the Human Concerns Department, they not doing they job, okay? When I go Amala, I was telling Mahina Martin, that is...whoever is in charge of this whole houseless thing, get off their 'okole and do their damn job. And yeah, you guys know, I one coach, I'm a baseball coach. If this player...if my player not doing his job, not playing his position right, I put 'em on the bench. So, maybe we got to start doing that, yeah. All the...all the...all the guys who are getting paid by the County, our tax dollars, they should get out of there. Because I know get other...other groups that's out there busting their 'okole, doing the County's job, doing the State's job, doing the Federal job. So, yeah, frick...frick Trump . . . *(expletive)*. . . that...frick that guy. But yeah, so I mean, these guys are not doing their job, okay? So, we got to get 'em all out. Clean house, start all over. That's what you guys like do. Okay. Hey, check this out, gang. You know, you see this FEMA housing up over here? Yeah, the Kilohana. Okay. Get one big issue with...on that one now. Remember now, those guys are houseless right now. Okay. Those guys are houseless. Okay. That's all locals. All get jobs, all work. Okay. But now they're getting harassed by that management group, the FEMA. Getting harassed by where they can storage. But you know what? I went to the...I went to the FEMA meeting at the Westin when I was living . . . *(timer sounds)*. . . down there when they was talking about all this temporary housing being used, all these

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different...different kind of housing was there. Almost all these different types was...was there at the presentation. Now, that house, the one get the stilts, get...get place for store underneath. Okay. Get...get...the people can store their...all their belongings. Remember now, they don't want nothing. They no more no place for store all these things. But they could use that...that section to store all their personal...personal property. But no. Okay. . . .*(timer sounds)*. . . I just got notice from the FEMA that they're going to stick to their rules. And then they're going to...you know, if these guys no take all their property out, their properties, they're going to get kicked out.

CHAIR SINENCI: Mahalo, Mr. Nakoa.

MR. NAKOA: Okay. So, this is what you guys trying to do. Okay. Yeah. Sorry, brah. I just small kind mad.

CHAIR SINENCI: Yeah. No, no worries. We have a question for you from Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you for your testimony. I just wanted to clarify the part that you said about Human Concerns not doing their job, being negligent. Is that in reference to that we paid 240,000 for a strategic plan, and we only got a report or a study? Even though the deliverables, number 6 and 7 was a strategic plan and next steps. Is...is that what you're referring to in the negligence of us paying \$240,000, two years later no strategic plan, and somebody paid the money even though that was a deliverable, number 7?

MR. NAKOA: Hundred percent. Because that's what the other bruddah was saying, yeah? If you take the money, you make sure you use 'em. Okay? Use the money that is allocated to all these different entities. We tired. We tired of getting ripped off. Us, the people, the tax dollars, the taxpayers. We so sick and tired. Okay? And then hey, I even went to the County Building and said, hey, hire my...hire...hire me. Even though I no like work for the County because it's kind of...it's kind scary. You know, it's kind of scary walk over there, because bumbai...me, I'm loud mouthed, yeah. Bumbai I get fired, yeah, for --

COUNCILMEMBER PALTIN: Yeah.

MR. NAKOA: -- whatever. You call that damn thing . . .*(inaudible)*. . .

COUNCILMEMBER PALTIN: I...that's...that's what I...I thought you meant. I just wanted to clarify because I'm...I'm kind of upset about that as well. But thank you.

CHAIR SINENCI: Mahalo --

MR. NAKOA: Yeah.

CHAIR SINENCI: -- Member Paltin. Any other questions for Mr. Nakoa? Seeing none. Mahalo for your testimony this morning.

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MR. NAKOA: Mahalo. Tamara, I bringing back the cooler. Mahalo for the fish. Yessah.

CHAIR SINENCI: Make sure clean. Okay. Staff?

MR. NAKOA: Pau already. Clean. Yessah.

MS. DEL CASTILLO: Chair, the next testifier is Maui Tauotaha, to be followed by Royal Patent Heir of Keawemahi. *(pause)*

CHAIR SINENCI: Are they online? *(pause)*

MS. MACDONALD: Chair, they are online. You may need to unmute yourself on your end. We've unmuted you on our end in the top right-hand corner. If you have the camera and mic symbol with a line through it, you'll have to click on it to unmute yourself. *(pause)* Maybe we can return to them?

CHAIR SINENCI: Okay. We'll call on the next person.

MS. DEL CASTILLO: The next testifier is Royal Patent Heir of Keawemahi, to be followed by Kahaku Poepoe.

MS. MADISON: Aloha. Aloha, Members of the Senate [sic] Committee. My name is Elise Tiera Makalani Madison *(phonetic)*. I am a descendant of the Royal House of Hawai'i, and a royal patent heir of Keawemahi. I come before you today to remind this Committee that all land in Hawai'i is already held under the royal patented allodial title established during the Great Mahele. These titles are perpetual. They do not expire. This means native Hawaiians, Kānaka Ōiwi, including our houseless community, remain rightful descendants of beneficiaries of these lands. Yet we are not recognized or included in these decisions made about them. Meanwhile, our people are being crushed by criminal inflation rates, the soaring cost of housing, food, and basic survival that's forced us into poverty of our own 'āina. It is devastating to watch kānaka forced into homelessness, paying prices set by outside systems while our legal rights to the land are ignored. When new bills and land trusts or developments move forward without acknowledging these existing titles, they not only disregard the law, but also contributed to the continued displacement and suffering of our Kānaka Ōiwi. The...the constitution of Kamehameha III still protects these rights, and no one has the authority to take them away. The Kingdom of Hawai'i still exists in the law, and so do these titles. I strongly urge, and I strongly call on this Committee to honor these truths, identify and reach out to the royal patent heirs, uphold our rights, and stop ignoring the legal framework that has always been in place. Return our people to their lands so there are no longer any victims of homelessness and crippling inflation in their own 'āina. Mahalo nui loa. Mahalo nui loa for listening, and this comes straight from the pu'uwai.

CHAIR SINENCI: Mahalo...mahalo nui ko na mana'o nui *(phonetic)*. Members, are there any questions for the testifier? Seeing none. Thank you for your testimony this morning. Staff?

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MS. DEL CASTILLO: Chair, the next testifier is Kahaku Poepoe, to be followed by Mo'i Kawaakoa.

MR. POEPOE: Aloha, Chair Sinenci and Councilmembers. My name is Kahaku Poepoe. I come from the Island of Moloka'i, and I'm a current resident of Hilo, Hawai'i. I am testifying in strong support of Bill 111, and I think I just want to reiterate some of the mana'o that previous testifiers before me have already said. One of them is that the Kānāwai Māmalahoe...Māmalahoa [sic]. E nā kānaka, mālama 'oukou i ke akua, mālama i ke kanaka nui, ke kanaka iki, ka 'elemakule, ka luahine, moe i ke ala, 'a'ohe mea nāna ho'opilikia. Hewa nō, make. And that is reiterated inside of our State law, and I think that because this law is not only traditional to the Hawaiian people, but also is written in...into our State law that the County of Maui should uphold this law, and respect the homeless individuals of Maui County, their belongings, and their right to sleep on the side of the road, to have their belongings on the side of the road, and to not...and to not practice what we call sweeps or relocation without due process. And I think that it is furthermore the County's responsibility because the County puts us, the people of Maui County, in an economic position that supports homelessness. This is seen in support for developments, such as the development in Wailea, which obviously is less...which, you know, was...is less low-income housing that was promised, and creates this kind of culture, a vacation rental culture, and displacing native people. I also want to remind the...the Committee that during the Hawaiian Kingdom, Hawaiians and the people were allowed to live on government land...land for...freely without...without any opposition. That is something that, ever since the illegal overthrow in 1893, has changed in our...in our society, and homeless people have been pushed to the side, and treated differently under the occupation of the United States of America. And this is something that this bill gives the Committee the mana, the County the mana to actually protect our homeless individuals, and to uphold historical laws such as Kānāwai Māmalahoa [sic]. And so, I just want to testify in strong support. Mahalo.

CHAIR SINENCI: Mahalo nui, Kahaku. Members, any questions for Mr. Poepoe at this time? Seeing none. Thank you. Oh, we have one from Member Paltin. (pause) Is he...I see him still on. Kahaku? (pause) Okay.

COUNCILMEMBER PALTIN: Aloha, Mr. Poepoe. Nice to see you. I just wanted to clarify in what you had stated in the old times, and the Kānāwai about Hawaiians living on government land. It wasn't without responsibility though, right?

MR. POEPOE: Yes, definitely. That is true, to the truest extent.

COUNCILMEMBER PALTIN: You...you was Uncle...I mean you are Uncle Max's grandson, yeah?

MR. POEPOE: Yes.

COUNCILMEMBER PALTIN: I...I think I met you at E Ala Pū. Good to see you again.

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MR. POEPOE: Yeah, aloha.

CHAIR SINENCI: Mahalo, Member...Member Paltin. Any other questions for Kahaku? Seeing none. Mahalo for your testimony. Staff?

MS. DEL CASTILLO: Chair, we'll return to testifier Maui Tauotaha, to be followed by Mo'i Kawaakoa. *(pause)* Maui, you're unmuted on our side. If you can't work the Teams, you can call in, 1-808-977-4067.

CHAIR SINENCI: He's unmuted on his end? Or...or muted on his end?

MS. DEL CASTILLO: Our end. He needs to unmute on his end, on the top right-hand.

COUNCILMEMBER PALTIN: She.

CHAIR SINENCI: Oh, she, sorry. She's having some problems. We can go to Mo'i, and then come back to Maui. *(pause)*

MS. KAWAAKOA: Hui.

CHAIR SINENCI: Aloha.

MS. KAWAAKOA: O Mo'i Kawaakoa keia, lineal descendant of Hamakualoa, Hamakuapoko. I get plenty for talk about. Choke. I was one of the people who was involved in the Amala and Ukumehame sweep. I was on the other side of the fence, taking care of my people, strategizing against the County and Administration, unfortunately, because that's pretty much the position we have been put in, even though we would like to work with the County and Administration. I'd like to address something Mimi said in regards to storage. Yeah, you guys extended, but it's been hard to kind of get the storage back because we are giving only one time. And they got to get them all at that one time. They got to be there, which we don't mind doing. And they're asked where they're taking it because there was no safe space alternative from the Amala sweep. So, we have to take it upon ourselves to find a safe space. Do we want to be putting them in a bush? No, but they're safe right now. And they can actually be a community there. So, got to work on that, yeah. And I still coming for get their storage. Nicole will be in touch, Naomi. Then I like talk about something that Tom had said. You guys are working on housing. Our people don't need housing. They need care. They need to be cared about. They need the resources. And we don't mind doing any of that, but we don't get that help. The County-funded programs do, and they don't use the money to care for our people. In order for them to even keep one house, they got to be able to take care of themselves. And that's where Holomua Outreach is always based on, is getting our people out of addiction, helping them with their mental health, getting them back culturally-rooted because of 12 generations of colonization. 12. 12. Then I get arrested because we get permission from the heir to be on their property. And we are told, no, the County owns this land. But I do recall a tita, couple...a couple of times before me saying that this 'āina belongs to us. It belongs to us. Because of the Great Mahele, because of

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colonization, King Kauikeaouli seen that he . . . *(timer sounds)*. . . needed to give us titles. Yeah. So, we working on trying for get our people out of addiction, out of mental health. I get one grant out with OED, workforce development, making our people go out, clean our communities, remove those vehicles, provide hot meals, giving them a purpose. Our people don't have kuleana now because that is washed away 12 generations later. I'm here...everybody working with me believes in this. . . . *(timer sounds)*. . . So, mahalo for having us today. Gabe, your Staff, mahalo for bringing this bill, for all the amendments. As you all know, I am in full support of all of these amendments, and hope every single County . . . *(timer sounds)*. . . Councilmember looks within themselves as generational descendants to start taking care of our people. Pau already. Mahalo.

CHAIR SINENCI: Mahalo, Mo'i. We have a question for you from Chair Lee.

COUNCILMEMBER LEE: Okay. It was brought up earlier that...that monies going to nonprofits, I assume, or different agencies, are not producing, you know, the effectiveness as we expect. Is it because we...we don't have enough programs?

MS. KAWAAKOA: I think it's about the way you go about caring for the community, the way you...you don't show up or show up. That is where the real impact makes a difference. That's why I say we no need any funding for make one big impact, but we so busy fighting the system in place. And that system is fund...that County programs are funded by the system, unfortunately.

COUNCILMEMBER LEE: Okay. Thank you.

MS. KAWAAKOA: Mahalo. Nobody else? All right.

CHAIR SINENCI: No, one more from Member Paltin.

MS. KAWAAKOA: All right, T.

COUNCILMEMBER PALTIN: Thank you for your testimony. Thank you, Chair. I wanted to clarify what you were saying about that the belongings has to be taken out one time. If they say that they're storing the belongings for 30 days, and someone comes in like, say, the fifth day and takes some of their belongings, and come back to the tenth day, that's not allowed? At the fifth day, when they collect their belongings, they have to collect everything? Is that what you mean?

MS. KAWAAKOA: Yes. As soon as they go to pick up their belongings, they need to take all of their belongings, even though they don't know where they will put that. So, that holds back our people from getting their belongings. And half of the community from Amala are just ready to just give up their stuff because they don't want to go through all of that.

COUNCILMEMBER PALTIN: So...so, what...what it would preferably be is if they have a certain amount of time to get their belongings, any time during that certain amount of time,

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they can collect what belongings that they need at that time, and not all of it, is what...what was expected to have happened?

MS. KAWAAKOA: We don't...we didn't really know that process of storage until we made that connection to get people's property back because one of them was inspired to get rehab because they found a program in California that will take their dog and themselves, and they wanted to view and see their property before they left soon. And so, I was like okay --

COUNCILMEMBER PALTIN: And...

MS. KAWAAKOA: -- let's do this.

COUNCILMEMBER PALTIN: And then to clarify, in the instances, even if it was a O'ahu vendor, the property was stored on Maui?

MS. KAWAAKOA: This...yes. For Amala and Ukumehame, the Administration and County did make sure that the property stayed on Maui, and that coordination was being done with the Department of Management and the Homeless Coordinator.

COUNCILMEMBER PALTIN: Thank you.

MS. KAWAAKOA: Mahalo.

CHAIR SINENCI: Mahalo, Member Paltin. Any other questions for Mo'i? Seeing none. Thank you for your testimony. Staff?

MS. DEL CASTILLO: Chair, we'll call back up Maui Tauotaha, to be followed by Natasha Inaba.

MS. MACDONALD: Chair, I'm not sure if Maui was able to call in with the information that was provided. Oh, I see they're rejoining the meeting. *(pause)*

CHAIR SINENCI: How many testifiers do we have?

MS. DEL CASTILLO: After this, one more.

CHAIR SINENCI: One more after this one. Okay.

MS. MACDONALD: Maui, you have been unmuted on our end. Sometimes for the microphone, there's a little drop-down arrow beside in the top right-hand corner if you're on Teams, you may have to click on that, make sure you're on the correct microphone. If that's not working, then since you've already logged in and out, there is call-in information in the chat that's...that you can use to join. If you are the phone number, if you click star...or star-6 on your phone, you should be able to unmute and begin your testimony, as we've unmuted you on our end.

MR. TAUOTAHA: Aloha. Can you hear me?



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CHAIR SINENCI: Yes, we can hear you. *(echoing)*

MR. TAUOTAHA: E kala mai for the technical difficulties. *(echoing)*

CHAIR SINENCI: Do you have a --

MR. TAUOTAHA: Just want to mahalo everyone.

CHAIR SINENCI: -- do you have a second... *(echoing)*

MS. MACDONALD: Sorry, if you're logged in on a different device, we're having a little bit of feedback. If you don't mind turning off the sound on that second device so we don't get the echo.

MR. TAUOTAHA: Copy that. I'm so sorry. It's hilarious because I'm a media person, so...

UNIDENTIFIED SPEAKERS: ...*(laughing)*...

