

**MAUI COUNTY COUNCIL  
REGULAR COUNCIL MEETING  
AND PUBLIC HEARING  
MINUTES**

**December 1, 2023  
9:00 AM**

TIME MEETING & PUBLIC HEARING CALLED TO ORDER: 9:02 A.M.

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

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

Video recording of meeting available at: [www.mauicounty.legistar.com](http://www.mauicounty.legistar.com)

Meeting called to order at 9:02 a.m.

**A. Roll Call**

<b>Councilmember</b>	<b>Pres.</b>	<b>Abs.</b>	<b>Exc.</b>	<b>Time(s) In/Out (during meeting)</b>
Tasha Kama	√			
Yuki Lei Sugimura	√			
Tamara Paltin	√			3:27-3:30 p.m.
Gabe Johnson	√			3:11-3:21 p.m.
Keani Rawlins-Fernandez	√			1:36-1:48 p.m.
Tom Cook	√			
Nohelani U'u-Hodgins	√			
Shane Sinenci	√			
Chair Alice L. Lee	√			
<b>TOTAL PRESENT</b>	9			

**B. OPENING REMARKS** – Councilmember Shane Sinenci

**C. PLEDGE OF ALLEGIANCE TO THE FLAG**

**D. TESTIMONY ON CEREMONIAL RESOLUTIONS**

**E. CEREMONIAL RESOLUTIONS** – none

**F. CONSENT CALENDAR** – none

**G. PRESENTATION OF WRITTEN OR ORAL TESTIMONY**

**H. MINUTES** – none

**I. ACTION ON THE CONSENT CALENDAR** – none

## **J. COMMUNICATIONS**

**CC 23-38** BUDGET DIRECTOR, transmitting a signed version of Bill 111 (2023), entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.100, MAUI COUNTY CODE, RELATING TO GENERAL EXCISE AND USE TAX SURCHARGE".

*Deferred to consideration with Bill 111 (2023)*

**CC 23-39** BUDGET DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, APPENDIX B, DEPARTMENT OF WATER SUPPLY".

*Deferred to consideration with Bill 108 (2023)*

## **K. COMMITTEE REPORTS**

**CR 23-101** Recommending FIRST READING of Bill 103, CD1 (2023) to 1) require the Director of Finance to seek the Department of Agriculture's assistance with verifying that lands dedicated to agricultural use comply with dedication requirements; and 2) allow for tax rate tiers for any real property classification.

	AYE	NO	EXC	Time Deliberations Began	10:48 a.m.
Pro Tem Kama	√			Time Motion Made	10:48 a.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	Johnson
CM Rawlins-Fernandez	√			Time Vote Taken	10:50 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**CR 23-102** Recommending the following:

1. FIRST READING of Bill 95, CD1 (2023) to 1) exempt from real property taxation, including the minimum real property tax, properties completely destroyed by the August 2023 Maui wildfires through June 30, 2025;

2) exempt from real property taxation, including the minimum real property tax, properties classified as owner-occupied or long-term rental for the January 1, 2023 assessment located in a red or yellow reentry zone in Lahaina, as established by the County in its reentry map of impacted areas, or for which local access was only allowed from 8:00 a.m. to 4:00 p.m., as of November 15,

2023, for the period July 1, 2023 through June 30, 2024, and as determined by the Director of Finance as of January 1 for the period July 1, 2024, through June 30, 2025;

3) conditionally allow all real property tax exemptions in effect for tax year 2024 on properties where improvements were destroyed, damaged, or made inaccessible by the wildfires to remain in effect through December 31, 2024; and

4) conditionally provide an exemption for real property occupied as a long-term rental and under signed contract to lease for six or more months and less than twelve consecutive months to the same tenant, who was displaced by the wildfires;

2. FILING of Bill 91 (2023) to amend Chapter 3.48, Maui County Code, to conditionally exempt properties destroyed or damaged by natural disasters on or after August 8, 2023, from real property taxation for one year beginning July 1, 2024; and 3. FILING of Bill 102 (2023) to provide real property tax relief for individuals with property that was destroyed or damaged in the August 2023 Maui wildfires.

	AYE	NO	EXC	Time Deliberations Began	11:18 a.m.; recalled at 1:50 p.m.
Pro Tem Kama	√			Time Motion Made	11:21 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	2:57 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	9			<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	1:51 p.m.
VC Sugimura	√			Motion	AMEND Bill 95 per distributed ASF
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	Paltin
CM Rawlins-Fernandez	√			CM Paltin oral amendment incorporated by consensus	1:53 p.m.
CM Cook	√				

CM U'u-Hodgins	√			Time Vote Taken	1:56 p.m.
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	9			<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama		√		Time Motion Made	1:56 p.m.
VC Sugimura		√		Motion	AMEND Bill 95 to incorporate new Section 7 (distributed ASF)
CM Paltin	√			Maker	Paltin
CM Johnson	√			Seconder	Johnson
CM Rawlins-Fernandez	√			Time Vote Taken	2:55 p.m.
CM Cook		√			
CM U'u-Hodgins		√			
CM Sinenci	√				
Chair Lee		√			
<b>TOTAL VOTES</b>	4	5		<b>MOTION FAILED</b>	

**CR 23-103** Recommending the following: 1. FIRST READING of Bill 128 (2023) to restrict uses that risk contaminating the Department of Water Supply's drinking-water wells; and 2. FILING of communication.

	AYE	NO	EXC	Time Deliberations Began	11:39 a.m.
Pro Tem Kama	√			Time Motion Made	11:39 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	Kama
CM Johnson	√			Seconder	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	11:42 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	9			<b>MOTION PASSED</b>	

**CR 23-104** Recommending ADOPTION of Resolution 23-222, CD1, to approve the partial cancellation of an easement, identified for real property tax purposes as tax map key (2) 3-8-099:218, and traversing Lot 218-A of the Maui Lani Phase 6 subdivision.

	AYE	NO	EXC	Time Deliberations Began	11:42 a.m.
Pro Tem Kama	√			Time Motion Made	11:42 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	Cook
CM Johnson	√			Secunder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	11:46 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

## L. RESOLUTIONS

**Reso 23-205** "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL ES&A, INC., A LAW CORPORATION, IN ALEXA JACOBS vs. CLIFTON PERREIRA, ET AL., CIVIL NO.: 2CCV-23-0000185"

	AYE	NO	EXC	Time Deliberations Began	11:49 a.m.
Pro Tem Kama	√			Time Motion Made	11:49 a.m.
VC Sugimura	√			Motion	WAIVE Rule 5E
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Secunder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	11:50 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

		AYE	NO	EXC		
Pro Tem Kama		√			Time Motion Made	11:50 a.m.
VC Sugimura		√			Motion	WAIVE Rule 7G
CM Paltin		√			Maker	U'u- Hodgins
CM Johnson		√			Second	Sinenci
CM Rawlins- Fernandez		√			Time Vote Taken	11:51 a.m.
CM Cook		√				
CM U'u- Hodgins		√				
CM Sinenci		√				
Chair Lee		√				
<b>TOTAL VOTES</b>		<b>9</b>			<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	11:51 a.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Second	Sinenci
CM Rawlins- Fernandez	√			Time Vote Taken	11:52 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**Reso 23-223, CD1** "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL MEYERS NAVE, IN LITIGATION MATTERS ARISING FROM THE AUGUST 2023 WILDFIRES ON THE ISLAND OF MAUI"

**Reso 23-225, CD1** "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL MCCORRISTON MILLER MUKAI MACKINNON, LLP, IN LITIGATION MATTERS ARISING FROM THE AUGUST 2023 WILDFIRES ON THE ISLAND OF MAUI"

	AYE	NO	EXC	Time Deliberations Began	11:52 a.m.
Pro Tem Kama	√			Time Motion Made	11:53 a.m.
VC Sugimura	√			Motion	WAIVE Rule 5E
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Second	Sinenci

CM Rawlins-Fernandez	√			Time Vote Taken	11:54 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	11:54 a.m.
VC Sugimura	√			Motion	WAIVE Rule 7G
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Seconder	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	11:54 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	11:54 a.m.
VC Sugimura	√			Motion	ADOPT Resos 23-223 CD1, 23-225 CD1
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Seconder	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	11:56 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**Reso 23-224, CD1** "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL BARON & BUDD, P.C., IN LITIGATION MATTERS ARISING FROM THE AUGUST 2023 WILDFIRES ON THE ISLAND OF MAUI"

	AYE	NO	EXC	Time Deliberations Began	11:56 a.m.
Pro Tem Kama	√			Time Motion Made	11:56 a.m.

VC Sugimura	√			Motion	WAIVE Rule 5E
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Seconders	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	11:57 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	11:57 a.m.
VC Sugimura	√			Motion	WAIVE Rule 7G
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Seconders	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	11:57 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	11:57 a.m.
VC Sugimura	√			Motion	ADOPT, as amended
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Seconders	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	12:01 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	11:58 a.m.
VC Sugimura	√			Motion	AMEND per distributed ASF/FD1 version



CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Second	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	12:00 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	12:00 p.m.
VC Sugimura	√			Motion	WAIVE Rule 19C
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Second	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	12:01 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**Reso 23-227** "AUTHORIZING SETTLEMENT OF CHRISTOPHER SALEM VS. COUNTY OF MAUI, ET AL., CIVIL NO. 2CCV-21-0000048(2)"

	AYE	NO	EXC	Time Deliberations Began	12:02 p.m.
Pro Tem Kama	√			Time Motion Made	12:02 p.m.
VC Sugimura	√			Motion	WAIVE Rule 5E
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Second	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	12:03 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	12:03 p.m.
VC Sugimura	√			Motion	WAIVE Rule 7G
CM Paltin	√			Maker	U‘u-Hodgins
CM Johnson	√			Second	Sinenci
CM Rawlins- Fernandez	√			Time Vote Taken	12:03 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	9			<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	12:03 p.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	U‘u-Hodgins
CM Johnson	√			Second	Sinenci
CM Rawlins- Fernandez	√			Time Vote Taken	12:04 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	9			<b>MOTION PASSED</b>	

**Reso 23-231** "APPROVING FOR INCLUSION IN THE 2024 MAUI COUNTY COUNCIL LEGISLATIVE PACKAGE A STATE BILL RELATING TO PROCUREMENT"

	AYE	NO	EXC	Time Deliberations Began	12:04 p.m.
Pro Tem Kama	√			Time Motion Made	12:04 p.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	Paltin
CM Johnson	√			Second	Sugimura
CM Rawlins- Fernandez	√			Time Vote Taken	12:06 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	9			<b>MOTION PASSED</b>	

**Reso 23-232** "AUTHORIZING THE ACQUISITION OF APPROXIMATELY 658 SQUARE FEET IDENTIFIED AS TAX MAP KEY NO. (2) 4-3-006-036-0024 SITUATED AT LAHAINA, MAUI, HAWAII, FOR AN AMOUNT NOT TO EXCEED \$490,000.00"

**Reso 23-233** "AUTHORIZING THE ACQUISITION OF APPROXIMATELY 705 SQUARE FEET IDENTIFIED AS TAX MAP KEY NO. (2) 4-3-006-004-0030 SITUATED AT LAHAINA, MAUI, HAWAII, FOR AN AMOUNT NOT TO EXCEED \$525,000.00"

*12:06 p.m.: Resolutions 23-232 and 23-333 were referred without objection to the Budget, Finance, and Economic Development Committee.*

**Reso 23-234** "INDEMNIFYING HERMAN ANDAYA IN AMIR HOSSEIN SHEIKHAN, ETC., ET AL. V. HAWAIIAN ELECTRIC INDUSTRIES, ETC., ET AL., CIVIL NO. 2CCV-23-0000260"

**Reso 23-235** "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL RONALD T. OGOMORI, ATTORNEY AT LAW, A LAW CORPORATION, TO REPRESENT HERMAN ANDAYA IN AMIR HOSSEIN SHEIKHAN, ETC., ET AL. V. HAWAIIAN ELECTRIC INDUSTRIES, ETC., ET AL., CIVIL NO. 2CCV-23-0000260"

	AYE	NO	EXC	Time Deliberations Began	12:07 p.m.
Pro Tem Kama		√		Time Motion Made	12:08 p.m.
VC Sugimura		√		Motion	FILE Resos 23-234 & 23-235
CM Paltin	√			Maker	Paltin
CM Johnson	√			Seconder	Johnson
CM Rawlins-Fernandez	√			Time Vote Taken	12:29 p.m.
CM Cook		√			
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee		√			
<b>TOTAL VOTES</b>	5	4		<b>MOTION PASSED</b>	

**Reso 23-236** "APPROVING A TIME EXTENSION FOR THE SOUTH MAUI COMMUNITY PLAN ADVISORY COMMITTEE TO FORWARD ITS RECOMMENDED REVISIONS ON THE DRAFT SOUTH MAUI COMMUNITY PLAN TO THE PLANNING DIRECTOR"

	AYE	NO	EXC	Time Deliberations Began	1:36 p.m.
Pro Tem Kama	√			Time Motion Made	1:37 p.m.
VC Sugimura	√			Motion	WAIVE Rule 7G
CM Paltin	√			Maker	Paltin
CM Johnson	√			Seconder	Sinenci
CM Rawlins-Fernandez			√	Time Vote Taken	1:38 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	8		1	<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	1:38 p.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	Paltin
CM Johnson	√			Seconder	Sugimura
CM Rawlins-Fernandez			√	Time Vote Taken	1:45 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	8		1	<b>MOTION PASSED</b>	

**Reso 23-237** "REFERRING TO THE LĀNA'I, MAUI, AND MOLOKAI PLANNING COMMISSION A PROPOSED BILL ON THE USE OF SHIPPING CONTAINERS AS INCIDENTAL STORAGE"

*1:46 p.m.: referred without objection to the Water and Infrastructure Committee*

**Reso 23-238** "APPROVING THE APPOINTMENT OF JOSIAH NISHITA AS THE MANAGING DIRECTOR"

*1:47 p.m.: referred without objection to the Government Relations, Ethics, and Transparency Committee*

**Reso 23-239** "URGING THE ADMINISTRATION TO DEVELOP A COMPREHENSIVE NEEDS ASSESSMENT REPORT ON THE NUMBER OF HOUSING UNITS NEEDED AND THE AREA MEDIAN INCOMES OF THOSE DISPLACED FROM AUGUST 2023 MAUI WILDFIRES"

	AYE	NO	EXC	Time Deliberations Began	1:48 p.m.
Pro Tem Kama	√			Time Motion Made	1:48 p.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	U‘u-Hodgins
CM Johnson	√			Second	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	1:49 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	9			<b>MOTION PASSED</b>	

## M. ORDINANCES

**Bill 126 (2023)** "A BILL FOR AN ORDINANCE REPEALING CHAPTER 19.62, MAUI COUNTY CODE, AND CREATING A NEW CHAPTER 16.29, MAUI COUNTY CODE, RELATING TO FLOOD HAZARD AREAS"

*3:07 p.m.: Referred without objection to the Water and Infrastructure Committee*

**Bill 127 (2023)** "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII FOR THE LEASE OF THE MAUI BUS TRANSIT HUB PROPERTY"

*3:08 p.m.: Referred without objection to the Agriculture, Diversification, Environment, and Public Transportation Committee*

**Bill 129 (2023)** "A BILL FOR AN ORDINANCE AMENDING SECTIONS 14.04.040, 14.07.080 AND 14.10.010, MAUI COUNTY CODE, TO ESTABLISH NEW WATER RATES, AND ALLOW FOR WAIVER OF THE WATER SYSTEM DEVELOPMENT FEE AND WATER SERVICE INSTALLATION FEES DURING EMERGENCIES"

	AYE	NO	EXC	Time Deliberations Began	3:08 p.m.
Pro Tem Kama	√			Time Motion Made	3:08 p.m.
VC Sugimura	√			Motion	PASS on first reading
CM Paltin	√			Maker	Cook
CM Johnson	√			Second	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	3:11 p.m.

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

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:09 p.m.
VC Sugimura	√			Motion	WAIVE Rule 7G
CM Paltin	√			Maker	Cook
CM Johnson	√			Seconder	Sugimura
CM Rawlins- Fernandez	√			Time Vote Taken	3:09 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	9			<b>MOTION PASSED</b>	

**Bill 130 (2023)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, REVENUES; CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF FIRE AND PUBLIC SAFETY, MOLOKAI COMMUNITY PLAN AREA; AND APPENDIX C, DEPARTMENT OF FIRE AND PUBLIC SAFETY, MOLOKAI COMMUNITY PLAN AREA"

	AYE	NO	EXC	Time Deliberations Began	3:14 p.m.
Pro Tem Kama	√			Time Motion Made	3:15 p.m.
VC Sugimura	√			Motion	WAIVE Rule 7G
CM Paltin	√			Maker	Rawlins- Fernandez
CM Johnson			√	Seconder	U‘u-Hodgins
CM Rawlins- Fernandez	√			Time Vote Taken	3:15 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	8		1	<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:15 p.m.
VC Sugimura	√			Motion	PASS on first reading
CM Paltin	√			Maker	Rawlins-Fernandez
CM Johnson			√	Seconder	U'u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	3:17 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	8		1	<b>MOTION PASSED</b>	

## ORDINANCES – SECOND AND FINAL READING

**Bill 70, CD1 (2023)** "A BILL FOR AN ORDINANCE AMENDING ORDINANCE 3545 TO TRANSFER A CONDITIONAL PERMIT TO JOSHUA RAMU TREMBLAY FOR THE OLD WAILUKU INN AT ULUPONO TRANSIENT VACATION RENTAL SITUATED AT 2199 KAHO'OKELE STREET, WAILUKU, MAUI, HAWAII"

	AYE	NO	EXC	Time Deliberations Began	3:17 p.m.
Pro Tem Kama	√			Time Motion Made	3:17 p.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	Kama
CM Johnson			√	Seconder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	3:19 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	8		1	<b>MOTION PASSED</b>	

**Bill 96, CD1 (2023)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM, WAILUKU AND WEST MAUI ECONOMIC DEVELOPMENT, ENVIRONMENTAL, AND CULTURAL PROGRAMS"

	AYE	NO	EXC	Time Deliberations Began	3:19 p.m.
Pro Tem Kama	√			Time Motion Made	3:19 p.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	Sugimura
CM Johnson			√	Second	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	3:20 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	8		1	<b>MOTION PASSED</b>	

**Bill 97, CD1 (2023)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF HOUSING AND HUMAN CONCERNS"

	AYE	NO	EXC	Time Deliberations Began	3:20 p.m.
Pro Tem Kama	√			Time Motion Made	3:20 p.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Second	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	3:22 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	9			<b>MOTION PASSED</b>	

**Bill 100, CD1 (2023)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF MANAGEMENT"

	AYE	NO	EXC	Time Deliberations Began	3:22 p.m.
Pro Tem Kama	√			Time Motion Made	3:22 p.m.
VC Sugimura	√			Motion	PASS on second and final reading



CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	3:23 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	9			<b>MOTION PASSED</b>	

**Bill 101, CD1 (2023)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, REVENUES AND DEPARTMENT OF POLICE, TECHNICAL AND SUPPORT SERVICES PROGRAM"

	AYE	NO	EXC	Time Deliberations Began	3:23 p.m.
Pro Tem Kama	√			Time Motion Made	3:24 p.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	3:27 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	9			<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:24 p.m.
VC Sugimura	√			Motion	AMEND per distributed ASF
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	3:25 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	9			<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:26 p.m.
VC Sugimura	√			Motion	WAIVE Rule 19C
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconders	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	3:26 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	9			<b>MOTION PASSED</b>	

**Bill 104, FD1 (2023)** "A BILL FOR AN ORDINANCE AMENDING SECTION 3.100.040, MAUI COUNTY CODE, ON USE OF THE GENERAL EXCISE TAX FUND"

	AYE	NO	EXC	Time Deliberations Began	3:27 p.m.; recalled at 3:48 p.m.
Pro Tem Kama		√		Time Motion Made	3:48 p.m.
VC Sugimura		√		Motion	PASS on second and final reading
CM Paltin	√			Maker	Rawlins- Fernandez
CM Johnson	√			Seconders	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	4:16 p.m.
CM Cook		√			
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	6	3		<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama		√		Time Motion Made	4:14 p.m.
VC Sugimura		√		Motion	AMEND and WAIVE Rule 19C
CM Paltin	√			Maker	Rawlins- Fernandez
CM Johnson	√			Seconders	Johnson

CM Rawlins-Fernandez	√			Time Vote Taken	4:15 p.m.
CM Cook		√			
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	6	3		<b>MOTION PASSED</b>	

**Bill 111 (2023)** "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.100, MAUI COUNTY CODE, RELATING TO GENERAL EXCISE AND USE TAX SURCHARGE"

**CC 23-38** BUDGET DIRECTOR, transmitting a signed version of Bill 111 (2023), entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.100, MAUI COUNTY CODE, RELATING TO GENERAL EXCISE AND USE TAX SURCHARGE".

	AYE	NO	EXC	Time Deliberations Began	3:28 p.m.
Pro Tem Kama	√			Time Motion Made	3:28 p.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	3:34 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	9			<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:29 p.m.
VC Sugimura	√			Motion	AMEND Substitute bill attached to CC 23-38; FILE CC 23-38
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	3:30 p.m.
CM Cook	√				

CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	9			<b>MOTION PASSED</b>	

**Bill 115, FD1 (2023)** "A BILL FOR AN ORDINANCE AMENDING SECTION 3.38.020, MAUI COUNTY CODE, RELATING TO HAWAIIAN CULTURAL RESTORATION REVOLVING FUND"

	AYE	NO	EXC	Time Deliberations Began	3:34 p.m.
Pro Tem Kama	√			Time Motion Made	3:34 p.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	Rawlins-Fernandez
CM Johnson	√			Secunder	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	3:37 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	9			<b>MOTION PASSED</b>	

**Bill 118, FD1 (2023)** "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE UNITED STATES GOVERNMENT AND THE STATE OF HAWAII REGARDING THE AUTHORIZATION FOR MAUI WILDFIRE DEBRIS REMOVAL FOR COUNTY-OWNED PROPERTIES"

	AYE	NO	EXC	Time Deliberations Began	3:37 p.m.
Pro Tem Kama	√			Time Motion Made	3:37 p.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	Cook
CM Johnson	√			Secunder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	3:39 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	9			<b>MOTION PASSED</b>	

## N. UNFINISHED BUSINESS

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

*Note: Bill 108 was deferred from the Nov. 20 Council meeting in order that companion Bill 129 could be considered at the same time.*

**CC 23-39** BUDGET DIRECTOR, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, APPENDIX B, DEPARTMENT OF WATER SUPPLY".

	AYE	NO	EXC	Time Deliberations Began	3:40 p.m.
Pro Tem Kama	√			Time Motion Made	3:42 p.m.
VC Sugimura	√			Motion	PASS on first reading
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	3:42 p.m. 3:48 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	9			<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:40 p.m.
VC Sugimura	√			Motion	WAIVE Rule 5E
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	3:40 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	9			<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:41 p.m.
VC Sugimura	√			Motion	WAIVE Rule 7G

CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	3:41 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	9			<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:43 p.m.
VC Sugimura	√			Motion	RECONSIDER vote to adopt
CM Paltin	√			Maker	Paltin
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	3:43 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	9			<b>MOTION PASSED</b>	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	3:44 p.m.
VC Sugimura	√			Motion	AMEND Substitute bill attached to CC 23-39; FILE CC 23-39
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	3:47 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
<b>TOTAL VOTES</b>	9			<b>MOTION PASSED</b>	

**TIME MEETING ADJOURNED: 4:21 p.m.**

## TRANSCRIPTION

Council of the County of Maui on 2023-12-01 9:00 AM - Regular Meeting

TASHA KAMA. >> ALOHA KAKAHIKA, CHAIR AND HA LOW TO EVERYONE ELSE. >> VICE-CHAIR YUKI SUGIMURA. >> GOOD MORNING. HA LOW IS THE GREETING FOR THE DAY. THANK YOU, CHAIR, FOR ALWAYS THINKING OF SOMETHING CREATIVE, AND FUN FOR US TO START OUR MEETINGS. AND THIS WILL BE HOW MANY YEARS HAVE YOU BEEN DOING IT?\r\n\r\nTHANK YOU VERY MUCH. >> 39. [LAUGHTER ] >> COUNCIL MEMBER TAMARA PALTIN. >> ALOHA KAKAHIKA KAKOU. >> COUNCIL MEMBER GABE JOHNSON. >> ALOHA, CHAIR, COUNCIL MEMBERS, COMMUNITY MEMBERS. THERE'S NO TESTIFIERS AT THE LANAI DISTRICT OFFICE. I'M HERE AND READY TO WORK.\r\n\r\nMAHALO. >> COUNCIL MEMBER KEANI RAWLINS-FERNANDEZ. >> ALOHA KAKAHIKA KAKOU. I AM AT THE MOLOKA'I DISTRICT OFFICE ALONE ON MY SIDE OF THE OFFICE, AND STAFF IS REPORTING NO TESTIFIERS HERE AT THE OFFICE CURRENTLY. MAHALO, CHAIR. >> COUNCIL MEMBER TOM COOK. >> ALOHA FRIDAY, CHAIR; COUNCIL MEMBERS, AND HA LOW.\r\n\r\n>> COUNCIL MEMBER NOHELANI UU-HODGINS. >> GOOD MORNING, CHAIR. GOOD MORNING EVERYONE. >> AND COUNCIL MEMBER SHANE SINENCI. >> ALOHA KAKOU AND THERE'S NO TESTIFIERS AT HANA. >> CHAIR ALICE LEE. >> HA LOW, EVERYONE.\r\n\r\nA GREETING FROM INDONESIA AND AS YOU KNOW, IT'S THE LARGEST COUNTRY IN SOUTHEAST ASIA. >> CHAIR, YOU HAVE NINE MEMBERS PRESENT. A QUORUM IS PRESENT TO CONDUCT THE BUSINESS OF THE COUNCIL, FOR THE RECORD, I'M COUNTY CLERK MOANA LUTEY, AND ALSO PRESENT ARE DEPUTY COUNTY CLERK RICHELLE THOMSON AND DIVISION STAFF JOYCE MURASHIGE, LAUREN SALDANA AND DELL YOSHIDA. ALSO JOINING THE MEETING IS DIRECTOR DAVID RAATZ AND LEGISLATIVE ATTORNEY MONIZ , CORPORATION COUNSEL VICTORIA TAKAYESU AND COUNSELOR KRISTINA TOSHIKIYO. >> CAN WE ASK COUNCIL MEMBER SHANE SINENCI TO PROVIDE OPENING REMARKS? >> MAHALO, CHAIR, AND ALOHA PIA LIMA KAKOU. CHAIR, AS WE ENTER INTO THIS SEASON, WE REFLECT ON THE EVENTS THAT HAVE HAPPENED THIS PAST CALENDAR YEAR.\r\n\r\nIT'S BEEN A VERY CHALLENGING ONE FOR US, AND FOR THE WHOLE WORLD. THE AUGUST FIRES OF LAHAINA AND KULA CONTINUE TO WARRANT OUR KOKUA AND THE WARS IN UKRAINE AND THE MIDDLE EAST DESERVE OR PETITIONS FOR WORLD PEACE. CHAIR, FOR CHILDREN AND FAMILY MEMBERS WHO ARE EXPERIENCING LOSS, THE HOLIDAYS CAN INVOKE OLD MEMORIES AND CONFLICTING MOTIONS AND TO ALLOW SPACE TO EXERCISE THESE FEELINGS WITH LOVE, UNDERSTANDING AND HELPING WITH THE HEALING PROCESS. SPENDING TIME IN NATURE CAN PROVIDE THE TIME WE NEED DURING THIS HOLIDAY SEASON TO BEGIN NEW TRADITIONS THAT HONOR OUR LOVED ONES. IN THIS, PLEASE HAVE A SAFE HOLIDAY SEASON. ALOHA. >> THANK YOU, BEAUTIFUL.\r\n\r\nPLEASE JOIN ME WITH THE PLEDGE OF ALLEGIANCE. I PLEDGE ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA, AND TO THE REPUBLIC FOR WHICH IT STANDS, ONE NATION UNDER GOD, INDIVISIBLE, WITH LIBERTY AND JUSTICE FOR ALL. >> BEFORE WE PROCEED WITH TODAY'S AGENDA, MAY I PLEASE REQUEST THAT EVERYONE KEEP THEIR MICROPHONES MUTED NEWSOM IT'S YOUR TURN TO SPEAK. ORAL AND WRITTEN TESTIMONY WILL BE ACCEPTED AT THE BEGINNING OF THE MEETING AND PRIOR TO COUNCIL'S DELIBERATION ON EACH SECTION OF THE AGENDA. TESTIMONY MUST PERTAIN TO ITEMS ON THE MEETING AGENDA. WHEN TESTIFYING, PLEASE DIRECT YOUR REMARKS TO THE COUNCIL, AND NOT ANY INDIVIDUAL COUNCIL MEMBER, OR MEMBER OF THE PUBLIC. EACH TESTIFIER WILL BE ALLOWED TO SPEAK FOR UP TO THREE MINUTES ON EACH ITEM.\r\n\r\nDECORUM 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 THE PRESIDING OFFICER OR A MAJORITY OF PRESENT COUNCIL MEMBERS BE EJECTED OR BANNED FROM COUNCIL MEETINGS, OR IF PARTICIPATING REMOTELY, MUTED OR DROPPED FROM THE MEETING. EXAMPLES OF DISRUPTIVE BEHAVIOR INCLUDE, BUT NOT LIMITED TO HECKLING, SHOUTING, USE OF PROFANITY, THREATENING OR SLANDEROUS REMARKS MADE TO ANY MEMBER OF THE COUNCIL, STAFF OR GENERAL PUBLIC. AS A REMINDER, CHAT HOW OLD BE USED TO SIGN UP FOR TESTIMONY AND NOT FOR PUBLIC COMMENTARY ON THE MEETING. IT WILL BE CONSIDERED A BREACH OF DECORUM FOR MEMBERS OF THE PUBLIC TO USE THE CHAT FOR ANYTHING OTHER THAN

TESTIMONY SIGN UP. MS. CLERK, PLEASE PROCEED.\r\n\r\n>> CHAIR, WE HAVE NO BUSINESS BEFORE REGULAR MEETING AGENDA. THERE'S NO BUSINESS BEFORE THIS COUNCIL ON ITEMS HOI, SO MOVING ON TO J, COMMUNICATIONS. THERE'S NO ONE CURRENTLY SIGNED UP TO TESTIFY ON THIS AGENDA ITEM. IF THERE IS ANYONE WHO WOULD LIKE TO TESTIFY ON COUNTY COMMUNICATIONS, NOW IS YOUR OPPORTUNITY. PLEASE LET US KNOW IF YOU WOULD LIKE TO TESTIFY. AND THE COUNT DOWN, 3, 2, 1. CHAIR, THERE'S NO ONE TO TESTIFY ON COMMUNICATIONS. >> MEMBERS, ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY.\r\n\r\n>> NO OBJECTIONS. >> ON J, COMMUNICATIONS. >> SO ORDERED, MS. CLERK. >> CHAIR, BEFORE YOU IS COUNTY COMMUNICATION 23-18, FROM THE BUDGET DIRECTOR TRANSMITTING A SIGNED VERSION OF BILL 111 (2023) A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.100 MAUI COUNTY CODE RELATING TO GENERAL EXCISE AND USE TAX. >> VICE-CHAIR SUGIMURA. >> MAY I REQUEST THAT THIS BE TAKEN UP WHEN THE ITEM BILL 111 COMES UP.\r\n\r\n>> ANY OBJECTIONS TO THE REQUEST TO DEFER CONSIDERATION -- DEFER THIS ITEM UNTIL CONSIDERATION OF BILL 111 AT SECOND AND FINAL READING. >> NO OBJECTIONS. >> SO ORDERED. MS. CLERK. >> CHAIR, BEFORE YOU IS COUNTY COMMUNICATION 23-39 FROM THE BUDGET DIRECTOR TRANSMITTING A PROPOSED BILL ENTITLED, "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI APPENDIX B, DEPARTMENT OF WATER SUPPLY." >> VICE-CHAIR SUGIMURA. >> THANK YOU.\r\n\r\nAGAIN, CHAIR, IF THERE'S NO OBJECTIONS MAY I PLEASE REQUEST COUNTY COMMUNICATION 23-39 BE POSTPONED TO LATER IN THE AGENDA WHEN COUNCIL CONSIDERS BILL 108 (2023). >> ANY OBJECTIONS, MEMBERS? >> NO OBJECTIONS. >> THANK YOU. >> SO ORDER. >> CHAIR, OF MOG ON TO K, COMMITTEE REPORTS, AT THIS TIME, INDIVIDUALS MAY TESTIFY ON COMMITTEE REPORTS. THERE'S CURRENTLY NO ONE SIGNED UP TO TESTIFY ON THIS SUBJECT-MATTER. IF THERE'S ANYONE THAT WOULD LIKE TO TESTIFY ON COMMITTEE REPORTS NOW IS YOUR TIME.\r\n\r\nPLEASE LET US KNOW, THE COUNTDOWN, 3, 2, 1. >> MEMBERS, ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY ON REPORTS. >> NO OBJECTIONS. >> SO ORDERED. >> MS. CLERK. >> FROM YOU'RE BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE REPORT 23-101 RECOMMENDING FIRST READING OF BILL 103, CD 1 (2023) TO , REQUIRE THE DIRECTOR OF FINANCE TO SEEK DEPARTMENT OF AGRICULTURE'S ASSISTANCE WITH VERIFYING THAT LANDS DEDICATED TO AGRICULTURAL USE COMPLY WITH THE DEDICATION REQUIREMENTS AND 2, YOU LO FOR TAX RATE TIERS FOR ANY REAL PROPERTY CLASSIFICATION. >> I MOVE TO ADOPT RECOMMENDATIONS IN COMMITTEE REPORT 23-101. >> SECOND.\r\n\r\n>> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY MEMBER JOHNSON TO RECEIVE RECOMMENDATIONS IN COMMITTEE REPORT 23-101, DISCUSSION? VICE-CHAIR SUGIMURA. >> THANK YOU, MEMBERS BILL 103 CD 1 (2023) AMENDS CHAPTER 3.48 MAUI COUNTY CODE TO REQUIRE THE DIRECTOR OF FINANCE TO ANNUALLY PROVIDE THE DEPARTMENT OF AGRICULTURE A LIST OF LANDS DEDICATED TO AGRICULTURAL USE TO ASSIST WITH PERIODIC VERIFICATION AND FOR TAX RATE TIERS FOR ANY REAL PROPERTY CLASSIFICATION AND NOT TO CONTINUE TO AFFECT FARMERS AND RANCHERS WHO ACTIVELY USE THEIR PROPERTY FOR AGRICULTURAL USE AND INSTEAD THE GOAL TO INCENTIVIZE OWNERS OF AGRICULTURAL LAND TO USE THEIR PROPERTY FOR AGRICULTURAL USE. ADDITIONALLY, THE CHANGES RELATED TO THE TIERED TAX RATE TIERS MEANS THAT THE COUNTY WILL NO LONGER HAVE TO KEEP AMENDING THE CODE EVERY TIME IT INTENDS TO INTRODUCE TIERS FOR A NEW PROPERTY CLASSIFICATION. THE RECOMMENDATIONS FOR THIS CAME FROM THE FINANCE DEPARTMENT. YOUR COMMITTEE VOTED 6-0 TO RECOMMEND PASSAGE OF BILL 103 CD 1, (2023) ON FIRST READING. I ASK FOR THE MEMBERS' SUPPORT FOR MY MOTION.\r\n\r\nTHANK YOU, CHAIR. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. >> THANK YOU. >> MEMBERS, DO YOU NEED A RECESS?\r\n\r\n>> YES. >> TEN MINUTES. ALL RIGHT, TO 11:00, THIS MEETING IS RECESS. [ GAVEL ] [ GAVEL ] >> WILL THE COUNCIL MEETING OF DECEMBER 1ST, 2023, PLEASE RECONVENE. IT'S 11:17. MS. CLERK. >> THANK YOU, MADAM CHAIR.\r\n\r\nFROM YOUR BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE IS COMMITTEE REPORT 23-102 RECOMMENDING THE FOLLOWING: NO. 1, FIRST READING OF BILL 95, CD 1 (2023) TO ONE, EXEMPT FROM REAL PROPERTY TAXATION INCLUDING THE MINIMUM REAL PROPERTY TAX PROPERTIES COMPLETELY DESTROYED BY THE



