

# HOUSING AND LAND USE COMMITTEE

Council of the County of Maui

## MINUTES

October 22, 2025

Online Only via Teams

**CONVENE:** 9:03 a.m.

**PRESENT:** Councilmember Nohelani U‘u-Hodgins, Vice-Chair  
Councilmember Tom Cook, Member  
Councilmember Gabe Johnson, Member  
Councilmember Alice L. Lee, Member  
Councilmember Tamara Paltin, Member  
Councilmember Keani N.W. Rawlins-Fernandez, Member (In 9:10 a.m.)  
Councilmember Shane M. Sinenci, Member  
Councilmember Yuki Lei K. Sugimura, Member (In 9:05 a.m.)

**EXCUSED:** Councilmember Tasha Kama, Chair

**STAFF:** James Krueger, Senior Legislative Analyst  
Ellen McKinley, Legislative Analyst  
Kasie Apo Takayama, Senior Legislative Analyst  
Carla Nakata, Legislative Attorney  
Jennifer Yamashita, Committee Secretary  
Jean Pokipala, Council Services Assistant Clerk  
Ryan Martins, Council Ambassador

Residency Area Office (RAO):

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

**ADMIN.:** Richard T. Bissen, Jr., Mayor  
Mimi Desjardins, First Deputy Corporation Counsel, Department of the Corporation Counsel  
Kristin Tarnstrom, Deputy Corporation Counsel, Department of the Corporation Counsel  
Danny Dias, Planning Program Administrator, Department of Planning  
Greg Pfof, Administrative Planning Officer, Department of Planning  
Kari Stockwell, County Real Property Tax Administrator, Department of Finance

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**OTHERS:**

*Testifiers*

Kevin Smith  
Ray Grove  
Kathy Fleming  
Ron Rascia  
Kim Godin  
Dianne Rascia  
Lynette Pendergast  
Nalei Pokipala  
Bonnie  
Janice Herrick  
Gracie Gomes  
Nicola Dourambeis  
Jim Sullivan  
Donald Cameron  
Thom Rogers  
Wendy King  
Aaron Kelling  
Jim Langford  
Lonelle Newman  
Caitlin Miller  
C Rose Reily  
Shannon I'i  
Jordan Ruidas  
Andrew Church  
Karan Marsh  
Mitchell Tipton  
Wendy King  
Jeff Gilbert  
Caleb  
Gabriel Sankey  
Alena Ornellas  
Jackie Keefe  
John Carty  
Junya Nakoa  
Kristina Mau  
Karen Smart  
Amy Ramos  
Jasee Law  
Trinette Furtado  
Joyclynn Costa

Others (200)

**PRESS:**

*Akakū: Maui Community Television, Inc.*

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VICE-CHAIR U'U-HODGINS: . . .(gavel). . . Good morning, everybody. Thank you for being here. Will the Housing, Land Use Committee of October 22nd--thank you very much--2025, please come to order. It is 9:03 a.m. I'm your Vice-Chair of this Committee, Nohelani U'u-Hodgins. Chair Kama is out today, she's not feeling well, so I'll be the acting Chair for this meeting. Members, in accordance with the Sunshine Law, please identify by name who, if anyone, is in the room, vehicle, or workspace with you today. Minors do not need to be identified. So far, we are all in person, so this is just for others joining us soon. Committee Chair Tasha Kama is excused, so let's begin with Councilmember Tom Cook. Good morning and aloha.

COUNCILMEMBER COOK: Good morning and aloha, Chair. There's no testifiers at the Kihei Office. I'm looking forward to today's meeting. Thank you.

VICE-CHAIR U'U-HODGINS: Thank you. Councilmember Gabe Johnson, good morning and aloha.

COUNCILMEMBER JOHNSON: Aloha, Chair, Councilmembers, community members. There's no testifiers at the Lānaʻi District office. I'm here in ready work, and looking forward to a sincere and robust discussion. Mahalo.

VICE-CHAIR U'U-HODGINS: Um-hum, me too. Thank you. Council Chair Alice Lee, good morning and aloha.

COUNCILMEMBER LEE: Good morning. And from Tahiti, ia ora na.

VICE-CHAIR U'U-HODGINS: Ia ora na. Okay. Councilmember Paltin, aloha and good morning.

COUNCILMEMBER PALTIN: Ia ora na, and aloha kakahiaka kākou.

VICE-CHAIR U'U-HODGINS: Thank you. Member Rawlins-Fernandez will be joining us shortly. Councilmember Shane Sinenci, aloha and good morning.

COUNCILMEMBER SINENCI: Aloha, Chair, and ia ora na.

VICE-CHAIR U'U-HODGINS: Ia ora na. Councilmember Yuki Lei Sugimura, good morning and aloha.

COUNCILMEMBER SUGIMURA: Good morning. It's nice to see so many people in the Chambers. Welcome, Mayor. Nice to see all of you. Looking forward to a productive meeting. Thank you.

VICE-CHAIR U'U-HODGINS: Um-hum. Aren't we all?

COUNCILMEMBER SUGIMURA: Yeah.

VICE-CHAIR U'U-HODGINS: From Office of the Mayor, we have the Mayor himself, Richard T. Bissen, Jr. From Department of Planning, we have Mr. Danny Dias and

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Greg Pfof...I believe they're online with us. From the Department of Finance, we have Kari Stockwell, County Property Tax Administrator. From Corporation Counsel, we have both--did I say that right? Okay. Thank you--Mimi Desjardins, First Deputy Corporation Counsel, and Kristin Tarnstrom, Deputy Corporation Counsel. Our Committee Staff include Jennifer Yamashita, Committee Secretary; James Krueger, Senior Legislative Analyst; Kasie Apo Takayama, Senior Legislative Analyst, was in our TIG so she's with us today; Ellen McKinley, Legislative Analyst; Carla Nakata, Legislative Attorney; and Lei Dinneen, Council Services Assistant Clerk. Before we begin, I just wanted to make a really quick announcement that October is National Bullying Prevention Month, and today is actually Unity Day, so my son needed to dress in orange. Orange is a difficult color for me to pull off, so this is as orange as I can get. This month is to promote kindness, acceptance, and inclusion. Apparently, one in five students suffer bullying, and so I just wanted to put that out there that we are all role models of this community, and let's act like the change we want to see in this world. This is my orange for today.

UNIDENTIFIED SPEAKERS: . . .*(laughing)*. . .

VICE-CHAIR U'U-HODGINS: There we go. Okay.

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

VICE-CHAIR U'U-HODGINS: At last week's HLU Committee meeting, we received a presentation and a report on Bill 9 TIG's temporary investigative group, and our findings and our recommendations on policies, procedures for transient vacation rental uses in the Apartment districts. Under the Sunshine Law, we could not deliberate, which was, I know, very difficult for everyone at that meeting, so we will proceed with deliberations today after testimony. As a reminder, the TIG voted unanimously to recommend the following. The introduction of a resolution urging the Department of Planning to introduce legislation establishing H-3 and H-4 zoning districts in Section 19.4, MCC, that are a like-for-like with A-1 and A-2 Apartment districts, except that TVR uses will be outright permitted. This is per our discussion in our TIG. Having the Planning Department do so allows for a quicker process to establish those new zoning districts. We also discussed, and unanimously recommended to do the following as well. Council-initiated changes in zoning from A-1 or A-2 Apartment districts to H-3 or H-4 Apartment districts, respectfully [*sic*]. Once the H-3 and H-4 districts are established for the properties noted on Exhibit 2 of the report to make that change. Changes to the community plan designation for properties noted in Exhibit 2 and located in South Maui as a part of the Council review of the South Maui Community Plan update that will soon to come. We will also have to do Council-initiated changes in community plan designations for all the other properties in Exhibit 2. In order to do this, I will add, we will be working with Corp. Counsel and Planning to expedite this process, and to send a form letter requesting metes and bounds from all the separate properties so that we can make those changes. To develop these recommendations, the TIG met with a variety of resource persons, including the Mayor, representatives from the Department of

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Finance and Planning, who you will see here today. I've invited them so that you could hear from them the discussions we've had, and that we can all have a vigorous discussion of what we had in the TIG. Let's see, what else do I have? Okay. As a reminder, because the TIG has been disbanded, and our recommendations have been shared with all you folks, we can make no more changes to Exhibit 2. Right now, it is what it is. I know there's been a lot of discussion, so I just wanted to put that out there. Also, I wanted to make clear that the TIG did not make any recommendation to make changes in Bill 9, but to do, as we discussed, from 1 to 4, as I said earlier. At this time, I'm going to ask for Mayor Bissen--thank you so much for joining us today--to provide us some opening comments, and then I'll ask Planning and Ms. Stockwell to do so as well. Mayor --

MR. BISSEN: Thank you

VICE-CHAIR U'U-HODGINS: -- thank you so much.

MR. BISSEN: Aloha kakahiaka, Vice...Vice-Chair U'u-Hodgins, Members of the Housing and Land Use Committee, our community, ia ora na, Member Paltin, kia ora. First, I want to thank Vice-Chair U'u-Hodgins for her leadership in guiding the temporary investigative group, and mahalo to the Council for your continued work on this deeply impactful issue. From the very beginning, we recognized that Bill 9 would require thoughtful conversation, community input, and most importantly, balance. It's clear that not all TVRs in Apartment districts are appropriate for long-term residential use, and that some have been operating more like hotels. At its core, this is a zoning issue that has had a detrimental impact on our local housing inventory, and it must be corrected. The TIG's recommendations outline a clear and fair path to rezone properties that believe they are operating as hotels, while allowing Council-initiated land use changes that distinguish long-term housing from short-term visitor accommodations. This approach protects housing intended for residents by upholding the integrity and the purpose of Apartment districts, while ensuring properties are properly zoned for their actual use. This work is critical to preserving long-term housing options for local residents, and ensuring that our keiki have a future here at home. My Administration remains firmly committed to protecting housing for Maui's families because this is not just about policy...in fact, it is about people. We're at a crossroads where bold decisions must be made if we are to change the trajectory of our future. While we all agree that Maui needs more housing for local families, that commitment requires courageous and decisive political action, the kind that looks beyond short-term pressures and focuses on the long-term well-being of Maui Nui's residents. I also want to address the misleading and politically-motivated claims being spread by out-of-state special interest groups. These ads are designed to divide our community, and create fear. The truth is, Bill 9 does not punish property owners or eliminate tourism. It restores balance to our housing system. While some real property tax impacts are expected, we are planning adjustments to help offset those losses. The long-term benefits of this bill are well worth the short-term implications, which we will navigate with responsibility and foresight. This bill, along with the thoughtful work of the TIG, clarifies and strengthens zoning laws to prevent short-term rentals from replacing homes that have always been meant for local families. And to be clear, we are not, and never were, banning all STRs. This measure affects about 6,700 of the nearly 15,000 short-term rentals Countywide, the

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most of any island Statewide. The TIG also recognizes the importance of passing a clean bill with a commitment to companion legislation to follow. Addressing these recommendations after Bill 9's passage will be essential to its success. As we've discussed before, additional measures will be needed to strengthen tax incentives for long-term housing, balance revenue adjustments, and ensure hotel-type properties have a clear path to rezone. This work reflects our collective commitment to a broader strategy to address Maui's housing crisis, a balanced approach that includes building new homes, incentivizing long-term rentals, and restoring existing housing to residents. These are the kinds of solutions that remind us that government works best through open dialogue, collaboration, and compromise. Our strength as leaders is measured by our willingness to listen to differing perspectives, find common ground, and take decisive action that reflects both the heart and the needs of our community. Again, mahalo to Vice-Chair U'u-Hodgins, the Members of this Council, the members of the TIG, everyone who shared their testimony, and all who continue to contribute to this important discussion. Together, we are shaping policies that reflect our shared values and our love for this community, decisions that will define how we live, how we care for one another, and how we set Maui back on a path where our residents and our keiki can thrive for generations to come. Mahalo, Chair.

VICE-CHAIR U'U-HODGINS: Thank you very much, Mayor. At this time, do we have Planning Department online, if you would like to provide an opening remarks? But sorry, Mr. Pfof, before I do, I just want to acknowledge Member Rawlins-Fernandez. Good morning, ia ora na. All the words.

COUNCILMEMBER RAWLINS-FERNANDEZ: . . .*(laughing)*. . . Ia ora na, Chair.

VICE-CHAIR U'U-HODGINS: Ia or ana.

COUNCILMEMBER RAWLINS-FERNANDEZ: Kia ora. Aloha kākou. E kala mai for tardiness. I am on Moloka'i. I'm...I'm juggling two meetings. Sorry, I couldn't reschedule this one.

VICE-CHAIR U'U-HODGINS: That's okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: So, I will have my video off. I...I am alone here in a public open field. . . .*(laughing)*. . . And mahalo, Mayor, for your remarks, and for joining us on Moloka'i last night at the...at your budget hearing. And...and I just want to wish my...my son, . . .*(inaudible)*. . . Rawlins-Fernandez, a happy 16th birthday.

VICE-CHAIR U'U-HODGINS: Oh, happy birthday.

COUNCILMEMBER RAWLINS-FERNANDEZ: . . .*(laughing)*. . .

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

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo for that.

VICE-CHAIR U'U-HODGINS: Of course. Mr. Pfof, is it your birthday too? I see a happy birthday sign behind you.

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MR. PFOST: Yes, it is...it is my birthday today.

VICE-CHAIR U'U-HODGINS: Oh, happy birthday.

MR. PFOST: Thank you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Hauoli la hanau.

MR. PFOST: Thank you. Thank you.

VICE-CHAIR U'U-HODGINS: Did you have any opening comments?

MR. PFOST: Chair, yeah. We just...both Danny and myself wanted to thank you for including the Planning Department in the TIG's process. And I don't have any other opening comments, other than we're...both of us are available for any questions that you may have today.

VICE-CHAIR U'U-HODGINS: Thank you very much.

MR. PFOST: Thank you.

VICE-CHAIR U'U-HODGINS: We appreciate your attendance. Ms. Stockwell, do you have any opening comments before we begin testimony?

MS. STOCKWELL: Good morning.

VICE-CHAIR U'U-HODGINS: Good morning.

MS. STOCKWELL: I just wanted to say thank you for all your hard work.

VICE-CHAIR U'U-HODGINS: Thank you.

MS. STOCKWELL: Thank you for allowing Real Property to be a part of the TIG. You know, I know that real property tax losses are going to be something that does need to be addressed, and Real Property is fully aware of all the changes that will be happening, and able to address it. And just kind of as a side note, kind of a plug, the real property long-term rental is due at the end of the year, December 31st. So, we do have that in place to...you know, that is a very big incentive for everyone in the community. Thank you.

VICE-CHAIR U'U-HODGINS: Thank you. I appreciate that. Good...good timing on the plug. Before we begin testimony, I'm going to take a quick two-minute recess. So, it is 8:19 [sic] right now, and let's please return at...I'm sorry, it's 9:18 right now. Let's please return at 9:20 a.m. Thank you. . . .(gavel). . .

**RECESS:** 9:18 a.m.

**RECONVENE:** 9:27 a.m.

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VICE-CHAIR U'U-HODGINS: . . .*(gavel)*. . . Will the HLU Committee please reconvene. It is 9:27 a.m. And let's proceed with testimony. On today's agenda item is Bill 9 TIG and the TIG report, not necessarily Bill 9, just FYI. I'm going to request that we keep that in mind when we do provide testimony. Testifiers wanting to provide public testimony should sign up at the lobby, join on the online meeting via the Teams link, or call in to the phone number noted on today's agenda. Written testimony is encouraged, and can be submitted via the eComment link at [mauicounty.us/agendas](http://mauicounty.us/agendas) as well. For individuals wishing to testify via Teams, please raise your hand by clicking on the raise-your-hand button. If calling in, please follow the phone prompts, star-5 to raise and lower your hand, star-6 to mute and unmute. Staff will then add names to the testifier list in the order the testifiers sign up or raise their hands. For those on Teams, Staff will lower your hand once your name is added. Staff will then call the name you're logged in under, or at least the last four digits of your phone number when it is your time to testify. At that time, Staff will also enable your microphone and video. Please ensure that your name appears in Microsoft Teams as the name you prefer to be referred to, or as anonymous if you wish to testify anonymously. If you are in person, please notify the Staff that you would like to testify anonymously. Otherwise, please state your name for the record at the beginning of your testimony. Oral testimony is limited to three minutes per item, and if you are still testifying beyond that time, I will kindly ask you to complete your testimony. Once you are done testifying or you do not wish to testify, you can also view the meeting on *Akakū* Channel 53, Facebook Live, or [mauicounty.us/agendas](http://mauicounty.us/agendas). We will do our best to take up each person in an orderly fashion. And right now, Staff, if you could please call the first testifier.

MS. MCKINLEY: Chair, the first testifier is Kevin Smith, to be followed by Ray Grove. *(pause)*

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

MR. SMITH: Do I push a button to start, or...

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

MR. SMITH: Okay. Thank you, everybody here, for all the hard work you've put in, especially on this TIG report and on Bill 9 in general. This morning, I'll be presenting some data related to the housing affordability, especially as it pertains to the Waiohuli Beach Hale in Kihei. These figures will illustrate the current challenges that we have with affordability and homeownership in our community. My name is Kevin Smith. I'm the treasurer for the Waiohuli Beach Hale. By trade and training, I'm a private mortgage banker. I've had over 35 years in the...in the industry of housing and residential lending, and I deal with affordability on a daily basis. In all my years, I've never found oceanfront properties to be considered affordable. So, let me share a few figures. We know that the County median income is a little north of 95,000. A one-bedroom, first-time buyer at the Waiohuli to qualify for that would need \$15,840 a month. That's over \$190,000 of annual income. That's roughly two times the County median income. If that same first-time buyer could come up with 20 percent down, the figures improve a little bit, but they'd still need over \$160,000 a year to qualify in addition to the down

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payment. A two-bedroom...far worse numbers. It's almost three times the County median income to qualify. So, I present these figures in terms of affordability, especially as it pertains to the numbers I know personally at the Waiohuli, and I'm requesting that the Waiohuli Beach Hale can be included in...in the H-2, H-3 [sic] zoning going forward. Mahalo.

VICE-CHAIR U'U-HODGINS: Thank you. Members, any clarifying questions? I'm sorry, could you please come back?

