

**MAUI COUNTY COUNCIL
REGULAR COUNCIL MEETING
MINUTES**

**November 20, 2023
9:00 AM**

Pursuant to §92-3.7, Hawaii Revised Statutes, the meeting was conducted as a remote meeting by interactive conference technology, via BlueJeans <https://maui.bluejeans.com/295235670>.

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

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

Meeting called to order at 9:09 a.m.

A. Roll Call

Councilmember	Pres.	Abs.	Exc.	Time(s) In/Out (during meeting)
CM Pro Tempore Tasha Kama	√			Excused from 1:25 p.m.
Vice Chair Yuki Lei Sugimura	√			
CM Tamara Paltin	√			
CM Gabe Johnson	√			Excused from 1:25 p.m.
CM Keani Rawlins-Fernandez	√			
CM Tom Cook	√			
CM Nohelani U'u-Hodgins	√			
CM Shane Sinenci	√			
Chair Alice L. Lee	√			
TOTAL PRESENT	9			

B. OPENING REMARKS – Councilmember Pro Tempore Tasha Kama

C. PLEDGE OF ALLEGIANCE TO THE FLAG

D. TESTIMONY ON CEREMONIAL RESOLUTIONS

E. CEREMONIAL RESOLUTIONS – none

F. CONSENT CALENDAR – none

G. PRESENTATION OF WRITTEN OR ORAL TESTIMONY

H. MINUTES – none.

I. ACTION ON THE CONSENT CALENDAR – none

J. COMMUNICATIONS

CC 23-36 COUNCIL CHAIR LEE, transmitting a proposed amendment to Bill 105 (2023), entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF FIRE AND PUBLIC SAFETY".

Postponed to consideration of Bill 105.

CC 23-37 COUNCIL CHAIR LEE, transmitting a proposed amendment to Bill 106 (2023), entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, DEPARTMENT OF WATER SUPPLY, ADMINISTRATION PROGRAM; CAPITAL IMPROVEMENT PROJECTS AND APPENDIX C, DEPARTMENT OF WATER SUPPLY"

Postponed to consideration of Bill 106.

K. COMMITTEE REPORTS

CR 23-92 Recommending FILING of Bill 99 (2023) to amend the Fiscal Year 2024 Budget, Appendix B, Revenues - Fees, Rates, Assessments and Taxes, Department of Finance, General Fund, Penalty and Interest - TAT, to delete language that reads, "Up to 20% penalty, Return filed by the due date and the tax is not completely paid within 60 days of the filing due date."

	AYE	NO	EXC	Time Deliberations Began	9:28 a.m.
Pro Tem Kama	√			Time Motion Made	9:28 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	9:29 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

CR 23-93 Recommending ADOPTION of Resolution 23-218 to amend the Fiscal Year 2024 Budget within the Department of Planning by transferring \$13,397 from the Administration and Planning Program - General, Category B (Operations & Equipment) to the Administration and Planning Program - Dune and Shoreline Management, Category B (Operations & Equipment).

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

CR 23-94 Recommending FIRST READING of Bill 96, CD1 (2023) to amend the Fiscal Year 2024 Budget by amending Section 3.B.10.c.(2).(iv), Office of the Mayor, Economic Development Program, Wailuku Economic Development, Environmental, and Cultural Programs; and Section 3.B.10.c.(2).(xxix), Office of the Mayor, Economic Development Program, West Maui Economic Development, Environmental, and Cultural Programs; to update the fiscal sponsor for ReTree Hawai'i from "Lōkahi Pacific" to "Nā Koa Manu Conservation, Inc."

	AYE	NO	EXC	Time Deliberations Began	9:31 a.m.
Pro Tem Kama	√			Time Motion Made	9:32 a.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	9:33 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

CR 23-95 Recommending FIRST READING of Bill 100, CD1 (2023) to amend the Fiscal Year 2024 Budget, Appendix A, Part I, Grants and Restricted Use Revenues - Schedule of Grants and Restricted Use Revenues by Departments and Programs for Fiscal Year 2024, by adding a new grant under the Department of Management, entitled “Office of Justice Programs Bureau of Justice Assistance - Byrne Discretionary Community Project Funding/Byrne Discretionary Grant Program,” in the amount of \$180,000.

	AYE	NO	EXC	Time Deliberations Began	9:33 a.m.
Pro Tem Kama	√			Time Motion Made	9:34 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	9:35 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

CR 23-96 Recommending FIRST READING of Bill 97, CD1 (2023) to amend the Fiscal Year 2024 Budget, Appendix A, Part I, Grants and Restricted Use Revenues - Schedule of Grants and Restricted Use Revenues by Departments and Programs for Fiscal Year 2024, for the Department of Housing and Human Concerns by adding a new grant, entitled “American Rescue Plan Act of 2021 - Emergency Rental Assistance Program #2 (ERA #2)” in the amount of \$322,248.

	AYE	NO	EXC	Time Deliberations Began	9:35 a.m.; recalled at 9:48 a.m.
Pro Tem Kama	√			Time Motion Made	9:36 a.m.; Motion reconfirmed: 9:51 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	9:51 a.m.
CM Cook	√				

CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

CR 23-97 Recommending FIRST READING of Bill 101, CD1 (2023) to amend the Fiscal Year 2024 Budget by: 1) amending Section 2, Estimated Revenues, by increasing Carryover/Savings from the General Fund by \$1,300,000; 2) amending Section 3.B.14.d., Department of Police, Technical and Support Services Program, by increasing Category B (Operations & Equipment) and Total appropriations by \$1,300,000; and 3) adjusting the totals accordingly.

	AYE	NO	EXC	Time Deliberations Began	9:42 a.m.
Pro Tem Kama	√			Time Motion Made	9:43 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	9:44 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

CR 23-98 Recommending the following: 1. FIRST READING of Bill 115 (2023) to add Pākalā (Kamehameha Iki Park) to the list of historic and cultural sites eligible for preservation and restoration under the Hawaiian Cultural Restoration Revolving Fund; and 2. FILING of communication.

	AYE	NO	EXC	Time Deliberations Began	9:44 a.m.
Pro Tem Kama	√			Time Motion Made	9:45 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	Rawlins-Fernandez
CM Johnson	√			Secunder	Johnson

CM Rawlins-Fernandez	√			Time Vote Taken	9:48 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	9:46 a.m.
VC Sugimura	√			Motion	AMEND
CM Paltin	√			Maker	Rawlins-Fernandez
CM Johnson	√			Secunder	Paltin
CM Rawlins-Fernandez	√			Time Vote Taken	9:48 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

CR 23-99 Recommending FIRST READING of Bill 70, CD1 (2023), to allow the transfer of an existing Conditional Permit held by Janice Fairbanks and Thomas N. Fairbanks III to Joshua Ramu Tremblay, for the Old Wailuku Inn at Ulupono situated at 2199 Kaho‘okele Street, Wailuku, Maui, Hawaii.

	AYE	NO	EXC	Time Deliberations Began	9:51 a.m.
Pro Tem Kama	√			Time Motion Made	9:52 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	Kama
CM Johnson	√			Secunder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	9:53 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

CR 23-100 Recommending ADOPTION of Resolution 23-195, to refer to the planning commissions a bill to allow composting and co-composting operations in the Agricultural District under certain conditions.

	AYE	NO	EXC	Time Deliberations Began	9:54 a.m.
Pro Tem Kama	√			Time Motion Made	9:54 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	Kama
CM Johnson	√			Secunder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	9:55 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

L. RESOLUTIONS

Reso 23-228 "APPROVING PROPOSALS FOR INCLUSION IN THE 2024 HAWAII STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE"

	AYE	NO	EXC	Time Deliberations Began	10:15 a.m.
Pro Tem Kama	√			Time Motion Made	10:15 a.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	Paltin
CM Johnson	√			Secunder	Johnson
CM Rawlins-Fernandez	√			Time Vote Taken	10:22 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC	Time Deliberations Began	10:21 a.m.
Pro Tem Kama	√			Time Motion Made	10:21 a.m.
VC Sugimura	√			Motion	WAIVE Rule 7G

CM Paltin	√			Maker	Paltin
CM Johnson	√			Secunder	Johnson
CM Rawlins-Fernandez	√			Time Vote Taken	10:21 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Reso 23-229 "AUTHORIZING SETTLEMENT OF LOU BAFFA V. COUNTY OF MAUI AND MAUI ELECTRIC CO. LTD., CASE NO. 2CCV-22-00163"
10:22 a.m.: referred without objection to the Government Relations, Ethics, and Transparency Committee

Reso 23-230 "KA HO‘OMANA‘O ‘ANA I KA LĀ HO‘OMANA‘O 30 O KA HO‘OHOLO ‘ANA I KE KĀNĀWAI AUPUNI 103-150, KA "ÖLELO HO‘OHOLO MIHI"

"COMMEMORATING THE 30TH ANNIVERSARY OF THE ENACTMENT OF PUBLIC LAW 103-150, THE 'APOLOGY RESOLUTION"

	AYE	NO	EXC	Time Deliberations Began	10:22 a.m.
Pro Tem Kama	√			Time Motion Made	10:23 a.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	Rawlins-Fernandez
CM Johnson	√			Secunder	U'u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	11:07 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

M. ORDINANCES

Bill 108 (2023) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, APPENDIX B, DEPARTMENT OF WATER SUPPLY"

Deferred to the December 1, 2023, Council meeting.

Bill 116 (2023) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, REVENUES; CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF PARKS AND RECREATION, WAILUKU-KAHULUI COMMUNITY PLAN AREA; AND APPENDIX C, DEPARTMENT OF PARKS AND RECREATION, WAILUKU-KAHULUI COMMUNITY PLAN AREA"

Bill 117 (2023) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF THE PROSECUTING ATTORNEY"

11:31 a.m.: Bills 116 & 117 referred without objection to the Budget, Finance, and Economic Development Committee

Bill 118 (2023) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE UNITED STATES GOVERNMENT AND THE STATE OF HAWAII REGARDING THE AUTHORIZATION FOR MAUI WILDFIRE DEBRIS REMOVAL FOR COUNTY-OWNED PROPERTIES"

	AYE	NO	EXC	Time Deliberations Began	11:32 a.m.
Pro Tem Kama	√			Time Motion Made	11:32 a.m.
VC Sugimura	√			Motion	WAIVE Rule 7G
CM Paltin	√			Maker	Cook
CM Johnson	√			Secondar	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	11:34 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC	Time Deliberations Began	11:34 a.m.
Pro Tem Kama	√			Time Motion Made	11:34 a.m.
VC Sugimura	√			Motion	PASS on first reading, as amended
CM Paltin	√			Maker	Cook
CM Johnson	√			Secondar	U‘u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	11:56 a.m.

CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC	Time Deliberations Began	11:52 a.m.
Pro Tem Kama	√			Time Motion Made	11:52 a.m.
VC Sugimura	√			Motion	SUBSTITUTE with FD1 version
CM Paltin	√			Maker	Cook
CM Johnson	√			Seconder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	11:56 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Bill 119 (2023) "A BILL FOR AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF LAND AND NATURAL RESOURCES, REGARDING THE ISSUANCE OF A MANAGEMENT RIGHT-OF-ENTRY FOR THE LAHAINA WILDFIRE FINAL DISPOSITION PROJECT"

	AYE	NO	EXC	Time Deliberations Began	11:56 a.m.
Pro Tem Kama	√			Time Motion Made	11:57 a.m.
VC Sugimura	√			Motion	WAIVE Rule 7G
CM Paltin	√			Maker	Cook
CM Johnson	√			Seconder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	11:58 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC	Time Deliberations Began	11:58 a.m.
Pro Tem Kama	√			Time Motion Made	11:58 a.m.
VC Sugimura	√			Motion	PASS Bill 119 on first and final reading
CM Paltin	√			Maker	Cook
CM Johnson	√			Secunder	Sugimura
CM Rawlins- Fernandez	√			Time Vote Taken	12:19 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC	Time Deliberations Began	11:58 a.m.
Pro Tem Kama	√			Time Motion Made	11:58 a.m.
VC Sugimura	√			Motion	SUBSTITUTE with FD1 version
CM Paltin	√			Maker	Cook
CM Johnson	√			Secunder	U'u-Hodgins
CM Rawlins- Fernandez	√			Time Vote Taken	12:16 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	12:16 p.m.
VC Sugimura	√			Motion	WAIVE Rule 19C
CM Paltin	√			Maker	Cook
CM Johnson	√			Secunder	Sugimura
CM Rawlins- Fernandez	√			Time Vote Taken	12:17 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Bill 120 (2023) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF LAND AND NATURAL RESOURCES, REGARDING THE ISSUANCE OF A MANAGEMENT RIGHT-OF-ENTRY FOR THE LAHAINA WILDFIRE FINAL DISPOSITION PROJECT"

1:25 p.m.: Bill 120 referred without objection to the Water & Infrastructure Committee

ORDINANCES - SECOND AND FINAL READING

Bill 73 (2023) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAI‘I AND LOCAL GOVERNMENTS ON PROCEEDS RELATING TO THE SETTLEMENT OF OPIOID LITIGATION"

	AYE	NO	EXC	Time Deliberations Began	1:26 p.m.
Pro Tem Kama			√	Time Motion Made	1:26 p.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	U‘u-Hodgins
CM Johnson			√	Secunder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	1:27 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

Bill 87, CD1 (2023) "A BILL FOR AN ORDINANCE AMENDING TITLE 10, MAUI COUNTY CODE, RELATING TO THE ESTABLISHMENT OF PAID PARKING ZONES AND PERMIT PARKING ZONES IN WAILUKU, PROHIBITED ACTIVITIES FOR THE WAILUKU GARAGE FACILITY, AND PENALTIES FOR PARKING VIOLATIONS"

	AYE	NO	EXC	Time Deliberations Began	1:27 p.m.
Pro Tem Kama			√	Time Motion Made	1:28 p.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	Cook

CM Johnson			√	Second	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	1:29 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

Bill 89 (2023) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH U.S. GEOLOGICAL SURVEY, PACIFIC ISLANDS WATER SCIENCE CENTER, UNITED STATES DEPARTMENT OF THE INTERIOR (COOPERATIVE WATER-RESOURCE MONITORING PROGRAM)"

	AYE	NO	EXC	Time Deliberations Began	1:29 p.m.
Pro Tem Kama			√	Time Motion Made	1:29 p.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	Cook
CM Johnson			√	Second	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	1:30 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

Bill 92 (2023) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, DEPARTMENT OF MANAGEMENT, MANAGEMENT PROGRAM"

	AYE	NO	EXC	Time Deliberations Began	1:31p.m.
Pro Tem Kama			√	Time Motion Made	1:31 p.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	Sugimura
CM Johnson			√	Second	U‘u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	1:32 p.m.

CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

Bill 105 (2023) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF FIRE AND PUBLIC SAFETY"

	AYE	NO	EXC	Time Deliberations Began	1:32 p.m.
Pro Tem Kama			√	Time Motion Made	1:32 p.m.
VC Sugimura	√			Motion	PASS on second and final Reading, as amended
CM Paltin	√			Maker	Paltin
CM Johnson			√	Secunder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	1:34 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

	AYE	NO	EXC	Time Deliberations Began	1:33 p.m.
Pro Tem Kama			√	Time Motion Made	1:33 p.m.
VC Sugimura	√			Motion	AMEND per ASF attached to CC 23-36; FILE CC 23-36
CM Paltin	√			Maker	Paltin
CM Johnson			√	Secunder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	1:34 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

Bill 106 (2023) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, DEPARTMENT OF WATER SUPPLY, ADMINISTRATION PROGRAM; CAPITAL IMPROVEMENT PROJECTS AND APPENDIX C, DEPARTMENT OF WATER SUPPLY"

	AYE	NO	EXC	Time Deliberations Began	1:35 p.m.
Pro Tem Kama			√	Time Motion Made	1:35 p.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	Sugimura
CM Johnson			√	Secunder	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	1:38 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

	AYE	NO	EXC	Time Deliberations Began	1:36 p.m.
Pro Tem Kama			√	Time Motion Made	1:36 p.m.
VC Sugimura	√			Motion	AMEND per ASF attached to CC 23-37; FILE CC 23-37
CM Paltin	√			Maker	Sugimura
CM Johnson			√	Secunder	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	1:36 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

TIME MEETING ADJOURNED: 1:44 p.m.

TRANSCRIPTION

Council of the County of Maui on 2023-11-20 9:00 AM - Regular Meeting

[GAVEL] >> WILL THE MAUI COUNTY COUNCIL MEETING OF NOVEMBER 20TH, 2023 PLEASE COME TO ORDER . IT'S 9:08 THIS MORNING. MEMBERS, THE GREETING FOR TODAY IS SHE KAMO. SHE KAMO FROM KENYA. MADAM CLERK. >> CHAIR, PROCEEDING WITH ROLL CALL. FOR MEMBERS PARTICIPATING FROM NON-PUBLIC LOCATIONS, PLEASE STATE WOULD IF ANYONE EXCEPT MINORS IS PRESENT WITH YOU AS PART OF ROLL CALL. COUNCIL MEMBER PRO TEMPORE TASHA KAMA.\r\n\r\n>> ALOHA KAKAHIKA, CHAIR, AND SHE KAMO TO YOU AND EVERYONE ELSE. >> VICE-CHAIR YUKI LEI SUGIMURA. >> SHE KAMO. SHE KAMO EVERYBODY. AND LOOKING FORWARD TO A PRODUCTIVE MEETING. >> COUNCIL MEMBER TAMARA PALTIN. >> ALOHA KAKAHIKA KAKOU AND SHE KAMO.\r\n\r\nI'M STREAMING LIVE AND DIRECT FROM NAPILI. HERE WITH MY DOG, AS WELL AS MASTER TECHNICIAN JASON FERNANDEZ OF STEVE'S PLUMBING. WE FINALLY GOT OUR WATER BILL AND IT WAS SKY-HIGH, SO WE MAY HAVE A LEAK. HOPEFULLY I CAN FIND THE LEAK, AND I CAN JOIN YOU GUYS LATER ON, OR IF WE'RE DONE BEFORE LUNCH, THEN I WON'T JOIN YOU. >> COUNCIL MEMBER GABE JOHNSON. >> SHE KAMO, CHAIR, COUNCIL MEMBERS, AND COMMUNITY MEMBERS. THERE'S NO TESTIFIERS AT THE LANA'I DISTRICT OFFICE, AND HAPPY HOLIDAYS, LOOK AT THESE LOVEY DECORATIONS IN THE CHAMBERS, HERE AND READY TO WORK.\r\n\r\nMAHALO. >> THANK YOU. >> CHAIR, WE'LL SKIP OVER MEMBER RAWLINS-FERNANDEZ FOR A MOMENT. SHE NEEDS TO SIGN BACK IN TO GET AUDIO. COUNCIL MEMBER TOM COOK. >> SHE KAMO, LOOK FORWARD TO TODAY'S MEETING. >> COUNCIL MEMBER NOHELANI UHODGINS.\r\n\r\n>> GOOD MORNING, SHE KAMO TO ALL THANK YOU. >> COUNCIL MEMBER SHANE SINENCI. >> KAKAHIKA, AND SHE KAMO. NO TESTIFIERS IN HANA, CHAIR. >> THANK YOU. >> SORRY, WE NEED A RECESS, REQUESTED BY AKAKU. >> OKAY, HOW LONG?\r\n\r\nFOUR MINUTES? YOU THINK? WE'LL HAVE TO GIVE IT TIME. SO FOUR MINUTES. SO 9:15, THIS MEETING IS IN RECESS. THIS WAS AT THE REQUEST OF AKAKU. [GAVEL] I WILL DO THE COUNTDOWN.\r\n\r\n5, 4, 3 -- [GAVEL] WILL THE COUNCIL MEETING OF NOVEMBER 20TH, 2023 PLEASE RECONVENE. I WANT TO APOLOGIZE TO THE PUBLIC, BECAUSE WE HAVE BEEN HAVING OUR TECHNICAL DIFFICULTIES TODAY; WE ALREADY HAD THE ROLL CALL, EXCEPT FOR TWO PEOPLE. KEANI RAWLINS-FERNANDEZ AND MYSELF. YOU KNOW, THIS REMINDS ME OF A LITTLE STORY, OUR BROTHER IS A FLIGHT ATTENDANT AND HE TELLS ME ALL THESE STORIES OF WHAT HAPPENS ON THE AIRPLANES. SO THIS ONE LADY, WHO IS AN OLDER PERSON, ONLY SPOKE SPANISH, WAS VERY AGITATED AND KIND OF SCARED FLYING AND SHE COULDN'T WAIT FOR THE PLANE TO GET GOING. SHE WAS, THIS MAY HAVE BEEN HER FIRST FLIGHT. SO THIS NICE HAWAIIAN FLIGHT ATTENDANT, LIKE CHOKE BRACELETS, HAWAIIAN BRACELETS CAME UP TO HER AND TRIED TO CALM HER DOWN AND SHE ACTUALLY KNEW THE LANGUAGE.\r\n\r\nSHE SAID UN MOMENTO, TAKE OFF. THAT IS THE STORY. EVERYBODY, IN A MOMENT WE'RE GOING TO TAKE OFF, BELIEVE IT OR NOT AND I WILL CALL ON OUR COUNTY CLERK TO RESUME THE ROLL CALL. >> THANK YOU, CHAIR. KEANI RAWLINS-FERNANDEZ? >> ALOHA KAKAHIKA KAKOU I'M AT THE MOLOKA'I DISTRICT OFFICE, ALONE ON MY SIDE OF THE OFFICE. JOINING ME BY PHONE RIGHT NOW, TO GO ALONG WITH THE THEME OF THIS MORNING, MY COMPUTER IS HAVING SOME TECHNICAL ISSUES.\r\n\r\nSO HOPEFULLY, I WILL GET THAT RESOLVED SOON. THERE ARE CURRENTLY NO TESTIFIERS HERE AT MOLOKA'I DISTRICT OFFICE AND JOINING ME ON THE OTHER SIDE OF THE OFFICE IS MY NEW EA. I LOOK FORWARD TO TAKING OFF, AND NOT TAKING IT OFF. [LAUGHTER] >> AND CHAIR ALICE LEE. >> THANK YOU, MEMBER KEANI RAWLINS-FERNANDEZ. NICE COLORFUL SHIRT YOU HAVE THERE, AND SHE KAMO TO EVERYONE IN THE WORLD. SHALL WE PROCEED? \r\n\r\n>> CHAIR THERE ARE NINE MEMBERS PRESENT, A QUORUM IS PRESENT TO CONDUCT THE BUSINESS OF THE COUNCIL. FOR THE RECORD, I'M COUNTY CLERK MOANA LUTEY, AND ALSO PRESENT FROM THE OFFICE OF THE COUNTY CLERK ARE LEGISLATIVE DIVISION STAFF JOYCE MURASHIGE, LAUREN SALDANA, AND THE DEPUTY CLERK RICHELLE THOMSON. JOINING THE MEETING FROM THE OFFICE OF COUNCIL SERVICES IS DIRECTOR DAVID RAATZ, AND LEGISLATIVE FOREIGN CARLA NIKATA, AND I BELIEVE ALSO THE DEPUTY DIRECTOR RICHELLE KAWASAKI AND FROM THE DIVISION OF CORP. COUNSEL IS FIRST COUNSEL MIMI DES JARDINS. >> THIS MORNING,

MEMBERS, IT'S MY TURN TO GIVE OPENING REMARKS, AND YOU CAN BET IT'S GOING TO BE SHORT. AND THERE'S A SPECIAL DAY COMING UP AS YOU ALL KNOW. AND SO TO MY COLLEAGUES, THAT MEANS YOU GUYS, MY COLLEAGUES, OUR OUTSTANDING STAFF ON THE 7TH AND 8TH FLOORS AND IN THE KALANA PI'IKOI BUILDING TO OUR ADMINISTRATION, TO OUR VOLUNTEERS.\r\n\r\nTHESE ARE VERY SPECIAL PEOPLE. TO OUR VOLUNTEERS, WHO HAVE ESPECIALLY HELPED OUR RESIDENTS IN LAHAINA AND UP COUNTRY, TO EVERYONE IN MAUI COUNTY AND AROUND THE WORLD, I WISH YOU HOPE, JOY, PEACE, GOOD HEALTH, FAITH, AND GOOD EATING THIS THANKSGIVING DAY. MAY ALL OF YOUR HARD WORK BRING BRIGHTNESS IN YOUR LIFE, AND TAKE YOU TO THE HIGHEST PEAK OF SUCCESS. SO DON'T BOTHER TO COUNT CALORIES THIS THURSDAY, SPEAKING OF WHICH, PLEASE HAVE A BLESSED AND HAPPY THANKSGIVING EVERYONE. MAHALO. AND NOW PLEASE JOIN ME WITH THE PLEDGE OF ALLEGIANCE. I PLEDGE ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA, AND TO THE REPUBLIC FOR WHICH IT STANDS, ONE NATION UNDER GOD, INDIVISIBLE, WITH LIBERTY AND JUSTICE FOR ALL.\r\n\r\nPROCEED WITH PROCEED AGENDA, MAY I PLEASE REQUEST THAT EVERYONE KEEP THEIR MICROPHONES MUTED UNLESS IT'S YOUR TURN TO SPEAK, ORAL AND WRITTEN TESTIMONY WILL BE ACCEPTED AT THE BEGINNING OF THE MEETING AND PRIOR TO COUNCIL'S DELIBERATION ON EACH SECTION OF THE AGENDA. TESTIMONY MUST PERTAIN TO ITEMS ON THE MEETING AGENDA. WHEN TESTIFYING PLEASE DIRECT YOUR REMARKS TO THE COUNCIL, AND NOT TO ANY INDIVIDUAL COUNCIL MEMBER, OR MEMBER OF THE PUBLIC. EACH TESTIFIER WILL BE ALLOWED TO SPEAK FOR UP TO THREE MINUTES ON EACH ITEM. DECORUM SHALL BE MAINTAINED AT ALL TIMES. ANY PERSON WHO BEHAVES IN A MANNER THAT DISRUPTS, OR IMPEDES THE ORDERLY CONDUCT OF ANY COUNCIL MEETING CAN, AT THE DISCRETION OF THE PRESIDING OFFICER, OR A MAJORITY OF PRESENT COUNCIL MEMBERS, BE REJECTED OR BANNED FROM COUNCIL MEETINGS. IF PARTICIPATING REMOTELY, MUTED, OR DROPPED FROM THE MEETING.\r\n\r\nEXAMPLES OF DISRUPTIVE BEHAVIOR INCLUDE, BUT NOT LIMITED TO HECKLING, SHOUTING, USE OF PROFANITY, THREATENING OR SLANDEROUS REMARKS MADE TO ANY MEMBER OF THE COUNCIL, STAFF, OR GENERAL PUBLIC. AS A REMINDER, THE CHAT SHOULD BE USED ONLY TO SIGN UP FOR TESTIMONY AND NOT FOR PUBLIC COMMENTARY ON THE MEETING. IT WILL BE CONSIDERED A BREACH OF DECORUM FOR MEMBERS OF THE PUBLIC TO USE THE CHAT FOR ANYTHING OTHER THAN TESTIMONY SIGN UP. MS. CLERK, PLEASE PROCEED. >> CHAIR, THERE IS NO BUSINESS BEFORE THE COUNCIL ON ITEMS D, TESTIMONY ON CEREMONIAL RESOLUTIONS, E, CEREMONIAL RESOLUTIONS, OR F, CONSENT CALENDAR. SO WE'LL BEGIN WITH G, PRESENTATION OF WRITTEN OR ORAL TESTIMONY.\r\n\r\nAT THIS TIME WE HAVE NO ONE CURRENTLY SIGNED UP TO TESTIFY. HOWEVER, IF YOU WOULD LIKE TO TESTIFY, PLEASE LET US KNOW AT THIS TIME. IF YOU ARE IN CHAMBERS, YOU MAY COME DOWN TO SIGNIFY THAT YOU WANT TO TESTIFY, OR IF YOU ARE ONLINE, PLEASE UNMUTE. CHAIR, THERE'S NO INDICATION THAT ANYONE WOULD LIKE TO TESTIFY AT THIS TIME. WE'LL DO A QUICK COUNTDOWN, 3, 2, 1. >> MEMBERS, ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY FOR THE BEGINNING OF THE MEETING. >> NO OBJECTIONS. >> SO ORDERED.\r\n\r\nMS. CLERK. >> THERE'S NO BUSINESS BEFORE THE COUNCIL, MOVING ON TO J, COMMUNICATIONS AT THIS TIME INDIVIDUALS MAY TESTIFY ON COUNTY COMMUNICATIONS. THERE'S NO ONE CURRENTLY SIGNED UP TO TESTIFY. HOWEVER, IF YOU WOULD LIKE TO TESTIFY, THIS YOUR OPPORTUNITY. PLEASE INDICATE YOU WOULD LIKE TO TESTIFY. AND THE COUNTDOWN IS 3, 2, 1. >> MEMBERS ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY, AND ACCEPTING WRITTEN TESTIMONY ON COMMUNICATIONS?\r\n\r\n>> NO OBJECTIONS. >> SO ORDERED. MS. CLERK. >> CHAIR, THE FIRST COUNTY COMMUNICATION IS 23-36, FROM COUNCIL CHAIR LEE TRANSMITTING A PROPOSED AMENDMENT TO BILL 105 (2023) ENTITLED "AN BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI APPENDIX A, PART 1, DEPARTMENT OF FIRE AND PUBLIC SAFETY ." MEMBER PALTIN. >> THANK YOU, CHAIR. IF THERE'S NO OBJECTIONS, I WOULD LIKE TO ASK COUNTY COMMUNICATION 23-36 BE POSTPONED UNTIL BILL 105 (2023) IS TAKEN UP.\r\n\r\n>> MEMBERS, ANY OBJECTIONS. >> NO OBJECTIONS. >> SO ORDERED. MS. CLERK. >> THANK YOU CHAIR, NEXT COUNTY COMMUNICATION IS 23 37 FROM COUNCIL CHAIR LEE TRANSMITTING A PROPOSED AMENDMENT TO BILL 106 (2023) ENTITLED "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY UOM DEPARTMENT OF