AUGUST 2023 MAUI WILDFIRES THROUGH JUNE 30, 2025. 2, EXEMPT FROM REAL PROPERTY TAXATION INCLUDING THE MINIMUM REAL PROPERTY TAX PROPERTIES CLASSIFIED AS OWNER-OCCUPIED FOR LONG-TERM RENTAL FOR JANUARY 1, 2023 ASSESSMENT LOCATED IN RED OR YELLOW RE-ENTRY ZONE IN LAHAINA, AS ESTABLISHED BY THE COUNTY, IN ITS RE-ENTRY MAP OF IMPACTED AREAS. OR FOR WHICH LOCAL ACCESS WAS ONLY ALLOWED FROM 8:00 A.M. TO 4:00 P.M. AS OF NOVEMBER 15, 2023 FOR THE PERIOD JULY 1, 2023 THROUGH JUNE 30, 2024 AS DETERMINED BY THE DIRECTOR OF FINANCE AS OF THE JANUARY 1 -- AS OF JANUARY 1 FOR THE PERIOD JULY 1, 2024 THROUGH JUNE 30, 2025. 3, CONDITIONALLY ALLOW ALL REAL PROPERTY TAX EXEMPTIONS IN EFFECT FOR TAX YEAR 2024 ON PROPERTIES WHERE IMPROVEMENTS WERE DESTROYED, DAMAGED OR MADE INACCESSIBLE BY THE WILDFIRES TO REMAIN IN EFFECT THROUGH DECEMBER 31, 2024. AND 4, CONDITIONALLY PROVIDE AN EXEMPTION FOR REAL PROPERTY OCCUPIED AS A LONG-TERM RENTAL AND UNDER SIGNED CONTRACT TO LEASE FOR SIX OR MORE MONTHS AND LESS THAN 12 CONSERVATIVE MONTHS TO THE SAME TENANT, WHO WAS DISPLACED BY THE WILDFIRES. 2, FILING OF BILL 91 (2023) TO AMEND CHAPTER 3.48 MAUI COUNTY CODE TO CONDITIONALLY EXEMPT PROPERTIES DESTROYED OR DAMAGED BY NATURAL DISASTERS ON OR AFTER AUGUST 8, 2023 FROM REAL PROPERTY TAXATION FOR ONE YEAR BEGINNING JULY 1, 2024; AND 3, FILING OF BILL 1023 (2023) TO PROVIDE REAL PROPERTY TAX RELIEF FOR INDIVIDUALS WITH PROPERTY THAT WAS DESTROYED OR DAMAGED IN THE AUGUST 2023 MAUI WILDFIRES. >> WE HAVE MARCY MARTIN ON THE LINE AND SHE IS ON THE LINE, BUT SHE HAS TO LEAVE AT 12 NOON AND IF THIS CONTINUED TO BE AVAILABLE AFTER 1:30. IF WE CAN GET OUR QUESTIONS ANSWERED BY 12:00, SHE WILL BE AVAILABLE. I WOULD LIKE YOU TO TAKE THIS SLOWLY, MEMBER SUGIMURA, BECAUSE THERE'S THREE ASFS AND I WILL BE ASKING MR. RAATZ IF MINE IS ACTUALLY NECESSARY? \r\n\r\nBECAUSE IT SEEMS LIKE YOU COVERED MINE AND YOURS. >> YES. >> SO LESS CONFUSION, IF I KEEP MINE OUT. I JUST WANTED TO VERIFY THAT, DIRECTOR. >> THANK YOU, CHAIR. THE SUBSTANCE OF YOUR PROPOSAL IS EMBEDDED WITH VICE-CHAIR SUGIMURA'S AND YOURSELF, AND IF THEY DON'T GET BOTH APPROVED YOURS WOULD BE NECESSARY. THANK YOU, CHAIR. \r\n\r\n>> THANKS. TRYING TO WORK WITH TWO, INSTEAD OF THREE. VICE-CHAIR SUGIMURA. >> SO YOU ARE PULLING YOURS? >> NOT YET. >> NOT YET, OKAY. SO MEMBERS BILL 95, CD 1 (2023) CONDITIONALLY WAIVED REAL PROPERTY TAXES FOR THOSE AFFECTED BY THE AUGUST WILDFIRES OF OWNERS -- >> I'M SORRY, ARE YOU READING THE MOTION? \r\n\r\n>> YES, WE NEED A MOTION, PLEASE. >> I'M SORRY, I MOVE TO ADOPT THE RECOMMENDATIONS IN COMMITTEE REPORT 23-102. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY PRO TEM KAMA TO APPROVE THE RECOMMENDATIONS IN COMMITTEE REPORT 23-102. DISCUSSION, MEMBER SUGIMURA. >> THANK YOU. TO CONTINUE, THE BILL CONDITIONALLY ALLOWS OWNERS OF IMPROVED PROPERTIES AFFECTED BY THE WILDFIRES TO MAINTAIN EXEMPTIONS ON THOSE PROPERTIES AND CREATES EXEMPTION ON PROPERTIES TO HOUSE INDIVIDUALS OR INDIVIDUALS DISPLACED BY THE WILDFIRES AND THE TAX WAIVER APPLIES TO ANYONE WHOSE PROPERTY WAS COMPLETELY DESTROYED DUE TO THE WILDFIRES AND AS CURRENTLY WRITTEN IT ALSO APPLIES TO PROPERTIES CLASSIFIED AS OWNER-OCCUPIED OR LONG-TERM RENTAL LOCATED IN RED OR YELLOW RE-ENTRY ZONES ON THE RE-ENTRY ZONE MAP ESTABLISHED IN THE COUNTY AS OF NOVEMBER 15TH, FOR THE FISCAL YEAR AND AS OF JUNE 1, 2024 AS DETERMINED BY THE DIRECTOR OF FINANCE FOR THE NEXT FISCAL YEAR. ADDITIONALLY, PROPERTIES AFFECTED BY WILDFIRES WILL BE ABLE TO KEEP TAX EXEMPTIONS THAT WERE IN EFFECT FOR THE 2024 TAX YEAR. THIS WILL SUPPORT PROPERTY OWNERS BY KEEPING PROPERTY VALUATIONS DOWN, AND PREVENTING PROPERTIES FROM LOSING EXEMPTIONS BEFORE -- BECAUSE OF NON-COMPLIANCE RESULTING FROM THE WILDFIRES. \r\n\r\nFINALLY, THE NEW EXEMPTION CREATED BY THIS BILL MAY BE USED TO INCENTIVIZE PROPERTY OWNERS TO HOUSE DISPLACED INDIVIDUALS IF THEY CANNOT HOUSE THEM FOR A FULL-YEAR, BUT COULD FOR LEAST SIX MONTHS. YOUR COMMITTEE VOTED 8-0 TO RECOMMEND PASSAGE OF BILL 95, CD 1 (2023) ON FIRST READING, AND FILING OTHER PROPOSALS YOUR COMMITTEE CONSIDERED BILL 91 (2023) AND BILL 102 (2023). I ALSO HAVE AN ASF. SO WE COULD -- WHICH HAS BEEN DISTRIBUTED. AND IT'S BEFORE YOU. SO DO YOU NEED TIME TO LOOK AT THE ASF, OR SHALL WE -- >> MEMBERS, WOULD YOU LIKE SOME TIME, LIKE FIVE MINUTES?

OKAY. MEETING IS IN RECESS UNTIL 11:28. [ GAVEL ] [ GAVEL ] >> WILL THE DECEMBER 1ST COUNCIL MEETING PLEASE RECONVENE.\r\n\r\nOKAY. MEMBERS, I'M NOT SURE HOW LONG YOU EXPECT THIS TO RUN ON THIS ITEM? BUT WE HAVE ONE REQUEST TO PUT IT AT THE END OF THE CALENDAR, AND ONE REQUEST TO DO IT BEFORE 12:00. >> WE NEED MARCY MARTIN. >> MARCY MARTIN IS GOING TO BE HERE UNTIL 12:00 AND AFTER 1:30. LET'S DO WHAT? >> LET'S PROCEED. >> EVERYBODY WANT TO PROCEED >> OH, I -- >> YES. >> I DON'T MIND EITHER WAY, BUT I JUST HOPE THAT MS.\r\n\r\nMARTIN HAD GOTTEN THE THREE ASFS. SO THAT SHE IS ON THE SAME PAGE OF KNOWING ALL THE INFORMATION THAT WE HAVE IN FRONT OF US. >> DIRECTOR RAATZ, DO YOU THINK MARCY MARTIN RECEIVED THE THREE ASFS? OKAY. IS SHE ON THE LINE? HI MARCY. SHE IS RIGHT WHERE?\r\n\r\nOH, OKAY. >> HELLO, ALICE. I GOT THE ASFS, BUT MY -- I HAVE LEAVE TO GO GET SOMEBODY TO COME HOME AND THEN I CAN COME BACK. I THOUGHT THE PROCEDURE WAS GOING TO BE DONE AT 12:30, BUT I GUESS IT FINISHED AN HOUR EARLY. SO I HAVE TO LEAVE. >> WE CAN TAKE YOU AFTER 1:30, IS THAT WHAT YOU ARE ASKING? >> YES.\r\n\r\nTHANK YOU. MEMBERS, ANY OBJECTIONS TO MOVING THIS TO THE AFTERNOON SO IT'S MORE CONVENIENT FOR MARCY MARTIN, MS. CLERK, THE NEXT ITEM BEFORE LUNCH. >> FROM THE HOUSING AND LAND USE COMMITTEE, COMMITTEE REPORT 23-103 RECOMMENDING FIRST READING OF BILL 128 (2023) TO RESTRICT USES THAT RISK CONTAMINATING THE DEPARTMENT OF WATER SUPPLY'S DRINKING WATER WELLS AND NO. 2, FILING OF COMMUNICATION. >> PRO TEM KAMA. >> THANK YOU, CHAIR.\r\n\r\nI MOVE TO ADOPT THE RECOMMENDATIONS IN COMMITTEE REPORT 23-103, WHICH ARE ONE, TO PASS ON FIRST READING BILL 128 (2023) ENTITLED, "A BILL FOR AN ORDINANCE AMENDING TITLE 19, MAUI COUNTY CODE TO ESTABLISH A WELLHEAD PROTECTION OVERLAY," AND BE ORDERED TO PRINT; AND 2, THE FILING OF COUNTY COMMUNICATION 15-50. >> SECOND. >> MOVED BY PRO TEM KAMA, SECONDED BY MEMBER SINENCI TO APPROVE THE RECOMMENDATIONS IN COMMITTEE REPORT 23-103. DISCUSSION, PRO TEM KAMA. >> THANK YOU, CHAIR. MEMBERS, YOUR HOUSING AND LAND USE COMMITTEE HAVING MET JUNE 7, 2023 AND NOVEMBER 15TH, 2023 MAKES REFERENCE TO COUNTY COMMUNICATION 15-50, FROM THE DIRECTOR OF THE WATER SUPPLY TRANSMITTING A PROPOSED BILL ENTITLED, "A BILL FOR AN ORDINANCE AMENDING TITLE 19 MAUI COUNTY CODE TO ESTABLISH A WELLHEAD PROTECTION OVERLAY DISTRICT." THIS MATTER HAS BEEN BEFORE PREVIOUS COMMITTEES OF COUNCIL SINCE 2015. THE DEVELOPMENT OF THIS LEGISLATION WAS FUNDED BY GRANTS FROM THE STATE DEPARTMENT OF HEALTH THAT WERE RECEIVED IN 2008. THE DEPARTMENT IN THE LONG PROCESS OF COLLABORATION BETWEEN THE DEPARTMENT OF WATER SUPPLY AND THE PLANNING DEPARTMENT STAKEHOLDERS WERE ENGAGED IN A SERIES OF ELEVEN MEETINGS HELD THROUGHOUT THE COUNTY. YOUR COMMITTEE RECEIVED CORRESPONDENCE DATED OCTOBER 31ST, 2023 FROM THE DIRECTOR OF WATER SUPPLY, TRANSMITTING A FURTHER REVISED PROPOSED BILL APPROVED AS TO FORM AND LEGALITY BY THE DEPARTMENT OF CORPORATION COUNSEL, AND UPDATING THE STATE'S LIST OF PESTICIDES OF GROUNDWATER CONCERN. THE DEPARTMENT OF WATER SUPPLY NOTED THAT THIS LEGISLATION WILL SAFEGUARD MAUI COUNTY'S GROUNDWATER THAT MAKES UP 70% OF THE DRINKING WATER SUPPLY. THE DEPARTMENT OF PLANNING ASKED FOR A REVISION TO THE DEFINITION OF "WELLHEAD PROTECTION OVERLAY DISTRICT." AND REFERENCE TO THE DEPARTMENT'S WEBSITE FOR THE CURRENT GEOGRAPHIC APPLICATION OF THE OVERLAY.\r\n\r\nTHE STATE DEPARTMENT OF HEALTH, SAFE DRINKING WATER BRANCH, EXPRESSED SUPPORT FOR THE LEGISLATION. YOUR COMMITTEE AGREED THAT THIS LEGISLATION WOULD FURTHER SERVE THE COUNTY'S GENERAL PLAN OBJECTIVES AND POLICIES. BASED ON THE INFORMATION RECEIVED, YOUR COMMITTEE VOTED 6-0 TO RECOMMEND PASSAGE OF THE REVISED PROPOSED BILL AS FURTHER REVISED ON FIRST READING AND THE FILING OF COMMUNICATION. COMMITTEE MEMBERS LEE, RAWLINS-FERNANDEZ AND SUGIMURA WERE EXCUSED. I ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. >> MEMBERS, ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE.\r\n\r\nNINE AYES, ZERO NOS, MOTION CARRIES. >> THANK YOU, MEMBERS. >> MS. CLERK. >> CHAIR, FROM THE WATER AND INFRASTRUCTURE COMMITTEE IS COMMITTEE REPORT 23-104 RECOMMENDING ADOPTION OF RESOLUTION 23-222, CD 1, TO APPROVE THE PARTIAL CANCELATION OF AN EASEMENT, IDENTIFIED FOR REAL PROPERTY TAX PURPOSES AS TAX MAP KEY (2)3-8-099:218 AND TRAVERSING LOT 218-A OF THE MAUI LANI PHASE 6 SUBDIVISION. >>

COUNCIL MEMBER COOK. >> MOVE TO ADOPT THE RECOMMENDATIONS IN CR23-104. >>  
SECOND.\r\n\r\n>> MOVED BY MEMBER COOK, SECONDED BY PRO TEM KAMA TO APPROVE THE  
RECOMMENDATIONS IN COMMITTEE REPORT 23-104. DISCUSSION, MEMBER COOK? >> THANK YOU,  
MEMBERS. YOUR WATER AND INFRASTRUCTURE COMMITTEE MET ON NOVEMBER 13TH, 2023 TO  
DISCUSS RESOLUTION 23-222. RESOLUTION 23-222'S PURPOSE IS TO APPROVE THE PARTIAL  
CANCELATION OF AN EASEMENT IDENTIFIED FOR REAL PROPERTY TAX PURPOSES AS TAX MAP  
KEY (2)3-8-099-218. AND TRANSVERSING LOT 218A OF THE MAUI LANI PHASE 6 SUBDIVISION.  
MEMBERS THE DEPUTY DIRECTOR OF WATER SUPPLY SAID IWI KUPUNA WERE DISCOVERED IN THE  
EASEMENT REQUIRING THE RELOCATION OF THE WATER LINE. APPROVING THIS PARTIAL  
CANCELATION WILL EASE THE MAINTENANCE BURDEN TO THE COUNTY. YOUR COMMITTEE  
EXPRESSED CONCERNS OF THE HIGH CONCENTRATION OF IWI KUPUNA IN THE AREA, BUT THE  
ARCHAEOLOGIST ASSURED THE COMMITTEE THAT AN ARCHAEOLOGICAL MONITOR WOULD BE  
PRESENT AND YOUR COMMITTEE AMENDED THE RESOLUTION'S TITLE TO SPECIFY THE EASEMENT  
LOCATION AND YOUR COMMITTEE VOTED 8-2 ON RECOMMENDED ADOPTION OF THE RESOLUTION  
23-222. I RESPECTFULLY ASK FOR MEMBERS' SUPPORT OF MY MOTION. >> ANY MORE DISCUSSION?  
\r\n\r\nIF NOT, ALL THOSE IN FAVOR OF THE MOTION RAISE YOUR HAND, SAY AYE. >> AYE. >>  
MEMBER RAWLINS-FERNANDEZ HAS A QUESTION. >> MAHALO, CHAIR. I DON'T HAVE A QUESTION.  
I HAVE A COMMENT. I CHECKED TO SEE IF THE DIRECTOR WAS ON AND I DIDN'T SEE HIM OR ANY  
REPRESENTATIVE -- OH, I DIDN'T CHECK IF THE DIRECTOR WAS ON.\r\n\r\nI DON'T KNOW IF THE  
WATER DIRECTOR IS ON? NO, I DON'T SEE HIM ON EITHER. SO I WANTED TO THANK DEPUTY  
DIRECTOR LAN GRAF FOR FOLLOWING UP WITH ME AND PROVIDING ME ADDITIONAL  
INFORMATION REGARDING THIS ITEM IF SOMEONE FROM THE DEPARTMENT WAS HERE, I WOULD  
INVITE THEM TO SHARE WITH EVERYONE THE INFORMATION THEY SHARED WITH ME. I WAS NOT  
ABLE TO VERIFY THE INFORMATION FOR MYSELF. SO I WOULDN'T WANT TO TAKE RESPONSIBILITY  
FOR INFORMATION THAT I WOULD SHARE, THAT I WASN'T ABLE TO VERIFY ON MY OWN. SO I  
DON'T WANT TO SHARE THAT INFORMATION REGARDING IN ITEM. BUT I VOTE IN SUPPORT, AND I  
GUESS AS I STATED IN COMMITTEE THAT IT'S EXPECTED TO FIND IWI KUPUNA.\r\n\r\nSO I  
ADVOCATE AGAIN AND ALWAYS FOR A CULTURAL OVERLAY, SO WE CAN PREVENT THE  
CONTINUATION OF DESECRATION OF IWI KUPUNA. MAHALO, CHAIR. >> THANK YOU. ANY MORE  
DISCUSSION IN ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE. >>  
NINE AYES, ZERO NOS, MOTION CARRIES. NEXT.\r\n\r\n>> CHAIR, MOVING ON TO SECTION L,  
RESOLUTIONS. AT THIS TIME, INDIVIDUALS MAY TESTIFY ON THE RESOLUTIONS LISTED IN  
SECTION L OF THE AGENDA. CHAIR, WE HAVE ONE PERSON SIGNED UP TO TESTIFY AND THAT IS  
SHANNON E E ON RESOLUTION 23-239 >> SHANNON IT'S YOUR TIME TO TESTIFY. >> KALAMAI, I  
APOLOGIZE. I DIDN'T REALIZE THIS WAS ON THE AGENDA EARLIER, BUT I JUST WANT TO TO URGE  
THE ADMINISTRATION NOT TO TAKE YOUR TIME AND HURRY UP. WE ARE THE DATA AND  
BASICALLY THE PLAN. I FELT IT WAS BASICALLY BEATING AROUND THE BUSH, DEVELOPING THIS  
AND DEVELOPING THAT, BUT THE DATA IS OUT THERE ALREADY.\r\n\r\nIT'S BEEN OUT THERE. WE  
KNOW THERE'S A NEED. WE KNOW THERE ARE THOUSANDS OF LAHAINA FAMILIES BEING  
DISPLACED, AND YOU KNOW, YOU CAN HEAR THIS OR HEAR THAT, BUT SPEAKING PERSONALLY, I  
THINK ABOUT THE HOLIDAYS ARE COMING UP. AND I DON'T EVEN KNOW MY CHECKOUT DATE. SO  
I'M SCARED TO PUT UP CHRISTMAS DECORATIONS, YOU KNOW? IT'S SIMPLY THINGS LIKE THAT,  
THAT THERE IS NO SECURITY, AND I THINK THAT IS THE THING FOR LAHAINA FAMILIES TO MOVE  
ON FROM; RIGHT? WE CAN'T HEAL UNLESS THERE'S A SENSE OF SECURITY.\r\n\r\nSO WE TALK  
ABOUT MENTAL HEALTH AND ALL OF THESE THINGS, BUT WE CAN'T -- WE CAN'T HAVE OUR  
MENTAL HEALTH UNLESS THERE'S SECURITY. SO I THINK WITH BEING ALMOST FOUR MONTHS  
POST-FIRE, I HAVE HEARD THIS WORD "EXPEDITIOUSLY" OVER AND OVER AGAIN, BASICALLY  
EVERY DAY. I THINK A LOT OF PEOPLE IN THE COMMUNITY HAVE SOLUTIONS, AND WE REALLY  
NEED TO NOT JUST DISCUSS IT, BUT TAKE ACTION I THINK THAT IS THE BIGGEST THING THAT  
THERE ARE A LOT OF EMOTIONS THAT ARE COMING UP. PEOPLE ARE ANGRY. PEOPLE ARE UPSET,  
BECAUSE WE HAVE DISCUSSED WHAT WE NEED. WE HAVE SHARED THE NEEDS OF LAHAINA AND  
THERE HASN'T BEEN A LOT OF ACTION -- I'M NOT SAYING FROM THE COUNCIL, BECAUSE THE  
COUNCIL HAS BEEN AMAZING IN PUSHING A LOT OF WHAT WE NEED. AND I REALLY APPRECIATE  
THAT AND I APPRECIATE YOU GUYS LISTENING, BECAUSE I KNOW ALL THE TIME YOU GUYS ARE

HERE TO LISTEN AND IT'S NOT JUST YOU GUYS, BUT I THINK BEING AT THE POSITION YOU ARE AT TO REALLY PUSH OUR ADMINISTRATION WOULD REALLY HELP US.\r\n\r\nSO MAHALO. >> THANK YOU. ANY QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH. >> CHAIR, THERE'S NO ONE ELSE CURRENTLY SIGNED UP TO TESTIFY ON RESOLUTIONS. IF THERE'S ANYONE WHO WOULD LIKE TO TESTIFY ON RESOLUTIONS, NOW IS YOUR OPPORTUNITY. PLEASE IDENTIFY YOURSELF.\r\n\r\nTHIS IS THE LAST CALL COUNTDOWN IS 3, 2, 1. >> MEMBERS, ARE THERE ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY ON RESOLUTIONS? >> NO OBJECTIONS, CHAIR. >> SO ORDERED. MS. CLERK. >> CHAIR, BEFORE YOU IS RESOLUTION 23-205 AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL ES & A, INC. A LAW CORPORATION IN ALEXA JACOBS V. CLIFTON PERRIERA, ET AL., CIVIL NO.\r\n\r\n2 CCV-23-0000185. >> MEMBER UU-HODGINS. >> THANK YOU, CHAIR. I MOVE TO DISCHARGE THE GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE FROM FURTHER CONSIDERATION OF RESOLUTION 23-205 UNDER RULE 5E OF RULES OF THE COUNCIL. >> SECOND. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY VICE-CHAIR SUGIMURA TO WAIVE RULE 5E OF THE RULES OF THE COUNCIL. DISCUSSION, MEMBER UU-HODGINS. >> THANK YOU.\r\n\r\nMEMBERS, DISCHARGE IS THE FIRST STEP TO MOVING FORWARD ON THIS RESOLUTION TODAY. CORPORATION COUNSEL IS REQUESTING SWIFT ACTION ON THIS RESOLUTION DUE TO THE DECEMBER 14TH COURT HEARING. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVORITE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE. >> MEMBER RAWLINS-FERNANDEZ? NINE AYES, ZERO NOS.\r\n\r\nMOTION CARRIES. MEMBER UU-HODGINS. >> THANK YOU. I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT FOR RESOLUTION 23-205 UNDER RULE 7G OF RULES OF THE COUNCIL. >> SECOND. >> MOVED BY MEMBER UU-HODGINS AND SECONDED BY MEMBER SINENCI TO WAIVE RULE 7G OF THE COUNCIL. DISCUSSION, MEMBER UU-HODGINS THANK YOU.\r\n\r\nAGAIN AS MENTIONED EARLIER, CORPORATION COUNSEL IS REQUESTING SWIFT ACTION ON THIS RESOLUTION. >> ANY MORE DISCUSSION IN IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAWS YOUR HAND, SAY AYE. >> AYE. >> NINE AYES, ZEROS NO, MOTION CAR ARE YOUS MEMBER UU-HODGINS. >> THANK YOU, I MOVE TO ADOPT RESOLUTION 23-205. >> SECOND. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY MEMBER SINENCI TO ADOPT RESOLUTION 23-205. DISCUSSION, MEMBER UU-HODGINS. >> THANK YOU, CHAIR.\r\n\r\nYOUR GREAT COMMITTEE MET NOVEMBER 28TH TO DISCUSS THIS RESOLUTION WHEN WOULD AUTHORIZE THE RETENTION OF ES & A, INC. AS SPECIAL COUNSEL TO REPRESENT CLIFTON PERRIERA, ET CETERA IN THE CASE OF ALEXA JACOBS V CLIFTON PERRIERA, ET. AL., CASE CIVIL NO. 2 CCV-23-0000158 AS DESCRIBED IN THE RESOLUTION. YOUR COMMITTEE RECEIVED A BRIEF OVERVIEW OF THE CLAIM AND SPECIAL COUNSEL FROM DEPUTY CORPORATION COUNSEL IN OPEN SESSION AND DISCUSSED CONFIDENTIAL INFORMATION IN AN EXECUTIVE MEETING. AT THIS TIME I ASK FOR THE MEMBERS' FULL SUPPORT OF MY MOTION. THANK YOU, CHAIR.\r\n\r\n>> ANY MORE DISCUSSION? MEMBER PALTIN? >> I WOULD JUST FOR MY DISCUSSION NOTE THAT WE'RE NOT INDEMNIFYING THESE FOLKS. WE'RE JUST SEEING WHERE IT GOES BASED ON WHAT THE POLICE COMMISSION'S RECOMMENDATION IS. SO I WILL VOTE YES WITH RESERVATIONS. >> OKAY. ANY MORE DISCUSSION?\r\n\r\nIF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. MS. CLERK. >> CHAIR, BEFORE YOU IS RESOLUTION 23-223, CD 1 AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL MEYERS NAVE IN LITIGATION MATTERS ARISING FROM THE AUGUST 2023 WILDFIRES ON THE ISLAND OF MAUI. >> MEMBER UU-HODGINS.\r\n\r\n>> THANK YOU, CHAIR. MAY I PLEASE ASK THE CLERK TO CALL UP RESOLUTION 23-25, CD 1. >> ANY OBJECTIONS, MEMBERS? NO OBJECTIONS. >> THANK YOU. >> MEMBER UU-HODGINS. >> ARE YOU GOING TO CALL IT UP >> CALLING UP RESOLUTION 23-225, CD 1 AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL MCCORRISTON MILLER MUKAI MACKINNON, LLP., IN LITIGATION MATTERS ARISING FROM THE AUGUST 5023 WILDFIRES ON THE ISLAND OF MAUI. >> MEMBER UU-HODGINS.\r\n\r\n>> THANK YOU. I MOVE TO DISCHARGE THE GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE FROM FURTHER CONSIDERATION OF RESOLUTIONS 23-223, CD 1 AND 23-225, CD 1 UNDER RULE 5E OF THE RULES OF THE COUNCIL. >> SECOND. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY MEMBER SHANE SINENCI TO WAIVE RULE -- WHAT WAS THAT AGAIN? 5E, RULES OF THE COUNCIL. ANY DISCUSSION? MEMBER UU-HODGINS?\r\n\r\n>> THE DISCHARGE IS THE FIRST STEP TO MOVING

FORWARD WITH THE RESOLUTIONS AND CORP. COUNSEL IS ASKING FOR SWIFT ACTION ON THESE RESOLUTIONS. >> ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. MEMBER UU-HODGINS.\r\n\r\n>> THANK YOU. I MOVE TO WAIVE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT FOR RESOLUTIONS 23-223 AND 23-225 UNDER RULE 7G OF THE RULES OF THE COUNCIL. >> MOVED BY MEMBER UU-HODGINS AND SECONDED BY MEMBER SINENCI TO WAIVE RULE 7G RULES OF THE COUNCIL. AND DISCUSSION, MEMBER UU-HODGINS. >> THANK YOU, CHAIR. AS MENTIONED EARLIER, CORP. COUNSEL IS REQUESTING SWIFT ACTION ON THESE RESOLUTIONS.\r\n\r\n>> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAY YOUR HAND, SAY AYE. >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES MEMBER UU-HODGINS. >> THANK YOU, I MOVE TO ADOPT RESOLUTIONS 23-223 AND 23-225. >> SECOND. >> MOVED BY MEMBER UU-HODGINS AND SECOND BY MEMBER SINENCI TO ADOPT THE RESOLUTION 23-223, CD 1 AND 23-225, CD 1. ANY DISCUSSION? >> THAT WOULD BE ME AGAIN.\r\n\r\n>> YES. OUR COMMITTEE MET TO DISCUSS RESOLUTIONS 23-223 AND 23-225 TO AUTHORIZATION THE SPECIAL COUNSEL THERE LITIGATION MATTERS ARISING FROM THE AUGUST 2023 FIRES ON THE ISLAND OF MAUI. YOUR COMMITTEE RECEIVED A BRIEF OVERVIEW OF THE CLAIM IN SPECIAL COUNSEL FROM DEPUTY COUNSEL TO DISCUSS CONFIDENTIAL INFORMATION IN EXECUTIVE MEETING YOUR COMMITTEE REVISED AND ADDED MORBID DETAIL TO THE RESOLUTIONS IN COLLABORATION WITH CORPORATION COUNSEL PRIOR TO THE NOVEMBER 28TH MEETING. THE RESULT OF THAT WORK IS WHAT YOU SEE ON TODAY'S AGENDA. I ASK FOR THE MEMBERS' FULL SUPPORT OF MY MOTION. THANK YOU, CHAIR. >> ANY MORE DISCUSSION?\r\n\r\nALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE. >> NINE AYES, ZERO MONTHS, MOTION CARRIES. MS. CLERK. >> CHAIR, BEFORE YOU IS RESOLUTION 23-224, CD 1, AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL BARON & BUDD, P.C. IN LITIGATION MATTERS ARISING FROM THE AUGUST 2023 WILDFIRES ON THE ISLAND OF MAUI. >> MEMBER UU-HODGINS.\r\n\r\n>> THANK YOU, AGAIN, CHAIR. I MOVE TO DISCHARGE THE GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE FROM FURTHER CONSIDERATION OF RESOLUTION 23-224, CD 1 UNDER RULE 5E OF RULES OF THE COUNCIL. >> SECOND. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY MEMBER SINENCI TO WAIVE RULE 5E OF THE RULES OF THE COUNCIL. AND IS THERE ANY DISCUSSION, MEMBER UU-HODGINS? >> MEMBERS, INCIDENCE CHARGE IS THE FIRST STEP TO MOVING THIS RESOLUTION FORWARD TODAY. CORP.\r\n\r\nCOUNSEL IS AGAIN ASKING FOR SWIFT ACTION ON THIS RESOLUTION. >> ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. MEMBER UU-HODGINS. >> THANK YOU, AGAIN, CHAIR.\r\n\r\nMOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT FOR RESOLUTION 23-224 CD 1 UNDER RULE 7G OF THE RULES OF THE COUNCIL. >> SEG. >> MOVED BY MEMBER UU-HODGINS, SECOND BY MEMBER SINENCI TO WAIVE RULE 7G OF THE RULES OF THE COUNCIL. DISCUSSION ON THIS MOTION? MEMBER UU-HODGINS. >> THANK YOU, AGAIN, CHAIR. AS MENTIONED EARLIER, MEMBERS, CORPORATION COUNSEL IS REQUESTING SWIFT ACTION ON THIS RESOLUTION.\r\n\r\n>> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES, MEMBER UU-HODGINS. >> THANK YOU, I MOVE TO ADOPT RESOLUTION 23-224, CD 1. >> SECOND. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY MEMBER SINENCI TO ADOPT -- I'M SORRY D. RESOLUTION 23-224, CD 1. >> OKAY. RESOLUTION 224, CD 1, ANY MORE DISCUSSION?\r\n\r\n>> THANK YOU, I MOVE TO AMEND RESOLUTION 23-224, CD 1 BY SUBSTITUTING IT WITH THE PROPOSED FD 1 ATTACHED TO THE ASF THAT WAS JUST HANDED TO YOU. >> SECOND. >> MOVED BY MEMBER UU-HODGINS, SECOND BY MEMBER SINENCI TO AMEND THE MOTION BY SUBSTITUTING WITH FD 1 VERSION ATTACHED TO THE ASF. DISCUSSION, MEMBER UU-HODGINS. >> THANK YOU, CHAIR. YOUR GREAT COMMITTEE DISCUSSED RESOLUTION 23-24 TO AUTHORIZE THE RETENTION OF BARON AND BUDD CPR AS SPECIAL COUNSEL FOR LITIGATION FROM THE AUGUST 2023 FIRES ON THE ISLAND OF MAUI AND DURING IT'S MEETING. YOUR COMMITTEE RECEIVED A BRIEF OVERVIEW WITH CLAIM AND SPECIAL COUNSEL FROM DEPUTY CORPORATION COUNSEL IN OPEN SESSION AND DISCUSSED CONFIDENTIAL INFORMATION IN AN EXECUTIVE MEETING.\r\n\r\nYOUR COMMITTEE REVISING AND ADDED MORE DETAIL WITH COLLABORATION WITH SPECIAL COUNSEL DURING ITS MEETING OF NOVEMBER 28TH. MY MOTION TO AMEND REFLECTS THE COMPENSATION

