

BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE

Council of the County of Maui

MINUTES

December 3, 2024

Online Only via Teams

CONVENE: 9:07 a.m.

PRESENT: Councilmember Yuki Lei K. Sugimura, Chair
Councilmember Tasha Kama, Vice-Chair
Councilmember Tom Cook, Member
Councilmember Gabe Johnson, Member
Councilmember Alice L. Lee, Member
Councilmember Tamara Paltin, Member
Councilmember Shane M. Sinenci, Member
Councilmember Nohelani U'u-Hodgins, Member

EXCUSED: Councilmember Keani N.W. Rawlins-Fernandez, Member

STAFF: Kasie Apo Takayama, Senior Legislative Analyst (back up)
Jarett Pascual, Legislative Analyst
Kristen Szabo, Legislative Analyst (trainee)
Richelle Kawasaki, Deputy Director of Council Services
Yvette Bouthillier, Senior Committee Secretary
Lenora Dinneen, Council Services Assistant Clerk
Ryan Martins, Council Ambassador

Residency Area Office (RAO):

Mavis Oliveira-Medeiros, Council Aide, East Maui Residency Area Office
Roxanne Morita, Council Aide, Lānaʻi Residency Area Office
Zhantell Lindo, Council Aide, Molokaʻi Residency Area Office
Bill Snipes, Council Aide, South Maui Residency Area Office
Jade Rojas-Letisi, Council Aide, Makawao-Haʻikū-Pāʻia Residency Area Office

County of Maui Office of Recovery:

Christian Balagso, Council Aide, West Maui Residency Area, Office of Recovery at Lahaina Gateway

ADMIN.: Tiare Horner, Budget Specialist, Office of the Mayor (BFED-113)
Daniel Shupack, Capital Improvement Program Coordinator, Department of Management (BFED-113)

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Josiah Nishita, Deputy Managing Director, Department of Management
(BFED-21(31))

Maria Zielinski, Deputy Director of Finance, Department of Finance

Guy Hironaka, Real Property Management, Department of Finance

Shayne Agawa, Director, Department of Environmental Management
(BFED-21(31))

Robert Schmidt, Deputy Director, Department of Environmental
Management (BFED-21(31))

Michael Kehano, Solid Waste Division Chief, Department of Environmental
Management (BFED-21(31))

Kristina Toshikiyo, Deputy Corporation Counsel, Department of the
Corporation Counsel

OTHERS: Jaycee Law
Others (30)

PRESS: *Akakū*: Maui Community Television, Inc.

CHAIR SUGIMURA: . . .(*gavel*). . . Good morning, everybody. Welcome to the Budget, Finance, Economic Development Committee. It is 9:07 a.m. My name is Yuki Lei Sugimura, I'm the Chair of this Committee, and I'd just like to welcome everybody. Nice seeing those in the Chamber. And this meeting is being conducted in...in accordance with the Sunshine Law, and as a reminder, when your name is called, if you are not in the Chambers, please identify by name who is with you, if anyone...with vehicle, workspace, animals, your minors. We would all like to know what's happening in your...in your space. So--oh, and minors need...need not be identified. Today we have in the Chambers, my Vice-Chair, Member Kama. Good morning.

VICE-CHAIR KAMA: Good morning, Chair, and aloha kakahiaka to everyone.

CHAIR SUGIMURA: Good morning. Then we have Member Johnson. Good morning.

COUNCILMEMBER JOHNSON: Good morning, Chair, Councilmembers, community members. There's no testifiers at the Lāna'i District Office, and I'm here and ready to work. Mahalo.

CHAIR SUGIMURA: And thank you very much for giving out the leis and greetings from our Council to Kaua'i.

COUNCILMEMBER JOHNSON: Yes, and they promised to come...January 2nd to come to our inauguration.

CHAIR SUGIMURA: Oh.

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COUNCILMEMBER JOHNSON: So, we get to give them big hugs and congratulate them as well.

CHAIR SUGIMURA: Oh, I like them. Then we have Member Cook. Good morning.

COUNCILMEMBER COOK: Good morning, Chair. Good morning, Members and public. Aloha. There is nobody in the Kihei Office for testimony at the moment, but they are standing by.

CHAIR SUGIMURA: All right. And then...then we have Member U‘u-Hodgins. Good morning.

COUNCILMEMBER U‘U-HODGINS: Good morning, Chair. Good morning, everyone.

CHAIR SUGIMURA: Good morning. And Chair Lee online. Good morning.

COUNCILMEMBER LEE: Well, I’m speaking on behalf of the people of...of Jamaica, so I will tell you wampum (*phonetic*) and good mawning. I’m here in my --

CHAIR SUGIMURA: . . .(*laughing*). . .

COUNCILMEMBER LEE: -- workspace home alone, and my dog’s outside --

CHAIR SUGIMURA: What...what is the greeting?

COUNCILMEMBER LEE: -- taking her morning nap.

CHAIR SUGIMURA: . . .(*laughing*). . .

COUNCILMEMBER LEE: It’s wampum.

CHAIR SUGIMURA: Wampum?

COUNCILMEMBER LEE: And...wampum. And it’s...along with that, you can say, good mawning.

CHAIR SUGIMURA: . . .(*laughing*). . .

COUNCILMEMBER LEE: Good mawning --

CHAIR SUGIMURA: So, do you have a dictionary?

COUNCILMEMBER LEE: -- woman. And then again, nobody is in my workspace. Looking forward to your meeting.

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CHAIR SUGIMURA: Okay. Do you have a dictionary of greetings, different languages throughout the world, international greetings?

COUNCILMEMBER LEE: Yeah, I have about 5,000.

CHAIR SUGIMURA: . . .*(laughing)*. . .

COUNCILMEMBER LEE: My grandson put it together for me.

CHAIR SUGIMURA: . . .*(laughing)*. . .

COUNCILMEMBER LEE: . . .*(laughing)*. . .

CHAIR SUGIMURA: Riley *(phonetic)* is so wonderful. Member Paltin, good morning. I just saw her. Okay. We'll come back. There she is.

COUNCILMEMBER PALTIN: Aloha kakahiaka. My unnamed minor canine had to use the restroom.

CHAIR SUGIMURA: . . .*(laughing)*. . .

UNIDENTIFIED SPEAKER: . . .*(laughing)*. . .

COUNCILMEMBER PALTIN: I'm streaming live and direct from Nāpili. I have with me my mom, Mildred Paltin, and one adult canine, Kingy Poo Paltin-Vierra. The unnamed canine is outside using the facilities. Thank you.

CHAIR SUGIMURA: . . .*(laughing)*. . . Using the facilities. Good morning to your mother. So, she's been here over Thanksgiving, and that's wonderful. Next, we have excused--did I call everybody? Yeah. Member Rawlins-Fernandez is excused. She'll be coming a little later. Oh, there you are. Sorry, Member Sinenci. Good morning.

COUNCILMEMBER SINENCI: Hey. Good mawning and wampum.

UNIDENTIFIED SPEAKER: . . .*(laughing)*. . .

COUNCILMEMBER SINENCI: Aloha kakahiaka. Here at my home office. I'm here by myself, and no testifiers, Chair, in Hāna.

CHAIR SUGIMURA: All right. Thank you. So, good to see all of you here. From the Office of the Mayor, we have Tiare Horner, Budget Specialist V. I think it's somebody new I didn't meet yet. Looking forward to that. Department of Management, Josiah Nishita. He was just here, he'll come back for the last item on the agenda when we talk about the permanent disposal site. Department of

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Finance, Maria Zielinski, Deputy Director; Guy Hironaka, Real Property Manager V. Department of Environmental Management, Shayne Agawa. Good job. Department of Corporation Counsel, Kristina Toshikiyo. And thank you very much. We have our awesome OCS Staff. Yvette Bouthillier, good to see you, good morning. Senior Committee Secretary [sic] James Krueger. Oops. It's Jarett, Jarett Pascual. Hi, Jarett. As James is back and preparing for important meetings, huh? Other important meetings. As well as Kasie Apo Takayama; Kristen Szabo, Legislative Analyst trainee; Carla Nakata...I'm sorry, Carla Nakata is being...is not here, but Richelle Kawasaki is here. Thank you, Cissy, for being here. And Lei Dinneen, Council Services Assistant Clerk. So, today, for the agenda, we have three items, and it is Bills and Resolutions for Referral to the Council Chair for the 2025 to '27 Council Term; BFED-113, Bill 170 (2024), Amending the Fiscal Year '25 [sic] Budget, Department of Management, for 60 South Church Street Building Renovations in Wailuku, and that is what we also call the Hawaiian Tel building where MEMA and the IT Department will get to eventually; BFED-21(31), Wildfire Permanent Disposal Site. And that is the agenda. Do we have anybody here to testify? Signed up to testify?

MS. SZABO: Chair, there are no individuals that have been...that have signed up to testify.

CHAIR SUGIMURA: Okay.

MS. SZABO: If anyone would like to testify, please come up to the podium or raise your hand on Teams.

CHAIR SUGIMURA: Okay. Oh.

MS. SZABO: We see someone approaching the podium.

CHAIR SUGIMURA: Okay.

. . .BEGIN PUBLIC TESTIMONY. . .

MR. LAW: Aloha kakahiaka, ho'olu...ho'omalolu...sorry. Ho'omalo luna...luna ho'omalo (*phonetic*). Yeah, that's it. Dyslexia. Jaycee Law from Kula Uka. The wild pyre...wildfire permanent disposal site. Thank you for your Hawaiian ambassador over here, he translated the word permanent into Hawaiian the--a computer...internet says mau loa, M-A-U-L-O-A, with no punctuation marks. And I've said it before, and I'll say it again, even the mountain is not permanent, so why do they keep on calling the trash piled in the middle of the island permanent?

CHAIR SUGIMURA: Okay. Anybody --

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MR. LAW: And even the Council Chair is not permanent.

CHAIR SUGIMURA: Anybody else here to testify...or to testify?

MS. SZABO: Chair, there are no other individuals signed up.

CHAIR SUGIMURA: Okay.

MS. SZABO: This is the last call for testimony. The countdown is three, two, one. Seeing none. Chair, no one has indicated they wish to testify.

BILLS AND RESOLUTIONS FOR REFERRAL TO THE COUNCIL CHAIR
FOR THE 2025-2027 COUNCIL TERM

CHAIR SUGIMURA: All right. So, Members, if we need to, I'll read the testimony instructions, but since we just had that with no instructions needed, I will now cons...continue with our agenda. So, posted on the--are...are two bills pending before the Committee for your consideration to refer to Council Chair for the term beginning January 2nd, 2025, in accordance with Rule 22 of the Rules of the Council. These items were--are concurrently listed...are currently listed on the...on my master agenda which, if not referred, will be deemed...will be deemed filed at the end of the term. So, as a reminder, requests can be made to remove items from the discretionary referral list, but at this point, no item can be added. Please also keep in mind that any item filed can be reintroduced in the next term. So, do we have any other testifiers signed up?

MS. SZABO: Chair, there are no other Members to...no testifiers signed up.

CHAIR SUGIMURA: Okay. So, at this time then, I...I would like to entertain a motion to recommend Bill --

MS. APO TAKAYAMA: Chair, sorry, can we close public --

CHAIR SUGIMURA: Oh, sorry.

MS. APO TAKAYAMA: -- testimony on this item first?

CHAIR SUGIMURA: Yes. I'm going to close public testimony for this item and receive any written testimony.

COUNCILMEMBERS: No objections.

. . .CLOSE PUBLIC TESTIMONY. . .

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CHAIR SUGIMURA: Okay. Thank you. So, at this time then, I'd like to recommend...entertain a motion to recommend the bills noted under this item to be referred to the Council Chair for the term beginning January 2nd, 2025, in accordance with Rule 22 of the Rules of the Council.

VICE-CHAIR KAMA: So moved.

COUNCILMEMBER COOK: Second.

CHAIR SUGIMURA: Okay. Motion made by Vice-Chair Kama, seconded by Member Cook. Any discussion? Seeing none. All in favor, raise your hand and say "aye."

COUNCILMEMBERS: Aye.

CHAIR SUGIMURA: Okay. That's eight "ayes," one excused, which is Member Rawlins-Fernandez.

VOTE: AYES: Chair Sugimura, Vice-Chair Kama, and Councilmembers Cook, Johnson, Lee, Paltin, Sinenci, and U'u-Hodgins.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmember Rawlins-Fernandez.

