

**MAUI COUNTY COUNCIL
REGULAR COUNCIL MEETING**

**September 13, 2024
9:00 AM**

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

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

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

TIME MEETING CALLED TO ORDER: 9:03 a.m.

ROLL CALL

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

COMMITTEE REPORTS

CR 24-80 Recommending FIRST READING of Bill 118, CD1 (2024) to amend the Fiscal Year 2025 Budget by 1) amending Section 2, Estimated Revenues, by increasing Carryover/Savings from the Water Fund by \$3,500,000; 2) amending Section 3.B.21.c., Department of Water Supply, Water Operations Program - Water Fund, by increasing the appropriation for Category B - Operations & Equipment by \$3,500,000; and 3) adjusting the totals accordingly.

	AYE	NO	EXC	Time Deliberations Began	9:53 a.m.
Pro Tem Kama			√	Time Motion Made	9:53 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin			√	Maker	Sugimura
CM Johnson	√			Secunder	U'u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	9:55 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

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

CR 24-81 Recommending FIRST READING of Bill 122, CD1 (2024) to amend the Fiscal Year 2025 Budget by 1) amending Section 2, Estimated Revenues, by increasing Carryover/Savings from the Water Fund by \$250,000; 2) amending Section 3.B.21.a.(1), Department of Water Supply, Administration Program - Water Fund, General, by increasing the appropriation for Category B - Operations & Equipment by \$250,000 and adding a new condition for up to

\$250,000 to be used for professional services for a contract to prepare a feasibility study and management or business plan for the new East Maui Water Authority; and 3) adjusting the totals accordingly.

	AYE	NO	EXC	Time Deliberations Began	9:56 a.m.
Pro Tem Kama			√	Time Motion Made	9:57 a.m.
VC Sugimura	√			Motion	RECOMMIT Bill 122, CD1 (2024); FILE CR 24-81
CM Paltin			√	Maker	Sugimura
CM Johnson	√			Seconder	U‘u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	10:01 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

CR 24-82 Recommending ADOPTION of Resolution 24-105, CD1, authorizing the retention of ES&A, Inc., A Law Corporation, as special counsel for the representation of Scott Martin and the Department of Fire and Public Safety, in Chelsie Evans, individually and as the Personal Representative of the Estate of Tre’ Pu‘uwaila‘ahiaolopakaamelehuanani Evans-Dumaran, Deceased, v. Scott Martin, et al., Case 2CCV-24-0000034, for a total compensation not to exceed \$50,000.

	AYE	NO	EXC	Time Deliberations Began	10:02 a.m.
Pro Tem Kama			√	Time Motion Made	10:02 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin			√	Maker	U‘u-Hodgins
CM Johnson	√			Seconder	Cook
CM Rawlins-Fernandez	√			Time Vote Taken	10:04 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

CR 24-83 Recommending the following:

1. ADOPTION of Resolution 24-127, to approve for inclusion in the 2025 Hawai'i State Association of Counties Legislative Package a proposed State bill to encourage the production of compost by: 1) requiring the State Department of Health to adopt or amend rules to establish a classification system for composting facilities or operations for the purpose of regulating them for health purposes; and 2) allowing composting and co-composting in the Agricultural District, including on lands with class A or B soils; and

2. ADOPTION of Resolution 24-121, to approve for inclusion in the 2025 Maui County Council Legislative Package a proposed State bill to encourage the production of compost by: 1) requiring the State Department of Health to adopt or amend rules to establish a classification system for composting facilities or operations for the purpose of regulating them for health purposes; and 2) allowing composting and co-composting in the Agricultural District, including on lands with class A or B soils.

	AYE	NO	EXC	Time Deliberations Began	10:04 a.m.
Pro Tem Kama			√	Time Motion Made	10:08 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin			√	Maker	U'u-Hodgins
CM Johnson	√			Secunder	Cook
CM Rawlins-Fernandez	√			Time Vote Taken	10:10 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

CR 24-85 Recommending the following: 1. ADOPTION of Resolution 24-134, to approve for inclusion in the 2025 Hawai'i State Association of Counties Legislative Package a proposed State bill to establish a deferred retirement option program for police and to provide a retention tool for county police departments to incentivize qualified officers who are eligible for retirement to continue working; and 2. ADOPTION of Resolution 24-135, to approve for inclusion in the 2025 Maui County Council Legislative Package a proposed State bill to establish a deferred retirement option program for police and to provide a retention tool

for county police departments to incentivize qualified officers who are eligible for retirement to continue working.

	AYE	NO	EXC	Time Deliberations Began	10:07 a.m.
Pro Tem Kama			√	Time Motion Made	10:08 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin			√	Maker	U‘u-Hodgins
CM Johnson	√			Secunder	Cook
CM Rawlins-Fernandez	√			Time Vote Taken	10:10 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

CR 24-84 Recommending the following:

1. ADOPTION of Resolution 24-130, CD1, to approve for inclusion in the 2025 Hawai‘i State Association of Counties Legislative Package a proposed State bill to: 1) define the public trust purposes of the Commission on Water Resource Management (“Commission”) and require the Commission, in acting upon water use permit applications, to prioritize applications for public trust purposes; 2) allow the Commission to retain independent legal counsel; 3) repeal the position of Deputy to the Chairperson of the Commission and establish the position of Executive Director of the Commission; 4) amend the composition of the Commission and administratively attach it to the Department of Land and Natural Resources; 5) authorize entities to challenge an emergency order of the Commission under certain conditions; 6) establish fines for certain water use offenses; and 7) amend the Commission’s authority to declare water emergencies and issue orders to address them and declare water shortages and related notice requirements; and

2. ADOPTION of Resolution 24-131, CD1, to approve for inclusion in the 2025 Maui County Council Legislative Package a proposed State bill to: 1) define the public trust purposes of the Commission on Water Resource Management (“Commission”) and require the Commission, in acting upon water use permit applications, to prioritize applications for public trust purposes; 2) allow the Commission to retain independent legal counsel; 3) repeal the position of Deputy to the Chairperson of the Commission and establish the position of Executive Director of the Commission; 4) amend the composition of the Commission and administratively attach it to the Department of Land and Natural Resources; 5)

authorize entities to challenge an emergency order of the Commission under certain conditions; 6) establish fines for certain water use offenses; and 7) amend the Commission’s authority to declare water emergencies and issue orders to address them and declare water shortages and related notice requirements.

	AYE	NO	EXC	Time Deliberations Began	10:06 a.m.
Pro Tem Kama			√	Time Motion Made	10:10 a.m.
VC Sugimura		√		Motion	ADOPT recommendations
CM Paltin			√	Maker	U‘u-Hodgins
CM Johnson	√			Secunder	Cook
CM Rawlins-Fernandez	√			Time Vote Taken	10:17 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee		√			
TOTAL VOTES	5	2	2	MOTION PASSED	

CR 24-86 Recommending the following: 1. FIRST READING of Bill 27, CD2 (2024), to grant a Change in Zoning from Agricultural and Interim Districts to M-1 Light Industrial and M-2 Heavy Industrial Districts, respectively (Conditional Zoning), for a 200 -acre portion of a 16,337.6-acre parcel, identified for real property tax purposes as tax map key (2) 4-9-002:061, Lāna‘i City, Lāna‘i, Hawai‘i, to allow for the development of Miki 200 Industrial Park; and 2. RECORDATION of the Unilateral Agreement.

	AYE	NO	EXC	Time Deliberations Began	10:18 a.m.
Pro Tem Kama			√	Time Motion Made	10:19 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin			√	Maker	Cook
CM Johnson	√			Secunder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	10:20 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

RESOLUTIONS

Reso 24-137 "AUTHORIZING SETTLEMENT OF LLOYD ADAMS, ET AL. V. TIMOTHY FORSBERG, ET AL. V. MAUI POLICE DEPARTMENT AND ANTHONY BUCHANAN, CIVIL NO. 2CC16-1-0000162"

	AYE	NO	EXC	Time Deliberations Began	10:22 a.m.
Pro Tem Kama			√	Time Motion Made	10:22 a.m.
VC Sugimura	√			Motion	WAIVE Rule 5E and Rule 7G
CM Paltin			√	Maker	U‘u-Hodgins
CM Johnson	√			Secunder	Cook
CM Rawlins-Fernandez	√			Time Vote Taken	10:23 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama			√	Time Motion Made	10:24a.m.
VC Sugimura		√		Motion	ADOPT
CM Paltin			√	Maker	U‘u-Hodgins
CM Johnson	√			Secunder	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	10:25 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	6	1	2	MOTION PASSED	

Reso 24-144 "APPOINTMENT OF MEMBERS TO THE BOARD OF WATER SUPPLY FOR THE COUNTY OF MAUI"

Reso 24-146 "APPOINTMENT OF MEMBERS TO THE COST OF GOVERNMENT COMMISSION FOR THE COUNTY OF MAUI"

Reso 24-147 "APPOINTMENT OF MEMBERS TO THE FIRE AND PUBLIC SAFETY COMMISSION FOR THE COUNTY OF MAUI"

Reso 24-149 "APPOINTMENT OF A MEMBER TO THE MAUI PLANNING COMMISSION FOR THE COUNTY OF MAUI"

Reso 24-152 "APPOINTMENT OF MEMBERS TO PUBLIC WORKS COMMISSION FOR THE COUNTY OF MAUI"

	AYE	NO	EXC	Time Deliberations Began	10:44 a.m.
Pro Tem Kama			√	Time Motion Made	10:45 a.m.
VC Sugimura	√			Motion	WAIVE Rule 5E and Rule 7G
CM Paltin			√	Maker	U'u-Hodgins
CM Johnson	√			Secunder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	10:46 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama			√	Time Motion Made	10:47 a.m.
VC Sugimura	√			Motion	ADOPT Resos 24-144, 24-146, 24-147, 24-149, 24-152, as amended
CM Paltin			√	Maker	U'u-Hodgins
CM Johnson	√			Secunder	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	10:50 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama			√	Time Motion Made	10:47 a.m.

VC Sugimura	√			Motion	AMEND Resos 24- 144, 24-146, 24-147, 24- 149, 24-152
CM Paltin			√	Maker	U'u-Hodgins
CM Johnson	√			Secondar	Cook
CM Rawlins- Fernandez	√			Time Vote Taken	10:50 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

Reso 24-150 "APPOINTMENT OF A MEMBER TO THE MAUI REDEVELOPMENT AGENCY FOR THE COUNTY OF MAUI"

	AYE	NO	EXC	Time Deliberations Began	10:51 a.m.
Pro Tem Kama			√	Time Motion Made	10:51 a.m.
VC Sugimura	√			Motion	WAIVE Rule 5E and Rule 7G
CM Paltin			√	Maker	U'u-Hodgins
CM Johnson	√			Secondar	Sinenci
CM Rawlins- Fernandez	√			Time Vote Taken	10:52 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama			√	Time Motion Made	10:52 a.m.
VC Sugimura	√			Motion	ADOPT Reso 24-150, as amended
CM Paltin			√	Maker	U'u-Hodgins
CM Johnson	√			Secondar	Sinenci
CM Rawlins- Fernandez	√			Time Vote Taken	10:54 a.m.
CM Cook	√				

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

	AYE	NO	EXC		
Pro Tem Kama			√	Time Motion Made	10:53 a.m.
VC Sugimura	√			Motion	AMEND Reso 24-150
CM Paltin			√	Maker	U'u-Hodgins
CM Johnson	√			Secunder	Johnson
CM Rawlins-Fernandez	√			Time Vote Taken	10:54 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

Reso 24-157 "ACCEPTING LAND SET ASIDE BY THE GOVERNOR OF THE STATE OF HAWAII IN EXECUTIVE ORDER NO. 4708, TAX MAP KEY NUMBER (2) 1-3-006:017, CONTAINING AN AREA OF 45.415 ACRES, FOR LANDFILL EXPANSION PURPOSES"

10:55 a.m.: Referred to the Water and Infrastructure Committee.

Reso 24-158 "APPROVING THE HAWAII STATE ASSOCIATION OF COUNTIES EXECUTIVE COMMITTEE'S NOMINATIONS TO THE NATIONAL ASSOCIATION OF COUNTIES AND WESTERN INTERSTATE REGION BOARD OF DIRECTORS FOR THE 2024-2025 TERM"

	AYE	NO	EXC	Time Deliberations Began	10:55 a.m.
Pro Tem Kama			√	Time Motion Made	10:55 a.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin			√	Maker	U'u-Hodgins
CM Johnson	√			Secunder	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	10:56 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

Reso 24-159 "AMENDING RULE 22 OF THE RULES OF THE COUNCIL TO CLARIFY END-OF-TERM FILING AND REFERRAL PROCEDURES"

	AYE	NO	EXC	Time Deliberations Began	10:56 a.m.
Pro Tem Kama			√	Time Motion Made	10:56 a.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin			√	Maker	U‘u-Hodgins
CM Johnson	√			Secunder	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	10: 57 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

ORDINANCES

Bill 129 (2024) "A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.60, MAUI COUNTY CODE, ON REPORTS OF CIVIL FINES"

10:58 a.m.: Referred to the Water and Infrastructure Committee.

Bill 130 (2024) "A BILL FOR AN ORDINANCE AMENDING SECTION 14.07.090, MAUI COUNTY CODE, TO ALLOW THE DIRECTOR OF WATER SUPPLY TO ADMINISTRATIVELY EXTEND WATER METER RESERVATIONS IN LIMITED CIRCUMSTANCES BASED ON SPECIFIC FINDINGS"

10:58 a.m.: Referred to the Water and Infrastructure Committee.

Bill 131 (2024) "A BILL FOR AN ORDINANCE AMENDING SECTION 2.50.050, MAUI COUNTY CODE, RELATING TO PESTICIDE AND FERTILIZER USE ON COUNTY PROPERTY"

11:00 a.m.: Referred to the Agriculture, Diversification, Environment, and Public Transportation Committee.

Bill 132 (2024) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI, APPENDIX A, PART I, DEPARTMENT OF PUBLIC WORKS, UNITED STATES DEPARTMENT OF AGRICULTURE, NATURAL RESOURCES CONSERVATION SERVICE"

	AYE	NO	EXC	Time Deliberations Began	11:00 a.m.
Pro Tem Kama			√	Time Motion Made	11:00 a.m.

VC Sugimura	√			Motion	Waive Rule 7G
CM Paltin			√	Maker	Sugimura
CM Johnson	√			Second	Cook
CM Rawlins-Fernandez	√			Time Vote Taken	11:01 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama			√	Time Motion Made	11:01 a.m.
VC Sugimura	√			Motion	PASS on first reading
CM Paltin			√	Maker	Sugimura
CM Johnson	√			Second	U'u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	11:03 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

Bill 133 (2024) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH U.S. GEOLOGICAL SURVEY, PACIFIC ISLANDS WATER SCIENCE CENTER, UNITED STATES DEPARTMENT OF THE INTERIOR (COOPERATIVE WATER-RESOURCE MONITORING PROGRAM)"

	AYE	NO	EXC	Time Deliberations Began	11:03 a.m.
Pro Tem Kama			√	Time Motion Made	11:03 a.m.
VC Sugimura	√			Motion	WAIVE Rule 7G
CM Paltin			√	Maker	Cook
CM Johnson	√			Second	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	11:04 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				

Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama			√	Time Motion Made	11:04 a.m.
VC Sugimura	√			Motion	PASS on first reading, as amended
CM Paltin			√	Maker	Cook
CM Johnson	√			Secondar	Sinenci
CM Rawlins-Fernandez	√			Time Vote Taken	11:07 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama			√	Time Motion Made	11:05 a.m.
VC Sugimura	√			Motion	SUBSTITUTE with FD1 version
CM Paltin			√	Maker	Cook
CM Johnson	√			Secondar	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	11:07 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	7		2	MOTION PASSED	

ORDINANCES - SECOND AND FINAL READING

Bill 23, CD1 (2024) "A BILL FOR AN ORDINANCE TO AMEND THE LĀNA‘I COMMUNITY PLAN FOR 268.349 ACRES LOCATED IN LĀNA‘I CITY, LĀNA‘I, HAWAI‘I, IDENTIFIED AS TAX MAP KEYS (2) 4-9-001:021, 024, 030; (2) 4-9-002:001 (POR.), 061 (PORS.); (2) 4-9-018:002 (PORS.), 003 (PORS.) 005; AND (2) 4-9-021:009 (LĀNA‘I PROJECT DISTRICT 2 (KŌ‘ELE))"

	AYE	NO	EXC	Time Deliberations Began	
Pro Tem Kama			√	Time Motion Made	11:08 a.m.

VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin			√	Maker	Cook
CM Johnson	√			Secunder	Sugimura
CM Rawlins-Fernandez		√		Time Vote Taken	11:12 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	6	1	2	MOTION PASSED	

TIME MEETING ADJOURNED: 11:15 a.m.

