

HOUSING AND LAND USE COMMITTEE

Council of the County of Maui

MINUTES

February 11, 2026

Online Only via Teams

CONVENE: 9:03 a.m.

PRESENT: Councilmember Nohelani U‘u-Hodgins, Chair
Councilmember Tom Cook, Member
Councilmember Alice L. Lee, Member
Councilmember Tamara Paltin, Member
Councilmember Keani N.W. Rawlins-Fernandez, Member
Councilmember Shane M. Sinenci, Member

EXCUSED: Councilmember K. Kauanoë Batangan, Vice-Chair
Councilmember Gabe Johnson, 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):

Keomailani Hirata, 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

ADMIN.: Mimi Desjardins, First Deputy Corporation Counsel, Department of the
Corporation Counsel
Uilani Goods, Deputy Corporation Counsel, Department of the Corporation
Counsel
Richard E. Mitchell, Director, Department of Housing

OTHERS: Testifiers
Jasee Law

Others (35)

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

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CHAIR U‘U-HODGINS: . . .(*gavel*). . . Good morning, everyone. Will the Land Use...Housing and Land Use Committee meeting of January 5th, 2026 [*sic*], please come to order. It is 9:03 a.m. Hold on. I’m the Chair of this Committee, Nohelani U‘u-Hodgins. Members, in accordance with the Sunshine Law, please identify by name who, if anyone, is in the room, vehicle, or workspace with you today. Minors do not need to be identified. Committee Vice-Chair Kauanoe Batangan is excused. So we’ll say good morning to Councilmember Tom Cook.

COUNCILMEMBER COOK: Good morning, Chair. There’s nobody in the Kihei office currently for testimony, but we have staff there and look forward to the meeting.

CHAIR U‘U-HODGINS: Thank you. Member Gabe Johnson is excused as well. So we’ll say good morning to Council Chair Alice Lee.

COUNCILMEMBER LEE: Osiyo from Oklahoma, the Cherokee Nation. And I am here in my home workspace, alone, looking forward to your meeting. Thank you.

CHAIR U‘U-HODGINS: Thank you. Can you say that again? Osiyu (*phonetic*).

COUNCILMEMBER LEE: Osiyo.

CHAIR U‘U-HODGINS: Osiyo. Okay. Osiyo. Osiyo, Member Paltin. Good morning.

COUNCILMEMBER PALTIN: Aloha kakahiaka and osiyo kākou.

CHAIR U‘U-HODGINS: Councilmember Rawlins-Fernandez, I don’t see online yet. She will hopefully be with us shortly.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha kakahiaka, Chair.

CHAIR U‘U-HODGINS: Oh, aloha.

COUNCILMEMBER RAWLINS-FERNANDEZ: I’ll...I’ll get my video on in just a second.

CHAIR U‘U-HODGINS: Perfect.

COUNCILMEMBER RAWLINS-FERNANDEZ: I’m at my private residence, alone here, and there are currently no testifiers at the Moloka‘i District Office. Mahalo, Chair.

CHAIR U‘U-HODGINS: Thank you. Osiyo to Member Sinenci.

COUNCILMEMBER SINENCI: Aloha kakahiaka, Chair and osiyo kākou. Here at my home office. I’m here by myself, and there are no testifiers in Hāna, Chair.

CHAIR U‘U-HODGINS: Thank you very much. And Councilmember Sugimura is excused. From Administration, today we have Director of Housing Remi Mitchell. We have Deputy Corporation Counsels Mimi Desjardins and Uilani Goods. We also have with us our HLU Committee Staff. And good morning, everyone.

