

HOUSING AND LAND USE COMMITTEE

Council of the County of Maui

MINUTES

August 20, 2025

Online Only via Teams

CONVENE: 1:35 p.m.

PRESENT: Councilmember Tasha Kama, Chair
Councilmember Nohelani U‘u-Hodgins, Vice-Chair
Councilmember Tom Cook, Member
Councilmember Gabe Johnson, Member
Councilmember Alice L. Lee, Member
Councilmember Tamara Paltin, Member (Out 2:15 p.m.)
Councilmember Keani N.W. Rawlins-Fernandez, Member (In 2:23 p.m.)
Councilmember Shane M. Sinenci, Member
Councilmember Yuki Lei K. Sugimura, Member

STAFF: James Krueger, Senior Legislative Analyst
Ellen McKinley, Legislative Analyst
Carla Nakata, Legislative Attorney
Jennifer Yamashita, Committee Secretary
Lei Dinneen, Council Services Assistant Clerk
Ryan Martins, Council Ambassador

Residency Area Office (RAO):

Zhantell Lindo, Council Aide, Moloka‘i Residency Area Office
Roxanne Morita, Council Aide, Lāna‘i Residency Area Office
Mavis Oliveira, Council Aide, East Maui Residency Area Office
Bill Snipes, Council Aide, South Maui Residency Area Office
Clyde “Buddy” Almeida, Council Aide, Makawao-Ha‘ikū-Pā‘ia Residency Area Office

ADMIN.: Chris Nāhulu Nunokawa, Deputy Corporation Counsel, Department of the Corporation Counsel

OTHERS: Testifiers
Kathy
Bo
Caitlin Miller
Stacey Alapai
Johann Lall
Karan Marsh
Jasee Law
Tom Croly
TESTIFIER 1
Others (65)

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

CHAIR KAMA: . . .*(gavel)*. . . Will the Housing and Land Use Committee meeting of August 20th come to order. It is now 1:35 p.m., and I am Tasha, Chair of the Housing and Land Use Committee. This online meeting is being conducted in accordance with the Sunshine Law. Members, when your name is called, if you're not with me in the Council Chamber, please identify by name who, if anyone, is in your workspace with you today. And minors do not need to be identified. So I want to say aloha 'auinalā to our Committee Voting Members, Committee Vice-Chair Nohe U'u-Hodgins. Aloha.

VICE-CHAIR U'U-HODGINS: Aloha, Chair. Aloha, everyone.

CHAIR KAMA: I want to say aloha 'auinalā to . . .*(audio echo)*. . .

COUNCILMEMBER LEE: That was me.

CHAIR KAMA: Okay. Okay. So it was to you, 'auinalā, Council Chair Lee.

COUNCILMEMBER LEE: Aloha 'auinalā, and good to see you, Chair, and everyone.

CHAIR KAMA: Oh, and I thought I was feeling special. Nah. So I want to say aloha 'auinalā to Council Vice-Chair Yuki Lei Sugimura.

COUNCILMEMBER SUGIMURA: Aloha 'auinalā, and I'm looking forward to this meeting. Thank you.

CHAIR KAMA: I want to say aloha 'auinalā to Councilmember Tamara Paltin.

COUNCILMEMBER PALTIN: Aloha 'auinalā kākou. Streaming live and direct from the historic burn zone. I got with me Christian Balagso, and we have no testifiers waiting to testify at this time. I do need to go to the Lahaina . . .*(inaudible)*. . . at 2:30.

CHAIR KAMA: Okay. Thank you. And we also have with us Councilmember Gabe Johnson. Aloha 'auinalā.

COUNCILMEMBER 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 KAMA: And we want to say aloha 'auinalā to Councilmember Keani Rawlins-Fernandez. I don't see her here, but I guess when she shows up, we'll acknowledge her again. So I want to say aloha 'auinalā to Councilmember Tom Cook.

COUNCILMEMBER COOK: Aloha, Chair. Good afternoon. There's currently no testifiers in the Kihei Office.

CHAIR KAMA: Okay. Good. And we want to say aloha 'auinalā to Councilmember Shane Sinenci.

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COUNCILMEMBER SINENCI: Aloha ‘auinalā, Chair. And no testifiers in Hāna, Chair.

CHAIR KAMA: Thank you. And then we have from the Department of Corporation Counsel, our Deputy Corp. Counsel member -- not member, but counsel, Nāhulu Nunokawa. Aloha ‘auinalā.

MR. NUNOKAWA: Aloha ‘auinalā, Chair and Members.

CHAIR KAMA: And we have our Committee Staff, our Senior Legislative Analyst, James Krueger. Aloha ‘auinalā, James.

MR. KRUEGER: Good afternoon, Chair and Members.

CHAIR KAMA: And we have our Legislative Analyst, Ellen McKinley. Aloha ‘auinalā.

MS. MCKINLEY: Good afternoon, Chair and Members.

CHAIR KAMA: And we have our Committee Secretary, Jennifer Yamashita. Aloha ‘auinalā.

MS. YAMASHITA: Good afternoon, Chair and Members.

CHAIR KAMA: And we have our Legislative Attorney, Carla Nakata.

MS. NAKATA: Aloha, Chair and Members.

CHAIR KAMA: And we have our Assistant Clerk taking testimony out in the lobby area, Lei Dinneen. Aloha, Lei. And then we have our Council Ambassador, Ryan Martins. Welcome in the galley [*sic*]. So thank you, Members, for attending this afternoon’s HLU Committee meeting.

**TEMPORARY INVESTIGATIVE GROUP ON POLICIES AND PROCEDURES FOR
TRANSIENT VACATION RENTAL USES IN THE APARTMENT
DISTRICTS (HLU-4(1))**

CHAIR KAMA: We have a single item on the agenda this afternoon. It is HLU-4(1), Temporary Investigative Group on Policies and Procedures for Transient Vacation Rental Uses in the Apartment Districts. In accordance with the Sunshine Law, I will be calling for testimony prior to any discussion of our single-item agenda. And we have no presentations for today’s items, so we’ll begin testimony now. For Microsoft Teams participants logged in via web or the Teams app, please indicate that you would like to testify by clicking the raise-your-hand icon in the top right of your window. Staff will add your name to the testifier list. If you are joined by telephone, star-five will raise your virtual hand, and Staff will put your name on the testifier list. Please keep your audio and video muted until you are called to testify. Written testimony is encouraged and can be submitted via the eComment link at maucounty.us . . .(*audio echo*). . . All right, maucounty.us/agendas. Oral testimony is limited to three minutes per item.

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When you reach the two-minute mark, you will hear an audible notice. If you are still testifying when the notice sounds, please complete your testimony within the remaining minute. For those on Microsoft Teams, please ensure your name appears in 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 if you would like to testify anonymously. Otherwise, please state your full name for the record at the beginning of your testimony. So decorum will be maintained throughout this meeting. Violation of decorum may result in being removed from the Chamber or the online meeting. You can also view the meeting on Akakū Channel 53, Facebook Live, or mauicounty.us/agendas. Thank you all for your cooperation. And at this time, we're going to call on testifiers wishing to testify on the formation of a TIG regarding the policies and procedures for transient vacation rental uses in Apartment District. Staff?

COUNCILMEMBER PALTIN: Chair?

CHAIR KAMA: Yes. Yes.

COUNCILMEMBER PALTIN: I just wanted to clarify, we're...we're limiting testimony on the establishment of a TIG. We're not rehashing Bill 9, right?

CHAIR KAMA: You're correct. I would love --

COUNCILMEMBER PALTIN: Okay. . . .*(inaudible)*. . .

