

MINUTES

of the

COUNCIL OF THE COUNTY OF MAUI

July 28, 2017

THE REGULAR MEETING OF THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, WAS HELD IN THE COUNCIL CHAMBER, KALANA O MAUI BUILDING, WAILUKU, HAWAII, ON FRIDAY, JULY 28, 2017, BEGINNING AT 9:02 A.M., WITH CHAIR MICHAEL B. WHITE PRESIDING.

CHAIR WHITE: This meeting of the Council of the County of Maui will please come to order.

Mr. Clerk, will you please call the roll.

ROLL CALL

PRESENT: COUNCILMEMBERS ALIKA ATAY, ELEANORA COCHRAN, S. STACY CRIVELLO, YUKI LEI K. SUGIMURA, VICE-CHAIR ROBERT CARROLL, AND CHAIR MICHAEL B. WHITE.

EXCUSED: COUNCILMEMBERS G. RIKI HOKAMA, DONALD S. GUZMAN, AND KELLY T. KING.

(Councilmember Hokama was not present when the roll was called; however, he arrived at 10:58 a.m.)

COUNTY CLERK DENNIS A. MATEO: Mr. Chair, there is seven Members present, six Members present--

CHAIR WHITE: Six Members, yea.

COUNTY CLERK: --and three Members excused.

CHAIR WHITE: Thank you, Mr. Clerk.

And for opening remarks this morning, we have Member Cochran.

OPENING REMARKS

The opening remarks were offered by Councilmember Elle Cochran.

CHAIR WHITE: Very nice. Thank you very much for those remarks.

Will you all please rise and join me in the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

The Members of the Council, and others in attendance, rose and recited the Pledge of Allegiance.

CHAIR WHITE: Thank you. And just a reminder to please turn your cellphones to silent mode.

And with that, Mr. Clerk, please proceed.

COUNTY CLERK: Mr. Chair, proceeding with the presentation of testimony on agenda items. We have established limited interactive communication that enables individuals from Hana, Lanai, and Molokai, to provide testimony from our District Offices.

Individuals who wish to offer testimony from Hana, Lanai, and Molokai should now sign up with the District Office staff. Individuals who wish to offer testimony in the chamber, please sign up at the desk located on the eighth-floor lobby just outside the chamber door. And testimony at all locations is limited to the items listed on today's agenda.

And when testifying, please state your name and the name of any organization you represent.

Hana Office, please identify yourself and introduce your first testifier.

MS. DAWN LONO: Good morning. This is Dawn Lono at the Hana Office and there is no one waiting to testify.

COUNTY CLERK: Thank you.

Lanai Office, please identify yourself and introduce your first testifier.

MS. DENISE FERNANDEZ: Good morning, Chair. This is Denise Fernandez on Lanai, and there is no one waiting to testify.

COUNTY CLERK: Thank you.

Molokai Office, please identify yourself and introduce your first testifier.

MS. ELLA ALCON: Good morning, Chair. This is Ella Alcon on Molokai and there is no one here waiting to testify.

COUNTY CLERK: Thank you.

Mr. Chair, we have eight individuals who have signed up to provide testimony in the Council chamber. The first person to provide testimony this morning is P. Denise La Costa, testifying on Bill 67. To be followed by Jim Smith.

PRESENTATION OF WRITTEN OR ORAL TESTIMONY

MS. P. DENISE LA COSTA, [testifying on Bill No. 67 (2017)]:

Aloha kakahiaka. Thank you so much for allowing me to testify, Mr. Chair, Honorable Councilmembers. My name is P. Denise La Costa, and I am a long-time resident of Maui; 27 years. And I am here to testify on behalf of the folks who live in Launiupoko, including myself, against Bill No. 67.

While I'm a realtor, and it seems to be contrary to my economic benefit to be against this project, I am more interested in the quality of life to continue in Launiupoko. The more people you have, it is absolutely statistically proven that the more crime there is.

We also have an issue with water. There are times I turn on my water, even with the help of pumps, it dribbles. I mean, literally some days you could spit farther than the water goes. My non-potable water, which would be used in this project, has probably 75 percent effectiveness. My grass is going brown, and that's, the vitality of life is water. So, the more people who use that resource, the less there is to go around. That's my big concern there.

The traffic, as you all know, going in and out of West Maui is a nightmare. With the bypass and the placement of the light, which is not far from the proposed project, the backup will be even greater at four and a half minutes to turn onto the highway to go left. It will extend your time at the light, probably to ten minutes, which is not going to benefit anyone.

There also is an issue that I have about septic leaching. If you have septic tanks on all those properties, what is that going to do to the land? The density that they're talking about is not going to help the aina at all. So, it's that close to the ocean, and, and I'm concerned about our natural resources.

Open space is another concern I have. The County spent several million dollars acquiring 11 acres for a park at Launiupoko to maintain open space. And what's happening with this project and a couple of others, it's just filling up all of that space above where the, the park is going to be put. So, the density will get worse and worse. The resources of our land will get depleted. And I just think that it is a very bad idea to increase the density by passing this bill. Mahalo.

CHAIR WHITE: Thank you very much for being here this morning. Members, any need for clarification? Seeing none, thank you for coming.

MS. LA COSTA: Mahalo, Chair.

CHAIR WHITE: Mr. Clerk.

COUNTY CLERK: Next testifier is Jim Smith, testifying on Committee Report 17-97. To be followed by Michelle Griffoul.

MR. JIM SMITH, (testifying on Committee Report No. 17-97):

Good morning, Mr. Chair, Members of the Maui County Council. Aloha. I'm here to testify and ask that you refer to the Policy Committee, a report on the demolition of the Old Wailuku Post Office.

I think that the, the significance of the policy issues, they need to be pointed off. There needs to be something before the Mayor to see, before the political elite to see, before the group who imposes upon us their own Charter. And it won't happen unless you get this report to the Policy Committee, because it's so well written. You can find something in there that you disagree with, but you have to recognize there's much, much more in that.

So, I would ask you to consider a couple of things. The whole question of accountability relies upon, okay, the ability for there to be a consequence. So, if you do away with a consequence, then the word accountability has no meaning. And that's why we have you.

And the video was wonderful about the Committee and how sincere they are. And each one of you is asking pertinent questions, alright. But, the whole point of this is HRS 114 says the usual words in an ordinance are what are meant to be understood. That's a state law in construction. So, you're being gamed. Basically, the Council is being gamed by gamers. And you can divide a line into an infinite number of parts. And so, you can go track right down that to find the responsible party, and then find no one's there. So, nobody's responsible. So, we don't have a legislative body, cause you can't hold them accountable, or you can't, you can't let there be any consequence. So, that's the game. The game is to remove the Council from oversight, that way I get to be king without any problems. And that is the political reality that this Council faces it with, and I admire each of you.

And this is your time. Just like in the 1990's, it was Goro's time. And the Council there, who were not big bad people, but they said, what, what are you talking about? A new, a new structure of government you're putting on us. This is 1992. Mayor Lingle comes up with state. Oh, we're going to have a, a marketplace driven government. You're going to be customers. Don't you feel happy about that? And we're doing it. And the Council was silent; done. Come back 10 years later, now it's here again 20 years later; done. Send them back. Thank you so much.

CHAIR WHITE: Thank you very much, Mr. Smith. Members, any need for clarification?

Thank you for your usual insight and passion.

MR. SMITH: Thank you.

CHAIR WHITE: Thanks for coming.

Mr. Clerk.

COUNTY CLERK: Next testifier is Michelle Griffoul, board member Maui Nui Marine Resource Council, testifying on Bill 67. To be followed by Patrick Laband.

MS. MICHELLE GRIFFOUL, MAUI NUI MARINE RESOURCE COUNCIL [testifying on Bill No. 67 (2017)]:

Good morning. I'm Michelle Griffoul. I'm representing the Maui Nui Marine Resource Council. I'd like to remind you of our mission statement which is to help provide clean water, healthy reefs, and abundant native fish in all of Maui Nui.

We're very concerned about this desire to obtain 24 affordable rural homes. The Council is willing to overlook the fact that the Makila Kai Project is part of an effort to find loopholes, and to avoid the disclosure and scrutiny that should be part of any development in a high impact area.

Our concerns include:

The higher density is not appropriate to a fire prone area with one, only one road in and out of the area.

Higher density is not appropriate in an area where there is no wastewater treatment facility. This development proposes the maximum number of lots, which is 49, and will, because, and then it can avoid any sewage treatment facility.

The higher density is not appropriate with the severe traffic condition that we have. Earlier completed segments on the Lahaina Bypass Road have not alleviated the overall traffic problems at all. And Honoapiilani Highway, the Launiupoko segment will be just as bad, if not worse.

The higher density will also not be appropriate for the coastal area with the erosion prone slopes, and no masterplan to implement the low impact design or any other effective mitigation strategies. The proposed 500 foot "greenway" may never be built. A similar greenway was proposed for the Olowalu ag subdivision in 1999, but was never implemented because there, of the cost of maintenance and water costs.

Encouraging multiple smaller track, fast-track developments like Makila Kai with no environmental review of runoff impacts will severely affect our plan for healthy reefs. It's not sound planning. We would prefer you do not fast-track this project. We need a full environmental assessment for this project. We need to know that the sediment when, if and when this is developed in any density is going to be kept on the land and not transferred into the ocean. We need testing before, we need testing afterwards.

We want to make sure that this fast, if this is fast-tracked, which it shouldn't be, is not a precedent for other developments, because you know, this is all part of one development. They just segmented it, so it'd be easier to fast-track it.

Please, thank you for your consideration.

CHAIR WHITE: Thank you for being here this morning.

Members, any need for clarification? Seeing none, thank you again.

Mr. Clerk.

COUNTY CLERK: Next testifier is Patrick Laband, to be testifying on Bill 67. To be followed by Alika Mullen.

MR. PATRICK LABAND, [testifying on Bill No. 67 (2017)]:

Good morning. My name is Patrick Laband.

CHAIR WHITE: Good morning.

MR. LABAND: I moved here, and I bought a home from Greg Brown. I'm very pleased with the home. I live approximately 1500 feet above the proposed site. I found Greg Brown to be honest, capable, and a good family person.

I'm in favor of the project for a couple reasons. One of them is the fact that many people who will be able to afford these homes, will live in the area, will live in the subdivision, work in the subdivision, and they'll be able to enjoy the west side, because they already live here, or they already work here I should say, but maybe not live here. And we're offering the opportunity for them to have that chance, to be with their families, and to enjoy what the west side has to offer.

Maybe objections on other . . . but the biggest thing I have found is the fact that the developer has worked well with other people other than me. But, has worked well with me in mitigating any issues that I have may have with my home. And he has been open, and honest, and fair about everything that I have accomplished.

And again, I would feel this is a good opportunity to allow the opportunity for people who work in the community to live in the community, and not have to make that trek back to the other side. Yes, the bypass is not done yet. And once the bypass is completed, it will alleviate some of the traffic issues, as it goes all the way down to the

Olowalu area, and then the lower road would be closed to some extent. Alright, thank you so much for your time.

CHAIR WHITE: Thank you, Mr. Laband.

Members, any need for clarification? Seeing none, appreciate your being here this morning.

Mr. Clerk.

COUNTY CLERK: Next testifier is Alika Mullen, testifying on Bill 67. To be followed by Buz Moffett.

MR. ALIKA MULLEN, [testifying on Bill No. 67 (2017)]:

Aloha, Members of Maui County Council. My name is Alika Mullen, and I wanted to give a little testimony on my thoughts of why I'm in support of the Makila Kai Project.

I'm a Maui County police officer, and I have been serving my community for seven years. During this time, I've been forced to rent due to the high cost of purchasing a home here on Maui, and the limited amount of affordable homes previously offered by other development companies.

I would like to thank the members of the Makila Kai for giving an opportunity to the hardworking people of Maui County a chance to realize their dream in finally owning a home here on Maui. If not for Makila Kai and what they're attempting to do, there is no way that I will be ever able to purchase a home. Like a lot of us here on Maui, we have to rent, because not a lot of people can afford a mortgage of \$3,000 or higher, and also stay afloat in this economy.

When I first heard of this project, I could not believe that affordable housing would ever be done in a beautiful place like Launiupoko. It was always my assumption that only millionaires can afford to live there. I understand there, there might be some opposition in this project, however, it would be, be a devastating loss not to move forward with this project and help those who wish and dream to one day become homeowners here in Maui.

Mr. Brown and Mr. Moffett are offering a once in a lifetime opportunity, and these types of opportunities rarely occur. The gift that Makila Kai is attempting to give the chance to become homeowners, let alone in the area of Launiupoko, is a true blessing and a

dream come true for many. With this affordable home project, it will not only benefit us, but our keiki and generations to come; a place where we all can call home.

And for the Makila Kai Project, I take great pride in being a public servant, servant to this community, and look forward to being a great neighbor to the people of Launiupoko if this project is approved.

I'd like to thank Members of the County Council for your time and consideration. Mahalo.

CHAIR WHITE: Thank you, Mr. Mullen, and thank you for your service.

Members, any need for clarification?

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Good morning. I just wanted to thank you for testifying, and thank you for being a police officer and protecting our residents.

MR. MULLEN: Thank you.

COUNCILMEMBER SUGIMURA: Thank you. Thank you for your testimony.

MR. MULLEN: Thank you.

CHAIR WHITE: Any other need for clarification, Members? Seeing none, thank you for being here this morning.

MR. MULLEN: Thank you.

CHAIR WHITE: Mr. Clerk.

COUNTY CLERK: Next testifier is Buz Moffett, testifying on Bill 67. To be followed Mark Deakos.

MR. BUZ MOFFETT, [testifying on Bill No. 67 (2017)]:

Good morning. My name is Buz Moffett, and I'm supporting Makila Kai affordable housing project. I'm from West Maui. We rented, my parents rented when I was a kid in Lahaina. They never owned a home until after I'd already graduated and moved out.

I was fortunate enough to receive a workforce housing unit in the Hale Noho Subdivision in Napili in 1986, and it changed my life. And it changed the life of every single other person that received a home in that subdivision. That's over 30 years ago, and I'm proud to say that I still own that home, as do over 50 percent of the original owners. Workforce housing lasts. It lasts forever. It changes lives forever.

Makila Kai is a perfect example of what we need on West Maui. And we don't just need one Makila Kai; we need 10, maybe 20. We need workforce housing. The thing that's going to help us, Maui, is bringing our employees back into the community. And this is what it, this is how it starts, you know.

Everyone doesn't want it in their backyard and I, I get that. But, we have to start someplace. We need the housing. It's going to help with the traffic, it's not going to hurt the traffic. All the people having to drive from the other side, you know, but, I think everybody knows we have issues on West Maui. Let's start small, you know.

Makila Kai is a very important project. I support it, and I know that the majority of the people from Lahaina, the real people from Lahaina support it also. Thank you.

CHAIR WHITE: Thank you, Mr. Moffett.

Members, any need for clarification? Seeing none, thank you for being here this morning.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, the next testifier is Mark Deakos, testifying on Bill 67. To be followed by Albert Perez.

DR. MARK DEAKOS, [testifying on Bill No. 67 (2017)]:

Councilmembers, Dr. Mark Deakos. I'm going to talk to you again about the reef and the Makila Kai impacts. And the reef, what I'm referring to is that \$50 billion resource that provides over \$360 million in revenue for our communities annually, houses 75 percent of all ocean life, provides sustenance to our residents, supplies the sand for our beaches, and protects our coastlines against storm surges and sea-level rise.

In the 20 years that I've lived and dove here on Maui, 25 to 50 percent of our reefs have died. And it absolutely pains me to have to look to my children and grandchildren and tell them that I let this happen on my watch. And when they ask me, didn't we

realize what we were doing? I have to tell them yes, of course we did. But, it didn't matter because our leaders believed that growth had to occur at any cost.

The assumption is basically that more money equates to a better quality of life, despite all the social science that clearly shows quality of life is related to your relationships with family, community, and friends; nothing to do with wealth. Look, look it up.

We're obsessed with GDP, Dow Jones indexes; nothing which incorporates the health of our natural world, and the quality of life for our people. And because we continue with our business as usual model of growth at any cost, our coral reefs, not just the species, but an entire eco-system is on track to be extinct in the next 20 years.

I wish I could take you all under water with me to see what's happening. It would absolutely break your heart. Imagine if you went home today to find half your lawn, half your plants, half your pets were dead, and the other half were struggling to survive. Would you, would that alarm you? Would that compel you to make a change?

We still have an opportunity to turn things around, to heal the reefs, to heal the streams, to land, but we need good leadership. We need the nine of you to make those decisions that'll get us back on track. And you know what the great thing is? You don't have to have the solutions, because other communities have already found those solutions for sustainable healthy eco-systems, food security, energy security, real affordable housing in perpetuity, all while raising the quality of life for everyone.

So, in conclusion, before you rush to pass all these 201H projects, which waive environmental review, in 20 years, when your grandchildren look at you and ask didn't you know what was happening? Didn't you know the reefs were dying? Didn't you know that Maui had the worst water quality in the State? Didn't you know that septic systems contaminate significantly, the groundwater and the shorelines, and kill the reefs? I hope that you can look them in the eye and say, yes, we did know, we listened, and we made the decisions to protect your future. Please deny the zoning re-class on this project. Thank you.

CHAIR WHITE: Thank you, Dr. Deakos.

Members, any need for clarification? Seeing none, thank you for being here this morning.

Mr. Clerk.

COUNTY CLERK: Next testifier is Albert Perez, Executive Director, Maui Tomorrow, testifying on Bill 67. To be followed Doris Lang.

MR. ALBERT PEREZ, MAUI TOMORROW, [testifying on Bill No. 67 (2017)]:

Good morning, Chair White--

CHAIR WHITE: Good morning.

MR. PEREZ: --Councilmembers. Albert Perez, Maui Tomorrow Foundation, testifying on Bill 67.

I was in attendance at the Land Use Committee meeting on Makila Kai, one of them at least. The developer said that if you didn't get his project approved, he would just go ahead and build six mansions, that's his fallback position, on three agricultural lots. So, it just struck me, how is it that a developer is comfortable telling the Council that he's going to be doing something that basically violates State and County laws on agriculture? Could it be that this is what is allowed in our County all the time?

And so, as I read through my testimony, I'd like you to look at page 2, as a typical house in Launiupoko. I just clicked on one in the real property database. This thing is over 5300 square feet in the main dwelling, 24, plus 2400 square feet of porches, and 4500 square feet of garages and carports. The mailing address is in California. This is not a farm dwelling. There's no way you can make enough off your, off your farm to support something like this.

Back to my testimony. So, the 201H project that you folks approved that's dependent on this District Boundary Amendment, will allow this developer to create 24 market lots with an explicit permission to build accessory dwellings. So, the three lots, they're going to build six mansions. On 24 lots, they're going to build 48 mansions on these market lots. So, anyway, that's because of our lack of enforcement or our, our lax enforcement of agricultural zoning.

So, only farm dwellings are permitted, but if you drive by, it's a free for all that's going on up there; there's construction fencing. It looks like, I don't know, it looks like kind of a war zone compared to how it used to look. Construction equipment, gravel crushing operations, dust blowing into the ocean; this is not agriculture. That's what's going on in our ag district. And so, we need some enforcement of our State and County land use laws.

This District Boundary Amendment will enable the construction of 25 workforce housing homes, but only eight are truly affordable to people who make 100 percent or less of the median income. And then they'll only be affordable for 10 years, after which they could be sold at market prices, and we're back to a net gain of zero.

So, we recently had a settlement at Makena. And we showed that it's possible to get more for Maui's citizens. As part of our recent settlement, we were able to negotiate 60 homes that are affordable for people who make 100 percent or less of median income, and that's in perpetuity.

So, I'd like to ask this Council, I'd like to ask the Planning Department, I'd like to ask everybody who has a chance, to stick up for the people of Maui. We'll give them more than temporary affordable housing, more than fake agriculture, more than substandard wastewater treatment, and more than gridlock traffic. We can do better. Thank you.

CHAIR WHITE: Thank you, Mr. Perez.

Members, any need for clarification?

Ms. Cochran, followed by Ms. Sugimura.

COUNCILMEMBER COCHRAN: Thank you. Thank you, Mr. Perez for being here, and your testimony. That example about affordable in perpetuity; 60 homes in Makena. Is that project a 201H?

MR. PEREZ: No it is not.

COUNCILMEMBER COCHRAN: Okay. Thank you.

CHAIR WHITE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: So, I, I may have maybe misunderstood what you said. But, are you saying that the homes in Launiupoko are these mansions and not agriculture? And is that what you're referring to, all the current residents?

MR. PEREZ: No. What I said was I picked a random home.

COUNCILMEMBER SUGIMURA: One home?

MR. PEREZ: Just, just, I clicked on one. And, I said, I want to see what, I didn't have time to do an average of all the whole, the whole development. But this one that I clicked on, that was the result. So, if, if this District Boundary Amendment goes through, what you're going to have is 48 of those, and seven truly affordable homes, sorry, eight truly affordable homes.

COUNCILMEMBER SUGIMURA: Thank you.

MR. PEREZ: Thank you.

CHAIR WHITE: Any further need for clarification? Seeing none, thank you for being here this morning.

Mr. Clerk.

COUNTY CLERK: Next testifier is Doris Lang, testifying on Bill 67. To be followed by Rosemary Robbins.

MS. DORIS LANG, [testifying on Bill No. 67 (2017)]:

Good morning, Councilmembers. Here I stand again.

CHAIR WHITE: Bring, bring the microphone down.

MS. LANG: Yea, Albert's a little taller than I am.

CHAIR WHITE: Just a little. Thank you.

MS. LANG: Here I stand again. And I just want to put it on the record, I have not heard one person, I've been to all of these hearings just about, I have never heard one person say that anyone is against affordable housing, workforce housing. We're against the fast-track. That's all we're asking.

And I'm going to read the rest. I'm perplexed because so many impassioned testimonies spoken here in this room, written testimonies, and a petition signed by over 300 people opposing the fast-track has been sent to you, and that the majority of you voted for it. And again, here I am, like the others in the room, pleading to hear our collective voices instead of from one developer who is paving the way for other developers adjacent to his property through segmentation.

