

WATER AUTHORITY, SOCIAL SERVICES, AND PARKS COMMITTEE

Council of the County of Maui

MINUTES

October 20, 2025

Online Only via Teams

CONVENE: 10:02 a.m.

PRESENT: VOTING MEMBERS:

Councilmember Shane M. Sinenci, Chair
Councilmember Tom Cook, Member
Councilmember Alice L. Lee, Member
Councilmember Tamara Paltin, Member
Councilmember Keani N.W. Rawlins-Fernandez, Member (In 10:46 a.m.)
Councilmember Yuki Lei K. Sugimura, Member
Councilmember Nohelani U‘u-Hodgins, Member

EXCUSED: VOTING MEMBERS:

Councilmember Gabe Johnson, Vice-Chair
Councilmember Tasha Kama, Member

STAFF:

Clarissa MacDonald Legislative Analyst
Tiare del Castillo, Legislative Analyst
Megan Moniz, Legislative Attorney
Criselda Paranada, Committee Secretary
Lei Dinneen, Assistant Clerk
Ryan Martins, Council Ambassador

Residency Area Offices

Roxanne Morita, Council Aide, Lāna‘i Residency Area Office
Mavis Oliveira-Medeiros, Council Aide, East Maui Residency Area Office
Buddy Almeida, Council Aide, Makawao-Ha‘ikū-Pā‘ia Residency Area Office
Bill Snipes, Council Aide, South Maui Residency Area Office
Chaelin Ryu, Council Aide, South Maui Residency Area Office

ADMIN.:

Pat McCall, Director, Department of Parks and Recreation (WASSP-10)
Sam Marvel, Chief of Planning, Department of Parks and Recreation (WASSP-10)
Gregg Okamoto, Assistant Chief of Police, Department of Police (WASSP-9)
Yukari Murakami, Deputy Corporation Counsel, Department of Corporation
Counsel (All)
Chad Kumagai, Deputy Prosecuting Attorney, Department of the Prosecuting
Attorney (WASSP-9)
Shelly DeMattos, First Deputy Prosecuting Attorney, Department of the
Prosecuting Attorney (WASSP-9)

OTHERS:

Mike Atherton, Manager, Waiale 905 Partners, LLC (WASSP-10)
Jeff Ueoka, Attorney (WASSP-10)
Bradon Ogata, Major, Waikiki Patrol District, Honolulu Police Department

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(WASSP-9)

(25+) additional attendees

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

CHAIR SINENCI: . . .*(gavel)*. . . Aloha kakahiaka, kākou. And welcome to the WASSP Committee meeting of Monday, October 20th, 2025. It is 10:02. And again mahalo, Members, for your patience in this later start time. I'm Shane Sinenci, your Committee Chair. And just as a reminder --

COUNCILMEMBER LEE: Test.

CHAIR SINENCI: -- for members of the public to please silence any cell phones or noise-making devices. Members, in accordance with the Sunshine Law, if you are not in the Council Chamber, please identify by name who, if anyone, is in the room, vehicle, or workspace with you today. And minors do not need to be identified. Also, please see the last page of the agenda for information on meeting connectivity. Joining us today...Committee Vice-Chair Gabe Johnson is excused. However, in the Chamber is Councilmember Tom Cook. Aloha and good morning.

COUNCILMEMBER COOK: Good morning. Aloha. Good morning. Glad to be here. Our Staff is at the Kihei office but currently no testifiers. Thank you, Chair.

CHAIR SINENCI: Also joining us in the Chambers is Council Chair Alice Lee. Aloha.

COUNCILMEMBER LEE: Aloha. Good morning, and welcome back from Washington --

CHAIR SINENCI: Aloha.

COUNCILMEMBER LEE: -- the...the State of Washington and Tulalip, I believe that's where you were.

CHAIR SINENCI: We were.

COUNCILMEMBER LEE: And the greeting there, you would say *eechuk (phonetic)*. Eechuk.

CHAIR SINENCI: Eechuk.

COUNCILMEMBER LEE: Yeah.

CHAIR SINENCI: Mahalo for that.

COUNCILMEMBER LEE: Okay.

CHAIR SINENCI: I don't see Councilmember Kama, but she may be joining us in a bit. Also

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joining us in the Chambers is Councilmember Tamara Paltin. Aloha and eechuk.

COUNCILMEMBER PALTIN: Aloha kakahiaka and teechuk [sic]. Kia ora tatou.

CHAIR SINENCI: Kia ora also. And welcome back from your...your spring break [sic] trip. Also joining us in the Chambers is Member Yuki Lei Sugimura.

COUNCILMEMBER SUGIMURA: Good morning, everybody. Looking forward to a productive meeting. Thank you --

CHAIR SINENCI: Mahalo for being here.

COUNCILMEMBER SUGIMURA: -- Chair.

CHAIR SINENCI: And also joining us online, I do see Member Nohelani U'u Hodgins. Aloha and good morning.

COUNCILMEMBER U-U-HODGINS: Aloha, Chair. Good morning. Good morning, everyone. I'm at my private residence. I do have two adult males here with me. We have...Koa Hodgins and Makoa U'u-Hodgins are around but looking forward to your meeting. Thanks, Chair.

CHAIR SINENCI: Okay. Mahalo for joining us. And I do believe Member Rawlins-Fernandez is en route, so I'm sure she'll jump on her phone should she have any access. For the Department of Parks and Recreation, we have Director Pat McCall and Mr. Sam Marvel. Aloha and good morning.

MR. MCCALL: Good morning, Chair. Glad to be here.

CHAIR SINENCI: Thanks for being here. From the Department of Police, for our second item, we will anticipate Assistant Chief of Police Gregg Okamoto. From the Department of the Prosecuting Attorney, also for our second item, we have Ms. Shelly DeMattos and Mr. Chad Kumagai. And from Corporation Counsel, here in the Chambers, we have Ms. Yukari Murakami. Aloha and good morning.

MS. MURAKAMI: Good morning, Chair.

CHAIR SINENCI: Members, our Committee Staff is helping to conduct this morning's meeting. We have Ms. Criselda Paranada, Ms. Clarissa MacDonald, Ms. Tiare del Castillo, Ms. Megan Moniz, Ms. Lei Dinneen, and Ms. Jean Pokipala. Mahalo, everyone. Okay, Members, on today's agenda we have two items: Resolution 25-178, Authorizing The Execution Of The Park Assessment Agreement For The Waiale Park Large Lot Subdivision, Under Section 18.16.320, Maui County Code, (WASSP-10), and we have Bill 119 (2025), Penalties For Prohibited Noise Violations (WASSP-9). Without any objections, Members, I'll also designate the following people as resource persons under Rule 18(A) of the Rules of the Council because they hold special expertise related to the Waiale Park: Mr. Mike Atherton, Waiale 905 Partners, LLC's manager, and their attorney

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Mr. Jeff Ueoka for WASSP-10. Welcome, gentlemen. We are also expecting Major Bradon Ogata from the Honolulu Police Department for our second item for his expertise on Honolulu's Prohibited Noise Enforcement Ordinance, which Bill 119 was modeled after. Members, let's begin with public testimony. Staff, do we have anyone to testify this morning?

MS. DEL CASTILLO: No one is currently signed up.

CHAIR SINENCI: Okay. Can we bypass that part?

. . . CLOSE PUBLIC TESTIMONY AT BEGINNING OF MEETING . . .

CHAIR SINENCI: Okay, we'll go straight to our first item.