CHAIR KAMA: -- for that to happen.

COUNCILMEMBER PALTIN: Okay.

CHAIR KAMA: Thank you. Staff?

MS. MCKINLEY: Chair, the first testifier is Kathy, to be followed by Bo.

CHAIR KAMA: Is Kathy online, or is she in the Chamber? Oh, here she is. I see her coming down.

. . . BEGIN PUBLIC TESTIMONY FOR ITEM HLU-4(1) . . .

MS. KATHY: Aloha, Councilmembers.

CHAIR KAMA: Aloha.

MS. KATHY: I would just like to note that Bill 9 started out to create affordable housing. And at this point, the word "affordable" doesn't appear anywhere in the bill. And Councilwoman Paltin, I am talking about the TIG, but it's kind of hard to separate the two. The Mayor told us that if we pass this bill, the property values would drop 30 percent, and our locals would flock to buy these now at an affordable rate. Well, that happened without even the passage of the bill. Our property values have dropped 30

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percent, and nobody wants to buy these condos. There's a 15-month supply of them. And the people that own them are desperate. The Mayor's spokeswoman said that even if just a few or one converted from STR to long-term, they would consider that a success. But I think that's a really low bar to set for the destruction of Maui's economy. So about this TIG, I understand that the Councilmembers are trying to make a bad idea into an acceptable idea. But that's not the job of the Council. I mean, the Mayor had all...more than a year, 14 months, 15 months, to make this a good idea, and he failed. And I'm not sure that this TIG, as ambitious as it is, can, in a month or two, accomplish what 14 months did not. If a bad idea is a bad idea, it's probably just going to stay a bad idea, particularly with the timing of our economy. We just had the Office of Recovery come out with a study. And if you go to their recommendations . . .(timer sounds) . . . they say support tourism, support local businesses because otherwise, we're going to be in a world of hurt. We already lost \$1-1/2 billion last year. So I just, I...I wish the TIG luck, but it's very ambitious. And all that Bill 9 has done so far is just give Maui a black eye on the world stage. And I just want Maui to go back to being the loving place that I moved to. Thank you.

CHAIR KAMA: Members, questions for our testifier?

UNIDENTIFIED SPEAKER: Member Paltin.

CHAIR KAMA: Member Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. Miss...thank you, Ms. Kim (*phonetic*). I wanted to clarify, are you saying that you're not in support of the TIG, or you are in support of the TIG because that's the item?

MS. KATHY: I'm just neutral on it. I mean, I wish you luck, but...

COUNCILMEMBER PALTIN: Okay. Thank you.

CHAIR KAMA: Any other questions, Members? Seeing none. Thank you very much, Kathy. Staff, next testifier?

MS. MCKINLEY: Chair, the next testifier is Bo, to be followed by Johann Lall.

MR. BO: Hello, everyone. Could you hear me?

CHAIR KAMA: Yes. Yes, we can.

MR. BO: Thank you. Thank you. Aloha, everyone. My name is Bo. I'm an owner at the Maui Kamaole. I'm also a member of the rezoning committee. Due to the Bill 9, our community has begun...so our complex has begun to think about the rezoning. And I'm...I'm doing the testimony here to respectfully request that the TIG, the temporary investigation group, can consider to rezone the Maui Kamaole from the Apartment zoning to the Hotel zoning so that we can continue the short-term rental...short-term rental...we can continue to do the short-term rental at our complex. And our request is supported by the following facts. So the first is original intent and the continuous use.

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So since Maui Kamaole was constructed in 1989, our property has been named as Maui Kamaole Resort since the beginning. So the original County record declaration and bylaw has specifically approved the transient vacation rental use. I think that should be protected by...by law. So...and since then, since the inception, Maui Kamaole has been consistently used and advertised as a short-term rental unit. And the second fact is that the location. So Maui Kamaole is an oceanfront property and located in the Wailea Census-designated place. So if we look at the U.S. Census, Maui Kamaole is located within the Wailea CDP. And we know that Wailea is kind of...kind of known for the tourism characteristic. So...and also the Maui Kamaole directly across the Kamaole Beach Park III and also adjacent to the Kihei Boat Landing. . . .(timer sounds). . . Our neighbors include a lot of resort hotels. And our property features resort-style amenity, including two pools, two hot tubs, tennis court, tropical landscaping, and also a front desk for the guest registration, and the visitor parking. Third one, that our request is aligned with Mayor's guidance. So I think in one of the Planning Commission meeting, Mayor said if the primary operating...if the...if the property primarily operating as a short-term rental, we should pursue the Hotel rezoning. So with more than 95 percent of the units in Maui Kamaole actually operated as short-term rental, I think Hotel zoning is the most accurate and appropriate designation for Maui Kamaoli [sic]. So the conclusion is that Maui Kamaole should be rezoned from Apartment to Hotel to continue the short-term rental use. And that accurately reflects the historical use and original intent and also align with the resort character within the Wailea CDP . . .(timer sounds). . . and also can support the County's economy. Thank you. Thank you for your consideration and time.

CHAIR KAMA: Members, any questions for our testifier? Seeing none. Thank you so very much, Bo.

MR. BO: Thank you. Bye.

CHAIR KAMA: Next testifier?

MR. KRUEGER: Chair, our next testifier is Johann Lall, to be followed by Caitlin Miller. Chair, Johann Lall, has two accounts connected to the meeting. We've promoted both. So, Mr. Lall, if you can unmute on one of them.

CHAIR KAMA: There he is.

MR. KRUEGER: Mr. Lall, we can see you, but we can't hear you. You appear to be unmuted on...on Teams. So it might be a device issue on your end.

UNIDENTIFIED SPEAKER: If he can even hear us.

MR. KRUEGER: And apologies, we still can't hear you. Perhaps, if anything, you could try to call into the meeting if...apologies, still no sound. Can't hear.

CHAIR KAMA: Do you want to call him?

MR. KRUEGER: Apologies, Mr. Lall, perhaps you can call into the meeting, and we can proceed

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to the...should we proceed to the next testifier for the time being, Chair?

CHAIR KAMA: Yes.

MR. KRUEGER: Chair, the next testifier is Caitlin Miller.

CHAIR KAMA: There's Caitlin.

MS. MILLER: Aloha, Chair and --

CHAIR KAMA: Aloha.

MS. MILLER: -- Councilmembers. I'm going to assume everyone can hear me. My name is --

CHAIR KAMA: Yes.

MS. MILLER: -- Caitlin Miller. I'm testifying on behalf of Maui Vacation Rental Association. Thank you again for the opportunity to provide comments on the proposal to form a temporary investigative group regarding Bill 9. We are not here to oppose the formation of a TIG. We want to emphasize, though, that its purpose should be thoughtful, well-informed policy. Many of you have noted in prior discussions that the Administration has not provided sufficient due diligence on this issue. We believe this TIG presents an opportunity to ensure that the critical research and analysis is completed before any bill is passed. It's important that the TIG not simply serve as a way to advance legislation quickly with the idea of fixing problems later. These decisions affect thousands of residents, jobs, and small businesses and they deserve careful, transparent deliberation from the start. As you know, MVRA is happy to serve as a resource for the TIG by providing data, industry expertise, and real-world perspectives. We believe this can help ensure that any recommendations put forth are practical, balanced, and workable for the community as a whole. Thank you again for considering our input and for your continued efforts to approach this process thoughtfully.

CHAIR KAMA: Thank you. Members, questions for our testifier? Seeing none. Thank you so much, Caitlin. Staff?