MOTION CARRIED.

ACTION: Recommending **REFERRAL** of bills to the Council Chair for the term beginning January 2, 2025.

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ITEM 113: BILL 170 (2024), AMENDING THE FISCAL YEAR 2025 BUDGET: DEPARTMENT OF MANAGEMENT (60 SOUTH CHURCH STREET BUILDING RENOVATIONS, WAILUKU)

CHAIR SUGIMURA: Yay. Done with one thing on the agenda. That was fast. Next...next item on the agenda is BFED-113, Bill 170 (24) [sic], Amending the Fiscal Year Budgeted [sic]: Department of Management, which is 60 South Church Street building renovations in Wailuku. Members, this item is what we call the Hawaiian Tel Building, which is down the street and is soon to be--hopefully, next year by summer, where we have--we'll have MEMA move in, as well as IT that's supposed to move into that facility. Do we have Dan Shupack here? Do you want to come and join us? Thank you, Dan. He's our CY...CIP Coordinator. So, I don't think I mentioned you. You can be our resource, of course. You're moving this project forward. Member...please designate him as a resource.

COUNCILMEMBERS: No objections.

CHAIR SUGIMURA: Thank you. So, the second item, which amends Fiscal Year '25 Budgeted [sic], it amends Section 2, Estimated Revenues, by increasing Carryover/Savings, General Fund, by \$1.5 million; and amends Section 4.C.2.a.(1).(i), Department of Management, Wailuku-Kahului Community Plan, Government Facilities, General Fund, by increasing the appropriation for the 60 South Church Street building renovations in the amount of 1.5 million. And Mr. Shupack can explain why we...why we're needing this. Amending...the other thing, amending Appendix 6...Append...Appendix C, Capital Improvement Projects, Department of Management, Wailuku-Kahului Community Plan by increasing the appropriation for the building renovations by 1.5 million. And do we have Budget Spec...are you the Budget Specialist? I'm sorry. Ms. Horner? Tiare Horner.

MS. HORNER: I am, Chair. Thank you.

CHAIR SUGIMURA: Oh, okay. I'm sorry.

MS. HORNER: . . .(laughing). . .

CHAIR SUGIMURA: Sorry. And Managing Director Josiah Nishita has sent Dan Shupack; is that right?

MR. SHUPACK: Yes. That is correct, Madam Chair.

CHAIR SUGIMURA: Okay. Very good. So, Members, in Granicus, Bill...item number 1 is Bill 170, and item number 2 is a correspondence dated November 8, 2024,

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which talks about why we're needing the additional funds. And at this time then, Mr. Shupack, take it away.

MR. SHUPACK: Thank you, Chair Sugimura, and Members of the Committee. Yes. I'm here on behalf of the Department of Management for the 60 South Church Street building renovations project, which, as you know...as the Chair already mentioned, also known as the Hawaiian Tel Building was purchased by the County. Just to give a quick refresh, was purchased by the County in late 2020 and--with the intent to renovate to house IT Services Division on the second floor of the three-story building that's on the Well Street side, and as well as the third...the third story for the new MEMA headquarters and Emergency Operations Center. So, that's about 18,400 square feet total that we're renovating, including some exterior renovations to the building that's going to protect all three stories. But yeah, some kind of critical structural renovations to protect our investment inside. So, throughout the course of the project, there's been numerous delays due to permitting, equipment lead times, and a lengthy Federal grant review process that have pushed the project end date to the end of 2025, although we expect to occupy in the summer of 2025. There's been multiple delay charges that have been imposed by the contractor as a result of the...these various delays, and then the delays by the Federal grant process has...because we couldn't...those work items, we couldn't start work, we couldn't order materials, we had to delay the pricing of those, so that resulted in price escalations as well. There's also been a lot of costly change orders due to unforeseen site conditions that we've...that were exposed during work...construction work. Also, significant additional service fees from the County's design consultants have resulted, and will result from many change conditions and post-contract revisions to the construction drawings. I mentioned...yeah, I mentioned...already mentioned, I guess, there's been several major work items that were left out of the scope of work from the original contract. To keep the project within budget at the time of bid, most of these items are critical to the operation of the new MEMA and ITSD spaces, and therefore, need to be added back in the project. But of course, you know, the cost has escalated since we originally put this out to bid in late 2022. So, combined with...combining all those factors, we've estimated a shortfall of roughly \$1,500,000 to get us to the end of construction by the end of next year. And...

CHAIR SUGIMURA: Okay. Is that it?

MR. SHUPACK: Yes.

CHAIR SUGIMURA: Okay.

MR. SHUPACK: Thank you.

CHAIR SUGIMURA: Thank you. So, Budget Office, you have any comments?

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MS. HORNER: No further comments, Chair. Thank you.

CHAIR SUGIMURA: Okay. Okay. Thank you. Thank you very much. So, call for testifiers again? We don't have anybody signed up?

MS. SZABO: Chair, no individuals have signed up to testify. If anyone would like to testify, please come up to the podium or raise your hand on Teams. The countdown is three, two, one. Seeing none. Chair, no one has indicated that they wish to testify.

CHAIR SUGIMURA: Okay. Thank you very much. So, at this time, I'm going to close public testimony and receive any written testimony which may come in on this item. Okay. Thank you.

. . .CLOSE PUBLIC TESTIMONY (BFED-113) . . .

CHAIR SUGIMURA: So, thank you very much. We do have your CIP repair...your report dated September 30th, 2024, which is a status of the project, of which case...of which case the amount spent up to that point is 13 million, 87...\$13.87 million. And it does say on this report that third quarter of 2025 is when you anticipate completion date. So, even if it's not completed, you're still anticipating people to move in in summer, and you're not going to complete until the end of the year, or...

MR. SHUPACK: Yeah. Thank you, Madam Chair. Yes, that...that is correct. The...the final, I guess, piece that would be completed post-occupancy would--is the second rooftop HVAC chiller, which is, you know, there for redundancy. So, we can occupy with the one in place that we're going to get in, I believe, May of next year, and then the second one is...is...is going to come later. And then there's...there's some components of the emergency generator system that are going to be delayed as well. Those are the longest lead items of the project. So...so those will arrive later, but it won't...we'll be able to operate on the...the first chiller, and then we'll have a backup gen...or actually a portable generator on site for emergency power.

CHAIR SUGIMURA: And of course, we're all wondering about MEMA, right?...as they're all squished...squished into the ground floor at our location. But you're just going to take care of the building, and we'll hear more about their move-in and what they may do from somebody else?

MR. SHUPACK: Yes, Chair. That's correct.

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CHAIR SUGIMURA: Okay. Okay. Oh, yeah. So, Members, at this time, people who have questions, I'll just go right down the row, and we'll do three minutes per. We'll start from Member U'u-Hodgins and we'll go that way, and then online.

COUNCILMEMBER U'U-HODGINS: Thank you. I actually have a question for you. What letter were you referring to where it says the \$13 million fund? Is it...it's...I didn't see it on Granicus.

CHAIR SUGIMURA: Oh, you know what? It's...you know our County communications that we receive?

COUNCILMEMBER U'U-HODGINS: Oh.

CHAIR SUGIMURA: This--my Staff downloaded it for me --

COUNCILMEMBER U'U-HODGINS: Oh.

CHAIR SUGIMURA: -- as information.

COUNCILMEMBER U'U-HODGINS: Can we get a copy of that?

CHAIR SUGIMURA: Yeah. Kasie? Okay.

COUNCILMEMBER U'U-HODGINS: Thank you.

CHAIR SUGIMURA: Okay. Thank you. If you can maybe...and then give everybody a copy, and then onto Granicus.

COUNCILMEMBER U'U-HODGINS: Thanks, Chair.

CHAIR SUGIMURA: Yeah. Yeah. Go ahead.

COUNCILMEMBER U'U-HODGINS: So, did I hear you say that there are several major work items that weren't considered during the bid in 2022? And if so, what were the big work items that were missed?

MR. SHUPACK: Yeah. Thank you, Chair. Thank you, Councilmember U'u-Hodgins. Yes. And when the project was bid out in early 2022, we had to...I guess we had to cut out a few of the work items to remain in budget to be able to get the project out the door. So, we...we cut out some of the items that we thought could be maybe added back in later, leaving in kind of the, you know, interior improvements. And so, most...most of the things were exter...all the exterior improvements to the building--like reroofing, security installations, repainting the...the exterior and some of the structural repairs that we're doing to fix some

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of the leaking inside the building--because the building is 50...I think it was built in 1971, so...

COUNCILMEMBER U'U-HODGINS: Yeah, we might need to get that fixed, the leakage, if IT's going to go in there.

MR. SHUPACK: Exactly, yeah. Yeah, we're spending all this money inside, so yeah, we definitely --

COUNCILMEMBER U'U-HODGINS: Yeah.

MR. SHUPACK: -- want to protect...protect our investment.

COUNCILMEMBER U'U-HODGINS: Yeah. And does this extra 1.5 million cover all the required interior work and furniture that's going to be needed, or are you folks going to need more money when that time comes?

MR. SHUPACK: Yeah, it...it covers all the interior improvements with the exception of some of the specialized furniture inside the EOC. That's being handled under a separate procurement through MEMA, which includes like the console furniture for the EOC, some of the conference tables inside the...the...the conference rooms inside the EOC, as well as the audio-visual system...like video wall and video panels that they're going to have in there.

COUNCILMEMBER U'U-HODGINS: Okay.

MR. SHUPACK: Yeah.

COUNCILMEMBER U'U-HODGINS: And then what were some of the unforeseen site conditions that were found during the renovation that changed some of the scope of work?

MR. SHUPACK: Yeah, there was...there was numerous...well, numerous structural issues that were discovered just when they started tearing down walls. Because this was a former telecom building, there's all kinds of...all kinds of things inside the walls that--cables, wires . . . *(timer sounds)*. . . that had to be removed. There was a lot of, I guess, issues with...with the, I guess interior walls that we thought we could preserve that ended up having to be just knocked down. We basically ended up gutting the interior of both the second and third floor where...we thought we could preserve some of the existing walls, that turned out to not be the case. Other things, like the floors. It's a...you know, it's a concrete building. It's a pretty robust construction, with concrete columns and concrete slabs between the floors. However, we found that the...the floors actually have significant sag on both floors, as much as --

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CHAIR SUGIMURA: Wow.

MR. SHUPACK: -- two-and-a-half inches from, I guess, the...you know, the design floor level in some places. So, that all has to be corrected and leveled, which is kind of expensive.

COUNCILMEMBER U'U-HODGINS: Yeah. Concrete's really expensive right now. But thank you.

MR. SHUPACK: Yeah. That was just a few things.

COUNCILMEMBER U'U-HODGINS: I'm out of my time. Thanks, Chair.

MR. SHUPACK: A couple things.

COUNCILMEMBER U'U-HODGINS: Yeah. Thanks.

MR. SHUPACK: Thank you.

CHAIR SUGIMURA: Okay. Now, Member Cook, three minutes.

COUNCILMEMBER COOK: Thank you.

COUNCILMEMBER PALTIN: Just a heads up, we cannot hear the buzzer online.

CHAIR SUGIMURA: Okay. Thank you.

COUNCILMEMBER COOK: Thank you, Chair. So, I...I'll start?

CHAIR SUGIMURA: Yes.

COUNCILMEMBER COOK: Could you let us know what permit delays there were, and when we became aware of them, and how much of a delay that was?

MR. SHUPACK: Thank you, Chair. Thank you, Councilmember Cook. Yes. Yeah, we...the major delay at the start of the project was the building permit. We had applied for the building permit, I believe, in early 2022...or was it '21?... '22...early '22, and we didn't receive the permit for almost til I believe it was the end of 2023. So, yeah. We had...we had...the contract was able to hold out for a few months, but then they...they started charging us, I think, for about...it was about nine months of delay charges.

COUNCILMEMBER COOK: And how much were those...the delay charges per month?

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MR. SHUPACK: It was...I think it was...the initial delays were about \$150,000 or so. So, yeah, it was about...

COUNCILMEMBER COOK: Total or per month? Total?

MR. SHUPACK: That was total.

COUNCILMEMBER COOK: Okay.

MR. SHUPACK: Yeah. Yeah.