TERMS FOR THE RETENTION OF SPECIAL COUNSEL. MORE SPECIFICALLY THE PROPOSED FD 1 VERSION, ATTACHED TO MY ASF DIRECTED EMPLOYMENT COMPENSATION TERMS DESCRIBED IN THE FIRST BE IT RESOLVED CLAUSE THAT READS UNDER TERMS ESTABLISHED IN EXECUTIVE MEETING OF THE GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE AND INSERTS NEW SECOND BE IT RESOLVED CLAUSE TO READ THAT TOTAL CONTINGENT FEE COMPENSATION FOR EMPLOYMENT OF BARON AND BUDD, P.C. MUST NOT EXCEED 18% OF THE AMOUNTS RECOVERED. I ASK FOR THE MEMBERS' FULL SUPPORT OF MY MOTION. THANK YOU, CHAIR. >> ANY MORE DISCUSSION? DIRECTOR RAATZ, DO WE TAKE VOTE ON THE RULE 19C NOW OR AFTER THE OTHER VOTE?<br><br>>> I THINK IT'S ACCURATELY PRESENTED IN MEMBER UU-HODGINS'S NOTES AND IT'S GOOD TO GET TO THAT, CHAIR. >> RIGHT AFTER THIS. >> ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. NINE AYES, ZERO NOS, MOTION CARRIES, MEMBER UU-HODGINS. >> THANK YOU, CHAIR. DO WE HAVE TO VOTE ON IT AGAIN?<br><br>IF WE HAVE NO FURTHER DISCUSSION, I ASK FOR THE MEMBERS' FULL SUPPORT OF MY MOTION AS AMENDED. WE'RE DOING IT AGAIN? WELL, MOVING ON THEN. I MOVE TO WAIVE RULES OF THE COUNCIL, WHICH STATES THAT UPON A BILL BEING CONSIDERED FOR FINAL READING MAY NOT BE AMENDED OR ACTED UPON IN THE SAME MEETING. >> MEMBERS, SECOND? >> SECOND. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY MEMBER SINENCI TO WAIVE RULE 19C. IS THERE ANY FURTHER DISCUSSION ON THIS MATTER, ON THIS MOTION?<br><br>ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? NINE AYES, ZEROS NO, MOTION CARRIES. ALL RIGHT. AND IT IS WHAT? 12:00 NOON AND WE'RE GOING TO TURN INTO PUMPKINS. >> WE NEED A VOTE ON THE MAIN MOTION AS AMENDED. >> ANY MORE DISCUSSION ON THAT?<br><br>IF NOT, ALL THOSE IN FAVOR OF THE MAIN MOTION AS AMENDED, RAISE YOUR HAND, SAY AYE. >> AYE. >> NINE AYES, ZEROS NO, MOTION CARRIES. VICE-CHAIR. SUGIMURA, DO YOU HAVE YOUR HAND UP? >> I DID, SORRY. >> NINE AYES, ZERO NOS, MOTION CARRIES.<br><br>THAT TAKES CARE OF THAT ITEM. DO YOU WANT TO BREAK NOW OR CONTINUE ON, OR WHAT? >> LET'S KEEP DOING ALL THE THINGS THAT WE CAN DO IN THIS SECTION. >> CONTINUE ON. >> ALL RIGHT. THAT MEANS WE NEED TO -- -- PARDON ME? CLERK.<br><br>>> THANK YOU, CHAIR, BEFORE YOU IS RESOLUTION 23-227 AUTHORIZING SETTLEMENT OF CHRISTOPHER SALEM V. COUNTY OF MAUI, ET AL. CIVIL NO. 2 CCV-21-0000048 (2) >> MEMBER UU-HODGINS. >> THANK YOU, CHAIR. I MOVE TO DISCHARGE THE GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE FROM FURTHER CONSIDERATION OF RESOLUTION 23-227 UNDER RULE 5E OF THE RULES OF THE COUNCIL. >> SECOND. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY MEMBER SINENCI TO WAIVE THE RULES OF THE COUNCIL.<br><br>RULE 5E. MEMBER UU-HODGINS DISCUSSION. >> THANK YOU, MEMBERS, DISCHARGE IS THE FIRST STEP TO MOVING THIS RESOLUTION FORWARD TODAY, CORPORATION COUNSEL IS REQUESTING SWIFT ACTION ON THIS LEGISLATION, DUE TO JANUARY 19 COURT HEARING. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE RESOLUTION, RAISE YOUR HAND, SAY A NINE AYES, ZERO NOS, MOTION CARRIES MEMBER UU-HODGINS. >> THANK YOU, CHAIR. I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT FOR RESOLUTION 23-227 UNDER RULE 7G OF RULES OF THE COUNCIL. >> SECOND.<br><br>>> MOVED BY MEMBER UU-HODGINS, SECONDED BY MEMBER SINENCI TO WAIVE RULE 7G OF THE RULES OF THE COUNCIL. DISCUSSION, MEMBER UU-HODGINS. >> THANK YOU. AGAIN, MEMBERS, AS MENTIONED EARLIER, CORPORATION COUNSEL IS REQUESTING SWIFT ACTION ON THIS RESOLUTION. >> ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES MEMBER UU-HODGINS.<br><br>>> THANK YOU, I MOVE TO ADOPT RESOLUTION 23-227. >> SECOND. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY MEMBER SINENCI TO ADOPT THE RESOLUTION 23-227, AND WITH DISCUSSION, MEMBER UU-HODGINS. >> THANK YOU AGAIN, CHAIR . YOUR GREAT COMMITTEE MET NOVEMBER 28TH TO DISCUSS THIS RESOLUTION WHICH WOULD AUTHORIZE THE SETTLEMENT OF THE CLAIM FILED ON FEBRUARY 18TH, 2021. THE CLAIM ALLEGES BREACH OF CONDUCT, TORTUROUS INJURY, LAWFUL TERMINATION AND SEEKS GENERAL AND DAMAGES AND RECEIVED A BRIEFING FROM DEPUTY COUNSEL IN OPEN SESSION AND DISCUSSED CONFIDENTIAL INFORMATION IN THE EXECUTIVE MEETING. ASK FOR THE MEMBERS' FULL SUPPORT OF MY MOTION. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE. >> AYE.<br><br>>> NINE AYES, ZEROS NO, MOTION CARRIES. MS. CLERK. >>

CHAIR, BEFORE YOU IS RESOLUTION 23-231 APPROVING FOR INCLUSION IN THE 2024 MAUI COUNTY COUNCIL LEGISLATIVE PACKAGE A STATE LETTER RELATING TO PROCUREMENT. >> MEMBER PALTIN? >> I MOVE TO ADOPT RESOLUTION 23-231. >> MOVED BY MEMBER PALTIN, SECOND BY VICE-CHAIR SUGIMURA TO ADOPT RESOLUTION 23-231. DISCUSSION, MEMBER PALTIN. >> THANK YOU, CHAIR.

THE MAUI COUNTY COUNCIL LEGISLATIVE PACKAGE IS TYPICALLY SUBMITTED TO LEGISLATURE OF THE SECOND WEEK OF DECEMBER, AND FOR THAT REASON, I WISH TO CONSIDER SEEKING ACTION ON THE FLOOR. THERE IS NO NEED FOR A MOTION TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT UNDER RULE 7G OF THE RULES OF THE COUNCIL FOR THIS RESOLUTION. AND BASICALLY, YOU KNOW WITH ALL OF THE FEDERAL MONIES COMING IN, AND OUR TRACK RECORD WITH COUNTY WORK AND PROCUREMENTS, THERE HAD BEEN A CIVIL BEAT ARTICLE ABOUT THIS, WHERE SOME OTHER JURISDICTIONS REQUIRE COUNCIL APPROVAL FOR SOLE-SOURCE PROCUREMENTS OVER \$30,000. BUT PROCUREMENT IS WITHIN THE JURISDICTION OF THE STATE, AND SO THAT IS THE REASON FOR THIS. IT WAS IN RESPONSE TO THAT CIVIL BEAT ARTICLE. MEMBERS OF THE COMMUNITY REACHING OUT ABOUT YOU KNOW THIS TYPE OF CORRECTION THAT MAUI COUNTY IN THE PAST HAS BEEN A VICTIM OF. SO JUST TAKING STEPS TO CLOSE ALL THE LOOPHOLES AND THINGS. >> ANY MORE DISCUSSION?

IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. >> AYE NINE AYES, ZERO NOS, MOTION CARRIES. >> THANK YOU, MEMBERS. >> MS. CLERK. >> TO REFERRAL TO THE BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE ARE RESOLUTION 23-232 AUTHORIZING THE ACQUISITION OF A APPROXIMATELY 658 SQUARE FEET IDENTIFIED AS TAX MAP KEY NO. (2)4-3-006-036-0024 SITUATED AT LAHAINA, MAUI, HAWAII FOR AN AMOUNT NOT-TO-EXCEED \$490,000. AND RESOLUTION 23-233, AUTHORIZING THE ACQUISITION OF APPROXIMATELY 705 SQUARE FEET IDENTIFIED AS TAX MAP KEY NO. (2)4-3-006-004-0030 SITUATED AT LAHAINA, MAUI, HAWAII FOR AN AMOUNT NOT-TO-EXCEED \$525,000. >> MEMBERS, ARE THERE ANY OBJECTIONS TO REFERRING THESE RESOLUTIONS TO THE BFED COMMITTEE? >> NO OBJECTIONS. >> SO ORDERED. >> CHAIR, FOR REFERRAL TO THE GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE ARE RESOLUTION 23-234 INDEMNIFYING HERMAN ANDAYA IN AMIR HOSSEIN SHEIKHAN, ET CETERA ET AL., VERSUS HAWAIIAN ELECTRIC INDUSTRIES, ET AL., CIVIL NO. 2CCV-23-000260, AND RESOLUTION 23-235 AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL RONALD T. OGOMORI, ATTORNEY AT LAW, A LAW CORPORATION TO REPRESENT HERMAN ANDAYA IN AMIR HOSSEIN SHEIKH YAN, ET CETERA, ET AL. V. HAWAIIAN ELECTRIC INDUSTRIES, ET CETERA, ET AL. CIVIL NO. 2 CCV-23-0000260. >> MEMBERS, ANY OBJECTIONS TO REFERRING THESE RESOLUTIONS TO GREAT COMMITTEE? >> NO OBJECTIONS. >> MEMBER PALTIN. >> I WOULD LIKE TO MOVE TO FILE THESE RESOLUTIONS. I THINK -- WELL, IF I GET A SECOND, I WILL EXPLAIN. >> SECOND. >> MOVED BY MEMBER PALTIN, SECONDED BY MEMBER JOHNSON TO FILE THE TWO RESOLUTIONS READ BY THE CLERK.

DISCUSSION, MEMBER PALTIN. >> THANK YOU, CHAIR. I HEARD LOUD AND CLEAR FROM MY COMMITTEE, AND YOU KNOW, INDEMNIFICATION CAN BE OFFERED AT ANY TIME, AND I REMEMBER I DID SCHEDULE A MEETING TO FIND OUT THE THINGS THAT WERE GOING ON IN THE EOC, AND FROM THE FIRE AND POLICE AND THEY NEVER DID SHOW UP. SO YOU KNOW, I DON'T FEEL COMFORTABLE OFFERING INDEMNIFICATION AT THIS TIME. I THINK IT'S PREMATURE. AND I ALSO FEEL THAT, YOU KNOW, MEMBERS OF MY COMMUNITY, MEMBERS OF MY FAMILY, FRIENDS, NEIGHBORS, WHATEVER, THEY LOST EVERYTHING. AND IT JUST ISN'T PALATABLE TO BE PAYING LAWYERS' FEES UNTIL THE INVESTIGATIONS HAVE TOTALLY CLEARED THIS INDIVIDUAL FROM ANY WRONGDOING.

WE'RE TAKING THESE ACTIONS BLINDFOLDED. SO UNTIL SUCH TIME THAT THE INVESTIGATIONS CLEAR THESE PEOPLE, I'M NOT ENTERTAINING THIS TO MY COMMUNITY. >> THANK YOU. ANY MORE DISCUSSION? MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I HAVE A QUESTION. I THINK MAYBE FOR CORPORATION COUNSEL? REGARDING -- SO OKAY. I'M ACTUALLY NOT FAMILIAR WITH THIS PROCESS. DOES IT REQUIRE COUNCIL APPROVAL? >> RIGHT NOW THE ACTION TO BE TAKEN IS ACTUALLY REFERRAL TO COMMITTEE. SO WE'RE NOT VOTING ON THESE RESOLUTIONS. >> NO, NO, NO. >> IS CORP. COUNSEL ON THE LINE? >> MY QUESTION, I KNOW A RESOLUTION REQUIRES ACTION, IF WE WANT TO ADOPT IT. BUT MY QUESTION IS INDEMNIFICATION, DOES IT REQUIRE COUNCIL TO AGREE WITH THE MAYOR TO INDEMNIFY? IS THAT THE PROCESS? MY IS ABOUT THE PROCESS. >> IS CORP. COUNSEL ON



THE LINE? ANYBODY SEE CORP. COUNSEL? >> LIKE SETTLEMENT, LIKE LEGAL SETTLEMENT? >> THAT IS THE QUESTION. WE'RE JUST LOOKING FOR CORP. COUNSEL.\r\n\r\n>> SHE IS SAYING THAT SHE IS HAVING TROUBLE. >> WHO IS THAT? >> OUR CORPORATION COUNSEL. TAKAYESU. >> OKAY. YOU ARE SEEING THAT >> IN THE CHAT. >> CHAIR?\r\n\r\n>> YES. OCS STAFF CAN STEP IN AND ANSWER THE QUESTION. >> MAHALO, DIRECTOR RAATZ. MAY I ASK DIRECTOR RAATZ THAT QUESTION? >> DIRECTOR RAATZ? >> I'M SORRY? MS.\r\n\r\nTAKAYESU >> I'M SURE CORPORATION COUNSEL WOULD AGREE WITH THIS, BUT MS. TAKAYESU WOULD TELL ME IF I'M WRONG, WE HAVE A HISTORY OVER THE YEARS OF COUNCIL ADOPTING RESOLUTIONS FOR THAT PURPOSE. THANK YOU DID YOU WANT TO ADD ANYTHING, MS. TAKAYESU? >> YES. IF I COULD, I'M SORRY -- -- SO YES, WHAT I WOULD LIKE TO DO IS PRESENT THE OPPORTUNITY FOR COUNCIL TO CONSIDER THIS FULLY. THAT IS IN ORDER TO PRESENT PERHAPS CONFIDENTIAL INFORMATION THAT -- TO ALLOW THE COUNCIL TO MAKE -- TO ALLOW THE COMMITTEE TO MAKE A KNOWING DECISION ON WHETHER TO PROVIDE REPRESENTATION, AND/OR INDEMNIFICATION?\r\n\r\n>> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. MAHALO, CORPORATION COUNSEL TAKAYESU FOR YOUR RESPONSE. I GUESS MY NEXT QUESTION IS PROCEDURAL QUESTION. AND FOR DIRECTOR RAATZ. CAN WE TAKE UP THAT DISCUSSION IN COMMITTEE WITHOUT THIS RESOLUTION? CAN WE TAKE IT UP AS A 7B? >> DIRECTOR RAATZ.\r\n\r\n>> THANK YOU, CHAIR. I THINK THAT WOULD BE A LITTLE HARD TO DO. YOU KNOW, YOU WOULDN'T HAVE IN COMMITTEE THE CONTEXT FOR A FULL DISCUSSION, PERHAPS WITHOUT ACTUALLY THE RESO IN FRONT OF THE BODY? WITH THAT SAID, THE RULES DO GRANT COMMITTEES WIDE LATITUDE ON DISCUSSION OF NON-LEGISLATIVE MATTERS WITHIN THEIR JURISDICTION. WE HAVE SEEN A LOT OF THAT RECENTLY, I THINK ALL THE COUNCIL MEMBERS ARE FAMILIAR WITH THAT. SO WE WOULD PROBABLY -- IF THERE'S AN INTENTION TO HAVE THAT DISCUSSION IN COMMITTEE, TO HAVE THE RESOLUTION THERE TO PROVIDE THE NECESSARY CONTEXT. BUT TECHNICALLY, I THINK IF THE COMMITTEE CHAIR WERE SO INCLINED, YOU COULD PROBABLY HAVE SOME SORT OF DISCUSSION ON THIS TOPIC WITHOUT THE RESOLUTION.\r\n\r\nSO SORRY TO BE A LITTLE EQUIVOCAL, BUT JUST WANTED TO LAYOUT THE SCENARIO, THANK YOU, CHAIR. >> MAHALO, DIRECTOR RAATZ. SO WHAT I'M HEARING IT'S NOT ILLEGAL. I WOULD LIKE TO HEAR FROM CORP. COUNSEL TO THE INFORMATION TO BE PRESENTED AND MS. PALTIN AND THE COMMUNITY AND IT MIGHT BE A COMPROMISE WHERE WE, YOU KNOW, SET ASIDE THE RESOLUTIONS FOR NOW, AND THEN IN COMMITTEE, TAKE UP THE DISCUSSION, HEAR THE PRESENTATION, AND THEN AT THAT TIME, WE CAN PROCEED WITH CONSIDERING A RESOLUTION AFTER HEARING THAT. MAHALO, CHAIR.\r\n\r\n>> MEMBER PALTIN. >> THANK YOU. I WOULD JUST ASK THE INVESTIGATIONS BEING DONE BY THE AG, AS WELL AS THE SPECIAL COUNSELS THAT WE HAVE JUST HIRED WON'T BE FINISHED AT THE TIME WE TAKE THESE UP. AND THAT'S WHAT I'M WAITING FOR IS THE INDEPENDENT INVESTIGATIONS, NOT ANY INFORMATION THAT THE COUNTY IS GOING TO TELL US, BECAUSE THERE'S NOT A LOT OF TRUST IN THE COUNTY RIGHT NOW. SO THEY CAN GIVE US THEIR SIDE OF THE STORY, BUT I'M HOLDING OUT FOR THE INDEPENDENT INVESTIGATIONS. >> ANY MORE DISCUSSION? MEMBER UU-HODGINS.\r\n\r\n>> THANK YOU, CHAIR. I UNDERSTAND WHAT MEMBER PALTIN IS SAYING. I DON'T DISAGREE THAT WE SHOULD PROBABLY TO HAVE THESE DISCUSSIONS UNTIL WE HAVE MORE INFORMATION. I'M HAPPY TO HAVE IT REFERRED TO COMMITTEE AND HOLD ONTO UNTIL WE HAVE A BETTER TIME. BUT IF YOU WANT TO FILE IT, THAT IS UP TO HER AS WELL. >> LET'S HEAR FROM EVERYBODY ELSE. MEMBER VICE-CHAIR SUGIMURA.\r\n\r\n>> I GUESS I'M WONDERING CORP. COUNSEL, WHAT ARE THE OPTIONS THEN IF -- >> SPEAK INTO THE MIC. >> YOU CAN'T HEAR ME? WHAT ARE THE OPTIONS; RIGHT? IF THIS IS INDEMNIFYING PROCESS, AND THEN HIRING COUNSEL TO TAKE CARE OF IT, WHAT ARE THE OPTIONS IF WE DON'T ACCEPT THIS? OR YOUR COMMENT ON THAT? >> CORP.\r\n\r\nCOUNSEL. >> WELL, THE COMPLAINT HAS BEEN FILED AND NOT SERVED. SO MR. ANDAYA, IF YOU FILE IT AND WE'RE UNABLE TO PROVIDE REPRESENTATION FOR HIM, THEN HE WILL, I GUESS, WE COULD BE SUED BY MR. ANDAYA FOR FAILURE TO REPRESENT HIM, AND THEN WE WOULD HANDLE THAT AT SOME POINT. I WOULD RECOMMEND THAT AT LEAST FOR THE DECISION WHETHER OR NOT TO HIRE COUNSEL, THAT IS COUNCIL'S CHOICE THAT WE SHOULD AT LEAST HEAR THAT RESOLUTION PERHAPS FILE THE INDEMNIFICATION FOR LATER, LIKE SPLIT THEM AS TWO SEPARATE THINGS, BUT AT LEAST THE JURIS ISSUE OF REPRESENTATION, SINCE A COMPLAINT HAS BEEN FILED. >> VICE-CHAIR SUGIMURA.\r\n\r\n>> ONE MORE QUESTION



CONNECTED TO THAT. SO NOT AN ATTORNEY, BUT BECAUSE HE WAS EMPLOYED BY THE COUNTY OF MAUI WE STILL HAVE SOME RESPONSIBILITY ON THIS, IS THAT CORRECT? >> BECAUSE OF HIS PRIOR EMPLOYMENT, THAT IS WHY WE ARE PRESENTING IT TO COUNCIL FOR ITS CONSIDERATION. >> THANK YOU. >> MEMBER PALTIN. >> YOU KNOW, I HOPE THAT I WOULDN'T HAVE TO DO THIS, BUT I FEEL LIKE THIS IS VERY UNETHICAL. ON NOVEMBER 21ST, WAY BEFORE THIS ITEM WAS POSTED ON THIS AGENDA, I DON'T KNOW WHO ELSE RECEIVED THIS EMAIL FROM HERMAN ANDAYA ALOHA THE MAUI COUNTY COMPOSITE SQUADRON OF THE CIVIL AIR PATROL WILL HAVE ITS FOURTH ANNUAL FUNDRAISING BANQUET ON FRIDAY, DECEMBER 1, 2023, 6-10 P.M. AT THE FILIPINO COMMUNITY CENTER.\r\n\r\nA PRIME RIB BUFFET DINNER WILL BE SERVED AND ARE ENCOURAGED TO BRING THEIR OWN DRINK AS YOU ENTERTAINMENT WILL CONSIDERATION THE 2024 MUSIC NOMINEE, AND SILENT AND LIVE AUCTIONS AS WELL. WE WOULD LIKE TO OFFER MAYOR BISSEN A VIP TICKETED VALUED AT \$100 TO THIS EVENT, INCLUDING A 5:00 P.M. COMMANDER'S RECEPTION AND UPGRADED SEATING. PLEASE RESPOND TO THIS EMAIL IF YOU HAVE ANY QUESTIONS, OR YOU MAY ALSO CONTACT ME AT THE NUMBER BELOW. PLEASE LET ME KNOW IF YOU ARE AVAILABLE AND WOULD LIKE TO ATTEND, LIEUTENANT CAPTAIN HERMAN ANDAYA, CIVIL AIR PATROL. UNETHICAL AND THEN WE HAVE THIS ON OUR AGENDA? SUPER UNETHICAL. >> ANY OTHER QUESTIONS?\r\n\r\nMEMBER COOK. >> THANK YOU. I JUST WAS INVITED TO THAT BY PAT MULLIGAN, WHO IS PART OF THE CIVIL AIR PATROL, AND SO I UNDERSTAND -- I'M JUST SAYING THAT I DIDN'T GET IT FROM THE COUNTY OR ANYBODY, BUT I GOT IT FROM PAT MULLIGAN, WHO IS ONE THE GUYS WHO DOES THE REACH ACROSS AMERICA STUFF. JUST LETTING YOU KNOW. >> WE HAVE A MOTION ON THE FLOOR, YOU MADE THE MOTION TO FILE AND MEMBER JOHNSON SECONDED IT. SO WE NEED TO VOTE ON THAT. PRO TEM KAMA, DO YOU WANT TO COME BACK?\r\n\r\nANY MORE DISCUSSION? THAT IS THE MOTION. MEMBER KEANI RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. SO I THINK ALL OF US -- HOW DO I START THIS? ALL RIGHT. SO WE'RE ALL COUNTY OFFICIALS.\r\n\r\nWE ALL REPRESENT THE COUNTY AS A GOVERNMENT THAT PROVIDES SERVICES TO OUR COMMUNITY. CRITICAL SERVICES. SO I THINK WE ALL UNDERSTAND OUR RESPONSIBILITY AS GOVERNMENT OFFICIALS HERE ON THE COUNCIL. I WOULD LIKE TO HAVE THIS DISCUSSION IN COMMITTEE. THIS HASN'T BEEN EASY FOR ANY OF US. I THINK THAT IT'S -- I'M CONSTANTLY ASKED THIS QUESTION ABOUT HOW WE MAKE THIS RIGHT? AND IF THIS IS LIKE UNPRECEDENTED, I THINK FROM US, TO FIGURE OUT, AND I THINK THAT -- I SUPPORT THE MOTION.\r\n\r\nI WANT TO HAVE THE DISCUSSION IN COMMITTEE. IT'S NOT ILLEGAL TO HAVE THE DISCUSSION IN COMMITTEE WITHOUT THESE RESOLUTIONS. I'LL JUST LEAVE IT AT THAT, CHAIR. >> VICE-CHAIR SUGIMURA. >> THANK YOU. I UNDERSTAND THE DISCUSSION AND YOU'RE RIGHT, THIS HAS COME UP IN MANY DIFFERENT WAYS. BUT I'M GOING TO BE VOTING AGAINST -- BECAUSE I BELIEVE THAT -- UNFORTUNATELY ACTIONS ARE WHAT WE'RE HEARING ABOUT.\r\n\r\nI BELIEVE HE WAS OR AT THE TIME HE WAS AN EMPLOYEE OF THE COUNTY, AND ANY OF US COULD BE PUT IN THAT SAME SITUATION, WHERE WE TOOK SOME KIND OF ACTION AND THEN THIS LAWSUIT COMES UP. BUT I THINK THERE'S A RESPONSIBILITY THAT WE HAVE AS POLICYMAKERS. WE CANNOT COME FROM HATE, YOU KNOW? WE HAVE TO COME FROM BEING RATIONAL TO TAKE THIS UP. SO I UNDERSTAND WHAT IS BEING SAID AND WHAT WAS TESTIFIED, AND IT'S SO SAD. BUT I'M GOING TO BE VOTING AGAINST THIS, AND I WOULD LIKE THE TWO RESOLUTIONS 23-234, AS WELL AS 235 TO MOVE FORWARD TO THE GREAT COMMITTEE SO THAT WE CAN HAVE THE APPROPRIATE DISCUSSION AND GET INFORMATION AND FACTUAL INFORMATION THAT I DON'T HAVE RIGHT NOW. I'M JUST AT THE REALLY MERCY OF EMOTIONS, BECAUSE I DON'T HAVE THAT, YOU KNOW?\r\n\r\nSO I LOOK FOR THAT, SO THAT I CAN HAVE A MORE BALANCED OPINION. THANK YOU. >> ANYONE ELSE? I'LL BE VOTING NO ON THE MOTION AS WELL. THE INTENT WAS TO SIMPLY SEND THIS TO COMMITTEE TO FIND OUT SOME FACTS. RIGHT NOW WE DON'T HAVE ANY. BUT EVERYBODY IS ENTITLED TO THEIR OPINION.\r\n\r\nMEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR FOR MY THIRD AND FINAL. YOU KNOW, IT WAS MY OWN POSITION, BUT NOW I FEEL EVEN STRONGER AFTER HEARING MEMBER SUGIMURA'S COMMENTS THAT I WOULD URGE MY COLLEAGUES TO VOTE NO, AND HERE'S WHY: THESE RESOLUTIONS RIGHT NOW TAKE A POSITION TO INDEMNIFY AND TO REPRESENT MR. ANDAYA. BEFORE WE'RE ABLE TO GET ALL OF THE INFORMATION, AND WE KNOW THAT WE CAN AMEND, OR YOU KNOW, VOTE DOWN AND DISAPPROVE, NOT ADOPT THE RESOLUTIONS. WE KNOW PROCESS

AND PROCEDURE. BUT YOU KNOW, NOT EVERYONE IN THE COMMUNITY UNDERSTANDS IT TO THE LEVEL THAT WE DO.\r\n\r\nSO WHEN THEY SEE THAT WE'RE CONSIDERING THIS POSITION AND WE HAVE MOVED IT TO COMMITTEE, IT'S ALMOST LIKE THE OPTICS OF IT IS THAT WE'RE TAKING A POSITION THAT WE'RE LEANING TOWARDS DOING THIS. YOU KNOW, WHICH INDIVIDUALS MAY, BUT I WOULD LIKE FOR THIS COUNCIL, WHO REPRESENTS OUR PEOPLE, OUR COMMUNITY, THAT ARE HURTING RIGHT NOW TO LOOK A LITTLE MORE -- TO GIVE AS MUCH OF AN APPEARANCE IN A NEUTRAL POSITION AS POSSIBLE TO COMMUNICATE COMPASSION TO OUR COMMUNITY RIGHT NOW, AND THAT IS WHY I'M GOING TO BE VOTING IN FAVOR THE MOTION TO FILE, AND WE'LL HAVE THE DISCUSSION IN COMMITTEE. SO I REALLY DON'T UNDERSTAND WHY WE WOULD NEED TO SEND THESE TWO RESOLUTIONS TO COMMITTEE, IF WE ALREADY SAID WE'LL HAVE THE DISCUSSION IN COMMITTEE. WE DON'T NEED THEM IN COMMITTEE. WE DON'T NEED TO LOOK LIKE WE'RE TAKING A POSITION ON IT, AND WE CAN BE AS NEUTRAL AS POSSIBLE. SO THAT IS MY MORE SOLIDIFIED POSITION. MAHALO, CHAIR.\r\n\r\n>> ANY MORE DISCUSSION? YES, PRO TEM KAMA. >> THANK YOU, CHAIR. YOU KNOW, WHEN I WAS YOUNGER, REALLY YOUNGER, I LEARNED THAT EVERYONE IS INNOCENT UNTIL PROVEN GUILTY. UNLESS THAT CHANGED IN THE PAST 70 YEARS, I WOULD STILL MAINTAIN THAT, AND SO WE DON'T KNOW WHAT WE DON'T KNOW, AND WE DON'T EVEN KNOW WHAT WE DO KNOW, UNTIL WE KNOW WHAT THE FACTS ARE. SO MY SENSE IS THAT I WOULD NOT SUPPORT THIS MOTION. THANK YOU, CHAIR.\r\n\r\n>> ANY MORE? MEMBER COOK? >> THANK YOU, CHAIR. THE FACT IT'S GOING TO GO TO COMMITTEE, AND PASSING THIS RESO DOES NOT MAKE A DECISION, AS OUR FELLOW COUNCIL MEMBER RAWLINS-FERNANDEZ POINTED OUT, WE KNOW THAT, BUT OTHER PEOPLE DON'T KNOW THAT. BUT I THINK THIS IS AN OPPORTUNITY FOR US TO EDUCATE PEOPLE WHEN -- IF THEY MISTAKENLY THINK THIS VOTE IS ACCEPTING AND ENDORSING THIS, WE CAN CLARIFY, NO, IT'S NOT. TUNE INTO THE GREAT COMMITTEE THERE'S GOING TO BE A DISCUSSION, THE GREAT COMMITTEE WILL MAKE A DECISION. IT IS NOT APPROVED TODAY BY THIS MOTION.\r\n\r\nI THINK IT MAY BE UNCOMFORTABLE, BECAUSE PEOPLE MAY NOT UNDERSTAND IT AND WE HAVE TO EXPLAIN IT, BUT WE HAVE AN OPPORTUNITY TO EDUCATE AND ELEVATE OUR COMMUNITY'S ABILITY TO PARTICIPANT IN THIS GOVERNANCE, AND I'M LEARNING AND WE CAN ALL LEARN. SO SUPPORTING THIS, AND ALSO THIS IS NOT LIKE A THUMB'S UP APPROVAL OF THE RESOLUTION. IT IS THE PASSING OF THIS TO THE COMMITTEE TO HAVE AN IN-DEPTH DISCUSSION, AND IT COULD GO THROUGH THREE COMMITTEE HEARINGS. IT'S NOT NECESSARILY ONE HEARING AND PAU. SO THAT IS WHY I WON'T SUPPORT THIS, BUT I THINK THAT WE'RE ALL VERY MUCH IN ALIGNMENT WANTING TO HAVE THE INFORMATION, WANTING TO HAVE TRANSPARENCY AND TO UNDERSTANDING THE PAIN AND FEAR AND LACK OF TRUST THAT EXISTS, AND HOPEFULLY THIS BODY CAN WORK TOGETHER TO CULTIVATE THAT IN OUR COMMUNITY. THANK YOU. >> THANK YOU.\r\n\r\nMEMBER SINENCI. >> JUST A CLARIFYING QUESTION FOR MR. RAATZ. WITHOUT THE BILL, WE WOULDN'T BE ABLE TO RECEIVE INFORMATION FROM CORPORATION COUNSEL? >> THANK YOU, CHAIR, COUNCIL MEMBER SINENCI, IT WOULD BE UP TO THE CORPORATION COUNSEL IF THEY WANTED TO PROVIDE THAT INFORMATION, AND YOU KNOW, WE HAVE SEEN, I THINK, THIS TERM IN OTHER SCENARIOS WHERE COMMITTEES HAD 7B DISCUSSIONS THAT YOU HAVE BEEN ABLE TO GET DOCUMENTS AND OTHER INFORMATION, AND HAVE A FAIRLY ROBUST DISCUSSION, EVEN WITHOUT LEGISLATION TO ACT ON. THANK YOU, CHAIR. >> SO QUESTION PROCEDURAL QUESTION.\r\n\r\nSO WE COULD SEND THE CONTENT OF THIS TO COMMITTEE, BUT NOT THE BILL? >> THE SUBJECT-MATTER? >> THE SUBJECT-MATTER, SORRY. >> THANK YOU, CHAIR AND COUNCIL MEMBER SINENCI. THAT PROCEDURE WOULDN'T BE NECESSARY, THE WAY RULE 7B IS SET UP, THAT BASED ON COMMITTEE'S JURISDICTION AS ESTABLISHED BY RESOLUTION AT THE START OF THE TERM, YOU CAN HAVE AN OPEN-ENDED DISCUSSION ON ANYTHING WITHIN THAT JURISDICTION. YOU DON'T NEED SUBJECT-MATTER REFERRAL. THANK YOU.\r\n\r\n>> THANK YOU. THANK YOU, CHAIR. >> ANYBODY ELSE? READY FOR THE VOTE? ROLL CALL. >> COUNCIL MEMBER PRO TEMPORE KAMA? >> NO.\r\n\r\n>> VICE-CHAIR YUKI LEI SUGIMURA? >> NO. >> COUNCIL MEMBER PALTIN? >> AYE. >> COUNCIL MEMBER GABE JOHNSON? >> AYE. >> COUNCIL MEMBER KEANI RAWLINS-FERNANDEZ?\r\n\r\n>> AYE. >> COUNCIL MEMBER TOM COOK? >> NO. >> COUNCIL MEMBER NOHELANI UU-HODGINS? >> AYE. >> COUNCIL MEMBER SHANE SINENCI? >> AYE.\r\n\r\n>> AND CHAIR ALICE LEE? >> NO. >> CHAIR, YOU HAVE FIVE AYES, FOUR NOS, MOTION CARRIES. >>

