

**MAUI COUNTY COUNCIL
REGULAR COUNCIL MEETING
MINUTES**

**October 10, 2025
9:00 AM**

Pursuant to §92-3.7, Hawaii Revised Statutes, the meeting was conducted as a remote meeting by interactive conference technology, via Microsoft Teams, <http://tinyurl.com/2p9zhjr2>.

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

TIME MEETING CALLED TO ORDER: 9:15 a.m.

ROLL CALL

Councilmember	Pres.	Abs.	Exc.	Time(s) In/Out (during meeting)
C Pro Tempore Tasha Kama	√			
Vice Chair Yuki Lei Sugimura	√			
CM Tamara Paltin	√			
CM Gabe Johnson	√			Exc. 11:46 a.m. – end of meeting
CM Keani Rawlins-Fernandez			√	
CM Tom Cook	√			
CM Nohelani U‘u-Hodgins	√			
CM Shane Sinenci			√	
Chair Alice L. Lee	√			
TOTAL PRESENT	7		2	

COUNTY COMMUNICATIONS:

CC 25-20 COUNCIL CHAIR LEE, transmitting a proposed amendment to Resolution 25-179, entitled "SETTING THE ANNUAL SALARY FOR THE INVESTIGATOR OF THE BOARD OF ETHICS UNDER SECTION 2.56.080, MAUI COUNTY CODE".

Postponed, without objection, until Resolution No. 25-179 was called up.

CC 25-21 COUNCIL CHAIR LEE, transmitting a proposed amendment to Bill 129 (2025), entitled "A BILL FOR AN ORDINANCE ESTABLISHING THAT THE BOARD OF ETHICS' POSITIONS FOR INVESTIGATOR AND ADMINISTRATIVE ASSISTANT MAY BE FILLED ON A PART-TIME BASIS AND PAID ON A PRO-RATA BASIS".

Postponed, without objection, until Bill No. 129 (2025) was called up.

COMMITTEE REPORTS:

CR 25-64 Recommending FILING of Bill 121 (2025), to authorize the Mayor to enter into an intergovernmental agreement for the Department of Police to respond to alarms at Hawai'i Army National Guard facilities in the County.

	AYE	NO	EXC	Time Deliberations Began	9:54 a.m.
Pro Tem Kama	√			Time Motion Made	9:55 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez			√	Time Vote Taken	9:58 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci			√		
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

CR 25-65 Recommending FIRST READING of Bill 40, CD1 (2025), to: 1) amend the County's Residential Workforce Housing Policy to promote the retention of units available for owner occupancy; 2) expedite the County's acquisition of residential workforce housing units by exempting their purchase from the

requirement of Council approval; 3) increase the deed-restriction period for ownership units to preserve their benefit to the community; and 4) make other refinements to the Policy to foster the production and protection of the County's residential workforce housing units.

	AYE	NO	EXC	Time Deliberations Began	9:58 a.m.
Pro Tem Kama	√			Time Motion Made	9:59 a.m.
VC Sugimura		√		Motion	ADOPT recommendations
CM Paltin	√			Maker	Kama
CM Johnson	√			Seconder	Sugimura
CM Rawlins-Fernandez			√	Time Vote Taken	10:55 a.m.
CM Cook		√			
CM U'u-Hodgins	√				
CM Sinenci			√		
Chair Lee		√			
TOTAL VOTES	4	3	2	MOTION FAILED	

	AYE	NO	EXC		
Pro Tem Kama				Time Motion Made	10:01 a.m.
VC Sugimura				Motion	AMEND w/distributed ASF
CM Paltin				Maker	Kama
CM Johnson				Seconder	U'u-Hodgins
CM Rawlins-Fernandez				Time Vote Taken	
CM Cook					
CM U'u-Hodgins					
CM Sinenci					
Chair Lee					
TOTAL VOTES					

	AYE	NO	EXC		
Pro Tem Kama		√		Time Motion Made	10:43 a.m.
VC Sugimura		√		Motion	AMEND to file ASF
CM Paltin	√			Maker	Paltin
CM Johnson	√			Seconder	Johnson

CM Rawlins-Fernandez			√	Time Vote Taken	10:45 a.m.
CM Cook		√			
CM U'u-Hodgins		√			
CM Sinenci			√		
Chair Lee		√			
TOTAL VOTES	2	5	2	MOTION FAILED	

10:54 a.m.: ASF withdrawn.

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	11:20 a.m.
VC Sugimura	√			Motion	RECONSIDER
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	Cook
CM Rawlins-Fernandez			√	Time Vote Taken	11:21 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci			√		
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	11:21 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	Kama
CM Johnson	√			Secunder	Sugimura
CM Rawlins-Fernandez			√	Time Vote Taken	11:22 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci			√		
Chair Lee		√			
TOTAL VOTES	6	1	2	MOTION PASSED	

ORDINANCES:

Bill 141 (2025) "A BILL FOR AN ORDINANCE AMENDING SECTION 2.02.020, MAUI COUNTY CODE, ON BILINGUAL GOVERNMENT"

	AYE	NO	EXC	Time Deliberations Began	10:31 a.m.
Pro Tem Kama	√			Time Motion Made	10:31 a.m.
VC Sugimura	√			Motion	PASS on first reading
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	Johnson
CM Rawlins-Fernandez			√	Time Vote Taken	10:32 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci			√		
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

Bill 148 (2025) "A BILL FOR AN ORDINANCE AMENDING CHAPTER 22.04A, MAUI COUNTY CODE, RELATING TO THE KULA AGRICULTURAL PARK COMMITTEE'S MEMBERSHIP"

	AYE	NO	EXC	Time Deliberations Began	10:32 a.m.
Pro Tem Kama	√			Time Motion Made	10:32 a.m.
VC Sugimura	√			Motion	PASS on first reading
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Secunder	U'u-Hodgins
CM Rawlins-Fernandez			√	Time Vote Taken	10:35 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci			√		
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

Bill 149 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, APPENDIX A, PART I, DEPARTMENT OF WATER SUPPLY, UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, NEW APPROPRIATION OF \$1,526,031, AND APPENDIX C, DEPARTMENT OF WATER SUPPLY, COUNTYWIDE, UPDATE PROJECT DESCRIPTION FOR COUNTYWIDE UPGRADES AND REPLACEMENTS, AND INCREASE APPROPRIATION BY \$1,526,031"

	AYE	NO	EXC	Time Deliberations Began	11:23 a.m.
Pro Tem Kama	√			Time Motion Made	11:24 a.m.
VC Sugimura	√			Motion	PASS on first reading
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez			√	Time Vote Taken	11:25 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci			√		
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

Bill 150 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, INCREASING ESTIMATED REVENUES, OTHER INTERGOVERNMENTAL BY \$64,469,830, CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF WATER SUPPLY, COUNTYWIDE, AND APPENDIX C, DEPARTMENT OF WATER SUPPLY, COUNTYWIDE, NEW APPROPRIATION FOR \$64,469,830 FOR COUNTYWIDE WILDFIRE DISASTER RELIEF PROJECTS"

11:25 a.m.: Referred to the Budget, Finance, and Economic Development Committee.

Bill 151 (2025) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR A LOAN FROM THE STATE OF HAWAII'S DRINKING WATER STATE REVOLVING FUND FOR COUNTYWIDE WILDFIRE DISASTER RELIEF PROJECTS, FISCAL YEAR 2026 BUDGET ORDINANCE"

11:25 a.m.: Referred to the Budget, Finance, and Economic Development Committee.

Bill 152 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, APPENDIX A, PART I, DEPARTMENT OF HOUSING, COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, COUNTY-OWNED SENIOR AFFORDABLE RENTAL HOUSING PROJECT: NĀ HALE KŪPUNA OPERATIONS, INCREASE APPROPRIATION BY \$51,151"

11:26 a.m.: Referred to the Budget, Finance, and Economic Development Committee.

Bill 153 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, DEPARTMENT OF MANAGEMENT, OFFICE OF RECOVERY PROGRAM, ADD CONDITIONAL LANGUAGE FOR HANA BUSINESS COUNCIL, INC. IN THE AMOUNT OF \$2,100,000, AND APPENDIX A, PART II, OPEN SPACE, NATURAL RESOURCES, CULTURAL RESOURCES AND SCENIC VIEWS PRESERVATION FUND, DELETE CONDITIONAL LANGUAGE FOR HANA BUSINESS COUNCIL, INC. IN THE AMOUNT OF \$2,100,000"

	AYE	NO	EXC	Time Deliberations Began	11:26 a.m.
Pro Tem Kama	√			Time Motion Made	11:26 a.m.
VC Sugimura	√			Motion	PASS on first reading
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez			√	Time Vote Taken	11:28 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci			√		
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

Bill 154 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM, NEW CONDITIONAL LANGUAGE FOR PROARTS INC. IN THE AMOUNT OF \$49,570"

	AYE	NO	EXC	Time Deliberations Began	11:28 a.m.
Pro Tem Kama	√			Time Motion Made	11:28 a.m.
VC Sugimura	√			Motion	PASS on first reading
CM Paltin	√			Maker	Cook

CM Johnson	√			Seconder	Sugimura
CM Rawlins-Fernandez			√	Time Vote Taken	11:29 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci			√		
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

Bill 155 (2025) "A BILL FOR AN ORDINANCE REPEALING CHAPTER 9.12, MAUI COUNTY CODE, ON PINBALL MACHINES"

	AYE	NO	EXC	Time Deliberations Began	11:29 a.m.
Pro Tem Kama	√			Time Motion Made	11:29 a.m.
VC Sugimura	√			Motion	PASS on first reading
CM Paltin	√			Maker	Johnson
CM Johnson	√			Seconder	U‘u-Hodgins
CM Rawlins-Fernandez			√	Time Vote Taken	11:31 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci			√		
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

Bill 156 (2025) "A BILL FOR AN ORDINANCE AMENDING CHAPTER 12.52, MAUI COUNTY CODE, ON ENCROACHMENTS ON PUBLIC RIGHTS-OF-WAY"
11:31 a.m.: Referred to the Water and Infrastructure Committee.

ORDINANCES - SECOND AND FINAL READING:

Bill 21, CD1 (2025) "A BILL FOR AN ORDINANCE AMENDING CHAPTER 19.36B, MAUI COUNTY CODE, TO EXEMPT PARKING IN A SPECIFIC BOUNDARY AREA OF LĀNA‘I CITY"

Bill 78, CD1 (2025) "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO R-2 RESIDENTIAL DISTRICT FOR PROPERTY

SITUATED AT 1550 NUKUNA PLACE, WAILUKU, MAUI, HAWAI'I, TAX MAP KEY (2) 3-6-007:010"

	AYE	NO	EXC	Time Deliberations Began	11:31 a.m.
Pro Tem Kama	√			Time Motion Made	11:32 a.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	Kama
CM Johnson	√			Seconder	Sugimura
CM Rawlins-Fernandez			√	Time Vote Taken	11:33 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci			√		
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

Bill 82, CD1 (2025) "A BILL FOR AN ORDINANCE AMENDING SECTION 10.04.030, MAUI COUNTY CODE, RELATING TO AUTHORIZED EMERGENCY VEHICLES"

	AYE	NO	EXC	Time Deliberations Began	11:33 a.m.
Pro Tem Kama	√			Time Motion Made	11:33 a.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Seconder	Kama
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	

Bill 90, CD1 (2025) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE COUNTY OF HAWAI'I"

11:34 a.m.: Postponed until 10/24/2025 Council Meeting.

Bill 91, CD1 (2025) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY AND COUNTY OF HONOLULU"

11:34 a.m.: Postponed until 10/24/2025 Council Meeting.

Bill 92, CD1 (2025) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE FEDERAL BUREAU OF INVESTIGATION FOR A JOINT TERRORISM TASK FORCE"

9:15 a.m.: Cancelled from agenda.

Bill 99, CD1 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, APPENDIX B, DEPARTMENT OF WATER SUPPLY, WATER FUND, PRESERVATION RATE"

Bill 100, CD1 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, APPENDIX B, DEPARTMENT OF WATER SUPPLY, WATER FUND, PRESERVATION RATE"

Bill 101, CD1 (2025) "A BILL FOR AN ORDINANCE AMENDING ORDINANCE 5821, BILL NO. 46, FD1 (2025), RELATING TO AN INTERGOVERNMENTAL AGREEMENT FOR A LOAN FROM THE STATE OF HAWAII'S WATER POLLUTION CONTROL REVOLVING FUND FOR VARIOUS WATER SUPPLY PROJECTS, FISCAL YEAR 2026 BUDGET ORDINANCE"

Bill 111 (2025) "A BILL FOR AN ORDINANCE AMENDING SECTION 3.48.820, MAUI COUNTY CODE, RELATING TO THE CIRCUIT BREAKER TAX CREDIT"

Bill 113 (2025) "A BILL FOR AN ORDINANCE AMENDING SECTIONS 3.48.410 AND 3.48.450, MAUI COUNTY CODE, RELATING TO DEADLINE FOR FILING CLAIMS FOR REAL PROPERTY TAX EXEMPTIONS AND STANDARDS FOR VALUATION"

Bill 134 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, EMERGENCY MANAGEMENT AGENCY, EMERGENCY MANAGEMENT PROGRAM, DECREASE CATEGORY B BY \$450,000, AND ADD NEW APPROPRIATIONS FOR LIVING PONO PROJECT IN THE AMOUNT OF \$250,000, AND HANA BUSINESS COUNCIL, INC. IN THE AMOUNT OF \$200,000"

	AYE	NO	EXC	Time Deliberations Began	11:35 a.m.
Pro Tem Kama	√			Time Motion Made	11:37 a.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	Sugimura
CM Johnson			√	Second	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	11:38 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci			√		
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

Bill 109, CD1 (2025) "A BILL FOR AN ORDINANCE AMENDING CHAPTER 20.35, MAUI COUNTY CODE, ON OUTDOOR LIGHTING"

	AYE	NO	EXC	Time Deliberations Began	11:39 a.m.
Pro Tem Kama	√			Time Motion Made	11:39 a.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	Cook
CM Johnson	√			Second	Sugimura
CM Rawlins-Fernandez			√	Time Vote Taken	11:40 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci			√		
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

Bill 114 (2025) "A BILL FOR AN ORDINANCE TO AMEND CHAPTER 3.48, MAUI COUNTY CODE, RELATING TO THE REAL PROPERTY TAX ASSESSMENT OF NONTAXABLE PROPERTY"

11:41 a.m.: Motion to pass on second and final reading (Maker – Sugimura; Second – Kama).