MS. MCKINLEY: Chair, the next and currently last person signed up to testify is Stacey Alapai.

MS. ALAPAI: Aloha, Councilmembers. I am trying to keep my testimony short today. I'm not...I don't support or oppose the creation of the TIG, but I have some concerns about the fourth purpose on here to change the Maui County Code and change the process for a Change in Zoning community plan amendment or other land use entitlements to make them more cost-efficient and time-efficient. I feel like this is kind of too broad of a scope for the TIG and has some potentially unintended or intended consequences to streamline more of these, like, rezonings that end up resulting in more luxury developments and rezoning Ag land into Commercial or Residential properties, stuff like that. So I just hope that we...we can narrow the scope of the TIG a bit so that we aren't dipping into more broad policy changes outside of the scope of Bill 9, and it should be focused simply on the Apartment districts related to transient vacation rental uses and

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not a TIG that is proposing changes to the whole Maui County Code. That's a much bigger scope of...of the investigation than I think is appropriate for this. And I also want to avoid anything that would further delay the passage of Bill 9, since that hasn't been technically approved yet, since we haven't gotten a hearing for our final reading on that at the full County Council. So I don't want this Committee TIG to postpone the passage of the bill because there's already a time clock on that that we're going to have to wait for implementation. So I don't want this to be a delay tactic. And I think that we need to be very careful of the recommendations that are made in this TIG so that we are not . . . *(timer sounds)* . . . going to be impacting the larger rezoning process as a whole. Mahalo.

CHAIR KAMA: Members, questions for our testifier? Member Paltin?

COUNCILMEMBER PALTIN: When you said number four, is that number four on the first page? Suggesting improvements to Chapter 19.510, Maui County --

MS. ALAPAI: Yes.

COUNCILMEMBER PALTIN: -- the application procedure? And do you think...did you say that in relation to Bill 9, should be added so the scope is narrowed?

MS. ALAPAI: Yeah. I'm not...I don't really have...how to word it specifically. I just have concerns about that fourth point of the purpose because that is now outside of the scope of just Bill 9 and is actually going to be proposing changes to the whole Code. So I don't know exactly what verbiage I recommend, but I just wanted the Council to be aware of that, that broad scope would have lasting impacts outside of Bill 9. So if the purpose is to soften the blow to some of these owners of those properties, this would be outside of that scope. And I think it would also affect the way that the community responds to this because while I support trying to help some of these owners out, that particular point is much broader than just helping out these owners of apartment rental...apartment residential zones and would have lasting impacts for all planning on Maui, not just this particular bill.

COUNCILMEMBER PALTIN: Thank you. Thank you, Chair.

CHAIR KAMA: Okay. Any other questions, Members? Seeing none. Thank you so very much. Staff?

MS. ALAPAI: Mahalo.

MS. MCKINLEY: Chair, we'd like to try to return to Johann Lall.

CHAIR KAMA: Okay.

MR. LALL: Aloha. Can you hear me?

CHAIR KAMA: Yes.

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MR. LALL: Okay. I just had to exit and rejoin. So if anyone else has that issue, that would be the solution. Johann Lall, I'm testifying on behalf of myself. So I, I guess, have worked on various kinds of analysis for most of my career. And I think there is such a thing as over-analysis. And in this case, there's been plenty of analysis done by UHERO and the Mayor's Office and independent groups and the STR organization. And I think we all kind of know what we can know on the impacts of the Minatoya phase-out. So I'm not sure any more investigation is...is really needed. However, I think if there is a TIG, some things like...it's obviously going to look into economic impacts and impacts on housing affordability and stuff like that. But I think, specifically, it should look at affordability at different levels because we always hear about how even, like, the doctors and lawyers need housing. So it's not just about affordable or, like, workforce. It could be at all levels and...and that should be analyzed. Also impacts on water usage. Impacts or...I guess, impacts on traffic and stuff like that. You know, if...if housing is opened up close to where jobs are, that might reduce traffic. Things of that nature. It should look into how other communities handle STR and all of this...these related issues, especially other communities within Hawai'i, because Maui is the only one that has this. So there should be some analysis of, you know, what the economic impacts are in the places that don't have Minatoya. And there should also be some...some looking into public opinion among residents as opposed to owners who are not residents, people outside of Hawai'i and . . .(timer sounds). . . outside of Maui. And then affordability of, like, condos in general, because that's one thing that keeps coming up, is the HOA costs.

CHAIR KAMA: Member U'u-Hodgins has a question for you, Johann.

VICE-CHAIR U'U-HODGINS: Thank you, Chair. Thank you, Mr. Lall. Oh, I do hear an echo. I wanted to ask you your opinion on the affordable levels. Everybody else hears that, right? Okay. Thank you. Oh, now we don't. What is your idea for the AMI? Because you were talking about the two levels, and sometimes even our professionals don't have the ability to purchase something. So I wanted to get your opinion on what do you think the AMI levels should include when we discuss the affordable levels in looking at this. Thank you.

MR. LALL: I don't have any specific recommendations. I think probably it should be based on whatever all of the regulations are, which I'm not very familiar with. But I know there's standard things like 130 percent and...and stuff like that. So I think impacts to each of those levels might be a thing that would be useful to look into.

VICE-CHAIR U'U-HODGINS: Okay. Thank you. I appreciate that. Thanks, Chair.

CHAIR KAMA: Any other questions, Members? Seeing none. Thank you. Staff?

MS. MCKINLEY: Chair, the next testifier is Karan Marsh.

CHAIR KAMA: Karan Marsh?

MS. MCKINLEY: The testifier is unmuted on our end. To unmute yourself, you could find the icon at the top of the screen. You could also try rejoining the meeting.

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MS. MARSH: Yes. Can you hear me now?

CHAIR KAMA: Yes.

MS. MARSH: Okay. Thank you for letting me support...say my support for the temporary investigative group, which is...is being developed as a result of the last hearing, where there was some weaknesses in answering the items in the bill. One of the things that we didn't hear much about is the taxes that will be raised to compensate for the lost revenue of the folks. I think it would be best interest of the Council to do that study in what those taxes would be, especially how much would the tenants be paying, like, and renters' use taxes directly to the County to cover the loss of property taxes . . .*(inaudible)*. . . things. I think they also mentioned in one of the last hearings the improvements to the Maui County Code about streamlining the procedures to make the applications for Change in Zoning. That would help the County make best use of their time and not waste time in making these changes. And I know the Department of Housing says that they have procedures, but they are long and involved. And I know that they had said that they have one that's still in process after ten years. So that's, you know, another way to make it better for the County to do that. Again, I thank you for offering this opportunity to say we do support the development of this temporary investigative group. Thank you.

CHAIR KAMA: Members, questions for our testifier? Seeing none. Thank you so very much. Staff?

MS. MCKINLEY: Chair, no one else is currently signed up to testify, but I do see someone approaching the podium.

MR. LAW: Aloha awakea.

CHAIR KAMA: Aloha.