MR. SMITH: Oh, I'm sorry.

COUNCILMEMBER LEE: Yeah.

VICE-CHAIR U'U-HODGINS: Chair Lee?

COUNCILMEMBER LEE: It would be helpful if all testifiers mentioned...when you're asking for something, if you're already on the Exhibit 2, or you want...

MR. SMITH: We...we are not on Exhibit 2.

COUNCILMEMBER LEE: Yeah. So...so --

MR. SMITH: Yeah.

COUNCILMEMBER LEE: -- for the record.

MR. SMITH: And my understanding is we cannot be added now.

COUNCILMEMBER LEE: Right.

MR. SMITH: But I think we're excluded by mistake due to affordability.

COUNCILMEMBER LEE: Yeah. And that's important for us to hear and have on the record to see, you know, which properties were overlooked.

MR. SMITH: Yeah. And I believe ours was based on affordability. And I'd be happy to share these figures. One of the things...I ran these numbers at 6 percent. Fannie Mae and Freddie Mac puts out a weekly average mortgage rate survey. The current average mortgage rate is 6.27 percent, so I'm being conservative in...in a positive way. If rates were to be lower, these would be the numbers. At the current rates, the numbers are actually worse.

COUNCILMEMBER LEE: Thank you. Thank you.

VICE-CHAIR U'U-HODGINS: Thank you. Member Cook, did you have a question, too? Or...okay. Thank you. No, you're good. Thank you so much for your testimony.

MR. SMITH: Mahalo.

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VICE-CHAIR U‘U-HODGINS: Next testifier, please.

MS. MCKINLEY: Chair, the next testifier is Ray Grove, to be followed by Kathy Fleming.

VICE-CHAIR U‘U-HODGINS: Thank you.

MR. GROVE: Good morning.

VICE-CHAIR U‘U-HODGINS: Good morning.

MR. GROVE: So, thank you for your hard work in the TIG. I know it must have taken a lot of...a lot of digging, and I really appreciate all you’ve done so far. And so...so, Kevin is the finance friend of mine on the same board. So, we are at Waiohuli Beach Hale. We’re located in Kihei. We’re right next to the St. Theresa Catholic Church. We’re on the beach. And many of the owners...by far, a majority of the owners are kūpuna. They’re aging. They...this is something that’s been a lifelong dream of theirs to own. They...it’s used by their family. And...and it’s...and it’s allowed to...short-term rent allows them to realistically use it when they’re here, and...and be able to receive enough income to be affordable for them. Because oceanfront condos are not affordable on their own, period. And this is exactly what Kevin’s brought up. So, what I’m here to do is to kind of add on to what the TIG report said, which is that the market value is a significant issue. Just like being on Moloka‘i, being other designations as far as short-term rental. So, what we’re really looking for is being included in the H-3, H-4 designation. You know, when you look at a summary, kind of keeping in line with affordability, what we’re really saying is if we’re to have an owner today rent their condo without...without a loss, they’re going to have to rent at least \$5,000 a month for a single bedroom at...at this oceanfront condo. And that’s looking at fixed costs that they have. They have high costs that are fixed. Even if it’s sold later, and somebody later buys it, they’re still stuck with those fixed costs, even if they don’t have a mortgage. If you add a mortgage to it, you’re talking about a monthly cost to rent, out of...way out of ability to afford. So, this is an issue that we all need to look at. You know, if you do buy, you’re really looking at someone that...to be able to afford the condo, they have to have an income of over 200K a year, something like that number for a one-bedroom, and closer to 300K based on the environment we’re in. Now, even if the price significantly drops, which is happening, it’s still out of reach because of the fixed costs of AOA fees, maintenance, and just survivability of a unit. Secondly, I just kind of wanted to mention, I briefly mentioned this before, what we’re really looking at is a significant impact . . .*(timer sounds)*. . . to people’s lives. And what we’re talking about is probably 75, 80 percent of the people are kūpuna. This is their...

VICE-CHAIR U‘U-HODGINS: Thank you very much. If you could wrap up.

MR. GROVE: Yes, this is their life savings. This is a part of their family quality of life and wealth. And so, I just want to respectfully submit you consider the financial issues relative --

VICE-CHAIR U‘U-HODGINS: Thank you.

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MR. GROVE: -- to condo owners.

VICE-CHAIR U'U-HODGINS: Members...

MR. GROVE: Thank you very much. Yes?

VICE-CHAIR U'U-HODGINS: Chair Lee?

COUNCILMEMBER LEE: Just wanted to ask, did you mention your name?

MR. GROVE: I didn't, sorry. My name is Ray Grove.

COUNCILMEMBER LEE: Okay. Thank you.

MR. GROVE: Thank you very much.

VICE-CHAIR U'U-HODGINS: Thank you, Mr. Grove. Any other clarifying questions?  
Member Sugimura?

COUNCILMEMBER SUGIMURA: Yeah, thank you. So, are you...excuse me, Mr. Grove,  
one...one quick question. So, are you on the ocean?

MR. GROVE: Yes.

COUNCILMEMBER SUGIMURA: Like Halama Street? You are on the ocean?

MR. GROVE: Yeah. We're right behind St. Theresa's Church, right on the ocean. Waterfront  
condos.

COUNCILMEMBER SUGIMURA: Thank you.

MR. GROVE: Built in the 1970s.

VICE-CHAIR U'U-HODGINS: They're on Lipoa Street.

COUNCILMEMBER SUGIMURA: Yeah, I saw that.

VICE-CHAIR U'U-HODGINS: Thank you. Next testifier, please.

MR. GROVE: Thank you very much.

MS. MCKINLEY: Chair, the next testifier is Kathy Fleming, to be followed by Ron Rascia.

MS. FLEMING: Good morning, Councilmembers.

VICE-CHAIR U'U-HODGINS: Good morning.

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MS. FLEMING: I want to start out by recognizing your sacrifice, and hard work, and just generally amazingness. I would not have known about it except for Bill 9 because I was blissfully out playing in the ocean every day until Bill 9 came along. I'm Kathy Fleming. I'm a full-time resident of Wailuku. And I know that this Council goes to work every day. They serve on many committees. They go home, and they read pages and pages. It is so much work. But this TIG...okay. So, it's held up as a compromise, but it's a fake compromise. And I think that people that read so much know that. It's political gamesmanship. Because Bill 9, we know, is a bad idea. The Mayor's bill was not the first time this idea came forward, and it was always voted down because it would be unconstitutional. And why do we hear so much about passing Bill 9 cleanly? Because the Mayor's Office, Corp. Counsel...they know that it is so legally vulnerable. Because you have to treat everybody the same, equal protection under the law. But this TIG comes along, and they say, well, we know those oceanfront properties, they're never going to be affordable. In fact, we already took the word affordable out of the bill, and now we just say attainable, whatever that means. So, who have you left behind? People like me, that own a more modest Minatoya condo. Maybe I don't have the deep pockets to fight you in court, but there will be a class action, and this County will waste a lot of money defending the TIG because you're already calling it a companion bill. And so, the Supreme Court will look at your legislation, and they'll go, okay, well, Bill 9, you treated everybody the same, but oh, this companion bill over here, you didn't treat everybody the same. So, you know what? Make those owners whole, or give them back their property rights. I just want to...with the time I have left, to congratulate the three Members of this Committee who vote their conscience. They vote what is the best public policy. That would be Councilwoman Tasha Kama, Councilwoman Yuki Sugimura, and Councilman Tom Cook. They're the three votes that had the courage to vote what is best for this County . . .(timer sounds). . . Maui County. And I just hope that the other Council people will vote what is best public policy, not as what is best for their political future. Thank you.

VICE-CHAIR U'U-HODGINS: Members, any clarifying questions? Seeing none. Thanks for your testimony. Next testifier, please.

MS. MCKINLEY: Chair, the next testifier is Ron Rascia, to be followed by Kim Godin.

MR. RASCIA: Good morning, Committee and Council.

VICE-CHAIR U'U-HODGINS: Good morning.

MR. RASCIA: My name is Ronald Rascia, and in my profession, I serve as a...one of the general counsels to my State of Illinois government and the administration. So, when these things were all swirling about, I look at it through kind of a different lens. And as the iterations go, when you start having schedules 2 and 3s, I start to think like a lawyer about arbitrary and capricious. And anybody who's read the law knows that's a big consideration for government. And the other consideration for government is its due process model. So, while we cannot say, take us from number 3 to number 2, I hope there will be some due process forum to have that. I am here as a board member, as other board members, from the Makani A Kai property next to Haycraft Park. And we are probably one of the smallest entities involved in this. We have 23 units. But like

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one of the earlier speakers, they discussed the concept that perhaps we were misplaced on schedule 3, and we were overlooked in the equation for affordability. Our insurance alone this year--and we...we're having a difficult time getting insurance--our insurance package for liability and other things is \$99,000. We've had to specially assess our members each year for the insurance premium alone. In terms of affordability of maintenance, our association dues are \$1,300 per month because we only have 23 people divvying it up. In terms of the property itself, it's a 1970's wood-over-stucco building. We deal with termite tenting every three years, and people have to be relocated. In fact, as a rental, we block out the time. I don't know what families would do if they just have to go en masse when we tent the place for the termites. Some of our other basic structure is wood over stucco. Our...our maintenance of this type of property is...is really going to be tough for families to band together and...and take care of. So, with that said, I would like future considerations to say...really, peel back that onion of what is affordability compared to maybe availability. Just because something's available, it might not work. I wouldn't want anybody in this audience to have to then say, well, I'd have to acquire the property. Let's say a unit two years ago was worth 900, and today people are selling them for 650. A big...it's still 650. And there's...as the mortgage man said, but then you layer on the assessments and the upkeep. You know, we...we have to have somebody who's constantly maintaining these properties because of their construction. And in terms of parking spaces, I believe most families now, even modestly with a child or two, maybe teenage age, they're going to have one...more than one vehicle. Where will they park? . . .*(timer sounds)*. . . And I know that my time is up.

VICE-CHAIR U'U-HODGINS: Thank you.

MR. RASCIA: And I know it's not an easy task because I sit similarly back home when I go back for my...what was supposed to be my vacation. Was there a question?

VICE-CHAIR U'U-HODGINS: Go ahead, Chair Lee.

COUNCILMEMBER LEE: Yes. I just wanted to know, what was the name of your compound?

MR. RASCIA: Makani A Kai.

COUNCILMEMBER LEE: Makani A Kai.

MR. RASCIA: 300 Hauoli Street.

COUNCILMEMBER LEE: Okay. Thank you.

MR. RASCIA: And curiously, next door, Hono Kai is on schedule 2. Right next door.

COUNCILMEMBER LEE: Right next door.

MR. RASCIA: Yeah.

COUNCILMEMBER LEE: What is the name of that next door?

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MR. RASCIA: Hono Kai.

COUNCILMEMBER LEE: Hono Kai?

MR. RASCIA: Yes. I believe their address might be 250 or 280 Hauoli Street. Our property, Makani A Kai, is 300. And when you look on the map, we're right next to Haycraft Park from the colonel.

COUNCILMEMBER LEE: Thank you.

VICE-CHAIR U'U-HODGINS: Thank you.

MR. RASCIA: Thank you.

VICE-CHAIR U'U-HODGINS: Next testifier, please.

MS. MCKINLEY: Chair, the next testifier is Kim Godin, to be followed by Dianne Rascia.

MS. GODIN: Good morning.

VICE-CHAIR U'U-HODGINS: Good morning.

MS. GODIN: My name is Kim Godin. I am with Makani A Kai. I'm on...a board member. And I am just here to say that I oppose Bill 9. Thank you.

VICE-CHAIR U'U-HODGINS: Thank you. Members, clarifying questions? Seeing none. Thank you very much. Next testifier, please.

MS. MCKINLEY: Chair, the next testifier is Dianne Rascia, to be followed by Lynette Pendergrast...gast.

VICE-CHAIR U'U-HODGINS: Thank you.

MS. RASCIA: Good morning, board [*sic*].

VICE-CHAIR U'U-HODGINS: Good morning.

MS. RASCIA: I want to thank you for all the work that you put into this with your thought process and knowledge of what will be best for everybody. And I just am here to say I oppose Bill 9, and I would urge you to vote no on Bill 9. Thank you.

VICE-CHAIR U'U-HODGINS: Thank you. As a reminder, this is related to the TIG report, not necessarily Bill 9. All of you folks will have your opportunity to testify on Bill 9 when we hear Bill 9 in this Chambers. But today is about the TIG report. Next testifier, please. Lyn, come forward. Thank you.

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MS. MCKINLEY: Chair, the next testifier is Lynette Pendergast, to be followed by Bonnie on Teams.

MS. PENDERGAST: Good morning.

VICE-CHAIR U'U-HODGINS: Good morning.

MS. PENDERGAST: Aloha, Vice-Chair/Chair U'u-Hodgins, and all the HLUC [sic] Members, and everybody in attendance on...either online or in the gallery. My name is Lynette Pendergast, and I'm the current president of the Realtors Association of Maui. We greatly appreciate the extensive work of Bill 9 Temporary Investigative Group, the TIG. I stand by my written testimony which has been previously submitted, but wanted to reiterate that the Realtors Association of Maui...we do oppose Bill 9, but today I want to talk about the balanced approach that the TIG has decided to take. And it reflects both on the findings of the TIG, and the realities facing our island. First, we urge the Council to adopt the TIG's recommendations to establish H-3 and H-4 Hotel districts. This would allow continued TVR operations in appropriate areas, while protecting residential neighborhoods for long-term housing. Second, we support efforts to streamline land use and rezoning procedures to reduce costs and processing delays that make housing development so difficult. Third, stronger enforcement against illegal TVRs could free up housing for residents without penalizing lawful operators who are following the rules. And finally, we encourage the County to expand rental assistance programs, expedite permits for new housing, and align infrastructure investments with housing development goals. This comprehensive systems-based approach will move us toward real progress. In conclusion, RAM shares the Council's goal of creating more housing opportunities for Maui residents. However, both the TIG and UHERO reports show that Bill 9, as written, risks serious economic harm without guaranteeing meaningful gains in housing affordability. We respectfully urge the Council to amend or defer the measure, and instead embrace the TIG's balanced recommendations, protecting Maui's economy, respecting property rights, and advancing long-term housing solutions. Mahalo.

VICE-CHAIR U'U-HODGINS: Thank you very much. Any clarifying questions? Seeing none. Thanks for your testimony. Next testifier, please.

MS. MCKINLEY: Chair, the next testifier is Bonnie, to be followed by Nalei Pokipala.

VICE-CHAIR U'U-HODGINS: Aloha, Bonnie. *(pause)* Is she good to go on our end?

MS. MCKINLEY: It appears that she's no longer on the call.

VICE-CHAIR U'U-HODGINS: Okay. We can move on.

MS. MCKINLEY: The next testifier is Nalei Pokipala, to be followed by Janice Herrick. *(pause)*

VICE-CHAIR U'U-HODGINS: Good morning.

MS. POKIPALA: Aloha.

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VICE-CHAIR U‘U-HODGINS: Aloha.

MS. POKIPALA: E kala mai. I had to...aloha, Council.

VICE-CHAIR U‘U-HODGINS: Aloha.

MS. POKIPALA: My name is Nalei Pokipala. I am here today, and I wanted to thank you, as the Maui County Council, and your diligence for having the temporary investigative group for our community. Since Mayor Bissen’s introduction of Bill 9, I have seen how passionate our island is about our people that live here on this island. I felt it was important to be here today. It was concerning to personally hear ads--while I was sitting at a doctor’s appointment--opposing Bill 9. And I understand people have their own opinions about that, and I can appreciate it. But learning that it was sourced from the mainland was concerning to me. Are we protecting investors, or our residents? I have appreciated the presentation done by the Mayor’s Office, including our Maui County’s fiscal department, reassuring that the County will be able to navigate the transition of Minatoya properties out of short-term rental. There still will be thousands of STRs remaining, and the TIG has helped identify which properties could be reconsidered. I want to thank you for the research that has been done for the TIG, and it’s time to move forward and put our residents first. Mahalo.

VICE-CHAIR U‘U-HODGINS: Thank you, Ms. Pokipala. Members, any clarifying questions? Thank you so much for your testimony. I see that Bonnie has raised her hand...if we would like to call her back? And if we have any issues, we can move on if not.

MS. MCKINLEY: Okay. So, the next testifier is Bonnie, to be followed by Janice Herrick. *(pause)* Bonnie, you have been unmuted. Okay.

MS. BONNIE: Thank you. I’m sorry, it wouldn’t work the first time, so I’m glad to be unmuted. Aloha, Chair and Members. Thank you for hearing my testimony. My name is Bonnie, and I am a property owner on Maui. I urge Council to oppose Bill 9, but I heartily support the hard work, process, and findings of the TIG. Unfortunately, this entire discussion has come at a time when Maui’s economy is in a precarious position. In addition to housing, water and other infrastructure items need attention and funding immediately. The County is actively implementing some changes in permitting and other processes to make construction faster, but these are all areas that need more focus and resources. Some new available housing units have been approved, and several have been constructed in Lahaina. They are available now, and others will be prior to 2030. The condos in the Minatoya report do not begin to be what Maui residents want to live in. The Maui Chamber of Commerce testimony to the TIG, found near the bottom of the eComment report for the HLU meeting on October 14th, has data that indicates that 72 percent of Maui residents want at least two parking places, 39 percent want two bedrooms, 32 percent three bedrooms, and 15 percent four bedrooms. Most of the properties on the Minatoya list have one bedroom or less. Oh, 63 percent need at least two bathrooms, and 72 percent prefer a private yard or garden space, with 82 percent of residents of Maui preferring a single-family home. The properties in Bill 9 provide none of this. Many properties on the Minatoya list that were not suggested for

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H-3 or H-4 zoning are owned by Maui residents who use short-term rentals as a second income stream to support their life on Maui. If condo prices continue to deteriorate, which is likely for those units, these residents could be underwater, and could be forced to leave the island. Please, please solve the infrastructure and permitting issues first, and find alternative economic solutions to support Maui's economy prior to enacting Bill 9. Mahalo.

VICE-CHAIR U'U-HODGINS: Thank you, Bonnie. Members, any clarifying questions? Seeing none. Next testifier, please.

MS. MCKINLEY: Chair, the next testifier is Janice Herrick, to be followed by Gracie Gomes.