11:42 a.m.: Motion to amend (Maker – Kama; Second – U'u-Hodgins).

11:55 a.m.: Amend to table to next Council meeting (Maker Paltin).

11:56 a.m.: Withdraw all motions.

11:57 a.m.: Recommit to Special Committee on Real Property Tax Reform.

Bill 129 (2025) "A BILL FOR AN ORDINANCE ESTABLISHING THAT THE BOARD OF ETHICS' POSITIONS FOR INVESTIGATOR AND ADMINISTRATIVE ASSISTANT MAY BE FILLED ON A PART-TIME BASIS AND PAID ON A PRO-RATA BASIS"

CC 25-21 COUNCIL CHAIR LEE, transmitting a proposed amendment to Bill 129 (2025), entitled "A BILL FOR AN ORDINANCE ESTABLISHING THAT THE BOARD OF ETHICS' POSITIONS FOR INVESTIGATOR AND ADMINISTRATIVE ASSISTANT MAY BE FILLED ON A PART-TIME BASIS AND PAID ON A PRO-RATA BASIS".

	AYE	NO	EXC	Time Deliberations Began	11:57 a.m.
Pro Tem Kama	√			Time Motion Made	11:57 a.m.
VC Sugimura	√			Motion	PASS on second and final reading, as amended
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson			√	Seconder	Cook
CM Rawlins-Fernandez			√	Time Vote Taken	12:00 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci			√		
Chair Lee	√				
TOTAL VOTES	6		3	MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	11:58 a.m.
VC Sugimura	√			Motion	SUBSTITUTE/ FILE CC 25-20
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson			√	Seconder	Sugimura
CM Rawlins-Fernandez			√	Time Vote Taken	11:59 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci			√		
Chair Lee	√				
TOTAL VOTES	6		3	MOTION PASSED	

Bill 130 (2025) "A BILL FOR AN ORDINANCE AMENDING CHAPTER 6.04, MAUI COUNTY CODE, TO RENAME THE ANIMAL CONTROL BOARD TO THE DANGEROUS DOG ADJUDICATION AND APPEALS BOARD"

	AYE	NO	EXC	Time Deliberations Began	12:00 p.m.
Pro Tem Kama	√			Time Motion Made	12:00 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	12:01 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci			√		
Chair Lee	√				
TOTAL VOTES	6		3	MOTION PASSED	

Bill 133 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM, DECREASE THE APPROPRIATION FOR MAKAWAO-PĀ‘IA-HA‘IKŪ RESIDENCY AREA CLEAN-UP BY \$15,000, AND INCREASE THE APPROPRIATION FOR ALOHA CLASSIC BY \$15,000"

Bill 135 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, APPENDIX A, PART I, DEPARTMENT OF ‘ŌIWI RESOURCES, NATIONAL TRUST FOR HISTORIC PRESERVATION, NEW APPROPRIATION OF \$10,000"

	AYE	NO	EXC	Time Deliberations Began	12:01 p.m.
Pro Tem Kama	√			Time Motion Made	12:01 p.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	U‘u-Hodgins
CM Johnson			√	Secunder	Cook
CM Rawlins-Fernandez			√	Time Vote Taken	12:02 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci			√		
Chair Lee	√				
TOTAL VOTES	6		3	MOTION PASSED	

UNFINISHED BUSINESS:

RESOLUTIONS

Reso 25-179 "SETTING THE ANNUAL SALARY FOR THE INVESTIGATOR OF THE BOARD OF ETHICS' UNDER SECTION 2.56.080, MAUI COUNTY CODE"

CC 25-20 COUNCIL CHAIR LEE, transmitting a proposed amendment to Resolution 25-179, entitled "SETTING THE ANNUAL SALARY FOR THE INVESTIGATOR OF THE BOARD OF ETHICS UNDER SECTION 2.56.080, MAUI COUNTY CODE".

	AYE	NO	EXC	Time Deliberations Began	12:03 p.m.
Pro Tem Kama	√			Time Motion Made	12:03 p.m.
VC Sugimura	√			Motion	ADOPT, as amended
CM Paltin	√			Maker	U‘u-Hodgins
CM Johnson			√	Secunder	Cook
CM Rawlins-Fernandez			√	Time Vote Taken	12:05 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci			√		
Chair Lee	√				
TOTAL VOTES	6		3	MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	12:04 p.m.
VC Sugimura	√			Motion	SUBSTITUTE/ FILE CC 25-20
CM Paltin	√			Maker	U‘u-Hodgins
CM Johnson			√	Secunder	Cook
CM Rawlins-Fernandez			√	Time Vote Taken	12:05 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci			√		
Chair Lee	√				
TOTAL VOTES	6		3	MOTION PASSED	

TIME MEETING ADJOURNED: 12:07 p.m.

TRANSCRIPTION

Council of the County of Maui on 2025-10-10 9:00 AM - Regular Meeting

[GAVEL] Will the Council Meeting of October 10th, 2025 please come to order. Test, test. Joyce, any reason why I'm not on the screen? I see me here, but not there. Ready everybody? Good morning members. Staff, and everybody in the public.\r\n\r\nBill 92, CD 1 (2025) has been canceled from today's agenda. An explanation for the cancelation is found in the press release issued on Tuesday. This is consistent with advice provided by the Office of Information practices. The press release is available at MauiCounty.us and OIP has advised me not to take questions or oral testimony on the canceled item. I thank you for your understanding and apologize for any inconvenience. Of course, you can always send anything to us in writing. But for today's meeting, I am not allowed to take public testimony/oral testimony.\r\n\r\nSo Ms. Clerk, please proceed with roll call. >> Thank you, Madam Chair. Proceeding with roll call. Council Member Pro Tempore Tasha Kama? >> Good morning Chair, Aloha Kakahiaka to all. >> Vice-Chair Yukilei Sugimura.\r\n\r\nGood morning Chair. >> Council Member Tamara Palatin. >> Excused. >> Council Member Gabe Johnson. There's no testifiers at the Lana'i District Office. I'm here and ready to work, and mahalos. >> Thank you.\r\n\r\n>> Council Member Keani Rawlins-Fernandez? >> Excused. >> Council Member Tom Cook? >> Aloha and good morning. Ready to work. There's no testifiers in the Kihei regional office, but we have people on standby and looking forward to the meeting. >> Council Member Nohelani Uu-Hodgins.\r\n\r\n>> Good morning, Chair, good morning everyone. >> Good morning. >> Council Member Shane Sinenci. >> Excused. >> Council Chair Alice Lee? >> Okay. Since our colleagues went to Seattle for the CNHA conference, and in Tulalip, Washington and I looked up the tribe's word for "hello and it's ha dadatu.\r\n\r\nHa dadatu. So when our colleagues come back to work, let's pretend we know where they went and say ha dadatu. Ms. Clerk. >> Thank you, Madam Chair. There's six members present, three members excused so a quorum is present to conduct the business of Council. For the record, I'm Deputy County Clerk Richelle Thompson and County Clerk Moana Lutey and also present from the Office of the County Clerk, are Legislative Division Staff Joyce Murashige, Lauren Saldana, Dell Yoshida and Arthur Suyama assisting the Council with maintaining order and decorum is Council Ambassador Ryan Martins joining the meeting from the Office of Council Services is Director David Raatz and Legislative Attorney Megan Moniz.\r\n\r\n>> Thank you. Opening remarks will be provided by Council Member Gabe Johnson. >> Thank you, Chair, before I start opening remarks I did see Council Member Paltin join the call. >> Oh, yes, I see her now. Ha dadatu. You went to New Zealand so Kyoto. a little louder.\r\n\r\n>> Sorry. Streaming live and direct from the Honolulu International Airport. >> We can hear you, but not real clearly, but we can hear you. >> How about now? >> At least you are home. >> Huh? >> We just went through customs.\r\n\r\nI'm in a public place at the Honolulu International Airport, in the Kingdom of Hawai'i. And there's all sorts of public people around. >> Okay, so are you going to be flying home shortly? >> Not sure yet -- we arrive at 2:40, but they will let us check in at 9:50. So I might be gone a little bit around 9:50, 10:00. >> Thank you. All right, so Member Johnson. >> Thank you, Chair. For this opportunity to do opening remarks. As many people know, I studied English Kent State University and poetry has always been a big love of my life.\r\n\r\nSo I'm going to read a poem today. Never read a poem in my opening remarks and I heard some members do and it I think now is a good chance this poem is called "America is a gun" by Brian Bliston. England is a cup of Tea and France is a wheel of ripened brie, and

Greece a short squat olive tree, America is a gun. Brazil is foot ball on the sand, Argentina Maradona's hand Germany an oompah band, America is a gun. Holland is a wooden shoe, Hungary a goulash stew, Australia is a kangaroo, America is a gun. Japan is a thermal string, Scotland is a highland fling, oh, better to be anything than America as a gun. Chair, I think these -- in these troubling times of our country, sometimes I turn off the news and I pick up a book, and a poem like this comes along, and you just can't not ignore the fact that our country is headed in the wrong direction in my opinion.\r\n\r\nAnd I know there's people in the Chambers here who wanted to talk about something, and I think that there are opportunities for us to voice our opinions and to speak on where our country is headed, not only at the ballot box, but just at the dinner table. They say politics start at the dinner table. So talk to your friends talk to your families. We do have to come together. I just wanted it bring that up before we stand and do the Pledge of Allegiance that we should be united. I just feel we haven't been. So I wanted to bring this poem before us.\r\n\r\nThank you, Chair. >> Thank you, very appropriate. Now 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. May I please request that everyone keep their microphones muted unless it's your turn to speak. As a reminder, 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.\r\n\r\nEach testifier will be allowed to speak for up to three minutes per item. For individuals wishing to testify on teams, please click the raise your hand button to be added to the testifier log. If you are calling in, please follow the phone prompts to be added to the log. If you wish to testify anonymously, please sign in as anonymous, and you will be given a testifier number. Decorum shall be maintained at all times. Any person who behaves in a manner that disrupts, disturbs or impedes the orderly conduct of any Council Meeting can at the discretion of Presiding Officer or majority of present Council Members may be ejected or banned from Council meetings. Or 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. All meeting attendees whether online or in-person are expected to wear clothing in a manner that is respectful of others, and appropriate for these proceedings. For example, attendees should wear a shirt when testifying. Ms. Clerk, please proceed. >> Thank you, Madam Chair. Proceeding -- initially I wanted to acknowledge the presence of First Deputy Mimi DesJardins and so at this time individuals may testify at this item on today's agenda.\r\n\r\nChair, the first person to testify is Lauren Akitake, and she will be testifying on resolutions 25-17 and Bill 129 and she will be followed by Lin McEwan. >> Good morning, Chair, Vice-Chair and Council Members. It's great to see you all today. My name is Lauren Akitake, the Executive Director and Legal Counsel to the Board of Ethics and here to speak in support of resolution 25-179, and Bill 129 regarding hiring our Investigator, part-time, and setting her salary. Firstly, thank you for approving our Investigator as a DM9 and my assistant salary at your September 8th meeting. We have been fully staffed for about four weeks now and we're moving forward in important ways. We were all set for our October 8th meeting.\r\n\r\nOur agenda was OIP approved and 'Oiwi translated and then the automated email regarding the posting of our agenda did not go out. All systems were go except the one that wasn't. After discussing with OIP, we decided to canceling

the meeting and it was the right call and we appreciate everyone's patience. Time-sensitive matters including financial disclosures statements and lobbyist registrations will be addressed at our special rules rescission meeting on October 22nd. One of the proposed revisions would authorize my office to review financial disclosure statements that drastically reduce the wait time for an acknowledged and received Financial disclosure statement. On a positive note our Attorney of the day service is very popular. I'm receiving a high volume of calls and emails. I'm finishing my week No. 10 and I have given 25 informal advisory opinions. As part of my first 100 days I'm continuing to meet with a range of people, and will conduct a vary to gather County and community feedback. Also we'll be updating our lobbyist rules looking to extend the Board's jurisdiction over former County employees to six years and reviewing our gift rules. Thank you for your time and consideration. I'm very optimistic about the direction the Board of Ethics is going in. And I respectfully request that resolution 25-179 and Bill 129 be passed. I'm happy to serve as a resource, if there are any questions when the agenda items comes up.

>> Thank you. I highly doubt that will be necessary, but are there any clarifying questions, Members?

>> Thank you.

>> You're welcome to stay with us.

>> Thank you.

>> Chair, the next testifier is Lin McEwan, testifying on Bill 154, and she will be followed by Marni Masuda.

>> Good morning, Council I'm Lin McEwan, the Executive Director of Proarts playhouse in South Maui.

I'm here to testify on behalf of Bill 154 or our pono project. I just wanted to acquaint any of you not former with Proarts we're a small community and Performing Arts Center in South Maui to let you know a little bit about what we do and our 24-25 season we hosted 257 events. We were named the outstanding non-profit business at the Maui's Mayor's small business award and voted the favorite local theater in Hawai'i 2025 Broadway world awards and we supported over 150 Artists and gave over 12,000 dollars' worth of free tickets to those to Fire survivors and those in financial need. We take our commitment to the community extremely seriously. And the pono project is our way of consolidating and moving and expanding a program that we do where we want to elevate those in the community with marginalized voices. This allows us to celebrate the diversity of the community, educate on the challenges, and Maui's history, particularly challenges faced here in Hawai'i, and it allows us to really elevate the voices of many of the nonprofits we work with. That is a lot of what we do is work with other community groups, nonprofits, school groups.