MR. LAW: Jasee Law. Good afternoon, Luna Ho'omalua Kama. And I haven't been, like, following your...this whole rental house thing. I kind of try to stay out of the fight on this one. And even though it means more work for Alice Lee, I do support the...the TIG. TIG...maybe I could get a more interesting name for it than TIG. It sounds like about...so manawa pōkole is temporary, and I think you put hui in there somewhere in between. And so, it would be hui manawa pōkole. So just being hopeful, I...I think that...I...I appreciate the Mayor's intent to kind of slow down this whole capitalist system that's been going on. Councilor from Moloka'i would call it the colonial system. It seems to be extracting from Hawai'i instead of giving to and sharing with us. And I thank you, Luna...I mean, yeah, Luna Ho'omalua Paltin for her time slot. I really missed that part in the beginning where you say the United States illegally took over the Hawaiian Kingdom in 1843...18...1893. And it's kind of timely because they're...somebody's getting ready to say that it's Statehood Day. And of course, Paltin knows that there was no treaty of annexation. And that was really what got me up this morning to get over here and motivate me this morning was the...I was hoping to hear from the Royal House of Hawai'i. So I hope that they're well. And you guys remember about what they say about finding out about the royal patent and the land use in that. Thank you for your

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time. I reserve the rest of it for the Hawaiians.

CHAIR KAMA: Members, questions for our testifier? Seeing none. Thank you so much. Staff?

MS. MCKINLEY: Chair, the next testifier is Tom Croly.

MR. CROLY: Aloha, Chair and Committee. Tom Croly.

CHAIR KAMA: Aloha.

MR. CROLY: In this TIG, I'd like to give you something to consider to...to, you know, bat around. And that is, the idea was put forward that these properties should change zoning to Hotel zoning, if that's what they wish. I don't think anyone has presented you with just how difficult that is and how you can't just say, make it easy now. There's...there's so many layers and aspects to...to a Change in Zoning. And also, I want you all to consider that the change in zoning means these places could become hotels. Hotels mean you can build six stories. You can...you can have all kinds of commercial uses and so forth. And I don't think anyone wants that. Nobody wants these...these buildings to actually turn into certified hotels. But what I would like you to consider doing is creating a zoning overlay. We have a lot of different zoning overlays already. And leave these properties in Apartment zoning. But say, if they can meet this criteria, whatever it is, and that's the TIG's job to figure out what that is, then they would fall into this zoning overlay that would be apartment/TVR, as...as the case may be. It will be up to the TIG to figure out, you know, what is that criteria that could...that could make some of these properties that you may want to be moved over, and other properties be discriminatory towards them. So that's an idea that...that I...I had hoped that someone would look at during the entire year that's gone by since Bill 11. But now that you have this TIG here, please investigate that. I don't have the answer for you. But I do recognize enough about our zoning that we already have the...the fundamental idea of zoning overlays. We has...we have an SMA, you know, overlay to our zoning and so forth. So, maybe we can come up with an apartment/TVR . . .*(timer sounds)*. . . overlay that...that...that could be used, and you can ferret out that criteria in...in this TIG. Thank you for the opportunity, Chair.

CHAIR KAMA: Thank you, Mr. Croly. Members, questions for our testifier? Mr. Cook?

COUNCILMEMBER COOK: Thank you, Chair. My clarifying question, Mr. Croly, isn't that kind of what the Miatoya [*sic*] list is now and the various Council deliberations over time? It kind of made that an overlay. I...I hear what you're saying --

MR. CROLY: Well, it is, and it isn't.

COUNCILMEMBER COOK: -- I'm just questioning if...if we already have that.

MR. CROLY: Yeah. Right. Let's...let's get away from saying Minatoya list because we have a code that defines certain parameters that allow people to make this use. It's not based on where they are, it's based on when they were built and...and so forth. So my question for you is maybe you can base it on something other than when they were built and...and

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that kind of thing. And maybe you can base it on where they are located by some other criteria. So yes, it is true that...that the exception to zoning has been created in our Code. And...and Bill 11 [sic] is removing that exception. But we all know that we really don't want to remove it for every property, particularly ones that are in the resort areas and so forth. So how can we create an overlay that makes sense? And again, I don't have the answer for you, okay? But I think it would be a good thing for this TIG to work on.

COUNCILMEMBER COOK: Thank you, sir. That's good food for thought. And thank you for clarifying that question. Thank you.

MR. CROLY: Aloha.

CHAIR KAMA: Any other questions for our testifier? Seeing none. Thank you, Mr. Croly. Staff?

MS. MCKINLEY: Chair, the next testifier is the person calling in with the last four digits, 0146.

TESTIFIER 1: Aloha. Thank you so much, everyone. Can you hear me okay?

CHAIR KAMA: Yes.

TESTIFIER 1: Awesome. I really commend you guys. First, I want to thank you for all your endurance and all of your patience and due diligence. I support. Actually, on Granicus, I accidentally put "opposed", but I had to wrap my mind around the TIG instead of the Bill 9. I support the TIG group. I really appreciate you guys investigate this deeper to really understand placemaking as far as the impacts to the community, whether small businesses are local or remote. And I encourage you...on the Granicus comment I had mentioned to please, if possible, do a bus tour. Get in there. Put your feet on the ground. I have...I have a research background in real estate development, and I...I encourage you to look up placemaking and really do the work as far as what kind of community do you want. Your...what is your vision for the...for the locals that are in support of this bill? And how can you accommodate that on a case-by-case basis, building-for-building, street-by-street, community-by-community? And where it makes sense so that it is not just affordable, but the amenities aligned with the locals that would want to live in those units. And if they don't, then kindly please continue to let those buildings operate as STRs. I'm specifically from Mā'alaea, and my building is Milowai, which is zoned as Light Industrial/Apartment. So we're the only one on the Minatoya list that is listed that way. And I just ask you to just deeply consider it. I do support your investigative group. And I really appreciate in a best effort you guys will put in to research this further before making final decisions.

CHAIR KAMA: Member Sugimura has a question for you.

COUNCILMEMBER SUGIMURA: Thank you. I think...I just wanted to...clarification. Did I hear that your building is the only one on the A...or Minatoya list, or did I mishear?

TESTIFIER 1: I...it's the only one listed on the Minatoya list as Apartment/Light Industrial.

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COUNCILMEMBER SUGIMURA: Of all the condos in Mā'alaea, you're just saying in comparison?

TESTIFIER 1: In all of the condos on the Minatoya list.

COUNCILMEMBER SUGIMURA: Okay.

TESTIFIER 1: It has a light industrial use and back to its original declaration from when it was developed as defined as tourist and STR use. But I just wanted to also define that on the zoning for the Minatoya list, it's the only one that has a slash Light Industrial.

COUNCILMEMBER SUGIMURA: And what is the name of the property again?

TESTIFIER 1: Milowai.

COUNCILMEMBER SUGIMURA: Thank you.

TESTIFIER 1: Thank you.

CHAIR KAMA: Any other questions, Members? Seeing none. Thank you so very much. Staff?

MS. MCKINLEY: Chair, no one else has signed up to testify. Proceeding with last call. If anyone is in the audience or on Teams would like to testify, please come up to the mic to begin your testimony or use the raise-your-hand function on Teams, and Staff will unmute you. I will provide a brief countdown. Three...two...one. Seeing none, Chair. No one has indicated they wish to testify.

CHAIR KAMA: Thank you. Members, seeing as how there are no more individuals wishing to testify, without objection, I'll now close oral testimony. And as a reminder, written testimony will continue to be accepted into the record.

COUNCILMEMBERS: No objections.

. . . CLOSE PUBLIC TESTIMONY FOR ITEM HLU-4(1) . . .

CHAIR KAMA: Thank you. So Members, I would like to call upon our Committee Vice-Chair, Nohe U'u-Hodgins, to provide comments on her proposed TIG, and then I'll recognize Members afterwards for discussion. Member would like to come up here and do it, or you want to do it from your chair?

VICE-CHAIR U'U-HODGINS: I can do it from here if you don't mind, Chair.

CHAIR KAMA: No, go right ahead.