MS. HERRICK: Aloha mai kākou. My name is Janice Herrick, and I am a resident of Maui. To everyone who has worked on Bill 9...to our Mayor, who had the courage to create Bill 9 to address a necessary need, desperate need...to our Councilmembers...to the members of the TIG who spent much additional time and effort to create this report...to the multitude of testifiers who have passionately made their case both for and against it...to everyone who showed up in the gallery just to listen, mahalo nui loa. I have listened with great interest to the events, both here and from the media, including social media. After listening to both sides of the debate over the past few months, my opinion is that Bill 9 should be passed. It's time to move forward so that the Maui housing can serve the people of Maui. I urge you to please have the courage to pass Bill 9 as cleanly as possible. Mahalo for the opportunity to speak.

VICE-CHAIR U'U-HODGINS: Thank you, Ms. Herrick. Members, any clarifying questions? Seeing none. Thank you very much for your testimony. Next testifier, please.

MS. MCKINLEY: Chair, the next testifier is Gracie Gomes, to be followed by Nicola Dourambeis on Teams.

MS. GOMES: Aloha mai kākou, U'u-Hodgins, rest of Councilmembers. My name is Gracie Gomes, and I'm 71 years old. Lived here on Maui my entire life. So, I've seen our island change, sometimes in beautiful ways, and sometimes make us stop and think. So, sometimes we ask who we are, who we're becoming. Well, Bill 9 is one of those moments. It's not an easy issue. It's about who gets to live here, who gets to stay, and how we keep Maui a place where local families can still belong. The truth is, we are in a housing crisis. Too many of our working people--teachers, firefighters, nurses, store clerks--they can't find or afford a place to live. Meanwhile, a lot of apartments that could be homes are being used as short-term rentals. Bill 9 tries to change that, and I believe the intention behind it is pono. Pono means correct. But I also know from a lifetime here that tourism has been a part of our economy for decades. So, many local families depend on that income--the cleaners, the maintenance workers, the property managers. If we move too fast, we hurt the families we're trying to help. So, to me, the question isn't should we act, it's how we act. If this bill moves forward, I urge the County to do it with compassion. To create a fair, thoughtful transition plan. Help people adjust. Offer retraining or support so families don't lose their footing. We can make change without leaving anyone behind. I support the heart of Bill 9...homes for residents, stability for our future. But we must move with humility, aloha, and care for

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one another. Let's honor both our needs for housing and the people whose livelihoods have depended on this industry. If we do that, we can come out stronger as one Maui, one 'ohana, with room for our keiki, our kūpuna, and the next generation to live here with dignity. Mahalo nui loa for your time, for your service, and ho alohe (*phonetic*), opening your hearts. Maika'i.

VICE-CHAIR U'U-HODGINS: Thank you very much for your testimony. Members...Member Sugimura?

COUNCILMEMBER SUGIMURA: Yeah, thank you for your passionate testimony. And I have a question --

VICE-CHAIR U'U-HODGINS: I'm sorry...

COUNCILMEMBER SUGIMURA: -- for you.

VICE-CHAIR U'U-HODGINS: Ms. Gracie. Aunty, do you mind coming back?

UNIDENTIFIED SPEAKERS: . . .(*laughing*). . .

VICE-CHAIR U'U-HODGINS: Member Sugimura...that's okay, I don't blame you. I would rush out too, if I could. But if you could please join us at the podium. Member Sugimura has a question for you. Thank you.

MS. GOMES: E kala mai.

VICE-CHAIR U'U-HODGINS: That's okay.

COUNCILMEMBER SUGIMURA: Thank you.

VICE-CHAIR U'U-HODGINS: All good.

COUNCILMEMBER SUGIMURA: Yeah, thank you. So, thank you for coming back. I just wanted to know, so do you support the TIG recommendations? I know you spoke passionately.

MS. GOMES: Could you speak up a little bit? I know I...71 years old. I can hear, but I need to be able to hear it higher.

COUNCILMEMBER SUGIMURA: Thank you. So, thank you for coming back. And the question I had, thank you for your passionate testimony about Bill 9, and why...we hear you. I was just wondering what your thoughts are about the recommendations of the TIG, the temporary investigative group.

MS. GOMES: I think your recommendations, or whatever you guys are going to decide, you need to...like I said, have compassion. Not just for those that are seeking housing, but also for those that have to give up something. So, if both sides can work together, maybe we can have a...you know, a better plan ahead.

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COUNCILMEMBER SUGIMURA: Thank you.

VICE-CHAIR U‘U-HODGINS: Thank you very much, Aunty. Next testifier, please.

MS. MCKINLEY: Chair, the next testifier is Nicola Dourambeis, to be followed by K. Marsh, both on Teams.

VICE-CHAIR U‘U-HODGINS: Nicola?

MS. DOURAMBEIS: Aloha. Yeah. Hi. Aloha, Vice-Chair and Councilmembers. My name is Nicola Dourambeis, and I own a condo in Kā‘anapali Royal. We are on Exhibit 2. I oppose Bill 9 in its entirety, as I do not believe it will help local residents, and it will have many well-documented negative consequences to small businesses, jobs, tourism, and the economy overall. With that said, I do wish to provide feedback on the TIG report presented to HLU. Firstly, I want to thank and express appreciation to the TIG for the hard work in digging in to better understand the impact of Bill 9 to the viability of truly opening up affordable or attainable housing options to local residents, as well as better understanding the negative consequences. I commend the solution of creating the new H-3, H-4 zones to differentiate intended residential areas from ones where short-term rental activity is appropriate. However, I worry that the path to operationalizing these new zones and moving the Exhibit 2 properties into their new zones will be burdensome and time-consuming. I also worry that should Bill 9 pass without a companion of the new legislation operationalizing the new zones, there will be a continued negative impact to property values and tourist activities. My recommendation thus is to follow any of these three paths. One, fail Bill 9 as written, as it’s incomplete in its current form. Or amend Bill 9 to include exemptions for the properties on Exhibit 2. Or make Bill 9’s enactment contingent on the passing of the new H-3, H-4 zoning legislation and placement of the Exhibit 2 properties in these zones. A commitment for future legislation is not enough. Without a clear contingency linking the two pieces of legislation together, the TIG recommendations run the risk of never being realized. Mahalo for your time.

VICE-CHAIR U‘U-HODGINS: Thank you for your testimony. Members, any clarifying questions? Seeing none. Thank you so much. Next testifier, please.

MS. MCKINLEY: Chair, the next testifier is K. Marsh on Teams, to be followed by Jim Sullivan. *(pause)*

VICE-CHAIR U‘U-HODGINS: Mr. Marsh? *(pause)* Mr. Marsh? Let’s move on to the next, and we can call him back after.

MS. MCKINLEY: Chair, the next testifier is Jim Sullivan, to be followed by Donald Cameron.

VICE-CHAIR U‘U-HODGINS: Aloha, Mr. Sullivan.

MR. SULLIVAN: Somebody left this. Good morning, Chair U‘u-Hodgins, the...the Council, everybody who took the time to show up today. I wish there were more people, but I

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appreciate everybody who has. I'm a owner at Grand Champions of Wailea, and our property's on Exhibit 2. Although I prefer, you know, Bill 9 not to pass, although...as it is, I'm sure a lot of people would prefer it does, I think the TIG does have some...some merit and value. My question, much like the lady from Kā'anapali who was on Zoom [sic], is that how do we ensure that the...the new zoning does go...go through? Because if it takes the amount of time that has taken to pass, you know, this Council will be...you know, so many people will be completely replaced by, you know, a new Council. And what happens then if the new people decide, no, we don't want to do that? So, that...that...that's my main concern. And I do appreciate everyone's work on this. And I hope that we do come to a fair resolution. Like the young lady from Maui who was 71 years old, she and I are about the same age, so I really appreciate everyone here. And that's all I have to say. Thank you.

VICE-CHAIR U'U-HODGINS: Thank you very much for your testimony. Members, any clarifying questions?

COUNCILMEMBER COOK: Can you repeat your name, sir?

MR. SULLIVAN: Yeah, Jim Sullivan.

VICE-CHAIR U'U-HODGINS: Jim Sullivan. Shane, can you...can you grab that? That was left up there. I think that's Aunty's back there. Thank you. Members, no clarifying questions? Thank you very much for your testimony. Next testifier, please.

MS. MCKINLEY: Chair, the next testifier is Donald Cameron on Teams, to be followed by Thom Rogers on Teams.

VICE-CHAIR U'U-HODGINS: Mr. Cameron?

MR. CAMERON: Aloha, Council.

VICE-CHAIR U'U-HODGINS: Aloha.

MR. CAMERON: As introduced, I'm Don Cameron. I'm a past president of the Board of Directors at Hoyochi Nikko, which is located in the Māhinahina, just north of downtown Honokowai on the West Side. That condominium is about 53 years old...I know, because my dad and mom bought a unit in the place at that time, and I spent Christmas there December, 1993. The same developer that built that, he was a guy from Vancouver, also built the neighborhood across the street, which includes Māhinahina Street, Aea Place, all the way past Akahahele, the airport road. So, I...I deeply appreciate the need for local housing. It's in the DNA of Hoyochi Nikko to...to do that by building properties on the other side of the street. And I think...I'm not a big fan of...of the bill, but I'd like to congratulate the TIG people on their effort to differentiate from places that were intended to be apartment buildings, and for locals on the one hand, and buildings that were always intended to be short-term rentals on the other hand. I think 99 percent of the buildings in...in Honokowai and the Māhinahina were built for short-term rentals because I've seen them go up over the last 52 years. Hoyochi Nikko is not on Exhibit 2, but our neighbor to the south, Hale Mahina, which was built a couple of years after

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Hoyochi Nikko, is on Exhibit 2. And Kuleana, which was partly built before Hoyochi, and some built after, to the north of us is also on Exhibit 2. So, I feel a little bit like one of the characters in the Avengers 2018 movie called Infinity War, where Thanos snapped his fingers, and half of all living things in the universe died. I feel like we got left out. We don't look like much from the road, but on the other side is a large lawn, access to what University of Hawai'i said is one of Maui's only new beaches, which comes and goes. . . .*(inaudible)*. . . better access from Hale Mahina, where the public access is supposed to be built. But I'm curious as to what the criterion used was for this. The report itself doesn't indicate, but it gives some hints. It talks about real estate value being unattainable or too high, and areas in a flood zone. As far as attainable goes, we have had...and costs go...our monthly maintenance fee, including electricity, is about 20...over \$2,300 per unit. So, that gets you...that doesn't even get you the financing costs for actually buying the place. We've had rusted...old building, rusted drain pipes, falling lanai...they didn't plastic coat rebar 50 years ago, and a new roof is going on right now. So, older buildings require a lot of maintenance and a lot of money to be put into them. And this is...this building I don't think is...is viable for a local to...to buy into. In terms of the flood zone, when they built the building, they actually raised part of the property. The buildings are flat, and about 10 to 13 feet above sea level. But according to the survey, half of our property is in a flood area, half is not. So, in my respectful suggestion or opinion, what should be done . . .*(timer sounds)*. . . if you're going to proceed with...

VICE-CHAIR U'U-HODGINS: You can finish your sentence.

MR. CAMERON: Okay. Could I have ten seconds?

VICE-CHAIR U'U-HODGINS: You can finish your sentence.

MR. CAMERON: Thank you. What I think--I won't put a lot of ands in either--what I think you should do is...is revisit, and look a little deeper into A, what the criteria were, and B, how they apply to the units that were in Exhibit 2 and were in Exhibit 3, but left out. So, thank you for your attention. And...and --

VICE-CHAIR U'U-HODGINS: Thank you, Mr. Cameron.

MR. CAMERON: -- and good luck.

VICE-CHAIR U'U-HODGINS: Member Sugimura, you have a clarifying question?

COUNCILMEMBER SUGIMURA: Thank you very much for your testimony. Can you say the name of your property again?

MR. CAMERON: Yes, it's Hoyochi, H-O-Y-O-C-H-I, Nikko, N-I-K-K-O. Our misguided builder from Vancouver thought if he put a Japanese name, it might attract Japanese tourists.

COUNCILMEMBER SUGIMURA: . . .*(laughing)*. . . Do you have --

MR. CAMERON: It didn't work, but hey.

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COUNCILMEMBER SUGIMURA: -- do you have...do you have an address? Do you have an address?

MR. CAMERON: Yes, it's 3901 Lower Honoapi'ilani Road.

COUNCILMEMBER SUGIMURA: Okay. Found you. Thank you.

VICE-CHAIR U'U-HODGINS: Thank you. Member Paltin?

MR. CAMERON: Thank you.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Cameron. Your complex doesn't do timeshares, does it?

MR. CAMERON: Timeshares, no.

COUNCILMEMBER PALTIN: Okay. Thank you.

MR. CAMERON: They're...they're all short-term rental, except for one unit --

COUNCILMEMBER PALTIN: Thank you.

MR. CAMERON: -- on...that our --

COUNCILMEMBER PALTIN: You've answered my question.

MR. CAMERON: -- manager lives in.

VICE-CHAIR U'U-HODGINS: Thank you. Thank you very much. No further clarifying questions.

MR. CAMERON: Thank you.

VICE-CHAIR U'U-HODGINS: Thank you for your testimony. Next testifier, please.

MS. MCKINLEY: Chair, the next testifier is Thom Rogers on Teams, to be followed by Wendy King.

MR. ROGERS: Aloha, Chair and Councilmembers.

VICE-CHAIR U'U-HODGINS: Aloha.

MR. ROGERS: My name is Thom Rogers. I'm the General Manager of the Kuleana Club in West Maui, a 50-year-old TV/timeshare property that's operated lawfully continuously since the 1970s. First, I want to thank the Committee and the temporary investigation group for the hard work and balance reflected in the report presented last week. The TIG's recommendations are a vital step toward fairness and clarity in this process. That

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said, it's our opinion that Bill 9 should be tabled until those companion measures, including the creation of the H-3 and H-4 Hotel districts and the protections for the properties identified in the TIG report, are enacted. Advancing this bill now without those safeguards in place would cause irreparable harm to longstanding lawful properties like ours, and to the local residents whose livelihoods depend on them. I also wanted to correct a clerical issue in Exhibit 2 of the TIG report. It lists Kuleana I, but not Kuleana II. In reality, that distinction only exists on paper. Both parcels share the same AOA, the same zoning, the same management, and the same use. Together, they make up one unified property, and have always operated as a single resort. The omission of Kuleana II should be corrected to reflect that. Before...beyond the confusion surrounding Bill 9 is already harming Maui. Guests are telling us daily that they're afraid to book vacations anywhere on the island, worried that their reservations will be canceled, or their accommodations will be declared illegal. Even more heartbreaking, the local residents are now starting to feel unwelcome in their own homes. Many of these residents are taxpayers, voters, and survivors of the Lahaina fire who are still suffering from PTSD as they rebuild their lives. These are people who devoted decades of work to properties like ours, caring for visitors, and keeping Maui's hospitality spirit alive, and they now live in fear of losing what little stability they have left. This uncertainty and damage stem from the Mayor's failure to present a complete and inclusive bill. Small businesses are suffering, Maui's reputation is being dragged through the mud, and both residents and guests are feeling the effects of the confusion and loss of aloha. Until the TIG's recommendations are fully implemented and a clear framework is in place, moving Bill 9 forward will only deepen this harm to lawful operations, to our workforce, and to the very fabric of our community. I respectfully urge the community to table Bill 9 until the companion legislation is enacted, ensuring that Maui's message to both...to both residents and visitors is one of stability, fairness, and genuine aloha. Mahalo for your time.

VICE-CHAIR U'U-HODGINS: Members, any clarifying questions? Member Paltin?

COUNCILMEMBER PALTIN: Thank you, sir. I forgot what your last name was, but...

VICE-CHAIR U'U-HODGINS: Rogers. Rogers.

COUNCILMEMBER PALTIN: Mr. Rogers, I'm seeing two Kuleana on Exhibit 2. Are...which Exhibit 2 are you looking at? They're not...they're not --

MR. ROGERS: The one that was...

COUNCILMEMBER PALTIN: -- next to each other, but there's one like five from the bottom, and one about like eight or ten from the bottom. Are you looking at the same paper?

MR. ROGERS: Okay. I must not have saw the second one. I appreciate you pointing that out to me.

COUNCILMEMBER PALTIN: And then the other thing, when you're saying...I just wanted to clarify that you understand that the clock for making these housing doesn't start until Bill 9 passes, and that's the whole reason why we're doing this. We're not doing it for...

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MR. ROGERS: I...I understand that, but --

COUNCILMEMBER PALTIN: Okay. Thank you.

MR. ROGERS: -- our...our guests and the people --

COUNCILMEMBER PALTIN: -- just wanted to clarify that.

MR. ROGERS: -- booking do not. Yeah.

COUNCILMEMBER PALTIN: And for me, my priority is the residents. Thank you.

VICE-CHAIR U'U-HODGINS: Any other clarifying questions? Seeing none. Thank you so much for your testimony. Next testifier, please.

MS. MCKINLEY: Chair, the next testifier is Wendy King, to be followed by Aaron on Teams.

MS. KING: I want to know if I could request to wait to testify until the other Councilmember returns?

VICE-CHAIR U'U-HODGINS: Member Rawlins-Fernandez?

MS. KING: No.

VICE-CHAIR U'U-HODGINS: Oh, Chair Lee. Sure.

MS. KING: Thank you.

VICE-CHAIR U'U-HODGINS: I...we can...we can put you on the bottom of the list.

MS. KING: Oh. Well, can I just wait until she comes back?

VICE-CHAIR U'U-HODGINS: To keep order, we can put you on the bottom if you want to skip your time so that...

COUNCILMEMBER PALTIN: We have no idea when she's coming back.

MS. KING: Well, my...my testimony specifically addresses questions that she had. So, that was why I wanted to wait.

VICE-CHAIR U'U-HODGINS: Okay. Well, when she returns, then we can...you can come back up, but that means we'll be moving you to the bottom of the list.

MS. KING: Thank you.

VICE-CHAIR U'U-HODGINS: You're welcome. Next testifier, please.

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MS. MCKINLEY: Chair, the next testifier is Aaron, to be followed by Jim Langford, both on Teams.

VICE-CHAIR U‘U-HODGINS: Aaron? *(pause)*

MR. KELLING: Yes. Hello. Can you hear me?