We had over 30 outreach programs last year in which we worked with groups like the Maui on stage youth and education program, the roots school. This is our way of giving voice to a lot of folks through holidays like Juneteenth, international women's day and other events to celebrate marginalized people and educate. We're very for that to have diverse groups that come into Proarts and we have a large mix of local, tourist and those part-time residents as well and we take our commitment to making sure that we not only entertain, but educate in everything that we do and this project allows us to do that on a greater scale and do so with giving more back to the community and to the Artists and nonprofits who make these events possible. Thank you so much for your time and consideration.

>> Thank you. Members, questions?

>> We have one from Pro Tem Kama.

>> Nice to see you.

>> Thank you.

>> I like going to Proarts and I really like when I go and attend some of the play and things that you have done one on Hawaiian history.

>> We actually have an Hawaiian Arts and Culture series we have done. I believe 12 events so far in recent. And what we have do is have Artists speak on some have spoken about their connection to the 'Aina and have spoke about for instance the roots of pidgin language and we have Uncle George and

Kuma Haina come and educate on the history. So yes.\r\n\r\n>> So how do you advertise? >> You know, folks who are putting on something exciting? >> Well, we always do we actually volunteer who puts on every single event calendar on the island. We use social media. We use Maui News. We are were very lucky to be featured on the Arts and Culture series. I believe 22 times last year for the Maui News.\r\n\r\nWe do also is some radio and we really try to work with the other nonprofits that we work to reach their individual groups as well. And we just I did was on a call yesterday with the folks at Maui Strong to make sure that we can expand the message. Our access for all program I really try to use every Avenue at my is goal we have work with Akaku and often times to expand on that and anything that we able to do we're not bound by our licensing agreements. So we try to work with Akaku and so that we have expanded accessibility to those who actually attend our location. >> Thank you >> Sounds wonderful. Thank. >> Questions?\r\n\r\nIf not, thank you very much. >> Chair, the next testifier is Marty Masuda, testifying on Committee Report 25-64 to be followed by Jake Carlton. >> Aloha, Council. Can you hear me okay? >> Yes. >> Thank you so much. I'm here to just comment on CR25-64, which pertains to our Maui Police Department responding if there's an alarm at the National Guard post here.\r\n\r\nWhich on the surface seems fine, but I just wanted to point out a pattern, and that we're seeing on the federal-level. And this is -- these are not normal times. And so when business as usual Resolutions and bills come across I think it's very, very important that they -- that the appropriate amount of scrutiny and vigilance is applied has to do with anything coming from the Federal Government. Right now the Trump Administration has promised to target the enemy from within. The memo that came out national security presidential memo No. 7 specifically states that anyone who is speaking out against traditional marriage, American values, anyone that you can look at it, but there's a long list of indices, which red-flag groups or individuals as potential stochastic terrorisms and nowadays stochastic terrorism can be anything, any rhetoric that somebody somewhere may be connected that statement to something they did. This Administration and our FBI under Kash Patel, instead of investigating crimes or crimes about to be committed they are looking for reasons to make the opposition criminals.\r\n\r\nMaui indivisible is an unfailing peaceful, almost laughingly so sometimes, we dance, we sing, whatever and so is national indivisible. We are on the list, watch-list, normal indivisible is. Indivisible has never do anything, we believe in peace, we believe in Democracy and we're fighting for Democracy in peaceful way. There are a lot of groups probably groups here in Hawai'i that are pro- Native Hawaiian that are showing up on those lists. A sticker on the back of the truck that says "defend Hawai'i with a gun." While that is not very peaceful and I have my own position on that, that might be considered stochastic terrorism and that person might be or get arrested for having that sticker on their car under this new memo. So I would like you just to look at scrutiny at anything that r where we're using County resources and directing them towards the Federal Government, because we need to be very careful and very vigilant at this point. Thank you.\r\n\r\n>> Thank you. Could you hold on a second. I see Tamara, Member Paltin's hand up. Do you have a question? for the testifier? >> Thank you, Chair. I just wanted to clarify that we filed this Bill.\r\n\r\nWe're not going to be passing it. And they can still -- >> That is another Bill. >> I'm clear as an occupied nation for the last 132 years this is very dangerous times. But the Bill has been filed, because they can do it without our approval. So I just wanted to clarify if you knew that? >> Thank you. Thank you so much, Ms.\r\n\r\nPaltin. I'm not testifying on Bill 92 right now. I'm testifying on

the use of our resources to protect the National Guard post. >> I'm aware that is the one I'm talking about that went through my Committee and I filed it. So we're voting on filing it today, because they can do it without our -- without our approval, because there's no money involved. And it's within the scope of their normal work. So that's what I was speaking to.\r\n\r\nI was speaking to what you were speaking to. >> I'm sorry. >> So I just wanted to clarify if you were aware of that? >> I have been -- I'm under the assumption when we use our- we have two few Maui police officers and whenever they are used for federal work, that is a resource that is funded by the County. So I just think we need to consider how we're using our resources especially when they are so overburdened at this point. >> Okay. I just wanted to let you know he that we got a legal opinion that they can move forward without our approval from the Corp.\r\n\r\nCounsel. So if you are aware. But okay, I understand. Thank you. Thank you, Chair. >> Thank you so much. >> We can opt not to help.\r\n\r\n>> All right, that is okay. >> Any other questions? Vice-Chair. Sugimura. >> I just want to ask you then you're hoping or what you are testifying on, you don't want the Police Department to help our Hawai'i Army National Guard in case of some kind of disaster, or emergency? >> So these are alarms. >> Oh, yeah >> Respond to alarms at their facilities.\r\n\r\n>> So you don't want the Police to respond to alarms in case of a problem? >> No, that is not what I'm saying. I'm saying that the proper amount of scrutiny, normally, this would be fine. And it is fine. But the public wants to have scrutiny over any partnership with the Federal Government. You know, people ask, can't the National Guard protect their own facility? They are the military.\r\n\r\nYou know, those kind of questions come up. So in normal times, but this isn't normal times. So we just want to understand better. That is all. >> Thank you. >> Any other clarifying questions? If not, thank you very much.\r\n\r\n>> Thank you all. >> Chair, the next testifier is Jake Carlton, testifying on Committee Report 25-64, he will be followed by Lesley Milner. >> Aloha Honorable Council Members. I'm Jake Carlton, an activist with Maui indivisible and speak to Council Resolution 25-64 regarding the MPD now responding to intruder alarms at the National Guard property, as well as a point of process about where Council will decide possibly today to send Bill 92, too. I just want to be clear. I'm not speaking to the merits of Bill 92. >> We won't be taking up Bill 92 at all. >> Not even where it gets separate.\r\n\r\n>> Yes, not even where it gets sent. >> Okay, I will respect that. >> Thank you. >> Why our stretched County tax dollars and MPD resources being devoted to help the military defend itself? Is the County also helping Trump send our state's guard to other states like red states? While we are guarding their property? What is the priority ranking of the MPD response to these alarms?\r\n\r\nWill MPD not respond to our 911 calls because they are responding to an intruder at guard facility while the guard is sent to another state? We understand that Corp. Counsel says this Bill has no financial implications or outside of the MPD's scope of work and advises this only need be a filing rather than a budget Committee passage, and 2, voted readings for passage, unlike Bill 92? We were wondering what is happening at the MPD, as the Chief is stretching our resources to help the Federal Government with this Bill, as well as other bills which directly pay for FBI agents or pay for guards at their facilities here on Maui. This is the same federal Administration that is cutting our budgets right now. Yet they want our resources to help them carry out a campaign that is throughout our nation terrorizing our communities here with Homeland Security raids that the FBI now is aiding across the country with almost half of the FBI assigned to that, helping National Guard go across the nation and invade cities where people are being

peaceful, and judges, federal judges are agreeing that that is an improper invasion and a violation of federal law. Do we really want to enable the Administration in doing this? And we call upon the Council to have a conversation with the MPD Chief to ask what is happening at the MPD?

Thank you Honorable Council Members. >> Thank you. Any clarifying questions? If not, thank you very much. >> Chair, the next testifier is Budget Director Lesley Milner, who will be testifying on bills 149, 153 and 154. >> Aloha Chair, Aloha Council Members. So I will start with Bill 154 and go in numerical order. This is a new grant. So this is amending Appendix A, Part 1 of the Fiscal Year 26 budget for the Department of Water Supply to add \$1,526,031 from the Environmental Protection Agency. These funds will be used to demolish and replace the 250,000 gallon Ha'iku tank. So we're asking for floor action today, so they can access those funds and get started as soon as possible. Bill 153, this is as you may recall during the Fiscal Year 26 budget session, there's funding under the Open Space Fund for the Hana Business Council for \$2.1 million for the purchase of 20 Olowalu Road and as we received the application, and more details on the work they are going to be doing, the Open Space Fund was too restrictive. We think we could have tweaked the project to fit, but in light of the good work they want to do on it that property, it seemed appropriate to find a different funding source. We reached out to the Department of Management, Office of Recovery and Mr. Smith is very supportive of the project. So we're asking to move the -- delete the line item from the Open Space Funds and add conditional language under the Office of Recovery. There are no additional funds needed. And finally Bill 154, which was already spoken to for the South Maui residence area under the Office of Economic Development adding a new line item for \$49,570 for the Living Pono Project. So thank you for your consideration of that and happy to be a resource when the items control up. Thank you, Chair. >> Any clarifying questions, Members? Yes, Member Johnson. >> Just in case, can we keep you as a resource today? You are available? >> Thank you, Chair, I have a meeting at 10:15, but should be a short one and so I be available. >> I was wondering if Ms. Milner could repeat the recovery funds portion. What area is that going for?. Thank you Chair, thank you Council Member Paltin, in Hana for the Hana Business Council to purchase a property that will include resiliency hub, community kitchen and other activities. >> Thank you. >> Any other questions? >> Thank you, Chair. >> Okay. So you will come back, yeah? >> Always for you, Chair. >> Thanks. >> You flatter me. Okay, we'll vote now for you. Kidding. Next. >> Chair, currently Ms. Milner was the last testifier. So we'll go ahead and give last call for testimony. Anybody wishing to testify, please make your way to the podium. I see J.C. Lau making his way down. >> Kakahiaka Aloha Kakou and Aloha Akaku. J.C. Lau from Waikoko ahupua'a. Good news, Mr. Johnson. Sorry about that yesterday. I see your fellow Member Yukilei over there and you guys are together again. Sorry for your meeting yesterday for the climate change thing. >> Mr. Lau, that is not on the agenda. >> Let's stick to the agenda. >> Opening remarks by Gabe Johnson is what I'm talking about. >> Okay. >> So yes, thank you for that. We got a good rain in Kula last night. So maybe something you did may have helped out. I really liked your poem. I am going look it up and that was like one the better poems I have heard in my live. Other than that was about the country that I'm from. Ironically I did have some guns and I think I might want to plead the 5th on this. I was sorry to be addressing Chair Lee. Sorry about that. I might have transported some guns across state lines over there in Virginia before I came over here. I don't think my Uncle will testify against me. But he probably is one of those might have not gave

them to him, because he was one of those coal country Republicans up in Pennsylvania. I just wanted to say, yeah, I had to give my guns up, because I don't think I could have put them on the plane and took them to Hawai'i, but I wish I did, because I like the Hawai'i bumper sticker. They got me as a felon for driving a vehicle without a license. So what does that have got to do with guns? I don't know, but supposedly I haven't really checked out the exact statement of the law, but I'm not allowed to have a gun now to defend myself against whoever is coming after me, because I'm a felon from America.\r\n\r\nI don't know -- I have to figure that out. So whenever I have trouble trying to figure that out, but when I think of Queen Lili'uokalani. Thank you for your time and I give the rest of my time to the Hawaiians s questions, Members? None, Ms. Clerk. >> Chair, we have an additional testifier signed up. Jim Langford, please let us know which item you will be testifying on.\r\n\r\n>> >> Aloha, thank you, Council. I actually just lost the number it was the number of the Bill regarding the National Guard. And funding Maui Police order of operations. What was the number of that one? >> 25-64. >> Oh, pardon my manners. Thank you so much, Chair. So in light of what we have heard today from other testifiers, and thank you to Proarts for being a great vehicle to get the word out in the community, strengthening our community.\r\n\r\nBut specifically on the National Guard budgets and things. I believe to echo the previous testifiers I was saying there's a need for accountability on the funds, and how if the rewards, and the capital are aligned with constitutional precedence that are aligned with our community vision, and you know, so I have noticed since we signed the peace measure a week or so ago, things have turned the tide. So I invite us now when approaching Police and federal matters, let's not be on the fear side. I invite us all to remember our oath of Aloha, in the opening remarks, you know? We're not defined by guns. We have seen on Netflix recently "Chief of war." And how allowing Colonial behavior, or that is a bad word to say. Allowing behavior that doesn't balance the consumption rate with the ability for the 'aina to breathe without being harmed.\r\n\r\nSo I invite us all to not be on the fear side of this moment in history. You all feel -- I all feel your hearts more empowered and less fearful with the information and the facts that you have to go forward. So our National Guard can protect itself, and our Police can answer for the pressures they are receiving, the contingencies, as well as the Executive Branch. You folks are in a position to say hey, we don't have money for that, and I'm sorry you guys are under pressure and whatever they have to pressure the Executive Branch is not your problem. I'm sorry for any pressures that you may have felt from me going through grief from the wildfires . >> Three minutes. >>Thank you. I love you.\r\n\r\nPlease continue to let that Aloha light guide you, so we're defined by that, not by the poetry we heard earlier. God bless you all, each breath. Aloha. >> Thank you. Any questions, Members? If not, thank you very much. Chair, currently there's no one else signed up to testify at beginning of the meeting.\r\n\r\nSo we'll go ahead and give last call, for anyone wishing to testify at the beginning of the meeting. Seeing no one, counting down, 3, 2, 1, Chair, there's no one indicating a wish to testify at the beginning of the meeting. >> Any objections to closing public testimony and accepting written testimony for the beginning of the meeting, so ordered, Ms. Clerk. >> Thank you, Madam Chair. Currently there's no one signed up to testify on County communications. So we'll go ahead and give last call.\r\n\r\nAnyone wishing to testify on County communications. >> So ordered, Ms. Clerk SP-thank you, Madam Chair, before you is County Communication 25-20 from Council Chair Lee transmitting a proposed Amendment to resolution 25-1279 entitled, " setting the annual salary for