THANK YOU, MEMBERS. >> SO THE MOTION IS TO FILE AND INVITE CORPORATION COUNSEL TO BE IN TOUCH WITH OUR OFFICE TO DISCUSS A 7B PRESENTATION. OKAY. ANYTHING ELSE ON THIS? \r\n\r\nIF NOT, LET'S SEE, WHERE ARE WE ON THE AGENDA? IS IT TIME TO TAKE LUNCH BREAK? DO YOU WANT TO FINISH -- ALL OF THE REST? >> CHAIR, I HAVE ANOTHER MEETING I HAVE TO LEAVE. >> BUT YOU CAN COME BACK AT 1:30? >> YES. BUT THIS WAS SUPPOSED TO BE MY LUNCHTIME. SO I HAD SCHEDULED A MEETING.\r\n\r\n>> OKAY. MEMBERS, ANY OBJECTIONS TO TAKING OUR LUNCH BREAK AND COMING BACK AT 1:30? SO ORDERED. WE'LL BE IN RECESS UNTIL 1:30. [ GAVEL ] [ GAVEL ] >> WILL THE DECEMBER 1ST, 2023 COUNCIL MEETING PLEASE RECONVENE. MS. CLERK. >> CHAIR, BEFORE YOU IS RESOLUTION 23-236 APPROVING A TIME EXTENSION FOR THE SOUTH MAUI COMMUNITY PLAN ADVISORY COMMITTEE TO FORWARD ITS RECOMMENDED REVISIONS ON THE SOUTH MAUI COMMUNITY PLAN TO THE PLANNING DIRECTOR. >> I WAS HOPING TO GO BACK TO THE OTHER ONE THAT MARCY IS ON WITH.\r\n\r\n104. >> MY APOLOGIES. >> WE CAN TAKE THIS ONE AND MEMBER PALTIN I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REVEL AND REPORT UNDER RULE 7G OF THE RULES OF THE COUNCIL FOR RESOLUTION 23-236. >> SECOND. >> MOVED BY MEMBER PALTIN AND SECONDED BY MEMBER SINENCI TO WAIVE RULE 7G REGARDING RESO 23-236. DISCUSSION, MEMBER PALTIN. >> THIS IS JUST TO WAIVE IT. I CAN EXPLAIN MORE LATER, BUT WE GOT A LOT OF STUFF TO DO, AND THEY ALREADY FINISHED THE CPAC. IT WAS JUST LIKE A COUPLE WEEKS LATE. SO THEY ARE NOT GOING TO CONTINUE ON GETTING EXTENSIONS.\r\n\r\nTHEY FINISHED IT, BUT THEY FINISHED IT A LITTLE PAST THE DEADLINE. >> OKAY. SO ALL THOSE IN FAVOR TO WAIVE THE RULE, RAISE YOUR HAND. OKAY I SEE EIGHT AYES, ZERO NOS. ONE EXCUSED. MOTION CARRIES. MEMBER PALTIN.\r\n\r\n>> THANK YOU, CHAIR. I MOVE TO ADOPT RESOLUTION 23-236. >> MOVED BY MEMBER PALTIN, SECONDED BY VICE-CHAIR SUGIMURA TO ADOPT THE RESOLUTION 23-236. DISCUSSION, MEMBER PALTIN. >> THANK YOU, CHAIR. AS YOU MAY REMEMBER, THE COUNCIL APPROVED THE EXTENSION FOR THE SOUTH MAUI CPAC AND SUBSEQUENTLY THEY FINISHED THEIR WORK NOVEMBER 1ST. SO IT'S JUST KIND OF LIKE AN AFTER THE FACT EXTENSION TO ACCEPT THE WORK THAT THEY COMPLETED BY NOVEMBER 1ST. AND I SEE MS. TAKAKURA IS IN THE AUDIENCE, IF NOBODY BELIEVES ME, YOU CAN ASK ME STRAIGHT FROM HER MOUTH.\r\n\r\n>> SHE AGREED. OKAY. BUT I DO HAVE A QUESTION FOR YOU JACKY. JUST WANTED CONFIRMATION NOW THAT CPAC FINALLY FINISHED THAT YOU WILL TRANSMIT THIS EXPEDITIOUSLY TO THE PLANNING COMMISSION. >> THANK YOU, CHAIR LEE AND GOOD AFTERNOON, COUNCIL MEMBERS. OUR PLAN IS TO TRANSMIT IN FEBRUARY AND THERE'S A NUMBER FOR THIS AND THE FIRST IS AT THEIR MEETING THE ADVISORY COMMITTEE VOTED TO INCLUDE A INFRASTRUCTURE REPORT, WHICH IS GOING TO INCLUDE ESTIMATED TIMELINES AND COSTS OF THE COUNTY'S INFRASTRUCTURE ACTIONS. THE COMMITTEE MADE THIS AND RATHER OTHER SUBSTANTIVE RECOMMENDATIONS THAT NEED TO BE VETTED THROUGH THE VARIOUS DEPARTMENTS NOT JUST THE PLANNING DEPARTMENT, BUT BY CORPORATION COUNSEL.\r\n\r\nKEEP IN MIND THESE VERY DEPARTMENTS ARE DEALING WITH THE DISASTER AND THIS COULD DELAY THEIR REVIEW. ALSO THE TIMING OF THIS, GIVEN THAT A LOT OF EMPLOYEES GO ON VACATION IN DECEMBER, YOU KNOW, WE'RE GOING TO ASK THAT WE DON'T KNOW WHAT THE SUCCESS RATE WILL BE IN HAVING THE REVIEWS COMPLETED IN DECEMBER. IT'S NOT ONLY US THAT HAVE TO DO THE REVIEW, BUT THE PLAN IS THAT THE ADVISORY COMMITTEE'S DRAFT IS READY TODAY WITH EDITS AND SHOULD BE POSTED ON OUR WE ARE SOUTH MAUI WEBSITE AND WILL HAVE EVERYTHING, AND WE CAN -- IF IT LOOKS GOOD AND THINGS LIKE THAT IS SUPPOSED TO BE POSTED TODAY. AND THEN I WILL BE REACHING OUT TO DEPARTMENTS, AND ALSO THE DIVISIONS WITHIN THE PLANNING DEPARTMENT TO REVIEW THE PARTS THAT ARE RELEVANT TO THEM, TO MAKE SURE IT'S CONSISTENT WITH WHAT THE FIRE DEPARTMENT WANTS, THE POLICE DEPARTMENT WANTS AND PARKS AND SO FORTH. AND THEN LIKE I MENTIONED WE HAVE TO PREPARE THAT INFRASTRUCTURE REPORT. WE'RE GOING TO PUT ALL OF THAT TOGETHER IN JANUARY, AND THEN MEET WITH THE MAUI PLANNING COMMISSION. WE NEED TO TALK TO THE CHAIR AND VICE-CHAIR ABOUT SCHEDULING THE MEETINGS, BECAUSE AS I MENTIONED THEIR CALENDAR IS ALREADY BOOKED UP UNTIL FEBRUARY.\r\n\r\nSO WE HAVE RESOLUTIONS AND SO FORTH FROM THE COUNTY COUNCIL, AND THEN PERMITS AND PROJECTS THAT NEED TO BE REVIEWED. AND THEN TO THROW A LITTLE WRENCH IN ALL OF THAT, WE'RE USING THE LIQUOR

CONTROL CONFERENCE ROOM AND THE MEETINGS HAVE TO END BY 3:00 OR 3:30 AND THAT LIMITS THE TIMES MEETINGS. SO THAT WAS A LONG ANSWER TO YOUR SHORT QUESTION, BUT WE'RE HOPING FOR FEBRUARY/MARCH. THANK YOU. >> CAN YOU TELL ME HOW FAR BEHIND SCHEDULE WE ARE ALREADY? >> SO THE 280B GIVES THE PLANNING DEPARTMENT 30 DAYS TO REVIEW AND TRANSMIT. >> FROM? \r\n\r\n>> THAT WOULD HAVE BEEN NOVEMBER 1ST AND WOULD HAVE DO THAT TODAY, BUT WITH ALL THE CHANGES THAT WE HAD TO DO, THERE WAS NO WAY, BUT OR PLUS WE HAVE OTHER STUFF WE'RE WORKING ON, NOT TO MAKE EXCUSES, BUT WE WOULD ABOUT TWO MONTHS BEHIND. >> WOULD MONTHS BEHIND. ANY OTHER QUESTIONS? MEB PALTIN. >> THANK YOU, CHAIR. THANK YOU, MS. TAKAKURA. \r\n\r\nMARCH WE SHOULD BE GETTING A SOUTH MAUI MEMBER ON THE CPAC AS WELL? I MEAN ON THE PLANNING COMMISSION, MY BAD. >> I'M SORRY, YES. REGARDING THE MAUI PLANNING COMMISSION, I DO KNOW, CHAIR, HER TERM ENDS MARCH 31ST. AND THERE IS THE NEW WORDING IN THE CHARTER. SO YES, MY UNDERSTANDING WOULD BE THAT THEY WOULD PROBABLY BE REPLACING THAT POSITION, OR NOT THE CHAIR'S POSITION, BUT THE VACANCY WITH PROBABLY SOMEONE FROM THE SOUTH MAUI AREA, BECAUSE I DON'T KNOW IF WE HAVE ONE RIGHT NOW. THANK YOU. \r\n\r\n>> I THINK THAT WOULD MAKE A LOT OF SOUTH MAUI RESIDENTS HAPPY TO HAVE A SOUTH MAUI RESIDENT ON THE PLANNING COMMISSION AS IT GOES THROUGH THAT REVIEW. SO I'M KIND OF OKAY WITH THE DELAY. I MEAN NOT THAT YOU COULD HELP IT AT ALL. BUT I GUESS THAT IS A SILVER LINING. >> YES, I AGREE WITH YOU, COUNCIL MEMBER. >> ANY MORE DISCUSSION? MEMBER COOK? \r\n\r\n>> THANK YOU, CHAIR. SHOULD WE CHANGE THE LENGTH OF EXTENSION? SINCE WE'RE CREATING AN EXTENSION NOW? DOES THAT MAKE ANY DIFFERENCE TO ASSIST THE DEPARTMENT? >> PLANNING COMMISSION'S WORK IS THE NEXT STEP IN THE PROCESS AND IF THE COUNCIL PREFERS, WE COULD COME IN MAYBE IF YOU DON'T MIND ANOTHER AFTER-FACT EXTENSION SO NOT TO COME BACK AGAIN, SORRY. >> ONE OTHER. >> YES. \r\n\r\n>> AND IF I MAY, I WOULD COMMENT ON THE COMMITTEE'S REQUEST FOR INFRASTRUCTURE. THAT WAS SOMETHING-- ALTHOUGH, IT'S GOING TO TAKE SOME TIME, THAT IS SOMETHING THAT IS REALLY VALUABLE AND GOOD. AND I KNOW FOR THE G PAC, THE ISLAND PLAN THAT WAS PLANNED TO HAVE MAPS AND A BUDGET AND IT WAS TOO MUCH. IT DIDN'T HAPPEN. BUT IN EACH OF THE COMMUNITY PLANS IS REALLY SUBSTANTIVE, BECAUSE IT HELPS TO SORT OUT THE PIE-IN-THE-SKY TO WHAT WE CAN ACTUALLY ACCOMPLISH. SO THIS DELAY, I KNOW EVERYBODY REALLY WANTS TO GET IT DONE, BUT I WAS SUPPORTIVE OF THE COMMITTEE'S REQUESTING THAT AT THE END. I KNOW IT'S A LOT OF WORK FOR THE DEPARTMENT, ESPECIALLY AT THIS TIME. \r\n\r\nBUT I THINK IT'S REALLY SUBSTANTIVE AND SOMETHING THAT WE NEED IN ALL OF THE COMMUNITY PLANS, SO WHEN WE'RE EXPECTING TO BE IMPLEMENTED, WE HAVE A BENCHMARK OF HOW PRACTICAL IT IS OR FEASIBLE. THANK YOU. >> ANY MORE DISCUSSION? IF NOT, WHERE ARE WE? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND. ZERO NOS, ONE EXCUSED. MOTION CARRIES. \r\n\r\n>> THANK YOU. >> THANK YOU, JACKY. >> WHERE ARE WE? MS. CLERK. >> CHAIR, COMMITTEE REPORT 23-102. >> YES. >> OKAY. \r\n\r\nSO JUST TO REMIND THE MEMBERS OF WHERE WE ARE, THERE IS A MAIN MOTION ON THE FLOOR MADE BY VICE-CHAIR SUGIMURA, AND SECONDED BY PRO TEM KAMA TO APPROVE THE RECOMMENDATIONS IN COMMITTEE REPORT 23-102. >> OH, CHAIR, IS IT OKAY TO WAIT FOR MEMBER RAWLINS-FERNANDEZ? SHE MIGHT BE LONG IN HER MEETING BECAUSE WE WENT TO LUNCH LATE. AND JUST FINISHED UP. >> MEMBERS, ANY OBJECTIONS TO WAITING FOR MEMBER RAWLINS-FERNANDEZ? >> NO OBJECTIONS. >> LET'S WAIT A LITTLE WHILE. CAN YOU DOUBLE-CHECK TO SEE HOW LONG MARCY WILL BE AVAILABLE? \r\n\r\nTHANKS. MEANWHILE, WE CAN MOVE ON TO THE NEXT ITEM. >> CHAIR, FOR REFERRAL TO THE WATER AND INFRASTRUCTURE COMMITTEE IS RESOLUTION 23-237 REFERRING TO THE LANA'I, MAUI, AND MOLOKA'I PLANNING COMMISSIONS THE BILL ON PROPOSED SHIPPING CONTAINERS AS INCIDENTAL STORAGE. >> ANY OBJECTIONS TO REFERRING THIS MATTER TO THE WAI COMMITTEE? SO ORDERED. >> CHAIR, FOR REFERRAL TO THE GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE IS RESOLUTION 23-238. APPROVING THE APPOINTMENT OF JOSIAH NISHITA AS THE MANAGING DIRECTOR. >> DO WE REALLY WANT TO REFER THIS? \r\n\r\nMEMBER SUGIMURA. >> I WONDER IF YOU ARE THINKING THE SAME THING, THAT MANY OF US DID; RIGHT? BECAUSE JOSIAH HAS BEEN BEFORE US. HE IS LIKE SUPER TALENTED, BUT I THINK THE CHARTER SAYS WHAT I WAS TOLD THAT IT -- YOU NEED TO HAVE A VACANT POSITION IN

ORDER TO REPLACE, AND RIGHT NOW, THE MANAGING DIRECTOR KEKU IS STILL THERE, BUT THE MAYOR ANNOUNCED WHO HIS REPLACEMENT WILL BE, WHICH IS JOSIAH NISHITA. >> GOOD POINT, MEMBER COOK? >> I BELIEVE YESTERDAY WAS KEKU'S LAST DAY. >> OH, OKAY.\r\n\r\nHE IS STILL EMPLOYED. I CHECKED, TOO. >> THEY HAD A LUNCHEON AND EVERYBODY WAS SAYING ALOHA AND GIVING HIM LEIS. >> ANY OBJECTIONS TO REFERRING TO THE GREAT COMMITTEE? NEXT. >> COMPARE BEFORE YOU IS RESOLUTION 23-239 URGING THE ADMINISTRATION TO DEVELOP A COMPREHENSIVE NEEDS ASSESSMENT REPORT ON THE NUMBER OF HOUSING UNITS NEEDED AND THE AREA MEDIAN INCOMES OF THOSE DISPLACED FROM AUGUST 2023 MAUI WILDFIRES. >> MEMBER UU-HODGINS.\r\n\r\n>> THANK YOU, CHAIR. I MOVE TO ADOPT RESOLUTION 23-239. >> SECOND. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY MEMBER SINENCI TO ADOPT RESOLUTION 23-239. DISCUSSION, MEMBER UU-HODGINS. >> THANK YOU, CHAIR. RESOLUTION 23-239 URGES THE ADMINISTRATION TO DEVELOP AND TRANSMIT TO THE COUNCIL WITHIN 60 DAYS A COMPREHENSIVE NEEDS ASSESSMENT REPORT ON THE NUMBER OF HOUSING UNITS NEEDED IN THE WEST MAUI AND AREAS AND AREA MEDIAN INCOME OF THOSE DISPLACED FROM THE FIRES IN LAHAINA AND KULA. THIS RESOLUTION ALSO EMPHASIZES THE IMPORTANCE OF TIME LY DATA COLLECTION AND ANALYSIS TO EXPEDITE RECOVERY AND REBUILDING EFFORTS IN AFFECTED THE AREAS AND AUTHORIZES THE COUNCIL CHAIR, THAT IS YOU, YAY TO COLLABORATE WITH RELEVANT STAKEHOLDERS AND AGENCIES TO SUPPORT THE REPORT'S DEVELOPMENT AND DISSEMINATION, UNDERSTANDING THE EXTENT OF THE HOUSING DESTROYED AND SCHENCK IMPACTS OF AFFECTED FAMILIES IS CRUCIAL FOR PLANNING AND RECOVERY EFFORTS AND DEFENSIVE NEEDS ASSESSMENT REPORT WILL PROVIDE VALUABLE DATA TO GUIDE THE DEPARTMENT OF HOUSING AND HUMAN CONCERNS IN ITS INITIATIVE TO ADDRESS HOUSING CHALLENGES IN THE AFFECTED AREA WHILE ALSO ASSISTING THE COUNTY AS A WHOLE IN SECURING THE NECESSARY FUNDING AND RESOURCES TO SUPPORT REBUILDING AND RECOVERY EFFORTS. THANK YOU, CHAIR.\r\n\r\nI ASK FOR THE MEMBERS' FULL SUPPORT OF MY MOTION. >> THANK YOU, MEMBER UU-HODGINS, BECAUSE I SIMPLY DON'T HAVE ENOUGH TO DO. [LAUGHTER] OKAY. ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MOS, RAISE YOUR HAND, SAY AYE. >> EIGHT AYES, OH, NINE AYES, ZERO NOS, MOTION CARRIES. WELCOME BACK MEMBER KEANI RAWLINS-FERNANDEZ.\r\n\r\nSHALL WE GO BACK? MADAM CLERK. >> THANK YOU, MADAM CHAIR. SO RECALLING COMMITTEE REPORT 23-102, AND THE STATUS WAS A MAIN MOTION WAS MADE TO ADOPT BY VICE-CHAIR SUGIMURA, SECONDED BY PRO TEM KAMA. >> DO YOU WANT TO SAY ANYTHING ELSE, MEMBER SUGIMURA? >> I PASSED OUT THE ASF. >> YOUR ASF?\r\n\r\n>> YES THERE'S ACTUALLY THREE. YOURS AND MEMBER PALTIN'S. SO YOU ARE GOING TO TAKE CARE OF YOURS FIRST? >> MY ASF IS AMENDMENTS NEEDED FOR GRAMMAR. >> SPEAK A LITTLE LOUDER. >> MY ASF IS INCORPORATE AMENDMENTS NEEDED FOR GRAMAR CLARIFICATION, BY NO. 1 STRIKING "ARE" AND INSERTING IN ITS PLACE IN SECTIONS 3.4.A.230 (B) (C) AND D AND MEMBERS ITS ON PAGE 2, IF YOU LOOK AT THE ATTACHED BILL AND NO. 2, STRIKING CLASSIFIED AS OWNER-OCCUPIED, OR LONG-TERM RENTAL FOR THE JANUARY 1, 2023 ASSESSMENT IN SECTIONS 3.4A.230 (C) AND (D) THAT IS ALSO ON PAGE 26789 NO.\r\n\r\n3, SPLITTING SECTIONS 3.4A.415 (B) INTO TWO PARAGRAPHS TO CLARIFY THE LIMITATION ON THE EXEMPTION FOR SECTIONS 3.48.450 AND 3.48.475 RESPECTIVELY AND RENUMBERING THE SUBSEQUENT PARAGRAPHS ACCORDINGLY. THAT IS ON PAGE 3. NO. 4, MAKING CONSISTENT THE REFERENCES IN SECTIONS 3.48.466 (2)(C) AND 3.48.466 (D) (2) TO THE HOME EXEMPTION UNDER SECTION 3.48.450 AS OPPOSED TO THE EXISTING REFERENCES TO A HOMEOWNER EXEMPTION. AND THAT IS ON PAGE 5. NO. 5 INSERTING THE WORD "RENTAL INTO THE PHASE "LONG-TERM EXEMPTION," IN SECTION 3.46.466 (H) FOR CONSISTENCY. AND THAT IS UNDER LONG-TERM RENTAL STANDARDS FOR VALUATION ON PAGE 8. AND LET'S SEE, REMOVE -- THIS REMOVES LANGUAGE LIMITING THE REAL PROPERTY TAX EXEMPTION TO OWNER-OCCUPIED, AND LONG-TERM RENTAL PROPERTIES AS RECOMMENDED BY THE DEPARTMENT OF CORPORATION COUNSEL. SO THIS WAS RECOMMENDED TO US YESTERDAY, WHICH CHANGES THE BILL, AND CLARIFIES WHAT WAS INTENDED BY THE PHRASES "OWNER-OCCUPANT," AND PERMANENT PLACE OF ABODE "IN THE NEW SECTION TO AUTHORIZE THE CONTINUANCE OF CERTAIN EXEMPTIONS THAT WERE TO EFFECT THE TAX-YEAR 2024 AND MAKES HOUSEKEEPING REVISIONS.\r\n\r\nSO I THINK THE BIGGY FOR THIS AMENDMENT FOR WHAT I'M PROPOSING -- >> YOU NEED A SECOND FOR THAT? >> SECOND. >> THANK YOU. VICE-CHAIR

SUGIMURA, SECONDED BY MEMBER PALTIN WITH REGARD TO THE ASF; RIGHT? >> YES. >> IF MEMBER SUGIMURA WOULD ALLOW ME TO MAKE A FRIENDLY AMENDMENT? THE FOLLOWING LANGUAGE OCCURS IN THREE PLACES.\r\n\r\n>> WHAT PAGE? >> IN SECTION 1 OF THE BILL, PAGE 2. SECTION 3.48.230 (C) AND (D) IT SAYS, "OR FOR WHICH LOCAL ACCESS ONLY ALLOWED FROM 8:00 A.M. TO 4:00 P.M. AS OF NOVEMBER 15, 2023." IN THOSE THREE PLACES, I WOULD LOVE TO REPLACE IT WITH "OR FOR WHICH ACCESS WAS RESTRICTED TO CERTAIN HOURS BY THE GOVERNMENT AS OF NOVEMBER 15TH, 2023." THERE WAS A PERIOD OF TIME IN THE SUMMER WHERE THEY RESTRICTED THE ACCESS FROM 7:00 A.M. TO 3:00 P.M. BECAUSE OF THE HEAT AND STUFF. SO MAYBE WE DON'T NEED TO BE SO SPECIFIC OF WHAT THE HOURS WERE? >> GOOD MOVE. >> SO FRIENDLY AMENDMENT. >> ANY OBJECTIONS, MEMBERS? TO THE FRIENDLY AMENDMENT? \r\n\r\n>> NO OBJECTIONS. >> GREAT. SO YOU WANT TO CONTINUE ON >> YES. AND MEMBERS, I BELIEVE THAT THE CORPORATION COUNSEL, WHAT THEY RECOMMENDED TO US, IT THEN ALLOWS ALL CATEGORIES; RIGHT? IT'S NOT LIMITING ANY MORE TO REAL PROPERTY TAX EXEMPTIONS TO OWNER-OCCUPIED AND LONG-TERM RENTAL PROPERTIES. AND IF YOU LOOK AT TAMARA PALTIN'S OR HOW YOU WERE THINKING, CHAIR LEE, YOURS, IT UNIFIES US IN THAT REGARD. >> SO THAT IS YOUR DISCUSSION?\r\n\r\n>> PRETTY MUCH, UNLESS ANYONE HAS QUESTIONS. >> MEMBER PALTIN. >> OH, YES. THIS WAS SOMETHING THAT WE HAD IN OUR CORP. COUNSEL MS. TOSHIKIYO WAS GOING TO CHECK ON IT AND SAID WHAT WE ADDED IN THAT IS BEING REMOVED IN THE THREE OF OUR ASFS IS NOT -- SHE DOESN'T BELIEVE IT'S LEGAL, AND SO THAT IS WHY I THINK THE THREE OF US ALL REMOVED IT. MY ASF GOES A LITTLE FURTHER, BUT I'M IN COMPLETE AGREEMENT WITH ALL OF MEMBER SUGIMURA'S AMENDMENTS.\r\n\r\nSO I WILL WAIT UNTIL AFTER, HOPEFULLY, WE PASS THAT. >> ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. >> AYE. >> NINE AYES, ZERO NOS. MOTION CARRIES. NEXT.\r\n\r\nANYBODY ELSE WANT TO MAKE AN AMENDMENT? MEMBER PALTIN. >> OKAY. I WILL TAKE A STAB AT DOING SOMETHING. >> GO SLOW NOW. >> OKAY. >> WE HAVE MARCY; RIGHT? \r\n\r\n>> SHE IS ON THE LINE. SUPPOSEDLY. >> I MOVE TO AMEND THE BILL THAT WE HAD JUST AMENDED BY ADDING IN A NEW SECTION ON AUGUST 2023 WILDFIRES LONG-TERM RENTAL EXEMPTION INTO THE BILL, AND MAKE CONFORMING AMENDMENTS. >> SO WE CAN FOLLOW YOU, WHERE ARE YOU? >> THIS WOULD BE JUST ADDING IN, INSERTING A NEW SECTION 7 INTO THE BILL. >> IT'S NOT ON -- OH, AT THE BOTTOM. I SEE, INSERTS A NEW SECTION.\r\n\r\n>> WAIT, WAIT -- >> I'M STILL ON THE FIRST PAGE RIGHT HERE ON THE EFFECT. >> YOU ARE TALKING ABOUT YOUR ASF. >> YES. >> IF I GET A SECOND, I CAN GO INTO IT MORE, AND IN THIS ONE, IN SECTION 7 OF THE BILL, PAGE 10, SUBSECTION 1-I-1 IT WOULD INCLUDE THE SAME FRIENDLY AMENDMENT THAT I MADE TO MEMBER SUGIMURA'S ABOUT FOR WHICH ACCESS WAS RESTRICTED TO CERTAIN HOURS BY THE GOVERNMENT AS OF NOVEMBER 15TH, 2023. SO FRIENDLY AMENDING MYSELF ON THAT. >> SO HOW MANY AMENDMENTS ARE YOU GOING TO MAKE >> JUST THAT ONE WITH SECTION 7, FRIENDLY AMENDMENT TO THAT. IF I GET A SECOND, I'LL GO INTO -- >> SECOND. >> MOVED BY MEMBER PALTIN, SECONDED BY MEMBER JOHNSON TO INSERT A NEW SECTION 7 INTO THE BILL.\r\n\r\nIS THAT WHAT YOU ARE GOING TO SAY? OKAY >> YES. >> ANY MORE DISCUSSION ON THAT? >> THANK YOU. SO WHAT BASICALLY IT PROPOSES TO DO IS WHAT MIKE WILLIAMS WAS TESTIFYING ABOUT IS TO COMBINE BILL 131 WITH BILL 95, AND ALSO, AMENDING IT TO PROTECT FOLKS THAT WERE DOING LONG-TERM RENTING TO NOT DISPLACED FIRES. SO THAT LANDLORDS WOULDN'T REMOVE THEM TO TRY AND TAKE ADVANTAGE OF THE ZERO PROPERTY TAXES. SO >> WHICH ONE IS BILL 131? >> IT'S THE MAYOR'S PROPOSAL.\r\n\r\n>> OKAY. >> ON YOUR AGENDA NEXT WEEK. >> SO EVERYBODY YOU ARE DOING -- >> I MEAN, IT'S BILL OR SECTION 7 BEGINS ON PAGE 8. AND THE PORTION OF IT THAT TRIES TO PROTECT FOLKS RENTING, BUT NOT DISPLACED BY THE FIRE IS PART A, STARTING JANUARY 1ST, 2024, A DWELLING UNIT OR A PORTION OF A DWELLING UNIT THAT WAS NOT OCCUPIED AS A LONG-TERM RENTAL AT THE TIME OF THE AUGUST 2023 MAUI WILDFIRES, AND THAT HAS SINCE THE WILDFIRES BEEN OCCUPIED AS A LONG-TERM RENTAL UNDER A SIGNED CONTRACT TO LEASE FOR A TERM OF AT LEAST ONE YEAR TO AN INDIVIDUAL WHO WAS DIRECTLY DISPLACED BY THE AUGUST 2023 MAUI WILDFIRES WITHOUT EVICTING A PRIOR LONG-TERM TENANT IS EXEMPT FROM TAXATION AS FOLLOWS: THE REASON I'M COMBINING THESE TO PASS TODAY, YOU KNOW, IN LISTENING TO MY COMMUNITY AND SEEING ALL OF THE THINGS THAT WENT DOWN YESTERDAY, IT'S STILL THAT SENSE OF

STABILITY. THEY CAN GET THROUGH THE WEEKEND, THROUGH MONDAY, TUESDAY, AND KNOW THAT THERE IS SUPPORT FOR THIS. THIS IS ACTUALLY SOMETHING THAT COULD HAVE BEEN DONE AUGUST 10TH. IT COULD HAVE BEEN DONE AT THE TIME WHEN YOU, ME, MEMBER SUGIMURA PROPOSED BILLS AND THE ADMINISTRATION CAME BACK WITH THEIR VERSION OF THE BILL. SO IT'S NOT LIKE WE WERE RUSHING.

THIS IS SOMETHING THAT COULD HAVE BEEN DONE LONG AGO, AND THE CLOCK IS REALLY TICKING FOR A LOT OF FAMILIES TO THE FEBRUARY 10TH, 2024 DEADLINE. IF I CAN SAVE FOLKS FIVE DAYS OF WORRY, THIS ISN'T NECESSARILY -- MIGHT NOT EVEN SOLVE THE PROBLEM, BUT JUST MOVING IT FORWARD A LITTLE BIT FASTER IS THE LEAST THAT I FEEL I COULD DO. >> OKAY. MEMBER SUGIMURA. >> I HAVE A QUESTION, BECAUSE I'M LOOKING AT BECAUSE YOU MENTIONED IT BEFORE, IT'S NOT ON THE AGENDA, BUT BILL 131, THE MAYOR'S VERSION; RIGHT? SO WHAT YOU DID BASICALLY WAS YOU TOOK THE ENTIRE MAYOR'S VERSION, AND YOU PLOPPED IT INTO YOURS, IS THAT WHAT YOU DID? >> BASICALLY, BUT THEN I ALSO ADDED THAT PROTECTION FOR TENANTS.

SO THAT LANDLORDS WOULDN'T JUST EVICT THEIR PRIOR TENANTS WHO HADN'T BEEN DISPLACED BY THE FIRE IN ORDER TO TAKE ADVANTAGE OF ZERO PROPERTY TAXES. SO I GUESS I ADDED IT IN AND PUT IN THE SAFEGUARD. >> COULD YOU READ WHAT YOURS SAID. >> MEMBER SUGIMURA, COULD YOU BRING YOUR MIC CLOSER. >> SORRY. COULD YOU READ YOURS BECAUSE I'M LOOKING AT THE MAYOR'S. >> 3.48.551

AUGUST 2023, SORRY I CAN READ FROM SECTION 7 CHAPTER 3.48 MAUI COUNTY CODE IS AMENDED BY ADDING A FLU NEW SECTION TO BE APPROPRIATELY DESIGNATED AND READ AS FOLLOWS AUGUST 2023 MAUI WILDFIRES LONG-TERM RENTAL EXEMPTION. A, STARTING JANUARY 1ST, 2024, A DWELLING UNIT OR PORTION OF A DWELLING UNIT NOT OCCUPIED AS A LONG TERM RENTAL AT THE TIME OF THE AUGUST 2023 WILDFIRES, AND SINCE THE AUGUST WILDFIRES BEEN UNDER A SIGNED CONTRACT TO LEASE FOR A TERM OF AT LEAST ONE YEAR TO AN INDIVIDUAL WHO WAS DIRECTLY DISPLACED BY THE AUGUST 2023 MAUI WILDFIRES WITHOUT EVICTING A PRIOR TENANT IS EXEMPT FROM TAXATION AS FOLLOWS: 1, THE EXEMPTION FROM TAXATION IN THIS SECTION MUST BE ALLOWED FROM THE NEXT TAX PAYMENT INDICATE FEBRUARY 20, 2024 THROUGH JUNE 30, 2025, IF THE APPLICANT FILED A CLAIM WITH THE DEPARTMENT OF FINANCE ON OR BEFORE JANUARY 30TH, 2024, AND ON A FORM PRESCRIBED BY THE DEPARTMENT AND THE TERM OF THE LEASE IS IN EFFECT BY FEBRUARY 1ST, 2024. THE EXEMPTION FROM TAXATION IN THIS SECTION MUST BE ALLOWED FROM JULY 1ST, 2024 THROUGH JUNE 30, 2025 IF THE APPLICANT FILED A CLAIM WITH THE DEPARTMENT OF FINANCE ON OR BEFORE MARCH 15TH, 2024 ON A FORM PRESCRIBED BY THE DEPARTMENT, AND THE TERM OF THE LEASE IS IN EFFECT BY MARCH 16, 2024. B, SUBSECTION A'S PROVISIONS ARE SUBJECT TO THE FOLLOWING: 1, EXEMPTION MAY BE ALLOWED FOR MULTIPLE DWELLING UNITS OR ANY ONE TAXPAYER, IF THE DWELLING UNITS ARE LOCATED ON DIFFERENT PARCELS AND 2 AS DESCRIBED IN SECTION A, THAT PORTION OF THE REAL PROPERTY IS NOT ENTITLED TO THE EXEMPTION.