WATER SUPPLY, ADMINISTRATION PROGRAM? ." VICE-CHAIR SUGIMURA.\r\n\r\n>> JUST ONE SECOND, I JUST WANTED TO FINISH -- DEPARTMENT OF WATER SUPPLY, ADMINISTRATION PROGRAM, CAPITAL IMPROVEMENT PROJECTS, AND APPENDIX C, DEPARTMENT OF WATER SUPPLY." VICE-CHAIR SUGIMURA. >> IN THERE'S NO OBJECTIONS I WOULD LIKE TO REQUEST THAT BE TAKEN UP WHEN BILL NO. 106 IS TAKEN UP. >> NO OBJECTIONS, CHAIR. >> ANY OBJECTIONS? NO OBJECTIONS, SO ORDERED. MS.\r\n\r\nCLERK. COMMITTEE REPORTS. >> MOVING ON TO K, COMMITTEE REPORTS AT THE THIS TIME INDIVIDUALS MAY TESTIFY ON COMMITTEE REPORTS. IF YOU WOULD LIKE TO TESTIFY, PLEASE LET YOURSELF BE KNOWN. THERE IS NO ONE CURRENTLY SIGNED UP. AND THE COUNTDOWN IS 3, 2, 1. >> MEMBERS, ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY? >> NO OBJECTIONS.\r\n\r\n>> SO ORDERED. >> CHAIR FROM YOUR WERE FINANCE BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE IS COMMITTEE REPORT 23-92 RECOMMENDING FILING OF BILL 99 (2023) TO AMEND THE FISCAL YEAR 2024 BUDGET APPENDIX B, REVENUES, FEES, RATES, ASSESSMENTS AND TAXES, DEPARTMENT OF FINANCE, GENERAL FUND PENALTY AND INTEREST TAT TO DELETE LANGUAGE THAT READS," UP TO 20% PENALTY RETURN FILED BY THE DUE DATE AND TAX IS NOT COMPLETELY PAID WITHIN 60 DAYS OF THE FILING DUE DATE." >> VICE-CHAIR SUGIMURA. >> THANK YOU. I MOVE TO ADOPT THE RECOMMENDATION IN THES COMMITTEE REPORT 23-92. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY PRO TEM KAMA TO ADOPT THE RECOMMENDATIONS IN COMMITTEE REPORT 23-92. DISCUSSION, VICE-CHAIR SUGIMURA. >> MEMBERS, BILL 99 AMENDS APPENDIX B OF THE FISCAL YEAR 23 BUDGET FOR THE DEPARTMENT OF FINANCE TO DELETE CERTAIN PENALTY LANGUAGE RELATING TO THE TRANSIENT ACCOMMODATION TAX. NOT CURRENTLY NOTED IN MAUI COUNTY CODE.\r\n\r\nHOWEVER, AT OUR MEETING ON THIS ITEM FIRST DEPUTY CORPORATION COUNSEL DES JARDINS INFORMED OUR COMMITTEE THAT THEY CAN COLLECT THAT WITHOUT BEING NOTED IN THE CODE, AND THEREFORE, THIS AMENDMENT IS NOT NECESSARY. THE COMMITTEE VOTED 7-0 TO RECOMMEND FILING OF BILL. THANK YOU, CHAIR. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE. >> I DON'T SEE MEMBER RAWLINS-FERNANDEZ.\r\n\r\nDOES ANYBODY SEE HER? >> SHE IS THERE. >> AYE, SORRY. >> THAT IS EVERYBODY. NINE AYES, ZERO NOS, MOTION CARRIES. MS. CLERK.\r\n\r\n>> CHAIR, FROM YOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE IS COMMITTEE REPORT 23-93 RECOMMENDING ADOPTION OF RESOLUTION 23-218 TO AMEND THE FISCAL YEAR 2024 BUDGET WITH THE DEPARTMENT OF PLANNING BY TRANSFERRING \$13,397 FROM THE ADMINISTRATION AND PLANNING PROGRAM, GENERAL, CATEGORY B, OPERATIONS AND EQUIPMENT, TO THE ADMINISTRATION AND PLANNING PROGRAM DUNE AND SHORELINE MANAGEMENT CATEGORY B OPERATIONS AND EQUIPMENT. >> VICE-CHAIR SUGIMURA. >> I MOVE TO ADOPT THE RECOMMENDATIONS OF COMMITTEE REPORT 23-93. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA AND SECONDED BY PRO TEM KAMA TO APPROVE THE COMMITTEE -- THE RECOMMENDATIONS IN COMMITTEE REPORT 23-93, DISCUSSION, VICE-CHAIR SUGIMURA. >> THANK YOU, CHAIR. MEMBERS, RESOLUTION 23-218 AMENDS APPENDIX B OF FISCAL YEAR 24 BUDGET FOR THE DEPARTMENT OF PLANNING BY MOVING \$13 P-397 FROM THE DEPARTMENT'S ADMINISTRATION AND PLANNING PROGRAM FOR GENERAL CATEGORY B TO ITS DUNES AND SHORELINE MANAGEMENT LINE ITEM. THE SHIFT IN FUNDS IS NEEDED TO COVER A PROJECTED SHORTFALL FOR UH MAUI COLLEGE SEA GRANT PROGRAM EMPLOYEES SALARY.\r\n\r\nYOUR COMMITTEE VOTED 8-0 TO RECOMMEND ADOPTION OF THIS RESOLUTION, AND I RESPECTFULLY ASK FOR THE MEMBERS' UP THE OF MY MOTION. THANK YOU, CHAIR. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> AYE. >> NINE AYES, ZERO KNOWS, MOTION CARRIES. THANK YOU.\r\n\r\nTHANK YOU, KEANI. THANK YOU. PUT YOUR HAPPENED DOWN, HAND DOWNTURN [LAUGHTER]NEXT ITEM. >> CHAIR FROM YOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE IS COMMITTEE REPORT 23-94 RECOMMENDING FIRST READING OF BILL 94, CD 1 (2023) TO AMEND THE FISCAL YEAR 2024 BUDGET BY AMENDING SECTION 3.B.10.C IV OFFICE THE MAYOR ECONOMIC DEVELOPMENT PROGRAM, WAILUKU ECONOMIC DEVELOPMENT, ENVIRONMENTAL AND CULTURAL PROGRAM AND SECTION 3.3.10P.C.2, 29 OFFICE THE MATHEMATICS ECONOMIC DEVELOPMENT PROGRAM WEST MAUI ECONOMIC DEVELOPMENT, ENVIRONMENTAL AND CULTURAL PROGRAMS TO UPDATE THE FISCAL

SPONSOR FOR RETREE HAWAII FROM LOKAHI PACIFIC TO NA KOA MANU CONSERVATION, INC.. >> VICE-CHAIR SUGIMURA. >> I MOVE TO ADOPT THE RECOMMENDATIONS IN COMMITTEE REPORT 23-94. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY PRO TEM KAMA TO APPROVE THE RECOMMENDATIONS IN COMMITTEE REPORT 23-94. DISCUSSION, VICE-CHAIR SUGIMURA. >> THANK YOU, CHAIR.\r\n\r\nMEMBERS, BILL 96, CD 1 (2023) AMENDS FISCAL YEAR 24 BUDGET FOR THE OFFICE 9 MAYOR WAILUKU AND WEST MAUI ECONOMIC DEVELOPMENT ENVIRONMENTAL AND CULTURAL PROGRAMS TO UPDATE THE FISCAL SPONSOR FOR RETREE HIGH FROM LOKAHI PACIFIC TO NA KOA MANU CONSERVATION, INC. AND THE PURPOSES OF THESE ORGANIZATIONS ARE COMPLEMENTARY IN THEIR SUPPORTS TO SUPPORT THE ENVIRONMENT. YOUR COMMITTEE VOTED 8-0 TO RECOMMEND PASSAGE OF THE BILL ON FIRST READING AND RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT OF THIS MOTION. THANK YOU. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, PLEASE RAISE YOUR HAND, SAY AYE? >> AYE.\r\n\r\n>> NINE AYES, ZERO NOS, MOTION CARRIES. MS. CLERK. >> CHAIR, BEFORE YOU IS BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE IS COMMITTEE REPORT 23-95 RECOMMENDING FIRST READING OF BILL 100 CD 1 (2023) TO AMEND THE FISCAL YEAR 2024 BUDGET APPENDIX A, PART 1, GRANTS AND RESTRICTED USE REVENUES, SCHEDULE OF GRANTS AND RESTRICTED USE REVENUES BY DEPARTMENTS AND PROGRAMS FOR FISCAL YEAR 2024 BY ADDING A NEW GRANT UNDER THE DEPARTMENT OF MANAGEMENT ENTITLED "OFFICE OF THE JUSTICE PROGRAMS BUREAU OF JUSTICE ASSISTANCE, BYRNE DISCRETIONARY COMMUNITY PROJECT FUNDING -- BYRNE DISCRETIONARY GRANT PROGRAM." IN THE AMOUNT OF \$180,000. >> VICE-CHAIR SUGIMURA. >> I MOVE TO ADOPT THE RECOMMENDATIONS IN COMMITTEE REPORT 23-95. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA AND SECONDED BY PRO TEM KAMA TO APPROVE THE RECOMMENDATIONS IN COMMITTEE REPORT 23-95. DISCUSSION, VICE-CHAIR SUGIMURA. >> THANK YOU, CHAIR.\r\n\r\nIT AMENDS APPENDIX A, PART 1 OF THE FISCAL YEAR 2024 BUDGET FOR THE DEPARTMENT OF MANAGEMENT TO ADD NEW GRANT ENTITLED "OFFICE OF THE JUSTICE PROGRAMS BUREAU OF JUSTICE ASSISTANCE BY BYRNE DISCRETIONARY COMMUNITY PROJECT FUNDING/BYRNE DISCRETIONARY GRANT PROGRAM." IN THE AMOUNT OF \$180,000. THIS GRANT WOULD EXPAND CHANNEL CAPACITY FOR PUBLIC SAFETY, RADIO SYSTEM IN TWO ROOFTOP SITE LOCATIONS IN WEST MAUI, SERVICING THE AREAS. SITES ARE CURRENTLY UNABLE TO HANDLE THE NUMBER OF CALLS THEY RECEIVE. THE RADIO SYSTEM CURRENTLY SERVES THE DEPARTMENT OF POLICE, FIRE AND PUBLIC SAFETY, PUBLIC WORKS, WATER SUPPLY AND EMERGENCY MANAGEMENT. YOUR COMMITTEE VOTEDLE-0 TO RECOMMEND PASSAGE OF THIS BILL ON FIRST READING AND I RESPECTFULLY REQUEST FOR THE MEMBERS' SUPPORT FOR THE MOTION. THANK YOU, CHAIR. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE OR PLEASE RAISE YOUR HAND, SAY AYE.\r\n\r\n>> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. >> CHAIR, MOVING ON FROM YOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE IS COMMITTEE REPORT 23-94 RECOMMENDING FIRST READING OF A BILL 97, CD 1 (2023) TO AMEND THE FISCAL YEAR 2024 BUDGET APPENDIX A, PART 1 GRANTS AND RESTRICTED USE REVENUES, SCHEDULE OF GRANTS AND RESTRICTED USE REVENUES BY DEPARTMENTS AND PROGRAMS FOR FISCAL YEAR 2024 FOR THE DEPARTMENT OF HOUSING AND HUMAN CONCERNS BY ADDING A NEW GRANT ENTITLED, "AMERICAN RESCUE PLAN ACT OF 2021 EMERGENCY RENTAL ASSISTANCE PROGRAM NO. 2, ERA NO. 2 IN THE AMOUNT OF \$322,248." >> VICE-CHAIR SUGIMURA. >> I MOVE TO ADOPT THE RECOMMENDATIONS IN COMMITTEE REPORT 23-96. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY PM KAMA TO APPROVE THE RECOMMENDATIONS IN COMMITTEE REPORT 23-96, DISCUSSION, VICE-CHAIR SUGIMURA.\r\n\r\n>> THANK YOU, CHAIR. MEMBERS, BILL 97 -- CD 1 (2020) APPENDS APPENDIX A PART 1 OF FY'2024 BUDGET FOR THE DEPARTMENT OF HOUSING AND HUMAN CONCERNS TO RECOGNIZE A NEW GRANT ENTITLED "AMERICAN RESCUE PLAN ACT OF 2021, EMERGENCY RENTAL ASSISTANCE NO. 2, ERA NO. 2." IN THE AMOUNT OF \$322,248. THE COUNTY HAS PREVIOUSLY ALLOCATED \$15,710,000 IN ERA NO. 2 FUNDS. THESE FUNDS WILL BE USED TO ASSIST ELIGIBLE HOUSEHOLDS WITH FINANCIAL ASSISTANCE, PROVIDE HOUSING, STABILITY SERVICES AS APPLICABLE TO COVER THE COSTS OF OTHER AFFORDABLE HOUSING RENTAL HOUSING, OR EVICTION PREVENTION ACTIVITIES. YOUR COMMITTEE VOTED 7-0 TO RECOMMEND PASSAGE OF THIS BILL ON FIRST READING.\r\n\r\nI RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. THANK YOU, CHAIR. >> ANY

MORE DISCUSSION? IF NOT, MEMBER PALTIN. >> I JUST WAS WONDERING IS IN ANY RESOURCE FROM THE ADMINISTRATION AVAILABLE? >> DO WE HAVE ANYBODY HERE? >> HOUSING AND HUMAN CONCERNS? \r\n\r\nOR BUDGET SHOULD BE HERE; RIGHT? ? >> ANYONE FROM BUDGET ON THE CALL? >> HI CHAIR. >> LESLIE. HI LESLIE. DO YOU HAVE A QUESTION FOR LESLIE, MEMBER PALTIN. >> THANK YOU, CHAIR. \r\n\r\nTHANK YOU MS. MILNER, I'M NOT SURE IT'S EXACTLY FOR YOU, BUT MAYBE YOU CAN PASS IT ON TO SOMEONE IN YOUR TEAM. I HAVE BEEN FOLLOWING UP WEEK AFTER WEEK ON THE HOMEOWNER ASSISTANCE FUNDS, THE \$8 MILLION, AND WHILE THIS IS GREAT, I WAS TOLD LAST WEEK THAT THERE WOULD BE AN ANNOUNCEMENT WHEN THE ANNOUNCEMENT DIDN'T COME, I EMAILED BACK TO DIRECTOR TSUHAKO AND THE GANG. SO YOU KNOW, IT'S GREAT TO GIVE FOLKS THIS EMERGENCY RENTAL ASSISTANCE, BUT WE'RE STILL THE LAST COUNTY THAT HASN'T GIVEN OUT THE HOMEOWNER ASSISTANCE FUNDS \$8 MILLION. NOVEMBER 14TH OR 15TH I WAS TOLD THAT THERE WOULD BE AN ANNOUNCEMENT. NO ANNOUNCEMENT, NO RESPONSE TO THE EMAIL. SO YOU KNOW, WHILE IT SEEMS GREAT \$322,248 EMERGENCY RENTAL ASSISTANCE, THAT IS A HUGE FAIL ON \$8 MILLION ON HOMEOWNER ASSISTANCE FUNDS. \r\n\r\nYOU KNOW? LIKE, THIS IS NOT -- THIS IS NOT ACCEPTABLE. SO JUST SAYING, IF THEY DON'T WANT TO RESPOND TO THE EMAIL, THIS IS WHAT IT -- SORRY, THE INTERNET WENT OUT. >> WE NEED TO HEAR THE LAST COUPLE OF MINUTES OF YOUR TESTIMONY. >> OH, SHOOT, OKAY. SO YOU KNOW, WHILE \$322,248 SEEMS LIKE A GREAT THING, IT'S NOT, BECAUSE WHERE IS THE \$8 MILLION TO HELP PEOPLE, YOU KNOW? IF THEY ARE NOT GOING TO RESPOND TO THE EMAILS ANY MORE AFTER I HAVE BEEN EMAILING THEM WEEK AFTER WEEK, AND THEY SAID, YOU KNOW, NOVEMBER 14-15TH, THEN WE GOT TO MAKE A SCENE, YOU KNOW? \r\n\r\nI DON'T LIKE MAKING A SCENE, BUT \$8 MILLION, THAT OUR PEOPLE NEED FOR MORTGAGE ASSISTANCE NOW OF ALL-TIMES, AND EVERY SINGLE OTHER COUNTY GAVE IT OUT, YOU KNOW? WHERE IS THE COMMUNICATION? YOU CANNOT ANSWER AN EMAIL? AND SO IT'S JUST DISGUSTING, YOU KNOW? \$322,248 IS NOTHING TO CELEBRATE. I WILL SUPPORT IT, BECAUSE OF COURSE, BUT WHERE IS THE \$8 MILLION THAT OUR COUNTY PEOPLE IS NOT GETTING? AND WE WERE TOLD NOVEMBER 14-15TH, EXPECT AN ANNOUNCEMENT. \r\n\r\nI WAS EXPECTING ONE EVERY SINGLE DAY AND THIS IS SHAMEFUL. IT'S BEEN GOING ON SINCE THE LAST ADMINISTRATION, SO NOT TOTALLY ON THIS ADMINISTRATION. BUT IT'S BEEN ELEVEN MONTHS OF THIS ADMINISTRATION, AND WE PASSED A RESOLUTION EARLY ON. SO THIS IS JUST A DROP IN THE BUCKET OF ALL THE PROBLEMS THAT \$8 MILLION COULD HELP TO SOLVE. SORRY. THANKS. THAT IS ALL I GOT. \r\n\r\n>> THANK YOU, WE ALL AGREE WITH YOU. ANY MORE COMMENTS? MS. MILNER, DO YOU THINK YOU CAN HELP US IN THE MESSAGE TO THE ADMINISTRATION? >> YES, CHAIR. WE'LL REACH OUT TO DHHC, AND SEE WHAT WE CAN FIND OUT AND PROVIDE AN UPDATE TO ALL MEMBERS AS SOON AS WE HEAR BACK. ANY MORE DISCUSSION? \r\n\r\nMEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. WELL, I WOULD LIKE THE UPDATE TODAY. I'M SURE, LIKE WE'RE THE BODY OF OVER SIGHT ON BEHALF COMMUNITY AND I'M SURE THE PUBLIC WOULD LIKE TO HAVE AN UPDATE. SO I WOULD LIKE TO REQUEST THAT THIS ITEM GO TO THE END OF THE AGENDA, AND WE TABLE THE MOTION FOR NOW. I'M FULLY SUPPORTIVE OF THIS, OF COURSE, LIKE MEMBER PALTIN STATED. BUT IF MEMBER PALTIN DID NOT GET A RESPONSE FROM THE DEPARTMENT, THEN YOU KNOW, VIA EMAIL, I WOULD LIKE THAT RESPONSE IN OUR MEETING, TODAY. \r\n\r\n>> MEMBERS, ANY OBJECTIONS TO POSTPONING? >> NO OBJECTIONS. >> END OF THE CALENDAR. >> MAHALO, CHAIR. >> ALL RIGHT. SO ORDERED. NEXT ITEM. \r\n\r\n>> CHAIR, FROM YOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE, IS CR23-97 RECOMMENDING FIRST READING OF BILL 101, CD 1 (2023) TO AMEND THE FISCAL YEAR 2024 BUDGET BY ONE, AMENDING SECTION 2 ESTIMATED REVENUES BY INCREASING CARRY-OVER SAVINGS FROM THE GENERAL FUND BY \$1.3 MILLION, , AMENDING SECTION 3.3.14.D DEPARTMENT OF POLICE, TECHNICAL AND SUPPORT SERVICES PROGRAM BY INCREASING CATEGORY BY OPERATIONS AND EQUIPMENT, TOTAL APPROPRIATIONS BY \$31.3 MILLION AND 3, ADJUSTING THE TOTALS ACCORDINGLY. >> VICE-CHAIR SUGIMURA. >> I MOVE TO ADOPT THE RECOMMENDATIONS IN COMMITTEE REPORT 23-97. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA AND SECONDED BY PRO TEM KAMA TO APPROVE THE RECOMMENDATIONS IN COMMITTEE REPORT 23-97. DISCUSSION, VICE-CHAIR SUGIMURA. >> MEMBERS, BILL 101, CD 1 (2023) AMENDS FISCAL YEAR 24 BUDGET FOR THE DEPARTMENT OF POLICE, BY RECOGNIZE AN ADDITIONAL \$1.3 MILLION IN ESTIMATED

REVENUES IN CARRY-OVER SAVINGS FROM THE GENERAL FUND AND APPROPRIATING IT FOR THE DEPARTMENT'S TECHNICAL AND SUPPORT SERVICES PROGRAM. THE DEPARTMENT WILL USE THE FUNDS TO PURCHASE 18 POLICE PURSUIT VEHICLES THAT THEY WERE UNABLE TO PURCHASE LAST FISCAL YEAR BECAUSE THE BIDS INITIALLY CAME UP TOO HIGH. THE CURRENT BID, THE DEPARTMENT HAS FOR THE VEHICLES CAME IN AT APPROXIMATELY \$80,000 PER VEHICLE.

YOUR COMMITTEE VOTED 8-0 TO RECOMMEND PASSAGE OF THIS BILL ON FIRST READING. I RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION PLEASE RAISE YOUR HAND, SAY AYE. >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. >> CHAIR, FROM THE EFFICIENCY SOLUTIONS AND CIRCULAR SYSTEM COUNTY COMMITTEE IS CR23-98 RECOMMENDING THE FOLLOWING: 1, FIRST READING OF BILL 115 (2023) TO ADD PAKALA KAMEHAMEHA IKI PARK TO THE LIST OF HISTORIC AND CULTURAL SITES ELIGIBLE FOR PRESERVATION AND RESTORATION UNDER THE HAWAIIAN CULTURAL RESTORATION REVOLVING FUND AND 2, FILING OF THE COMMUNICATION.

MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I MOVE TO ADOPT THE RECOMMENDATIONS IN COMMITTEE REPORT 23-98. >> SECOND. >> MOVED BY MEMBER RAWLINS-FERNANDEZ, SECONDED BY MEMBER JOHNSON TO APPROVE THE RECOMMENDATIONS IN COMMITTEE REPORT 23-98, DISCUSSION, MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. YOUR EFFICIENCY SOLUTIONS AND CIRCULAR SYSTEMS COMMITTEE MET NOVEMBER 2, 2023 TO CONSIDER BILL 115, (2023) TO ADD KAMEHAMEHA IKI PARK TO THE LIST OF HISTORIC AND CULTURAL SITES ELIGIBLE FOR PRESERVATION AND RESTORATION UNDER THE HAWAIIAN CULTURAL RESTORATION REVOLVING FUND, THE HAWAIIAN CULTURAL RESTORATION REVOLVING FUND PROVIDES FUNDS FOR THE PRESERVATION AND RESTORATION OF SITES FROM PROCEEDS COLLECTED FROM COUNTY PARKING LOT CONCESSIONS. YOUR COMMITTEE HEARD COMMENTS IN SUPPORT OF THE PROPOSED BILL FROM MULTIPLE CULTURAL ADVISORS WHOM WE MAHALO AGAIN FOR SERVING AS RESOURCE PERSONS. AND ALSO RECEIVED COMMENTS FROM THE PRINCIPAL ARCHAEOLOGIST AND THE UNITED STATES ARMY CORPS OF ENGINEERS REGARDING RESTORATION EFFORTS FOR THESE IMPORTANT SITES AND THEIR SIGNIFICANCE TO HAWAIIAN HISTORY. YOUR COMMITTEE ALSO HEARD COMMENTS THAT PAKALA IS AN HISTORICAL NAME FOR THE AREA, WHICH INCLUDES KAMEHAMEHA IKI PARK. YOUR COMMITTEE VOTED 5-0 TO RECOMMEND PASSING THIS BILL ON FIRST READING AND FILING THE COMMUNICATION. I RESPECTFULLY ASK FOR THE MEMBERS' CONTINUED SUPPORT OF THIS BILL. AT THIS TIME I WOULD LIKE TO AMEND THE BILL TO ADD THE WORD "INCLUDING" SO I MOVE TO AMEND THE BILL TO ADD "INCLUDING" FOR KAMEHAMEHA IKI PARK. >> MOVED BY MEMBER RAWLINS-FERNANDEZ, SECONDED BY MEMBER PALTIN TO MAKE THE CHANGE BY ADDING THE WORD "INCLUDE." ANY MORE DISCUSSION ON THAT MATTER? MEMBER RAWLINS-FERNANDEZ.

CHAIR, MAHALO, CHAIR. SO INCLUDING WOULD SIGNIFY THAT THE AREA IS NOT LIMITED TO KAMEHAMEHA IKI PARK. IT'S A BIGGER AREA. SO THAT IT'S MORE INCLUSIVE OF WHAT IT'S SUPPOSED TO BE. SO PAKALA IS LARGER THAN KAMEHAMEHA IKI PARK AND IS NOT, YOU KNOW, JUST KAMEHAMEHA IKI PARK, WITHOUT THE WORD "INCLUDING" SIGNIFIES THAT IS ALL IT IS, AND IT'S NOT. SO IT'S MORE ACCURATE THIS WAY. MAHALO, CHAIR.

ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE AMENDMENT, RAISE YOUR HAND, SAY AYE? >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. THE MAIN MOTION AS AMENDED. RAISE YOUR HAND, SAY AYE. >> AYE.

NINE AYES, ZERO NOS, MOTION CARRIES. MS. CLERK. >> CHAIR, I'M JUST WANTING TO LET THE BODY KNOW MS. TSUHAKO IS ONLINE AND IS AVAILABLE CR23-96. >> MEMBERS, ANY OBJECTIONS TO ASKING DIRECTOR TSUHAKO THE QUESTIONS THAT WE WERE SAVING FOR LATER. >> NO OBJECTIONS, CHAIR. >> NO OBJECTIONS.

OKAY, MS. TSUHAKO, GOOD MORNING. MEMBER PALTIN HAS A QUESTION FOR YOU. >> GOOD MORNING, MADAM CHAIR. >> THANK YOU, CHAIR. THANK YOU, DIRECTOR TSUHAKO. JUST FOLLOWING UP ON THIS ERA \$300,000 AMOUNT IS GREAT.

WONDERING IF THERE'S ANY UPDATE ON THE HOMEOWNER ASSISTANCE FUNDS, THE \$8 MILLION FROM COVID TIMES? IF A VENDOR HAS BEEN SELECTED IF WE CAN SHARE IT, AND WHAT NOT? >> THANK YOU, MEMBER PALTIN. THE VENDOR HAS BEEN SELECTED THROUGH AN ALTERNATIVE PROCUREMENT METHOD, THE AWARD LETTER HAS BEEN SENT OUT. RIGHT NOW WHAT WE'RE DOING WE'RE TRYING TO UPDATE EXISTING CONTRACT THAT WE WERE ABLE TO RECEIVE FROM STATE AND CHANGING IT TO UPDATE THE FEDERAL

GUIDELINES THAT OCCURRED SINCE THAT CONTRACT WAS EXECUTED AND THEN PURSUING EXECUTION OF OUR OWN CONTRACT, THE VENDOR SELECTED WAS CATHOLIC CHARITIES HAWAII THE FOUR ENTITIES THAT SUBMITTED PROPOSALS DIRECTLY TO THE DEPARTMENT FOR THAT PROGRAM. >> THANK YOU SO MUCH. AND THAT IS ABLE TO BE SHARED PUBLICLY WITH WHOMEVER? \r\n\r\n>> YES IT IS, COUNCIL MEMBER. THE AWARD LETTER HAS BEEN SUBMITTED TO CATHOLIC CHARITIES AND THE LETTERS TO THE OTHER ENTITIES THAT SUBMITTED PROPOSALS WERE ALSO SENT OUT. SO ALL OF THE FOUR ENTITIES THAT SUBMITTED PROPOSALS TO THE DEPARTMENT WERE INFORMED OF THEIR STATUS. >> THANK YOU SO MUCH. >> ANY MORE QUESTIONS, MEMBERS? VICE-CHAIR SUGIMURA. >> THANK YOU FOR ALLOWING THE DISCUSSION. \r\n\r\nI GUESS IT'S NOT REALLY THE ITEM ON THE AGENDA, BUT RELATED. SO THANK YOU. YOU WANT TO TAKE THE BILL UP? >> YOU CAN MAKE YOUR MOTION AGAIN. >> OKAY, SO I MOVE TO ADOPT THE RECOMMENDATIONS IN COMMITTEE REPORT 23-96. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA AND SECONDED BY PRO TEM KAMA TO APPROVE THE RECOMMENDATIONS IN COMMITTEE REPORT 23-96. ANY MORE DISCUSSION, MEMBER SUGIMURA. >> NO DISCUSSION, JUST TO APPROVE THE COMMITTEE REPORT. \r\n\r\n>> ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. >> AYE. >> ALL AYES, ZERO NOS, NINE AYES, ZERO NOS, MOTION CARRIES. THANK YOU, DIRECTOR TSUHAKO. >> THANK >> THANK YOU, MADAM CHAIR. >> MS. CLERK. \r\n\r\n>> MADAM CHAIR, HOUSING AND LAND USE IS COMMITTEE REPORT 23-99 RECOMMENDING FIRST READING OF BILL 70 CD 1, (2023) TO ALLOW THE TRANSFER OF AN EXISTING CONDITIONAL PERMIT HELD BY JANICE FAIRBANKS AND THOMAS N. FAIRBANKS III TO JOSHUA RAMU TREMBLAY FOR THE OLD WAILUKU INN AT ULUPONO SITUATED AT 2199 KAHO'OKELE STREET WAILUKU, MAUI, HAWAII. >> PRO TEM KAMA. >> THANK YOU, CHAIR, I MOVE TO ADOPT THE RECOMMENDATIONS IN COMMITTEE REPORT 23-99. >> SECOND. >> MOVED BY PRO TEM KAMA, SECONDED BY VICE-CHAIR SUGIMURA TO APPROVE THE COMMITTEE REPORT 23 -- RECOMMENDATIONS IN COMMITTEE REPORT 23-99. 23-99. DISCUSSION, PRO TEM KAMA >> THANK YOU. MEMBERS, YOUR HOUSING AND LAND USE MET ON NOVEMBER 1ST, 2023 TO CONSIDER BILL 70, (2023) A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 3545 BILL NO. 29 TO TRANSFER A CONDITIONAL PERMIT TO JOSHUA RAM YU STREAM PLAY FOR OLD WAILUKU INN AT ULUPONO SITUATED AT 2199 KAHO'OKELE STREET A TEN-BED & BREAKFAST TO JOSHUA RAMU TREMBLAY. THE VERSION OF THE BILL HAS BEEN APPROVED AS TO FORM AND LEGALITY BY THE DEPARTMENT OF CORPORATION COUNSEL. \r\n\r\nTHIS BILL INCORPORATES THE PLANNING COMMISSION'S RECOMMENDED CONDITIONS OF ZONING AND NON-SUBSTANTIVE REVISIONS. THE PLANNING COMMISSION RECOMMENDED APPROVAL OF THIS BILL AND YOUR COMMITTEE VOTED 8-0 TO RECOMMEND FIRST READING WITH COMMITTEE MEMBER RAWLINS-FERNANDEZ BEING EXCUSED. I ASK FOR THE MEMBERS' SUPPORT OF THIS MOTION. >> ANY MORE DISCUSSION? IF NOT ALL IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES MS. \r\n\r\nCLERK. >> CHAIR, FROM THE HOUSING AND LAND USE IS COMMITTEE REPORT 23-100 RECOMMENDING ADOPTION OF RESOLUTION 23-195 TO REFER TO THE PLANNING COMMISSIONS A BILL TO ALLOW COMPOSTING AND CO-COMPOSTING OPERATIONS IN THE AGRICULTURAL DISTRICT UNDER CERTAIN CONDITIONS >> PRO TEM KAMA. >> THANK YOU, CHAIR. I MOVE TO ADOPT THE RECOMMENDATION IN COMMITTEE REPORT 23-100. >> SECOND. >> MOVED BY PRO TEM KAMA AND SECONDED BY VICE-CHAIR SUGIMURA TO APPROVE THE RECOMMENDATIONS IN COMMITTEE REPORT 23-100. PRO TEM KAMA, DISCUSSION? >> YOUR HOUSING AND LAND USE MET ON NOVEMBER 1ST, 2023 TO CONSIDER RESOLUTION 23-195 REFERRING TO THE PLANNING COMMISSIONS A BILL OR A PROPOSED BILL AMENDING THE COMPREHENSIVE ZONING ORDINANCE RECOMMENDING TO COMPOSTING IN THE AGRICULTURAL DISTRICT. THE PURPOSE OF THIS RESOLUTION IS TO SEND TO THE PLANNING COMMISSION A BILL TO AMEND THE ZONING CODE TO PERMIT COMPOSTING AND CO-COMPOSTING AND INDICATED THEIR SUPPORT FOR THE PROPOSED ZONING CODE AMENDMENTS. \r\n\r\nYOUR COMMITTEE VOTED 8-0 TO RECOMMEND ADOPTION OF RESOLUTION 23-195 WITH COMMITTEE MEMBER PALTIN EXCUSED. I ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. >> MEMBERS, ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, PLEASE RAISE YOUR HAND, SAY AYE? >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. MS. \r\n\r\nCLERK. >> CHAIR, MOVING TO RESOLUTIONS UNDER SECTION L. ANYONE WHO WOULD LIKE TO TESTIFY ON THESE