COUNCILMEMBER COOK: When you say building permit, that...a building permit consists of a whole variety of permits--demolition permit, plumbing, electrical, et cetera, et cetera. Do you--or which...which Department...where was the hang up, or the...or the issue? And if you don't have it, you could supply it in...in writing letter...later, but I'm just curious because basically, that's...we're costing ourselves money. And if...if we could identify where and how and what, then we could refine that particular thing. But when we say building permits in general, it doesn't really help define what aspect of it it was, whether it was fire, electrical, et cetera. The lengthy Federal grant review process, could you enlighten us as far as what that was?

MR. SHUPACK: Yes, Chair. Thank you, Councilmember Cook. Yeah, we received a Federal appropriation through Senator Schatz's Office, \$1.4 million, which was...which was great. Unfortunately, the timing of it, we...we didn't receive it until--at least it didn't become available until the project had already been put out to bid in early 2023, and then we still had to apply for...go through the grant process. It was . . . *(timer sounds)* . . . the mechanism to release those funds was through EOC grant through Department of Homeland Security. So, we had to go through the grant approve...application process, which includes the EHP --

COUNCILMEMBER COOK: Okay. Thanks.

MR. SHUPACK: -- you know, the historical, cultural review because the building is older than 50 years. So --

CHAIR SUGIMURA: Oh, my.

MR. SHUPACK: -- that added, you know, extra--I don't know, six months or so to the --

COUNCILMEMBER COOK: Thanks. My time --

MR. SHUPACK: . . . *(inaudible)* . . .

COUNCILMEMBER COOK: My time's up. I'll yield to the next Member.

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MR. SHUPACK: Okay.

COUNCILMEMBER COOK: Thank you very much.

MR. SHUPACK: That was it.

CHAIR SUGIMURA: So complicated, huh, permitting? And thank you, Senator Schatz, for that \$1.4 million grant of Federal support. Next, we have Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. Who was responsible for writing that Federal grant?

MR. SHUPACK: I believe the...I know that it was...we...we had received assistance from Strategies 360, who is, you know...I guess, you know, consulting, I guess...I don't know what...what their official capacity is, but they assist the County in seeking out funding...Federal funding mainly.

COUNCILMEMBER JOHNSON: Which Department, I guess?

MR. SHUPACK: It was the...the actual EOC grant was through MEMA, and then HI-EMA was the...I guess the passthrough. Yeah. So...

COUNCILMEMBER JOHNSON: Okay. Do they have a grant writer on staff?

MR. SHUPACK: Yes, they do. Yeah.

COUNCILMEMBER JOHNSON: And that person was in charge of coordinating that grant?

MR. SHUPACK: Yes.

COUNCILMEMBER JOHNSON: Okay.

MR. SHUPACK: Yeah.

COUNCILMEMBER JOHNSON: It sounds...did...did we know when we bought the building it would need all of these repairs? That two-inch sagging of floors is...kind of was a surprise to me. But did we know that it was going to be this much work?

MR. SHUPACK: No. Yeah, the...when...when the building was purchased back in 2020, it was basically...the County got a good deal on it, but with the condition that it was being purchased in an as-is condition.

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COUNCILMEMBER JOHNSON: Um-hum.

MR. SHUPACK: So, there was not, I guess, the full due diligence --

COUNCILMEMBER JOHNSON: Um-hum.

MR. SHUPACK: -- performed that you would normally see with, you know, real estate purchase.

COUNCILMEMBER JOHNSON: Yeah.

MR. SHUPACK: So, yeah. That...that led to a lot of, you know, unforeseen conditions --

COUNCILMEMBER JOHNSON: Right.

MR. SHUPACK: -- that, yeah, came up during construction.

COUNCILMEMBER JOHNSON: Okay. So, if MENA [sic] moves in there in the middle of next year, what's going to happen with their office in the basement? Do you guys have any plans for it?

MR. SHUPACK: Yeah. The...the basement...I believe right now, it's...it's being discussed for...I don't think it's been officially determined yet. There's been talks of it --

COUNCILMEMBER JOHNSON: Okay.

MR. SHUPACK: -- either being used as a...like a backup...being kept and used as kind of a backup EOC. There's been talks of it being taken over by IT Services, who's already there in the basement, for their tech...tech services. There's been talks and...yeah, there's been talks of, you know, other Departments using --

COUNCILMEMBER JOHNSON: Well, I'll...I'll just add...add to the talks then? Every election season, we close down this area, and we have no place to go. Maybe in the basement, we could put ballots. Just saying. But those are...those were my main questions, I guess. . . .(timer sounds). . . And my time's up. Thank you. Thank you, Chair.

CHAIR SUGIMURA: Okay. Thank you. Now, we have Vice-Chair Kama.

VICE-CHAIR KAMA: Thank you, Chair. Thank you for being here, Mr. Shupack. So, I wanted to go back to the grant question in terms of...so, Strategies 360 writes the grants on behalf of the County. And then...and for this particular grant, although it was written for MEMA, HI-EMA actually is the physical, maybe, agent or sponsor? Is that how that worked?

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MR. SHUPACK: Yes. Thank you, Chair. Thank you, Councilmember Kama. The--yeah. I guess to...to clarify, Strategies 360, I guess they're...they're mostly the...I guess they work, I guess, with just the...the...with the Congress, with the rep...you know, the...you know, House of Representatives and Senate to get the initial appropriations, but the...the actual grant writing was done through a combination of efforts of HI-EMA and MEMA, and also myself. So, we...we kind of combined to...to put together the grant application. Yeah, and HI-EMA is the...I guess the...the...the passthrough agency for the County as the subrecipient.

VICE-CHAIR KAMA: So, Strategies 360 is somehow--I'm trying to figure out what is their role in all of this, in terms of what...what they do.

MR. SHUPACK: Yeah. They...they basically...yeah, they...they identify, I guess...they...they basically kind of, I guess, grease the skids with...with Congress to get support for appropriations for the County and, you know, find funding opportunities for the County that we can...monies that can be obtained, appropriated. I'm not...I'm not a 100 percent...yeah, don't quote me because I'm not a 100 percent sure because I...I didn't actually work with them directly.

VICE-CHAIR KAMA: Okay.

MR. SHUPACK: I just know that that's kind of what they do for the County. Yeah.

VICE-CHAIR KAMA: Okay. Okay. So, for now, that's all I have for Mr. Shupack. So, I'll come back again, Chair. Thank you.

CHAIR SUGIMURA: Okay. Thank you. So, now, online, we have Chair Lee, followed by Member Paltin, Member Sinenci.

COUNCILMEMBER LEE: Thank you, Chair, for bringing up this item. I...I believe this was at my request. The reason for that is, we've been waiting for this building to be completed for a couple of years now. Because the original arrangement was that when MEMA left the...its current offices downstairs in the basement, then IT would completely take that over, and we would have the entire Kalana Pakui Building, including the Planning Conference Room. Okay. So, if lightning strikes me down today --

CHAIR SUGIMURA: . . .*(laughing)*. . .

COUNCILMEMBER LEE: -- please remember that that was the arrangement. That was the arrangement. And the Council, you folks have to remember, has been very cooperative in providing funding to the Administration to buy various buildings, yeah, for their expansions, and to rent various buildings for their expansions,

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while the Council...the County Council has not had an expansion in 50 years...except for now. Except only now, when we made this deal, starting with Mr. Victorino. And we need more space, as Member Johnson mentioned, like for elections. It's a big disruption to us every time. You can't go into your offices, nor can we use the Chamber. So, all of us have to start insisting that we get more cooperation from the Administration in our expansion requests and requirements. Because we've been helping them all along. From the very beginning, all of us came into office, we've been helping for over six years now. So...and then we hear all these things about sagging floors, and...and no due diligence, and the permit taking over a year or two. I mean, this is unacceptable. And then they...they talk about grants that we could have missed out on possibly, and that's...and as you folks know, that's the reason why I introduced the concept of a comprehensive grants program so everybody would be on the same page, working off the same master plan, and in a coordinated fashion. None of that exists today. Okay. So, getting back to the...the Hawaiian Tel building itself, when ...again, can you repeat when do you think everybody--I mean, that the...the entire building can--is usable to the County?

MR. SHUPACK: Thank you, Chair...Chair Sugimura and Chair Lee. . . .*(timer sounds)*. . . Yeah, the...we expect to occupy the building sometime in summer 2025, July or August currently. And --

COUNCILMEMBER LEE: Okay. Thank you. I ran out of time. Thank you.

MR. SHUPACK: Okay.

COUNCILMEMBER LEE: Thank you.

CHAIR SUGIMURA: Okay.

COUNCILMEMBER LEE: I'll catch you in the second round.

CHAIR SUGIMURA: . . .*(laughing)*. . . All right. So, next, we have Member Sinenci. Oh, Member Paltin, sorry. Member Paltin, then Member Sinenci.

COUNCILMEMBER PALTIN: Aloha, Mr. Shupack. Nice to see you. How's it going?

COUNCILMEMBER LEE: . . .*(laughing)*. . .

MR. SHUPACK: Good. Thank you.

CHAIR SUGIMURA: . . .*(laughing)*. . .

COUNCILMEMBER PALTIN: I was wondering who the contractor is for this project that was charging us 150,000?

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MR. SHUPACK: That's...thank you, Chair, and thank you, Councilmember Paltin. Yes, the contractor is F&H Construction.

COUNCILMEMBER PALTIN: Okay. And then I...I didn't hear MEMA was here as a resource, but you were saying that MEMA would furnish some of the things, like the console. Would they not be able to bring the console from the basement over to the Church Street structure?

MR. SHUPACK: Yeah, I would...I would defer that question to MEMA. Yeah.

COUNCILMEMBER PALTIN: Oh, okay.

MR. SHUPACK: Yeah.

COUNCILMEMBER PALTIN: And then I heard Chair Lee say that IT was going to move out, but you also said that IT was moving to the 60 Church Street structure. So, you're correct, right, and...that IT is moving to 60 Church Street?

MR. SHUPACK: Yeah, that is correct. Most...most of IT, I believe. Yeah. I think there's some, like the...the tech services that are in the basement right now, that are...that are going to remain, but yeah. The--my understanding is the majority, if not all of IT Services currently at Kalana Pakui, is supposed to move over.

COUNCILMEMBER PALTIN: Oh, okay. So, some will remain. What...what...what work is being done on the 60 Church Street structure at this moment? Are they fixing the floors?

MR. SHUPACK: They're preparing to...to fix the floors to...to start the leveling. They're doing moisture testing right now to determine if they need to put down a moisture barrier. The...and the...the main...main work right now is going on the exterior. They're doing the civil improvements in the...the back parking lot. So...yeah.

COUNCILMEMBER PALTIN: Okay. The other thing I wasn't super clear on when you were answering Member U'u-Hodgins' questions, was it the roof that you were putting off for later, or was it the interior that you were going to put off for later?

MR. SHUPACK: Yes, it was mostly the...the exterior improvements. So, yeah, the roof...reroofing is...is part of that, and yeah, like the civil site improvements, the painting, and a lot of the structural work to fix some of the...I guess the joints in the building . . .(timer sounds). . . that were, yeah, suspected to be the source of a lot of the leaking...existing leakage inside the building.

CHAIR SUGIMURA: Buzzer went off. You have more questions?

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COUNCILMEMBER PALTIN: Okay. Wow. Interesting.

CHAIR SUGIMURA: Yeah.

COUNCILMEMBER PALTIN: I'm good.

CHAIR SUGIMURA: Okay. You're good? Okay. Member Sinenci.

COUNCILMEMBER SINENCI: Mahalo, Chair. And just continuing the line of questioning. So, Mr. Shupack, so the F&H Construction has been the contractor from the very beginning?

MR. SHUPACK: Thank you, Chair. Thank you, Councilmember Sinenci. That is correct. They were the original . . . *(inaudible)* . . .

COUNCILMEMBER SINENCI: Okay. And then so it's...with all these new developments with the building, it's safe to say that they've gone over the original bid and beyond the...the schedule...the construction schedule has surpassed that?

UNIDENTIFIED SPEAKER: Hello?

MR. SHUPACK: I wouldn't say that they've exceeded. I think that they've performed their portion of the work, you know, within, you know, their, I guess, expected time frames, but there's just been a lot of unforeseen conditions that have delayed the project. A lot of really long-lead items had...