3, IF THE PARCEL IS EXCLUSIVELY OCCUPIED BY AN INDIVIDUAL WHO WAS DIRECTLY DISPLACED BY THE AUGUST 2023 MAUI WILDFIRES, THE PARCEL IS EXEMPT FROM ANY REAL PROPERTY TAX INCLUDING THE MINIMUM REAL PROPERTY TAX. 4, THE EXEMPTION IS NOT ALLOWED IF THE LONG-TERM RENTAL LEASE IS GRANTED TO ANY OF THE FOLLOWING LESSEES LET'S ME STOP YOU RIGHT THERE. ALL OF THIS IS INCLUDED IN THE MAYOR'S BILL? >> IT'S NOT VERBATIM, BUT IT'S PRETTY SIMILAR. >> PRETTY SIMILAR. >> BUT IT'S NOT VERBATIM. SO IS THAT ENOUGH FOR EVERYBODY THAT YOU GOT THE FLAVOR OF IT?

IT'S NOT EXACTLY THE SAME, BUT IT SUPPOSEDLY INCORPORATES THAT. ANY DISCUSSION? MEMBER COOK. >> THANK YOU, CHAIR. MAYBE IT'S A PROCEDURAL QUESTION, I DON'T KNOW. HOW DOES THIS RELATE TO OUR SPECIAL COUNCIL MEETING ON TUESDAY, WHAT WE DO TODAY? >> AT THIS POINT, IF YOU VOTE IN FAVOR OF THIS THAT PRECLUDES THE NEED FOR THE MEETING.

HOWEVER, WE'RE STILL GOING TO HAVE THE MEETING BECAUSE IT'S POSTED. SO THAT'S, YES, MEMBER PALTIN. >> I WOULD STILL SUGGEST WE HOLD THE MEETING TO LISTEN TO TESTIMONY, BECAUSE ALL PRESS THAT IS WHAT WILL BE DISCUSSED ON TUESDAY. AND IT'S NOT A DONE-DEAL, BECAUSE THERE'S STILL A SECOND READING. BUT THIS IS JUST TO GIVE FOLKS SOME PEACE OF MIND OVER THE NEXT FIVE DAYS, LIKE, WHY UP THEIR ANXIETY AND MAKE THEM WAIT FIVE DAYS? >> DOES THAT ANSWER YOUR QUESTION? >> IT DOES.

I UNDERSTAND THE FIVE DAYS, BUT WE'RE HAVING A MEETING. THANK YOU. >> PRO TEM KAMA. >> THANK YOU, CHAIR. I THINK WE STILL GO ON WITH THE MEETING. I STILL WANT TO HAVE THE



MAYOR PRESENT. I WANT TO ASK HIM, BECAUSE THE DISCUSSIONS THAT WE HAD THE OTHER DAY ABOUT THE SHORT-TERM RENTALS, AND WHETHER OR NOT PEOPLE ARE GOING TO VOLUNTARILY DO THAT?

I MEAN, I WANT TO KNOW HOW MUCH MONEY ARE WE LOOKING AT? WE'RE EXEMPTING THESE PEOPLE, AND WHAT ARE WE LOSING IF WE DO THIS AND I WANT TO KNOW WHAT THOSE NUMBERS ARE. I UNDERSTAND WHAT MEMBER PALTIN IS SAYING, BUT I STILL THINK WE SHOULD HAVE THAT MEETING ON TUESDAY AND ASK THE MAYOR ALL THOSE QUESTIONS THAT WE WANT. BECAUSE ALL THIS DOES AS FAR AS I KNOW TODAY IS IT GIVES PEACE OF MIND TO THE RESIDENTS OF LAHAINA IN TERMS OF WHAT IS GOING TO BE HAPPENING OVER THE WEEKEND AND THEY DON'T HAVE TO STRESS ABOUT THAT. >> WELL NOT EXACTLY. THIS IS NOT PASSING. IT DOESN'T TAKE EFFECT TODAY.

>> BUT AT LEAST THEY KNOW WE'RE WORKING ON IT, AND WE'RE NOT JUST DOING NOTHING. >> MEMBER PALTIN. >> I WOULD JUST, IF I UNDERSTAND MEMBER KAMA'S WHAT SHE SAID CORRECTLY, I DON'T KNOW THAT THE MAYOR COULD TELL US WHAT IT WOULD COST, BECAUSE IT'S DEPENDENT ON HOW MANY SHORT-TERM RENTALS WOULD TAKE ADVANTAGE OF IT? SO LIKE YOU SAID, THEY MIGHT SAVE \$11,000 THAT THEY COULD MAKE IN ONE MONTH. SO IT WOULD BE DIFFICULT TO -- FOR ANYONE TO PROJECT WHAT THAT IS, BUT MARCY MARTIN IS ON THE LINE. SO MAYBE SHE COULD GIVE US A BALLPARK? >> MARCY, DID YOU HEAR THE QUESTION?

>> YES. I WILL REPEAT WHAT I HEARD THAT YOU ARE WONDERING WHAT THE IMPACTS OF THE EXEMPTION WOULD BE, WHAT THE FINANCIAL IMPACTS WOULD BE, IS THAT CORRECT? >> YES. >> COUNCIL MEMBER PALTIN IS CORRECT, YOU DON'T REALLY KNOW. WE COULD PROJECT, YOU KNOW? WE USED AN EXAMPLE OF A SHORT-TERM RENTAL VALUED AT A MILLION DOLLARS. YOU KNOW, 18 MONTHS' OF RELIEF IS ABOUT \$18,000. YOU COULD MULTIPLY THAT BY THE ANTICIPATED NUMBER OF APPLICANTS, BUT AGAIN, ALL OF THESE ARE JUST ESTIMATES.

WE REALLY DON'T KNOW. >> IS THAT YOUR QUESTION, MEMBER PALTIN? OR MEMBER KAMA? >> THAT WAS MY QUESTIONS, BUT ALSO TO COME UP WITH A BILL LIKE THIS, YOU WOULD HAVE TO KNOW SOMETHING. YOU WOULD HAVE TO HAVE SOME IDEA AS TO HOW MANY ARE GOING TO VOLUNTARILY GOING TO DO THIS AND HOW MANY ARE NOT? AND YOU WOULD HAVE TO DO THE MATH AND I DIDN'T DO THE MATH. I'M GOING TO ASSUME HE DID SOMETHING THAT I WOULD LIKE HIM TO COME AND TELL US ALL OF WHAT HIS GRANDIOSE PLAN IS TO MOVE FORWARD.

>> MEMBER PALTIN. >> PERHAPS ON TUESDAY, MS. MARTIN, OR THE MAYOR COULD SEE HOW MANY DISPLACED FAMILIES ARE STILL IN HOTELS SHELTERING? I BELIEVE THEY SAID IT WAS 2700 HOUSEHOLDS. SO IF 2700 STRS TOOK ADVANTAGE OF THIS, IT STILL WOULD BE AN ESTIMATE IS MY QUESTION? BECAUSE WE DON'T KNOW THE VALUE OF THOSE 2700 STRS THAT WOULD POSSIBLY TAKE ADVANTAGE OF THIS? BUT IF THERE'S 2700 HOUSEHOLDS STILL IN NON-CONGREGATE SHELTERING, THAT WOULD BE THE UPPER LIMIT, MAYBE?

BUT THEN THERE MIGHT BE SOME PEOPLE THAT HAVE BEEN DISPLACED IN THE NON-CONGREGATE SHELTERING. MAYBE, BECAUSE A HIGH END AND LOW-END ESTIMATE FOR TUESDAY? >> MARCY. >> YES, WE WILL WORK ON THAT FOR TUESDAY. >> OKAY. ANY OTHER QUESTIONS? MEMBER SINENCI.

>> JUST A QUESTION FOR MS. MARTIN. OFTEN TIMES THESE PROPERTIES, WOULD JUST HAVE THE LAND -- JUST A CLARIFYING QUESTION. IS BOTH THE LAND AND THE HOUSE SEPARATE TAXES VALUATIONS FOR THE LAND VERSUS VALUATIONS OF THE HOUSE? >> MS. MARTIN. >> THANK YOU.

SO IF AN ENTIRE PROPERTY WAS LEASED, THE ENTIRE PROPERTY WOULD BE EXEMPT. IF A PORTION WAS LEASED, A COTTAGE, ACCESSORY DWELLING, THEN THAT BUILDING WOULD BE EXEMPT, AND THE PORTION OF THE LAND ASSIGNED TO THAT BUILDING WOULD BE EXEMPT. SO IF IT WAS THREE, FOUR HOUSES, HALF OF THE BUILDING, VALUE AND HALF OF THE LAND ASSESSED VALUE WOULD BE EXEMPT IF THEY LEASED IT. >> THE MAIN HOUSE, IF THERE WAS A MAIN HOUSE WITH THE PROPERTY WOULDN'T BE EXEMPT? >> SO THE MAIN HOUSE IS NOT RENTED TO THE DISPLACED, YOU MEAN? YES. SO THAT WOULD STILL BE ASSESSED.

IT'S JUST THE PORTION OF THE PROPERTY OCCUPIED BY THE DISPLACED. >> CHAIR, HOW ABOUT THOSE HOMES THAT WERE DESTROYED IN THE FIRE? ARE THOSE GOING TO BE -- THOSE ARE ALL EXEMPT? OR WOULD THEY STILL BE, I GUESS, TAXED SORRY. >> MS. MARTIN. >> CHAIR, SO IF THE BILL PASSES TODAY, THAT WILL DETERMINE WHETHER OR NOT THOSE PROPERTIES WILL BE ASSESSED FOR THIS FISCAL YEAR AND NEXT FISCAL YEAR.

THAT IS UNDER THE 3.48.230 AMENDMENTS. >> INCLUDING THE LAND VALUE? >> YES. INCLUDING THE LAND, YES. >> OKAY. THANK YOU. THANK YOU, CHAIR.

>> MS.



MARTIN, FOR CLARIFICATION, THAT WOULD BE ACHIEVED IN THE MAYOR'S BILL AS WELL, CORRECT? WELL THE PROPERTIES THAT ARE IN THE RE-ENTRY ZONE IN LAHAINA, THAT'S IN THE BILL 95. WHETHER OR NOT THEY WILL BE TAXABLE NEXT YEAR? THE MAYOR'S BILL JUST ADDRESSES THE EXEMPTION FOR PROPERTIES THAT ARE GOING TO LEASE TO THE DISPLACED. >> OH, OKAY. I SEE, IT'S DIFFERENT. DIFFERENT.\r\n\r\nOKAY. ANYTHING ELSE? VICE-CHAIR SUGIMURA. >> THANK YOU. I REALLY APPRECIATE ALL OF THE WORK THAT TAMARA ALWAYS DOES. AND I DID GET TO COMPARE 95, WHICH ALL OF US WORKED ON AND TAMARA'S ASF, A LOT OF SIMILARITIES. THE ONE BIG DIFFERENCE IS THE ADDITION FOR -- IF I CAN CALL IT BILL 131, WHICH IS THE MAYOR'S BILL, LOOKING AT IT WORD-FOR-WORD.\r\n\r\nI WOULD LIKE TO NOT HAVE THAT BE INCLUDED, BECAUSE I WANT THE MAYOR TO COME DOWN, OR HIS PEOPLE, AND EXPLAIN AND TALK ABOUT BILL 131 NEXT WEEK, TUESDAY, TO THE COUNCIL. SO THAT WE CAN MAKE A DECISION. THE BILL THAT WE WORKED ON, 95, MEMBERS WAS BASICALLY TO ANSWER THE QUESTION. AS YOU KNOW, I THINK I WANT TO SAY AUGUST 11TH, AUGUST 8TH. >> AUGUST 8TH. >> THE FIRE WAS THE 8TH, BUT WHEN THE MAYOR CAME DOWN WITH HIS LETTER, BASICALLY UNDER HIS EMERGENCY PROCLAMATION NO. 3 AND SAYS ALL OF YOU THAT ARE AFFECTED, YOU KNOW, YOU DON'T HAVE TO PAY TAXES.\r\n\r\nWHAT OUR ROLE WAS TRYING TO DEFINE THAT. BECAUSE CLEAN SWEEP WITH THE EMERGENCY PROCLAMATION 3, AND THEN WE NEEDED TO SAY, OKAY WHO WAS IT? SO BILL 95 IS TALKING ABOUT WHO WAS IT THAT DIDN'T HAVE TO PAY THE TAXES? HIS NEW BILL IS BASICALLY TAKING ANOTHER LOOK AT THIS, AND I WILL TELL YOU THAT WHEN I FIRST HEARD ABOUT HE WAS THINKING OF DOING THIS, I DID ASK MARCY MARTIN, CAN WE INCLUDE IT, LIKE WHAT MS. PALTIN IS TRYING TO DO, WHAT MEMBER PALTIN IS TRYING TO DO RIGHT NOW? IT WAS NOT SUPPORTED TO BE INCLUDED IN OURS. I WANT TO KEEP IT SEPARATE AND HAVE A FULL DISCUSSION ON TUESDAY, SO WE COULD HEAR FROM PEOPLE WHO COULD OFFER THEIR HOMES AND WE'RE GETTING A LOT OF EMAILS FROM DIFFERENT PEOPLE THAT COULD OR COULD NOT.\r\n\r\n>> FROM SEATTLE? >> YES, WELL, YES. YOU KNOW, BECAUSE TRUTH; RIGHT? THEY DON'T NECESSARILY LIVE HERE, BUT IF THEY'RE WILLING TO GIVE UP THEIR RESIDENCES. SO I MEAN, THEIR SHORT-TERM VACATION RENTALS. SO I'M GOING TO APPRECIATE COUNCIL MEMBER PALTIN FOR YOUR HARD WORK. I'M GLAD THERE'S A LOT OF THINGS IN YOUR BILL THAT IS ALSO IN ALL OF OUR BILL 95 THAT WE WORKED ON AND PASSED.\r\n\r\nI DO LIKE HER FRIENDLY AMENDMENT FOR TAKING OFF THE TIME SCHEDULE, BECAUSE, AND SAYING GOVERNMENT PROCESS, YOU KNOW? BECAUSE OTHERWISE, IT WILL MAKE IT INACCURATE. SO I LIKE THAT. BUT NOT TO ACCEPT HER NEW SECTION, AND LET US TALK ABOUT IT NEXT WEEK TUESDAY AT THE COUNCIL MEETING AND REALLY HAVE THE MAYOR HERE, IF HE WANTS TO, OR HIS PEOPLE, SCOTT TERUYA AND MARCY MARTIN, WHO REALLY UNDERSTANDS WHAT THE NUMBERS ARE, SO WE CAN MAKE AN EDUCATED GUESS AS TO WHAT WE'RE ATTEMPTING TO DO. THANK YOU, MEMBER PALTIN. >> MEMBER PALTIN IS -- YOUR MOTION INCLUDES ALL OF THIS, EVERYTHING; RIGHT? >> MY AMENDMENT INCLUDES SECTION 7, AND IT'S JUST I GUESS YOU KNOW, IT WOULD BE GREAT TO GIVE THE STABILITY THAT WE'RE ABLE TO GIVE.\r\n\r\nWE'RE CLOSE TO FOUR MONTHS OUT FROM THE DATE OF THE FIRE, AND THIS COULD HAVE BEEN DONE AUGUST 10TH AS AN INCENTIVE. I SEE THIS AS A SOLUTION PITCHED IN RESPONSE TO THE ACTIONS OF LAHAINA STRONG FISHING FOR HOUSING. YOU KNOW? LIKE I SAID EARLIER, WHAT WE NEED IS A SENSE OF URGENCY AND I FEEL THAT SENSE OF URGENCY WITH EVERY PERSON THAT I KNOW THAT HAS TO MOVE AGAIN AND AGAIN. WITH PEOPLE GETTING CALLED HOME FROM WORK, OR WOKEN UP AT 4:00 IN THE MORNING AND TOLD THAT THEY HAVE TWO HOURS TO LEAVE, IT'S A SENSE OF URGENCY IS THERE WAS NOTHING STOPPING THE MAYOR FROM PROPOSING THE DEFINITION OF WHO GETS THE TAX RELIEF IN WE DIDN'T SEE IT AND PEOPLE WERE ASKING US QUESTIONS. SO YOU, MEMBER SUGIMURA AND MYSELF PROPOSED SOMETHING. THERE WAS SOME TAX RELIEF PROPOSED IN WHAT CAME BACK TO US, THE COMBINATION OF OUR THREE BILLS UNDER MY BILL NUMBER.\r\n\r\nBUT IT WAS REALLY A LOT DIFFERENT THAN WHAT THE THREE OF US HAD PROPOSED. AND THEN TWO, THREE DAYS LATER, WE GET THIS PRETTY GOOD BILL, WHAT I THINK, YOU KNOW? THE SENSE OF URGENCY IS WHAT I'M TALKING ABOUT. YOU KNOW, PEOPLE NEED THIS INFORMATION NOT OH, WE'RE GOING TO HAVE A SOLUTION NEXT WEEK, OR OH, WE'RE GOING TO MAKE A BIG ANNOUNCEMENT NEXT WEEK. WE NEED THE INFORMATION NOW, BECAUSE PEOPLE ARE BEING MOVED AROUND DAY-BY-DAY BY DAY. LIKE, I

FEEL LIKE WE SHOULD TELL PEOPLE THE PEOPLE THAT WE KNOW IN WHICH HOTELS ARE GOING TO BE MOVED ON THE 15TH, BECAUSE AFTER THE RED CROSS TOLD US THAT THEY TRIED TO TELL PEOPLE TWO WEEKS IN ADVANCE, I GOT SO MANY CALLS FROM PEOPLE THAT WERE JUST TOLD THAT DAY, AND THEIR SITUATIONS YOU KNOW? ONE HOUSEHOLD GIVES ANOTHER HOUSEHOLD INSULIN, BUT THEY GOT MOVED TO KAHULUI AND HALF THEIR FAMILY IS KAHULUI AND THEY DON'T HAVE A CAR.\r\n\r\nSENSE OF URGENCY. IF I CAN GIVE PEOPLE THAT STABILITY, THAT I'M FOR THIS BILL RIGHT NOW, I'M GOING TO VOTE FOR IT RIGHT NOW. I KNOW PEOPLE WANT A CHANCE TO WEIGH IN ON 131 AND THEY CAN WEIGH IN ON IT BEFORE WE MAKE OUR FINAL DECISION. IT'S PERFECTLY LEGAL TO AMEND THE BILL AT FIRST READING. WE ALREADY TOOK MEMBER SUGIMURA'S AMENDMENTS AND AMENDED IT, AND I'M JUST AMENDING IT TO INCLUDE THIS INCENTIVE FOR PEOPLE. I'M UNDER NO DELUSION IT WILL FIX ALL OF THE PROBLEMS FOR ALL OF THE PEOPLE, BUT IT'S A STEP THAT WE CAN TAKE TODAY, AND I WOULD LIKE TO TAKE IT, BECAUSE THERE'S BEEN TOO MUCH DILLY-DALLYING. >> ANYBODY ELSE?\r\n\r\nMEMBER JOHNSON. >> THANK YOU, CHAIR. I AGREE WITH COUNCIL MEMBER PALTIN, THAT SENSE OF URGENCY HAS BEEN LACKING. YOU KNOW, COUNCIL MEMBER SUGIMURA'S IDEA ABOUT UNTIL WE GET TO TUESDAY'S MEETING, I WANT TO KIND OF ACT WITH THAT SENSE OF URGENCY AND THINK ABOUT THOSE FOLKS UP COUNTRY, THE KULA FIRES AND EVERYTHING. THERE WAS RENTERS THERE THAT I'M SURE ARE CONCERNED, AS WELL AS RENTERS IN LAHAINA, IN WEST MAUI, IF THIS BILL COMES OUT, AND THEIR LANDLORD CAN TAKE ADVANTAGE OF THIS, THEN MAYBE THEY ARE WORRIED ABOUT THEIR OWN LEASE; RIGHT? I KNOW MY COUSIN IS VERY WORRIED ABOUT IT AND TO GIVE THEM THAT KIND OF EASE OF THIS AMENDMENT THAT COUNCIL MEMBER PALTIN IS TRYING TO PUT IN HERE, I THINK IT'S WORTH IT. AND THERE'S FOLKS THAT ARE SWEATING BULLETS ON WHAT THEIR LANDLORD IS GOING TO BE DOING TO THEM.\r\n\r\nSO WE GOT TO MAKE IT MORE STRESSFUL THAN IT ALREADY IS FOR THESE FOLKS? THIS BILL WOULD FOLD IN THOSE, AND WE STILL CAN HAVE OUR TUESDAY MEETING. BUT AT LEAST MAYBE THIS WEEKEND, THOSE FOLKS THAT ARE WORRIED WHAT THEIR LANDLORD IS GOING TO DO, MAYBE THEY CAN REST WELL FOR THIS WEEKEND UNTIL WE GET TO THAT NEXT MEETING ON TUESDAY. I THINK IT'S A GOOD AMENDMENT. >> ANYBODY ELSE? MEMBER SINENCI. >> THANK YOU, CHAIR.\r\n\r\nJUST FOR MR. RAATZ, BILL 131 WOULD HAVE TO GO THROUGH TWO READINGS? >> LET ME ANSWER THAT. YES. AND BOTH WOULD PASS SECOND READING THE SAME DAY. DECEMBER 15TH. THE NEXT COUNCIL MEETING IS DECEMBER 15TH, MADAM CLERK?\r\n\r\nBOTH WOULD PASS SECOND READING THAT SAME DAY. >> ON THE 15TH. THANK YOU, CHAIR. >> ANYBODY ELSE? MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I SUPPORT THE MOTION.\r\n\r\nI GET TO GO HOME TO SECURITY. I GET TO KNOW THAT I HAVE A BED THAT I'LL BE ABLE TO SLEEP ON TONIGHT, AND BE WARM, AND NOT HAVE TO WORRY IF I WILL BE MOVED, OR WHAT IS GOING TO HAPPEN? LIKE, THE VALUE OF PEACE OF MIND, I DON'T THINK CAN BE LIKE STRESSED ENOUGH, ESPECIALLY DURING THIS TIME THAT PEOPLE HAVE GONE THROUGH INEXPLAINABLE TRAUMA. THAT PEACE OF MIND, LIKE HOW MUCH VALUE DO YOU PUT ON THAT? THE ANXIETY THAT YOU DON'T HAVE TO GO THROUGH, THAT I DON'T HAVE TO GO THROUGH, FIVE DAYS OF NOT HAVING TO GO THROUGH THAT ANXIETY I'M WILLING TO VOTE IN FAVOR OF THIS MOTION TO INCLUDE THAT, TO GIVE OUR COMMUNITY MEMBERS A LITTLE BIT MORE PEACE OF MIND. I HAVEN'T HEARD ANY POINTS MADE THAT WOULD COMPEL ME TO NOT VOTE ON THIS TODAY, BECAUSE WE'RE STILL GOING TO HAVE MEETING ON TUESDAY. THE MAYOR AND THE ADMINISTRATION WILL STILL PRESENT TO US.\r\n\r\nTHIS IS STILL ONLY FIRST READING. ANY FEEDBACK THAT WE GET ON TUESDAY, WE CAN INCORPORATE INTO THE IDEAS THAT WE WOULD LIKE TO INCORPORATE. THE POSTING DATE FOR COUNCIL MEETING IS DECEMBER 8TH. SO THERE'S A LOT OF TIME FOR US TO EVEN PUT ANOTHER ASF, IF THAT IS SOMETHING THAT WE WOULD LIKE. THERE'S A LOT OF OPPORTUNITIES TO DO ALL OF THESE THINGS, AND IT COMES AT NO COST TO ME TO GIVE OUR COMMUNITY MEMBERS FIVE DAYS' OF LESS ANXIETY. SO I'M GOING TO BE VOTING IN SUPPORT. I DO HAVE A QUESTION FOR MS.\r\n\r\nMARTIN. SO AS YOU UNDERSTAND IT, BECAUSE IN THE NEWSPAPER, IT SAYS THAT THIS -- THAT THE BILL, BILL 131 WAS SPECIFICALLY INTRODUCED TO ADDRESS SHORT-TERM RENTALS AND DESIGNED TO HAVE OWNERS CONSIDER CONVERTING SHORT-TERM UNITS TO LONG-TERM RENTALS. IS IT YOUR UNDERSTANDING IT WOULD APPLY TO OTHER RPT CLASSIFICATIONS? >> MS. MARTIN. >> THANK YOU. SO THIS IS A

BROAD EXEMPTION. IT WOULD APPLY TO RESIDENTIAL DWELLINGS IN ANY CLASSIFICATION. BUT OF COURSE, BECAUSE THE SHORT-TERM RENTALS HAVE A LARGE INVENTORY OF AVAILABLE UNITS, AND BECAUSE THEIR REAL PROPERTY TAX RATE IS HIGH, THEY WILL BENEFIT FROM THIS. BUT EVERY CLASS WILL BENEFIT, INCLUDING AN OWNER-OCCUPANT, WHO HAS A VACANT COTTAGE OR VACANT 'OHANA. >> MAHALO, MS. MARTIN. AND THEN THE NEWS ARTICLE ALSO SAYS IN THE MAUI NEWS THAT WHEN ASKED IF THERE ARE PROTECTIONS FOR CURRENT LONG-TERM RENTERS NOT AFFECTED BY THE FIRES, WHO COULD BE DISPLACED BY LANDLORDS WHO MAY WANT THE TAX-EXEMPTION, COMMUNICATIONS DIRECTOR SAID THAT LANDLORD-TENANT LAWS ARE IN THE STATE'S JURISDICTION. SO I COMMEND MEMBER PALTIN FOR COMING UP WITH THIS IDEA, LIKE WHILE NOT PERFECT, AND YOU KNOW, NO LEGISLATION IS EVER A SILVER BULLET. I THINK THIS IDEA WILL DEFINITELY HELP FOR ADDRESSING THE CONCERN THAT WAS NOT ADDRESSED IN BILL 131. MAHALO, CHAIR. >> VICE-CHAIR SUGIMURA. >> MR. RAATZ, DURING THIS WILDFIRE LANDLORDS COULD NOT EVICT THEIR TENANTS; RIGHT? IS SOME KIND OF PROTECTION IN THERE. I COULD BE MISTAKEN. >> MR. RAATZ, DO YOU NEED SOME TIME? >> THANK YOU, CHAIR. I CAN LOOK UP THE CURRENT PROCLAMATION, IF THAT IS THE QUESTION AND SEE WHAT CURRENT PROTECTIONS ARE FOR TENANTS, IF THAT IS THE ISSUE? >> AND IT WOULD IMPACT THE WILDFIRE TENANTS ALSO. BUT IS IT FOR ALL, OR IS IT SPECIFIC? COULD YOU LOOK THAT UP, TOO? THANK YOU. WE'RE IN THE MIDDLE OF A MOTION. MR. RAATZ, HOW MUCH TIME DO YOU NEED? >> PROBABLY ABOUT FIVE OR TEN MINUTES, CHAIR. >> WE'LL TAKE A FIVE-MINUTE RECESS TO 2:35. MEETING IN RECESS. [ GAVEL ] [ GAVEL ] >> WILL THE DECEMBER 1ST, 2023 COUNCIL MEETING PLEASE RECONVENE. SO WE STILL HAVE A MOTION BEFORE US, BUT WE DID ASK DIRECTOR RAATZ TO CHECK ON SOME INFORMATION. DIRECTOR RAATZ. >> THANK YOU, CHAIR, FOR THE TIME. THANKS TO MY COLLEAGUES MR. MITCHELL AND MS. MONIZ, WHO BOTH FOUND THE PROCLAMATION INFORMATION BEFORE I DID, THE GOVERNOR'S CURRENT PROCLAMATION THE 8TH PROCLAMATION RELATED TO WILDFIRES PAGE 9 SAYS UNTIL JANUARY 5, 2024, THE LANDLORD-TENANT LAW IS "SUSPENDED TO THE EXTENT NECESSARY TO PROHIBIT THE COMMENCEMENT, CONTINUATION OR PROSECUTION OF ACTION TO TERMINATE ANY RESIDENCY DWELLING UNIT ON THE ISLAND OF MAUI FOR FAILURE TO PAY ALL OR ANY PORTION OF THE RENT, MAINTENANCE FEES, UTILITY CHARGES, TAXES OR OTHER FEES REQUIRED FOR THE RESIDENTIAL DWELLING UNIT." THANK YOU. >> THANK YOU. THAT ANSWERS MY QUESTION. >> ANY MORE QUESTIONS? MEMBER JOHNSON. >> THANK YOU, CHAIR. I UNDERSTAND I KNOW SOME COMMUNITY MEMBERS WHO HAVE LOBBIED HARD TO GET THE MORATORIUM ON EVICTIONS, AND YET, THEY STILL CONTINUE TO HAPPEN. I'M SURE WE ALL HEARD AND COUNCIL MEMBER PALTIN CAN ATTEST TO THIS, SHE IS A LITTLE BIT MORE AWARE OF HER COMMUNITY THAN I AM, BUT I HAVE BEEN HEARING PEOPLE SAYING I GOT EVICTED, AND IT'S SUPPOSEDLY THE LANDLORD'S FAMILY WHO IS COMING IN, YOU KNOW? IT'S JUST THERE'S WAYS PEOPLE ARE GETTING AROUND THIS, EVEN NOW, AND I KNOW THE MORATORIUM THERE'S STILL PEOPLE OUT THERE WHO ARE GAMING THE SYSTEM. THANK YOU, CHAIR. >> ANYBODY ELSE BEFORE WE TAKE THE VOTE? >> CHAIR? >> YES, MEMBER UU-HODGINS. >> THANK YOU, CHAIR. THIS QUESTION IS FOR MS. MARTIN, IF SHE IS STILL ON THE LINE? >> MARCY, ARE YOU STILL THERE? THERE YOU ARE. >> MS. MARTIN, THANK YOU SO MUCH. I'M PROBABLY REFERENCING THE SAME PRESS RELEASE THAT MEMBER RAWLINS-FERNANDEZ WAS ASKING YOU QUESTIONS ABOUT. SO IN THAT PRESS RELEASE IT SAID THAT THEY -- YOU FOLKS YOU ALL AS A COUNTY RATHER ARE GOING TO RAISE THE PROPERTY TAX FOR THE STRS, TIME SHARES, NON-OWNER-OCCUPIED PROPERTIES, ASSESSED OVER A MILLION DOLLARS THAT DO NOT PARTICIPATE IN THIS PROGRAM. HOW MUCH ARE WE PLANNING ON RAISING THEIR TAXES? >> MEMBER -- NOT MEMBER. MS. MARTIN. >> THANK YOU. I WILL DEFER TO THE MAYOR'S OFFICE TO ANSWER THAT ON TUESDAY. HOWEVER, AS WITH ANY TAX RELIEF PROGRAM, IF YOU CUT ON ONE SIDE, AND YOU DON'T CUT YOUR SPENDING, YOU'VE GOT TO INCREASE TAXES ON SOMEBODY ELSE. THAT'S YOU KNOW, THE WAY THAT IT ALWAYS WORKS. >> OKAY. ON TUESDAY THEN. THANK YOU. >> MEMBER PALTIN. >> I WOULD JUST LIKE TO RESPOND TO MEMBER UU-HODGINS. MY UNDERSTANDING IS THAT THE TAXES WON'T CHANGE AS A PART OF THIS. IT WOULD CHANGE THE PART OF THE BUDGET PROCESS, AND THE MAYOR WOULD JUST PROPOSE ULTIMATELY IT'S US WHO WILL SET WHAT THE TAXES ARE, AND AGREE WITH MARCY THAT IF WE'RE -- IF WE'RE