VICE-CHAIR U‘U-HODGINS: We can. You’re welcome to begin.

MR. KELLING: Okay. Hi. Thank you. My name is Aaron Kelling, and I’m calling in regards to Kauhale Makai, 938 South Kihei Road. We are sandwiched in between Menehune Shores and also Maui Sunset, which both enjoy Hotel zone, or proposed Hotel zone. We do have a timeshare in the building. There are units in the...in the building that are timeshare, and we don’t really understand why our complex was not added to the list when it’s clearly a vacation rental. We have a front desk. There’s almost zero residents that live there. The cost of the condos have come down from selling...prior to this, 1.1 million for one bedroom, now they’re down to about 600,000. Still no locals are purchasing them. So, it’s clearly...even by 50 percent, more than a 50 percent cut, it still has not brought locals in to buy these...these units. But again, 938 South Kihei Road, I’m just trying to understand why this specific complex, sandwiched in, was not added to the...the Exhibit 2 list.

VICE-CHAIR U‘U-HODGINS: We cannot answer any questions right now because we’re only in testimony, but you’re welcome to stick around until deliberations, and perhaps you can get your answer then. But if you’re done with your testimony, we’re going to move on to the Members, if they have any clarifying questions. Are you done?

MR. KELLING: Yes, I am.

VICE-CHAIR U‘U-HODGINS: Okay. Thank you. Members, any clarifying questions? We’re going to begin with Member Paltin, we’ll go to Member Cook.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Aaron. I heard you say that Kauhale Makai has timeshares. I...I just did a Google...or a search it up on the Internet. It says Kauhale Makai does not have timeshares. Are you aware if they’re paying like a Timeshare tax rate, or what...what is the statement --

MR. KELLING: They are.

COUNCILMEMBER PALTIN: -- based on?

MR. KELLING: Through Marriott Rentals, it is. There’s...there’s 11 units that are timeshare in the...in the complex. It’s not the entire complex, but there are timeshares in the unit, exactly like Maui Sunset, and so we should have consideration for that.

COUNCILMEMBER PALTIN: Okay. I’ll try follow up --

MR. KELLING: Happy to follow up with...

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COUNCILMEMBER PALTIN: -- and check on that, yeah.

MR. KELLING: I'm happy to follow up with you and send more information about that, but it is through Marriott, yeah.

COUNCILMEMBER PALTIN: Okay. I'll...I'll check with our people as well.

VICE-CHAIR U'U-HODGINS: Thank you very much.

MR. KELLING: No worries.

VICE-CHAIR U'U-HODGINS: Thank you. Member Cook? Okay. Okay. Your question has been answered. Thank you. Thanks, Aaron. Next testifier, please.

MS. MCKINLEY: Chair, the next testifier is Jim Langford on Teams, to be followed by Lonelle Newman.

MR. LANGFORD: Aloha, Council. Hello, Chair. I hope you all feel appreciated. Today, I'm hearing a lot of folks send you appreciation for all the hard work on the TIG that you...that...that you put together. I...as I've mentioned before, I wrote the timeshare software that became the world standard for timeshares, so I'm very familiar with how all the real estate contracts work . . . *(inaudible)*. . . and how to maximize square footage value based on what we would say are Title 19s here in Maui. So...and that went to Japan, and Korea, and a whole bunch of other places around. So, I'm very familiar with how the money flows here. And I...I want to appreciate what you folks are being faced with, and I hope...and just to testify on the...on the work of the TIG, and how it's bringing clarity to the focus of the pattern. We're hearing the same things from both sides, and I think...just to break it down...oh, break it down to the basics, you know, we have the rights, which is life comes first, then liberty, and then the pursuit of property, or happiness. So, the order of operations mathematically that you folks are being presented with in order to solve this, by definition, requires life and liberty to come first before these folks get to pursue happiness and whatever that is. So, the...the Mayor's plan is put forth because of executive requirement to speak to this disaster and the 12,000 people that were displaced. So, those folks had the Band-Aid ripped off, me being one of them, and...and now we have folks who are making these eloquent arguments on how to pursue their happiness, their property. But mathematically, when you folks are presented with the numbers, you'll see that the human life of passing...I don't know, because we're in the TIG phase, and...and so to clarify the work that needs to be done, you folks are being asked to like, hey, yeah, we know you're going to lose money, but...and...and we understand money, we love money, and how do you explain to folks that...that don't have the empathy that you . . . *(timer sounds)*. . . folks do have, which is, hey, there are lives at stake, and...and we support life and people.

VICE-CHAIR U'U-HODGINS: Thank you, Mr. Langford. Members, any clarifying questions? Seeing none. Thank you so much for your testimony. Next testifier, please.

MS. MCKINLEY: Chair, the next testifier is Lonelle Newman, to be followed by Caitlin Miller.

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VICE-CHAIR U‘U-HODGINS: Aloha, Ms. Newman.

MS. NEWMAN: Thank you. Aloha. My name is Lonelle Newman. I’ve been following this very, very closely. We have a property management company my mom started about 50 years ago...so needless to say, I’m very concerned. I would like to appeal for the properties that are not on Exhibit 2, namely 3785, 3765, and 3741 that are all on the lower road, and multiple erosion issues, seawall issues, millions of dollars in seawall revampment [sic] that is failing already. Our building right now, 3785, has no elevator, so we have four floors with people walking up and down the stairs. The elevator has been an issue for a long time, and it finally just died. So, anyway, we’re working on that. We also have multiple issues in the building--infrastructure issues, electrical issues, plumbing issues, as other people have said. Our maintenance fees right now are 1,600 at 3785, and similar at other properties. I would like to also mention that I’ve been following Zillow, Craigslist, Trulia, rental.com. What I’m confused about is that right now, there’s about 35 units available for rent under \$3,500, and many of these units have been on the market for a month or more. So, I’m not saying there’s a lot of units available, but I do know that there are units available. And I’m from Portland, Oregon, and we have a housing problem there too, and it rains there all the time, and the rent’s the same. So, they’re...any place desirable, you’re going to find high rent. It’s just...it’s just a fact. And I just want to thank the TIG for giving us at least a glimmer of hope because my life will be destroyed, my company’s life, not to mention all my employees and the people that depend on us. And thank you very much for your continued work in this, and hopefully we’ll find the balance that the...that the...that the young lady mentioned before. Thank you. I’m with all you guys, too. By the way, I’ve been here 50 years. I love all you guys. Thank you so much.

VICE-CHAIR U‘U-HODGINS: Thank you for your testimony. Members, any clarifying questions? Thank you so much for being with us today. Next testifier, Ms. Miller, and followed by?

MS. MCKINLEY: Followed by C Rose Reily.

VICE-CHAIR U‘U-HODGINS: C Rose Reily. Aloha, Ms. Miller.

MS. MILLER: Aloha, Vice-Chair/Chair today, and Members of the Committee. My name’s Caitlin Miller, and I’m testifying on behalf of Maui Vacation Rental Association. First, we want to express our gratitude and appreciation to the members of the TIG and this Committee for the time and effort invested in this process. We recognize that the goal was to bring greater clarity to a complex issue and identify possible pathways forward. However, as we review the TIG’s recommendations, we must return to the original intent of Bill 9, which was to create immediate housing for local residents. Unfortunately, neither the bill nor the recommendations before you accomplish that goal. As has been stated many times, you cannot mandate that these properties become long-term or owner-occupied housing, nor can you guarantee they will be affordable in either case. The word “convert” continues to give the public a false sense of what is possible under this legislation. We would also encourage that the Council carefully review Exhibit 2 for inconsistencies in the report, particularly regarding sea level rise areas and properties

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with multiple phases, to ensure accuracy and fairness before any further action is taken. MVRA maintains its position that the Council should ultimately vote no on Bill 9 when the time comes. That said, if the Council chooses to move forward based on these recommendations, it's critical that any subsequent legislation be introduced quickly and with firm, enforceable timelines. Otherwise, we risk spending months, if not years, developing a new framework while housing needs remain unmet, and community tensions deepen. This process has unfortunately widened divisions, and created more uncertainty for residents, workers, and property owners. We urge the Council to focus on solutions that unite the community around attainable housing solutions. Finally, passing Bill 9 with the exception that future measures will address its gaps will not prevent litigation. People will not wait for another lengthy process. MVRA continues to urge the Council to leverage the economic contributions of short-term rentals to reform, create, and support genuine housing solutions that directly benefit Maui County residents. Thank you for the opportunity to testify. And I just want to thank the aunty for the really amazing testimony. Since the timer hasn't gone off on me yet, I really appreciate the consideration to both sides of the argument. So, thank you.

VICE-CHAIR U'U-HODGINS: Thank you, Ms. Miller. Any clarifying questions? Seeing none. Thank you so much for being with us today. Next testifier.

MS. MCKINLEY: The next testifier is C Rose Reily, to be followed by Shannon I'i.

MS. REILY: All right. So, looking at these exemptions from getting apartments back into Apartment-zoned housing, which use, on the plan, a third of the water of a short-term rental, which is the real issue here. So, my mom's best friend used to live over in Maui Sunset. I looked online, and other people's family and friends, like within the last few decades, have been able to rent apartments at Kihei Bay Surf, Maui Vista, and Papakea, just to name a few. So, it does seem...and this person's comment, as well as others, then my personal opinion, that it doesn't seem like people want Hawaiians living on the beach, like that these places should be reserved for visitors. And they're talking about how, you know, these seawalls, and it's like where the seawall is eroding, the people who have been running these short-term vacation rentals aren't fixing those walls. And these really expensive things, and like all the stress...these fire survivors are paying for lots that are burnt out, mortgages on houses that don't exist, new rents in different places. And, you know, one of the friends is paying \$10,000 a month out of pocket just for his family to live in a place. And so, a lot of these places were purchased back in the days when it was very affordable. And we have lists of the \$100,000 range of what that purchase price was. And so, I would like to see the TIG be based on people who have running front desk staff...people who are actively at a front desk, like the ones over in Kā'anapali where you come in, it looks like a hotel. They run like meeting rooms where they have events, and...like that's a hotel. Nobody wants to stop that hotel from being a hotel. You know, we can...we've been affording the water, but I'm looking at the numbers, and I'm looking at the process for desalinization. And that seems to be where everyone keeps falling back to where they're going to find water when we don't have any. We are in such crisis. It's all I can do to not weep. So, basically, like the amount of infrastructure, the amount of space it takes to bring the water in, the amount of water table degradation from using dug wells...because the well is taking the freshwater and the saltwater that comes underneath, and desalinating that for a cheaper price. So, I

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ran the statistics on it, and, you know, like this guy is saying, he's paying \$26,000 a year for water. He's looking at paying \$35,000 a year for water on this desalinization. But what we can do is just take nice steps now, give apartments back to apartments, find hotels that are coming up for sale...because like the Grand and all these places, they come up every two years. Let's buy hotels, and let people invest in actual vacation places. That's wonderful. I feel like they would be better stewards than these big corporations that have been running these big hotels. And I think that it would be . . .*(timer sounds)*. . . an excellent opportunity. Thank you so much.

VICE-CHAIR U'U-HODGINS: Thank you very much for your testimony. Members, any clarifying questions? Seeing none. Thank you. Ms. I'i, followed by...

MS. MCKINLEY: Jordan Ruidas.

VICE-CHAIR U'U-HODGINS: Ms. Ruidas.

MS. I'I: Aloha mai kākou. Mahalo, Chair U'u-Hodgins, and all the County Council, and most especially this TIG group. I know it took a lot of time, a lot of effort, and also being open-minded to look at, you know, both sides, and all the things that we need to look at. I do want to start off by saying that we're stretching this out a little longer than it needs, yeah. The...the more time we...we wait, the longer we push things out, the more the community suffers. Change takes courage, and this was a bold move. There's a lot of fear, and this is scary. Change is scary. It is...it is not easy to look and, you know, sit in the comfortability of like, oh, this feels good, I'm comfortable here. And to step out and say, okay, we're going to do this. And...and I'm so grateful to Mayor for making this bold move, to...to think about not just the politics, but the people...the people who live in this 'āina, the community who...who have mālamaed [*sic*] this place, you know, for a really long time. I wasn't prepared to speak. I really was just going to sit and listen. But I want to share that...like, you know, before...in the past, people...the lineal descendants of this 'āina lived here, and they had no choice but to move away. So, many of us are like holding on for dear life, literally. Out of all of my 'ohana, pretty much my parents and I are the only ones here. My sisters live elsewhere. My son lives elsewhere. Everybody is like how can we afford to live here? And if you look at it, Lahaina cannot wait any longer. I am paying my mortgage. We...I'm lucky enough to live at Ka La'i Ola, where the state is paying for our housing, and I'm really blessed to have that opportunity. So, looking at that, I...I do have a little bit of upper hand in not having to pay rent and mortgage at the same time. That has been a blessing for me. But we really have to think about the sacrifices that we're going to make for our community. We have to look at all the things that are going to help our community thrive. And yes, this is an urgent need, like housing is urgent. It has been this way for quite some time. So, are we going to continue to sit and not do anything? Or are we going to make that bold move, make that change in...in order to house our people? Seawalls, sea level rise, all these things...it shouldn't have been there in the first place. And what a luxury it is to have an elevator, to pay maintenance fees, to...to take care of all these things. That's a luxury, actually. What a luxury it is to take a vacation while Lahaina is still sitting . . .*(timer sounds)*. . . like, okay, I'm in temporary housing, trying to figure out what we're going to do. We have to make the change. It is going to be

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scary, but we got to make the move. So, I appreciate the time, the effort, and...and the aloha shared, but I...I request and recommend that we pass this bill clean.

VICE-CHAIR U‘U-HODGINS: Thank you.

MS. IT: Pass Bill 9 clean. Mahalo.

VICE-CHAIR U‘U-HODGINS: Thank you very much. Members, any clarifying questions? Seeing none. Thank you for your testimony. Ms. Ruidas? And then after that, let's take a five-minute recess. Can you call the next person after she's done to let them know they'll be up before we take our five-minute recess?

MS. RUIDAS: Oh, wow.

VICE-CHAIR U‘U-HODGINS: Ms. Ruidas, good morning.

MS. RUIDAS: Aloha. My name is Jordan Ruidas. I'm testifying on behalf of myself today. I was born here and raised in Lahaina. I've been in Honokowai my whole life, and our community has become completely overrun with short-term rental vacations due to the Minatoya exemption and platforms like Airbnb and Vrbo. Every day, I live and see the imbalance play out in our community. Local families cannot find homes while buildings that were meant for long-term residents are being used for visitors. I want to start by thanking the Housing and Land Use Committee and the TIG members for taking the time to dig into the impacts of Bill 9. I really appreciate the effort that went into this work because this issue is very personal for so many of us, but it's also personal on very different levels. For the community, it's personal because this is us fighting to stay where we are from. For others, it's personal because of the money that you guys could be losing. As someone who grew up here and truly calls Maui home, I feel the urgency. Our community cannot wait any longer. Hawaii's biggest export is its people. With the TIG's work behind us, it's time to move Bill 9 forward, and start reclaiming housing for Maui's people. No more delays. Right in my own neighborhood, one of my neighbors, the Lokelani Building, shows exactly what's gone wrong. Their own declaration clearly says, no apartment shall be rented by the owner or owners thereof for transient or hotel purposes. Yet today, that's exactly what's happening. This isn't just a zoning issue, it's about doing what's right...honoring our community, and staying true to what these homes were meant to be for. I've also heard some of the opposition testimony today, especially from Mā'alaea owners, saying that their area should remain short-term rentals. But the reality is, the community plan never called for Mā'alaea to be a visitor destination area, or for those apartments to serve as short-term rentals. Some of our very Councilmembers walked those places, and they said, looks like apartments to me. And to those who say their investment is being taken away, no one was ever guaranteed a right to profit off of Maui's housing. Investing in real estate always comes with a risk, and it should never come at the expense of the local families having a place to live. The County's responsibility is not to safeguard profit margins, but to protect the integrity of our communities, and ensure housing serves the people who live here. Passing...or phasing out short-term rental vacations in Apartment-zoned areas is one of the most important steps this County can take to bring stability back to our housing market, free up water for real community needs like affordable housing, and give Maui families a real

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chance to stay here. After the fires, this crisis only got worse. So many of our residents are still displaced, with the February date that FEMA might leave them...still waiting for a place to call home. I've watched many friends, family, and neighbors . . .*(timer sounds)*. . . pushed out of the community. I'm asking, please move Bill 9 forward without any delays. Do it for our local families, our workforce. And our future generations deserve, as we deserve, a chance to live and thrive where we're from. Anything less continues this cycle of displacement that we're fighting so hard to end. Mahalo nui.

VICE-CHAIR U'U-HODGINS: Thank you very much for your testimony. Members, any clarifying questions? Seeing none. Thank you. Can you let us know the next two testifiers, and then we're going to take a five-minute recess.

MS. MCKINLEY: The next two testifiers are Andrew...Andrew Church, to be followed by the person calling in with the last four numbers 7735.

VICE-CHAIR U'U-HODGINS: Okay. It is 10:35 right now. We're going to take a five-minute recess, to return at 10:40. . . .*(gavel)*. . .

**RECESS:** 10:35 a.m.

**RECONVENE:** 10:46 a.m.

VICE-CHAIR U'U-HODGINS: . . .*(gavel)*. . . Will the HLU Committee please reconvene. It is 10:46, and we're going to pick up on our testimony. And our next testifier is...can you please remind us?

MS. MCKINLEY: Andrew Church, to be followed by the caller with the last four digits 7735.

VICE-CHAIR U'U-HODGINS: Okay. Thank you. Are you Mr. Church?