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ITEM 8: BILL 14 (2026), AMENDING SUBSECTION 2.96.090(D), MAUI COUNTY CODE, ON THE SELECTION PRIORITY FOR RESIDENTIAL WORKFORCE HOUSING OWNERSHIP UNITS (HLU-8)

CHAIR U‘U-HODGINS: We have before us today just one item on our agenda, Bill 14 (2026). Last year, the Council passed Bill 40, CD1 (2025), which is now designated as Ordinance 5875, to make various changes to the County’s Residential Workforce Housing Policy. One change gave the County the second priority to purchase units after the wait list has been exhausted for all residents. Before the bill passed first reading, Councilmember Kama introduced these amendments to further clarify the order of the priorities: Residents first, and the County, then nonresidents. The Council did not approve those amendments. We...she tried to do those on the floor, and I think it created a little bit of confusion. But we’re here now to fix those up. We’ve introduced Bill 14 and scheduled it today, so we can further discuss and consider clarifying the priority order. Bill 14 also reinserts requirements for documents verifying the sale of workforce housing units, which were inadvertently omitted from Ordinance 5875, and to except the County from the requirements. Again, we have with us Director of Housing, who said he has no opening comments, unless you’ve changed your mind. No minds have been changed. Do we have any testifiers?

MR. KRUEGER: Chair, there’s currently no one --

. . . BEGIN PUBLIC TESTIMONY FOR ITEM HLU-8 . . .

CHAIR U‘U-HODGINS: Okay. As he’s walking down, I’ll read what I need to say. Testifiers wanting to provide testimony should sign up in the lobby, join on the meeting, online meeting via Teams link or call in to the phone number noted on today’s agenda. Written testimony is encouraged and can be submitted via the eComment link at mauicounty.us/agendas, as well. For individuals wishing to testify via Teams, please raise your hand by raising...by clicking on the raise-your-hand button. If calling in, please follow the prompts via phone, star-5 to raise and lower your hand, star-6 to mute and unmute. Staff will add names to the testifier list in the order that testifiers sign up or raise their hands. For those on Teams, Staff will lower your hand once your name is added. Staff will then call your name you’re logged in under or the last four digits of your phone number when it is your turn to testify. At that time, staff will also enable your microphone and video. Please ensure your name appears in Microsoft Teams as the name you prefer to be referred as, or as anonymous if you wish to testify anonymously. If you are 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. Oral testimony is limited to three minutes. If you’re still testifying beyond that time, I will kindly ask you to complete your testimony. Once you are done testifying, or you do not wish to testify, you can also view the meeting on *Akakū* Channel 53, Facebook Live, or mauicounty.us/agendas. We will do our best to take each person up in an orderly fashion. And now the first testifier is able to testify. Go ahead, Mr. Law.

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MR. LAW: Oh, I wish you could say that in Hawaiian, Chair. Luna Ho'omalua, Nohelani. My name is Jasee Law from Kula Uku Waiakoa Ahupua'a. And I would like to thank the...the people in the Council Services office because they got it, the agendas are getting better every time. I'm happy to see Mr. Cook's here because this is an easy one to say, Mr. Cook. Oh, sorry, Nohelani, I'm not supposed to talk with him. E HO'OLOLI ANA I KA 'APANA 2.96.090 KA PAPA KĀNĀWAI O KE KALANA O MAUI, E PILI ANA I KE KA'INA KOHO NO KA HALE HO'OHĀLE LIMAHAHA E KŪ'AI 'IA MAI. That's residential workforce housing. And that's right up Mr. Cook's alley. Oh, and thank you. I reserve the rest of my time for the Hawaiian people.

CHAIR U'U-HODGINS: Thank you. Staff, do we have anybody else signed up to testify?

MS. MCKINLEY: No, Chair. Proceeding with last call. If anyone in the audience or on Teams would like to testify, please come up to the mic and begin your testimony, or use the raise-your-hand function on Teams. I'll provide a brief countdown...three, two, one. Chair, seeing no one has indicated they wish to testify.

CHAIR U'U-HODGINS: Thank you. Members, seeing there are no other individuals wishing to testify, without objection, I will now close oral testimony.

COUNCILMEMBERS: No objections.

CHAIR U'U-HODGINS: Thank you. Written testimony will continue to be accepted.

. . . CLOSE PUBLIC TESTIMONY FOR ITEM HLU-8 . . .