TRANSCRIPTION

Council of the County of Maui on 2024-09-13 9:00 AM - Regular Meeting

[GAVEL] >> WILL THE COUNCIL MEETING OF SEPTEMBER 13TH, 2024 PLEASE COME TO ORDER. MS. CLERK. >> CHAIR, PROCEEDING WITH ROLL CALL. MEMBERS WHO ARE PARTICIPATING REMOTELY, IF YOU COULD PLEASE JUST LET US KNOW IF THERE IS ANYONE OTHER THAN MINORS WITH YOU AS PART OF ROLL CALL. PRO TEMPORE TASHA KAMA. >> EXCUSED.\r\n\r\n>> VICE-CHAIR YUKI LEI SUGIMURA >> GOOD MORNING EVERYBODY AND LOOKING FORWARD TO A PRODUCTIVE COUNCIL MEETING. >> COUNCIL MEMBER TAMARA PALTIN. >> EXCUSED. >> COUNCIL MEMBER GABE JOHNSON. >> KWEY CHAIR, COUNCIL MEMBERS, COMMUNITY MEMBERS. THERE'S NO TESTIFIERS AT THE LANAI DISTRICT OFFICE AND I'M HERE AND READY TO WORK, MAHALO. >> COUNCIL MEMBER KEANI RAWLINS-FERNANDEZ >> ALOHA KAKAHIKA.\r\n\r\nPLEASE STANDBY NO STREAMING FROM THE OFFICE OF COUNCIL SERVICES DIRECTOR DAVID RAATZ AND DEPUTY DIRECTOR RICHELLE KAWASAKI AND FROM THE DEPARTMENT OF CORPORATION COUNSEL IS DEPUTY CORPORATION COUNSEL KAILUA ROE. >> OPENING REMARKS WILL BE PROVIDED BY COUNCILMAN SHANE SINENCI. >> THANK YOU, CHAIR. ALOHA AND GOOD MORNING EVERYONE. ON TUESDAY, ACROSS THE GLOBE, WE RECOGNIZED WORLD SUICIDE-PREVENTION DAY. AND ON WEDNESDAY, WE REMEMBERED THAT FATED DAY ON SEPTEMBER 11TH, 2001. THIS WEEK IS PARTICULARLY POIGNANT ON MAUI AS WE CONTINUE TO GRIEVE THE LOSS OF OUR BELOVED LAHAINA TOWN. MASS GRIEF HAS A DIRECT CORRELATION TO MENTAL DISORDERS FROM PHYSICAL, ECONOMIC AND SOCIAL INJURIES.\r\n\r\nDAYS INCLUDE ANXIETIES, STRESS, DEPRESSION, SUICIDAL IDEATION, AND ATTEMPTS. IN 2024, THE NATIONAL STRATEGY FOR SUICIDE PREVENTING HAS DETERMINED SUICIDE IS AN URGENT AND GROWING PUBLIC HEALTH CRISIS. AND AS I SECOND LEADING CAUSE OF DEATH FOR HAWAII RESIDENTS. A TOTAL OF OVER 1,000 RESIDENTS HAVE DIED FROM SUICIDE SINCE 2019-2023. AND BOTH SUICIDE AND ATTEMPTS HAVE LASTING ECONOMIC, EMOTIONAL, MENTAL AND PHYSICAL HEALTH IMPACTS. SUICIDE DISA NOT HAVE A TYPICAL FACE SAYS THE SUICIDE PREVENTING COORDINATOR FOR THE STATE DEPARTMENT OF HEALTH. IT'S IMPORTANT TO REMEMBER THERE'S NEVER ONE CAUSE FOR SUICIDE, AND MANY FACTORS CAN EITHER CONTRIBUTE TO, OR TO PROTECT SOMEONE FROM IT. EFFECTIVE PREVENTION NEEDS TO ADDRESS DIFFERENT ASPECTS AT THE SAME TIME, WHICH REQUIRES US TO COLLABORATE AT ALL LEVELS.\r\n\r\nIT MEANS CHECKING IN ON PEOPLE WE CARE ABOUT, AND ALWAYS TAKING SOMEONE'S MENTION OF IT, OR THOUGHTS OF IT SERIOUSLY EVERY TIME. WHEN IN DOUBT PLEASE TALK TO A TRUSTED FRIEND, FAMILY MEMBER OR MENTAL HEALTH PROFESSIONAL AND TOGETHER WE CAN HELP EACH OTHER TO HELP SAVE LIVES. CHAIR, HAWAII CARES 988 OFFERS A FREE CRISIS MENTAL HEALTH AND SUBSTANCE USE CALL CENTER WHERE LOCALLY TRAINED AND QUALIFIED CLINICAL AND CRISIS STAFF PROVIDE SUPPORTIVE COUNSELING AND SCREENING ARE TO URGENT OR EMERGENT CRISES. HAWAII CARES HAS MADE IT SIMPLE AND QUICK TO REACH OUT. YOU CAN CALL OR TEXT 988, 24 HOURS A DAY, SEVEN DAYS A WEEK, FAMILY AND FRIENDS CAN ALSO CALL 988 IF THEY ARE WORRIED ABOUT A LOVED ONE, WHO MAY NEED CRISIS SUPPORT. IN CLOSING MEMBERS FOR A COMPREHENSIVE LISTING OF SERVICES AVAILABLE, RESIDENTS CAN LOOK AT OUR MAUI RECOVERS WEBSITE FOR MORE INFORMATION. AT MAUIRECOVERS.ORG/MENTAL HEALTH.\r\n\r\nMAHALO, AND MALAMA KAHAI THANK YOU. >> THANK YOU FOR THOSE INFORMATIVE AND INSIGHTFUL REMARKS. NOW MEMBERS, PLEASE JOIN ME IN THE PLEDGE OF ALLEGIANCE. I PLEDGE ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA, AND TO THE REPUBLIC FOR WHICH IT STANDS, ONE NATION UNDER GOD, INDIVISIBLE, WITH LIBERTY AND JUSTICE FOR ALL. BEFORE WE PROCEED WITH TODAY'S AGENDA, MAY I PLEASE REQUEST THAT EVERYONE KEEP THEIR MICROPHONES MUTED, UNLESS IT'S YOUR TURN TO SPEAK. AS A REMINDER, TESTIMONY MUST PERTAIN TO ITEMS ON THE MEETING AGENDA. WHEN TESTIFYING PLEASE DIRECT YOUR REMARKS TO THE COUNCIL, AND NOT TO ANY INDIVIDUAL COUNCIL MEMBER OR MEMBER OF THE PUBLIC.\r\n\r\nEACH TESTIFIER WILL BE ALLOWED TO SPEAK FOR UP TO THREE MINUTES ON EACH ITEM. FOR INDIVIDUALS WISHING TO TESTIFY ON TEAMS, PLEASE CLICK THE RAISE YOUR HAND BUTTON TO BE ADDED TO TESTIFIER LOG. IF YOU ARE CALLING IN, PLEASE FOLLOW THE PHONE PROMPTS TO BE ADDED TO THE LOG.

DECORUM SHALL BE MAINTAINED AT ALL TIMES. ANY PERSON WHO BEHAVES IN A MANNER THAT DISRUPTS, DISTURBS OR IMPEDES THE ORDERLY CONDUCT OF ANY COUNCIL MEETING CAN AT THE DISCRETION OF THE PRESIDING OFFICER OR MAJOR OF PRESENT COUNCIL MEMBERS BE EJECTED OR BANNED FROM COUNCIL MEETINGS. OR IF PARTICIPATING REMOTELY, MUTED OR DROPPED FROM THE MEETING. EXAMPLES OF DISRUPTIVE BEHAVIOR INCLUDE, BUT NOT LIMITED TO HECKLING, SHOUTING, USE OF PROFANITY, THREATENING OR SLANDEROUS REMARKS MADE TO ANY MEMBER OF THE COUNCIL, STAFF OR GENERAL PUBLIC.

MS. CLERK, PLEASE PROCEED. >> THANK YOU, CHAIR. THERE IS NO BUSINESS BEFORE THE COUNCIL FOR ITEMS D, E, AND F. SO WE'LL BEGIN WITH THE PRESENTATION OF WRITTEN OR ORAL TESTIMONY. AT THIS TIME WE HAVE EIGHT PEOPLE SIGNED UP TO TESTIFY. FIRST IS AUTUMN NESS, FOLLOW BY JILL WIRT AND MS. NESS, IF YOU COULD PLEASE LET US KNOW WHAT MATTER YOU ARE TESTIFYING ON.

>> ALOHA COUNCIL, I'M HERE TESTIFYING ON BILL 131. MAY I PROCEED? >> OF COURSE. >> OKAY. I WILL TRY TO KEEP MY FRUSTRATION AT BAY, BUT I EVEN HAVE TO BE HERE TO TALK ABOUT WHY ADDING EXEMPTIONS TO THE LAW ALLOWING PESTICIDES TO BE USED ON A PLAYING-FIELDS AND -- IS A, A BAD IDEA AND B, THE RESULT OF YEARS OF JUST NOT TRYING OR ACTUAL STONEWALLING ON THE PART OF THE PARKS DEPARTMENT. IT'S HARD TO BELIEVE ANYTHING, BUT THE DEPARTMENT INTENTIONALLY FAILED AT THE IMPLEMENTATION OF ORDINANCE BANNING PESTICIDES, JUST SO THEY COULD SUBMIT A BILL EXEMPTING THEM FROM COMPLIANCE. BECAUSE I ONLY HAVE THREE MINUTES I HEARD A RUMOR SOME FOLKS WERE TRYING TO WAIVE COUNCIL RULES TODAY AND PASS THIS BILL OUT TODAY. IF THAT IS TRUE, I IMPLORE YOU NOT TO DO THAT AND GIVE THIS THE TIME IN COMMITTEE THAT IT NEEDS.

THE PARKS DEPARTMENT HAS HAD FOUR YEARS FROM THE PASSAGE OF THIS BILL TO COMMUNICATE WITH YOU, WITH THE COMMUNITY, AND WITH ADVOCATES, LIKE ME, WHO DEDICATED THEIR PROFESSIONAL LIFE TO HELPING ENTITIES LIKE THE PARK DEPARTMENTS SUCCEED AND NOW THEY ARE IN A HURRY, NO. SORRY. THE COMMUNITY AND THIS BODY DESERVES THE TIME IT TAKES TO HAVE AN ACTUAL DISCUSSION ABOUT WHAT HAS TRANSPIRED BEFORE AND SINCE THE PASSAGE OF THIS PESTICIDE BILL YEARS AGO. THIS BODY DESERVES TO SEE ALL OF THE EVIDENCE THAT THE PARKS DEPARTMENT HAS BEEN OPERATING IN BAD FAITH FOR YEARS. FIRST, THEY INFLATED A BUDGET SAYING IT WOULD COST \$4 MILLION TO IMPLEMENT THIS BILL WITH A BUDGET THAT WAS PADDED TO INCLUDE NEW TRUCKS AND TELEPHONES. THEY TOLD US IT WAS A KNOWLEDGE GAP THAT THEY DIDN'T KNOW HOW TO IMPLEMENT SUCH A BILL AND THEN THE DEPARTMENT SIGNED A CONTRACT WITH MY ORGANIZATION TO RECEIVE TRAININGS AND SUPPORT FOR ONE-YEAR PILOT PROGRAM, WHICH THEY LARGELY IGNORED. MULTIPLE ORGANIZATIONS INCLUDING BEYOND PESTICIDE INVESTED A WILL THE OF MONEY OVER LAST TEN YEARS HELPING THE DEFENSE SECRETARY AND OTHER LOCAL ENTITIES SUCCEED IN THIS MATTER AND OFFERED UP GRANT FUNDING PARTNERSHIPS AND TECHNICAL ASSISTANCE.

IT WAS ALMOST REFUSE OR FLAT OUT IGNORED AND THEY ARE NOW CURRENTLY VIOLATING THE LAW ON MULTIPLE FIELDS. IF THEY WERE TAKING THE RESOURCES GIVEN TO THEM AND STILL COULDN'T MAKE IT WORK, I WOULD UNDERSTAND THIS DISCUSSION, BUT THEY HAVE STONEWALLED AND HAVE NOT DONE SO FOR ABOUT A DECADE NOW AND NOW THEY WANT TO RUSH HOW TO AND PUSH AN ORDINANCE THAT ALLOWS CONTINUED USE OF THESE TOMICS CHEMICALS IN EXACTLY THE PLACES THAT OUR CHILDREN USE THE MOST, IT'S INFURIATING. THE PLAYING-FIELDS. AT THIS POINT I CAN'T TELL IF IT'S INEPTITUDE OR A PLAN UNWILLINGNESS TO ACCEPT OR LEARN NEW WAY OF DOING THINGS THAT HAS PROVEN TO WORK HERE ON MAUI ON MULTIPLE SMALL AND LARGE PROPERTIES ACROSS THE COUNTY, BUT WHATEVER IT IS IT'S NOT AN EXCUSE TO CONTINUE USING THESE PRODUCTS AROUND OUR KIDS. AND IF YOU DON'T BELIEVE ME, ASK THE AMERICAN ACADEMY OF PEDIATRICS, BECAUSE THEY ARE THE ONES THAT SUPPORTED THIS BILL FROM GET. THIS IS A MUCH LONGER CONVERSATION THAT NEED GOES TO COMMITTEE AND I IMPLORE THIS BODY NOT TO TRY TO PASS IT OUT TODAY. THANK YOU.

>> THANK YOU. WE'RE NOT PASSING THIS OUT TODAY. >> OKAY, THANK YOU. >> THIS IS GOING TO COMMITTEE. MEMBERS, DO YOU HAVE ANY CLARIFYING QUESTIONS? IF NOT, THANK YOU. >> MAHALO.

>> CHAIR, THE NEXT TESTIFIER IS JOE WIRT, TO BE FOLLOWED BY ROBIN PROCTOR, AND MS. WIRTZ, IF YOU COULD PLEASE LET US KNOW WHAT MATTER YOU ARE TESTIFYING ON. >> ALOHA, GOOD MORNING, CAN YOU HEAR ME OKAY? >> YES >> GREAT, I'M

TESTIFYING IN OPPOSITION TO BILL 131. MY NAME IS JILL WIRT. I'M PROGRAM DENOMINATOR FOYER MAUI MARINE RESOURCE COUNCIL AND THE PROGRAM WITH PROPERTY MANAGERS AND LANDSCAPERS TO TRANSITION AWAY FROM SYNTHETIC PESTICIDES, HERBICIDES AND INSECTICIDES FOR ENVIRONMENTALLY-FRIENDLY PRACTICES. THIS TRADITION IS IMPORTANT BECAUSE IT REDUCES RUN-OFF TO SENSITIVE ECOSYSTEMS. OVER THE PAST THREE YEARS SINCE THE PROGRAM STARTED WE IMPLEMENTED TEST SPOTS ON OVER 30 PROPERTIES AROUND MAUI COUNTY, ONE OF WHICH THE COUNTY'S PARK T-BALL FIELD. IT WAS VERY SUCCESSFUL. THE TEST SPOTS UTILIZED LOCALLY MADE BIOLOGICAL SOIL AMENDMENT PRODUCED ON MAUI, AND AIMS TO INCREASE THE PRESENCE OF SOIL MICROBIOLOGY AND FROM PLANT-BASED COMPOST AND HAS NO ODORS. WE FOUND SUCCESS ACROSS THE TEST SPOTS AND TOIL SAMPLES AS INDICATED BY INCREASE TOPSOIL DEPTH WATER RETENTION AND PRESENTATION OF MICROBIOLOGY, HAVING MICROBIOLOGY MAKES NUTRIENTS AVAILABLE TO PLANTS WHILE FERTILIZERS AND CHEMICALS KILL THE MICROBIOLOGY, CREATING AN ADDICTIVE CYCLE. ALSO WANT TO DRAW ATTENTION TO EFFORTS FROM A YEAR WHEN MAUI MARINE COUNCIL HAD FUNDING READILY AVAILABLE TO SUPPORT THE GOLF COURSE IN TRYING THIS AMENDMENT ON THEIR PROPERTY. THIS WOULD HAVE BEEN IMPLEMENTED ON A SMALL-SCALE/LOW-RISK AREA GIVING PLENTY OF TIME TO ADJUST TO THE ORDINANCE AND IMPLEMENT THE PRODUCT AT SCALE. WE HOPE TO CONTINUE SUPPORTING THE TRANSITION THROUGH OUR REEF-FRIENDLY LANDSCAPING PROGRAM AND THE RESOURCES WE HAVE CREATED AND ACCUMULATED OVER THE YEARS. I SUBMITTED ADDITIONAL TESTIMONY IN WRITTEN FORM, WHICH CONTAINS A LINK TO OUR TEST SPOT REPORT, A LINK TO OUR REEF-FRIENDLY LANDSCAPING CERTIFICATION COURSE AND INFO GRAPHIC HOW NOT TO USE; CHEMICAL ALTERNATIVES THE DIFFERENCES BETWEEN CHEMICAL AND ORGANIC FERTILIZERS. AND ALSO LAUNCH A CERTIFICATION COURSE TO CERTIFY AND EDUCATE PROPERTY MANAGERS AND LANDSCAPERS MANY THEIR HAND SCAPING PRACTICES. STUDENTS CAN LEARN ABOUT FERTILIZER ALTERNATIVE SOIL HEALTH, SITE ANALYSIS AND DESIGN, NATIVE PLANTS, ALTERNATIVES AND ENERGY POLLUTION AND CITY COUNCIL CHANGE AND COMPOSTING METHODS. ALL OF THE INSTRUCTORS FOR THE COURSE HAVE BEEN IN INDUSTRY FOR DECADES, PASSING THIS BILL WOULD BE A MAJOR SETBACK TO ALL OF THE PROGRESS AND RESOURCES WE HAVE MADE AVAILABLE THUS FAR. THERE ARE RC IS WILLING AND ABLE TO PROVIDE MORE RESOURCES ON THE ALTERNATIVE SYSTEMS IN ORDER TO MAKE THIS TRANSITION POSSIBLE FOR REMAINING COUNTY PARKS AND FACILITIES, AND AGAIN, THANK YOU FOR BRINGING THIS TO COMMITTEE FOR FURTHER DISCUSSION. HAPPY TO ANSWER ANY QUESTIONS. MAHALO. >> THANK YOU. ANY QUESTIONS, MEMBERS? IF NOT, THANK YOU VERY MUCH. >> CHAIR THE NEXT TESTIFIER IS ROBIN PROCTOR TESTIFYING ON BILL 131, TO BE FOLLOWED BY SHANE DUWA. >> ALOHA CHAIR LEE AND MEMBERS OF THE COUNCIL. MY NAME IS ROBIN PROCTOR. I AM CO-OWNER OF SOIL THRIVE HAWAII, AND OVER THE PAST THREE YEARS, WE PARTNERED WITH MAUI NUI MARINE RESOURCE COUNCIL AND THE COUNTY OF MAUI TO IMPLEMENT TEST SPOTS ON 30 PROPERTIES AROUND THE COUNTY. AND THIS IS THE PILOT THAT WERE MENTIONED BY AUTUMN NESS AND JILL WIRT. WE APPLIED BIOLOGICAL RICH COMPOST MADE HERE ON MAUI. ADDING BENEFICIAL SOIL MICROBES INTO THE SOIL, AND ON LEAF SURFACES RESULTED IN SUCCESS ACROSS ALL OF THE TEST PLOTS. AND WE RECORDED INCREASE IN TOPSOIL DEPTH, INCREASE IN WATER RETENTION, DECREASE IN SOIL COMPACTION, INCREASE IN BENEFICIAL SOIL MICROBES, TURF AREAS THAT HAD PARASITIC NEMATODES AND INFESTATIONS WERE HEALED. PLANTS THAT WERE INFESTED WITH WHITE FLIES BECAME HEALTHY AND INSECT-FREE. THROUGH THESE PILOT PROGRAM AND EXPENSE WITH REGULAR CLIENTS WE HAVE DEMONSTRATED THAT THIS SOLUTION IS EFFECTIVE FOR ANY PROPERTY. I WANT TO HIGHLIGHT THAT THE PILOT PROGRAMS LASTED ON 3-6 MONTHS. YET THEY SHOWED THAT LANDSCAPES CAN RECOVER FROM YEARS OF PESTICIDE AND SYNTHETIC FERTILIZER USE. BY NURTURING THE LAND NATURALLY, RATHER THAN USING HARMFUL CHEMICALS, WE CAN RESTORE ITS HEALTH. TODAY I'M PRESENTING A PROPOSAL FOR COMPLIMENTARY FOUR-MONTH PROJECT AT THE GOLF COURSE, OR AT ANY PARK OF YOUR CHOICE. WE WILL PROVIDE OUR PRODUCTS, LABOR AND CONSULTATION AT NO CHARGE. WE'RE COMMITTED TO FINDING EFFECTIVE SOLUTIONS FOR ALL LAND MANAGERS, INCLUDING THE COUNTY. WE WILL WORK I WITH MANAGERS TO ADDRESS EVERY CHALLENGE AND DECISION POINT, ENSURING A SMOOTH