RESOLUTIONS, MAY DO SO AT THIS TIME. CHAIR, CURRENTLY WE HAVE COUNCIL MEMBER ESTHER KIA'AINA TO TESTIFY. YES, WE CAN. >> ALOHA. >> I'M SORRY I COULDN'T BE THERE IN PERSON. I JUST LEFT MAUI YESTERDAY AFTER THE CNHA WEEKEND AND I DECIDED TO TAKE A BREATHER OVER THE WEEK AND REALLY APPRECIATED IT.\r\n\r\nTHIS MORNING BC YOUR COUNCIL WHICH COMMEMORATES THE 30TH ANNIVERSARY OF THE ENACT OF PUBLIC LAW 103-150, THE APOLOGY RESOLUTION, WHICH I FULLY SUPPORT. SO I WOULD LIKE TO MAHALO COUNCIL MEMBER RAWLINS-FERNANDEZ FOR INTRODUCING THIS RESOLUTION. BECAUSE I THINK IT'S SO CRITICALLY IMPORTANT, NOT ONLY FOR THE FEDERAL GOVERNMENT TO CONTINUE ITS PROCESS OF RECONCILIATION, BUT ALSO FOR THE STATE OF HAWAII AND ALL COUNTIES TO ALSO UNDERSTAND WHAT HAPPENED, AS WELL AS HOW WE ALL COLLECTIVELY CAN MOVE FORWARD TO HELP OUR NATIVE HAWAIIAN COMMUNITY. SO FOR THOSE OF YOU WHO ARE NOT AWARE, I WAS WITH SENATOR AKAKA AT THE TIME OF PASSAGE OF THIS RESOLUTION INTO PUBLIC LAW ON NOVEMBER 23RD, 1993, AND THE MOST IMPORTANT PART, OF COURSE, WAS THAT IT OFFERED AN APOLOGY ON BEHALF OF THE UNITED STATES FOR ITS ROLE IN THE OVERTHROW AND THE REASON THAT IS IMPORTANT IS PRIOR TO THE APOLOGY RESOLUTION, THE U.S. DENIED ANY RESPONSIBILITY FOR ITS ROLE FOR THE SOVEREIGNTY AND LANDS OF THE HAWAIIAN PEOPLE. THAT IS FIRST AND FOREMOST. SECOND, IN THE RESOLUTION, IT COMMITTED TO LEARNING ABOUT THE RAMIFICATIONS OF THE OVERTHROW, WHICH WAS MEANT TO BE LOSS OF SOVEREIGNTY AND LAND, AND TO COMMIT ITSELF TO A PROCESS OF RECONCILIATION, WHICH OF COURSE, IS REDRESS. NOW BOTH IN THE HONOLULU MEASURE THAT YOU ARE COMPANION TO, WE UNDERSTAND THAT BOTH HONOLULU COUNTY, AS WELL AS MAUI COUNTY HAS DONE ON ITS OWN VARIOUS EFFORTS TO HELP WITH RECOGNIZING THE UNIQUE STATUS OF NATIVE HAWAIIANS AND DOING ALL THAT YOU CAN TO HELP TO PRESERVE OUR CULTURAL AND NATURAL RESOURCES, AND TO HELP WITH THE REVITALIZATION OF OUR LANGUAGE AND BASICALLY TO ACKNOWLEDGE NOT ONLY MAKE US FEEL EMPOWERED TO HELP OUR OWN COMMUNITIES, BUT ALL OF THE PEOPLE OF HAWAII. SO I JUST WANT TO SAY THAT WHEN I THINK ABOUT RECONCILIATION, WHILE THE FEDERAL GOVERNMENT WAS THE WRONG DOER IN THE 1893 OVERTHROW, IN THE STATE OMISSIONS ACT IN TRANSFERRING ALL OF THE PUBLIC LANDS, AND KULEANA OF THOSE LANDS, WHICH IS OUR LARGER PUBLIC LANDS TRUST, WHICH MOST OF THE COUNTIES RECEIVE LANDS FROM.\r\n\r\nTHE STATE OF HAWAII AND ALL OF THE COUNTIES HAVE SOME ROLE TO PLAY WITH RECONCILIATION, BECAUSE THE MAJORITY OF PUBLIC LANDS IN HAWAII, UNLESS THEY GOT THOSE LANDS THROUGH PRIVATE DONATIONS, THOSE ARE ALL LANDS THAT ARE PART OF THE 1.8 MILLION ACRES OF CEDED LAND TRUST THAT WAS LEGALLY TRANSFERRED TO THE U.S. GOVERNMENT IN 1898 UNDER THE NOLAN RESOLUTION. THE MAJORITY OF THOSE WERE TRANSFERRED BACK TO THE STATE OF HAWAII AND MANY OF THE COUNTIES RECEIVED LANDS AS PART OF THAT TRUST. SO I JUST WANT TO APPLAUD ALL OF YOU FOR MOVING THIS RESOLUTION FORWARD. WHAT 30 YEARS -- WHAT A DIFFERENCE THREE DECADES MAKE, BECAUSE I THINK WE HAVE COME A LONG WAY. BEFORE MANY OF US WERE LOOKED AT AS ACTIVISTS, WITH REGARD TO FIGHTING FOR JUSTICE FOR THE NATIVE HAWAIIAN PEOPLE, AND I THINK PEOPLE NOW KNOW THAT NOT ONLY IS IT THE RIGHT THING THAT WE REMEMBER OUR HISTORY, BUT WE HAVE SO MUCH STILL TO HEAL FROM, AGAINST THE BACKDROP OF THE MAUI FIRES AND HOW THE PEOPLE OF LAHAINA AND THE PEOPLE OF MAUI ARE HEALING. UNDER THAT HEALING PROCESS IS STILL ALL OF THAT HISTORY. THAT IS MASKED UP ON WHAT HAPPENED TO MAUI, AND I THINK THAT AS PEOPLE ARE TRYING TO REBUILD THIS ACKNOWLEDGMENT OF WHAT HAS HAPPENED IN THIS RESOLUTION AND ALL OF THE LOSS THAT HAS HAPPENED TO THE HAWAIIAN PEOPLE, IT'S GOOD TO RECOGNIZE IT AND ALSO RECOGNIZE HOW WE CAN WORK TOGETHER TO MOVE NOT JUST OUR NATIVE HAWAIIAN COMMUNITY TOGETHER, BUT ALL OF THE PEOPLE OF HAWAII. THANK YOU SO MUCH FOR YOUR TIME.\r\n\r\n>> THANK YOU, MEMBER KIA'AINA, ALWAYS GOOD TO SEE YOU. QUESTIONS, MEMBERS? MEMBER RAWLINS-FERNANDEZ HAS A QUESTION. >> MAHALO, CHAIR. MAHALO COUNCIL MEMBER KIA'AINA FOR BEING WITH US TODAY AND PROVIDING YOUR VERY POWERFUL REMARKS THIS MORNING. I WANTED TO CLARIFY SO IF IN YOUR TESTIMONY YOU SPOKE TO SOME OF THE HISTORY OF THIS MATTER, THE APOLOGY RESOLUTION. AND IS THERE ANOTHER OPPORTUNITY, MAYBE TONIGHT, THAT FOLKS CAN LEARN MORE ABOUT THIS?\r\n\r\n>> YES. THIS EVENING AT 5:00 TO 6:30 AT THE UNIVERSITY OF HAWAII

MANOA CAMPUS CENTER BALLROOM, THE ASSOCIATION OF STUDENTS, THE NATIVE HAWAIIAN STUDENTS, IN COLLABORATION WITH NATIVE HAWAIIAN STUDENTS SERVICES THE ASSOCIATES STUDENTS OF UNIVERSITY OF HAWAII ARE HOSTING A PANEL DISCUSSION THIS EVENING WHICH WILL BE LIVED STREAMED FEATURING BOTH MYSELF AND TRUSTEE TRASK, KAHU PATTERSON, WHO WAS INSTRUMENTAL IN THE APOLOGY FROM THE UNITED CHURCH OF CHRIST, WHICH WAS THE FIRST CONGREGATION IN 1820 THAT ARRIVED IN THE HAWAIIAN ISLANDS. AND THEY HAVE PREVIOUSLY IN 1993 OFFERED THEIR OWN APOLOGY. SO WHAT WE DID IS WE BUILT OFF NOT ONLY ON THEIR APOLOGY, BUT OF COURSE, SOME OF THE GROUNDS WORK THAT HAD BEEN LAID FOR THE STATE OF HAWAII. WE FELT AS PART OF THIS HEALING PROCESS, IT NOT JUST INVOLVED THE FEDERAL GOVERNMENT, IT INVOLVED A LOT OF THE PEOPLE AT THE TIME OF OVERTHROW, WHO REALLY IMPACTED ALL OF OUR SOCIETY. AND THAT WOULD, OF COURSE, WOULD BE RELIGION AS WELL. I THINK THROUGH THIS WE ALL REALIZE THAT DESPITE THE WRONGDOING OF MANY PEOPLE AT THAT TIME, WE HAVE -- WE STILL WELCOME THE STAKEHOLDERS, BECAUSE IT STILL EXISTS TODAY AND HELPS IN OUR HEALING. AND THERE'S SO MUCH NEED FOR FORGIVENESS OF WHAT HAS HAPPENED, BUT WE CANNOT LET THAT HINDER OUR ABILITY TO PRACTICE ALL OF OUR RELIGIOUS BELIEFS, AND STILL TRY TO SUPPORT JUSTICE FOR THE NATIVE HAWAIIAN PEOPLE.

SO I WOULD RECOMMEND IF YOU ARE INTERESTED, AGAIN IT'S LIVESTREAMED AT MAXIMUM CAPACITY 100 PEOPLE. WHAT I WANTED TO DO, WHICH IS WHY I APPRECIATE YOU HAVING THIS RESOLUTION IS BECAUSE WE HAVE TO EDUCATE ALL OF THE GENERATIONS COMING BEHIND US, BECAUSE JUST BECAUSE THIS HAPPENED 30 YEARS AGO, WE HAVE SO MUCH MORE WORK TO DO. AND RECONCILIATION IS NOT A SET REPORT. IN 2000, THE FEDERAL GOVERNMENT ISSUED A REPORT, THAT IS NOT THE END-ALL. RECONCILIATION IS AN EVER EVOLVING PROCESS THAT EVERYBODY COULD TRY TO SEE WHAT THEY COULD DO; RIGHT? HOW THEY COULD KOA AND THROUGH THIS RESOLUTION, I HOPE YOU CAN KEEP UP THE GOOD WORK, BECAUSE THE BATTLE IS NOT OVER. AND AGAIN, GOING BACK TO LAHAINA, WHEN PEOPLE ARE TALKING ABOUT WHAT HAD HAPPENED HISTORICALLY, WHICH THE HEALING, AS WELL AS THE MAUI FIRES AND THE TRAUMA THAT NATIVE HAWAIIANS HAVE FACED SINCE 1893 AND WAYS TO DO IT NOT JUST HAWAIIANS WITHIN OUR NATIVE HAWAIIAN COMMUNITY, BUT CAPACITY-BUILDING AND OPPORTUNITIES.

SO THAT WE WOULD BE ABLE TO HAVE INCREASED WORKFORCE OPPORTUNITIES, FOR EXAMPLE, INCLUDING THE CITY COUNCIL AT STATE-LEVEL, AT THE FEDERAL GOVERNMENT. SO WE WOULD BE IN POSITIONS OF DECISION-MAKING TO HELP ALL OF THE PEOPLE OF MAUI, ALL OF THE PEOPLE OF HAWAII, WHICH IN TURN HELPS THE HAWAIIAN PEOPLE; RIGHT? SO WE'RE ALL THERE THIS TOGETHER. BUT BY INTRODUCING THE RESOLUTION, YOU PROVIDE FOR THAT DIALOGUE. I DON'T WANT PEOPLE TO THINK THIS IS ARCHAIC DISCUSSION, AND IT'S JUST FOR ACKNOWLEDGING WHAT HAPPENED HISTORICALLY. IT'S SOMETHING THAT WE FEEL INSIDE OF US. YES.

MAHALO, COUNCIL MEMBER KIA'AINA AND MAHALO CHAIR AND MEMBERS FOR ALLOWING THAT KIND OF NON-CLARIFYING QUESTION. >> AND I SAW MEMBER PALTIN'S HAND. >> THANK YOU, CHAIR. THANK YOU, COUNCIL MEMBER KIA'AINA. I THINK MY QUESTION IS CLARIFYING IF YOU COULD SHARE A LINK IN THE CHAT TO THAT. >> YOU KNOW, I DON'T KNOW HOW, BUT I BELIEVE -- >> I'LL GET IT. I'LL GET IT.

COULD YOU? AND THERE'S ACTUALLY A SCAN IN CODE, BUT REGRETTABLY, I KNOW THEY CAN'T LIKELY ACCOMMODATE MORE PEOPLE, BUT IT WILL TELL YOU HOW TO LOG ON. NOW I NEED TO LET YOU KNOW, WE HAVEN'T HAD A SUBSTANTIVE DIALOGUE ON THIS ISSUE FOR OVER 20 YEARS. SO THE REASON THAT I BELIEVE TODAY'S DISCUSSION IS HELPFUL IS BECAUSE IT'S RELEVANT. NO. 1. NO. 2, IF YOU LOOK WHO IS SPEAKING, LIKE, THE NATION OF HAWAII, AND WAIMANALO, THEY BASE THEIR FOUNDATION ON THE APOLOGY.

AND YOU KNOW, NO ONE IS GOING AROUND AND SAYING OH, MY GOD, WE'RE SCARED OF THE NATION OF HAWAII. THEY HAVE BEEN IN EXISTENCE FOR 30 YEARS. SO WHAT IT IS SHOWING IS THAT ALL OF THOSE WHO DO NOT BELIEVE IN JUSTICE FOR THE NAPH NATIVE HAWAIIAN PEOPLE USE THE FEAR FACTOR OH, YOU HAVE TO BE SCARED OF THEM; RIGHT? WE HAVE HAWAIIAN HOMELANDS SINCE 1920; RIGHT? WHAT ARE PEOPLE TALKING ABOUT? THERE'S NOTHING TO FEAR. SO I BELIEVE THAT WHAT IT'S SHOWING IS THAT SINCE 1993, WE HAVE ALL GROWN, INCLUDING OURSELVES. THAT WE CAN SIT DOWN CIVILLY, AND TALK ABOUT FEDERAL RECOGNITION, INDEPENDENCE IN THE SAME BREATH, BECAUSE THEY ARE NOT REALLY COMPETING WITH EACH OTHER.

THEY ARE TWO SEPARATE

PROCESSES. WHAT WE CAN CONTINUE TO TALK ABOUT IS THAT WE CONTINUE TO NOT JUST LOSE OUR LANDS; RIGHT? BUT WE ARE BEING PRICED OUT OF LIVING IN OUR LANDS. SO WHAT IS HAPPENING NOW IS BEFORE A LOT OF LANDS WERE TAKEN AWAY BY THE FEDERAL GOVERNMENT AND A LOT OF LANDS WERE CONDEMNED, OF COURSE, HAWAIIAN LANDS INCLUDING THE KAMEHAMEHA LANDS TRUST. TODAY IT'S ANOTHER FORM OF CONDEMNATION, THAT WE ARE PRICED OUT OF LIVING IN HAWAII, INCLUDING MAUI AND O'AHU AND WE'RE BEING FORCED TO LEAVE. TALKING ABOUT NEOCOLONIALISM OF OUR LANDS, AND ONCE THOSE LANDS ARE OUT OF PEOPLE'S HANDS, THE LIKELIHOOD OF LOCAL FAMILIES, AND NATIVE HAWAIIANS RETURNING IS NIL. >> THANK YOU.\r\n\r\n>> THAT IS WHY YOUR DISCUSSION OF A LAND TRUST FOR LAHAINA IS VERY, VERY INTERESTING, BECAUSE THAT IS ONE -- . >> THANK YOU, COUNCIL MEMBER. THANK YOU. >> FOR THE FUTURE. >> THANK YOU FOR YOUR CLARIFYING ANSWER. THANK YOU VERY MUCH. ANY MORE QUESTIONS? YOU DID A GREAT JOB.\r\n\r\nTHANK YOU. >> THANK YOU. >> YOU TOO. >> CHAIR, THERE'S CURRENTLY NO ONE ELSE SIGNED UP TO TESTIFY ON RESOLUTIONS. LOOKS LIKE MR. LAU MIGHT BE WANTING TO TESTIFY ON THIS. >> GOOD MORNING, COUNCIL MEMBERS.\r\n\r\nALOHA KAKAHIKA. COUNCIL MEMBERS HERE IN THE CHAMBERS AND ONLINE. AND THE REST OF THE PEOPLE THE WORKERS OF MAUI COUNTY WATCHING AND THE PEOPLE WATCHING ON AKAKU, AND MY NAME IS J.C. LAU. I KNOW WHY THERE ISN'T A WHOLE LOT OF PEOPLE HERE, HERE IN THE CHAMBERS PARTICIPATING, BECAUSE MARY CARVALHO FROM THE PUBLIC WORKS DEPARTMENT AND SOME OF THE PUBLIC WORKS STAFF IS ACTIVELY TRYING TO KEEP CITIZENS FROM PARTICIPATING IN GOVERNMENT. I MISSED THE BEGINNING OF THE MEETING HERE, BECAUSE I WAS TALKING TO A NICE SERGEANT FROM THE MAUI POLICE DEPARTMENT NEAR THE ELEVATORS. WHAT DOES THIS HAVE TO DO WITH THE RESOLUTION? THERE'S PUTTING UP THE AHIHI, THE HAWAIIAN WORD FOR TODAY.\r\n\r\nI NEED KEANI'S HELP. NO GRAMMATICAL THINGS THERE, THAT MEANS "A FLAG." PUTTING UP THE FLAG THIS MORNING AND I'M SURE THERE'S RULES FOR PUTTING UP THE FLAG, BECAUSE I WAS IN THE ARMY AND YOU SUPPOSED TO STOP AND STAND AND ATTENTION AND THIS OTHER STUFF WHILE THEY ARE PLAYING THE BUGEL AND HE WAS TELLING ME I'M NOT ALLOWED TO LEAVE MY BAGS IN THE LOBBY UNATTENDED. I ASKED HIM, IF THERE'S ANY RULES AND HE SAID DON'T GIVE HIM A HARD TIME. I SAID, DON'T GIVE ME A HARD TIME AND HE GOT MAD. CHIEF OF SECURITY FROM THE MAYOR'S OFFICE WAS TALKING WITH ME AND HE IS A GOOD GUY, TOO. SO I DIDN'T HAVE ANY PROBLEMS WITH HIM. HE IS TALKING ABOUT THE SAME THING YOU ARE, ALICE.\r\n\r\n>> THANK YOU JC, WE NEED TO HAVE YOU TALK ABOUT SOMETHING ON THE AGENDA. >> I WAS TALKING ABOUT THE FLAG, IF I DIDN'T GET INTERRUPTED. >> WHERE IS THE FLAG ON THE AGENDA? >> THE HAWAIIAN FLAG FOR AUPUNI, THE HAWAIIAN FLAG OUT FRONT. THEY HAVE RULES AND I WILL CHECK OUT THE RULES. THIS IS COUNTY LAND, LIKE THE LADY SAID. WHY IS THE UNITED STATES FLAG RAISED FIRST? \r\n\r\nWHY IS THE UNITED STATES FLAG PUT ABOVE THE HAWAIIAN FLAG ALL THE TIME? STUFF LIKE THAT, I HAVE GOT QUESTIONS. THANK YOU, COUNCIL MEMBERS FOR YOUR TIME AND COMING IN ON A MONDAY MORNING AND DOING THE PEOPLE'S WORK. >> SOUNDS GOOD. ANY QUESTIONS, MEMBERS? IF NOT, THANK YOU. >> CHAIR THE LAST PERSON CURRENTLY SIGNED UP TO TESTIFY IS BRANDON MAKAWA'AWA.\r\n\r\n>> GOOD MORNING, COUNCIL MEMBERS, LONG TIME. I COME COMING IN SUPPORT OF THE RESOLUTION AND IT'S IMPORTANT NOT JUST FOR THE HAWAIIAN PEOPLE, BUT ALL OF THE ENTIRE STATE, ALL OF THE COUNTIES TO ACTUALLY REALLY DIVE INTO WHAT THE APOLOGY LAW IS? AND I THINK MAKING SURE THAT PEOPLE UNDERSTAND THIS LAW IS STILL ON THE BOOKS, AND RECONCILIATION BETWEEN THE HAWAIIAN PEOPLE AND THE STATE HAS NEVER BEEN FULLY MET, AND THE APOLOGY LAW SPELLS OUT THE INJUSTICE THAT HAPPENED TO OUR PEOPLE. OVER 130 YEARS AGO. IT WAS THE LANDMARK LEGISLATION, AND TO GET THAT SIGNED, PASSING THROUGH THE HOUSES AND SIGNED BY THE PRESIDENT WAS NOT LIGHT WORK. I MEAN, YOU GUYS KNOW. SO IT WAS THE FIRST AND ONLY APOLOGY THAT AMERICA HAS EVER GIVEN TO NATIVE PEOPLES.\r\n\r\nAND IT SHOULD BE ACKNOWLEDGED AS SOMETHING THAT IS REALLY IMPORTANT, AND SOMETHING THAT I BELIEVE THE COUNTY AND STATE HAVE AN OBLIGATION TO UPHOLD, AND CARRY OUT RECONCILIATION EFFORTS. AND THE APOLOGY LAYS A GOOD BASIS OF HOW THAT PROCESS BEGINS. YOU KNOW? SO THAT CONCLUDES MY TESTIMONY, BUT I APPRECIATE THE TIME, AND EFFORT THAT IT TOOK TO GET THIS RESOLUTION TO THE FLOOR. NICE TO SEE EVERYBODY. WE ARE ALWAYS THINKING ABOUT

LAHAINA OVER HERE, OUR PRAYERS AND OUR THOUGHTS IS ALWAYS WITH YOU GUYS. IF THERE'S ANYTHING THAT YOU NEED SPECIFICALLY FROM US, PLEASE REACH OUT.\r\n\r\n>> THANK YOU, BRANDON. ANY QUESTIONS, MEMBERS? IF NOT, THANK YOU SO MUCH. ALOHA. >> ALOHA. >> CHAIR THERE'S NO ONE ELSE SIGNED UP TO TESTIFY. CURRENTLY IF THERE'S ANYONE WHO WOULD LIKE TO TESTIFY ON RESOLUTIONS, PLEASE LET YOURSELF BE KNOWN AT THIS TIME.\r\n\r\n\r\nTHE COUNTDOWN IS 3, 2, 1. >> MEMBERS, ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY ON RESOLUTIONS? >> NO OBJECTIONS. >> SO ORDERED. MS. CLERK. >> CHAIR, BEFORE YOU IS RESOLUTION 23-228 APPROVING PROPOSALS ARE FOR INCLUSION IN THE 2024 HAWAII STATE ASSOCIATION OF COUNTIES' LEGISLATIVE PACKAGE. >> MEMBER PALTIN.\r\n\r\n\r\n>> THANK YOU, CHAIR. I MOVE TO ADOPT RESOLUTION 23-228. >> SECOND. >> MOVED BY MEMBER PALTIN, SECONDED BY MEMBER JOHNSON TO APPROVE THE RECOMMENDATIONS IN RESOLUTION 23-228. DISCUSSION, MEMBER PALTIN. >> THANK YOU, CHAIR. FOR THE NEW FOLKS ON THE COUNCIL, AND THE OLD FOLKS THAT DON'T REMEMBER, THIS PROCESS WE HAVE TO -- WE ALL SUBMITTED OUR RESOLUTIONS TO THE HAWAII STATE ASSOCIATION OF COUNTIES , THE EXECUTIVE COMMITTEE VETTED THEM, AND THERE WERE FOUR THAT PASSED THE MUSTER, AND THEY ARE GOING TO BE SENT BACK TO US, WHICH IS THIS RIGHT HERE. AND IT'S KIND OF ALL OF THE COUNTIES HAVE TO AGREE ON WHAT IS INCLUDED IN THE LEGISLATIVE PACKAGE FOR IT TO MOVE FORWARD TO OFFICIALLY BE A PART OF OUR HAWAII STATE ASSOCIATION OF COUNTIES STATE LEGISLATIVE PACKAGE FOR THE UPCOMING LEGISLATIVE SESSION. SO ULTIMATELY THERE WERE FOUR THAT MADE THE BILL.\r\n\r\n\r\n\r\nONE FROM COUNTY OF MAUI, ONE FROM CITY AND COUNTY OF HONOLULU AND TWO FROM COUNTY OF HAWAII. THE ONE FROM COUNTY OF MAUI WAS MEMBER JOHNSON'S FAMILY LEAVE BILL, AND THEY WERE CHECKING IN ON IT ABOUT THE LEGALITIES OF SOME THINGS, AND WE JUST PUT IT ON TO MOVE IT FORWARD WHILE THAT WAS BEING CHECKED IN ON. THE SECOND ONE CITY AND COUNTY OF HONOLULU IT WAS A BILL TO GIVE COUNTIES THE HOME-RULE OVER TOBACCO. YOU KNOW, VAPING IS ONE OF THE LEADING THINGS THAT ARE GETTING WORSE. SO GIVING COUNTIES THAT HOME-RULE OVER VAPING. AND THEN THE LAST TWO WERE COUNTY OF HAWAII, AND ONE OF THEM WAS ONE THAT THEY ADDED FOR US, AND THEM, THERE COMING THROUGH THE DISASTERS. SO THE FIRST ONE IS A BILL FOR AN ACT RELATING TO TRAFFIC REGULATION, AND IT'S KIND OF ABOUT SUBSTANDARD ROADS THOROUGHFARES AND HIGHWAYS THAT DON'T MEET SAFETY STANDARDS ALLOWING COUNTIES TO PUT ADDITIONAL RESTRICTIONS ON THOSE TYPES OF TRANSPORTATION ROUTES. SUCH AS LIKE REQUIRING 4X4 VEHICLES USAGE, OR REQUIRING PEOPLE TO WATCH A SAFETY VIDEO BEFORE TRAVERSING THOSE TYPES OF ROADS.\r\n\r\n\r\n\r\n\r\nTHE LAST ONE ALSO FROM COUNTY OF HAWAII, THAT THEY KIND OF ASKED WHAT THEY CAN DO TO HELP US, AS WELL AS IN RELATIONS TO THEIR PUNA DISASTER WITH THE LAVA FLOW. IT'S A BILL FOR AN ACT RELATING TO EMERGENCY MANAGEMENT, AND IT ADDS INTO THE EMERGENCY POWERS, THE ABILITY TO PREVENT MORTGAGE FORECLOSURE UP TO 36 MONTHS FOLLOWING A LARGE DISASTER. SO THOSE WERE THE BILLS IN THE PACKAGE. WE ALSO HAVE LEGISLATIVE PRIORITIES, WHICH I'M SURE EVERYBODY HAS READ OVER IN THE PACKAGE, AND THERE'S NINE OF THEM. SO THAT IS MY DISCUSSION. HOPEFULLY, NO ONE HAS QUESTIONS, BUT IF YOU DO, I WILL DO MY BEST TO ANSWER THEM. THANK YOU.\r\n\r\n\r\n\r\n\r\n>> ANY QUESTIONS? MEMBER JOHNSON. >> CHAIR, I DON'T HAVE ANY QUESTIONS. BUT I FIGURED I COULD SPEAK A LITTLE BIT MORE IN-DEPTH TO THE BILL THAT I PROPOSED, THE EXECUTIVE COMMITTEE SUPPORTS, IF YOU WILL ALLOW? >> YES. >> ACROSS THE BOARD PAID FAMILY LEAVE IS VERY POPULAR. IT INCLUDES BIRTH, ADOPTION, FOSTERING A CHILD, CARE-GIVING, FAMILY MEMBERS AND THE TYPE OF FAMILY MEMBERS IS CHILD, SPOUSE, SIBLING, SPOUSE, AND 12 WEEKS OF PAID-LEAVE AND RIGHT NOW WE GET 12 WEEKS OF UNPAID-LEAVE.\r\n\r\n\r\n\r\n\r\nIF YOU LOOK AT THE DATA, IF YOU LOOK AT THE DATA, THE STATE OF HAWAII IS ONE OF THE FASTEST-GROWING POPULATION IN PEOPLE OVER THE AGE OF 65. SO WE'RE GOING TO BE NEEDING TO TAKE CARE OF OUR KUPUNA AS THE TIME GOES ON. SEVEN OUT OF TEN CHILDREN HAVE BOTH PARENTS, FOR SINGLE PARENT IN THE WORKFORCE. SO THIS WOULD REALLY HELP THEM WHEN IT COMES TIME TO PAY FAMILY LEAVE. THE OTHER POINT I WANT TO MAKE IS IN THE HAWAII CHILDREN'S ACTION SAYS INFANT MORTALITY RATE GOES DOWN 20% WHEN WE HAVE PAID FAMILY LEAVE. IF YOU LOOK AT THE STATISTICS AS OF US AS NATION, WE DON'T DO WELL IN OUR INFANT MORTALITY RATE AND THIS WOULD HELP

IMMENSELY. SO I'M REALLY HAPPY THAT THE EXECUTIVE COMMITTEE DECIDED TO PUT IN THE BILL AND I WANTED TO THANK COUNCIL MEMBER PALTIN FOR CARRYING THE FLAG AND MAKING IT GO ACROSS THE FINISH LINE. THANK YOU SO MUCH.