You have a responsibility to abide by the "Show Me the Water" law. And you have a responsibility to have an environmental impact statement implemented to its fullest before you make a final vote. You owe it to the land, to the oceans, and to the people.

Hokulea just returned from her three year voyage around the world, spreading aloha and malama honua. How is it the majority of you don't understand the message to take care of island earth?

I'm a taxpayer and active in the voting community, and we have an election coming soon. And I can say with confidence, I won't be voting for those who are approving this project. And maybe that doesn't matter to you. I'm just one person, but I have friends. And clearly, I'm not hesitant to speak the truth. And I don't feel that I'm alone in feeling this way in this room. And all these people that have pleaded, and talked, and signed, and written to all of you to not go fast-track, to do your job, and take your time. Mahalo.

CHAIR WHITE: Thank you, Ms. Lang. Members, any need for clarification?

Ms. Crivello.

Ms. Lang.

COUNCILMEMBER CRIVELLO: Thank you.

MS. LANG: Oh I'm sorry.

CHAIR WHITE: Ms. Crivello has a question for you.

MS. LANG: Hello.

COUNCILMEMBER CRIVELLO: Aloha. Thank you for being here.

MS. LANG: I'm a little excited about all this.

COUNCILMEMBER CRIVELLO: I understand. Are, are you a resident of West Maui?

MS. LANG: I live in Launiupoko, and I'm a farmer.

COUNCILMEMBER CRIVELLO: Okay. Thank you.

MS. LANG: Okay. And I just want to add to that. I'm a, we're farmers and have grown enough food to--

CHAIR WHITE: I'm, I'm not going to go too far.

MS. LANG: I won't. It's real short.

CHAIR WHITE: You've answered the question, but just make one sentence.

MS. LANG: I just want to say that we have really contributed our food to the community and to charities.

COUNCILMEMBER CRIVELLO: Thank you.

CHAIR WHITE: Okay. Thank you very much, Ms. Lang.

COUNCILMEMBER ATAY: Chair.

CHAIR WHITE: I'm sorry.

Mr. Atay.

COUNCILMEMBER ATAY: Ms. Lang. Ms. Lang.

CHAIR WHITE: Ms. Lang, one more question.

MS. LANG: I'm back.

COUNCILMEMBER ATAY: What's the water situation where you live, both potable and non-potable?

MS. LANG: Well, we're really fortunate. We have a wonderful person, Dave Minami, that always is informing us when our ag water and when our ag water is on and off. We live at the bottom of the Launiupoko, right at the trail. And, over the past number of months, we had a geyser go off right in front of our place, and we called Dave and told him. And, we were with, that geyser, it's gone off about three or four times now. And, we have our water shutoff for hours. They have work people going down, and working on it.

Dave told us recently, just last week I think it was, that the entire community was going to be getting their water shut off in the morning. And, you know, I, we don't know when our water is on and off. And in fact, my husband Gordon and I have been very active in letting Dave know what's going on. And Dave will text us or call us and say, and check with us to see how our ag is. He's been on our property, he's walked our property, and he is a, he is a friend of ours. And we really appreciate him.

COUNCILMEMBER ATAY: So, when you said, like a week ago or even two weeks ago, how often is the water shutoff, or there's no water?

MS. LANG: Gordon, can you answer? At least a dozen times.

COUNCILMEMBER ATAY: Okay.

MS. LANG: I mean, we've had it on and off. We've had it for the last couple of months on and off, and in the hot summer days. And, our, our, you know, well, I mean, we're farmers, we need that water.

COUNCILMEMBER ATAY: Okay. Thank you.

MS. LANG: Alright. Anyone else?

CHAIR WHITE: Thank you.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: So, just one last question. Thank you. So, how many years have you lived there for the 12 times that your water has been shut off?

MS. LANG: We have lived there almost nine years. And, yea.

COUNCILMEMBER SUGIMURA: And is it your, is it for your potable water? What water was shut off? For your farm or for your drinking water?

MS. LANG: For our farm.

COUNCILMEMBER SUGIMURA: Thank you.

MS. LANG: For our farm.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR WHITE: Thank you very much, Ms. Lang.

MS. LANG: Okay.

CHAIR WHITE: Mr. Clerk.

COUNTY CLERK: Next testifier is Rosemary Robbins, testifying on Committee, County Communication 17-270, 17-283, and 17-286. To be followed by Gordon Firestein.

MS. ROSEMARY ROBBINS, (testifying on County Communications 17-270, 17-283, and 17-286):

Good morning, everybody. Rosemary Robbins, concerned citizen.

CHAIR WHITE: Good morning.

MS. ROBBINS: I want to start off with a happy thought. We have a seven page agenda here today. And at the bottom of page 2, in 17-271, there's, we have received funding in the amount of \$248,528 informing us of the extension of a program thanks to the Housing and Human Concerns Committee. That's got to be hopeful news. We'll see where that goes.

And then also, the Director of Housing and Human Concerns, and the item above that on page 2, says that notifying, they're notifying intended voluntary contributions for the Fiscal Year 2018 received from senior program participants totaling \$295,944. But, there's no Letter of Intent. That, that's a little unnerving perhaps when you get to that we'll be happy to hear about that.

On item 283, that needs to be addressed in terms also with 286, 17-283, 17-286. We've got, 283 is coming from the Mayor to you, Mr. White, and it's talking about monthly source and groundwater reports. It's a four page setup. I went through this. It shows that the water is particularly headed to visitor properties, those folks who are living Upcountry don't get a big slice of that. Thanks be to God I'm hoping that some of this water we're having down here today will also hit Upcountry. That would be a good distribution. If I were running the universe, I'd be very happy to hear that.

When I look at page, at communication 286, this is from the Director of Finance, and it speaks about Water Supply Revenue Fund, as well as the General Fund. So, General Fund, we're talking about taxes; all of us involved in that. The Water Committee one, when we read over on the last page of this, it identifies the amount of money from the General Fund, we're talking about in the millions here. And, when it talks about total loans, keep in mind that a loan is a debt. How often has that been said at this microphone from concerned citizens from the revenue fund? Zero. There's no data. So, here's the form, and here's the missing. So, where is that money coming from? We're talking about \$107,497,570. Nobody's signing this. That's scary as I'll get out.

So, I would like to make sure that people are aware that there are folks in the community who are letting us know about their concerns. I got this in the lobby of the eighth floor of, on this building, when I was down earlier this week from the Filipino American Voice, from July 2017; "Housing Crisis Hurts Maui's Working Families". I'll

say. And it's got three different pages cited in this that's well written. These are people, who years ago, would probably not have written any such.

And the second thing that I would like to cite is that, forgive me for all these papers, but it's good news to know that they're available. From yesterday's, Thursday, July 27, Maui News, it talks about extending the ag land situation Upcountry. And I would point out that on page 4, it says, depending on the type of crops that are grown in the park, the Mayor said that the County may have to install a system to generate potable water to wash hands and produce. What are we growing up there? Scary.

Please take a look at the bigger picture, those of you at home who will be tuning into this. Get in touch with the folks. Just send it right here. If you can't get in, give them a call. They're all listed in the phonebook. Most people don't have phonebooks anymore, but you can get it from information from the telephone company. Thank you.

CHAIR WHITE: Thank you very much, Ms. Robbins. Any need for clarification, Members?

Thank you very much for being here this morning.

MS. ROBBINS: You're welcome.

CHAIR WHITE: Mr. Clerk.

COUNTY CLERK: Next testifier is Gordon Firestein, testifying on Bill 67. To be followed by Ke`eaumoku Kapu.

MR. GORDON FIRESTEIN, [testifying on Bill No. 67 (2017)]:

My name is Gordon Firestein. I live in Launiupoko, and I'm speaking as an individual.

Obviously, water is a huge question for the Makila Kai Project. And, if I understand it correctly, the entire project hinges on the developer's offer to dig a well to supply ag water to the development. I had big concerns and big questions about this well. By their own admission, the well if located somewhere within the development boundaries will draw brackish water.

So, here are my questions. How brackish? Is this water going to be just this side of seawater or is it going to be something closer to the freshwater end of the spectrum? Don't we need to know this before the project is approved? If the location of the well is going to be moved to a higher elevation, where exactly will it be, and how brackish will the water be then? Don't you need to know this before voting on this project? What

affect will irrigating with brackish water have on the long-term health of the soils in the development? Don't we need to know this before the project is approved? And what affect will injecting this water into the existing ag water system have on the rest of the soils in Launiupoko? You know, as a farmer there, I really want to know this before the project is approved.

More questions. How much water is available to pump? This hasn't been proven yet. And what happens if the water supply from this well diminishes over time? What happens if the water becomes more brackish over time? And my last question, if this well is what makes this development even possible in the first place, how can you possibly approve the project without knowing the answers to all these other questions?

So, please reject Bill 67 today, and require the developer to resubmit for approvals under a process that requires an EIS. Thank you.

CHAIR WHITE: Thank you, Mr. Firestein. Members, any need for clarification?

COUNCILMEMBER ATAY: Chair.

CHAIR WHITE: Mr. Atay.

COUNCILMEMBER ATAY: So, sir, I'm trying to get clear here. Following the County's "Show Me the Water" bill, what you're suggesting is that to not allow this development to take place until they show us what kind of water they have?

MR. FIRESTEIN: Exactly. Isn't that the intention of that law?

COUNCILMEMBER ATAY: Yes.

MR. FIRESTEIN: Which, I, I believe that law applies in this case.

COUNCILMEMBER ATAY: Thank you.

MR. FIRESTEIN: Thank you.

CHAIR WHITE: Thank you. Any other need for clarification, Members? Seeing none, thank you very much for being here this morning, Mr. Firestein.

MR. FIRESTEIN: Great. Thank you.

CHAIR WHITE: Mr. Clerk.

COUNTY CLERK: Next testifier Ke`eaumoku Kapu, to be followed by Susan Varsames. Mr. Kapu will be testifying on Bill 67.

MR. KE`EAUMOKU KAPU, [testifying on Bill No. 67 (2017)]:

Good morning, Councilmembers.

CHAIR WHITE: Good morning.

MR. KAPU: Ke`eaumoku Kapu from Lahaina.

You know, this not the first time we went through this. Back, I think before any of you sat on the commission, maybe a few of you were here, in the same area was the 201G fast-track project at a larger scale, yea. That took us two years in the Land Use Commission to show that these lands, yea, cannot accommodate those kinds of fast-tracking, especially to the point where these guys would be exempt from doing an environmental impact statement.

I'm really appalled that this Council cannot even see right in front of them on how this one project going be one rubber stamp for all these other 201H projects that are pending now in the Planning Department. After this one, you get two more; you get one up Haiku, you got Olowalu, you got Kahoma. Now all of a sudden there's this new acronym now; 201H.

Not once, 20 years I been in front of this Council, not once, everybody, anybody ever address the concerns of the kanaka that live in that valley. How many years we've been coming in front of you guys and telling you guys this whole development is overstressed? They don't even know where their water coming from. They cannot even guarantee that. So, if they going guarantee something, they going say, oh, we just going drill another well, so we're not going to impact the river of Kaua`ula. But, no matter what, it impacts same aquifer, same repercussions. How many times we gotta come in front of this Council for tell you guys, yea, to look in front of you? Look what they doing to us.

This is a historic district. Everybody knows Lahaina has been the capital of the kingdom. But they only look at it in a grid, gridline kind of area. From Shaw Street to Prison Street, you have Historic District 1. The real makamai of that whole historic district, which was the capital of the kingdom, is in that valley. We still get kuleana land owners in there that were there prior to this new regime, and from the time of the crown. Those lands are governed by kuleana still today. We count. We are the majority there.

When we come in front of you and we telling you that this development is no good, it's no good. It's overstressed.

That river, yea, you know, I hear somebody talking about da kine, a lot of the Launiupoko people live there. How many times their water blows. How many times all these things happen. I get the call two days before Dave Minami has to go up and clean that intake. I know what it takes to clean that intake. There's no guarantees over here. Anything in that system there is no guarantee.

So, I'm here for tell the Council, eh, you know what, 201G, 201H, all it is is a fast-track. They trying to get around the rightful way of doing things, the pono way of doing things, and we the ones getting impacted; the kuleanas. We getting impacted more than everybody else. So, good luck. Whatever happens from this, it's not over. There may be lawsuits filed. Thank you.

CHAIR WHITE: Thank you, Mr. Kapu.

Members, any need for clarification?

COUNCILMEMBER COCHRAN: Chair. Mr. Kapu.

CHAIR WHITE: Hold on, Ke`eaumoku.

COUNCILMEMBER COCHRAN: I have a question.

CHAIR WHITE: Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. Thank you for being here. Mr. Kapu, in reference to the water, it's been shared, you know the, the lawsuit that had, you had been through in the court system. I'm just wondering how that is going to or is to affect this and their water, you know, usage and, or even receiving it at all? Or, I'm just trying to tie that in.

MR. KAPU: Well, there, there isn't a final settlement that came from the court yet. Once I wait, once I get those papers of the total outcome from the jury trial, the next step for me is to figure out whether or not I'm going to leave that pipe on that property. So, that pipe runs the whole operation of that whole development. That pipe goes down to the hydroplant that operates the hydroplant that operates the wells in that area.

And all I asking for them is to do the right thing, and listen to what the kuleanas have to say. All these developments, these fast-tracking, gotta stop. And I'm not trying to be one bad guy saying that eh, you know what, yea, I pulling that pipe out. But, that's

my right. I fought 17 years in court to get where I am today. My family suffer every day. And it's not just me or my ohana over here too. Nobody listens to us.

So, if I wanted to shut down this development, I pull that pipe right off of that property. Whatever repercussions going happen after that, and that's what you guys need to realize. There isn't just one party over here. This isn't just developers that all of a sudden they get the golden coin that they can promise everybody true affordable homes. What about us? What about our life, our legacy? What going happen to us, the kuleanas that depend on those resources over there every day?

So, I telling you, I'm on the verge of doing something that I don't want to do; is pull that pipe out. That pipe is very valuable to them. And, if I do that then everybody in Launiupoko going suffer too. But, that's not my responsibility. That's your responsibility, and that's their responsibility. If the lawsuits going come flying after whatever I do, it's going to be on them.

CHAIR WHITE: Okay.

MR. KAPU: And it's going to be on you, all of you. That's what I get pending in the courts. That is what is lawful. That is my right. That is my ohana's right. So, sorry, but nuff already.

COUNCILMEMBER COCHRAN: No, thank you for your answer.

CHAIR WHITE: Thank you, Mr. Kapu.

Ms. Crivello.

COUNCILMEMBER CRIVELLO: Aloha. Aloha and thank you for being here. So, hearing you, am I to understand that as a result of your quiet title decision that has come through, the impact will be the, I guess the Launiupoko Irrigation Company's ability to continue using the waterline, they would need to seek easement rights from you. Is that my understanding?

MR. KAPU: It could boil down to that unless we come to the table and come to some kind of negotiation for me to allow them to leave that pipe on that land.

COUNCILMEMBER CRIVELLO: Okay.

MR. KAPU: Yea.

COUNCILMEMBER CRIVELLO: Thank you.

MR. KAPU: Yup.

COUNCILMEMBER CRIVELLO: Thank you.

COUNCILMEMBER ATAY: Chair.

CHAIR WHITE: Mr. Atay.

COUNCILMEMBER ATAY: Good morning, Mr. Kapu. So, would you say that it's, it would be this Council's, would be premature to allow other developments and subdivisions until your position is clear, because a possibility there'll be no water for that entire valley?

MR. KAPU: Yes, very, very possible. Like I said before, I'm waiting to negotiate. My attorneys have been getting in touch with them. They're like little babies with big toys. They no like share their toys that all of a sudden now they don't want to come to the table and talk. So, I'm hoping that the judge sanctioned them to come to the table to come to some kind of agreement, yea, of what's going to happen with that system.

And I have that very right to ask, because of the years. This property was stolen from 1898, and I proved that. Title isn't guaranteed. All title isn't guaranteed. And whatever goes with that title, the amenities of the land that was awarded to those kuleanas, that's a big question too. The years Pioneer Mill has abused our people has come to an end. And I'm going to make sure that we get fair due process, our families of that valley will get due process.

CHAIR WHITE: Okay.

MR. KAPU: You need to help us.

CHAIR WHITE: Mr. Kapu--

MR. KAPU: That's your job.

CHAIR WHITE: --I've allowed you to range far afield from the, from what's on the agenda.

MR. KAPU: Okay. Mahalo.

CHAIR WHITE: We appreciate--

MR. KAPU: I hope you guys really understand this is really passionate to me, and I've been in--

CHAIR WHITE: No, we, we certainly understand.

MR. KAPU: --in this front of this Council many times. So, I'm not trying to be offensive or anything. I not trying to threaten anybody. I feel now more responsible of the people that bought homes over there. Now I stuck with that decision too. Cause whatever I make, it's going to jeopardize all of their lives too, and I don't want to be the person to make that decision.

But, they give me no choice. Nobody gives me any choice but to go the route that I'm going. If I going file one lawsuit, I'm going to file one big lawsuit, and it may come on down this government as well for the lack of your fiduciary duties to do things that is right, that is fair. So, mahalo. Mahalo. Mahalo for allowing me to speak. I'm done.

CHAIR WHITE: Thank you, Mr. Kapu.

Please hold the clapping, please. Thank you.

Mr. Clerk.

COUNTY CLERK: Next testifier is Susan Varsames, testifying on Bill 67. To be followed by Sybil K. Lopez.

MS. SUSAN VARSAMES, [testifying on Bill No. 67 (2017)]:

Good morning. It's an honor to be here. And, I've had tough acts to follow before, but this is probably the toughest so, I'll put my notes away and speak from the heart.

I'm the daughter of a developer in New York, and I have, I'm no stranger to the excitement of blueprints all over the wall, and looking at growth and development. I grew up with that. And when my father and my brother decided to--

CHAIR WHITE: If you could please address the Council or the Chair, instead of the audience.

MS. VARSAMES: Sure.

CHAIR WHITE: Thank you.

MS. VARSAMES: The, when my father and my brother decided to move their development business up into Vermont into agricultural land, my family learned the valuable lessons about environmental impact studies. In New York City, you throw up a mall, no big

deal, you know, it's so densely populated that, that it really doesn't matter to anybody. But, in agricultural land, you know, we're looking at a completely different situation here.

And, you know, I agree with everyone who's spoken before me. Yes, there's traffic. Yes, there's water issues, quality of life, crime. All of those are true facts. But the bottom line is we, we don't have a planet B. This is the only planet we have. And you know, I, my, I've dedicated my life as the owner of the Holistic Learning Center to teaching people how to make their own sunscreen, to not destroy the reef; to make your own laundry detergent, and not put chemicals into our water system. And, as someone who's passionate about that, I'm passionate about this, this whole fast-tracking issue. It's completely dangerous.

We have to be mindful. We have to look clearly at the impact. I have children, I'm about to become a grandmother, for kids who live on the other side of the island because they can't afford to live in Lahaina. I'd like nothing more than to have my first grandchild live down the street from my little tiny Launiupoko cottage. But, not at the expense of having to then look at that grandchild and say, sorry, our reefs are dead; sorry, our supply for oxygen on this planet, which we all think that our, most of our oxygen comes from the trees. In fact, it really comes from our reefs.

And so, if we're not mindful, and if we don't have environmental impact studies that are done by third party people, you know, if we allow the developer to be the person to hire the environmental impact study company, it's, it's not really true and not really honest. It has to be another individual.

So, I am against this moving quickly. I do understand the recognition of wanting affordable housing, but not at the expense of the bigger picture of the environment. Thank you.

CHAIR WHITE: Thank you, Ms. Varsames. Members, any need for clarification? Seeing none, thank you for being here this morning.

Mr. Clerk.

COUNTY CLERK: Next testifier is Sybil K. Lopez, the heir of kuleana land situated in Kaula Valley, testifying on Bill 67. To be followed by Donna Brown.

MS. SYBIL K. LOPEZ, [testifying on Bill No. 67 (2017)]:

Thank you, Chair, Councilmembers.

CHAIR WHITE: Good morning.

MS. LOPEZ: I'm Sybil K. Lopez. I'm speaking as an heir of kuleana lands situated in Kaua`ula Valley, located above the proposed project; one of the heirs of Kalua, heirs of Lucy Kamalu. Royal Patent land, a grant of land is a public law standing upon the statute books of Ko Hawaii Pae Aina. Patent alone passes title to the grantee and the heirs as an inheritance without condition belonging to the owner and alienable by him, transmissible to his heirs absolutely and simply in perpetuity. And the large possible estate a man can have being, in fact, allodial in nature.

(Spoke in Hawaiian).

My three main points. Number one, circumventing the State Land Use Commission Chapter 343, Section 106 process by exemptions request through the 201H project. They should not be exempted by this process, and review all development in this area in its totality because of the following reasons; culture and kuleana landowners, through their AIS and cultural assessment. The project failed to include those that live, sorry, those that live in those ahupua`a's, bordering those ahupua`a's and the current effects of the kuleana landowners that exist there today.

So, the project is in distinct violation of a kanaka maoli, Native Hawaiian, who has exercised such rights as we were customarily and traditionally exercised for subsistence, cultural and religious purposes on undeveloped lands of an ahupua`a who has an interest in a proceeding for any approval of any developments of lands within that ahupua`a which are clearly distinguishable from that of the general public.

And the kuleana rights are protected by Article 12, Section 7, of the Hawaii State Constitution, and may extend beyond that ahupua`a, in which a Native Hawaiian resides where such rights have been exercised in this manner. Water, Kaua`ula Stream is a perennial stream in which it has continuous flow in parts of its streambed all year round during years of normal rainfall. The near streams of this project includes Kaua`ula Stream to the north, and Launiupoko Stream to the south. Both of these streams are part of the Launiupoko aquifer and impacted by stream diversions. Water sources consists of streams, surface water, and aquifers groundwater.