AND EASY PROCESS. WE WOULD ADDRESS EVERY REASON WHY YOU FELT YOU NEEDED TO EVEN CREATE BILL 131. WE WILL DEMONSTRATE THAT NATURAL PRODUCTS CAN ENHANCE SOIL AND TURF HEALTH WHILE BEING REEF-SAFE, SUSTAINABLE AND COST-EFFECTIVE. THE TWO ISSUES HIGHLIGHTED IN THE NEWSPAPER WERE ONE FOUL SMELL, WHICH WAS MOST LIKELY FROM FISH HYDROLYSIS THAT WAS SPRAYED.\r\n\r\nOUR PRODUCTS HAVE A FRESH EARTHY SCENT AND PLEASANT ODOR. WE DON'T USE FISH HYDROLYSIS. THE OTHER THING WAS DIFFICULT APPLICATION. OUR PRODUCTS INTEGRATE SEAMLESSLY WITH YOUR EXISTING IRRIGATION AND BOOM SPRAYERS, SO THERE'S NO ADDITIONAL EQUIPMENT NEEDED TO PURCHASE SAVING COSTS. AND PEOPLE POWER. SO LET'S BE BOLD AND PONO, MANY HIGH-PROFILE ESTABLISHMENTS HAVE TRAVELED THE SAME ROAD BEFORE US. THEY HAVE TRANSITIONED TO ALL NATURAL PRODUCTS.\r\n\r\nTHEY HAVE BEEN SUCCESSFUL AND WILL NEVER GO BACK. >> TIME. >> I HOPE YOU READ MY WRITTEN TESTIMONY. IT WAS HARD TO READ FAST. THANK YOU. THANK YOU FOR YOUR TIME. >> THANK YOU.\r\n\r\nHOLD ON. ARE THERE ANY QUESTIONS? MEMBER SUGIMURA HAS A QUESTION, CLARIFYING QUESTION. >> THANK YOU. THE NAME OF YOUR COMPANY AGAIN. >> SOIL THRIVE HAWAII. >> SOIL THRIVE HAWAII. >> YES >> ARE YOU BASED ON MAUI? >> YES, WE ARE.\r\n\r\n>> ARE THE ONLY COMPANY ON MAUI OR IS THERE COMPETITION FOR THIS? >> THERE IS COMPETITION. >> ON MAUI? >> ON MAUI, YES. >> OKAY. AND THE TESTIMONY HAS THE PILOT PROJECT YOU ARE PROPOSING? >> YES.\r\n\r\nIT'S BASICALLY TO CONTINUE WHAT THE OTHER TWO PILOTS DID. SO THE OTHER TWO PILOTS SHOWED, AND PROVED THE CONCEPT THAT WE CAN TRANSITION TO NON-SYNTHETIC FERTILIZERS AND NUTRITIONAL SUPPLEMENTS, AND SO THE NEXT STEP IN MY OPINION IS TO HELP THE COUNTY DEVISE A PLAN FOR DIFFERENT PROPERTIES HOW TO DO IT AND HOW TO DO IT COST-EFFECTIVELY. >> YOU DON'T HAVE TO EXPLAIN. >> THANK YOU. >> THIS IS COMING UP IN COMMITTEE AT SOME POINT. MS. CLERK, NEXT TESTIFIER, PLEASE.\r\n\r\n>> CHAIR, THE NEXT TESTIFIER IS SHANE DUWA, TESTIFYING ON BILL 131, FOLLOWED BY BETH SAVIDGE. >> GOOD MORNING CHAIR AND COUNCIL MEMBERS, ALOHA YOU GUYS. I AM HERE TO YOUR SUPPORT IN AMENDING BILL 131, SECTION 2.5.050 TO EXCLUDE COUNTY PARKS, WITH GRASS PLAYING-FIELDS, SURFACES, INCLUDING SOCCER FIELDS FLAG FOOTBALL FIELDS SOFTBALL FIELD AND RUGBY FIELDS AS WELL AS THE WAILUA GOLF COURSE USING ORGANIC PESTICIDES AND FERTILIZERS. THE BOTTOM-LINE, THESE PRODUCTS DON'T WORK. I HAVE NINE PACKAGES OF THE FERTILIZER AND WHAT IT SMELLS LIKE I MORE THAN HAPPY TO SHARE IT WITH YOU GUYS. WE HAD COMPLAINTS ABOUT THE SMELL AND IT TAKES THREE TIMES AS MUCH WATER FOR THE ORGANIC PRODUCT TO BREAK DOWN. THREE TIMES MORE THAN THE SYNTHETICS, OKAY?\r\n\r\nAND WHAT THIS MEANS IS WE WOULD HAVE TO SHUT DOWN THE GOLF COURSE FOR A WEEK IN ORDER FOR IT TO BREAK DOWN. RIGHT NOW WE DO ABOUT 9,000 GOLFERS PER MONTH 9000 ROUNDS PER MONTH AND WE WOULD NEED TO PUT ON HOLD ANY TEE TIMES WHILE THIS BREAKS DOWN. ON MAY 23RD, WE TESTED THE PUTTING GROUND AND THINK ABOUT PUTTING HAWAIIAN SALT ON YOUR TABLE AND ROLLING A GOLF BALL, THAT IS WHAT IT IS. WE HAVE PICTURES AND EVERYTHING. ON APRIL 26TH A TRACK MEET HAD TO BE CANCELED DUE TO THE SMELL AND SAFETY OF THE PARTICIPANTS. ON JUNE 27TH, THERE WAS A PETITION STARTED AT THE GOLF COURSE RIGHT NOW IT LOOKS LIKE 1225 PEOPLE SIGNED THIS PETITION AGAINST THE REQUIREMENT OF ALL ORGANIC PRODUCTS ON THE GOLF COURSE. I LIKE WHAT COUNCIL MEMBER SINENCI SAID ABOUT HIS OPENING STATEMENTS MENTAL HEALTH IS IMPORTANT.\r\n\r\nI HAVE SAT HERE AND LISTENED TO COUNCIL MEMBERS SAY HOW IMPORTANT IT IS FOR OUR MENTAL HEALTH. THE GOLF COURSE PLAYING SPORTS IS IMPORTANT FOR OUR MENTAL HEALTH. IF SOMEONE WANTS TO GO AND SPEND FIVE HOURS ON THE GOLF COURSE AWAY FROM HIS SPOUSE AND THAT IS GOING TO HELP HIM MENTALLY, THAT IS WHAT HE HAS GOT TO DO. WE NEED TO PROVIDE A BEAUTIFUL PLACE FOR THEM TO PLAY, AND CHAIR, NOT SURE HOW THIS WORKS, BUT MIKE MENDIOLA IS OUR BEAUTIFICATION CHIEF. CAN I PUT HIM IN TO BE A RESOURCE? IS THAT POSSIBLE OR HOW DOES THAT WORK? >> YES, WE COULD, BUT THIS ITEM IS GOING TO BE HEADED TO COMMITTEE.\r\n\r\n>> OKAY. >> SO I DON'T WANT TO USE UP ALL THE TIME. DO YOU WANT TO HAVE AN IN-DEPTH DISCUSSION LATER ON, MEMBERS? OR JUST REFER THIS TO COMMITTEE? >> REFER TO COMMITTEE. >> THAT IS FINE WITH ME. >> THANK YOU.\r\n\r\n>> THANK YOU. CHAIR. >> MS. RAWLINS-FERNANDEZ HAS A QUESTION. >> MAHALO, CHAIR. ALOHA DEPUTY DIRECTOR. >> HEY HI KEANI.\r\n\r\n>> NICE TO SEE YOU. TO CLARIFY ABOUT THE

PRODUCTS THAT PARKS DEPARTMENT USED AND RECEIVED COMPLAINTS ABOUT, WERE THOSE PRODUCTS ON THE LIST OF RECOMMENDED PRODUCTS FROM THE FOLKS THAT WERE TRYING TO SUPPORT THIS EFFORT? >> YES. CHAIR, CAN I CALL UP MIKE MENDIOLA OUR BEAUTIFICATION PERSON TO EXPLAIN THAT 1234 >> COULD YOU STATE YOUR NAME AND POSITION FOR THE RECORD, PLEASE. >> MY NAME IS MIKE MENDIOLA, I'M THE PARKS BEAUTIFICATION MANAGER. SO MS. RAWLINS-FERNANDEZ, YOUR QUESTION WAS IS THIS PART OF THE PRODUCTS THAT SOIL THRIVE AND JILL WIRT WERE TALKING ABOUT >> CORRECT.\r\n\r\nMY UNDERSTANDING IS THAT THEY PROVIDED YOU FOLKS A PROPOSED PLAN AND LIST OF REPRESENTED PRODUCTS, WHICH DIDN'T INCLUDE THE FISH AND MANURE THAT WERE THE INGREDIENTS TO THE SMELLS THAT WERE THE CAUSE OF THE COMPLAINTS THAT YOU FOLKS RECEIVED. SO WHAT MADE YOU CHOOSE THOSE PRODUCTS, IF THEY WEREN'T ON THE LIST OF RECOMMENDED PRODUCTS? WHAT WE HAVE VERY FEW VENDORS ON THE ISLAND TO GO THROUGH - LISTING VENDORS. WE REACH OUT TO THOSE VENDORS WITH THE ORDINANCE REQUIREMENTS THAT WE HAD TO MEET. AND THESE ARE THE PRODUCTS THAT THEY PROVIDE. SO THIS IS PRETTY MUCH FOR THESE -- THE VENDORS THAT WE USE NORMALLY, THESE ARE THE PRODUCTS THAT THEY HAVE, THAT MEET THE REQUIREMENTS FOR OUR ORDINANCE. . OKAY.\r\n\r\nSO IT WASN'T THE RECOMMENDATION FROM THE FOLKS THAT ARE EXPERTS IN SOIL HEALTH AND ARE TRYING TO MAKE THIS SUCCESSFUL FOR OUR PARKS? SO THAT OUR CHILDREN CAN PLAY ON FIELDS THAT DON'T CONTAIN MASSIVE AMOUNTS OF PESTICIDES? >> RIGHT. WELL, I HAVE WORKED WITH JILL AND WITH HERS, IT'S A COMPOST TEE. IT'S NOT A PRODUCT THAT WE CAN BUY FROM A VENDOR. IT'S SOMETHING THAT THEY PROVIDE THEMSELVES. SO WE HAVE TALKED ABOUT THEM -- BECAUSE THEY DID OUR PARK ONE FIELD.\r\n\r\nWE HAVE OVER 70-80 PLAYING-FIELDS. SO PROVIDING COMPOST TEE FOR ONE FIELD IS GREAT, BUT PROVIDING FOR 70 IS A HUGE DEAL. SO WE HAVE ACTUALLY TALKED ABOUT THAT WITH THEM, CAN THEY PROVIDE THE AMOUNT OF COMPOST TEE WE NEED FOR THE AMOUNT OF PLAYING-FIELDS THAT WE NEED AND THAT IS SOMETHING THAT WE HAVEN'T GONE INTO THE NEXT PHASE OF. SO THE PRODUCTS THAT WE DO USE, WE USE BECAUSE OF THE ORDINANCE THAT WAS PUT IN PLACE. SO ALL OF THE PRODUCTS WE USE ARE THERE, BECAUSE OF THE ORDINANCE. SO IT'S NOT -- WE'RE NOT NECESSARILY WORKING WITH THE EXACT PRODUCTS THAT THEY RECOMMENDED, BUT WE'RE WORKING WITH ALL THE PRODUCTS WE'RE ALLOWED TO USE. >> OKAY.\r\n\r\nWELL, WE'LL GO MORE IN-DEPTH IN COMMITTEE, BUT THOSE PRODUCTS WERE NOT RECOMMENDED, AND PART OF THE REASON THEY WEREN'T RECOMMENDED IS BECAUSE OF THE THINGS THAT YOU FOLKS ARE EXPERIENCING NOW, AND IF THOSE COMPANIES ARE CHEMICAL COMPANIES AND NOT THE ORGANIC COMPANIES THAT THE FOLKS THAT ARE PASSIONATE ABOUT THIS WORK HAVE NOT RECOMMENDED, THEN INSTEAD OF IMMEDIATELY TRYING TO REPEAL OR PROVIDE EXEMPTIONS TO THIS HARD-FOUGHT LEGISLATION, I THINK THE PARKS DEPARTMENT SHOULD HAVE TRIED DIFFERENT PRODUCTS BEFORE CHANGING THE LAW, BECAUSE YOU KNOW, WE ALL CARE ABOUT THE HEALTH OF OUR CHILDREN, PARTICULARLY WHO ARE MOST SUSCEPTIBLE TO CHEMICAL PESTICIDES. MAHALO FOR BEING HERE TODAY. I KNOW WE'LL HAVE MORE DISCUSSION. IF YOU WANT TO RESPOND, I WILL WORK YOUR RESPONSE. >> JUST A QUICK -- JUST I HAVE A 8, 4 AND 2-YEAR-OLD AND I THINK EVERYBODY IN PARKS HAS KIDS THAT PLAY ON FIELDS AND FOR PEOPLE TO THINK THAT PARKS IS IGNORING THIS ORDINANCE, WE'RE THERE ON THE FIELD WITH EVERYBODY ELSE. WE WORK ON THEM MORE THAN THE PUBLIC. SO IF WE FEEL WE CAN USE THESE PRODUCTS SAFELY, THEN YOU KNOW, I THINK WE'RE KIND OF THE PROFESSIONALS HERE.\r\n\r\n>> EVEN MORE SO WITH YOUR HEALTH TOO. I WANT YOU TO BE HEALTHY. I DON'T WANT YOU TO BE EXPOSED TO PESTICIDES. MAHALO. >> WE HAVE ANOTHER QUESTION. DEPUTY DIRECTOR, I HOPE YOU DIDN'T FALL DOWN ON THE FIELD. YOU DID? \r\n\r\nOH, MY GOODNESS. MR. JOHNSON, YOU HAVE A QUESTION. >> THANK, CHAIR. THANK YOU FOR YOUR TESTIMONY. THIS IS CLARIFYING I KNOW YOU SAID YOU WERE TRYING TO WORK WITH WHAT THE BILL IS REQUIRING OF YOU. HAVE YOU WORKED WITH SOME OF THE PROFESSIONALS THATS THAT OFFERING THEIR HELP TO YOU, AUTUMN NESS MENTIONED SHE IS NOT GETTING CALLS BACK AND KIND OF A BACK AND FORTH -- >> RIGHT.\r\n\r\n>> CAN YOU SPEAK ON THAT? >> SO JUST TO CLARIFY, I TOOK OVER BEAUTIFICATION IN 2022, IN AUGUST. RIGHT WHEN IT WAS BEING IMPLEMENTED. SO I GOT A LIST DROPPED ON MY PLATE. I HAVE WORKED WITH JILL. WE HAVE WORKED TOGETHER. I WAS THEIR CONTACT PERSON FOR THE KAPULANI FIELD.\r\n\r\nI

HAVEN'T TALKED TO AUTUMN NESS, BUT I HAVE HEARD OF HER. THESE PILOT PROGRAMS THEY ARE WORKING ON SMALL CASES SMALL ACREAGE AND PARKS, BESIDES COMMON AREAS ALL OF THE AREAS AROUND THE PARKING LOTS AND AREAS THAT PEOPLE WALK. SO WE'RE NOT ASKING FOR THE WHOLE PARK. WE'RE ASKING FOR SPECIFIC AREAS THAT ARE ENDING UP BEING PROBLEMS AFTER TWO YEARS OF USING THESE SPECIFIC PRODUCTS THAT WE HAVE. SO WE ARE ALL FOR CONTINUOUS EDUCATION TO STOP USING THESE PESTICIDES AND HERBICIDES THAT ARE CHEMICAL. BUT WE HAVE SEEN IN THESE LAST TWO YEARS THAT WE HAVE TAKEN AWAY A CRUCIAL TOOL THAT WE NEED TO MAKE THESE PLAYABLE FOR OUR KIDS. LIKE SHANE SAID, WE HAD TO CANCEL EVENTS AND GETTING CALLS FROM COACHES DAILY ON THE FIELDS THAT THERE'S TOO MANY WEEDS.

THE PRODUCTS THAT WE'RE ALLOWED TO DO OUR NON-SELECTIVE AND WHAT THAT MEANS WE SPRAY IT ON A PIECE OF GRASS AND IT DOESN'T JUST KILL THE WEEDS. THE SUBSTANCES, THE CHEMICALS ARE SELECTIVE AND IT CAN'T ONLY KILL THE WEEDS. RIGHT NOW WE DO NOT HAVE THAT OPTION BECAUSE OF THE ORDINANCE. SO WE HAVE NOTHING TO SPRAY ON OUR TURF FIELDS. >> I THINK YOU ANSWERED THE QUESTION. >> SO I GUESS IF SOUNDS LIKE YOU ARE TRYING TO WORK WITHIN THE LAW AND I'M ASKING IF YOU WOULD REACH OUT TO FOLKS WHO WOULD ALSO -- YOU DON'T HAVE TO SOLVE THIS PROBLEM BY YOURSELF IS WHAT I'M GETTING TO. THE OTHER THING, HAVE ANY GAMES BEEN CANCELED BECAUSE OF THE WEEDS AS FAR AS I KNOW IT'S BEEN PRACTICES, LITTLE LEAGUE PRACTICES AROUND THE CENTRAL AREA.

>> OKAY. >> AND THEN THE ONE TRACK MEET THEY CANCELED BECAUSE OF THE SMELL. >> THEY CANCELED BECAUSE OF THE SMELL? >> THE SMELL OF THE FERTILIZERS >> NOT BECAUSE OF THE WEEDS. >> THE WEEDS -- THERE WAS TOO MANY, I THINK IT >> THAT IS NETTLE THAT WILL STING YOU? >> EXACTLY. >> WE HAD AN EX-COUNTY EMPLOYEE CALLED TO SPECIFICALLY TELL US THAT HIS KIDS HAD TO STOP PRACTICE BECAUSE THEY ARE COVERED IN THEM IN THE GARDENS FIELDS.

THERE'S DEFINITELY THINGS THAT -- CONS WE'RE SEEING TO THIS. HIKE I SAID, WE'RE ALWAYS TRYING TO EDUCATE OURSELVES, AND OBVIOUSLY THE END RESULT IS ALWAYS TO BE AS SAFE AS POSSIBLE. >> TOTALLY AGREE WITH THE SAFETY. WE'RE GETTING INTO DISCUSSION. THANK YOU FOR THAT. THANK YOU, CHAIR. >> ANY MORE QUESTIONS?

CLARIFYING QUESTIONS? IF NOT, THANK YOU, GENTLEMEN. THANK YOU VERY MUCH. MAY WE HAVE THE NEXT TESTIFIER. >> CHAIR, THE NEXT TESTIFIER IS BETH SAVIDGE TESTIFYING ON BILL 131 AND SHE WILL BE FOLLOWED BY LAWRENCE KUIAHA. >> ALOHA CHAIR LEE AND ALOHA COUNTY COUNCIL. WELL, YOU SEEM TO HAVE DRAGGED ME BACK DOWN AND OFF ZOOM.

I SENT YOU FOLKS ALL TESTIMONY WRITTEN. AND I THINK I'M GOING DIVERT FROM IT FOR JUST A SECOND TO DO SOME RESPONSE HERE. I'M PRESIDENT OF FOOD SECURITY HAWAII HERE ON MAUI. AND WE ARE A NONPROFIT THAT STARTED OUT AS BIO BAMBOO LOOKING AT ALTERNATIVE MARL RESOURCES, SUSTAINABLE RESOURCES FOR HOUSING. AFTER THE GMO MORATORIUM PASSED, BUT WE COULD NOT IMPLEMENT WHAT WE WANTED I DECIDED TO TAKE THAT ENERGY AND FIND WAYS TO MAKE SOLUTIONS FOR OUR SOIL. SOLUTIONS IN AGRICULTURE. SOLUTIONARY AGRICULTURE AND THAT IS WHAT WE HAVE DONE.

WE HAD MANY NICE GRANTS FROM THE COUNTY AND WE BOTHERED TO MAKE INOCULANTS IN THE SOIL. THESE INOCULANTS CREATE -- IN THE SOIL, AND THEY CREATE WATER RETENTION. THEY REDUCE THE PESTS. THEY REDUCE THE WEEDS. WE ALSO HAVE ORGANIC FERTILIZERS. WE HAVE ORGANIC PESTICIDES. THE COMPANY IS CALLED SOIL THRIVE THAT DEVELOPED FROM SECURITY HAWAII. WE HAVE INOCULANTS THAT HAVE NO SMELL.

THEY ARE LIQUID. I THINK THE SALTS THAT KIND OF DISPERSE ON THE LAND AND HAVE TO BE DISSOLVED IN IT, THOSE ARE OFF-THE-SHELF AT ACE HARDWARE. WE WANT BETTER FOR MAUI AND WE CAN CONTROL IT AND WE HAVE THE DATA. I LOOK FORWARD TO THE DAY THAT COMPANIES CREATE THESE ORGANIC PESTICIDES AND HERBICIDES TO GET TOGETHER, AND FIND OUT WHO -- I WANTED TO SAY OTHER STUFF, BUT I HAVE TO SPEAK TO THIS TODAY. >> WE'RE NOT GOING TO MAKE A DECISION TODAY. YOU WILL HAVE AN OPPORTUNITY WHEN THIS ITEM IS SCHEDULED IN COMMITTEE. >> THANK YOU, CHAIR.