COUNCILMEMBER SINENCI: So, the...so, the delays have put the project on hold, meaning there is no working crew on...working on anything until permits are being drawn, those types of things? So, it's not like we're seeing a workforce there every day, it's just delay upon delay, yeah?

MR. SHUPACK: Yes, that...that is correct. There's...there was periods where the --

COUNCILMEMBER SINENCI: Oh.

MR. SHUPACK: -- there was, you know...we've gone --

COUNCILMEMBER SINENCI: Okay.

MR. SHUPACK: -- weeks or months without anybody...anyone --

COUNCILMEMBER SINENCI: Yeah.

MR. SHUPACK: -- on site.

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COUNCILMEMBER SINENCI: All right. Thank you. No, this is very educational. You know, when we did purchase the building, we thought that, okay, you know, to build a brand-new building would cost us upwards of \$50 million. And so, renovating an older structure would keep the cost down, would...you know, would...would keep from, you know, making more cement and...and adding to the environment. So--and maybe even moving offices that the County has to rent in other buildings. So, those were the...the impetus to...to purchase older buildings. But I think moving forward, I mean, we really need to look--and it was...to me, it was a little bit of rush to just purchase this building, but it sounds like we need to take our time in doing our...our own due diligence before we purchase this older building. So, appreciate the comments. Thank you, Chair.

CHAIR SUGIMURA: Thank you. All right. So, at this time, does anybody have more questions for round two?

COUNCILMEMBER COOK: I do.

CHAIR SUGIMURA: You do? Okay. Oh, and Member Kama. Okay. So, Member Cook, then Member Kama.

COUNCILMEMBER COOK: As the CIP Coordinator for the County, how much influence do you have in permit expediting? Do you work directly with the Public Works Department and the various agencies, or are you like...sort of like everybody else, you submit a permit and wait for it to go through the system?

CHAIR SUGIMURA: Go ahead.

MR. SHUPACK: Chair. Thank you, Councilmember Cook. Yeah, we...well, as...as you know, the Department of Management--you know, the...the Managing Director oversees all the Departments. However, when...when we apply for a permit, you know, we...we follow the same processes as anyone else applying for the permit. And we do follow up...you know, we do use our...you know, obviously, we...we have working relationships with a lot of these Departments, and we know the people processing the permits. So, we...you know --

COUNCILMEMBER COOK: That...that's good. I don't want to cut you off.

MR. SHUPACK: Yeah.

COUNCILMEMBER COOK: I understand it. And there is no judgment in these questions, it's just...just financial. And it's, for us, potential policymaking in the future of how we can refine it so that the County isn't inadvertently unintentionally costing ourselves money. When you fixed the sagging floor, was it basically just like leveling off the top, or was there structural issues that had to be addressed to jack it up or anything? Mostly just leveling this...

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MR. SHUPACK: Yeah, we haven't actually leveled yet, but...yeah. The...the plan is to...is to level the floors, which --

COUNCILMEMBER COOK: . . .*(inaudible)*. . . or something under it.

MR. SHUPACK: Yeah. Yeah.

COUNCILMEMBER COOK: The...was there any equipment that was ordered and paid for, but not being used due to design changes? And if you don't know off the top your head, you could do that. And if I could add two more written responses, that would be one. And then building permit submittal date, the various Department's reviews, when they received it, when they approved it, like each different department, and the building permit issuance date. And also, SHPD Historic Building communications, which I believe is the aspect--one of the aspects for the grant was since it's a historical building; is that correct?

MR. SHUPACK: Yes, that's correct.

COUNCILMEMBER COOK: Okay. And that...that's not uncommon. And there again, all of these questions really aren't just to give the department a major homework assignment. These questions are for us to become more educated, and identify where the hiccups are, where that we potentially can create either legislation or administrative rules with the Administration to enable you and other people to perform their job more efficiently. So, thank you, Chair.

CHAIR SUGIMURA: Okay. So, you're done?

COUNCILMEMBER COOK: Yes.

CHAIR SUGIMURA: Member Kama, then I see Member Paltin's hand, then Chair Lee.

VICE-CHAIR KAMA: Thank you, Chair. So, I think I wanted to ask what was the total cost for...to purchase the building, and then all of the renovations to the building? And...and is the cost...is that cost final, or are there still...probably will be other costs along the way?

UNIDENTIFIED SPEAKER: Basically...

MR. SHUPACK: Thank you, Chair. Thank you, Councilmember Kama. Yes. So, I believe the building was purchased for 3.7 million. That includes the entire facility, including the...the...the portion along Church Street, which is completely occupied by Hawaiian Tel. So, we purchased it. We're leasing back to Hawaiian Tel, so there's some money coming back. The total, I believe, in appropriations is...is approximately \$17 million for the project. So, altogether, including the

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purchase, it's about--that includes design and construction, and it's about 20,700,000.

VICE-CHAIR KAMA: And do you anticipate maybe having some future costs also?

MR. SHUPACK: No. The...this...this request, we...we expect to take us to the end of construction with the...with the remaining anticipated change orders for the project and any, you know, future delay charges.

VICE-CHAIR KAMA: Okay. Thank you. Thank you, Chair.

CHAIR SUGIMURA: Okay. Next, we have Chair Lee.

COUNCILMEMBER LEE: I think you mentioned --

CHAIR SUGIMURA: Oh, I'm sorry. Member Paltin.

COUNCILMEMBER LEE: -- Member Paltin first.

CHAIR SUGIMURA: Sorry. Sorry, Member Paltin. And then Chair Lee.

COUNCILMEMBER PALTIN: Thank you, Chair. Following up on Member Sinenci and Member Kama's questions, do you have an estimate if...if we would have started from scratch--purchasing land, design, construction, and time frame? This is still faster and less expensive, correct, and it's near our County campus?

CHAIR SUGIMURA: Mr. Shupack?

MR. SHUPACK: Yes. Thank you, Chair, and thank you, Councilmember Paltin. Yes. We do believe that, you know, despite the...you know, all the hiccups and...and delays and...and change orders, that the...the cost of the renovation is less expensive than...than it would be to purchase land and build a brand-new facility. And...and yes, a new facility would have obviously been, you know, some...someplace outside of...you know, outside of the Wailuku Town, yeah, because we would have needed a good amount of land to build. So, yeah, there...there's definite advantages of the renovation and, you know, having this location that's so close to Kalana O Maui.

COUNCILMEMBER PALTIN: And our preference is to be closer to Kalana O Maui? I mean, before we purchased this, there was some speaking about like a big fire...fire building where it could have been incorporated, but our preference is like walking distance to the County building, right?

MR. SHUPACK: Yeah, the...the...yeah. I guess there's been...yeah, there's been differing viewpoints on that over the years with, you know, the various Departments...the

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various emergency...first responder departments and MEMA. I think ideally, they would have liked, you know, to have like kind of an emergency, you know, first responders' campus --

COUNCILMEMBER PALTIN: . . .*(inaudible)*. . .

MR. SHUPACK: -- that would have had like Fire and Police and MEMA kind of like in a, you know, secure facility some...someplace. But yeah, I guess, you know, the...I don't know, it's...it's changed over time, and this was I guess the...seen as kind of a lower-cost alternative that could be done faster.

COUNCILMEMBER PALTIN: Yeah. Plenty times hindsight is 20-20, but it...it still feels like we came out ahead in the long run on the cost and the time it takes, given how often we're having disasters nowadays. Thank you.

CHAIR SUGIMURA: Okay. You're done?

MR. SHUPACK: Thank you.

CHAIR SUGIMURA: Next, we have Chair Lee.

COUNCILMEMBER PALTIN: Yeah. *(pause)*

CHAIR SUGIMURA: Can't hear you.

COUNCILMEMBER LEE: Do you...do you have a master plan for Maui County Departments' expansions? *(pause)* I'm talking to the CIP Coordinator.

MR. SHUPACK: Thank you, Chair. Thank you, Chair Lee. Yeah, actually, the...the Department of Management is currently working with Group 70 to update the County...County Campus Master Plan, and they're doing the space study right now. So, they're collecting information from the various Departments, and kind of updating based on, you know, the various, you know, moving around and the...you know, the new facilities that have been acquired or built over the past decade since that...the last report was put out, I believe, in like 2012 or '13. So, they're...they're working to update that and have a--the...the first phase is to have the space study complete, I believe, by sometime next year.

COUNCILMEMBER LEE: Okay. Thank you. Thank you. And so, my next questions is--we would love to see that master plan. My next question is, have you folks ever considered buying the properties on Ka'ohu Street to extend the campus of Maui County? Because eventually, the garage is going to be moved to Waikapu, you know, where the base yard is? It's kind of a yes-or-no question. Have you folks ever considered developing and acquiring the properties along Ka'ohu Street to expand the campus of...of Maui County --

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MR. SHUPACK: Yeah, I --

COUNCILMEMBER LEE: -- buildings?

MR. SHUPACK: Yeah, I'd probably need to defer that question to...to our...our land agent who seeks out properties, and probably the Managing Director. But I know that they're...they're...they're always looking at properties for sale within Wailuku Town.

COUNCILMEMBER LEE: Yeah.

MR. SHUPACK: Yeah, for --

COUNCILMEMBER LEE: Okay. And because...because in addition to expanding quarters for our workers, our employees, we may want to even include, in the master plan, acquiring employee housing. So, I'm just throwing that out so...so that our master plan is comprehensive and not piece by piece. And then my last question has to do with, do you ever take into consideration--this is what I used to do whenever I was building a new facility for the County--see which Federal program or what program receives money so that they could help pay the rent or the mortgage? Do you...do you folks take that into consideration . . .(timer sounds). . . when...when you're building a new place? No? Yes?

MR. SHUPACK: Not...not that I'm aware of, no.

COUNCILMEMBER LEE: Okay. Thank you.

CHAIR SUGIMURA: Okay. Good questions, Chair Lee. So, it sounds like you want to let Group 70 know that you want some of the space for the Council, right? If we're talking --

COUNCILMEMBER LEE: Yeah. Yes. Yes.

CHAIR SUGIMURA: -- about moving things around. And...okay. Any other questions, Members? Member Sinenci, go ahead.

COUNCILMEMBER SINENCI: Thank you, Chair. Just some quick questions for Mr. Shupack. Did you say that we've expanded upwards of \$10 million on the project?

CHAIR SUGIMURA: Mr. Shupack?

MR. SHUPACK: Sorry, could you repeat the question?

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COUNCILMEMBER SINENCI: How much have we expended to take on the...on the project?

CHAIR SUGIMURA: 13 million.

MR. SHUPACK: Thank you, Chair. Thank you, Councilmember Sinenci. Yeah, I believe it's...yeah, 15 million.

COUNCILMEMBER SINENCI: 15.

MR. SHUPACK: Yeah. 15.

COUNCILMEMBER SINENCI: And we purchased it for...for 3 million?

MR. SHUPACK: . . .*(inaudible)*. . . 3.7.

COUNCILMEMBER SINENCI: So, we could have bought...so...so, this is three times the cost of the original cost of the building? We could have bought two more older buildings?

UNIDENTIFIED SPEAKER: . . .*(laughing)*. . .

COUNCILMEMBER SINENCI: Is it...is it...can we...are the books public? The...the costs of the renovations made, are the books open for public scru...and...and I'm only asking this is because, you know, O'ahu had their whole rail fiasco where...where their project just ballooned into the billions. And so, for us as public officials, we're...we're going to have to be answering to our...to our constituents, you know, why we...we're spending three times the costs for...of a building that we purchased. So, I'm...I'm just wondering if the books are open for...or public scrutiny?

MR. SHUPACK: Yes, I...yeah, I believe, you know, any...any important fiscal aspect of the...you know, the construction, the contract, administration can be made public.

COUNCILMEMBER SINENCI: Okay. Thank you. That's...that's all the questions I have, Chair. Thank you.

CHAIR SUGIMURA: Okay. Members, so are there any other questions? Seeing none. Okay. So, I'd like to entertain a motion to recommend passage on first reading of Bill 170 (2024), entitled, "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR '25 [*sic*] BUDGET FOR THE COUNTY OF MAUI, ESTIMATED REVENUES; CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF MANAGEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA, GOVERNMENT FACILITIES, GENERAL FUND, 60 SOUTH CHURCH STREET BUILDING

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RENOVATIONS; APPENDIX C, DEPARTMENT OF MANAGEMENT, WAILUKU-KAHULUI COMMUNITY PLAN AREA, 60 SOUTH CHURCH STREET BUILDING RENOVATIONS,” incorporating any nonsubstantive revisions.