THANK YOU, CHAIR. >> ANY MORE DISCUSSION? >> CHAIR, EXCUSE ME. BEFORE YOU VOTE, WE NEED A 7G WAIVER. >> OKAY. BUT ANY DISCUSSION? LET'S SEE, MEMBER PALTIN.

7 G WAIVER. >> I MOVE TO WAIVE RULE 7G OF THE RULES OF THE COUNCIL SO THAT THIS BILL -- THIS RESOLUTION COULD PASS TODAY. >> SECOND. >> MOVED BY MEMBER PALTIN, SECONDED BY MEMBER JOHNSON TO WAIVE RULE 7G. ANY MORE DISCUSSION ON THIS MATTER? IF NOT, ALL THOSE IN FAVOR OF THE WAIVER, RAISE YOUR HAND, SAY AYE AYE. >> NINE AYES, ZEROS NO, MOTION CARRIES. MEMBER PALTIN BACK TO THE MAIN MOTION.

>> I DON'T HAVE ANYTHING FURTHER JUST RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. >> THE MOTION IS TO ADOPT THIS RESOLUTION, TO ADOPT THE RECOMMENDATIONS IN THIS RESOLUTION. ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE. >> NINE AYES, ZEROS NO, MOTION CARRIES. THANK YOU.

MS. CLERK. >> CHAIR, FOR REFERRAL TO THE GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE IS RESOLUTION 23-229 AUTHORIZING SETTLEMENT OF LAW BAFFA V. COUNTY OF MAUI AND MAUI ELECTRIC COMPANY LTD. CASE NO. 2CCV-22-00163. ANY OBJECTIONS TO REFERRING THIS MATTER TO THE GREAT COMMITTEE? SO ORDERED. NEXT ITEM.

>> CHAIR, BEFORE YOU IS RESOLUTION 23-230 THAT WE'RE GOING TO REQUEST THAT THE HAWAIIAN LANGUAGE SPECIALIST NALANI FUJIHARA INTRODUCE. >> GOOD MORNING, NALANI. >> GOOD MORNING. >> KA 'OLELO HO'OHOLE HETU. 23-230 KA HO'OMANA'O 'ANA I KA LA HO'OMANA'O 30 O KA HO'OHOLE 'ANA I KE KANAWAI AUPUNI 103-150, KA "'OLELO HO'OHOLE MIHI" OIAI, I KA MAHINA O NOWEMAPA, MA KA LA 23, I KA MAKAHIKI 1993, UA HO'OHOLE KA PELEKIKENA 'O BILL CLINTONIA KANAWAI AUPUNI 103-150, "KA 'OLELO HO'OHOLE HUI E HO'OIA AI I KA LA HO'OMANA'O 100 O KA HO'OKAHULI AUPUNI O KE AUPUNI MO'I O HAWAII NEI I KA MAHINA O IANUALI MA KA LA 17, I KA MAKAHIKI 1893, A E MIHI I NA KANAKA HAWAII NO 'AMELIKA HUI PO. 'IA, NO KA HO'OKAHULI AUPUNI O KE AUPUNI MO'I HAWAII, 'IKE LAULAHA 'IA 'O "KA 'OLELO HO'OHOLE MIHI"; A 'OIAI, UA HA'I KA'OKO'A KA PAUKO 1 O KA 'OLELO HO'OHOLE MIHI: "'O KA 'AHA'OLELO LAHU >> CHAIR, I CAN GIVE THE ENGLISH VERSION COMMEMORATING THE 30TH ANNIVERSARY OF THE ENACTMENT OF PUBLIC LAW 103-150, "THE APOLOGY RESOLUTION. >> PROCEED.

>> CHAIR. >> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. MAHALO, MS. FUJIHARA. MOVE TO ADOPT RESOLUTION 23-230, INCLUDING ANY NON-SUBSTANTIVE RESOLUTIONS UNDER THE RULES OF THE COUNCIL. >> SECOND.

>> MOVED BY MEMBER RAWLINS-FERNANDEZ, SECONDED BY MEMBER UU-HODGINS TO ADOPT RESOLUTION 23-230. DISCUSSION, MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I WOULD LIKE TO REQUEST THAT OUR HAWAIIAN LANGUAGE COMMUNICATION SPECIALIST NALANI FUJIHARA, READ THE RESOLUTION IN ITS ENTIRETY, AND FOLLOWED BY THE ENGLISH VERSION BY THE CLERK. THIS ONE ISN'T AS LONG AS THE LAST ONE. SO IT SHOULDN'T TAKE AS LONG. >> WELL, WE'LL TAKE YOUR WORD ON THAT. NALANI.

OIAI, I KA MAHINA O NOWEMAPA, MA KA LA 23, I KA MAKAHIKI 1993, UA HO'OHOLE KA PELEKIKENA 'O BILL CLINTONIA KANAWAI AUPUNI 103-150, "KA 'OLELO HO'OHOLE HUI E HO'OIA AI I KA LA HO'OMANA'O 100 O KA HO'OKAHULI AUPUNI O KE AUPUNI MO'I O HAWAII NEI I KA MAHINA O IANUALI MA KA LA 17, I KA MAKAHIKI 1893, A E MIHI I NA KANAKA HAWAII NO 'AMELIKA HUI PO. 'IA, NO KA HO'OKAHULI AUPUNI O KE AUPUNI MO'I HAWAII, 'IKE LAULAHA 'IA 'O "KA 'OLELO HO'OHOLE MIHI"; A 'OIAI, UA HA'I KA'OKO'A KA PAUKO 1 O KA 'OLELO HO'OHOLE MIHI: "'O KA 'AHA'OLELO LAHUI- 'OIAI, I KA MAHINA O NOWEMAPA, MA KA LA 23, I KA MAKAHIKI 1993, UA HO'OHOLE KA PELEKIKENA 'O BILL CLINTONIA KANAWAI AUPUNI 103-150, "KA 'OLELO HO'OHOLE HUI E HO'OIA AI I KA LA HO'OMANA'O 100 O KA HO'OKAHULI AUPUNI O KE AUPUNI MO'I O HAWAII NEI I KA MAHINA O IANUALI MA KA LA 17, I KA MAKAHIKI 1893, A E MIHI I NA KANAKA HAWAII NO 'AMELIKA HUI PO. 'IA, NO KA HO'OKAHULI AUPUNI O KE AUPUNI MO'I HAWAII, 'IKE LAULAHA 'IA 'O "KA 'OLELO HO'OHOLE MIHI"; A 'OIAI, UA HA'I KA'OKO'A KA PAUKO 1 O KA 'OLELO HO'OHOLE MIHI: "'O KA 'AHA'OLELO LAHUI- (1) I KA WA O KA LA HO'OMANA'O 100 O KA HO'OKAHULI AUPUNI KO. 'OLE I KE KANAWAI O KE AUPUNI MO'I O HAWAII, I KA MAHINA O IANUALI MA KA LA 17, I KA MAKAHIKI 1893, HO'OIA I KEIA HANANA NUI I KA OHI AKU AI I KE EA O NA KANAKA HAWAII; (2) 'IKE A HO'APONO I NA HANA HO'OKU'IKAHU I HO'OMAKA 'IA E KA MOKU'AINA O HAWAII A ME KA HALE PULE HUI PO. 'IA O KRISTO ME NA KANAKA HAWAII;

(3) MIHI I NA KANAKA HAWAI'I, NO NA KANAKA O 'AMELIKA HUI PU 'IA, NO KA HO'OKAHULI AUPUNI O KE AUPUNI MO'I O HAWAI'I I KA MAHINA O IUANUALI MA KA LA 17, I KA MAKAHIKI 1893, ME KA HANA PU 'ANA O NA 'AKENA A ME NA KUPA O 'AMELIKA HUI PA 'LA, A ME KA HO'ONELE 'ANA I NA PONO O NA KANAKA HAWAI'I E HO'OKO.'OKO'A IHO; (4) HO'OIA I NA HOPENA O KA HO'OKAHULI AUPUNI O KE AUPUNI MO'I O HAWAI'I, 'AMELIKA HUI PU 'IA, NO KA HO'OKAHULI AUPUNI O KE AUPUNI MO'I O HAWAI'I I KA MAHINA O IUANUALI MA KA LA 17, I KA MAKAHIKI 1893, ME KA HANA PU 'ANA O NA 'AKENA A ME NA KUPA O 'AMELIKA HUI PA 'LA, A ME KA HO'ONELE 'ANA I NA PONO O NA KANAKA HAWAI'I E HO'OKO.'OKO'A IHO; (4) HO'OIA I NA HOPENA O KA HO'OKAHULI AUPUNI O KE AUPUNI MO'I O HAWAI'I, 'AMELIKA HUI PU 'IA, NO KA HO'OKAHULI AUPUNI O KE AUPUNI MO'I O HAWAI'I I KA MAHINA O IUANUALI MA KA LA 17, I KA MAKAHIKI 1893, ME KA HANA PU 'ANA O NA 'AKENA A ME NA KUPA O 'AMELIKA HUI PA 'LA, A ME KA HO'ONELE 'ANA I NA PONO O NA KANAKA HAWAI'I E HO'OKO.'OKO'A IHO; (4) HO'OIA I NA HOPENA O KA HO'OKAHULI AUPUNI O KE AUPUNI MO'I O HAWAI'I, KE KAIAULU HAWAI'I, UA HO'OLILO 'IA KE KUMU KULEANA 'AINA O KA MOKUPUNI O KAHO'OLawe E KA PU'ALI KAUA MOANA O 'AMELIKA HUI PU 'LA I KA MOKU'AINA O HAWAI'I, KAU 'IA I KA WAIWAI NOHO KAHU A HIKI I KA HO'OKUMU 'ANA I KEKAHI HUI EA HAWAI'I I 'APONO PEKELALA 'IA; A 'OIAI, I KA MAKAHIKI 1995, I KE KETKA 'ANA ME KE KOMIKINA 'AINA HO'OPULAPULA HAWAI'I, UA 'APONO 'IA KE KANAWAI E KA 'AHA'OLELO KAU KANAWAI O KA MOKU'AINA O HAWAI'I A ME KA 'AHA'OLELO LAHUI O 'AMELIKA HUI PU 'IA, E HO'ONA I NA PALAPALA KUMU KULEANA 'AINA I HA'AWI 'IA I KA MOKU'AINA A ME NA AUPUNI PEKELALA NO KA HO'OHANA 'ANA I NA 'AINA O KA 'OIHANA 'AINA HO'OPULAPULA HAWAI'I, MA WAHO O KA MANA A ME KA UKU PANAI; AKA NA'E, HO'OKO 'OLE 'IA KA HAPA NUI O NA 'OLELO HO'OHKI E HO'OLILO AI A I 'OLE E UKU AI I NA 'AINA I KA WAIWAI NOHO KAHU O KA 'OIHANA 'AINA HO'OPULAPULA HAWAI'I; A EIA HOU AKU, 1) UA HO'OHOLE 'IA KE KANAWAI 14 (1995) E KA 'AHA'OLELO KAU KANAWAI O KA MOKU'AINA O HAWAI'I, A UA HO'ONA 'IA NA PALAPALA KUMU KULEANA E KA 'AHA'OLELO KAU KANAWAI O KA MOKU'AINA O HAWAI'I, A UA HO'ONA 'IA NA PALAPALA KUMU KULEANA 'AINA I HO'OHANA 'IA E KA WAIWAI NOHO KAHU O KA 'OIHANA 'AINA HO'OPULAPULA HAWAI'I, NO KA HANA KU'E KANAWAI A KA MOKU'AINA, 'OIA NO KA HO'OHANA 'ANA I NA 'AINA WAIWAI NOHO KAHU I NA MAKAHIKI 1959 A HIKI I KA MAKAHIKI 1988; UA HO'OHANA 'IA E KA WAIHONA KALA O KO KA 'OIHANA 'AINA HO'OPULAPULA HAWAI'I WAIWAI NOHO KAHU NO NA HANA A KA 'OIHANA 'AINA HO'OPULAPULA HAWAI'I ("DHHL"), I MEA E KAKO'O AI I KA LAKOU MAU PAPAHAHA; UA KOI AKU 'IA KA MOKU'AINA E HO'OKOMO I KE KALA I KA WAIHONA KALA I KELA ME KEIA MAKAHIKI; A UA HO'OLILO 'IA KEKAHI MAU 'AINA MOKU'AINA I KA WAIWAI NOHO KAHU; A HELU 'OLELO HO'OHOLE. --23--2-30-- 2) 'O KE KANAWAI HO'OPULAPULA 'AINA HAWAI'I (HAWAIIAN HOME LANDS RECOVERY ACT), KE KANAWAI AUPUNI 104-42 (1995), UA HO'OHOLE 'IA, A KOI AKU KA 'AHA'OLELO LAHUI I KA 'OIHANA KALAI'AINA (DEPARTMENT OF LNTERIORJ, E HO'OIA I NA 'AINA PEKELALA HO'OKOMO PU 'IA 'O LUALUALEI, O'AHU, KA MEA I HO'OKOMO MUA 'IA I KA WAIWAI NOHO KAHU O KA 'OIHANA 'AINA HO'OPULAPULA HAWAI'I A E HO'I HOU I NA 'AINA, E KUKA'I I NA 'AINA, A I 'OLE E UKU PANAI IA DHHL, KA LUNA O KA WAIWAI NOHO KAHU, A UA HO'AMANA KA 'AHA'OLELO LAHUI I KEKAHI KA'INA HANA I MEA E HO'OHOLE AI I NA KULEANA O KE AUPUNI PEKELALA MA LALO O KE KANAWAI O KE KOMIKINA 'AINA HO'OPULAPULA HAWAI'I; I MEA E HO'OKUMU AI I KEKAHI KAHUA KUPONO NO KA HO'OKU'IKAHU 'ANA O 'AMELIKA I MEA E HO'OKUMU AI I KEKAHI KAHUA KUPONO NO KA HO'OKU'IKAHU 'ANA O 'AMELIKA HUI PU 'LA A ME NA KANAKA HAWAI'I; A (5) KOI AKU I KA PELEKIKENA O 'AMELIKA HUI PU 'LA E HO'OIA I NA HOPENA O KA HO'OKAHULI AUPUNI O KE AUPUNI MO'I O HAWAI'I A E KAKO'O I NA HANA HO'OKU'IKAHU O 'AMELIKA HUI PII 'IA A ME NA KANAKA HAWAI'I"; A 'OIAI, 'O NA MEA KU'TO I KA 'OLELO HO'OHOLE MIHI, UA HO'OIA 'OLE 'IA KA HAPA NUI E 'AMELIKA HUI PII 'LA MA MUA, UA HO'IKE 'IA NA MEA A KA 'AHA'OLELO LAHUI I LOA'A AI I KE KAKO'O O KE KANAWAI PEKELALA A I KA HO'OPI'I HELU 'OLELO HO'OHOLE. --23--2-30-- 'ANA MA KA 'AHA HO'OKOLOKOLO KI'EKI'E O HAWAI'I A ME KA 'AHA HO'OKOLOKOLO KI'EKI'E O 'AMELIKA HUI PU 'IA, A UA HO'OLOLI NUI 'IA KA HAPANUI O NA PILIKIA O NA KANAKA HAWAI'I; A 'OIAI, I KA 'APONO 'ANA I KA 'OLELO HO'OHOLE MIHI, UA HO'OPAI 'IA A KAKO'O 'IA NA LA.LA O KE KAIAULU HAWAI'I E HO'IHO'I IHO I KE EA, E KA UOHA I KA HO'EMI 'ANA I NA MEA 'INO I HO'OMAU 'IA MAI KA HO'OKAHULI AUPUNI O KE AUPUNI MO'I O HAWAI'I A ME KA HO'EMI 'IA 'ANA I NA 'AINA, A E HO'OMAU I NA HANA A LAKOU E HO'OKA'OKO'A IHO AI; A 'OIAI, I KA MAKAHIKI 1994, MA MULI O NA KEKEKE O NA HANA I HO'OKO

'IA E KA 'OHANA HO'OMALU IA KAHO'OLAWA A ME KE KAIAULU HAWAI'I, UA HO'OLILO 'IA KE KUMU KULEANA 'AINA O KA MOKUPUNI O KAHO'OLAWA E KA PU'ALI KAUA MOANA O 'AMELIKA HUI PU 'LA I KA MOKU'AINA O HAWAI'I, KAU 'IA I KA WAIWAI NOHO KAHU A HIKI I KA HO'OKUMU 'ANA I KEKAHI HUI EA HAWAI'I I 'APONO PEKELALA 'IA; A 'OIAI, I KA MAKAHIKI 1995, I KE KETKA 'ANA ME KE KOMIKINA 'AINA HO'OPULAPULA HAWAI'I, UA 'APONO 'IA KE KANAWAI E KA 'AHA'OLELO KAU KANAWAI O KA MOKU'AINA O HAWAI'I A ME KA 'AHA'OLELO LAHUI O 'AMELIKA HUI PU 'IA, E HO'ONA I NA PALAPALA KUMU KULEANA 'AINA I HA'AWI 'IA I KA MOKU'AINA A ME NA AUPUNI PEKELALA NO KA HO'OHANA 'ANA I NA 'AINA O KA 'OIHANA 'AINA HO'OPULAPULA HAWAI'I, MA WAHO O KA MANA A ME KA UKU PANAI; AKA NA'E, HO'OKO 'OLE 'IA KA HAPA NUI O NA 'OLELO HO'OHKI E HO'OLILO AI A I 'OLE E UKU AI I NA 'AINA I KA WAIWAI NOHO KAHU O KA 'OIHANA 'AINA HO'OPULAPULA HAWAI'I; A EIA HOU AKU, 1) UA HO'OHOLE 'IA KE KANAWAI 14 (1995) E KA 'AHA'OLELO KAU KANAWAI O KA MOKU'AINA O HAWAI'I, A UA HO'ONA 'IA NA PALAPALA KUMU KULEANA 'AINA I HO'OHANA 'IA E KA WAIWAI NOHO KAHU O KA 'OIHANA 'AINA HO'OPULAPULA HAWAI'I, NO KA HANA KU'E KANAWAI A KA MOKU'AINA, 'OIA NO KA HO'OHANA 'ANA I NA 'AINA WAIWAI NOHO KAHU I NA MAKAHIKI 1959 A HIKI I KA MAKAHIKI 1988; UA HO'OHANA 'IA E KA WAIHONA KALA O KO KA 'OIHANA 'AINA HO'OPULAPULA HAWAI'I WAIWAI NOHO KAHU NO NA HANA A KA 'OIHANA 'AINA HO'OPULAPULA HAWAI'I ("DHHL"), I MEA E KAKO'O AI I KA LAKOU MAU PAPAHA E KA 'AHA'OLELO KAU KANAWAI O KA MOKU'AINA O HAWAI'I, A UA HO'ONA 'IA NA PALAPALA KUMU KULEANA 'AINA I HO'OHANA 'IA E KA WAIWAI NOHO KAHU O KA 'OIHANA 'AINA HO'OPULAPULA HAWAI'I, NO KA HANA KU'E KANAWAI A KA MOKU'AINA, 'OIA NO KA HO'OHANA 'ANA I NA 'AINA WAIWAI NOHO KAHU I NA MAKAHIKI 1959 A HIKI I KA MAKAHIKI 1988; UA HO'OHANA 'IA E KA WAIHONA KALA O KO KA 'OIHANA 'AINA HO'OPULAPULA HAWAI'I WAIWAI NOHO KAHU NO NA HANA A KA 'OIHANA 'AINA HO'OPULAPULA HAWAI'I ("DHHL"), I MEA E KAKO'O AI I KA LAKOU MAU PAPAHA UA KOI AKU 'IA KA MOKU'AINA E HO'OKOMO I KE KALA I KA WAIHONA KALA I KELA ME KEIA MAKAHIKI; A UA HO'OLILO 'IA KEKAHI MAU 'AINA MOKU'AINA I KA WAIWAI NOHO KAHU; A HELU 'OLELO HO'OHOLE.\r\n\r\n--23--2-30-- 2) 'O KE KANAWAI HO'OPULAPULA 'AINA HAWAI'I (HAWAIIAN HOME LANDS RECOVERY ACT), KE KANAWAI AUPUNI 104-42 (1995), UA HO'OHOLE 'IA, A KOI AKU KA 'AHA'OLELO LAHUI I KA 'OIHANA KALAI'AINA (DEPARTMENT OF LNTERIORJ, E HO'OIA I NA 'AINA PEKELALA, HO'OKOMO PU 'IA 'O LUALUALEI, O'AHU, KA MEA I HO'OKOMO MUA 'IA I KA WAIWAI NOHO KAHU O KA 'OIHANA 'AINA HO'OPULAPULA HAWAI'I A E HO'I HOU I NA 'AINA, E KUKA'I I NA 'AINA, A I 'OLE E UKU PANAI IA DHHL, KA LUNA O KA WAIWAI NOHO KAHU, A UA HO'AMANA KA 'AHA'OLELO LAHUI I KEKAHI KA'INA HANA I MEA E HO'OHOLE AI I NA KULEANA O KE AUPUNI PEKELALA MA LALO O KE KANAWAI O KE KOMIKINA 'AINA HO'OPULAPULA HAWAI'I; A 'OIAI, I KA MAKAHIKI 2000, MA MULI O KE KAHEA AKA 'OLELO HO'OHOLE MIHI E HO'OKU'IKAHAI AI, UA MA.LAMA KA 'OIHANA KANAWAI KAULIKE O 'AMELIKA PO. 'IA (U.S. DEPARTMENT OF JUSTICE) A ME KA 'OIHANA KALAI'AINA I KEKAHI MAU HALAWAI A ME KEKAHI MAU HALAWAI HO'OLOHE MA HAWAI'I NEI A UA HO'OPUKA 'IA KEKAHI HO'IKE NE'EPAPA, KAPA 'IA 'O "FROM MAUKA TO MAKAI: THE RIVER OF JUSTICE MUST FLOW FREELY," 'IKE 'IA 'O "RECONILIATION REPORT," KA HO'IKE 'ANA I KE KAKO'O NO KA HO'OKU'OKO'A 'ANA IHO O NA KANAKA HAWAI'I I KA 'OLOKE'A O NA KANAWAI PEKELALA A ME KA 'APONO 'ANA I KEKAHI KA'INA HANA E HO'OKU'IKAHAI; A 'OIAI, UA WEHEWEHE KA HO'IKE HO'OKU'IKAHAI I KA HO'OKELE WAIWAI LAWI PONO 'OLE, KA NELE O NA HANA 'IMI HO'ONA'AUAO, KE KULANA OLAKINO LAWI PONO 'OLE, KA NELE O NA HALE, A ME KA HO'OLOLI 'ANA I KE KAIAPILI O NA KANAKA HAWAI'I; ME KA POMAIIKA'I 'OLE, HO'OMAU NO NA PILIKIA A 'OI AKU PAHA KA NUI O NA PILIKIA I KEIA MAU LA; A 'OIAI, I KA MAKAHIKI 2004, 'O KE KE'ENA O NA PILINA HAWAI'I (OFFICE OF NATIVE HAWAIIAN RELATIONS), HE KE'ENA MA LOKO O KA 'OIHANA KALAI'AINA, UA HO'OKUMU 'IA UA KE'ENA NEI MA O KEKAHI PILA HA'AWINA A ME KE KANAWAI HO'OPULAPULA 'AINA HAWAI'I (HAWAIIAN HOMES RECOVERY ACT): I MEA E HO'OKUMU AI I KA PILINA KT1 I KE KANAWAI O NA KANAKA HAWAI'I A ME 'AMELIKA HUI PO. 'LA, E HO'OMAU I KE KA'INA HANA O KA HO'OKU'IKAHAI 'ANA, A ME KE KT1KA 'ANA ME NA KAN.AKA HAWAI'I E PILI ANA I NA HANA PEKELALA E HO'OLOLI NUI I NA KUMUWAIWAI, NA PONO A I 'OLE NA 'AINA O HAWAI'I NEI; A 'OIAI, I KA MAKAHIKI 2009, MA MULI O KA HO'OPI'I 'ANA MA KA 'AHA HO'OKOLOKOLO KI'EKI'E O HAWAI'I A ME KA 'AHA HO'OKOLOKOLO KI'EKI'E O 'AMELIKA HUI PO. 'IA E PILI ANA I KA HO'OHANA 'ANA A ME KE 'ANO O NA 'AINA KA'AHOMO, UA HO'OHOLE KA 'AHA'OLELO KAU

KANAWAI O KA MOKU'AINA O HELU 'OLELO HO'OHOLE. --23--2-30-- HAWAII I KE KANAWAI 176 (2009), UA HO'OKUMU 'IA KEKAHI KANAWAI, KAPA 'IA 'ODE FACTO MORATORIUM, NO KA HO'OLILO 'ANA I NA 'AINA KA'AHOMO (EIA NA 'AINA LEI ALI, NA 'AINA AUPUNI, A ME NA 'AINA LEHULEHU O KE AUPUNI MO'I O HAWAII I KA'AHOMO 'IA IA 'AMELIKA HUI PU 'LA MA MULI O KA LILO 'ANA O HAWAII I PANALA'AU O 'AMELIKA HUI PU 'IA I KA MAKAHIKI 1898); A 'OIAI, I KA MAKAHIKI 2011, I KE KUKALA KAKO'O O 'AMELIKA HUI PU 'IA I KE KUAHAUA O NA LAHUI HUI PU 'LA NO NA PONO O NA KANAKA MAOLI, UA KAKO'O 'O 'AMELIKA HUI PU 'LA I KA HO'OKU'OKO'A 'ANA IHOO NA HAWAII A UA HO'OIA I KA NUI O NA PAPA HANA PEKELALA I HO'OHOLE 'IA E KA 'AHA'OLELO LAHUI I MEA E KAKO'O AI I NA KANAKA HAWAII; A 'OIAI, I KA MAKAHIKI 2016, UA HO'OPUKA AKU KA 'OIHANA KALAI'AINA (DOI) I NA KA'INA HANA I MEA E HO'OKUMU HOU AI I KEKAHI PILINA, KEKAHI AUPUNI I KEKAHI AUPUNI, ME 'AMELIKA HUI PU 'LA A ME KE KAIAULU HAWAII, NO KA HO'OIA 'ANA I KE KAHEA O KA 'OLELO HO'OHOLE MIHI E KAKO'O I KA HO'OKU'IKAHU 'ANA A ME KA HO'OIA 'ANA I NA KANAKA HAWAII, HE MAU KANAKA MAOLI LAKOU O 'AMELIKA HUI PU 'IA, HO'OMAU KE EA, A MA.LAMA I KEKAHI PILINA HILINA'I ME 'AMELIKA HUI PU 'IA; A 'OIAI, KAKO'O KA 'AHA KALANA O MAUI I KA HO'OKU'IKAHU 'ANA ME NA KANAKA HAWAII A ME KA HO'OPONOPONO 'ANA I NA PILIKIA LAHA 'OLE O NA KANAKA HAWAII, 'O KE KUMU O KA NUI O KEIA MAU PILIKIA, HIKI KE 'IMI HALA 'IA KA HO'OKAHUAI AUPUNI O KE AUPUNI MO'I O HAWAII I KA MAKAHIKI 1893, E LIKE ME NA MEA I 'IKE 'IA I KEIA MAU HANA HOU: 1. UA 'APONO KA 'AHA KALANA I KA 'OLELO HO'OHOLE 22-182, KA 'APONO 'ANA I KA HO'ONOHO 'ANA I KEKAHI LAEKAHU KA'A'IKE 'OLELO HAWAII NO KE KALANA, KA HO'ONOHO 'ANA I KA 'OLELO HAWAII I KEKAHI KAIAPUNI NO NA HO'OLAHA LEHULEHU O KA 'AHA; 2. UA KAKO'O I NA PAKU'I HO'OLOLI I KA PALAPALA HO'OKUMU O KE KALANA O MAUI (1938), ME NA PAKU'I I HO'OLOLI 'IA, 'APONO 'IA MA KE KOHO PALOKA LAULA O KA MAKAHIKI 2022 E: HO'OKUMU I KA 'OIHANA KUMUWAIWAI 'OIWI (DEPARTMENT OF 'OIWI RESOURCES), E HO'OMAKA ANA I KA MAHINA O IULAI MA KA LA 1, I KA MAKAHIKI 2024, A E HO'OIA E MA.LAMA ANA KE KALANA O MAUI I KE AUPUNI MA KE 'ANO HE AUPUNI 'OLELO PALUA MA O KA HO'OHANA 'ANA I KA 'OLELO HAWAII I NA MANAWA KUPONO; A HELU 'C>LELO HO'OHOLE. --23--2-30-- HO'OPALUA I KA 'OIHANA HALE A ME NA KULEANA KANAKA (DEPARTMENT OF HOUSING AND HUMAN CONCERNS) A E HO'OKUMU I KEKAHI MEA KA'A'IKE I KA 'OIHANA 'AINA HO'OPULAPULA HAWAII (DHHL) NO NA MEA E PILI ANA I KA HANA KUKULU HALE I KE KALANA, A E HO'OHIKIWAVE I KA HO'OLALA 'ANA A ME KA 'AE 'ANA I NA HALE KUMU KU'AI KUPONO; 3. I KA MAKAHIKI 2022, UA 'APONO KA 'AHA KALANA, MA O KA MO'OHELU KALA O KA MAKAHIKI 2023, 43 MAU MILIONA NO KA 'OIHANA HO'OHOLE (DEPARTMENT OF MANAGEMENT) A UA LOA'A 'IA KEKAHI HA'AWINA KALA \$11 MAU MILIONA EKE KENEKOA O 'AMELIKA HUI PU 'IA 'O BRIAN SCHATZ NO KE KUKULU 'ANA IA HALAU OF 'OIWI ARTS, HE HALAU NO KA HO'OPA'A HA'AWINA, KA HO'OMA'AMA'A, KA HO'OLAULE'A, A ME KA HO'OMAU 'ANA I KA HULA A ME NA HANA NO'EAU LIKE, 'O KA MEA MUA LOA MA HAWAII NEI; 4. UA HO'OHOLE KA 'AHA I KE KANAWAI KULOKO 5313, KA HO'OIA 'ANA A ME KA 'AE 'ANA AKU I KA WAI, 'OIA HO'I HE KUMUWAIWAI KULOHELOHE A HE KUMUWAIWAI MO'OMEHEU, A PONO E HO'OMALU, E MA.LAMA, A E HO'OHOLE I KA WAI MA KE 'ANO HE WAIWAI NOHO KAHU O KA LEHULEHU A ME KA HO'OLOLI 'ANA I KA PAUKU 14.12.030, KANAWAI O KA 'AHA KALANA, E HO'OKU'U I KA HANA KUKULU HALE AKA 'OIHANA 'AINA HO'OPULAPULA HAWAII (DHHL) I KE KULEKELE WAI I MEA E HOLOMUA AI I NA PAPA HANA HALE KUMU KU'AI KUPONO; 5. UA HO'OHOLE KA 'AHA KALANA I KE KANAWAI KULOKO 5551 (2023), KOI AKU 'IA 20 PAKENEKA O NA MEA A PAU I HO'ILI'ILI 'IA E KA 'AUHAU, KAPA 'IA 'O GENERAL EXCISE AND USE TAX SURCHARGE, NO NA PAPA HANA E KAKO'O AI I KA HANA KUKULU HALE AKA 'OIHANA 'AINA HO'OPULAPULA HAWAII (DHHL), NO KA MEA KE KALI NEI 28,000 MAU KANAKA HAWAII NO NA HA'AWINA 'AINA; 6. I MEA E HOLOMUA AI I NA PAPA HANA HALE KUMU KU'AI KUPONO; 5. UA HO'OHOLE KA 'AHA KALANA I KE KANAWAI KULOKO 5551 (2023), KOI AKU 'IA 20 PAKENEKA O NA MEA A PAU I HO'ILI'ILI 'IA E KA 'AUHAU, KAPA 'IA 'O GENERAL EXCISE AND USE TAX SURCHARGE, NO NA PAPA HANA E KAKO'O AI I KA HANA KUKULU HALE AKA 'OIHANA 'AINA HO'OPULAPULA HAWAII (DHHL), NO KA MEA KE KALI NEI 28,000 MAU KANAKA HAWAII NO NA HA'AWINA 'AINA; 6. NA 'APANA 'AINA I HO'ONOHO 'IA, 'OIA HO'I HE MAU 'AINA KULEANA A ME HE MAU 'AINA KANAWAI KULEANA (KULEANA ACT) O KE AUPUNI, ME "KEKAHI KANAWAI E HO'OIA I KEKAHI MAU 'OLELO HO'OHOLE O KA MO'I A ME KA 'AHA KUKA MALU, 'APONO 'IA MA KA LA 21 I KA MAHINA O KEKEMAPA, A.D. I KA MAKAHIKI 1849, HA'AWI 'ANA AKU I