ITEM 10: RESOLUTION 25-178, AUTHORIZING THE EXECUTION OF THE PARK ASSESSMENT AGREEMENT FOR THE WAIALE LARGE LOT SUBDIVISION, UNDER SECTION 18.16.320, MAUI COUNTY CODE

CHAIR SINENCI: Members, Resolution 25-178, Authorizing The Execution Of The Park Assessment Agreement For The Waiale Park [sic] Large Lot Subdivision, Under Section 18.16.320, Maui County Code. The resolution's purpose is to authorize the execution of Exhibit 1, the Park Assessment Agreement for the Waiale Large Lot Subdivision. This requires Waiale 905 Partners, LLC to provide land in perpetuity or dedicate land for park and playground purposes as a condition of subdivision approval. Through the agreement, Waiale 905 Partners, LLC would dedicate approximately 21 acres for a neighborhood park and provide pocket parks throughout the subdivision. We have representatives from Waiale 905 Partners, LLC and also from the Department of Parks and Recreation to provide more information on this agreement. So with that, could we have Mr. Coach [sic] Atherton or Mr. Ueoka, would you like to provide some opening comments?

MR. UEOKA: Oh. Thank you, Councilmember Sinenci, Members of the Committee. Jeff Ueoka, I'm with the Waikapū Country Town Project. So just wanted to give a little bit of clarification there. So the name of the subdivision to create the park is the Wai'ale Large Lot Park Sub...Park Subdivision. But this park will satisfy the Park Assessment requirement for all of Waikapū Country Town. So I just wanted to clarify that. Yeah, so 21 acres. We're at full build out. Waikapū Country Town is supposed to be around 1,433 homes. If we follow the terms of the PPP, it should be around 500 residential workforce housing units, 212 multifamily, that's in Aikanaha, which is underway right now, or hasn't started but it's in Permitting, 75 at a further stage of Aikanaha or somewhere else, multifamily, and then 213 single-family residential workforce housing units. So that's, in a nutshell, what this park should satisfy the needs for...or the Park Assessment requirement for.

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CHAIR SINENCI: Mahalo, Mr. Ueoka. We have a question for you from Member Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Ueoka. Can you repeat the first number that you said? Was it 1,433?

MR. UEOKA: Yes, 1,433.

COUNCILMEMBER PALTIN: Okay. And then the part that the Chair was speaking about, additional pocket parks, is that total acreage combined to 21 acres? Or is the 21 acres that contiguous piece?

MR. UEOKA: The 21 acres is the contiguous piece. There'll be other little green open spaces throughout Waikapū Country Town.

COUNCILMEMBER PALTIN: And those other green open spaces won't be dedicated or maintained by the County...dedicated to or maintained by the County?

MR. UEOKA: Oh, we could certainly talk about that, too, if you want them. . . .*(laughing)* . . .

COUNCILMEMBER PALTIN: Oh, no, I just was clarifying. I don't --

MR. UEOKA: No. Yeah, they're...they're going to be probably privately owned and maintained and as open space. The HOA will probably be the owner of them and responsible for the maintenance.

COUNCILMEMBER PALTIN: Okay, perfect. Thank you.

CHAIR SINENCI: Okay. Mahalo, Member Paltin. And a question from Member Cook.

COUNCILMEMBER COOK: So, thank you. The 21 acres, how many parks is that? Just one park, yeah?

MR. UEOKA: One big one.

COUNCILMEMBER COOK: Yeah. Okay. No, cool. Okay, thank you.

CHAIR SINENCI: Okay. Mahalo, Member Cook. Any other questions? I don't see any. Mahalo for...and you'll stay on for further questions? Oh, go ahead.

MR. UEOKA: Oh, one...one little clarification, Chair, just to get it on the record. I'm sure it wouldn't matter to you guys, but in the Park Assessment Agreement in...I guess it's the second recital, the acreage got transposed. So instead of being 21.014...I mean, 041, it says 014. So we probably want to correct that before we actually execute. I consider...well, it's not my call, but it's kind of nonsubstantive. But just wanted to point it out on the record. So thank you, Chair.

CHAIR SINENCI: Okay. Staff, got that? Okay. Thank you, Mr. Ueoka. Next, we'll go to

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Director McCall for some opening comments.

MR. McCALL: Thank you, Chair. The Parks Department has met with Mr. Ueoka and the other representatives of the development on multiple occasions. And we truly appreciate their cooperation and taking into account our concerns and have addressed them in the layout as we've done. And we vetted the project. It's been going on for a while now back when former member of our staff, Dave Yamashita, was the Planner. And we're...we're excited about the project, and we feel good about it at this point.

CHAIR SINENCI: Okay. Mahalo. Any...Members, any questions for the Director? Did Mr. Marvel have anything to add?

MR. MARVEL: Thanks. Thanks, Chair. I'll just reiterate what Director McCall said. We've...we've met multiple times with the developer and have been very pleased with their cooperation in the process. I feel comfortable with...with the agreement. And I think it's...it's going to be a benefit to the County and a good thing for us. So we're...we're happy and satisfied with it.

CHAIR SINENCI: Okay. Mahalo, Mr. Marvel. Members? Okay. At this time, before we begin our discussion, let's take testimony for WASSP-10. Staff, any...anyone want to --

MS. DEL CASTILLO: There is currently no one signed up to testify. If someone would like to testify in the Chamber, please let the Staff know. Or on Microsoft Teams, please raise your hand. This is going to be last call. Three, two, one. Chair, it appears that no one wishes to testify.

CHAIR SINENCI: Members, any objections to closing public testimony for this item?

COUNCILMEMBERS: No objections.

CHAIR SINENCI: Okay. Thank you.

. . . CLOSE PUBLIC TESTIMONY FOR WASSP-10 . . .

CHAIR SINENCI: Okay. Members, we'll, again, open the floor for any other questions, should you have any. We have...just raise your hand. Member Paltin, then Member Cook.

COUNCILMEMBER PALTIN: Thank you, Chair. I guess my first question is, is there infrastructure in the area like electricity, water, sewage? Are we putting up bathrooms? Do we have the staff to maintain it, like, so it doesn't become a fire hazard or anything like that?

MR. McCALL: Thank you for the question, Councilmember. Yes, there will be and the restrooms quite a...got a beautiful layout, and we foresee it as a multipurpose-use park with walking trails, a multipurpose field, restroom, an adequate parking lot. And as I said in our meetings, they addressed our concerns about the locations of some of those

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facilities, some of the sightlines which would change the grading of the area, which it was very beneficial, I think, in our favor.

COUNCILMEMBER PALTIN: And we're putting up the...the amenities, the County is?

MR. MARVEL: Yeah. Thanks for the question. Yeah, the developer will...will put in some of the amenities as required by code. So irrigation, comfort station, you know, the items as outlined in the reso. So they'll...they'll do a lot of that legwork, the grading, those types of things. And we'll...we'll take it from there.

COUNCILMEMBER PALTIN: When...when is expected to be able to be utilized by the public?

MR. MARVEL: I'll have to defer to...to the developer on that --

COUNCILMEMBER PALTIN: Okay.

MR. MARVEL: -- timeline.

COUNCILMEMBER PALTIN: And...and it'll be for the public, in general.

CHAIR SINENCI: Mr. Ueoka.