MR. CHURCH: Thank you. I'm going to wing it a little bit here. I just want to say thank you to all the Councilmembers because I've been to the Planning Commission meeting, and the first round, and you guys got an incredible job. And I'm sure you're suffering from testimony fatigue, and I couldn't do it. I mean, so hats off to you. You guys are amazing. I don't agree with everybody's point of view, but that's okay, right? My name is Andrew Church. I live here in Maui. My family is...is from Maui. My daughter was born here in Maui. Her mother was born on Maui. Her grandmother and great-grandmother were born in Moloka'i, and her great-great-grandfather was born on O'ahu. She's registered at Kamehameha School. The oldest birth certificate that I submitted to Kamehameha School was 1890. So, I do feel like even though I'm more in the white level, they are definitely full-on Hawaiian natives. My family survives solely at this point on short-term rental income. I'm going to skip most of my speech and just go straight to the fact that I was happy to see your report, and Kihei Bay Vista is one of my units, and it is a massive...I guess you call it sea level rise, but I call it a dirty flood zone. The last time, I'll say the County...from November through January, they dug behind that complex of Kihei Bay Surf...Kihei Bay Vista probably 20 football fields of dirt. It's booked three months. Truckloads...I watched every day, truckloads being

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hauled out of there. I don't know where they put the dirt, but it was massive amounts. Huge hole they dug, four hours. And I believe it was late January. There was a storm, filled the entire thing, flooded out Kihei Bay Vista. It is not...it is not a good place for putting a long-term family because every...since I bought that place, four or five times, it's flooded so bad, the cars are...the water's up to the windows of the cars, the dumpsters end up in the ocean, and the whole thing starts over again. There's a massive problem with that bridge on...on...right there at 67 South Kihei Road that hopefully someday will be rectified, but right now, it is not in a good...good spot. I believe it's a bridge built on top of a bridge, so it's basically a beaver dam, catching water and flooding out that whole area. The last thing I'm going to say is that I have a property in Kula--I've said this the last meeting--that my frustrations and the reason I bought, and I never...my intentions when I bought my vacation rental was never to displace any Maui resident, ever. That was the last thing on my mind. I never thought about it, never wanted to do that, and I'd known now what's going on, I certainly wouldn't have done it. Didn't know...after a lot of due diligence, didn't even know what the Minatoya list was, never heard of it from the County, the Property Tax Division, any realtor, nobody told me about this list. So, it was...blindsided when the Mayor made this announcement. Therefore, I feel like I did everything right, but now we're here today, and I'll say that I...I have a...I did a CPR on a property in Kula . . .(timer sounds). . . building inspector came up, and he inspected it and said, hey, you're rural half-acre, you can get a second accessory dwelling in there. So, I spent about 200,000 bucks putting septic, surveys, everything to get it prepared to build two...an accessory dwelling and a main dwelling. Well, after submitting the...

VICE-CHAIR U'U-HODGINS: Mr. Church, if you could wrap it up, please.

MR. CHURCH: Yeah, yes, after submitting...oh, is my time up? Sorry.

VICE-CHAIR U'U-HODGINS: Yes.

MR. CHURCH: After submitting the building plans, I was told it's...the MAPP [sic] system, the new digital system, has changed it to Agricultural, and now they won't let me build. And I've got two lots sitting up there, with septic --

VICE-CHAIR U'U-HODGINS: Okay.

MR. CHURCH: -- with water, and electric, ready to build.

VICE-CHAIR U'U-HODGINS: Thank you very much.

MR. CHURCH: Thanks.

VICE-CHAIR U'U-HODGINS: Thank you. Members, any clarifying questions, go ahead. If it's about his building permit, maybe you guys can talk about that after.

COUNCILMEMBER SUGIMURA: What is the name of your property you're talking about in...in Kihei?

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MR. CHURCH: Well, I have Kihei Bay Surf and Kihei Bay Vista.

COUNCILMEMBER SUGIMURA: Okay.

MR. CHURCH: They are on the exemption list, yes.

COUNCILMEMBER SUGIMURA: Kihei Surf and Vista.

MR. CHURCH: Yeah.

COUNCILMEMBER SUGIMURA: Okay. Thank you.

VICE-CHAIR U‘U-HODGINS: Thank you. Thanks, Mr. Church.

MR. CHURCH: Is that it?

VICE-CHAIR U‘U-HODGINS: Yes.

MR. CHURCH: Okay.

VICE-CHAIR U‘U-HODGINS: Thank you very much. Next testifier, please.

MS. MCKINLEY: Chair, the next testifier is the caller with the last four digits 7735, to be followed by Mitchell Tipton.

MS. MARSH: Hello. Can you hear me?

VICE-CHAIR U‘U-HODGINS: We can.

MS. MARSH: Okay. Great. This is Karan Marsh. I want to thank Mayor Bissen for coming up earlier, and clarifying that Bill 9 should have been stressing that this is a zoning correction rather than a housing bill. Mahalo for this opportunity to comment on the October 14, 2025, Bill 9 TIG report. I praise the efforts of the TIG, led by Honorable U‘u-Hodgins and the commissioners who recommend modifications so condo property owners may continue their law-abiding and government-sanctioned businesses. Let Bill 9 die in Committee due to the TIG’s report outlining Bill 9’s flaws, and continued economic damage to the Maui Island. It is extremely unfortunate Bill 9 was introduced, which caused such economic disruption, and such a division amongst the people of this beautiful island. Mayor Bissen, who introduced Bill 9, is a smart man, and a judge for several years. Bill 9 makes me wonder what has such an undue influence over sensibilities to cause us to waste the past years, and cause us anguish and heartache. The TIG report confirms Bill 9, as written, fails to support Maui residents and supporters in any way, especially absent meeting the goals of the land use management. The TIG recommendation 1 and 2 is to establish H-3 and H-4 codes, which requires lengthy legislative process, which provides no guarantees of completion. It increases administrative workload rather than absorbing TVRs into the existing H-1 and H-2 codes. Referring to the 1960 Ordinance Number 286, both hotels and apartments are similar enough to be within the same definition. Both groups perform

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the same business at providing residential accommodations. One pays more tax than the other. It also provides a separation between hotel and STR property tax rates, assigning the STR owners a significantly higher property tax rate than hotels' property tax rate. It directs the South Maui General Plan to accommodate the above directions. However, that plan is already in its final stages. The TIG's disclosed barrier to implementation is the length of time for review and approval to extend beyond the current term. Where is the urgency in this process? We are over two years out, with an expected seven or eight more years to go before execution. Finally, the TIG report is silent on any comprehensive plan to capture and release the complexes to the residents. The TIG report fails to include surveys on how many residents are pre-qualified to purchase, and how many buyers...how many would-be buyers or tenants, and absent is the population numbers after hearing that so many residents have left the islands for better jobs and homes, or as a settlement from the 2023 fires. Securing homes is important . . .(timer sounds). . . but this is absolutely not the right way. Let Bill 9 die in Committee due to the TIG's report outlining Bill 9's flaws and continued economic damage to Maui Island. Thank you for your attention to my concerns.

VICE-CHAIR U'U-HODGINS: Thank you so much for your testimony. Members, any clarifying questions? Seeing none. Thank you. Next testifier, please.

MS. MCKINLEY: The next testifier is Mitchell Tipton, to be followed by Wendy King.

VICE-CHAIR U'U-HODGINS: Mr. Tipton? Good morning.

MR. TIPTON: Aloha. Good morning, everyone. First off, I just want...oh, name's Mitchell Tipton. I'm in support of Bill 9. Let's move this forward with the TIG. Let's go. I also want to thank everyone that's put in the work, right, especially Tom Cook. I'm...live Kihei. I've been there for 14 years. I know how messy that can be, so thank you. And again, this is a zoning issue, if I'm not mistaken--and please correct me if I'm wrong--but on the continent, right, if I'm in a residential area, I can't have short-term rentals. This happened right next to my parents' house. And so, why is it any different? Just because you can make money off of it? It's in a place where people want a vacation? I don't know. And I think that kind of brings me to my next point, which is compromise. I've heard a lot about that. And I just want to point out that native and local families have to make compromises every single day living here, and have for generations. And with this bill, we are making compromises for the whole. So, I ask those who oppose, or short-term, whatever, where is the compromise? Because I'm tired, so tired of hearing the word "aloha" weaponized. And now it feels like compromise is being weaponized to gaslight the native and local communities about what's best for us. And for what? Some weird white savior complex? That this kind of extraction is somehow good for us? Or is it just good for you? And I'm not saying you can't be a part of this community. I wholeheartedly want everyone to be a part of this community. That's not what I'm saying, right? What I'm saying is, community takes work. And we've been putting in work. And I'm asking you to please put in some work for your compromise, for our community. That's it.

VICE-CHAIR U'U-HODGINS: Thank you very much. Members, any clarifying questions? Seeing none. Thank you for your testimony. Next testifier, please.

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MS. MCKINLEY: Chair, the next testifier is Wendy King, to be followed by Jeff Gilbert.

VICE-CHAIR U‘U-HODGINS: Ms. King, welcome back. Chair Lee is back.

MS. KING: Thank you. . . .*(laughing)*. . . Thank you. My name is Wendy King. I am a full-time resident and small business owner here on Maui. If Bill 9 passes, it will have a negative impact on me, and how I feed and house myself. Kauhale Makai was mentioned earlier, and that is the property that I own at. And it is not on Exhibit 2, and I believe that that is a mistake. It does not fall in the affordability category. It is oceanfront, in or near sea level rise. It has a front desk, checks in guests, and checks them out. It operates as a hotel, and is mostly short-term rentals and timeshares. It does have timeshares that are VI Resorts Vacation International, previously known as a Royal Aloha Vacation Club. So, I appreciate the Google search, but I believe it was incorrect. I believe that if this is going to be moved forward with Exhibit 2, that Exhibit 2 be carefully looked at because I believe there are a lot of mistakes on...on that Exhibit 2, especially our...my property is not on there, and I know there are others. I also believe that if the H-3, H-4 is going to be created, why not create that first, and do that correction of all those properties that are improperly zoned, and then move forward with any type of Bill 9. But I...I oppose Bill 9, but I also oppose Exhibit 2 because I believe there are multiple, multiple mistakes. Thank you.

VICE-CHAIR U‘U-HODGINS: Thank you, Ms. King. Members, any clarifying questions? We’re going to begin with Member Cook, and then we’ll go to Member Sugimura.

COUNCILMEMBER COOK: Thank you. Could you restate your name, please, and also the building?

MS. KING: Wendy King.

COUNCILMEMBER COOK: King.

MS. KING: King, K-I-N-G.

COUNCILMEMBER COOK: And which building was it?

VICE-CHAIR U‘U-HODGINS: Kauhale Makai.

MS. KING: Kauhale Makai.

COUNCILMEMBER COOK: Okay.

VICE-CHAIR U‘U-HODGINS: Member Sugimura, that was your question? Okay. Thank you very much for your testimony.

MS. KING: Thank you.

VICE-CHAIR U‘U-HODGINS: Next testifier, please.

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MS. MCKINLEY: Chair, the next testifier is Jeff Gilbert on Teams, to be followed by Caleb on Teams.

VICE-CHAIR U'U-HODGINS: Mr. Gilbert?

MR. GILBERT: Good morning. My name's Jeff Gilbert. As you know, we have a...my wife and I have a unit at Luana Kai on 940 South Kihei Road. I want to make a couple of very quick comments. First of all, a housing crisis that takes nine years to resolve or seven years to resolve isn't a crisis. It's being used as an opportunity to make changes for a different purpose. If, in fact, you wanted 6,000 housing units, go find one or two square miles of your 772-square-mile island that constitutes Maui, turn it into a housing development, and you're going to have 6,000, 7,000, 8,000 units very quickly...much sooner than five to seven years out. I would also request that the Exhibit 2, Exhibit 3, as posted, are a...if I were...if I wanted to be a cynic, I would say this is an attempt to split the...the...the short-term rental owners into...into parties that will end in war against each other. We...to be fair, it would be nice to have a...a fully documented spreadsheet that identifies the criteria per unit, and we can...and we can see how the evaluation was done per...per property to understand why choices were made. Right now, it is not a transparent process, and it needs to be made one. One final very quick comment. Over the seven...you...it actually says 2016, for the property we've owned, property taxes have gone up by a factor of 3.4 times. If...if there is an affordability crisis, the County of Maui is very much part of that...part of that problem, and needs to figure out why the property tax is going up 3.4 times. Why is Maui short of money? That's an incredible increase in revenue. I wish I had that with our short-term rental. Thank you very much.

VICE-CHAIR U'U-HODGINS: Thank you. Member Johnson?

COUNCILMEMBER JOHNSON: Thank you, Mr. Gilbert, for your comments. I just want to ask, do you pay property tax in other states?

MR. GILBERT: I'm sorry. Yeah, absolutely.

COUNCILMEMBER JOHNSON: Okay. Because we have the lowest property tax rates in the nation here in...in Maui County, so I'm just curious if...

MR. GILBERT: 1.2 percent...1.2 percent of assessed value, right? That's what you're saying? It actually is lower than that elsewhere, but yeah, it's still an amazing increase.

COUNCILMEMBER JOHNSON: Okay. Thanks for that clarification. Thank you, Chair.

VICE-CHAIR U'U-HODGINS: Thank you. Members, any other questions? Seeing none. Thank you for your testimony. Caleb is next, and then followed by?

MS. MCKINLEY: Gabriel Sankey on Teams.

VICE-CHAIR U'U-HODGINS: Okay. Caleb, your turn.

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MR. CALEB: Thank you so much for...thank you so much for taking the time to listen. I have great respect for both sides of this important discussion, but I...I must respectfully express my opposition to Bill 9 in its entirety. A compromise would definitely be to have been building, and to now build affordable housing, not to remove existing property rights. I was also surprised to see that Puunoa Beach Estates, where our property is located, was not included on Exhibit 2 of the TIG report. This complex has ten units, has long operated within the guidelines established by the Minatoya list. We...we purchased early 2021 in Lahaina on Baby Beach after carefully confirming that it was under those rules. Each...each condo was valued before the fire at 3 to 5 million. Clearly not affordable housing, either for purchase or long-term rental. The property includes a welcome desk, resort-style amenities...never intended or designed for long-term residential use. So, removing short-term rental rights here would not create affordable housing, it would just cause significant harm to local residents and the broader community that depend on tourism and maintenance work from properties like ours. The August fire devastated our entire surrounding neighborhood, though it has brought us closer together as a community in mutual support and resilience. But this property endured COVID, the fire, and now faces Bill 9, which, if passed, could be another devastating blow. And I know a lot of people have experienced a lot of...a lot of devastation, but the...but the answer isn't to go after one another, it's to work moving forward together. So, I respectfully urge you not to pass Bill 9. However, if the bill does move forward, I sincerely ask that Puunoa Beach Estates be included on Exhibit 2. So, thank you for your time and consideration.

VICE-CHAIR U'U-HODGINS: Thank you, Caleb. Members, any clarifying questions? Seeing none. Thank you for your testimony. Next testifier, please.

MS. MCKINLEY: The next testifier is Gabriel Sankey on Teams, to be followed by Alena Ornellas. *(pause)*

VICE-CHAIR U'U-HODGINS: Mr. Sankey?

MS. MCKINLEY: The testifier has been unmuted on our end.

MR. SANKEY: Hello. Can you hear me?

VICE-CHAIR U'U-HODGINS: We can.

MR. SANKEY: I want to thank everyone for their efforts on the TIG, and just the County Council in general. And, you know, I understand that this is sort of a heated...not sort of, it's very heated, and in the end, it's going to be a give and take to get to where we need to be. And I know that a lot of conversations, even as much as the Mayor said, you know, some properties...they walk like a duck, they quack like a duck, they're probably a duck. So, you know, I wanted to advocate for this property that I own at in...in Lahaina, at the end of Front Street, Lahaina Roads, which is sort of down the street from Old Lahaina Luau and the cannery. And it's been around since the '60s. It's always been a vacation rental. It's right up on the sea level rise, where there's a pool right by the...the seawall where often enough, the waves will wash into it. So, I mean, if there's

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something stuck on sea level rise, it's this property. But, you know, so it's very expensive. I mean, we just went through \$20,000 special assessment, a couple of years ago, 10,000. And, you know, this...this property, it's...in my mind, it's...it fits with...it's always been a vacation rental. It's part of the little community that's still open down there. It made it through the fire. You know, it's...it's...to me, it's sort of what...like I said, it looks like a vacation rental, it is a vacation rental. It's always been a vacation rental. It's very hard to keep up with the...the dues there. So, you know, as much as you guys have to take a look at which properties make sense and which don't, I just wanted to say that if you could take a second look at this property...again, Lahaina Roads, right at the end of Front Street. So, that's it. And thank you, everyone, for listening. I appreciate it.

VICE-CHAIR U'U-HODGINS: Thank you very much for your testimony. Member Paltin, you have a clarifying question?

COUNCILMEMBER PALTIN: Thank you. Just wanted to clarify, the ground floor doesn't have any dwellings. It's parking; is that correct?

MR. SANKEY: That's...you're not...it's exactly right, yeah.

COUNCILMEMBER PALTIN: And then the seawall is about eight feet above the ocean?

MR. SANKEY: It's...it washes, you know, over and up the...the...the staircase. And so, it's constantly fighting back. I mean, it should be higher, but I haven't measured it. I know there's constantly issues where they got to dig it up and do a seawall assessment every couple of years, and so it's very impacted. But I don't know the specific foot, but I know that the sea comes up over the wall from time to time.

COUNCILMEMBER PALTIN: Got it. Thank you.

VICE-CHAIR U'U-HODGINS: Thank you, Member Paltin. Any other clarifying questions? If not, I know Ms. Ornellas is next, followed by?

MS. MCKINLEY: Stacey Alapai on Teams.

VICE-CHAIR U'U-HODGINS: Okay. Ms. Alapai.

MS. ORNELLAS: Aloha mai kākou 'O wau 'o Alena Waipu'ilani Ornellas. No Kumuwiliwili mai au. Aloha. I'm Alena Ornellas. I come from Kumuwiliwili, 'Īao. Our 'ohana has been in these islands for 77 generations. And I'm here to testify--to plead, actually--you...Councilmembers, we need to pass this bill. This is a life-or-death situation. You know, there's a mass exodus happening of our people...not only Native Hawaiians, but local people who's been here for generations and generations. There's a mass exodus happening. Right now, the difference that I see, the polarity that I see for people who are opposing this bill, and us that who are for it is, we're here for generational legacy. I'm here to stand for 77 generations to come. We are not here for personal interests of just my one company, or my one business, or my one family's generation. I'm here to stand for all the generations here, everybody who lives here in

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Hawai'i. I would love for them to be here for another 77 generations. And with the earth changing, all of our climatologists around the world has come to a consensus that we have hit those tipping points as the earth. So, our guidelines here in our political realm of how to build houses, where to get the water from, shit, that stuff is out the door pretty soon, or...if it's not already. We have to create new guidelines. We have to create new pathways to ensure that our resources stay for the next 77 generations. Sea rise is going to keep happening. Building a seawall is not going to stop the moananuiākea from coming into your buildings. It's not going to help. We need to come up with better long-term solutions for all, everybody here, you know. And there's no water to go and create new infrastructure. I'm from 'Āao. My children can't even swim in the river. I can't even grow kalo. And we have a WUPA. We have interests. We have kuleana water rights, and my family cannot grow kalo. And when our people are disconnected from our land, when you're disconnected, what happens? Substance abuse, housing, domestics, criminal. So, really, the cure, in my opinion, to all of our issues in our society is connection. We need to reconnect ourself to ourself, connect ourself to our community, and connect ourselves to the land around us, and be that community, a true community. That's what we need to be. So, mahalo. Please pass Bill 9 right now because it's a life and death situation. Mahalo.