I REALLY APPRECIATE THAT OPPORTUNITY. I REALLY APPRECIATE THAT YOU ARE NOT DECIDING ON IT TODAY. IT IS JUST -- SOMETHING THAT WE NEED TO CONSIDER. >> EXCUSE ME. I'M SORRY THAT SOMEBODY PUT OUT THAT ERRONEOUS INFORMATION. >> WHICH ONE? >> THAT THERE WAS A DECISION TO BE MADE TODAY.

OH, OKAY. >> THAT WAS NEVER, EVER CONTEMPLATED. >> I'M GLAD TO HEAR IT'S

NOT HAPPENING AND ESPECIALLY TO HEAR IT'S ERRONEOUS. THAT IS WONDERFUL. THANK YOU FOR THAT CLARIFICATION. WE WON'T REFER TO IT AGAIN THEN. THANK YOU.

THIS IS A MOMENT WHERE MAUI COUNTY MADE A DECISION ABOUT PESTICIDES. WE DID THAT A LONG TIME AGO. WE UNDERSTOOD WHAT IT DID TO OUR KEIKI AND OUR SENIORS. PLEASE, THOSE CHILDREN ON THOSE FIELDS FOR ANYBODY THAT IS NEW TO PESTICIDES, TO THEY ARE AN ANTIBIOTIC THAT KILL THE GOOD BACTERIA AND IN THE SOIL KILL THE GOOD BACTERIA. >> ALOHA. >> GOOD MORNING >> I LEARNED SOMETHING NEW TODAY. I ACTUALLY DIDN'T PLAN TO TESTIFY AND MOANA FORCED ME INTO DOING IT.

I'M HERE IN SUPPORT OF LIONEL MONTALVO AS FIRE COMMISSIONER. I HAVE KNOWN LIONEL OVER 45 YEARS. WHEN I FIRST JOINED THE MAUI POLICE DEPARTMENT IN 1987 HE WAS TRAFFIC INVESTIGATOR THERE. WENT TO THE FIRE DEPARTMENT, WORKED HIS WAY UP THE RANKS TO BECOMING A DEPUTY CHIEF. SO YOU HAVE DECADES' OF KNOWLEDGE AND HE KNOWS FIRST-RESPONDER FROM THE POLICE SIDE, FIRE, MEDICS, NOW WITH THE LIFEGUARDS BEING UNDER THEM. SO HE IS AN INSTANT RESOURCE ON THAT COMMISSION. WHERE A LOT OF THINGS YOU MIGHT HAVE TO REFER TO OR LOOK UP INFORMATION, HE WOULD HAVE IT FOR YOU RIGHT THERE.

SO I'M HERE TO SUPPORT HIM. I WAS JUST GOING TO SIT HERE AND CLAP AT THE END, BUT IF ANYTHING, IT'S JUST YEARS' OF INFORMATION AND RESOURCES THAT IS AT YOUR DISPOSAL. THANK YOU. >> ANY QUESTIONS FOR LAWRENCE? IF NOT, THANK YOU FOR COMING. >> CHAIR, THE NEXT TESTIFIER IS CAITLIN KAOPUIKI, AND MS. KAOPUIKI, IF YOU COULD LET US KNOW WHAT YOU WILL BE TESTIFYING ON AND SHE WILL BE FOLLOWED BY LESLIE MILNER.

>> ALOHA KAKOU. MY NAME IS CAITLIN KAOPUIKI AND TESTIFYING IN REGARDS TO BILL 23. I'M OPPOSING THIS BILL TO MY UNDERSTANDING IS A ZONING CHANGE TO ACRES ON THE ISLAND OF LANAI. I'M OPPOSING THIS AMENDMENT BECAUSE OF WHAT IT WILL LIKELY LEAD TO UNDERLYING IN THE LANDOWNER'S PLAN IS TO EXPAND [SPEAKER NOT UNDERSTOOD] 'AINA. CURRENTLY ON THIS LAND STANDS TWO HOMES KNOWN AS THE RICHARDSON HOMES THAT WERE LAST OCCUPIED BY THE RICHARDSON 'OHANA, REBECCA KAOPUIKI AND ERNEST RICHARDSON, WHO WERE AN INTEGRAL PART OF LANAI'S RANCHING HISTORY. THOSE HOMES, AND THE RICHARDSON 'OHANA PROVIDED SO MUCH LOVE, SHELTER, FOOD, LAUGHTER, AND SO MANY FOND MEMORIES FOR MANY OF THE CAN BE IT WAS UNOFFICIAL HEADQUARTERS OF THE HORSE OWNERS ASSOCIATION. CORNERSTONES TO THE COMMUNITY, THESE HOMES ARE THE LAST TANGIBLE CONNECTION THAT THE COMMUNITY HAS TO THIS PART OF LANAI'S RANCHING HISTORY. AND SO I AM HERE TODAY JUST TO SHARE THEIR STORY. AND IMPLORE THE COUNCIL TO PERHAPS RECONSIDER THE ZONING CHANGE, AND ALL THAT IT MIGHT ENTAIL TO PRESERVE THIS SENSE OF PLACE AND WELL-BEING FOR OUR COMMUNITY.

MAHALO NUI. >> THANK YOU. WE HAVE A QUESTION FOR YOU, MEMBER JOHNSON. >> THANK YOU, CHAIR. GOOD MORNING, MS. KAOPUIKI. YOUR LAST NAME HOLDS A LOT OF WATER ON LANAI. THAT IS THE BIG FAMILY OF HAWAIIANS. SO HER WORDS SHOULD HOLD SOME WATER HERE. I APPRECIATE YOUR TESTIMONY TO CLARIFY, DO YOU HAVE A SUGGESTION ON WHAT YOU WOULD RECOMMEND TO DO WITH THE RICHARDSON'S HOMES? >> THERE HAS BEEN LOTS OF TALKS, YOU KNOW? I THINK THAT IN CONVERSATION IT HAS COME UP THAT IF WE COULD MOVE THE HOMES AND PERHAPS PRESERVE THEM ELSEWHERE, WOULD THAT BE SOMETHING THAT WE WOULD BE OPEN TO? AND TO ME, THE ANSWER IS NO, BECAUSE THAT 'AINA, THAT SPACE, THAT PLACE IS WHAT IS SIGNIFICANT. I THINK THAT THE HOMES THEMSELVES SHOULD BE TURNED INTO SOME KIND OF EDUCATIONAL -- I DON'T WANT TO USE THE WORD "FACILITY." BUT I THINK UNDERSTANDING SENSE OF PLACE IS IMPORTANT TO WELL-BEING AND THAT IS WHAT THE LANDOWNER IS HOPING TO ACHIEVE WITH THE EXPANSION TO MY UNDERSTANDING IS WELL-BEING AND THAT IS A CRITICAL PART OF WELL-BEING IS KNOWING WHERE YOU COME FROM AND KNOWING WHERE YOU ARE. SO I THINK IT COULD EASILY BE TURNED INTO SOMETHING TO TEACH THE COMMUNITY, GUESTS, MAHINI .A. BEHIND ABOUT THIS REALLY, REALLY IMPORTANT PART OF MAUI'S HISTORY, AS WELL AS HAWAII'S HISTORY.

>> MAHALO, THANK YOU SO MUCH. THANK YOU, CHAIR. VICE-CHAIR SUGIMURA. >> THANK YOU. THANK YOU FOR TESTIFYING COULD YOU TELL ME THE NAMES? I DIDN'T WRITE DOWN FAST ENOUGH. >> ERNEST RICHARDSON, AND REBECCA KAOPUIKI RICHARDSON. >> REBECCA KAOPUIKII IS YOUR RELATIVE, RICHARDSON? >> YES, THEY ARE MY GRANDFATHER'S SISTER IS REBECCA. ONE OF THE LAST KEIKI TO BE RAISED IN THOSE HOMES. >> FABULOUS. I BELIEVE THAT

THESE HOMES HAVE BEEN MOVED TWICE. SO IT'S NOT ON THE ORIGINAL FOOTPRINT. THROUGH THE PRESENTATIONS THAT WE DID HEAR FROM LANA'I, THEY DID SAY THIS WOULD GO TO A PLACE THAT WOULD THEN KEEP ITS SIGNIFICANCE.\r\n\r\nTHE HISTORICAL CONTRIBUTIONS IN THE PLACEMENT OF THEIR OVERALL PLAN, AND I BELIEVE THAT WILL THEN PERPETUATE, SOUNDS LIKE, WHEN YOUR ANCESTORS WERE DOING. THANK YOU VERY MUCH. >> YOU DON'T HAVE A QUESTION? >> I DID ASK HER FOR CLARIFICATION OF HER RELATIVES. >> DID ANYONE ELSE HAVE A QUESTION? IF NOT, THANK YOU. THANK YOU VERY MUCH THANK YOU FOR JOINING US.\r\n\r\n>> CHAIR, THE NEXT TESTIFIER IS LESLIE MILNER TESTIFYING ON COMMITTEE REPORTS 24-80 AND 81 AND BILL 131 TO BE FOLLOWED BY JAY FELDMAN. >> GOOD MORNING . GOOD MORNING, CHAIR, GOOD MORNING COUNCIL MEMBERS. THIS MORNING TRANSMITTED TO THE COUNTY CLERK TWO PROPOSED AMENDMENT ONE FOR BILL 118, WHICH IS ATTACHED TO CR24-80, ONE FOR BILL 122, WHICH IS ATTACHED TO CR24-81. THE CHANGES ARE DELINEATED IN THE TRANSMITTAL LETTERS, BUT SOME ERRORS WERE DISCOVERED IN ESTIMATED REVENUE SECTION. THE OVERALL TOTAL IS CORRECT, BUT THERE WERE SOME CHANGES THAT NEEDED TO BE MADE. SO I JUST WANTED TO BRING THAT TO YOUR ATTENTION. AND FOR BILL 132, IF THE BODY WOULD CONSIDER FLOOR ACTION TODAY ON THESE GRANT FUNDS. THEY ARE RELATED TO THE LAHAINA RECOVERY SPECIFICALLY EMERGENCY WATERSHED PROTECTION MEASURES.\r\n\r\nSO JUST WANTED TO ASK FOR YOUR CONSIDERATION OF THAT. I WILL BE AVAILABLE ONLINE IF NEEDED AS A RESOURCE LATER. MAHALO, CHAIR. MAHALO. >> ANY QUESTIONS? VICE-CHAIR SUGIMURA. >> THANK YOU VERY MUCH, MS.\r\n\r\nMILNER. I JUST WOULD LIKE TO COMMEND YOU AND YOUR STAFF, AND ALL OF THOSE THAT WERE INVOLVED IN CREATING THIS, AND DOING THE CORRECTION. I JUST WANT AN ATTORNEY OR SOMEBODY TO BE SURE THAT WE CAN RECEIVE AN AMENDMENT TO THE ADMINISTRATION'S BILL ON THE FLOOR? >> DAVID. >> THANK YOU, CHAIR. WE CAN GET INTO MORE IN DELIBERATIONS IF YOU WOULD LIKE, BUT WE DO THINK THINGS ARE IN ORDER AT THIS POINT. >> THANK YOU.\r\n\r\n>> THANK YOU. WE'LL BE MANY TOUCH. >> MAHALO. >> MATH COUNTS. >> CHAIR THE LAST TESTIFIER SIGNED UP CURRENTLY IS JAY FELDMAN AND IF FELDMAN, IF YOU COULD LET US KNOW WHAT ITEM YOU WILL BE TESTIFYING ON. JAY FELDMAN, THIS IS YOUR OPPORTUNITY TO TESTIFY. >> PROCEED.\r\n\r\n>> CHAIR, THAT IS OUR LAST TESTIFIER TODAY. >> SORRY, I COULDN'T GET MY MICROPHONE ON. CAN YOU HEAR ME NOW? >> YES. >> I'M SO SORRY. THANK YOU. I AM TESTIFYING ON BILL 131. AND FIRST, LET ME INTRODUCE MYSELF, JAY FELDMAN EXECUTIVE DIRECTOR BEYOND PESTICIDES AND WE HAVE BEEN WORKING IN MAUI AND SOME OF THE OTHER ISLANDS SINCE OH, ABOUT 2013, I THINK IT WAS.\r\n\r\nACTUALLY ON-SITE IN EVALUATING VARIOUS PILOT SITES. AND I SHOULD START BY SAYING I APOLOGIZE IF WE MISINTERPRETED THE FACT THAT THIS BILL MIGHT BE SUBJECT TO FLOOR ACTION TODAY. I'M GLAD TO HEAR THAT THIS IS GOING TO COMMITTEE, BECAUSE AS YOU ALL KNOW, A LOT OF WORK WENT INTO THE DISCUSSION, THE BACKGROUND SCIENCE, THE SOIL BIOLOGY ASSOCIATED WITH THE PASSAGE OF BILL 72 BACK IN 2014. I'M SORRY, BACK IN 2021. TODAY, YOU KNOW, JUST AS CONTEXT FOR YOU ALL, I THINK YOU HAVE HEARD ABOUT THE SORT OF UNDERLYING MOTIVATION FOR A BILL LIKE THIS, CONCERN ABOUT OUR KIDS' HEALTH, CONCERNED ABOUT THE ECOLOGY, UNDERSTAND THAT WHEN WE TALK ABOUT PESTICIDES AND FERTILIZER TYPICALLY TALKING ABOUT PETROCHEMICAL-BASED MATERIALS THAT INTERSECT WITH ALL OF THE CRISES THAT WE'RE TRYING TO ADDRESS AS A SOCIETY, AND IN OUR COMMUNITIES, WHETHER WE'RE TALKING ABOUT HEALTH THREATS AND WE CITE 1600 STUDIES THAT WE ARE TRACKING ON A RANGE OF ADVERSE EFFECTS FROM AUTISM AND RESPIRATORY DISEASE, REPRODUCTIVE PROBLEMS, ALZHEIMER, DIABETES, IT'S QUITE FRIGHTENING TO SEE THE CONNECTION BETWEEN THESE ILLNESSES AND PESTICIDES AND THEN WE'RE ALSO CONCERNED ABOUT BIODIVERSITY AS YOU ARE, AND AS WAS EVIDENCED BY THE HEARINGS IN 2021. SO YOU KNOW, WE DON'T OFTEN THINK ABOUT THE FACT THAT THESE CHEMICALS ARE ALSO ASSOCIATED WITH CLIMATE. THESE ARE CHEMICALS THAT ARE CARBON-BASED OBVIOUSLY, THEY REALLY RETARD THE DRAWDOWN OF CARBON FROM THE ATMOSPHERE. SO I JUST WANT TO PUT THAT OUT THERE TO EXPLAIN WHEN YOU HEAR FROM A PROFESSIONAL, AND YOU KNOW, THE PARKS DEPARTMENT REFERRED TO THEMSELVES AS PROFESSIONALS AND THEY ARE, SOMEHOW WE MISSED THE CONNECTION OFTEN BETWEEN WHY WE'RE DOING THIS, AND THE ADVERSE EFFECTS WE'RE TRYING TO PREVENT. LET ME TALK ABOUT THE PROFESSIONALS. WE MET THE FOLKS ON

THE GROUND, YOU HAVE GOT GREAT STAFF FOR THE MOST PART, THAT REALLY WERE INTERESTED IN THE TRAINING, AND WHAT THE CONCERNS WERE.\r\n\r\nBUT WHAT YOU HEARD TODAY WAS MORE OF A DISCUSSION ABOUT WHAT WE CALL PRODUCT SUBSTITUTION, THAT IS I NEED A WEED KILLER, A NEED A FUNGICIDE AND SOMETHING TOXIC BECAUSE WITHOUT THAT I CAN'T MANAGE MY FIELD. >> TIME. >> AND THE PROBLEM, IT'S UNFORTUNATE THAT THIS TRAINING DIDN'T HAPPEN WITH THE CURRENT LEADERSHIP, BECAUSE THE PROBLEM IS WHEN WE TESTED THE SOIL ON THE PILOT SITES WE FOUND THEY WERE DEFICIENT IN BIOLOGICAL ACTIVE, MEANING THE BACTERIA AND FUNGI NECESSARY TO BREAK DOWN ORGANIC MATTER TO SOLUBILIZE THE NUTRIENTS FOR THE PLANT ARE NOT THERE AND NEED TO BE BUILT UP. >> COULD YOU COMPLETE YOUR TESTIMONY? >> WHEN WE TALK ABOUT THIS AND I LOOK FORWARD TO DISCUSSION IN COMMITTEE, WE'LL BRING BACK THE ISSUES WE DISCUSSED AT LENGTH IN 2021 AND ALL THE NEW INFORMATION THAT IS AVAILABLE. THANK YOU. >> ANY QUESTIONS, MEMBERS?\r\n\r\nIF NOT, THANK YOU VERY MUCH. MS. CLERK. >> CHAIR, THERE'S NO ONE ELSE CURRENTLY SIGNED UP TO TESTIFY. IF THERE'S ANYONE IN CHAMBERS, THAT WOULD LIKE TO TESTIFY, YOU COULD PLEASE MAKE YOUR WAY TO THE PODIUM NOW. THIS IS LAST CALL. IF YOU ARE ONLINE, PLEASE RAISE YOUR HAND AGAIN THIS IS LAST CALL.\r\n\r\nTHE COUNTDOWN IS 3, 2, 1. CHAIR, THERE'S NO ONE INDICATING A DESIRE TO TESTIFY. >> MEMBERS, ARE THERE ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY FOR THE BEGINNING OF THE MEETING NO OBJECTIONS. >> SO ORDERED. MS. CLERK. >> CHAIR, THERE IS NOTHING BEFORE THIS COUNCIL UNDER ITEMS H, I AND J AND MOVING TO K, COMMITTEE REPORTS. WE'LL PROCEED WITH PUBLIC TESTIMONY ON COMMITTEE REPORTS.\r\n\r\nAT THIS TIME CURRENTLY THERE IS NO ONE SIGNED UP. IF THERE'S ANYONE ONLINE WHO WOULD LIKE TO TESTIFY, PLEASE RAISE YOUR HAND NOW. IF YOU ARE IN CHAMBERS, AND WOULD LIKE TO TESTIFY ON COMMITTEE REPORTS PLEASE MAKE YOU ARE WAY TO THE PODIUM. THIS IS LAST CALL. THE COUNTDOWN, 3, 2, 1. CHAIR, THERE'S NO ONE INDICATING A DESIRE TO TESTIFY. >> ANY OBJECTIONS, MEMBERS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY? >> NO OBJECTIONS.\r\n\r\n>> ON COMMITTEE REPORTS IN SECTION K? SO ORDERED. MS. CLERK. >> CHAIR, FROM THE BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE IS RC24-80 RECOMMENDING FIRST READING OF BILL 18 CD 1 (2024) TO AMEND THE FISCAL YEAR 2025 BUDGET BY ONE, AMENDING SECTION 2 ESTIMATED REVENUES BY INCREASING CARRY-OVER SAVINGS FROM THE WATER FUND BY \$3,500,000; 2 AMENDING SECTION 3.B.21,C DEPARTMENT OF WATER SUPPLY WATER OPERATIONS PROGRAM, WATER FUND BY INCREASING THE APPROPRIATION FOR CATEGORY B OPERATIONS AND EQUITY BY \$3.5 MILLION; AND 3, ADJUSTING THE TOTALS ACCORDINGLY. >> VICE-CHAIR SUGIMURA. >> I MOVE TO ADOPT THE RECOMMENDATIONS IN COMMITTEE REPORT 24-80. >> SECOND. >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY MEMBER UU-HODGINS TO SUP THE RECOMMENDATIONS IN COMMITTEE REPORT 24-80ION DISCUSSION VICE-CHAIR.\r\n\r\n>> THANK YOU, CHAIR. THIS BILL AMENDS FY'25 BUDGET TO RECOGNIZE \$3.5 MILLION IN CARRYOVER SAVINGS FROM THE WATER FUND AND APPROPRIATED IT FOR THE DEPARTMENT OF WATER SUPPLY FOR THE PURCHASE OF SEVEN PORTABLE GENERATORS AND HUT FOR THE DEPARTMENT TO STORE THEM. THE DEPARTMENT TRIED TO OBTAIN THESE ASSETS IN FISCAL YEAR 24, BUT FOR VARIOUS REASONS WAS UNABLE TO DO SO. THEREFORE, FUNDING LAPSED. AS SUCH, THE DEPARTMENT IS SEEKING TO REAPPROPRIATE THE FUNDS FOR THOSE PURCHASES FOR FISCAL YEAR 25. THE HUT WILL BE LOCATED AT THE DEPARTMENT'S KAHULUI BASEYARD AND GENERATORS WOULD BE TRANSPORTED TO THE BASEYARD FOR NECESSARY -- TO NECESSARY FACILITIES DURING AN EMERGENCY TO KEEP THE WATER SYSTEM OPERATING. AND ADMINISTRATION TRANSMITTED A PROPOSED CD 1, FD 1 VERSION INCORPORATING NON-SUBSTANTIVE AMENDMENTS, MEMBERS AT THIS TIME I MOVE TO SUBSTITUTE BILL 118 CD 1 FOR THE PROPOSED FD 1 VERSION. >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY MEMBER UU-HODGINS TO MAKE AN AMENDMENT.\r\n\r\nDISCUSSION ON THE AMENDMENT? >> YES, THANK YOU. THE PROPOSED FD 1 VERSION INCORPORATES CORRECTIONS TO THE AMOUNT OF ESTIMATED REVENUE FOR CARRY-OVER SAVINGS FROM THE GENERAL FUND AND THE LIQUOR FUND AND DELETES THE ESTIMATED REVENUE FOR CARRY-OVER SAVINGS FROM THE BIKEWAY FUND. THANK YOU, CHAIR. I GUESS THEY MUST HAVE BEEN USING A TEMPLATE, BECAUSE THERE'S NO BIKEWAY FUNDS. SO WE'RE JUST TRYING TO CLEAN UP