MR. TAUOTAHA: Mahalo nui for everyone who's there. 'O wau 'o Maui Tauotaha. He kupa o O'ahu wau, no laila, makemake wau e ho'ouna ku'u aloha nui i ka 'āina, nā 'aumakua, a me nā kūpuna o ka mokupuni o Maui, ke 'olu'olu. Mahalo to the public servants and community service groups who do the actual work and provide actual solutions for our community. I've never sat in your seat, so I ask your forgiveness if I...anything I say offends you in any way. It's not my intention. I only speak my truth. I stand on my written testimony submitted via eComments. I support amendments in Bill 111, but feel it only scratches the surface. Speaking about the eComments, all the total 28 eComments, 12 were against and only 2 gave their names. Vast majority of folks are too ashamed to share their names, so that should tell you where...how pono that position is. Props to bruddah Bart Evans for speaking his truth. I'm grateful for his experience. Even though I disagree with that truth, I have a me ha'aha'a humble request. He mentioned homeless populations several times. Please realize that Hawaiians can never be homeless in Hawai'i. They may be houseless as a result of impacts of colonization, corruption, and greed, but this is Hawai'i. There is no other home for Hawaiians on this planet. This will always be the home for Hawaiians. So, what are we doing about it? Well, lack of affordable housing and hundreds of millions of dollars in profits for Honua'ula happened recently, so mahalo for that. How much of that money...or how much money could have gone to creating pu'uhonua to actually solve these problems? The sweeps obviously are not working, they just make things worse. We all want healthy and safe communities, and this is really...it's time to get creative. There've been some great solutions that were mentioned in this meeting, and I kāko'o all of them. Mahalo to Kahaku Poepoe for reminding us about the compassion of our kingdom law. Other societies across the...the planet do this. I don't know why we can't do it in here. Hawai'i is the home of aloha. We are supposed to be the most kind and caring and compassionate people on this planet, and we should start acting like it. Yeah, that's...I just wanted...again, I submitted my written testimony, but on a personal level, I'm one of those people who's...my son was just in the hospital recently

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for two nights. It was a \$33,000 medical bill. Even with the health insurance, it's hard to cover that. So, I can see how any one of us can be in that situation that people find themselves in. So, I have, of course, a vested interest for myself to protect my own family, but also because it's just the right thing to do. We all need to give more than we take. And catering to luxury developers with insane amounts of money on nitpicking about small amounts of money that could do great good for our community is just . . . *(timer sounds)*. . . it's shameful. Mahalo.

CHAIR SINENCI: Mahalo, Mr. Tauotaha, for your testimony. Members, any questions for the testifier? Seeing none. Again, mahalo for joining us this morning. Staff?

MS. DEL CASTILLO: Chair, the last testifier signed up is Natasha Inaba. *(pause)*

MS. INABA: Good morning.

CHAIR SINENCI: Aloha.

MS. INABA: So, I actually came very unprepared. I just learned about this bill and the meeting today. So, I apologize. Forgive me if I'm like all over the place, but I come as just someone out in the community who sees what I see. And over the course of many, many years, you know, I've seen the sweeps. I also have a background of being homeless with five children, one on its way. And I've also had issues with drug use in the past, probably like 20-plus years ago. So, you know, just with that background, and seeing what...or how the houseless community is...has been treated, you know, it's...it's been tough. So, with this bill...and I thank you, Councilmember Gabe Johnson, for actually bringing it to the table, because my heart hurts for the houseless community. My main concern when I would see these sweeps is, where would they go? Where are they going to go? You know, everybody complains about the site. It...it's an eyesore to see them on the side of the road, or to see all this garbage and what have you that accumulates and, you know, they're going to pin them as the criminals out there in our community. But you know, when you guys do the sweeps, it's like you guys are pushing them into another area where it's more in the public eye, right? So, how is that really taking care of our houseless community who has issues, you know, that...of houselessness? Beyond that, of course, there's deeper, you know, all individual issues, but how are we really, really helping the houseless by just picking...packing them up and saying, you know what? Move. Where are they going? So, that's my main concern over this house...houseless community that is here on...on Maui that, you know, we provide them a location. And as my understanding that the bill covers, you know, when you ask them to be relocated, that they do not and are not relocated unless, you know, there is shelter in place. And so, for that, I do...and I am in strong support of that. For those that, you know, doesn't have a place to store their...I guess the bill also covers . . . *(timer sounds)*. . . storage. Anyways, yeah, so I'm in support of Bill 111 because for me, I feel that it does look after the houseless community. I hope that, you know, for those, we can find like locations from County, State land that is available, that we can make something become available for those who, you know, it's not a one-size-fit-all. Some people love the ocean. Maybe they gather their food from the ocean. Maybe people like it . . . *(timer sounds)*. . . mauka, they...they work the land, and they feel much comfortable there. You know, maybe city

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life isn't...isn't for them. But...so location for me is a big, big concern, and I think could help . . .(timer sounds). . . the houseless community. So, thank you so much.

CHAIR SINENCI: Mahalo for your testimony. We have a question for you from Vice-Chair Johnson.

VICE-CHAIR JOHNSON: Thank you, Chair. Thank you, Ms. Inaba, for sharing your lived experience with us. I hope you don't mind me saying this, but you're from Lānaʻi, right?

MS. INABA: I am.

VICE-CHAIR JOHNSON: And now, if you look at all the testifiers, we've had folks from Maui, Molokaʻi, and Lānaʻi, which really shows that this issue is Countywide, and we should do something. And I really appreciate your testimony. Thank you.

MS. INABA: Thank you. Thank you, guys.

CHAIR SINENCI: Mahalo. Any other questions for Ms. Inaba? Seeing none. Thank you for your testimony. Staff?

MS. DEL CASTILLO: Chair, that's all the testifiers. Would you like to do last call?

CHAIR SINENCI: Yes, please. I see one more person coming down.

MR. LAW: Okay. I would like to hit a home run, Shane, but I'm just going to try to get a base hit. Aloha Po'ahā, aloha kākou, aloha *Akakū*, aloha luna holomolu [*sic*]. You can put me down as testifier name haole nika (*phonetic*). Okay. My suggestion...my main suggestion is, the word homeless is derogatory. So, I suggest the County takes that out of their vocabulary. Pukui and Elbert, if you want to research that, it's every...there's three words they use for homeless, is kuewa, K-U-E-W-A, means vagabond, exile, wanderer, wandering, friendless, homeless, unstable. The second word is lewa, L-E-V...L-E-W-A, homeless, vagabond, wanderer, landless, homeless. And the third one is like an American slang type, homeole (*phonetic*), which probably suggests that the County put that into their vocabulary in the...and as for you lawmakers. I had some problems getting Bill 111 from the Clerk's Office, Mr. Sinenci, so I mean, I don't know who's in charge of that, Alice Lee or somebody. I was told that any bills, you got to go to the Clerk's Office, and the other stuff, you got to do at the Council Services Office. So, once again, why didn't the Council Services Office get their full raise if they keep sending me over to them when they got plenty work to do already? So, that was just on a side note there. Okay. Speaking of government, Māmalahoe Kānāwai, I'm glad somebody mentioned that. That should be put into the bill because that was Kamehameha the Great. He's...I wish he'd come back here and get you guys straight. I don't think anybody would argue with him. And then his...I'm not sure what generation she was, his great-great-granddaughter, Lili'uokalani. I suggest we follow her example and her executive order to protect the land and the people. If people like Trump D (*phonetic*) didn't illegally take over the Kingdom of Hawai'i, we might not have the pilikia we have now. They did it for the money. So, speaking of them, Family Life Center is

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which...one of the access to services that y'all are talking about. I caution all people of Hawai'i, their pro-Trump agenda, and have repeatedly said that they want to make Hawai'i the first Christian state. That's aloha ole (*phonetic*). I don't know which Christ they're talking about. And so, in my personal experience, King's Cathedral is...Family Life Center is a branch of King's Cathedral. And they got a branch church up in Kula, Kula King's Cathedral. And when I go by there, I don't go on their...their 'āina, their property, as they call it. But even when I go by there on the...the roadway or the sidewalk, they jeer at me, and say stuff to me when I'm praying. And I'm praying to purify the land there. And they tell me to go get a job, which is ironic because they're getting money from the government and not paying any County land taxes. So, I just wanted to tell you guys that part of it. And especially when they're taking people's stuff, I heard the first testimoniars [sic] say that they threw away a tricycle. . . .(*timer sounds*). . . There's plenty of little keiki out there that would love to have a little tricycle to ride about. So, if you could put recycling some of the stuff that they're throwing away there, then that would be appreciated. Nine out of ten people who go to church is good, but nine out of ten of the administrators is pono ole (*phonetic*). Thank you for your time, Mr. Chair.

CHAIR SINENCI: Mahalo, Mr. Law, for your testimony. Members, any questions for Mr. Law? Seeing none. Thank you for your testimony. Staff?

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

CHAIR SINENCI: Members, seeing there are no more individuals wishing to testify, are there any objections to closing oral testimony?

COUNCILMEMBERS: No objections.

**. . . END PUBLIC TESTIMONY FOR WASSP-13 . . .**

CHAIR SINENCI: Okay. We'll close oral public testimony, but as a reminder, written testimony will still be accepted. And again, I just wanted to mahalo all the testifiers that came and shared their mana'o, both here in the Chambers as well as online. You have a big audience here at the Chambers, including many of the departments that are listening in online as well. So, mahalo for all your mana'o. Staff, we can proceed with our item? Members, Bill 111 (2024), Establishing Procedures for the Removal and Storage of Personal Property in Public Spaces and a Right to Shelter. And again, Members, we...I know we've been going for a couple hours, and so I'll leave it up to the body what you guys want to do in the next 20 minutes. But...but we can start discussions, yeah? Okay. So, just to...just for clarity, I did want to address the agenda that was posted. There was the Bill 111 agenda, and there were four ASFs. And at this point, there are no voted-upon CD1s version. So...so, the first one was the...the original from Member Johnson. The second ASF was from the October 24th meeting that had the agreed-upon amendments, including the Managing Director's recommendations. The

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third ASF was just for revisits, should the body want to consider some of these. But of course, Vice-Chair Johnson has a fourth ASF. And according to him, a lot of those previous revisits, in your ASF, you...you've addressed some of the...the revisits; is that correct?

VICE-CHAIR JOHNSON: Yes, that's correct, Chair.

CHAIR SINENCI: Okay. Thank you for that. And so, at this time, Members, we'll go to the Admin...before I go to discussion, we'll have the Administration come and...for their comments. I do understand that we received...is there a letter that we received from the Administration? Can we pass that out, Staff?

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

CHAIR SINENCI: Oh, it's already been passed out. So, Members, you...the Administration has sent out a letter. If...if you need...I don't know if everybody online received it, or if anybody...oh, I see thumbs up. If anybody needs additional time, but we'll...and we also have Mr. Nishita or Ms. Wade online.

MS. MACDONALD: I see Deputy Erin Wade online.

CHAIR SINENCI: Okay. *(pause)* Okay.

MR. JACKSON: Thank you, Chair.

CHAIR SINENCI: Mr. Jackson?

MR. JACKSON: . . .*(inaudible)*. . . Thank you, Chair. Deputy Managing Director...

COUNCILMEMBER PALTIN: Cannot hear real good.

CHAIR SINENCI: Okay. Yeah, his mic was off.

MR. JACKSON: All right. Thank you, Chair.

CHAIR SINENCI: Can you hear him now?

MR. JACKSON: Test, test.

CHAIR SINENCI: Oh.

MR. JACKSON: Oh, here we go. Okay. Thank you...for the fifth time. Thank you, Chair. Thank you, Members. Thank you, Councilmember Johnson, for all the work that you've put into this. And thank you, everyone, for being here. I know there's lots of faces that I recognize today, lots of faces of individuals who I've been out in the field with, we've been out in the field with, engaging with homeless individuals. And we did provide a letter yesterday to...to Council, and I think I forwarded all of that...or that to you guys

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yesterday evening. Essentially, we...we appreciate and share the same concerns that you guys have. I think we...we have come out as...with the position of not supporting the bill. There's a number of reasons for this. We have implemented guidance that carries the spirit of this bill. And there's concerns that the administrative burden ties the hands of the...the County to act, and to update our guidance as we're learning. We've had two experiences in the last year that have taught us a lot about how to engage with these individuals, and...and do it compassionately, and to give a lot of notice, to provide access to services. And...and...and frankly, we also don't...we can't grasp the implications, and expect that this bill may contradict other...other County law at the same time. So, I'll leave it at that, and we'll be happy to answer questions you guys may have about Amala or Ukumehame, or the bills themselves. Naomi, do you want to say anything?

CHAIR SINENCI: Mahalo, Mr. Jackson. Corporation Counsel, did you have anything else to add?

MS. DESJARDINS: Thank you, Chair. I do have some comments to make with respect to the CD1 version. I don't know if this is the right time to address that, but I do want to say, and really, as a matter of law, I want to encourage as much flexibility as possible in the development of how to proceed with interventions, such as Amala or Ukumehame. And the reason I say that is because, as we know, when you pass an ordinance, it takes a lot of work to change it. And I can tell you that this law is developing as we speak. This is not over. I suspect there will be challenges to the way in which the...the County has been dealing with Davis v. Bissen, and that's okay. Challenges are okay, we learn a lot from them. But the idea of the flexibility required to address those without it being codified--as a matter of law, I'm speaking as an attorney--is really invaluable to the process. And so, I just want to put that out there because as we've gone through this process, and I...and I listened carefully to Ms. Darcy and Mo'i's concerns about the way storage of property is working, we can develop and work on that as we move along, and I appreciate that. But it's harder when it's codified. I just want to throw that out there at this point. Thank you.

CHAIR SINENCI: Okay. Mahalo, Ms. Desjardins. Was there anyone else for...okay. So, we can begin discussion from the Members. And I know...I don't know, up to you guys how many rounds or discussion, but where you...what you guys feel our pathway forward, I'll be open to that. But we'll begin with Vice-Chair Johnson, go ahead.

VICE-CHAIR JOHNSON: Okay, Chair. Well, just to start off, I thought I could start with some opening remarks, and then make the motion, and then the motion to substitute. And I can do that if you guys like.

COUNCILMEMBER LEE: Chair?

VICE-CHAIR JOHNSON: I see Chair's...

COUNCILMEMBER LEE: Yeah. I...I was raising my hand to let you know I have a 12:00 meeting, and it's pretty hard to make a decision in 13 minutes.

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VICE-CHAIR JOHNSON: Okay. How about I just read the opening remarks?

COUNCILMEMBER LEE: Okay. Good.

VICE-CHAIR JOHNSON: Is that...is that qualify for discussion, Members?

CHAIR SINENCI: Sure.

VICE-CHAIR JOHNSON: Is everybody okay with that?

CHAIR SINENCI: Okay. Go ahead.

VICE-CHAIR JOHNSON: So, Members, this bill is to provide a process to relocate our houseless people in a dignified and respectful way. We know that the way we have been relocating our houseless people has not been working. We do not have the adequate shelter space, and after we move them from one place, they simply undergo tremendous disruption and trauma, then move on to another area, where the...where the safety environmental concerns can be even worse. We're not only putting a band...we're not only putting a Band-Aid over the problem, the way the County is doing it now is causing harm and making things worse. If we continue to leave this policy to the Administration, we can expect more of the same. Commitments to safe zones that take years and years to become fulfilled, underfunding, and lack of support for our nonprofits that do the outreach and sheltered work. The report we commissioned to address homelessness made it clear that we need to collaborate and coordinate effectively. Leaving the policies of moving encampments to the Administration rules that are not transparent, not readily available to the public, and drafted behind closed doors is not the way forward. After we heard this bill in Committee last year, the providers who are doing outreach daily and have worked with people at every cleanup in the County has done were not happy with the draft. So, me and my team met with Holomua Outreach, Maui Rapid Response, Share Your Mana advisory committee of unhoused people, and the ACLU to come up with amendments. These recommendations came from people with a firsthand lived experience. We took these recommendations to the Administration and amended the language to find compromise. I'm here to collaborate and have the discussion in a public forum so we can find ways for our houseless people to be treated with dignity and belong in our communities. That is a key point and recommendation of the report to address homelessness. Remember, we paid that money for that report. That was what they were saying. You got to collaborate. Another thing to remember is that the root cause of homelessness, according to the report, are the high cost of living and lack of housing. Punishing the houseless, alienating them, and sweeping them like trash does nothing to address this root cause. The people who end up being homeless become homeless because of systemic inequalities, circumstances, and program failures. The example of if you get in a car accident and you're one step away to be unhoused, I get that. I lived in Section 8 housing before I took this job. I was a single dad. I know that fear. It's our duty as government to take care of our most vulnerable with the support they need. We can do this at this time. We address the bigger systemic and root problems in our community, like the cost of living and housing.

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And that's why I'm here today, to work together towards our shared goal of ending homelessness. Let's do it together here in the Chambers as a community. We all went to Officer Suzanne O's funeral and the words are echoing in her mind, her words...to serve with respect and compassion. And that's what I'm here for, Chair.  
.. *(timer sounds)* ..

CHAIR SINENCI: Mahalo, Vice-Chair Johnson.