MR. UEOKA: Oh, thank you, Chair. Councilmember Paltin. . . *(laughing)*. . . We're hoping to have the backbone infrastructure in about two years after we get the construction plan approval. We submitted construction plans at...March, April, and we're just waiting to get comments back and we can...you know, so that process has been ongoing for a few months. And, yeah, we're hoping we can probably get the park in with...or close to as Aikanaha is being developed. So Aikanaha is on its own track, but it is reliant on the backbone infrastructure. And they're expecting full build-out in, like, two to three years after they get their building permits and their approval. So, hopefully 2030, 2031-ish for the park.

COUNCILMEMBER PALTIN: When you say construction plan approval, you mean construction plan approval of the park, or of the subdivision, or the Aikanaha development? Which construction plan approval?

MR. UEOKA: So the construction plan is for the...sorry, I deal in this all the time, so it's...in my head it makes sense. . . *(laughing)*. . . That's for the backbone infrastructure. So, like, the water lines, the sewer lines, the drainage, all that, the roads. So it's going to be like a trunk from mauka down to the Wai'ale Road extension-ish, in that area, basically to the school. And then from there, Aikanaha can stub off, and then the school you can eventually you can stub off, and the park is behind Aikanaha, so...I'm sorry, I shouldn't say behind. It's more towards Waikapū Stream from Aikanaha.

COUNCILMEMBER PALTIN: Okay, thanks.

MR. UEOKA: Yeah.

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COUNCILMEMBER PALTIN: I'll...I'll yield. I'm feeling kind of like I'm being a hog.

CHAIR SINENCI: Mahalo, Member Paltin. Next, we have a question from Member Cook.

COUNCILMEMBER COOK: Thank you. So, I...I'm frustrated with the timeline. I'm sure the developer is very frustrated with the timeline. It's...this is a great project. It's got a tremendous amount of support. When you say the...the plans that are in now, are they for any subdivisions, buildings, and stuff? Or is that for just the infrastructure and the grading?

MR. UEOKA: Just the infrastructure and the grading. We currently have five subdivision applications in, which will probably have their own construction plans attached to them eventually, but we have --

COUNCILMEMBER COOK: So --

MR. UEOKA: -- five in right now.

COUNCILMEMBER COOK: Well, it's a great project and it's...hopefully the people who are reviewing the plans will take note. We're getting a park, we're getting a school, we're getting affordable housing. All of this stuff is forthcoming, nothing gets cheaper. So anyway, if you have any ideas of how the County can facilitate it, let the Council know.

MR. UEOKA: Oh, thank you. We...we will. Appreciate that.

COUNCILMEMBER COOK: Thanks.

CHAIR SINENCI: Okay. Mahalo, Member Cook. Members, any other questions for either the Department or the developer? Okay. (pause) Okay. Members, okay to take a ten-minute recess at this time? Okay. Thank you. The WASSP Committee meeting is in recess until 10:30. . . .(gavel). . .

RECESS: 10:19 a.m.

RECONVENE: 10:31 a.m.

CHAIR SINENCI: . . .(gavel). . . Aloha. Welcome back to the WASSP Committee meeting of Monday, October 20th, 2025. It is 10:31. Thank you, Members, for that short break. Let's...I'm going to entertain any last questions for Resolution 25-178. I see Member Paltin. Did you have any further questions before we --

COUNCILMEMBER PALTIN: Thank you.

CHAIR SINENCI: -- recommend adoption?

COUNCILMEMBER PALTIN: Yes, please. I just wanted to know, like, when we would be

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physically taking responsibility of the site. Like, is it when this resolution goes through or after the infrastructure gets installed? And, you know, just for liability sake, what if a fire starts on that parcel? I just wanted to know that kind of information.

CHAIR SINENCI: Mr. Ueoka.

MR. UEOKA: Thank you, Chair. Councilmember Paltin, yes, no fires. We don't want fires. But so, the way the Park Assessment Agreement works is we have the plans. We worked with Parks, got something that we all kind of like. Then the Council has to approve the Park Assessment Agreement. We will do the improvements to the park or the...the land for the Park Assessment Agreement. And once it's complete, then we will dedicate it over to the County. But the...what the Park Assessment Agreement does is it's not like a discretionary approval by the Council at that point. Now it's a discretionary approval by the Parks Director, whoever that may be, and they will be able to accept the...sorry, I didn't mean anything there, but it might be a few years, that's why. . . .*(laughing)*. . . No. But it...if we met...substantially comply with what's in this Park Assessment Agreement, then the Parks Director can accept the park from the developer.

COUNCILMEMBER PALTIN: When they dedicate it --

MR. UEOKA: When it...when everything --

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

MR. UEOKA: -- is pau, complete, finished to their satisfaction, reasonable satisfaction.

COUNCILMEMBER PALTIN: They don't need to come...they don't need to come back then --

MR. UEOKA: No.

COUNCILMEMBER PALTIN: -- because we did this upfront?

MR. UEOKA: Yes. Yeah, after Kehalani this process was adopted.

COUNCILMEMBER PALTIN: Okay. And so, then it might be just a County communication, like, hey, we accepted the dedication or something . . .*(inaudible)*. . . --

MR. UEOKA: Yeah. I'm...I...I believe that's the process in 3.44, Maui County Code.

COUNCILMEMBER PALTIN: Okay. Thank you.

MR. UEOKA: Thank you.

CHAIR SINENCI: CHAIR SINENCI: Okay. Mahalo. Okay. No further questions?

CHAIR SINENCI: Okay. At this time, Members, the Chair will entertain a motion to recommend

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adoption of Resolution 25-178, including any nonsubstantive revisions, have been moved --

COUNCILMEMBER COOK: So move.

CHAIR SINENCI: -- by Member Cook, seconded by Member Paltin. Any further discussion? Okay. I will now entertain a motion to substitute Resolution 25-178 with the proposed CD1 version attached to my posted ASF dated October 6, 2025.

COUNCILMEMBER COOK: So move.

COUNCILMEMBER PALTIN: So move. Second.

CHAIR SINENCI: Has been moved by Member Cook, seconded by Member Paltin. And, Members, the proposed CD1 version incorporates revisions for clarity and style to comply with the drafting guide of Maui County legislation. With that, I will also entertain a motion to amend Exhibit 1 in the second whereas clause on page 2 and Subsection D on page 4 by replacing 21.014 acres with 21.041 acres.

COUNCILMEMBER PALTIN: So moved.

COUNCILMEMBER COOK: Second.

CHAIR SINENCI: Moved by Member Paltin, seconded by Member Cook. Any other discussion? Okay. We'll take the vote on the substitution.

COUNCILMEMBER PALTIN: Oh, the amendment to the substitution?

CHAIR SINENCI: The amendment to the substitution, yes. All in favor of the motion, please raise your hand and say, "aye."

COUNCILMEMBERS: Aye.

CHAIR SINENCI: Staff?

MS. MACDONALD: Chair, that's six "ayes," three excused, Councilmember Rawlins-Fernandez, Councilmember Kama, and Councilmember Johnson. Motion passes.

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

NOES: **None.**

ABSTAIN: **None.**

ABSENT: **None.**

EXC.: **Vice-Chair Johnson, and Councilmembers Kama and Rawlins-Fernandez.**

MOTION CARRIED.

ACTION: APPROVE amendment.

CHAIR SINENCI: Okay. Back to the main motion as amended.

COUNCILMEMBER PALTIN: Substitution.

CHAIR SINENCI: Oh, the...one more for the substitution?

COUNCILMEMBER PALTIN: As amended.

CHAIR SINENCI: Okay. Motion to the substitution as amended, raise your hand and say, "aye." Staff?