Kaua`ula Reservoir is said to be, said to be owned by the Launiupoko Water Company. The LWC is stating that they have three potable groundwaters, a total of 1.1 million gallons per day that will be affecting our kuleana rights. Direct violation of Article 11, Sections 1 and 7 of the Hawaii State Constitution and the sovereign reservation--

HAIR WHITE: Ms. Lopez, you'll have to provide a concluding statement.

MS. LOPEZ: Okay. I'll just finish this. And the public trust doctrine applies to all water resources without exception or distinction. It's a dual concept and a dual mandate.

CHAIR WHITE: Okay. Thank you very much for your testimony.

MS. LOPEZ: Thank you.

CHAIR WHITE: I think we get the message.

Members, any need for clarification?

COUNCILMEMBER ATAY: Chair.

CHAIR WHITE: Mr. Atay.

COUNCILMEMBER ATAY: Ms. Lopez, so you mentioned you had three, three areas. Was that just number one? Did you, were you able to cover number two and three?

MS. LOPEZ: I wasn't able to continue.

COUNCILMEMBER ATAY: Can you explain to me what is two and three?

MS. LOPEZ: Two is our kuleana land rights and our culture, which hasn't been a part of that project. And the third one was our water. The Kaua`ula Stream that I'm talking about, the stream that our kuleana landowners use as of, still today, and that will be impacted. And, I do not see it in any of the reports of this project. And, I just wanted to urge the Council to add that as a condition to help protect our, our rights, our kuleana rights. That was, that was my conclusion.

CHAIR WHITE: Thank you very much.

MS. LOPEZ: Thank you.

CHAIR WHITE: Any further need for clarification? Seeing none, thank you for being here this morning.

MS. LOPEZ: Thank you.

CHAIR WHITE: Mr. Clerk.

COUNTY CLERK: Next testifier is Donna Brown, testifying on Bill 67. To be followed by Tiare Lawrence.

MS. DONNA BROWN, [testifying on Bill No. 67 (2017)]:

Hello again, everyone. I'm back again. I'm just here to ask you not to fast-track this project. It really needs a full EIS. It's a good idea, but it's just in the wrong place. There, they're talking about 25 homes, but it's really going to be a lot more than that. And this is just part of a bigger project.

The impact of their septic systems leaking into the nearshore water are going to have very detrimental effects on the reef. Our reefs are already dying all around Maui.

Launiupoko Beach Park is one of our most popular parks on Maui. Every weekend you'll see it's packed; people parked all the way up the street; birthday parties. There's a little keiki pond area. What happens when it's too polluted to swim in? All that water from the septic tanks is going to leech up into the nearshore water. It's my favorite place to surf, that's why I, partly why I'm here every time. That's where I surf all the time. I don't want to have to not be able to go surfing cause the water is too polluted.

And when the reef dies, the waves won't be good anymore cause our reefs form our waves. They also form protection for the land. They, the reefs break up the waves before they hit the land. We already know we have a big problem with erosion, and the, the roads washing away and things. If the reef dies, it's going to be even worse.

Is all of this worth it for only 25 workforce houses, which we've been told that only eight are really going to be affordable? It's all a sham. The developer is doing all this just so he can build all of his market price houses.

And maybe I'm naïve, but I assumed that all of you are here on the Council cause you want to do the best for Maui and the people here. And so, I just want to ask you, do you want to leave a legacy of polluted waters and dead reefs? I don't think so.

So, I, I hope you can do what's pono and require a full EIS for this project. Because I think if there is a full EIS, they're going to bring out a lot more things that they're trying to sneak around the backdoor about. So, thank you for listening.

CHAIR WHITE: Thank you, Ms. Brown.

Members, any need for clarification? Seeing none, thank you for being here.

Mr. Clerk.

COUNTY CLERK: Next testifier is Tiare Lawrence, testifying on Bill 67. To be followed by Ulrich Kirkegaard.

MS. TIARE LAWRENCE, [testifying on Bill No. 67 (2017)]:

Aloha, Council. My name is Tiare Lawrence.

CHAIR WHITE: Aloha.

MS. LAWRENCE: I come from more than seven generations in Lahaina, also an heir to LCA 9821 in Makila.

I want to bring up some very valid legal concerns as I did in the last hearing. The potential buildout of ohanas for the Makila Kai Project will bring the total unit over 50, which requires wastewater treatment unit, not septic. This is a Chapter 343, EIS trigger. HFDC is the actual applicant of Makila Kai, Polanui, and Makila Rural East, therefore, this is segmentation and provides good argument for litigation.

Higher density is not appropriate in a fire prone area with one road in and out. It is not appropriate in an area with no wastewater treatment facility. It is not appropriate in an area with severe traffic congestion. It is not appropriate in a coastal area with erosion prone slopes and no masterplan to implement low impact design or other effective mitigation strategies.

Failure of Council to follow State EIS law will force citizens to sue, costing County money once again. The County has a fiduciary duty to protect the County's best interest, and another lawsuit is not in our best interest, all while not providing truly affordable housing in perpetuity. Fast-tracking development is not the right way. We should always put the environment first.

By passing this 201H project, you are supporting out-of-state buyers and investment opportunities from the continent. That's the reality because locals will not afford the market-price homes. The County would be complacent by approving this boundary amendment with this erroneous and inadequate legal advice.

I believe we are going about providing affordable housing for local people all wrong. We need to look at all our County maps with all the various zoning overlay, and choose the best fit vacant land for local families to easily get to schools, urgent care, police, fire and medics, and then work with the landowner who is, who is leasing, or who owns that land, that vacant land, and put this project in that location.

To counter a statement made earlier that the real Lahaina residents support this project is false and an inadequate statement. I can tell you today that majority of the people I know do not want irresponsible development happening over a popular family beach, and are sick and tired of irresponsible development.

I urge the Council to take a hard look at the potential short-term gains versus the long-term impacts and cost of this project to public health, safety, the demand for County services, and the cost it will have on taxpayers due to litigation costs. Mahalo.

CHAIR WHITE: Thank you, Ms. Lawrence.

Members, any need for clarification? Thank you for being here.

Mr. Clerk.

COUNTY CLERK: Next testifier is Ulrich Kirkegaard. To be followed by Tom Landrigan.

MR. ULRICH KIRKEGAARD, [testifying on Bill No. 67 (2017)]:

Good morning--

CHAIR WHITE: Good morning.

MR. KIRKEGAARD: --Council Chair, Councilmembers. My name is Ulrich Kirkegaard, and I'm a, been a Maui resident for 20 years. I've been before you before in this sequence of events leading up to approving Makila Kai hopefully.

I, I got a thing I wrote but I got to say I got overwhelmed a little bit by all these other testimonies that are asking not to fast-track it. And I got to say that when I went into this, I wasn't probably quite aware of the impact it might have on, on our environment. I'm a surfer too, I'm in Launiupoko surfing. I started doing that before there was any houses up there.

But, for the topic today whether or not to rezone an area of ag land on the west side, I got a few comments to that. I do support Makila Kai Subdivision. And I do want the bill today to, to allow the zoning to be changed. From what I know is that the Launiupoko has always been an ag land, but all the houses that are up there, what I see is that a majority of these houses that are there are not really being farmed.

I use to also rent a house up there, and you know, it's five acres, but the only thing that was farmed was to keep in compliance with our tax bill that says that you got to farm in an ag zone, and to keep your lower taxes. And from what I knew, a lot of neighbors did the same thing. So, there was an area up there that had used, probably used more water than they should and just keeping a big old grass; grass is some of the most highest water user that we could possibly spend.

So, I think the water would be used better if it was an actual ag zone being used for farming. True, there's some farms up there, but there is a huge neighborhood full of houses that are just residential. And so, for, I would say that the whole area could might as well be rural in zoning. And I think that by the fact that we build out Launiupoko to the extent that it is built today makes it more so a rural area. And then there are lots of ag land on Maui. And if, I'm thinking over time as the community grows, lots of ag land will be rezoned for rural purposes.

And, and so I just ask the Council today to consider that and, and don't be opposing Makila Kai because of the zoning. Please approve the Bill 67 today. Thank you.

CHAIR WHITE: Thank you, Mr. Kirkegaard.

Members, any need for clarification? Seeing none, thank you for being here.

Mr. Clerk.

COUNTY CLERK: Next testifier is Tom Landrigan, testifying on Bill 67. To be followed by Vera Sredanovic.

MR. TOM LANDRIGAN, [testifying on Bill No. 67 (2017)]:

Greetings, everyone. I've been before you two times. I'm the guy that had the apples. I just want to refresh everyone's memory on the apples. The apple is temptation. Don't go for the apple. They are trying to give you 25 workforce homes. That's the little apple I held up. The large apple is what you're going to give to Mr. Brown. He's only allowed three large homes. He wants 24. He's going to make millions of dollars on this.

Last time I was here, I spoke about the water. And I said that there was freefall panic happening at Kaua`ula Reservoir currently. An attorney shut up, got on the phone, and it, in the weeks to follow, I think it was three weeks, there was work. There were workers up and down my driveway. As I said the last time when I testified, Charlie Palakiko and I are the closest to the reservoir. And so, we know everything that's going on there. There were generators going on, because they couldn't use electric, because the hydro was down. This, these things happen all the time. But in particular, this happened right when this, these, these bodies were happening. And I understand that people went up to inspect it and they saw the reservoir fairly full.

I was there prior to that last meeting when people were clamming, because you could walk out almost midway into the reservoir, and there's clams in the reservoir. I witnessed they were pumping water from the water supply, from the potable water supply into the reservoir. By my calculations, and I don't see any experts, and I'm not an expert on this, but by my calculations it was about 700 gallons of water per minute that were coming out of the earth to refill the reservoir. I did a little calculation, and I'm not that great at math, but I think it's about 1,008,000 gallons per week. So, do we have billions of gallons of water under there that where we could pull 1,008,000 gallons and put it in a reservoir to fill it up for show for this Council? Let's think about the water.

Everybody, I, I usually don't work with notes, but, I just want to mention that Ke`eaumoku Kapu spoke about it's overstressed. That valley is overstressed. That stream is overstressed. This is historic. There wasn't supposed to be a development down there. I know it wound up in the rural area and all that, but there are supposed to be 11 ranches, a highway, and 11 ranches. This is a scam. That's what this is all about.

Thirty more seconds. Let me throw in, don't have my glasses, but Donna Brown mentioned the reef. Let's worry about the reef. And Tiare Lawrence mentioned about irresponsible development. There are serious concerns here. That's a lot of water. We talked about the straws in the milkshake. You can only put so many wells into the ground, you're pulling the same amount of water out. There's not been a lot of studies on this. It's a big scam. It's to make somebody a lot of money, and to give this Council just a mere 25 workforce homes, and there's other places to put this. Thank you very much.

CHAIR WHITE: Thank you, Mr. Landrigan. Members, any need for clarification? Seeing none, thank you for being here again.

MR. LANDRIGAN: Thank you, sir. Thank you, Council.

CHAIR WHITE: Mr. Clerk.

COUNTY CLERK: Next testifier is Vera Sredanovic, testifying on Bill 67. To be followed by Lucienne de Naie.

MS. VERA SREDANOVIC, [testifying on Bill No. 67 (2017)]:

Hello. Hope you guys are doing good today. I'd just like to show this. Hopefully there's more people supporting this, and I think there are. Anybody I spoke to, and we can see those going up. Entire development, entire Launiupoko, all the associations around us, most of the West Maui, and most of the Maui is against destroying our beautiful beaches and reefs. So, I'd just like to start with that.

But, I'd like to remind us what the Land Use Committee mission is, and I'm going to quote that from the State document; "To preserve, protect and encourage the development of the lands in the State for those uses to which they are best suited". So, best and highest uses of ag lands, and especially zoned "A" and "B" have special protection under the State laws. And it clearly states that County cannot rezone those lands, unless they, even if they are for other purposes, they cannot be used for anything other than agriculture.

So, and Office of Planning, I guess to get back to the Planning Office, evaluates whether the project meets the Land Use Commission decision-making criteria. HRS 205-17, ensures that impact to State infrastructure is addressed. Not in this case. As well, evaluates whether the proposed project complies with the Hawaii State plan, HRS 205-16. Not the case. And when it refers to that section, it says "No amendment to any land use district boundary nor any other action by the Land Use Commission shall be adopted unless such amendment or other action conforms to the Hawaii State plan." Doesn't seem like.

And then we go into special permitting process and district boundary amendments. So, for permits involving land less than 15-acres, County Planning Commission may permit certain unusual and reasonable uses. Is this the reasonable use for this high quality ag land? And with agriculture and rural district and other uses, which are classified under HRS 205-6.

Just to go back to this current item you're discussing. So, this is not just 15 acres. And County, the County's jurisdiction, if it is less than 15 acres, this whole project is 79 acres. The market-rate lots are less than two acres. The State definition of ag

lands is two acres or more. So how, how we doing this if it's 79 acres? Why is County even looking at this? This should be land use issue.

And all the areas that are considered for District Boundary Amendment, that means amending existing areas to include adjacent areas. This is in the center of the ag lands so, I don't get it.

CHAIR WHITE: Please provide--

MS. SREDANOVIC: I guess that my time is up. So, thank you.

CHAIR WHITE: Thank you very much.

MS. SREDANOVIC: Please save Launiupoko. Do the right thing.

CHAIR WHITE: Members, any need for clarification?

COUNCILMEMBER ATAY: Chair.

CHAIR WHITE: Mr. Atay.

COUNCILMEMBER ATAY: Ms.--

CHAIR WHITE: Ms. Sredanovic. I have a question from Mr. Atay.

COUNCILMEMBER ATAY: Trying to, trying to understand what you were trying to tell me.

MS. SREDANOVIC: Okay.

COUNCILMEMBER ATAY: So, what you are saying is that, according to the State law, this particular parcel is zoned ag "A" and "B", or "A"?

MR. SREDANOVIC: "B". That's right, "B". This particular is, is zoned "A", "B". And to me it was kind of funny when the developer said, oh, if there is no water then it's level "E". Well, any world, anywhere in the world if you don't have water, it turns into desert.

So, and if you allow this to go and there's no water for existing ag lands, that these, these lands are impacted too. And that's another issue with the District Boundary Amendment. It says, if you are not going to endanger the remaining areas, if we do let this be amended to rural, we are going to endanger the rest of the ag land which is now not going to be able to be ag land because of lack of the water.

COUNCILMEMBER ATAY: Okay. I just wanted to get clarification.

MS. SREDANOVIC: Yes.

COUNCILMEMBER ATAY: So, currently, the zoned--

MS. SREDANOVIC: "B".

COUNCILMEMBER ATAY: It's ag "B".

MS. SREDANOVIC: Correct.

COUNCILMEMBER ATAY: And the State law says if it's ag "B", which is a good grade to farm and grow food--

MS. SREDANOVIC: Exactly.

COUNCILMEMBER ATAY: --you must at, at, at--

MS. SREDANOVIC: Use it for that purpose only.

COUNCILMEMBER ATAY: --keep it at that.

MS. SREDANOVIC: Exactly. So, even if, if those were allowed to be affordable houses, they would have to be doing farming on them according to State laws.

COUNCILMEMBER ATAY: Okay. Thank you.

MS. SREDANOVIC: You're welcome.

CHAIR WHITE: Anyone else, Members? Seeing none, thank you for being here this morning.

MS. SREDANOVIC: Thank you.

CHAIR WHITE: Mr. Clerk.

COUNTY CLERK: Next testifier is Lucienne de Naie, Conservation Chair, Sierra Club Maui, testifying on County Communications 17-284, 289, 293, 296, Committee Report 17-99, and Bill 67. To be followed by Robert "Bo" Petty.

MS. LUCIENNE DE NAIE, SIERRA CLUB OF MAUI [testifying on County Communications 17-284, 17-289, 17-293, 17-296, Committee Report No. 17-99, and Bill No. 67 (2017)]:

Thank you. Thank you, Chair White,

CHAIR WHITE: Good morning.

MS. DE NAIE: --and Members of the Council. My name is Lucienne de Naie. I am the Conservation Chair of the Sierra Club, Maui Group. A lot of those items look kind of lonely on your agenda this morning, and thought you might appreciate a little bit of kukakuka on some of them.

I'm going to start with 17-284, which is regarding the report on the Affordable Housing Summit that was recently held. And so, I assume I'll have like a little period of time for each of these, that not going to fit all of these into one three minute.

CHAIR WHITE: Correct.

MS. DE NAIE: So, what I would like to, I did attend this presentation, the Affordable Housing Summit. And I would just like to say that, you know, for the information of those of you who did not attend, and number of Councilmembers did; thank you. I felt that there was some key information missing from, from this presentation.

One of the key bits of information is how we could work with financing to create a more reliable stream of affordable housing. Because, as I understand it from talking to developers, a lot of the problems in pricing housing in affordable is that they have to guarantee to their lenders a certain amount of return. And, one of the gentlemen addressed that, that he got the lenders to agree to a lesser amount of return. That allowed him to actually have a project. He also got agreements from the unions and others that each would give a little bit.

I think this was something that really should have been explored more, because the County and State both have huge amounts of money to invest. And, I don't know what banks we give them to, but we sure should be asking those banks what they can do for affordable housing in return on the level of some preferred rates to those who are going to pledge to develop affordable housing. And so, that is something that was just not discussed, and it's a big oversight.

A second thing that was not discussed, and I'll put on my Sierra Club hat here, is the role of planning with environmental constraints in mind plays in affordable housing.

Basically, most, most affordable projects are not opposed by anybody, but the ones that are opposed are because they just picked a very bad place. And if we could avoid doing that, which I think we could, that would just be a, a great thing to have a discussion about is like, how can we plan better and prioritize the areas that should end up being something we all support for affordable housing? So, just for your consideration, those, those were two topics that were missing.

I'll move on to item number 17-289. This is relating to the 40 acres for affordable housing purposes owned by Alexander & Baldwin, that was promised to the County as a condition of rezoning several hundred acres of land for the Maui Business Park, Phase II.

I'm very, very familiar with this issue, because Sierra Club and other groups lobbied anyone who would listen. And we asked that there be 200 acres given for affordable housing, because when all that land was rezoned for the Business Park, Phase II from ag to commercial or light industrial, it, well, that was a big check we were handing over to A&B because, you know, they were going to make some money from that land. Yes, they take some risk, but I think that it has been proven that the land is, is selling and is getting used. We asked for 200 acres for affordable housing. It was finally come up with, there was 50 acres offered.

But, it's the question of where it was offered. This land, right now, a portion of the land is next to the, the unlined landfill that was closed in Waikapu because it didn't meet environmental standards. And the other portion is in dune area that is likely to contain more burials because the adjacent dunes have already had 100 burials disturbed. This is the Waiale Project area, project district area that I'm referring to.

Now, A&B had another section of Waiale that didn't have those constraints. But the 40 acres, that's the south project that recently got approved. The 40 acres was never offered there. I just think this body needs to insist that we get land that really is useful for our affordable housing, and does not come with environmental constraints. And that's why I'm offering a little bit of background on this particular project under this item.

I move onto 17-293. This is relating to the Launiupoko Park Master Plan. So, the County has purchased, I think several hundred acres of land along the Honoapiilani Highway in Launiupoko. And they spent good money. I know Chair White did a lot of work to make sure we got some value for our dollar. But, the County really needs a mechanism for managing these larger parcels of land. They are important to our future. They're important that we keep our, our sense of, you know when visitors arrive or our own, you know, local families, that there are these places that are unchanging.

But our Parks Department, I don't think is a well set up to manage large parts of land. They just were never given that, you know, mandate in the beginning. So, I hope that when we're discussing the Master Plan for this, we're discussing how we partner with various non-profits or other groups for the management part of, of the lands.

And then moving onto item number 17-296. This has to do with Councilmember Atay and his Water Committee, discussing potential water conservation measures for Wailea-Makena. Now, as we all know, this area does use a lot of water. It's very dry, and it's lushly landscaped to the resorts who want to give an appearance of, you know, being in tropical jungle.

So, years ago, when the Grand Wailea, which is only on 36 acres was proposing to expand the number of rooms, they proposed because of the "Show Me the Water" bill, to keep their water use at what it is today. And they defined their water use as about 600,000 gallons a day, which is a tremendous amount of water; .6 million gallons of water a day for one 36-acre property. The majority of that was used to water landscape, not for their, you know, not for just washing clothes, or taking showers, or in their spa.

And, it has been proposed, Maui Nui Marine Resource Council had an excellent report that if we could come up with a funding mechanism, Wailea Resort would be a great place to start using our extra supply of reclaimed water from the Kihei plant. And, because it has the ability to adjust to seasonal changes in that water. It has ponds and so forth that could store extra water when it was available, and be drained down when the water wasn't available in the hotter months. And, and also if the water, if it was rainy and they didn't need water, then it was, you know, there was still places it could be stored until it was needed.

This would probably involve a mechanism we don't use much, like a community improvement district where everybody in that, you know, Wailea area, all the properties, would pay a little something in order to have the R1 lines actually be able to go in that direction, or to create a package. One of the suggestions was to create a package plant in that area, so we didn't have to pump everything up to the main plant in more northerly in, in Kihei, but could reutilize it in that area.

I think we really should be looking big here. We are wasting water. And, and it's water that we need.

The last thing that I would like to address today is Bill 67. This is the ordinance to amend the State Land Use District from agricultural to rural in Launiupoko. Let me just say, the Sierra Club has tracked this area for a long, long time since the, since before there was any development. We went with Ed Lindsey and other cultural practitioners

to advocate for cultural preservation in Launiupoko. We've done many service outings at the, the different archaeological sites there. And this project is kind of a poster child for not listening to citizens in the community planning process.

Our community plan from the 90's had the land as agricultural, in part because of the concerns about the lack of infrastructure in the area, and because it's good ag land.

The update of the Maui Island Plan, which was just a few years ago, six, seven years ago in 2008 and 2009, absolutely said the area should remain in agriculture. The GPAC voted for this. The Maui Planning Commission voted for this. And our Planning Director strongly supported it. The Planning staff strongly supported it. But, this County Council, most of you were not Members of it at that time, in their wisdom, chose to make this a rural area, which is going to start to change the whole area.