COUNCILMEMBER COOK: So moved.

VICE-CHAIR KAMA: Second.

CHAIR SUGIMURA: Chair...Member...Member Cook and seconded by Vice-Chair Kama. Anybody have any other comments they would like to make? Oh, Chair Lee.

COUNCILMEMBER LEE: Just a question for Corp. Counsel. Normally, these...these amendments we can only vote up...up or down. Can we add a condition? Can...can we ask...Well, just let me ask. Okay.

CHAIR SUGIMURA: We'll ask Kristina Toshikiyo.

MS. TOSHIKIYO: Yes, Chair. I'm here.

CHAIR SUGIMURA: Can we add conditions?

MS. TOSHIKIYO: To the budget appropriation or to the CIP program? I'm sorry, I don't have the bills right in front of me.

COUNCILMEMBER LEE: Well, the --

MS. TOSHIKIYO: So, if it's...the answer would be no if it's coming from the operating budget. The Council does have the ability to make amendments to the --

COUNCILMEMBER LEE: CIP?

MS. TOSHIKIYO: -- CIP program, but not to the operating budget.

COUNCILMEMBER LEE: Right. So, I could add...we could add a condition to the CIP amendment?

MS. TOSHIKIYO: I'm pulling up the bills right now.

COUNCILMEMBER LEE: I'm looking at an amendment along the lines of that as...upon completion...upon the completion of the project that we, the Council, will have full control of the Kalana Pakui building. Because the IT people--I mean, there are like five of them on the second floor, occupying the whole second floor while we're squeezing here and there, okay? So, that we take full control of the Kalana Pakui building when the Hawaiian Tel building is completed. Now, isn't that a fair request? Can...I make that motion, Kristina?

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CHAIR SUGIMURA: Kristina?

MS. TOSHIKIYO: Well, Chair, today before you, for discussion purposes, is Bill 170, and that's amending the operating budget.

COUNCILMEMBER LEE: Okay. I thought you said there are two bills before us?

CHAIR SUGIMURA: Oh, one. Bill 170.

MS. TOSHIKIYO: Just one bill for today's agenda.

COUNCILMEMBER LEE: Okay. I thought you said there were two, one was CIP. That's the reason why I asked the question. Okay. So, apparently, I'm not able to make that amendment, but I sure can make that request with this report if--everybody's in agreement with my request?

CHAIR SUGIMURA: Okay. So, we can send a letter, right?

COUNCILMEMBER LEE: Okay. It looks like there's consensus. Okay.

CHAIR SUGIMURA: We can send a letter --

COUNCILMEMBER LEE: Yeah.

CHAIR SUGIMURA: -- to...to those...like the Mayor and Mr. Nishita. Okay. So, everybody ready to vote? All in favor for...to pass Bill 170, raise your hand and say "aye."

COUNCILMEMBERS: Aye.

CHAIR SUGIMURA: Member Paltin? Okay. That's eight "ayes," one "excused," which is Member Rawlins-Fernandez.

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VOTE: **AYES:** **Chair Sugimura, Vice-Chair Kama, and Councilmembers Cook, Johnson, Lee, Paltin, Sinenci, and U‘u-Hodgins.**

NOES: **None.**

ABSTAIN: **None.**

ABSENT: **None.**

EXC.: **Councilmember Rawlins-Fernandez.**

MOTION CARRIED.

ACTION: Recommending **FIRST READING** of Bill 170 (2024) by C.R.

CHAIR SUGIMURA: Yay. Good. Thank you very much. Thank you very much, Mr. Shupack. I will tell you that perfect...that he's working in this MEMA structure because his dad was in charge of--I went to visit during the...when we had the wildfire, and your dad was in charge of the War Memorial Gym for first aid.

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

CHAIR SUGIMURA: Yeah. Oh, yeah, for Red...yeah, Red Cross. He's...he's very awesome. Yeah. Please thank him for his volunteer work. Okay. So, you want to take a short break, Members? And then we can take up the next item. So, we'll take a short break until...to 10:20. . . .*(gavel)*. . .

RECESS: 10:09 a.m.

RECONVENE: 10:26 a.m.

CHAIR SUGIMURA: . . .*(gavel)*. . . Welcome back to the Budget, Finance, Economic Development Committee. We have the last item on the agenda to take up, which is BFED-21(31), Wildfire Permanent Disposal Site.

ITEM 21(31): WILDFIRE PERMANENT DISPOSAL SITE (Rule 7(B))

CHAIR SUGIMURA: As you know, at our last meeting...Council meeting, we...we did pass the resolutions, which was Resolution 24-191 and 192, and that basically is for the land acquisition for the permanent disposal sites. And the...that passed, but today, we wanted to take up the bills, associated bills, and do a

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Rule 7(B) on it, just to get information out to the public and to the Members. And this will be the last item on the agenda. On Granicus 1 is the bill that we're looking at, and on Granicus 2 was transmitted all of the correspondence from Josiah Nishita dated November 18th, as well as Ordinance 174, 175, 176, relating to the permanent disposal site. So, today we have Managing Director--anybody else showed up online? We should have Shayne Agawa. I don't know who's signed up. So, we have Maria Zielinski --

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

CHAIR SUGIMURA: -- is she here? Oh, there's Shayne. Good job, Shayne. You must be so happy to be at this point with your...the Central Maui Landfill. Congratulations. I know this was in your thought for quite a few months, or from last year. Guy Hironaka from Finance, Real Property Manager; Budget Specialist...I guess Tiare Lawrence [*sic*]. I think she went back to her office. Maybe not needed. And...

UNIDENTIFIED SPEAKER: Horner.

CHAIR SUGIMURA: Oh, what did I say? Oh, yeah, Horner. Okay. So, at this time then, Managing Director, please...please take it away. Oh, look at the screen. It's all green.

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

CHAIR SUGIMURA: Little...little Christmassy, is it? Yeah. . . .*(laughing)*. . .

COUNCILMEMBER JOHNSON: I'm Hulking out . . .*(growling sound)*. . .

CHAIR SUGIMURA: . . .*(laughing)*. . . You're Hulking out? Members online, can you...Member Paltin, what do you see? Our screen is green here. Oh, now we're fine. Can you hear us?

COUNCILMEMBER PALTIN: I --

CHAIR SUGIMURA: Member Paltin?

COUNCILMEMBER PALTIN: Yes.

CHAIR SUGIMURA: Okay. Good.

COUNCILMEMBER PALTIN: I wanted to update my disclosure. One more adult male, George Vierra.

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CHAIR SUGIMURA: Oh, okay. Hi, George. All right. So, then, at this time, Managing Director, then you can direct who you want to join you in terms of resource and presentation.

MR. NISHITA: Thank you, Chair. Thank you, Members, for allowing us to be here today. I believe also on the call we have Deputy Director Schmidt from DEM, and Mike Kehano are also logged in in case there's any questions related to this. I'll just keep it really short and sweet since I know we talked a little bit about this at Council already, and I think generally, the Councilmembers are aware of the...the need and the...the urgency for this. But the property itself, there's two properties as a part of this deal, one we're calling, you know, Unit 3, and then one Unit 1. One...one of the properties, Unit 1, you know, that we're kind of referencing is the one for the smaller parcel that we're asking for about, you know, \$1,520,000...\$1,520,450 for, and then Unit 3, which is where the actual permanent disposal site will be located, that we're asking for \$2,477,550 for a total of \$4 million for the two parcels. Unit--as I...I mentioned at Council, both the properties are included in this deal, so this is a package deal, which the Administration is really supportive of...not just for the PDS site, but it also provides opportunities for future growth potential for our landfilling operations and to meet the needs of our community for many years to come, which I'm sure our Department of Environmental Management can expand on later if needed. We'd be happy to address any questions, Chair, and be happy to get into some of the more specifics as the...the Council desires. Thanks.

CHAIR SUGIMURA: Okay. Thank you. So, at this time, I'm going to take--or any of your other Directors want to speak, or shall we wait til...

MR. NISHITA: Chair, I...I guess I'll just ask if Director Agawa has anything else he wants to add, and then we can go to questions after that.

CHAIR SUGIMURA: Okay.

MR. NISHITA: Thanks.

CHAIR SUGIMURA: Thank you. Director Agawa, congratulations on coming to this point. I know that it was part of your wishes and dreams. So, please share with us whatever you like regarding these two sites, Unit 1 and 3.

MR. AGAWA: Chair...

CHAIR SUGIMURA: Can't hear you.

MR. AGAWA: Yes, it was a journey, a long journey.

CHAIR SUGIMURA: Very quiet.

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MR. AGAWA: As you folks --

CHAIR SUGIMURA: You...you need to go closer to the mic.

MR. AGAWA: Let me see if I can adjust...can you hear me now?

CHAIR SUGIMURA: It's still soft. Can you yell?

MS. APO TAKAYAMA: Director Agawa, you may need to just change your audio settings.

MR. AGAWA: *(Audio interference)*

CHAIR SUGIMURA: . . .*(laughing)*. . .

MR. AGAWA: I'm...I'm in my audio settings right now. Hold on.

MS. APO TAKAYAMA: So, you may need to change the input.

MR. AGAWA: Hello, can you hear me now?

CHAIR SUGIMURA: Still soft.

MR. NISHITA: Chair, if...if I may, maybe--Director Agawa, do you...if you don't mind maybe coming up to the Chamber? And Chair, we can --

CHAIR SUGIMURA: Hear from him?

MR. NISHITA: -- address any questions. And I'd be happy to get started on questions.

CHAIR SUGIMURA: Okay.

MR. NISHITA: Thanks.

CHAIR SUGIMURA: Okay. Is that okay?

COUNCILMEMBER PALTIN: The sound is really bad online. It's like a bzz-bzz-bzz.

CHAIR SUGIMURA: Yeah. It's...it's really hard. So, those of you that are online, Managing Director just asked Director Agawa to come to the Chambers so we can hear him. Okay. Very good. So, I'm going to --

COUNCILMEMBER PALTIN: It's better now. We can hear better.

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CHAIR SUGIMURA: -- the next stage of taking testimony. Is there anybody signed up for testimony?

MS. SZABO: Chair, no individuals have signed up to testify. If anyone would like to testify, please come to the podium or...or raise your hand on Teams. The countdown is three, two, one. Seeing none. Chair, no one has indicated that they wish to testify.

CHAIR SUGIMURA: Thank you. So, I'm going to close public testimony with your permission and receive any written testimony.

COUNCILMEMBERS: No objections.

CHAIR SUGIMURA: Thank you, Members.

. . .CLOSE PUBLIC TESTIMONY (BFED-21(31)) . . .

CHAIR SUGIMURA: So, we're going to take questions from everyone, but before we do, can you talk to us about what happened to the eminent domain? That, to me, is part of the discussion with Komar and that whole thing. And what impact does this have with the eminent domain process?

MR. NISHITA: Thank you, Chair. I'll...I'll just briefly mention, and then, of course, our Corporation Counsel can add onto anything if...if they so desire. But in essence, now that we were able to negotiate a deal with another landowner for property to use as the permanent disposal site, we were able to drop the eminent domain proceedings for the other separate parcel. And so, in essence, that eminent-domain process has concluded, and then we'll have to just work through some separate things in...in relation to that. And I don't know if you have any other specific questions related to that.

CHAIR SUGIMURA: So, this is from television, where they offered five...five acres to us for the PDS...or...or just a small portion of the 20 acres that they own. So, we're just not doing any of it?

MR. NISHITA: The...thank you, Chair. I...I guess I would...at this time, just given the circumstances, I...I guess I would refrain from discussing too much in open session --

CHAIR SUGIMURA: Okay.

MR. NISHITA: -- at this time, you know, just due to the, you know, potential liabilities on the County and depending on what the, yeah, current, you know, party to that decides to proceed forward with or...or not.

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CHAIR SUGIMURA: Okay.

MR. NISHITA: So...

CHAIR SUGIMURA: Okay. So, Members, then at this time, we will go back to our agenda items, although that was, to me, related. And we'll take questions from the Members, three minutes each, and we'll start off with Member Kama.

VICE-CHAIR KAMA: So, thank --

CHAIR SUGIMURA: Member Kama, then Member Johnson, Member Cook, then Member U'u-Hodgins in the Chambers.