MS. MACDONALD: Chair, that's six "ayes," three excused, Councilmember Rawlins-Fernandez, Councilmember Kama, Councilmember Johnson. Motion passes.

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

NOES: **None.**

ABSTAIN: **None.**

ABSENT: **None.**

EXC.: **Vice-Chair Johnson and Councilmembers Kama and Rawlins-Fernandez.**

MOTION CARRIED.

ACTION: SUBSTITUTE with CD1 version, as amended.

CHAIR SINENCI: Okay. Now, back to the main motion as amended. All in favor say, "aye,"

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raise your hand. Staff?

MS. MACDONALD: Councilmember, that is six "ayes," three excused, Councilmember Rawlins-Fernandez, Councilmember Kama, and Councilmember Johnson. Motion passes.

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Vice-Chair Johnson and Councilmembers Kama and Rawlins-Fernandez.

MOTION CARRIED.

ACTION: Recommending **ADOPTION** of Resolution 25-178, CD1.

CHAIR SINENCI: Okay. Thank you. Members, this item will move on to the full Council for consideration. Mahalo, Director McCall, Mr. Marvel. Coach, nice seeing you. Mr. Ueoka, mahalo.

ITEM 9: BILL 119 (2025), PENALTIES FOR PROHIBITED NOISE VIOLATIONS

CHAIR SINENCI: Okay, Members, our second item is Bill 119 (2025), Penalties For Prohibited Noise Violations. And maybe we can switch out while I quickly read. Members, Bill 119's purpose is to amend Section 9.36.040 of the Maui County Code to increase fines and establish penalties including possible forfeiture of sound amplification systems for prohibited vehicle noise violations. This bill was introduced by Chair Lee and was modeled after the City & County of Honolulu's Prohibited Noise Enforcement Ordinance, specifically their violation and penalty Section 41-6.3, of the Revised Ordinances of Honolulu. In correspondence dated and received on September 30th, 2025, the County of Maui's Department of Police reported that no citations were issued under Section 9.36.040 in 2024. And their response is number 3 in Granicus. Maui Police Department also submitted questions regarding the proposed conviction for a third offense in Bill 119, including, one, who determines the value of the sound amplification's [sic] system...amplification system; two, who is responsible for carrying out the forfeiture; and, three, once forfeited, will the sound amplification system be destroyed or sent to auction. And we can discuss these questions during today's meetings [sic], Member [sic]. Since Chair Lee is the introduce-- I'll start by giving her the floor for some opening comments. Chair?

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COUNCILMEMBER LEE: Thank you. Now this item I'm sure every community is very concerned about and very annoyed that people are disturbing the neighborhoods with this extremely loud sounds. And just one clarification, this ordinance may have looked into O'ahu's ordinance. But this ordinance was actually introduced in 1990 by myself. So this took effect...9.36.040 was...was passed in 1990. And the reason why I did this, I introduced this on...on the...on behalf of some citizens. But what happened was...and...and for those of you who know the...the Davis family, Chelsea Davis, her mother was originally Paulette Souza and then Silva (*phonetic*), married to, was it Milton, Milton Silva (*phonetic*)? Anyway, he went to Baldwin. And so, they were married and Milton called me because there was an accident. And their son, their teenage son, was in the back of...of a pickup truck. And I think they were going into the school, Baldwin High School, and their...the boom box was so loud that when he fell off the truck nobody could hear him screaming. And unfortunately, he passed away. So the dad, Milton...or maybe it was Mervin, Mervin Silva (*phonetic*). He asked me if I could try and pass a law that could help prevent something like this. So it was originally targeting boom boxes because in those days, you know, the kids would go through the neighborhoods but mainly the shopping centers and schools, and...and blast these boom boxes so loud you could barely hear anything. So this is how it all happened with the boom boxes. And now we have...fast forward to today, it's not so much boom boxes, but they have these other ridiculous sounds that they have, which I think they might think is entertaining but it's not. And it's incredibly loud and it's...and it's not confined to, like, a small area. It's like the whole subdivision can hear this...this noise...this music, or whatever you call it. And so, this is the reason why I am introducing this amendment, to increase the penalties so that people will think twice about, you know, blasting their radios and disturbing the whole neighborhood. The...I realize that the police, you know, find these things as probably annoying and nuisances. However, you know, something has to be done. We can't just let people get away with this and think it's okay. I know the police are shorthanded, but it's not that we expect them to be stationed at every corner all the time. But they should...I think could be more discerning and pick where the areas that they receive the most complaints and then...and then have some kind of presence there, you know, on occasion. And then so the other thing is recently my son was...attended a training on O'ahu where Ed Sniffen mentioned that they have these...this problem too, and that what they...they have highly-sophisticated cameras now and other devices. So he offered to share this information and...and possibly the software that they have and that they purchased for...for Maui to use for traffic control and for enforcement of these things. Another thought I wanted to share with you is Ed mentioned that oftentimes it's...it's not so much the money that people...would necessarily prevent them from behaving this way because in some cases they'll just say, just tell me how much, and I'll pay. What they don't like is if they have to give up their time. For instance, another penalty...but I'm...I don't know if we're set up for this is, but another penalty is required community service. Now that would kill them. I mean, they...they do not want to do that. They rather fork over \$500 or \$1,000 just so long as they can keep going instead of giving up a whole Saturday or something like that, a whole month of, you know, volunteering their time. So, you know, I don't expect this to be passed today. I...you know, I expect, you know, a lot of discussion and...and what would be the most effective ways to, if not eliminate this, you know, this incredible nuisance in the...in the

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neighborhoods, but at least reduce it and at least let people know that they are being watched. So hopefully, Members, I...I hope you can support this, but maybe we can have more ideas shared. And it's...it's similar to when I wanted...when I proposed the Arson Squad and...and I was told by the Fire Department, well, you know, we don't have the personnel. We don't have...it...it's not necessarily they have to be there 24 hours a day. It's this occasional, well-planned presence is more effective than somebody trying to, you know, chase people down around the clock. Okay. So thank you very much for having this. And I...I hope that you consider the penalties...the...increasing the penalties because remember, this was originated from 1990, the...my second year on the Council. . . .(laughing). . . . And so, yeah, this...it's time for change and...and an upgrade. Thank you.

CHAIR SINENCI: Mahalo, Chair Lee, for those opening comments. Members, next we have the First Deputy Prosecuting Attorney Ms. DeMattos and Deputy Prosecuting Attorney Mr. Kumagai with us this morning for some opening comments. And we do see Member Rawlins-Fernandez entering the Chambers. Welcome.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha kakahiaka, Chair. And kala mai for my tardiness.

CHAIR SINENCI: Aloha.

COUNCILMEMBER RAWLINS-FERNANDEZ: Moku-delaylay --

CHAIR SINENCI: Aloha. Thanks..

COUNCILMEMBER RAWLINS-FERNANDEZ: --sorry about that.

CHAIR SINENCI: 'Ae. Thanks for being here. Ms. DeMattos.

MS. DEMATTOS: Good morning.

CHAIR SINENCI: Just go ahead and speak into the mic.