the investigator of the Board of Ethics under Section 2.56.080, Maui County Code. >> Member eu00. >> Thank you, Chair. If there's no objections may I please ask the Clerk to please call up cC5-21. >> Any objections, members? If not, Ms. Clerk.\r\n\r\n>> Thank you, Madam Chair, County Communication 25-21 from Council Chair Lee transmitting a proposed amendment to Bill 129 (2025) entitled, "a Bill for an Ordinance establishing that the Board of Ethics positions for Investigator and Administrative Assistant may be filled on a part-time basis and paid on a pro rata basis." >> Member Uu-Hodgins. >> Thank you, Chair. These County Communications pertain to Amendments to legislation posted further down the agenda. If there are no objections may I please request that they be postponed until we discuss resolution 25-179 and Bill 129 (2025), respectively. >> No objections, so ordered. Ms. Clerk.\r\n\r\n>> Chair, moving on to Committee Reports. There's currently no one signed up to testify. So last call, here comes Mr. Lau. >> Chair Lee, I know you are trying to get home for lunch. Committee Reports. The National Guard thing.\r\n\r\nI spoke on this a little bit at the Committee meeting. And I just wanted -- I didn't know if you saw on the Honolulu star newspaper that says the Hawai'i National Guard has met their recruitment needs for this year. That's it. >> Thank you. >> Chair, there's no one else signed up to testify on Committee Reports. Sorry, I cut you off. Were there any questions?\r\n\r\n>> Go ahead, no questions so last call, if there's anyone to testify on Committee Reports this is your opportunity. The countdown is 3, 2, 1. Chair, there's no one indicating a desire to testify. >> Any objections to closing public testimony, and accepting written testimony on Committee Reports? so ordered. Ms. Clerk. >> Chair perfect the Disaster, Resilience, International Affairs, and Planning Committee is CR25-64 Redmond recommending filing of Bill 121 (2025) to authorize the ma Mayor to enter into an Intergovernmental Agreement to for the Department of Police to respond to alarms at Hawai'i Army National Guard facilities in the County.\r\n\r\n>> Council Member Uu-Hodgins. >> Thank you, Chair. I move recommendations in Committee Report 25-64. >> Moved by Member Uu-Hodgins and second by Member Kama to approve the recommendations in Committee Report 25-64. Discussion, Member Uu-Hodgins. >> Thank you, again, Chair. Your Disaster, Resilience, International Affairs, and Planning Committee met on September 24th, 2025 to discuss Bill 121, by correspondence dated September 12th, 2025 a Deputy Corporation Counsel determined that the proposed Intergovernmental Agreement under Bill 121 does not place a financial obligation on the County; and therefore County's authorization is not required under Code Section 2.20.020 and your Committee voted 7-0 to recommend the filing of Bill 121 and at this time I respectfully ask for members' support of many motion. Thank you. >> Any more discussion?\r\n\r\nVice-Chair Sugimura. >> Thank you. Unfortunately I missed the discussion in Committee. And I just want to get from Corp. Counsel, I think what was discussed in the Committee Report there's no financial obligation. So this is not needed. I just want confirmation.\r\n\r\n>> Corp. Counsel. >> Thank you, Chair. You know, trying to determine whether an Intergovernmental Agreement has a financial obligation or not is sometimes very difficult. Our Department is going to recommend that we amend Chapter 2.20 to make it clearer going forward, because we often times have long discussions about whether or not we can foresee a financial obligation in an Intergovernmental Agreement. Although on its face, it says it has wording that perhaps could be interpreted as not having one. So it's a difficult challenge.\r\n\r\nWe err on the side of bringing them to Council, because that way again the public is also aware of what is going on. I'm not going to second guess the Deputy that was in that meeting if they came to that decision, then I'm going to

support that. But I do think that there are some Amendment to that Chapter that could really help us moving forward so ensure this doesn't become a larger discussion than it needs to be. Thank you. >> Thank you. >> Any more questions or discussion? >> Member Paltin has her hand up.\r\n\r\n>> Member Paltin. >> Thank you. I just did want to clarify that we did an official transmittal, and there's an in writing response that this doesn't meet that Maui County Code 2.20.020. So it's all in writing, and we asked the question in writing. We got the answer in writing, and so we're not trying to waste anybody's time here. >> Thank you. Any more discussion? If not, all those in favor of the motion, please raise your hand, say aye.\r\n\r\n>> Aye. >> One, two, three, four, five six, seven ayes, and two excused. Motion carries. Ms. Clerk. >> Chair, from the Housing and Land Use Committee is CR 25-64 recommending first reading of Bill 40, CD 1 (2025) to one amend the County's residential work force Housing Policy to promote the retention of units available for owner occupancy; 2, expedite the County's acquisition of Residential Workforce Housing units by exempting their purchase from the requirement of County approval; 3, increase the deed-restriction period for the ownership units to preserve their benefit to the community; and 4, making other refinements to the policy to foster the production and protection of the County's Residential Workforce Housing units. >> Pro Tem Kama.\r\n\r\n>> Thank you, Chair. I move to adopt the recommendation in Committee Report 25-64. >> Second. >> Moved by Pro Tem Kama. Seconded by Vice-Chair Sugimura to approve the recommendations in CR 25-65. Discussion, Pro Tem Kama. >> Your Housing and Land Use Committee met March 20, 2025, May 14, 2025 and September 24, 2025 to consider Bill 40 (2025) to amend the Maui County Code relating to Residential Workforce Housing. Bill 340 was introduced and your Committee's deliberation on bills 12, and 74 (2023) and Bill 22 (2024) all relating to Residential Workforce Housing. Your Committee's deliberations on those bills which occurred earlier this year, involved resource persons ranging from Housing Administrators from other states to local financial experts, and housing advocates.\r\n\r\nAfter several meetings, your Committee produced the version of Bill 40 posted today, which seeks to promote the retention of units available for owner occupancy, and foster the protection of the County's Residential Workforce Housing units. The ways Bill 40, CD 1 accomplishes this includes: Separating the deed-restriction periods for multifamily and two family ownership units from single-family ownership units and setting the deed-restriction period as follows: For multi- family and two-family units, 12 years for the below moderate-income group, 10 years for the moderate-income group, 8 years for the above moderate-income group. And for single-family units, 15 years for the below moderate-income group, 12 years for the moderate-income group, and 10 years for the above moderate-income group. Requiring ownership units to be owner occupied in perpetuity or used in perpetuity as long as long-term rentals under conditions established in the Bill unless a waiver is granted by the Department of Housing. And allowing the County to purchase the Residential Workforce Housing units if no units, no resident on the unit wait-list purchases the units. Your Committee voted 8-0 to recommend passage of Bill 40, CD 1 (2025) on first reading. And I do have an ASF for the body to consider and referencing my ASF, I move to amend Bill 40, CD 1 (2025) Section 6, Code Section 2.96.090D, pages 9 and 10 as shown in my ASF.\r\n\r\n>> We have a request for a recess from Member Paltin. So she has time to read the ASF. >> Okay. >> Because she is going through TSA right now. >> Okay. How much time does she need ? 15 minutes? >> I will say come back at 10:15. >> Could we just get a second before we recess?\r\n\r\n>> Pardon? Can we just get is a second before we recess. >> Second.

>> You did make the motion. You are still explaining. >> I made it. >> On the ASF.\r\n\r\n>> So it was moved by Pro Tem Kama, seconded by Member Uu-Hodgins. Okay, to -- >> On the ASF. >> So approve the ASF, and then we'll come back for further discussion. At 10:15. Okay, Members? Meeting in recess [GAVEL] [GAVEL] >> Will the Council Meeting of October 10th, 2025 please reconvene. Members, if there's no objections I will recommend that we table this item now, unless we have Member Paltin back. I don't know if she had a chance to read the ASF going through?\r\n\r\n>> Yes, I do. I just made it through the TSA. I had a couple of questions about the ASF, but I'm ready to proceed. >> All right, questions? We're in discussion. We're in discussion. Member Paltin.\r\n\r\n>> Thank you, Chair. >> I guess my main question, I'm not aware of the Department of Housing having created a list yet. So just wanted to clarify that until the actual County housing list has been created, since there's nobody on the list, it goes straight to the County? >> Anybody want to answer that? Housing? Well, I guess we're going to have to wait for housing. >> Okay.\r\n\r\nLet's table it, I guess. >> Okay. Table it until we have more people resources. So next item. >> Chair, we're moving into Ordinances. >> Can someone contact housing? Okay.\r\n\r\nChair, we're on public testimony or Ordinances and currently we have one person signed up, the Royal House of Hawai'i. >> Hello, are you ready to testify, Royal House of Hawai'i? >> Aloha. >> Aloha. >> This is the Royal House of Hawai'i and I'm Allodial land tenant and Aloha land tenant and heir under Royal Patent and Land Use Commission award 3237 Apana 2. I'm just wondering who is -- who are their authority? Or any federal authority? Because as you should know, Hawai'i is illegally occupied and that jurisdiction should not be recognized, and it's actually illegal also because the kingdom of Hawai'i very much still exists and there's a freedom of speech also. And any of the Royal Patents descendants of all the lands in Hawai'i, because all of Hawai'i is Royal Patented in are those govern are actually supposed to be governing these specific land areas of the Royal Patent? Because all of Hawai'i is Royal Patented.\r\n\r\nWere they contacted because they are the authority, the actual authority? And always remember that Hawai'i is illegally occupied and why is there like five different citizenries that are being used and the different jurisdictions within that and rules that apply to different people and in different places when he had been is supposed to be using Kamehameha III's laws, and the descendants are supposed to be the ones to govern that specific area and everywhere. Please contact the Royal Patent descendants. Mahalo. Ch questions, Members? If note, thank you. >> Chair, there's no one else currently signed up to testify.\r\n\r\nSo this will be last call for testimony on Ordinances, and I see Mr. Lau making his way to the podium. >> Thank you, Moana. Thank you for working for County, everybody. Thank you for working for Queen Lili'uokalani. Bill 141 a Bill for an Ordinance amending Maui County on bilingual government. Thank you Council Services office for the 'Olelo Hawaiian agenda.\r\n\r\nI did read it most of the way through and it's not as hard as you think, it just takes a little bit of practice. Some of the words are starting to pop up to me. I still can't understand if it's just Hawaiian words, but I'm going to keep trying. So speaking of Hawaiian words, as ohuli with the glottal and it says it means to cause or induce change. And dedicating this to Lana'i and Mr. Johnson's climate change Committee meeting yesterday. I hope everybody watches that; it was very interesting and we're at that point now we have to do something.\r\n\r\nIt ain't no waiting any more and I hope Larry Ellison is watching and I hope he is Hau'oli pono. Thank you for your time and I reserve the rest for the Hawaiians. >> Thank you, no questions? Ms. Clerk. >> Chair, there's no one else currently signed up to testify. This will be last

call.\r\n\r\nThe countdown is 3, 2, 1. Chair, there's no one indicating a desire to testify. >> Members, any objections to closing public testimony and accepting written testimony. So ordered. Ms. Clerk. >> Bill 141 (2025) a Bill for an Ordinance amending Section 2.020.020 Maui County Code on bilingual government. >> Vice-Chair Sugimura.\r\n\r\n>> Move to pass Bill 141 (2025) on first reading second. >> Moved by Vice-Chair Sugimura, seconded by Member Johnson. To pass Bill 141 on first reading. Any discussion? >> Bill 141 (2025) extends the effective date for publishing public meeting agendas in English and O'lelo Hawai'i to December 31st, 2025. This adjustment will provide additional time for some County agencies to implement the bilingual agenda requirement. I ask for the Members' support of my motion. :any more discussion?\r\n\r\nIf mot, please raise your hand and say aye. >> Aye. >> Seven ayes, two excused. Motion carries. Ms. Clerk. >> Chair, before you is Bill 148 (2025) a Bill for an Ordinance ending chapter 22.04a Maui County Code relating to the Kula Agricultural Park Committee's Membership.\r\n\r\n>> Vice-Chair Sugimura. >> Thank you. I move to pass Bill 148 (2025) on first reading. >> Moved by Vice-Chair Sugimura, seconded by Member Uu-Hodgins to pass Bill 148 (2025) on first reading. Discussion, Vice-Chair Sugimura. >> Thank you, Chair. This Bill reduces the Kula AG Park Committee from 11 to 9 members in 2022 the Council added two seats tied to the phase 1 expansion, which is the new addition to Kula AG Park and the expansion still hasn't opened.\r\n\r\nThe seats remain unfulfilled and the Commission has struggled to make quorum. Right sizing to nine lowers the quorum threshold making it easier for the Committee to meet. I ask for the Members' support of my motion and if ever we build the expanse, we can look at this again Thank you. >> Any more discussion? Member Johnson. >> I'm really curious why we need to do this, because I thought it didn't take effect until the phase 2 AG Park was actually created. Does the language in there need to be amended?\r\n\r\n>> Yes. >> Because when I look at what you are taking out one Representative of the Kula AG Park phase 1 expansion area to be appointed within six months of the Kula AG Park phase 1 having tenants and once you get the tenants you get that seat. I don't understand why that is not -- are we reading that wrong from Corp. Counsel or something? >> They are still required to meet the eleven threshold and it's causing quorum problems. So I just want to correct it and we can always revisit it >> Sure, can with my hear from corp. counsel?\r\n\r\nI hear where you are coming from. >> Corp. Counsel. >> Thank you, Chair. This Bill was signed off by our Department. My understanding is as Member Sugimura has stated it had do with quorum. And not anything about phase 1 is my understanding.\r\n\r\nIt was really a quorum issue, because it's too many people to try to get on this. >> Okay. All right. >> Any more discussion? All those in favor of the motion, raise your hand, say aye. >> Aye. >> Seven ayes, two excused.\r\n\r\nMotion carries. Ms. Clerk. >> Chair, the Housing Director is currently online and I don't know if you want to return to Committee Reports. >> Member Paltin, are you ready to Board? Yes? >> Yes.\r\n\r\n>> Okay, will you still be able to participate? >> Yes, I'm at the gate. The kids want something to eat, but they are in the bathroom and they are going to have to wait. >> All right, let's take this up then. Ms. Clerk, can you bring it back. >> Chair, from the Housing and Land Use is CR 25-65 and do you want me to read the entire title?\r\n\r\n>> Not really, because we're on the ASF right now. >> Yes. >> You already read the first. >> We have a motion made by Pro Tem Kama and seconded by Member Uu-Hodgins. Okay. Pro Tem Kama discussion? >> Do you need to repeat the question for Mr.\r\n\r\nMitchell. >> Yes, go ahead. >> I read the ASF that the County would get the second priority. If an affordable housing goes up for sale