VICE-CHAIR U'U-HODGINS: Thank you, Ms. Ornellas. Members, any clarifying questions?

MS. ORNELLAS: Oh, sorry.

VICE-CHAIR U'U-HODGINS: All good. Thank you so much for being with us today.

MS. ORNELLAS: Okay. Mahalo. You guys are so awesome.

VICE-CHAIR U'U-HODGINS: Ms. Alapai, you are next, followed by?

MS. MCKINLEY: Jackie Keefe on Teams.

VICE-CHAIR U'U-HODGINS: Jackie Keefe. Ms. Alapai? *(pause)* Ms. Alapai? We can move on to the next, and please keep her on, and then we can hold her until...

MS. MCKINLEY: Okay. The next testifier is Jackie Keefe on Teams, to be followed by John Carty, if we don't get Ms. Alapai.

VICE-CHAIR U'U-HODGINS: Okay. Jackie?

MS. MCKINLEY: You have been unmuted on our end, star-6.

VICE-CHAIR U'U-HODGINS: Yeah, we see her. We see her.

MS. KEEFE: Mahalo. Aloha...aloha kakahiaka kākou. Mahalo for the opportunity to testify today, and the thorough work that you have done researching the possible impacts of Bill 9. My name is Jackie Keefe, and I have several concerns about this report, but I'm going to focus on the imbalance of the TIG's priorities. I work as an advocate for fire survivors with medical access and functional needs. In practice, this means that I work

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mostly with kūpuna. It's exceedingly difficult for me to listen to the owners of multiple units ask for you to kill this bill. The stress of this housing insecurity is making our community sick. This report is written from a financial and economic lens, it focuses on the economic and operational impacts of small businesses. There's a detailed, data-driven analysis, to support the argument made in this TIG report for a less aggressive implementation timeline and multiple exemptions for different property and rental types. We are losing our community at an exponential rate, and this bill being dragged out is a huge part of that. If you'd like to stick to a strictly economic focus, like so much of the discussion surrounding Bill 9, I'll put it this way. How do you expect our economy to continue to exist without workers? This report says little to nothing about the acute housing crisis that our community is suffering through. There was no data-driven points made about the thousands of displaced Lahaina residents who have literally no options for long-term housing. The County and State's plan is currently to hope that FEMA extends their housing programs. That's it. That's the plan. We already have countless families who are living in their cars and on their streets...on the streets. This is not sustainable, and it is not healthy. Frankly, I'm tired of the conversation around Bill 9, prioritizing the plight of short-term rental owners, most of whom who do not actually live here. The TIG report does not have the right priorities. Our community is suffering in ways that you cannot fathom. I know you appreciate data, so I'd like to remind you of Matt's (*phonetic*) presentation in June. Condos are the most affordable housing option in Maui County, and our residents should not suffer because this body has never previously thought to treat our housing and speculative real estate markets differently. Slips like these from previous Councils have been a huge driver in the exodus from the islands. Please, think of the kūpuna who ask me every day where they're supposed to live come February. Put their needs first. Please stop complaining about this bill not being ready. It took a year for it to be put on the agenda. Your job is to create legislation. Please put Bill 9 on the Council agenda ASAP as written. Our fire survivors have been through enough, and deserve a sliver of hope. Being a renter in Hawai'i is terrible. They deserve for you to take this step to make it the smallest bit less difficult. And I just want to end on saying, just because folks say that . . . (*timer sounds*). . . a property has always been rentals, doesn't make it true. Mahalo.

VICE-CHAIR U'U-HODGINS: Thanks, Ms. Keefe. Any clarifying questions? Seeing none. Thank you so much for your testimony. Let's put Ms. Alapai at the end, and see if she comes back. Okay.

UNIDENTIFIED SPEAKER: Chair, Alapai said she . . . (*inaudible*). . .

VICE-CHAIR U'U-HODGINS: Okay. Thank you so much. We can...she won't be testifying. Thank you. You're welcome to begin.

MR. CARTY: Thanks. I'm John Carty. I'm testifying on behalf of myself, and thank you for this opportunity. There's no denying it's a complicated issue, but the more that the details are discussed, the more that I feel myself going to the basics of it. And for me, and I think a lot of people, the concept of buyer beware is not mentioned enough. And I've made some investments in my life that I wish I could undo, but that was my choice. And for us to be discussing the impacts to people who bought condos that are...were designed to be residence, and then the issue gets complicated because of how they want

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to monetize that at the expense of our generational residents, it's hard for me to hear all of these discussions about that. Because we need to prioritize our community. And I'm from West Maui, and I'm incredibly grateful for our community members that are hanging in there, and fighting so hard for not just our community, but all the locals on the island that are...that should have a place to stay. So, that's...that's the basics of it. And really, I think we got to get the clock ticking on this phase-out, please...because it's hard for people to be hanging in there. I'm so proud of our community. But get that phase-out going. I don't...we got to...we got to get help, and housing for our people. I'm done.

VICE-CHAIR U'U-HODGINS: Thank you very much. Members, any clarifying questions? Seeing none. Thanks for your testimony. Next testifier, please.

MS. MCKINLEY: Chair...Chair, the next testifier is Karen Smart, to be followed by Jeff Gilbert.  
*(pause)*

VICE-CHAIR U'U-HODGINS: Next testifier, please.

MS. MCKINLEY: Is Karen Smart in the Chamber?

VICE-CHAIR U'U-HODGINS: Karen Smart? Going once, going twice. Next.

MS. MCKINLEY: Chair, the next and last person signed up to testify at the moment is Jeff Gilbert, who already testified, but we would like to check to see if perhaps there's someone with him that would like to testify.

VICE-CHAIR U'U-HODGINS: Okay. Mr. Gilbert, you're welcome to testify if there's another person with you. If not, you have already had your opportunity. I don't think so.

MR. GILBERT: I'm sorry, the...my...the meeting dropped, and I've been trying to reconnect.

VICE-CHAIR U'U-HODGINS: Okay. Thank you.

MR. GILBERT: My computer has issues. I apologize.

VICE-CHAIR U'U-HODGINS: Okay. Thank you. Ms. Smart? Okay. Last call for...do we have anybody else other than that?

MS. MCKINLEY: No, Chair.

MR. NAKOA: Junya.

VICE-CHAIR U'U-HODGINS: Okay. Mr. Nakoa?

MR. NAKOA: Ooh, howzit? Junya Nakoa. Okay. We're talking about the TIG report, yeah?

VICE-CHAIR U'U-HODGINS: We are.

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MR. NAKOA: Okay. Good job. Okay. But I knew this was going happen. Plenty people who not included in the good part, they thought that they should be in the good part. So, you guys is...you guys still stuck. You guys still in the beginning. So, might as well just leave the buggah, okay? That's the thing as a whole, as clean, okay? And then, you guys always do 'em anyway, then you guys adjust the damn thing, okay? Right now, you guys prolonging them. Like everybody's saying, I see people suffering every day, okay? My daughter just moved right below Ka La'i Ola and . . .*(inaudible)*. . . over there. I see those people suffering. They're glad to get the free place or whatever, but they're bummed because no more trees at that FEMA place. . . .*(inaudible)*. . . The buggah feel like one prison...a prison camp, right? Okay? So, all these guys who just went testify against this thing, yeah? Saying oh, my property should be number whatever, whatever letter, number you guys like put 'em so the buggah can be good. And then you guys that saying, oh, get the permit process to make it better so we can build more homes. You guys paying attention, or what? We no more water. No more water. All your guys' in short-term rentals use more water than one resident would, okay? My daughter was living right next to one short-term rental when she was in a FEMA housing. Holy smokes. I had to go there every day because like make sure no dummies going to touch this boy, okay? But you...but you know how much water these guys use every damn day? Yeah? You guys talk about maintenance fees. Well, if it was all residents living over there, we're not going to water every damn day the sidewalk. The sidewalk not going grow up on the water. But you go to all these short-term rentals, they're watering the sidewalk, wasting our water. You guys going do something, you guys going do this. You want a TIG report on the water that the short-term rental guys use, and if the resident...if the thing was a resident, how much they would not use, yeah? This Hawaiian only bathe on Saturdays...only joke. But I'm going to tell you guys, these...the water usage is crazy right now. We get one big corporation, finally one big corporation in Nāpili, in Kapalua, yeah? And here you guys worried about money, you guys worried about, oh, my...my second income. Oh . . .*(timer sounds)*. . . you know, this is my retirement. I'm going to finish, I'm going to finish.

VICE-CHAIR U'U-HODGINS: Okay. I going let you finish.

MR. NAKOA: What you call...hold on, bruddah. Your turn. But I worry about our residents, seeing 'em every day. My daughters no like me go to Nāpili Market because I get stuck over there two hours, crying to...listening to crying stories about people --

VICE-CHAIR U'U-HODGINS: Thank you, Mr. Nakoa.

MR. NAKOA: -- no can handle right now.

VICE-CHAIR U'U-HODGINS: Thank you.

MR. NAKOA: Okay.

VICE-CHAIR U'U-HODGINS: Thank you very much. Members, clarifying questions? Seeing none. Thank you so much. Any other people wishing to testify? Please come forward. And please introduce yourself. *(pause)*

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MS. MAU: Okay. Aloha.

VICE-CHAIR U‘U-HODGINS: Aloha.

MS. MAU: My name is Kristina Mau. I am from Lahaina. Oh, I’m a little nervous. And I’ll be testifying as my...for myself. I support this bill. And as a young mother, and a haumana of traditional practices, my experiences right now with the healing in the community...we are so disconnected. And I guess I’m up here to just really ask like where is the balance and the reciprocity from these short-term rentals when our community is failing? The people in the community cannot work. We’re...we are...we’re broken, and we’re trying to put ourselves back together, and I just hear the...the complaining of...of income. We all have struggles. We all are going through it. You’re not the only one, but we’re...we’ve just...I just lost our home. I just lost my home, and you here talking about elevators and things...that just seems like that’s a luxury, and that’s a blessing for you. Let us like rebuild. So, I’m going to keep this short and sweet, but please...I’m supportive of Bill 9. Please, this is long overdue, and we need to move forward. Thank you.

VICE-CHAIR U‘U-HODGINS: Thank you very much for your testimony. Any clarifying questions? Seeing none. Thank you so much. Next testifier, please. We can go online if there’s any other testifiers wishing to testify online. *(pause)* Please introduce yourself. Thank you.

MS. SMART: Aloha. My name is Karen Smart.

VICE-CHAIR U‘U-HODGINS: Ooh. Hello.

MS. SMART: I’m...I’m a local resident, full-time resident, been here since 2011, just so y’all know. And this is scribbles, I’m going to try. Thank you guys for all your hard work. I really appreciate it, and trying to find a compromise solution for Bill 9 and the TIG. Bill 9 has already been proven by UHERO, and in real time days, right now, that in the last...within the last two years, that it won’t help solve the housing crisis at all. So, you know, everyone that’s talking about a housing crisis, you guys need to do your homework about Bill 9, and how or how it will not help. Bill 9 originally came out arguing that it is needed for immediate affordable housing for our residents by taking STR rights from owners to provide long-term housing for our local people. Cool. It has been two years. Nobody has bought anything. The prices have gone down 40 percent. Not one...not any...anybody has bought...these...these things are sitting for 40 percent off, and nobody’s buying them. Nobody wants them. So, the narrative has changed to these are not...they’re not saying affordable housing anymore, they’re saying attainable housing. Guys, you need to look at the fine print, what’s going on with all this stuff. It’s not for...it’s not going to help affordable housing. Bill 9 needs to be scratched. The TIG, although it’s great work, it does need a little bit of tweaking, and it still won’t help the bottom line, Bill 9. It has been two years. Why are we still trying so hard to put a square peg in a round hole? We are...it won’t...it won’t work. The TIG won’t help a bill that doesn’t work. This bill has been argued that it will help with the housing crisis. How? It’s...it’s been two years, and low prices, and nobody wants these condos. We all know there will be lawsuits. We all know that lenders will not lend to anyone trying to

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buy a condo when it's in litigation. So, only cash buyers from the mainland will be able to buy these condos, and they're not going to rent them long-term because it doesn't pencil out when it costs twice as much than what they can rent for. So, think about all these things, guys, that the narrative's changed. We all know that buyers will keep these condos and not long-term rent...I already said that. And the...and here's...here's something that maybe you guys don't know. 2,200 residential units . . .(timer sounds). . . were burned in the fire. 2,900 residences, brand new residences, are approved and being built as we speak.

VICE-CHAIR U'U-HODGINS: Ms. Smart, if you could please wrap it up.

MS. SMART: Okay. So, there's no need for Bill 9 anymore. And these new houses, they're going to provide things that the locals need, like Safeway. The Safeway houses --

VICE-CHAIR U'U-HODGINS: Okay.

MS. SMART: -- they have a teen center, and they have a free preschool.

VICE-CHAIR U'U-HODGINS: Okay. Ms. Smart...

MS. SMART: These are the things that people need, not an old condo that's unattainable.

VICE-CHAIR U'U-HODGINS: Thank you very much. Members...

MS. SMART: All right. Please do your homework. Do your own research, and don't just listen to...to other people.

VICE-CHAIR U'U-HODGINS: Members, any clarifying questions? Thank you very much. Okay. Thank you. Did you want to come and testify? Please come up, and please introduce yourself.

MS. RAMOS: Good morning.

VICE-CHAIR U'U-HODGINS: Okay.

MS. RAMOS: My name's Amy Ramos. I'm testifying on behalf of myself. I'm going to kind of wing it. Thank you for all your time on the TIG report. I do think that it's invaluable that you all took the time to make the time to make the report, which I thought should have come far before the introduction of Bill 9. I do believe that in lieu of your findings, that you should definitely say no to Bill 9 at this point, and then reintroduce Bill 9 with your companion bill of what you do with the TIG report. I don't think the TIG report's done yet. I think there's more that needs to still go into it. That being said, I...I know everyone is upset about short-term rentals, and everyone has their opinions on both sides. I get that. I also know that with Maui...with Maui County's \$1.6 billion budget this year, that we could be doing a lot more things better. The Big Island's budget is like only like 948 million, and their population is bigger than us. And I just see that budget number with Maui County, and I'm shocked every day. I look around, and I go \$1.6 billion, and we still don't have an overpass that goes to the new Kihei High School.

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You know, just things that should be here aren't with that kind of money. And I also just want to make mention that while this bill is out there, and people think it will create more housing, there's still new hotels being proposed on the docket. There's one at Lipoa that's being proposed. There's an expansion of the Grand Wailea. There's other things being talked about that are going to use a lot more water. So, I'm just asking, as a resident of Maui for 25 years, raising my family of three, that you definitely take the time to field the bill well, and we come up with other housing situations. I...I personally feel like with that \$1.6 billion budget, maybe you could just say to some people that have these units that are STR, how about like a property tax credit for the full amount for a number of years to get people in them right away? I know they did it for the fire people...like, you know, to get people into housing right away. What about right now? Just...just an idea. I can see the immediacy, and I understand that. But I also think if you're going to push a bill . . . *(timer sounds)*. . . like this, it should be more complete. Thank you for your time, and I appreciate all of your work. Mahalo.

VICE-CHAIR U'U-HODGINS: Thank you. Members, any clarifying questions? Member Paltin, go ahead.

COUNCILMEMBER PALTIN: Couple of clarifications. The County has a \$1.6 billion budget, but we're not responsible for the State's projects, like an overpass. That's under the State kuleana, and their budget is way bigger than ours. So, that's...I'm not sure if you understand, we're not going to pay for the State's responsibilities because we're the County.

MS. RAMOS: Thank you. I...I...I get that now. Thank you for clarifying. But I just feel like...

COUNCILMEMBER PALTIN: Second clarification is that when we tried that with the short-term rentals, the...the majority of short-term rentals did not step up to the plate, and that's why it skewed our whole housing crisis. Because it was single-family homes that took advantage of that, and that's what kind of threw off with secondary effects for the rest of the residents.

MS. RAMOS: I know that it was...

COUNCILMEMBER PALTIN: So, those are the two clarifications I'd like to...

MS. RAMOS: I understand that you offered it, but you also...it was offered, like I think in like October, I can't remember, September or October, and people have already had bookings, like their bookings for probably Thanksgiving and Christmas. That was a...would be a hard thing for people to give up that income at that point, in my opinion, is probably why you didn't have a whole bunch of people move into it. Plus, I think that was a big part of it.

COUNCILMEMBER PALTIN: We're in October again, so...I mean, it's the same situation that it was last time. I don't know how it would be different, but at that October, Lahaina was burnt down. I mean, you can come and see the ruins of our town and people --

MS. RAMOS: I...I --

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COUNCILMEMBER PALTIN: -- picking their lives up together.

MS. RAMOS: -- have seen the ruins. I'm saying...but I think that that...when you guys put that forward, that wasn't right when the town built...built. I think it was like for a few months after, wasn't it, that you put that out there?

COUNCILMEMBER PALTIN: Yes. Because we're responding to the survival needs of the population.

VICE-CHAIR U'U-HODGINS: If your...thank you so much.

MS. RAMOS: Thank you.

VICE-CHAIR U'U-HODGINS: Thank you. Any other clarifying questions? Seeing none. Do we have anybody online who would like to testify?

MS. MCKINLEY: No, Chair. Proceeding with last call.

VICE-CHAIR U'U-HODGINS: Please do so.

MS. MCKINLEY: If anyone in the audience or on Teams would like to testify, please come up to the mic and begin your testimony.