VICE-CHAIR U'U-HODGINS: But if you also don't mind, I would like to have Member Paltin go because one, she has her hand up, and I think she has about --

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CHAIR KAMA: Oh, right. She has to go.

VICE-CHAIR U‘U-HODGINS: -- 12-ish minutes before she needs to leave. So --

CHAIR KAMA: Yeah.

VICE-CHAIR U‘U-HODGINS: -- I can hold my comments --

CHAIR KAMA: Okay.

VICE-CHAIR U‘U-HODGINS: -- until she speaks. Thank you, Chair.

CHAIR KAMA: Okay. Member Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair and Vice-Chair. I just wanted to say I’m supportive of this, the makeup and everything. I know that there’s, like, a set defined number of time that the TIG can exist. And I think...I don’t know if we pass it today or later, that it shouldn’t start until Bill 9 passes. If Bill 9 doesn’t pass, it’s almost a moot point. And then just in all the points and stuff, I mean, I don’t know about that number 4, narrowing the scope to Bill 9, since it’s a Bill 9 TIG. But the other side of things that I would like to see also recommended is to identify Bill 9 properties that would be ideal for long-term residential living in terms of like, you know, affordability close to infrastructure and like that. But other than that, I’m generally supportive of everything. I’m not sure if the December 31st, 2025, date and how all that will work when...when both first and second reading of Bill 9. Also, I’m asking for, like, two-and-a-half weeks of you guys’ time for South Maui Community Plan, which it looks like we’re not going to get it in September. But other than that, I’m...I’m supportive of everything. I just don’t know if...what...how long we have to do a TIG and if it might need to be a little bit longer than December 31st. I don’t know if we can extend that time if we need it. But that’s all my comments. I’m supportive, with the caveat of my comments. And thank you so much. And I’ll try to listen for as long as I can, but I got to go meet the...the gang.

CHAIR KAMA: Okay. Take care. Okay. Member U‘u-Hodgins?

VICE-CHAIR U‘U-HODGINS: Thank you, Chair. As this Committee knows, this discussion of the TIG was birthed during the...during the conversation of Bill 9 in trying to figure out how to make this make the most sense. And this would provide the Council some time to do our due diligence in order to really take a deeper dive into Bill 9, which we really didn’t have the opportunity to do. I’m open to a date shift, but at the same time, I would like to begin sooner than later because right now it’s just right on the top of my brain as we have discussed everything related to Bill 9 for about the last...well, it’s a long time, but the last month really heavily. Member Paltin suggested we do this in one of their recesses, and she goes, you chair, I’ll vice-chair. So that’s why that’s there. And then Member Cook is part of South Maui, obviously, as a representative. And they also have a lot of the --

CHAIR KAMA: Yeah.

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VICE-CHAIR U'U-HODGINS: -- apartments, I guess --

CHAIR KAMA: The most impacted communities.

VICE-CHAIR U'U-HODGINS: -- to avoid Minatoya list on Bill 9, related to Bill 9. And then Member Sinenci wanted to join as well. I will also note that these are the Members that are not on Chair Lee's RPTR which I agree we could use a better name since Chair Lee got the word RPTR. But I...I got TIG, which is better than pig, so that's okay.

CHAIR KAMA: Yeah.

VICE-CHAIR U'U-HODGINS: And then as it relates to the things we're going to investigate, the purpose of the investigation, those four items were discussed quite heavily in your Committee as we were trying to figure out, again, how to make this the most sense. Since number 4 was brought up several times, there is no special process to call out for any one property to another, specifically as it goes from Apartment to Hotel. I...so that's why that language is like that. And we will work with the Planning Department to see if that even makes the most sense. But that's something we discussed in Committee. So these are the things, because we discussed in Committee, we have decided to continue to discuss in the TIG. The four of us will be voting Members, and we will take resources as we deem necessary to look into a couple of the things as we discussed, again, in Committee, similar to that RR105C and those condo documents to ensure there's adequate parking for hopefully the future residents, to determine if there's large, I want to say improvements, to the building that's going to require any special assessments to the future residents, as it'll be difficult to lend. We are also going to hopefully talk about the multi-zoned areas, as discussed in testimony. There was somebody with a Light Industrial use, but we do have several that's also Hotel zoned. We also wanted to discuss some of the shoreline areas and the impacts of the shoreline as it relates, again, to our...the potential difficulty for lending. So those are kind of the quick things we wanted to discuss. I also was hoping that this TIG would be able to kind of walk the property so we can take a look for ourselves in what these places look like. Lahaina Strong had done that for us on our behalf, and we used some of their discussion in Committee, which was very helpful. And so, I'm hoping the four of us can do the same. And when we report back to this Committee, and we continue to discuss what this TIG has done and Bill 9, we will have the ability to speak on what we saw and not just what we heard from everybody. I will happily take any questions, but I think that covers majority of what I was hoping to cover.

CHAIR KAMA: Chair Lee?

COUNCILMEMBER LEE: Yes. So, Member U'u-Hodgins, so if you start right away, when do you think you can finish?

VICE-CHAIR U'U-HODGINS: That's a great question. Considering we...we don't have the South Maui community stuff and our schedule's a little funky, even though you promised we're going to return to regular schedule, I'm hoping we can finish soon. I think the four of us are really interested in making sure this happens. I know Member

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Paltin said what she said earlier, but I'm hoping to start sooner than later.

COUNCILMEMBER LEE: Okay.

VICE-CHAIR U'U-HODGINS: And I don't...but I don't know how long this is going to take, but I'm...I don't...it shouldn't take too long considering Admin had this for a very long time. So I'm hoping they come to the table, which they have been reaching out to me, saying they're willing to work with us, ready to work.

COUNCILMEMBER LEE: If I could just make a comment.

VICE-CHAIR U'U-HODGINS: Please.

COUNCILMEMBER LEE: I think that Tom Croly's idea was a very good one.

VICE-CHAIR U'U-HODGINS: Yes.

COUNCILMEMBER LEE: Worth exploring because several years ago, when we created the R-0 zone in housing, there were...not every zoning ordinance fits every situation. So we recreated an overlay district on the R-0 zone where that would become administrative only.

VICE-CHAIR U'U-HODGINS: Okay.

COUNCILMEMBER LEE: So that the Council and Administration put together a criteria so, if people met that criteria, the Administration could grant that overlay district status. So anyway, something to think about and good luck with your...your project.

VICE-CHAIR U'U-HODGINS: I appreciate it. We're going to need the luck. I, too, don't disagree. I wrote down Member...I mean, Member Croly...Mr. Croly. See, this is what happens. Mr. Croly's comments because I think that's a good way to figure out a way for it to be expedited without completely upzoning the property.

COUNCILMEMBER LEE: I'm glad you...I'm glad you have Member Paltin on the...on the Committee because, of course, she's going to be a tremendous asset. I kind of disagree with her, with what she said. Take your time because if people vote no, you know, it's...it's poho, right? But I think there's no guarantee that everybody's going to vote no, number one. And even if the vote turns out that way, this would be good for the future anyway. Good legislation for the future. Thank you.

CHAIR KAMA: Member Sugimura, and then we're going to get on to Member Johnson and then Member Cook and continue on.

COUNCILMEMBER SUGIMURA: Thank you. I'm so supportive of seeing this happen and I...I...I think there can be a lot of benefits that'll come from reaching out to the community, which sounds like when the bill was put together, not enough was done that...not enough of that was done. So therefore, we'll see how this is going. So structurally, you have four Members, and I always heard that it has to be three. I don't

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know why. So maybe Corp. Counsel or somebody can...can tell me about that. Can we have four people on the TIG? I heard it was three.