within the deed restricted period, and the next person on the County's wait-list would get first priority. But my understanding is that the County Department of Housing for County of Maui hasn't yet created the wait-list. So what happens in the interim? We're not going to wait for anything to go on while we know that the County hasn't created a wait-list.\r\n\r\nIt would just go straight to the County, and then once the County creates the wait-list, then it will be as the Bill says, is that what the Director of Housing's understanding of -- oh, there's a dog here. Is that what the Director of Housing's understanding or implementation of this Bill would be? >> Director Mitchell. >> Thank you, Chair Lee and thank you, Member Paltin for the question. I'm as jumping in cold to the discussion, if you could just rephrase that again for me. I was just trying to track for the first time what is going on. I will be better equipped.\r\n\r\n>> Sure, was Mr. Mitchell provided the ASF that we're considering today for the first time? >> I can take a look at it, but it's on Granicus. No, I just joined the meeting and heard your question. >> Okay. >> First of all, Director, if I can interrupt, Director, is the wait-list process procedure in effect? >> The wait-list process procedure for?\r\n\r\n>> Affordable housing selection. I think this is in regards to the deed restriction length of time, and in that Bill 40, I believe it was, the County was going to be given first priority, and the ASF, I guess, which wasn't run by you, puts the County into the second priority. And there's some kind of dog training going on, sorry. There's allowance for the next resident on the wait-list to get the first picture and the County to get the second priority, but to my understanding, we don't have a Department of Housing County wait-list for affordable housing at this time. So is this ASF premature, and should we file it? Or, I mean I would have thought it would be run by you before introducing it cold on the floor. >> Member Paltin and Chair Lee, if I could just take a look at the ASF and read it for a quick second to make sure I'm fully apprised before answering and I will come back on.\r\n\r\nIf I could be afforded that opportunity, I would appreciate it. >> Okay. Did you receive it yet? >> I don't know if it's been emailed. Give me a second. >> It has been. >> I see it.\r\n\r\nSo give me a second just to read through what is going on and I'll come back on. >> Okay. In the meanwhile, we'll turn to Deputy corp. counsel thank you, Chair. So the Section that is being amended 29609d has been in effect for quite some time. There is a wait-list procedure already in place that is required to be used by the developers when they are trying to figure out who are -- who is going to get the units? So I, while and Mr.\r\n\r\nMitchell can correct me if I'm wrong, but my understanding that you are amending something that has been on the books for a long time. This does not have to do we Bill 111 (2023) or 2024, if that is what you are referring to, Member Paltin. >> Yes, yes. I mean, we all know that the -- that we want it to be a certain way, but through the Administration, we're still waiting, waiting, waiting. And it would make sense if there was an actual wait-list, because we know folks want to buy affordable housing. But to my knowledge, there isn't a wait-list yet. So I just wanted to know, like, how does this affect it?\r\n\r\nBecause there is no wait-list. Would it just go straight to the County's opportunity? Unless there's a wait-list that I don't know about, then I have to tell folks to get on the wait-list. >> Can I respond? >> Yes. >> Thank you. so if you look at 29609d, the wait-list procedure says developer partner or its management company shall establish wait-lists.\r\n\r\nSo this wait-list language refers to the wait-list that is generated by the developer, its partner or its management company when it gets interested applicants for a particular development. So that is the language that is being amended. So my understanding and again, Mr. Mitchell can

chime in, when these say for example Wailuku apartments goes up for, you know, opens, the developer -- produces a wait-list. >> I don't know that this is prudent, because like, we're talking about the deed restricted period, which is like, I think, you know, could be potentially up to 15 years. And are we expecting the developer to even still be around to still maintain that list for people on that list to be in the same situation they are up to potentially that long into the future? I kind of feel like we should pass a clean Bill and if somebody wants to amend it, they can take it back to Committee.\r\n\r\nThis is like Committee work on the Council floor, and we did so much work on this Bill, it's been going on really since my first term in office. We got it up to proposed 20 years and we got it up to 50 years and people wanted to do a bunch of presentations and the term ran out and the Mayor vetoed it. I jut want to pass a clean Bill and if we want to make additional little tweaks you introduce your own Bill and go to Committee. Because this is kind of ridiculous last-minute kind of stuff where we don't even know what is going on. It hasn't been talked through. The Housing Director wasn't even consulted. So I would vote to file it right now.\r\n\r\nThis is like out of left field in the 11th hour to me. We don't even have all the members present. >> Table it >> That is my feeling. >> Can we table this? >> I move to file this ASF. >> Okay, there's a motion on the floor. >> Yes, I move to amend the motion to file the ASF.\r\n\r\nAnd if it needs to be taken up, it can be taken up in Member Kama's Committee as a new Bill. Because we worked -- >> We can take it up over a long period of time on this Bill and I just like to pass a clean Bill, instead of being in the International Airport and like yelling and stuff like that. With half our members gone, because it's fall break. >> Okay >> I can take it back, Chair, the ASF, but I still want to pass out Bill 40. >> Chair, we still don't have a second yet. >> The motion is to file this item. >> No, the ASF. >> The motion is to file the ASF.\r\n\r\n>> To file the ASF. Is there a second? >> What do you want? >> I will second that. >> So Member Johnson seconded it. Now we actually heard the discussion. Any more discussion, Member Paltin?\r\n\r\n>> Sorry, I guess I did my discussion in discussion before I made the motion to file the ASF, and I stand on that discussion. >> Okay. >> Any more discussion? >> I'm going to be voting no, Chair. That is my discussion. >> Okay. Any more discussion?\r\n\r\nAll right, roll call. >> Council Member Pro Tempore Kama? >> No. >> Vice-Chair Sugimura? >> No. >> Council Member Paltin? >> Aye.\r\n\r\n>> Council Member Johnson? >> Yes. >> Council Member Rawlins-Fernandez? >> Excused. >> Council Member Cook? >> No. >> Council Member Uu-Hodgins?\r\n\r\n>> No. >> Council Member Sinenci? >> Excused. >> Council Chair Lee? >> No. >> Chair, you have five nos, two ayes, two excused. Motion fails.\r\n\r\n>> However, Pro Tem Kama did mention something about recommitting to your Committee. >> Yes. >> No, no! You guys are dragging this out for so long. This is from 2019 we're trying to do deed restrictions. And now you want to throw a wrench in it and like, you know, you didn't even discuss this with the Department of Housing. You are adding on extra conditions.\r\n\r\nWe don't know the developer's holds those lists for 15 years. This is ridiculous. C'mon you guys. >> This is -- this is a motion to recommit the ASF. Is that what you are saying? >> I'm not saying that. I want to -- I want to pass a Bill that we have worked on for how many months, and years?\r\n\r\nAnd this is just the stall tactic. >> Tamara, we just recommitting the ASF back to Committee. But the vote for the deed restrictions is Pau, it's going forward. >> Any more discussion? >> Does she understand? >> If Corp. Counsel can explain to me how that works?\r\n\r\nBecause -- -- >> Corp. Counsel? >> Thank you, Chair. So I think the request is to commit, recommit to Committee an ASF. I'm not

sure that is possible? I would defer to Mr. Raatz.\r\n\r\n>> Mr. Raatz. >> Thank you, Chair. The Council's practices this term under the rules of the Council are to refer to Committee Bill and Resolutions for recommendation. So I don't think the distributed ASF would be in order. It could be converted into a new Bill at some point, perhaps, or -- >> I would be supportive of that. >> An ASF in Committee, but I think the Bill itself is still pending before the body at the moment, just to clarify.\r\n\r\nThank you. >> I would be supportive. >> So the question is -- >> A new Bill with the ASF incorporated into it, and just passing this version clean. And then the new Bill could amend the Bill that we passed through discussion not on the Council floor. I would be supportive of that. >> Member Uu-Hodgins. >> I would prefer not to recommit the Bill, because we have had this discussion ad nauseam at this point.\r\n\r\nI would like to get the Bill 40 passed. I'm not -- I think what is confusing this ASF has nothing to do with the County's list, but rather when an affordable housing provider and they sell their homes, they have to create a list. And I'm assuming that the County wants to have second priority on the list. But this has -- they don't need to maintain a list for 15 years, or however long. But rather doing the selling portion of when the homes are available for purchase. That is what I'm understanding this is doing. However, I get that I'm probably the only person on this Council who has worked with affordable housing providers, and has participated -- except you, Chair.\r\n\r\n>> Yes. >> on a list. So I understand this, but I know it might be confusing for other people. I would like to pass Bill 40 now. We have had that conversation. However, if it needs to be further discussed, what this Amendment is doing, I think that should be a separate conversation. But I'm ready to pass Bill 40. And this can be held if necessary and we can discuss it in Committee, but I'm okay to pass Bill 40 today.\r\n\r\nI don't want it to be recommitted to Committee. >> And further discussion? Member Johnson. >> I agree, Chair. There's been a lot of work on this, and the fact that the Housing Director didn't have much input on this, he didn't even know -- kind of get the Housing department to do the portal so we can get this thing up and running and waiting for the portal and waiting for the County to take over the wait-list, that was Bill 11 (2021) so I'm kind of frustrated with the slowness of this, but I agree we have been on this Bill for a long time. I'm ready to vote on it and if there is more tweaks, let's have the Committee come up with more tweaks to it. At this point, I am ready to move forward.\r\n\r\nI really wish the Administration would catch up. I want to thank Council Member Kama for doing the work here. So let's get going is what I say. Thank you, Chair. >> Any more discussion? Pro Tem Kama? >> I think I want to be able to pass the Bill 40 on the floor, if we can without attaching it to the ASF.\r\n\r\nThat we can have more discussion on it. >> You could withdraw the ASF, if you wanted to ? and bring it up in Committee. >> No, it would be a separate item. A new item, either be a Reso, a Bill, or a 7B. It wouldn't be an ASF an Amendment all by itself. >> What were the options? Because the way I look at this is it's a cleaner version of the Bill, and it cleans up other portions of the code that makes it very clear. At least to me.\r\n\r\nI'm sorry that everybody didn't understand that. But all the more reason that Tamara is on her way back, and has a lot of distractions where she is at and we have two missing Members that would probably want to be participants in this conversation. >> Yes. I was just going to say, you know, quite frankly, I was going to vote no on both. But, I'm not the type to, you know, try and get my way on anything, and I would want to make sure that Member Rawlins-Fernandez, and Member Sinenci, and everybody has a chance to participate on something as important as this. And then we have Member Paltin wanting to move

forward with it, but I don't know that you may or may not have the votes. I don't know.\r\n\r\nWho hand is up. Member Johnson. >> Why don't we take the vote on the Bill unamended and then in your Committee you can bring up a Bill with these things in here. >> We can do that. >> And that way it's nice and clean. I think, because you know, this is first reading. We're kind of getting into the weeds here and I appreciate all the work you did in your Committee.\r\n\r\nI think it's ready and we can move forward, and let the votes fall where they may, Council Member Kama. >> Okay, I'm with you Member Johnson and with Member Paltin, and Member Uu-Hodgins, and Member Cook, and you too, Chair. >> What is that? >> I'm with you all. Let's go. >> You know, I don't get emotional about these things. It's business, it's part of our business and everybody is giving their best point of view.\r\n\r\nSo I'm not judging that all at. I'm just saying in all fairness, I don't know if there's enough votes for this thing to pass, if you want to push it. Well, first of all, you are going to withdraw your ASF motion, and who is the second. >> Member Uu-Hodgins. >> So the ASF is off the table, so we're just on the Bill, Bill 40. >> Under Committee Report. >> So we're back to Bill 40 all by itself. There's a motion to pass and a second So I want to make sure.\r\n\r\nSo that the number of people left is seven, seven to vote and I'm not going to be on the prevailing side. So you are looking at six people that is going to determine what is going to happen. Yeah? Any further discussion? Roll call. >> Council Member Pro Tempore Kama? >> Yes.\r\n\r\n>> Vice-Chair Sugimura? >> No. >> Council Member Paltin? >> Aye. >> Council Member Johnson? >> Yes. >> Council Member Rawlins-Fernandez?\r\n\r\n>> Excused. >> Council Member Cook? >> No. >> Council Member Uu-Hodgins? >> Aye. >> Council Member Sinenci? >> Excused.\r\n\r\n>> And Council Chair Lee? >> No. >> Chair, you have four ayes, three nos, two excused. Motion fails. >> Just have to bring it back again another way. No-no, it failed, period. No, no.\r\n\r\nIt doesn't automatically go back. It has to be revived through another Bill. That is why I said are you guys counting the votes? I don't know what else to tell you. >> I would ask you to reconsider. We were all in these meetings where we hammered out the details. I conceded some of my things, Council Member Kama conceded some of her things.\r\n\r\nWhy can't we all vote on this as a body? I mean, surely your voice was heard, Chair Lee, in the Committee. I don't -- I don't know why we can't pass this, because we all kind of gave up something to get something, and now we have got nothing. >> Well, that is why I said, two people missing, and if we waited for them to come back, this probably could have passed. I never was supportive of this, because of my experience with housing, and, and 296 I was furiously against in the first place, when that 296 required a 50% requirement of affordable housing. And for years after, there was no affordable housing. So this is reason why I never supported and it's not like I'm changing my vote.\r\n\r\nI never did support this. >> In regards to deed restrictions; right? This is the length of deed restriction and I think be said in during Committee, there's other communities in the nation that look at us like you're crazy to have a five-year deed eviction. It takes five years to build the thing, you know? So it was an extension of deed restrictions, which I thought was kind of smart for us to keep our money invested; right? >> And I have a totally different philosophy. Totally different.\r\n\r\nYou know? I believe that the little guy deserves a chance and that is water under the bridge. I was perfectly -- well, not happy, but content to be in the minority, you know? I knew I was in the minority and just leave me this, okay? But then this went left, right, left, right, so it's just going to have to be done in such a way again that all of you will have to go through it again and try and see if there's other areas of compromise, I guess?