CHAIR U'U-HODGINS: We're going to go straight into discussion. I will implement a three-minute discussion period. So please ask your questions. Director Mitchell is here, I'm here, I will do my best. So if anybody has questions, please raise your hand. Member Paltin.

COUNCILMEMBER PALTIN: Thank you. Just for the record, I just wanted to double-check--Mr. Mitchell is okay with this verbiage and intent.

CHAIR U'U-HODGINS: Thank you.

MR. MITCHELL: Thank you, Chair. Thank you, Member Paltin, for the question. Yes, the Department of Housing is fine with the language of the bill.

COUNCILMEMBER PALTIN: Okay. I have no further questions.

CHAIR U'U-HODGINS: Thank you. I appreciate that. Members, any other questions? I think it's quite straightforward; it does reorganize and solidify the priority list. Member Cook.

COUNCILMEMBER COOK: Yeah. Thank you. So, Director Mitchell, how is the County set up for participating and tracking, as far as the different 90-day...the variance between the initial offer and the AMI category that qualified for it? And if it doesn't sell in that

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amount of time, then it shifts to another one. And it doesn't...then there's another 90 days, shifts to another one, and the County has the opportunity to purchase it if nobody else does. I mean, just this is paraphrasing it. So, how are we for mapping that?

MR. MITCHELL: Thank...thank you, Chair. And thank you, Member Cook, for the question. The way that works, Member Cook, is the Department works closely with the developer. The developer is obviously incentivized to let us know what the status is of the home sales. And when they're unable to sell a particular AMI, if they've gotten through all the residents, the way I read this bill, is they then have an obligation to notify the Department so it can exercise its...its opportunity. It's at that point that we would figure out the AMI category that's involved.

COUNCILMEMBER COOK: Thanks. I recognize it's the developer who is basically managing all of this. I'm just curious about the...and I'm...some part of all this. I'm just curious because one of the...the interaction between the developer making these decisions, as far as shifting gears because they don't have a buyer within that time frame, does the County participate in that, or just notified?

MR. MITCHELL: Thank you for the question, Member Cook. There is an enormous amount of back-and-forth communication between Department staff and the developer during the sales period.

COUNCILMEMBER COOK: That answers my question. Thank you very much.

CHAIR U'U-HODGINS: Thank you. Member Rawlins-Fernandez.

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

MR. MITCHELL: Aloha, Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: So, happy Wednesday. Okay. I understand the bill. And I understand that the developer would then report to the Department. Would you be opposed to adding a requirement for the Department to then submit a final report to the Council so that we can have it as, like, a county communication for public record?

MR. MITCHELL: Absolutely. I would not be...I would absolutely not be opposed to more public disclosure. Though I probably have a little hint of hesitation in my voice because we do have something in the order of twenty-plus different reports we have to do, and they...they seem to increase every time there's another major piece of legislation that comes through. So I'm...I'm cautious because there's just a lot of reporting that we do. And so, in this instance, though, I think it's really important that the public is aware when the County's exercising that right to purchase back the properties.

COUNCILMEMBER RAWLINS-FERNANDEZ: I think we would have to approve that, though, right? If the County is going to be purchasing any other properties. So that...that part would be public. But, I mean, for...so it, like, it reorders the selection process, and then it, like, clarifies the acquisition part of it if the County is the buyer. I'm talking about for, like, the workforce housing units. So if...if there's, like, a 100 workforce housing

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units regardless of, like, how it's sold or, you know, if the County is the buyer, or whatever AMI or residents or nonresidents, that be reported to the Council for public record. Like, all 100 units. And the reason I'm asking this is because of questions that you received when you...within the first year of you being our Housing Director, about tracking and you...you know, your response was that you just got there and doing that tracking is going to take a lot of work. And so, while I'd love for you to be there forever, we know you're not going to be Director forever. And forever, who's...for anyone that's going to be, you know, succeeding you, then it...to me, it creates like a easier, like, documentation record to find, I guess, for the next . . . *(timer sounds)*. . . Department.