MR. NUNOKAWA: The membership for TIGs is it just can't constitute a quorum of membership. So, depending on the size of the body, in this case, four could be allowable.

COUNCILMEMBER SUGIMURA: Okay. Good. And then where would you meet? Is it...you're going to open...is it going to be like Council, where you have published agendas?

VICE-CHAIR U'U-HODGINS: No.

COUNCILMEMBER SUGIMURA: No.

VICE-CHAIR U'U-HODGINS: No. A TIG, we don't have to. Luckily for us, I have Member Rawlins-Fernandez's TIG that they did, and she did in 2019. So the whole point of a TIG is to move quite quickly. It doesn't have to be agendized. We can have resources. We don't need to publish anything, but we do have somebody from my office staffing the TIG. We will have somebody from OCS also helping us staff the TIG to ensure that, you know, all the criteria of the TIG is being met. And I spoke to Nāhulu during our lunch recess, and he will also be a resource as well for us to ensure that we are meeting all the legal requirements.

COUNCILMEMBER SUGIMURA: Great. Thank you.

CHAIR KAMA: Okay. Member Johnson?

COUNCILMEMBER JOHNSON: Thank you, Chair. Just as a reminder, I went and visited all of the units, all the buildings on the Minatoya list. It took me some time. There's a lot of buildings, but I...I visited them all. And a few things that I'd like to add is in the TIG's purview, maybe you can consider if any, the...which buildings the County would be smart to purchase if we went down that route. Maybe some of those units in Kapalua, for example, wouldn't be a smart purchase. We don't want luxury, we want, you know, workforce housing. We want units that our...our folks can live in. So maybe the TIG can identify, if any, buildings the County could purchase, just like we did with the Haggai Institute. Well, the State purchases, and we...you know how that went. The...also, the idea, number 2, if you could expand it a little bit, because I, you know, I want to...I want to try to appreciate the intent of this about the economic and social impacts. Create a fund for residents who...who...with training, and that may need to pivot during this, you know. A story that reminds me of Lānaʻi is when, in 1992, Dole Pineapple Plantation shut down completely, and they pivoted to hotel. So there was a transition, and there's people still on Lānaʻi to this day to talk of that transition. So if we transition, let's learn the lesson of the past. Maybe we need a special fund to help folks, you know, pivot. That's something I think you guys could consider, if you don't mind me adding that to your plate. And then the other thing I'm a little bit concerned on is number 4 because I've been trying to get into Chapter 19, and every time Planning says, we're doing a rewrite, don't...you know, wait for us, and wait for us, and all that kind of...so what I've gotten out of the Department of Planning is when they address certain things in Chapter 19 is when we should talk about so that we don't, you know,

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double the work or...or work in silos. So if they're considering any type of rezoning for Apartment districts, that's the good time to work with them and say, hey, when are you guys...do...are you...is that on your radar? Are you planning to do any type of reorganization on how we do rezoning? And if they're, you know, willing to work with you guys, I think that'd be a really good outcome because God forbid, they say potato and you say potato, and now we're back at this stage where no one can agree and get anything done. So just those are some of my things I'd like for you to consider if possible.

VICE-CHAIR U'U-HODGINS: Thank you, I appreciate that. You know, I always found that interesting because I've never once heard anybody say potato, just saying that. But however, for number 4, I think that's where the discussion for an overlay is going to be important. But also lucky for us, Planning Department and Admin opened the door for the conversation of Chapter 19 because this is a Chapter 19 bill. And so, whether or not we discuss how to expedite the rezoning of, or creating an expedited process for the rezoning, I will also re-say that these four things we discussed. So Member Cook had one of...this was one of his amendments, and then we were talking about it on the floor. And so, it'll be interesting if we create only a process to help the expediting rezoning of Apartment to Hotel. I don't think that's kind of what we really want to do, but rather to make it less cumbersome on not only the applicant but also the Department, because it's extremely cumbersome. So, Planning is willing to come sit down with us, and even if they talk to us and tell us how it's done on their end, then at least that'll give us some discussion about it. And then Danny Dias is going to come and help us sit down because he's been in the Department for a really long time in ZAED doing this exact work. So I can't tell you what this is really going to look like, but I can tell you that it's going to be a discussion topic.

COUNCILMEMBER JOHNSON: Mahalo. Thank you, Chair.

VICE-CHAIR U'U-HODGINS: Yeah, thank you. And I appreciate your comments for sure.

CHAIR KAMA: So I just want to bring it to our attention that Member Keani Rawlins-Fernandez has joined us, and she's been here for a few minutes. So aloha, Councilmember Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha 'auinalā, Chair.

CHAIR KAMA: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: E kala mai for my tardiness. I am in my workspace at my private residence, alone.

CHAIR KAMA: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR KAMA: Aloha. Okay. And we left off with Member Johnson. Okay. Member Cook? Okay.

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COUNCILMEMBER COOK: Thank you, Chair. Thank you, Member U'u-Hodgins for this and look forward to working with our co-Members. I was on the TIG with Elle Cochran for affordable housing years ago, so I have had one opportunity to, as a citizen, participate in that process. I'm...I'm excited about this. I'm hopeful, and I think the community and the Administration will benefit from our reviewing this and being able to do a final report. I'm hopeful that everybody will feel heard. I think there's been so much tension, stress, anxiety regarding this issue because it's a huge issue. And that for us to actually go visit properties, to talk to people, and to be able to work with the Administration, to be able to work with the Planning Department, and to craft legislation that meets the goals and agenda...goals and objectives of identifying places that don't need to be built because they're already there and habitable, that would be...meet...meet the needs of our community. And being able to identify the places that are currently generating tax revenue and not meeting the goals and objectives. So I'm grateful to be part of this, and I look forward to be working closely with everybody on it. Thank you.

CHAIR KAMA: Okay. Member Sinenci?

COUNCILMEMBER SINENCI: Thank you, Chair, and can...for my recollection, we still have to pass Bill 9 on...

COUNCILMEMBER SUGIMURA: First reading.

COUNCILMEMBER SINENCI: -- first reading. So we still have both....both readings before the...the bill is passed. I was just curious because Member Paltin did bring up having us start the TIG after we pass the bill. So I...I didn't want to make...make like we're doing work on the TIG when we haven't passed the bill yet, only just in case there are things that come up that might, I don't know, influence any...any Members. Is that a...maybe, Mr. Nunokawa, can we still proceed with the TIG when we haven't kind of voted on the...the bill just yet?

MR. NUNOKAWA: Yeah. The formation of the TIG doesn't really influence the bill itself. So you can form a TIG at this time as long as you create the TIG correctly, create the scope of the membership, et cetera. So you're fine creating the TIG now.

COUNCILMEMBER SINENCI: Okay. And so long that it doesn't kind of clash with...with us either voting for the...for the bill. Yeah. And then for...you mentioned that we wouldn't need testimony every time we met. Okay.

VICE-CHAIR U'U-HODGINS: Yes. And maybe...maybe Corp. Counsel can say it for the record, and we can hear it from a lawyer.

COUNCILMEMBER SINENCI: Yes, please.

VICE-CHAIR U'U-HODGINS: This one I don't think varies though, but we don't to...we don't need public testimony. We can have resources, though, that can come and help us, the four of us make our...do our research and do our discussions. I will also say that on the last page, where it says duration and general rules, three affirmative votes are

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required to establish a recommendation. So there's four of us but only needs three to establish an official recommendation. But because there's a pretty decent balance between the four of us, I'm sure all the things we discussed will be discussed on the floor as well when we do start with the recommendation and ultimately continue on our work on Bill 9. But maybe Corp. Counsel can clarify that a TIG, not just this TIG, does not need to be agendized, nor does it take testimony.