VICE-CHAIR U'U-HODGINS: Come down, Mr. Law.

MR. LAW: Aloha kākou. Jasee Law from Kula Uka, Waiakoa ahupua'a. I looked briefly at the...the TIG...the TIGer [sic] report. Thank you, all you TIGers [sic], for spending your extra time. Most people don't realize like how much time you guys spend working on all these palapala. And I'm not sure how the process works. Like I used to watch that thing on Sesame Street where they put the bill through, and then the...the bill makes a law, and stuff like that. So, I'm kind of...I'll clarify later, but...so the Mayor...is the Mayor allowed to just make laws, and then you guys got to sign them? Or...as long as they're legal and stuff. But yeah, I'm just kind of wondering on that stuff. Anyway, I just think you guys is doing a good job. And I just wanted to say that with all the babies crying, and the...the new water fountain and stuff out there, it's kind of hard to hear in the lobby. So, if...especially Mr. Cook, because he talks in a low voice, if somebody could fix the speakers, that'd be great. Thank you. My ears aren't as good as yours, Luna Ho'omalū.

VICE-CHAIR U'U-HODGINS: ...*(laughing)*... Thank you. Members, any clarifying questions? Seeing none. Is there any other people wanting to testify? Come forward, Ms. Furtado.  
*(pause)*

MS. FURTADO: Aloha mai kākou, Chair --

VICE-CHAIR U'U-HODGINS: Aloha.

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MS. FURTADO: -- and Committee members. . . *(laughing)*. . . I really have to laugh. I've been laughing back there, hearing the...the excuses, listening to the...what's happened, the activity that's happened to protect investment...not so much community, but investment, when you've heard from our community time and time again--not just fire survivors, but those that have been chronically unsheltered. You've heard housing is necessary. Not housing that is affordably rental, like rentable, but housing that we can keep generationally. When I've heard not just the testimonies from today, but the testimonies in the history of this bill, which has been vetted and talked over, not just in the Mayor's Office, but this isn't something that's just been introduced. The focus of the TIG, I feel like others have said before, is the wrong focus. We're not trying to see how we can save investment, we need to see how we can save community. Because when people are housed, and they're securely housed and safely housed, we have community. We have the ways and the means to build back our well-being. We have the ways and the means to connect to each other, and to adequately and purposefully address our needs. Because the needs of different areas, right? Different needs. But if we are cohesive, if we can be community, and we're not looking at the bottom line, we're not looking at the profitability of this 'āina, of this community as a means to forward our own interests, when we look kākou and not ko'u, we're much stronger. We find that we can weather the storms that lack of mental health resources here on Maui leaves us with. We find that we connect with lā'au lapa'au, with our traditional medicines, and our traditional foods to sustain us. And in connecting with those folks that grow those things because they have 'āina to do so, we create stability and longevity. Things that aren't necessarily a part of the vocabulary of an investment market. So, I ask you to please consider passing Bill 9 with zero amendments to it, just as it is. Because our community needs this now...not next week, not next month, not next year. Today. Mahalo.

VICE-CHAIR U'U-HODGINS: Thank you, Ms. Furtado. Members, any clarifying questions? Seeing none. Thank you for your testimony. Do we have anybody else willing to testify or wanting to testify? If not, anybody online? Last call...three, two, one. Okay. Members...

MS. MCKINLEY: Chair?

VICE-CHAIR U'U-HODGINS: Yes.

MS. MCKINLEY: Chair, we do have a hand raised --

VICE-CHAIR U'U-HODGINS: Okay.

MS. MCKINLEY: -- on Teams.

VICE-CHAIR U'U-HODGINS: Sounds good.

MS. MCKINLEY: Joyclynn Costa. It will just take a second to unmute her.

VICE-CHAIR U'U-HODGINS: Okay. Aloha, Ms. Costa.

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MS. COSTA: Aloha. Can you hear me?

VICE-CHAIR U‘U-HODGINS: We can. *(pause)* Ms. Costa, we can hear you. You can begin. *(pause)* Oh, now I see that she’s muted.

MR. KRUEGER: Sorry, Chair, we had a brief technical difficulty.

MS. COSTA: Am I unmuted now?

VICE-CHAIR U‘U-HODGINS: Yes, you’re unmuted. We can hear you now.

MS. COSTA: Oh, okay. Because I was, and you couldn’t hear me earlier.

VICE-CHAIR U‘U-HODGINS: Okay.

MS. COSTA: So, mahalo, my name is Joyclynn Costa. And I...as I was listening to the testimony, I was also reading the TIG, and I do agree that the TIG is slightly, if not mainly, geared towards economics. And...but I also see there’s some compromise in there that...to look at the different uses. But I also see some mitigation in there, like the word should. And so, I...I really would like to, like the last testifier, have reconsideration of the TIG with all of its...all of its language to be a part of consideration, but not the wherewithal for the bill. Because it’s...it’s pretty one-side...I don’t hear the community, I hear the Administration’s...Administration or investment viewpoint. And I believe the intent was to be able to balance between foreigners and...and investors, as opposed to our residents. And this was supposed to be to help stop the bleeding of our residents not being able to be housed. And so, for the full intent of Bill 9, I think the TIG can be used as a consideration and some mitigation, but it’s not well-balanced, as far as what I could read. Thank you.

VICE-CHAIR U‘U-HODGINS: Thank you, Ms. Costa. Any clarifying questions? Seeing none. Thank you very much for your testimony. Okay. Last call for testimony. Anybody in here? Anybody online? Three...two...one. Okay. Members, seeing there are no individuals wishing to testify, without objection, I will now close oral testimony.

COUNCILMEMBERS: No objections.

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

VICE-CHAIR U‘U-HODGINS: Thank you. As a reminder, written testimony will continue to be accepted. We are now going to proceed with discussion on this Bill 9 TIG report. Members are going to be timed. We only have 20-ish minutes in today’s meeting, but we are scheduled to have tomorrow if you folks feel the need to continue the discussion. We did bring Planning, with Mr. Dias and Mr. Pfost. The Mayor is in...I see him back there. He’s welcome to come forward if you guys have any questions for him, and Ms. Stockwell from RPT if you guys have any questions for her, and the rest of the TIG members. Non-TIG members, this is an opportunity for you to have a discussion with us, and help us...or help you folks, I guess, understand the discussions that we had in

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TIG. So, after 12:00, we have until...we have another 18 or so minutes. I will probably recess the meeting if you guys want to continue tomorrow. So, Members--preferably those who weren't in the TIG--if you have any questions, please feel free to raise your hand, and ask...ask away.

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

VICE-CHAIR U'U-HODGINS: Well, I'm assuming the TIG members don't have any questions on a TIG report...or at least they shouldn't. So, those who were not in our TIG, please ask us questions because this is what this meeting is for. Member Sugimura?

COUNCILMEMBER SUGIMURA: Thank you. I guess I want to ask the questions that I heard from the testifiers, the criteria that was used to create Exhibit 2. It sounds like some of the testifiers were saying that possibly, their property should have been included, shoreline...you know, for whatever reasons, or their neighbor was, and how come we weren't? So, I'm not too sure how you proceed forward with those kind of questions, and I wonder if the...if you...or well, not you, but the TIG had a plan to take those kind of questions, and...and possibly clarify it.

VICE-CHAIR U'U-HODGINS: I can answer that, and then depending on whether the property is in South Maui, Member Cook can probably answer the question, and if it's in West Maui, Member Paltin can answer the question. But from...I'll answer the question, where do we go now? So, because the TIG is disbanded, we are no longer going to be making changes to Exhibit 2. But what we will do is, when we have legislation come forward from the recommendations of Exhibit 2, at that time, perhaps there may be changes to that Exhibit 2, for better or for worse, but that...at that time, we'll continue to discuss. However, the properties and the owners are welcome to do an applicant Change in Zoning. If not, depending on where they are, they're welcome to solicit their Councilmembers, and see if they're willing to do a Councilmember-introduced Change in Zoning. I don't necessarily see them coming on Exhibit 2 unless they can really establish some really good reason, like if they had timeshares or the leasehold, something that we have already considered, to be included in Exhibit 2 when the time comes when we have the legislation before us.

COUNCILMEMBER SUGIMURA: So, when you say legislation before us, you're talking about then when we're in Council for the November 12th meeting --

VICE-CHAIR U'U-HODGINS: No.

COUNCILMEMBER SUGIMURA: -- is that what you mean?

VICE-CHAIR U'U-HODGINS: I'm talking about when we have the Council-initiated Change in Zoning for these properties.

COUNCILMEMBER SUGIMURA: Oh, oh, I see what you're saying.

VICE-CHAIR U'U-HODGINS: Yeah.

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COUNCILMEMBER SUGIMURA: Okay.

VICE-CHAIR U'U-HODGINS: So, my plan is to work with the Planning Department, as I said in the beginning of the meeting, and they're going to help us and the rest of the community facilitate a new H-3 and H-4 zoning. Those zonings are going to be exactly what's already established. It's a lateral move. There will be no expansion in accessory use, no expansion in hotel rooms, and no expansion in height. It'll be exactly what is will remain. The only caveat is, they are now continuing to use in a TVR. Those are the list on Exhibit 2. We are going to make a Council-initiated Change in Zoning, and that's when they will make their lateral move to H-3 and H-4. Those are going to be two separate bills. This is just the report for the TIG. I know it's confusing because we don't do TIGs too often. So, this is just our report to you folks about what we discussed, and the bills are to follow. But we needed to report out before we can actually . . .(timer sounds) . . . begin on those bills.

COUNCILMEMBER SUGIMURA: Thank you.

VICE-CHAIR U'U-HODGINS: Sorry, I took up your time. Did you have any more questions? That was . . .(inaudible) . . .

COUNCILMEMBER SUGIMURA: Those are all very important to --

VICE-CHAIR U'U-HODGINS: Okay.

COUNCILMEMBER SUGIMURA: -- the main question, so...

VICE-CHAIR U'U-HODGINS: Okay. Thank you. Member Johnson?

COUNCILMEMBER JOHNSON: Thank you, Chair. First off, I want to thank the Mayor for this bill, and like you mentioned, it does take a lot of courage. I really appreciate you guys pushing this out. You know, I'm curious of what the Department of Planning, when they came, and they didn't...I didn't hear a support, I just said...I just heard them say, we're here for any questions. Maybe the Department of Planning, Mr. Pfof, could speak on...does he support the idea of a H-3, H-4, and new categories? We'll start with that.

VICE-CHAIR U'U-HODGINS: Sure. Mr. Pfof?

MR. PFOF: Thank you. Thank you for the question, Councilmember Johnson. The change to the H-3 and H-4 is pretty straightforward. We're just relying on the policy direction from the Council to do so, and it's...it's pretty straightforward. We're just replicating what's in A-1 and A-2, and making a new H-3, H-4 that basically would allow for the TVR uses to continue with the Exhibit 2. So, if there's policy direction to move forward with Exhibit 2 and those properties, then it would make sense for the H-3, H-4 designation.

COUNCILMEMBER JOHNSON: And the Department supports that, right?

MR. PFOF: Yes.

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COUNCILMEMBER JOHNSON: Okay. So, I guess, since I have a little bit of time, I'll just go through a couple of my notes. You know, the County pays for Haggai Institute and the...and the HOA fees, and we actually have folks in there, and I think that's a great model moving forward. If any of these units do come available, the County should move on them, buy them, and then put folks in there, and support them with HOA fees financially. We, right now, have an affordable housing fund that supports the builders. With this, we could help support the buyers. I really appreciate that, kind of, moving forward. You know, the idea that...I'm also...I'm thinking of like the cost to build new units. \$800,000 is a Hōkūao two-bedroom, right? And these...and...and these units on the Minatoya list already have the infrastructure, already have everything. So, if...if the County wants to move on them and starts purchasing them, I think that's a good model...because to...to wait for new homes, it takes forever. Tell you again, Lānaʻi hasn't had affordable housing for sale in over 30 years, so I'm always going to support that. Just in yesterday's meeting, we had the kūpuna that are in some units being...the HOA's fee being paid for those guys, and I think that's a great...a great method. I want to first off clarify though, the Haggai Institute, does...does the Administration support that type of model moving forward? Is that something that we could look at and say, you know, we're paying the HOA fees, and that's . . .(timer sounds). . . something you guys support?

VICE-CHAIR U'U-HODGINS: Before you answer --

COUNCILMEMBER JOHNSON: Okay.

VICE-CHAIR U'U-HODGINS: -- we didn't discuss Haggai in the TIG report, just FYI.

COUNCILMEMBER JOHNSON: Okay. All right. Well, I...I can wait for that later. I understand the State does own Haggai Institute, and the County could be a partner in...in making that more available for our people. I heard the time, and I'll let the other Members speak on it, because we are limited.

VICE-CHAIR U'U-HODGINS: Sure. But we can have them answer if you want, but I just want to clarify that Haggai is not on the TIG report, and is not on the Minatoya list. Did you guys want to answer? Okay. Maybe you can talk to them after.

COUNCILMEMBER JOHNSON: Okay.

VICE-CHAIR U'U-HODGINS: Thank you. Chair Lee, did you have any questions you wanted to ask?

COUNCILMEMBER LEE: Yes, I have --

VICE-CHAIR U'U-HODGINS: Sure.

COUNCILMEMBER LEE: -- questions. I'm not sure who to ask it to. Maybe plan...not Planning. Is Planning here?

VICE-CHAIR U'U-HODGINS: Yes.

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COUNCILMEMBER LEE: Online?

VICE-CHAIR U'U-HODGINS: Yeah.

COUNCILMEMBER LEE: Okay.

VICE-CHAIR U'U-HODGINS: Greg is here...Mr. Pfof is here.

COUNCILMEMBER LEE: What exactly will be required of applicants to successfully obtain an H-3, H-4 Change in Zoning? And how long will...do you think that process will last?

MR. PFOF: I think there's...thank you for the question. I think there's two processes. I think that...as the TIG has recommended, that those...that the Council would be initiating, at least the ones on Exhibit 2, I believe. So, there's that process. And then the other process is, for an applicant that perhaps is not on Exhibit 2, would then have to submit their own application for a Change in Zoning and community plan amendment if that's necessary, which it probably is. So, they would submit that application. That application would have to be run through the Planning Department, and then forwarded to and reviewed by the Planning Commission before Council action.

COUNCILMEMBER LEE: Excuse me, Mr. Pfof.

MR. PFOF: So, those processes --

COUNCILMEMBER LEE: Mr. Pfof --

MR. PFOF: -- do take a bit of time.

COUNCILMEMBER LEE: -- before we get to that, we have to have a Change in Zoning...the zoning created. How long do you think it will --

MR. PFOF: Yes.

COUNCILMEMBER LEE: -- take to create the H-3, H-4 zone?

MR. PFOF: I think...well, what would have to happen first, we would want to make sure that...I would think that Bill 9 would need to pass first so that we know that we're moving in that direction. Otherwise, H-3, H-4 wouldn't be necessary. But to actually craft the ordinance to move that forward, the Department could initiate that process. It would have to go to the three planning commissions to be reviewed first, and then it would go to Council. Whether or not it goes to Council Committee or just reviewed by Council and approved by Council, I...I couldn't opine upon that. But it's a fairly straightforward process in creating the H-3, H-4 because it just replicates what's in the H-1...A-1 and A-2 as far as development standards and uses. So, it's...as far as the Department preparing the report, it's pretty straightforward. It just has to go through the planning commissions. So, I'd estimate that probably...going through the planning commissions, my experience here so far is probably four to six months...probably --

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COUNCILMEMBER LEE: Logically --

MR. PFOST: Given the public noticing required as well.

COUNCILMEMBER LEE: -- Mr. Pfof...Mr. Pfof. Logically, I can't imagine why people would want us to pass Bill 9 first, and hope and pray that we pass H-3, H-4 later on, with all the other recommendations of the TIG. That's a huge leap of faith, don't you think? Especially if some of us won't even be here. The Mayor may not be here. Some of the Administration may not be here. So, you know, you have the possibility of changes occurring, people who were with, you know, the process all of this time, and then who might not be here a couple years from now. Don't...don't you think you need to have . . .(timer sounds) . . . the H-3, H-4 change in zoning created first? No?

MR. PFOST: I...I'm not sure you necessarily have to. I...I'm not sure what the purpose of the H-3, H-4 would be in doing that zone change if we didn't have the necessity of Bill 9 in actually making these changes. But I mean, I suppose it could go either way. I think it makes more sense for Bill 9 to pass first so that we have...we're actually implementing Bill 9 through the H...H-3, H-4 process, but I imagine...

COUNCILMEMBER LEE: No, I'm just saying, you know, if Bill 9 passes, there's no guarantee that H-3, H-4 will pass...will be created. There's no guarantee.

MR. PFOST: That's correct.

VICE-CHAIR U'U-HODGINS: Thank you.

COUNCILMEMBER LEE: Okay.

VICE-CHAIR U'U-HODGINS: We only have seven minutes left of this Committee. So, besides Member Rawlins-Fernandez, who I don't see their camera on, and maybe she had any questions. If not, I think I want to pass the mic to Ms. Stockwell, and we can look at Granicus number 9, which was emailed to the Members, which is already sent to you folks. And maybe she can provide us some information on this, and then we can call a recess and talk again tomorrow morning. But for now, Ms. Stockwell, if you could kind of do a brief overview of what we're looking at on the item for Granicus 9.

MS. STOCKWELL: All right.

VICE-CHAIR U'U-HODGINS: Thank you.

MS. STOCKWELL: Thank you. So, the Real Property has created this spreadsheet, which basically we took all the parcels within the complexes. So, the master TMK is listed, but we looked at every single parcel within that complex and what they pay in property taxes currently, what it would be if all properties moved to Non-Owner-Occupied, and if all...

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COUNCILMEMBER PALTIN: Sorry. Point of information. Ms. Stockwell, could you clarify if this list is only Exhibit 2, or all the Minatoya properties?

MS. STOCKWELL: So, it would be just from Exhibit 2 --

COUNCILMEMBER PALTIN: Thank you.

MS. STOCKWELL: -- the properties that would be changed to.

COUNCILMEMBER PALTIN: So, this paper is only based on Exhibit 2?

MS. STOCKWELL: Correct.

COUNCILMEMBER PALTIN: Thank you.