COUNCILMEMBER PALTIN: Chair, point of information.

CHAIR SINENCI: Yes.

COUNCILMEMBER PALTIN: Or point of something. We didn't...we didn't pay for and commission a report. We paid for and commissioned a strategic plan which we never received. I just wanted to get that clear. Because to enable after-the-fact fraud like this and pay for it, that's not...that's not right. We paid for...and number 7 outcome, before and after the thing was modified, was for a strategic report. So, let's not enable further fraud and just willful negligence that...that has brought us to this point. Two years later, \$240,000 later, I just...I feel very passionate that we stop enabling this kind of thing. It's part of the reason we're in this situation right now.

VICE-CHAIR JOHNSON: Thank you for that clarification.

CHAIR SINENCI: Okay.

VICE-CHAIR JOHNSON: I...I . . . *(inaudible)* . . .

CHAIR SINENCI: And then...and we'll go down the line. So...but if Members will allow, I know that Chair Lee has to leave. If...for your...

COUNCILMEMBER PALTIN: That was just a point of clarification, sorry.

CHAIR SINENCI: Yeah. Chair Lee, if you want to...if you have any...we do have the people that we invited as resources, if you have additional questions. But...

COUNCILMEMBER LEE: For the...for the resources?

CHAIR SINENCI: For resources, or generally what direction --

COUNCILMEMBER LEE: Oh, okay.

CHAIR SINENCI: -- what ASF you want to address.

COUNCILMEMBER LEE: Well, I did want to ask Naomi, Ms. Crozier, a question.

MS. CROZIER: Yes.



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CHAIR SINENCI: Go ahead.

COUNCILMEMBER LEE: Okay. You heard the Members talk about collaboration. And has there been an effort lately to collaborate with the Council, with the community, to make changes in how you handle your operations...the sweep...the sweeps?

MS. CROZIER: Thank you. That's a great question. Yes, we've been trying to collaborate with the community, with Council.

COUNCILMEMBER LEE: Can you go closer to the mic?

MS. CROZIER: Oh, sorry. Is this better?

COUNCILMEMBER LEE: Yeah, better.

MS. CROZIER: Yes, that's a great question. So, we've been trying to collaborate with the community, with the advocates, with Council, to change...make changes, make it smoother, more compassionately.

COUNCILMEMBER LEE: Can you give specific examples?

MS. CROZIER: I guess working with the advocates, and working with the people who are unsheltered in the community.

COUNCILMEMBER LEE: Well, let's say like modifying the time that people have to go and claim their items in storage.

MS. CROZIER: Yes.

COUNCILMEMBER LEE: Things like that.

MS. CROZIER: So, for example, the 30 days were up, and we've actually extended another 30 days to make it easier for them to come pick up their things.

COUNCILMEMBER LEE: Chair, my concern is what First Deputy mentioned, Corp. Counsel, about not being too restrictive with...with codifying many of these items because this is a work in progress, it...it appears. And sometimes we can't foresee every single circumstance in...in legislation. So, I'm...I'm trying...we need a lot of guidance here on where to be flexible and where we need to be stricter. So, either you...you or Corp. Counsel could comment on that.

MS. DESJARDINS: Yeah, thank you...thank you, Chair. The storage of property is...is an example of what I'm talking about. The law requires us to store property, and the Administration has determined that 30 days is a sufficient amount, with some advice from Corporation Counsel looking at case law, looking at what other jurisdictions do. However, it's not just about storage of property, it's about the spirit and intent behind why property needs to be stored. And that is where the flexibility is required. Because,

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for example, if you codify this and say, you're going to have 30 days to store property, well, that's the law. So, then the question becomes, well, how much flexibility do you have in, for example, you know, managing...extending it for an additional 30 days, or whatever is required? I understand there are folks who have nowhere to put their belongings. And that is...if people are actively trying to get their things out of storage, and they have nowhere to go, then that is what I think the Administration--from...from the calls that I get about the law, that's what I see them trying to address. Nothing's perfect, nobody's going to be 100 percent happy, but we're trying to comply with the law, but be compassionate at the same time. . . .(timer sounds). . . That's where the flexibility is required.

VICE-CHAIR JOHNSON: Chair, can I --

COUNCILMEMBER LEE: Thank you, Chair.

VICE-CHAIR JOHNSON: -- can I respond to...to that?

CHAIR SINENCI: Let me go to Nohe --

VICE-CHAIR JOHNSON: Okay.

CHAIR SINENCI: -- first, Vice-Chair.

VICE-CHAIR JOHNSON: Okay. Yeah.

CHAIR SINENCI: I don't know if she needs to go somewhere. Member U'u-Hodgins?

COUNCILMEMBER U'U-HODGINS: Thank you, Chair. I do have to pick up my children at 2:00, so I'll be on the road from about 1:45 to about 2:30 when I get home. So, that's going to be difficult for me to actively participate while I'm driving in discussion after we get back from lunch. But what I wanted to ask you, Chair, is, Member Johnson's ASF makes a whole bunch of changes that make it difficult to track...because yours has the redlining, but Member Johnson's doesn't, and it looks like a lot of the things the ASF has in his one that was posted on the 29th almost either dismiss all the changes that we discussed in the previous committees, or kind of takes it back to the original one. So, I had a request that either we can ask him to go through these changes that he proposed and why we went back from what we discussed in Committee. We're not privy to his meetings with the advocates, but furthermore, it's also not signed by Corp. Counsel. So, if we're going to make that suggestion now, I'm going to either A, vote no, or request to file it.

VICE-CHAIR JOHNSON: Chair, at the --

CHAIR SINENCI: Member...

VICE-CHAIR JOHNSON: -- bottom of the...at the bottom of the ASF has all of the redline changes. You just scroll down, you'll see all the changes that we did.

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COUNCILMEMBER U'U-HODGINS: I have it...I have it printed, and in my printed version...because I have a difficult time reading online --

VICE-CHAIR JOHNSON: Sure.

COUNCILMEMBER U'U-HODGINS: -- I don't see any of those changes, but I can get that done. But a lot of it kind of takes it back from scratch. Maybe you can talk about that. I know Chair Lee has to leave in three minutes, and then we typically come back at about 1:30, so --

VICE-CHAIR JOHNSON: So, I...

COUNCILMEMBER U'U-HODGINS: -- maybe you can just --

VICE-CHAIR JOHNSON: Okay.

COUNCILMEMBER U'U-HODGINS: -- discuss why you made some of those changes, and I would appreciate that. Thanks.

VICE-CHAIR JOHNSON: So, I would...I had...of course, as we know, Mimi was away for a bit. So, now that she came back, I had a meeting with her last night, and we went over some of the concerns that...that...that would allow her to sign off on them, and I think that would be the task at hand in the afternoon. We could...I'll go down, work with her, we can all have it in open discussion, what the Corporation Counsel has concerns with, amending it as needed, getting consensus, working together. Those are the things that I would think would be an afternoon deal, if you guys are open with that. Because I...I don't want to...you know, I think that's a good opportunity for all of us to do it in the open. There's so many of those changes. Okay. Since Councilmember U'u-Hodgins asked, I worked with the Administration, we went back and forth to get...you know, to do some changes, to get their support in the very last minute. Two days ago...was it two days ago, I think? They said we don't support this now. So, after all that work of going their way, last minute, now they don't support. . . .*(timer sounds)*. . . So, there was a lot of changes from all types, from the Administration, as well as for the nonprofits. Thank you.

CHAIR SINENCI: Okay. Member Sugimura?

COUNCILMEMBER SUGIMURA: Yeah, I kind of think that we're getting deeper into a discussion, that we should take a break for lunch, so that we're all on the same page, and not trying to rush something of an unsigned Corp. Counsel document. That's serious to me.

CHAIR SINENCI: Okay. Thank you for that. Yeah, we're almost...I just wanted to...Member Cook, you had any...

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

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CHAIR SINENCI: You're okay with coming back at 1:30? Members online, any discussion? Taking a break to 1:30, and then...Member Paltin, go ahead.

COUNCILMEMBER PALTIN: Thank you, Chair. I guess, for me, I almost would like to hear how the previous situations went. There was a cleanup at Amala, followed pretty quickly, close after, by a cleanup at Ukumehame. And I support cleaning things up, but at the time when the Ukumehame cleanup occurred, the shelters were pretty full up of folks from Amala Place. And so, the point of where are people supposed to go, I don't know if everybody gets the daily shelter vacancy report, but there was no openings. And I don't know if that's a legislation issue, but it...it seems counterintuitive. I know it was a safety issue, because...to have all of those EV batteries and like that from the disaster task force, you know, if they become wet in saltwater, it's almost like you're dealing with bombs for those EV batteries. But...so, I...I could clearly see the safety issue, but if we're relocating folks without shelter space, that...that's kind of an issue. I'm not sure how legislation...I mean, at the same time, you got to balance public safety and whatnot, but I don't know how legislation addresses that. I think what...what I would like to hear from the Administration is, you know, I...I totally feel like we're in this position because there is no strategic plan, there is no vision. Like how...how are we addressing this? We have a public safety issue in that, you know, we have all this rubbish or whatever, separate from unsheltered people, and...and not exclusively their...their problem or their fault. And so, we're trying to address these various interconnected issues, and there is no strategic plan. We hear people talking about a safe zone, we see it in the bill, but...but where is it? Years ago, we put money and asked for safe parking spaces, that never happened. I mean, the Department of Human Concerns may be not the correct department to deal with this because of their repeated failures over the years. But that's what I would like to hear, is what is the vision, what is the strategic plan that we paid \$240,000 for, or when are we going to get a refund for not getting what was requested, what was delivered, what was in writing? Because we cannot solve any problem without a plan or a vision. Like where are we going with this?

CHAIR SINENCI: Mr. Jackson, did you want to address?

MR. JACKSON: Yeah. Thank you, Councilmember Paltin. Can you guys hear me loud enough?

COUNCILMEMBER SUGIMURA: Yes.

MR. JACKSON: So, two parts to that, that came up. The first is, at Ukumehame, were the shelters full? So, over the last ten months since the report has come out, Department of Human Concerns--and I'll let Director Tsuhako speak to this as well--but we've updated our contract to guarantee that they provide us shelter space, even if...if it is full in situations, such as natural disasters or encampment removals that we have to do. So, I'll...I'll let Director Tsuhako add to that, but there is shelter space full [sic], and we're going to make sure that there is shelter space full [sic] anytime we are even

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considering doing one of these encampment removals. And Lori, do you want to add anything to that?

COUNCILMEMBER PALTIN: You just said there is shelter space full. Can you clarify...

MR. JACKSON: Sorry, shelter space available. There is shelter space available.

COUNCILMEMBER PALTIN: And is it reflected in the daily reports we're seeing? Because the daily reports are not reflecting that there is shelter space available.

MR. JACKSON: Yeah. My understanding is that comes...that report comes out from the State, and...and Lori...or Director Tsuhako, I don't know if you're on and can answer that question more specifically.

COUNCILMEMBER PALTIN: Because I receive the reports from the Department of Human Concerns.

MS. TSUHAKO: Thank you, Noah. Thank you, Chair. The daily report is generated by the Governor's Coordinator on Homelessness and Housing, and what Mr. Jackson is referring to is Ka Hale A Ke Ola has created a mechanism in which they can use congregate spaces at their current shelter to increase the bed count that's available during a time of an intervention or during a civil defense emergency. And that is what he's describing as additional surge bedding that we've arranged to have available to us for those...for those events.

MR. JACKSON: And that's been an update made, you know, since these discussions began last year. And then the second thing I would add, Councilmember Paltin, is in the letter we wrote to you, we did provide a list of...of the actions the County has taken since the report was released, and a lot of it is...is taken behind the scenes, so you guys don't always see that. But there is a list there from the...the guidance that we've developed and released to you guys yesterday. You know, the award of safe parking, the update of the contract with KHAKE, supporting the State's transition over in Kahului, providing trauma-informed care through DHC, working with shelter providers to reduce other burdens to get into shelter, and...and working on Lahaina as well, and what's going on out there as we rebuild. So, I know...I know you guys may not see what's going on every day, but...but we are working every day on...on different solutions.

COUNCILMEMBER PALTIN: Thank you. I was sleeping last night. I didn't have a chance to read the letter. I'll read it during lunch.

CHAIR SINENCI: Okay. Thank you, Member Paltin. Member Rawlins-Fernandez, do you have any questions before we break for lunch?

COUNCILMEMBER RAWLINS-FERNANDEZ: Sure. Mahalo, Chair. And I can make it kind of quick, because I know it's already 12:07, but in preparation for, you know, us reconvening, I support some of the ideas on how to structure or format the rest of the meeting this afternoon, going over the amendments. I see some of the amendments are

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like not substantial, but in the areas that are, or perhaps, you know, since we'll likely only have like three hours, usually, that may be, you know, honing in on the more substantive areas, and not, you know, like going over...like, instead of encampment, like, public place. I don't think those are like necessarily problematic, but the areas that are more problematic, you know, go straight to those areas. And when I say problematic, I just mean that there isn't agreement between Member Johnson and, you know, those that he's been working with on the bill. And then, a question for First Deputy Corp. Counsel Desjardins, regarding the opening...her opening remarks after we closed public testimony. So, I think what I understood you saying is that because the situation is like constantly evolving, that your recommendation, or the Administration's recommendation, is to have the process that's attached to the correspondence from the Administration on Granicus, Draft Guidance on the Removal of Encampments and Storage of Personal Property, in admin rules first, instead of having something in the County Code, and then, working through that, is...is that what you were saying in your opening remarks?

CHAIR SINENCI: Ms. Desjardins?

MS. DESJARDINS: Chair? Thank you, Member. Yes, so I'll be clear, the...the flexibility that those guidelines and policies, or even admin rules, supply from a legal perspective, to me, are...are valuable in this process of evolving in something and collaborating to work together to make something work. But I'll be real clear that if it is the will of this body to pass an ordinance, my absolute duty is to help you folks come up with something that is legal as to, you know, its form and its legality. And Member Johnson and I had that discussion last night, so I'm prepared to help you . . . *(timer sounds)*. . . folks come up with something if that's your will, but I kind of see both sides. I see the value in both. But as a lawyer, I just like flexibility because it's easier for me to collaborate and to make things work, I guess. That's just me. Thank you. . . . *(timer sounds)*. . .

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo for responding to my question. I did hear the timer. I just want to also, you know, acknowledge the concern heard in testimony that perhaps the guidelines are too flexible and don't give enough protection, which is why advocating for putting it in the County Code, which would, you know, give stronger enforcement more teeth, if you will, to what is being requested. And then when we return from lunch, I'd like to hear any remarks that we heard in testimony about why...I think we heard in testimony that there...there was discussion and collaboration all the way up until just a few days ago or something. So, I'd like to hear some remarks on that when we return. Mahalo, Chair.

CHAIR SINENCI: Okay. Mahalo, Member Rawlins-Fernandez. With that, Members, I don't want to take up more of your break time, and we'll come back at 1:30. With that, the WASSP special Committee meeting of Thursday, September 4th is now in recess until 1:30. Thank you, Members. . . . *(gavel)*. . .

**RECESS:** 12:11 p.m.

**RECONVENE:** 1:34 p.m.

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CHAIR SINENCI: ...*(gavel)*... Aloha ‘auinalā, and welcome back to the special WASSP Committee meeting of Thursday, September 4th. It is 1:34 p.m. Mahalo, Members, for that short break. Before we begin, we’d like to introduce Pro Tem Kama. Aloha and welcome.

COUNCILMEMBER KAMA: Aloha...aloha ‘auinalā, Chair, and Members of our Council and colleagues. I’m here in my workspace, and I am alone. Thank you, Chair.

CHAIR SINENCI: Mahalo for joining us. And with that, Members, we are at our second round of questions, and...and as the Chair, I’ll make sure that everybody gets a chance. We have three minutes for now, but we can go as many rounds, we...we have all afternoon. So, we can begin with Committee Vice-Chair.

VICE-CHAIR JOHNSON: Okay.

CHAIR SINENCI: Yeah.

VICE-CHAIR JOHNSON: But Chair, I think my question is going to kind of be...I’d like...I’d like to maybe hear from the Members on their concerns on this bill as we go down the line. If there is something that you folks see that it’s...it’s a no-go for you, in the spirit of collaboration, in the spirit of working together, then I’d like to, you know, find ways that we could work together on that. I...I think it’s...it’s important that everybody can explain what they like or what they have concerns on, and then we...we...we move on it. It’s...I think the...if I take a step back, we...we have the Administration doing their administrative rules, and we also have this proposed bill. So, bills require you to do things. Administrative rules can change with administrations. So, that’s really what’s before us. If you guys think that the Administration is doing a bang-up job, great job, then maybe that’s your path. But I...I feel...obviously, I feel we could do better, and that’s why this bill is before you. So, I just wanted to say that as the Members go down, please consider that, you know, how can we help you if that’s a concern? If there is a concern, how do we, you know, alleviate those concerns? Thank you, Chair.