NA MAKA'AINANA I KE KUMU KULEANA 'AINA NO KO LAKOU MAU 'APANA 'AINA PONO'I A ME KO LAKOU MAU PA HALE, A ME KEKAHI MAU KULEANA HOU AKU," E LIKE ME NA MEA I HO'OHOLE 'E 'IA A HO'OLOLI 'IA; NA 'APANA 'AINA I HO'OHANA 'IA NO KA MAHI 'AI 'ANA, A 'OI AKU KA 'U'UKU O 'AUHAU 'AINA KU'TO MA MUA O KA WAIWAI HELU 'IA (ASSESSED VALUE) I HO'ONU'I 'IA E KA 'AUHAU 'OIHANA MAHI 'AI; A NA 'AINA I HO'ONOHU 'IA I NA 'AINA KIIPUNA, NO KA 'AINA KIITTO I KEI'AI 'IA MAKE 'ANO HE 'APANA 'AINA HOLO'OKO'A A I 'OLE HE HAPA O KA 'APANA 'AINA MA O KEKAHI A 'OI MAMA O KE KANAKA I KII'AI MAI I KA 'APANA 'AINA I 80 MAU MAKAHIKI MA MUA O KA PALAPALA NOI; A 8. UA KAKO'O KA 'AHA KALANA I KA LILO 'ANA O KAUKA JANET L. SIX I MEA 'IKE HANA LIMA O KE AU I HALA I KA MAKAHIKI 2020, E HANANO KE KALANA O MAUI I KEKAHI KEILANA HANA I HO'OKUMU 'IA I MEA E HO'OMALU AI I NA KUMUWAIWAI KEILOHELOHE, NA KUMUWAIWAI MO'OMEHEU A ME NA MO'OLELO O KE KALANA; A 9. UA HA'APILI KA 'AHA I KE KALAILAI 'O KA PA'AKAI A ME KE KA'INA HANA KEIKA, KUHIKUHI 'IA E "KA PA'AKAI O KA 'AINA V. LAND USE COMMISSION (2000)," 'OIAI KA HO'OHANA 'ANA I KA HO'OLA.LA WAI O MAUI (MAUI ISLAND WATER USE AND DEVELOPMENT PLAN) I MEA E HO'OIA A HO'OMALU AI I NA KUMUWAIWAI MO'OMEHEU, NA. MO'OLELO, A ME NA.\r\n\r\nKUMUWAIWAI KEILOHELOHE O HAWAII NEI A E HO'OPA'A I NA PONO HAWAII KU'UNA; A 'OIAI, KAKAHA KA HO'OLALA. KULEKELE O KE KALANA HOLO'OKO'A (COUNTYWIDE POLICY PLAN) I NA LOINA MA LALO: "PONO LOA KA MA.LAMA 'ANA I NA. WAHI KILOHELOHE A ME NA. KUMUWAIWAI MO'OMEHEU"; A HELU 'C>1ELO HO'OHOLE. --23--2-30-- "E HO'OHANOHANO I NA KU'UNA A ME NA MO'OLELO A PAU"; A 'OIAI, I KA MAHINA O NOWEMAPA MA KA LA 1, I KA MAKAHIKI 2023, UA 'APONO KA 'AHA O KO HONOLULU KULANAKAUHALE I KA 'OLELO HO'OHOLE 23-255, FDL, KA HO'OMANA'O 'ANA I KA LA HO'OMANA'O 30 O KA "'OLELO HO'OHOLE MIHI"; A 'OIAI, UA HO'OLOLI LAULA KA 'OLELO HO'OHOLE MIHI I KA LAHUI MA O KE KAKO'O 'ANA I KE KANAWAI PEKELALA NO NA HAWAII, I KA LAWELawe 'ANA I KEKAHI KAHUA NO KE KA'INA HANA HO'OKU'IKAHU I HO'OMAU 'IA, A I KA HO'OMAOPOPO 'ANA O KA LEHULEHU I NA HANANA I KA MAKAHIKI 1893, EIA KEKAHI, KA HO'OMAOPOPO 'ANA I KA HO'OKAHUHI AUPUNI KL1 'OLE I KE KANAWAI O KE AUPUNI MO'I O HAWAII; A 'OIAI, 'O KA HO'OKU'IKAHU 'ANA, 'OIA NO KEKAHI KA'INA HANA LILUWEWE I HO'OMAU 'IA I MEA E HO'OIA AI I KE KULANA KALAI'AINA A ME NA PONO O NA KANAKA HAWAII, A HOLO MANA'O 'IA NA 'AINA HO'OKU'U 'AELIKE E KA 'OLELOKIKE O KA AUPUNI PEKELALA A ME KA AUPUNI MOKU'AINA, NA HAWAII, A ME NA LUNA MAKA'AINANA O KA 'AHA'OLELO LAHUI O HAWAII A MA O NA HANA HOU A 'AMELIKE HUI PU 'LA; I KEIA MANAWA, NO LAILA, HO'OHOLE 'IA E KA 'AHA O KE KALANA O MAUI: 1. E HO'OMANA'O I KA LA HO'OMANA'O 30 O KA HO'OHOLE 'ANA I KE KANAWAI AUPUNI 103-150, KA "'OLELO HO'OHOLE MIHI"; 2. E MANA'O'TO, 'OIAI UA HO'A'O KE KALANA, KA MOKU'AINA A ME NA AUPUNI PEKELALA, PONO KA HO'OMAU 'ANA I KE KA'INA HANA HO'OKU'IKAHU I MEA E HO'OPONOPONO AI I NA PILIKIA HE NUI I KE KAIAULU HAWAII I KEIA LA; 3. E KOI AKU I KE KALANA, KA MOKU'A.INA A ME NA AUPUNI PEKELALA E HOLOMUA I NA HANA HO'OKU'IKAHU ME NA KANAKA HAWAII, PANE AKU A HO'EMI I NA HANA 'INO I HO'OMAU 'IA MAI KA HO'OKAHUHI AUPUNI O KE AUPUNI MO'I O HAWAII, A E KAKO'O I NA HANA A KE KAIAULU E HOLOMUA I KA HO'OKU'OKO'A 'ANA IHOO NA HAWAII; A 4. E HO'OUNA I NA KOPE KIIHELU O KEIA 'OLELO HO'OHOLE I KA MEA HANOHAHO 'O JOSEPH R. BIDEN, JR., KA PELEKIKENA, 'AMELIKA HUI PU 'LA; KA MEA HANOHAHO 'O DEB HAALAND, KE KAKAU HELU 'OLELO HO'OHOLE. --2-3-2-30-- 'OLELO O KA 'OIHANA KALAI'AINA, 'AMELIKA HUI PU 'IA; KA MEA HANOHAHO 'O MERRICK B. GARLAND, KA LOIO KENELALA, 'AMELIKA HUI PU 'IA; KA MEA HANOHAHO 'O ANTONY J. BLINKEN, HELU 'OLELO HO'OHOLE. --2-3-2-30-- 'OLELO O KA 'OIHANA KALAI'AINA, 'AMELIKA HUI PU 'IA; KA MEA HANOHAHO 'O MERRICK B. GARLAND, KA LOIO KENELALA, 'AMELIKA HUI PU 'IA; KA MEA HANOHAHO 'O ANTONY J. BLINKEN, KE KAKAU 'OLELO O KA MOKU'AINA, 'AMELIKA HUI PU 'LA; KA MEA HANOHAHO 'O MAZIE K. HIRONO, KE KENEKOA, KA 'AHA KENEKOA O 'AMELIKA HUI PU 'IA; KA MEA HANOHAHO 'O BRIAN SCHATZ, KE KENEKOA, KA 'AHA KENEKOA O 'AMELIKA HUI PU 'LA; KA MEA HANOHAHO 'O ED CASE, KA LUNA MAKA'AINANA, KA HALE O NA LUNA MAKA'AINANA O 'AMELIKA HUI PU 'LA; KA MEA HANOHAHO 'O JILL TOKUDA, KA LUNA MAKA'AINANA, KA HALE O NA LUNA MAKA'AINANA O 'AMELIKA HUI PU 'LA; KA MEA HANOHAHO 'O JOSH GREEN, M.D., KE KIA'AINA, MOKU'AINA O HAWAII; KA MEA HANOHAHO 'O RONALD D. KOUCHI, KA PELEKIKENA, KA 'AHA KENEKOA O KA MOKU'AINA O HAWAII; KA MEA HANOHAHO 'O SCOTT K. SAIKI, KA HA'TOLELO, KA HALE O NA LUNA MAKA'AINANA O KA MOKU'AINA O HAWAII; A ME KA MEA

HANO HANO 'O RICHARD T. BISSEN, JR., MEIA, KALANA O MAUI.\r\n\r\n[APPLAUSE] MS. CLERK.
WHEREAS, ON NOVEMBER 23, 1993, PRESIDENT BILL CLINTON ENACTED PUBLIC LAW 1034-150,
JOINT RESOLUTION TO ACKNOWLEDGE THE 30TH ANNIVERSARY OF THE JANUARY 17, 1893
OVERTHROW OF THE KINGDOM OF HAWAII AND TO OFFER AN APOLOGY TO NATIVE HAWAIIAN ON
BEHALF OF THE UNITED STATES FOR THE OVERTHROW OF THE KINGDOM OF HAWAII, COMMONLY
KNOWN AS "THE APOLOGY RESOLUTION"; AND WHEREAS, THE APOLOGY RESOLUTION SECTION 1
STATED IN ITS ENTIRETY: 1, ON THE OCCASION OF THE 30TH ANNIVERSARY OF THE ILLEGAL
OVERTHROW OF THE KINGDOM OF HAWAII ON JANUARY 17, 1893 ACKNOWLEDGING THE
HISTORICAL SIGNIFICANCE OF THIS EVENT, WHICH RESULTED IN THE SUPPRESSION OF THE
INHERENT SOVEREIGNTY OF THE NATIVE HAWAIIAN PEOPLE; 2 RECOGNIZES AND COMMENDS
EFFORTS OF RECONCILIATION INITIATED BY THE STATE OF HAWAII AND THE UNITED CHURCH OF
CHRIST WITH NATIVE HAWAIIANS; 3, APOLOGIZES TO NATIVE HAWAIIANS ON BEHALF OF THE
PEOPLE OF THE UNITED STATES FOR THE OVERTHROW OF THE KINGDOM OF HIGH HOW ON
JANUARY 17, 1893 WITH THE PARTICIPATION OF AGENTS AND CITIZENS OF THE UNITED STATES
AND THE DEPRIVATION OF THE RIGHTS OF NATIVE HAWAIIAN TO SELF-DETERMINATION; 4,
EXPRESSES ITS COMMITMENT TO ACKNOWLEDGE THE RAMIFICATIONS OF THE OVERTHROW OF
THE KINGDOM OF HAWAII IN ORDER TO PROVIDE A PROPER FOUNDATION FOR RECONCILIATION
BETWEEN THE UNITED STATES AND THE NATIVE HAWAIIAN PEOPLE AND 5 URGES THE PRESIDENT
OF THE UNITED STATES TO ALSO ACKNOWLEDGE THE RAMIFICATIONS OF THE OVERTHROW OF
THE KINGDOM OF HAWAII AND TO SUPPORT RECONCILIATION EFFORTS BETWEEN THE UNITED
STATES AND THE NATIVE HAWAIIAN PEOPLE"; AND WHEREAS, THE FACTUAL STATEMENTS IN THE
APOLOGY RESOLUTION MANY OF WHICH HAD NOT BEEN PREVIOUSLY ACKNOWLEDGED BY THE
UNITED STATES HAD SINCE BEEN CITED IN CONGRESSIONAL FINDING IN SUPPORT OF FEDERAL
LEGISLATION AND IN LITIGATION AT THE HAWAII SUPREME COURT AND U.S. SUPREME COURT
AND HAVE SIGNIFICANT INFLUENCE ON MANY ISSUES AFFECTING NATIVE HAWAIIAN; AND
WHEREAS, PASSAGE OF THE APOLOGY RESOLUTION ENCOURAGED AND SUPPORTED MEMBERS OF
THE NATIVE HAWAIIAN COMMUNITY TO REASSERT INHERENT SOVEREIGNTY DEMAND
MITIGATION OF ONGOING HARMS FROM THE OVERTHROW OF THE KINGDOM OF HAWAII AND LOSS
OF LANDS; AND WHEREAS, IN 1994 FOLLOWING DECADES OF EFFORT BY THE PROJECT
KAHO'OLAWE 'OHANA AND NATIVE HAWAIIAN COMMUNITY TITLE TO THE ISLAND OF
KAHO'OLAWE WAS OFFICIALLY TRANSFERRED BY THE U.S. NAVY TO THE STATE OF HAWAII TO BE
HELD IN TRUST UNTIL THE FORMATION OF FEDERALLY RECOGNIZED SOVEREIGN NATIVE
HAWAIIAN ENTITY; AND WHEREAS, IN 1995 THE CONSULTATION WITH THE HAWAII HOMES
COMMISSION AND THE HAWAII STATE LEGISLATURE AND THE UNITED STATES CONGRESS PASSED
LEGISLATION TO HELP SETTLE LONGSTANDING CLAIMS AGAINST THE STATE AND FEDERAL
GOVERNMENTS FOR UNAUTHORIZED AND UNCOMPENSATED USE OF THE HAWAII HOMELANDS.
HOWEVER, MANY OF THE COMMITMENTS TO TRANSFER LANDS TO OR OTHERWISE COMPENSATE
THE HAWAII HOMELAND TRUST REMAIN UNFULFILLED AND MORE SPECIFICALLY 1 ACT 14 (1995)
WAS ENACTED BY THE HAWAII STATE LEGISLATURE WHICH SETTLED CLAIMS MADE ON BEHALF
OF THE HAWAII HOMELANDS TRUST AGAINST THE STATE FOR THE ILLEGAL CONVEYANCE OF USE
OF TRUST LANDS BETWEEN 1959 AND 1988 CREATED HAWAII HOMELANDS TRUST FUND TO BE
USED BY THE DEPARTMENT OF HAWAIIAN HOMELANDS TO SUPPORT ITS PROJECTS, REQUIRED THE
STATE TO MAKE ANNUAL DEPOSITS IN THE TRUST FUND AND TRANSFERRED CERTAIN STATE LAND
TRUST AND 2, THE HAWAII HOMELANDS RECOVERY ACT PUBLIC LAW 104-42 (1995) WAS ENACTED
IN WHICH CONGRESS REQUIRED THE U.S. DEPARTMENT OF THE INTERIOR TO IDENTIFY FEDERAL
LANDS INCLUDING LUALUALEI, O'AHU THAT HAD ORIGINALLY BEEN PART OF THE HAWAIIAN
HOMELANDS TRUST AND EITHER RETURN THEM PROVIDE LANDS IN EXCHANGE FOR THEM,
PROVIDE COMPENSATION FOR THEM IN DHHL AS ADMINISTRATOR OF THE TRUST, WHICH
CONGRESS AUTHORIZED AS ADMINISTRATIVE PROCESSES TO OVERSEE THE FEDERAL
GOVERNMENT'S RESPONSIBILITY UNDER THE HAWAIIAN HOMES COMMISSION ACT; AND
WHEREAS, IN 2000 SPURRED BY THE APOLOGY RESOLUTION'S CALLS FOR RECONCILIATION THE
U.S. DEPARTMENT OF JUSTICE AND DOI HELD A SERIES OF MEETINGS AND HEARINGS IN HAWAII
AND ISSUED A JOINT REPORT ENTITLED "FROM MAKKA TO MAKAI: THE RIVER OF JUSTICE MUST
FLOW FREELY." KNOWN AS THE RECONCILIATION REPORT EXPRESSING SUPPORT FOR THE SELF-

DETERMINATION OF NATIVE HAWAIIAN WITHIN THE FRAMEWORK OF THE FEDERAL LAW AND RECOMMENDING SERIES OF ACTIONS TO FACILITATE RECONCILIATION; AND WHEREAS, THE RECONCILIATION REPORT DESCRIBED THE ECONOMIC DEPRAVATION, LOW EDUCATIONAL ATTAINMENT, POOR HEALTH STATUS, SUBSTANDARD HOUSING AND SOCIAL DISLOCATION, DISPROPORTIONATELY AFFECTING THE NATIVE HAWAIIAN PEOPLE. UNFORTUNATELY, THESE CHALLENGES PERSIST ANDRA PERHAPS EVEN MORE ACUTE TODAY; AND WHEREAS, IN 2004 THE OFFICE OF NATIVE HAWAIIAN RELATIONS AN OFFICE WITHIN THE DOI, WAS ESTABLISHED VIA AN APPROPRIATION BILL AND HAWAII HOMELANDS RECOVERY ACT TO EFFECTUATE THE SPECIAL LEGAL RELATIONSHIP BETWEEN THE NATIVE HAWAIIAN PEOPLE AND THE UNITED STATES CONTINUE THE PROCESS OF RECONCILIATION AND IMPLEMENT CONSULTATION WITH THE NATIVE HAWAIIAN PEOPLE REGARDING ANY FEDERAL ACTIONS THAT MAY SIGNIFICANTLY AFFECT NATIVE HAWAIIAN RESOURCES, RIGHTS OR LANDS; AND WHEREAS, IN 2009 FOLLOWING LITIGATION OF THE HAWAII SUPREME COURT AND THE U.S. SUPREME COURT REGARDING THE USE AND DISPOSITION OF CEDED LANDS AND HAWAII STATE LEGISLATURE ENACTED ACT 176 (2009) WHICH ESTABLISHED A DE FACTO MORATORIUM ON ANY TRANSFER OF CENTER FOR ECONOMIC DEVELOPMENT LANDS FORMER CROWN GOVERNMENT AND PUBLIC LANDS OF THE KINGDOM OF HAWAII CEDED TO THE UNITED STATES UPON HAWAII BECOMING A U.S. TERRITORY IN 1898; AND WHEREAS, IN 2011, THE ANNOUNCEMENT U.S. SUSPECT FOR THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES, THE UNITED STATES ARTICULATED ITS SUPPORT FOR THE NATIVE HAWAIIAN SELF-DETERMINATION AND RECOGNIZED THE PLETHORA OF FEDERAL PROGRAMS AND CONGRESS HAD ENACTED TO SUPPORT THE NATIVE HAWAIIAN PEOPLE; AND WHEREAS, IN 2016, DOI ISSUED PROCEDURES TO REESTABLISH A FORMAL GOVERNMENT TO GOVERNMENT RELATIONSHIP BETWEEN THE UNITED STATES AND THE NATIVE HAWAIIAN COMMUNITY THUS RECOGNIZING THE APOLOGY RESOLUTION'S CALL FOR EXECUTIVE SUPPORT FOR RECONCILIATION AND RECOGNIZING THE NATIVE HAWAIIAN AD INDIGENOUS PEOPLE OF THE UNITED STATES, RETAIN INHERENT SOVEREIGNTY AND ARE IN SPECIAL TRUST RELATIONSHIP WITH THE UNITED STATES; AND WHEREAS, THE MAUI COUNTY COUNCIL SUPPORTS RECONCILIATION OF THE NATIVE HAWAIIAN PEOPLE AND ADDRESSING THE UNIQUE CHALLENGES FACING THE NATIVE HAWAIIAN PEOPLE AND ORIGIN OF MANY OF WHICH CAN BE TRACED TO THE 1893 OVERTHROW OF THE KINGDOM OF HAWAII AS SEEN THROUGH THE RECENT EFFORTS THE COUNCIL ADOPTED RESOLUTION 22-182 APPROVING THE APPOINTMENT OF A HAWAIIAN LANGUAGE COMMUNICATIONS SPECIALIST FOR THE COUNTY, PROVIDING 'OLELO HAWAII AS A MEDIUM FOR COUNCIL'S PUBLIC INFORMATION; 2, SUPPORTED AMENDMENTS OF THE CHARTER OF THE COUNTY OF MAUI (1983) AS AMENDED APPROVING THE 2022 GENERAL ELECTION TO CREATE THE DEPARTMENT OF 'OIWI RESOURCES EFFECTIVE JULY 1, 2024 AND AFFIRM THAT MAUI COUNTY WILL OPERATE AS A BILINGUAL GOVERNMENT BY IMPLEMENTING OPPORTUNITIES TO INCLUDE HAWAIIAN LANGUAGE AND BIFURCATE THE DEPARTMENT OF HOUSING AND HUMAN CONCERNS AND CREATE A LIAISON TO THE DHHL ON ALL MATTERS INVOLVING HOUSING DEVELOPMENT IN THE COUNTY ENSURING THAT PLANNING AND PERMITTED FOR AFFORDABLE HOUSING ARE EXPEDITED; 3, IN 2022, THE COUNCIL APPROVED VIA THE FISCAL YEAR 2023 BUDGET \$43 MILLION FOR DEPARTMENT OF MANAGEMENT AND RECEIVED A \$11 MILLION GRANT DELIVERED BY U.S. SENATOR BRIAN SCHATZ FOR THE CONSTRUCTION OF HALAU OF 'OIWI ARTS A FACILITY DEDICATED TO STUDY, PRACTICE AND CELEBRATION AND PERMITTED USE OF HULA AND ASSOCIATED ARTS AND FIRST OF ITS KINDS IN HAWAII; 4, THAT THE COUNCIL ENACTED ORDINANCE 5313 ACKNOWLEDGING AND AFFIRMING THAT WATER IS A NATURAL AND CULTURAL RESOURCES THAT MUST BE PROTECTED, PRESERVED AND MANAGED AS PUBLIC TRUST AND AMENDING SECTION 14.12.030 MAUI COUNTY CODE TO EXEMPT BY DHHL FROM THE WATER AVAILABILITY POLICY TO ADVANCE AFFORDABLE HOUSING PROJECTS 5, THE COUNCIL ENACTED ORDINANCE 5551 (2023) REQUIRED 20% OF ALL REVENUE GENERATED BY THE GENERAL EXCISE AND USE TAX SURCHARGE TO BE FOR PROJECTS THAT DIRECTLY SUPPORT DHHL HOMESTEAD DEVELOPMENT, AS THERE ARE APPROXIMATELY 28,000 NATIVE HAWAIIANS WAITING FOR LAND AWARDS; 6, THE COUNCIL ADOPTED RESOLUTION 21-168 AND PURCHASED NEARLY 500 ACRES FOR \$10.5 MILLION FROM ALEXANDER & BALDWIN, LLC. IN WAIKAPU WHERE IWI KUPUNA WERE FOUND AND DEDICATED A PORTION OF CULTURAL PRESERVE DEMONSTRATING THE COUNCIL'S

COMMITMENT TO PRESERVING LANDS WITH CULTURAL SIGNIFICANT; 7, THE COUNCIL AMENDED THE MAUI COUNTY CODE TO PROVIDE REAL PROPERTY TAX EXEMPTIONS FOR: PROPERTY DESIGNATED AS KULEANA LAND AND KULEANA ACT GOVERNMENT LAND IN ACCORDANCE WITH "AN ACT CONFIRMING CERTAIN RESOLUTIONS IN THE KING AND PRIVY COUNCIL PASSED ON THE 21ST DAY OF DECEMBER A.D. 1849 GRANTING TO THE COMMON PEOPLE ALLODIAL TITLES FOR THEIR OWN LANDS AND HOUSELOTS AND CERTAIN OTHER PRIVILEGES." AS ORIGINALLY ENACTED AND AS AMENDED PARCELS USED FOR FARMING TARO WHERE ASSESSED VALUE TIMES THE CURRENT AGRICULTURAL CLASS TAX RATE IS LESS THAN THE MINIMUM REAL PROPERTY TAX; AND LAND DEDICATED AS 'AINA KUPUNA FOR REAL PROPERTY OWNED IN WHOLE OR IN PART IN FEE SIMPLE BY ONE OR MORE DESCENDANTS OF PERSON WHO OWNED THE PROPERTY AT LEAST 80 YEARS PRIOR TO THE APPLICATION. AND 8, THE COUNCIL SUPPORTED THE 2020 DR.\r\n\r\nJAN ET L. SIX BECOMING THE FIRST ARCHAEOLOGIST TO WORK FOR MAUI COUNTY IN A POSITION CREATED TO PROTECT THE COUNTY'S SIGNIFICANT NATURAL, CULTURAL, AND HISTORICAL RESOURCES AND 9, THE COUNCIL ADOPTED KA PA'AKAI 'O KA 'AINA V. LAND USE COMMISSION DURING THE CREATION OF MAUI ISLAND WATER USE AND DEVELOPMENT PLAN TO IDENTIFY AND PROTECT NATIVE HAWAIIAN CULTURAL, HISTORICAL AND NATURAL RESOURCES AND TOO HELP ENSURE NATIVE HAWAIIAN CUSTOMARY AND TRADITIONAL RIGHTS; AND WHEREAS, THE COUNTYWIDE POLICY PLAN NOTES THE CORE PRINCIPLES: EXCELLENCE TO STEWARDSHIP IN THE NATURAL ENVIRONMENT AND CULTURAL RESOURCES; AND HONOR FOR ALL CULTURAL TRADITIONS AND HISTORIES; AND WHEREAS, ON NOVEMBER 1, 2023, THE HONOLULU CITY COUNCIL ADOPTED RESOLUTION 23-255, FD 1, COMMEMORATING THE 30TH ANNIVERSARY OF THE "APOLOGY RESOLUTION"; AND WHEREAS, THE APOLOGY RESOLUTION HAS HAD A PROFOUND NATIONWIDE IMPACT IN SUPPORTING FEDERAL LEGISLATION BENEFITING NATIVE HAWAIIANS IN SERVING AS A FOUNDATION FOR THE ONGOING PROCESS OF RECONCILIATION AND ON THE PUBLIC'S UNDERSTANDING OF THE EVENTS OF 1893, INCLUDING THE UNDERSTANDING THAT THE KINGDOM OF HAWAII WAS ILLEGALLY OVERTHROWN; AND WHEREAS, RECONCILIATION IS AN EVOLVING AND CONTINUING PROCESS TO ADDRESS THE POLITICAL STATUS AND RIGHTS OF THE NATIVE HAWAIIAN PEOPLE, AND THE FUTURE OF CEDE HE HAD LANDS IS BASED ON DIALOGUE AMONG THE FEDERAL AND STATE GOVERNMENTS, NATIVE HAWAIIANS, AND HAWAII'S CONGRESSIONAL DELEGATION AND ON FURTHER ACTION BY THE UNITED STATES NOW THEREFORE , BE IT RESOLVED, BY THE COUNCIL OF THE COUNTY OF MAUI 1, THAT IT COMMEMORATES THE 30TH ANNIVERSARY OF THE ENACTMENT OF PUBLIC LAW 103-150 "THE APOLOGY RESOLUTION." 2, THAT IT BELIEVES THAT ALTHOUGH THE COUNTY, STATE AND FEDERAL GOVERNMENTS HAVE MADE EFFORTS FURTHER PROGRESS IN THE RECONCILIATION PROCESS IS DIRELY NEEDED TO ADDRESS THE MANY CHALLENGES AFFECTING NATIVE HAWAIIAN COMMUNITY TODAY. 3, THAT IT URGES THE COUNTY, STATE AND FEDERAL GOVERNMENTS TO ADVANCE RECONCILIATION, EFFORTS WITH THE NATIVE HAWAIIAN PEOPLE, RESPOND TO AND MITIGATE ONGOING HARMS FROM THE OVERTHROW OF THE KINGDOM OF THE HAWAII AND TO SUPPORT COMMUNITY-LED INITIATIVES TO FURTHER NATIVE HAWAIIAN SELF-DETERMINATION AND THAT CERTIFIED COPIES OF THIS RESOLUTION BE TRANSMITTED TO THE HONORABLE JOSEPH BIDEN, PRESIDENT, UNITED STATES OF AMERICA;, THE HONORABLE DEB HAALAND, SECRETARY OF THE INTERIOR, UNITED STATES OF AMERICA; THE HONORABLE MERRICK GARLAND, ATTORNEY GENERAL, UNITED STATES OF AMERICA; THE HONORABLE ANTHONY BLINKEN, SECRETARY OF STATE, UNITED STATES OF AMERICA; THE HONORABLE MAZIE HIRONO, SENATOR, UNITED STATES SENATE; THE HONORABLE BRIAN SCHATZ, SENATOR, UNITED STATES SENATE; THE HONORABLE ED CASE, REPRESENTATIVE, UNITED STATES HOUSE OF REPRESENTATIVES; THE HONORABLE JILL TOKUDA, REPRESENTATIVE, UNITED STATES HOUSE OF REPRESENTATIVES; THE HONORABLE JOSH GREEN, M.D., GOVERNOR , STATE OF HAWAII; THE HONORABLE RONALD KOUCHI, PRESIDENT HAWAII STATE SENATE; THE HONORABLE SCOTT SAIKI, SPEAKER, HAWAII STATE HOUSE OF REPRESENTATIVES; AND THE HONORABLE RICHARD T. BISSEN, JR., MAYOR, COUNTY OF MAUI. [APPLAUSE] >> THANK YOU. ANY FURTHER DISCUSSION? MEMBERS? MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR.\r\n\r\nSO IT WAS A LITTLE LONGER THAN I HAD MENTIONED BEFORE WE STARTED READING IT. BUT OUR NATION HAS BEEN OCCUPIED FOR 130 YEARS, SO I THINK OCCUPYING 30 MINUTES OF THIS MEETING TODAY IS A PRETTY SMALL ASK. AS MEMBER KIA'AINA SHARED, THIS RESOLUTION WAS