SOME MATH ERRORS AND PROBABLY TYPOGRAPHICAL ERRORS WITH THIS. >> FOR THE AMENDMENT?
>> YES. >> ANY MORE DISCUSSION ON THE AMENDMENT? IF NOT, ALL THOSE IN FAVOR OF THE MOTION RAISE YOUR HAND, SAY AYE, PLEASE. >> AYE. >> SEVEN AYES, TWO EXCUSED, MOTION CARRIES. NOW ON THE MAIN MOTION AS AMENDED. ANY MORE DISCUSSION?
ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE. >> SEVEN AYES, ZERO NOS. TWO EXCUSED. MOTION CARRIES. THE EXCUSED ARE PRO TEM KAMA AND MEMBER TAMARA PALTIN. >> THANK YOU, MEMBERS.
THANK YOU, ADMINISTRATION. THANK YOU. >> MS. CLERK. >> CHAIR, FROM THE BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE IS CR24-81 RECOMMENDING FIRST READING OF BILL 122 CD 1 (2024) TO AMEND THE FISCAL YEAR 2025 BUDGET BY 1, AMENDING SECTION 2 ESTIMATED REVENUES BY INCREASING CARRY-OVER SAVINGS FROM THE WATER FUND BY \$250,000; 2, AMENDING SECTION 3.B.21A1 DEPARTMENT OF WATER SUPPLY ADMINISTRATION PROGRAM WATER FUND GENER BY INCREASING THE APPROPRIATION FOR CATEGORY B OPERATIONS AND EQUIVALENT FOR \$250,000 AND ADDING A NEW CONDITION FOR \$250,000 TO BE USED FOR PROFESSIONAL SERVICES TO A CONTRACT TO PREPARE A FEASIBILITY STUDY AND MAJORITY OR BUSINESS PLAN FOR THE NEW EAST MAUI WATER AUTHORITY; AND 3, ADJUSTING THE TOTALS ACCORDINGLY. >> VICE-CHAIR SUGIMURA. >> THANK YOU, CHAIR.
SO ON THIS PARTICULAR BILL, WHAT I WOULD LIKE TO DO IS BE SURE THAT WE ACCEPT THE AMENDMENTS AND CHANGES AS REFLECTED IN THE LETTER THAT WE RECEIVED OR THE FD 1 VERSION THAT WE RECEIVED. I WOULD LIKE TO COMMIT THIS BACK TO COMMITTEE SO THAT WE COULD TALK ABOUT WHAT THE CONTRACT PROPOSES TO DO VERSUS WHAT I BELIEVE CHAIR LEE, WHEN WE PUT THIS MONEY IN FISCAL 24, WHAT YOU WANTED VERSUS WHAT THIS CONTRACT IS NOW ASKING FOR. I THINK IT'S TWO DIFFERENT THINGS. >> CAN YOU MAKE A MOTION? >> OH, SO I MOVE TO ADOPT THE RECOMMENDATIONS IN CR. >> NO, YOU MOVED TO RECOMMIT. >> I MOVE TO RECOMMIT.
-- YES. SO I MOVE TO RECOMMIT BILL 122, CD 1 TO MY COMMITTEE, NEED A SECOND? >> MOVED BY VICE-CHAIR SUGIMURA. SECONDED BY MEMBER UU-HODGINS TO RECOMMIT CR24-81 THANK YOU. >> DISCUSSION? >> SO I BELIEVE THE BILL REQUIRES FURTHER DISCUSSION BEFORE WE MOVE IT FORWARD. THE PROJECT SCOPE FOR THE STUDY THAT THE DEPARTMENT PROCURED ENTAILS DUE DILIGENCE, LEGAL AND BUSINESS ANALYSES FOR THE POTENTIAL ACQUISITION OF THE EAST MAUI IRRIGATION SYSTEM.
I WOULD HAVE EXPECTED THE PROJECT SCOPE TO BE FOR FEASIBLE STUDY OR MANAGEMENT OR BUSINESS PLAN FOR THE NEW EAST MAUI WATER AUTHORITY, WHEN IS WHAT YOU HAD SAID. WHICH IS WHAT IS INCLUDED IN THE CONDITIONAL LANGUAGE BEING ADDED TO THE BUDGET. THEREFORE, I BELIEVE WE SHOULD TAKE THE TIME IN COMMITTEE TO LEARN MORE ABOUT THE SCOPE OF THE STUDY, THE DEPARTMENT IS PROPOSING AND ENSURE THAT WE ARE COMFORTABLE THE FUNDS BEING USED FOR THE PURPOSE BEFORE APPROVING BILL 122. THANK YOU, CHAIR. >> ANY MORE DISCUSSION? >> CHAIR, THIS IS A MATTER OF CLARIFICATION. THE MOTION IS SPECIFICALLY TO RECOMMIT JUST THE BILL, AND NOT THE COMMITTEE REPORT? >> YES.
>> JUST THE BILL AND NOT THE COMMITTEE REPORT. >> RIGHT. THE RECOMMITTAL IS BILL 122, CD 1 (2024). >> CAN I HAVE CLARIFICATION FROM DAVID? CH THANK YOU, CHAIR. I THINK IT'S UP TO THE BODY. I MEAN THE COMMITTEE REPORT RECOMMENDED PASSAGE OF THE BILL AND IF THAT IS NOT THE BODY'S INTENT TODAY BECAUSE MORE WORK IS DESIRED IN COMMITTEE THEN RECOMMITTING THE BILL WOULD GET THE BILL BACK BEFORE BFED OR THE COMMITTEE REPORT OR BOTH. I DON'T THINK THERE'S REALLY A SUBSTANTIVE DIVISION BETWEEN THOSE ACTIONS.
>> WE'LL GET IT CORRECTED. >> DO YOU WANT TO STAY WITH THE MOTION TO RECOMMIT THE BILL ONLY AND NOT THE COMMITTEE REPORT? >> WE MAY END UP WITH A NEW COMMITTEE BILL. >> THAT IS WHAT I WAS THINKING, BUT WHO I AM? >> IT'S ONLY YOUR BILL. CORRECT. >> SO THE MOTION, MEMBERS IS TO RECOMMIT THE COMMITTEE REPORT 24-81. WHICH INCLUDES EVERYTHING.
>> YES. THANK YOU. >> ALL THOSE IN FAVOR OF THE MOTION. >> CHAIR? >> YES, REMEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. PROCEDURALLY, I AGREE WITH OUR CLERK'S RECOMMENDATION ON THE BILL BEING RECOMMITTED.
WE'RE NOT NECESSARILY RECOMMITTING THE COMMITTEE REPORT. I'M NOT EXACTLY SURE WHAT HAPPENS TO THE COMMITTEE REPORT? BECAUSE IT COMES WITH THE RECOMMENDATION, AND A SUMMARY OF THE DISCUSSION. IT WOULD SEEM THAT IF WE'RE GOING TO DO AWAY WITH THE

RECOMMENDATIONS OF THE COMMITTEE, OF THE BFED COMMITTEE AT THAT TIME, THAT THE COMMITTEE REPORT ITSELF WOULD JUST BE FILED, IF WE'RE JUST GOING TO HAVE A NEW COMMITTEE REPORT BECAUSE WE'RE RECOMMITTING THE BILL ITSELF. THE BILL IS WHAT WE'RE DISCUSSING WHEN IT GOES BACK TO COMMITTEE, NOT THE COMMITTEE REPORT. THE REPORT ITSELF IS JUST A SUMMARY OF THE DISCUSSION THAT WE HAD, AND HOW WE CAME TO THE CONCLUSION OF THE RECOMMENDATION THAT WE DID. >> CORRECT.\r\n\r\n>> SO VICE-CHAIR, >> SURE. >> WHAT WOULD YOU LIKE TO DO SO WE'RE GOING TO RECOMMIT THE BILL, AND WE'RE GOING END UP WITH PROBABLY A NEW COMMITTEE REPORT. >> AND FILE THIS COMMITTEE REPORT? >> YES, FILE THE REPORT. THANK YOU, KEANI. WE'LL FILE IT. >> OKAY.\r\n\r\nIS THAT OKAY WITH EVERYBODY? THE MOTION IS TO RECOMMIT THE BILL 122. AND FILE THE COMMITTEE REPORT. >> YES. >> ALL THOSE AND SECONDED BY MEMBER UU-HODGINS. ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE. >> SEVEN AYES, ZERO NOS, MOTION CARRIES.\r\n\r\nTWO EXCUSED. MEMBERS PALTIN AND KAMA. >> THANK YOU, MEMBERS. >> MS. CLERK. >> CHAIR, FROM THE GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE IS CR24-81 RECOMMENDING ADOPTION OF RESOLUTION 24-1035 CD 1 AUTHORIZING THE RETENTION OF ES& A, INC. A LAW CORPORATION AS SPECIAL COUNSEL FOR THE REPRESENTATION OF SCOTT MARTIN AND THE DEPARTMENT OF FIRE AND PUBLIC SAFETY IN CHELSIE EVANS INDIVIDUALLY AND AS THE PERSONAL REPRESENTATIVE OF THE ESTATE OF TRE' PU'UWAILA'AHIAOLOPAKAAMELEHUANANI EVANS-DUMARAN, DECEASED V. SCOTT MARTIN, ET AL.. CASE NO.\r\n\r\n2 CCV-24-0000034 FOR A TOTAL COMPENSATION NOT TO EXCEED \$50,000. >> CONGRATULATIONS, THAT IS QUITE A FEATS. MEMBER UU-HODGINS. >> THANK YOU, CHAIR, I MOVE TO ADOPT THE RECOMMENDATION IN CR24-82. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY MEMBER COOK TO ADOPT -- ATO APPROVE THE RECOMMENDATIONS IN COMMITTEE REPORT 24-82. DISCUSSION, MEMBER UU-HODGINS. >> THANK YOU, CHAIR. YOUR GREAT COMMITTEE MET AUGUST 20TH, 2024 TO DISCUSS RESOLUTION 24-105 AND RECEIVED AN OVERVIEW OF THE CLAIM FROM CORPORATION COUNSEL IN OPEN SESSION, AND EXECUTIVE SESSION WAS HELD, AND THEN CONVENED TO DISCUSS CONFIDENTIAL INFORMATION RELATED TO THE CLAIM AND EXPLAINED NARRATE OF CONFLICT OF INTEREST REQUIRING THE NECESSITY FOR SPECIAL COUNSEL APPOINTMENT. AFTER RECONVENING IN OPEN SESSION YOUR COMMITTEE AMENDED THE RESOLUTION TO INCORPORATE SEVERAL REVISIONS WHICH INCLUDE AN UPDATE TO THE TITLE AS CITATION TO THE LEGAL BASIS FOR SPECIAL COUNSEL, AUTHORIZATION, CLARIFICATION THAT THE NECESSITY FOR SPECIAL COUNSEL APPOINTMENT IS TO AVOID THE PRESENCE OR APPEARANCE OF CONFLICT OF INTEREST, RELATED TO THE REPRESENTATION OF THE DEFENDANT AND CLARIFYING SEVERAL PROVISIONS RELATED TO THE RESPONSIBILITIES OF SPECIAL COUNSEL. YOUR COMMITTEE VOTED 8-0 TO RECOMMEND ADOPTION OF RESOLUTION 20-105 AND CD 1 AND REMIND THE COUNCIL THAT WE ARE ALONE ARE AUTHORIZED TO RETAIN SPECIAL COUNSEL ADOPTED BY TWO-THIRDS VOTE IN ACCORDANCE REQUEST SECTION THE CHARTER AND AT THIS TIME I ASK FOR THE MEMBERS' FULL SUPPORT OF MY MOTION.\r\n\r\nTHANK YOU, CHAIR. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, PLEASE RAISE YOUR HAND, SAY AYE? >> AYE. >> SEVEN AYES ZEROS NO, TWO EXCUSED, MOTION CARRIES. EXCUSED ARE MEMBERS PALTIN AND KAMA, MS. CLERK.\r\n\r\n>> THANK YOU, MADAM CHAIR FROM THE GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE IS COMMITTEE REPORT 24-83 RECOMMENDING THE FOLLOWING: NO. 1 ADOPTION OF RESOLUTION 24-127 TO APPROVE FOR INCLUSION IN THE 2025 HAWAII STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE A PROPOSED STATE BILL TO ENCOURAGE THE PRODUCE OF COMPOST FOR: 1, REQUIRING THE STATE DEPARTMENT OF HEALTH TO ADOPT OR AMEND RULES TO ESTABLISH A CLASSIFICATION SYSTEM FOR COMPOSTING FACILITIES OR OPERATIONS FOR THE PURPOSE OF REGULATING THEM FOR HEALTH PURPOSES; AND 2, ALLOWING COMPOSTING AND CO-COMPOSTING IN THE AGRICULTURAL DISTRICT INCLUDING ON LANDS WITH CLASS A OR B SOIL. AND NO. 2, ADOPTION OF RESOLUTION 24-121 TO APPROVE FOR INCLUSION IN THE 2025 MAUI COUNTY COUNCIL LEGISLATIVE PACKAGE A PROPOSED STATE BILL TO ENCOURAGE THE PRODUCTION OF COMPOST BY: 1, REQUIRING THE STATE DEPARTMENT OF HEALTH TO ADOPT OR AMEND RULE TO ESTABLISH A CLASSIFICATION SYSTEM FOR COMPOSTING FACILITIES OR OPERATIONS FOR THE PURPOSE OF REGULATING THEM FOR HEALTH PURPOSES; AND 2, ALLOWING

COMPOSTING AND CO-COMPOSTING IN THE AGRICULTURAL DISTRICT, INCLUDING ON LANDS WITH CLASS A OR B SOILS. >> MEMBER UU-HODGINS. >> THANK YOU, CHAIR. IF THERE'S NO OBJECTIONS, MAY I PLEASE ASK THE CLERK TO CALL UP CR24-84 AND 24-85. >> ANY OBJECTIONS, MEMBERS.\r\n\r\n>> NO OBJECTIONS. MS. CLERK. >> THANK YOU, COMMITTEE REPORT 24-84 RECOMMENDING THE FOLLOWING: NO. 1, ADOPTION OF RESOLUTION 24-130 CD 1 TO APPROVE FOR INCLUSION IN THE 2025 HAWAII STATE ASSOCIATION OF COUNTIES' LEGISLATIVE PACKAGE A PROPOSED STATE BILL TO: 1, DEFINE THE PUBLIC TRUST PURPOSES OF THE COMMISSION ON WATER RESOURCE MANAGEMENT, AND REQUIRE THE COMMISSION IN ACTING UPON APPLICATIONS TO PRIORITIZE APPLICATIONS FOR PUBLIC TRUST PURPOSES; 2, ALLOWING COMMISSION TO RETAIN INDEPENDENT LEGAL COUNSEL; 3, REPEAL THE POSITION OF DEPUTY TO THE CHAIRPERSON OF THE COMMISSION AND ESTABLISH THE POSITION OF EXECUTIVE DIRECTOR OF THE COMMISSION; 4, AMEND THE COMPOSITION OF THE COMMISSION AND ADMINISTRATIVELY ATTACH TO DEPARTMENT OF LAND AND NATURAL RESOURCES; 5, AUTHORIZE ENTITIES TO CHALLENGE AN EMERGENCY ORDER OF THE COMMISSION UNDER CERTAIN CONDITIONS; 6, ESTABLISH FINES FOR CERTAIN WATER USE OFFENSES; AND 7, AMEND THE COMMISSION'S AUTHORITY TO DECLARE WATER EMERGENCIES AND ISSUE ORDERS TO ADDRESS THEM AND TO DECLARE WATER SHORTAGES AND RELATED NOTICE REQUIREMENTS. AND 2, ADOPTION OF RESOLUTION 24-131, CD 1 TO APPROVE FOR INCLUSION IN THE 2025 MAUI COUNTY COUNCIL LEGISLATIVE PACKAGE A PROPOSED STATE BILL TO: 1, DEFINE THE PUBLIC TRUST PURPOSES ON THE COMMISSION ON WATER RESOURCE MANAGEMENT AND REQUIRE THE COMMISSION IN ACTING UPON WATER USE APPLICATIONS TO PRIORITIZE APPLICATIONS FOR PUBLIC TRUST PURPOSES; 2, ALLOW THE COMMISSION TO RETAIN INDEPENDENT LEGAL COUNSEL; 3, REPEAL THE POSITION OF DEPUTY TO THE CHAIRPERSON OF THE COMMISSION, AND ESTABLISH THE POSITION OF EXECUTIVE DIRECTOR OF THE COMMISSION; 4, AMEND THE COMPOSITION OF THE COMMISSION AND ADMINISTRATIVELY ATTACH IT TO THE DLNR; 5, AUTHORIZE ENTITIES TO CHALLENGE AN EMERGENCY ORDER OF THE COMMISSION UNDER CERTAIN CONDITIONS; 6, ESTABLISH FINES FOR CERTAIN WATER USE OFFENSES; AND 7, AMEND THE COMMISSION'S AUTHORITY TO DECLARE WATER EMERGENCIES AND ISSUE ORDERS TO ADDRESS THEM AND DECLARE WATER SHORTAGES AND RELATED NOTICE REQUIREMENTS. >> AND COMMITTEE REPORT 24-85 RECOMMENDING THE FOLLOWING: 1 ADOPTION OF RESOLUTION 24-134 TO APPROVE FOR INCLUSION IN THE 2025 HAWAII STATE ASSOCIATION OF COUNTIES' LEGISLATIVE PACKAGE A PROPOSED STATE BILL TO ESTABLISH A DEFERRED RETIREMENT OPTION PROGRAM FOR POLICE AND TO PROVIDE A RETENTION TOOL FOR COUNTY POLICE DEPARTMENTS TO INCENTIVIZE QUALIFIED OFFICERS WHO ARE ELIGIBLE FOR RETIREMENT TO CONTINUE WORKING; AND 2, ADOPTION OF RESOLUTION 24-135 TO APPROVE FOR INCLUSION IN THE 2025 MAUI COUNTY COUNCIL LEGISLATIVE PACKAGE A PROPOSED STATE BAIL TO ESTABLISH A DEFERRED RETIREMENT OPTION PROGRAM FOR POLICE AND TO PROVIDE A RETENTION TOOL FOR COUNTY POLICE DEPARTMENTS TO INCENTIVIZE QUALIFIED OFFICERS WHO ARE ELIGIBLE FOR RETIREMENT TO CONTINUE WORKING.\r\n\r\n>> MEMBER UU-HODGINS. >> THANK YOU FOR READING THAT. I APPRECIATE YOU. I MOVE TO ADOPT THE RECOMMENDATIONS IN CR24-83, 24-85 AND 24-84, BECAUSE I SKIPPED OVER THAT IN NUMERICAL ORDER. >> SECOND. >> MEMBER COOK SECONDED THE MOTION. DISCUSSION, MEMBER UU-HODGINS.\r\n\r\n>> THANK YOU, CHAIR. THE RESOLUTIONS APPROVE FOR INCLUSION IN THE HAWAII STATE ASSOCIATION OF COUNTIES AND MAUI COUNTY LEGISLATIVE PACKAGES PROPOSED STATE BILLS RELATED TO DEFERRED RETIREMENT OPTION PROGRAM FOR POLICE AS READ BY THE CLERK. AGAIN, THANK YOU SO MUCH. YOUR COMMITTEE VOTED 9-0 TO RECOMMEND ADOPTION OF ALL OF THE RESOLUTIONS. COUNCIL'S DEADLINE TO SUBMIT PROPOSAL TO HSAC EXECUTIVE COMMITTEE FOR CONSIDERATION TO BE INCLUDED IN THE 2025 HSAC PACKAGE IS SEPTEMBER 30, 2024. AT THIS TIME I ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. THANK YOU, CHAIR. >> ANY MORE DISCUSSION?\r\n\r\nMEMBER SUGIMURA. >> I DON'T KNOW IF I SHOULD ASK FOR SEPARATION? I AM SUPPORTING 24-83, AND SUPPORTING 24-85, BUT NOT SUPPORTING 24-84. AS THE CLERK WAS READING THIS, I SHOULD HAVE ASKED FOR SEPARATION. THAT IS HOW I'M GOING TO BE VOTE, SO NOT YES ALL OR NO ALL, WHATEVER, WHICH IS NORMALLY WHY WE TAKE THINGS UP IN SEQUENCE, NEED YOUR GUIDANCE. >> WE COULD ASK MEMBER UU-HODGINS IF SHE DOESN'T MIND SEPARATING THEM? >> I DON'T MIND SEPARATING THEM. WE CAN TAKE UP 83 AND 85 AND