CHAIR SINENCI: Mahalo, Vice-Chair Johnson. And so, is it okay that should Members have questions, since you’ve been having these discussions, that they can also ask you as a resource?

VICE-CHAIR JOHNSON: Sure. Yeah. And you know, as we worked on this bill, I didn’t do it alone. I had a great team with Kate Griffiths, Axel Beers, And if I do...do not remember a particular thing--because remember, this bill’s been going through so much work--I might call on Axel Beers to help me remind my...you know, where we’re at, because there’s, you know, it’s like a ten-page bill, right? Two-and-a-half-pages is just simply definition, so it’s...it’s pretty big.

CHAIR SINENCI: Okay. Thanks for that. And then, Members, we also have all of our resources. They might be online, should you call upon them. Chair Lee?

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COUNCILMEMBER LEE: Another resource person for me would be Member Nohe U'u-Hodgins, because she is like in the field, you know, has a specific issue in Pā'ia that she's been working on for a long time. So, it's important for me to know the actual application, or potential application of the ordinance that we are considering, and how that would work, or does that...is it compatible with what she's doing in Pā'ia? So, I'd like to hear from her, too.

CHAIR SINENCI: Okay. Yeah, she'll...we'll refer to...to her, should questions for...for her. Member Cook?

COUNCILMEMBER COOK: Okay. So, can I get it started?

CHAIR SINENCI: Go ahead.

COUNCILMEMBER COOK: Back from lunch, everybody ate, got another cup of coffee. This is a tough one. I'm glad...and I know how passionate you are about it, and how much work is going into it. I also know, talking to the Department, talking to different...I mean, I've been visiting the Fire Departments, Wailea and Kihei, and, you know, the whole issue with fires, a lot of the fires, they...they go to like 50 fires a week, nobody hears about it because a lot of them are just really small fires. But a lot of them are, like, from campfires and from other type of activities, and not malicious. Apparently, we're blessed as a community. We don't...knock on wood, we don't really have an arson issue or that kind of criminality. It's more just high winds, people, campfire, vacant lots, whatever. To me, I would like to support the Administration's proposal for now, with the understanding that I see some...I see some huge pukas in trying to solve this problem because we...it's a...it's a huge mental health issue, a mental health issue, even from a, "healthy, vibrant"...I won't say normal, but "average person" who loses their job, and/or their landlord sells the home. They have to move--and I'm kind of putting myself in that position, because I do rent--that's terrifying. If...if my landlord sold the house, and I pay a stupid amount of rent, but I feel fortunate that I can stay there. So, I mean, I'm just sharing. I mean, I feel this emotionally. This isn't some theoretical stuff. If I was on the streets, and I couldn't take care of my family, the shame, the embarrassment, the stress, the anguish, all of that stuff would chew me up. And alcohol, self-medication, doing all of that would come very naturally to me, to basically be able to survive, just to be able to numb myself out to the max. So, I'm just sharing that with you because I have no judgment whatsoever. I mean, that old Christian saying, there but by the grace of God goes me...when I see people on the street, and I see people, I...I don't like it, but I strive not to be judgmental, but to be objective. So, my hope that we, collectively as a Council, can work with and push the Administration to getting property in our different districts, and to actually spend money and build stuff, so that when we...the key this, to me, a big path forward, is you can't stay here. Okay. Where am I going to go? Okay. That's the missing link. That's the elephant in the room. Where am I going to go? Okay. And I don't think that's a cure-all . . . *(timer sounds)*. . . because...anyway, you want me to do a second term *[sic]*, or is...can I get a couple more minutes, since there's not many of us?

CHAIR SINENCI: You had a question in there?



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COUNCILMEMBER COOK: . . .*(laughing)*. . . Is there a question? Does that resonate with the Administration?

MR. JACKSON: Yeah. Thank...thank you, Councilmember. And I think that's spot on, and I do...you know, that's our heart is, we...we face people who are losing their jobs, who are losing, you know, their rent on a regular basis. And...and I know our...our service providers, such as Family Life, have taken a hit in a lot of...a lot of testimony today, but they've housed--and Lori can correct me if I'm wrong--but 700 people last year, or...or got into shelter 700 people. And it's the people that are in that situation that...that often align with where we're trying to, you know...those people, we...we work with them to get them into shelter, and get them into transitional housing. I think a lot of the tension comes from individuals that...that don't...that want to be outside. They want to be where they are, and I think that's...there's a lot of tension there. And so, we...we totally agree with you, and the Administration internally is working on additional resources for beds as we speak, so that resonates with us, for sure.

MS. CROZIER: Hi. Can I add to that? Thank you for...that's a great statement you made about the mental health. We don't want to be outside, nobody wants to be outside. Over the years I've been doing this, I've been doing this for 17 years, I've seen Family Life Center house a...house a person eight times...eight times. And maybe it wasn't right the first time, eighth--fifth, sixth, seventh, eighth, but after the eighth time, they don't give up, they house them again. No judgment, no nothing. So, they're not in the wind, you know, fanning themselves with social media, they're just doing it. And people...I think what I see is, when they don't want to follow the rules is when they want to live outside, and that's what I see. But sometimes, after a few years, they get sick and tired, and they go, okay, we're tapping out, I want housing. So, there's no judgment on wanting to live outdoors, but I truly believe everybody deserves housing.

COUNCILMEMBER COOK: Thank you.

CHAIR SINENCI: Okay. Mahalo. Mahalo, Member Cook.

COUNCILMEMBER COOK: I'm all wound up for my next turn.

CHAIR SINENCI: Okay. I do see Member Nohe U'u-Hodgins' hand up.

COUNCILMEMBER U'U-HODGINS: Thank you, Chair. Couple of things real quick. I'm in the Pā'ia School parking lot, ready to pick up my youngest son, and then I'll be on the road, I'm going to turn off my camera as I drive. But I just wanted to say that I...I cannot be a resource necessarily on Member Johnson's bill. He and his office have really put in the legwork to get where we are today. But what I have been doing is working with Corp. Counsel, they've been working with Prosecutor's Office, and we've been working with Admin to discuss storage of private property found on public places and public lands. And if we're going to, right now, go into discussion about some of the things on Bill 111, CD1, that's...that's kind of one of the big issues that I see with this, is that I think it needs to be separated. Not always, and maybe Deputy Corporation Counsel

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Desjardins can speak to the times that we do find personal property on public lands, and the difference with that, and how would that work? Not always is a cleanup related to compassionate relocation. And so, maybe a consideration is kind of separating those two things. One is the storage of private property found on public lands, and another one is compassionate relocation or whatever verbiage we would want to use when we talk about, you know, addressing some of the encampments. I do have more questions, but maybe we can start with that one for now. Thank you, Chair.

CHAIR SINENCI: Ms. Desjardins?

MS. DESJARDINS: Thank you, Chair. Yes. So, Member U'u-Hodgins is correct. We...she and I are working together to devise an ordinance that would address storage in general. That's what City & County [sic] are operating off of. Because regardless of whether it's an encampment or not, we are obligated--when we find any property in a public place, whether it's under an encampment or not--we're obliged to...to...if we're going to destroy it without storage, we have to have a contested case hearing ahead of time. But if we are going to store it, and we're obligated to do that, and that's...that's the better plan, we need an ordinance, I think, that just addresses storage in general, not just for encampments. Because a lot of what's in this bill applies outside of encampments. So, that's one thing that she had asked that I help her with. But let me just say, from what I'm hearing from looking at these guidelines during the lunch break, and then looking at this bill, it seems like the real difference between the two is, the bill has an emphasis on you cannot remove an encampment unless you have places in place for folks to go to, period. That's the goal of the bill is, you're not going to just walk around and do this. The guidelines and policies do not emphasize that. But what I'm hearing the Administration say is that that is what they're working towards, is to develop safe sleeping, safe parking, possibly managed encampment that was mentioned in the transmittal letter. So, I think that's where the...the real difference is between Bill 111 and what the Administration is saying. But as far as the storage of property, whether you put it in here or not and codify it, that's the law, that's what needs to be followed.

CHAIR SINENCI: Mr. Jackson?

MR. JACKSON: Just to clarify one thing too, we are making sure that we do have bed space available if we are considering any...any type of relocation action. And we discussed that before the break, but I just want to clarify based off Mimi's comments.

MS. DESJARDINS: Yeah, I'm sorry, I misspoke. But I also want to say this. Between the last meetings we had on this subject and now, as you all know, the Grants Pass decision came down, the Federal courts reversed Boise...the Boise case, Martin v. Boise, and said that you no longer have to have bed space available before you can arrest houseless individuals. But I do not see the County of Maui following --

MS. CROZIER: No.

MS. DESJARDINS: -- that pattern, and you don't have to. I mean, certainly both the Administration and Member Johnson's bill devise a system where that would not be

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our...that's not what...what we're about. But I did want to also point out that that opinion has come down since Bill 111 was first initiated.

VICE-CHAIR JOHNSON: Chair, can I add a point of information?

CHAIR SINENCI: Go ahead.

VICE-CHAIR JOHNSON: Okay. In that regard that the Administration is working towards more bed space, let's take a look at Ka Hale A Ke Ola, for example. In FY 2025, they requested \$1.2 million. They approved...they were approved by the Administration for only 670K...\$671,000. After my budget priority to increase funding for Human Concerns grantees, this was up to \$771,000. In FY '26, they requested again \$1.2 million. They were recommended for \$771,000. This is according to our budget session correspondence. Again, it goes back to trusting the Administration if they're taking it seriously. You say you want more bed space, and yet Department of Housing and Human Concerns, the Mayor's office, is not funding the people who are creating bed space. So, that's the disconnect that I'm...I'm just adding that for the information. Put your money where your mouth is, and I don't see it.

CHAIR SINENCI: Mahalo, Vice-Chair Johnson. Member U'u-Hodgins, was that your...did you get your questions answered? Is she still on? Okay.

COUNCILMEMBER U'U-HODGINS: ...*(inaudible)*... I have about ten more minutes ...*(inaudible)*... like can we let her speak? And then I just have a follow-up question to what Corporation Counsel just said.

CHAIR SINENCI: Who did you refer to?

COUNCILMEMBER PALTIN: Just got to let you guys know that --

CHAIR SINENCI: Oh.

COUNCILMEMBER U'U-HODGINS: Oh.

COUNCILMEMBER PALTIN: -- we have an adult male named George Vierra, pau hana and in the house.

CHAIR SINENCI: Okay. Mahalo. And then we'll go to Pro Tem Kama for her first opportunity.  
*(pause)*

COUNCILMEMBER KAMA: Thank you, Chair. I just wanted to ask Member Johnson, what is the goal of this bill?

VICE-CHAIR JOHNSON: The goal is to create a process in which the Administration or their designee takes...takes the unhoused, finds places for them, and then cleans up and stores their...their belongings. That is...

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COUNCILMEMBER KAMA: Okay.

VICE-CHAIR JOHNSON: Yeah.

COUNCILMEMBER KAMA: Okay. So, there's two things. One is to find housing for the unhoused, and to be able to store their...their...their goods, pretty much. Is that it?

VICE-CHAIR JOHNSON: Yes, and also to include the nonprofits --

COUNCILMEMBER KAMA: Okay.

VICE-CHAIR JOHNSON: -- that are helping them. Like if you're --

COUNCILMEMBER KAMA: Yeah.

VICE-CHAIR JOHNSON: -- unhoused, you...we use the example of a woman who's getting help from Women Helping Women, getting help from Aloha House --

COUNCILMEMBER KAMA: Yeah.

VICE-CHAIR JOHNSON: -- all of those services.

COUNCILMEMBER KAMA: Yeah.

VICE-CHAIR JOHNSON: Let those folks know that are helping her that there's going to be this decommissioning of an encampment.

COUNCILMEMBER KAMA: Oh, okay. Then...then my...then my comment, Chair, is that when we look at the unsheltered situation, the idea was to shelter them, right? To shelter them. And we haven't done a good job of sheltering them in a timely manner. Therefore, we have all of these unsheltered. But we also have, I think, created the need for a safe parking and a safe sleeping space. But one of the things that I think caught my ear this morning is that how many people have been housed and rehoused because they go in, I don't know, they may not like the rules, they may get into little discussions, or they get into fights or whatever, and then they decide to leave. So, to me, it seems like we're not really getting to the root cause of...of...of why the unhoused or unhoused. So, we talked earlier today, I mean, this afternoon, about mental health and how...how do you...how do you change the behaviors of certain people so that they can at least, if not conform, have the wherewithal to make good decisions for themselves. And it seems like we're not...we're not hitting the mark on changing people's behavior. All we're doing is doing a pretty lousy job of band-aiding [sic] . . . (timer sounds). . . the situation. I hear the bell, Chair. And I will reserve my time for round two.

VICE-CHAIR JOHNSON: Chair, if I may?

CHAIR SINENCI: Go ahead.

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VICE-CHAIR JOHNSON: You're exactly right, Councilmember Kama. This does not address the root causes. What this does, it implements clear timelines to notify encampment occupations of a scheduled relocation. It requires that sufficient shelter accommodations --

COUNCILMEMBER KAMA: Yeah.

VICE-CHAIR JOHNSON: -- exist --

COUNCILMEMBER KAMA: Yeah.

VICE-CHAIR JOHNSON: -- and establish procedures --

COUNCILMEMBER KAMA: Yeah.

VICE-CHAIR JOHNSON: -- for the storage and retrieval of personal --

COUNCILMEMBER KAMA: Yeah.

VICE-CHAIR JOHNSON: -- property. Requires outreach and service providers also include in the process. If you want to work on the root causes, I am with you, Councilmember Kama. The...we do a housing first model, and how can we do a housing first model when there is no houses? This...the solution of houselessness is in the question. House them. Unhoused, you house them. That's the solution. If you want to get to why it's so expensive and, you know, the NIMBYism, and all the bureaucracy that's involved, I hear you. The income inequality, I hear you. But at this point, this bill is trying to address what we were just talking about. Thank you, Chair.

CHAIR SINENCI: Mahalo, Vice-Chair.

COUNCILMEMBER KAMA: Thank you. Thank you, Mr. Johnson. But housing them is not the issue. Changing their behavior about being housed is. If we've housed people eight times, and they're still out there on the streets, those are the people that we need to talk to.

VICE-CHAIR JOHNSON: Um-hum. That's...that's...

COUNCILMEMBER KAMA: Because those are the ones that are not going.

VICE-CHAIR JOHNSON: That's why the wraparound service is so key, and that's why this bill is trying to bring in those folks to do the wraparound service. You know, the Aloha House, the Women Helping Women, those things that we mentioned.

COUNCILMEMBER KAMA: Thank you, Chair. Thank you, Mr. Johnson.

CHAIR SINENCI: Mahalo, Member Kama. Next, we have Member Sugimura.

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COUNCILMEMBER SUGIMURA: Thank you. Thank you very much. Agree, this is a very complicated and deep discussion. And probably the thing that concerns me the most is that if we have a bill before us that's not signed by Corp. Counsel, it doesn't matter what we think, right? Because they're going to have to defend this in court if anything does happen. And so, therefore, what Corp. Counsel says of a bill that we should work towards is what I'm going to take very seriously. And if Corp. Counsel sits there--and correct me if I'm misstating you--but if Corp. Counsel is telling us that by putting things in Code, we may be restricting outcomes, then I think we should know that. And the bill before us probably is taking us in that direction.

COUNCILMEMBER KAMA: . . .*(inaudible)*. . .

COUNCILMEMBER SUGIMURA: Oh, you can't you hear me? So, the bill before us is probably taking us in that direction, that we're codifying something...codifying something that Corp. Counsel is thinking that we should give ourselves the leverage to be able to solve and find solutions. And that's very concerning to me. The bill is not signed by...Member Johnson's bill. I think your bill, Chair, is not signed either. And so, I want to make sure that what we pass is going to...it will be something that Corp. Counsel will sign...because right now, they haven't signed both. I don't know why. And so, if you could, you know, speak to that, I think it's very important. As...as you know, when I look at all my...my own legislation, if Corp. Counsel doesn't sign, I don't move. That's how important I think, you know, what you do is for the County of Maui and our...and our jobs as Councilmembers.