SOMETHING THAT SHE DRAFTED AND SHAKEDER AT THE ANNUAL HAWAIIAN CIVIC CLUB CONVENTION TWO MONTHS AGO. IN COLLABORATION WITH OUR SISTER COUNCIL, I WANTED TO SUPPORT THAT EFFORT AS SHE HAS BEEN SUCH A CHAMPION FOR 'OLELO AND AS MENTIONED NO SUBSTANTIVE DISCUSSION HAS HAPPENED FOR OVER 20 YEARS. THANKFULLY, YOU KNOW, YES, WE TALKED ABOUT IT TO KEEP IT FRONT OF MIND, TO KEEP IT ON OUR RADAR AND GUIDING OUR ACTIONS, WHICH WE HAVE BEEN DOING. AND WE HEARD IN MY COMMITTEE, A LOT OF OUR EFFORTS IS TO STOP THE ELIMINATION OF THE NATIVE PEOPLE AS WE HEARD FROM THE PRESENTATION AND COUNCIL MEMBER ESTHER MENTIONED WHEN KANAKA WIN, WE ALL COLLECTIVELY WIN. THE ONLY ONES WHO LOSE ARE THE ONES THAT SEEK TO ENRICH THEMSELVES AT THE EXPENSE OF OUR PEOPLE AND THE 'AINA.\r\n\r\nTHAT IS WHY AS MENTIONED, THAT THE EFFORT OF THE LAHAINA COMMUNITY TO ESTABLISH A LAHAINA COMMUNITY LAND TRUST IS SOMETHING THAT IS TREMENDOUSLY VALUABLE, AND SHOULD BE SUPPORTED BY US, BY THE COMMUNITY, AND AS WE LOOK FORWARD TO NEXT TUESDAY, NOVEMBER 28TH IS HAWAIIAN INDEPENDENCE DAY, A NATIONAL HOLIDAY THAT WAS CELEBRATED ANNUALLY TO COMMEMORATE THE SIGNING OF THE ANGLO- FRANCO RECOMMENDATION OF THE SOVEREIGNTY OF THE HAWAIIAN KINGDOM BY BRITAIN AND FRANCE. AS I OUTLINED IN THE RESOLUTION, OUR COUNCIL HAS MADE -- OUR COUNTY HAS MADE SUCH AMAZING STRIDES TO THE HAWAIIAN COMMUNITY. I GUESS I WAS GOING TO READ THEM ALL AGAIN, BUT I WON'T. WE HAVE DONE SO MUCH GREAT TOGETHER, AND THERE'S STILL SO MUCH OPPORTUNITY FOR US TO DO MORE. LAWS ARE WHAT WE MAKE IT, AND I GUESS AT THIS TIME, YOU KNOW, I WOULD LIKE TO INVITE ANY OF MY COLLEAGUES TO ADD ANYTHING THAT PERHAPS MY LIST WAS MISSING. THERE IS ABOUT NINE ITEMS THAT I HIGHLIGHTED IN THE RESOLUTION. SO IF YOU SEE ONE THAT YOU WOULD LIKE INCLUDED, I WOULD LOVE TO INCLUDE THAT. AND MAKE THE MOTION TO AMEND, SO THAT CAN BE INCLUDED IN THE RESOLUTION.\r\n\r\nMAHALO, CHAIR. >> MEMBERS, ANY MORE DISCUSSION? MEMBER SINENCI. >> THANK YOU, CHAIR. I KNOW IT WAS LONG AND I WILL TRY TO KEEP IT SHORT. LAST WEEK, THE 22ND ANNUAL HAWAIIAN CONVENTION, AND ALTHOUGH THE FOCUS WAS ON THE LAHAINA FIRES, THEY DID ADDRESS THE CONTINUED CHALLENGES THAT NATIVE HAWAIIANS FACE, NAMELY THOSE STATE AGENCIES THAT WERE CREATED AT STATEHOOD IN 1959. SINCE THEN, WE OFTEN HEAR DECISIONS MADE AT THESE AGENCIES, THAT ARE IN DIRECT CONFLICT OF THE CONDITIONS ESTABLISHED IN THE CONSTITUTION. ONE EXAMPLE IS THE FAILURE AT THE HAWAIIAN HOMES COMMISSION ACT AS THIS RESOLUTION HIGHLIGHTS TO PROVIDE HOUSING FOR NATIVE HAWAIIAN FAMILIES, AGAIN, 28,000 PEOPLE ON THE WAITING LIST.\r\n\r\nMANY WHO HAVE ALREADY DIED WAITING FOR HOUSING. CONDITION THAT HAS KEPT NATIVE HAWAIIANS FROM ESTABLISHING GENERATIONAL WEALTH, TRUE HOMEOWNERSHIP, AND WHY NATIVE HAWAIIANS MAKE UP THE MAJORITY OF THE HOMELESS COMMUNITY. WE HAVE ALSO SEEN A MOVE TOWARDS NAPH NATIVE HAWAIIAN EDUCATION, TO THE CHARTER SCHOOL MOVEMENT AND HAWAIIAN LANGUAGE SCHOOLS, AN ATTEMPT TO TEACH NATIVE HAWAIIANS VALUES AND INCREASE PROFICIENCY AND EDUCATION, AND TO SEVER THAT FROM THE PUBLIC SCHOOL TO THE STATE PRISON SYSTEM, WHERE NATIVE HAWAIIAN MAKES UP THE HIGHEST INCARCERATION GROUP. ANOTHER ISSUES THAT MEMBER KIA'AINA MENTIONED THE CEDED LANDS LEASED TO U.S. NATIONAL PARKS, STATE HARBORS, FEDERAL AIRPORTS, MILITARY BASES, AND WHILE THESE AGENCIES PROFIT OVER THESE LEASES, MISMANAGE THE LAND AND FAIL TO PROTECT PUBLIC TRUST AND CULTURAL RESOURCES, THEIR ANNUAL RENT IS OFFSET AT \$1 A YEAR. SO CHAIR, WHEN PRESIDENT CLINTON APOLOGIZED 30 YEARS AGO, IT WAS LONG OVERDUE, STILL VERY RELEVANT TODAY, AND MAHALO TO MEMBER RAWLINS-FERNANDEZ FOR BRINGING IT UP. THANK YOU, CHAIR. >> ANYONE ELSE?\r\n\r\nIF NOT - MEMBER KAMA. >> THANK YOU, CHAIR. SO THE ACT OF RECONCILIATION IS A CONTINUING PROCESS. SO 1993 PRESIDENT CLINTON APOLOGIES, BUT THERE WAS SUPPOSED TO BE SOME ACTIONS THAT FOLLOWED THROUGH. AND IN 2000 THE FEDERAL GOVERNMENT CAME TO HAWAII, DOING CONSULTATION WITH NATIVE HAWAIIANS WHICH IN EFFECT ENDED UP WITH THE OFFICE OF NATIVE HAWAIIAN RELATIONS, WHICH IS UNDER THE DOI, WHICH WAS CHARTERED THE RESPONSIBILITY TO IMPLEMENT ACTIONS. SO IN THIS BILL, WHAT IT SAYS, IT LAYS OUT FROM MAUKA TO MAKAI REPORT, IT LAYS OUT ALL THOSE THINGS AND RECOMMENDATIONS THAT WE AS NATIVE HAWAIIANS ARE TO LOOK AT AND STARTED AT ED ADVOCATING ON OUR BEHALF AND ACKNOWLEDGING THE FACT THERE

WAS AN INJUSTICE. THE REAL FACTS OF THE MATTER IS THAT DOES THE KINGDOM STILL EXIST OR NOT EXIST? THAT IS WHAT THE FEDERAL GOVERNMENT HAS TO BE ABLE TO ACKNOWLEDGE. SO THAT SELF-DETERMINATION CAN BE OBTAINED. AND JUST TO PUT THAT ON THE RECORD, THAT IS WHERE WE'RE AT. A LOT OF THINGS HAVE HAPPENED. WE HAVE GROWN. WE HAVE INCREASED IN WISDOM AND KNOWLEDGE AND EDUCATION FOR OUR PEOPLE. BUT LIKE 130 YEARS HAVE GONE BY AND IT WILL TAKE THAT LONG FOR EVERYBODY TO GET ON THE SAME PAGE AND THE NATION AND ALL OF AMERICA TO BE ABLE TO SAY YES, WE'LL UNDO, BY GIVING YOU WHAT YOU WANT, WHETHER IT'S SELF-DETERMINATION THROUGH NATIVE HAWAIIAN BECOMES INDEPENDENT NATION, OR NOT? IT'S DEPENDENT UPON THEM AND WHAT THEY DECIDE. SO I JUST WANTED TO PUT THAT ON THE RECORD TODAY. THANK YOU, CHAIR. >> THANK YOU. MEMBERS, ANY MORE DISCUSSION? MEMBER JOHNSON. >> THANK YOU, CHAIR. I FULLY SUPPORT THIS RESO AND YOU WANT TO THANK COUNCIL MEMBER RAWLINS-FERNANDEZ FOR PUTTING IT OUT THERE. I AM HONORED TO SERVE ON A COUNCIL THAT IS A MAJORITY HAWAIIAN. AND FOR ME, WHO IS NOT, I TAKE ADVICE FROM MY OKINAWA GRAND MOTHER, WHO SAID SOMETIMES YOU NEED TO CLOSE YOUR MOUTH AND OPEN YOUR EARS AND THIS IS THE TIME THAT I CAN LEARN A LOT FROM MY COLLEAGUES THAT SHOW THE HISTORY AND IN ADDITION TO HISTORY, THE ACTIONS THAT WE CAN TAKE NOW. SO I KNOW THAT THIS IS A LONG GOING CENTURIES KIND OF ISSUE. BUT WE SIT IN THESE SEATS AND I THINK WE CAN DO SOME THINGS FOR EVERYBODY AND HELP THEM GET RECOGNIZED AND SEEK THE THINGS THAT THEY NEED, BECAUSE SOME THINGS WERE TAKEN. I DON'T WE CAN'T CHANGE THE PAST, BUT WE CAN CERTAINLY CHANGE THE FUTURE. THANK YOU, CHAIR FOR ALLOWING ME. >> THANK YOU. ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. LET'S MOVE ON TO M. >> . CHAIR, MOVING TON M, ORDINANCES. THIS TIME INDIVIDUALS MAY TESTIFY ON THE BILLS LISTED IN SECTION M OF THE AGENDA. CHAIR, THE FIRST PERSON TO RECEIVE IS SHAYNE AGAWA, FOLLOWED BY ERIN WADE. >> GOOD MORNING, SHAYNE. IS HE STILL THERE? LET'S MOVE ON TO ERIN WADE. >> OKAY. MOVING ON TO ERIN WADE. SHE WILL BE TESTIFYING ON BILL 118. >> GOOD MORNING, MEMBERS AND CHAIR. I AM HERE TODAY TO ASK FOR YOUR FLOOR ACTION FOR BILL 118 TODAY. THIS BILL IS RELATING TO THE CLEAN-UP OF COUNTY-OWNED PUBLIC PROPERTIES WITHIN THE LAHAINA BURN ZONE. IT INCLUDES A DESCRIPTION OF ALL OF THE -- A LISTING OF ALL THE PROPERTIES, AS WELL AS A MAP THAT INDICATES THE LOCATION. THIS IS WHAT WE SENT TO DIRECTOR BURROUGHS, REQUESTING CLEAN UP OF THE PROPERTIES THAT THE COUNTY OWNS EITHER IN PART OR IN WHOLE, AUTHORIZING THE ARMY CORPS OF ENGINEERS AND ITS CONTRACTORS TO PERFORM FIRE DEBRIS CLEAN UP ON THESE PROPERTIES. AND I'M AVAILABLE TO ANSWER ANY QUESTIONS, IF YOU HAVE THEM. MAHALO. >> MR. COOK. THIS IS GOING TO BE REFERRED TO YOUR COMMITTEE. WERE YOU PLANNING TO PASS THIS ON THE FLOOR? OKAY. SO THEN MAYBE WE CAN ASK MS. WADE TO COME BACK WHEN THIS ITEM COMES UP AS A RESOURCE PERSON, ANY OBJECTIONS, MEMBERS? ERIN, CAN YOU COME BACK? >> YES. YES, I CAN. >> OKAY. SAME WITH MR. AGAWA, IF HE IS NOT ON THE LINE. >> CHAIR, HE IS ON THE LINE. HE HAD STEPPED AWAY FOR A MOMENT AND IS BACK AND READY TO TESTIFY ON BILLS 119 AND 120. >> MR. AGAWA, WOULD YOU LIKE COULD COME BACK WHEN THESE ITEMS COME UP? ANY OBJECTIONS, MEMBERS? TO DESIGNATING HIM AS A RESOURCE PERSON? >> NO OBJECTIONS. >> OKAY. >> I KNOW HE IS ON. YES, MEMBER RAWLINS-FERNANDEZ? >> MAHALO, SO WHEN THE ITEM COMES UP, WE'LL GIVE AND THE OPPORTUNITY TO PROVIDE OPENING REMARKS INSTEAD OF DURING TESTIMONY? >> YES. >> OKAY. >> OKAY. >> THANK YOU. >> THANK YOU. >> MR. AGAWA, WOULD YOU BE ABLE TO COME BACK? >> YES. SORRY, I HAD TO STEP OUT FOR A QUICK BREAK. SORRY I MISSED MY TIME TO TESTIFY, BUT I'LL BE HERE WE'LL PROBABLY HAVE, NOR FOR QUESTIONS FOR YOU AS WELL. >> I WILL BE HERE AS A RESOURCE AS WELL. >> GREAT. GREAT. ANY MORE TESTIMONY, MS. CLERK? >> CHAIR, THERE'S NO ONE ELSE CURRENTLY SIGNED UP TO TESTIFY. IF THERE'S ANYONE TO SIGN UP UNDER BILL SECTION M, ORDINANCES NOW IS YOUR TIME. COUNTDOWN, 3, 2, 1. >> MEMBERS ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY ON M? >> NO OBJECTIONS. >> ORDINANCES. >> AND ACCEPTING WRITTEN TESTIMONY FOR THE RECORD SO ORDERED. THANK YOU. SO WE'LL JUST CALL THIS UP AND TAKE A QUESTION, AND THEN WE'LL TAKE A MOTION AND THEN WE'LL TAKE A BREAK. OKAY? MS.

CLERK. >> CHAIR, BEFORE YOU IS BILL 108 (2023) A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI APPENDIX B, DEPARTMENT OF WATER SUPPLY. >> VICE-CHAIR SUGIMURA.\r\n\r\n>> THANK YOU. I WILL REQUEST THIS STAY ON THE CLERK'S DESK AS WE'RE WAITING FOR ENABLING LEGISLATION FOR DECEMBER 1ST, I'M TOLD BY THE DEPARTMENT OF WATER SUPPLY. >> MEMBERS, ANY OBJECTIONS TO TAKING THIS UP LATER? OKAY. NOW WE'LL TAKE A RECESS. IT IS 11:11. DO YOU WANT TO TAKE A LONG ONE OR SHORT ONE? MEDIUM.\r\n\r\nOKAY. 11:25. 11:25. OKAY. MEETING WILL RECONVENE AT 11:25 MEETING IN RECESS [GAVEL] [GAVEL] >> WILL THE COUNCIL MEETING OF NOVEMBER 20TH, 2023 PLEASE RECONVENE. MS. CLERK. >> CHAIR, FOR REFERRAL TO THE BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE ARE BILL 116 (2023) A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI REVENUES, CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF PARKS AND RECREATION WAILUKU-KAHULUI COMMUNITY PLAN AREA, AND THE APPENDIX C, DEPARTMENT OF PARKS AND RECREATION, WAILUKU-KAHULUI COMMUNITY PLAN AREA, AND BILL 117 A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI APPENDIX 1, DEPARTMENT OF THE PROSECUTING ATTORNEY. >> VICE-CHAIR SUGIMURA.\r\n\r\n>> PLEASE REFER BOTH TO MY COMMITTEE. >> ANY OBJECTIONS TO REFERRING TO THE BFED COMMITTEE? >> NO OBJECTIONS, CHAIR. >> THANK YOU, MEMBERS. >> BILL 116 AND 117. NEXT. >> CHAIR, FOR REFERRAL TO YOUR WATER AND INFRASTRUCTURE COMMITTEE IS BILL 118 (2023) A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE UNITED STATES GOVERNMENT AND STATE OF HAWAII FOR MAUI WILDFIRE DEBRIS REMOVAL FOR COUNTY-OWNED PROPERTIES. >> ANY OBJECTIONS TO REFERRING THIS TO THE WAI COMMITTEE OR DOES MR.\r\n\r\nCOOK WANT TO DO SOMETHING ELSE? >> ERIN IS ON THE CALL. >> MR. COOK. 118. >> YES, THANK YOU, CHAIR. BEAR WITH ME FOR A MINUTE. MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT UNDER RULE 7G OF THE RULES OF THE COUNCIL.\r\n\r\n>> SECOND. >> MOVED BY MEMBER COOK AND SECONDED BY VICE-CHAIR SUGIMURA TO WAIVE THE RULE OF THE COUNCIL, 7G, DISCUSSION, MR. COOK? >> THANK YOU, CHAIR. MS. WADE, FROM THE ADMINISTRATION >> CHAIR, WE CANNOT HEAR, CHAIR. WELL, I CAN'T. I DON'T KNOW IF MEMBER PALTIN CAN?\r\n\r\n>> MEMBER PALTIN, CAN YOU HEAR? >> WE CAN NOW, BUT IT WAS WHEN MEMBER COOK WAS TALKING THERE WAS A GLITCH. >> WE CAN HEAR YOU, CHAIR. >> OKAY. MR. COOK, COULD YOU REPEAT WHAT YOU SAID? >> YES.\r\n\r\n>> THANK YOU, CHAIR. I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT UNDER RULE 7G OF THE RULES OF THE COUNCIL. >> SO MOVED. >> MOVED BY MEMBER COOK. SECONDED BY VICE-CHAIR SUGIMURA TO WAIVE THE RULE 7G. DISCUSSION, MR. COOK. >> THANK YOU, CHAIR.\r\n\r\nTHE DIRECTOR OF -- THE REPRESENTATIVE FROM THE ADMINISTRATION, MS. WADE HAS REQUESTED EXPEDITED CONSIDERATION OF THIS MEASURE, APPROVAL MY MOTION BY TWO-THIRDS OF THE VOTE OF THE ENTIRE MEMBERSHIP OF THE COUNCIL WILL ENABLE US TO CONSIDER THIS EXPEDITED ORDINANCE TODAY >> ANY MORE DISCUSSION ON THE RULE? ALL THOSE IN FAVOR OF THE WAIVER, RAISE YOUR HAND, SAY AYE? >> AYE. >> NINE AYES, ZERO NOS. CARRIES, MR. COOK.\r\n\r\n>> THANK YOU, CHAIR. I MOVE TO PASS BILL 118 (2023) ON FIRST READING. >> 118. >> 118. MOVED BY MEMBER COOK, SECONDED BY MEMBER UU-HODGINS TO PASS BILL 118 ON FIRST READING. MEMBER COOK, DISCUSSION? >> >> >> THANK YOU, CHAIR. BILL 118'S PURPOSE IS TO AUTHORIZE THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT, AND BEAR WITH ME FOR A MINUTE ON THIS ONE. FOR A RIGHT-OF-ENTRY ON THE COUNTY PROPERTIES LOCATED IN LAHAINA.\r\n\r\n>> ANY MORE DISCUSSION? DID ANYBODY WANT MS. WADE? >> YES. >> IS SHE ON THE LINE? >> YES. PLEASE, IF YOU COULD.\r\n\r\n>> MS. WADE. >> YES, I'M HERE. >> WOULD YOU LIKE TO ELABORATE ON THIS MOTION? >> YES, I'M HAPPY TO. THERE'S 68 PROPERTIES THAT ARE COUNTY OWN OR PARTIALLY OWNED BY THE COUNTY OF MAUI, WITHIN THE LAHAINA BURN ZONE. SOME OF THESE ARE SMALL RIGHTS-OF-WAY AREA AND SOME ARE LARGER TMKS SUCH AS 'OLELO PARK.\r\n\r\n\r\nALL OF THOSE NEED AUTHORIZATION FROM THE COUNTY COUNCIL FOR THE MAYOR TO REQUEST CLEAN UP OF THESE PROPERTIES UNDER THE ARMY CORPS OF ENGINEERS' SERVICES WITH THEIR CONTRACTOR. THAT IS THE PURPOSE OF US COMING TO YOU TODAY, AS YOU ARE WELL-AWARE, TIME IS OF THE ESSENCE TO MAKE SURE THAT FOR PUBLIC HEALTH AND SAFETY WE'RE ABLE TO CLEAN UP

QUICKLY. HAPPY TO ANSWER ANY QUESTIONS THAT YOU MIGHT HAVE. THANK YOU. >> MEMBER PALTIN. >> THANK YOU, CHAIR. THANK YOU FOR BRINGING THIS FORWARD.\r\n\r\nBUT I WOULD LIKE A LOT MORE INFORMATION. THIS IS A BILL THAT REQUIRES TWO READINGS; RIGHT? >> YES. >> SO I WAS WONDERING BETWEEN NOW AND SECOND READING, YOU KNOW HOW THE REGULAR FOLKS WHEN THEY DO THE RIGHT-OF-ENTRY, AND DO THEIR DIAGRAM, IS THE COUNTY GOING TO BE DOING SIMILAR DIAGRAMS AND IF WE CAN SEE THOSE DIAGRAMS? I HAD A QUESTION ABOUT, LIKE YOU KNOW THE CROSSROADS APARTMENTS, ARE WE JUST GOING TO TEAR THAT DOWN AND START OVER, THE SENIOR CENTER IN THE PIONEER BUILDING HAD ASBESTOS, IS THAT THE PLANS? AND LIKE, I DIDN'T REALIZE WE WERE GOING TO MOVE ON THIS TODAY. SO I DIDN'T RESEARCH EACH OF THE PROPERTIES ADDRESSES.\r\n\r\nWOULD IT BE POSSIBLE TO, LIKE, SAY WHAT IS THERE IN LAYMAN'S TERMS? LIKE THIS IS THE SENIOR CENTER, THOSE KIND OF THINGS. I DON'T WANT TO HOLD ANYTHING UP, BUT I WANT TO BE ABLE DO THE DUE DILIGENCE WITH SOME OF THESE OH, THEY TOOK OUT THIS, AND YOU DIDN'T KNOW, AND I WAS LIKE I JUST VOTED, YOU KNOW WHAT I MEAN? >> MS. WADE. >> YES. THANK YOU, CHAIR.\r\n\r\nWE COULD ABSOLUTELY PROVIDE ADDITIONAL INFORMATION ON THE LETTER THAT IS ATTACHED TO THE BILL, IT DOES HAVE THE LIST OF ALL OF THE TMKS AND SOME THAT ARE DUAL OWNERSHIP. IT'S REAL EASY TO SEE, FOR EXAMPLE, THE PARCELS THAT -- AND WHAT THEY CONTRIBUTED TO THE COMMUNITY. BUT I WOULD BE HAPPY TO DO A BROADER, MAYBE A MATRIX, PROVIDE YOU A MATRIX THAT BUILDS THAT OUT A LITTLE BIT FURTHER, SO YOU ARE REAL CLEAR WHAT WAS THERE OR REMAINS THERE. AND THEN YOU KNOW, THE FINAL ASSESSMENT OF THE PROPERTY DETERMINING WHAT NEEDS TO COME DOWN AND WHAT DOESN'T NECESSARILY WON'T ACTUALLY HAPPEN UNTIL THE RIGHT-OF-ENTRY IS AUTHORIZED. AND THE ASSESSMENT CAN TAKE PLACE. BUT WHAT I CAN PROVIDE IS WHAT THE STRUCTURAL SURVEY INFORMATION HAS COME BACK AT FOR THAT. BECAUSE THEY HAVE SENT THE STRUCTURAL SURVEY FOR ALL OF THE PROPERTIES THAT ARE PUBLICLY OWNED.\r\n\r\nWE CAN IDENTIFY WHAT THE STATUS IS, WHETHER IT'S THERE'S SAFETY CONCERNS OR WHETHER IT APPEARS TO BE SALVAGEABLE? I WOULD BE HAPPY TO PROVIDE THAT. >> OKAY. AND SO IS THE COUNTY DOING THAT SAME SORT OF DIAGRAM THAT THE HOMEOWNERS THAT ARE FILLING OUT THE RIGHT-OF-ENTRY DOING? LIKE, FOR EXAMPLE, KAMALII PARK, ARE WE TAKING OUT THE TENNIS COURTS? HOW DO WE KNOW WHAT IS BEING REMOVED, WHAT IS BEING -- LIKE IS THE COUNTY DOING THAT PROCESS AS WELL? >> MS.\r\n\r\nWADE. >> THANK YOU, CHAIR. SO FOR EACH OF THE PROPERTIES, WHEN THE ASSESSMENT WOULD HAPPEN WITH EITHER THE ARMY CORPS OR THEIR CONTRACTOR AND FIRST, LET ME JUST PREFACE THAT WITH ALL PROPERTIES THE ARCHAEOLOGY INVENTORY TEAM GOING IN FIRST. SO IN THE 1100 PROPERTIES THAT ARE EXPECTED TO BE AFFECTED IN EVERY ONE OF THOSE CASES ARCHAEOLOGY GOES IN FIRST, BUT THE RIGHT-OF-ENTRY HAS TO BE -- AND FOR COUNTY OF MAUI YOU CAN LET THEM IN NOW, BUT FOR ANYONE ELSE, THEY HAVE TO WAIT FOR THE RIGHT-OF-ENTRY TO SEND ARCHAEOLOGY ON-PROPERTY. BUT WE'LL GET THAT BACK, AND MAKE DETERMINATIONS ABOUT WHAT IS REASONABLE, SAFE, REALISTIC, FOR CULTURAL, AND HISTORIC ASSETS FIRST, AND THEN GO IN WITH THE CONTRACTOR TO SAY, WE CAN OR CANNOT REMOVE, OR WE NEED -- THEY WILL MAKE DETERMINATIONS OF HOW SOMETHING COULD OR SHOULD BE PRESERVED? AND WHAT NEEDS TO COME OUT, OR CAN COME OUT? SO AGAIN, LIKE THAT DISCUSSION DOESN'T TYPICALLY HAPPEN UNTIL THE RIGHT-OF-ENTRY HAS BEEN -- WE DO HAVE FOR MOST OF OUR PROPERTIES ASKING ABOUT CAN WE DO THE PROPERTY MAP? \r\n\r\nLUCKILY WE DO HAVE SITE PLANS FOR MOST OF OUR PROPERTIES THAT WE CAN TURN OVER, AND IF PULLING ALL THOSE TOGETHER AGAIN IS GOING TO BE A PROCESS, BUT FOR KAMALII WE HAVE LOTS AND LOTS OF INFORMATION ON THAT PARTICULAR PROPERTY, SAME WITH THE AQUATIC CENTER AND OTHER FACILITIES. MANY OF THEM, AS YOU WILL SEE, ARE JUST RIGHT-OF-WAY OR SHOULDERS OF THE HIGHWAY, ET CETERA, THAT HAPPEN TO BE COUNTY-OWNED. >> SO FOR DICKENSON, 236, WHICH THE COUNTY ACQUIRED, THERE WERE SOME MANGO TREES THAT WERE NOT SUPPOSED TO BE CUT DOWN, BUT THEY HAD SOME SORT OF ROT IN THEM. AND THIS PROPERTY, I BELIEVE, RIGHT ACROSS FROM SECRET HEARTS WAS ONCE OWNED BY ARCHANGEL AND TO OPEN THIS UP? IT'S SYNCHRONOUS IT'S ON MY SCREEN AND THE DICKINSON PROPERTY, LIKE CAME TO MIND. I'M NOT SURE THE HISTORY OF ALL OF THE PROPERTIES, BUT IF THERE IS A WAY TO REACH OUT TO PEOPLE THAT ARE FAMILIAR WITH THE VARIETY PROPERTIES