SEPARATE 84. >> ANY OBJECTIONS MEMBERS TO DOING THAT, THE MOTION NOW IS REALLY CR83 AND 85 AND SECOND BY MEMBER COOK.\r\n\r\nANY DISCUSSION ON THE MOTION? ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE. >> SEVEN AYES, ZERO NOS. MOTION CARRIES. TWO EXCUSED. MEMBERS KAMA AND PALTIN.\r\n\r\nAND NOW MEMBER UU-HODGINS. >> THANK YOU, CHAIR. I BELIEVE WE'RE GOING TO TAKE UP 24-84. I MOVE TO PASS 24-84. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY MEMBER COOK TO PASS -- APPROVE COMMITTEE REPORT 24-84, DISCUSSION? >> WE HAD THAT DISCUSSION EARLIER. I THINK THIS IS THE ONE ABOUT COMMISSION ON WATER RESOURCE MANAGEMENT IF YOU CAN REMEMBER YES. >> MEMBER VICE-CHAIR SUGIMURA. >> THANK YOU.\r\n\r\nI'M GOING TO BE VOTING NO ON THIS. I THINK IT'S A VERY IMPORTANT RECOMMENDATION AND NEEDS A LARGER DISCUSSION WITHIN THE LEGISLATURE. I DO NOT SUPPORT THIS AS-IS. AND SO THEREFORE, IF THIS COMES UP DURING LEGISLATIVE SESSION I WILL DO RESEARCH AND UNDERSTAND WHAT THE ISSUES ARE, ESPECIALLY SINCE THIS IMPACTED OUR WATER AVAILABILITY AND RESOURCES DURING THE WILDFIRE. SO I THINK THIS IS A VERY IMPORTANT LEGISLATION. SO THAT IS MY REASON. >> OKAY.\r\n\r\nLET'S HAVE ROLL CALL ON THIS, PLEASE. >> CHAIR? >> YOU HAVE DISCUSSION? MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. YES. I DO.\r\n\r\nI SUPPORT THE MOTION ON THE FLOOR. MAHALO TO OUR GREAT COMMITTEE CHAIR UU-HODGINS. AS MEMBER SUGIMURA STATED THIS IS AN IMPORTANT PIECE OF LEGISLATION. THIS IS LEGISLATION THAT MOVED IN THIS YEAR'S LEGISLATIVE SESSION, AND HAD A LOT OF STRONG SUPPORT BY OUR WATER ADVOCATES. WATER IS A PUBLIC TRUST RESOURCE. AND THE MORE WE CAN GIVE OUR COMMUNITY CONTROL OVER THE CORPORATIONS THAT CONTROL A LOT OF OUR WATER, I THINK, THE BETTER OFF OUR COMMUNITY AS A WHOLE WILL BE. I WANTED TO CORRECT THE RECORD REGARDING A STATEMENT THAT WAS SAID EARLIER ABOUT HOW THIS LEGISLATION AFFECTED THE WILDFIRES OF LAST YEAR.\r\n\r\nIT DID NOT. AND SO I JUST WANT THAT TO BE CORRECTED ON THE RECORD THAT THOSE COMMENTS SHOULD NOT BE STATED. IT WENT TO THE SUPREME COURT AND THE SUPREME COURT SHUT THOSE ARGUMENTS DOWN. THOSE ARE LIES. MAHALO, CHAIR. >> THANK YOU VICE-CHAIR SUGIMURA. >> MISUNDERSTANDING OF WHAT I SAID.\r\n\r\nI JUST SAID WATER IS A VERY IMPORTANT ISSUE FOR THE WILDFIRES AND SO THEREFORE, THAT IS ALL REALLY PART OF MANY SEGMENTS AS TO WHY I'M VOTING NO. THANK YOU. YOU DON'T HAVE TO TRY TO INTERPRET WHAT I WAS THINKING. >> MEMBER SINENCI. >> THANK YOU, CHAIR. I'M GOING TO SUPPORT THE MOTION ON THE FLOOR, AND I THINK IT IS A VERY IMPORTANT LEGISLATION. WE DID SEE, I THINK, BECAUSE OF, YOU KNOW, A LOT OF SPECULATIONS THAT HAPPENED AFTER THE FIRES.\r\n\r\nI MEAN, IT DEFINITELY POLARIZED OUR COMMUNITY, AND CREATED THIS WHOLE, YOU KNOW FACTIONS. IT CREATED FACTIONS WITHIN OUR COMMUNITY. SO I THINK THIS IS THE RIGHT STEP FORWARD. SO THAT THAT DOESN'T HAPPEN, AND WE PROTECT OUR STATE AGENCIES, CHAIR. THANK YOU. >> OKAY. ANY MORE DISCUSSION?\r\n\r\n>> CHAIR? >> YES, MEMBER RAWLINS-FERNANDEZ. >> MAHALO CHAIR. I WANT CLARIFY AND PROVIDE A LITTLE MORE DETAIL ON MY COMMENTS EARLIER. DLNR AND A&B TRIED TO CLAIM THAT THE COUNTY HAD INSUFFICIENT WATER TO FIGHT THE FIRE UP COUNTRY AND THEY TOOK THAT CLAIM TO THE SUPREME COURT, AND THE SUPREME COURT ASKED IF THEY HAD CHECKED WITH THE BOARD OF WATER SUPPLY -- SORRY, NOT THE BOARD OF WATER SUPPLY, BUT THE FIRE DEPARTMENT TO SEE IF THOSE CLAIMS WERE TRUE? OUR COUNTY ATTORNEYS SAID THOSE CLAIMS WERE NOT TRUE AT ALL. IT WAS SUCH AN EMBARRASSMENT THAT THEY DARED TO MAKE THOSE CLAIMS IN PUBLIC.\r\n\r\nSO EMBARRASSING. AND THEN FOR WEST MAUI, TO PIN THOSE LIES ON INSUFFICIENT WATER TO FIGHT THE FIRES IN LAHAINA ON THE DEPUTY, WHEN THAT WAS THEN PROVEN TO BE UNTRUE, AGAIN, THESE ARE ALL LIES. WE CANNOT KEEP REPEATING THAT. THAT RECORD NEEDS TO BE MADE SURE TO BE CLEAR, AND TRUTHFUL. MAHALO, CHAIR. >> THANK YOU. I JUST WAS TRYING TO RECALL MEMBER UU-HODGINS IF WE HAD A ROBUST DISCUSSION ON THIS? \r\n\r\nBECAUSE I DON'T REMEMBER HAVING -- MAYBE I HAD TO LEAVE THE MEETING OR SOMETHING. BUT I DON'T RECALL GOING OVER ALL OF THESE RATHER IMPORTANT, YOU KNOW, POINTS WITHIN 24-130. SO YOU HAD IN YOUR COMMITTEE A LOT OF DISCUSSION ON THESE? >> WE HAD SOME DISCUSSION, CHAIR. WE HAD A FEW TESTIFIERS. THIS WAS MEMBER PALTIN'S BILL AND SHE ARGUED WELL FOR IT. I'M PRETTY SURE WE WERE ALL THERE, BUT AGAIN, WE HAD A LOT IN MY COMMITTEE SO I CAN'T SPECIFICALLY RECALL THIS ONE. I DEFINITELY REMEMBER HAVING

THIS DISCUSSION.\r\n\r\nSO I WANT TO SAY MS. LUWAI WAS ONE OF OUR TESTIFIERS AND MEMBER PALTIN AS WELL OBVIOUSLY ARGUED FOR HER POINT. >> LUWAI FROM THE BIG ISLAND? >> NO, HERE. >> WHICH LUWAI? >> I COULDN'T TELL YOU HER FIRST NAME, BUT HER UNCLE IS MY COACH. SO THAT NAME.\r\n\r\n>> I FACILITATED THAT CONVERSATION, BUT I CAN'T TELL YOU EXACTLY WHAT WAS SAID. >> IT SEEMS VAGUE TO ME, EITHER I WAS THERE -- PART OF THE MEETING. I HAD SOME ISSUES WITH IT, NOT ALL, BUT I THINK THIS TYPE OF LEGISLATION REQUIRES A LOT MORE DISCUSSION. ALL RIGHT. ROLL CALL. >> PRO TEMPORE TASHA KAMA. >> EXCUSED.\r\n\r\n>> VICE-CHAIR SUGIMURA? >> NO. >> COUNCIL MEMBER PALTIN? >> EXCUSED. >> COUNCIL MEMBER JOHNSON? >> AYE. >> COUNCIL MEMBER RAWLINS-FERNANDEZ?\r\n\r\n>> AYE. >> COUNCIL MEMBER COOK? >> AYE WITH RESERVATIONS. >> COUNCIL MEMBER UU-HODGINS? >> AYE. >> COUNCIL MEMBER SINENCI? >> COUNCIL CHAIR LEE?\r\n\r\n>> NO. >> CHAIR, THERE ARE FIVE AYES, TWO NOS, TWO EXCUSED. MOTION PASSES. >> OKAY, RECEIPT. >> MOVING ON TO THE LAST COMMITTEE REPORT, COMMITTEE REPORT 24-85 RECOMMENDING THE FOLLOWING NO. 1 -- SORRY. 86. EXCUSE ME.\r\n\r\nCOMMITTEE REPORT 24-86 RECOMMENDING THE FOLLOWING: FIRST READING OF BILL 27 CD 2 12-TO GRANT A CHANGE IN ZONING FROM AGRICULTURAL AND INTERIM DISTRICTS TO M-1 LIGHT INDUSTRIAL AND M-2 HEAVY INDUSTRIAL DISTRICTS RESPECTIVELY CONDITIONAL ZONING FOR A 200-ACRE PORTION OF A 16,337.6-ACRE PARCEL IDENTIFIED FOR REAL PROPERTY TAX PURPOSES AS TAX MAP KEY 2-4-9-002:061 LANA'I CITY, LANA'I, HAWAII TO ALLOW FOR DEVELOPMENT OF MIKI 200 INDUSTRIAL PARK AND 2, RECORDATION OF THE UNILATERAL AGREEMENT. >> MEMBER COOK. >> I MOVE TO ADOPT THE RECOMMENDATION IN COMMITTEE REPORT 24-86. >> SECOND. >> MOVED BY MEMBER COOK, SECONDED BY VICE-CHAIR SUGIMURA TO APPROVE COMMITTEE REPORT 24-86. DISCUSSION? MEMBER COOK? >> THIS BILL CONCERNS A CHANGE IN ZONING TO M-1 LIGHT INDUSTRIAL AND M-2 HEAVY INDUSTRIAL FOR A 200-ACRE PEARL IN LANA'I CITY FOR THE MIKI 200 INDUSTRIAL PARK. THE CHANGE IN ZONING WILL ALLOW FOR THE RELOCATION OF A CONCRETE CRUSHING FACILITY, AND THE INTRODUCTION OF OTHER ALLOWABLE USES ON PARCEL, SUCH AS RENEWABLE ENERGY PROJECTS, A SLAUGHTERHOUSE, WAREHOUSE SPACE FOR COLD STORAGE AND AUTOMOTIVE SERVICES.\r\n\r\nYOUR COMMITTEE ORIGINALLY RECOMMENDED APPROVAL OF THE BILL IN THE MEETING IN MARCH, BUT AFTER THE MEETING INADVERTENT ERRORS WERE IDENTIFIED IN CONDITIONS 4 AND 5 OF THE BILL. WHERE THE NOTED RECIPIENT FOR CERTAIN REPORTS WAS THE STATE LAND USE COMMISSION INSTEAD OF THE LANA'I PLANNING COMMISSION. AT ITS MEETING OF AUGUST 7, 2024, YOUR COMMITTEE DISCUSSED AND AGREED WITH THE NEED FOR THE CONDITIONS AND ULTIMATELY VOTE 9-0 TO RECOMMEND PASSAGE OF BILL 27, CD 2 (2024) FIRST READING. I ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVORITE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE.\r\n\r\n>> SEVEN AYES, ZEROS NO, MOTION CARRIES. EXCUSED WITH MEMBERS KAMA AND PALTIN. NEXT. >> CHAIR MOVING TO RESOLUTIONS AND AT THIS TIME INDIVIDUALS MY TESTIFY ON THE RESOLUTIONS LISTED IN SECTION L. CURRENTLY WE HAVE ONLY ONE TESTIFIER AND THAT IS J.C. LAU TESTIFYING ON RESOLUTION 24-157. >> GOOD MORNING ALICE. THE LAST SENTENCE ON RESOLUTION 24-157 ONLY AGENDAS IT FOR LANDFILL EXPANSION PURPOSES. I BELIEVE THAT IS TYPO. IT SHOULD SAY FOR LAND KILL EXPANSION PURPOSES.\r\n\r\n>> THANK YOU VERY MUCH. >> CHAIR, THERE'S CURRENTLY NO ONE ELSE SIGNED UP TO TESTIFY. THIS IS LAST CALL. IF YOU WOULD LIKE TO TESTIFY ON RESOLUTIONS THIS IS YOUR OPPORTUNITY. IN YOU ARE IN CHAMBERS, PLEASE MAKE YOUR WAY TO THE PODIUM. IF YOU ARE ONLINE, PLEASE RAISE YOUR HAND. AGAIN, LAST CALL.\r\n\r\nCOUNTDOWN IS 3, 2, 1. CHAIR, THERE'S NO ONE INDICATING A DESIRE TO TESTIFY >> MEMBERS, ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY ON THIS ITEM? OKAY. THIS SECTION. SO ORDERED MS. CLERK. >> CHAIR, BEFORE YOU IS RESOLUTION 24-137 AUTHORIZING SETTLEMENT OF LLOYD ADAMS, ET AL. V. TIMOTHY FORSBERG, ET AL., V. MAUI POLICE DEPARTMENT AND ANTHONY BUCHANAN CIVIL NO.\r\n\r\n2CC-16-1-0000162. >> MEMBER UU-HODGINS. >> THANK YOU, CHAIR. BEFORE WE BEGIN, ONE MAJORITY OF THE RESOLUTIONS ARE MINE, AND AFTER THIS ONE, DO YOU MIND IF WE TAKE A QUICK BIO-BREAK, BUT I'M HAPPY TO DO THIS ONE FIRST? >> OKAY. >> THANK YOU. I MOVE TO DISCHARGE THE GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE FROM FURTHER CONSIDERATION OF RESOLUTION 24-137 UNDER RULE 5E OF RULES OF THE COUNCIL. >> ANY -- WELL, MOVED BY MEMBER UU-HODGINS,