Member Cook? >> Thank you, Chair.\r\n\r\nJust for clarification for my vote, I understand the need for the deed restrictions, et cetera, I support limiting speculation and enabling people to have home and sort of trying to level of playing-field and even balancing it out, so locals have more of a leg-up. My challenge and I'm hoping when we bring this back, that we focus on actually the things that actually help get things built. As a builder over the years, what I see is the things, keep it affordable, keep it affordable. We need to look at how we're going to get things built? And I think the permitting and other aspect, I'm very sincere that I feel our local residents need a leg-up, need an opportunity and need to be able to live here and afford it, No. 1 priority. But we need to balance the scale and we're going to do deed restrictions, which is one way.\r\n\r\nWe also need to lean on our processes, the regulatory restrictions that are with good intentions, but are preventing things from getting approved. That is why I didn't vote for this. I want to do it, but I want to have more balance. Thank you for the opportunity to clarify my vote. >> You know, as Housing Director, I worked on many, many projects, and one of the last ones I worked on what was Waikapu gardens, and you know, Jesse Spencer was like a Saint, because he provided a lot, a lot of affordable homes for people. And so 400 all together. So a good portion were affordable, and with deed restriction of ten years.\r\n\r\nAnd the other ones were the moderate priced ones were five-year restrictions. I couldn't believe how many regular salt of the earth people refused to buy the affordables because they did not want the ten-year restriction. This is regular people. Just regular people. And so they would borrow and beg from their families to help them pay for stepped up moderately priced homes so they would have just five years, and many of them still live there today, but they were able, like me, I didn't buy there, but like me, we did an equity loan to put my grandson through College, to add an extra room when my daughter-in-law and her kids came and things like that. this is what we're talking about, you know? We're not talking about speculation.\r\n\r\nWill there be speculators and people who gain the system? Of course, probably 10-15%, but the vast majority, people like me and you and regular people who need the equity to pay for medical Bills and grandparents living with you and all kinds of things, you know? And that is where all the restrictions are. Member Johnson. >> Thank you, Chair. I know that we already voted and we shouldn't -- it's Pau. But if Council Member Cook had concerns I wish you would have told us before we voted because we could have made something that we could bring you to a yes.\r\n\r\nThe other thing, if it's the burden of bureaucracy, where are the Bills to lessen the bureaucracy? It's a yes and kind of discussion. We can't just say oh, the deed restrictions are too long and then it's this bureaucracy. Well, let's fix the bureaucracy, and keep the deed restrictions. I mean it's a yes and we got this -- it's a complicated process. It's a moving target and the things are mentioned Chair, Lee, I wish those were the times. Now the houses are \$1.2 million the salt of the earth people aren't even on the table.\r\n\r\nWe have to subsidize it to get them to the table. I wish it was the days. >> No, no 1.2 is just like my house, that is a laughable number. Because it's that is an artificial number. I wish banks would laugh at that. No, no, really if there were more projects like Spencer's going on right now, the assessment would come right down to where it bongs you know? But only up there because of lack of inventory.\r\n\r\nI hear are you are coming from, the fact of the matter is the price is \$1.2 million and I know it doesn't look like \$1.2 million house. >> Not my house. But there's people who are paying it in cash. >> And driving our people out and having the locker deed restriction and I wish we would have, I mean we're doing

Committee work on the floor. But we did have this in Committee and we did address many, many members concerns and I appreciate Council Members comments for you. You know, being malleable and we all came to decision why wouldn't it pass out of the body? There was is good g discussion in Committee.\r\n\r\nI felt we did get kind of -- we hammered out the details. >> I'm going to end it here. >> I'm sorry, to take up time. >> You are saying that it's more important that people use housing as a piggy bank than a shelter. That is why guys are seeing 5, 8, and 1 years of affordable that is ridiculous. No wonder why there's no affordable housing it flips out of affordability in five years and people can dip into it hike a piggy bank instead of a shelter for our families. That is ridiculous.\r\n\r\n>> Yes, well maybe some places, but on my Street, we still have original people. >> I don't know why you guys are still talking about, it's ridiculous. We have been working on this since 2019, 5-8, 10 years is the very reason why we have no affordable housing. Beside not building stuff. You guys just contributed it everybody leaving not being able to live here because all affordable housing you have going to gone in five, eight, or ten years. You want it to be somebody's personal piggy bank instead of a public resource. >> That is your point of view.\r\n\r\nMember Uu-Hodgins. >> Thank you, Chair. I'm not too sure what we can discuss in Committee. I know the vote is Pau, but we pretty much discussed it ad nauseam, but I feel like we have this discuss every time we permit affordable housing. 2.96 is not going to change the entitlement process or the building permit process, which is what some people's concerns are. I know it's yours, Member Cook and I don't disagree. Except expediting the entitlement process is and expediting the building permit process is not housed in 2.96. That is completely different subject, and that's a different Bill.\r\n\r\nWe didn't increase the deed restrictions too much. And it's a difficult conversation to have because I agree with you Chair, Lee, that it does impact some people want to purchase homes. And I get that most people don't need a deed restriction, because they just want shelter to live in and they are probably going to live there for a majority of their life, except we do have a large transient community here, like in Kihei, like in Lahaina, where we have a lot of these homes. Unfortunately for me, I'm supporting this today, because of the transient nature of our community right now, and if we made homes in Makawao or Pa'ia, probably wouldn't need this because the people when want to move to Makawao are from Makawao and they have been in Makawao for their entire forever. But this is just not where we're building homes right now. And it does hurt to see how fast people sell their homes after getting it when this is all some people dream of having an opportunity to buy a home. So I felt like this was a pretty solid middle ground although I think what we need to discuss further is the equity in which the Housing owner can access during the deed restrictions.\r\n\r\nBut that was a very, very long conversation that I needed to do my own research before I felt comfortable discussing it. Because right I said, we discussed it Ad nauseam. So I am bummed that this Bill didn't pass. And I think if we're on the prevailing side, can we have that even though I don't know how this works that we keep it on the table. >> In unfinished business? >> David, can we do that? >> Can we do a reconsideration and put it in unfinished business?\r\n\r\n>> Thank you, Chair >> I would defer to the County Clerk as your Parliamentarian if they have a different viewpoint. But our understanding is that Council Members would be in order, and so those who are on the prevailing side of the last failed motion would be eligible to make a motion. Thank you. >> Okay. Madam Clerk. >> Chair, can we take a brief recess? >> Brief recess, 11:18. Members, ten-minute recess.\r\n\r\n[GAVEL] >> Will the meeting of October 10th, please

reconvene. Okay, after checking with the rules of Rosenberg and Lee, we're going to allow for the reconsideration, and so I am going to call on Vice-Chair Sugimura. >> So I was on the prevailing side; right? >> Yes. >> So I move to reconsider. And Staff, can you bring my phone? I left my phone in the office.\r\n\r\nI'm on the prevailing side and I'm going to ask for the motion to be reconsidered, approving Bill 40 on the floor. >> Just the motion, you are moving to reconsider and second, Member Cook, okay. So what happens now is >> We'll take the vote for 40. >> Yes, and then we go, what happens if the reconsideration vote passes, then we go back to exactly where we started >> Yes, exactly. Correct. >> Back to the consideration of Bill 40 yes. >> Okay. >> Thank you.\r\n\r\n>> So all those in favor of the reconsideration, raise your hand, say aye. >> Aye. >> Oh, look at that, it's unanimous. Seven ayes, zero nos, two excused. Now we're back and who made that motion? No, no, no. >> Chair Lee.\r\n\r\n>> The original? >> So under Rosenberg, where this puts you is that the matter is live before the Council again. So it is if no motion has been made. So it's brand-new motion. >> We need a brand-new motion. Pro Tem Kama, wasn't it you who made the motion to pass Bill 40? >> I move to pass Bill 40. >> Okay. Moved by Pro Tem Kama, seconded by Vice-Chair Sugimura to pass Bill 40. Now any more discussion on that?\r\n\r\n>> None. None. None. >> Member Paltin has her hand up, Chair? >> We'll get to -- Member Paltin. >> Can we table this until -- can we table this until all our members are present? >> No need.\r\n\r\n>> Actually, you are probably would like the outcome of what is going to happen today. >> Okay. >> But we can. >> Let's move on. Further discussion? Member Vice-Chair Sugimura. >> So this is so what is going to happen, we'll take the vote and whatever happens with Bill 40. I would encourage Member Kama to take her ASF and create a new Bill, as appropriate based on this final outcome of Bill 40 and put it back into her Committee.\r\n\r\nSo we can fix what she is trying to fix with this ASF and talk to the Housing Director also. >> Any more discussion? Roll call. >> No need. >> Need roll call, okay. >> Council Member Pro Tempore Tasha Kama? >> Yes.\r\n\r\n>> Vice-Chair Yukilei Sugimura? >> Yes. >> Council Member Paltin? >> Aye. >> Council Member Johnson? >> Yes. >> Council Member Rawlins-Fernandez?\r\n\r\n>> Excused. >> Council Member Cook? >> Yes. >> Council Member Uu-Hodgins? >> Yes. >> Council Member Sinenci? >> Excused.\r\n\r\n>> Chair Lee? >> No. >> Chair, you have let's see here, five -- six. Six ayes, one no. Two excused. Motion carries. >> Okay, motion carries.\r\n\r\nVery good everybody. Thank you for your cooperation. Let's move on to next item. >> Chair, before you is Bill 149 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 bucket Appendix A, Part 1 go Dow supply United States Environmental Protection Agency new appropriation of \$1,528,031 and Appendix C, Department of Water Supply, Countywide update projects description for Countywide upgrade and replacements and increase appropriation by \$1,528,031. >> Vice-Chair Sugimura. >> I move to pass Bill 149 (2025) on first reading. >> Second. >> Moved by Vice-Chair Sugimura, seconded by Pro Tem Kama to pass Bill 149 on what did you say?\r\n\r\n>> First reading. >> First reading. Discussion, Vice-Chair Sugimura. >> Bill 149 (2025) amends appendix a to accept a \$1,526,031 EPA grant for the Department of Water Supply. We like grants the Department intends to use the funds to demolish and replace the 250,000 gallon Ha'iku tank, which can only be used at half of its capacity because of a leak Yang in the tank's upper half. The Bill amends the Department's Countywide upgrades and replacements project in Appendix C to reflect this EPA grant and the use of the funds for the Ha'iku tank replacement. I ask for Members' support this motion.\r\n\r\n>> Any more discussion? If not, all those in favor of the motion,