OF THINGS THAT WE THE COUNTY MAY NOT KNOW ABOUT TO JUST TREAD CAREFULLY ON. I KNOW, I THINK MR. KAPU HAS THE CULTURAL MONITORING CONTRACT, AND I KNOW HIS WIFE DID MENTION ABOUT KNOWING OF SOME BURIALS ON THAT PROPERTY. BUT THAT IS JUST ONE EXAMPLE OUT OF THIS LIST OF PROPERTIES, AND I WOULD HATE FOR US TO , BECAUSE WE'RE NOT FAMILIAR WITH THE HISTORY OF EACH AND EVERY PROPERTY, DESECRATE ANYTHING UNKNOWINGLY, UNINTENTIONALLY. SO I JUST WOULD HOPE THAT THERE'S A WAY TO COMMUNICATE TO THE BROADER PUBLIC ABOUT THIS PROCESS, AND IF ANYONE WITH THAT KIND OF HISTORICAL KNOWLEDGE OF THE PROPERTIES COMES FORWARD TO BE ABLE TO SHARE INFORMATION WITH THE ARCHAEOLOGICAL MONITORS AND THINGS LIKE THAT. BUT NOW KNOWING THAT WE'RE PASSING FIRST READING, WHICH I FEEL OKAY WITH, I GOT MY WORK CUT OUT FOR ME FOR SECOND READING. LIKE, YOU KNOW, AND WHATEVER YOU GUYS CAN PROVIDE TO CUT DOWN THAT WORKLOAD, I GUESS IS THIS GOING FOR FINAL READING ON DECEMBER 1ST? >> YES, THAT WAS THE PLAN. >> ALL RIGHTY THEN, I WILL YIELD TO MY COLLEAGUES, YOU KNOW HOW I HATE BEING A HOG OF THE MICROPHONE. >> WE HAVE MEMBER COOK AND VICE-CHAIR SUGIMURA. >> SO MS. WADE, COULD YOU CLARIFY THAT -- COULD YOU CONFIRM THAT THIS BASICALLY WHAT WE'RE PASSING TODAY IS THE RIGHT-OF-ENTRY, THE BEGINNING, AND TO GET BEFORE THE SECOND READING. BUT NOTHING IS BOG TO BE REMOVED, NOTHING IS GOING TO BE DONE, IT'S GOING TO BE THE ARCHAEOLOGICAL MONITORING AND SEQUENTIAL. COULD YOU CONFIRM THAT THE PUBLIC WILL HAVE TRANSPARENCY THROUGHOUT THE PROCESS? MY CONCERN -- NOT MY CONCERN, MY QUESTION IS SO MANY OF THESE PARCELS ARE EASEMENTS AND VERY MINOR AND SOME OF THE PARCELS ARE VERY SUBSTANTIAL AND SUBSTANTIVE. AND IF WE COULD GET PART OF THE CLARIFICATION TO SEPARATE THOSE, AND SO THAT WE WOULD HAVE A BETTER UNDERSTANDING OF WHAT IS BEING REVIEWED AND WHAT IS BEING DONE. IS THAT SOMETHING THAT YOU COULD DO FIRST? >> MS. WADE. >> SO I THINK WHAT YOU'RE ASKING IS KIND OF WHAT I WAS DESCRIBING IN THE FORM OF THE MATRIX, WHERE WE'RE OUTLINING WHAT IS ON EVERY INDIVIDUAL PARCEL AND THE ROLE THAT IT PLAYS OR HAS PLAYED IN THE COMMUNITY, AND WE CAN CERTAINLY DO THAT. AND THE EXTENT I'M ABLE TO PROVIDE THE EXISTING SITE PLANS THAT WE HAVE IN ADVANCE OF THE SECOND READING, I'M HAPPY TO DO THAT AS WELL. THE OTHER THING THAT WE CAN DO, WE HAVE BEEN TALKING WITH BOTH FEMA AND THE ARCHAEOLOGY TEAM ABOUT CREATING A WEB PAGE ON MAUI RECOVERS REGARDING CULTURAL AND HISTORIC TREATMENT, AND PROCESS. AND THEN WE COULD CREATE AN INTAKE INFORMATION, BECAUSE EVEN FOR OUR PRIVATE PROPERTIES WE HAVE HAD FOLKS SAY I HAVE INTEL ON THIS PROPERTY, BUT I DON'T KNOW IF THE OWNER KNOWS. SO IF MIGHT NOT -- SOME THINGS MIGHT NOT COME OUT EVEN IN THE ROE PROCESS, BUT WE CAN CREATE A MECHANISM, WHEREBY THE ARCHAEOLOGY TEAM IS GETTING FED THAT INFORMATION AS MUCH PROTECTION AS POSSIBLE THROUGHOUT THE PROCESS. >> THANK YOU. ONE MORE COMMENT, CHAIR. >> SURE. >> THANK YOU, MS. WADE. THAT IS JUST TO CONFIRM, THE CLARITY THAT I'M LOOKING FOR, WE'RE DEALING WITH IN FIRST AND SECOND READING FOR THE RIGHT-OF-ENTRY, WHICH IS SATISFYING THE REQUIREMENTS FOR THE ARMY CORPS OF ENGINEERS AND FEMA'S REQUIREMENTS. SO THAT THEY WILL BE DO IT AT THEIR COSTS, AND NOT COUNTY'S COSTS. REALLY, THAT IS ALL WE'RE BASICALLY AGREEING NOW IS TO THE RIGHT-OF-ENTRY. >> TO THE RIGHT-OF-ENTRY, AND THE ULTIMATE CLEAN UP, YES. BY THE ARMY CORPS AND THEIR CONTRACTOR, CORRECT. YES. >> THANK YOU. THAT IS MY QUESTIONS. >> VICE-CHAIR SUGIMURA. >> THANK YOU. SO THANK YOU VERY MUCH, MS. WADE, AND SO IN TERMS OF THE PROCESS THAT WE HAVE BEEN SEEING, THE COUNTY MOVED FORWARD WITH OUR PARTNERS. THIS WILL ALLOW THE ARMY CORPS OF ENGINEERS THEN TO GO FORWARD AND COULD NEXT STEPS OR EPA TO DO ASSESSMENTS OF THESE PARTICULAR PROPERTIES DEPENDING ON THEIR USE, IS THAT WHAT THIS HAD DO? WILL DO. >> MS. WADE. >> THANK YOU, CHAIR. CORRECT. WHAT IT ALLOWS FOR IS FOR THE ARMY CORPS OF ENGINEERS TO GO IN WITH THEIR CONTRACTOR, AND DO AN ASSESSMENT OF THE SITE AND DETERMINE WHAT NEEDS TO BE REMOVED, AND WHAT IS SALVAGEABLE? IT WILL ALSO CERTAINLY AS I SAID, AUTHORIZE THE ARCHAEOLOGICAL TEAM TO GO IN VERY FIRST AND IDENTIFY SENSITIVE LOCATIONS. THEY DO HAVE QUITE A BIT OF INFORMATION ALREADY, AS YOU KNOW, TANYA LEE GRIGGS IS LEADING THE ARCHEOLOGIC TEAM AND HAS QUITE A BIT OF KNOWLEDGE ABOUT LAHAINA. SO YES, IT'S

ACCESS FIRST AND FOREMOST.\r\n\r\nIT'S DOCUMENTATION OF CRITICAL AND SENSITIVE LOCATIONS AND SITES AND IT'S COMING UP WITH THE DEBRIS REMOVAL PLAN. >> SO NEXT STEP AFTER THIS, WHAT WE WOULD BE SEEING FOR REST OF THE PROPERTIES, WHY THE ARMY CORPS WOULD GO IN WITH THE ARCHAEOLOGICAL TEAM, AND THE ENGINEERS, AND THE CONTRACTORS WHOEVER THE CONTRACTOR IS TO DO CLEAN UP, OR DEBRIS REMOVAL; RIGHT? THIS IS NEXT STEPS FORWARD? >> THAT'S CORRECT. >> I APPRECIATE YOU GETTING INFORMATION ON WHAT THESE PROPERTIES ARE CURRENTLY BEING USED FOR. BECAUSE SOME JUST HAS THE NAME OF THE STREET, FRONT STREET AND DOESN'T SAY SPECIFICALLY, I GUESS WE COULD LOOK UP EVERY SINGLE TMK THAT IS DEFINITELY AVAILABLE. BUT THANK YOU VERY MUCH.\r\n\r\n>> BEFORE I CALL ON MEMBER SINENCI, MS. WADE, IF YOU NEED INFORMATION ON WHAT MEMBER PALTIN CALLED THE WEST MAUI SENIOR CENTER. LET ME KNOW, BECAUSE WE DEVELOPED THAT. AND ALSO THE RESOURCE CENTER. MR. SINENCI. >> WAS WONDERING IF MR.\r\n\r\nCOOK WANTS THE ITEM REFERRED TO HIS COMMITTEE TO HEAR SOME UPDATES ESPECIALLY ON SOME OF THESE LARGER PROJECTS, CHAIR? >> MEMBER COOK. >> THANK YOU, CHAIR. AND TO ANSWER MEMBER SINENCI, MY REQUEST TODAY WOULD BE THAT WE PASS IT ON FIRST READING TODAY. SO THAT IT CAN GO TO -- BECAUSE OF THE NATURE OF THIS [INAUDIBLE] >> SO YOU ARE ASKING THAT PASS THE BILL, BUT SEND THE ITEM TO YOUR COMMITTEE? IS THAT WHAT YOU ARE SAYING? >> NO, DIRECT REFERRAL, IS THAT WHAT IT IS?\r\n\r\nFORGIVE ME FOR BEING MY -- >> SUBJECT-MATTER REFERRAL SO WE CAN HAVE MORE DISCUSSION IN COMMITTEE. >> THE ADMINISTRATION'S REQUEST WAS COMMITTEE -- WE WOULD HEAR IT TODAY AND MOVE IT ON TO SECOND READING SO THAT THE RIGHT-OF-ENTRY CAN BE ADDRESSED, AND SO THAT THEY CAN MOVE FORWARD. WITHOUT THE RIGHT-OF-ENTRY AND MEMBER SUGIMURA COULD CLARIFY THIS POSSIBLY FROM ALL OF THE KULA EXPERIENCE. MY UNDERSTANDING WITHOUT THE RIGHT-OF-ENTRY BEING SIGNED IT'S SORT OF STALLED. SO THAT IS THE FIRST STEP. I DON'T BELIEVE ANY ACTIVITIES HAPPEN. >> WOULD YOU BE OPEN TO PASSING THE BILL ON FIRST READING TODAY, BUT SENDING THE SUBJECT-MATTER TO YOUR COMMITTEE?\r\n\r\n>> FOR DISCUSSION. >> YES. >> I SEE YOU HAVE THE SUBSTITUTION AS WELL. >> YES. >> THAT WAS PASSED OUT TO ALL OF US? >> YES. >> BILL SUBSTITUTION.\r\n\r\nBEFORE I CALL ON YOU AGAIN, MEMBER COOK, IS THERE ANYBODY ELSE WHO WOULD LIKE TO SAY SOMETHING ON THIS MATTER? OKAY. MEMBER COOK. CALLING ON YOU. MOVE TO SUBSTITUTE BILL 118 WITH THE ATTACHED PROPOSED FD 1 VERSION. >> SECOND. >> OKAY.\r\n\r\nIT'S BEEN MOVED BY MEMBER COOK, SECONDED BY VICE-CHAIR SUGIMURA TO SUBSTITUTE BILL 118 (2023) WITH ATTACHED PROPOSED FD 1 VERSION. DISCUSSION, MEMBER COOK. IT'S SELF-EXPLANATORY. YOU KNOW? WHAT WAS PASSED OUT. >> YES. >> ANY MORE INFORMATION -- DISCUSSION?\r\n\r\nMEMBER PALTIN. YOU DIDN'T GET IT? >> I GOT IT. I HAD A QUESTION. I THINK IT WOULD BE FOR MS. WADE. I JUST WAS WONDERING ALSO WHY THE COUNTY-OWNED PROPERTY IS INCLUDED IN THE PRIVATE PROPERTY?\r\n\r\nWHEN FEMA WAS TALKING TO US, THEY SAID THERE WAS GOING TO BE A PRIVATE PROPERTY ONE, A PUBLIC PROPERTY ONE, AND OTHERS. SO I JUST WAS WONDERING SO THE DECISION HAS BEEN MADE TO TREAT COUNTY PROPERTY AS PRIVATE PROPERTY? AND WOULD THE STATE'S PROPERTY ALSO BE TREATED AS PRIVATE PROPERTY? LIKE KING KAMEHAMEHA III ELEMENTARY SCHOOL AND OTHER LOCATIONS LIKE THAT? IS THERE A REASON WE'RE TREATING -- I MEAN, IT SEEMS LIKE IT'S PUBLIC PROPERTY, BUT IS THERE A REASON WE'RE TREATING IT AS PRIVATE PROPERTY? >> THANKS FOR THAT QUESTION. AND IT GETS -- BECAUSE THERE'S SO MANY LAYERS, AND SO MANY STEPS THROUGHOUT THIS PROCESS, IT GETS REAL CONFUSING.\r\n\r\nSO THE PRIVATE PROPERTY DEBRIS REMOVAL PROGRAM IS THE OFFICIAL NAME OF THE PROGRAM FROM FEMA, THAT FEMA HAS AUTHORIZED, AND AGREED TO SPEND THEIR MONEY TO ASSIST WITH THE CLEAN-UP. THEN WITHIN THAT UNDER THAT UMBRELLA THERE'S DIFFERENT LANES WITH DIFFERENT CONTRACTORS ABOUTS THE OVER ARCHING PROGRAM IS CALLED DEBRIS REMOVAL. >> SO RIGHT-OF-ENTRY, PLACARD, PASS CARD, ALL OF THE THINGS. >> YOU GOT IT, YES. >> MAYBE WE SHOULD MAKE A GLOSSARY ON THE WEBSITE TO EXPLAIN THESE TERMS BECAUSE IT DOES GET CONFUSING. >> NO WONDER COMMUNICATION IS SO HARD . >> ANY MORE DISCUSSION? OKAY.\r\n\r\nSO WE HAVE ON THE MOTION ON THE FLOOR IS THE SUBSTITUTION. ANY MORE? THE SUBSTITUTION BY THE WAY, MEMBERS, AS YOU CAN SEE FROM THE HANDOUT IT'S MINOR WORDING, PUNCTUATION, AND SPELLING REVISIONS. ALL RIGHT. ALL THOSE IN FAVOR OF THE

SUBSTITUTION, RAISE YOUR HAND, SAY AYE? >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES.\r\n\r\nNOW DID WE HAVE ANY MORE AMENDMENTS OR IS THIS IT? THIS IS IT. NO FURTHER DISCUSSION, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. >> SO THANK YOU MS. WADE, I DON'T KNOW IF YOU ARE HERE FOR ANOTHER ONE, BUT THANK YOU FOR BILL 118, BILL 119, MS.\r\n\r\nCLERK. >> THANK YOU. BEFORE YOU IS BILL 119 (2023) A BILL FOR AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII DLNR REGARDING THE ISSUANCE OF A MANAGEMENT RIGHT-OF-ENTRY FOR THE LAHAINA WILDFIRE FINAL DISPOSITION PROJECT. >> MEMBER COOK. >> THANK YOU, CHAIR. I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT THERE ARE RULE 7G OF THE RULES OF THE COUNCIL. >> SECOND.\r\n\r\n>> MOVED BY MEMBER COOK, SECOND BY VICE-CHAIR SUGIMURA TO WAIVE THE RULES OF -- RULE OF THE COUNCIL 7G. DISCUSSION, MEMBER COOK? >> THANK YOU, CHAIR. THE DIRECTOR OF ENVIRONMENTAL MANAGEMENT HAS REQUESTED EXPEDITED CONSIDERATION OF THIS MEASURE. APPROVAL OF MY MOTION BY TWO-THIRDS VOTE OF THE ENTIRE MEMBERSHIP OF THE COUNCIL WILL ENABLE US TO CONSIDER THIS EMERGENCY ORDINANCE TODAY. >> ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE RULE WAIVER, RAISE YOUR HAND, SAY AYE. NINE AYES, ZERO MOTION CARRIES.\r\n\r\nMEMBER COOK. >> THANK YOU, CHAIR. I MOVE TO PASS BILL 119 (2023) ON FINAL READING. >> SECOND. >> MOVED BY MEMBER COOK, SECONDED BY WHO? MEMBER SUGIMURA. >> YES.\r\n\r\n>> OKAY. ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE. . >> DID WE HAVE DISCUSSION ON THAT? NO DISCUSSION? LET'S HAVE SOME DISCUSSION, HOW ABOUT THAT? MEMBER COOK.\r\n\r\n>> THANK YOU ARE YOU GOING TO SUBSTITUTE AGAIN? >> YES. >> DO YOU WANT TO JUST GO AHEAD AND DO THAT? >> THANK YOU, CHAIR. I MOVE TO SUBSTITUTE BILL 119 (2023) WITH PROPOSED FD 1 VERSION OF BILL 119 (2023) THAT WAS DISTRIBUTED AT THE MEETING TODAY. >> OKAY. >> DO I HAVE A SECOND?\r\n\r\n>> MOVED BY MEMBER COOK, SECONDED BY MEMBER UU-HODGINS TO SUBSTITUTE THE BILL. DISCUSSION ON THAT, MEMBER COOK. >> THANK YOU, CHAIR. BILL 119'S PURPOSE IS TO AUTHORIZE THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE DEPARTMENT OF LAND AND NATURAL RESOURCES FOR RIGHT-OF-ENTRY PERMIT FOR PARCELS SITUATED IN TO BE USED FOR THE LAHAINA WILDFIRE FINAL DISPOSITION PROJECT, THIS EMERGENCY ORDINANCE REQUIRES COUNCIL TO REQUIRE THE EMERGENCY THREATENING LIFE, HEALTH OR PROPERTY DUE TO PUBLIC CALAMITY. BILL 119 WILL AUTHORIZE THE COUNCIL TO WAIVE THE REQUIREMENTS UNDER SECTION 4-2(1)OF THE CHARTER THAT EVERY PROPOSED ORDINANCE BE PASSED AFTER TWO READINGS ON SEPARATE DATES. THE PROPOSED FD 1 VERSION WOULD ALSO AUTHORIZE THE COUNCIL TO WAIVE THE REQUIREMENT OF SECTION 4-2(4) OF THE CHARTER, REQUIRING THAT A DIGEST OF THE BILL THAT PASSES FIRST READING BE PUBLISHED AT LEAST THREE DAYS BEFORE FINAL READING. THE PROPOSED FD 1 VERSION ALSO INCORPORATES NON-SUBSTANTIVE REVISIONS.\r\n\r\nMEMBERS MAY NOTICE A SIMILAR BILL ON TODAY'S AGENDA, BILL 120. DIRECTOR SHAYNE AGAWA, THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, IS AVAILABLE TO ANSWER ANY QUESTIONS THAT MEMBERS MIGHT HAVE. >> WE'RE STILL ON 119; RIGHT? >> YES. >> WE'RE NOT ON 120. IS MR. AGAWA ON THE LINE, IN CASE WE HAVE QUESTIONS. >> I'M HERE, CHAIR. >> ANY QUESTIONS, MEMBERS?\r\n\r\nMEMBER PALTIN. >> THANK YOU, CHAIR. SO I'M JUST WANTING TO CONFIRM WITH DIRECTOR AGAWA THE INTENTION IS TO PASS 119 ON THE FLOOR, AND SEND 120 TO COMMITTEE FOR THAT DEEPER DIVE? >> DIRECTOR AGAWA. >> THANK YOU, CHAIR. THANK YOU FOR THAT QUESTION, MEMBER PALTIN. THE ANSWER IS YES.\r\n\r\nAND IF CHAIR ALLOWS, I HAVE PREPARED AN OPENING STATEMENT, WHICH EXPLAINS A LOT OF THIS. HOWEVER, I WOULD LIKE TO ASK CHAIR ON THE OPENING REMARKS IF APPROVED, TO MOVE WITH THAT, IF I CAN ADDRESS 119 AND 120 FOR THE SAKE OF TIME, SINCE THEY ARE SO SIMILAR? >> WELL, WE HAVEN'T CALLED UP 120 YET. MEMBERS, ANY OBJECTIONS? >> NO. OBJECTIONS. >> MEMBER, I MEAN DIRECTOR AGAWA.\r\n\r\nPLEASE PROCEED WITH EXPLAINING 119, AND 120. >> THANK YOU, CHAIR, I'M SHAYNE AGAWA, DIRECTOR OF ENVIRONMENTAL MANAGEMENT. THE TWO BILLS THAT PROPOSING BILL 119 AND BILL 120, JUST TO GIVE A BRIEF SUMMARY OF WHAT THE TWO BILLS ARE. AS MENTIONED EARLIER, 119 IS AN EMERGENCY -- IS FOR AN EMERGENCY ORDINANCE. IT TAKES EFFECT UPON APPROVAL. IT IS FOR TO ALLOW

COUNTY TO PREPARE DEBRIS CONTAINMENT SITE IN OLOWALU FOR THE DEBRIS AND ASH IN LAHAINA. IT EXPIRES ON THE 91ST DAY AFTER THE DATE IT BECOMES EFFECTIVE. BILL 120 IS FOR REGULAR ORDINANCE ON THE SAME MATTER.

HOWEVER, WE ASSUME TO BE REFERRED TO THE APPROPRIATE COMMITTEE, AND BE HEARD AT TWO DIFFERENT READINGS, THIS BILL 120 TAKES EFFECT UPON APPROVAL AND EXPIRES UPON THE EXECUTION OF EXECUTIVE ORDER FROM THE GOVERNOR TO SET ASIDE LANDS FOR THE LAHAINA WILDFIRE DISPOSITION PROJECT, WHICHEVER OCCURS FIRST. JUST TO GIVE YOU SOME IMPORTANCE OF THESE BILLS, THERE'S A RISK TO PUBLIC HEALTH AND SAFETY, AND YOU KNOW, HAVING THE DEBRIS EXPOSED TO WIND AND RAIN, TO INDIVIDUALS, TO ANIMALS, UNPROTECTED, PROPOSES A HEALTH AND RISK ISSUE FOR THE PEOPLE, AND THE ENVIRONMENT. ONE THING I WOULD LIKE TO STRESS AND MAYBE SOME OF YOU DON'T KNOW THIS AND A LOT OF PUBLIC MAY NOT KNOW AS WELL, THERE'S A HUGE RISK TO OUR WASTEWATER TREATMENT FACILITY AND OUR PROCESS. SO YOU KNOW, ASH GETS INTO OUR SYSTEM, WE COULD LOSE OUR WASTEWATER TREATMENT FACILITY ON THE WEST SIDE, AND AS MOST OF YOU KNOW, WE'RE STILL SERVING THE NORTH PART OF MAUI. SO IF THIS GOES DOWN, YOU KNOW MOTHER NATURE HAS BEEN PRETTY GRACIOUS TO US SO FAR, BUT IF THAT BIG RAIN HITS, THEN WE'RE KIND OF ROLLING THE DICE, AND WE ARE SUSCEPTABLE TO HAVING OUR WASTEWATER TREATMENT DOWN WITH SOME PRETTY MAJOR WASTEWATER SPILL ON THE WEST SIDE. ANOTHER THING I WANTED TO CLARIFY IS THERE'S BEEN SOME MAYBE MISUNDERSTANDING ABOUT THIS FACILITY, THIS PROJECT AND THE COUNTY WILL BE MONITORING AND MANAGING THIS PROJECT. SO I JUST WANTED TO CLARIFY THAT ALTHOUGH THERE'S BEEN 30 YEARS STATED IN PREVIOUS DISCUSSIONS, THE 30-YEAR REQUIREMENT FOR THE COUNTY TO MANAGE AND MITIGATE THIS SITE IS ONLY A DOH REGULATION.

HOWEVER, THE COUNTY IS IN FULL AGREEMENT TO CONTINUE TO MONITOR AND MANAGE THIS SITE FOR YEARS BEYOND THAT 30-YEAR AGREEMENT. WE'RE ONLY REQUIRED FOR 30 YEARS DOH REGULATION. SO DM IS REQUESTING COUNCIL TO APPROVE BILL 119 ON THE FLOOR, AND THAT WE ANTICIPATE THAT BILL 120 WOULD GO TO THE APPROPRIATE COMMITTEE FOR FURTHER DISCUSSION. THANK YOU FOR THIS TIME. AND I WILL BE AVAILABLE TO ANSWER ANY QUESTIONS. MEMBER PALTIN. >> THANK YOU FOR THAT.

I WAS JUST WONDERING SINCE WE'RE IN SUCH A PRECARIOUS POSITION, WHAT IS THE AVENUE THAT THE ASH GETTING INTO THE WASTEWATER TREATMENT PLANT. SOMEONE WOULD TAKE HOME THE ASHES AND FLUSH IN THEIR TOILET OR GO THROUGH THE DRAINAGE? HOW WOULD THAT HAPPEN? >> DIRECTOR. >> THANK YOU, CHAIR. THAT IS A GREAT QUESTION, MEMBER PALTIN. SO DURING THE FIRE, WHAT HAPPENS IS A LOT OF TOILETS SINKS OF RESIDENTS AND COMMERCIAL PROPERTIES ACTUALLY GET DESTROYED AND LIVES AND IF THE BIG RAINS COME AND IT MIXS WITH THE ASH AND GRAVITY FINDS THE HOLES AND GOING INTO OUR SYSTEM.

I MUST COMMEND OUR WASTEWATER STAFF, WHO HAS BEEN FEVERISHLY TRYING TO PLUG OUR SYSTEM AND ISOLATE IT. AS YOU CAN IMAGE, EACH HOME MAY HAVE A HALF DOZEN OR DOZEN OF THESE HOLES AND THOUSANDS OF HOMES. WE'RE TRYING TO ISOLATE IT, BUT IT'S ALMOST AN IMPOSSIBLE FEAT IF THE BIG RAINS HIT. >> OKAY. I JUST WAS WONDERING ABOUT THE TIMELINE. I THINK WE FILED THE BILL THAT WOULD HAVE AUTHORIZED EMERGENCY FUNDING FOR THE PERMIT TO DEVELOP THE TEMPORARY AND THE FINAL DISPOSITION SITES. DO YOU HAVE, LIKE, I MEAN, I KNOW IT'S NOT IN STONE, BUT A ROUGH ESTIMATE OF THE TIMELINE.

HOW LONG IT WOULD TAKE FOR A PERMIT TO BE GRANTED, AND HOW FROM THE PERMIT BEING GRANTED THAT CONSTRUCTION COULD BEGIN? AND HOW LONG ONCE CONSTRUCTION HAS BEGUN UNTIL COMPLETED? >> DIRECTOR. >> THANK YOU, CHAIR. THANK YOU, MEMBER PALTIN. SO THERE'S TWO DIFFERENT AND SEPARATE INDIVIDUAL FOOTPRINTS OF THIS PROPOSED SITE. ONE IS THE TEMPORARY SITE, WHICH IS UNDER ARMY CORPS'S JURISDICTION TO DESIGN AND CONSTRUCT.

AGAIN, IT'S TEMPORARY. SO AT THE END OF THE ALL OF THIS, THAT SITE WOULD NO LONGER BE IN PLACE. THE COUNTY IS RESPONSIBLE FOR THE FINAL DISPOSITION SITE AND TO EXPEDITE MATTERS AND BEING IN CONTACT WITH DOH CONTINUOUSLY AND EPA, FOR THIS SITE UNDER THE GOVERNOR'S ORDER TO SUSPEND, AND WE'LL DESIGN IT TO STANDARDS. TO ANSWER THE SECOND PART OF YOUR QUESTION, I BELIEVE ARMY CORPS PORTION, THE TEMPORARY SITE CAN BE CONSTRUCTED IN ABOUT SIX WEEKS. 6-8 WEEKS IS MY UNDERSTANDING. AND THEN THE COUNTY'S SITE, WHICH IS THE FINAL SITE, WE'RE LOOKING AT ABOUT NINE MONTHS, POSSIBLY TO A YEAR, TO FINALLY CONSTRUCT THAT. >> AND

SO IF WE'RE GOING UNDER THE EMERGENCY PROCLAMATION, DO YOU STILL NEED THE \$5 MILLION FOR PERMITTING?

>> YES, THANK YOU FOR THE QUESTION. THE \$5 MILLION IS ACTUALLY BUNDLED INTO DESIGN. THERE ARE OTHER TYPES OF PERMITS WE WOULD PROBABLY BE REQUIRED TO SUCH AS COUNTY GRADING PERMIT, THAT TYPE OF THING THE BULK OF THE COST IS THE DESIGN. >> I KNOW YOU SAID AMRH OR SOMETHING DOING THE DESIGN, IS THERE, YOU KNOW, IF YOU HAVE CANCER OR SOMETHING, AND YOU GET A SECOND OPINION, IS IT BEING, LIKE, I DON'T KNOW WHAT THE TERM IS FOR DESIGN OF SUBTITLE LAND C LANDFILLS. IS IN A SECOND OPINION OR THIRD OPINION THAT WOULD BE SUFFICIENT TO HOLD HAZARDOUS MATERIALS IN PERPETUITY? >> DIRECTOR. >> THANK YOU, CHAIR.

THANK YOU, MEMBER PALTIN. THE QUESTION, IF I UNDERSTAND IT, WAS THERE A SECOND SET OF EYES I GUESS ON THIS DESIGN AND OPINION? TO MY KNOWLEDGE -- >> NOT JUST ANY EYE. >> RIGHT. PROFESSIONAL, YES. TO MY KNOWLEDGE, I DO NOT KNOW, AND I CAN GET THAT ANSWER FOR YOU. HOWEVER, THAT HAS BEEN BROUGHT UP IN PAST DISCUSSIONS, AND IT WAS SUGGESTED TO OUR DIVISION OF SOLID WASTE TO HAVE ANOTHER PROFESSIONALS VET THROUGH THE DESIGN.

I WOULD LIKE TO ALSO MENTION THOUGH THAT THE DESIGN HAS BEEN VERY FLUID. IT'S STILL IN THE WORKS. THE LAST ITERATION JUST CAME OUT I WANT TO SAY ABOUT A WEEK AGO, POSSIBLY A WEEK AGO. SO YES, GOOD POINT, AND THE INTENT WAS TO HAVE OTHER PROFESSIONALS TAKE A LOOK AT IT. >> LIKE SOME KIND OF PEER-REVIEWED JOURNAL OR SOMETHING? I DON'T KNOW THE WORDS. BUT THAT IS KIND OF THE INTENTION.