And what we have is this loophole development where every single way you can bypass any kind of environmental constraints, any time, type of protection for having adequate infrastructure, adequate roads, adequate access for fire protection, adequate protection for cultural practices on the land; they're all being bypassed. I just don't see that as a great tradeoff for 24 homes.

And the Sierra Club, Maui Group, you know, asked if I could come and just speak to that and say, please think long and hard. This is your last vote on it. Is this really the deal that you want? It's a place the people didn't think there should be rural development. It's a place the people who bought houses there were told there would be ag, large ag lots. And now we have this kind of, you know, loophole within loophole. Thank you for your consideration.

CHAIR WHITE: Thank you, Ms. de Naie.

Member, please no clapping. Thank you.

COUNCILMEMBER ATAY: Chair.

CHAIR WHITE: Members, any need for clarification?

COUNCILMEMBER ATAY: Chair.

CHAIR WHITE: Mr. Atay.

COUNCILMEMBER ATAY: Thank you, Ms. de Naie. Yes, thank you for your remarks pertaining to item 17-296 in the area of water conservation measures for Wailea and Makena. That's specifically the intent to address my concerns of users of good

drinkable potable water using something of a million or upwards of two million gallons per day of drinkable water for landscaping.

And so, my request to the Water Department and the Wastewater Department was to address this issue of considering recycled or reclaimed water to allow that to take place. And how do we get reclaimed water back in the area of Wailea and Makena, instead of daily having good drinkable water, up to two million gallons a day going down in the plants? So, thank you for bringing that up.

MS. DE NAIE: Many share your concerns. Thank you.

CHAIR WHITE: Excuse me. Any other need for clarification before Ms. de Naie gets all the way up the ramp? Thank you very much for being here this morning.

Mr. Clerk.

COUNTY CLERK: Next testifier is Robert "Bo" Petty, testifying on Bill 67. To be followed by Tiara Ueki.

CHAIR WHITE: After this next testimony we will take our morning break, Members.

Please proceed.

MR. ROBERT "BO" PETTY, [testifying on Bill No. 67 (2017)]:

Hello, Mr. Chair and Board Members. My name is Robert "Bo" Petty; I go by "Bo". I'm speaking for myself. And, I do live up in Launiupoko.

(Councilmember Cochran was excused from the meeting at 10:36 a.m.)

MR. PETTY: I'm here to say I don't think the zoning should be changed from ag to anything else. I get a little upset about, if not a lot upset, the thought of fast-tracking when there's so many issues that people are bringing up; water from the mountain down to the reef in so many ways, including the sewage, including the importance of the reefs, including the need of the water. I think we're challenged in a lot of ways just because of that. But, to fast-track something and to keep moving on something that just needs better thought. And prove it, if it really is a something that should be done, prove it. Take the environmental impact statements, look at them, make them, make those statements, put them together. Let us look at the information, and then prove that it's actually good sense.

I also get curious about how you can call it affordable housing when after these people own it for a number of years, they sell it and it immediately is gone from the affordable housing market because it will probably then be typical market price, and no longer affordable to those people. Managed in this way through individual development doesn't protect against that, whereas having County or other organizations create the housing, maintain the housing, manage the housing; that makes sense. The question is, is this the right place?

(Councilmember Cochran returned to the meeting at 10:38 a.m.)

MR. PETTY: I also am surprised regularly when people say these are just rich people up there, and they're not farming or doing anything like that. I am not a rich person. I worked all my life as a low-level Federal employee. I got to retire. I'm still working today to pay my bills. I worked through a number of homes creating equity. I was able to buy something up there when the market was turning down. So, it's affordable housing to me, but that's because I worked, and I'm still working. I'm still in a dream trying to make this ag land myself. I am working on drainage around the place. I'm taking classes. I'm propagating plants, getting advice, trying to deal with my own water issues of both drainage and supply, and making sure it works. I see other people around there doing the same. They too are farming. And I see a lot of people giving that a try.

So, I'm not rich. I'm not an absentee person. I need the water. I need good thinking being done to protect people like me trying to fulfill a dream. That's the reason I bought the place. I want it ag. I want around their ag. Taking the classes I take, they show maps around the State, all the islands, and Launiupoko is a unique land type. It's a order of soil that's unique on these islands, and we have a lot of good land there. Let's keep it ag land. Thank you.

CHAIR WHITE: Thank you very much, Mr. Petty.

Members, any need for clarification? Seeing none, thank you for being here.

Members, we'll be in recess until ten minutes to eleven. We're in recess.

(THE MEETING WAS RECESSED BY THE CHAIR AT 10:40 A.M., AND WAS RECONVENED AT 10:58 A.M., WITH ALL MEMBERS PRESENT; EXCEPT COUNCILMEMBERS GUZMAN AND KING EXCUSED.)

CHAIR WHITE: This meeting will please come back to order.

Mr. Clerk, let's proceed with the remainder of public testimony.

COUNTY CLERK: Mr. Chair, the next testifier is Tiara Ueki, to be followed by Autumn Ness.

MS. TIARA UEKI, [testifying on Bill No. 67 (2017)]:

Aloha. My name is Tiara Ueki.

CHAIR WHITE: Aloha.

MS. UEKI: Thank you. I am here on behalf of myself and my ohana that currently reside in Kaua`ula, Kaua`ula Valley, sorry.

I am here to oppose the District Boundary Amendment. Sorry, I'm so nervous. Like Doris mentioned, we are not against affordable housing or workforce housing, but it should remain in perpetuity.

I also want to start off by closing my cousin Sybil's testimony, which she didn't have time to finish. But, under article, we just want to say that this project is in direct violation of Article 11, Section 1 and 7 of the Hawaii Constitution and Sovereign Reservation.

The Public Trust Doctrine applies to all water resources without exception or distinction. Public Trust is a dual concept, concept of sovereign right and responsibility, and thus, a public trust relating to water resources as the authority and duty to maintain purity and flow of our waters for future generations, and to assure that the waters of our land are put to reasonable and beneficial uses.

Article 11, Section 1, requires the State and bodies a dual mandate of: 1) protection; and 2) maximum, reasonable, and beneficial use.

Who will this impact in the long run? Who, where, and what will this impact in the long run? I really urge that you guys please let this project go through the proper environmental assessment.

We, I currently reside in Kaua`ula Valley along with all my ohana, and Kaua`ula Stream is our life. I don't understand how some Councilmembers don't understand that this project will affect our lifeline; our Kaua`ula Stream. You already heard testimonies of homeowners losing their water supply.

Okay, I want to talk about water right now; not having enough potable water. The "Show Me the Water", the "Show Me the Water" rule requires the developer show they have the necessary potable water for a future, sorry, for a future population before they

start building. Currently, the developers can't show they have the water, the "Show Me the Water" should apply here since any exception to the law requires the development provide 100 percent affordable units.

Okay, in conclusion, I urge the Council, not only me, our ohana, urge the Council to add a condition to protect the rights of the kuleana landowners who will be directly affected by this development and future developments located in our ahupua`a. And the, sorry.

CHAIR WHITE: You can provide a concluding thought.

MS. UEKI: And that these developments shall not be exempt from the process. I urge that this development and future development be sent to the State Land Use Commission in its entirety. Thank you.

CHAIR WHITE: Thank you very much for your testimony.

Members, any need for clarification? Thank you for being here this morning.

Mr. Clerk.

COUNTY CLERK: Next testifier is Autumn Ness, testifying on Bill 67. To be followed by George Brown.

MS. AUTUMN NESS, [testifying on Bill No. 67 (2017)]:

Good morning, Council. My name is Autumn Ness. I want to clarify that I'm testifying as an individual. And this is actually really difficult for me to take the position I'm taking right now, because everybody in this room probably knows that I do a lot to forward the goal of housing people. I spent a lot of time and energy on it, we all do in this room. And when Junya and Greg and everybody came to talk to the Council about this project, I was actually really excited about it.

The project itself is amazing. They worked with me, as a staff for Elle Cochran, and me as an individual who is living the housing crisis on a daily to make this project really, really good.

CHAIR WHITE: Ms. Ness, you need to address me not the audience, please.

MS. NESS: Sorry.

CHAIR WHITE: Thank you.

MS. NESS: I saw their passion, and their drive, and their dedication to make this project the best that it could be for real local people. I'd love to live there. I'd love to apply to be one of these homeowners. But, I can't support the District Boundary Amendment because I can't support this choice, this erroneous choice that we've been given to choose our environment or housing.

This 201H situation, this whole system we've been put in where the only way we can house local people is if we destroy the very resources that we're going to depend on in a few generations is wrong. We can do better. The whole thing that you can just skip an EIS and forgo environmental regulations and sane decisions that are going to impact our water table and our nearshore water quality, this is wrong.

The, I hear this thing environmentalists are the reason we can't build houses. The environmentalists are not the reason we can't build houses; bad planning is the reason we can't build houses. We come up against bad plans, not against homes. Yea, so, I'd like to work to make better choices to start with, not the fact that we have to sell out our water, our reefs, and our ocean quality for homes.

With the remaining time I have left, I'd like to read a couple excerpts from this Attorney General opinion. It's old, but it's about the kuleana that we have to protect good ag land. I'll give you guys all copies in full later. One of it is, inadequate controls have caused many of Hawaii's limited and valuable lands to be used for purposes that may have short term gain to a few, but result in the long term loss to the income and growth potential of our economy. The shifting of prime agricultural lands and to non-revenue producing residential uses when other lands are available that could serve adequately the urban needs of failure to utilize fully multi-multiple purpose lands, and their evidences of the need for public concern and action.

He goes on and on to encourage . . . adequate devices to ensure Hawaii's limited and valuable land not be used for short-term gain for a few with the resulted long-term loss to income and growth potential to our economy. There's like, it's like 10 pages. I'll give it to you later.

But, I just really wanted to, I guess, go on record saying that I love this project, I just don't, I don't love the impacts to the, its environment and we can do better in a different place maybe. Thank you.

CHAIR WHITE: Thank you, Ms. Ness.

Members, any need for clarification?

COUNCILMEMBER ATAY: Chair.

CHAIR WHITE: Mr. Atay.

COUNCILMEMBER ATAY: Ms. Ness, your concerns about the impact to the environment, is it pertaining to wastewater, septic situation? What is your concern about the environment?

MS. NESS: The, a couple of things that came to light recently, when I say recently, I mean from the beginning when we started talking about this project until now, are the number of septic tanks, and that it would just go under what would require an impact statement. Water, the use of water now with the Kapu family's lawsuit that they just won. And you know, different uses of water, the pipe and how much water the kuleana families are going to have. All of these questions are unanswered, and I feel like that's a big, that's a big deal.

COUNCILMEMBER ATAY: Thank you.

CHAIR WHITE: Thank you, Ms. Ness.

Mr. Clerk.

MS. NESS: Thank you.

COUNTY CLERK: Mr. Chair, the last individual to, who have signed up to provide testimony in the chamber is George Brown, testifying on Bill 67.

MR. GEORGE BROWN, [testifying on Bill No. 67 (2017)]:

Mr. Chairman, Councilmembers, I am, my heritage is--

CHAIR WHITE: Could you move the microphone up? Thank.

MR. BROWN: My heritage in part is Hawaiian. My great-great grandfather was the only Hawaiian that was on the, the great mahele that signed, probably, a lot of the, these, these kuleana lands.

CHAIR WHITE: Mr. Brown, will you please address the Chair instead of the audience?

MR. BROWN: I'm sorry.

CHAIR WHITE: Thank you.

MR. BROWN: I'll address you then, Mike, sir. So, I'm, I'm not one of those haoles that are living up there. I'm lucky to be there, and I appreciate living up in that area. I also work for Pioneer Mill. And my first job there was to work on those specific fields that now I have a small part of. Those are some of the best fields in the plantation up there, particularly the lower fields.

The water came from the two Lahaina pumps and the mill water from the mill wash water. And so, very little of the water came from mauka. And so, when you start looking at that, where does the water come from? You know, in the old days it didn't come from there. It came from someplace else, and was, it was pumped up, up there and through the Lahaina pump, "B" ditches, "C" ditches, and "D" ditches.

So, I'm not in, in, against the workforce housing. I'm, there's a huge need for it, and everybody has pretty much said that. There is 500 acres that the State owns right now, just above Lahaina; between the, the, where the new road comes down, the bypass that hooks down in, and the Civic Center. That's where this should be. There's about six or eight roads that go up there and service that area now. There's septic, I mean, excuse me, sewage treatment, there's everything there right now.

You know, why don't you guys get together, why don't all of us get together and go to the State and say, you have it, let's work together here? There's a, there's a part of us as a community, you as legislators; let's work together and do this and, and get that housing. There could be 1400 units there, you know.

Let's protect our ag land. You know, there's some people up there that, that don't do ag. I do ag. We do coffee. We do, we're farmers. Keep it in farming. Thank you.

CHAIR WHITE: Thank you, Mr. Brown. Members, any need for clarification? Seeing none, thank you for being here this morning.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, there's no other individuals signed up to provide testimony in the Council chamber.

If there's any additional individual in the Council chamber or at the District Offices who would like to offer testimony, please identify yourself to the appropriate staff and proceed to the testimony lectern or the District Office staff at this time.

CHAIR WHITE: Okay, so we have an additional testifier.

Good morning, Mr. Nakoia.

MR. JUNYA NAKOIA, [testifying on Bill No. 67 (2017)]:

How's it. Junya Nakoia, Lahaina. I feel, you know what, this project, I'm kind of happy because the thing going open the eyes of all the water problems get up there. You know, if never had this project, nobody going look the water.

I know the family that live up there. I go help them. I go help them make sure they get water to his lo`i and all that kind stuff, ya. It's opening, it's educating. You guys know me, I always wear the BEA30 shirt. Bless you. But, braddah educating America, that's what it is. And, that's what this project doing; waking up everybody about this whole thing.

I think about 15 years ago, the Pu`unoa Project, we was here doing the same thing. Again, I was trying to, for get the housing for my daughter. I brought em up hea, they, they never like come today. I don't blame them, cause I don't know why I here today. But, I speaking from my heart, brah.

Fifteen years ago, we, we stop the project, you know, they when stop the project, the Hawaiians; mahalos, yes, everybody all happy. But, still, all the houses when build. All those houses up there in the mountain still get plenty up there, Chairman. Plenty of houses up there, but none of us Hawaiians up there, you know, what I mean. The families still there, the one, you know, the Kaua`ula Valley, all those guys, they, they bad ass fuckers I tell you, they awesome.

But, I just saying, the, everybody else still building. Put some of us inside those houses, you know what I mean. Maybe we going help watch the damn thing. Maybe we going help do the environmental impact. We're not going to let nobody screw up our reefs. We're not going to let nobody screw up our beaches. We not going let nobody screw up our roads. We going watch um.

You know what, if this thing shot down, okay, whatevers, I tried, I tried, I tried, I did it 15 years ago, and I'm doing it again.

And, if it, it no happen, no buck on me, cause I trying for open up one restaurant in the middle of tourism central, and I getting stopped by this County. But, this Hawaiian not going stop. I going get that restaurant going in the middle of tourism central, catering to the locals, yea, you know that. But the haoles, the tourists, they going like come

because we get good food. We get good personality. We going educate them about Hawaii. We going educate them how for be aloha. You know what I mean?

But, maybe that three houses that everybody saying can only be built on this property, who do I know them, they might be billionaires that I don't know, but I still going take the water. They going still take the whatever, the doo-doo, you know, the sewage, whatever. Let us Hawaiians watch our land. And, let's just, just, just make sure that this no get screwed up, this land no get screwed up by, I'm sorry, but dummies. You know what I mean?

Us guys we live here. I live, I live on that side of the island all my life. I am Lahaina. I love Lahaina. I scared pass the tunnel. I get chicken-skin or more . . . back on that side. You know what I mean? I love Lahaina. I going protect Lahaina. But if this thing no go through, mahalo guys. You guys win. Mahalos. Yes, good luck. You know what I mean?

You guys get one big task to protect our environment like everybody saying; environmentalists. Let us be the ones for watch them, okay. If this project no go through, this guy no care. If the project go through, guess who going be there every day making sure this developer do what he says? Cause my name is on this damn thing, okay. Mahalo.

CHAIR WHITE: Thank you, Mr. Nakoa.

Members, any need for clarification? Seeing none, thank you for being here.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, once again, if there is any additional individuals in the Council chamber or the District Offices who would like to offer testimony, please identify yourself with the appropriate, with the appropriate staff and proceed to the testimony lectern or District Office staff at this time.

Hana Office, are there any additional testifiers?

MS. LONO: There's no one waiting to testify at the Hana Office.

COUNTY CLERK: Thank you.

Lanai Office, are there any additional testifiers?

MS. FERNANDEZ: There is no one waiting to testify on Lanai.

COUNTY CLERK: Thank you.

Molokai Office, are there any additional testifiers?

MS. ALCON: There is no one here on Molokai waiting to testify.

COUNTY CLERK: Mr. Chair, there's no other individual in the District Offices nor the chamber who wish to offer testimony.

CHAIR WHITE: Thank you, Mr. Clerk.

Members, we have received written testimony as you know. Is there any objection to us entering it into the record?

MEMBERS VOICED NO OBJECTION.

THERE BEING NO OBJECTION, WRITTEN TESTIMONY RECEIVED FROM THE FOLLOWING WERE MADE A PART OF THE RECORD OF THIS MEETING:

1. Robin Newbold, Maui Nui Marine Resource Council;
2. Albert Perez, Maui Tomorrow Foundation;
3. Ulrich 'Uli' Okura Kirkegaard;
4. Teresa Jacques;
5. Kimberly Gurgone;
6. Robert and Chia Michaelson;
7. Kirsty Sinclair;
8. Brandt J. Bennett;
9. Tammy Biddix;
10. Gilberto Castro;
11. Linda Castro;
12. Christopher;
13. Erika Lechuga DiSalvo;
14. Amber Gifford;
15. Robert Monteiro Jr.;
16. Dorisa Pelletier-Yamasaki;
17. Amy Yamaguchi;
18. Luis Banto;
19. Tambara Garrick;
20. Rae Graber;
21. Wendy Hooper;

22. Vernon and Dawn Malubay;
23. Gabe Manriquez and Family;
24. Noelle Manriquez;
25. Mina Moghadam;
26. Shauna Norris;
27. Tessa and James Parker;
28. Hulali Perreira;
29. Valeria, John, and Lorenzo Pollaccia;
30. Cambria Russell; and
31. Rebecca Winkie.

CHAIR WHITE: Thank you. So ordered. And, without objection, we will close public testimony for the day.

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Thank you. Public testimony is closed.

Mr. Clerk, please proceed with the agenda.

COUNTY CLERK: Mr. Chair, proceeding with the minutes.

MINUTES

The minutes of the Council of the County of Maui's special meeting of May 18, 2017, and regular meeting of May 30, 2017, was presented at this time.

CHAIR WHITE: Mr. Carroll.

VICE-CHAIR CARROLL: Thank you, Chair.

I MOVE THAT THE MINUTES OF THE SPECIAL MEETING OF
MAY 18, 2017, AND THE REGULAR MEETING OF MAY 30,
2017 BE APPROVED.

COUNCILMEMBER CRIVELLO:

SECOND.

CHAIR WHITE: We have a motion from Mr. Carroll, and a second from Ms. Crivello.

Mr. Carroll.

VICE-CHAIR CARROLL: No discussion.

CHAIR WHITE: Thank you.

Members, any discussion on the minutes? Seeing none, all those in favor of the motion please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, HOKAMA, SUGIMURA,
VICE-CHAIR CARROLL, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS GUZMAN AND KING.

CHAIR WHITE: Measure passes with seven "ayes", two "excused"; Members Guzman and King.

Mr. Clerk.

COUNTY CLERK: Mr. Chair, proceeding with communications.

COUNTY COMMUNICATIONS

NO. 17-265 - TIVOLI S. FAAUMU, CHIEF OF POLICE,
(dated July 5, 2017)

Transmitting a copy of a grant agreement with the Office of Youth Services for the KALO Program in the amount of \$89,000.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, with no objections, I request the Clerk bring up County Communications up to and including 17-268, 269.

CHAIR WHITE: Objections, Members?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: So ordered.

Mr. Clerk.

NO. 17-266 - TIVOLI S. FAAUMU, CHIEF OF POLICE,
(dated July 5, 2017)

Transmitting a copy of a grant agreement with the Office of National Drug Control Policy for the High Intensity Drug Trafficking Areas Grant in the amount of \$135,240.

NO. 17-267 - TIVOLI S. FAAUMU, CHIEF OF POLICE,
(dated July 13, 2017)

Transmitting a copy of a grant agreement with the Office of Youth Services for the Ho`ohuli Program in the amount of \$59,682.

NO. 17-268 - TIVOLI S. FAAUMU, CHIEF OF POLICE,
(dated July 11, 2017)

Transmitting a copy of a grant agreement with the State of Hawaii, Department of Health for the Emergency Medical System Grant in the amount of \$376,865.83.

NO. 17-269 - TIVOLI S. FAAUMU, CHIEF OF POLICE,
(dated July 14, 2017)

Informing of the receipt of \$2,404 in Forfeiture Funds from the Department of the Attorney General, State of Hawaii.

CHAIR WHITE: Thank you, Mr. Clerk.

Mr. Hokama.

COUNCILMEMBER HOKAMA:

CHAIRMAN, I MOVE TO FILE ALL COMMUNICATIONS AS
READ BY THE CLERK.

COUNCILMEMBER CRIVELLO:

SECOND.

CHAIR WHITE: We have a motion from Mr. Hokama, and a second from Ms. Crivello.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Just one comment, Chairman, regarding 17-267. This is just a copy of the grant award, transmitted by Chief of Police Faaumu. We have agendaized the subject matter on August 1, by your Budget and Finance Committee. Thank you.

CHAIR WHITE: Thank you.

Any further discussion on these items, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, HOKAMA, SUGIMURA,
VICE-CHAIR CARROLL, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS GUZMAN AND KING.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused".