VICE-CHAIR JOHNSON: Of course. Mimi was gone...or Ms. Desjardins was gone for a bit of time, so...

COUNCILMEMBER SUGIMURA: But this has been around for a while.

VICE-CHAIR JOHNSON: I know.

COUNCILMEMBER SUGIMURA: It's not something brand new.

VICE-CHAIR JOHNSON: We've had meetings with her, you know, and...and, you know, if that's...it...I...

COUNCILMEMBER SUGIMURA: I don't mean from you, I mean from them.

VICE-CHAIR JOHNSON: Okay. Okay.

COUNCILMEMBER SUGIMURA: I heard you earlier.

CHAIR SINENCI: Mimi?

MS. DESJARDINS: The original version of Bill 111, which Corporation Counsel did sign off on, takes us all the way back to when Karla Peters was the Director of Parks --

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COUNCILMEMBER SUGIMURA: Wow.

MS. DESJARDINS: -- and Recreation. This has been going on for a very long time, and there were a lot of meetings way back then about what is the best way to approach this problem. I'm going to talk a little bit out of my legal lane here, but it's what I'm seeing going on. This Administration is doing something about it. And I'll be blunt, that wasn't happening when this bill originally was discussed. That...we had Amala part one. We were sued, we were wrong. We conceded to the Hawai'i Supreme Court that we did not handle it properly as a matter of law. We learned our lessons, and now we're moving forward to try to comply with what really should have been complied with in the past. So, we're working on that. So, what I see is an Administration . . .*(timer sounds)*. . . doing that. Now, as a lawyer, like I said before, they could do administrative rules, which would require public hearing, which would require folks to be able to come in and testify and give their mana'o on any policies and procedures that they put into place, or you can come up with a bill that Corporation Counsel will sign as to form and legality. That...you folks are the policymakers, you'll make the decision whether you want to do that. Where it is right now--and Member Johnson knows that, and he's absolutely right, I've been gone for a couple weeks--we had a great starting meeting right before I left, and some of the service providers were present. I thought we got a lot done, but we need more time, in my humble opinion, to come up with something that our office can sign off on. We're interested in its form and legality. That is...that's the lane that we're in, and that's what I can't do in...in the present moment with the state of this bill. And...and Member Johnson and I have already discussed that. But thank you for raising that. But let's remember how far back this conversation's been going.

COUNCILMEMBER SUGIMURA: Yeah, right. Karla Peters, that's a long time ago.

MS. DESJARDINS: Right.

COUNCILMEMBER SUGIMURA: Or it feels like it. Thank you. Yeah. Thank you. Second round.

CHAIR SINENCI: I think Member U'u-Hodgins had a follow-up for Ms. Desjardins.

COUNCILMEMBER SUGIMURA: She's...

CHAIR SINENCI: If not, we can go to Member Paltin for your second round.

COUNCILMEMBER PALTIN: I think I need some clarity. Some of the testifiers spoke about the Kahului Harbor cleanup. And I don't know if that was the County, or if that was the State. It seems like it was the State. And if I could get clarity, if this law, or ordinance, or bill affects how the State does it, or it affects how things are done on private property, and if the ordinance affects how the State acts, has the State been brought into the conversation? And I...I believe the County can make laws on how the State does things, but I forget what the other conversation was about the State not...not doing something earlier this week or last week, but they weren't following something. So, if a lawyer could clarify? Because are we just talking about County direction on how

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County moves things out of public areas or on County property? Is the State's actions on state property impacted by this bill? And have they been brought into the conversation? Or does it also affect how things are moved off of private property? Like I'm not clear on State, County, Federal, private, and the interaction with this bill.

CHAIR SINENCI: Ms. Desjardins?

MS. DESJARDINS: Thank you, Chair. This bill covers County property. So, the jurisdiction would not be on lands that are owned by the State. The harbor's owned by the State, and that is why the State of Hawai'i is in charge of the cleanup procedures that take place in the harbors. So, that was not the County. But I will add, anecdotally, that HTM, the vendor that the State uses for the storage of property, and I believe both...yes, DLNR and I think Harbors, they...they are the ones who originally used HTM. And so, HTM was the vendor who we used, the County, for both Wahikuli and Amala Place. However, now there is a vendor here on Maui who is interested in being able to assist and to provide this service on island.

COUNCILMEMBER PALTIN: So, this legislation that we're looking at is only in regards to how the County will do a cleanup, but it has no effect . . . *(timer sounds)* . . . on how the State will do a cleanup? It has no effect on how a private landowner will do a cleanup. Is that what you're saying?

MS. DESJARDINS: That's correct.

COUNCILMEMBER PALTIN: Okay. I don't...I don't believe some of the testifiers were aware of that because they were talking about Kahului Harbor.

MS. DESJARDINS: Yeah, and I...and I heard that too, Member Paltin, and...and so I'm glad you clarified it. Because I wouldn't want...especially the one testifier talked about what happened at the harbor, I was hoping it would be clarified that that was not something that the County was in charge of.

COUNCILMEMBER PALTIN: So, we don't have any jurisdiction...or it's this bill, the way it's written, doesn't have jurisdiction?

MS. DESJARDINS: I don't think we have jurisdiction to tell the State what to do on state property.

COUNCILMEMBER PALTIN: And we don't have the jurisdiction to tell a private landowner how they clean up their land either?

MS. DESJARDINS: Not necessarily. I mean, when you look at the Fire Code, there's a lot of reference there to how private landowners are supposed to abate fire hazards, et cetera, on their...on private property, but that's not the focus point of this bill. It is not anything that has to do with private property.



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COUNCILMEMBER PALTIN: So, this bill is just about County property and the way County cleans up County property, and Amala Place was County property.

MS. DESJARDINS: That's correct.

COUNCILMEMBER PALTIN: Okay. I...I'm clear on that portion of what's going on. Thank you.

CHAIR SINENCI: Mahalo, Member Paltin. I do see Member Keani Rawlins-Fernandez, but I'm not sure if she's in the meeting, for her opportunity. *(pause)* If not, we can return to Member U'u-Hodgins, who had a follow-up for Ms. Desjardins.

COUNCILMEMBER U'U-HODGINS: Thank you, Mr. Chair. Do...is it okay if I leave off my camera because I'm driving?

CHAIR SINENCI: Yes.

COUNCILMEMBER U'U-HODGINS: Okay. I'm in the car, obviously. I just said I'm driving. I have my minor son, and I will be picking up my daughter in a few. But my question was kind of answered by Deputy Corporation Counsel Desjardins for Member Sugimura's question. So, she said she needs more time to work with Member Johnson to kind of . . .*(inaudible)*. . . And...and they will. I'm wondering if you could maybe discuss your preferences and Corporation Counsel's preferences to separate storage from compassionate relocation, or can I get your thoughts on that and how we can maybe move forward with something that Corp. Counsel will authorize?

CHAIR SINENCI: Ms. Desjardins?

MS. DESJARDINS: Okay. Thank you. Can you hear me, Member U'u-Hodgins?

COUNCILMEMBER U'U-HODGINS: I can. Thank you so much.

MS. DESJARDINS: Okay. So, this bill originally had to do with the storage of personal property from public places, and then one...I think one of the amendments that was made was that it would be amended to say, I think, from encampments. So, this...whatever is devised out of this would apply clearly just to encampments. But the issue of private property stored in public places is broader than that. So, for me, legally, it would be better to have one ordinance that we can turn to, regardless of what our situation is. Now, there may be certain nuances regarding encampments that could be included if you were to codify the encampment intervention process. You could add more things. But the general notice--storage, inventorying of property, making sure folks are able to find out where their property is being...can be located--those types of things should be done, I think, on a broader basis, Countywide, rather than just for encampments. I do want to also say that this bill originally excluded anything within a park, because Parks already has processes in place, like illegal camping, park hours, they close their properties. The intention originally under Bill 111 was to exclude parks, and one of the things that I mentioned to Member Johnson yesterday about his bill is that it's not so

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clear anymore that it doesn't, that...that it should apply then to parks, and that's one of the things that he and I need to work on because then you would have two ordinances that contradict each other, in a sense. And so, that would be confusing for me to try to interpret later when somebody calls and asks me my opinion.

COUNCILMEMBER U'U-HODGINS: Okay. Thank you for that. I didn't know that it...this version of the bill made it unclear. What I find curious, then, is . . .*(timer sounds)*. . . how do we justify event permits, that we require so many people to do to have function on County property, when we have something like this? Which I know is a different situation, but if we want equality, and everybody must be treated the same, it's very difficult to tell the Fair that they need to get a special permit, very difficult to tell everybody else on County property they need to get special permits. So, that's how I feel about the parks issue. I . . .*(inaudible)*. . . we take a beat on this, and we defer this item. And Member Johnson can continue to work with Corporation Counsel, and we can figure out how to make this a little bit more legal and workable for everybody on our end. I know Member Johnson put in a lot of time, but I don't think it's ready yet. Thank you, Chair.

CHAIR SINENCI: Okay. Mahalo, Member U'u-Hodgins. Member Sugimura?

COUNCILMEMBER SUGIMURA: Was that a motion? I...from what she was saying. You know, talking about time...so you heard Lisa Darcy saying, oh, she just heard about this. She needs more time to talk to her...you know, advocate...to advocate for this. So, I'm quite sure Lisa Darcy, who testified today, also asked for more time...that it kind of was surprised...it sounded like a surprise to her, which I was surprised because she seems pretty on it, but they might appreciate more time to look at this also. I agree. I agree with what Member U'u-Hodgins is saying. You know, let's take a pause and let Corp. Counsel work with Member Johnson or whoever to get us a stronger bill. And probably the opening statement of Mr. Jackson saying the Administration doesn't support the bill...that's almost like saying Corp. Counsel didn't sign the bill. We shouldn't, you know, do it. So, let's...let's get everybody on the same page, and make sure we're doing this right, because it's so important.

CHAIR SINENCI: Okay. Mahalo, Member Sugimura. Member Cook?

COUNCILMEMBER COOK: Thank you, Chair. I guess for Noah, this might be a question you might be familiar with. On Pūlehu Road, in between the Kahului...new Kahului Safeway and up to the dump, all along the side of the road, I've talked to security people, and they call it Mad Max. When I drive by there, it's scary. I don't even want to...I mean, it's different. There's...what I'm getting at, one of the things that disturbs me about this legislation in general, just this...this issue, is the...because I was just...I just...my first three minutes was the compassion aspect. This three minutes is, we're putting an umbrella of like everybody deserves a break. When I go along there, I don't know...I mean, it's...it's a different arena. So, I'm just wondering, is there different complaints from there, Noah, or other places? Is there a bar...is there a difference in different areas? Some places, there's families and whatnot. Some places, it's more wrecked cars, drugs,

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I don't know. I'm just...in my outreach to security people, talking about Kalama Park, this is where I'm learning some of the stuff.

MR. JACKSON: Yeah. Thanks, Councilmember. We definitely receive complaints along that road, and we have been out there. I know Naomi's been out there, CORE has been out there. Those are the types of situations that border between, you know, a public safety issue and an actual public safety emergency, if...if there's people sprawling out into the roads, if there's people driving really fast by individuals. And so, we're definitely...I mean, that's definitely one of the areas that we're...we're keeping our eyes on. And...and it's the same thing. If...if we did have to go down and do an encampment removal down there, it would be the same process. We would send out outreach providers early. We would engage with...with individuals. We would literally knock on every tent and every car to let them know what's going on, and then...and then provide...

COUNCILMEMBER COOK: Okay. Thanks for that feedback. So, my...my hope is that we...because I really want to help the people that need the help. I really want to help the people that need the help. I'm going to use my other example, which is Kalama Park. We fortunately have security because of the Sunset Tombs (*phonetic*). It's a different thing. The general public is really excited. People...a lot of people have told me this is great, the park feels much more friendly, safer. You know, they...they talked to 100 different people one...one night, the security guards, and getting people to leave. Unfortunately, there's no place for them to leave, but they tell them, you can't stay here, and they leave the park. But when I drive by there, I see a variety of races, they're not Hawaiian . . . (*timer sounds*). . . people that don't look like they were born here, don't look like they grew up here. I'm being judgmental. And I'm...I question the concept of like being judgmental and having expectations about people's behavior is unreasonable because someone's unhoused.

MR. JACKSON: And may I add, Councilmember, you know, that...that's where some of the administrative flexibility comes in. We can see...you know, it's hard to see in writing, you know, oh, this is a tourist who just landed and...and wants to live in a van for two weeks versus this isn't actually someone that's been experiencing homelessness for an extended period of time. You know, right now, we would have to treat...under the bill, we would have to treat those individuals the same, whereas in practice, we don't treat those individuals the same. And so, that...that is an issue that comes up.

COUNCILMEMBER COOK: So, I guess my last...does...how does a State mental health...the State's responsible for mental health care; is that correct, legally?

MR. JACKSON: They...they have a Department of Health that...that handles that. I know you know, but our Human Concerns Office doesn't...doesn't do that.

COUNCILMEMBER COOK: Yeah. So, the County doesn't have a department that really deals medically with mental health issues; is that correct? Okay. So, that's...that's just another facet. And so, thanks for my time. I just...I really want us to put the resources where they're needed, and I'd like to be practical and realistic about what components we're dealing with. The only thing that disturbs me about this issue in the different

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times is it's this blanket that I feel is...is covering up substance abuse, criminology, and other stuff, and really impacting negatively a large amount of people that really need help. So, thank you.

CHAIR SINENCI: Mahalo, Member Cook. Vice-Chair Johnson?

VICE-CHAIR JOHNSON: Thank you, Chair. I've got a lot to add because there was a lot said, so I'm going to...I'm going to read real quick. It costs \$46,928 for the County to conduct the Wahikuli cleanup, according to the correspondence from the Management in Granicus on November 29, 2024. You guys remember the cleanup, 42...\$46,000. Council added \$200,000 for safe parking in 2022. That request for proposal was not executed well, and no bidders applied, and the project was not pursued under the Bissen-Tsuhako era. In 2023, after the Mayor's election and campaign committed to safe parking, Council moved that funding under the office of Mayor. It was again not executed, and...and now, we're still waiting for that project, right?

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

VICE-CHAIR JOHNSON: All right. All right, I'll go...

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

VICE-CHAIR JOHNSON: All right. I'm just letting you know, we've been trying to put money. The Council's strength is to fund these folks that are doing the work that you say that we...that's not under our purview, like the mental health things. So, we fund them. But if the Management...the Administration doesn't spend that money--and I want to remind the Members, all this week we've been having Administration come before, and many of us were not happy with some of the things that they were doing. I heard a lot of talk. We're very upset with the Administration. And then here we are, saying, we've given you the money, it's not...you're not spending it. You're doing RFPs that are unexecutable, and meanwhile, folks are literally dying on the street. I mean, I don't...so...so then we go back into this idea of like well, are we going to do the administrative rules, or do we actually make a law that says you must, right? When I spoke with Mimi last night after, you know, her coming back, she graciously met with me late in the evening. We talked about it. I...I...my initial plan was, okay, this bill is coming in unsigned, and I understand that some Councilmembers don't appreciate unsigned bills, so let's work on this bill. Again, I'm malleable. The Corporation Counsel is here. We can say, what is it that you don't like about Section X or Section Y? And Ms. Desjardins is a great lawyer. She would say, if you put it like this, then it's good. And again, we had OCS at the whole...at the table the whole time. They're lawyers as well. Mimi Desjardins is a lawyer for all of the County, not just the Administration lawyers. She's our lawyer too, right? So, I respect her opinion. I wanted her at the table. I'm willing to work with her even more. But I just want to say that this...we...we...we worked on the bill that's amended, number 38 in Granicus. So, that was the one that had a lot of changes from the Administration, from the nonprofits...and like I've been saying over and over, we got to be trying to come together. We...we excluded that...parks, because I know there was a question about the parks. We went

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back and forth on the exclusion of parks, I should say, because a nonprofit requested to include it. That was the Maui Rapid Response. Well, if...I mean, if the lawyers say you want to exclude it, or say this ordinance does not supersede existing laws, hey, put that in. That's...I'm okay with that. I'm trying to make this bill so that the lawyers will sign off on it, and we, as a Council, can...can make the policy. Because in my mind, I haven't been seeing the results of the Administration doing what...I mean, we get sued left and right, you know, this...and then you move them, and they just go down the street, and they get close to a school, and everybody's heads explode, you know, all these things. So, we have to do it the right way. And that...I mean, I don't know much more else I can do, Members. I'm trying to work with everyone. If this is the case, that you folks think there's more work to be done on it, then...then there is, okay? But understand that I've been working on this since previous administrations, you know? I'm not just trying to cram something down half-baked, you know?