SECONDED BY MEMBER COOK TO DISCHARGE THIS ITEM.\r\n\r\nAND ANY MORE DISCUSSION ON THAT? >> SURE. THE GREAT COMMITTEE MET TO DISCUSS THIS RESOLUTION ON SEPTEMBER 10TH, 2024, JUST A FEW DAYS AGO AND HEARD FROM THE DEPARTMENT OF CORPORATION COUNSEL THAT THIS IS A TIME-SENSITIVE MATTER. SO I MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT FOR RESOLUTION 24-137 UNDER RULE 7G OF THE RULES OF THE COUNCIL AS WELL. >> SO WE'RE DISCUSSING RULE 5E AND RULE 7G. >> YES. >> THAT IS PART OF THE MOTION. ANY MORE DISCUSSION?\r\n\r\nTHIS IS ON THE WAIVERS. RAISE YOUR HAND, SAY AYE? >> AYE. >> SEVEN AYES, ZEROS NO, MOTION CARRIES. EXCUSED ARE MEMBERS PALTIN AND KAMA. BACK TO MEMBER UU-HODGINS. >> THANK YOU, I MOVE TO ADOPT RESOLUTION 24-137. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY MEMBER SINENCI TO ADOPT RESOLUTION 24-137. DISCUSSION?\r\n\r\nMEMBER UU-HODGINS? >> THANK YOU. RESOLUTION 24-138'S PURPOSE IS TO AUTHORIZE SETTLEMENT OF THE CLAIM FILED ON MARCH 30TH 2016 THE CLAIM A.G. EDWARDS NEGLIGENT FROM A MOTOR VEHICLE VERSUS PEDESTRIAN ACCIDENT THAT OCCURRED MARCH 26, 2005 IN MOLOKA'I, HAWAII. AND SEPTEMBER 10TH MEETING YOUR GREAT COMMITTEE RECEIVED AN OVERVIEW OF THE CLAIMS FROM DEPUTY CORPORATION COUNSEL PASQUAL IN OPEN SESSION AND CONVENED IN EXECUTIVE SESSION TO CONSULT WITH AND DELIBERATE ON THE MATTERS REQUIRING THE CONSIDERATION OF CONFIDENTIAL INFORMATION. AND AT THIS TIME I RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. THANK YOU, CHAIR. >> ANY MORE DISCUSSION? MEMBER SUGIMURA.\r\n\r\n>> ROLL CALL, PLEASE. >> ROLL CALL. ANY MORE DISCUSSION? ROLL CALL, MS. CLERK. >> PRO TEMPORE TASHA KAMA. >> EXCUSED.\r\n\r\n>> VICE-CHAIR SUGIMURA? >> NO. >> COUNCIL MEMBER PALTIN? >> EXCUSED. >> COUNCIL MEMBER JOHNSON? >> AYE. >> COUNCIL MEMBER KEANI RAWLINS-FERNANDEZ?\r\n\r\n>> AYE. >> COUNCIL MEMBER COOK? >> AYE. >> COUNCIL MEMBER UU-HODGINS? >> AYE. >> COUNCIL MEMBER SINENCI? >> AYE.\r\n\r\n>> CHAIR LEE? >> AYE. >> CHAIR, THERE ARE SIX AYES, ONE NO, TWO EXCUSED. MOTION CARRIED. >> EXCUSED ARE MEMBERS PALTIN AND PRO TEM KAMA. AND NOW MEMBERS, LET'S TAKE A BREAK TO 10:35. RECESS. [GAVEL] [GAVEL] >> WILL THE COUNCIL MEETING OF SEPTEMBER 13TH, 2024 PLEASE RECONVENE.\r\n\r\nMS. CLERK. >> THANK YOU, MADAM CHAIR. RESUMING WITH RESOLUTIONS. BEFORE YOU IS RESOLUTION 24-144 APPOINTMENT OF MEMBERS TO THE BOARD OF WATER SUPPLY FOR THE COUNTY OF MAUI. >> MEMBER UU-HODGINS. >> THANK YOU, CHAIR.\r\n\r\nIF THERE ARE NO OBJECTIONS MAY I PLEASE ASK THE CLERK TO CALL UP RESOLUTIONS 24-146, 24-147, 4-149, AND 24-152. >> ARE YOU SKIPPING OVER 150? >> YES, BECAUSE THAT ONE -- SHE PULLED HER NAME. >> OH, OKAY. NO OBJECTIONS, MEMBERS TO PULLING UP ALL OF THESE AT THE SAME TIME. MS. CLERK. >> THANK YOU, MADAM CHAIR. RESOLUTION 24-146 APPOINTMENT OF MEMBERS TO THE COST OF GOVERNMENT COMMISSION FOR THE COUNTY OF MAUI.\r\n\r\nRESOLUTION 24-147 APPOINTMENT OF MEMBERS TO THE FIRE AND PUBLIC SAFETY COMMISSION FOR THE COUNTY OF MAUI. RESOLUTION 24-149, APPOINTMENT OF A MEMBER TO THE MAUI PLANNING COMMISSION FOR THE COUNTY OF MAUI. AND RESOLUTION 24-152 APPOINTMENT OF MEMBERS TO THE PUBLIC WORKS COMMISSION FOR THE COUNTY OF MAUI. >> MEMBER UU-HODGINS. >> THANK YOU, CHAIR. I MOVE TO DISCHARGE THE GREAT COMMITTEE FROM FURTHER CONSIDERATION OF RESOLUTIONS 24-144, 24-146, 24-147, 24-149, AND 24-152. UNDER RULE 5E OF RULES OF COUNCIL. >> SECOND.\r\n\r\nMOVED BY MEMBER UU-HODGINS. SECONDED BY VICE-CHAIR SUGIMURA TO DISCHARGE THIS ITEM FROM THE COMMITTEE. RULE 5E AND WAIVE RULE 7G. >> YES, ALSO 7G. PERFECT. >> OKAY. SO DISCUSSION ON THESE WAIVERS? >> IT IS TIME-SENSITIVE. WE MET ON SEPTEMBER 10TH, 2024 AND THE COUNTY COUNCIL'S DEADLINE TO APPROVE NOMINATIONS ARE SEPTEMBER 18, 2024. >> ANY MORE DISCUSSION ON THE WAIVERS?\r\n\r\nIF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE. >> SEVEN AYES, ZEROS NO, MOTION CARRIES. EXCUSED ARE PRO TEM KAMA AND MEMBER PALTIN. MEMBER UU-HODGINS. >> THANK YOU, CHAIR. I MOVE TO ADOPT RESOLUTIONS 24-144, 24-146, 24-147, 24-149, AND 24-152. >> MOVED BY MEMBER UU-HODGINS AND SECOND BY MEMBER SINENCI TO ADOPT RESOLUTIONS 24-144, 146, 147, 149 AND 152. DISCUSSION, MEMBER UU-HODGINS?\r\n\r\n>> THANK YOU, CHAIR. I MOVE TO AMEND RESOLUTION 24-144, 24-146, 4-147, 24-149, AND 24-152 TO MOVE THE FOLLOWING NAMES TO EXHIBIT B FOR APPROVAL ON THE RESPECTIVE RESOLUTIONS: JAKE DYLAN MUSSON AND UMIALILOA HARDING TO THE BOARD OF WATER SUPPLY. LEE ALLEN CHAMBERLAIN AND KEVIN BLAIR SPELLMAN TO THE COST OF GOVERNMENT COMMISSION AND

LIONEL MONTALVO TO THE FIRE AND PUBLIC SAFETY COMMISSION. BRIAN THOMAS WARD TO THE MAUI ADMINISTRATIVE CODE AND THE HAWAIIAN LANGUAGE -- TO THE PUBLIC WORKS COMMISSION. >> SECOND. MOVED BY MEMBER UU-HODGINS AND SECONDED BY MEMBER COOK TO APPROVE WHAT SHE READ MOVING THOSE PEOPLE TO EXHIBIT B. OKAY, ANY MORE DISCUSSION ON THAT? >> AS MENTIONED IN YOUR GREAT COMMITTEE, WE MET ON SEPTEMBER 10TH TO DISCUSS THE RESOLUTIONS AND INTERVIEW THE NOMINEES. I FEEL LIKE WE HAVE GREAT NOMINEES WHO WILL BE ASSETS TO THE RESPECTIVE BOARDS AND COMMISSIONS AND ASK FOR THE MEMBERS SUPPORT OF MY MOTION. THERE'S A COUPLE OF THINGS THAT I WOULD LIKE TO ADD BEFORE WE CONTINUE DISCUSSION. MR. HARDING WHEN WE MET HIM THE OTHER DAY HAS RECEIVED NEW EMPLOYMENT OPPORTUNITIES. SO UNFORTUNATELY HE WILL BE LEAVING OUR COUNTY AND TAKING HIS EXPERTISE WITH HIM, BUT HOPEFULLY, WE CAN RETAIN HIM ON THE BOARD OF WATER SUPPLY AND CONTINUE TO HAVE FULL BENEFITS OF HIS EXPERTISE. I DO KNOW THAT WE DISCUSSED POTENTIAL BOARD OF ETHICS, WHICH HE WILL GO TO. HE IS WITH COUNTY FOR ANOTHER, I THINK WEEK-AND-A-HALF NEARLY TWO WEEKS AND THAT WILL ELIMINATE ANY CONFLICT ON HIS END. I KNOW THAT WAS A QUESTION THAT WE HAD. AGAIN HE IS UNFORTUNATELY LEAVING THE COUNTY AND YET STILL FINDING A WAY TO PARTICIPATE. >> SO WE DIDN'T MOVE HIS NAME TO EXHIBIT B. >> WE DID OH, WE DID. >> WE DID MOVE HIS NAME TO EXHIBIT B. NEW BUT IN COMMITTEE HE IS EMPLOYED BY THE COUNTY. HE SO CURRENTLY EMPLOYED BY THE COUNTY OF MAUI. HOWEVER, WITHIN THE NEXT TWO WEEKS HE WILL BE LEAVING THE COUNTY OF MAUI AND THAT SHOULD ELIMINATE ANY CONCERNS FOR ETHICS. HIS EXPERTISE IS LEAVING HIM AS HE LEARNED HE STUDIES DATA FOR OUR WATER. SO AT LEAST IT WILL BE BENEFICIAL TO OUR BOARD OF WATER SUPPLY. >> THAT IS THE ONLY DISCUSSION YOU HAVE? >> BESIDES EVERYTHING ELSE I JUST SAID, YES. >> ALL RIGHT. ANY MORE DISCUSSION, MEMBERS? ON ANY OF THE NOMINEES? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND AND SAY AYE? >> SERV AYES, ZERO NOS, MOTION CARRIES. EXCUSED ARE PRO TEM KAMA, AND MEMBER PALTIN. MEMBER UU-HODGINS. >> THANK YOU, CHAIR, WE'RE GOING TO HAVE THE CLERK CALL UP RESO 24-150. >> OKAY. >> WE JUST NEED TO GO BACK TO THE MAIN MOTION AS AMENDED. >> MAIN MOTION AS AMENDED THEN. I HAVE FURTHER DISCUSSION. MEMBERS THANK YOU AFTER WE DO 150 THIS IS PART OF THE MASS NOMINATIONS SOMETHING WE HAVE BEEN WORK ON ALL YEAR AND I REALLY APPRECIATE YOUR PATIENCE AND WILLINGNESS TO WORK WITH US, WITH COREY AND WITH THE SEVERAL NOMINEES. SO THAT THEY CAN CONTINUE TO SERVE OUR COUNTY. THANK YOU, CHAIR. >> ANY MORE DISCUSSION? ANYONE? ALL RIGHT. THE MAIN MOTION AS AMENDED. RAISE YOUR HAND, SAY AYE. SEVEN AYES, ZERO NOS, MOTION CARRIES, EXCUSED ARE PRO TEM KAMA AND MEMBER PALTIN. MS. CLERK. >> THANK YOU, MADAM CHAIR. CALLING UP RESOLUTION 24-150 APPOINTMENT OF A MEMBER TO THE MAUI REDEVELOPMENT AGENCY FOR THE COUNTY OF MAUI. >> MEMBER UU-HODGINS. >> THANK YOU, CHAIR. I MOVE TO DISCHARGE THE GOVERNMENT RELATIONS, ETHICS, AND TRANSPARENCY COMMITTEE FROM FURTHER CONSIDERATION OF RESOLUTION 24-150 UNDER RULE 5E OF RULES OF COUNCIL. >> SECOND. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY MEMBER SINENCI TO DISCHARGE THIS ITEM FROM THE COMMITTEE UNDER RULE 5E. 5E. AND SO NOW WE HAVE DISCUSSION. MEMBER UU-HODGINS. >> YES, THANK YOU, CHAIR. THE COMMITTEE MET TO DISCUSS RESOLUTIONS ON SEPTEMBER 10TH, AGAIN, 2024 THE COUNCIL'S DEADLINE TO APPROVE IS ON THE 18TH. AND IF WE COULD DO WHAT WE DID THE LAST FEW TIMES I ALSO MOVE TO WAIVE THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT FOR THIS RESOLUTION 24-150 UNDER RULE 7G OF THE RULES OF THE COUNCIL. >> OKAY. SO YOU ARE INCLUDING THAT IN THE ORIGINAL, OR YOU ARE MAKING AN AMENDMENT? >> NO AMENDMENT. BUT WE HAVE BEEN VOTING ON BOTH RULE 5E AND 7G AND IT'S NEARLY THE SAME THING AS THE SEPTEMBER 18TH DEADLINE. >> MEMBERS, INCLUDED IN THE MAIN MOTION. IS THE IDEA IS TO DISCHARGE AND ALSO WAIVE RULE 7G. >> YES. >> ALL RIGHT, ANY MORE DISCUSSION ON THAT? IF NOT, ALL THOSE IN FAVOR OF THE WAIVER, RAISE YOUR HAND, SAY AYE? >> AYE. >> SEVEN AYES, ZERO NOS, MOTION CARRIES. TWO EXCUSED, MEMBERS PALTIN AND PRO TEM KAMA. MEMBER UU-HODGINS. >> THANK YOU, CHAIR. MOVE TO ADOPT RESOLUTION 4-150. >> SECOND. >> MOVED BY MEMBER UU-HODGINS. SECONDED BY MEMBER SINENCI TO ADOPT RESOLUTION 24-150. DISCUSSION? MEMBER UU-HODGINS? >> THANK YOU. I

MOVE TO AMEND RESOLUTION 24-150 TO MOVE CHELLSIE KYAW TO EXHIBIT C FOR DISAPPROVAL.
>> OKAY.\r\n\r\nMEMBER -- MOVED BY MEMBER UU-HODGINS, SECONDED BY MEMBER JOHNSON TO
WHAT IS THE PERSON'S NAME. >> CHELSEA KAU. >> TO EXHIBIT C. >> YES. >> ANY DISCUSSION ON
THAT? >> YES, ON SEPTEMBER 10TH THE COUNCIL RECEIVED NOTIFICATION THAT MS. KAU WAS
WITHDRAWING HER NAME FOR CONSIDERATION TO THE MAUI REDEVELOPMENT AGENCY. WHILE
SECTION 2.41.060 MAUI COUNTY CODE NOTES UPON RECEIPT OF NOTIFICATION OF A NOMINEE'S
WITHDRAWAL THE COUNCIL SHALL NOT WHY THE NOMINATION AND THE CHARTER PREVAILS
OVER THE CODE.\r\n\r\nCAN YOU STILL HEAR ME? THE CHARTER NOTES NOMINATIONS ARE
APPROVED THAT THE COUNCIL -- DISAPPROVING THIS BY DEADLINE AND THEREFORE THIS
MOTION IS OUT OF AN ABUNDANCE OF CAUTION AND NOT BECAUSE WE DON'T THINK SHE IS
FANTASTIC, BUT THAT SHE REMOVED HER CONSIDERATION. SO I ASK FOR MEMBERS' SUPPORT OF
MY MOTION. THANK YOU, CHAIR. >> ANY MORE DISCUSSION? IF NOT, ALL THOSE IF FAVOR OF THE
MOTION RAISE YOUR HAND, SAY AYE. SEVEN AYES, ZERO NOS, MOTION CARRIES.\r\n\r\nTWO
EXCUSED ARE MEMBERS PALTIN AND KAMA. MEMBER UU-HODGINS, DO YOU HAVE ANY MORE?
THAT WAS IT; RIGHT? >> THAT IS IT FOR NOW. >> OKAY. SO WE HAVE THE NEXT ITEM, MS.
CLERK.\r\n\r\n>> THANK YOU, WE JUST NEED TO VOTE ON THE MAIN MOTION AS AMENDED. >> OH,
OKAY. STILL YOU. YES. OKAY. THE MAIN MOTION AS AMENDED. ANY MORE DISCUSSION?\r\n\r\nALL
THOSE IN FAVOR, RAISE YOUR HAND, SAY AYE? >> AYE. >> SEVEN AYES, ZERO NOS, MOTION
CARRIES. TWO EXCUSED. PRO TEM KAMA, AND ALSO MEMBER PALTIN. MS. CLERK.\r\n\r\n>> THANK
YOU, MADAM CHAIR. FOR REFERRAL TO THE WATER AND INFRASTRUCTURE COMMITTEE IS
RESOLUTION 24-157 ACCEPTING LAND SET ASIDE BY THE GOVERNOR OF THE STATE OF HAWAII IN
EXECUTIVE ORDER NO. 4708 TAX MAP KEY NO. 2-1-3-006:017 CONTAINING AN AREA OF 45.415 ACRES
FOR LANDFILL EXPANSION PURPOSES. >> MEMBERS ANY OBJECTIONS TO REFERRAL OF THIS
RESOLUTION TO THE WAI COMMITTEE? >> NO OBJECTIONS. >> SO ORDERED.\r\n\r\nMS. CLERK. >>
BEFORE YOU IS RESOLUTION 24-158 APPROVING THE HAWAII STATE ASSOCIATION OF COUNTIES
EXECUTIVE COMMITTEE'S NOMINATIONS TO THE NATIONAL ASSOCIATION OF COUNTIES AND
WESTERN INTERSTATE REGION BOARD OF DIRECTORS FOR THE 2024-2025 TERM. >> MEMBER
SINENCI. >> THAT IS ACTUALLY ME, CHAIR. >> OKAY. >> BECAUSE I MISS TALKING.\r\n\r\n>> FROM
MY NOTES IT SAYS MEMBER PALTIN AND SHE IS NOT HERE. MEMBER UU-HODGINS. >> I WILL
HAPPILY NOMINATE MEMBER SINENCI. SO I WILL MOVE TO ADOPT RESOLUTION 24-158. >>
SECOND. >> MOVED BY MEMBER UU-HODGINS, SECONDED BY MEMBER SINENCI TO ADOPT
RESOLUTION 24-158. DISCUSSION MEMBER UU-HODGINS. >> THANK YOU. THE HSAC COMMITTEE
WOULD LIKE TO TAKE UP THIS MATTER AT THEIR NEXT MEETING SEPTEMBER 20TH.\r\n\r\nSO WE
HAVE TO VOTE TODAY. SO THEY CAN DO THAT NEXT WEEK FRIDAY, AND I RESPECTFULLY ASK
FOR THE MEMBERS' SUPPORT OF MY MOTION. THANK YOU, CHAIR. >> ANY MORE DISCUSSION? IF
NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE. SEVEN AYES, ZEROS NO,
MOTION CARRIES. TWO EXCUSED PRO TEM KAMA AND MEMBER PALTIN.\r\n\r\nMS. CLERK. >>
THANK YOU, CHAIR. BEFORE YOU IS RESOLUTION 24-159 AMENDING RULE 22 OF THE RULES OF THE
COUNCIL TO CLARIFY END OF TERM FILING AND REFERRAL PROCEDURES >> MEMBER UU-
HODGINS. >> THANK YOU SO MUCH CHAIR, I MOVE TO ADOPT RESOLUTION 24-159. >> MOVED BY
MEMBER UU-HODGINS AND SECONDED BY MEMBER SINENCI TO ADOPT RESOLUTION 24-159,
DISCUSSION, MEMBER UU-HODGINS. >> THANK YOU, MEMBER THE PURPOSE IS TO AMEND RULE 22
OF RULES COUNCIL THE TO CLAIR THE END OF THE TERM FILING AND REFERRAL PROCEDURES
FOR COMMUNICATIONS PENDING IN COMMITTEE. UNDER THE COUNCIL'S PRACTICES, THIS TERM,
BILL AND RESOLUTIONS ARE PENDING IN COMMITTEE, BUT NOT COMMUNICATIONS; THEREFORE IN
ORDER TO PROVIDE EFFICIENCY AND CLARITY RELATING TO COUNCIL BUSINESS THE
AMENDMENT -- AN AMENDMENT TO RULE 22 IS NEEDED WHICH REPLACES REFERENCES TO
COMMUNICATION WITH THAT OF BILLS AND RESOLUTIONS.\r\n\r\nTHANK YOU, MEMBERS. I ASK
FOR YOUR SUPPORT IN THIS MOTION. THANK YOU, CHAIR. >> ANY MORE DISCUSSION? ALL THOSE
IN FAVORITE MOTION, RAISE YOUR HAND, SAY AYE? >> SEVEN AYES, ZERO NOS, MOTION CARRIES.
EXCUSED ARE PRO TEM KAMA AND MEMBER KAMA, MS.\r\n\r\nCLERK. >> CHAIR, MOVING TO
ORDINANCES UNDER SECTION M. AT THIS TIME ANYONE WHO WOULD LIKE TO TESTIFY ON THE
BILLS LISTED IN SECTION M, PLEASE LET US KNOW. THERE'S NO ONE CURRENTLY SIGNED UP. IF
YOU WOULD LIKE TO TESTIFY AND ARE ONLINE, PLEASE RAISE YOUR HAND. AGAIN THIS IS LAST