INTENDING FOR EVERYONE TO HELP, AND SOME CAN HELP BY LEASING AND SOME CAN HELP BY PAYING MORE TAXES, WE WOULDN'T KNOW WHAT THAT OFFSET WOULD BE UNTIL WE KNOW HOW MANY UNITS TAKE ADVANTAGE OF THIS OFFER, AND WHAT THE VALUATION OF THEIR PROPERTY IS? SO THEN WE CAN OFFSET THE AMOUNT OF TAXES, BUT I DON'T BELIEVE THAT THE INTENTION IS TO MAKE EXCESS OF WHAT HAS BEEN TAKEN ADVANTAGE OF.\r\n\r\nSIMILAR TO MEMBER KAMA, HE COULD LAYOUT THE PLANS AND THE PROJECTIONS, BUT IT WON'T BE -- IT CAN'T BE AN EXACT FIGURE UNTIL WE KNOW HOW MANY PEOPLE TAKE ADVANTAGE, AND WHAT THE VALUATION OF THEIR PROPERTY THAT THEY'RE OFFERING THE LEASE ON WILL BE. >> CAN I RESPOND? OKAY. THANK YOU. I TOTALLY UNDERSTAND THAT. I UNDERSTAND THAT IT'S ALSO GOING TO COME DURING BUDGET. I'M JUST WONDERING IF AND WHAT THEIR PLAN WOULD BE? \r\n\r\nLET'S SAY, I MEAN, TO COME UP WITH THIS ENTIRE PLAN, THEY SHOULD HAVE AND I WOULD ASSUME THEY WOULD GO IF X PEOPLE PARTICIPATE THIS IS WHAT THE TAX STRUCTURE MIGHT LOOK LIKE, IF Y PEOPLE PARTICIPATE, THIS IS WHAT THE TAX STRUCTURE WOULD LOOK LIKE AND I UNDERSTAND IT'S PROJECTION AT THIS POINT, BUT TO COME SOME THIS FAR, HAVE SOME SORT OF RATIO, SOME SORT OF PLAN PLANNED OUT AND THAT IS ALL MY POINT WAS. >> I THINK FOR THE X AMOUNT OF PEOPLE OR Y AMOUNT OF PEOPLE PARTICIPATING THERE'S THAT ADDED LAYER OF DEPENDING ON HOW MANY VALUATION IS? SO LIKE IF WE SAY 2700, WE CAN'T JUST SAY OH, 2700. WE HAVE TO KNOW WHAT THE VALUATION IS. >> MEMBER SUGIMURA. >> THANK YOU, CHAIR. SO ALL IMPORTANT, AND I THINK BEFORE US WE HAVE A BILL THAT WE ALL WORKED ON, WHICH IS 95; CD 1 -- NOW FD 1 AS PROPOSED IN THE ASF. AND I WOULD LIKE US TO TAKE THIS AND PASS IT, BECAUSE IT'S DONE BASICALLY.\r\n\r\nIF YOU ALLOW THE AMENDMENTS, AND THEN TAKE UP NEXT WEEK TUESDAY THE MAYOR'S BILL AS PROPOSED, AND WE CAN ASK THEM ALL THESE QUESTIONS WITH THE HELP OF FINANCE. AND THE IMPORTANT THING, CHAIR, IS THAT BOTH BILLS WOULD END UP FOR SECOND AND FINAL READING, IS THAT RIGHT? >> DECEMBER 15TH. >> ON THE 15TH. OKAY. SO I THANK DIRECTOR RAATZ FOR ANSWERING THE QUESTION ABOUT PROTECTING OF INDIVIDUALS, BECAUSE THERE'S ALREADY WRITTEN IN THE EMERGENCY PROCLAMATION, AND IF A PERSON IS NOT FOLLOWING IT, AND I THINK WE MIGHT HAVE -- I HAVE RECEIVED EMAILS FROM PEOPLE WHO ARE COMPLAINING ON BOTH SIDES, BUT THERE IS AN EMERGENCY PROCLAMATION IN EFFECT THAT IS SUPPOSED TO PROTECT THAT KIND OF ACTION. I'M NOT TOO SURE HOW THAT DOESN'T HAPPEN, AND I KNOW I HAVE REPORTED PEOPLE TO THE AG OF PEOPLE WHO HAVE BEEN THREATENED TO EVICT, OR WHATEVER; RIGHT? \r\n\r\nSO FOR ME, THAT HAS BEEN MY NEXT STEP TO HELP PEOPLE BECAUSE OF THE GOVERNOR'S EMERGENCY PROCLAMATION. SO IF I COULD ASK CLERK'S OFFICE, OR IF YOU COULD SAY WHERE WE ARE, AND IF I COULD ASK US, IF ONCE WE ARE DONE TO VOTE. >> WE HAVE MEMBER PALTIN'S MOTION. >> OKAY, HER MOTION IS TO ADD THE WHOLE NEW SECTION, IS THAT RIGHT? >> MEMBER PALTIN. >> YES, IT'S TO ADD THE WHOLE NEW SECTION. I JUST WOULD VOLUNTEER IT'S NOT THAT DIFFERENT THAN BILL 95, WHERE ANOTHER INCENTIVE FOR SIX-MONTH LEASES OF SHORT-TERM RENTAL ADDED WITH \$300,000 EXEMPTION.\r\n\r\nSO THE DEPARTMENT'S VERSION OF 95 THAT THEY CAME BACK WITH AFTER OUR THREE ATTEMPTS WITHOUT THE SAME TYPE OF KNOWLEDGE THAT THEY HAVE DID OFFER INCENTIVE FOR SHORT-TERM RENTALS WILLING TO SIGN A SIX-MONTH LEASE AND THAT INCENTIVE WAS \$300,000 EXEMPTION OFF THE TOP. SO THIS IS JUST TAKING WHAT THEY WENT FURTHER IN AMENDING IT TO TRY AND PROVIDE SOMETHING FOR OTHER RENTERS' SAFETY AND INCORPORATING INTO THE PACKAGE OF EXEMPTIONS. IF YOU CAN'T SUPPORT THIS RIGHT NOW, I WOULD HOPE AT LEAST WE INDICATE THAT WE INTEND TO SUPPORT IT. SO THAT YOU KNOW, JUST THAT PEACE OF MIND. I HAVEN'T PUT UP CHRISTMAS DECORATIONS AT MY HOUSE, BUT THAT IS MY CHOICE, NOT BECAUSE THAT I DON'T KNOW IF I'M MOVING BEFORE CHRISTMAS. SO THE ABILITY AND ANXIETY -- >> I DON'T THINK THERE'S ANY DOUBT THAT ALL OF US SUPPORT WHAT YOU'RE TRYING TO DO. IT'S JUST THAT SOME OF US WANT TO WAIT TO HEAR FROM THE MAYOR, AND WE CAN CERTAINLY NOT ONLY TAKE ADVANTAGE OF WHAT HE IS PROPOSING, WHICH IS IN LINE WITH WHAT WE WANT, WE CAN MAKE HIS BILL BETTER AS WELL.\r\n\r\nMEMBER COOK. >> THANK YOU, CHAIR. AS FAR AS I WOULD LIKE TO VOICE MY SUPPORT FOR THE CLARIFYING THAT PEOPLE WHO ARE CURRENTLY RENTING WILL NOT BE EVICTED, BECAUSE OF THIS TAX INCENTIVE AND IDEA. TO ME, THAT IS JUST CAUSING OTHER PROBLEMS, AND SO IF THAT IS A BIG PART OF THE ISSUE, THEN I JUST WANT TO -- I PERSONALLY

WILL WANT TO WAIT UNTIL TUESDAY, SO WE'RE NOT LAMINATING TOO MANY THINGS TOGETHER. WE CAN HEAR THE MAYOR'S AND WE HAVE TALKED ABOUT THIS AND I HAVE A MUCH BETTER UNDERSTANDING. SO LOOKING FORWARD TO TUESDAY. I FEEL WE'RE REALLY CLOSE.\r\n\r\nI JUST WANT TO BASICALLY HEAR AND SEE WHAT THE MAYOR'S PROPOSE IS AND BE ABLE TO SEE HOW WE WOULD IT TOGETHER AND IF DOESN'T, THEN THE COUNCIL IS GOING TO DO WHOA WE DO. SO ANYWAY, THANKS FOR THE OPPORTUNITY TO SPEAK. >> REACHING THE END-OF-THE-LINE EVERYBODY. MEMBER KEANI RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. CAN I ASK A CLARIFYING QUESTION, MEMBER COOK? WHAT DO YOU MEAN BY LAMINATING?\r\n\r\n>> I APOLOGIZE THAT IS A CONSTRUCTION TERM, LIKE PLYWOOD. YOU LAMINATE DIFFERENT LAYERS OF VENEER, BUT YOU DON'T PUT IT IN ALIGNMENT. SO REALLY HARD TO BREAK. SO LAMINATING SOMETHING CAN BE CONSTRUCTIVE AND POSITIVE, BUT IT ALSO MAKES IT MORE DIFFICULT TO GET THROUGH. >> THANK YOU FOR THAT CLARIFICATION. I ONLY KNOW LAMINATING, LIKE WITH PAPER, AND THEN YOU PUT THE PLASTIC OVER IT, AND THEN IT DOESN'T -- >> THANK YOU. >> APPRECIATE THAT CLARIFICATION.\r\n\r\nMAHALO, CHAIR FOR THAT CLARIFICATION. FOR MY SECOND AND FINAL, I UNDERSTOOD THE SAME THING THAT MEMBER JOHNSON HEARD, OR I HEARD THE SAME THINGS ABOUT THE EVEN UNDER THE GOVERNOR'S EMERGENCY PROCLAMATION WITH THE EVICTION MORATORIUM, THAT ABUSE WAS STILL OCCURRING. IT SOUNDS LIKE THERE WASN'T A WHOLE LOT OF LIKE ENFORCEMENT AND PERHAPS IT WAS COMPLAINT-DRIVEN ENFORCEMENT. I THINK THAT HIGHLIGHTS THE POINT, THE IMPORTANCE OF HAVING SYSTEM REDUNDANCIES RIGHT? SO THE GOVERNOR'S EMERGENCY PROCLAMATION EXPIRES ON JANUARY 5TH AND HE EXPRESSED INTENTION TO EXTEND THAT IN THE NEXT PROCLAMATION THAT HE PROPOSED. BUT WHAT ARE WE ON NO. 8 NOW?\r\n\r\nI THINK WE HAVE TO REMEMBER THE PEOPLE THAT WE REPRESENT, LIKE, EMERGENCY PROCLAMATIONS, WHERE TO FIND THEM? HOW TO READ THEM? HOW LONG ARE THEY? WHERE DO WE FIND IN THE EMERGENCY PROCLAMATION THAT PROTECTION FOR THE TENANTS, AND WE'RE ASKING PEOPLE WHO HAVE ALREADY GONE THROUGH A LOT OF TRAUMATIC EXPERIENCES TO GO AND READ THESE DOCUMENTS. BY HAVING THIS LANGUAGE IN THE ORDINANCE IT MAKES IT VERY CLEAR, EASY TO FIND AND DOESN'T OCCUR EVERY 60 DAYS WITH THE EMERGENCY PROCLAMATION. I REALLY HOPE THAT WE CAN PASS THIS BILL WITH THE AMENDMENT TODAY. AS I STATED EARLIER, I RECOGNIZE THE PRIVILEGE THAT I GET TO HAVE TO GO HOME.\r\n\r\nAND WHAT IS IT GOING TO COST ME TO EXTEND THAT PEACE OF MIND FOR FIVE DAYS? BECAUSE WE'RE GOING TO HEAR THE MAYOR ON TUESDAY REGARDLESS. I HAVEN'T HEARD ANY CONVINCING REASON THAT WE SHOULD WAIT NONE, FROM ANY OF YOU. AND THERE'S NO BENEFIT. AND WE'RE DEPRIVING OUR COMMUNITY MEMBERS OF PEACE OF MIND FOR WHAT? FOR WHAT REASON? IF WE CAN'T EVEN EXPLAIN THAT CLEARLY, THAT IS AN INJUSTICE TO OUR PEOPLE.\r\n\r\nFINAL ACTION IS NOT GOING TO BE UNTIL DECEMBER 15TH ANYWAY. IT'S NOT TODAY. WE'LL PUT IT IN THIS AND WE'LL SHOW OUR COMMUNITY THAT WE'RE LISTENING TO THEM, THAT WE CARE. THAT WE HAVE COMPASSION FOR JUST THE LITTLE THINGS THAT THEY ARE ASKING FOR. I WANT TO KNOW WHEN I GO HOME AND LAY DOWN IN MY BED THAT I DID EVERYTHING I CAN FROM MOLOKA'I TO SHOW OUR COMMUNITY THAT I LOVE THEM, AND I'M HERE FOR THEM, IN EVERY WAY I CAN. MAHALO, CHAIR. >> ANYONE ELSE?\r\n\r\nREADY FOR THE VOTE? MADAM CLERK, PLEASE RESTATE THE MOTION? >> THIS IS THE VOTE REGARDING COUNCIL MEMBER PALTIN'S ASF TO ADD PARAGRAPH NO. 7 FROM HER DISTRIBUTED ASF. >> ROLL CALL. >> COUNCIL MEMBER PRO TEMPORE TASHA KAMA? >> NO.\r\n\r\n>> VICE-CHAIR SUGIMURA? >> NO. >> COUNCIL MEMBER PALTIN? >> AYE. >> COUNCIL MEMBER JOHNSON? >> AYE. >> COUNCIL MEMBER RAWLINS-FERNANDEZ?\r\n\r\n>> AYE. >> COUNCIL MEMBER COOK? >> NO. >> COUNCIL MEMBER UU-HODGINS? >> NO. >> COUNCIL MEMBER SINENCI? >> AYE.\r\n\r\n>> COUNCIL CHAIR LEE? >> NO. >> CHAIR, THERE ARE FOUR AYES, FIVE NOS, MOTION FAILS. >> SO WE GO BACK TO MEMBER PALTIN, DO YOU HAVE ANYTHING ELSE? NO OTHER AMENDMENTS? >> NO MORE AMENDMENTS. >> OKAY.\r\n\r\nSO THAT WAS ONLY ONE THAT WE VOTED NO, AND THE OTHER WE VOTED YES; RIGHT? ARE WE GOING TO VOTE YES NOW -- I MEAN, VOTE ON THEM NOW? >> CHAIR, IS YOUR AMENDMENT STILL IN PLAY? DID YOU WANT TO FILE THAT ONE? >> AFTER WE DO ALL OF THE -- FINISH THE MOTION. OKAY. >> CHAIR, WE'RE BACK TO THE MAIN MOTION AS AMENDED, AND WE DO NOT NEED TO FILE THE COMMITTEE REPORT.\r\n\r\nJUST IF -- I'M SORRY, WE DON'T NEED TO FILE THE ASF, BECAUSE IT WAS JUST

DISTRIBUTED. >> OKAY. ALL RIGHT, THE MOTION NOW IS THE MAIN MOTION AS AMENDED. ROLL CALL. >> THAT- SORRY -- >> GO AHEAD. >> THAT INCLUDES THE FILING OF BILL 91 AND BILL 102? >> YES. SO THE MAIN MOTION WAS TO -- SORRY ADOPT THE COMMITTEE REPORT RECOMMENDING THE FIRST READING BILL 95, CD 1, WHICH HAS BEEN AMENDED AND THEN THE FILING OF BILL 91, AND ALSO FILING [INAUDIBLE] >> OKAY, ROLL CALL.\r\n\r\n>> COUNCIL MEMBER PRO TEMPORE TASHA KAMA? >> YES. >> VICE-CHAIR SUGIMURA? >> YES. >> COUNCIL MEMBER PALTIN? >> AYE. >> COUNCIL MEMBER JOHNSON?\r\n\r\n>> AYE. >> COUNCIL MEMBER RAWLINS-FERNANDEZ? >> AYE. >> COUNCIL MEMBER COOK? >> AYE. >> COUNCIL MEMBER UU-HODGINS? >> AYE.\r\n\r\n>> COUNCIL MEMBER SINENCI? >> AYE. >> COUNCIL CHAIR LEE? >> AYE. >> CHAIR, THERE ARE NINE AYES, MOTION PASSES. >> WHERE ARE WE NOW? >> CHAIR, WE'RE NOW ON SECTION M, ORDINANCES.\r\n\r\nWE CURRENTLY HAVE TWO TESTIFIERS SIGNED UP TO TESTIFY ON ORDINANCES. SO WE'LL BEGIN WITH JOSHUA RAMU TREMBLEY TESTIFYING, FOLLOWING BY JOHN SARTER. >> THANK YOU, MARCY MARTIN. >> SEE YOU MONDAY. TUESDAY. >> MR. TREMBLEY, THIS IS YOUR OPPORTUNITY TO TESTIFY.\r\n\r\nMOVING ON TO JOHN SARTER TESTIFYING ON BILL 126. >> I THOUGHT I SAW HIM LEAVE THE CALL . CALL AGAIN AND THEN CLOSE. >> MR. SARTER, IT'S YOUR OPPORTUNITY TO TESTIFY. ALL RIGHT, CHAIR, THERE'S NO ONE ELSE SIGNED UP TO TESTIFY. IT APPEARS MR. LAU WOULD LIKE TO AND IF THERE'S ANYONE ELSE WHO WOULD LIKE TO TESTIFY, NOW IS YOUR OPPORTUNITY. ACTUALLY, MR.\r\n\r\nSARTER IS BACK ON AND WE'LL GO BACK TO HIM AFTER MR. LAU. MR. SARTER, YOU CAN UNMUTE ON YOUR SIDE AND BEGIN YOUR TESTIMONY ON BILL 126. >> ALOHA, COUNCIL MEMBERS. REGARDING BILL WAS TALKING ABOUT REBUILDING FEMA DESIGNATED FLOOD AREAS, AND I THINK THE BILL IN GENERAL IS WRITTEN PRETTY WELL AS FAR AS STRUCTURAL REQUIREMENTS AND THAT TYPE OF THING. THE ONE THING THAT I THINK IS A LITTLE JUST -- PROPERTIES THAT ARE IN THE FLOOD AREAS TO RAISE THE HEIGHT LIMIT BY UP TO 5' AND IF YOU LOOK AT THE FEMA MAPS, PRETTY MUCH THE ENTIRE SHORELINE IS IN THE FLOOD AREA, THE ENTIRE WATERFRONT. THAT WOULD MEAN THAT POTENTIALLY A WHOLE ROW OF BIG NEW HOUSES THAT WOULD BE TOWERING ABOVE THE REST OF THE HOMES IN THE NEIGHBORHOODS, BLOCKING VIEWS, BLOCKING THE TRADEWINDS, AND BLOCKING EVEN THE SOUNDS OF THE OCEAN, WHICH WE ALL HOLD SO DEARLY.\r\n\r\nSO I WOULD RESPECTFULLY ASK MAYBE THIS BILL WOULD BE AMENDED SO THE HEIGHT LIMITS ARE MAYBE EQUAL FOR EVERYONE? EVEN IF THEY HAD TO GO UP 5', 25' HIGH IS PLENTY OF ROOM TO BUILD A TWO STORY HOME, WHICH IS THE MAXIMUM ALLOWED. SO THAT WOULD BE MY REQUEST OF THE COUNCIL. THANK YOU FOR YOUR TIME. >> MR. COOK. >> CLARIFYING QUESTION, CHAIR >> YES.\r\n\r\n>> THANK YOU, SIR FOR COMING IN AND TESTIFYING. THIS IS REFERRED TO THE WATER AND INFRASTRUCTURE COMMITTEE, AND YOU WILL HAVE THE OPPORTUNITY TO DISCUSS IT. THIS ISN'T APPROVING THAT RIGHT NOW. THE PURPOSE OF CHANGING THIS FROM THE PLANNING AND LAND USE CODES, ONE THE CHALLENGES THE PLANNING HAS, THEY DON'T HAVE ENGINEERING ON STAFF, AND DOING FLOOD CONTROL IMPLEMENTATION, AND ENFORCEMENT TO MEET THE FEMA STANDARDS IS MORE OF AN ENGINEERING TASK. SO I'M GLAD THAT YOU SPOKE UP ABOUT THAT ITEM. AND I ENCOURAGE YOU TO PARTICIPATE IN THE COMMITTEE HEARINGS, AND THANK YOU. >> MEMBER PALTIN.\r\n\r\n>> THANK YOU. MY CLARIFYING QUESTION FOR MR. SARTER IS THIS CONCERN ONLY IN THE SHORELINE AREA, LIKE THE SPECIAL MANAGEMENT AREA, SMA, OR WHAT IF IT'S UP LAHAINALUNA ROAD? I GUESS THAT IS NOT IN THE FLOOD ZONE EXCEPT FOR CERTAIN PARTS, BUT JUST CLARIFYING IF THE CONCERN IS ONLY FOR THE SHORELINE? >> MR. SARTER? DID HE LEAVE ALREADY?\r\n\r\n>> I BELIEVE HE DROPPED OFF, CHAIR. >> OKAY. >> WE'RE NOT PASSING IT ANYWAY; RIGHT? >> NO, JUST REFERRING. ALL RIGHT. ANY MORE -- WELL, NO QUESTIONS HE IS NOT THERE. >> AND CHAIR, IT APPEARS THAT MR.\r\n\r\nTREMBLEY MAY BE ON THE LINE WITH THE LAST FOUR DIGITS 3583. >> OKAY. >> MR. TREMBLEY, IF THAT IS YOU, IT'S YOUR OPPORTUNITY TO SPEAK ON BILL 70, CD 1. YOU ARE UNMUTED ON OUR SIDE >> BILL 70. >> OKAY. >> CHAIR, IT DOESN'T APPEAR HE IS RESPONDING. MR. LAU PREVIOUSLY MADE HIS WAY DOWN TO TESTIFY AND IF SO, HE WOULD BE OUR LAST TESTIFIER. >> ALOHA, COUNCIL MEMBERS, IT'S BEEN QUITE A DAY.\r\n\r\n>> NICE SHIRT. >> IT CAME FROM KAUAI. I GOT A QUOTE HERE FROM A SONG, IF YOU REMEMBER A GROUP NAMED DONOVAN FROM THE '60S? 1967. WHEN THE TRUTH GETS BURIED DEEP BENEATH THE THOUSAND YEARS' OF SLEEP, THE TIME DEMANDS TURNAROUND AND ONCE AGAIN THE TRUTH IS FOUND. THAT WAS ACTUALLY NOT IN THE SONG

HURDY GURDY MAN AND I LOOKED ON GOOGLE AND WINTER BY GEORGE HARRISON, BUT DONOVAN DIDN'T PUT IT IN THE BECAUSE IT DOESN'T FIT IN THE SONG. AND SPEAKING OF TODAY, IT GOES WITH BILL 100 AND I WAS JUST SAVING THAT. IT FOUND IT AGAIN IN MY PAPERS AND IT JUST SEEMED LIKE PROVIDENCE THAT IT CAME UP AGAIN. AND COUNCIL MEMBER SUGIMURA'S ASSISTANT GAVE ME THE INFORMATION EARLIER. THE FIRST TIME I GOT BANNED FROM THE ROMAN CATHOLIC CHILDREN.\r\n\r\nTHE POLICE CAME UP AND THEY WERE BETTER TO ME BETTER THAN THE MAINLAND POLICE, BUT STILL TOLD ME NOT TO GO BACK ON THE PROPERTY. THE LAND IS A REALLY NICE SPOT FOR LEAST TEN FAMILIES WITH DOGS AND EVERYTHING. SO A COTTAGE AND THEY DON'T PAY ANY TAX AND STUFF. SO I'M KIND OF OPEN TO GOVERNOR AND ANYBODY WHO CAN PROCLAIM EMERGENCIES AND STUFF CAN OVERRIDE THOSE LAWS ABOUT THE RELIGIOUS WHATEVERS. THAT GOES ALSO FOR THE KING CATHEDRAL CHURCH IN KULA. LIKE I SAID MANY TIMES TO YOU GUYS THEY GOT NICE LAND UP THERE AND NOBODY IS STAYING THERE AND I'M WONDERING WHY? SO THANK YOU FOR THE GENTLEMAN THAT AT THE COMMITTEE MEETING EARLIER THIS WEEK MIGHT HAVE BEEN PAUL PACHECO AND THE CONFIDENCE I HAVE IN HIM USING TAXPAYER'S MONEY FOR THIS STUFF AND TO GO ALONG WITH THE COMMUNICATIONS THANK YOU, MEMBER FERNANDEZ FOR DOING THE 'OIWI, BECAUSE I THINK IT MIGHT BE IMPORTANT, AND I HOPE THE POLICE CHIEF AND THEM OTHER GUYS ARE LISTENING, BECAUSE THE NAVAJO LANGUAGE WAS -- >> THREE MINUTES.\r\n\r\n>> THEY SAVED THE AMERICANS FROM THE JAPANESE TAKING OVER. SO I HOPE THAT THE POLICE WILL USE THE 'OLELO LANGUAGE LIKE A SECRET CODE FOR OUR COUNTRY. THANK YOU FOR YOUR TIME. >> THANK YOU. NEXT TESTIFIER. >> CHAIR, THERE'S NO ONE ELSE CURRENTLY SIGNED UP TO TESTIFY. SO THIS IS LAST CALL.\r\n\r\nIF YOU WOULD LIKE TO TESTIFY ON ORDINANCES, THIS IS YOUR OPPORTUNITY. PLEASE IDENTIFY YOURSELF, AND THE COUNTDOWN IS 3, 2, 1. >> MEMBERS, ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY ON THE BILLS -- >> NO OBJECTIONS. >> OKAY. SO ORDERED. MS. CLERK. >> CHAIR, FOR REFERRAL TO THE WATER AND INFRASTRUCTURE COMMITTEE IS BILL 126 (2023) A BILL FOR AN ORDINANCE REPEALING CHAPTER 19.62 MAUI COUNTY CODE AND CREATING A NEW CHAPTER 16.29 MAUI COUNTY CODE RELATING TO FLOOD HAZARD AREAS.\r\n\r\n>> ANY OBJECTIONS TO REFERRING THIS TO THE WAI COMMITTEE? >> SO ORDERED. >> CHAIR, FOR REFERRAL TO THE AGRICULTURAL DIVERSIFICATION ENVIRONMENT AND PUBLIC TRANSPORTATION COMMITTEE IS BILL 127 (2023) A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO A IA WITH THE STATE OF HAWAII FOR THE LEASE OF BUS TRANSIT HUB. >> ANY OBJECTION TO THE REFERRAL TO THE ADEPT COMMITTEE? SO ORDERED. >> CHAIR, BEFORE YOU IS BILL 129 (2023) A BILL FOR AN ORDINANCE AMENDING SECTIONS 14.04.040, 14.07.800, AND 14.10.010 MAUI COUNTY CODE TO ESTABLISH A FLU WATER RATES AND ALLOW FOR WAIVER OF THE WATER SYSTEM DEVELOPMENT FEE AND WATER SERVICE INSTALLATION FEES DURING EMERGENCIES. >> MEMBER COOK.\r\n\r\n>> THANK YOU. I MOVE TO PASS BILL 129 (2023) ON FIRST READING. >> SECOND. >> MOVED BY MEMBER COOK, SECONDED BY VICE-CHAIR SUGIMURA TO PASS BILL 129 ON FIRST READING. MEMBER COOK. >> THANK YOU, CHAIR. I MOVE TO WAIVE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT UNDER RULE 7G OF THE RULES OF THE COUNCIL.\r\n\r\n>> SECOND. >> MOVED BY MEMBER COOK, SECONDED BY VICE-CHAIR SUGIMURA TO WAIVE 7G RULE OF THE COUNCIL. DISCUSSION, MEMBER COOK. ONLY ON THE RULE. >> THANK YOU, CHAIR. APPROVAL OF MY MOTION BY TWO-THIRDS VOTE OF THE ENTIRE MEMBERSHIP OF THE COUNCIL WILL ENABLE US TO CONSIDER THE BILL TODAY. I RESPECTFULLY ASK FOR THE MEMBERS TO SUPPORT MY MOTION.\r\n\r\n>> ANY MORE DISCUSSION? ALL IN FAVOR OF THE MOTION, RAISE YOUR HAND SAY AYE, NINE AYES, ZEROS NO, MOTION CARRIES MEMBER COOK. >> THANK YOU COMPARISON. I MOVE TO PASS BILL 129 (2023) ON FIRST READING. >> SECOND. >> MOSTED BY MEMBER COOK, SECONDED BY VICE-CHAIR SUGIMURA TO PASS BILL 129 ON FIRST READING. MEMBER COOK, DISCUSSION.\r\n\r\n>> THANK YOU, CHAIR. BILL 129'S PURPOSE IS TO OFFER REDUCED RATES FOR WATER FOR CUSTOMERS IMPACTED BY A DISASTER OR AN EMERGENCY, AND TO ALLOW THE DIRECTOR OF PUBLIC WATER SUPPLY TO WAIVE THE WATER SYSTEM DEVELOPMENT FEE AND WATER SERVICE INSTALLATION COSTS. MEMBERS, IF YOU RECALL, WE PREVIOUSLY DISCUSSED THIS MATTER AT THE WATER AND INFRASTRUCTURE COMMITTEE MEETING OF NOVEMBER 13, 2023. A FOLLOW-UP LETTER WAS SENT TO THE DEPARTMENT TO



ADDRESS COUNCIL MEMBER PALTIN'S CONCERNS RELATING TO THE ESTIMATED TIMEFRAME TO ISSUE AND THE AVAILABILITY OF PAYMENT PLAN OPTIONS. THE DEPARTMENT'S RESPONSE CAN BE FOUND ON GRANICUS. I RESPECTFULLY ASK FOR MEMBERS' SUPPORT OF MY MOTION. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, PLEASE RAISE YOUR HAND AND SAY AYE.\r\n\r\nALL AYES, NO NOS, MOTION CARRIES. >> CHAIR, I HAD A CLARIFYING QUESTION. >> I'M SORRY. MEMBER PALTIN. >> ON THE GRANICUS FOR TODAY'S MEETING I DIDN'T SEE THE ANSWER. DID YOU KNOW? >> MY UNDERSTANDING IT WAS POSTED.\r\n\r\n>> FOR TODAY'S MEETING? >> YES. >> DIRECTOR RAATZ. CAN YOU GO ON GRANICUS AND CHECK. >> I'M SORRY, CHAIR, I DIDN'T CATCH THE QUESTION. >> WE'RE LOOKING FOR THE RESPONSE FROM THE WATER DEPARTMENT. >> ON BILL 129. >> I JUST SEE TWO ITEMS ON GRANICUS.\r\n\r\nIT SAYS BILL 129 (2023) AND THEN BILL 129 (2023) TRANSMITTAL. AND I DID GET SOME CALLS FROM RESIDENTS IN MY DISTRICT THAT DID NOT RETURN TO THEIR HOME EVEN THOUGH IT'S STILL STANDING AND THEY GOT AN \$1800 WATER BILL OR SOMETHING LIKE THAT. SO THAT ONE WENT TO MY QUESTION TO THE DEPUTY, LIKE, HOW DO THEY KNOW THAT SOMEBODY ELSE ISN'T USING THEIR WATER OR SOMETHING LIKE THAT? >> CHAIR, I CAN ASK MY OFFICE TO BRING THAT, IF WE CAN PAUSE AND DO SOMETHING ELSE. ANYWAY, I READ IT. THE RESPONSE WAS THE WATER DEPARTMENT BECAUSE THEY SENT OUT A LOT OF BILLS AND THERE WAS CONFUSION, THEY ARE BEING -- THEY ARE AWARE OF THE FACT, AND THEY ARE NOT GOING TO BE -- THEY ARE REFUNDING AND PEOPLE CAN GO AND NOT DISPUTE, BUT CLARIFY, AND THEY ARE NOT GOING TO BILL THEM. SO I DON'T BELIEVE THAT THEY ARE GOING TO HAVE TO DEFEND THAT THEY WEREN'T USING THE WATER.\r\n\r\n>> OKAY. THAT IS KIND OF WHAT I TOLD FOLKS, TOO. I MEAN, MY URGENCY IN GETTING MY WATER BILL IS THAT I LIVE IN NAPILI AND I DIDN'T HAVE ANYTHING TO DO WITH THE FIRE AND THREE MONTHS LATER, I FOUND OUT I HAD A LEAK. FOR US GUYS IN THE UPPER WEST SIDE, A BUNCH OF US FOUND OUT THREE MONTHS LATER WE HAD LEAKS AND THIS IS NOT THE BEST TIME OF THE YEAR TO FIND OUT YOU GOT A LEAK. >> THANK YOU, CHAIR. DOES THAT ANSWER THE QUESTION? >> DO YOU WANT TO CHECK?\r\n\r\n>> IF SOMEONE COULD EMAIL ME THE ANSWERS IF THEY EVER GET FOUND THAT WOULD BE GREAT. >> CHAIR? >> YES. >> JUST INFORMED ME THAT THE DOCUMENT IS UP ON GRANICUS UNDER THE COMMITTEE'S FILE. WE CAN EMAIL THAT LINK TO THE COUNCIL MEMBERS, IF YOU WOULD LIKE. >> GREAT. THANK YOU.\r\n\r\n>> THANK YOU, CHAIR. >> MS. CLERK. >> CHAIR, BEFORE YOU IS BILL 130 (2023) A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI REVENUES, CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF FIRE AND PUBLIC SAFETY, MOLOKA'I COMMUNITY PLAN AREA, AND APPENDIX C, DEPARTMENT OF FIRE AND PUBLIC SAFETY, MOLOKA'I COMMUNITY PLAN AREA. >> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT IN ACCORDANCE WITH RULE 7G OF THE RULES.\r\n\r\n>> SECOND. >> MOVED BY MEMBER RAWLINS-FERNANDEZ, AND SECONDED BY MEMBER UU-HODGINS TO WAIVE THE RULES 7G OF THE RULES OF THE COUNCIL. DISCUSSION MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. THE TIME-SENSITIVITY ASSOCIATED WITH THIS ITEM IS THAT IT'S -- IT WILL LAPSE AT THE END OF THE THIS YEAR, SO IT MUST PASS FIRST READING TODAY AND SECOND READING ON DECEMBER 15TH TO RECOGNIZE THE FUNDING IN FY'24 BUDGET. OTHERWISE IT LAPSES. >> ANY MORE DISCUSSION?\r\n\r\nALL THOSE IN FAVOR OF THE CODE MOTION, RAISE YOUR HAND, SAY AYE NINE AYES, ZEROS NO, MEMBER JOHNSON? WHERE DID HE BO? EIGHT AYES, ZERO NOS, ONE EXCUSED MEMBER JOHNSON. MS. CLERK. >> CHAIR? >> THAT WAS ONLY -- THAT WAS THE 7G WAIVER.\r\n\r\n>> OKAY. ALL THOSE IN FAVOR OF THE MOTION, TO PASS ON FIRST READING. >> CHAIR, I DIDN'T MAKE IT YET. >> OH, YOU DIDN'T. >> I WILL MAKE IT VERY QUICK. >> OKAY. GOT TO CATCH UP AND STAY UP WITH ME, YOU KNOW? >> I MOVE TO PASS BILL 130 (2023) ON FIRST READING.\r\n\r\n>> SECOND. >> MOVED BY MEMBER RAWLINS-FERNANDEZ, SECONDED BY MEMBER UU-HODGINS TO PASS BILL -- I TURNED THE PAGE ALREADY. >> BILL 130. >> BILL 130 ON FIRST READING. >> FIRST READING. ANY MORE DISCUSSION? >> YES. >> YOU EXPLAINED IT ALREADY.\r\n\r\nYES, AGAIN. MEMBER RAWLINS-FERNANDEZ. >> I WILL MAKE IT QUICK. >> WE DON'T WANT IT TO LAPSE. >> YES. WE DON'T WANT IT TO LAPSE. THIS BILL AMENDS THE FISCAL YEAR 24 BUDGET TO ONE, INCREASE CARRY-OVER SAVINGS GENERAL FUND AND TOTAL ESTIMATE \$500,000, TO AMEND CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF FIRE AND PUBLIC SAFETY MOLOKA'I COMMUNITY



PLAN AREA BY INCREASING THE FIRE STATION RENOVATION BY \$500,000. AND THREE, AMEND APPENDIX C APPROPRIATION FOR THE FIRE STATION IN THE AMOUNT OF \$500,000 AND UPDATE THE PROJECT DESCRIPTION TO INCLUDE PLANNING, PERMITTING, DESIGN AND RENOVATIONS.