MR. NUNOKAWA: Yeah. So TIGs fall under exceptions to HRS 92, Sunshine Law. So, because it's exempted, you don't need to go through the normal testimony, et cetera. It completely falls outside of there as long as you're adhering to the rules of TIGs.

COUNCILMEMBER SINENCI: And that way, kind of our discussions will go quicker without...okay. And then I...I do agree that we got...we had a lot of data that was presented to us during the whole process. And so...and I know that the...the Planning department has had a lot of input, including suggestions for us. So I would be supportive of hearing from them in...in our first couple of meetings. Yeah, thank you, Chair.

CHAIR KAMA: Yes.

MR. NUNOKAWA: There is just one thing I want to clarify. Because of how TIGs work, it...once the TIG is formed, the members of the TIG can't speak to any non-member about anything related to the TIG until they present. It falls outside of the normal you can discuss with one other Member. It's seen as a serial communication. If any of the members speak to any non-member that is on this body, you can speak to resources, et cetera, but you can't speak to any of the other members of this body about anything that you're discussing in the TIG.

CHAIR KAMA: Okay. Good? Member Rawlins-Fernandez, you want to comment, or...because we're in discussion regarding the TIG.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. And disclosure, both my children just got home from school. So if you see me talking to someone, that's...that's who they are. And I think my husband should be coming home anytime soon. He's not a minor, and his name is Mākena Fernandez.

CHAIR KAMA: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: All right. for Sunshine Law purposes. Okay. So I'm...I'm supportive. This is something that we discussed when we were, you know, in deliberations over Bill 9. So we knew that this was happening. TIGs are...can be a lot of work. Both TIGs that I chaired, one before the pandemic, one during the pandemic, had four members, and I thought they were very productive. We...we didn't...the...the first time we didn't record our meetings. But the second time, since it was during the pandemic, and, you know, we met remotely, we did record our meetings. So, do you know if you're going to plan to record them?

VICE-CHAIR U'U-HODGINS: That's a great question. I hadn't...I hadn't thought about that. I

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will say if I record the meetings, then that means I probably got to put on a little bit of makeup so that in perpetuity, I don't look like I was sick and tired that day. But that's...I haven't discussed that, but I will leave that up to, like, when we meet in the TIG and see how the other Members feel, for sure. But I think some of the...I think some of it being recorded will be helpful for...to keep that information and the discussion alive. But I appreciate that, thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah, totally. And then...oh, and then Chair Lee asked about when the TIG would be done with their work. So it does say in the, what is correspondence, December, the presentation would be given to the...this Committee, HLU, by December 31st, 2025. But of course, the TIG could complete its work before that. But yeah, so it'd have to be by December 31st, just in case that helps. And I think that's everything that I have right now. So, like Deputy Corp. Counsel Nunokawa shared, we...we didn't post any of meeting notices or agendas or take testimony or, you know, our meetings, of course, wasn't public. But we...we did have...I did have to do agendas for each of the times that we met. And then in the final report, all of...all of the agendas, the meeting notes, who we met with, you know, what organization they were from, why they served as a resource person, under what, you know, scope of investigation they were invited. And then, you know, as far as, like, the...the TIG's scope of investigation, a report covering the four items, A, B, C, and D.

VICE-CHAIR U'U-HODGINS: Chair, if I may?

CHAIR KAMA: Go ahead.

VICE-CHAIR U'U-HODGINS: Thank you for that, Member Rawlins-Fernandez. In the creation of the TIG, we were discussing how...I guess it used to be common practice...I know, there's somebody...

COUNCILMEMBER RAWLINS-FERNANDEZ: Is...is someone screaming?

CHAIR KAMA: Somebody's baby.

VICE-CHAIR U'U-HODGINS: We're...we're in live action.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay.

VICE-CHAIR U'U-HODGINS: Yeah. And so, we were discussing how we used to do TIGs, and then we really haven't since...since the ones that you have chaired. So I do have your committee...your TIG's recommendation and that thick pamphlet you folks put together. And we'll be using that as our resource.

COUNCILMEMBER RAWLINS-FERNANDEZ: Four hundred and sixteen pages.

VICE-CHAIR U'U-HODGINS: Just FYI. So thank you, I appreciate that. And I wanted to make that known, that we do have the former TIG's documentation, and we will be kind of obviously making something quite similar because that's how the rules work, but it was quite organized. So thank you.

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COUNCILMEMBER RAWLINS-FERNANDEZ: You're very welcome. The first one wasn't quite as thick. The second one was 416 pages, if I...if I believe. But yeah, we...in both, we worked really hard. And then the first one, the tax reform TIG, we passed a lot of the recommend...well, all of the recommendations, and then, you know, subsequently the other ones that we had not been able to cover in that first TIG. And we were always supposed to do another TIG on tax reform, so Chair Lee is convening that. That's all, Chair. Mahalo.

CHAIR KAMA: Okay. Members, do you have any other questions for our TIG leaders or our TIG Members? I just have one. So did you folks consider looking over the units that were...that whose conditions warrant housing, as opposed to units that have housing that are falling apart and that kind of stuff?

VICE-CHAIR U'U-HODGINS: I think that's...we didn't discuss it in Committee out loud during our discussion, but Member Paltin and I did have that discussion during recess because --

CHAIR KAMA: Yeah.

VICE-CHAIR U'U-HODGINS: -- when she attempted to do something similar a few years ago, that was something she considered, as well as some of the other issues. But yes, we will definitely look into that.

CHAIR KAMA: Because if we're going to think about rehousing, we want them to move in right away and not wait for some cleanups and R&Ms and things like that.

VICE-CHAIR U'U-HODGINS: Yeah. That's when the...as we discussed in Committee, those RR105C condo documents that show --

CHAIR KAMA: Okay.

VICE-CHAIR U'U-HODGINS: -- all the proposed improvements will be really important, especially if there's, like, big projects, like roofing or underground plumbing and the special assessments that are required with those. We'll at least take into consideration and discuss those and how to move forward to ensure that we can actually have those for --

CHAIR KAMA: Okay.

VICE-CHAIR U'U-HODGINS: -- attainable rentals, I think --

CHAIR KAMA: Yes.

VICE-CHAIR U'U-HODGINS: -- is the term we're using. Yeah. But thank you, Chair, I appreciate that.

CHAIR KAMA: Okay. No, thank you. So Members, any more questions for our TIG? Okay.

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We're going to take our afternoon break for ten minutes. So we're at recess until 2:52 p.m. . . .(gavel). . .

RECESS: 2:42 p.m.

RECONVENE: 2:55 p.m.

CHAIR KAMA: . . .(gavel). . . Will the recessed Housing and Land Use Committee meeting of August 20th please reconvene at 2:55 p.m. So we're back. Thank you, Members, for that break. So Members, do you have any other questions? Do you have any other comments towards the TIG? If not, I'd like to entertain a motion to establish the temporary investigative group on policies and procedures for transient vacation rental uses in the Apartment districts as described in the proposal transmitted by correspondence dated August 13th, 2025, from...from Committee Vice-Chair U'u-Hodgins.

VICE-CHAIR U'U-HODGINS: So moved.

COUNCILMEMBER SUGIMURA: Second.