Mr. Clerk.

NO. 17-270 - CAROL K. REIMANN, DIRECTOR OF HOUSING AND HUMAN CONCERNS, (dated June 26, 2017)

Notifying of intended voluntary contributions for the Fiscal Year 2018 received from senior program participants totaling \$295,944, with no Letter of Intent.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, with no objections, the Clerk to also bring up Communications 271 and 272.

CHAIR WHITE: Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: So ordered.

Mr. Clerk.

NO. 17-271 - CAROL K. REIMANN, DIRECTOR OF HOUSING AND HUMAN CONCERNS, (dated July 10, 2017)

Transmitting Contract Modification Order Nos. 4 and 5 from the State of Hawaii, Executive Office on Aging, notifying of additional funding received for the Aging and Disability Resource Center Grant in the amount of \$248,528 and informing of the extension of the program to June 30, 2018.

NO. 17-272 - STEWART STANT, DIRECTOR OF ENVIRONMENTAL MANAGEMENT, (dated July 3, 2017)

Transmitting a copy of the notice of grant award from the State of Hawaii, Department of Health for the Glass Recovery Program in the amount of \$109,390.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA:

CHAIRMAN, MOVE TO FILE COMMUNICATIONS AS READ BY THE CLERK.

COUNCILMEMBER CRIVELLO:

SECOND.

CHAIR WHITE: We have a motion from Mr. Hokama, and a second from Ms. Crivello.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, no further discussion.

CHAIR WHITE: Members, any need for discussion on these items? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, HOKAMA, SUGIMURA,
VICE-CHAIR CARROLL, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS GUZMAN AND KING.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused".

Mr. Clerk.

NO. 17-273 - DANILO F. AGSALOG, DIRECTOR OF FINANCE,
(dated July 7, 2017)

Transmitting 77 contracts/grants for June 2017.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA:

CHAIRMAN, I MOVE TO FILE COUNTY COMMUNICATION 17-273, WITH THE FOLLOWING CONTRACTS REFERRED TO BUDGET AND FINANCE: FIRST WOULD BE CONTRACT 5908-1, TIME EXTENSION, GROUP 70 INTERNATIONAL IS THE VENDOR; SECOND WOULD BE CONTRACT C6095-1, THIS IS FOR THE TORKILDSON, KATZ LAW FIRM REGARDING BARGAINING UNIT 11; CONTRACT 5823-2, TYLER TECHNOLOGIES REGARDING THE MAPPS

PROJECT; CONTRACT 6220, ESRI CANADA WHERE WE'RE GETTING OUR 3-D REAL PROPERTY ASSESSMENT PROGRAM; AND FINALLY CONTRACT 6298, WORKDAY INC., THE VENDOR REGARDING THE REPLACEMENT OF THE PAYROLL SYSTEM FOR THE COUNTY OF MAUI.

And, I'm open to other requests by the Members. Again, Chairman, this is regarding the finance portion of your Budget and Finance Committee's responsibilities. Thank you.

CHAIR WHITE: Thank you, Mr. Hokama.

Members, any other requests for referral to Committee?

Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair.

IF THERE ARE NO OBJECTIONS, I WOULD REQUEST TO HAVE CONTRACT M1024, RELATING TO HALE MAHAOLU, REFERRED TO MY HHT COMMITTEE.

CHAIR WHITE: Okay. Staff, did you get all the contracts from Mr. Hokama and Ms. Crivello?

COUNTY CLERK: We did.

CHAIR WHITE: Okay, thank you.

Any other requests for referral? Seeing none, my count is we have six requests for referral to Committee? Okay, thank you. All those in favor of the motion, please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, HOKAMA, SUGIMURA,
VICE-CHAIR CARROLL, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS GUZMAN AND KING.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused".

Mr. Clerk.

NO. 17-274 - DANILO F. AGSALOG, DIRECTOR OF FINANCE,
(dated June 27, 2017)

Informing of the acquisition of a Warranty Deed for a Road Widening Lot in conjunction with the Makawao Avenue Reconstruction Subdivision, identified as TMK: (2) 2-7-001:010 (Por).

CHAIR WHITE: Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. This matter is a housekeeping item. And in accordance with Section 3.44.015H, Maui County Code, the Director of Finance is required to notify the Council in writing of any acquisition or conveyance made to the County pursuant to this Section.

And, this Road Widening Lot on Makawao Avenue was dedicated to County as part of a subdivision requirement. The law is for widening a portion of the west side of Makawao Avenue, and contains an area of approximately 397 square feet, \$7500 of CIP funds were used to acquire the Road Widening Lot.

And so, to be consistent with 3.44.015G, Maui County Code, Public Works has approved the dedication of this widening lot, and transmitted, that is transmitted in this County Communication.

SO, AT THIS TIME, CHAIR, IF I CAN ASK FOR THIS JUST TO
BE FILED.

CHAIR WHITE: Okay, so there's a motion to be, to file this item. Do we have a second?

COUNCILMEMBER HOKAMA:

SECOND.

CHAIR WHITE: We have a motion from Ms. Cochran, and a second from Mr. Hokama.

Ms. Cochran.

COUNCILMEMBER COCHRAN: I stated the justification for filing.

CHAIR WHITE: Just wondering if you had anything additional.

COUNCILMEMBER COCHRAN: Thank you.

CHAIR WHITE: Any further discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, HOKAMA, SUGIMURA,
VICE-CHAIR CARROLL, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS GUZMAN AND KING.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused".

Mr. Clerk.

NO. 17-275 - DANILO F. AGSALOG, DIRECTOR OF FINANCE,
(dated July 17, 2017)

Informing of the acceptance of a Limited Warranty Deed for a Drainage Lot, Hansen Road Rehabilitation Subdivision, identified as TMK: (2) 3-8-001:001 (Por).

CHAIR WHITE: Ms. Cochran.

COUNCILMEMBER COCHRAN: Chair, may I also request Clerk to bring up County Communication 17-276?

CHAIR WHITE: And, 277?

COUNCILMEMBER COCHRAN: Sure. Yea, it's a little, 277 is a little different, but. Three, you can pull up all three and I'll just explain.

CHAIR WHITE: Okay.

COUNCILMEMBER COCHRAN: Sure.

CHAIR WHITE: Any objections, Members?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: So ordered.

Mr. Clerk.

NO. 17-276 - DANILO F. AGSALOG, DIRECTOR OF FINANCE,
(dated July 17, 2017)

Informing of the acceptance of a Limited Warranty Deed for a Drainage Lot, First Assembly of God Subdivision, Phase II, identified as TMK: (2) 3-8-001:002 (Por).

NO. 17-277 - DANILO F. AGSALOG, DIRECTOR OF FINANCE,
(dated July 18, 2017)

Informing of the acceptance of a Sewerline Easement and Grant of Sewer System Improvements, Ke Alii Kai II Subdivision, Kihei, identified as TMK: (2) 3-8-007:151 (Por).

CHAIR WHITE: Thank you.

Ms. Cochran.

COUNCILMEMBER COCHRAN: Yea, thank you, Chair. So, 17-275 and 276 are housekeeping items, and are both related to drainage lots located across Hansen Road. And they're in reference to, let's see, 48, over, around 4800 square feet and 1278 square feet for Hansen Road Rehabilitation Subdivision, and for the First Assembly of God Subdivision.

So, CIP funds were used; \$3,268 and \$1,340, respectively, to acquire these drainage lots.

And, in accordance to the County Code, Director of Public Works has approved the dedication and is now transmitting this communication to us. So, very housekeeping type item.

And then, the 17-277 is also housekeeping in reference to Section 3.44.015H. And, this one is acceptance of Sewerline Easement and Improvements. Includes underground sewer pipelines and manholes. The Roadway Lots of 94 to 100 within the Ke Alii Kai II Subdivision. This one, no County funds are used.

And, if Members would like the maps and all the finer details of these projects, they are in our Granicus and online to see. I know I've been usually wanting to push these into my Committee, even though it's just housekeeping, but those were not, to me, sufficient information was not given. But, these, they've come around to putting in enough information just to clearly understand what they're talking about.

So, at this time, if there's no objections, I'd like to have these three items filed.

CHAIR WHITE: Okay, Members.

COUNCILMEMBER COCHRAN:

I MOVE TO HAVE THESE THREE ITEMS FILED.

COUNCILMEMBER HOKAMA:

SECOND.

CHAIR WHITE: Post motions, I guess. So, we have a motion from Ms. Cochran, and a second from Mr. Hokama.

CHAIR WHITE: Any further discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, HOKAMA, SUGIMURA,
VICE-CHAIR CARROLL, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS GUZMAN AND KING.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused".

Mr. Clerk.

NO. 17-278 - KA'ALA BUENCONSEJO, DIRECTOR OF PARKS AND RECREATION, (dated July 14, 2017)

Transmitting a list of permits and activities using properties managed by the Department of Parks and Recreation, which were either department-sponsored or County co-sponsored for Fiscal Year 2017.

CHAIR WHITE: Ms. Crivello.

COUNCILMEMBER CRIVELLO: Excuse me. Thank you, Chair.

ON BEHALF OF PRL COMMITTEE CHAIR DON GUZMAN, I
MOVE TO FILE COUNTY COMMUNICATION 17-278.

VICE-CHAIR CARROLL:

SECOND.

CHAIR WHITE: We have a motion from Ms. Crivello, and a second from Mr. Carroll.

Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you. The Director of Parks and Recreation provided the Council with this list pursuant to Section 13.04A.050, Maui County Code, which requires the Director to transmit on/or before July 15 of each year, a list of all department-sponsored activities, whether revenue generating or non-revenue generating, and any activities beyond five consecutive days between July 1 and June 30 of the previous fiscal year.

The Code requires the reports to include certain information which has been itemized in the Department's list.

There being no further action required, filing of the communication is appropriate.
Thank you, Chair.

CHAIR WHITE: Thank you, Ms. Crivello.

Members, any further discussion?

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, thank you. I'll support the motion on the floor this morning. However, Chairman, I find it interesting being your Budget and Finance Chair that the Department did not place some type of dollar value. If they had to pay under our permit structure and fee structure, what would be the revenues generated from this Department for those events?

I think we should be aware of what we're agreeing to sponsor that takes away from the revenue, that then further makes up from the General Fund. It is of concern that the departments do not provide complete information that this Council needs for the greater and better decision. Thank you.

CHAIR WHITE: Any further discussion on this item? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, HOKAMA, SUGIMURA,
VICE-CHAIR CARROLL, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS GUZMAN AND KING.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused".

Mr. Clerk.

NO. 17-279 - ALAN M. ARAKAWA, MAYOR,
(dated July 7, 2017)

Informing of a vacancy on the Maui Planning Commission due to the resignation of Doreen Canto on July 7, 2017.

CHAIR WHITE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Mr. Chair, with no objections, may I ask that the County Clerk to also bring up County Communication 17-280 and 17-281?

CHAIR WHITE: Any objections, Members?

MEMBERS VOICED NO OBJECTION.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR WHITE: So ordered.

Mr. Clerk.

NO. 17-280 - ALAN M. ARAKAWA, MAYOR,
(dated July 3, 2017)

Informing of a vacancy on the Lanai Planning Commission due to the resignation of Beverly Zigmond on July 3, 2017.

NO. 17-281 - ALAN M. ARAKAWA, MAYOR,
(dated July 11, 2017)

Informing of a vacancy on the Lanai Planning Commission due to the resignation of Medigale Badillo on July 10, 2017.

CHAIR WHITE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA:

MR. CHAIR, I MOVE TO FILE COUNTY COMMUNICATIONS
17-279 THROUGH 17-281.

COUNCILMEMBER CRIVELLO:

SECOND.

CHAIR WHITE: We have a motion from Ms. Sugimura, and a second from Ms. Crivello.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. The Mayor received notification of the resignation of Doreen Canto from the Maui Planning Commission on July 7, 2017,

Beverly Zigmond from the Lanai Planning Commission on July 23, 2017 *[sic]*, and Medigale Badillo from the Lanai Planning Commission on July 10, 2017.

We would like to sincerely thank each of them for their time served on the commissions. And I wish them the best in their future endeavors.

CHAIR WHITE: Thank you, Ms. Sugimura.

Members, any further discussion on these items?

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Real quickly, Chairman. I appreciate all three women volunteering for public service in a very important role as planning commissioners. I want to especially thank Ms. Zigmond and Ms. Badillo of Lanai for providing service to our community.

Some of the circumstances is part of the unique and unfortunate reality of Lanai and one giant landowner. And for me, it's unfortunate that we lose good input from community members that I felt was serving the greater interest of the island, and not just one specific purpose. So, thank you very much, Mr. Chairman.

CHAIR WHITE: Thank you, Mr. Hokama.

Any further discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, HOKAMA, SUGIMURA,
VICE-CHAIR CARROLL, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS GUZMAN AND KING.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused".

Mr. Clerk.

NO. 17-282 - DAVID TAYLOR, DIRECTOR OF WATER SUPPLY,
(dated July 5, 2017)

Transmitting the State of Hawaii's Commission on Water Resources Management water use reports for April and May 2017 for all registered well reporters in the County of Maui.

CHAIR WHITE: Mr. Atay.

COUNCILMEMBER ATAY: Mr. Chair, if there are no objections, may I also request the Clerk to call County Communication 17-283 at this time?

CHAIR WHITE: Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: So ordered.

Mr. Clerk.

NO. 17-283 - DAVID TAYLOR, DIRECTOR OF WATER SUPPLY,
(dated July 6, 2017)

Transmitting the Department of Water Supply's Monthly Source Report and Groundwater Use Report for the month ending June 2017.

CHAIR WHITE: Mr. Atay.

COUNCILMEMBER ATAY:

MR. CHAIR, I MOVE TO FILE COUNTY COMMUNICATION
17-282 AND 17-283.

COUNCILMEMBER COCHRAN:

SECOND.

CHAIR WHITE: We have a motion from Mr. Atay, and a second from Ms. Cochran.

Mr. Atay.

COUNCILMEMBER ATAY: Mr. Chair, these reports are strictly informational. There is no Council action needed. I appreciate receipt of the information, and respectfully request that communications be filed.

CHAIR WHITE: Members, any further discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, HOKAMA, SUGIMURA,
VICE-CHAIR CARROLL, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS GUZMAN AND KING.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused".

Mr. Clerk.

NO. 17-284 - STACY CRIVELLO, COUNCILMEMBER,
(dated July 19, 2017)

Relating to a Councilmember's report on the Affordable Housing Summit held on June 30, 2017.

CHAIR WHITE: Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair.

I MOVE TO FILE COUNTY COMMUNICATION 17-284.

VICE-CHAIR CARROLL:

SECOND.

CHAIR WHITE: We have a motion from Ms. Crivello, with a second from Mr. Carroll.

Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair. On June 30, 2017, Councilmembers Alike Atay, Don Guzman, Kelly King, Yuki Lei Sugimura, and I attended an Affordable Housing Summit hosted by the County's Department of Housing and Human Concerns, and the Maui Chamber of Commerce held at the Maui Beach Hotel.

There were a variety of presenters who provided input on the topic of affordable housing including real estate professionals, for profit and non-profit developers, County administrators, and financial specialists.

The topics addressed during the all-day presentation included the critical demand for affordable housing on Maui, the economic realities of creating affordable housing, the possible barriers to purchasing affordable housing, the issue of creating and maintaining equitable communities, and whether affordable housing in perpetuity is the way to go.

A big take away was the fact that Maui County needs to build approximately 13,496 units in the next 10 years to keep up with the affordable housing demand, which only magnifies what we already know; we desperately need affordable housing in our community.

A report was submitted pursuant to the State Sunshine Law, specifically Section 92-2.5(e) of the Hawaii Revised Statutes, and will be on file with the Clerk's Office should the Members wish to review it. Thank you, Mr. Chair.

CHAIR WHITE: Thank you, Ms. Crivello.

Members, any further discussion on the motion to file?

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. And thank you, Ms. Crivello for creating that report. I was fortunate enough to attend that. I stayed all day long until the very last speaker. And I will say that it was good for not only sharing of the information as Member Crivello shared, or, but reported, but also for the people there to talk to each other and hopefully spur some of the affordable housing discussions that will therefore take us to the steps where we can get, is it 1400 affordable units for our working families per year for the next 10 years.

We have a huge shortage, and I was glad to see Member Crivello as well as the Department of Housing and Human Concerns put that together so that we can get, you

know, all the important discussions going. So, thank you. It was a very valuable experience.

CHAIR WHITE: Thank you, Ms. Sugimura.

Members, any further discussion?

Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. And, Ms. Ness attended on my behalf to this summit. And I am thankful to the Department and Ms. Crivello and others who had a follow-up meeting with one of the presenters, I think who had spoken in reference to affordable in perpetuity concept. And I think that the word perpetuity scares people, or becomes just too forever, in a sense. And managed appreciation also accomplishes that same goal that people are talking about when they say affordable in perpetuity.

And I think one of the testifiers brought up some concepts or thoughts that were not spoken about or presented at this summit, which I think are very key too. And I think, you know, the numbers are one thing, and we have not had an updated carrying capacity of sorts of what an island, this island can take, our infrastructure can take, our environment can take. So, just cause there's, this certain growth has been occurring, we can't just expound or, you know, on that figure just throughout the millennia, it has to, it comes with a price for sure.

So, I think this is a great start to a bigger discussion, of course, and appreciate the summit being held. But it also, I think, creates more, more questions and thinking too, to, to further this goal. So, thank you.

CHAIR WHITE: Thank you, Ms. Cochran.

Any other discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, HOKAMA, SUGIMURA,
VICE-CHAIR CARROLL, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS GUZMAN AND KING.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused".

Mr. Clerk.

COUNTY CLERK: Mr. Chair, proceeding with County Communications for referral. The following communications are being recommended to be referred to the following committees.

NO. 17-285 - LYNN A.S. ARAKI-REGAN, BUDGET DIRECTOR
(dated July 18, 2017)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2018 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES – SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2018, HAWAIIAN CULTURAL RESTORATION REVOLVING FUND".

The recommended action is that County Communication No. 17-285 be referred to the Budget and Finance Committee.

NO. 17-286 - DANILO F. AGSALOG, DIRECTOR OF FINANCE
(dated July 18, 2017)

Reporting on transfers/loans from the General Fund and Department of Water Supply Revenue Fund to the Bond Fund as of June 30, 2017.

The recommended action is that County Communication No. 17-286 be referred to the Budget and Finance Committee.

NO. 17-287 - DANILO F. AGSALOG, DIRECTOR OF FINANCE
(dated July 19, 2017)

Transmitting a report of short-term investments for the quarter ended June 30, 2017.

The recommended action is that County Communication No. 17-287 be referred to the Budget and Finance Committee.

NO. 17-288 - STACY CRIVELLO, COUNCILMEMBER
(dated July 19, 2017)

Relating to the Ka Hale A Ke Ola Westside Shelter.

The recommended action is that County Communication No. 17-288 be referred to the Housing, Human Services, and Transportation Committee.

NO. 17-289 - STACY CRIVELLO, COUNCILMEMBER
(dated July 18, 2017)

Relating to the 40 acres for affordable housing purposes owed by Alexander and Baldwin, Inc., pursuant to Ordinance 3559, Condition 7(a).

The recommended action is that County Communication No. 17-289 be referred to the Housing, Human Services, and Transportation Committee.

NO. 17-290 - STACY CRIVELLO, COUNCILMEMBER
(dated July 19, 2017)

Relating to a review of Chapter 2.96, Maui County Code.

The recommended action is that County Communication No. 17-290 be referred to the Housing, Human Services, and Transportation Committee.

NO. 17-291 - STACY CRIVELLO, COUNCILMEMBER
(dated July 20, 2017)

Relating to the First-Time Homebuyers Program.

The recommended action is that County Communication No. 17-291 be referred to the Housing, Human Services, and Transportation Committee.

NO. 17-292 - ELLE K. COCHRAN, COUNCILMEMBER
(dated July 19, 2017)

Relating to Drainage Basin Repairs.

The recommended action is that County Communication No. 17-292 be referred to the Infrastructure and Environmental Management Committee.

NO. 17-293 - ELLE K. COCHRAN, COUNCILMEMBER
(dated July 19, 2017)

Relating to the Launiupoko Park Master Plan, TMK: (2) 4-7-001:030.

The recommended action is that County Communication No. 17-293 be referred to the Parks, Recreation, Energy, and Legal Affairs Committee.

NO. 17-294 - ELLE COCHRAN, COUNCILMEMBER
(dated July 20, 2017)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE TO ESTABLISH THE SPECIAL MANAGEMENT AREA REVOLVING FUND".

The recommended action is that County Communication No. 17-294 be referred to the Planning Committee.

NO. 17-295 - STACY CRIVELLO, COUNCILMEMBER
(dated July 20, 2017)

Transmitting a proposed resolution entitled "URGING THE MAYOR TO PROVIDE FOR AN ADDITIONAL DEFERRED COMPENSATION PLAN FOR COUNTY EMPLOYEES".

The recommended action is that County Communication No. 17-295 be referred to the Policy, Economic Development, and Agriculture Committee.

NO. 17-296 - ALIKA ATAY, COUNCILMEMBER
(dated July 18, 2017)

Relating to potential water conservation measures for Wailea-Makena.

The recommended action is that County Communication No. 17-296 be referred to the Water Resources Committee.

NO. 17-297 - ALIKA ATAY, COUNCILMEMBER
(dated July 18, 2017)

Relating to addressing the Upcountry water meter list.

The recommended action is that County Communication No. 17-297 be referred to the Water Resources Committee.

CHAIR WHITE: Thank you, Mr. Clerk.

Members, are there any objections to the referrals as read by the Clerk?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: No objections. So, they will be referred as read by the Clerk. Thank you very much.

Mr. Clerk, please proceed.

COUNTY CLERK: Mr. Chair, proceeding with General Communications.

GENERAL COMMUNICATIONS

NO. 17-7 - GRANT Y.M. CHUN, VICE PRESIDENT, A & B PROPERTIES
HAWAII, LLC., (dated June 30, 2017)

Submitting the 2017 Annual Report in accordance with Condition 3 of Ordinance No. 4146, Kihei Residential Project change in zoning.