MS. DEMATTOS: Okay. Okay. Thank you for inviting us to this. You know, we'll be here to answer any questions. I did check our database to see...okay. I did check our database to see if we had noise control cases. The section that we would charge under is actually the ordinance 9.36.030— .040 is actually...actually the penalty section. Not all of our traffic violations, offenses, end up in our database due to the volume and they do tend to move quickly. So, like the police, I didn't show any of these citations in 2004. We recently charged one, I think early October of this year. I did a look back of five years, I counted seven or eight cases. Despite what the numbers show...I mean, having been a driver out on the road in the community I do understand the need for this noise control ordinance. It is a quality-of-life offense, right? We're...we're on the road, we're trying to pay attention, you know, we're being distracted when people are turning up the volume of their system at a very high level. So I just wanted to, you know, provide that. You know, my office is here, you know, to support this, answer any questions about possible

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penalties. Mr. Chad Kumagai is our supervisor of our Appeals Division, very valuable member of our...our office, and he can also assist in answering any questions. Thank you.

CHAIR SINENCI: Mr. Kumagai? Oh, you're just here for questions?

MR. KUMAGAI: Yes. Thank you.

CHAIR SINENCI: Okay. All right. Mahalo, thank you First Deputy and Mr. Kumagai. Next, we also have Assistant Chief of Police Gregg Okamoto joining us this morning. If you would like to provide some opening comments? Is he on? Oh, there he is.

MR. OKAMOTO: . . . *(Inaudible)*. . . morning, everyone. You know, I appreciate everyone's efforts here, you know, as far as addressing this...this...this matter. You know, it's a...it's a community issue, so yeah. No, it's...it's...it's not a nuisance to us, you know, but just that we just have to work together and figure out, you know, a more efficient way of addressing this issue. So I'm here to answer any questions and also just kind of follow up with some of the questions we had as far as the...the amendment, as far as that administrative portion. So that's it, Chair. Thank you. Yeah.

CHAIR SINENCI: Okay. Mahalo, Assistant Chief Okamoto. Before we begin our discussions, Members, let's take testimony for WASSP-9. Staff, is there anyone wanting to testify to this item?

MS. DEL CASTILLO: Chair, there is currently no one who is signed up to testify. If somebody would like to testify in the Chamber, please let Staff know. Or on Microsoft Teams, please raise your hand. This is the final call. Three, two, one. Chair, it appears that no one wishes to testify.

CHAIR SINENCI: Members, any objections to closing public testimony for this item?

COUNCILMEMBERS: No objections.

CHAIR SINENCI: Okay. Thank you.

. . . CLOSE PUBLIC TESTIMONY FOR WASSP-9 . . .

CHAIR SINENCI: All right, Members, I'll open up the floor for questions and comments. We can...you can have three minutes for the first round and then another three minutes for the subsequent rounds. I see Member Paltin. Go ahead, followed by Member U'u-Hodgins.

COUNCILMEMBER PALTIN: Thank you. I'm looking up 9.36.030, and it refers specifically to sound amplification systems heard outside the vehicle from 50 feet or more when the vehicle is parked or operated in a public area, unless it's a request assistance or warn of a hazardous condition. So I was wondering, like, is it only vehicle sound systems? Does it also include, like, bicycle...or not bicycle but motorbike mufflers or dual...dual

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mufflers, and things like that? Or what about house parties? House parties are exempt and also Coffee Bean and Tea Leaf on the Kona winds, maybe? I don't know. Just...just asking. And then my second question...I think that side is for the Prosecuting Attorney. For the Police, I just wanted clarification on what he said was more efficient. What would be a more efficient way?

MR. KUMAGAI: Thank you for the question. With respect to sound amplification system, I...I don't think that would include --

COUNCILMEMBER LEE: Can you go closer to the mic, please?

MR. KUMAGAI: -- I don't think that would include a muffler or a party because the sound amplification system is defined as an amplification speaker sound system or any part thereof.

COUNCILMEMBER PALTIN: Even if the muffler was modified to be louder? Because music actually sounds better to me than those modified mufflers, but...

MR. KUMAGAI: I think that we would have to consider a different definition of sound amplification system if...if that is the...something we're trying to address.

COUNCILMEMBER PALTIN: So we're specifically targeting people that like to listen to their music loud and not all the other annoying sounds?

MR. KUMAGAI: That's what it appears to be.

COUNCILMEMBER PALTIN: Got it. Thanks. And then for Mr. Okamoto, when you said more efficient, I was wondering if you could clarify. You think this is not an efficient way to go about it? Is it because --

MR. OKAMOTO: No. So --

COUNCILMEMBER PALTIN: -- they got to get convicted, and that takes your time?

MR. OKAMOTO: Yeah. So...so, just to clarify too. So if you look at this ordinance that we're talking about, this...this bill amendment specific to 9.36, which is the...the vehicle. So it's not...you know, it's not about, like, social host or anything like that. So this is limited to the vehicle, the vehicle part. And you kind of touched upon it right there, like you said, as far as the...the efficiency, as far as, like, you know, we can do the enforcement, you know, and then the Prosecutors would do their best as far as the prosecution side. But, you know, is there...are we going to add, like the intent of the bill, just to add more teeth...teeth to the...the penalties and just hold more people accountable and try to...try to curb or...or change the behavior of...of...of the...of the community? So in that sense it's...as far as efficiency, you know, it's a collaborative effort with everyone, so...

COUNCILMEMBER PALTIN: Thank you.

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CHAIR SINENCI: Okay. Mahalo, Member Paltin. Next, we have Member U'u-Hodgins. But I did want to remind Members that Major Braden Ogata from Honolulu Police Department is also online if you have any questions for him. Bill 119 was copied after the City & County of Honolulu. Member U'u-Hodgins.

COUNCILMEMBER U-U-HODGINS: Thank you, Chair. So, couple quick things. I do support the intent. I do remember when I was...when my children were young, and my kids would finally fall asleep in the car, and somebody will pull up next to me with the loudest music and waking up my children. And I had to, more than once, ask somebody to turn it down because it's too much. And then it is difficult to hear sirens in an emergency situation if somebody's music is beyond comprehension. I don't know how they can even hear it, it's so loud. My question is not necessarily on whether I support this but how would this work? If we don't have any citations now, how would the removal go? I...I do appreciate Police's questions when they would ask, like who's going to remove it, how do we determine the valuation? As Member Paltin was saying, so many of this are, like, after mod...like, all of these modifications. So, I just want to know, practicality-wise, like how would this work. Who's going to remove it? How do you store it? Is it auctioned off? And if so, that's just going to go in somebody else's car? So how does this work?

MR. KUMAGAI: Thank you for that question, Member. So, I think what would need to happen in order for a forfeiture to occur is the sound system would need to be seized pending forfeiture so that the procedure under HRS Chapter 7, 12(A) can commence.

COUNCILMEMBER LEE: Chair? Could I just add that this is...this would be for the third offense. It's not the first.

COUNCILMEMBER U-U-HODGINS: Yeah.

COUNCILMEMBER LEE: Yeah.

COUNCILMEMBER U-U-HODGINS: Yeah, fining and then the forfeiture. But the one in Police's questions was, who's going to remove it? Do we have a partnership? Does the County have a partnership with who may remove it? Like, maybe whoever installs the breathalyzers? Or...like, I'm not against this. I just want to know how it works.

CHAIR SINENCI: Is that for --

MR. OKAMOTO: Chair?

CHAIR SINENCI: Oh, go ahead.

MR. OKAMOTO: So I don't know if Bradon Ogata is available, but they already have this ordinance in place. Maybe they have already something set up that maybe they could share how...how...how they...they do their removals, and forfeitures, and whatnot. Because those...those are the questions that...that we had as a law enforcement agency,

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so. And Bradon got all dressed up, so that's good, too.

CHAIR SINENCI: Major Ogata.