VICE-CHAIR KAMA: Thank you, Chair. So, my question is, so we're able to buy land--that's what this money is for that we approved, right? And so, who...or how did we get that? I mean, who did we purchase it from?

CHAIR SUGIMURA: Is your mic--can you speak closer to your mic?

VICE-CHAIR KAMA: Yeah. Who did we purchase it from?

MR. NISHITA: Thank...thank you, Chair. Thank you, Councilmember Kama, for the question. The land was purchased by a subsidiary of Nan, Inc.

VICE-CHAIR KAMA: Okay. So, it's a subsidiary that we bought it from, not necessarily . . . *(inaudible)* . . .

MR. NISHITA: I...I mean, for all practical purposes, we bought it from Nan, Inc., but it's a --

VICE-CHAIR KAMA: Oh.

MR. NISHITA: -- technically, it's a subsidiary that owned the land of it. I'm...I'm assuming generally for liability purposes and whatnot, companies, you know, establish different entities --

VICE-CHAIR KAMA: Yeah. Right.

MR. NISHITA: -- to control different things. So...but...but ultimately, yes, it was from Nan, Inc.

VICE-CHAIR KAMA: And how many acres was all of this?

MR. NISHITA: Approximately 78 acres.

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VICE-CHAIR KAMA: . . .*(inaudible)*. . . and we paid, what, 4 million for it?

MR. NISHITA: 4 million for the 78 acres.

VICE-CHAIR KAMA: Yeah.

MR. NISHITA: Yeah. So, Unit 3 is comprised of a little over 48 acres, and then Unit 1 is approximately 30 acres.

VICE-CHAIR KAMA: So, why are we breaking it down into units, because it's different sections?

MR. NISHITA: Yeah, and thank you, Chair. I'm sorry, I was trying to get this on...onto a digital format. I don't know if it would be helpful. But we...we do have kind of a broken-down map of the property that could just help you, and I'm...I'm sorry I couldn't get it ready in time for this, but I'd be happy to provide to Committee Staff, who can --

VICE-CHAIR KAMA: Oh, okay.

CHAIR SUGIMURA: Yeah, Staff, can you --

MR. NISHITA: -- distribute to the Members --

VICE-CHAIR KAMA: Yeah.

MR. NISHITA: -- or display on the screen as needed. But it breaks down kind of visually where the Central Maui Landfill is, and then where those two properties are in relation to it.

VICE-CHAIR KAMA: Okay. Okay. Good.

MR. NISHITA: But...but yeah, ultimately, I guess if you're looking at it on a map--and not true north, but on the picture, if you...if you assume north--the Unit 1 would kind of be on the like northern-eastern side of it, and then Unit 3, which is where the PDS location would be, on the eastern side of CML, on the opposite side of Komar's existing property along that Pulehu-Omaopio Road area. Yeah.

VICE-CHAIR KAMA: So, how much...how...how much life do you think we're going to be able to get with what we're going to be doing as a permanent site, and then maybe for more later on?

MR. AGAWA: Thank you, Chair. Thank you, Member Kama. Right now, we're still vetting through how much years of useful life we have.

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UNIDENTIFIED SPEAKER: Yeah.

MR. AGAWA: I don't know if Mike Kehano, who's also online virtually, has a rough number that he could share.

CHAIR SUGIMURA: Mr. Kehano? Oh, there he is.

MR. KEHANO: Yeah. Good morning.

CHAIR SUGIMURA: Good morning.

MR. KEHANO: It's estimated at ten years.

CHAIR SUGIMURA: Oh.

VICE-CHAIR KAMA: Ten years? Did he say ten years?

CHAIR SUGIMURA: Ten years.

VICE-CHAIR KAMA: So, after ten years, what's...what...what happens if we run out of space in ten years?

MR. AGAWA: I'm not sure if the ten years was for the 49 acres or all 79.

VICE-CHAIR KAMA: Oh. Oh, okay.

MR. AGAWA: But to answer your question in general, we are hoping to go into some kind of technology, like a waste-to-energy, waste-to-resource --

VICE-CHAIR KAMA: Oh, yeah.

MR. AGAWA: -- on the 99 acres that we previously acquired. So, having this land afforded to us is really . . . *(timer sounds)* . . . critical for us in moving forward with our other diversion types of operations on the 99 acres, which is on the northern...or makai side of the landfill.

VICE-CHAIR KAMA: Okay. Thank you. Thank you, Chair. I heard the bell.

CHAIR SUGIMURA: Thank you. So, Yvette's coming around with the map, and then we'll get that online also.

UNIDENTIFIED SPEAKER: Oh, very good.

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CHAIR SUGIMURA: Okay. So, next we have Member Johnson, followed by Member Cook, then Member U'u-Hodgins.

COUNCILMEMBER JOHNSON: Thank you, Chair. This map, does...is it...I drive by this once in a while. Is it where they had like an old quarry? I see a little space there. That's not--doesn't include the quarry, or it does?

MR. AGAWA: Thank you, Chair. Thank you, Member Johnson. So, the 49 acres was previously quarried.

COUNCILMEMBER JOHNSON: Okay.

MR. AGAWA: It's a big hole in the ground.

COUNCILMEMBER JOHNSON: Right.

MR. AGAWA: It runs along Pūlehu Road.

COUNCILMEMBER JOHNSON: Yeah.

MR. AGAWA: The 30 acres is also previously quarried, but the quarrying operations are still ongoing.

COUNCILMEMBER JOHNSON: Okay. Thank you. I got...I got some listed--that was my new question because I just came in.

CHAIR SUGIMURA: . . .*(laughing)*. . .

COUNCILMEMBER JOHNSON: But here's my other question. So, the...the...because...because we're--this is the permanent site, and...and we have the Olowalu site, we're going to transport the...the waste there and put it into the new permanent site. Are we ready for that? I remember the discussions was is moving that all...all...moving the debris is going to be a process in its own right. You know, one truck gets in a car accident with all that toxic waste on there. Are we ready for that? Do you guys have any kind of plans? You know, are you prepping for that? You know, that kind of...that's my concern, is the...the movement of the...the...the product--no, not the product, but the debris.

MR. NISHITA: Thank you, Chair. And I'll...I'll let Director Agawa add on any additional stuff as needed. They are in the process right now of going through the design and...and permitting and whatnot so they can start constructing the actual, you know, permanent disposal site on the 48, 49 acres. So, obviously, debris can't be, you know, moved until that occurs.

COUNCILMEMBER JOHNSON: Right.

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MR. NISHITA: One of the key considerations for Council on why this is so important is that we don't want to lose the Federal assistance. So, timing is very key here. It's...it's --

COUNCILMEMBER JOHNSON: Yeah.

MR. NISHITA: -- what played critical to into, you know, the...the need for a site and...for a temporary disposal site, as well as, you know, our need now for a permanent disposal site. The County would...if...if we lost that Federal assistance, County would have to front the money for the debris operations, and also, we would have to actually manage and operate the...the debris operations. So, with this moving forward, and where we can work with FEMA and...and USACE on, then, you know, we can have Federal counterparts assisting us in the...the whole program. And I don't know if Director Agawa has anything else to add.

MR. AGAWA: Thank you. Thank you, Member Johnson. So, just to add to that, during the debris removal process, this...as MD Nishita said, this is hopefully going to be under USACE's purview, under the...the Federal assistance. They do have protocol for that type of incident happening. They've had it already. I assume there's going to be something similar on the transport as well. They do have their due diligence done, and protocols in place.

COUNCILMEMBER JOHNSON: Okay. Yeah, the . . . *(timer sounds)*. . . oh, wow, that was...okay. I'll be back for a second round.

CHAIR SUGIMURA: Okay. Yeah, we're going to do round two. Member Cook, then Member U'u-Hodgins.

COUNCILMEMBER COOK: Thank you, Chair. I'm trying to get some rapid-fire questions. One property is real property acquisition, the other one is a condominiumization of an existing property. Is there any land use or permitting issues on the condominiumization part? I assume that that's from a large parcel, and this is an expedited way to separate a piece of the property.

MR. NISHITA: Thank you, Chair. Yeah, unfortunately, the previous landowner, previous to Nan, Inc., had gone through a series of CPRing on their properties. You know, I...I can't speculate why, but I'm guessing because it was...is a quicker, more efficient means of getting through things without ultimately going through subdivision. As a part of our purchase and sale agreements for the two properties, we will be responsible to assist in the subdivision process of those properties.

COUNCILMEMBER COOK: So, it won't affect the...the...whether it's the CPR or...or--it won't affect title or use?

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MR. NISHITA: Ultimately, we're going to subdivide the properties out.

COUNCILMEMBER COOK: Okay.

MR. NISHITA: So, yeah, there...there won't be any impact to us on what --

COUNCILMEMBER COOK: Okay.

MR. NISHITA: -- our needs will be.

COUNCILMEMBER COOK: And then what's--well, I was going to ask what's the...the 20-acre piece, which is like this brown spot between the yellow and the green--that's the Gomar [sic] property previously?

MR. NISHITA: Komar. Yeah.

COUNCILMEMBER COOK: Komar? Okay. So, that's a separate conversation. And then how does this...how does this impact the 99 acres that we already have? Are we still going to have...is that going to be used potentially for composting, and some advanced technologies for waste-to-energy and recycling, et cetera?

MR. AGAWA: Yeah. Thank you, Chair. Thank you, Member Cook. Yes. So, the 99 acres, we already have a general master plan of how we're going to use that 99. It's exactly what you mentioned. Composting operation; abandoned vehicle storage lot, which we currently pay rent for; disaster debris for future incidents; waste-to-energy; waste-to-resource. All types of things are planned for the 99 acres.

COUNCILMEMBER COOK: That's exciting. Thank you. If...one thing if you could request from Department of Management that I think would be good for the public to have. Could we get, from the appropriate Federal agencies, define and document the toxicity of the transported materials from the TDS to the PBS [sic]--from the temporary disposal site to the permanent disposal site. And the reason I say that, there's been this conversation between--after the fire as far as toxic and dangerous, what was...you know, the things that they took off-island, and the things that were very hazardous, and then the things that were ash . . .(timer sounds). . . that had potential heavy metals and things in it, but they didn't consider to be highly dangerous. Is that something that we could potentially get?

MR. NISHITA: Thank you, Chair. Yeah. E...EPA did come through already and remove what is classified as hazardous materials through the debris mission. And, you know, they do do like soil testing and...and all kinds of stuff. So, we...we can work with you folks as to what kind of information might be needed that the

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public would have an interest in, and...and we'll try to put forward whatever is possible.

COUNCILMEMBER COOK: Thank you. I just think if there's...if we're proactive before we start hauling this stuff, if there's a document that when questions are coming, this is a report, this is what the stuff is, this is the danger or lack thereof, it would help make--raise people's comfort level.

CHAIR SUGIMURA: Okay.

COUNCILMEMBER COOK: Thank you, Chair.

CHAIR SUGIMURA: Thank you. Member U'u-Hodgins.

COUNCILMEMBER U'U-HODGINS: Thank you, Chair. What is the timeline for this land acquisition, and what is the timeline for permitting, design, and construction?

MR. AGAWA: The timeline for the permitting, design, I'll defer to Mike Kehano.

CHAIR SUGIMURA: Mr. Kehano?

MR. KEHANO: Thank you. The...the permitting--so, we're not going through the...the full permitting, we're...we're going to do as much as we can to meet the permit requirements and conduct everything under the emergency proclamation. And as far as the construction, we're...we're still working on the timeline, but we're hoping towards the middle to early-middle part of the year of next year to have the...the site ready to go.

MR. NISHITA: And Chair, if I just...just briefly. On the land acquisition piece, we're going to move as quickly as possible, especially on Unit 3, although we have an existing right-of-entry agreement with the current landowner. That's allowed us to get started on work in the absence of that closing occurring. And then on Unit 1, as mentioned earlier, there's still coring operations continuing, and so, you know, the actual closing date and whatnot will be contingent upon some things being established in there. Thanks.

COUNCILMEMBER U'U-HODGINS: And you guys can use--well, you guys, we all can use the emergency proc [sic] to help expedite this permitting because of the obvious fire and the debris removal. Can we use the e proc [sic] for the nonemergency stuff? For like...for not...I'm sorry, for not this...for not the disposal things and for our everyday trash?

MR. AGAWA: Thank you for the question. My off-the-top-answer would be no.