>> OKAY. >> THANK YOU. >> ANY MORE DISCUSSION? MEMBER SINENCI. >> THANK YOU, CHAIR. MAHALO, MR. AGAWA.

I UNDERSTAND THERE WAS A COMMUNITY MEETING THIS WEEKEND IN OLOWALU. IS THERE ANY CONCERNS FROM THE OLOWALU COMMUNITY ABOUT THE SITE? >> DIRECTOR. >> THANK YOU, CHAIR. THANK YOU, MEMBER SINENCI. YES, AND YOU KNOW, WE TRIED TO GET THAT MEETING SCHEDULED LAST WEEK TUESDAY, AND THEN DUE TO INCLEMENT WEATHER, WE HAD TO POSTPONE IT. IT HAPPENED ON SATURDAY MORNING.

THERE WAS A GOOD TURNOUT FROM THE COMMUNITY. THERE WERE SOME CONCERNS THAT WERE BROUGHT UP. YOU KNOW, THERE WERE CONCERNS ABOUT THE TOXICITY OF THE DEBRIS, THE CONSISTENCY OF THE DEBRIS ITSELF, THE IMPACTS TO THE ENVIRONMENT AND HOW SAFE THE MITIGATION MEASURES WERE? IT WAS A GOOD BACK AND FORTH DISCUSSION. A LOT OF QUESTIONS, THE MEETING LASTED I THINK FOR THREE HOURS. IT WAS A PRETTY GOOD MEETING. BUT YES, TO ANSWER YOUR QUESTION, THERE WERE CONCERNS AND WE DID GIVE, I FEEL, APPROPRIATE ANSWERS.

BUT THEN BOTH SIDES, THE COMMUNITY SIDE AND THEN COUNTY'S SIDE, AGREED TO KEEP THE LINES OF COMMUNICATION OPEN, AND WE'LL TAKE IN THEIR CONCERNS INTO CONSIDERATION. >> THANK YOU, MR. AGAWA. THANK YOU, CHAIR. >> ANYBODY ELSE? OKAY. SO WE'RE GOING TO VOTE ON THE SUBSTITUTION.

>> I HAD A QUESTION. >> MEMBER PALTIN. >> THANK YOU. I JUST WAS WONDERING ALSO THE SCHEDULE FOR MORE OUTREACH TO THE BROADER COMMUNITY? I UNDERSTAND AND APPRECIATE THAT OLOWALU PRIVATELY, SO TO SPEAK, WAS UP FIRST. BUT YOU KNOW, AS THE COUNTY OF MAUI IS ONE BIG COMMUNITY, I JUST WAS WANTING TO INQUIRE AS TO THE SCHEDULE, OR TIMEFRAME FOR A LITTLE BIT OF A BROADER COMMUNITY OUTREACH? OR THE WAY THAT THE LINES OF COMMUNICATION WOULD BE KEPT OPEN WITH SPECIFICALLY OLOWALU, AND THEN THE COUNTY OR STATE, OR WHOMEVER ELSE HAS CONCERNS?

BECAUSE YOU KNOW, ONE OF THE BOARD MEMBERS AT THE BLNR HAD THIS SUGGESTION ABOUT, LIKE, ONLINE MONITORING FOR THE GENERAL PUBLIC, AND I THOUGHT THAT WAS AN EXCELLENT SUGGESTION. AND SO IT'S ONLY BY OPENING UP THE DIALOGUE TO THAT BROADER COMMUNITY DO WE GET THAT TYPE OF INPUT. BECAUSE YOU KNOW, WHEN I HEARD OF IT, I WAS, LIKE, THAT SOUNDS GREAT, BUT I'M RIGHT HERE IN LAHAINA AND I GOT A LOT ON MY MIND. SO THAT WASN'T SOMETHING THAT CAME TO THE FOREFRONT OF SOMETHING TO EVEN REQUEST. SO JUST INQUIRING AS TO THAT. >> DIRECTOR. >> THANK YOU, CHAIR.

THANK YOU, MEMBER PALTIN. TO ANSWER YOUR QUESTION REGARDING THAT AND IF CHAIR, ALOUD LLOWED WE HAVE MAHINA MARTIN. TO ANSWER YOUR QUESTION ABOUT THE DATA-SHARING FOR THAT TO BE ON THE WEBSITE AND AVAILABLE TO THE PUBLIC. THAT WAS BROUGHT UP AT THE OLOWALU MEETING AND THERE WAS CONCERN ABOUT THE FREQUENCY OF THE DATA. SO WE'RE LOOKING ROUGHLY AT LIKE A QUARTERLY DATA COLLECTING. AND IF THERE'S ANY HITS, WE CALL "HITS" WE CAN SHORTEN THE TIMEFRAME AND ALL OF THE INFORMATION WILL BE PUBLIC ON THE MAUI

RECOVERY WEBSITE AND I YIELD THE MESSAGING STRATEGY AND MOVING FORWARD TO MS. MAHINA, IF POSSIBLE.\r\n\r\n>> MS. MARTIN. >> THANK YOU, CHAIR. THANK YOU, COUNCIL MEMBERS. TO ADD TO THAT, WE DID HAVE A VERY LONG MEETING ON SATURDAY MORNING WITH THE COMMUNITY. WE TOOK ABOUT AN HOUR, MAYBE A LITTLE OVER AN HOUR, MAYBE EVEN CLOSER TO AN HOUR-AND-A-HALF OF QUESTIONS FROM THEM. PART OF THAT WAS THE COMMITMENT TO CONTINUE THE DISCUSSIONS.\r\n\r\nWE DID SHARE WITH THEM THAT WE CAME TO THEM AS SOON AS WE HAD THE CHANCE TO GET APPROVAL FROM THE BOARD OF LAND AND NATURAL RESOURCES TO SHARE PLANS SPECIFIC TO THE SITE AND TAKE THOSE PROPOSED PLANS TO THEM AND GET FEEDBACK. WE COMMITTED TO MAKE THE INFORMATION AVAILABLE NOT JUST THE WEDNESDAY NIGHT LAHAINA MEETING, THE WEEKLY MEETINGS WE HOLD AT THE CIVIC CENTER, AT THE RECOVERY CENTER FOR THE GENERAL PUBLIC TO LEARN MORE ABOUT THE PROJECT ITSELF. BUT ALSO TO RETURN TO OLOWALU. WE DID FILM THAT VIDEO, AND DID NOT SEND IT OUT TO THE PUBLIC OR POST IT UNTIL THOSE WHO ATTENDED GOT IT FIRST. SO WE SHARED THAT RECORDING WITH THEM. SO THAT THEY COULD CONFER WITH IT AND SHARE WITH OTHERS THAT THEY MIGHT WANT TO AND AT THEIR REQUEST TO POST IT YESTERDAY AHEAD OF THE DISCUSSIONS THIS WEEK. WE'LL RETURN TO THE COMMUNITY AND LOOK AT THOSE CONCERNS THAT THEY BROUGHT UP.\r\n\r\nFOR TIGHTER ANSWERS OF SITES THAT HAVE BEEN LOOKED AT. WE ARE VERY APPRECIATIVE OF MOVING FORWARD ON THIS WITH THE TIME AND URGENCY OF THE MATTER, TODAY'S DISCUSSION IS ALSO A KEEP PART TO GETTING TO THERE. THANK YOU FOR THE QUESTION, MEMBER PALTIN. >> MEMBER PALTIN. >> THANK YOU. THAT SATISFIES MY QUESTIONS AT THIS TIME. >> THANK YOU.\r\n\r\nANYBODY ELSE? SO WE'RE GOING TO BE VOTING ON THE SUBSTITUTION AND THEN WE'RE GOING TO VOTE ON RULE 19C. AND THEN PROCEED AFTER THAT. ALL THOSE IN FAVOR OF THE MOTION TO SUBSTITUTE BILL 119 (2023) WITH THE ATTACHED PROPOSED FD 1 VERSION, PLEASE RAISE YOUR HAND, SAY AYE? >> AYE. >> ALL AYES, ZERO NOS, MOTION CARRIES. DO YOU WANT TO MAKE A MOTION ON BILL 119? EXCUSE ME, 19C. >> THANK YOU, CHAIR. I MOVE TO WAIVE RULE 19C OF THE RULES OF THE COUNCIL, WHICH STATES THAT A BILL BEING CONSIDERED FOR FINAL READING MAY NOT BE AMENDED, AND ACTED UPON AT THE SAME MEETING.\r\n\r\n>> SECOND. >> MOVED BY MEMBER COOK, SECONDED BY VICE-CHAIR SUGIMURA. TO SUSPEND RULE 19C. ANY DISCUSSION? MEMBER COOK. >> THANK YOU, CHAIR. THIS ACTION WILL ALLOW US TO PASS THE PROPOSED FD 1 VERSION OF BILL 119 (2023), ON FINAL READING TODAY. >> ANY MORE DISCUSSION?\r\n\r\nALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. FINALLY, THE MOTION AS AMENDED. MEMBER KEANI RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. SO FOR BILL 119 THAT -- WE'RE TAKING THAT ON SECOND AND FINAL READING TODAY?\r\n\r\nIT'S NOT ON SECOND AND FINAL ON THE AGENDA. I GUESS I'M CONFUSED. >> ANY EXPLANATION, COUNTY CLERK? LOUDER. >> THANK YOU, MADAM CHAIR. SO THE FD 1 VERSION OF THE BILL CALLS OUT CERTAIN SECTIONS OF THE CHARTER THAT ALLOW FOR THE COUNCIL TO SUSPEND THOSE PROVISIONS, THE CHARTER PROCEDURAL PROVISIONS THE CHARTER, SUCH AS REQUIRING PUBLICATION OF DIGEST OF THE BILL AND TWO READINGS OF AN ORDINANCE ON SEPARATE DAYS IN AN EMERGENCY SITUATION. SO WHAT THE COUNCIL WOULD BE DOING IS INVOKING THAT PROVISION TO PASS THIS AS AN EMERGENCY MEASURE REQUIRING JUST ONE READING.\r\n\r\n>> MEMBER RAWLINS-FERNANDEZ. >> OKAY. >> OKAY. NOW MEMBER COOK. DID YOU HAVE ANYTHING TO SAY? >> NOTHING FURTHER, CHAIR. >> THE MAIN MOTION AS AMENDED, RAISE YOUR HAND, SAY AYE AYE.\r\n\r\n>> NINE AYES, ZEROS NO, MOTION CARRIES. MS. CLERK. MEMBERS, ARE YOU HUNGRY? DO YOU WANT TO TAKE A ONE-HOUR BREAK? YOU HAVE A MEETING IN 15 MINUTES. OKAY.\r\n\r\nMEMBERS, IT'S 12:19, WITHOUT OBJECTIONS WE'LL TAKE A ONE-HOUR LUNCH BREAK TO 1:19. ANY OBJECTIONS? >> NO OBJECTIONS. >> SO ORDERED. MEETING IN RECESS. [GAVEL] [GAVEL] >> WILL THE COUNCIL MEETING OF NOVEMBER 20TH, 2023, PLEASE RECONVENE. MS. CLERK.\r\n\r\n>> THANK YOU, MADAM CHAIR, FOR REFERRAL TO THE WAI WAI COMMITTEE IS BILL 120 (2023) A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF LAND AND NATURAL RESOURCES, REGARDING THE ISSUANCE OF A MANAGEMENT RIGHT-OF-ENTRY FOR THE LAHAINA WILDFIRE FINAL DISPOSITION PROJECT. >> MEMBERS, ANY OBJECTIONS TO REFERRING THIS MATTER TO THE WAI COMMITTEE? >> NO

OBJECTIONS. >> SO ORDERED. >> CHAIR, MOVING ON TO ORDINANCES FOR SECOND AND FINAL READING. BEFORE YOU IS BILL 73 (2023) A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII AND LOCAL GOVERNMENTS ON PROCEEDS RELATING TO THE SETTLEMENT OF OPIOID LITIGATION. >> MEMBER UU-HODGINS.\r\n\r\n>> THANK YOU, CHAIR. I MOVE TO PASS BILL 73 ON SECOND AND FINAL READING. >> SECOND. >> MOVED BY MEMBER UU-HODGINS AND SECONDED BY VICE-CHAIR SUGIMURA TO PASS BILL 73 ON SECOND AND FINAL READING. DISCUSSION, MEMBER UU-HODGINS. >> BILL 73 AUTHORIZES THE MAYOR TO ENER INTO AN MEMORANDUM OF AGREEMENT WITH THE STATE OF HAWAI'I, COUNTY OF MAUI AND COUNTY OF HAWAI'I, COUNTY OF KAUA'I AND COUNTY AND SHARING IN THE SETTLEMENT OF OPIOID LITIGATION IS ESTIMATED AT \$1,247,200 THE SETTLEMENT FUNDS WILL BE RELEASED TO THE DEPARTMENT OF HEALTH, STATE OF HAWAI'I AND BUT WILL BE SPENT AT MAUI COUNTY'S DISCRETION, AT THIS TIME I ASK FOR THE MEMBERS' FULL SUPPORT OF MY MOTION. THANK YOU, CHAIR.\r\n\r\n>> ANY MORE DISCUSSION? MEMBER SUGIMURA. >> I JUST WANT TO THANK OUR CLERK AND DEPUTY CLERK, WHEN THEY WERE IN THEIR PREVIOUS POSITIONS, THEY WERE THE ONES AND CORP. COUNSEL MET WITH US AND INTRODUCED THIS FOR BENEFIT OF OUR COUNTY. I WANT TO THANK THEM, WHEN THEY WERE WEARING THEIR DIFFERENT HATS. THANK YOU VERY MUCH, MOANA AND RICHELLE. >> THANK YOU.\r\n\r\nALL IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE. >> OKAY, SEVEN AYES, TWO EXCUSED, MOTION CARRIES. EXCUSED ARE MEMBERS KAMA AND JOHNSON. NEXT BEFORE YOU IS BILL 87 CD 1 (2023). A BILL FOR AN FLORENCE AMENDING TITLE 0, MAUI COUNTY CODE RELATING TO THE ESTABLISHMENT OF PAID PARKING ZONES AND PERMIT PARKING ZONES IN WAILUKU AND PROHIBITED ACTIVITIES IN THE WAILUKU GARAGE FACILITY AND PENALTY FOR PARKING VIOLATIONS. >> MEMBER COOK. >> CHAIR, I MOVE TO PASS BILL 87, CD 1 (2023) ON SECOND AND FINAL READING.\r\n\r\n>> MOVED BY MEMBER COOK, SECONDED BY MEMBER SINENCI TO PASS BILL 87, CD 1, (2023) ON SECOND AND FINAL READING. DISCUSSION, MEMBER COOK. >> THANK YOU, MEMBERS OF BILL 87 CD 1'S PURPOSES ARE TO ASSIST THE DEPARTMENT OF TRANSPORTATION WITH IMPLEMENTING A PAID PARKING SYSTEM BY ESTABLISHING OFF-STREET PARKING ZONES AND PERMIT PARKING ZONES IN WAILUKU. 2, ESTABLISH PROHIBITED ACTIVITIES FOR THE WAILUKU GARAGE FACILITY, AND 3, PROPOSED AMENDMENTS TO ASSIST THE DEPARTMENT WITH ENFORCING RULES AND LAWS ON THE GENERAL OPERATION OF PAID AND PERMIT PARKING. MEMBERS, THE PASSAGE OF THIS BILL WILL ESTABLISH A RULES OF OPERATION FOR THE NEW WAILUKU GARAGE FACILITY. AS A REMINDER, THE BILL ESTABLISHES A PAID PARKING SYSTEM, BUT THE ADMINISTRATION DECIDED TO POSTPONE THE PROPOSED RATES AND FEES AT THIS TIME, DUE TO THE ONGOING WILDFIRE EMERGENCY RESPONSE. I RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT OF MY MOTION.\r\n\r\n>> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR, PLEASE SAY AYE, RAISE YOUR HAND AYE. >> SEVEN AYES, TWO EXCUSED. MOTION CARRIES. EXCUSED ARE MEMBERS JOHNSON AND KAMA. NEXT. >> BEFORE YOU IS BILL 89 (2023) A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE U.S. GEOLOGICAL SURVEY, PACIFIC ISLANDS WATER SCIENCE CENTER, UNITED STATES DEPARTMENT OF THE INTERIOR COOPERATIVE WATER RESOURCE MONITORING PROGRAM.\r\n\r\n>> MEMBER COOK. >> I MOVE TO PASS BILL 89 (2023) ON SECOND AND FINAL READING. >> SECOND. >> MOVED BY MEMBER COOK, SECONDED BY MEMBER SINENCI TO PASS BILL 89 (2023) ON SECOND AND FINAL READING. MEMBER COOK. >> BILL 89 AUTHORIZES THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE U.S. GEOLOGICAL SURVEY TO CONTINUE ITS COOPERATIVE WATER-RESOURCE MONITORING PROGRAM IN A JOINT FUNDING AGREEMENT WITH THE DEPARTMENT OF WATT SUPPLY. THIS MONITORING PROGRAM IS TO COLLECT DATA, EVALUATE SURFACE WATER AND GROUNDWATER TRENDS, AND RESOURCES IN THE COUNTY.\r\n\r\nI RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, PLEASE RAISE YOUR HANS, SAY AYE. >> AYE. >> SEVEN AYES TWO EXCUSED. MOTION CARRIED. EXCUSED ARE MEMBERS KAMA AND JOHN.\r\n\r\n>> BILL 92 (2023) A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI DEPARTMENT OF MANAGEMENT, MANAGEMENT PROGRAM. >> VICE-CHAIR SUGIMURA >> MOVED, AND SECOND. >> MOVE BY VICE-CHAIR SUGIMURA AND

SECONDED BY MEMBER UU-HODGINS TO PASS THE BILL ON SECOND AND FINAL READING. DISCUSSION? >> MEMBERS, THIS BILL AMENDS FISCAL YEAR 24 BUDGET FOR THE DEPARTMENT OF MANAGEMENT, BY INCREASING THE PERSONNEL FOR MANAGEMENT PROGRAM BY ONE, AND MOVING \$40,000 FROM ITS CATEGORY B TO ACCOUNT -- TO THE GRANT TO VETERANS COUNCIL. THE ADDITIONAL FUNDS WOULD SUPPORT THE TRAVELING OF THE WALL THAT HEALS EXHIBITS TO THE COUNTY OF MAUI -- [INAUDIBLE] ADDITIONAL -- OKAY, UNFUNDED EP ALLOWS FOR THE CREATION OF LIAISON POSITION PRIOR TO THE BIFURCATION OF THE DEPARTMENT HOUSING AND HUMAN CONCERNS. I RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT OF MY MOTION.\r\n\r\nTHANK YOU, CHAIR. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, PLEASE SAY AYE, RAISE YOUR HAND. >> AYE. >> SEVEN AYES, TWO EXCUSED. MOTION CARRIES. >> THANK YOU, MEMBERS.\r\n\r\n>> TWO EXCUSED ARE MEMBERS JOHNSON AND KAMA. NEXT. >> CHAIR, BEFORE YOU IS BILL 105 (2023) A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI APPENDIX A, PART 1, DEPARTMENT OF FIRE AND PUBLIC SAFETY. >> MEMBER PALTIN. >> I MOVE TO PASS BILL 105 ON SECOND AND FINAL READING. >> SECOND. >> MOVED BY MEMBER PALTIN, SECOND BY VICE-CHAIR SUGIMURA.\r\n\r\nDISCUSSION, MEMBER PALTIN. >> THANK YOU, CHAIR. BILL 105'S PURPOSE IS TO AMEND THE BUDGET FOR DEPARTMENT OF FIRE AND PUBLIC SAFETY BY INCREASING THE GRANT AMOUNT FOR THE STATE OF HAWAII MAKENA APPROPRIATION BY \$80,001. AT THIS TIME, I WOULD LIKE TO -- I WOULD ALSO LIKE TO REOPEN COUNTY COMMUNICATION 23-36. >> ANY OBJECTIONS, MEMBERS? PLEASE PROCEED. >> IF THE MEMBERS WOULD REFER TO ASF ON CC 23-36. I MOVE TO DO THAT ONE, SUBSTITUTE. >> OKAY. MOVED BY MEMBER PALTIN, SECONDED BY VICE-CHAIR SUGIMURA TO SUBSTITUTE THIS BILL, DISCUSSION, MEMBER PALTIN.\r\n\r\n>> I NEGLECTED TO SAY IN THAT MOTION WOULD ALSO INCLUDE THE FILING OF COUNTY COMMUNICATION 23-36. >> ANY OBJECTIONS, MEMBERS? THE FILING IS INCLUDED. PROCEED. DISCUSSION. >> SO YOU KNOW, EVERYONE LOVES THE LIFEGUARDS, AND I DIDN'T THINK THAT THIS NEEDS TO GO TO COMMITTEE, AND IT'S TO GIVE THEM MORE MONEY. SO THERE YOU HAVE IT. >> OKAY.\r\n\r\nANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. SEVEN AYES, TWO EXCUSED, MEMBERS KAMA AND JOHNSON. THE MOTION PASSES. MAIN MOTION AS AMENDED. ANY MORE DISCUSSION? MEMBER PALTIN.\r\n\r\n>> X I THINK WE COVERED IT. >> ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. SEVEN AYES, TWO EXCUSED, MOTION PASSES. EXCUSED ARE MEMBERS JOHNSON AND KAMA. FINALLY. >> CHIEF OF STAFF, BEFORE YOU IS BILL 106 (2023) A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI DEPARTMENT OF WATER SUPPLY, ADMINISTRATION PROGRAM, CAPITAL IMPROVEMENT PROJECTS, AND APPENDIX C, DEPARTMENT OF WATER SUPPLY. >> VICE-CHAIR SUGIMURA.\r\n\r\n>> I MOVE TO PASS BILL 106 (2023) ON SECOND AND FINAL READING. >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY MEMBER SINENCI TO PASS BILL 106 (2023) ON SECOND AND FINAL READING. DISCUSSION, MEMBER SUGIMURA. >> THANK YOU, MEMBERS. THIS BILL AMENDS FISCAL YEAR 24 BUDGET TO MOVE \$400,000 FROM DEPARTMENT CATEGORY B ACCOUNTS TO NEW CAPITAL IMPROVEMENT PROJECT ENTITLED "1888 WILI PA LOOP BUILDING IMPROVEMENTS. THIS IS THE NEW WATER DEPARTMENT BUILDING. BUT THE BUILDING FOR OUR WATER DEPARTMENT TO MOVE TO.\r\n\r\nTHE FUNDING WILL BE USED TO REPLACE THE AIR CHILLER AND AIR HANDLING UNITS IN THE FACILITY. I DO HAVE AN AMENDMENT TO MAKE ON BEHALF OF CHAIR LEE, REFERENCING ASF ATTACHED TO COUNTY COMMUNICATION 23-37, AND I TO SUBSTITUTE BILL 103 (2023) WITH THE PROPOSED VERSION ATTACHED TO THE ASF AND FILE COUNTY COMMUNICATION 23-37. >> THAT IS THE MOTION. >> RIGHT. >> NEED A SECOND. >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY MEMBER SINENCI TO SUBSTITUTE THE BILL. AND ANY MORE DISCUSSION? >> WHAT IT DOES IS, MEMBERS, PROPOSED REVISION BILL INCORPORATES NON-SUBSTANTIVE CORRECTIONS TO THE BILL.\r\n\r\nTHANK YOU. I RESPECTFULLY ASK THE MEMBERS' SUPPORT OF MY MOTION. THANK YOU, CHAIR. THANK YOU FOR THE ASF. >> ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE AMENDMENT, THE SUBSTITUTION, RAISE YOUR HAND, SAY AYE. >> AYE.\r\n\r\n>> SEVEN AYES, ZERO NOS, MOTION PASSES. AND THE EXCUSED ARE MEMBERS JOHNSON AND KAMA. SO THE MOTION AS AMENDED. MAIN MOTION AS AMENDED. ANY MORE DISCUSSION? MEMBER RAWLINS-FERNANDEZ. >> I KNOW, WE'RE ALMOST IDENTICAL.\r\n\r\n[LAUGHTER] >> THAT IS TRUE. >> SO -- NO, IT'S NOT. I WAS

LOOKING FOR THE ASF FOR THE SUBSTITUTION. I DON'T SEE IT. OR THAT IS IN THE COUNTY COMMUNICATION? >> YES, BECAUSE IT WAS INTRODUCED EARLIER. >> ALL RIGHT, LET ME LOOK.\r\n\r\n>> IS THAT OKAY? DOES THAT ANSWER YOUR QUESTIONS? >> IT DOES ANSWER MY QUESTIONS, I HAVE TO LOOK FOR IT IN MY INBOX. MAHALO, MS. MILNER. >> NOW I FORGOT IF WE TOOK THE VOTE. LET'S TAKE THE VOTE.\r\n\r\nTHE MAIN MOTION AS AMENDED. RAISE YOUR HAND, SAY AYE? >> AYE. >> SEVEN AYES, TWO EXCUSED. MOTION CARRIES. THE TWO EXCUSED ARE MEMBERS KAMA AND JOHNSON. WELL, NOW, ARE WE AT LETTER N? >> DONE.\r\n\r\n>> SO NO MORE BUSINESS FOR TODAY. MS. CLERK? STARTING WITH MEMBER SINENCI, EVERYBODY WANT TO SAY SOMETHING? HAPPY THANKSGIVING, OR SOMETHING? >> YES, ENJOY YOUR WEEKEND. DON'T EAT TOO MUCH.\r\n\r\n>> I WILL GO TO YOU NEXT. SINCE MEMBER RAWLINS-FERNANDEZ IS THE ONLY ONE ONLINE RIGHT NOW, WE DON'T WANT TO MISS HER. >> OKAY. THE QUESTION WAS ANY ANNOUNCEMENTS BEFORE WE ADJOURN FOR THE DAY? >> YES. >> WELL, MAHALO, CHAIR FOR AN EXPEDITIOUS AND STAFF FOR AN EXPEDITIOUS MEETING TODAY. YES, AS MEMBER SINENCI SAID, TUESDAY, NOVEMBER 28TH IS LOOKING FOR ACTIVITIES HAPPENING AROUND MAUI ISLAND, MOLOKA'I. I'M SURE THERE WILL BE THINGS THAT ARE HAPPENING AT LAHAINA STRONG TENT.\r\n\r\nTHEY ARE HOLDING IT DOWN OVER THERE AND ALWAYS HAVE ANNOUNCEMENTS AND WAYS TO SUPPORT THEM. KA'ANAPALI, WATCH FOR ANNOUNCEMENTS ON LINE. THANK YOU, CHAIR. >> THANK YOU. MEMBER UU-HODGINS. OKAY. MEMBER COOK.\r\n\r\n>> I HOPE EVERYBODY HAS A SAFE, HEALTHY, AND HAPPY WEEK. >> THANK YOU. MEMBER PALTIN. >> FOR ALL OF THE KAMAKA HIKI, JUST PUTTING IT OUT THERE, IF ANY ANIMAL-SITTING SERVICES ARE AVAILABLE, WITH FOLKS HAVING TO GO BACK TO WORK, IT'S DIFFICULT WHEN YOU HAVE AN ANIMAL IN THE HOTEL WHERE TO PUT THOSE ANIMALS. SO JUST THROWING IT OUT INTO THE UNIVERSE, IF ANYONE WANTED TO START LIKE A DOGGIE DAYCARE FOR WEST MAUI DISPLACED RESIDENTS, THAT WOULD BE EXCELLENT. THANK YOU. >> THANK YOU, MEMBER PALTIN.\r\n\r\nIT REMINDED ME THAT THE HUMANE SOCIETY IS IN DIRE NEED OF FOSTERS. SO PLEASE, IF YOU HAVE ANY ROOM AT YOUR HOUSE, TO TAKE AN EXTRA DOG OR CAT, PLEASE GIVE THEM A CALL. MEMBER SUGIMURA, VICE-CHAIR SUGIMURA. >> THANK YOU, CHAIR. SO I WANT TO WISH EVERYBODY A HAPPY THANKSGIVING. THERE'S A LOT FOR US TO BE GRATEFUL FOR AND OUR FOCUS HAS REALLY TAKEN ON BIGGER THINGS THAT WE NEED TO DO AS A COMMUNITY. I ALSO WANTED TO SAY EVERY TIME I LOOK DOWN, I SEE NOHELANI UU-HODGINS WITH HER NEW HAIRCUT.\r\n\r\nI THINK WHO IS THAT NEXT TO MEMBER COOK AND MEMBER SINENCI? IT'S MEMBER UU-HODGINS. BUT THANK YOU EVERYONE FOR YOUR HARD WORK AS THIS HAS BEEN QUITE A YEAR. IT HAS TAKEN REALLY A LOT FROM ALL OF THE STAFF, AS WELL AS OUR STAFF, OUR INDIVIDUAL STAFF TO MAKE THIS ALL HAPPEN AS WE MOVE TO THIS NEW REALM THAT WE'RE LIVING IN. SO THANK YOU VERY MUCH, CHAIR, FOR ALLOWING US. >> THANK YOU. AND THEN I BESIDES WANTING TO WISH YOU A WARM AND FUZZY THANKSGIVING DAY, I WANTED TO WISH MY BROTHER, GARY LEE OF PUKALANI, HAPPY BIRTHDAY TODAY.\r\n\r\nHE IS TWO YEARS OLDER THAN ME, SO HE IS 39. [LAUGHTER] AND SO YES, CLASSMATES. EVERYBODY BE SAFE, DON'T BE DRINKING AND DRIVING OR DOING ANYTHING CRAZY LIKE THAT. YES, MEMBER SUGIMURA. >> TOMORROW AT 10:00 IS MY BFED MEETING. TAX BILLS. >> WE'RE ONLY TALKING ABOUT HAPPY THINGS. [LAUGHTER] >> WELL, IT'S PART OF YOUR BILL.\r\n\r\n>> I KNOW. IT'S COMPLICATED. >> VERY. >> ALL RIGHT, THERE'S A BFED MEETING TOMORROW BEFORE THANKSGIVING, OKAY? SO WE HAVE TO BE READY TO -- THE RPT IS JUST ONE ITEM? >> YES. >> JUST ONE ITEM.\r\n\r\nAT WHAT TIME? >> 10:00. >> OKAY EVERYBODY, HAVE A GREAT DAY. THANK YOU SO MUCH FOR AN EFFICIENT MEETING. ALL OF YOU, ALL OF OUR STAFF, THANK YOU. THIS MEETING IS ADJOURNED. [GAVEL]