CHAIR WHITE: Mr. Carroll.

VICE-CHAIR CARROLL: Mr. Chair, even though this report is informational and does not require Council action, if there's no objection, may I request that this item be referred to the Land Use Committee for further review and discussion?

CHAIR WHITE: Members, any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: So ordered.

The recommended action is that General Communication No. 17-7 be referred to the Land Use Committee.

CHAIR WHITE: Mr. Clerk.

NO. 17-8 - SHARON M. SUZUKI, PRESIDENT, MAUI ELECTRIC,
(dated June 30, 2017)

Transmitting the "SEVENTEENTH ANNUAL STATUS REPORT" in accordance with Condition No. 6 of Ordinance No. 2879, New Central Maui Generation Site Subdivision, Waena Generating Plant.

CHAIR WHITE: Mr. Carroll.

VICE-CHAIR CARROLL: Thank you, Chair.

I MOVE TO FILE GENERAL COMMUNICATION 17-8.

CHAIR WHITE: Do we have a second?

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR WHITE: We have a motion from Mr. Carroll, and a second from Ms. Sugimura.

Mr. Carroll.

VICE-CHAIR CARROLL: Thank you, Chair. The annual status report is required by condition of zoning, excuse me, by a condition of zoning placed on the Waena Generating Plant situated at Pulehu Nui, Wailuku.

The annual status report provides an update and overview of developing power generation needs for the island of Maui. The annual status report is required by condition of zoning imposed when the property was rezoned from Agricultural District to M-2 Heavy Industrial District.

The annual status report is informational only, and does not require Council action. Thank you, Chair.

CHAIR WHITE: Thank you.

Members, any further discussion?

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, thank you. This I would ask Mr. Carroll for referral to Committee. My reasons are, Chairman, you know, I was part of the Council that pushed this through. I think it's about time we have a discussion about whether or not where we had envisioned 17 years ago was the right decision, as well as the thought that we would reduce fossil fuel requirements, relocate generation outside of tsunami zones, and whether or not that portion of the property I believe that we carved out specifically for alternative energy projects is fulfilling the intent of the Council.

I think it's about time, and I would like us to have a discussion, Chairman. Because, I still feel that at the right time, under the right circumstance, maybe Maui County needs to be independent of HEI on electricity. So, I'm willing to think about it and have a discussion, Chairman.

So, I would ask Mr. Carroll for consideration of referring to Committee.

VICE-CHAIR CARROLL: I have no objection to referring it to the LU Committee.

CHAIR WHITE: Okay. Any objections to referral to the Committee?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: Okay. So ordered.

COUNCILMEMBER HOKAMA: Thank you, Mr. Carroll.

CHAIR WHITE: Thank you very much.

The recommended action is that General Communication No. 17-8 be referred to the Land Use Committee.

CHAIR WHITE: Mr. Clerk.

COUNTY CLERK: Mr. Chair, proceeding with Committee Reports.

COMMITTEE REPORTS

COMMITTEE REPORT
NO. 17-97 - BUDGET AND FINANCE COMMITTEE:

Recommending that County Communication 17-201, from the County Auditor, transmitting a copy of Audit Report 14-02, "Audit of the Expenditures from the Fiscal Year 2012 Budget Appropriation for the Old Wailuku Post Office Rehabilitation Project", be FILED.

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Chairman.

MOVE TO, MOVE THAT COMMITTEE REPORT 17-97, WITH
ITS RECOMMENDATIONS, BE ADOPTED.

COUNCILMEMBER CRIVELLO:

SECOND.

CHAIR WHITE: We have a motion from Mr. Hokama, and a second from Ms. Crivello.

Further discussion?

COUNCILMEMBER HOKAMA: Chairman, this is a Committee Report long due before Council. Your Committee did a review of the Auditor's finding. I believe if the Members have the opportunity, they will find in the Committee Report a very detailed and thorough discussion of what actually your Committee did in its review.

As I said, Chairman, the Administration is very welcome to, to sending additional comments if they wish to. But, we take the Auditor's Report for what it is, the Auditor's Report, and his requirement of submitting to us what he has found, and his understanding through findings of fact, conclusions of law; not innuendos, not assumptions, not hearsay. What he can verify as findings of fact, conclusion of law.

While the Auditor makes no final legal decision, his recommendation, of course, is that maybe the more appropriate branch is the Judiciary. That is your Committee Chair's opinion that, I don't, I think the report was very clear. I understand it very well. I understand the ramifications, especially for those that have no recollection of meetings. It's kind of interesting like what's happening at the Federal level, I don't remember.

But, I believe that the Council, again, the Auditor said he stands by his report. We are not here to change his report. We accept his report and his findings, and then we move on, Chairman.

For me, again, I do not feel to waste additional taxpayers money. But, I think it's very clear on the outcome, and that Council should just move forward, and now do what is in the best interest; our taxpayers regarding that specific property site, whatever it may be in the near future, Chairman.

So, I'm happy to answer any questions. Again, I support the Auditor and his findings, and I stand by your Committee's recommendation. Thank you.

CHAIR WHITE: Thank you.

Any further discussion on the, on this filing?

The Chair would just add that I agree with Mr. Hokama that the Auditor did a very thorough job. And I think he has identified that there are things that the Administration should have done differently, could have done differently. But, in their desire to move a project forward, they did not hold themselves to the same level of scrutiny or review that they hold everyone else to.

And, I think, and one of the testifiers spoke about consequences. I think the consequences that I'm, I'm feeling reasonably good about is that we've changed the way we produce the budget so there is absolutely no ability for it to be misconstrued. We have changed the attitude in the Administration to acknowledge that we're not going to let something go, go by without the same kind of review that's required of others.

And from a standpoint of an environmental assessment, it's very clear to me that one was absolutely required. And so, I think the Administration, this Administration and future Administrations have been put on notice that we're not going to allow government to use its own power to give itself a pass on things that it holds everyone else, everyone else's feet to the fire on.

So, I appreciate the Auditor's Report and I'm pleased that they were as clear and objective as they were.

So, any further discussion, Members? Seeing none, all those in favor of the filing please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, HOKAMA, SUGIMURA,
VICE-CHAIR CARROLL, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS GUZMAN AND KING.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused".

Mr. Clerk.

COMMITTEE REPORT
NO. 17-98 - HOUSING, HUMAN SERVICES, AND TRANSPORTATION
COMMITTEE:

Recommending that Resolution 17-117, entitled "AUTHORIZING THE COUNCIL CHAIR TO CONTRACT FOR PERFORMANCE AND FISCAL AUDITS OF THE DEPARTMENT OF TRANSPORTATION," be ADOPTED.

CHAIR WHITE: Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair.

I MOVE TO ADOPT THE RECOMMENDATION IN COMMITTEE
REPORT 17-98.

VICE-CHAIR CARROLL:

SECOND.

CHAIR WHITE: We have a motion from Ms. Crivello, with a second from Mr. Carroll.

Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair. Your Housing, Human Services, and Transportation Committee met on March 23, 2017, and July 6, 2017, to consider a proposed resolution authorizing the Council Chair to contract for a performance audit of the Department of Transportation.

Your Committee revised the resolution to include both performance and fiscal audits. The audits would review the Department's current processes and procedures, with the goal of identifying gains in cost effectiveness, operational efficiency, and quality and reliability of service.

Two audits are proposed, one covering public transit and commuter service transit programs, and the other covering paratransit and human services' transit programs. Two audits would allow for more in-depth examination given the scope of the different programs.

The audits would also benefit the public by helping to determine whether additional public routes are feasible, and by assessing the current fares.

Your Committee voted 5-0 to recommend adoption of the revised proposed resolution. I respectfully ask for the Council's support. Thank you, Chair.

CHAIR WHITE: Thank you, Ms. Crivello.

Members, any further discussion?

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: I, I want to support this in that, you know, out in the community I hear from a lot of seniors and their challenges, or reliance really on our wonderful bus system. But, there's also some frustration, and this, I hope this audit will help them with some of the frustrations I heard out in the community. So, thank you very much for doing this.

CHAIR WHITE: Any further discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, HOKAMA, SUGIMURA,
VICE-CHAIR CARROLL, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS GUZMAN AND KING.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused".

Mr. Clerk.

COUNTY CLERK: Mr. Chair, for the record, RESOLUTION 17-117.

COMMITTEE REPORT

NO. 17-99 - PARKS, RECREATION, ENERGY, AND LEGAL AFFAIRS
COMMITTEE:

Recommending that Resolution 17-118, entitled "AUTHORIZING THE EMPLOYMENT OF SPECIAL COUNSEL OTA & HARA, A LIMITED LIABILITY LAW COMPANY, IN LESLI LYN OTANI V. COUNTY OF MAUI, ET AL., CIVIL NO. 17-00281 DKW-KJM," be ADOPTED.

CHAIR WHITE: Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair.

ON BEHALF OF THE PRL COMMITTEE CHAIR DON GUZMAN,
I MOVE TO ADOPT THE RECOMMENDATION IN COMMITTEE
REPORT 17-99.

VICE-CHAIR CARROLL:

SECOND.

CHAIR WHITE: We have a motion from Ms. Crivello, and a second from Mr. Carroll.

Ms. Crivello.

COUNCILMEMBER CRIVELLO: Thank you, Chair. Your Committee met on July 5, 2017, to consider a proposed resolution to authorize the employment of Ota & Hara, A Limited Liability Law Company, as special counsel to represent the named Defendants in the case read by the Clerk, for a total compensation not to exceed \$150,000.

The Complaint filed in the case alleges violations of various Constitutional rights and provision, and Hawaii's Whistleblower Statute, arising from actions or admissions, or omissions by the Defendants following Leslie Otani's promotion on April 1, 2016.

A Deputy Corporation Counsel said the lawsuit arises out of an employment matter involving an employee of the Department of Public Works. Ms. Otani was working as an engineer with the Department and was placed on probationary employment as Chief Operating Supervisor in March 2016. The Department determined she would not be permanently retained in that position to which she had temporarily been assigned, and she was reassigned to her original position as an engineer following the probationary period.

The Deputy said the Department of Corporation Counsel is requesting special counsel be appointed because of ongoing allegations involving investigation with which the Department has assisted, and potential conflicts arising as a result.

Following an executive meeting, your Committee voted 6-0 to recommend adoption of the proposed resolution. Therefore, I respectfully ask for the Council's support of your Committee's recommendation. Thank you, Chair.

CHAIR WHITE: Thank you, Ms. Crivello. Members, any further discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, HOKAMA, SUGIMURA,
VICE-CHAIR CARROLL, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS GUZMAN AND KING.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused".

Mr. Clerk.

COMMITTEE REPORT

NO. 17-100 - POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE:

Recommending that Resolution 17-119, entitled "RELATING TO THE APPOINTMENT OF LAAKEA POEPOE TO THE MOLOKAI PLANNING COMMISSION," be ADOPTED.

CHAIR WHITE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA:

I MOVE TO ADOPT THE RECOMMENDATIONS IN THE
COMMITTEE REPORT 17-100, CHAIR.

COUNCILMEMBER CRIVELLO:

I SECOND.

CHAIR WHITE: We have a motion from Ms. Sugimura, and a second from Ms. Crivello.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. Your Policy, Economic Development, and Agriculture Committee met on July 17, 2017, to consider the Mayor's nomination of Laakea Poepoe to the Molokai Planning Commission, for a term expiring March 31, 2019, to file, to fill a vacancy due to the resignation of Marshall Racine.

The Council's deadline to approve or disapprove the nomination is September 5, or the nomination will be deemed approved.

Your Committee did not request to interview the nominee.

A representative of the Mayor said Mr. Poepoe has expressed an interest in serving the Molokai community, especially in the area of planning, and offers a dual perspective as both a resident and firefighter.

Your Committee noted Mr. Poepoe has experience as a member of the Hui Malama O, O Moimoi [*sic*].

COUNCILMEMBER CRIVELLO: Mo`omomi.

COUNCILMEMBER SUGIMURA: Mo`omomi, excuse me, for natural resource management and conservation.

Your Committee voted 6-0 to recommend approval. I respectfully ask for the Council's support. Thank you, Chair.

CHAIR WHITE: Thank you, Ms. Sugimura.

Any further discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, HOKAMA, SUGIMURA,
VICE-CHAIR CARROLL, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS GUZMAN AND KING.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused".

Mr. Clerk.

COUNTY CLERK: Mr. Chair, for the record, for Committee Report 17-99, that was RESOLUTION 17-118. And, for Committee Report 17-100, RESOLUTION 17-119.

Proceeding with ordinances for second and final reading.

ORDINANCES

ORDINANCE NO. _____
BILL NO. 69 (2017)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE
COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL
AGREEMENT WITH THE EMPLOYEES' RETIREMENT SYSTEM OF THE
STATE OF HAWAII RELATING TO THE ACQUISITION OF A GOVERNMENTAL
ACCOUNTING STANDARDS BOARD STATEMENT NO. 68 REPORT

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, short recess.

CHAIR WHITE: Please stay in your seats. Short recess.

(THE MEETING WAS RECESSED BY THE CHAIR AT 12:00 A.M., AND WAS RECONVENED AT 12:01 A.M., WITH ALL MEMBERS PRESENT; EXCEPT COUNCILMEMBERS GUZMAN AND KING EXCUSED.)

CHAIR WHITE: This meeting will please come back to order.

Mr. Clerk.

COUNCILMEMBER HOKAMA: Chairman, if I may please.

CHAIR WHITE: Oh I'm sorry, we're going to Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Chairman.

If there's no objection, Members, since it's related in a sense, any objections if the Clerk brings up Bill No. 70 at the same time?

CHAIR WHITE: Any objections, Members?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: So ordered.

Mr. Clerk.

ORDINANCE NO. _____
BILL NO. 70 (2017)

A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE OFFICE OF THE AUDITOR, STATE OF HAWAII, TO AUDIT THE SCHEDULE OF ALLOCATIONS OF THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF HAWAII

CHAIR WHITE: Mr. Hokama.

COUNCILMEMBER HOKAMA: Thank you, Chairman.

I MOVE TO THAT BILL NO. 69 AND 70 OF 2017 PASS SECOND AND FINAL READING.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR WHITE: We have a motion from Mr. Hokama, and a second from Ms. Sugimura.

Mr. Hokama.

COUNCILMEMBER HOKAMA: Chairman, these are just what I would call agreements to allow the County to move forward as we prepare for the requirements of GASB 68, which will make a dramatic impact on the financial statements of all counties across the country, but especially our County here on Maui.

So, I would ask the Members to move this forward. We are working in coordination with our sister counties as well as the State of Hawaii to meet our required accounting improvements. Thank you.

CHAIR WHITE: Thank you, Mr. Hokama.

Any further discussion?

COUNCILMEMBER SUGIMURA: No discussion.

CHAIR WHITE: I'll just note that the counties and states and are being held to a standard that the Federal government does not apply to itself, which is a bit strange. Well, a lot of things in Washington are strange.

Any further discussion, Members? Seeing none, all those in favor of the two measures, please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, HOKAMA, SUGIMURA,
VICE-CHAIR CARROLL, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS GUZMAN AND KING.

CHAIR WHITE: Measures pass with a vote of seven, seven "ayes", and two "excused".

Mr. Clerk.

ORDINANCE NO. _____
BILL NO. 71 (2017)

A BILL FOR AN ORDINANCE TO AMEND THE WEST MAUI COMMUNITY PLAN
AND LAND USE MAP FROM PARK TO BUSINESS/COMMERCIAL
FOR 0.049 ACRE SITUATED AT LAHAINA, MAUI, HAWAII
TAX MAP KEYS (2) 4-4-001:010 AND (2) 4-4-014:006

CHAIR WHITE: Mr. Carroll.

VICE-CHAIR CARROLL: Thank you, Chair. If there are no objections, may I ask the Clerk to call up Bill 72 as well.

CHAIR WHITE: Any objections, Members?

MEMBERS VOICED NO OBJECTION.

CHAIR WHITE: So ordered, Mr. Clerk.

ORDINANCE NO. _____
BILL NO. 72 (2017)

A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM
PK GENERAL PARK DISTRICT TO B-2 COMMUNITY BUSINESS DISTRICT
FOR 0.049 ACRE SITUATED AT LAHAINA, MAUI, HAWAII
TAX MAP KEYS (2) 4-4-001:010 AND (2) 4-4-014:006

CHAIR WHITE: Mr. Carroll.

VICE-CHAIR CARROLL: Thank you, Chair.

I MOVE TO PASS BILLS 71 AND 72 (2017) ON SECOND AND
FINAL READING.

COUNCILMEMBER HOKAMA:

SECOND.

CHAIR WHITE: We have a motion from Mr. Carroll, and a second from Mr. Hokama.

Mr. Carroll.

VICE-CHAIR CARROLL: Thank you, Chair. Your Committee was informed that prior Council approved a Community Plan Amendment and Change in Zoning in 2008, to facilitate a land exchange between the developers of Kaanapali North Beach Resort Park and the Nunes Family. However, during the utility construction the width of the easement expanded to ten feet, resulting in inequitable land exchange for the Nunes Family. The proposed Community Plan Amendment and Change of Zoning will correct this inequity.

I ask for the Council's support on Bills 71 and 72.

CHAIR WHITE: Thank you, Mr. Carroll.

Any further discussion? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, HOKAMA, SUGIMURA,
VICE-CHAIR CARROLL, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS GUZMAN AND KING.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused".

Mr. Clerk.

ORDINANCE NO. _____
BILL NO. 73 (2017)

A BILL FOR AN ORDINANCE AMENDING CHAPTERS 19.04 AND 19.30A, MAUI COUNTY CODE, RELATING TO ROADWAY LOTS AND RESTRICTED USE LOTS, AND AUTHORIZING FEES AND ADMINISTRATIVE RULES

CHAIR WHITE: Mr. Carroll.

VICE-CHAIR CARROLL: Thank you, Chair.

I MOVE TO PASS BILL 73 (2017) ON SECOND AND FINAL
READING.

COUNCILMEMBER HOKAMA:

SECOND.

CHAIR WHITE: We have a motion from Mr. Carroll, and a second from Mr. Hokama.

Mr. Carroll.

VICE-CHAIR CARROLL: Thank you, Chair. Your Committee considered a revised proposed bill to authorize certain subdivisions and uses that are not all, that are not determinial [*sic*] to public health, detrimental to public health, and safety, or welfare; allow the Department of Planning to collect fees; and exempt roadway lots and restricted use lots from complying with a minimum lot area, lot width, and coverage requirements.

Your Committee amended the bill to ensure an applicant will not be required to pay an additional review fees if new substantial requirements are revisited or increased in subsequent reviews.

I ask for the Committee's report, support of this, this bill.

CHAIR WHITE: Thank you, Mr. Carroll.

Any further discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, SUGIMURA, VICE-CHAIR CARROLL,
AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: COUNCILMEMBER HOKAMA.

EXCUSED: COUNCILMEMBERS GUZMAN AND KING.

CHAIR WHITE: We have; the bill passes with six "ayes", one "no", and two "excused".

Mr. Clerk.

COUNTY CLERK: Mr. Chair, proceeding to unfinished business.

UNFINISHED BUSINESS

ORDINANCES

ORDINANCE NO. _____
BILL NO. 67 (2017)

A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL DISTRICT TO RURAL DISTRICT (CONDITIONAL BOUNDARY AMENDMENT) FOR PROPERTY SITUATED AT POLANUI, LAUNIUPOKO, LAHAINA, MAUI, HAWAII, TAX MAP KEY NOS. (2) 4-7-013:004 (POR.) AND (2) 4-7-013:005 (POR.), CONTAINING A TOTAL OF 14.594 ACRES

CHAIR WHITE: Mr. Carroll.

VICE-CHAIR CARROLL: Thank you, Chair.

I MOVE TO RECOMMIT BILL 67 (2017) TO THE LAND USE COMMITTEE.

COUNCILMEMBER HOKAMA:

SECOND.

CHAIR WHITE: We have a motion from Mr. Carroll, and a second from Mr. Hokama.

Mr. Carroll.

VICE-CHAIR CARROLL: Thank you, Chair. Due to testimony today and other outstanding issues, I believe this is the appropriate action. Thank you, Chair.

CHAIR WHITE: Any further discussion, Members? Seeing none, all those in favor please signify by saying "aye".

AYES: COUNCILMEMBERS ATAY, COCHRAN,
CRIVELLO, HOKAMA, SUGIMURA,
VICE-CHAIR CARROLL, AND CHAIR WHITE.

CHAIR WHITE: Those opposed say "no".

NOES: NONE.

EXCUSED: COUNCILMEMBERS GUZMAN AND KING.

CHAIR WHITE: Measure passes with seven "ayes", and two "excused".

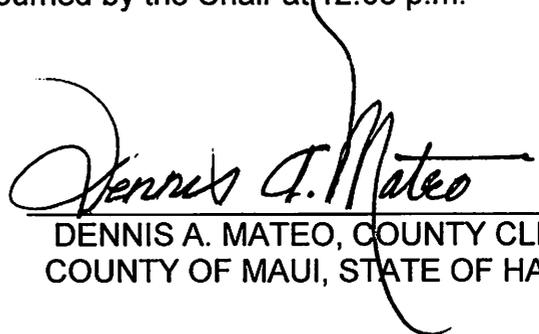
Mr. Clerk.

COUNTY CLERK: Mr. Chair, there is no further business before the Council.

CHAIR WHITE: Thank you very much. Thank you all for being here this morning. And with that, the Council meeting is adjourned.

ADJOURNMENT

The regular meeting of July 28, 2017 was adjourned by the Chair at 12:08 p.m.



DENNIS A. MATEO, COUNTY CLERK
COUNTY OF MAUI, STATE OF HAWAII

From: Maui Nui Marine Resource Council

July 28, 2017

To: Maui County Council

Re: Second and Final Reading Bill 67 (2017) Version: 1 Makila Kai DBA

Greetings Chair White and Council Members

Maui Nui Marine Resource Council (MNMRC) appreciates the thoughtful consideration that has been given to the proposed Makila Kai project during the brief period that the Council is allowed to review projects in the “fast-Track” process. MNMRC is concerned that in the desire to obtain 24 affordable rural homes, the Council is willing to overlook the fact that the Makila Kai project is part of an effort to find loopholes and avoid the disclosure and scrutiny that should be part of any development in a high impact area.