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COUNCILMEMBER U‘U-HODGINS: Um-hum.

MR. AGAWA: Emergency proclamation is for emergency response and operation. So, normal MSW, we wouldn't be able to utilize the EP.

COUNCILMEMBER U‘U-HODGINS: Okay. And then how would that affect the timeline for...for the other parts of the landfill that's not going to be used for the permanent disposal site?

MR. AGAWA: So, Mike Kehano can correct me if I'm wrong, but the EP would be mainly for the debris portion of the landfill of the 49 acres.

COUNCILMEMBER U‘U-HODGINS: Um-hum.

MR. AGAWA: And then beyond that, for the normal operation, intended use, we would go through the normal processes outside of the EP.

COUNCILMEMBER U‘U-HODGINS: Okay. And how long do you think that's going to be?

MR. AGAWA: That's hard to say. We're in the process of revisiting the State Land Use to see if we can revisit the requirement . . . *(timer sounds)* . . . to go through a DBA for the Central Maui footprint. If that is approved by State Land Use, then we will go through the special use and solid waste permitting.

COUNCILMEMBER U‘U-HODGINS: Okay.

MR. AGAWA: As far as timeline, I'm not sure how long those take, but it's more expeditious to the DBA process, which is about five years.

COUNCILMEMBER U‘U-HODGINS: Okay. Okay. Thank you. Thanks, Chair.

CHAIR SUGIMURA: Okay. Next, we have online...so, we have Chair Lee, then Member Paltin, and then Member Sinenci.

COUNCILMEMBER LEE: Thank you. Okay. My question has to do with the Federal assistance that was mentioned earlier. Now, Shayne Agawa, my recollection is that FEMA will pay, and has paid, for the interim site at Olowalu Landfill, right, Shayne?

MR. AGAWA: Yes.

COUNCILMEMBER LEE: Okay. So...but they weren't going to pay for the permanent site at...in Central Maui. What they were going to do is pay for those fees, this--what do you call those fees, disposal fees, or something fees?

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MR. AGAWA: Thank you, Chair. Thank you, Chair Lee. Yes, those are--tipping fees is what you're referring to.

COUNCILMEMBER LEE: Tipping.

MR. AGAWA: That is correct. Yes.

COUNCILMEMBER LEE: Yeah, tipping fees. Right. So, that's how we're going to get a good portion of our money back, but not quite what we had anticipated as being the expense to build that and develop that permanent site. So, where's the money going to come from for the difference between the actual cost of the landfill and the tipping fees that we're going to receive from FEMA?

CHAIR SUGIMURA: GET.

COUNCILMEMBER LEE: And how much would that be?

MR. NISHITA: Thank you, Chair, for the question. Yeah, you can reference in some of the bills before you today too, but we did allocate in the FY '25 budget already, that Council did adopt, funding in the General Excise Tax Fund, as well as for the Unit 1, there's a bond request for the...the acquisition in some of the...the early work related to that. We will have to upfront the cost, so that's what we're anticipating to be paid through GE funds, as well as there's some other...other funding kind of mixed in throughout the budget. But the...the big piece is the...the GE funds, and then we'll get essentially paid back in tipping fees to the extent that FEMA is...is able to.

COUNCILMEMBER LEE: Okay. So, the question had to do with what is the difference between the cost and the reimbursement in tipping fees? I know there was a gap, they weren't going to pay for all of it, so what is that difference? I mean, I...I generally recollect something like they were --

MR. NISHITA: Chair, I...I mean...yeah. So, I'll...I'll --

COUNCILMEMBER LEE: The tipping fees were going to be like 64 million?

MR. NISHITA: Chair, I think what's difficult to ascertain right now is how much--ultimately, it's going to depend on the amount of debris coming to the permanent disposal site. So, you know, there's like recycling operations occurring, they're trying to, you know, reuse like steel, and concrete, and things like that. And then what's also occurring at the TDS that will likely . . .*(timer sounds)*. . . be coming to the PDS is they have to do cover on the...the debris while they're putting it in the TDS. So, like that's an added weight. So, it's hard to determine how much weight of material is actually coming to the facility, which

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will help determine, you know, what would actually be reimbursed through the tipping fees and by FEMA.

COUNCILMEMBER LEE: Okay. I think early on, we were given the...the numbers--like 64 million for the tipping fees and 100 million for the cost of the landfill. But of course, those are just general figures. Thank you.

CHAIR SUGIMURA: Thank you very much. Next, we have Member Paltin, followed by Member Sinenci.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Nishita, Mr. Agawa. Do we have a total count at how much has been scaled and weighed of the debris without the cover materials? Because they...they go over those weight scales. Do we know what the tonnage is to date?

MR. AGAWA: Thank you, Chair. Thank you, Member Paltin. That is something that we can request from Army Corps. They have tracked every truckload. And you're correct, we--there is no accurate way of really tracking the cover material, but yes, the debris hauled can be requested from USACE.

COUNCILMEMBER PALTIN: And do they have an estimated finish time for the rest of the commercial removal?

MR. AGAWA: Thank you for the question. I'm not sure if there's an actual date, but they're really close. I believe it's right around 99 percent complete --

CHAIR SUGIMURA: Wow.

MR. AGAWA: -- is my understanding.

COUNCILMEMBER PALTIN: And then the 48, 49 acres, I...I think that was the Lot 3 [sic]. Is that going to be exclusively for debris?

MR. AGAWA: Thank you for the question. The answer is no. We're going to utilize as much as required for the debris, and then the remainder would be for future MSW to give us...and allow us additional airspace.

COUNCILMEMBER PALTIN: And then with the other parcel and the options that you had said--I mean, we certainly don't want to see another Anaergia debacle--but would you be making a private--or a public C&D landfills?

MR. NISHITA: Chair, if I can just one thing real quick on the last question, if that's all right?

CHAIR SUGIMURA: Um-hum.

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MR. NISHITA: Just in relation to that, there is no plan to intermix the municipal solid waste and the debris from Lahaina. So, I just want to make that clear, that, you know, whether that's established as like separate cells or whatever kinds of, you know, mechanisms are put in place, that while that contiguous parcel will be used for two different things, you know, we heard loud and clear from the community that they didn't want the municipal solid waste intermixed with the Lahaina debris. And we plan to honor that...that request. And then I...I'll turn it over to Director Agawa for the other question.

COUNCILMEMBER PALTIN: That's good.

MR. AGAWA: Thank you for the question. So, I'm assuming you're talking about the 30-acre parcel. That would be for future landfilling. The 99 acres would be utilized for future waste-to-energy, waste-to-resource types of use. Acquiring the 30 acres will allow us to utilize 99 acres for future operations, and not for landfilling.

COUNCILMEMBER PALTIN: Okay. And then...so, if it's not municipal solid waste but overflow airspace, what type of materials is that if it's not municipal solid waste? Is that C&D?

MR. AGAWA: Thank you for the question. It . . . *(timer sounds)* . . . could be C&D. We currently accept C&D and municipal solid waste at Central Maui Landfill. However, if there is a C&D landfill in operation, then normally we would just be taking MSW. For the 30 acres, the intent is to continue landfilling MSW if we do not have any other waste diversion operations online on the 99 acres. It's kind of like surplus area in our back pocket. I do want to make something clear, is that even if we do go to waste-to-energy, waste-diversion type of operation, there is a...still a need to dispose of byproducts. So, landfilling will always be in use. Just by using a waste-to-energy or waste-diversion operation, we extend the life of the landfill. But the use of a landfill will...will always be required.

COUNCILMEMBER PALTIN: And what level of landfill was it, a D?

MR. AGAWA: Yes. The intent is to design and construct a subtitle D.

COUNCILMEMBER PALTIN: Okay. Thank you. Did the bell ring?

CHAIR SUGIMURA: Yes.

COUNCILMEMBER PALTIN: Oh, okay. Thank you.

CHAIR SUGIMURA: Are you done? Okay. Member Sinenci.

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COUNCILMEMBER PALTIN: Well, the bell rang.

COUNCILMEMBER SINENCI: Thank you, Chair. I didn't hear the last part Tamara...of Tamara's question about is the...is the...the category D --

CHAIR SUGIMURA: D.

COUNCILMEMBER SINENCI: -- would the Department of Health have to sign off on--for the permanent disposal site?

CHAIR SUGIMURA: Director?

MR. AGAWA: Thank you, Chair. Thank you, Member Sinenci. So, just to clarify, again, we're going the design and construction of the disposal at a subtitle D landfill. The portion for the debris will be under the emergency proclamation. However, we're going to do as much as we can to adhere to the environmental permitting requirements. But under the emergency proclamation, it allows us to do other things which have some certain laws suspended, but that'll be associated with just the debris portion.

COUNCILMEMBER SINENCI: Okay. Thank you for that clarification. And then Member Johnson mentioned the rock quarry. So, that huge hole, would that be the site for the permanent disposal site? We're just putting everything in that big hole?

MR. AGAWA: Thank you, Chair. Thank you, Member Sinenci. So, on that exhibit that was shared, the two areas that are shown in the darker green, those are, for lack of better words, holes in the ground. They have been quarried out previously. The 49 acres along Pūlehu Road, 30 acres has been quarried out, but quarrying operations are continuing.

COUNCILMEMBER SINENCI: Oh, okay. They're still conti...okay. All right. Thank you for that. I did--on another note, I just wanted to mahalo Annette (*phonetic*) from Solid Waste. She sent the supervisor to drop off our trash cans. Thank you.

CHAIR SUGIMURA: Aww, how nice. That is a nice touch. All right. So, can you refresh our memory? So, FEMA was paying for what? And I know that the tipping fees for the PDS was going to be like the regular tipping fees, there's not going to be any extra. But in transporting from the temporary disposal site to the permanent disposal site, what was FEMA paying for, or what...what...

MR. AGAWA: Thank you for the question, Chair. My understanding is that that would be reimbursable as far as the transport from the TDS to the PDS, as long as we're under the PPDR mission continuing.

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CHAIR SUGIMURA: Okay. So, that's why there's the urgency to...for us to proceed with this?

MR. AGAWA: Yes, Chair.

CHAIR SUGIMURA: Okay. And...and I guess we'll ask you for...in a letter this information that was asked by the Members for the cost--any kind of known cost for this. And with the acquisition of this, the future landfill, which is the 30.14 acres along with the 99 that you already have, are we striving to have zero waste at some point?

MR. AGAWA: Thank you, Chair. The answer is yes, we always strive for zero waste. That's our initiative that we move forward with. However, in reality, there was...there would always be some type of waste or byproduct that we would need to landfill. However, we keep striving to decrease that percentage out of our waste stream. So, the 99 acres will allow us to do that. The 30 acres and the 49 acres that we're acquiring would also allow us to use the 99 acres in totality for that. So, we use the 39...49 and the 30 for landfilling operations only.

CHAIR SUGIMURA: Okay. I did get a--and some of the Members might have heard from the neighbors of our Central Maui Landfill, their concern about once the...the permanent disposal site is established, and the wind or...carrying of any of this to any of the neighbors. Is that in consideration or a concern that we need to do anything special?

MR. AGAWA: Thank you, Chair. The answer is yes. So, we have heard those concerns as well. So, the intent is to keep the debris at an elevation that is equal to or lower than Pūlehu Road. As you know, when you go above the elevation of Pūlehu Road--we...we can't stop the wind. It's a windy area. So, to mitigate the...the debris getting off of the site, we're going to keep it at the level of Pūlehu Road. And then we're also going to install air-quality monitors upwind and downwind to monitor, and that will allow us to alter operations as required by the wind speed.

CHAIR SUGIMURA: Okay. Thank you. And transporting. So, from transporting from Olowalu to the Central Maui Landfill, another concern I heard was because we always hear about traffic, what kind of . . . *(timer sounds)*. . . plans do we have in case of, you know, any kind of transporting of this debris?

MR. AGAWA: Thank you, Chair. So, right now, the County is working with the--our State and Federal partners on an alternate route. Unfortunately, from Olowalu to the beginning of the Central Valley, there's no other route than going through the Pali. Once we get past the Pali and on Kūihelani Highway, we are looking at an alternate route that goes through partly County right-of-way and partly private property. We have a plan. We're working with EPA, as well as Army Corps

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and FEMA on an alternate route. There is some improvements that needs to be done to that route, but we have a very good handle on what needs to be done. It'll take it off-road on old cane haul roads, and then it'll terminate at or near the Central Maui Landfill on the mauka side, the north--southern side of the landfill.