I ASK FOR THE MEMBERS' FULL SUPPORT OF THIS MOTION, WHICH LOOKS LIKE I HAVE. WE ALSO HAVE THE ASSISTANT CHIEF ON, IF THE MEMBERS HAVE QUESTIONS. I DID SEE IN THE CHAT THAT MEMBER JOHNSON SAID HE WOULD BE -- HE HAD TO GO AND HE'LL BE RIGHT BACK QUICK. MAHALO, CHAIR. >> ANY QUESTIONS FOR THE CHIEF? , ASSISTANT CHIEF? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE.

EIGHT AYES, ONE EXCUSED. NO-NOS, MOTION CARRIES. THANK YOU. >> MAHALO, MEMBERS. >> NEXT. >> MADAM CHAIR, MOVING ON TO THE ORDINANCES FOR SECOND AND FINAL READING. BEFORE YOU IS BILL 70, CD 1 (2023) A BILL FOR AN ORDINANCE AMENDING ORDINANCE 3545 TO TRANSFER A CONDITIONAL PERMIT TO JOSHUA RAMU TREMBLAY FOR OLD WAILUKU INN AT ULUPONO TRANSIENT VACATION RENTAL SITUATED AT 2199 KAHO'OKELE STREET WAILUKU, MAUI, HAWAII.

>> MEMBER KAMA.

I MOVE TO PASS THE BILL ON SECOND AND FINAL READING. >> SECOND. >> MOVED BY MEMBER KAMA AND SECONDED BY VICE-CHAIR SUGIMURA TO PASS THE BILL ON SECOND AND FINAL READING. ANY DISCUSSION, MEMBER KAMA. >> MEMBERS WE SUPPORTED PASSING THIS BILL ON FIRST READING AT THE NOVEMBER 30TH, 2023 MEETING AND BY PASSING IT ON SECOND AND FINAL READING WE WILL COMPLETE OUR LEGISLATIVE ACTION ON THIS MATTER. I ASK FOR MEMBERS' SUPPORT OF MY MOTION. >> MEMBER SUGIMURA.

I RAN INTO THE APPLICANT, MR. TREMBLAY IN THE LOBBY. I GUESS HE HAD TO LEAVE, BUT HE BASICALLY SAID THAT HE JUST WANTED TO EXPRESS APPRECIATION AND IF ANYONE HAD ANY QUESTIONS, SINCE THIS WAS ON THE AGENDA SO I JUST THOUGHT THAT WAS NICE OF HIM. SO I FULLY SUPPORT THIS. THANK YOU. >> DOES ANYONE HAVE QUESTIONS, SO MEMBER SUGIMURA CAN RUN AFTER HIM? IF NOT, ALL THOSE -- >> RUN MEMBER SUGIMURA, JUST KIDDING.

[LAUGHTER ]. >> ALL THOSE IN FAVOR OF THE MOTION RAISE YOUR HAND, SAY AYE. >> AYE. >> EIGHT AYES, ZERO NOS, ONE EXCUSED. MEMBER JOHNSON MOTION CARRIES MADAM CLERK. >> CHAIR, BEFORE YOU IS BILL 96, CD 1, (2023) A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI, OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM, WAILUKU AND WEST MAUI ECONOMIC DEVELOPMENT, ENVIRONMENTAL AND CULTURAL PROGRAMS. >> VICE-CHAIR SUGIMURA. >> THANK YOU, I MOVE TO PASS BILL 92 CD 1 (2023) ON SECOND AND FINAL READING.

>> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA AND SECONDED BY PRO TEM KAMA TO PASS BILL 96, CD 1 (2023) ON SECOND AND FINAL READING THE DISCUSSION? VICE-CHAIR SUGIMURA. >> MEMBERS BILL 96 CD 1 (2023) AMENDS FY'2024 BUDGET FOR THE OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT ENVIRONMENTAL AND CULTURAL PROGRAMS TO UPDATE THE FISCAL SPONSOR FROM LOKAHI PACIFIC TO NA KOA MANU CONSERVATION, INC.. I RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. >> ANY MORE DISCUSSION IF NOT, ALL THOSE IN FAVOR OF THE MOTION, SAY AYE, RAISE YOUR HAND. EIGHT AYES, ONE EXCUSED ZERO KNOWS MUNICIPAL CODE CARRIES. MS.

CLERK. >> THANK YOU, CHAIR BEFORE YOU IS BILL 97, CD 1 (2023) A BILL FOR AN AN ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI APPENDIX A, PART 1 DEPARTMENT OF HOUSING AND HUMAN CONCERNS. >> VICE-CHAIR SUGIMURA. >> I MOVE TO PASS BILL 97, CD 1 (2023) ON SECOND AND FINAL READING. >> SECOND. >> MOVED BY MEMBER SUGIMURA AND SECONDED BY PRO TEM KAMA TO PASS BILL 97 CD 1 (2023) ON SECOND AND FINAL READING. DISCUSSION.

>> MEMBER, BILL 97, CD 1 (2023) AMENDS APPENDIX A, PART 1 OF FISCAL YEAR 24 BUDGET FOR THE DEPARTMENT OF HOUSING AND HUMAN CONCERNS TO RECOGNIZE THE ACTIVITIES. MEMBERS, I RESPECTFULLY ASK FOR YOUR SUPPORT OF THIS MOTION. >> ANY MORE DISCUSSION? MEMBER PALTIN. >> THANK YOU. MY ONLY DISCUSSION IS THAT WE LEARNED CATHOLIC CHARITIES WOULD BE DISBURSING THE HOMEOWNER ASSISTANT FUND AS A RESULT OF BILL 97, CD 1. WE DON'T KNOW WHEN THAT WILL OCCUR. SO THE \$322,248 IS GREAT.

JUST WANT TO KNOW WHEN THE \$8 MILLION WILL START TO BE DISBURSED BY CATHOLIC CHARITIES. SOME MIGHT BE HANGING ON BY A THREAD WAITING ON THE \$300,000. >> WE HEAR YOU. >> ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. >> AYE. >> SO WE HAVE NINE AYES, ZERO NOS, MOTION CARRIES. MS.

CLERK. >> CHAIR, BEFORE YOU IS BILL 100 CD 1 (2023) A BILL FOR AN

ORDINANCE AMENDING THE FISCAL YEAR 2024 BUDGET FOR THE COUNTY OF MAUI APPENDIX A, PART 1 DEPARTMENT OF MANAGEMENT. >> VICE-CHAIR SUGIMURA. >> >> I MOVE TO PASS THE BILL ON SECOND AND FINAL READING. >> SECOND. >> MOVE BY VICE-CHAIR SUGIMURA, SECONDED BY PRO TEM KAMA TO PASS BILL 100, CD 1 (2023) ON SECOND AND FINAL READING. DISCUSSION?>> MEMBERS, BILL 100, CD 1 (2023) AMENDS APPENDIX A, PART 1 OF FISCAL YEAR 24 BUDGET FOR THE DEPARTMENT OF MANAGEMENT TO ADD A NEW GRANT ENTITLED "OFFICE OF PROGRAMS BUREAU OF JUSTICE ASSISTANCE, DISCRETIONARY PROJECT FUNDING GRANT PROGRAM" IN THE AMOUNT OF \$180,000. >> I THINK THAT IS BYRNE. >> BYRNE, SORRY. THIS GRANT WOULD BE USED TO EXPAND CAPACITY OF PUBLIC SAFETY RADIO SYSTEMS, AND TWO, ROOFTOP SITES LOCATED IN WEST MAUI AND SERVICING THE AREAS OF LAHAINA, KA'ANAPALI, ET CETERA AND I ASK FOR MEMBERS' SUPPORT OF THIS MOTION. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, PLEASE RAISE YOUR HAND, SAY AYE. >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES, MS.>> CLERK. >> CHAIR, BEFORE YOU IS BILL 101 CD 1 (2023) A BILL FOR AN ORDINANCE AMENDING THE FY'2024 BUDGET FOR THE COUNTY OF MAUI REVENUES AND DEPARTMENT OF POLICE, TECHNICAL AND SUPPORT SERVICES PROGRAM. >> VICE-CHAIR SUGIMURA. >> I MOVE TO PASS BILL 101, CD 1, (2023) ON SECOND AND FINAL READING. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY PRO TEM KAMA TO PASS BILL ON SECOND AND FINAL READING. DISCUSSION, VICE-CHAIR SUGIMURA.>> AND APPROPRIATING IT FOR THE DEPARTMENT'S TECHNICAL AND SUPPORT SERVICES. THE DEPARTMENT WILL USE THE FUNDS TO PURCHASE 18 POLICE PURSUIT VEHICLES AND APPROXIMATELY \$80,000 PER VEHICLE. AND YOU GOT THE ASF. THANK YOU. REFERENCING MY ASF, I MOVE TO SUBSTITUTE BILL 101 CD 1 (2023) WITH THE PROPOSED FD 1 REVISION ATTACHED TO MY ASF. >> SECOND. >> MOVED AND SECONDED.>> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY MEMBER KAMA. ANY DISCUSSION? MEMBER SUGIMURA. >> BILL 101 1, CD 1 (2023) WAS UPDATED SO THE TOTALS MATCH FISCAL YEAR 24 AMENDMENTS MADE BY THE LEGISLATURE WAS PREVIOUSLY PASSED BY THE COUNCIL. HOWEVER, REVISIONS MADE TO THE BILL INCLUDING CORRECTION TO ESTIMATES REVENUE AMOUNT FROM THE PUBLIC SERVICE TAX WERE REVERTED IN THAT PROCESS THIS PROPOSED VERSION REINCORPORATES AND I RESPECTFULLY ASK FOR MEMBERS' SUPPORT OF MY MOTION. THANK YOU, CHAIR. >> ANY MORE DISCUSSION IN IF NOT, ALL THOSE IN FAVOR OF THE MUNICIPAL CODE PLEASE RAISE YOUR HAND, SAY AYE.>> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. >> MS. CLERK. >> WE NEED A WAIVER. >> BECAUSE WE ADDED THE ASF. >> YES.>> SO I MOVE TO WAIVE -- >> NO. >> I MOVE TO >> OH, YES, WE HAVE 19C. THAT'S RIGHT. SO SECOND BY PRO TEM KAMA. >> YES. >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY PRO TEM KAMA TO WAIVE RULE 19C. AND IS THERE ANY DISCUSSION ON IT? >> FOR THE CORRECTION. SO THE CORRECTIONS MADE BECAUSE OF CORRECTING THE PREVIOUS -- [ INAUDIBLE ] >> SECOND READING.>> GOOD ENOUGH. >> OKAY >> ALL THOSE IN FAVOR, RAISE YOUR HAND, SAY AYE. >> AYE. >> NINE AYES, ZERO NOS MOTION CARRIES. >> THANK YOU . >> MS. CLERK. >> CHAIR, NOW WE'RE BACK TO THE MAIN MOTION AS ENDED.>> MAIN MOTION AS AMENDED. VICE-CHAIR SUGIMURA. >> DISCUSSION? THE MOTION WAS MADE BY VICE-CHAIR SUGIMURA, AT 3:23 AND SECONDED BY PRO TEM KAMA. >> VICE-CHAIR SUGIMURA SAID SHE EXPLAINED IT ALREADY. >> DO YOU WANT MORE? >> DO YOU WANT MORE, FOLKS?>> ALL RIGHT. ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. >> THANK YOU. POLICE WILL BE VERY GRATEFUL. >> VERY GOOD.>> NEXT. >> CHAIR, BEFORE YOU IS BILL 104 FD 1 (2023) A BILL FOR AN ORDINANCE AMENDING SECTION 3.100.040 MAUI COUNTY CODE ON USE OF THE GENERAL EXCISE TAX FUND. >> VICE-CHAIR SUGIMURA. >> KEANI WAS GOING TO TAKE THIS, IS THAT CORRECT? >> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. MAY I REQUEST THIS BE HELD TO THE END.>> NO OBJECTIONS, WE'LL LEAVE IT TO THE END OF THE AGENDA. SO ORDERED LET'S KEEP MOVING ON. >> CHAIR, BEFORE YOU IS BILL 111 (2023) A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.100 MAUI COUNTY CODE RELATING TO GENERAL EXCISE AND USE TAX SURCHARGE. >> VICE-CHAIR SUGIMURA. >> IF THERE'S NO OBJECTIONS MAY BE PLEASE BRING BACK COUNTY COMMUNICATION 23-38. >> ANY OBJECTIONS, MEMBERS? SO ORDERED. >> HISTORIC DAY.>> IS IT ME AGAIN >> YES, IT'S YOU, STILL YOU. >> I MOVE TO PASS BILL 111 (2023) ON SECOND AND FINAL READING. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA,

SECONDED BY PRO TEM KAMA TO PASS BILL 111 ON SECOND AND FINAL READING. VICE-CHAIR SUGIMURA. >> MEMBERS, BILL 111 (2023) WOULD CREATE A NEW FUND ENTITLED, "GENERAL EXCISE AND USE TAX FUND DEPARTMENT OF HAWAIIAN HOMELANDS" TO SERVE AS AN EXCLUSIVE DEPOSITORY OF 20% OF THE FUNDS DERIVED FROM THE GENERAL EXCISE TAX AND USE TAX SURCHARGE. THE FUND WOULD BE USED FOR PROJECTS THAT DIRECTLY SUPPORT DEPARTMENT OF HAWAIIAN HOMELANDS HOMESTEAD DEVELOPMENT, AND AS A REMINDER, THE BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE DISCUSSED THE BILL AT OUR MEETING THIS PAST TUESDAY AS PART OF BFED 21 (13). BY COUNTY COMMUNICATION 23-38, THE BUDGET DIRECTOR PROVIDED US A REVISED VERSION OF THIS BILL AT THIS TIME, I WOULD LIKE TO SUBSTITUTE BILL 111 (2023) WITH THE REVISED VERSION ATTACHED TO COUNTY COMMUNICATION 23-38 AND FILE COUNTY COMMUNICATION 23-38. >> SECOND.\r\n\r\n>> SECOND BY PRO TEM KAMA. SO THE MOTION IS TO SUBSTITUTE THE BILL WITH THE ATTACHED ASF THAT WAS CIRCULATED? OKAY. AND THEN YOU JUST EXPLAINED IT RIGHT NOW. DO YOU WANT TO TALK SOME MORE? YOU'RE DONE? >> YES.\r\n\r\n>> ANY MORE DISCUSSION ANYONE? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. >> SORRY CHAIR,? >> WAS THAT A QUESTION? >> IT'S OKAY, I'M VOTING AYE, BUT I WOULD LIKE TO ASK A QUESTION AFTER. >> OKAY. ALL THOSE IN FAVOR, SAY AYE. NINE AYES, ZERO NOS, MOTION CARRIES, AND NOW WE HAVE A QUESTION FROM MEMBER RAWLINS-FERNANDEZ.\r\n\r\n>> OKAY. IT'S JUST A STYLIZED QUESTION. SO IN THE COUNTY COMMUNICATION 23-38, I THINK IT WAS. SO IT SAYS THAT THE DIFFERENCE IS TO CAPITALIZE STATE AND COUNTY AND CHANGING -- OH, OKAY. DID IT MAKE IT SMALL OR BIG? ANYWAY, IT'S FOR DIRECTOR RAATZ. I MADE IT BIG.\r\n\r\n>> EXCUSE ME, WHAT ARE YOU TALKING ABOUT? >> I'M TALKING TO MYSELF REAL FAST. [LAUGHTER ]. >> OKAY. >> I HAD TO CONSULT WITH MYSELF. DIRECTOR RAATZ. IN CODE AMENDMENTS, OR IN THE CODE, DO WE FOLLOW AP STYLE GUIDE? AND MAKE THE STATE SMALL S, OR CAPITAL S? >> DIRECTOR RAATZ.\r\n\r\n>> THANK YOU, CHAIR, THANK YOU, COUNCIL MEMBER. WE DO APPRECIATE -- WE FOLLOW STYLES ON DIFFERENT TYPES OF DOS THAT WE'RE WORKING ON. FOR LEGISLATION, WE FOLLOW THE GUIDE TO MAUI COUNTY LEGISLATIVE DRAFTING, WHICH WE HAVE UP ON OUR WEBSITE MAUICOUNTY.US AND DO GENERALLY IN ORDINANCES CAPITALIZE STATE AND COUNTY. OTHERWISE LEGISLATION IS VERY ANTI-CAPITALIZATION, SIMILAR TO AP STYLE IN THAT RESPECT, BUT THERE'S AN EXCEPTION FOR STATE AND COUNTY TYPICALLY WE DO CAPITALIZE THOSE TERMS. THANK YOU, CHAIR. >> WHAT ABOUT DHHL? >> DID YOU EXPLAIN THAT TO YOUR OTHER SELF?\r\n\r\n[LAUGHTER ] >> JUST TRYING TO KEEP UP. WHAT ABOUT THE DEPARTMENT OF HAWAIIAN HOMELANDS, DIRECTOR? >> THANK YOU. ANOTHER VERY GOOD QUESTION. THAT WOULD BE LOWERCASE, AND THAT WE DO REFERENCE THE STATE LEGISLATIVE DRAFTING MANUAL. ACTUALLY THAT IS THE BASE FOR OUR DRAFTING PRINCIPLES IS FOLLOWING THE STATE GUIDE, BUT WE DO HAVE A FEW PREFERENCES FOR MAUI COUNTY THAT DIFFER A LITTLE BIT. ON THAT I THE NAME OF DEPARTMENTS AND POSITIONS ARE LOWERCASE IN LEGISLATION.\r\n\r\nTHANK YOU. >> IS THAT SATISFACTORY TO YOU, MEMBER RAWLINS-FERNANDEZ, UPPERCASE, LOWERCASE AND A PARTRIDGE IN A PEAR TREE. >> THANK YOU, CHAIR. >> MS. CLERK. >> YOU HAVE VICE-CHAIR SUGIMURA RAISING HER HAND, BUT WE'LL BE AT THE MOTION TO PASS. >> JUST ADDING TO MEMBER RAWLINS-FERNANDEZ'S CONVERSATION, 23-38 DOES SUBMIT TO US A SIGNED BILL FROM CORP.\r\n\r\nCOUNSEL, BESIDES THE OTHER STYLIZED QUESTIONS. VERY GOOD. >> I DIDN'T UNDERSTAND A WORD YOU SAID, BUT FINE IT'S SIGNED BY CORP. COUNSEL. >> THANK YOU VERY MUCH. ANY OTHER COMMENTS OR QUESTIONS? SO WE HAVE TO VOTE ON THIS THEN.\r\n\r\n>> YES. >> READY TO VOTE, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. NINE AYES, ZERO NOS, MOTION CARRIES. AND THE NEXT CLASS WE HAVE BILL, MS. CLERK. >> THANK YOU, CHAIR, BILL 115 FD 1 (2023) A BILL FOR AN ORDINANCE AMENDING SECTION 3.38.020 MAUI COUNTY CODE RELATING TO HAWAIIAN CULTURAL RESTORATION REVOLVING FUND. >> AND LET'S CALL ON OUR A-STUDENT ON MOLOKA'I, MEMBER RAWLINS-FERNANDEZ.\r\n\r\n>> THANK YOU, CHAIR. I MOVE TO PASS BILL 115 ON SECOND AND FINAL READING. >> MOVED BY MEMBER RAWLINS-FERNANDEZ AND SECONDED BY MEMBER SINENCI TO PASS BILL 115, FD 1 (2023) ON SECOND AND FINAL READING. DISCUSSION, MEMBER RAWLINS-FERNANDEZ. >> MEMBER RAWLINS-FERNANDEZ THE A-STUDENT IN THE CLASS. MEMBERS - ALWAYS. [LAUGHTER ] MEMBERS, THIS BILL AMENDMENTS SECTION 3.38.020 MAUI

COUNTY TO ADD PAKALA, INCLUDING KAMEHAMEHA IKI PARK TO THE LIST OF HISTORIC AND CULTURAL SITES ELIGIBLE FOR PRESERVATION AND RESTORATION UNDER THE HAWAIIAN CULTURAL RESTORATION REVOLVING FUND, THE HAWAIIAN CULTURAL RESTATION REVOLVING FUND CURRENTLY PROVIDES FUNDS FOR THE PRESERVATION AND RESTORATION RELATING TO -- FROM PROCEEDS COLLECTED FROM A COUNTY PARKING LOT CONCESSION.

ADDING PAKALA TO THIS LIST OF HISTORIC AND CULTURAL SITES IS RECOGNIZING, PROTECTING AND ULTIMATELY RESTORING A BROADER AREA IN LAHAINA OF EXTENSIONAL SIGNIFICANT AS DISCUSSED AS A FOUNDATIONAL -- AS FOUNDATIONAL TO LAHAINA'S BUILDING AT CONVENTION HELD AT MAUI COUNTY ARTS AND CULTURAL CENTER AND ALSO ADD THAT AS I STATED IN PUBLIC TESTIMONY THAT THE FUNDS CANNOT ONLY COME FROM THE PARKING LOT THAT NO LONGER EXISTS, BUT IT CAN ALSO BE ALLOCATED FROM GENERAL FUNDS AS ALREADY IN THE CODE AS STATED ALREADY IN THE CODE, AND I RESPECTFULLY ASK FOR THE MEMBERS' CONTINUED SUPPORT OF THIS ITEM. MAHALO, CHAIR. MEMBER PALTIN. >> I THOUGHT THE PARKING LOT STILL EXISTS. DIDN'T WE GIVE RIGHT-OF-ENTRY TO THE ARMY CORPS? >> OKAY, MY BAD. >> I RETRACT THAT FROM MY EARLIER STATEMENT.

MAHALO, MEMBER PALTIN. >> THAT IS GOOD DISCUSSION. ALL THOSE IN FAVOR, RAISE YOUR HAND, SAY AYE. NINE AYES, ZERO NOS, MOTION CARRIES. VERY GOOD. NEXT. >> CHAIR BEFORE YOU IS BILL 118 FD 1 (2023) A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE UNITED STATES GOVERNMENT AND THE STATE OF HAWAII REGARDING THE AUTHORIZATION FOR MAUI WILDFIRE DEBRIS REMOVAL FOR COUNTY-OWNED PROPERTIES.

MEMBER COOK. >> I MOVE TO PASS BILL 118, FD 1 (2023) ON SECOND AND FINAL READING. >> SECOND. >> MOVED BY MEMBER COOK, SECONDED BY VICE-CHAIR SUGIMURA TO PASS BILL 118, FD 1 (2023) ON SECOND AND FINAL READING. DISCUSSION, MEMBER COOK. >> THANK YOU, MEMBERS. BILL 118, FD 1'S PURPOSE IS TO HAVE COUNTY-OWNED PROPERTIES BE INCLUDED IN THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S DEBRIS REMOVAL PROGRAM.

MEMBERS, IF YOU RECALL AT THE LAST COUNCIL MEETING WE SUBSTITUTED BILL 118 WITH A PROPOSED PD 1 VERSION INCORPORATING NON-SUBSTANTIVE REVISIONS. THIS PAST MONDAY WE ALSO HELD THE DISCUSSION ON THE BILL, AND ITS SUBJECT-MATTER IN THE WATER AND INFRASTRUCTURE COMMITTEE MEETING. WE HEARD FROM A REPRESENTATIVE FROM THE DEPARTMENT OF MANAGEMENT, AS WELL AS REPRESENTATIVES FROM THE U.S. ARMY CORPS OF ENGINEERS, AND 'AINA TECHNOLOGY. I RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. >> ANY MORE DISCUSSION ? MEMBER PALTIN. >> I BELIEVE IT WAS 'AINA ARCHAEOLOGY. OTHER THAN THAT, I AGREE.

OKAY >> MEMBER PALTIN IS AN A-STUDENT, TOO. >> I WAS JUST GOING TO SAY THAT. >> I STOLE THE WORDS FROM YOUR MOUTH. >> YES. [LAUGHTER] OKAY. I'M NOT GOING CALL YOU -- WHAT DID I CALL YOU? THE A-STUDENT.

I WILL CALL YOU MS. POINT OF ORDER MOLOKA'I. ALL IN FAVOR, RAISE YOUR HAND, SAY AYE, NINE ASE, ZERO NOS, MOTION CARRIES. WELL ALL OF THESE A-STUDENTS IN OUR CLASS AREN'T WE LUCKY? YES. WE'LL CALL YOU -- LETTER N. >> UNFINISHED BUSINESS. AT THIS TIME, CHAIR, WE DON'T HAVE ANY INDIVIDUALS SIGNED UP TO TESTIFY. HOWEVER, IF THERE'S ANYONE THAT WOULD LIKE TO TESTIFY ON UNFINISHED BUSINESS, NOW IS YOUR OPPORTUNITY.

THIS IS THE LAST CALL 3, 2, 1. >> ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY ON THE BILL IN SECTION N? SO ORDERED. MS. CLERK. >> CHAIR BEFORE YOU IS BILL 108 (2023) A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 204 BUDGET FOR THE COUNTY OF MAUI APPENDIX B, DEPARTMENT OF WATER SUPPLY. >> VICE-CHAIR SUGIMURA. >> IF THERE'S NO OBJECTIONS PLEASE BRING BACK COUNTY COMMUNICATION 23-39. >> ANY OBJECTIONS MEMBERS NO OBJECTIONS, CHAIR. >> SO ORDERED.

MS. CLERK. >> I MOVE TO DISCHARGE BILL 108 (2023) FROM THE B BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA AND SECONDED BY PRO TEM KAMA TO DISCHARGE BILL 108 FROM THE BFED COMMITTEE. >> THANK YOU. DISCHARGE IS THE FIRST STEP WE NEED TO TAKE -- DISCHARGE IS THE FIRST STEP WE NEED TO TAKE TODAY IN ORDER TO TAKE ACTION ON THIS BILL.

THANK YOU, CHAIR. >> ANY MORE DISCUSSION IN ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. >> AYE. >> NINE AYES, ZEROS NO, MOTION CARRIES. VICE-CHAIR SUGIMURA. >> I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT UNDER RULE 7G OF THE RULES OF THE COUNCIL AS IT

RELATES TO BILL 108 (2023). >> SECOND. >> MOVED BY MEMBER, I MEAN VICE-CHAIR SUGIMURA, SECONDED BY PRO TEM KAMA TO WAIVE RULE 7G OF THE RULES OF THE COUNCIL.\r\n\r\nDO YOU WANT MORE DISCUSSION? >> YES. MEMBERS, SWIFT ACTION ON THIS BILL WILL ALLOW DEPARTMENT OF WATER SUPPLY TO MORE QUICKLY IMPLEMENT DIFFERENT RELIEF MEASURES, SUCH AS FEE WAIVERS FOR USERS AFFECTED BY DISASTERS, SUCH AS THE AUGUST 23 MAUI WILDFIRE. AS A REMINDER WE DISCUSSED THIS BILL WITH THE BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE ON NOVEMBER 17TH. THANK YOU, CHAIR. >> ANY MORE DISCUSSION ON THE RULE WAIVER? ALL THOSE IN FAVOR RAISE YOUR HAND, SAY AYE.\r\n\r\n>> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES VICE-CHAIR SUGIMURA. >> I MOVE TO PASS BILL 108 (2023) ON FIRST READING. >> SECOND. >> ANY MORE DISCUSSION? ALL IN FAVOR OF THE MOTION TO PASS THIS BILL ON FIRST READING RAISE YOUR HAND, SAY AYE. >> AYE.\r\n\r\n>> NINE AYES, ZEROS NO, MOTION CARRIES. >> MEMBERS, AMENDS APPENDIX B OF THE FISCAL YEAR 2024 BUDGET FOR THE DEPARTMENT OF WATER SUPPLY UNDERWATER SUPPLY FUND BY ONE, ADDING TWO NEW CATEGORIES FOR REVENUE SOURCES, EMERGENCY WATER CHARGE, AND TEMPORARY IRRIGATION CHARGE. GO, AMENDING INSTALLATION CHARGES TO AUTHORIZE THE DIRECTOR OF WATER SUPPLY TO WAIVE ANY OF THE COSTS FOR WATER SERVICES WATER SERVICE INSTALLATION, FOR PROPERTIES IN WHICH INFRASTRUCTURE WAS DESTROYED OR OTHERWISE -- >> CHAIR? >> YES. >> I'M SORRY. I'M VERY SORRY, VICE-CHAIR SUGIMURA. WE TOOK THE VOTE VERY QUICKLY ON THE MOTION TO PASS.\r\n\r\nSO IF WE COULD JUST UNDO THAT, AND THEN I UNDERSTAND THAT YOU WANTED TO AMEND WITH THE ASF THAT WAS ATTACHED TO COMMITTEE REPORT. >> YES. 23. >> SO IF WE COULD HAVE PLEASE A MOTION TO RECONSIDER THE VOTE ON PASSING BILL 108. >> MOVE TO RECONSIDER PASSING THE VOTE. >> SECOND. >> MOVED BY MEMBER PALTIN AND SECOND BY PRO TEM KAMA TO RECONSIDER THE VOTE. ANY DISCUSSION ON THAT? THE DISCUSSION WAS A MISTAKE, ALL IN FAVOR, RAISE YOUR HAND, SAY AYE.\r\n\r\nNINE AYES, ZERO NOS, MOTION CARRIES. NOW BACK TO -- . NOW THE SPEECH. >> MADAM CLERK. >> I BELIEVE WHERE WE WOULD BE IS THE MOTION TO SUBSTITUTE WITH THE BILL ATTACHED TO CR23-39, AND TO FILE 23-39. >> YOU GOT THAT IN YOUR NOTES. >> NO. SO MOVED. WHAT DO YOU MEAN SO MOVED?\r\n\r\n[LAUGHTER ] YOU MUST HAVE IT THERE SOMEWHERE. >> IT DOESN'T QUITE SAY THAT, BUT I MOVE TO SUBSTITUTE THE ASF IN COUNTY COMMUNICATION 23-39. >> SECOND. >> OKAY. MADAM CLERK, IS THAT CORRECT? IS THAT HOW YOU SAY IT? >> AND TO FILE ALSO. >> AND TO FILE.\r\n\r\n>> AND TO FILE. >> 23-39. >> 23-39. >> SECOND. >> CAN YOU REPEAT THE MOTION AGAIN? FOR REAL. >> I MOVE THAT WE SUBSTITUTE THE BILL IN COUNTY COMMUNICATION 23-39, AND TO FILE COUNTY COMMUNICATION 23-39. >> SECOND. . JUST TO CLARIFY. NOW YOU CAN HAVE YOUR DISCUSSION OKAY.\r\n\r\nSO BASICALLY, APPENDIX B OF FISCAL YEAR 24 BUDGET FOR THE DEPARTMENT OF WATER SUPPLY UNDER THE WATER FUND BY ADDING TWO NEW GOTINGS EMERGENCY WATER CHARGE AND TEMPORARY IRRIGATION CHARGE AND NO. 2, AMENDING INSTALLATION CHARGES TO DIRECTOR OF WATER SUPPLY TO WAIVE THE COSTS OF WATER SERVICE INSTALLATION FOR PROPERTIES IN WHICH INFRASTRUCTURE WAS DESTROYED OR OTHERWISE RENDERED NON-OPERATIONAL DUE TO THE DISASTER OF EMERGENCY AND RESULTING IN A PROCLAMATION OF A STATE OF EMERGENCY NO. 3, AMENDING WATER FEES TO AUTHORIZE THE DIRECTOR TO WAIVE THE WATER DEVELOPMENT FEES FOR PROPERTIES IN WHICH THE WATER METER WAS DESTROYED OR OTHERWISE RENDERED NON-OPERATIONAL DUE TO DISASTER OR EMERGENCY RESULTING IN A PROCLAMATION OF A STATE OF EMERGENCY. AND AUTHORITY OF THIS AMENDMENT COMES FROM CODE REVISIONS. WE ARE SUPPORTING THROUGH BILL 129 (2023) THE DEPARTMENT OF WATER DOW SUPPLY WILL BE ABLE TO PROVIDE RELIEF TO THOSE AFFECTED BY WILDFIRE. THERE ARE SOME CLEAN-UPS NEEDED FOR THIS BILL THOUGH. WE HAVE RECEIVED A REVISED BILL FROM BUDGET OFFICE THROUGH COUNTY COMMUNICATION 23-39 THAT INCLUDES THE REVISIONS.\r\n\r\nWE ALREADY TALKED ABOUT THAT. THEREFORE, AT THIS TIME, I MOVE TO SUBSTITUTE 108 (2023) WITH REVISED BILL IN COUNTY COMMUNICATION 23-39 AND FILE COUNTY COMMUNICATION 23-39. ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. >> AYE. >> NINE AYES, ZERO NOS, MOTION CARRIES. >> ONE MORE THING. >> ONE MORE THING BY VICE-CHAIR SUGIMURA.\r\n\r\n>> SO THE MOST IMPORTANT THING THIS REVISED BILL DOES, BECAUSE THEY FORGET THIS AND IF WE DIDN'T ADD IT, THEY WOULD GET ALL THIS FOR \$1.04. BUT BECAUSE OF