MS. STOCKWELL: Yes, so it's based on Exhibit 2. And, you know, we calculated what the loss in taxes...what the taxes would be if it all went to Non-Owner-Occupied versus Owner-Occupied. So, you can see the maximum amount of taxes lost, and the minimum amount of taxes lost.

VICE-CHAIR U'U-HODGINS: It takes a little while, because the...the...it's always two seconds after. But for those of you in the audience who don't have access to your phone right now in Granicus, it is now up on the screen. Maybe we could go to the end of the document, where it shows the maximum amount of property tax that will be collected if they were all Non-Owner-Occupied, and the max...maximum amount of property tax that would be collected if they were Owner-Occupied. So, you can see the differences there. The number at 27 million is what we collect now from the properties on Exhibit 2. The next number over, at 14 million .5, is what we would collect if they were all went from Hotel and STR to Non-Owner-Occupied. And that last number there is what would reflect if they all went to Owner-Occupied, at that 4.2 million. I wanted to just give the Members an opportunity to understand that document, and the members of the public the opportunity to understand that document. Yes, Chair Lee?

COUNCILMEMBER LEE: However, this is based on an incomplete list, as we've been hearing, that other properties should have been included in, you know, like let's say, Exhibit 2, or whatever conclusion was...or identification, or recognition, or designation was made on a certain property could have been wrong. So, is somebody going to like double-check everything? So, this is like a preliminary list, right?

VICE-CHAIR U'U-HODGINS: Yes, this is the list based on Exhibit 2.

COUNCILMEMBER LEE: Yeah.

VICE-CHAIR U'U-HODGINS: Whether or not people feel it's incomplete or not, it doesn't change the fact that that is the list that we have in front of us right now. When we...if we choose to make changes, that will come at a later time. But right now, this is just the list that we have discussed in the exhibit...or in the TIG report. So...

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COUNCILMEMBER LEE: Okay. So, my...my point is, this is...could be very preliminary.

VICE-CHAIR U'U-HODGINS: Sure.

COUNCILMEMBER LEE: Yeah. Okay.

VICE-CHAIR U'U-HODGINS: Go ahead, Member Cook.

COUNCILMEMBER COOK: Thank you, Chair. I think it...it would be helpful if Real Property could...could tomorrow do the ones who aren't on the list. Like, basically, we have the Minatoya list, the two, and...

VICE-CHAIR U'U-HODGINS: Would you like to see a spreadsheet of those that remain in --

COUNCILMEMBER COOK: Yeah.

VICE-CHAIR U'U-HODGINS: -- Apartment and long-term use?

COUNCILMEMBER COOK: Yeah. Because if you had that, both of them together would equal the current; is that correct? Two...and the people...people that are on 2, and the people aren't on 2.

VICE-CHAIR U'U-HODGINS: Sure. I don't know. I'd hate to put that on you because we're meeting tomorrow at 9:00, so I would hate to be like --

COUNCILMEMBER COOK: Well...

VICE-CHAIR U'U-HODGINS: -- hey, thanks for that, we never asked for that before, you have a few hours. But if you could, that may be helpful --

COUNCILMEMBER COOK: Okay.

VICE-CHAIR U'U-HODGINS: -- and you can send it to us --

COUNCILMEMBER COOK: Just my comment. Thank you.

VICE-CHAIR U'U-HODGINS: -- at a later time if you don't have it done before 9:00. But it is the difference between what was to what we have here, and we can figure out that delta. Member Johnson?

COUNCILMEMBER JOHNSON: Chair, just real quick, tomorrow I have a 10:00 a.m., so if --

VICE-CHAIR U'U-HODGINS: Okay.

COUNCILMEMBER JOHNSON: -- you'll excuse me just for about an hour. Thank you.

VICE-CHAIR U'U-HODGINS: No worries. Member Paltin?

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COUNCILMEMBER PALTIN: Tomorrow I have a half hour, 9:30 a.m., so I won't be able to make it for that half hour.

VICE-CHAIR U'U-HODGINS: Okay.

COUNCILMEMBER PALTIN: I can give my...a lot of people were asking for methodologies. I can give mine if you want, in case I'm not here at 9:30 when...if somebody --

VICE-CHAIR U'U-HODGINS: Okay.

COUNCILMEMBER PALTIN: -- asks then.

VICE-CHAIR U'U-HODGINS: So, you have a 9:30, and then Member Johnson, I'm sorry, you have a 10:00?

COUNCILMEMBER JOHNSON: 10:00 to 11:00, yeah.

VICE-CHAIR U'U-HODGINS: 10:00 to 11:00. Okay. Member Paltin, huh? Okay. Do you guys want to start later? We have it reserved all day.

COUNCILMEMBER PALTIN: Oh, I don't mind starting later.

VICE-CHAIR U'U-HODGINS: Do we want to start...Member Johnson, is your meeting online, or is it in person? Would you like to start...

COUNCILMEMBER JOHNSON: It's in Zoom. I don't...I don't want to hold you guys up. I...I can try to spin two plates, but I'll...I'll just step...you know, it'll be in...

VICE-CHAIR U'U-HODGINS: Just as long as you don't drop the two plates, then they both crack.

COUNCILMEMBER JOHNSON: . . .*(laughing)*. . . I...I really don't want to hold you guys up.

VICE-CHAIR U'U-HODGINS: Do we want to start at 11:00, if that's okay with you folks, and then --

COUNCILMEMBER JOHNSON: All right.

VICE-CHAIR U'U-HODGINS: -- you can kind of take your meeting in the office and walk over?

COUNCILMEMBER JOHNSON: Sure.

VICE-CHAIR U'U-HODGINS: 11:00 is okay with you folks? Okay. We'll start at 11:00. Is that okay with you, Member Cook?

COUNCILMEMBER COOK: I'm available anytime.

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VICE-CHAIR U'U-HODGINS: Okay. Well, Member Paltin, why don't you close out the meeting by talking about your methodology, and then we'll end today's meeting, and we'll see each other tomorrow at 11:00. But Member Paltin, you can conclude this meeting by talking about your walks.

COUNCILMEMBER PALTIN: Sure. So, I approached the West District Minatoya list properties with the mindset that we do need a range of housing in all shapes and sizes, as well as . . . *(timer sounds)* . . . price points, and we needed that even before the fire. And also, I guess my definition of local is a little bit broader than what has been said because not all locals have large families. Not all locals wouldn't be able to afford this. So, there's that. So, the main categories we had was timeshare, shoreline, visitor-focused area, or not suitable. Some of them overlapped, like with variances and community plans. So, for...for the West Maui properties, under the visitor-focused area for Exhibit 2, I chose Maui El Dorado, and it also has a community plan designation as Hotel, but the main thing was visitor-focused area. Hale Kā'anapali also has a community plan designation of Hotel and a variance, I believe. And then Kapalua Bay Villas and Kā'anapali Royal were the ones that made it onto Exhibit 2 as visitor-focused areas. I walked pretty much the Honokowai parcels. Not all of them I could get through to the shoreline. Some of them I took the elevator up to look at the shoreline, but a lot of them had blocked shoreline access. So, my starting point was parcels that the entirety of the property was in the sea level rise exposure area. And then I went...I think it was a new moon, September 21st, between 2:00 and 4:00 p.m., the max high tide of the day. And so, I took out, based on that ground truthing, Kahana Outrigger, the two most makai parcels, Lokelani, Hale Kai, Maui Sands II, Hale Mahina Beach, and Hale Ono Loa, you know, just based on what I saw, and having watched the ocean in a professional capacity for over 20 years. Two that I deemed not suitable for long-term residential living was Lahaina Beach Club, because it looked...it didn't really look like individual units. The parking wasn't there. And then Pikake, really small parking, one unit [*sic*] per unit, and the places were very tiny and squished together, and oceanfront. The timeshare ones I had on my list were Kuleana, Hono Koa, Paki Maui I, II, and III, and Papakea. And I'm not sure. I think we can say that the attorney said that, you know, it would be kind of awkward if some of the units had timeshare, and some of them weren't allowed to do short-term rental. It's still a policy decision, but for the purposes of the TIG, we pulled out anything that had any timeshares. Some of them that are in the full SLR-XA, but my ground truthing didn't put it in the Exhibit 2. Lahaina Roads, it has quite a high seawall, and then the ground floor is all parking, so it's elevated above that amount. Kahana Outrigger, the back parcel closer to the lower road is...also has a long leasehold, so it could be more affordable because you're just buying the building and not the land. Noelani, which is just south of S-Turns Pōhaku Park, and it's on a cliff, and it's elevated from the dip you go into for S-Turns. Nohonani, which had a Bureau of Conveyances recording that it should be for long-term residential use...although it's oceanfront, that...that's a little bit of a gamble. And then Makani Sands, it was set back from the surrounding properties. Just to note that the 3.2 line of projected sea level rise is expected to occur in 2100, which is approximately 75 years from now, but it's more so the one-time catastrophic events that are of concern. So, it's all a gamble. And all the ones on the sea level, if we're talking about economics, it's very likely we could lose that revenue anyway in the next 10 to 75 years.

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VICE-CHAIR U'U-HODGINS: Okay. Thank you, Member Paltin. Chair Lee, did you have something you want to add?

COUNCILMEMBER LEE: No, I was just wondering, I somehow thought all four of you worked on each...each of the properties. So, you sort of delegated West Maui to Member Paltin --

VICE-CHAIR U'U-HODGINS: Pretty much.

COUNCILMEMBER LEE: -- and South Maui to Member Cook?

VICE-CHAIR U'U-HODGINS: Pretty much...kind of, sort of.

COUNCILMEMBER PALTIN: We...we discussed it together --

VICE-CHAIR U'U-HODGINS: Yeah.

COUNCILMEMBER PALTIN: -- but I didn't walk South Maui, and they didn't walk West Maui.

COUNCILMEMBER LEE: Yeah, that's what I mean. The two of you decided what was happening for West Maui and what for South Maui. But...but did you...four of you together decide on what the criteria...because it seems --

VICE-CHAIR U'U-HODGINS: Yeah.

COUNCILMEMBER LEE: -- the criteria is very specific for West Maui.

VICE-CHAIR U'U-HODGINS: No, we did.

COUNCILMEMBER LEE: Was it the same for South Maui?

VICE-CHAIR U'U-HODGINS: Um-hum. Yeah, we did.

COUNCILMEMBER LEE: Okay.

VICE-CHAIR U'U-HODGINS: So, what we did was, we had a roundtable discussions with the Administration before you, as well as some business leaders on the outside. We relied heavily on the West Maui Member and the South Maui Member to give us their opinion, and then we had a thorough discussion for each property.

COUNCILMEMBER LEE: Okay. So, when people came up today and said their neighbor--you know, it could be a few yards away--is on the list, but they're not.

VICE-CHAIR U'U-HODGINS: Um-hum.

COUNCILMEMBER LEE: So, this is something that each individual decided?

VICE-CHAIR U'U-HODGINS: We decided it together.

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COUNCILMEMBER PALTIN: Yeah.

VICE-CHAIR U'U-HODGINS: But like let's say it was in South Maui. Member Cook's opinion weighed heavily into our decision, but it was a four-person discussion.

COUNCILMEMBER LEE: Okay. It sounded like...when they were talking, sounded like you...you kind of didn't know, or you knew?

VICE-CHAIR U'U-HODGINS: He should know.

COUNCILMEMBER LEE: That...huh?

COUNCILMEMBER COOK: I knew and I looked. Whether I was thorough enough or not is to be determined.

COUNCILMEMBER LEE: Okay. No, because I...I thought you were authentically surprised, you know, and I'm not accusing you of anything. I'm just saying that you...it sounded like you didn't know, and that's why you wanted to know more information from the testifier on the location of...because they said there were neighbors with somebody who was on the list.

VICE-CHAIR U'U-HODGINS: Go ahead, Member Cook.

COUNCILMEMBER COOK: I asked because I couldn't hear him.

VICE-CHAIR U'U-HODGINS: Sure. And to be fair, majority of the properties and units are in South Maui. And so, we had to be selective on which properties we decided to convert to H-3 and H-4, and which we wanted to maintain in A-1 and A-2. Had we did a blanket thing, then there's no point for any of it, so we needed to strike a balance. Member Cook?

COUNCILMEMBER COOK: Thank you. And just for clarification for everybody, this is our recommendation.

VICE-CHAIR U'U-HODGINS: Yeah.

COUNCILMEMBER COOK: There's five years for South Maui, which...a lot of different emotions, a lot of feelings. Everybody is going to have the opportunity to basically package up their information, and when we're doing this H-3, H-4, come forward and say, you know what, this...this is this, and be able to see, does the criteria paint the picture? Some properties had, on their original documentation, things like for residential use and guests, okay? So, if interpreting that as no TVR, and then showing at a later date, well, guest is for rentals. So, just...I totally understand the magnitude and the impact on this on everybody. This is not something that is like casually done. And also, for us to be able to come up with criteria, to be able to identify and separate, is a major step forward. Trying to acknowledge the need for homes, acknowledge the need for the diversification, and the big, big, big thing is respecting people's property rights, respecting the fact of how...how much our community is dependent on transient

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vacation rentals, not just the income. It's part of our whole economy. All the stores, all the people...all the people that rent there, people that go there, the middle-class people that come from the mainland that can't afford to go to the...go to the hotels, our family and friends who are going to come for sporting events for our kids. So, there's a lot to this, and we're trying hard. Thank you.

VICE-CHAIR U'U-HODGINS: Yeah.

COUNCILMEMBER LEE: No, I...

VICE-CHAIR U'U-HODGINS: Chair Lee, and then --

COUNCILMEMBER LEE: Yeah. Okay. I'm not saying --

VICE-CHAIR U'U-HODGINS: -- Member Sinenci.

COUNCILMEMBER LEE: -- someone wasn't trying hard. I didn't even go down that road. The road I was on was, if two properties are neighbors, one got on the Exhibit 2 and one didn't, was it a mistake? It could have been a mistake. So, if it was, then we need to know so that we can make the correction. That's all I'm saying.

COUNCILMEMBER PALTIN: I can address that. So, like, a lot of times when they're saying next to it, it could be the parcel next to it was fully timeshares, or had some timeshares, and the parcel that was next to it did not have timeshares. Another situation is, the SLR-XA line is not --

VICE-CHAIR U'U-HODGINS: Straight.

COUNCILMEMBER PALTIN: -- like straight. Yeah. So, you might be fully in the SLR-XA line, and the parcel next to it might not be 100 --

VICE-CHAIR U'U-HODGINS: Or the flood line.

COUNCILMEMBER PALTIN: -- percent in the SLR-XA line.

VICE-CHAIR U'U-HODGINS: Especially for Kihei.

COUNCILMEMBER LEE: Okay.

COUNCILMEMBER PALTIN: So, those are some of the cases where the parcels right next to each other may have ended up on different lists because...timeshares and SLR-XAs mostly.

COUNCILMEMBER LEE: Okay. So, we need to have that kind of information as we plow through all of this because that...that could possibly be fodder for legal action when there's these inconsistencies. We don't want to invite lawsuits.

COUNCILMEMBER PALTIN: We did have a lawyer in the TIG with us.

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VICE-CHAIR U'U-HODGINS: Yeah, Nāhulu was with us, but she's [sic] not here today, so we have Deputy Corporation Counsel and Deputy Corporation Counsel. And tomorrow, maybe we can get into that a little bit more.

COUNCILMEMBER LEE: Okay.

VICE-CHAIR U'U-HODGINS: Thank you.

COUNCILMEMBER LEE: That's fine. Thanks.

VICE-CHAIR U'U-HODGINS: Yeah, thank you for that. Member Sinenci, you're going to close out our meeting?

COUNCILMEMBER SINENCI: Thank you, Chair. I just wanted to add that as the East Maui representative, I appreciated all the discussions for the rural communities. I know a lot of the properties are in both West Maui and South Maui, but we do have some Apartment zone in Moloka'i, Hāna, a couple in Pā'ia. So, those discussions were, you know, how do we deal with...and how does this affect some of our rural communities? But the other thing, some of the criterias [sic]...and to address some of the testimony today was, I really appreciated the...we had a realtor that came in to kind of share some of the market rates on...on certain ones to...to let us know which ones would be kind of out of...overpriced, or out of...unattainable. As well as the...oh, the mortgage lenders.

VICE-CHAIR U'U-HODGINS: Ms. Beltrand (*phonetic*).

COUNCILMEMBER SINENCI: Mortgage lenders came and...and explained to us some of these leaseholds. And because we had to look at the leaseholds that some of their leases were already expiring, so that would affect some of the...the prices on some of these condos. So, those were just a...a snippet of some of the discussions, and --

VICE-CHAIR U'U-HODGINS: Yeah.

COUNCILMEMBER SINENCI: -- the...the speakers that came and...and addressed the TIG. Thank you.

VICE-CHAIR U'U-HODGINS: Thank you, Member Sinenci, for bringing those. That's right, today we only have those who worked with us in the Admin. I didn't want to ask the other ones to come forward because we already took up so much of their time. But yes, we did have a realtor in our discussion so we could talk about HOA fees, how much the last property sold for, and what we can expect in the future, as well as a mortgage lender to talk to us about what it's like to mortgage a leasehold with a short amount of time. Like for instance, the Maui Hill has timeshare and it's a leasehold, so...Member Paltin was bummed we had to give that one up. But anyways, we will continue this conversation tomorrow at 11:00, and right now, this...

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

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VICE-CHAIR U`U-HODGINS: I know you're looking, I was going to read it. Okay. We will recess this meeting of...to October 23rd, 2025, at 11:00 a.m. to the same Microsoft Teams link and connections we are using today, with in-person viewing available here in the County Council Chambers. And if there are no objections, I'm going to recess this meeting. Seeing...

COUNCILMEMBERS: No objections.

VICE-CHAIR U`U-HODGINS: Thank you very much. It is 12:13, Members, and I'll see you tomorrow at 11:00. . . .*(gavel)*. . .

**RECESS:** 12:13 p.m.

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Transcribed by: Daniel Schoenbeck

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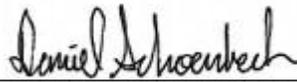
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CERTIFICATION

I, Daniel Schoenbeck, hereby certify that pages 1 through 62 of the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 21st day of November 2025, in Wailuku, Hawai'i



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Daniel Schoenbeck