MR. MITCHELL: Thank you for the statement. I don't think that was a question. But I agree, the Department of Housing needs to continuously improve in a variety of areas. One of which is providing resources to track what we're doing with housing. So we've already had a soft launch of our housing tracking website. So if you go to the Department of Housing's website now, you will see a list of ongoing projects. That is the first of several initiatives where we're trying to create databases to track housing. Another would include tracking how credits are transferred, and yet another would include tracking the residential workforce housing agreements and...and purchases under those agreements by the County. So there's going to be this continual expansion of that site to provide Member Rawlins-Fernandez, an easy resource of the database because I...I'm acutely aware that both the Department and the community of developers are, like, are struggling to figure out where that data is. And then when we get asked, as I was within my first few months, to provide enormous amounts of data, the effort to find it was incredible. . . . *(laughing)*. . . So we'll get there eventually in creating the databases so that...that is sort of the legacy reservoir of information that will make it easier for successors.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Director. Chair, I did hear the timer. I just have a follow-up on that. And so --

CHAIR U'U-HODGINS: Go ahead.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- this reservoir of information, documentation, it is not required, right?

MR. MITCHELL: Correct.

COUNCILMEMBER RAWLINS-FERNANDEZ: It's discretionary, your discretion.

MR. MITCHELL: Correct.

COUNCILMEMBER RAWLINS-FERNANDEZ: I mean, I love the confidence that you have in this being a legacy that's continued. I don't know if I have the...share that same confidence, and I kind of would like to require that instead of hoping the next Director would pick up where...wherever you leave off. And so, perhaps it's not this bill, perhaps it's, you know, some another bill or something. But I'd like to require that. Would you be opposed to that? And would you work with me on something that would require it?

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MR. MITCHELL: Thanks for the question, Member Rawlins-Fernandez. I heard three questions there. I'm going to choose to answer one of them. And I'm going to...the one I'm going to answer is I'd love to work with you on that.

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

CHAIR U'U-HODGINS: I guess for my future understanding, are you wanting to track the changes that happen in the AMI categories when they maybe have difficulty selling, and they have to change? And then we would get a county communication?

COUNCILMEMBER RAWLINS-FERNANDEZ: I think like some part...mahalo for the question, Chair. So, you know, part of the discussion that we've had, especially since you and Member Cook joined the...the Council --

CHAIR U'U-HODGINS: Uh-huh.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- is, you know, like, who is this workforce housing going to? Is it going to people that we intended to go to?

CHAIR U'U-HODGINS: Uh-huh...uh-huh.

COUNCILMEMBER RAWLINS-FERNANDEZ: And we don't even know that. We don't even...we can't even answer that question. We have some, you know, what...what is it called, allegorical examples, but we don't really...we don't have the data and, like, I...I think with this reservoir of documentation, that the database that Director Mitchell is creating, we'll...we'll have some of that, you know, definitive, hard data to answer this question. And I'm...I'm hoping that this also tracks when the deed restrictions for affordability ends. And then what happens to these housing?

CHAIR U'U-HODGINS: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: Do they remain in local hands, resident hands, or are they...are these subsidies then cashed in for whoever won that lottery to get this workforce housing --

CHAIR U'U-HODGINS: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- and then cash in on all the government subsidy and then, you know, like then it gets split and out of affordability, out of our affordable housing inventory or our workforce housing inventory. So we don't...we don't even...we don't track that. So I want us --

CHAIR U'U-HODGINS: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- to track that, and I want it to be required so that it's for sure then and not just because we have a good Director.

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CHAIR U‘U-HODGINS: Confuse the two haole . . .*(inaudible)*. . . my bad. Anyways, well, that is it. Members, thank you so much for spending these last 22 minutes with us. This concludes the HLU meeting. Thank you. It is 9:22 a.m. And this meeting is adjourned. . . .*(gavel)*. . .

ADJOURN: 9:22 a.m.

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Transcribed by: Cheryl von Kugler

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CERTIFICATION

I, Cheryl von Kugler, hereby certify that pages 1 through 9 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 4th day of March 2026, in Wailuku, Hawai'i



Cheryl von Kugler