CHAIR KAMA: It's been moved by Committee Vice-Chair U'u-Hodgins, seconded by Yuki Lei Sugimura, to recommend creation of the TIG. Discussion, Members? Yes, Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. Just for a quick discussion, change can be hard, but moving forward, I think this TIG could bring...bring us together, bring the community together, and I think it's sorely needed on a time like this. For myself, I think commodification of our housing stock has gotten us in this mess, and I hope we can put ourselves in the shoes...I hope the TIG folks can put themselves in the shoes of our coworkers, of our classmates, of our residents, of the people who this benefits, and I think that should be the focus. That's my remarks. Thank you, Chair.

CHAIR KAMA: Well said, Mr. Johnson. Any other remarks, discussion? Member U'u-Hodgins?

VICE-CHAIR U'U-HODGINS: Thank you, Chair. I would just like to thank everybody who's willing to participate, and I appreciate everybody's support. I look forward to what the TIG can do, and I am in those shoes. So, you know, it's...it's all of us, and we're in it together. So I appreciate those words too. And we can't discuss it after we do it, but when we present, I think we'll have a good discussion there as well to this Committee. And thank you. That's all.

CHAIR KAMA: Thank you. Any other discussion, remarks? Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Okay. So some of the questions or things that the TIG intends to explore, such as analyze how phasing out TVR use...I...well, I'm just going to assume in this context that it means in A-1/A-2 zone will impact the surrounding community and the County as a whole. I did a PAF for OCS to...to answer that question. Remember when we were putting together the scope of

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work for the RFP to contract out someone to do this, and then that didn't go through. I think Mr. Krueger may have worked on one report, and then I had another report, so I can transmit that to the TIG, too, if you'd like to include that in your review.

CHAIR KAMA: Member Hodgins is nodding her head.

VICE-CHAIR U'U-HODGINS: Yes, thank you.

CHAIR KAMA: Okay. Good.

COUNCILMEMBER RAWLINS-FERNANDEZ: Awesome. Fully support. Mahalo, Chair.

CHAIR KAMA: Thank you. Member Sugimura?

COUNCILMEMBER SUGIMURA: Just have a kind of general question before we vote. So can the recommendations of the TIG come up with amendments to recommend to Bill 9, or is it completely separate, or how does that work?

VICE-CHAIR U'U-HODGINS: I think we can discuss that, probably in the TIG, what's the best way to move forward.

COUNCILMEMBER SUGIMURA: Okay. Thanks. Just curious.

CHAIR KAMA: Okay. Any other discussion, Members? Yes, Member Keani Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I think some of the items listed in the investigation scope are some of the things that we kind of discussed as potential amendments. But it...it doesn't include that per se, like recommendations to amendments to Bill 9 specifically. So I don't know if that would be considered outside the scope of investigation.

CHAIR KAMA: Interesting. So...

COUNCILMEMBER RAWLINS-FERNANDEZ: And they have until December to do this work. And then I don't know if Chair Lee would be able to share when Bill 9 would be scheduled for first reading.

COUNCILMEMBER LEE: I had originally hoped it would have been September 23rd, but the way the schedule is now, it's really hard to say.

COUNCILMEMBER RAWLINS-FERNANDEZ: Not for two months after the Committee completed its work?

COUNCILMEMBER LEE: We took a long time on Wailea 670. And then, as you probably know, we were trying to accommodate, actually, your request for meeting in the district. And that took a while because we had to check around for facilities. And then finally, we couldn't get one. And we had the...the two-day public hearing here. And it's the same

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thing with us trying to get a facility in the district because we're anticipating...I'm anticipating that question will come up again. So that takes time. You know, those things take time. Facilities are not always available. So then what's...what's going to happen is we might find a facility in the district, but then we can't receive online testimony. And people are going to complain about that, too. Or we have it back in the Chamber and not in the district, and then people are going to complain about that, too. So, you know, it's really...it's really not an easy fix. And we're...we're trying. Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. So, Bill 9 is different than Wailea 670 because Wailea 670 was only one district. Bill 9 actually affects multiple districts. And we had talked about this. So, if not South Maui, West Maui would also be appropriate. Moloka'i has two. Hāna has one. So, you know, I mean, but South Maui, West Maui most impacted by Bill 9. So but West Maui could be considered for a meeting as well.

COUNCILMEMBER LEE: Yeah, we're trying. Actually, I was trying to do two, the two main districts.

COUNCILMEMBER RAWLINS-FERNANDEZ: For first and second meeting, is it going to be a . . . *(inaudible)* . . .

COUNCILMEMBER LEE: No. No, only for second reading. Only for second reading.

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, okay.

COUNCILMEMBER LEE: So only for second reading. One day would be set aside for...the evening. One evening would be set aside for West Maui. The...the other evening would be set aside, I mean, in the district now, in South Maui. That's what we're trying to achieve.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. And...but...so it's because of the facilities that's holding this up?

COUNCILMEMBER LEE: The facilities and the connectivity.

COUNCILMEMBER RAWLINS-FERNANDEZ: I'm going to make a call to Director McCall. Mahalo, Chair.

CHAIR KAMA: Okay. So I think I wanted to ask that question of Mr. Nunokawa. The question that Member Sugimura asked about the amendment. If amendments can come from the TIG, if...if that's possible. Right? Was that your question? And if it had to come before or after the bill? If you're still...

MR. NUNOKAWA: So...so the TIG itself can't make any amendments. It can propose recommendations for amendments. But the TIG itself has no authority to change anything that would require a quorum of this body. In terms of whether it can make recommendations on Bill 9, I think that in the scope of investigation under 4, it says identify which beneficial changes to policies and procedures require legislative proposals and actions by Council, that could potentially fall under that. That that's something

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that would require Council action, and they'd make recommendations of how that would change.

CHAIR KAMA: Go ahead, Member U'u-Hodgins.

VICE-CHAIR U'U-HODGINS: Thank you. I think it's probably worth discussing all the things we can't discuss on the floor during open session that we discussed in executive session. It...I think in this case, I'm going to pretend like I'm a lawyer, and I think it varies. I think it all really depends, which is why I didn't want to answer that question earlier. So I think we will have that discussion in the TIG.

CHAIR KAMA: Okay. Very good. Thank you.

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

CHAIR KAMA: Yeah. You'll all talk later. Okay.

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

CHAIR KAMA: Okay. Members, if there are no other discussions, I'd like to call for the vote. All those in favor of the recommendation of the creation of the TIG, please raise your right hand and say "aye."

COUNCILMEMBERS: Aye.

CHAIR KAMA: And I only see eight. I see only eight. Okay. With Member Tamara Paltin being excused.

VOTE: AYES: Chair Kama, Vice-Chair U'u-Hodgins, and Councilmembers Cook, Johnson, Lee, Rawlins-Fernandez, Sinenci, and Sugimura.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmember Paltin.

MOTION CARRIED.

ACTION: ESTABLISH temporary investigative group, including purpose and scope of the investigation, membership, duration, and general rules.

CHAIR KAMA: Okay. Thank you, Members, for being here all day today and for passing two

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very important things today. So at this time, it is 3:06 p.m. There was nothing else on the calendar. And so, the HLU Committee meeting is now adjourned. Feels so good to say adjourned. . . .(*gavel*). . .

ADJOURN: 3:06 p.m.

hlu:min:250820:ds

Transcribed by: Daniel Schoenbeck

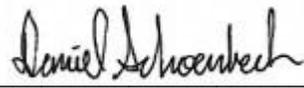
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CERTIFICATION

I, Daniel Schoenbeck, hereby certify that pages 1 through 27 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 27th day of August 2025, in Wailuku, Hawai'i



Daniel Schoenbeck