CHAIR SINENCI: Mr. Jackson, you wanted to...go ahead.

MR. JACKSON: Thank you, Councilmember. I know you brought up the price of the Wahikuli encampment removal, and I just wanted to give you updates on that for Amala and Ukumehame. Amala costed [sic] us \$15,000, and that was for all of HTM's work. And so, we've been working hard at...at being more fiscally responsible with our...with these operations. And that was...you know, they were supposed to be here for two days, they...it took them one day. And then at Ukumehame, the property storage portion, the property storage and...and distribution, all that portion of that...that contract out there they...is \$5,000. So, we're doing \$5,000, you know, to do all the property engagement. It's going to cost hundreds of thousands of dollars to remove the...the tens, if not hundreds of tons of...of trash and...and rubbish, debris, garbage that's out there. So, we are...we are working really hard on . . . (timer sounds). . . fiscal responsibility, and we're seeing a lot of results there.

VICE-CHAIR JOHNSON: The...I...I understand the Band-Aids that you're proposing, but the money for our...our shelter could have been...helped so much more than paying out of...off-island guys to clean. Because if they're in a shelter, you don't have to worry about that. You're actually...the whole point is, expand the shelter, give them the services, give them that...you know, the homes that they need, the place, wherever...just a place to lay their head, for goodness sakes. Then it actually becomes fiscally more responsible.

CHAIR SINENCI: Mahalo, Vice-Chair. I had a couple questions for Director Tsuhako. And just following up to...to Member Cook's point about having more mental health services, we did have the Mayor come out to East Maui for his Holomua project. And...and a lot of people, that was the top of their concerns, is to bring more mental health services, particularly into the rural...rural areas like...like Hāna. And whenever we're visiting some of the other municipalities, we try to visit all of their...their homeless camps. Rapid City, because they don't have a large tax base, they couldn't take on more court cases, you know, if...if the police were...were going to be dealing with the homelessness. So, what they did was, they bought an old community college and they turned that into their care campus. When we were in Philadelphia, the mayor built...got another old

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building, and...and she built kind of like a care campus too, where people could come and receive some of those mental...mental health services. So, we see that in all the different counties across the county [sic] that are...that are moving in that direction to deal with the mental health. So, my question for Director Tsuhako, has the Department been...beside the Hale A Ke Ola and some of these other already established, are there any plans like this? And...and I understand, as...as Mr. Stitch said, he also talked about the safe parking, if you can speak to that as well.

MS. TSUHAKEO: Thank you, Mr. Chair. The safe parking project was procured properly. The two proposals were evaluated and scored competitively. The two bidders were asked for best and final offers, and subsequent to that, the review committee re-evaluated the project based on updated data. An award was issued, and we're in the process of executing a contract for that project. The additional funding received...

CHAIR SINENCI: When do you anticipate them coming online?

MS. TSUHAKEO: The last I checked, the contract was not yet drawn up yet. I haven't seen a draft of it. So, what would...what will happen is, Corp. Counsel will draft the contract, and the vendor will be given an opportunity to review it and make any comments or ask any questions. If they have none, and they sign it, we can execute the contract, and then there'll be a start date . . . *(timer sounds)*. . . determined by mutual agreement.

CHAIR SINENCI: And then...

MS. TSUHAKEO: I'm hoping that it'll be by October 1st, sir.

CHAIR SINENCI: Oh, as soon as October 1st. And Members, if you allow me, the other question was, we did receive correspondence from Corporation Counsel that mentioned the...the contract with ECONorthwest. And in it, there was a...make mention of a strategic plan. And it looks like they encumbered the money. So, is that part of the...the change in scope? Or do...can we expect a strategic plan? Or if the --

MS. TSUHAKEO: Mr. Chair, the...

CHAIR SINENCI: -- RFP has been completed already?

MS. TSUHAKEO: The...the contract was completed, Mr. Chair. The...I believe the...the...the response from the Department was also that the vendor, after having had to postpone their field work for the original scope of that contract, were asked to address the needs of the substantial population of newly homeless people that were impacted by the fire, felt that they didn't have enough time. And then when they finally did come to the island to begin their field work, met with a variety of people, including agencies that are current contractors with the Department. They met with Department personnel from across the County. And they also met with folks who identified themselves as advocates. And after having several meetings with a combination of all that entire population who...who serve, or have impact or influence with the houseless community, determined that there wasn't a level of consensus necessary to develop a strategic plan, and that with the time

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limits imposed on them for a final product, chose instead to characterize what their work product was, as a report versus a strategic plan.

CHAIR SINENCI: Okay. Mahalo for that. I do see Member Paltin's hand up, and then I'll go to Member Rawlins-Fernandez for her opportunity. *(pause)*

COUNCILMEMBER PALTIN: Do you hear me?

CHAIR SINENCI: Yeah.

COUNCILMEMBER PALTIN: Okay. Sorry. I'd like to follow up on that. So, did they get paid for not delivering item number 7, pre- and post-adjustment, which said delivery of a strategic plan...the whole RFP said strategic plan? Who authorized them to get paid for not delivering the deliverable number 7, which was a strategic plan? That's like fraud.

MS. TSUHAKE: Councilmember, I...

COUNCILMEMBER PALTIN: Who released the money?

MS. TSUHAKE: Councilmember, thank you for your question. I signed off on the payment request because I felt like that was what the vendor was able to do, given the change in circumstances post-fire, and what we asked them to address in terms of the survivors of the Lahaina and Kula fire who became with...without homes. We asked them specifically to address the needs of that population because at the time, that change was made was substantial.

COUNCILMEMBER PALTIN: Okay. Thank you. I got the answer. I have limited time. Sorry, don't mean to be rude. Is the Managing Director and Deputy Managing Director on? Because where is the accountability for what is written? What is written was a strategic plan. A lot of the people out there that are homeless that Mr. Cook is talking about, that others are talking about, were not fire-affected. We had this problem before the fire. And where is the accountability for the contract and the deliverable number 7, which was a strategic plan? I mean, it's great that we're talking about feelings, but we have paperwork and contract for a reason, right? Is...is Ms. Wade or Mr. Nishita there? I did send an email that never got any response on this. I mean, we can write all the contracts we want, and just have feelings about something else.

MR. JACKSON: Councilmember, thank you. I don't think they're on right now. I think they had to run to meetings, but I can follow up with that question.

COUNCILMEMBER PALTIN: There...there needs to be accountability to the contract that was written and the deliverable that was pre- and post-. There's a...Ms. Murakami said that there's a procedure if you want to amend the scope after the RFP has been issued. The scope was amended, it still was a deliverable of a strategic plan, and what we got was a report. And I'd like to know where's the accountability for what was written in writing? I mean, Kingdom times, we used to be an oral society, but that changed to written and contracts. And so, we're in the written and contract society, where we deliver to the

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contract, not to oral feelings. So . . .*(timer sounds)*. . . there needs to be some accountability.

CHAIR SINENCI: Okay. Mahalo, Member Paltin. And then for Member Rawlins-Fernandez, just to clarify, you're alone in your office, or you have some minors from school?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. My minor children have not returned home from school yet, but I am at my private residence, expecting them any minute, as well as my adult husband, Makena Fernandez. Okay. And...and my sincere apologies. I had an unscheduled, unplanned lunchtime meeting that went a lot longer than expected. So, I wanted to follow up on Member Paltin's line of questions for whoever can answer. And, you know, it is of grave concern because what we...we represent the community, and the community, you know, recommended a strategic plan so that we have some kind of coordinated, you know, steps for addressing the situation that we're...we're trying to address today. And so, with...with that, with what we ended up getting, which is not a strategic plan, it's a report, we're left without a plan still, and everything takes years. . . .*(laughing)*. . . It takes a lot of time, right? So, we got to put money into the budget, then we got to RFP out...you know, put an RFP out, request for proposals, and then we contract the work unless, you know, we're going to do a grant or something. And then all of that takes time to execute the contract. And then...you know, and then the work itself takes at least a year. So, you know, here we are without a strategic plan. What...what's the Administration's plan, you know, to do without having a strategic plan?

CHAIR SINENCI: Mr. Jackson?

MR. JACKSON: Thank you, Councilmember. And regarding the plan, I know the...the first step is establishing these guidelines, and that's what we've been focusing on in large part from a Countywide perspective is, if we do have to remove individuals, let's make sure that we do it in...in a way that cares for each individual. So, that's been a big part of it. I know looking at additional shelter options is a second critical piece to that, and that's something that we're actively doing. And I know safe parking was a piece of that, which, you know, you've already heard about from Director Tshako. So, there's a number of things going on that...that fold into the plan in a larger picture.

COUNCILMEMBER RAWLINS-FERNANDEZ: All right. Mahalo for that response. And then I'm sorry if this was asked earlier and I...and I wasn't here, but it sounds like there isn't...there...there aren't the votes to move the bill forward . . .*(timer sounds)*. . . out of Committee today. And in lieu of that, is the...the guidelines that's attached to the correspondence, the Draft Guidance on the Removal of Encampments and Storage of Personal Property, is that...has that been finalized, or is it going to be finalized while the bill continues to be worked on? And is that what's going to be...you know, what...what guides the Admin?

MR. JACKSON: Yeah, we...I mean, in some sense, it's never going to be a final document because, you know, we learn things every...every month, every week to improve the process. And so, that...you know, on one hand, that's where we're at. We welcome your



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guys' feedback if you guys do want to have conversations about it. We'd be happy to answer questions about it here. But yes, as far as we do...we do want to get to a place in the next few months where we can take the draft off of the front page and it be the County's guidance.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. That was going to be my follow-up. So, while I know that it is a evolving document, you do plan to finalize it in the next...before the end of this year? And I did hear the timer. I'm sorry, Chair.

MR. JACKSON: Yeah, and I can follow up. We haven't set a deadline per se, but that's something that I'll have to talk to the team, and we can get back to you on, you know, what the date is that we're...we're setting to make sure we finalize by.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Mahalo, Mr. Jackson.

CHAIR SINENCI: Okay. Next we have, Members, Pro Tem Kama, followed by Chair Lee.

COUNCILMEMBER KAMA: Thank you, Chair. So, I have a question, I think, for the Administration. What is the total number of unhoused? What's the population of our unhoused?

MR. JACKSON: Councilmember, thank you for the question. I know the last point-in-time contact...point-in-time count that we had, there was a little under 300 unsheltered homeless individuals, and I think there's around 1,000 total, but a lot of those were sheltered. Lori...or sorry, Director Tsuhako may have the numbers in front of her.

COUNCILMEMBER KAMA: Director Tsuhako, is that about right?

MS. TSUHAKE: Good afternoon, Member Kama. Thank you for your question. I don't have the exact numbers. We would need to...we would need to reference the 2024 point-in-time count, which is the last time that HUD compiled those numbers for us.

COUNCILMEMBER KAMA: Right, right. Okay. So...

MS. TSUHAKE: But sorry, I don't have that handy.

COUNCILMEMBER KAMA: Okay. But I would assume it would be similar to what Mr. Jackson expressed. But...so, my understanding is, when we're taking care...or trying to do housing for the unhoused, that we have to change their behavior. So, what is the Administration doing in terms of changing the behavior of people so that they'll want to come in and receive services and/or housing?

MS. TSUHAKE: Thank you, Member Kama. I think the primary...the primary strategy for encouraging behavior change in people is by the offer of those services. I think Councilmember Johnson has done a good job throughout today's hearing of listing all of the agencies that work together, such as Aloha House to offer substance abuse intervention, Women Helping Women to help with domestic violence situations,

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Family Life Center that does family...that does outreach, along with Salvation Army and Mental Health Kōkua. So, it's the offer of service. We cannot mandate service --

COUNCILMEMBER KAMA: Right.

MS. TSUHAKE: -- unless courts find someone is a danger to themselves or others.

COUNCILMEMBER KAMA: Right.

MS. TSUHAKE: So, there is no way to force someone to change their behavior.

COUNCILMEMBER KAMA: I know that there's no way to force them, but there should be a way how to encourage them to do that. But that's what I thought, that...that if you want...you want to change the unhousing situation, you have to change the way they . . .*(inaudible)*. . . and helping . . .*(timer sounds)*. . . them to understand that is what is needed. Oh, I heard the bell. Thank you, Chair.

CHAIR SINENCI: Mahalo, Pro Tem Kama. Next we...

MS. TSUHAKE: Mr. Chair?

CHAIR SINENCI: Oh, go ahead --

MS. TSUHAKE: Mr. Chair?

CHAIR SINENCI: -- Director.

MS. TSUHAKE: Sorry for interrupting you. I just want to do a follow-up response to Member Kama. So, Member Kama, I...I do agree with you. And...and as I said just a second ago, the...the offer of services and access to services is an important component of...of...of the systemic approach to...to helping people not be in unsheltered conditions any longer. So, the funding from the Department, the funding from State agencies, which provides a more robust system of care that allows for more entry points for people, regardless of where they are, I think helps to encourage more people to utilize the service and to...you know, to do it without coercion. Always works better that way, right? Thank you.

CHAIR SINENCI: Mahalo, Director. Next we have Chair Lee.

COUNCILMEMBER LEE: Thank you, Chair. I too am concerned about what Pro Tem Kama brought up, and change in behavior is a very important aspect in changing someone's life. And, you know, I know, really, we spend an awful lot of time and resources on how and where to store things, which is very important to people, their personal belongings. But I...I see where Pro Tem Kama is...what she's talking about is...the overarching problem is people are not getting the services they need in terms of mental health, physical health, medical help. And maybe, as we revisit this ordinance and look at it maybe a little bit differently and more holistically...like I'll give you an example. As you

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folks know, we help prisoners reintegrating into the community. And we have this ongoing problem of recidivism. And it's so discouraging to us because we try everything. However, I have this theory, and then I'd like to do this when I leave the Council, is to find ways to incentivize...incentivize the prisoners. Because you have to understand, when they come out of jail, yeah, they're...they're noncompetitive. They're either too old or unskilled to compete for good jobs. And so, what we are planning to do is help them get a basic job, but provide them opportunities to augment the salaries, or...or the compensation that they receive, and to help them with literacy...financial literacy programs so that they will be able to save and invest in their future. And then it'll be my job to help them find long-term housing. But we're going to change our philosophy because we're thinking, if you look at the person who is houseless...well, first of all, there are subsets. You have those truly in transition, and they...they just need a leg up temporarily until they get their new job or their new house. Okay. Those folks are fairly easy to help. Then you have those with the mental, and substance abuse problems, and the drug problems, and...at varying degrees. And so, the people that we're helping, the prisoners, generally have had problems with alcohol or substance abuse, yeah. . . .*(timer sounds)*. . . But the point is, they need that special help with the mental assistance and physical assistance, but they also need something that society is not giving them, and that is motivation, and a path forward to self-esteem. And the only way you can get there is to make them whole again, and to be competitive. So, this is...this is the challenge I'm going to be taking on when I leave this place. But I...I really think that when we look at issues like this before us...fine, let's fix the...the issue with storage. But that's not their only issue. They have many more issues, you know. And if we don't get to the heart of those issues, we'll never help them the way they need help. I just needed to say that. Thank you.

CHAIR SINENCI: Mahalo, Chair Lee. Looks like you have much more work in store for you.

COUNCILMEMBER LEE: Oh, lots...lots of work.

CHAIR SINENCI: Okay. Next, I see Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I hope...I hope I'm not taking you out of order, but mahalo for additional opportunity to ask questions. I...I just wanted to, you know, remind us and caution us to not frame things as like individual failings, that, you know, a lot of the problems are systemic failures. It's systemic, and...and it's the system that has failed our people, and that we have to fix the systems that are failing our people. But I...I wanted to call on Director Molitau to hear mana'o from Department of 'Ōiwi Resources. Aloha, Director. Mahalo for joining.