MR. OGATA: Hey, aloha, Committee Members. I'm Bradon Ogata of the Honolulu Police Department. I'm the Major of the Waikiki Patrol District. So, tricky question as far as forfeiture. So the officers don't get involved in forfeiture for this particular section. What we also use, it's...it's important to know the scope of this one. So sometimes this 30-foot rule . . .(timer sounds) . . . doesn't only apply to vehicles. It can also apply to things we see in Waikiki. People with a loud...you know even a portable-type amplification system where they're...they're playing music, or that type of thing. So in those cases, the officers may collect those items, if they're portable, as evidence for...for the violation of the noise ordinance. So as far as for...or forfeiture, that would occur in a court system later. So yeah...sorry, Prosecutors, but it might be something a little away from the...the police side of it. But so, yes, it's been in existence. I don't know...I...I tried to look back and granted this ordinance has been in place for a while for us, I couldn't find any history of the forfeiture side. It's not done on the police end of it, if that makes sense. So, sorry, it's not a great answer, but that's the answer I have for that.

COUNCILMEMBER U'U-HODGINS: Thank you. Thank you, Chair. Perhaps we can...another one of my questions is, I guess, how often does this happen? I know, again, it's on the third offense, you guys have had it for a while. Does it happen often where it is seized? I...I can understand, as Chair Lee said, the boom box situation, that's a little bit easier. But if you do know, I would appreciate it. Other than that, I really have no other questions. Thanks, Chair.

CHAIR SINENCI: Okay. And we can save that for the second round. Next, we have Member Sugimura, followed by Member Cook.

COUNCILMEMBER SUGIMURA: Thank you. So it's interesting because if this has been around with City & County of Honolulu, as well as our Police Department, and then the Prosecuting Attorney doing their research, not having, you know, a lot of offenses. So I wonder if it is because it's difficult for the police...you know what is your reaction to that? Maybe there are bigger fish to --

MR. OKAMOTO: Is that for --

COUNCILMEMBER SUGIMURA: What...whatever police department.

MR. OKAMOTO: -- is that for MPD? Oh, yeah. Well, I don't know about the HPD, but I know when...when I was an officer way back in...back in the day...well, not-- I'm still an officer, but not a patrol officer, I think, one of the question was, I guess, like determining, you know, like who...what is...I mean, it's kind of common sense things. But then is it, like, measurable? You know...you know, we had to articulate, well, I was, you know, x-amount of feet from it, and I could hear it, and, you know, it was so many...you know, so many decibels, or anything like that. So I think that was...that...that...that was...that was part of it. But again, you know, that goes to, like, maybe we got to figure out a way

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of, like, how do we --

COUNCILMEMBER SUGIMURA: Okay.

MR. OKAMOTO: -- articulate the...the...the offense more too, so...

COUNCILMEMBER SUGIMURA: Okay, perfect, because that was my next question. Or I'm sorry, if HPD...Major Ogata, I didn't let you speak. But I...I believe that noise or sound is generated by the Department of Health. So I wonder if Department of Health has standards that we need to comply with to figure out what is offensive in terms of sound. Chair, I don't know if Department of Health was asked these questions.

CHAIR SINENCI: Staff?

COUNCILMEMBER SUGIMURA: And I wonder if...if we somehow were able to define it or help the Police Department. Then maybe they would be able to have more offenses because there's some kind of measure as we deal with law. You know, oftentimes we need to define something in order to...you know, like speeding, or...or things like that are pretty easlily measureable. But sound is something that is...could be...you know, according to what somebody feels. It's...it's...if it's not meausreable, it's really hard, then, to take it to court and say, oh, this was whatever. So I wonder what the Police Department may need for help with Department of Health...with help from the Department of Health so that we can get some kind of guidelines, you know, as to what would be measurable and then help them take these offenses to court becuase I think that's where we're trying to get to. But it sounds like it doesn't...we haven't had any, according to the records of the Prosecuting Attorney. Thanks very much for looking back, you know. What are we missing here?

CHAIR SINENCI: Did Deputy DeMattos have any comments to that?

MS. DEMATTOS: And the Police can correct me, but again, having that measurement, that 50 feet, may be difficult. I was talking to Mr. Kumagai, you know, and maybe, you know, using body cam video as a way to capture the sound and show how far away might help. I mean granted, we didn't have body cam available years ago, but I...I think the measurement, the specific measurement of 50 feet may be a difficulty for the Police. But AC Okamoto, you can correct me if I'm wrong on that.

MR. OKAMOTO: No. So, I mean, that...that's exactly what...that we're talking about, so...

COUNCILMEMBER SUGIMURA: Okay. My....my time is up. So I'll...I'll...second round if I --

CHAIR SINENCI: Okay. Thank you. Next.

COUNCILMEMBER SUGIMURA: -- expound on that.

CHAIR SINENCI: Thank you. Next, we have Member Cook.

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COUNCILMEMBER COOK: Thank you, Chair. So that was...I'll follow up on that, the question for the prosecutors. Can you rattle off what are some of the challenges in actually prosecuting a case like this? What...what would people come...potentially come back with in their defense?

CHAIR SINENCI: Mr. Kumagai.

MR. KUMAGAI: I think that the main defense is going to be a lot of times there wasn't a exact distance measured. Or, you know, I guess it could be blame it on somebody else if...if there's a lot of traffic nearby. I think those are the types of challenges that we may have.

COUNCILMEMBER COOK: Okay. So, good. Thanks. So my next question, this is for Prosecutor too, is if there...is there a problem with the current law to, basically, be able to use cameras and sound recording devices at traffic lights?

MR. KUMAGAI: There could be, depending on how the footage is recorded, what it's recording, who is keeping record of the recording. It's an admissibility issue, potentially.

COUNCILMEMBER COOK: So, MPD traffic... traffic monitoring enforcement, would that give enough criteria for your concerns on that?

MR. KUMAGAI: It...it could be. I...I would need to know more about the technical aspects of how it's recorded and kept.

COUNCILMEMBER COOK: Thank you. I think...I think the answer clarifies between distance...all the different criteria to basically how do we enforce it? What do we do? I just want to...I'm...I'm real supportive of this. I don't know how it would be enforced. But sitting at a traffic light and having a car pull up next to you or four cars away and your window is shaking, it...it's...it's annoying. And I guess, is this...is...is somebody going to say, like, this is freedom of speech issues? Like, I'm just doing my thing?

MR. KUMAGAI: No. I...I don't believe that there'll be any First Amendment issues. It's a content-neutral law.

COUNCILMEMBER COOK: Okay. Well, I feel for the Police Department. We...thank you, Chair. It's a good thing. We need to really have structure for the police to be able to actually do it and not just set them up with something that's not enforceable. Thank you very much, Chair.

CHAIR SINENCI: Before we go to Chair Lee, Member Rawlins-Fernandez, for your first-round opportunity?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I don't have any questions.

CHAIR SINENCI: Okay. Chair Lee.