please raise your hands, say aye? >> Aye. >> Seven ayes, two excused. Members Rawlins-Fernandez, and Sinenci. Motion carries. >> Thank you, Members.\r\n\r\n>> Next. >> Thank you, Madam Chair. For referral to the Budget, Finance, and Economic Development Committee are bills 150 (2025) a Bill for an Ordinance amending the FY'2026 budget increasing estimated revenues, other intergovernmental by \$64,469,830 Capital Improvement Projects Department , Department of Water Supply, Countywide and appendix c, Department of Water Supply, Countywide new appropriation for \$64,469,830 for Countywide Wildfire Disaster Relief projects. Bill 151 (2025) a Bill for an Ordinance authorizing the Mayor of the County of Maui to enter into an Intergovernmental Agreement for a loan from the State of Hawaii's drinking water State Revolving Fund for Countywide Wildfire Disaster Relief projects Fiscal Year 2026 budget and Bill 151 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 bunt Appendix A, part 1 Department of Housing Community Development Block Grant program County-owned Senior affordable rental housing Na Hale Kupuna operations increasing appropriation by \$51,151. >> Any objections to referring to the BFED Committee. >> No objections. >> So ordered. Ms.\r\n\r\nClerk. >> Bill 153 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 Department of Department of Management Office of Recovery Program add conditional language for Haba Business Council, Inc. in the amount of \$1 about the 2 million and Appendix a part II Open Space, Natural Resources, Cultural Resources, and Scenic Views Preservation Fund delete conditional language for the Hana Business Council, Inc. in the amount of \$2,100,000. >> Vice-Chair Sugimura. >> I move to pass Bill 153 on first reading. >> Moved and seconded to pass Bill 153 (2025) on first reading. Discussion?\r\n\r\n>> Bill 153 amends Fiscal Year 26 budget to add conditional language under the Department of Management, Office of Recovery Program requiring up to \$2.1 million to be for Hana Business Council, Inc. to purchase -- I'm sorry, 14.5 acres at 20 Olowalu Road, Hana and deletes \$2.1 million condition in Appendix A, part h under the Open Space, Natural Resources, Cultural Resources, and Scenic Views Preservation Fund for Hana Business Council to acquire the same property. The Budget Director noted that using Open Space Fund would limit what can be done on the property and shifting the funds to the Office of Recovery will allow Hana Business Council, Inc. to build a resiliency hub, a commercial kitchen and add cold storage to the property. I ask for the members' support of the motion. Thank you, Chair. >> Any further discussion?\r\n\r\nMember Johnson. >> Chair, I was going to make the motion, but that is okay. We're all one team, one dream, and I'm going support that motion. Thank you, Chair. >> Thank you. >> Sorry. >> All those in favor of the motion, raise your hand, say aye, please seven ayes, two excused, Members Rawlins-Fernandez and Member Sinenci.\r\n\r\nMotion carries. Ms. Clerk. >> Thank you, Chair. Before you is Bill 154 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 Budget Office of the Mayor, Economic Development Program new conditional language for Proarts, Inc. in the amount of \$49,570. >> Member Cook. >> I move to pass Bill 154 (2025) on first reading.\r\n\r\n>> Second. >> Moved by Member Cook, seconded by Vice-Chair Sugimura to pass Bill 154 (2025) on first reading. Discussion, Member Cook? >> Thank you, Chair. Bill 154 (2025) proposes to amend the Fiscal Year 2026 budget for the Office the Mayor, Economic Development Program. By adding new conditional language for Proarts, Inc. in the amount of \$49,570. The purpose of this Amendment is to support cultural and arts programs in South Maui.\r\n\r\nThis funding will enable ProArts, Inc. to implement the pono project and continue providing Arts and cultural services to South Maui community. I respectfully ask for the Members' support of my motion. >> Any more discussion? If not, all those in favor the motion, please raise

your hand, say aye? >> Aye. >> Seven ayes, two excused.\r\n\r\nMembers Rawlins-Fernandez, and Sinenci. Motion carries. Ms. Clerk. >> Thank you, Madam Chair, before you is Bill 155 (2025) a Bill for an Ordinance repealing Chapter 9.12 Maui County Code on pinball machines. >> Member Johnson. >> Thank you, Chair.\r\n\r\nI move to pass Bill 151 (2025) on first reading. >> Moved by Member Johnson, second by Member Uu-Hodgins to pass Bill 155 (2025) on first reading. Discussion, Member Johnson. >> Thank you, Chair. I'm an avid gamer and for me and many others this Bill is long overdue. Initially enacted in 1944, the Ordinance made it unlawful for any minor under the age of 18 to use or play or participate in the operation or playing of or to loiter or linger about any machine or device known as a pinball or marble machine, which in balls or marbles are protected against the course any various slot or Receptacles and this law was effectively rendered unconstitutional by the Hawai'i Supreme Court in 1980, when addressing a City and County Honolulu Ordinance. This Bill's passage will modernize our County's laws on pinball machines and I respectfully ask for the Members' full support of my motion.\r\n\r\n>> Well, we'll have to think about it. [Laughter]. Any more discussion? Member Cook? Brings back memories. >> I rise in full support of this. Thank you. >> All right.\r\n\r\n>> One silly law at a time, members. [Laughter]. >> All those in favor of the motion, please raise your hand, say aye? >> Aye. >> Seven ayes, two excused. Members Rawlins-Fernandez and Sinenci, motion carries. Ms. Clerk.\r\n\r\n>> Chair, for referral to the Water and Infrastructure Committee is Bill 16 (2025) a Bill for an Ordinance amending Chapter 1.5 Maui County Code on encroachments on public rights-of-way. >> Any objections to referring this matter to the WAI Committee? >> No objections. >> So ordered. Ms. Clerk second and final. >> Thank you, Chair.\r\n\r\nMoving on to Ordinances for second and final reading before you is Bill 21, CD 1 (2025) a Bill for an Ordinance amending Chapter 19.36b Maui County Code to exempt Parking in a specific boundary area of Lana'i City. >> Member Pro Tem Kama. >> Chair? >> Yes, in there's no objections may I please ask the Clerk to call Bill 78, CD 1 (2025). >> No objections. Ms. Clerk . >> Chair, before you is Bill 78, CD 1 (2025) a Bill for an Ordinance to change zoning from Agricultural District to R-2 Residential District for property situated at 1550 Nukuna Place Wailuku, Maui, Hawai'i Tax Map Key 2-3-6-007:010. >> Any discussion? Okay.\r\n\r\n>> Chair? >> You made the motion and who was the second person? Seconded by Vice-Chair Sugimura. No discussion? >> Chair, we don't have a motion yet on Bill 21 or Bill 78. >> I thought you made a motion. Somebody said you seconded it. Okay >> I move to pass Bill 21, CD 1 (2025) and Bill 78, CD 1 (2025) on second and final reading.\r\n\r\n>> Moved by Pro Tem Kama, seconded by Vice-Chair Sugimura to pass bills 21, CD 1 (2025) and Bill 78, CD 1 (2025). on second and final reading. Any discussion? No. If not, all those in favor of the motion, raise your hand, say aye. I see seven ayes, two excused. Members Rawlins-Fernandez and Sinenci. Motion carries.\r\n\r\nMs. Clerk. >> Chair, before you is Bill 81, CD 1 (2025) a Bill for an Ordinance amending Section 10.04.030 Maui County Code relating to authorized emergency vehicles. >> Member Uu-Hodgins. >> Thank you, Chair. Move to pass Bill 82, CD 1 (2025) on second and final reading. >> Second.\r\n\r\n>> Moved by Member Uu-Hodgins, second by Pro Tem Kama to pass Bill 82, CD 1 (2025) on second and final reading. Discussion, Member Uu-Hodgins. >> Thank you, Chair. Bill 82, CD 1 broadens the definition of "authorized emergency vehicles, "To allow MEMA vehicles to use emergency sirens and flashing lights when responding to emergencies," and at this time, I respectfully ask the Members' support of my motion. I'm the Vice-Chair of this Committee. The Chair of the Committee, Member Paltin is on, but as we all know,

she is traveling right now, and I'm not too sure if she has anything to add. I appreciate Members' support.\r\n\r\n>> Nothing to add? All in favor of the motion, raise your hand say aye. Seven ayes, two excused. Members Rawlins-Fernandez and Sinenci, motion carries. Ms. Clerk . >> Chair, before you is Bill 90, CD 1 (2025) a Bill for an Ordinance authorizing the Mayor to enter into an Intergovernmental Agreement with the County of Hawai'i. >> Vice-Chair Sugimura. >> If there's no objections may I please ask the Clerk to also call up Bill 91 (2025). >> No objections.\r\n\r\nMs. Clerk. >> Chair, before you is Bill 91, CD 1 (2025) a Bill for an Ordinance to authorize the Mayor to enter into an Intergovernmental Agreement with the City and County of Honolulu. >> Vice-Chair Sugimura. >> Thank you, Chair. If there are no objections, may I please request this item be postponed until the next Council Meeting. >> Bill 90? >> Both.\r\n\r\n>> Both. Okay. Any objections, Members? >> No objections. >> So ordered. These two bills, Bill 90, CD 1 (2025) and Bill 91, CD 1 (2025) be tabled. Okay.\r\n\r\n>> Thank you. >> Ms. Clerk. >> Chair, before you is Bill 99, CD 1 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 budget Appendix B-Department of Water Supply Water Fund preservation rate. >> Vice-Chair Sugimura. >> Thank you, Chair. If no objections may I please also request the Clerk call Bill 100, CD 1, Bill 101 (2025), Bill 110 (2025) Bill 113 and Bill 114. >> Any objections, Members?\r\n\r\n>> No. >> Ms. Clerk, you got that? >> Yes. Before you is Bill 100, CD 1 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 budget increased revenues other intergovernmental by \$750,000, Capital Improvement Projects Department of Water Supply, Countywide upgrades and replacements increase appropriation by \$750,000. Bill 101 (2025) a Bill for an Ordinance amending Ordinance 5821, Bill No. 46, FD 1 (2025) relating to an Intergovernmental Agreement for a loan from the State of Hawai'i Water Pollution Control Revolving Fund for various water supply projects. Fiscal Year 2026 Budget Ordinance.\r\n\r\n>> Bill 111 (2025) a Bill for an Ordinance amending Section 3.48.8230 Maui County relating to the circuit breaker tax credit. Bill 113 (2025) a Bill for an Ordinance amending Section 3.48.410 and 3.48.450 Maui County Code relating to deadline for filing claims for Real Property Tax exemptions and standards for valuation. Bill 133 (2025), a Bill for an Ordinance -- do you want 133? 113 and 114. 134. >> Bill 134 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 Budget Emergency Management Agency, Emergency Management program decrease category b by \$450,000 and add new appropriations for Living pono project in the amount of \$250,000 and Hana Business Council, Inc. in the amount of \$200,000. >> Vice-Chair Sugimura. >> Thank you, Chair. You move to pass bills 99, CD 1 (2025), Bill 100, CD 1 (2025), Bill 101 (2025), Bill 111 (2025), Bill 113 (2025) and Bill 134 (2025) on second and final reading. >> Second.\r\n\r\n>> It's been moved by Member Vice-Chair Sugimura, and seconded by Pro Tem Kama to pass bills 99,, CD 1 (2025), 100, CD 1 (2025), 101 (2025), 111 (2025), 113 (2025), 133 (2025), and 134 (2025). >> No 133. 134. 134. >> Not 133, but 134. >> Yes. >> Discussion, Vice-Chair Sugimura. >> No discussion, thank you, Chair. >> Anybody else, discussion? All those in favor of the motion, raise your hand, say aye? >> Aye. >> Seven ayes, two excused.\r\n\r\nMembers Rawlins-Fernandez and Sinenci. You can put your hand down, Member. [Laughter] so motion carries. Ms. Clerk. >> Chair, before you is Bill 109, CD 1 (2025) a Bill for an Ordinance amending Chapter 20.35 on outdoor lighting. >> What number is that?\r\n\r\n>> 109. >> 109, Member Cook? >> I move to pass Bill 109, CD 1 (2025) on second and final reading. >> Second. >> Moved by Member Cook, second by Vice-Chair Sugimura to pass Bill 109, CD 1 (2025) on second and final reading. Discussion, Member Cook? >> Thank you, Chair. Bill 109 amends Chapter 20.35 Maui

County Code on outdoor lighting by helping improve night-time visibility and seat for residents while lowering energy costs by utilizing shielded energy-efficient dimmable fixtures I ask for the Members' support of my motion.\r\n\r\n>> Any more discussion? Vice- Chair Sugimura. >> I appreciate the Department of Public Works and their Chair being champion of this Bill and I guess we were the champion of this Bill to move this forward and support what the administration or the Department of Public Works testified about, and appreciate Director Molina for being the primary Department to see this through. >> Anybody else? If not, all those in favor of the motion, please raise your hand, say aye? >> Aye. >> Seven ayes, two excused.\r\n\r\nMotion carries. Excused are Members Rawlins-Fernandez, and Sinenci. Ms. Clerk. >> Chair, before you is Bill 114 (2025) a Bill for an Ordinance to amend Chapter 3.48 Maui County Code relating to the Real Property Tax assessment of nontaxable property. >> 114. >> We did 114. >> Yes. >> That should have been included in my bunch.\r\n\r\n>> Just make a motion. >> I move to pass Bill 114 (2025) on second and final reading. Is there an Amendment? >> There's an ASF here. >> That is my ASF. >> Okay. So the motion is to pass Bill 114 (2025) on second reading >> Yes.\r\n\r\n>> And it was seconded by Pro Tem Kama? >> Yes. >> Okay. Discussion, Vice-Chair Sugimura. >> So I think we discussed. >> Do you want to do your ASF. >> I think this is from Member Kama the ASF is mine, Chair.\r\n\r\n>> Okay. Member Kama, Pro Tem Kama. >> Thank you. Chair, I have an ASF, and I move to insert a new Section 4 to amend Section subsection 3.48.305b Maui County Code by including Section 3.48.541 in the exceptions under 3.48.305b1. Which would then read "one, real property that is used as the owner's Principal residence and has been granted either a home exemption in accordance with sections 3.48.410, and 3.48.450, or an exemption in accordance with Section 3.48.410, 3.48.475, and 3.48.541 must be classified as owner-occupied without regard to its highest and best use. And to renumber the subsequent Bill sections accordingly. Amend the code subsection 3.48.541 in the Bill 1a in the Bill's existing Section 5 by inserting the phrase "classified as owner-occupied," and b, after the phrase must be to read as follows: Improved real property subject to at least under Section 207 of the Hawaiian Homes Commission Act 1920 as amended, must be classified as owner-occupied, and be exempt from real property taxes. And And suspend rule 19 of the rules of the Council to allow final action at the same meeting as this Amendment.\r\n\r\n>> We need a second, Chair. >> I know, I'm looking. Moved by -- >> My hand isn't a second. It's a question, if it gets a second. >> I just need to note the seconder. >> Nohe. >> Did I finish saying your name?\r\n\r\nPro Tem Kama made the motion. And seconded by Member Uu-Hodgins. Member Paltin, what was your question? Discussion? >> What is the financial impact? Has finance been consulted on this last-minute ASF that we're going to be doing Committee work on the floor again? >> Yes, I did consult with finance, and there's actually no financial repercussions from this.\r\n\r\n>> I have the same question. >> Okay. Pro Tem Kama. >> What is it? >> That is not true there's no financial implication, if they going from minimum tax to no tax at all. How can there be no financial implication? >> They are not going -- this is just to allow those who are living on Homestead, who get their -- because they are homeowner occupied, they are automatically by lease, by their Hawaiian Homestead lease to be owner-occupied and this would just allow them the opportunity to become owner-occupied without having to apply every year for the owner-occupied exemption.\r\n\r\nWithout the need for an application. It wouldn't affect the . Real Property Tax owed by the lessee, but this Bill will be able to fix the minimum Real Property Tax at what it is, and therefore, there is no financial impact. Marcy is on