The Makila Kai project area was designated “Agricultural” in the West Maui Community Plan (1996) and this designation was re-confirmed during the 2008–2009 GPAC and Maui Planning Commission review of the Maui Island Plan (MIP). Two former County Planning Directors also believed the Launiupoko–Makila area should remain designated as “AG” in the Maui Island Plan. The area was given last minute re-designation as “Rural” by the County Council in the final adopted 2012 MIP, in spite of the lengthy public review process not supporting this designation. This should not be viewed as any entitlement based upon broad public support.

Why did the public and County Planners think higher density (Ag to Rural) land use designation was not appropriate for this area? There were many reasons, but here are a few that the Council should carefully consider.

- 1) Higher density is not appropriate in a fireprone area with one road in and out. Adding building density to this high risk area puts more strains on County emergency response services.**
- 2) Higher density is not appropriate in an area with no wastewater treatment facility- this development proposes the maximum number of lots (49) that can avoid any sewage treatment facility requirement. The proliferation of an even larger un-sewered area above popular ocean recreational areas is not sound planning.**
- 3) Higher density is not appropriate in an area with severe traffic congestion. Earlier completed segments of the Lahaina Bypass Road have not alleviated the overall traffic mess on Honoapiilani Hwy and the Launiupoko segment will be the same. It should not be seen as “mitigation” for the 49 new lots or future “rural lots” on the additional 200 acres of lands in Launiupoko likely to be presented to the council for similar “fast track” developments.**
- 4) Higher density is not appropriate in a coastal area with erosion prone slopes and no master plan to implement Low Impact Design or other effective mitigation**

strategies. The proposed 500 ft wide “greenway” may never be built. A similar Greenway was proposed for the Olowalu Ag subdivision in 1999, but never implemented because of maintenance and water costs. Encouraging multiple “smaller” fast track developments, like Makila Kai, with no environmental review of run-off impacts is not sound planning for an area immediately upslope of a major coastal resource zone like Launiupoko.

MNMRC urges the Council to take one more hard look at the potential short term gains (around 10 homes that local families can actually afford) versus the long term impacts and costs of this project to public health and safety and the demand for county services.

Is a District Boundary Amendment on 14.9 acres of the 79 acre parcel really justified in light of the fact that the entire 79 acres is being relieved of the responsibility to obtain a Community Plan Amendment or Change in Zoning that would reveal more about the impacts associated with the whole development and propose mitigations to deal with the impacts. Please recall: the 65 acres of “market priced” homes on State AG designated land, would only be able to be developed into TEN 2 acre ag lots and one 45 acre remnant instead of 24 “market priced” (luxury priced) ag lots, if they were not being exempted from the Maui County Ag subdivision standards.

We urge the Council to insist that the project not be “segmented” from the immediately adjoining parcels, which have their own similar development plans. The public wants its leaders to make decisions based upon the big picture and make sure that there is hard look at the cumulative impacts of what is proposed for this high hazard, traffic congested area that local residents depend upon for coastal recreation and cultural practices.

Mahalo nui for your consideration



Robin Newbold, President
Maui Nui Marine Resource Council

From: Albert Perez, Executive Director
Maui Tomorrow Foundation

Date: July 28, 2017

Re: Bill 67 (2017): "A BILL FOR AN ORDINANCE TO AMEND THE STATE LAND USE DISTRICT CLASSIFICATION FROM AGRICULTURAL DISTRICT TO RURAL DISTRICT (CONDITIONAL BOUNDARY AMENDMENT) FOR PROPERTY SITUATED AT POLANUI, LAUNIUPOKO, LAHAINA, MAUI, HAWAII, TAX MAP KEY NOS. (2) 4-7-013:004 (POR.) AND (2) 4-7-013:005 (POR.), CONTAINING A TOTAL OF 14.594 ACRES"

Aloha Chair White and Members of the Maui County Council:

At the Land Use Committee meeting on Makila Kai, the developer said that if he didn't get his project approved, he would just go ahead and develop 6 mansions on three agricultural lots. How is it that a developer is comfortable telling the Council that he will violate state and county land use laws? Could it be that this is what is allowed in our County all the time?

The 201H project that is dependent on this District Boundary Amendment will allow this developer to create 24 market lots, with explicit permission to build accessory dwellings. This will allow him to build not just 6, but 48 mansions, because of our lack of enforcement of agricultural zoning.

This is the agricultural district. Only farm dwellings are permitted. The free-for-all that is going on in Launiupoko, with all the construction fencing, construction equipment, gravel crushing operations, dust everywhere, for miles along Honoapi'ilani Highway – none of this is agriculture! How about some enforcement of our state and county land use laws?

Attached is a real property building sketch of a random home in Launiupoko. About 5,300 square feet in the main dwelling, 2,400 square feet of porches, and 4,500 square feet of garages/carports. The mailing address is in California. This is NOT a farm dwelling. It's bad enough that our Planning Department feels this is acceptable, but if you approve this DBA, you will be allowing 48 mansions to go in, in exchange for just 8 truly affordable homes. All in a fire-prone area with inadequate water and only one way out.

The Makila Kai District Boundary Amendment will enable the construction of 25 "workforce housing" homes, only 8 of which will be affordable to people who make 100% or less of the Area Median Income; these homes will only be affordable for 10 years, after which they can be sold at market prices, and we will have a net affordable housing gain of zero.

As we showed at Mākena, it is possible to get more for Maui's citizens. As part of our recent settlement, we were able to negotiate 60 homes that are affordable for people who make 100% or less of the Area Median Income, and these homes will be affordable in perpetuity.

please approve Makila Kai Bill 67

RECEIVED

2017 JUL 28 AM 7:31

Ulrich 'Uli' Okura Kirkegaard <uli@mautechguru.com>

Fri 7/28/2017 12:15 AM

OFFICE OF THE
COUNTY CLERK

To: County Clerk <County.Clerk@mauicounty.us>;

Aloha Council Chair Mike White & Council Members,

Please approve the Makila Kai Bill 67. I really hope that this will be it and Makila Kai subdivision can be approved and afford community members a chance to buy a house in west Maui. This is the final push and my family and I are hopeful that this Makila Kai Bill 67 will pass.

Thank you so much for your consideration.

Have an awesome time 😊

Yours Truly Online,

Ulrich 'Uli' Okura Kirkegaard

Principal Guru, MCP - Maui Tech Gurus

Biz Tech Partners & Small Biz Specialist

'Helping businesses tie IT all together'

Ph. (808) 661-1000 or Cell (808) 281-1169

E-mail uli@mautechgurus.com

Visit <http://www.mautechgurus.com/>



Rotary Club of Lahaina Sunrise

Past President (2012-13)

<http://www.lahainasunriserotary.org/>

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Makila Kai-please vote no

teresa jacques <terrijacques@icloud.com>

Thu 7/27/2017 12:00 PM

To: County Clerk <County.Clerk@mauicounty.us>;

- > Aloha,
- > Workforce housing is important. But what is even more important is making sure that this development goes through the necessary procedures in place to ensure that the aina, the buyers, the current residents and the community are protected. That is your responsibility to us. Not to the developer.
- >
- > We all need you to look past the 'shiny object' being dangled as a carrot and require the developer to assess the impact on traffic, water and emergency access of what could be 98 dwellings. You only get one chance to do this right. A fast track approval is not the right way to get this project done. Do not let the developer bully you in to a hasty decision with threats of building 3 more 'mansions' on what is really undesirable land between two highways. If it is truly in his heart to give back to the community as he says, he will offer this project as-is when you require him to ensure that it is done properly.
- >
- > No shortcuts. Please vote no.
- >
- > Mahalo,
- > Teresa Jacques
- > 202 Paia Pohaku Place
- > Lahaina, HI 96761

RECEIVED
2017 JUL 27 PM 12: 03
OFFICE OF THE
COUNTY CLERK

Makila Kai Bill 67

RECEIVED

2017 JUL 28 AM 7:30

Maui Real Estate Kimberly <mauirealestatekimberly@gmail.com>

Fri 7/28/2017 6:41 AM

OFFICE OF THE
COUNTY CLERK

To:County Clerk <County.Clerk@mauicounty.us>;

Good morning,

Council Chair, after going back and forth the last couple of months, we know that there are housing shortages in west Maui for people that work and live on this side of the island. In addition, everyone is aware of the benefits to having Makila Kai!

However, what seems to be a surprise, the Launiupoko owners do not want hard working civilians to interrupt their short terms transient vacation rentals. In fact, this is the main drive for the retaliation with the Makila Kai project. They are and have been for a number of years using their properties to generate revenue without county permits, without paying GET & TAT Taxes, without complying to noise ordinances, abusing natural resources and much more.

Using District Boundary as an excuse, it is a great way to manipulate the County Council and our community. Please do not fall for their deception and pass the Amendment which is required for Makila Kai to proceed.

Thank you for your time and overcoming small objections!

Aloha,

***Kimberly Gurgone*, REALTOR (S)**

Lic# RS-76326

Harris Hawaii Realty Group

Maui Realtor Kimberly Gurgone

Community Maui Realtor Kimberly Gurgone LinkedIn

My Hawaii Tweets Kimberly Gurgone

Referrals are greatly appreciated and will be well taken care of!

Cell: (808).359.1161

Email: MauiRealEstateKimberly@gmail.com

Website: www.livingmaui.co

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Makila Kai Bill 67

bobmichaelson@comcast.net

Fri 7/28/2017 6:27 AM

To:County Clerk <County.Clerk@mauicounty.us>;

RECEIVED

2017 JUL 28 AM 7: 30

OFFICE OF THE
COUNTY CLERK

Attn: Chairman Mike White

Regarding the Makila Kai Development:

We certainly hope this development will go through, because it's a dream for us to purchase a moderate size home and have our family visit us here. In our view it will provide affordable housing for the middle of the middle class.

We have gone through the application process and have been approved to be in the lottery. It's interesting that one has to go through a lottery to have a chance to purchase a great home for a good price in West Maui...but this seems to be the very best opportunity available now. We understand that there's opposition from residents of *Launiupoko*; we have close friends living there and will be respectful of their area up the mountain and will encourage all future neighbors to do the same.

We ask that you approve the bill allowing development of Makila Kai.

Sincerely,
Robert and Chia Michaelson
Lahaina

Makila Kai Bill 67 Attention Mike White

RECEIVED

2017 JUL 28 AM 7: 30

Kirsty Sinclair <cheers@alohabarsmaui.com>

Fri 7/28/2017 1:45 AM

OFFICE OF THE
COUNTY CLERK

To:County Clerk <County.Clerk@maucounty.us>;

Importance: High

Aloha!

I am a single woman and small business owner and have lived on maui for 13 years.

I take care of my 3 and half year old daughter and my disabled mother.

Without the Makila Kai Project i and many other families will not be able to afford to buy a house on Maui.

It is mine and many others dream to own a house on Maui and pass it down to our sons and daughters.

Please let this small but crucial community come into fruition.

Warmest Alohas Kirsty

Aloha Bars Maui Logo

Kirsty Sinclair. Party Specialist / Cocktail Designer | AlohaBarsMaui.com (808) 990-5725
| cheers@alohabarsmaui.com | Instagram: [@alohabarsmaui](https://www.instagram.com/alohabarsmaui) | Facebook: Like us on

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Council Vice-Chair Robert Carroll,
Chair – Land Use Committee
Maui County Council
Kalana O Maui Building, Eight Floor
200 South High Street
Wailuku, Hawaii 96793

2017 JUL 28 AM 7: 31

2017 MAY 15 PM 2: 54

OFFICE OF THE
COUNTY CLERK

OFFICE OF THE
COUNTY COUNCIL

SUBJECT: Affordable Housing Project (Chapter 201H, Hawaii Revised Statutes) (Independent Development of Makila Kai; Lahaina) (LU-2(1))

Dear Councilmembers,

My name is Brandt Bennett, Maui Resident and Residential Manager at Montage Kapalua Bay. I am sending this letter in support of the proposed Makila Kai project. I would like you to know that I support Makila Kai for the following reasons:

Location - I support the creation of housing on Maui which is located near community facilities and important services (Civic Center, Aquatic Center, Fire Department & Police Station). Makila Kai residents would be able to commute to Lahaina Town, Kaaanapali, & Kapalua easily from this location, and eventually take the bus, since the project is located along the future Lahaina Bypass Highway. This will be a great home base for many professionals serving the growing hospitality industry as well as the proposed west side hospital facility.

Community design - Makila Kai is located in an area designated for rural growth by the Maui Island plan. Given this designation and the existing agricultural (large) lots outside the Rural Growth Boundary, Makila Kai's design (mauka agricultural lots, makai rural lots) provides a thoughtful compromise between what exists and what is allowed by the Maui Island Plan. The large lots provide space for homeowner gardens for self-sufficiency and sustainability.

In addition, I support this project because about 50% (41 acres) of Makila Kai will be open space, and buildings will be limited to a single story to protect views. Most of the open space will be occupied by a neighborhood park, pedestrian trails, and a large greenbelt along the future bypass. These features will directly benefit the neighborhood in terms of well-being and visual impacts.

Affordable homes - Makila Kai will provide a rare opportunity for Maui residents to purchase an affordable first home on a large lot which is usually attainable only by buyers who can afford to purchase a home at market rates. I commend the developer for providing the opportunity for working families to purchase a workforce home in this desirable area of West Maui.

The fact that Makila Kai plans to offer a financial gift to each workforce home buyer further emphasizes the developer's commitment to the idea of truly "affordable" housing.

I ask and strongly encourage the Maui County Council to support Makila Kai.

Sincerely,



Brandt J. Bennett

Makila Kai bill 67

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2017 JUL 28 AM 7:31

Tammy Biddix <tbiddix@gmail.com>

Thu 7/27/2017 10:36 PM

OFFICE OF THE
COUNTY CLERK

To: County Clerk <County.Clerk@mauicounty.us>;

Aloha Council members of Maui county,

I have lived in Maui county for 9 years. During that time the rents have really increased and it has become extremely hard to find housing on the west side. Affordable housing is desperately needed and has been talked about for several years. The Makila Kai housing development will provide affordable housing and the pride of ownership for people who otherwise could not afford to own a home in Maui. I urge you to approve this project.

Sincerely,

Tammy Biddix

Makila kai Bill 67

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2017 JUL 28 AM 7: 31

Castro, Gilberto <Gilberto.Castro@ritzcarlton.com>

Fri 7/28/2017 12:45 AM

OFFICE OF THE
COUNTY CLERK

To:County Clerk <County.Clerk@mauicounty.us>;

Aloha Council Chair Mike White,

My name is Gilberto Castro resident of Lahaina and employee of the Ritz Carlton Kapalua for the past 14 years, I have been in the pass two hearings and pay attention to all the arguments, and to me is clear.. is two sides, the rich who have their dream house and the poor who want have a Home for our families, I in the second group; and my family and I dream to have a place we can call home and keep to our future generations, we aren't interesting on profit sales. We interests on hold house for our grandchildren's. Please Approve this project.

Gilberto Castro

Makila kai bill 67

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2017 JUL 28 AM 7: 31

Mitsuko Nakagawa <ibetyourwrasse@yahoo.com>

Thu 7/27/2017 11:18 PM

OFFICE OF THE
COUNTY CLERK

To: County Clerk <County.Clerk@mauicounty.us>;

Aloha Council Chair Mike White,

My name is Linda Castro and I work for the Department of land and natural resources as a habitat and fish technician. I'm 3rd generation born and raise from west Maui. There is no affordable housing on west Maui and this is a great opportunity for us to own our own house instead of paying for rent on something that we don't own. The house and land prices are too high, that us local people thats been living here for generations can't afford million dollars houses and the ones that do have those million dollar houses don't live here full time. Please pass!! Us local people need a place they can call home and know that they can pass it on to the next generation. Mahalo for your time!

Malama Pono,
Linda Castro
Sent from my iPhone

Makila Kai Bill 67 "YES"

RECEIVED

2017 JUL 28 AM 7: 31

Chris <christos808603@gmail.com>

Thu 7/27/2017 11:21 PM

OFFICE OF THE
COUNTY CLERK

To:County Clerk <County.Clerk@mauicounty.us>;

Aloha,

My name is Christopher and I'm writing to you to ask for your "yes" vote on the makila kai bill 67.

What I feel we have here is a case of "it's okay to build these communities as long as it's not in our back yard".

I believe workforce & affordable housing is long over due for the west side of maui. The arguments for the opposing don't seem valid. Traffic and watershed issues are island wide problems, not a single neighborhoods.

Where have these opposers been for all the other workforce and affordable housing projects? Why do they want to deny less fortunate people? A situation I'm sure they were a part of at one time in their life's. If not lucky them!

We are hard working island people just like them! Who have a chance to become homeowners through these awesome workforce and affordable housing projects recently introduced. We are positive & contributing members to the island.

Working people, who don't want to live having to pay someone else's mortgage, we want to pay our own mortgage! Feel what it's like to truly become a homeowner and part of a working neighborhood, watching our children and families grow, as a positive neighborhood community.

If this project is approved and future ones like it for the working people & families of maui, it gives us unbelievable hope to one day become homeowners.

So again I ask you, please vote yes for the development of makila kai, and grant the opportunity for all the hard working people of this island, a chance to have that homeownership neighborhood experience.

Mahalo for reading
Christopher.

Hearing on Friday 7/28 Makila Kai project

RECEIVED

2017 JUL 28 AM 7:31

Erika Lechuga Disalvo <erika.lechugadisalvo@gmail.com>

Thu 7/27/2017 10:38 PM

OFFICE OF THE
COUNTY CLERK

To:County Clerk <County.Clerk@mauicounty.us>;

Aloha,

My name is Erika Lechuga DiSalvo. I am a resident of Haiku and am writing to ask you to vote against the Makila Kai development.

First of all I would like to address my concern for the environment and the very real impact the wastewater will have on the ocean. It is very clear that runoff from these types of developments have detrimental impacts to our aquatic marine life. Our reefs are already dying; marine quality is suffering. What will Maui do when people stop coming here because there is nothing left to see in our ocean? What will Maui residents do when there is no food left to gather from the shores?

This project has been configured as a 201H which allows an AVOIDANCE of an environmental assessment and will allow septic tanks instead of a managed sewage system. Placing septic tanks above popular beach spots is a horrible idea and will certainly do more damage the water quality at these locations.

I am concerned about the amount of potable water for this development. All developments need to be taking water into consideration. A precious resource and one of public trust, the issue with water on our island needs to be taken seriously. Greg Brown, owner of the Makila Kai parcel plans to dig a well, however The level to which he plans to dig will lend to brackish water. The "Show me the water" rule, requires one to have the water needed before one starts building and this development is no exception because there will not be 100% affordable units.

Segmentation is also an issue. The two adjacent parcels will be using the same tactic to avoid environmental requirements. Asking for approval for one at a time makes it look like the number of sept tanks will be under the limit for requiring proper sewage handling, but it is illegal to split up the applications this way. They need to be reviewed as a whole. This would make it a requirement to hook up to a sewage line.

The roadway also is a concern. The area of this development is very rural, dry and subject to wildfires as we know. This project proposes a single roadway that is complicated, narrow and rough. This is major safety concern! Adequate roadways are necessary to keep people safe from potential wildfire and other potential natural calamities.

Affordable housing. Maui is in DIRE need for affordable housing and projects that support the local community to live a decent quality of life while they contribute to our society. There are 25 workforce housing units. While these 25 units have been extended to a 30 year affordable duration, they need to remain affordable in perpetuity. Maui history shows that the majority of affordable units get flipped and sold to wealthy non residents. We desperately need to keep affordable units affordable. Maui residents are suffering due to the continued lack of affordable housing.

Sprawl in West Maui is absolutely something that the Council needs to take into consideration with this project. The West Maui Plan does NOT allow for rural housing in these parcels. The intent of the community plan was/is to increase population density in existing population centers, not to allow sprawl along the undeveloped parts of Maui's precious coastline. Approving this boundary amendment will be a precedent for making the same changes to the two adjacent parcels owned by Peter Martin, to the parcels makai of them to Olowalu, and eventually other plots near the coastline that are inside the rural growth boundaries of the Maui Island Plan but not designated for development in the Community Plan.

There are many reasons to vote against moving this development forward. Overall, the Makila Kai Project adds nothing positive to Maui. It exists in a way that sabotages a pono way to create. EIS need to be done on all projects moving forward into the future. Our island health and vitality demand it. This project needs to be rejected. The residents of Maui deserve better.

Mahalo for your time and consideration. Mahalo for rejecting Makila Kai project.

--

With Aloha,

Erika Lechuga DiSalvo
808.250.5548

LU Committee

From: Amber Gifford <amberonislands@gmail.com>
Sent: Wednesday, May 31, 2017 1:23 AM
To: LU Committee
Subject: LU-2 Makila kai development
Attachments: MakilaKai_Gifford_LetterToCouncilmembers.pdf

Looking forward to speaking at the council hearing in favor of the Makila kai foundation and its green belt development in the currently vacant Launiupoko area, offering workforce housing to local families is much needed. I support Makila kai and hope you can too!

-Amber
(808)283-9193

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2017 JUL 28 AM 7:31
OFFICE OF THE
COUNTY CLERK

Council Vice-Chair Robert Carroll,
Chair – Land Use Committee
Maui County Council
Kalana O Maui Building, Eight Floor
200 South High Street
Wailuku, Hawaii 96793

RECEIVED

2017 JUL 28 AM 7: 31

OFFICE OF THE
COUNTY CLERK

SUBJECT: Affordable Housing Project (Chapter 201H, Hawaii Revised Statutes) (Independent Development of Makila Kai; Lahaina) (LU-2(1))

Dear Councilmembers,

I am sending this letter in support of the proposed Makila Kai project. I would like you to know that I support Makila Kai for the following reasons.