COUNCILMEMBER LEE: Thank you. I don't think there'll be problems recording and

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identifying where the sound is coming from. Look at fireworks, we have a problem with fireworks. Do we have many arrests? No. You know, it comes down to people complaining, willing to testify, and having the right equipment available. I'll give you an example, this doesn't happen probably in Kula, yeah. And it doesn't probably happen in Kaupō, but it happens a lot in Wailuku and Kahului. I can't speak for the other areas because I spend most of my time in these...these areas. And right on Honoapi'ilani Highway from, let's say, where High Street ends and then you pass the front of Kehalani, okay? That stretch, we have two traffic lights. This is where these people hang out. And if you come to our area, our neighborhood, around 6:00, 7:00, 8:00, 9:00 at night, this is...this is the time they go back and forth, back and forth with this loud music. So what I'm saying is where you have the complaints is where you focus the enforcement. For instance, I'll bet you the Police Department has received a lot of complaints for this area. So if I were the...the Police Department, what I would do is I would assign some of my officers to watch that area for a certain period of time, and they will see. They will see and they will hear the violations. So, like I'm saying, these things need to be planned out specifically. And once the word gets around that people are actually being arrested and penalized for this behavior, you're going to see that behavior, you know, start to drop. And so, it...it's not going to drop if you do nothing, yeah. So you have to do something. And so, what I'm saying is...and I'm pretty sure the Police Department has already...Mr. Okamoto, I'm not sure, but I...I would...I wouldn't be surprised if you guys received a lot of complaints about the area I'm talking about because in the last few nights, we haven't heard the music. But so, what I'm saying is if you put your...you'll get your result where the...your attention. And you put your attention . . .(timer sounds). . . in the areas that are being...you know the people are violating this law, then I think you're going to be very successful with enforcement. Thank you.

CHAIR SINENCI: Okay. Assistant Chief, did you want to respond to Chair Lee?

MR. OKAMOTO: No. I...I heard her comments and...and --

CHAIR SINENCI: Okay.

MR. OKAMOTO: -- I just want...I just kind of want to say, like, again, this is where we're as far as, like, trying to build a better process. You know, going back to Councilmember's [sic] Cook's comments, like, I know that we have issued tickets in the past, but then at...at this point, the way the ordinance and the laws are written, I think...I remember we have to, like, really articulate why we detected the violations. Again, you know, our windows were up yet we could clearly hear...hear their stereo through the window, you know estimated distance from the car, and then we could feel the vibrations from...from the music. So...so, those are things that...that we'd have to put in citations. But then again, you know, it's not written in any type of ordinance or law. So I don't know...and this is like over 20, 25 years ago, so I'm not sure if we ever had successful convictions on...on any type of citation like that so...but...but, yeah...no, I...I hear Chair Lee's comments and...and I'm in agreement with that so...but, again, this is why we're here today.

CHAIR SINENCI: Aloha, Assistant Chief. Before I go to Member Paltin, Deputy DeMattos, you

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mentioned seven to eight cases for noise. Were those from complaints and from vehicular sound systems?

MS. DEMATTOS: Yes. I...I specifically searched by the ordinance, and that will be 9.36.030, the prohibited noise.

CHAIR SINENCI: And those were from car...car stereos?

MS. DEMATTOS: Yes. I...I...just based on, you know, my review of the ordinance. Yes, it's my understanding it would be from vehicle sound amplification system.

CHAIR SINENCI: How were those cases reported?

MS. DEMATTOS: I believe that these were probably from citations issued by the police. There may have been other offenses, traffic offenses that were attached to the...the noise violation.

CHAIR SINENCI: Oh. Oh. Okay. Because the police mentioned that there was no offenses in...oh, this might've been prior to 2024.

MS. DEMATTOS: So, I...I believe our data is same or similar to police. So 2024, we did not have any --

CHAIR SINENCI: Okay.

MS. DEMATTOS: -- noise control violations.

CHAIR SINENCI: Okay. Thank you for that. Member Paltin, for your second.

COUNCILMEMBER PALTIN: Thank you. I think my questions is for Ms. Murakami. I was looking up the State noise ordinance, which says residential areas, maximum of 55 decibels during the day and 45 decibels at night; commercial areas, 60 decibels during the day and 55 at night; and industrial, 70 and 60. And I was wondering, like, would this be in conflict on them? They said, like, the first...you can get a fine on your first offense. It doesn't mention about legal proceedings. And for me, I...I wouldn't like to single out one group of people, like people that like to pound their sounds. We had a dual-exhaust muffler in our neighborhood that would go to work at 4:00 in the morning. And so, everybody in our neighborhood wakes up at 4:00 in the morning. And so, if...if we could just make this, you know, kind of in alignment with other noise ordinances, that we're not just singling out one loud group of people, that would be better. Is that a possibility, that we connect this penalties to the State noise ordinance?

CHAIR SINENCI: Ms. Murakami.

MS. MURAKAMI: Hi. I would have to look at the...the State ordinance also or the State statute. But if there is already a statute addressing it, I don't...I think that might be redundant maybe because then you can...or the police may be able to use that State statute maybe.

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But I would have to look into that further and see. I don't...

COUNCILMEMBER PALTIN: The State one is more watery. It seems like monetary penalties for individuals or businesses that exceed permissible noise levels, which can range from 100 to 1,000 for first offenses with higher fines for repeat violations. And the legal action is repeated violations may lead to legal proceedings including court appearances and potential litigation. So, like, we can go more harsh than the State, right?

MS. MURAKAMI: Or more specific, I think . . . *(inaudible)*. . . --

COUNCILMEMBER PALTIN: Or more specific.

MS. MURAKAMI: Yeah. But I don't know if you can go higher.

COUNCILMEMBER PALTIN: Oh.

MS. MURAKAMI: But I have to look into that, and see, and get back to you on that.

COUNCILMEMBER PALTIN: That's why you never sign off on this bill?

MS. MURAKAMI: . . . *(laughing)*. . . Oh. No, no, it's --

COUNCILMEMBER PALTIN: Oh.

MS. MURAKAMI: -- actually signed off.

COUNCILMEMBER PALTIN: Oh, it's signed off?

MS. MURAKAMI: Yeah, but not with my...by me. It's another colleague.

COUNCILMEMBER PALTIN: Oh, not by you.

MS. MURAKAMI: Yeah.

COUNCILMEMBER PALTIN: Okay. But then what is...what about the conflict with the State, whatever you call State ordinances, statutes?

MS. MURAKAMI: Well, so I think this is specifically to the...the car stereo as opposed to the other statute that was more for the residential. So I think that was a...the separation, the difference.

COUNCILMEMBER PALTIN: Residential, commercial, and industrial, wouldn't commercial areas be considered public, though?

MS. MURAKAMI: Right, but they're...this...this...this specific ordinance talks specifically about the sound amplification system, which is, I think, what Mr. Kumagai said was specifically, like, a stereo system in a vehicle.

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COUNCILMEMBER PALTIN: Yeah, number 2 is in the noise ordinance, vehicle operation, loud vehicle noises such as honking, modified exhausts . . .*(timer sounds)*. . . are prohibited. But isn't sound systems vehicle operations as well?

MS. MURAKAMI: I would have to look at the...the statute and look into that further. I apologize.

COUNCILMEMBER PALTIN: All righty, then.

CHAIR SINENCI: Okay. Mahalo, Member Paltin. I know Member U'u-Hodgins had a follow-up question but at the end of her first round one. . . .*(laughing)*. . . Okay. She'll...she'll remind us. Any other questions, Members? Okay. Oh, Member Sugimura, go ahead.

COUNCILMEMBER SUGIMURA: Yeah. Based upon the discussion and questions that have come up, I wonder if Corp. Counsel can review how this impacts State statutes because that's kind of huge. And then the...the Department of Health, the noise ordinance, which would be impacted, I think. But more than that, if we are going to have to worry about decibels, based upon the State statute, then does the Police have the equipment they need the measure appropriately? I mean, I think it's...well, for me, it's bringing up other questions. So I wonder if you wouldn't mind, you know... . . .*(inaudible)*. . .