SOME WATCHFUL EYES THE REVISED BILL CLARIFIES THAT THE TEMPORARY IRRIGATION RATE FOR ALL USAGE IS PER 1,000 GALLONS AND THIS INCORPORATES LANGUAGE TO MATCH 23-39 EFFECTIVE RETROACTIVE TO AUGUST 8TH, 2023. THESE REVISIONS WILL IMPLEMENT THE TEMPORARY IRRIGATION CHARGE AS INTENDED, AND WILL ENSURE THE CHARGES IN THE BILL CAN BENEFIT THOSE AFFECTED BY THE WILDFIRES. THANK YOU, CHAIR. >> WHOSE WATCHFUL EYES? >> MY. >> YOURS, WOW, CONGRATULATIONS. >> MICHELE YOSHIMURA. >> WOW.\r\n\r\n>> WE HAVE SOMETHING REALLY WRONG WITH THIS BILL. >> THANK YOU, MICHELE. ALL RIGHT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. >> AYE. >> NINE AYES, ZERO NOS. MOTION CARRIES. >> YAY . >> ARE WE DONE?\r\n\r\n>> WE'LL GO BACK TO 104, FD 1, COUNCIL MEMBER RAWLINS-FERNANDEZ. >> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR BEAR WITH ME ON THIS MOVE, I MOVE TO PASS BILL 104 FD 1 (2023) ON SECOND AND FINAL READING. >> MOVED BY MEMBER KEANI RAWLINS-FERNANDEZ, SECONDED BY MEMBER SINENCI TO PASS BILL 104 FD 1 (2023) ON SECOND AND FINAL READING, DISCUSSION, MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. AT THE BFED COMMITTEE MEETING THIS WEEK, WE HEARD FROM DEPUTY MANAGING DIRECTOR NISHITA THAT THE COUNTY INTENDS TO USE THE G.E.T. SURCHARGE FUNDING FOR COUNTY-INITIATED AND COUNTY-OWNED PROJECTS, AND THAT -- SO BASICALLY RENDERING THIS AMENDMENT PRETTY BENIGN. A COUPLE OF QUESTIONS THAT WE NEEDED TO IRON OUT AND SHORTLY AFTER THE MEETING, WELL, I GET NOT THAT DAY, BUT THE NEXT DAY, I LEARNED FROM DIRECTOR RAATZ, IF I DON'T INCLUDE THIS AMENDMENT NOW THAT I WON'T BE ABLE TO LATER.\r\n\r\nTHAT AMENDMENTS ARE DUE BY DECEMBER 31ST, I THINK, DIRECTOR RAATZ? >> DIRECTOR RAATZ. >> THAT'S CORRECT, CHAIR. THE ENABLING STATUTE FROM THE STATE SAYS THAT ALL G.E.T. SURCHARGE ORDINANCES HAVE TO BE IN THEIR FINAL FORM BY DECEMBER 31ST, 2023. THANK YOU. >> OKAY. SO AT THE BFED COMMITTEE MEETING, I STATED MY INTENTION TO PROPOSE THIS AMENDMENT AT A FUTURE TIME AFTER WORKING WITH DEPUTY DIRECTOR ON SOME AMENDMENTS TO IT. AND THEN AFTER, SO I SAID I WOULD FILE IT TODAY.\r\n\r\nBUT AFTER LEARNING THAT NEW INFORMATION, I DON'T WANT TO FILE IT. I DO WANT IT TO PASS, BECAUSE I WON'T HAVE AN OPPORTUNITY AFTER THIS MONTH. SO I ASKED DEPUTY DIRECTOR NISHITA TO SIGN ON, WHICH HE HAS, AND THERE WERE A COUPLE OF THINGS THAT MEMBERS EXPRESSED CONCERN ABOUT, OR QUESTIONS ABOUT, AND THERE WAS ALSO A REQUEST TO EXEMPT DEPARTMENT OF HAWAIIAN HOMELANDS SINCE THEY WILL BE RECEIVING 20% OF THE G.E.T. SURCHARGE. SO IN WORKING AND IN LOOKING AT HOW I COULD AMEND THIS, SO THAT IT WOULD BE SOMETHING THAT WOULD BE MORE SUPPORTED BY EVERYONE, I HAVE A COUPLE OF AMENDMENTS TO PROPOSE. I'M GOING TO SAY WHAT THEY ARE, AND THEN I WOULD LIKE TO CALL ON DEPUTY DIRECTOR NISHITA TO PROVIDE ANY COMMENTS. SO BEFORE ANY EXPENDITURES, ADDING ON-SITE INFRASTRUCTURE, SO BEFORE ANY ON-SITE INFRASTRUCTURE EXPENDITURES FROM THE FUND IS MADE THAT BENEFITS ANY NON-GOVERNMENTAL HOUSING PROJECT BY REDUCING INFRASTRUCTURE COSTS. THE DEVELOPER MUST AGREE TO ALLOW THE COUNTY COUNCIL SUBJECT TO CHAPTER 92F H.R.S. OR OTHER APPLICABLE LAWFUL ACCESS TO REPORTS AND OTHER DOCUMENTS RIOTING TO THE HOUSING PROJECT, SO THE PRACTICES OF THE DEVELOPER CAN BE MONITORED AND EVALUATED TO ENSURE THE PROPERTY AND EFFECTIVE EXPENDITURE OF PUBLIC FUNDS.\r\n\r\nSO THE WAIKAPU WASTEWATER TIME AND NON-GOVERNMENT HOUSING PROJECT, SO BASICALLY PRIVATE HOUSING PROJECT, AND THAT WOULD EXEMPT DHHL, AS WELL AS ANY OTHER GOVERNMENTAL AGENCY THAT MAY BE PURSUING A HOUSING PROJECT FOR OUR COMMUNITY. AND THEN IT AMENDS THE AUDITOR TO THE COUNCIL INSTEAD. SO THAT WE WOULD RECEIVE THE RECORDS THAT WE'RE REQUESTING FOR THIS. FOR TRANSPARENCY FOR THE PUBLIC, SO THERE WOULD BE NO MISCONCEPTIONS ABOUT THE COUNTY AUDITOR MONITORING THE FUNDING SO THOSE ARE THE THREE AMENDMENTS. MAY I CALL ON DEPUTY DIRECTOR NISHITA TO COMMENT ON THEM? >> THANK YOU. >> MR.\r\n\r\nNISHITA, ARE YOU ON THE LINE? >> YES. THANK YOU, CHAIR. THANK YOU, MEMBER RAWLINS-FERNANDEZ FOR THE OPPORTUNITY TO COMMENT. AT LEAST FROM OUR STANDPOINT, I MEAN, THE AMENDMENT AS PROPOSED ADDRESSES THE CONCERNS THAT WE HAD. SO UNLESS THERE'S FURTHER QUESTIONS FOR US, WE'RE FINE WITH THE LANGUAGE AS PROPOSED FOR IMPLEMENTATION. AND WE DO PLAN TO ACTUALLY KIND OF REGARDLESS OF WHETHER THE COUNCIL PASSES THIS OR NOT, INCORPORATE SOME VERSION OF THIS, OR THIS PARTICULAR LANGUAGE, IF THE COUNCIL

DOES PASS THIS TODAY INTO ADMINISTRATIVE RULES FOR IMPLEMENTATION WHEN WE GET DOWN TO THE PUBLIC NOTICE AND COMMENT PERIOD IN ESTABLISHING THE ADMINISTRATIVE RULES.

SO APPRECIATE THE OPPORTUNITY TO WORK TOGETHER ON THIS AND JUST REITERATING THAT IT DOES RESOLVE THE CONCERNS THAT WE HAD ON OUR SIDE. THANKS. >> DO YOU HAVE ANY MORE QUESTIONS FOR MR. NISHITA? ANYBODY? HOW ABOUT QUESTIONS FOR MEMBER RAWLINS-FERNANDEZ? I DO.

SO WE'RE TALKING ABOUT WHEN YOU SAY OPEN THE BOOKS FOR REVIEW, ARE WE TALKING ABOUT JUST FOR REVIEW; RIGHT? >> YES. >> REVIEW BY THE COUNCIL. I JUST DON'T WANT THE COUNCIL TO HAVE THE AUTHORITY, OR THE ABILITY TO START TO CHANGE THE WHOLE PROJECT SIMPLY, YOU KNOW, IT'S LIKE OPENING THE WHOLE PROJECT UP AGAIN. NO? THIS IS JUST TO REVIEW REPORTS; RIGHT? >> WE'RE JUST GOING TO RECEIVE IT AND WE'RE GOING TO HAVE IT AND IT'S FOR TRANSPARENCY.

>> OKAY. >> AS I STATED, DIRECTOR DEPUTY DIRECTOR NISHITA TOLD US THAT THE FUNDING AT LEAST UNDER WHILE HE IS THERE WILL BE USED FOR COUNTY-OWNED PROJECTS ANYWAY. SO THIS REALLY WON'T APPLY -- IT WOULD BE BENIGN AND AS LONG AS WE'RE ONLY USING IT FOR COUNTY-OWNED PROJECTS, THEN IT DOESN'T AFFECT ANYONE. >> THEN WHY ARE WE PUTTING IN THERE? >> BECAUSE DEPUTY DIRECTOR NISHITA WILL NOT BE THERE FOREVER. >> OH. >> I KNOW, I'M REALLY BUMMED ABOUT IT, TOO.

I WISH HE WOULD BE THERE FOREVER. >> YES. MEMBER COOK. >> THANK YOU. I WON'T SUPPORT THIS, BECAUSE PUTTING FINANCIAL RECORDS AS WE DISCUSSED PREVIOUSLY IS SUCH A BROAD TERM. I'M AN ADVOCATE OF TRANSPARENCY, BUT AUDITING A PROJECT REGARDING TO THE INFRASTRUCTURE PORTION, I MEAN, IT REALLY NEEDS TO BE NARROWED DOWN. I THINK THE ADMINISTRATIVE RULES THAT THE DEPARTMENTS AND FINANCE COMES UP WITH FOR THE IMPLEMENTATION AND PAYMENT FOR WHAT THEY ARE GOING TO AUTHORIZE AND HOW THEY ARE GOING TO PAY FOR INFRASTRUCTURE WILL ADDRESS IT.

I'M NOT SUPPORTIVE OF HAVING THIS KIND OF HANGING OUT THERE THAT IS NOT REALLY NECESSARY, BUT JUST IN CASE PERSONNEL CHANGES. SO I SUPPORT THE TRANSPARENCY. I SUPPORT THE INTENT. I JUST THINK THIS IS A LITTLE BROAD, AND MY PREFERENCE IS NOT TO HAVE THAT. THANK YOU. >> ANYBODY ELSE? >> THESE ARE COUNTY PROJECTS; RIGHT?

MEMBER RAWLINS-FERNANDEZ? THESE ARE COUNTY PROJECTS. >> SO IT'S THE FUNDING FROM THE G.E.T. SURCHARGE. >> RIGHT. >> AND IT WASN'T EXPLAINED TO US UNTIL THE BFED COMMITTEE MEETING THAT THE INTENTION IS NOT TO GRANT IT TO PRIVATE DEVELOPERS THE WAY THAT THE AFFORDABLE HOUSING FUND IS. THAT WE WOULD JUST -- THE COUNTY WOULD USE THAT FUNDING FOR COUNTY-OWNED PROJECTS AND THAT IS ALREADY SUPPOSED TO BE OPENED AND TRANSPARENT TO THE PUBLIC. SO AS LONG AS WE'RE DOING COUNTY PROJECTS WITH THE G.E.T. SURCHARGE, THEN THIS DOESN'T APPLY BECAUSE THERE'S NO PRIVATE DEVELOPERS, JUST THE COUNTY.

>> MEMBER COOK. >> I HAVE A FRIENDLY AMENDMENT. HOW ABOUT IF -- >> CHAIR? RIGHT NOW I BELIEVE THAT COUNCIL MEMBER RAWLINS-FERNANDEZ DESCRIBED HER AMENDMENT, BUT WE DON'T HAVE A SECOND ON THAT. >> I CAN HEAR HIS -- I LIKE TO HEAR HIS -- I WOULD LIKE TO HEAR MEMBER COOK'S IDEA. >> THANKS. >> THAT THE HALF PERCENT G.E.T. SURCHARGE SHALL NOT BE USED ON PRIVATE PROJECTS WITHOUT THE -- BEFORE THE ADMINISTRATIVE RULES FOR SUCH PURPOSES ARE GENERATED.

THE INTENT IS FOR THE COUNTY OF MAUI TO USE THE FUNDS TO PROVIDE THE INFRASTRUCTURE THAT HAS BEEN LACKING, SEWER, WATER, ET CETERA, IN THE GENERAL PLAN, IN THE COMMUNITY PLANS THAT THE COMMUNITY WANTS DEVELOPMENT. SO WHEN THAT IS -- ALL OF THAT PROCESS, IT'S ALL GOING TO BE IN PUBLIC RIGHTS-OF-WAY MORE THAN LIKELY OR AN AMENDMENT AND/OR HAWAII STATE ESTABLISHES. SO THAT TAKES CARE OF ALL OF THAT PART OF IT. TO MY KNOWLEDGE AND I DON'T UNDERSTAND HOW ANY PRIVATE DEVELOPMENT FOR HOUSING IS GOING TO BE UTILIZING THIS HALF PER CENT SURCHARGE. IN THE EVENT THAT THEY DO WANT TO USE IT, WE CAN DEVELOP SOME RULES FOR IT NOW. THIS RIGHT NOW IS A PROTECTIVE MECHANISM WITHOUT ANY REAL STRUCTURE FOR IT. DOES THAT MAKE SENSE?

I AGREE, I DON'T WANT A DEVELOPER USING THE MONEY, NOT BE ACCOUNTABLE. I JUST FEEL WE CAN DO IT WITH ADMINISTRATIVE RULES WHEN THIS MONEY IS EXPENDED IN THE FUTURE JUST TO HAVE THIS. THANK YOU. >> IT'S ONLY FOR COUNTY; RIGHT? >> ARE YOU ASK ME? >> YES, MEMBER RAWLINS-FERNANDEZ. >> MAHALO CHAIR.

I WOULD ASK DEPUTY DIRECTOR NISHITA FOR HIS FEEDBACK, BECAUSE I'M OPEN TO THAT. DEPUTY DIRECTOR NISHITA SAID THEY WOULD BE



DEVELOPING ADMINISTRATIVE RULES. I AM OPEN TO MEMBER COOK'S IDEA, BUT I WOULD ALSO HAVE TO THEN FOLLOW-UP WITH DIRECTOR RAATZ TO SEE IF THAT IS TOO SUBSTANTIVE OF A CHANGE THAT WOULD BE IN VIOLATION OF SUNSHINE LAW IF WE DIDN'T POST AGAIN FOR THE NEXT COUNCIL MEETING. FIRST, DEPUTY DIRECTOR NISHITA. >> THANK YOU VERY MUCH, CHAIR. THANK YOU, COUNCIL MEMBER RAWLINS-FERNANDEZ FOR THAT QUESTION. COUNCIL MEMBER COOK, FOR OFFERING SOME ADDITIONAL SUGGESTIONS AS WELL ULTIMATELY THIS IS A POLICY CALL FOR THE COUNCIL AND WHAT YOU FEEL IS THE RIGHT DETERMINATION, WHAT NOT.

THE EXPENDITURES, YOU KNOW, THE APPROPRIATIONS FROM THE GENERAL EXCISE TAX FUND WILL COME THROUGH YOU FOLKS ANYWAY. SO YOU WILL KNOW WHERE WE'RE KIND OF PUTTING THE MONEY OR WHAT PROJECTS WE'RE TRYING TO ALLOCATE THEM TO. AND YOU KNOW, THERE WILL BE OPPORTUNITIES FOR FURTHER DISCUSSION ON THOSE AREAS. I THINK IF, YOU KNOW, FROM OUR SIDE IF WE'RE GOING TO BE GRANTING ANY FUNDING TO ENTITIES DOING ON-SITE WORK, OR PROJECTS OR ANYTHING LIKE THAT THAT IS ALLOWABLE UNDER THE FUND, WE DO WANT PERIMETERS AROUND THEM TO INCLUDE MECHANISMS IN ADMINISTRATIVE RULE AT LEAST IF THERE'S NOTHING IN THE CODE IF OR HOW THAT IS IMPLEMENTED OR WHAT THE EXPECTATION IS. THE LEVEL AT WHICH YOU FOLKS WANT TO REQUIRE THEM TO PROVIDE IS A POLICY CALL AND IT'S SOMETHING THAT HOWEVER STRICT YOU WANT TO BE, PEOPLE THAT WANT TO ACCESS THAT MONEY ARE JUST GOING TO HAVE TO COMPLY WITH THOSE REQUIREMENTS IF THEY DO WANT TO ACCESS THAT SOURCE OF FUNDING FOR IT. WE CAN BE FINE WITH THE LANGUAGE AS PROPOSED BY COUNCIL MEMBER RAWLINS-FERNANDEZ, AND WE CAN BE FINE WITH THE LANGUAGE PROPOSED BY COUNCIL MEMBER COOK. I MEAN, IT'S KIND OF ACCOMPLISHING A SIMILAR THING IN DIFFERENT VEINS.

SO I WOULD LEAVE IT UP TO THE COUNCIL. WE WOULD BE HAPPY TO WORK WITH YOU FOLKS ON THE DEVELOPMENT OF ADMIN RULES. THANKS. >> MR. RAATZ, ABOUT THE SUBSTANTIVE CHANGES? >> THANK YOU,. IT SOUNDS TO US LIKE THE NATURE OF THE CHANGES ARE SO FUNDAMENTAL IT WOULD TRANSFORM THE BILL INTO A NEW PROPOSAL AND IS THAT THE STANDARD. SO WE DON'T SEE A SUNSHINE LAW PROBLEM.

IF I MAY, I WILL JUST OFFER ONE OTHER NOTE ON THE STATE ENABLING STATUTE. SO I MENTIONED DECEMBER 31ST OF 2023 IS THE DEADLINE FOR FINAL ACTION ON COUNTY ORDINANCES FOR G.E.T. SURCHARGE. THE DEADLINE FOR FISCAL YEAR, OR EXCUSE ME, FOR THE COUNTY STARTING JANUARY 1ST, WAS ACTUALLY BACK AT THE END OF THE AUGUST AND THE COUNCIL DID ACT TO MEET THAT DEADLINE. AS WE READ THE STATE LAW, WE'RE ALREADY LOCKED IN PLACE FOR JANUARY 1, 2024 AND ANY ORDINANCE THAT IS PASSED BEFORE OR ENACTED BEFORE DECEMBER 31ST OF THIS YEAR WOULD TAKE EFFECT JANUARY 1ST, 2025. >> YES, MEMBER COOK? >> I WILL ASK CAN THE COUNTY OF MAUI ESTABLISH ADMINISTRATIVE RULES DURING THE YEAR OR DOES THAT CONDITION THAT YOU JUST STATED INFLUENCE WHEN THE COUNTY CAN DETERMINE RULES FOR SEWER/WATER EXPENDITURES? >> MR. RAATZ YOU SAID WE NEED TO MAKE A CHANGE BEFORE DECEMBER 31ST TO TAKE EFFECT IN 2025, JANUARY.

>> I'M CURIOUS ABOUT THE 2024 DATE. >> THAT IS PAU ALREADY. >> IN AUGUST, WE ALREADY SET THE STAGE FOR JANUARY FOR 2024 WE'RE GOING TO COLLECT FUNDS POSSIBLY HAVING THE EXPENDITURES IN JULY OF 2024 AND I'M CURIOUS IF THE COUNTY HAS THE ABILITY TO MAKE ADMINISTRATIVE RULES OF HOW TO THE STRUCTURE THE STATE LEGISLATURE'S APPROPRIATION? >> WELL, ALL I CAN ADD TO THAT, MR. RAATZ, IS THAT THE ADMINISTRATIVE RULES GENERALLY COME FROM THE ADMINISTRATION, SO THE DEPARTMENT WOULD BE WORKING ON THAT. >> MY THOUGHT THROUGH THIS WHOLE PROCESS THAT THE DEPARTMENTS ARE GOING TO BE DRIVING THE BOAT, SO TO SPEAK AND THAT WE AS A LEGISLATIVE OVERSIGHT ARE GOING TO BE REVIEWING AND APPROVING THE EXPENDITURES. BUT HAVING BILLS AND VERBIAGE THAT RESTRICT THINGS, I DON'T WANT TO RESTRICT THEM.

I WANT TO RESTRICT THEM WHEN THEY COME AND ASK FOR THE MONEY AND TO HOLD THEM ACCOUNTABLE AS OPPOSED TO SOMETHING LIKE THIS, CROSS-REFERENCING. >> MEMBER PALTIN. >> I WOULD JUST SAY THAT ADMINISTRATIVE RULES CAN COME AND GO WITH THE ADMINISTRATION THAT IMPLEMENTS THEM. IT'S DIFFERENT IF WE'RE MAKING LEGISLATION. FOR EXAMPLE, WHAT IF STEWART STANT WAS ELECTED AS MAYOR AND WHAT WOULD HIS ADMINISTRATIVE RULES LOOK LIKE? WE DIDN'T KNOWS WHO THAT WAS UNTIL HE GOT CAUGHT, BUT IT'S AN EXAMPLE. SO MY PREFERENCE WOULD BE LEGISLATION -- I MEAN LEGISLATION COULD BE AMENDED AS WELL, BUT



WHEN IT'S AMEND, IT'S IN THE FULL SUNSHINE.\r\n\r\nI CAN'T REMEMBER THE LAST ADMINISTRATIVE RULES THAT WENT THROUGH THE PUBLIC PROCESS? I DON'T KNOW THAT I HAVE EVER SEEN IT GO THROUGH A PUBLIC PROCESS. I CAN'T EVEN -- THAT IS ONE OF THE FIRST THINGS I TOLD MANAGING DIRECTOR AKANA WHEN WE HAD OUR APPROVING INTERVIEWS, YOU KNOW? AND STILL, NO WITHSTANDING I STILL DON'T KNOW WHERE THE ADMINISTRATIVE RULES FOR A MAJORITY OF THE DEPARTMENTS ARE. SO IF WE'RE TALKING ABOUT TRANSPARENCY, MAYBE TRANSPARENCY IN ADMINISTRATIVE RULES DON'T REALLY GO TOGETHER YET. >> ALL RIGHT. DID YOU WANT TO MAKE AN AMENDMENT?\r\n\r\nNOT ANYMORE? >> NO. >> OKAY. WHAT IS BEFORE US IS WHAT MEMBER RAWLINS-FERNANDEZ PRESENTED. ANY MORE DISCUSSION ON THAT? NO? MEMBER RAWLINS-FERNANDEZ?\r\n\r\nAND THEN MEMBER KAMA, YOU ABOUT TO RAISE YOUR HAND. >> I WAS. >> CAN I CALL ON MEMBER PRO TEM KAMA FIRST? >> JUST TO REMIND EVERYONE THOUGH, WE DON'T HAVE THE MOTION TO AMEND ON THE FLOOR YET. >> NOT YET, OKAY. >> JUST WANTED TO SAY THAT WHAT WE HEARD IS THAT THE INTENT WAS FOR THE COUNTY TO BE ABLE TO ACTUALLY BE THE DEVELOPER, AND THAT THEY WOULD BE ABLE TO BE THE ONES TO USE THE G.E.T.. BUT IT DOESN'T SAY THAT IN THE LEGISLATION. IF WE WANT THAT TO BE, WE SHOULD SAY IT IN THE LEGISLATION.\r\n\r\nSO THAT IRREGARDLESS WHO THE ADMINISTRATOR IS OR WHO IS THERE, THAT THE G.E.T., LEAST FOR THE NEXT TEN YEARS, I THINK, >> SEVEN. >> OR SEVEN. WILL BE USED FOR COUNTY PROJECTS. >> MEMBER PALTIN. MEMBER RAWLINS-FERNANDEZ, DID YOU HAVE YOUR HAND UP? BECAUSE YOU HAD A QUESTION? >> I WAS GOING TO MAKE MY MOTION TO AMEND, BUT I THINK IT'S FUNNY THAT WE'RE GETTING EVEN MORE RESTRICTIVE NOW AND WE'RE GOING RESTRICT G.E.T. SURCHARGE TO ONLY COUNTY PROJECTS.\r\n\r\nI WAS OPEN TO PRIVATE PROJECTS, BUT SURE, CHAIR. >> MEMBER PALTIN. >> I THINK THAT IT WASN'T THE FOR IT ONLY TO BE COUNTY PROJECTS. MR. NISHITA WAS SAYING IN LIGHT OF THE LAHAINA SITUATION THAT THE MAJORITY OF THAT G.E.T. SURCHARGE WILL BE TAKEN UP REPAIRING OUR DAMAGED STUFF. BUT YOU KNOW, IT'S SUPPOSED TO SUPPORT HOUSING, AND YOU KNOW, IF WE ARE ABLE TO SET ASIDE A PORTION OF IT TO GET A GREAT HOUSING PROJECT BY A PRIVATE DEVELOPER, I WOULDN'T BE OPPOSED. SO I WOULDN'T WANT TO LIMIT OURSELVES AT THIS TIME, BUT IN THE SAME THOUGHT, IF WE DO GIVE A PORTION OF IT TO A PRIVATE DEVELOPER TO DEVELOP THIS HOUSING, I WOULD JUST LIKE TO HAVE THAT FINANCIAL OVERSIGHT TO ENSURE THERE'S NO FUNNY BUSINESS GOING ON.\r\n\r\nSO I MEAN, I WOULD LOVE TO KEEP IT OPEN WHERE MAYBE THIS YEAR, MAYBE THE NEXT FIVE YEARS, WE USE IT THE MAJORITY FOR LAHAINA REBUILD, BUT THERE COULD BE -- WE DON'T KNOW WHAT KIND OF PROPOSALS PRIVATE DEVELOPERS MAY COME UP WITH? WE DON'T KNOW WHAT THE G.E.T. REVENUE EXACTLY WILL BE UNTIL IT COMES IN. SO YOU KNOW, MAYBE THERE MIGHT BE A PROJECT THAT IS NOT READY AND WE HAVE THIS MONEY AND THERE'S THIS PRIVATE DEVELOPER WHO WANTS TO GIVE US ALL THIS HOUSING. I WOULDN'T WANT TO SLAM THE DOOR SHUT ON THAT BEFORE, LIKE, I DON'T MIND LEAVING THE DOOR OPEN TO THAT. I WOULD LOVE TO MAKE SURE NO FUNNY BUSINESS FINANCIALLY. >> PRO TEM KAMA. >> I DON'T THINK IT'S PRIVATE DEVELOPERS THAT IS GOING TO ALLOW US TO OPEN HIS BOOKS.\r\n\r\nI DON'T THINK THAT IS GOING TO HAPPEN. IF THAT IS, THEY PROBABLY WOULDN'T APPLY. THAT IS MY TWO CENTS. >> KEEP IN MIND, WE CAN MAKE CHANGES IN THE FUTURE. YOU KNOW, IT'S NOT SOMETHING THAT IS INFLEXIBLE. MEMBER UU-HODGINS. >> THANK YOU, CHAIR.\r\n\r\nI DON'T DISAGREE WITH WHAT MEMBER PALTIN IS SAYING, WHERE A MAJORITY OF THESE FUNDS SHOULD BE USED FOR COUNTY INFRASTRUCTURE. BUT CONSIDERING WE ALWAYS SUFFER FROM A LACK OF EMPLOYEES, AND ENGINEERS, YOU KNOW, THERE MIGHT BE A TIME WHEN WE DO NEED TO SUBCONTRACT THAT WORK AND IN DOING SO WE WOULD BE STIFLING OURSELVES IF WE BECAME TOO RESTRICTIVE. I APPRECIATE THE LANGUAGE WHERE WE SAY NON-GOVERNMENT HOUSING PROJECTS. IT'S NOT THE COUNTY AND IT'S ALSO NOT DHHL. AND I HOPE THAT JUST IN ASKING FOR THIS INFORMATION, IF THE INTENT IS JUST TO RECEIVE THIS INFORMATION, I'M NOT TOO SURE WHAT WE'LL DO WITH IT AFTER THAT. BUT I HOPE WITH KNOWING THAT THEY HAVE TO PROVIDE US THAT INFORMATION KEEPS EVERYBODY HONEST AND ON THE UP AND UP. SO I ALWAYS APPRECIATE TRANSPARENCY.\r\n\r\nWE COULD ALWAYS USE MORE OF IT. SO I'M GOOD WITH THE LANGUAGE AS AMEND, OR AS SOONS TO PROPOSED THAT IS IN THE CHAT NOW. THANKS. >> ALL RIGHT. DO YOU WANT TO MAKE YOUR MOTION, MEMBER RAWLINS-FERNANDEZ. >> MAHALO,

CHAIR. AND JUST FOR THE RECORD, WE ALREADY HAD A DEVELOPER THAT OFFERED TO OPEN HIS BOOKS TO THE COUNTY MR. PAUL CHANG ALREADY OFFERED TO. SO DEPUTY CORPORATION COUNSEL TOSHIKIYO CAUGHT ONE MINOR MISTAKE, OR MISSING AND I ADDED IT. SO I MOVE TO AMEND BILL 104 TO READ BEFORE ANY ON-SITE INFRASTRUCTURE EXPENDITURE FROM THE FUND IS MADE THAT BENEFITS A NON-STATE OR NON-COUNTY-OWNED HOUSING PROJECT BY REDUCING COSTS THE DEVELOPER MUST AGREE IN WRITING TO ALLOW THE COUNTY COUNCIL SUBJECT TO CHAPTER 92F HAWAII REVISED STATUTES OR OTHER APPLICABLE LAW FULL ACCESS TO RECORDS, REPORTS, FILES AND OTHER DOCUMENTS RELATED TO THE HOUSING PROJECT SO THAT FISCAL PRACTICES CAN BE MONITORED AND EVALUATED TO ENSURE THE PROPERTY EXPENDITURE OF PUBLIC FUNDS TO WAIVE RULE 19C OF THE RULES OF THE COUNCIL. >> SECOND. >> MOVED BY MEMBER RAWLINS-FERNANDEZ, SECONDED BY MEMBER JOHNSON TO THE MOTION AS SHE JUST STATED. AND TO WAIVE RULE 19C OF THE COUNCIL. DISCUSSION? ANY MORE DISCUSSION, ANYBODY? NO DISCUSSION. ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. >> AYE. >> ARE YOU GUYS THINKING ABOUT IT? ROLL CALL. >> COUNCIL MEMBER PRO TEMPORE TASHA KAMA. >> NO. >> VICE-CHAIR SUGIMURA. >> NO. >> COUNCIL MEMBER PALTIN? >> AYE. >> COUNCIL MEMBER JOHNSON >> AYE. >> COUNCIL MEMBER RAWLINS-FERNANDEZ? >> AYE. >> COUNCIL MEMBER COOK? >> NO. >> COUNCIL MEMBER UU-HODGINS? >> AYE. >> COUNCIL MEMBER SINENCI? >> AYE. >> COUNCIL CHAIR LEE? >> AYE. >> CHAIR, SIX AYES, THREE MONTHS, MOTION CARRIES. BACK TO THE MAIN MOTION AS AMENDED. >> MAIN MOTION AS AMENDED. ANY MORE DISCUSSION? ROLL CALL. >> COUNCIL MEMBER PRO TEMPORE TASHA KAMA? >> NO. VICE-CHAIR SUGIMURA? >> NO. >> COUNCIL MEMBER PALTIN? >> AYE. >> COUNCIL MEMBER JOHNSON? >> AYE. >> COUNCIL MEMBER RAWLINS-FERNANDEZ? >> AYE. >> COUNCIL MEMBER COOK? >> NO. >> COUNCIL MEMBER UU-HODGINS? >> AYE. >> COUNCIL MEMBER SINENCI? >> AYE. >> COUNCIL CHAIR LEE? >> AYE. >> CHAIR, THERE ARE SIX AYES, THREE MONTHS, MOTION CARRIES. >> MAHALO, MEMBERS. >> MEMBER PALTIN. >> I JUST WANTED TO MAKE SURE THAT WE DID TAKE THE VOTE ON BILL 129. JUST DOUBLE-CHECKING THAT YOU GOT THAT? >> JOYCE? >> YES. >> WE GOT IT, OKAY. JUST DOUBLE-CHECKING. >> ANYBODY ELSE? WELL YOU KNOW, WHEN YOU FIND YOUR NEW OFFICE, MEMBER PALTIN, I DON'T KNOW, YOU HAVE TO FIX THE OUTSIDE SO PEOPLE DON'T COME THERE FOR MARRIAGE LICENSES ANY MORE. >> I WILL PUT A BIG SIGN, NO MARRIAGE LICENSES. >> ANY WORDS OF WISDOM OR CONGRATULATIONS OR ANYTHING THAT YOU WANT TO SAY? MEMBER COOK. >> GOOD MEETING, ALL HAVE A REALLY GOOD WEEKEND. >> YOU, TOO. YOU TOO. MEMBER JOHNSON. >> CHRISTMAS LIGHTING IN LANAI CITY, BE THERE OR BE SQUARE. >> COOL. >> YOU ARE GOING TO CLIMB THE TREES? >> BUT I GET TO DRINK EGGNOG AND DO THE CELEBRATORY STUFF WE ALL LOVE. >> ANYBODY ELSE? MEMBER PRO TEM TASHA. >> I WANT TO SAY MAHALO AND ALOHA TO LOIS WHITNEY, WHO IS LEAVING MY OFFICE TO GO UPSTAIRS TO WORK WITH THE MAYOR IN THE OFFICE OF COMMUNICATIONS AND TO SAY WELCOME TO MY NEWEST ADDITION TO MY OFFICE. >> WE'RE GOING TO MISS LOIS. >> VERY TALENTED. >> MEMBER SUGIMURA. >> WHO? >> LOIS, WHENEVER I GO TO THEIR GRADATION, LOIS WROTE THE WORDS. I WANT TO ANNOUNCE TOMORROW AT 4:00 IS THE GOLF CART PARADE AT PUKALANI GOLF COURSE. WHEN YOU ARE GOLFING YOU CAN TAKE A BREAK AND VISIT AT 4:00 IT STARTS. AND SUNDOWN IS WHEN THE PARADE STARTS. >> AND THEN TONIGHT MY CLASS IS HAVING A CLASS REUNION, NOT THAT YOU WOULD WANT TO COME. >> WHERE? >> A RESTAURANT. [LAUGHTER]. >> BUT ISN'T THERE SOME KIND OF EVENT FOR THE UPW TOMORROW? >> THAT IS TOMORROW. >> SAME TIME AS THE GOLF CART THING; RIGHT? >> I THINK IT'S GOING TO START A LITTLE EARLIER. >> A LITTLE EARLIER? >> YES. >> ANYTHING ELSE? >> I WILL JOINING YOU TUESDAY FROM UTAH AND I WILL BE WITH MY FAMILY ATTEMPTING TO ENJOY SOME HOPEFUL SNOW THIS WINTER. >> GOOD FOR YOU, YOU DESERVE A NICE REST. OKAY. WE CAN'T FORGET LITTLE MOLOKAI. >> THANK YOU. >> MEMBER RAWLINS-FERNANDEZ. >> THANK YOU FOR ACCOMMODATING ME FROM MOLOKAI. I DIDN'T WANT TO GET STUCK ON MAUI FOR THE WEEKEND. ALOHA TO LOIS. I'M HAPPY SHE WON'T BE TOO FAR AND I WANTED I'M SURE EVERYONE TO EXTEND OUR ALOHA AND MAHALO TO MANAGING DIRECTOR KEKU AKANA. >> YES. >> AND SAFE TRAVELS, MEMBER UU-HODGINS. >> WE WELCOME MANAGING DIRECTOR KEKU AKANA THE BEST AND MAY HIS RETIREMENT YEARS BE THE BEST YEARS OF HIS LIFE. >> FOR THE

FOURTH TIME? [LAUGHTER ] >> AND THAT WILL END THE MEETING AND SAY THANK YOU. TAKE CARE EVERYBODY. THANK YOU TO ALL OF OUR STAFF. HOW DID THAT HAPPEN? AND ALOHA TAKE CARE. THIS MEETING IS ADJOURNED.\r\n\r\n[ GAVEL ] >> THANK YOU EVERYONE.