Location. I support the creation of housing on Maui which is located near community facilities and important services. Makila Kai residents would be able to drive to Lahaina Town in five minutes or could eventually take the bus, since the project is located along the future Lahaina Bypass Highway.

Community design. Makila Kai is located in an area designated for rural growth by the Maui Island plan. Given this designation and the existing agricultural (large) lots outside the Rural Growth Boundary, Makila Kai's design (mauka agricultural lots, makai rural lots) provides a thoughtful compromise between what exists and what is allowed by the Maui Island Plan.

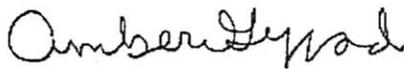
In addition, I support this project because about 50% (41 acres) of Makila Kai will be open space, and buildings will be limited to a single story to protect views. Most of the open space will be taken up by a neighborhood park, pedestrian trails, and a large greenbelt along the future bypass. These features will directly benefit the neighborhood in terms of well-being and visual impacts.

Affordable homes. Makila Kai will provide a rare opportunity for Maui residents to purchase an affordable first home on a large lot which is usually attainable only by buyers who can afford to purchase a home at market rates. I commend the developer for providing the opportunity for working families to purchase a workforce home in this desirable area of West Maui.

The fact that Makila Kai plans to offer a financial gift to each workforce home buyer further emphasizes the developer's commitment to the idea of truly "affordable" housing.

I ask and strongly encourage the Maui County Council to support Makila Kai.

Sincerely,



Amber Gifford

"Makila Kai Bill 67"

RECEIVED

2017 JUL 28 AM 7: 31

Robert Monteiro <bo.monteiro1@gmail.com>

Thu 7/27/2017 11:24 PM

OFFICE OF THE
COUNTY CLERK

To: County Clerk <County.Clerk@mauicounty.us>;

Aloha Council Chair Mike White,

I truly hope that you and the council will side with the Makila Kai project and allow it to go through. This project is very important to Maui's people. The sheer lack of affordable housing on the island is unbearable. The lack of housing on the west side of the island is an extreme hardship for those of us that work on that side. Please give a couple dozen families the opportunity of a lifetime to own a home here where they live and work. It is a dream to own a new home but it doesn't have to be it can be reality. It is the right thing to do. The developers are committed to this land to the people and to this project. I've never heard of a developer giving a \$50,000 gift to each fortunate family that's able to buy a home. That alone shows the commitment this developer has for Maui and its people. I pray that you hear the words of the people of Maui and allow this developer to create something special and wonderful for the hard working and very deserving people of Maui.

Thank you for your time.

Aloha,

Robert Monteiro Jr.

Makila Kai bill 67

RECEIVED

2017 JUL 28 AM 7: 31

dorisa pelletier <dsurf73@hotmail.com>

Thu 7/27/2017 11:17 PM

OFFICE OF THE
COUNTY CLERK

To:County Clerk <County.Clerk@mauicounty.us>;

Dear Council Chair Mike White,

I am writing in hopes that you approve the Makila Kai project, as our family really needs an affordable place to live. I have been teaching in Lahaina for the past 11 years, and the cost-of-living for rentals has skyrocketed. In addition the homes are unaffordable. I am afraid that if we cannot find affordable housing, that I will have to move to the mainland, and will not be able to see the students I've invested in graduate. I have a nine month old child, a 2 1/2-year-old child, and a nine-year-old child, and there is simply no space for this many of us in the place we are currently renting. For years I have given of my heart and time to this community and the keiki that live in it. It is a good feeling to know that the community I serve also cares about my own keiki, and has offered me a chance to actually own a home where my children can run and play and just be kids. My salary has caused me to slip through the cracks as I was barely over income for Habitat for Humanity. Another affordable option that presented itself to us it will not actually be affordable enough due to rising interest rates and the extra 600 a month we would have to come up with (past what we are paying now). With Makila Kai taking 50,000 off the purchase price, we will be at the same amount we are paying now in rent, but we would have an extra bedroom or two, and actually own our home. Makila Kai is my last hope to stay on Maui, so this is why I am urging your County Council to please approve this project. Makila Kai would be a dream come true, as I really don't want to be another teacher that has to leave Maui. Now that we have three children, we must get a bigger place, however, we cannot afford one. We cannot afford the price of even a three bedroom rental. Thank you for your time and consideration, Sincerely, Dorisa Pelletier –

Yamasaki

Sent from my iPhone

Makila Kai Bill 67

RECEIVED

2017 JUL 28 AM 7: 31

Amy Yamaguchi <ajmy7777@gmail.com>

Thu 7/27/2017 10:30 PM

OFFICE OF THE
COUNTY CLERK

To:County Clerk <County.Clerk@mauicounty.us>;

Attn: Mike White

Aloha Mike White,

My name is Amy Yamaguchi. I am one of the applicants for the Makila Kai housing project. I am you writing in hopes that this letter will urge you to vote yes to allow Makila Kai to move forward. I understand the concerns of the existing neighbors. With any growth, comes resistance, and I sympathize with their concerns.I have friends who live up Launiopoko presently. Obviously, initially, there will be construction noise, and the inconveniences that come with new buildings. But following that, will be a neighborhood, consisting of houses that the West side work force can call home. I have worked on the West side for 14 years, first as the corporate sushi chef for Roy's restaurants, then as a massage therapist in many of the hotels. I see hundreds of employees at the 3 different hotels I presently work at, many of which must commute from the other side, and most of which are renters. With such a huge need for workers in the tourist industry of the West side, we need more economical housing options. We all know how inflated the cost of living is on the West side of Maui, especially. (\$18 for a small bag of organic cherries at the Farmers market!) Please help us find a place we can call home.

Me Ke Aloha Pumehana...
(With Warmest Regards)

Amy Yamaguchi

Makila Kai Bill 67

Luis Banto <bantomaui@gmail.com>

Thu 7/27/2017 9:51 PM

To: County Clerk <County.Clerk@mauicounty.us>;

Cc: Van Fischer <vanfischer@gmail.com>;

RECEIVED
2017 JUL 28 AM 7:32

OFFICE OF THE
COUNTY CLERK

Mr Council Chairman Mike White,

My name is Luis Banto, I work at the Ritz Carlton Kapalua as a Bellman since 2002.

I'm writing in support of the Makila Kai project. As you know there is a huge demand for short term rentals due to the popularity of VRBO's, which is hurting the pool of long term rentals and making them very expensive. We need more projects like this one, specially on the Westside.

Working force here is suffering and many are leaving the island due to increase cost of living and lack of affordable housing. It is becoming harder and harder for employers to find qualified people to do the labour jobs. If this continues it will affect not just people like me but also the big companies which are a huge source of revenue for the State.

The working class of Maui needs REAL affordable housing!

Please approve this project, it will set and example for future projects and developers.

Sincerely,
Luis Banto

In Support of Makila Kai Bill 67

Tambara Garrick <tambarag@gmail.com>

Thu 7/27/2017 7:15 PM

To: County Clerk <County.Clerk@mauicounty.us>;

RECEIVED

2017 JUL 28 AM 7:32

OFFICE OF THE
COUNTY CLERK

Aloha Council Chair Mike White and Maui County Council,

I am writing in support of Makila Kai Bill 67. I ask the council to please approve the district boundary amendment so that the Makila Kai project may move forward. In the past 5 years I have had 2 rental properties converted to short term vacation rentals while a tenant. My current rental apartment is getting ready to go on the market and may also become a short term vacation rental. I work, live and volunteer my time in Lahaina Town. I encourage the council to approve this amendment which will show their support and dedication to workforce housing. Though this project will not provide as many homes as are ultimately needed, Makila Kai is a step in the right direction.

Mahalo for your consideration,

Tambara Garrick

(808) 269-8457

tambarag@gmail.com

Makila Kai Bill 67

RECEIVED

2017 JUL 28 AM 7: 32

Rae Graber <sunshinegraber@yahoo.com>

Thu 7/27/2017 9:20 PM

OFFICE OF THE
COUNTY CLERK

To:County Clerk <County.Clerk@mauicounty.us>;

Aloha Councilman White,

My name is Raenette Uyeno-Graber and my husband and I are applicants to the Makila Kai affordable housing project and are asking for your support for the development to move forward.

We have never owned a home and have been renting from my mom for the past ten years. It's the only way we have been able to afford living on Maui, because my mom charges us a rent we can afford, but we really need to leave the nest. At our age, it is a bit embarrassing and can be stressful to be living under your parents roof.

I grew up in Hawaii and am third generation born in the Islands so Hawaii is definitely my home. Dave and I left for the Mainland but did not make it past two winters in Washington. My mom knew we were struggling so she said if we wanted to return home we could stay in her Kula house.

When we heard of the Makila Kai project, we were so excited because finally it was a home we could afford. It has been a bit of a roller coaster ride though because we were not aware of all the opposition and all the hearings that went with the development.

Dave works in Lahaina and drives from Kula to the west side four nights a week. If we were living on that side it would cut down a lot of commute time and the cost of gas and wear on the car.

Please support this project. There are so many honest hard working people that need homes they can afford.

Sincerely,

Rae Graber

Makila Kai Bill 67

RECEIVED

2017 JUL 28 AM 7: 32

Wendy B <wendyhooper.maui@gmail.com>

Thu 7/27/2017 7:45 PM

OFFICE OF THE
COUNTY CLERK

To: County Clerk <County.Clerk@mauicounty.us>;

Dear Mike White Council Chair,

Good evening. This letter is to share with you our enthusiastic support for the Makila Kai workforce housing neighborhood in Launiupoko.

We are a family of 4, long time Maui residents. We currently live in Launiupoko as renters. We are a husband and wife, software engineer and realtor with two children 9 and 12. Our rent is double what our mortgage payment would be at this extremely important and necessary development. Without this opportunity, we may be forced to relocate off island to a more affordable city. Like so many other families who work and live in West Maui, we are forced to move from rental to rental, paying increasing rental rates and moving expenses which are at the verge of unsustainable.

At some point in the foreseeable future, there will not be enough middle class and working class people to serve Maui's tourism and infrastructure if the housing crisis is not addressed. I can tell you as a resident with family and friends and co-workers in this community, that future is upon us.

Regardless of the sales price of a residential property, water and infrastructure resources and roads will be used to facilitate life and commerce. These arguments from non-supporters are baseless in my opinion.

We are so very grateful to Greg Brown and his team for their tireless commitment to such an important community issue. We certainly hope that efforts such as this are supported by our representatives now and in the future. We wholeheartedly ask for your approval for Makila Kai. In addition, we offer our assistance in any way that it is needed to assure the success of this important neighborhood.

Thank you for your time and consideration.

Respectfully,
Wendy Hooper

Makila kai Bill 67

RECEIVED
2017 JUL 28 AM 7:32

dawn malubay <vernndawn@msn.com>

Thu 7/27/2017 8:39 PM

OFFICE OF THE
COUNTY CLERK

To:County Clerk <County.Clerk@mauicounty.us>;

We are unable to attend tomorrow's meeting. We are in support of the Makila Kai subdivision. This is just a drop in the bucket for workforce housing projects . Maui needs many more home like this. We are a local family that has been waiting for this type of project to come around. Please vote yes on Bill 67 please.

Mahalo

Vernon & Dawn Malubay

Sent from my iPad

makila kai bill 67

RECEIVED
2017 JUL 28 AM 7:32
OFFICE OF THE
COUNTY CLERK

Gabe Man <gabeshave@gmail.com>

Thu 7/27/2017 7:38 PM

To:County Clerk <County.Clerk@mauicounty.us>;

Dear Councilmembers,

I am sending this letter in support of the proposed Makila Kai project. I would like you to know that I support Makila Kai for the following reasons.

Location. I support the creation of housing on Maui which is located near community facilities and important services. Makila Kai residents would be able to drive to Lahaina Town in five minutes or could eventually take the bus, since the project is located along the future Lahaina Bypass Highway.

Community design. Makila Kai is located in an area designated for rural growth by the Maui Island plan. Given this designation and the existing agricultural (large) lots outside the Rural Growth Boundary, Makila Kai's design (maukaagricultural lots, makai rural lots) provides a thoughtful compromise between what exists and what is allowed by the Maui Island Plan.

In addition, I support this project because about 50% (41 acres) of Makila Kai will be open space, and buildings will be limited to a single story to protect views. Most of the open space will be taken up by a neighborhood park, pedestrian trails, and a large greenbelt along the future bypass. These features will directly benefit the neighborhood in terms of well-being and visual impacts.

Affordable homes. Makila Kai will provide a rare opportunity for Maui residents to purchase an affordable first home on a large lot which is usually attainable only by buyers who can afford to purchase a home at market rates. I commend the developer for providing the opportunity for working families to purchase a workforce home in this desirable area of West Maui.

The fact that Makila Kai plans to offer a financial gift to each workforce home buyer further emphasizes the developer's commitment to the idea of truly "affordable" housing.

I ask and strongly encourage the Maui County Council to support Makila Kai.

Sincerely,

Gabe Manriquez and Family

Makila Kai bill 67

RECEIVED

2017 JUL 28 AM 7: 32

Noelle Manriquez <noellemanriquez@gmail.com>

Thu 7/27/2017 8:31 PM

OFFICE OF THE
COUNTY CLERK

To: County Clerk <County.Clerk@mauicounty.us>;

Dear Councilmembers,

I am sending this letter in support of the proposed Makila Kai project. I would like you to know that I support Makila Kai for the following reasons.

Location. I support the creation of housing on Maui which is located near community facilities and important services. Makila Kai residents would be able to drive to Lahaina Town in five minutes or could eventually take the bus, since the project is located along the future Lahaina Bypass Highway.

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The fact that Makila Kai plans to offer a financial gift to each workforce home buyer further emphasizes the developer's commitment to the idea of truly "affordable" housing.

I ask and strongly encourage the Maui County Council to support Makila Kai.

Sincerely,
Noelle Manriquez

Sent from my iPhone

Makila kai

RECEIVED

2017 JUL 28 AM 7: 32

minafm@aol.com

Thu 7/27/2017 7:32 PM

OFFICE OF THE
COUNTY CLERK

To:County Clerk <County.Clerk@mauicounty.us>;

Aloha

I'm mina Moghadam

One of those people who has hope to dreams come true

I'm a single mom and hot pre approved to qualify getting loan to purchase dream home

Please don't let our hope die

We make makila kai green

We make it happy

Please vote to make it happen

Many mahalos to support every single of us

Mina Moghadam

Sent from my iPhone

Makila Kai Bill 67

Shauna Norris <ilovemaui22@gmail.com>

Thu 7/27/2017 8:08 PM

To:County Clerk <County.Clerk@mauicounty.us>;

RECEIVED
2017 JUL 28 AM 7:32

OFFICE OF THE
COUNTY CLERK

Aloha Council Members,

I'm writing in the behalf of the Makila Kai project. I could not make it to the testimony due to work, however, I strongly urge the project to be pushed forward.

Maui needs more affordable housing and 25 homes is a subtle difference. Many homeowners that live in that subdivision don't live in their homes & do illegal vacation rentals. That to me is a waste of land. This project will be utilized for the working person on Maui. It is much deserved for a local family like myself to have an opportunity to live in a house (not a condo) with a nice size yard for an affordable housing cost.

I am a single parent of two kids and work very hard trying to build an income that will buy me something more than a condo. But in this market rate, houses do not match the income for even an average working family.

This project is very generous and thought out. It is a very fortunate opportunity for the humble working family.

I went to the last testimony and there actually were homeowners from that subdivision who did testify and were for the project. There should be no reason that the other homeowners would think that this development would be negative.

I support the development of the Makila Kai project and strongly urge you to pass the project so local working families on Maui can have the opportunity to own a piece of land and home and not just part of a building. Thank you for your time.

Mahalo,
Shauna Norris

Sent from my iPhone

MAKILA Kai Bill 67

RECEIVED

2017 JUL 28 AM 7: 32

Tessa <tessparker7@gmail.com>

Thu 7/27/2017 9:53 PM

OFFICE OF THE
COUNTY CLERK

To:County Clerk <County.Clerk@mauicounty.us>;

Aloha,

I am emailing in regards to the lottery opportunity for us middle class Maui residents to potentially own a home here on Maui. We believe these opportunities may be the ONLY way we will ever be able to own a home here. Unfortunately that's just how it is. The current residents in Launiopoko may be saying that building the Makila Kai homes may eventually mark down their housing net worth, but if it's not Makila Kai, it's another one.. we NEED affordable options and opportunities to keep us being able to remain living here and growing as a community. We know the percentage of even being chosen for a home at Makila Kai is slim to none, however it would literally be life-changing.

From the hopeful first time home owners, Tessa and James

Makila Kai Bill 67

RECEIVED

2017 JUL 28 AM 7: 32

Hulali Perreira <hulalisky@yahoo.com>

Thu 7/27/2017 7:40 PM

OFFICE OF THE
COUNTY CLERK

To:County Clerk <County.Clerk@mauicounty.us>;

Dear Mike White-

First of all mahalo for taking the time to read my letter in response to the Makila kai project for Maui housing.

I am unable to attend the meeting held on the 28th therefore I'd like to tell you my stance. I am born and raised on the big island (hilo), I came to Maui to get a full time job 2003 and been here ever since. I call Maui my home and would love the opportunity to be a first time homeowner here. I'm 38 years old and I would love the opportunity, if chosen, to make Maui my home. A third of what I make goes to my rent. I am single and because I have a good job, I am able to do it on my own. I'm blessed and I thank god everyday for his blessings.

Because I haven't been to the meetings I am crippling myself as to what is going on. Although I am for the Makila kai project, if there's any reason that by this housing project being harmful to the environment by all means I would not hesitate in voting "no" to this project. Malama I KA Aina. Therefore, I put it in gods hands.

Sincerely- Hulali Perreira

Sent from my iPhone

Makila Kai bill 67

RECEIVED

2017 JUL 28 AM 7:32

valeria magri <vmagri@hotmail.com>

Thu 7/27/2017 6:54 PM

OFFICE OF THE
COUNTY CLERK

To:County Clerk <County.Clerk@mauicounty.us>;

Aloha,

We are the Pollaccia family and we are supporting the Makila Kai project.

We are a family of three with a little two years old boy and the next one will born in December .

We need to buy a house and start building a future for our family .

The people that live in Launiopoko already have a house or more, We don't.

Please help us.

Best regards,

Valeria, John, Lorenzo

Pollaccia

Makila Kai Bill 67

Cambria <cambria.reiter@gmail.com>

Thu 7/27/2017 8:23 PM

To: County Clerk <County.Clerk@mauicounty.us>;

RECEIVED

2017 JUL 28 AM 7: 32

OFFICE OF THE
COUNTY CLERK

Aloha Mr. White,

I'm writing to support the Makila Kai project at Launiopoko.

My husband and I are ready to purchase a home here for our young family. We are in the lottery for Makila Kai! We've both worked in tourism in Lahaina for over 16 years. Unfortunately, the median homes are way too expensive for our middle class wages.

Mr. Brown is a generous person who is the answer to our housing crisis. This project is a dream come true for those of us who work so hard to make Maui the wonderful place it is. We just need places to live so we can still work here and not be forced to move off island.

Please allow Makila Kai to happen. The community needs it desperately.

Mahalo,

Cambria Russell

July 27, 2017

RECEIVED

2017 JUL 28 AM 7: 32

OFFICE OF THE
COUNTY CLERK

Council Chair Mike White
Maui County Council
Kalana O'Maui Building, Eighth Floor
200 South High Street
Wailuku, HI 96793

RE: Makila Kai Affordable Housing Project, Bill 67

Dear Members of the Maui County Council:

I ask and strongly encourage the Maui County Council to support the proposed Makila Kai project, and I do so both professionally and personally.

As a public school teacher and administrator in Maui County since 2003, I see every day how much our community needs to have homes that local working families can afford. I see this from the perspective of my coworkers and our students' families who must work multiple jobs in order to provide their children a home. Our school enrollment has declined recently and many parents withdrawing their children from school have stated that they can no longer afford housing on the Westside. In addition, I see the need for more affordable housing in the number of teachers who commute from the other side of Maui and maybe even more so in the number of teachers moving back to the mainland simply because they've lost hope of ever affording a single-family home on Maui, much less in the Lahaina area.

Personally, I commuted from the other side of the island to work at an elementary school in Lahaina for two years. During that time, I aggressively pursued the purchase of a West Maui home and watched with dismay as out-of-state buyers outbid my offers and moderately priced houses were sold before they even appeared on market listings. Average working residents are left to pick between overpriced homes we can't afford or distressed properties that likely won't pass inspection without major renovations/improvements.

The rental situation is not any better. During the same two-year time frame, I sought out every rental home opportunity on the Westside. With so many Air BNBs and VRBOs on the market, there are fewer properties available for long-term rentals. I literally had to compete with other families just for the chance to rent, with dozens of potential applicants submitting applications at the same time. Virtually all 3 bedroom/2 bath house rentals are listed around \$3,000 (or higher) per month, which is much more than the average working family can afford and much higher than the recommended ratio of housing costs to monthly income. It is very difficult to just survive economically in these market conditions, much less hold on to the dream of purchasing a home in Lahaina.

With family homes in this area starting at over \$700,000, the average family is being priced off the island. My only hope of home ownership on Maui is to pursue every affordable housing opportunity that comes along – and those are few and far between. The wait is much too long and the process is emotionally exhausting. There are so many ups and downs just hoping the project will get approved. Then, after jumping through all the hoops to become qualified to purchase, it will still come down to the luck of the draw, with all the applicants just hoping they are lucky enough to be selected in the lottery. We need many more affordable homes to become available in our area to greatly improve the odds for workforce families.

The Makila Kai project has generated a lot of excitement in the community because it will provide a rare opportunity for residents to purchase single-family homes on large lots in a very desirable area. In addition, the \$50,000 financial gift offered to each workforce buyer towards the purchase of a home makes it truly affordable. Please recognize that the Lahaina community desperately needs this project to move forward, and the workforce families deserve this opportunity!

Sincerely,

Rebecca Winkie, PhD