CALL. COUNTDOWN IS 3, 2, 1. CHAIR, THERE'S NO ONE INDICATING A DESIRE TO TESTIFY. >> ANY OBJECTIONS TO CLOSING PUBLIC TESTIMONY AND ACCEPTING WRITTEN TESTIMONY ON UNDER M? SO ORDERED.\r\n\r\nMS. CLERK. >> CHAIR, FOR THE REFERRAL TO WATER AND INFRASTRUCTURE COMMITTEE IS BILL 24-129 (2024) A BILL FOR AN ORDINANCE AMENDING CHAPTER 2.60 MAUI COUNTY CODE ON REPORTS OF CIVIL FINE AND BILL 130 (2024) A BILL FOR AN ORDINANCE AMENDING SECTION 14.07.900 MAUI COUNTY CODE TO ALLOW THE DIRECTOR OF WATER SUPPLY TO ADMINISTRATIVELY EXTEND WATER METER RESERVATIONS IN LIMITED CIRCUMSTANCES BASED ON SPECIFIC FINDINGS. >> ANY OBJECTIONS TO REFERRING THESE TWO ITEMS TO THE WAI COMMITTEE? >> NO OBJECTIONS. >> SO ORDERED. MS.\r\n\r\nCLERK >> CHAIR, FOR REFERRAL TO THE WATER AUTHORITY, SOCIAL SERVICES, AND PARKS COMMITTEE IS BILL 31 (2024) A BILL FOR AN ORDINANCE SECTION 2.50.050 MAUI COUNTY CODE RELATING TO PESTICIDE AND FERTILIZER USE ON COUNTY PROPERTY. >> MEMBERS, ANY OBJECTIONS TO REFERRING THIS MATTER TO THE WASSAP COMMITTEE? >> CHAIR. >> YES, MEMBER JOHNSON. >> LOOKING AT MY CALENDAR, I CAN DO THIS ON SEPTEMBER 26TH AT 1:30 ON MY REGULAR ADEPT CALENDAR. COUNCIL MEMBER SINENCI, I THINK I COULD HAVE IT A LITTLE FASTER THAN YOURS? I DON'T KNOW HOW BUSY YOUR COMMITTEE IS, BUT I WOULD BE MORE THAN HAPPY TO TAKE IT UP IN MY COMMITTEE.\r\n\r\n>> I DID SAY, BECAUSE OF OUR CANCELATION, CHAIR, LAST BUSEY WEEK MONDAY, WE'RE KIND OF BACKED UP. SO I WOULDN'T BE ABLE TO HEAR IT UNTIL LATER ON IN OCTOBER. >> OH. OKAY YOU PREFER IT GO TO THE ADEPT COMMITTEE? >> I KNOW MEMBER JOHNSON DID SPEAK WITH DEPUTY THAT HE WAS GOING TO HAVE A PRESENTATION. IN COMMITTEE. >> I SPOKE WITH THE DIRECTOR PAT MCCAUL WITH THIS ISSUE AND I THINK THAT WOULD LINER A LITTLE SOONER RATHER THAN LATER, DEPENDING ON HIS CALENDAR VERSUS MINE.\r\n\r\n>> IS THAT FINE WITH ME, CHAIR. >> THAT IS FINE. AS LONG AS WE HAVE A QUORUM AT YOUR MEETING. ANY OBJECTIONS, MEMBERS, TO REFERRING THIS -- NOT TO WASSAP, BUT TO ADEPT? >> NO OBJECTIONS. >> SO ORDERED. >> CHAIR BEFORE YOU IS BILL 13 (2024) A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2025 BUDGET FOR THE COUNTY OF MAUI APPENDIX A, PART I, DEPARTMENT OF PUBLIC WORKS, U.S. DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE.\r\n\r\n>> VICE-CHAIR SUGIMURA. >> CHAIR, I'M HAVING COMPUTER PROBLEMS, BUT I AM HERE. SO I WILL PROCEED. I JUST CAN'T GET CONNECTION. I MOVE TO WAIVER THE REQUIREMENT OF COMMITTEE REFERRAL AND REPORT UNDER RULE 7G OF THE RULES OF THE COUNCIL AS IT RELATES TO BILL 132 (2024). >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY MEMBER COOK TO WAIVE RULE 7G. AND DISCUSSION, MEMBER -- I MEAN VICE-CHAIR SUGIMURA. >> THANK YOU, ADMINISTRATION HAS INDICATED THIS REQUEST -- >> CAN YOU SPEAK CLOSER TO THE MIC? >> THE ADMINISTRATION HAS REQUESTED THAT THIS IS TIME-SENSITIVE, BECAUSE OF FUNDS RELATED TO THE AUGUST 23 WILDFIRE RECOVERY, AND SO WAIVER TODAY IS IMPORTANT -- IS APPROPRIATE.\r\n\r\nTHANK YOU, CHAIR. >> ANY MORE DISCUSSION? ALL THOSE IN FAVOR OF WAIVING RULE 7G, RAISE YOUR HAND, SAY AYE. SEVEN AYES, ZEROS NO, MOTION CARRIES. EXCUSED ARE PRO TEM KAMA, AND MEMBER PALTIN. VICE-CHAIR SUGIMURA MOVE TO PASS BILL 13 (2024) ON FIRST READING. >> MOVED BY VICE-CHAIR SUGIMURA, SECONDED BY MEMBER UU-HODGINS TO PASS BILL 132 ON FIRST READING.\r\n\r\nDISCUSS, VICE-CHAIR SUGIMURA. >> THIS BILL AMENDS APPENDIX A, PART 1, OF FISCAL YEAR 25 BUDGET FOR THE DEPARTMENT OF PUBLIC WORKS TO RECOGNIZE \$4,783,442 GRANT FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE. ACCORDING TO THE BUDGET DIRECTOR'S TRANSMITTAL FOR THIS BILL, THIS GRANT WILL PROVIDE FUNDS FOR DISASTER RECOVERY, PLANNING, COORDINATION AND CONSTRUCTION PROJECT MANAGEMENT ASSISTANCE PROGRAM RELATED TO THE AUGUST 23 MAUI WILDFIRE. RESPECTFULLY THE DEPARTMENT OF PUBLIC WORKS WILL INSTALL EMERGENCY WATERSHED PROTECTION MEASURES INCLUDING ARIALE AND MANUAL SEEDING OF BURNED AREAS, TEMPORARY IRRIGATION, TREE REMOVAL AND MULCHING. SEDIMENT REMOVAL, EMBANKMENT REPAIR, CHECKING DAM WATER CONTROL STRUCTURE AND FIRE BREAKS. I RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT FOR MY MOTION. THANK YOU, CHAIR.\r\n\r\n>> ANY MORE DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE. >> SEVEN AYES, ZERO NOS. MOTION CARRIES. EXCUSED ARE PRO TEM KAMA AND MEMBER PALTIN. MS.\r\n\r\nCLERK. >> CHAIR BEFORE YOU IS BILL 133 (2024) A BILL FOR AN

ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE U.S. GEOLOGICAL SURVEY PACIFIC ISLANDS WATER SCIENCE CENTER U.S. DEPARTMENT OF THE INTERIOR COOPERATIVE WATER-RESOURCE MONITORING PROGRAM. >> MEMBER COOK. >> WILL THE CLERK CALL BILL 133. I MOVE TO WAIVE THE REQUIREMENT OF THE COMMITTEE REFERRAL AND REPORT UNDER 7G OF THE RULES THE COUNCIL AS IT RELATES TO BILL 133 (2024). >> MOVED BY MEMBER COOK, SECONDED BY VICE-CHAIR SUGIMURA TO WAIVE THE RULES OF THE COUNCIL. AND THEN YOU HAVE MORE TO DO. MEMBER COOK. >> THANK YOU,. >> DISCUSSION.\r\n\r\n>> THANK YOU, CHAIR. MEMBERS, THIS INTERGOVERNMENTAL AGREEMENT BEGINS OCTOBER 1ST, 2024. WE HELD DISCUSSION ON THIS MATTER IN YESTERDAY'S WAI COMMITTEE MEETING SO THE COMMITTEE REFERRAL MAY NOT BE NECESSARY. I ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. >> THIS IS ON THE WAIVER. ALL THOSE IN FAVOR OF THE MOTION RAISE YOUR HAND SAY AYE. >> AYE. >> SEVEN AYES, ZERO NOS, MOTION CARRIES.\r\n\r\nEXCUSED ARE PRO TEM KAMA AND MEMBER PALTIN. MEMBER COOK. >> I MOVE TO PASS BILL 133 (2024) ON FIRST READING. >> MOVED BY MEMBER COOK, SECONDED BY MEMBER SINENCI TO PASS BILL 133 (2024) ON FIRST READING. DISCUSSION, MEMBER COOK? >> THANK YOU, CHAIR BILL 133 WILL ALLOW THE DEPARTMENT OF WATER SUPPLY TO CONTINUE TO PARTICIPATE IN THE U.S. GEOLOGICAL SURVEY'S COOPERATIVE WATER-RESOURCE MONITORING PROGRAM. YESTERDAY WE DISCUSSED THIS MATTER IN THE WATER AND INFRASTRUCTURE COMMITTEE MEETING TO LEARN MORE ABOUT THE PROPOSED AGREEMENT AND STATUS OF THE ONGOING PROGRAM.\r\n\r\nALL OF THE DATA COLLECTED FROM THE SELECT RAINFALL STREAM FLOW AND GROUNDWATER MONITORING STATIONS IS PUBLICLY AVAILABLE IN U.S.G.S. NATIONAL WATER INFORMATION SYSTEM DATABASE. MORE INFORMATION CAN BE FOUND AT HI.WATER.USGS.GOV. AT THIS TIME I MOVE TO SUBSTITUTE BILL 133 (2024) WITH THE PROPOSED FD 1 VERSION OF THE BILL 133 (2024) THAT WAS DISTRIBUTED AT THIS MEETING TODAY. >> MOVED BY MEMBER COOK, SECONDED BY VICE-CHAIR SUGIMURA TO AMEND THE BILL WITH THE FD 1 VERSION, DID YOU SAY? >> YES. >> ANY DISCUSSION? MEMBER COOK?\r\n\r\n>> THANK YOU, CHAIR. THE PROPOSED FD 1 VERSION WOULD AMEND EXHIBIT 1 TO ADD A SIGNATURE BY THE DEPARTMENT OF THE CORPORATION COUNSEL APPROVING THE PROPOSED AGREEMENT AS TO FORM AND LEGALITY. 2, MAUI COUNTY SIGNATURE PAGE FOR THE MAYOR AND OTHER APPROPRIATE OFFICE OFFICIALS AND 3, A NOTARY PUBLIC CERTIFICATION PAGE. THESE ADDITIONS WOULD ENSURE COMPLIANCE WITH CHAPTER SECTION 9-18, AND COUNTY CODE CHAPTER 2.20. AND WOULD ALSO MATCH THE FORM OF ORDINANCE 5569. THE SAME AGREEMENT AND PROGRAM THAT WAS APPROVED LAST YEAR. I RESPECTFULLY ASK FOR THE MEMBERS' SUPPORT OF MY MOTION. >> ANY MORE DISCUSSION? THIS IS ON THE SUBSTITUTION.\r\n\r\nALL THOSE IN FAVOR OF THE MOTION, RAISE YOUR HAND, SAY AYE? >> AYE. >> SEVEN AYES, ZEROS NOS, TWO EXCUSED. PRO TEM KAMA AND MEMBER PALTIN. MEMBER COOK, MAIN MOTION AS AMENDED. ANY MORE DISCUSSION? >> NO MORE DISCUSSION?\r\n\r\n>> ANYBODY, ANY DISCUSSION? IF NOT, ALL THOSE IN FAVOR OF THE MAIN MOTION AS AMENDED, RAISE YOUR HAND, SAY AYE? >> AYE. >> VICE-CHAIR? SEVEN AYES, ZEROS NO, MOTION CARRIES. EXCUSED ARE PRO TEM KAMA, AND MEMBER PALTIN. MS.\r\n\r\nCLERK. >> CHAIR, BEFORE YOU IS BILL 23 CD 1 (2024) A BILL FOR AN ORDINANCE TO AMEND THE LANA'I COMMUNITY PLAN FOR 268.349 ACRES LOCATED IN LANA'I CITY, LANA'I, HAWAII IDENTIFIED AS TAX MAP KEY 2-4-9-001:02 1, 024, 030, 2-4-9-002:001 PORTION, 061 PORTION, 2 -9-018-002 PORTION, 003 PORTION, 005 AND 2-4-9-021:009 LANA'I PROJECT DISTRICT 2 KO'ELE. >> VICE-CHAIR SUGIMURA. >> MEMBER COOK. >> OH, MEMBER COOK. I'M SORRY. I KNOW TASHA IS NOT HERE.\r\n\r\nI JUST WAS LOOKING IN THAT DIRECTION AND I PICKED YOU. MEMBER COOK. >> I MOVE TO PASS BILL 23, CD 1 (2024) ON SECOND AND FINAL READING. >> MOVED BY MEMBER COOK, SECONDED BY VICE-CHAIR SUGIMURA TO PASS BILL 23, CD 1 (2024) ON SECOND AND FINAL READING. DISCUSSION, MEMBER COOK? >> NO FURTHER DISCUSSION, CHAIR. >> ANYBODY?\r\n\r\nMEMBER JOHNSON? >> THANK YOU, CHAIR. THIS IS A VERY HARD DECISION FOR ME, BUT I WILL VOTE WITH RESERVATIONS. I THINK ONE OF THE THINGS I CONSIDERED WAS THE IDEA OF DENSITY, AND THIS WILL REDUCE DENSITY OF THE RESORT. IT WILL HAVE A LIGHTER FOOTPRINT IN OUR COMMUNITY. AND I THINK WHAT IT REALLY DOES HIGHLIGHT IS THE IMPORTANCE OF AFFORDABLE HOUSING ON LANA'I FOR-SALE. SO PEOPLE CAN HAVE LAND OF THEIR OWN, HAVE A HOME OF THEIR OWN, THAT IT'S NOT COMPANY

HOUSING. THAT IS WHY I HAVE ALWAYS ADVOCATED FOR HOUSING, AFFORDABLE HOUSING ON LANA'I TO BE FOR-SALE. WE WANT TO KEEP THE KAOPUIKI ON THE ISLAND, BUT IF THEY DON'T OWN ANYTHING, THEN GENERATION AFTER GENERATION, WE HAVE THE BRAIN DRAIN AND CUSTOMER DRAIN AND WE SEE IT ACROSS THE ISLANDS, BUT ON LANA'I SPECIFICALLY, BUT TO HAVE A PLACE FOR OURSELVES, AS VIRGINIA WOOLF USED TO SAY. THERE'S PLACES LIKE THE RICHARDSON'S HOUSES, THE BAND LAN HOUSE, THE TRAIL, THESE ARE PLACES THAT THE COMMUNITY MEMBERS CARVED OUT, BUT ONCE AGAIN, IT'S NOT THEIRS. IT'S -- THE SYSTEM IS LARGE LAND OWNERS PASSING FROM GENERATION TO GENERATION FROM LARGE LANDOWNER TO LARGE LANDOWNER AND THAT IS THE PROBLEM. IT'S HARD TO AND THE KNOTS OF THE PAST TO COME INTO A SYSTEM LIKE THIS THAT PASSES LAND FROM ONE OWNER TO NEXT. SO IT REALLY HIGHLIGHTS THE FACT THAT WE NEED AFFORDABLE HOUSING FOR-SALE ON THE ISLAND OF LANA'I. MAHALO. >> THANK YOU, MR. JOHNSON. I AGREE WITH YOU. THESE ARE SOMETIMES CHOICES ARE REALLY HARD TO MAKE. ANY MORE DISCUSSION? >> CHAIR. >> MEMBER RAWLINS-FERNANDEZ. >> MAHALO, CHAIR. I WILL ONCE AGAIN WE VOTING AGAINST THE MOTION. AS MEMBER JOHNSON STATED, AS WE HEARD FROM COMMUNITY MEMBERS, PLEADING WITH US TO BE THEIR VOICE AGAINST A POWERFUL COMPANY THAT OWNS 90% THE ISLAND. YOU KNOW, I DON'T THINK THAT THIS IS A SMALL THING. THIS IS A CONTINUATION OF PUSHING OUT GENERATIONAL FAMILIES, ERASING THEIR OPPORTUNITY TO EXPERIENCE AGAIN CHERISHED MEMORIES OF LOVED ONES THAT HAVE PASSED. AND WHEN I ASKED IN COMMITTEE IF THEY COULD DO WHAT THE RESIDENTS ARE ASKING TO DO IS ONE SMALL THING, IT WAS A NO. AND THERE WASN'T ANY WIGGLE ROOM ON THAT. I WILL CONTINUE TO, YOU KNOW, BE A VOICE FOR THOSE THAT FEEL DISENFRANCHISED ON LANA'I. IT BREAKS MY HEART WATCHING THIS POWERFUL COMPANY-OWNED BY ONE OF THE RICHEST PEOPLE IN THE WORLD, USING THEIR POWER TO PUSH PEOPLE OUT AND CONTINUE TO MAKE THIS ISLAND A PRIVATE ISLAND, A PLAYGROUND FOR THE UBER RICH AND WEALTHY AT THE EXPENSE OF THE GENERATIONAL FAMILIES THAT LIVE THERE. MAHALO, CHAIR. >> ANYONE ELSE? ROLL CALL. >> COUNCIL MEMBER PRO TEMPORE TASHA KAMA. >> EXCUSED. >> VICE-CHAIR YUKI LEI SUGIMURA. >> YES. >> COUNCIL MEMBER TAMARA PALTIN. >> EXCUSED. >> COUNCIL MEMBER GABE JOHNSON? >> AYE WITH RESERVATIONS. >> COUNCIL MEMBER KEANI RAWLINS-FERNANDEZ? >> NO. >> COUNCIL MEMBER TOM COOK? >> AYE. >> COUNCIL MEMBER NOHELANI UU-HODGINS? >> AYE. >> COUNCIL MEMBER SHANE SINENCI? >> AYE WITH RESERVATIONS. >> AND COUNCIL CHAIR LEE? >> AYE. >> CHAIR, YOU HAVE SIX AYES, TWO EXCUSED, ONE NO, MOTION CARRIES. >> OKAY. ANYTHING ELSE? >> THERE IS NO FURTHER BUSINESS BEFORE THE COUNCIL. >> MEMBERS, ANY ANNOUNCEMENTS? ANYTHING? YES, VICE-CHAIR SUGIMURA. >> TOMORROW IS AN ABILITIES FAIR AT QUEEN KA'AHUMANU CENTER AND IT'S BEING PUT ON IN COORDINATION WITH THE OFFICE ON AGING. IF YOU THINK ABOUT IT, IT'S ABILITIES, BUT IT'S ALSO FOR THOSE THAT ARE DISABLED. IT'S A WAY OF COMMUNICATING AND SHARING RESOURCES WITH MANY. SO THANK YOU IF PEOPLE WILL ATTEND. I THINK IT'S 12:00. >> 12 AT QUEEN KA'AHUMANU CENTER >> ANYTHING ELSE GOING ON? MEMBER RAWLINS-FERNANDEZ? >> MAHALO, CHAIR. I SAW MEMBER UU-HODGINS' HAND GO UP TOO. MAYBE SHE WAS ABOUT TO SAY THE SAME THING. JUST CONGRATULATIONS ON THE FIRE DEPARTMENT ON THEIR 100TH ANNIVERSARY. THEY WILL BE CELEBRATING THAT TOMORROW AT 10:00 I BELIEVE. MAHALO, CHAIR. >> THAT'S GREAT. YES, THANK YOU FOR REMINDING US, AND THE PUBLIC. >> THAT IS EXACTLY WHAT I WAS GOING SAY? >> REALLY. >> FROM 10-4 AT THE BOYS AND GIRLS CLUB. >> THE BOYS AND GIRLS CLUBS IN WAILUKU? >> YES, I THINK ACROSS THE STADIUM. ALL RIGHT EVERYBODY, VERY GOOD. WE'RE GOING TO GO HOME A LITTLE EARLY TODAY. I HOPE YOU HAVE A WONDERFUL WEEKEND, AND SAFE, AND I'M LOOKING FORWARD TO A DULL AND BORING WEEKEND. THAT IS MY FAVORITE. [LAUGHTER] I'LL BE DOING THAT, TOO. EVERYBODY THANK YOU TO THE MEMBERS, TO THE PUBLIC, TO OUR STAFF, AND THIS MEETING IS ADJOURNED. [GAVEL]