MR. MOLITAU: Aloha mai. Can...can you folks hear me okay? Okay. Maika'i. Mahalo nui for allowing me to just be on. I've been listening all day in regards to this particular important subject matter, and I wanted just to offer the thought process that would come from an 'ōiwi lens on how we care for our po'e...po'e kānaka e noho ai. And the lens that I'm speaking from is...is one that, you know, continues to come up about 'āina, about...about how our connectivity to 'āina allows us to be able to thrive as...as an entire group of people. And so, when we're looking at this...this particular issue...and

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I'm not taking the storage issue at all, I'm talking about our...our po'e that are not able to, or feel like they have a home. And so, coming across from one indigenous point of view on how we look at kauhale, I know one of the words that were asked about changing out the language in between what pu'uhonua is and what a kauhale is. And the reason why I changed it from that thought process of a pu'uhonua, it's as if somebody is running to a space to find sanctuary, and...and taking themselves out of the conditions of the law, and...and lets them be...be a part of that. Within the kauhale structure of the system, it's different, right? There's...there's...there's a structure to it, and there's...there's kuleana that are associated to it. And one of the biggest kuleana that are associated to that is how we aloha and mālama 'āina. And obviously, these particular conversations are...are part of the overall conversation about aloha and mālama 'āina concepts. If we...we can get to the point where kauhale kinds of structures are implemented in...in the value system of . . .(timer sounds). . . of whatever program is...is instituted, then...then I think hopefully, the aloha and mālama 'āina aspect will be one that is further-reaching in how we care for our 'āina moving forward. I just wanted to bring that to the subject matter, and if anybody would like more opportunity to discuss, we're...we're more than happy to share.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Director. Mahalo, Chair.

CHAIR SINENCI: Mahalo, Member Rawlins-Fernandez. I did want to circle back with Member U'u-Hodgins, if any of our discussions has prompted more questions from her? If not, we can...

COUNCILMEMBER U'U-HODGINS: Hi, Chair. I...I do...I do have more questions, but really, the biggest question I have is what I said earlier, is separating the storage and creating a separate ordinance for the storage, which again, I'm working with Corp. Counsel on, and then have some nuance related to storage of personal property related to encampments. And I think Member Johnson would prefer if we go through his bill. However, we did that the last time, and I think we did that the time before that as well, which is why you had a presentation this morning on revisits. And he made some other changes, kind of some reverting back. But I think if we were to separate the storage of personal property on County lands and create some nuance, that might be better if he works directly with Corp. Counsel. And then we can see the...that large change, and come back and kind of discuss some of the nuances related to what Corp. Counsel will need to be able to sign off. I know he changed language from...I think in Committee last, we discussed five tents related to an encampment, and it went back to one. I saw some changes related to outreach providers, and a list, and requiring the County to contact all outreach providers...ones that I think might be impractical to do. So, we can go back and forth. But one, we already did that; and two, I think he should work with Corp. Counsel. I know we probably disagreed on something Corp. Counsel did earlier, but that's not a blanket disagreement for all the things this week. I want to make clear that I really do think this Administration has been trying their best. Sure, nothing's perfect. And we can probably improve. And they have been improving, but they've been trying their best. And I know we heard from a subset of our community today, but I implore you to read the comments online today for eKokua...I'm sorry, not eKokua, eComment--eKokua is something totally unrelated--and you'll hear a huge part of my

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community expressing a lot of their concern. And we see a lot of concern. Earlier today, there was another fire at the LDS Church that is...could be potentially threatening a school. And I understand, everything related to this is serious. I don't disagree that we...the systemic issues, there's a whole bunch of things that need to be fixed, of which we're not going to do today in this bill. I recognize that. And we all need love, and we all need compassion. But I think those two things are separate...storage, and storage related to encampments, and how we manage encampments as a whole. So, I would prefer, Chair, if you need me to make a motion to . . .*(timer sounds)*. . . defer this item and have Member Johnson continue to work with Corp. Counsel, and then we can revisit this when they feel like they have a bill that they can sign off on.

CHAIR SINENCI: Thank you for that offer. Let me check in with Vice-Chair Johnson first, and then I can refer back to you, Member U'u-Hodgins.

VICE-CHAIR JOHNSON: I can read the tea leaves. And I know pedestrian safety is low in our County, but I do feel like I got thrown under the bus today. We could have worked with Corporation Counsel today, and knocked this out, and made it legal. I've seen it done in the past. This meeting was all day. There was time. But instead, we chose a different route. A lot of this talk of changing the unhoused behavior...well, we're legislators, and we can change Administration's behavior through laws, and I don't think that is a fair assessment to say it's the people's fault. I think the idea that...you know, I'm always willing to work with somebody. If we...if I go back with Ms. Desjardins, and we work on a bill that's legally sound, that...okay, fine. But I tried to advise a different route, and it didn't seem to go that way. So, I'm not going to give up on this, you know. I'm not...I'm going to keep...keep trying. So, I'll...I'll work with the Administration to, you know, make this legally sound, and come up with something else.

CHAIR SINENCI: Mahalo, Vice-Chair Johnson. And yes, we...we know that you've been working really hard on this. If we can get some input from some of the other Members? Member Cook, then Member Paltin.

COUNCILMEMBER COOK: Thank you, Chair. I hope that you...I'm...I encourage my Councilmember not to be overly discouraged. What I'm looking at is the...from the...from the Director, from the Administration, they have a list of things that I think are acknowledging that you're...that's on the table that you're bringing, and making commitments and timelines. And there again, it isn't solving everything, but I think this is giving us something to hold them accountable to that's a measuring stick. The legislation that you're proposing, the actions that they're working on, moving forward with this. I look forward to working with you to get areas in each one of our districts...you know, safe zones, prop...there's property for sale. So, I think that this is...let's look at...I'm hoping we look at this as a launching pad that we collectively can push to get properties in our districts, that we can get the safe parking, and to get these things done. That won't solve all the problems, but I think it's foundationally part of the solution. And like you commented earlier, put your money where your mouth is, put the actions where the intent is. So, I personally want you to feel supported, and not thrown under the bus. That's not how I feel at all. I know it's disappointing not to get this through like this. Part of my hesitancy--and don't take too much offense,

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Administration--I don't see...when we try and get them to do something, that it necessarily is effective. We're pushing on a lever, it's not necessarily moving...we're pushing a button that's not actually working. And so, that's why I'm kind of like lovingly backhanding [sic] going like okay, this is what you're going to do? See where I'm coming from? So, I just want you to recognize...I want to recognize that you are the champion of this, and you've been doing a great job over the time. Personally, I hope you don't feel disappointed from this doesn't pass today, not a waste of time. It's a very important discussion, and you're respected for it.

VICE-CHAIR JOHNSON: Thank you, Councilmember Cook. The only thing I would add is that the Administration's rules don't say...the most important thing is, you can't move them unless you offer a space. They can just go ahead and move them. So, that was the thing we could all have discussed today, but I...I...I can read the tea leaves. Thank you.

COUNCILMEMBER COOK: Yeah. If...if I may? If I may? The fact that we don't have that kind of solidifies the fact that you can't move anybody until we do, and that could be four months, six months . . . *(timer sounds)* . . . or a year. The fact that we are putting that on the table as a requirement and a necessity is, there again, pushing them forward to basically do it. This is not the only time it's going to come up. I'm saying that we...that is something we currently don't have. So, it's basically codifying, okay, you can stay on the street until we have that. And I'm going like no, you guys make this happen sooner than later because this is something that we want, and it's required, but we can't make them do it if we don't have it, does that make sense? I'm supportive of it, it's just we don't have it yet. We got to do it, we got to do it sooner than later.

CHAIR SINENCI: Mr. Jackson?

MR. JACKSON: Thank you, Councilmember. And that's actually...I'm glad that you guys raised that today. I don't think that that was an oversight in the guidance, and that's something I want to go back to and revisit so that, you know, we make sure we write that in. Because as I said earlier, we are not moving people unless there's shelter space that we can offer them. And so, that...you know, that's something I'd...I'd want to work on. And I know you don't like our guidance, but I do want you to know you've had a huge hand in shaping the way that we engage with individuals in these situations. So...and I know that...that...that Managing Director sees that as well. You know, you've shaped, in a lot of ways, the way that we...we handle these, so...

VICE-CHAIR JOHNSON: I've...I've worked with...I don't...I don't think Administration can say that any other Councilmember has worked as closely as I have with this Administration on any bills. Most time, we're just writing bills, and say deal with it. And now I worked with you guys for so long, and at the very final moment, you say, yeah, we don't support the bill. It's very frustrating. So, that's kind of a waste of time. And I apologize, Chair, for that.

CHAIR SINENCI: Yeah. Next we have Member Paltin, followed by Chair Lee. Oh. *(pause)*

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COUNCILMEMBER PALTIN: Thank you, Chair. One thing I do agree with Mr. Cook about is like trying to force the Administration to do something is a sure way that it'll backfire. But a couple of things that I wanted to address while we still have time--because we have time until 4:30 at least--was the first one. There's two in this go-around that I'd hope to address. The first one is that issue that Ms. Kawaakoa brought up. Like if we are holding their things for 30 days--we know that they're in this situation because they are unhoused, and we're holding their things for 30 days--one-time retrieval...like what is that about, you know? Like if they need to get a couple of things, and they're within their 30 days, why...why does it have to be one-time retrieval? That's the first thing. Like, can we adjust that? Because...I mean, we already know they're in a difficult situation, and they have 30 days at least, minimum. So, that's one issue, if that can be worked on from the Administration or Corp. Counsel side. And then the other issue, I do hear Mr. Jackson saying that we're not going to move people if we don't have spaces for them to go to. And then I did see in Member Johnson's bill spaces that they can accept. And I'm not saying like oh, they need to have a single-family home with a white picket fence or anything like that. But the biggest issues I think that we hear are pretty consistent--reasonable amount of pets, not like 15 dogs or anything, but like I have a dog and a foster dog that I'm trying to get rid of. If anyone wants like this yappy Chihuahua kind of thing, let me know--but reasonable amount of pets, stay with...stay together with their family. So, I don't think that is like unreasonable to ask, to be able to stay with their family, and stay with their reasonable amount of pets that don't bite others. And...and this goes back to the strategic plan. Our whole Ka Hale A Ke Ola in West Maui got burned down. So, like are we thinking of this when we rebuild? Is there going to be an area for people who have pets? Is there going to be enough space for people to stay together with their significant other? I don't...I don't know...*(timer sounds)*... if congregate space is allowing for people to stay with their significant other, like...and what kind of privacy there is. But either Mr. Jackson, or Ms. Desjardins, or whoever, if...if...those were...those were my issue questions.

MR. JACKSON: Yeah, thank you, Councilmember.

COUNCILMEMBER PALTIN: Oh, and ADA. ADA too. Like I think they said, like, maybe not ADA, but the kūpuna that was supposed to sleep on the top bunk. Like, can accommodations be made, like you take the top bunk and put it down because they're a kūpuna or something?

MR. JACKSON: Thank you, Councilmember. To your first question, just to give you guys a little bit of insight into the operational aspect of the property storage. When HTM stores property, they...they basically bundle, you know, people's property together in one bundle, that it's wrapped in shrink wrap so that it's not mixed up with anyone else's property. So...so, practically, it doesn't work for...you know, and this would take, you know, additional work if we wanted to look at it, but it doesn't work for someone to come, tear the shrink wrap off of all of their stuff, and grab one item out of that, and then, you know, come back the next day for the next thing. It...it's...it's all packaged together, so...and...and it takes significant staff time to get these individual's things. And so, that's why the decision was made on that...that front. And to the second point, I know Director Tsuhako could probably speak to this, but she's been working really

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hard with our shelter providers to add more flexibility. You know, one thing we've heard over the last year is the outcry about, you know, well, I have pets, or...or this or that, and...and so we've actually worked with our shelter providers to be flexible. And...and we've seen that play out in both Ukumehame and Amala, is trying to encourage people, no, you can take your pets. And...and we actually had Humane Society out on site at Ukumehame offering to get, you know, vaccinations. And then...and then, you know, services were refused, and...and so we called and we said, hey, you still could come, and we'll give you a grace period to figure out everything with your dogs. And so, I do want the Council to know that Director Tsuhako's been working with our providers to make sure there's flexibility so that when people do enter shelter, we're not just turning them away for all this...this list of concerns.

COUNCILMEMBER PALTIN: And...and to clarify, when you talk about vaccinations, that's for the dogs, for like Parvo or something?

MR. JACKSON: Yes. I mean, I don't --

COUNCILMEMBER PALTIN: Not for the human.

MR. JACKSON: -- I don't know what types of vaccinations, but the vaccinations are for the dogs.

COUNCILMEMBER PALTIN: Okay. And then are you aware if congregate space, if they're allowed to stay with their families, like...

MR. JACKSON: I'll defer that question to Director Tsuhako, if she's still on. *(pause)*

MS. TSUHAKO: The shelter works very hard to not put couples or families into congregate spaces. So, what they will do is, they will prioritize families or couples for actual units versus leaving them in congregate spaces, which are usually set aside for single adults.

COUNCILMEMBER PALTIN: And congregate spaces, single adults would be all single males, and then all single females in separate areas.

MS. TSUHAKO: That's correct.

COUNCILMEMBER PALTIN: And then when we get the daily shelter report, there's how many congregate spaces, how many studios, how many bedrooms...but then Mr. Jackson was saying about surge shelter. And we have zero information about what that is. So, can somebody explain to us what surge shelter is? Is it all congregate space? Is it studios? Is it bedrooms?

MS. TSUHAKO: Member Paltin, the surge...the extra bed space that's made available upon request is in a congregate area of the shelter. So, they would use the congregate space, set up cots as sort of like an emergency housing situation for people when needed. And then once somebody comes in, and the intake is completed, and if the...if the participant chooses to remain in the shelter, they could be transitioned to the normal congregate



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dorm space. Or if, for example, other family members come in, and they find out it's a household of four, then a unit would be prioritized for that grouping...that household as they identify themselves.

COUNCILMEMBER PALTIN: So, then to clarify, the surge space would not allow pets, would not allow families...or if it's congregate space, there's two surge spaces, one for females, one for males?

MS. TSUHAKEO: The shelter has found a way to...to create some spaces to separate the females and the males in that congregate area. I don't believe they've had any families come in under those circumstances, so there hasn't been a need to house minor children. We would probably try to find some accommodation for them other than the congregate space. Animals were allowed to come into the shelter, with the expectation that the owner of the animal would be in that congregate space. Sue Sadecki has been extremely--and her staff, actually--have been extremely cooperative in trying to find solutions that would work, that would encourage people to actually go into the shelter and utilize that service. So, they have made accommodations for animals as well...as you described earlier in your question.

COUNCILMEMBER PALTIN: So, it's separate congregate spaces, females, males, pets reasonable is allowed, but couples are not allowed to be together in the surge shelter?

MS. TSUHAKEO: Yes, they would...they...they've made a distinction between the men and the women in the con...that extra congregate space. But as I said, if they have a couple who is...who is admitted into the shelter, in all likelihood, they would find a unit for them so that they could be together. And that is the most...that is the most logical, and probably the most...the most acceptable sort of placement for that couple to be in. So, the...the shelter would try to accommodate, and they have a little bit of movement within...within their total facility to try and do that. And they've...they've tried really hard to accommodate everybody who's asked for shelter services.

COUNCILMEMBER PALTIN: How far out are we from rebuilding West Maui Ka Hale A Ke Ola?

MS. TSUHAKEO: I don't know. I believe the agency is still working on an RFP for...for a consultant to help them with the rebuild. I know that our Office on Recovery has been working with them. And that was one of the projects that was a very high priority for rebuild. I...I don't know the timeline, though. I don't know the timeline.

COUNCILMEMBER PALTIN: Do we know the size and the specs...like how many rooms and...and like that? Bedroom, studios, congregate space?

MS. TSUHAKEO: I think the...I think the initial guidance to Ka Hale A Ke Ola was to try and rebuild exactly as it was, but we've been...well, I certainly have been, and I know other people in the Administration have spoken with them about trying to increase the density...use the same footprint, but maybe build another level to increase the amount of units that are available. And to really prioritize the creation of more affordable

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housing units for rental versus exponentially increasing the shelter capacity. Because housing...excuse me, rental housing would be preferable over additional shelter beds.

COUNCILMEMBER PALTIN: Rental housing run by Ka Hale A Ke Ola, you mean?

MS. TSUHAKO: Yeah, I believe it would be under the auspices of Hale Makana O Wai...Waine'e [sic] or...I think the property would be a Hale Makana property . . .(timer sounds). . . but it would be operated by Ka Hale A Ke Ola.

COUNCILMEMBER PALTIN: Because we had that before, rental shelter spaces.

MS. TSUHAKO: Yeah. So, the...the units on the property, some of them were used as...as shelter spaces, and some were more permanent affordable housing. And so, if the rebuild were to occur with more units, then the discussion would be about how many would be dedicated for...for the sheltering service versus how many would be dedicated for the...the more permanent affordable housing.

COUNCILMEMBER PALTIN: Okay. I heard the bell. Thank you, Chair.

CHAIR SINENCI: Yeah, mahalo. My apologies, Members. We've gone past our mid-afternoon meeting [sic]. So, I've been...a request to take a ten-minute bio break. And so, we'll come back at 3:23. The special WASSP Committee meeting of Thursday, September 4th, is now in recess. . . .(gavel). . .