the call. >> I know plenty of Homesteads where they are not owner-occupied as the law requires. >> We have another question from Member Johnson. >> Chair, I don't mean to disrupt the conversation, but I have to leave for a conference. Thank you.\r\n\r\n>> Thank you, have a nice weekend. I have a question to Pro Tem Kama. >> Yes, Chair. >> Which is improve real property subject to a lease under -- so that means improved usually means a house. >> Yes. >> On the property and we already give those on the Hawaiian homes an exemption on the land. Is this now the House?\r\n\r\n>> \$300 tax, that is what they pay. And I think Marcy is probably on the line to help clarify this. >> Wait, wait, what did you say? It doesn't say they pay minimum tax. It says they are exempt from Real Property Tax. So maybe you want to read through the ASF to say what you mean? Or I don't know -- this is again last-minute -- what I was sent and what I read it doesn't say that they are paying minimum tax.\r\n\r\nIt says they are exempt from Real Property Tax. So that is false that there is no financial implication. And I don't like doing business like this. I just flew ten hours and this is the longest Friday of my life, but I don't appreciate doing last-minute business and then being told there is no financial implication, when clearly there is. I just glanced at it and clearly there's a financial implication, unless somebody wrote the ASF wrong. I'm going on no sleep for 47 hours and I did -- prove me wrong. >> Member, Pro Tem Kama.\r\n\r\n>> Yes. Marcy Martin is on the line, Chair, if you would call on her? >> Is this time-sensitive? Can it go back to Committee? >> Since Marcy is here, can she say? >> Chair? >> Okay.\r\n\r\n>> Chair? >> We have Director of Finance Marcy Martin on the line, on the video. Can you -- have you been following, and did you hear the question from Member Paltin? >> Yes. So Bill 114 was designed to provide an exemption for Homestead lessee parcels that are improved with the building after their seven-year non-taxable exemption. So currently right now the land is completely exempt non-taxable. And the buildings become taxable, and they can apply for the home exemption.\r\n\r\nSo this Bill would bring all of these parcels to minimum tax, which from Raptor 6 will have a revenue Impact of about \$400,000, a little over \$400,000 a year. And then Member Kama's amendment basically states that as these properties become exempt and subject to minimum tax, they will be classified as owner-occupied automatically. So without Member Kama's Amendment, some of these parcels would be in the owner-occupied class and some would be in a non-owner-occupied class, but they would all be exempt and subject to minimum tax. Member Kama's Amendment, would just clarify that all of these parcels, and I think there's, let's see, I don't have the number right in front of me, but basically all Homestead leases improved with a building would be in the owner-occupied class. Thank you. >> Ms. Martin, the homes on these types of properties, the buildings improved structures will be taxed; right?\r\n\r\n>> They will be taxed at the minimum tax. So the value will be exempt. So their next taxable value is zero, but they will be subject to the minimum tax, where right now a majority of them are already paying the minimum tax. This would just move an additional about 500 properties into the minimum tax. >> My recollection, I guess I haven't been keeping up with this, but we in a previous Council exempted taxation on the land, but not the House. When did that change? >> Chair, that did not change -- the land has always -- so the land has always been exempt, but the previous Council required that the land value be zero.\r\n\r\n>> Yeah, but aren't you saying that improvements on the property, meaning a house, et cetera, is -- will pay a minimum tax instead of based on the valuation of the house? >> Yes, that is what Bill 114 creates. >> Okay. This is one the bills that your Department proposed; right?, your Department? >>

Yes. >> Because honestly, this is not something that I particularly would have proposed.\r\n\r\nAny further discussion? Member Paltin. >> Yeah, Director Martin, you said 400,000 dollars implication, financial implication? When I read the ASF on part a, let me bring it up, because I'm looking at you guys and it's on my phone . Does improved real property subject to a lease under Section 207 of the Hawaiian Homes Commission Act 1920, as amended, must be classified as owner-occupied and be exempt from real property taxes. I don't see that it says that they have to pay minimum taxes. And also if you could clarify, where the \$400,000 impact, fiscal impact that you stated is? Because I guess we're doing Committee work on the Council floor instead of Committee.\r\n\r\nWhen certain members want to, but we're not taking up Bill 9, because we're going to do Committee work on Council floor over and over again for certain people. >> Member Paltin, you may want to take a look at Bill 114 itself. And then read the ASF, and also Bill 114 together. Section b is not included in the ASF, because no changes were proposed to that Section, but that is the Section that discusses the minimum tax. >> I would like to amend the motion to table this until the next Council Meeting, because last-minute work Bill 19 and all of this, and our members aren't here. It's getting to be a bit much that we're pushing through only the bills that certain people want, and we're holding back other bills. We're doing Committee work on the Council floor.\r\n\r\nAnd it's getting to be really obvious that there's a bias here. And our constituents are not served by that bias, they are not served by last-minute stuff going on, where people don't get the chance to read it beforehand, and consider what all the things are? I don't have the opportunity to look at things side-by-side, because I'm working off a cell phone here. That is my motion. >> Okay. Who made the original motion? >> I did.\r\n\r\n>> You did. Okay. Any objections, Members, to withdrawing all of the motions, and recommitting this to Committee? >> No objections. >> Chair, there's also a motion that was made by Vice-Chair on -- . >> Withdrawing all the motions, all the motions. >> Okay. >> Any objections to withdrawing -- can you guys withdraw your motions?\r\n\r\n>> Okay. >> Second. >> Take this to Committee, Chair. I didn't think it was going to be so controversial. >> Sometimes it happens like that. >> That is fine. >> So we're withdrawing all 14:56:56 motions without objections recommit to Committee.\r\n\r\nMoving on, Madam Clerk. >> Chair, before you is Bill 129 (2025) a Bill for an Ordinance establishing that the Board of Ethics positions for Investigator and Administrative Assistant may be filled on a part-time basis and paid on a pro rata basis. >> Bill 129, Member Uu-Hodgins. >> Thank you, I move to pass Bill 129 (2025) on second and find reading. >> Second. >> Okay. Moved by Member Uu-Hodgins, seconded by Member Cook to pass Bill 129 on second and final reading.\r\n\r\nAny discussion? >> Yes, if there are no objections may I please request that the Clerk recall County Communication 25-121 at this time. >> No objections. Madam Clerk. >> Chair, recalling County Communication 25-21 from Council Chair Lee transmitting a proposed Amendment to Bill 129 (2025) entitled, "a Bill for an Ordinance establishing that the Board of Ethics positions for Investigator Administrative Assistant may be filled on a part-time basis and paid on pro rata basis." Member Uu-Hodgins. >> Thank you, I move to substitute Bill 129 (2025) with the FD 1 version attached to the ASF and file County Communication. >> Second.\r\n\r\n>> Moved by Member Uu-Hodgins, seconded by Vice-Chair Sugimura to make the substitution as stated by Member Uu-Hodgins. Discussion, Member Uu-Hodgins. >> Thank you, Chair, amending Section 2.56.8080 Maui County Code to allow the Board of Ethics Investigator and Administrative Assistant to be hired on a part-time basis, calculated on a pro rata basis based on the employee's set part-time hours

and the positions annual salary and the Amendment makes technical and non-substantive revisions for clarity, consistency and style. I respectfully ask for the Members' support of my motion. Thank you. >> Any more discussion? All those in favor of the motion, please raise your hand, say aye?\r\n\r\n>> Aye. >> Okay. We have six ayes, three excused. Member Paltin, members Rawlins-Fernandez. >> Member Paltin is still on. >> I'm in line. >> I can see her hand now.\r\n\r\nSo seven ayes. Two excused. Member Rawlins-Fernandez, and Member Johnson. And Member Sinenci. So three excused. Motion passes with six ayes. Anything else?\r\n\r\nThe main motion? Okay. Main motion as amended. >> Main motion as amended. I have no further discussion. >> Anybody else? Discussion?\r\n\r\nAll those in favor of the main motion as amended, raise your hand, say aye? >> Aye. >> Okay, I see six ayes, three excused. Members Johnson, Rawlins-Fernandez, and Sinenci. Motion passes. Ms. Clerk.\r\n\r\n>> Chair, before you is Bill 130 (2025) a Bill for an Ordinance amending Chapter 6.04 Maui County Code to rename the Animal Control Board to the Dangerous Dog Adjudication and Appeals Board. >> Either Member Paltin or Member Uu-Hodgins. >> I will do the motion, Chair, I move to pass Bill 130 (2025) on second and final reading >> Second. >> Moved by Member Uu-Hodgins and second by Vice-Chair Sugimura to pass Bill 130 (2025) on second and fi reading. Discussion, Member Uu-Hodgins. >> At this time I respectfully ask for the Members' support of my motion. Thank you.\r\n\r\nNo more discussion, all in favor, raise your hand, say aye. >> Aye. >> Six ayes, three excused, Members Johnson, Rawlins-Fernandez and Sinenci. Ms. Clerk. >> Bill 133 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 budget, Office of the Mayor Economic Development Program decreasing the appropriation for Makawao-Pa'ia-Ha'iku residency area clean-up by \$15,000 and increase the appropriation for Aloha Classic by \$15,000. >> Member Uu-Hodgins. >> Thank you, without objection can I ask the Clerks to call up Bill 135 as well.\r\n\r\n>> Any objections? Ms. Clerk. >> Bill 135 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 budget Appendix A, Part 1 Department of 'Oiwi Resources National Trust for Historic Preservation new appropriation of \$10,000. >> Member Uu-Hodgins. >> Thank you. I move to pass Bill 133 (2025) and 135 (2025) on second and final reading. >> Is it -- 134 is dong.\r\n\r\n>> Yes. 133 and 135 on second and final reading. Seconded by Member Cook. Discussion, Member Uu-Hodgins? >> Thank you. Bill 133 reappropriates \$15,000 from Makawao-Pa'ia-Ha'iku efforts, to the Aloha Classic, which is scheduled October 13th through 24, 2025 and Bill 135 recognizes \$10,000 appropriation to the national trust Preservation Fund to support the Lahaina world complex master plan. I respectfully ask for Members' support of my motion.\r\n\r\n>> Any further discussion? All in favor raise your hand, say aye. >> A. >> Six ayes, three excused Members Johnson, Rawlins-Fernandez, and Sinenci. Motion carries, unfinished business. >> Thank you, Madam Chair, moving on to unfinished business. If there's anyone wishing to testify on the unfinished business, please raise your hand in teams or make your way to the podium. Seeing none, countdown, 3, 2, 1. Chair, there's no one indicating a desire to testify on unfinished business.\r\n\r\n>> Members, any objection to closing public testimony and accepting written testimony. So ordered Ms. Clerk. >> Thank you, Chair. Resolution 25-179 setting the annual salary for the investigator of the Board of Ethics under Section 2.56.5080 Maui County Code. >> Member Uu-Hodgins. >> Thank you.\r\n\r\nI move to adopt resolution 25-179. >> Moved by Member Uu-Hodgins, second by Member Cook to adopt resolution 25-179. Discussion, Member Uu-Hodgins? >> Thank you, Chair. If there's no objections may I please request the Clerk recall the County Communication at this time. >> No objections, Ms. Clerk. >> County

Communication 25-20 from Council Chair Lee transmitting a proposed amendment to resolution entitled "setting the annual salary for the Investigator of the Board of Ethics under Section 2.56.080 Maui County Code." >> Thank you. >> Member Uu-Hodgins.\r\n\r\n>> Thank you. I move to substitute resolution 25-179 with the FD 1 version attached to the ASF and file County Communication 25-20. >> Second. >> Moved by Member Uu-Hodgins, second by Member Cook. >> Thank you. >> to amend the with resolution 25-179 >> Yes. >> Discussion, Member Uu-Hodgins. >> Thank you, resolution 25-179 sets the annual salary for the investigator of the Board of Ethics at a pro rata basis of 19 hours per week under Section 2.56.080, or \$48,005.40 effective upon adoption this position approve by Ordinance 5824 is needed to support the Board of Ethics in fulfilling its Charter duties.\r\n\r\nThe Amendment clarifies that resolution 25-179 FD 1 supersedes resolution 25-70 FD, and makes technical and non-substantive revisions for clarity, consistency and respectfully ask for members' support of my motion. Thank you, Chair. Thank you, members. >> Further discussion? On the Amendment? If not, all those in favor, raise your hand, say aye. Six ayes, three excused, Members Rawlins-Fernandez, Johnson and Sinenci.\r\n\r\nNow the main motion as amend. Any more discussion? Anyone? If not, all those in favor, raise your hand, say aye? >> Aye. >> Six ayes, three excused. Motion carries.\r\n\r\nThree excused are Members Rawlins-Fernandez, Johnson, and Sinenci. And I believe that brings us to the end of the calendar. Anything else, Members? Okay, it's been kind of a strange day. Vice-Chair Sugimura. >> So I just want to say that I don't think preference was given for ASFs that were recently proposed during the Council Meeting. I think anybody who proposed an ASF it could be taken up and we wouldn't say, no we're not going to take it up.\r\n\r\nSo I just want to make that clear to the public, in case people were wondering what was going on at this Council meeting because I don't think it was unusual. I do respect every Member's rights to propose Amendments as they see fit and not to stop it. I think you hold that same position, you have never stopped it. So I just wanted to say that. That is all. >> Thank you. Thank you.\r\n\r\nAnybody else? If not, everybody have a safe and happy weekend. And watering your yard and taking care of washing clothes, all of the good things. >> Thank God for the rain. >> Thank you everyone. This meeting is adjourned. [GAVEL]