CHAIR SINENCI: Staff, do we got some additional questions for the Police Department for Member Sugimura?

MS. MACDONALD: I have what Member...what you guys have been talking about for questions. If you guys would like us to send a letter, we can.

CHAIR SINENCI: Okay, Member Cook, did you have any follow-up questions?

COUNCILMEMBER COOK: No. Thank you, Chair.

CHAIR SINENCI: And I...I know that under number 3, a combination of forfeiture and a fine totaling \$1,000, that was the...the third offense. So Chair Lee, that is both the combination of forfeiture and fine, not...not either or. Okay.

COUNCILMEMBER LEE: Right. Right.

CHAIR SINENCI: Okay. Like, if they...if they didn't pay the fine then they would face forfeiture. The...this is both, forfeiture and a fine.

COUNCILMEMBER LEE: Yes.

CHAIR SINENCI: Okay.

COUNCILMEMBER LEE: On the third offense.

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CHAIR SINENCI: On the third offense. Okay.

COUNCILMEMBER LEE: But I can...I can work with Corp. Counsel and...and the Prosecutors to...to make this more specific and...and see how we can make it more effective as well. Because I'm...I'm representing my constituents who...who are many, many, many people because we're...we have the biggest population in Wailuku-Kahului. And this is where most of the offenses take place. I'm sure it happens in Pā'ia. I'm sure it happens in Makawao, Lahaina, every place else. But it happens on a regular basis, like every night. This is...you know we complain about fireworks but that's...you know you expect that 4th of July and, you know, Christmas and New Year's, and actually I don't see where the police have become more effective in that area. But this other thing is on a regular basis, like almost every night. They go up and down, up and down, and it's as loud as hell. And I don't think people deserve, you know, that kind of intrusion into their quality of life. And so, that...that's why I...I'm pretty bound and determined to find something that will work, and we'll keep going on it. Thank you.

CHAIR SINENCI: Okay. I agree, it also happens in Hāna.

COUNCILMEMBER LEE: Oh, it does?

CHAIR SINENCI: Yeah, where...and we know who it is.

COUNCILMEMBER LEE: Go flat his tires.

CHAIR SINENCI: But...but many of the homes are close to the road so, you know, if they're...if they're just passing your house, you're...you know, it's...it's rattling your...your windows too --

COUNCILMEMBER LEE: Yeah.

CHAIR SINENCI: -- at your home or...or the dogs. The dogs start barking, those types of things. So I would be supportive of, you know, the times, you know if it's not beyond 10:00 or within neighborhood areas. I mean, I keep telling my nephew, hey, all the...the kūpunas live right here, and you're...you're blasting your sounds and the kūpunas...we have kūpunas down the road. So I try to, you know, regulate myself. But just certain areas, school zones, you know I don't know if we can put up signage. Deputy-- Assistant Chief Okamoto, if...if putting up signage to say that this...this area is regulated for...for sound or a time where noise is, you know, from 7:00 to 7:00?

COUNCILMEMBER LEE: I think that's a good idea. I wouldn't mind organizing a community . . . *(timer sounds)* . . . event that --

CHAIR SINENCI: Yeah.

COUNCILMEMBER LEE: -- people on one side have no loud music and the other side No Kings.

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CHAIR SINENCI: Yeah. . . .*(laughing)*. . . Yeah. So I would be supportive of if you...you know, if there are, I guess, preventative measures in...in certain areas where --

COUNCILMEMBER LEE: Uh-huh.

CHAIR SINENCI: -- where the neighbor...where the neighbors kind of, you know, initiate some kind of neighborhood watch, something like that.

COUNCILMEMBER LEE: Yeah. I think that's a good idea because then they would be more likely to report incidences.

CHAIR SINENCI: Okay. Okay. Any other questions that we can follow up? Member Cook.

COUNCILMEMBER COOK: Thank you, Chair. I just want to make a comment and sort of encouraging. It's probably not a whole lot of people. And so, if we can craft legislation and provide the structure that the MPD and prosecutors need. You know, fortunately this isn't a rampant, island-wide problem, but it is...but it's big news since we can get people to tone it down. So, just thanks for bringing this forward and, I don't know, I hope that the Police Department and the prosecutors can help enhance making this more, I'd say, user friendly for you folks. Thank you, Chair.

CHAIR SINENCI: Member Paltin.

COUNCILMEMBER PALTIN: Thank you. If my community's problem is loud mufflers, could I just write a 9.36.030 amendment and say "permit the operation of any sound amplification system, including after-market mufflers?" And then whatever you guys penalize for the vehicle, like guys who pound sounds would also apply for loud mufflers on...and then would motorcycles be considered vehicles? And scooters. . . .*(laughing)*. . . Corp. Counsel, or a lawyer, any lawyer.

MS. MURAKAMI: Okay, sorry. . . .*(laughing)*. . . No. Yeah.

MR. KUMAGAI: So I think that change could be made by adding mufflers or whatever language is appropriate to the sound amplification system definition.

COUNCILMEMBER PALTIN: Okay.

MR. KUMAGAI: And I think that would address the concern.

COUNCILMEMBER PALTIN: Great. Thank you so much.

CHAIR SINENCI: Okay, Members. For our resource, we...we do have...Major Ogata is there any closing remarks you'd like to provide the Committee before we adjourn?

MR. OGATA: I just wanted to offer for the Committee, for mufflers, there's actually...in the HRS section, the Hawai'i Revised Statute, Section 291-24, that's for motorcycles and mopeds. And also, 291-24.5, which deals with vehicles. So I just wanted to try and

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offer that to you all because yeah, this...the other ordinance that's used for sound that you folks are looking at right now tends to be solely for reproduced music. So that's...that's kind of why mufflers is handled in a separate area. I hope that clarifies just a little. So, thank you all. That's all. Thank you.

CHAIR SINENCI: Okay. Mahalo, Major Ogata. Assistant Chief Okamoto, any closing remarks?

MR. OKAMOTO: No, just thank you to everybody for working on this together.

CHAIR SINENCI: Okay. And then, Deputy DeMattos, Mr. Kumagai?

MS. DEMATTOS: So, thank you for your input, comments, questions. My office looks forward to working with...with everyone to...to address this concern and issue.

CHAIR SINENCI: Okay. Mahalo for being here, everyone. Members, any objections to deferring this item so we can continue the discussion?

COUNCILMEMBERS VOICED NO OBJECTIONS (excused: GJ and TK).

ACTION: DEFER pending further discussion.

CHAIR SINENCI: Okay. Thank you. Staff, is there anything else we should address?

MS. MACDONALD: No. There's nothing else outstanding, Chair.

CHAIR SINENCI: Okay. Thank you. Mahalo, Members, for this discussion today. And this concludes today's Water Authority, Social Services, and Parks Committee meeting. The time now is 11:25 and this meeting is adjourned.

ADJOURN: 11:25 a.m.

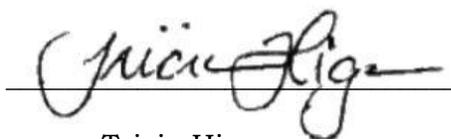
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CERTIFICATION

I, Tricia Higa, hereby certify that pages 1 through 27 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 27th day of October 2025, in Mililani, Hawaii

A handwritten signature in black ink, appearing to read "Tricia Higa", is written over a horizontal line. The signature is cursive and stylized.

Tricia Higa