CHAIR SUGIMURA: Okay.

MR. AGAWA: Which is right in the vicinity of where the PDS is going to be.

CHAIR SUGIMURA: Okay. So, once you get that established, your...your master plans, you will communicate with the community. I hear that at the Upcountry Farmer's Market, right? They're anticipating for the future, so...

MR. AGAWA: If I may add, the team that we're working with, our Federal/State partners, we are working on a TDS to PDS transport plan. I believe it's already on mauirecovers.org, or it will be, and people can view that as it --

CHAIR SUGIMURA: Okay.

MR. AGAWA: -- progresses.

CHAIR SUGIMURA: Okay. Thank you very much. Okay. Round two, Members. Everybody want round two? So, I'm just going to go through--okay. Go ahead. So, Member Kama.

VICE-CHAIR KAMA: Thank you. So, I just wanted to follow up with what Chair Sugimura had mentioned about the plan. So...so, did you just say that the plan--well, is...is online, and that you could read it, and...and you can go through it, as time goes on, you keep adding, adding, adding to that?

MR. AGAWA: Yes. So --

VICE-CHAIR KAMA: Maui Recovery?

MR. AGAWA: Thank you, Chair. Thank you, Member Kama. There is a TDS to PDS transport plan that we are currently working. It's a fluid document right now, but it does explain the different aspects of the alternate route that we have planned.

VICE-CHAIR KAMA: So, it talks about the alternate route, but does it actually talk about--like how many trucks do you anticipate going through, you know, the...the...the route, whatever it is you decide? And when do they go through, is it nighttime, daytime, early morning hours when nobody's on the road? I mean, will your plan include all of those things so that people have a good idea that I want to stay off the road at that time and make sure I'm not there? And then

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because the...the weight of all the trucks that are driving back and forth, do you anticipate any upsets to the roads, you know, from Lahaina all the way into here? And is all that part of the questions that you ask, and part of the plan to be able to mitigate some of these things?

MR. AGAWA: Thank you for that question. Honestly, I haven't been too much part of that group. I would defer to either Deputy Schmidt or Mike Kehano, if they could add and answer your questions as far as what the plan shows.

VICE-CHAIR KAMA: Okay. Thank you.

CHAIR SUGIMURA: Mr. Kehano or Deputy Director? There.

MR. KEHANO: So, yeah, we're still working out the details as (*audio interference*) on the plan, and...and yeah, that...that's--part of the discussion is the...the timing of it, whether it's during the day, or what parts of the day, or if there's a stoppage during, you know, peak hours as far as, you know, pau-hana traffic or going-to-work traffic. So, yeah, those are things that we're still going over--or...or figuring out the best plan for at this point.

VICE-CHAIR KAMA: So, you anticipate maybe having trucks driving back and forth and forth and back so many times a day or--I...I...I don't know, that seems like a lot of transporting of debris. And do we have...do we have the capacity on island to haul all of these things to and forth, and so on and so forth?

MR. KEHANO: Yeah. So, to...to answer your question, as far as the...the number of trucks going back and forth, again, it's going to be determined by the hours that we operate the...the landfill as well. So, again, we...we're...we'll have to work with . . . (*timer sounds*). . . Army Corps on a plan that works, you know, for the traffic and getting the debris across the island as safely as possible.

VICE-CHAIR KAMA: Okay. Thank you. I heard the bell, Chair.

CHAIR SUGIMURA: Okay. Thank you. Member Johnson, Member Cook, Member U'u-Hodgins.

COUNCILMEMBER JOHNSON: Thank you, Chair. Since it'll probably be my last round, I...I...I'll just pepper you guys with questions and if--I don't mean to be rude and interrupt if I get the answer. So, is--well, let's talk title. How's the title of the lands, it free and clear?

MR. NISHITA: I believe Guy Hironaka is on, but my understanding is the titles are clear. But Guy...I mean, if you can correct me if I'm wrong.

MR. HIRONAKA: Hello, can you hear me?

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COUNCILMEMBER JOHNSON: Aloha, Guy. We can hear you.

MR. HIRONAKA: Okay. We have the title report for Unit 3, we have the master for Unit 1--but not that portion that we're going to buy--and both of them so far have been clear.

COUNCILMEMBER JOHNSON: Okay. All right. Thank you for that. Next is, does the quarry--the rock quarry that's old, not been used, the one--I guess the 49 acres is the rock quarry, right, Director Agawa? Does that fill with water?

MR. AGAWA: That's a kind of tricky question. During a storm, obviously there would be water in there. Now, does it...is it like a retention basin for water, the answer is no. There is a drainageway that runs along and parallel to that. I don't know if you can kind of see it in here. That is the main drainageway.

COUNCILMEMBER JOHNSON: Um-hum.

MR. AGAWA: Whatever stormwater does land on that property will collect in there, but it's not a collection site for stormwater.

COUNCILMEMBER JOHNSON: Does that affect how you guys operate in there? Is, you know, the rainwater collecting?

MR. AGAWA: So, as part of the design, we anticipate for stormwater mitigation --

COUNCILMEMBER JOHNSON: Okay.

MR. AGAWA: -- and we design for that. So, there will be a basin at some point.

COUNCILMEMBER JOHNSON: Okay.

MR. AGAWA: And then it'll be designed to shed the water.

COUNCILMEMBER JOHNSON: Thanks. Where does the water go? Does it just...where does it go?

MR. AGAWA: We have a stormwater basin that's part of the design. So, it's a basin that collects water, and it's anticipated for water generated off of a certain piece of land.

COUNCILMEMBER JOHNSON: And it just sinks into the ground after a while, or...

MR. AGAWA: Yes. Yeah.

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COUNCILMEMBER JOHNSON: Okay. The...the route that you guys are proposing for the trucks, does it go along the Mahi Pono orchards?

MR. AGAWA: The answer is yes. For a portion of it, it does. Yes. A portion of it is County right-of-way.

COUNCILMEMBER JOHNSON: Have you reached out to them, worked with them on, I don't know, a fence maybe for them, a dust fence? Something...you know, we don't want it going on the orchards, right?

MR. AGAWA: Yeah. They have been part of the discussion and the...the collaboration efforts from early on. Yeah, they have been part of the discussion.

COUNCILMEMBER JOHNSON: Is there...will there be a dust fence along the...that section, or just the--I know you had discussions, like you said, but what was discussed? You know, what do you guys plan to do any kind of mitigation?

MR. AGAWA: Thank you for the question. Again, I defer to maybe Mike or Bob, who's been more--integral part of that discussion.

COUNCILMEMBER JOHNSON: Okay.

MR. KEHANO: I...I don't really have an answer for that. As...but as far as (*audio interference*) was not discussed. Again, the...the way that they're managing and covering the debris, the...the same way they took it out of Lahaina would be the same coming from Olowalu to CML. So, that should protect from any --

COUNCILMEMBER JOHNSON: Okay.

MR. HIRONAKA: -- flying or airborne debris.

COUNCILMEMBER JOHNSON: Because the trucks are covered? Sorry to cut you off. Thank you, Mr. Kehano. My last question is, is there a closing date for Olowalu?

MR. AGAWA: The closing date for Olowalu is dependent upon the readiness of the PDS, and then as part of the PDS-TDS...the TDS-PDS transfer plan, the amount of truckloads per day. So, there's no specific closing date for the Olowalu TDS.

COUNCILMEMBER JOHNSON: Okay. If...if we get close to it, will you inform the Council on...if you do...if you...if the date does come...is coming, you know it's going to...let us know when you know, is what I...I'm--will you guys let us know when you know?

MR. AGAWA: Sure, we can come before this body. I believe we can also report it out on the TDS-PDS transfer plan that's on Maui Recovers as well.

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COUNCILMEMBER JOHNSON: Thank you for that. Thank you, Chair. No further questions.

CHAIR SUGIMURA: Okay. Thank you. Member Cook, then Member U‘u-Hodgins. Oh, no questions? Okay. Member U‘u-Hodgins.

COUNCILMEMBER U‘U-HODGINS: Thank you, Chair. I was actually just going to ask what Member Johnson did, so I’m good.

CHAIR SUGIMURA: Oh.

COUNCILMEMBER U‘U-HODGINS: Thanks.

CHAIR SUGIMURA: Very good. Okay. Next, we’re going to go online, so Chair Lee, followed by Member Paltin, and then Member Sinenci. *(pause)*

COUNCILMEMBER LEE: I have no questions. Thank you.

CHAIR SUGIMURA: Okay. Member Paltin?

COUNCILMEMBER PALTIN: When you guys pursue the alternatives to landfilling, there will be like a standard RFP, and a public comment period, and whatnot--not like how they did Anaergia, right?

MR. AGAWA: Thank you, Chair. Thank you, Member Paltin. The intention is yes, we will be doing it with RFP. Just for everyone’s awareness, the initial step upfront is to have a receiving area to receive the debris, and then as part of that segregation, or like a MRF--materials recovery facility. So, that would be the initial step before we move forward with any type of other operations.

COUNCILMEMBER PALTIN: And then composting, and redemption, and stuff like that, will...will there be options?

MR. AGAWA: The intention of that site is yes, there will be future composting operations, as well as recycling facilities.

COUNCILMEMBER PALTIN: Any word on the redemption for Lahaina?

MR. AGAWA: The last I've heard from our EPS...EP&S Division, they were working with the previous operator by the Pioneer Mill, and they had an indoor facility, and that fell through. They are currently working on a piece of property to do something like an outdoor facility similar what they had. Other than that, I don't have any other updates.

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COUNCILMEMBER PALTIN: And...but the Pioneer Mill site is changing hands still, or no?

MR. NISHITA: Thank you, Chair. I believe there...nothing has occurred yet, like closing hasn't happened, but I believe that there's discussions amongst the...the current landowner and a potential buyer on potential acquisition of the property. But to my knowledge, nothing has been closed on yet.

COUNCILMEMBER PALTIN: And we have to wait for that to eminent domain the escape routes?

MR. NISHITA: Thank you, Chair. Regarding this, I guess I'll defer to Office of Council Services. It seems like we're getting a little bit away from the Central Maui Landfill acquisition, but I...I will just answer this question. The...the...the pieces--to my knowledge, the current landowner and any potential, you know, future landowner that may be in discussions with, my understanding is like the Kahua Street extensions and...and that kind of pieces that affect their property, that there's like willing partner in this. The--like Aki Street connection is...is a separate landowner. And then there have been discussions previously with the current landowner about potential extension of that--I think it's Pāpalaua up through--I don't know if it connects with Aki, but up...up through that area since the, I think, existing landowner was looking at a sort of private driveway, and so if there may be ways to...to work together there. But for what we're planning right now, and I guess the immediate needs, my understanding is that we...we're...we do have willing partners to...to work with.

CHAIR SUGIMURA: Okay. The buzzer went off.

COUNCILMEMBER PALTIN: Okay. Let me know if it changes. Oh, buzzer went off.

CHAIR SUGIMURA: Yeah.

COUNCILMEMBER PALTIN: Thanks.

CHAIR SUGIMURA: Okay. So, Member Sinenci? Is he here?

COUNCILMEMBER SINENCI: No...no questions, Chair.

CHAIR SUGIMURA: Oh, okay.

COUNCILMEMBER SINENCI: Thank you.

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CHAIR SUGIMURA: Okay. Members, anybody else have any more questions on this item? Seeing none. Okay. So, as you know, we passed on first reading the...these bills that we talked about today, the resolutions passed, those two, and these three bills, so we wanted to just do an informational meeting, which this is serving. And then at the next Council meeting, then we can pass second and final with your approval, and we can let the Departments run and make this happen. So, appreciate that very much. And so, at this time, I'm going to defer this items...item. So, we'll take it up. Thank you. And believe it or not, this meeting is now adjourned at 11:19. . . .(gavel). . .

ACTION: DEFER pending further discussion.

ADJOURN: 11:19 a.m.

APPROVED:


YUKI LEI K. SUGIMURA, Chair
Budget, Finance, and Economic
Development Committee

bfed:min:241203:lt

Transcribed by: Logan Tsuji

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CERTIFICATION

I, Logan Tsuji, hereby certify that pages 1 through 53 of the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 10th day of January 2025, in Wailuku, Hawai'i



Logan Tsuji