**RECESS:** 3:13 p.m.

**RECONVENE:** 3:28 p.m.

CHAIR SINENCI: . . .(gavel). . . Aloha and welcome back to the special WASSP Committee meeting of September 4th, Thursday. It is now 3:28. I'll...I'll jump to Chair Lee first for her questions.

COUNCILMEMBER LEE: Actually, I don't have any more questions. I'm ready to follow your deferral.

CHAIR SINENCI: Okay. Vice-Chair Johnson?

VICE-CHAIR JOHNSON: Chair, I move to defer Bill 111.

CHAIR SINENCI: We had one more question for...from Member Paltin.

COUNCILMEMBER PALTIN: Sorry. If this is our opportunity to learn as much as we can about this and make informed decisions in the future, I did have a few more questions. I...I did have an opportunity to read over Mr. Jackson's correspondence. And I wanted to clarify, you know, the 2 to 90 days portion of his letter...like, you know, large rubbish situations, like at mile marker 13.5 or whatever, when you know that it's going to take more than two days to clean up all that and the coordination involved, what is...what is

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the problem with earlier notification? Like this area is a problem. It's an environmental hazard. It's a fire hazard. It's a human health hazard. We're going to start discussions about cleaning it up. What...what is the problem with earlier notification, or notification as soon as you start to work, to address a problem like that? Like if...if somebody moves in...in an area and, you know, you want to give them two days, like hey, you can't stay here two days, that's understandable. They just moved into an area. But like areas that have been issues for years, and you're going to...it's going to take significant coordination, what is wrong with notifying them as soon as you know that you're going to take...start taking actions?

MR. JACKSON: Thank you, Councilmember. And I think you hit it on the head. That's exactly what we do. So, for example, you know, if someone just pops a tent up on...on the side of the road, and we know it's fresh, we don't want to give them, you know, 15 days. And...but on the other hand, at Ukumehame, we gave 22 days, I think it was, because, you know, people have lived there for a longer period of time. So, they're...every situation is different, and that's why you'll see the ranges in our guidance vary so much. And one of the restrictions of...of codifying this is, it can't take into account...

COUNCILMEMBER PALTIN: I don't want to take everybody's time so long, but I guess, you know, 22 days, knowing that people have lived there for years, and I think in Member Johnson's bill, it was requesting 45 days. Did it only take you 22 days to put together all the resources and get the contracts, or did it take longer than that?

MR. JACKSON: That's...that's a great question. And it took longer than that, but we actually were out there before the official notice was served. So, that is also a general practice. Either CORE will be out there, Naomi and different service providers, saying hey, you know, we're going to have to start moving this area soon. But it's...what...what is also hard is to, you know, tell someone a certain time, and then that information changes 25 times . . . *(timer sounds)*. . . because these people are trying to plan their lives. And so, we don't want to...we don't want to say one thing before we actually are certain about what we're doing. And so, there still is some need for adjustment, but it's a fine line between, you know, changing our date 25 times, and giving people advance notice that something is coming.

COUNCILMEMBER PALTIN: Yeah. I...I think...you know, if...if what we're working on is codification or your written policy procedures, I see areas where that can be tightened up. Because you folks probably know what you're exactly doing and what you mean by things, but it's not super clear in your letter. I don't know if you just wrote it in the middle of the night and...and that's why, but if we can...I guess maybe...if it's not legislative action, and Member Sinenci...or sorry, Chair Sinenci continues to work off your policy...Administration policy on dealing with this, I think we can hone it in better. Like you said, if somebody pops up a tent, we don't want to give them 15 days or whatever. We want to ask them to...you know, like hey, you can't stay here. If...if all of that can be better clarified, even the point of giving people shelter options, and so on and so forth, I...I think that's...that would be helpful. And I don't know...if we're not working on legislation, if other Members would feel more comfortable in working off your policy situation, or this document that you sent to us. And my other questions, I guess

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I do see...I don't know if it's Sergeant Pontanilla or Captain Medeiros on, but my other question was on County property where there is encampment--and I'm...I'm not saying that it's the unsheltered that are...are doing these things--but there is widespread knowledge of, say, chop shop activity going on, or drug dealing going on. And...and I was wondering how the Police separates the enforcement of illegal things that hurt our community from their CORE unit. Like I support the Police going out and assisting through critical outreach and response through education, but if there is drug dealing going on on County property, if there is chop shop activity going on on County property, is it different folks going to address that than the CORE people, or is it not being addressed? Like that's...that's a question. Because...I mean, there's being unsheltered and having no other situation, and then there's illegal activities that harm our community, and those are two separate things, but it...it needs to be addressed.

MS. PONTANILLA: Hi, Councilmember Paltin. Can you hear me?

COUNCILMEMBER PALTIN: Yes.

MS. PONTANILLA: This is Sergeant Pontanilla. Hi. Yeah, we are...CORE is addressing...trying to address both. The recent one that I can kind of talk about is the one that is at Maui Lani right now, near the school. A lot of those that are there have...had been removed at one point--and this is prior to Amala--after Amala, certain people have been...brought them back there. And I'm not saying good or bad or anything like that, but it's actually...actually, I am. It's more towards bad right now because we're having...there's been four...at least four or five stolen vehicles that we just got within that time frame. Right now, there is a fire...a small fire going on. There's been seven to eight fires...and again, we're not pointing fingers at who is actually starting it, but a majority of it is in the middle of the...the area that people are residing in. So, we...we are addressing both. CORE is going out with Naomi to at least offer those services, but when we...we do run those vehicles, we do make sure those are not stolen. We do mark...if...if they're derelict, they do need to be removed from that area because sometimes they can pose as a hazard in other ways, right? So, as long as no one's inhabiting it, we are removing those derelict vehicles. So, we're...we're kind of doing those things on the site, as well as waiting for the time when we can work with the advocates to see what is the best timing for those individuals to find another placement, and make sure that they have housing prior to the actual removal date. So, we're...we're trying to do both on both ends, if that answers your question.

COUNCILMEMBER PALTIN: Yeah. I'm not super familiar with the Maui Lani location. That is County property as well?

MS. PONTANILLA: Yes. It's about--and don't quote me on this number--it's about 277 acres, and it's behind Pomaika'i School, but also where the...the Mormon church is at that corner, and then there's an empty lot. It starts off with...right after the empty lot is actually County property, and it goes all the way to Waiko. It's a big parcel, has a lot of vegetation, dry vegetation, but it doesn't...as far as violations for Fire, I guess it...it just meets that Code where it's not a fire hazard or violation yet because the grass has not

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grown high enough, or the shrubbery. But we have been having reports of small fires that the Fire Department has been having to come and put out those fires.

COUNCILMEMBER PALTIN: And so, on all the County properties where you do your CORE outreach, every time you go on your CORE outreach, you check for stolen vehicles?

MS. PONTANILLA: We try to do that, yeah, on County property. We want to make sure because a lot of times they'll...people in the area where it's...people that reside there, meaning those who are sheltered, they'll say, you know, I see several vehicles in the bush area there. We...we check it out, we run it, we make sure it's not stolen. If it's not, then we see who...whose it actually is. If it becomes notice of transfer pending or...or master not found, and no one is actually utilizing that for something, we then call DEM and...and get it towed out of there.

COUNCILMEMBER PALTIN: And...

MS. PONTANILLA: If it's County, yes...if it's County.

COUNCILMEMBER PALTIN: Thank you. And then like any illegal drug activity, if...if the CORE folks are the same folks that enforce on illegalities, is it...does that complicate your outreach aspect?

MS. PONTANILLA: Well, most of the...what starts it off is the complaints that come into either the Mayor's Office or our...our office from the community...emails, whatever it may be, just concerns of can you please check out this area, right? So, we go out and check out the area. If it's something where it's more related to a vice operation, we will...we will pass it on, but we do make that first contact and make sure. Especially if there's unsheltered, we want to make sure that we have Naomi get out there with us and offer those services so we can kind of start that process.

COUNCILMEMBER PALTIN: Do you feel that the MPD has been significantly consulted when a cleanup is going on or in the creation of these policies and this legislation?

MS. PONTANILLA: Yeah. You know, how...like, how I was informed was, of course, now that we work closely with Naomi, we work with Mimi, Noah, and we have this taskforce that we created, it's been a lot better, you know, as far as the coordination of that. So, we've been...we've been notified of anything that is upcoming.

COUNCILMEMBER PALTIN: And...and is your feedback taken into consideration, in...in your opinion?

MS. PONTANILLA: Yes, it is.

COUNCILMEMBER PALTIN: Okay. I...I think Member Rawlins-Fernandez might have some questions, sorry. Thank you. I didn't want to monopolize.

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CHAIR SINENCI: Mahalo, Member Paltin. Members, any other questions before I defer to Vice-Chair Johnson for his motion? Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I was just going to ask a clarifying question to Officer Pontanilla about the location that she was describing. If that was the Waiale Cultural Preserve area that the County acquired a couple of years ago?

MS. PONTANILLA: You know, I'm not...I'm not certain. I actually have two of my officers working in that area, Officer Waiohu and Officer Masuda, so they're more privy to what exact area. I've been there, I don't know how it was...you know, how you guys purchased it. What happened...maybe this is pre-...actually not really pre-, post-fire, actually. It was another Department, and County had reached out to us saying that there were individuals in that area, and they were concerned with fire. However, there is noted that there is bones out there and those things, so more of a concern why we...we shouldn't have people stay back there because...because of that as well.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay.

MS. PONTANILLA: I can get you the tax map key if...if that helps.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Okay. You just said above Pomaika'i, and that's like the sports complex area, yeah?

MS. PONTANILLA: Yeah, right above that...actually the Mormon church, and then there's that...that gap in between, that's private, and then you go a little further out where the kiawe start, that...that would be County already.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. All right. Mahalo for that clarification, appreciate it. Mahalo, Chair.

CHAIR SINENCI: Mr. Jackson?

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, and then...

CHAIR SINENCI: Oh.

COUNCILMEMBER RAWLINS-FERNANDEZ: I'm sorry. And then in closing, is there going to be like a...do we have like an idea of what like the next steps will be?

CHAIR SINENCI: Vice-Chair Johnson?

VICE-CHAIR JOHNSON: Chair? Yeah, thank you, Councilmember. I plan to work with Ms. Desjardins to come up with a bill that they would sign, and when...whether we go forward through this Committee or my own Committee, I haven't determined that yet. I know schedule's tough, so really, just not giving up, just going to come back with a signed bill. Thank you.

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COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. And then from Mr. Jackson, as far as if you'd be able to commit to finalizing that guidelines, any...yeah.

MR. JACKSON: Yeah, I'm...thank you, Councilmember. That's what I'm going to take back to my team about timeline...about the timeline on that. I do want to just say thank you to Jan, and Joy, and the CORE team. They've been incredible, the way that they work with individuals compassionately, and...and just the intention, even like on Amala, you know, making sure that we had people...officers who spoke different languages, spoke Hawaiian, you know, had...had male and female officers, had CIT-trained officers everywhere. . . .*(timer sounds)*. . . The...the intention that Jan and Joy put into what they do is...is incredible, so thank you guys. You don't get enough praise, I think.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo for that. I...I find it's really helpful for me to set dates for myself so that it's not just...you know, time can get away from you very quickly. Well, it gets away from me very quickly, at least. And so, like at least like a ballpark, like a month, maybe? If you can commit to completing that, like in November or something, you know? Like are you able to give a month?

MR. JACKSON: How about this? Let's...we'll shoot for before the end of the year, and if you haven't heard anything by December, please reach out to us and...and feel free to reach out before. But we'll go from there.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. I'm sure Member Johnson will contact you before that. Yeah. Okay. Mahalo, Mr. Jackson. Mahalo, Chair. I see Member Paltin's hand up.

CHAIR SINENCI: Member Paltin?

COUNCILMEMBER PALTIN: If I could follow up on what Member Rawlins-Fernandez was saying? To me, like it would be beneficial if Chair Sinenci would bring it back before the finalization, official final...official finalization of living document. Because...you know, I...I quickly reviewed it during lunch, but like I was saying, like the various situations, and it says like, you know, you didn't want to codify it because each situation can be unique, but like 2 to 90 days for whatever the thing is, is...is...is way too broad for me. Like, if...if we could clarify like the situations...like a small, tiny thing just pops up immediately--how many days? Long entrenched encampment, and...and it wasn't...I didn't notice in your document that you said like we went out earlier and verbally said things, or whatever, as soon as we knew that we were going to do stuff, but we didn't want to, you know, give wrong information. Just the idea of like, you know, we're planning to clean things up. We don't have the specific time frame, but that's why we'd like to help to get you into a more stable setting, or something like that. And if...like Member Johnson, who's worked with outreach advocates, says minimum 45 days, and it takes more than 45 days to get all the resources in alignment, then why wouldn't you give 45 days in that kind of situation? You know what I'm saying? Like, there...if it takes more than 45 days to...to get the resources together, I don't see why it would be a problem to say we'll give 45 days. And I think...I mean, regardless of if this is a bill, or administrative policy, or not, I think those kind of things, it would be helpful, you know,

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that we...we can agree on. If we...if we know it takes more than 45 days to plan something, and Member Johnson, who's done the outreach with the group, says we need a minimum of 45 days, I don't see where the problem is. You know what I'm saying, Mr. Jackson?

MR. JACKSON: Yeah. Thank you, Councilmember. Yeah, and I could have Director Tsuhako chime in here too, but there is...there's pros and cons to just generally telling people, hey, one day in the future . . .*(timer sounds)*. . . you're going to have to move, just because that's very nebulous as well. So, those are the types of things that we take into consideration when we're, you know, determining when and...and how to communicate with individuals. There's a lot of sensitivity there. But I...I hear you, Councilmember, as far as...and I think, you know, we're in agreement. When we know in advance, let's communicate in advance about these actions. And that can be expressed too.

COUNCILMEMBER PALTIN: Well, I mean...yeah, not just communicate, if...if that...the specific ask is 45 days, and...and we know it's going to take 45 days to get our resources at least together, then why not like hit that 45 days, I guess is what I'm saying. I'm not saying like oh, in the future, we're going to do stuff, but like if there's active plans, and the planning stages takes at least 45 days. Because I don't know where...I mean, it sounds like maybe Maui Lani is the next trouble spot. And maybe we're saying right now, like there's multiple fires, there's a church, there's an elementary school...not necessarily Managing Director's Office or the Police, but...I mean, it's kind of like the writing is on the wall there, you know what I'm saying?

MR. JACKSON: Yeah. I appreciate that, Councilmember.

COUNCILMEMBER PALTIN: Okay. Thanks. I see Member Johnson's hand up.

CHAIR SINENCI: Vice-Chair Johnson?

VICE-CHAIR JOHNSON: Thank you, Chair. You know, I don't mean to...I have to leave soon, so you guys can defer the bill, you don't need me, I'm not voting on it. But I...and I don't want to snub the conversation, it's a valid conversation, but I just will say that we are the policymakers, and giving the...the policy decisions to this Administration is...I...I haven't seen the results, so that's why I did the bill. And I'm sorry I have to leave right now, but I just wanted to throw that out. Thank you, Chair.

CHAIR SINENCI: Mahalo, Vice-Chair. Is there any other questions, Members, for our resource before we defer this item? *(pause)* Any objections to deferring this item?

**COUNCILMEMBERS VOICED NO OBJECTIONS** *(excused: GJ)*.

**ACTION: DEFER pending further discussion.**

CHAIR SINENCI: Okay. Thank you, Members. Staff, is there any other business before us today?



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MS. MACDONALD: No, that's it, Chair.

CHAIR SINENCI: Okay. Thank you, Staff. Thank you, Members, for...for this discussion. Also, mahalo to all of our resources that have stayed on online, and have showed up today, and stayed on with us all day through testimony. Mahalo to the testifiers that came. Your voice was heard very loudly, and so we appreciate this, and stay tuned for the next episode. With that, Members, the special WASSP Committee meeting of Thursday, September 4th, is now adjourned. It is now 3:51. Thank you, Members. . . .*(gavel)*. . .

**ADJOURN:** 3:51 p.m.

wassp:min:250904:crp:ds

Transcribed by: Daniel Schoenbeck

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CERTIFICATION

I, Daniel Schoenbeck, hereby certify that pages 1 through 89 of the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 9th day of October 2025, in Wailuku, Hawai'i

A handwritten signature in black ink, appearing to read "Daniel Schoenbeck", is written over a horizontal line.

Daniel Schoenbeck