

WATER AND INFRASTRUCTURE COMMITTEE

Council of the County of Maui

MINUTES

October 2, 2023

Online Via BlueJeans

CONVENE: 1:33 p.m.

PRESENT: Councilmember Tom Cook, Chair
Councilmember Yuki Lei K. Sugimura, Vice-Chair
Councilmember Gabe Johnson, Member (in at 1:47 p.m.)
Councilmember Tasha Kama, Member
Councilmember Alice L. Lee, Member (out at 3:20 p.m.)
Councilmember Tamara Paltin, Member
Councilmember Keani N.W. Rawlins-Fernandez, Member
Councilmember Shane M. Sinenci, Member
Councilmember Nohelani U‘u-Hodgins, Member (in at 1:53 p.m.)

STAFF: Jarret Pascual, Legislative Analyst
Ana Lillis, Legislative Analyst
Maria Leon, Committee Secretary
Richard Mitchell, Legislative Attorney
Lenora Dinneen, Council Services Assistant Clerk
Jean Pokipala, Council Services Assistant Clerk
Shelly Espeleta, Supervising Legislative Analyst

Mavis Oliveira-Medeiros, Council Aide, East Maui Residency Area Office
Roxanne Morita, Council Aide, Lāna‘i Residency Area Office
Jade Rojas-Letisi, Council Aide, Makawao-Ha‘ikū-Pā‘ia Residency Area Office
Zhantell Lindo, Council Aide, Moloka‘i Residency Area Office

Stacy Takahashi, Executive Assistant to Councilmember Cook
Kate Griffiths, Executive Assistant to Councilmember Johnson
Axel Beers, Executive Assistant to Councilmember Johnson
Evan Dust, Executive Assistant to Councilmember Kama
Haunani Madela, Executive Assistant to Councilmember Rawlins-Fernandez
Gina Young, Executive Assistant to Councilmember Sinenci
Laura McDowell, Executive Assistant to Councilmember U‘u-Hodgins

ADMIN.: Parrish Purdy, Fire Captain, Department of Fire and Public Safety (WAI-9)
Cynthia Lallo, Senior Executive Assistant, Office of the Mayor (WAI-1(8))
Priya Landgraf, Executive Assistant, Office of the Mayor (WAI-1(8))
Caleb Rowe, Deputy Corporation Counsel, Department of the Corporation Counsel

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OTHERS: Jacee Law (WAI-9)

(11) additional attendees

PRESS: Akakū: Maui Community Television, Inc.

CHAIR COOK: . . .*(gavel)*. . . Will the Water and Infrastructure Committee of October 2nd, 2023 please come to order. The time is now 1:34 p.m. May I ask that all participants please silence cell phones and other noisemaking devices. That includes the construction company. For those testifying on BlueJeans, please mute your mic until you are called on. I am your Chair, Tom Cook. Members, in accordance with the Sunshine Law, please identify by name who, if anyone, is in the room, vehicle, or workplace with you today. Minors need not be identified. Now I'd like to introduce the Committee Members, starting with Vice-Chair Yuki Lei Sugimura.

VICE-CHAIR SUGIMURA: Good afternoon, Chair. Looking forward to a productive meeting.

CHAIR COOK: Councilmember Tasha Kama.

COUNCILMEMBER KAMA: Good afternoon, Chair. And as our greeting from this morning was, ia orana.

CHAIR COOK: Councilmember Tamara Paltin.

COUNCILMEMBER PALTIN: Ia orana and aloha 'auinalā. Councilmember U'u-Hodgins left the meeting same time as me, so she might be a little bit late.

CHAIR COOK: Councilmember Gabe Johnson, I believe, is in transit. Councilmember Keani Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha 'auinalā, Chair, mai Moloka'i nui Ahina. I'm at the Moloka'i District Office, alone on my side of the office, and we have our Community Outreach Specialist, Zhantell Lindo, and my EA, Haunani Madela, on the other side of the office, reporting no testifiers at this time. Mahalo, Chair.

CHAIR COOK: Council Chair Alice Lee.

COUNCILMEMBER LEE: Ia orana, Chair. Looking forward to a great WAI meeting. Aloha.

CHAIR COOK: Councilmember Nohelani U'u-Hodgins is in transit. Councilmember Shane Sinenci.

COUNCILMEMBER SINENCI: Aloha 'auinalā, Chair. Happy to be here, and there are no testifiers at the Hāna District Office.

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CHAIR COOK: Thank you. Representing the Department of Fire and Public Safety, Fire Prevention Bureau. I would like to welcome Fire Captain Parrish Purdy. Is the Captain online?

MR. PURDY: Good afternoon, Chair. Good afternoon, Councilmembers. This is Parrish Purdy, Captain Parrish Purdy, with the Fire Prevention Bureau.

CHAIR COOK: Thank you. Office of the Mayor, Executive Assistant Cynthia Lallo, and Priya Landgraf. And I don't see them in the Chambers, but they'll be coming.

MS. LILLIS: Chair? We've gotten a message from *Akakū*, wishing for a recess, perhaps ten minutes?

CHAIR COOK: Okay. I'm going to call for...suggest we take a ten-minute recess. . . .*(gavel)*. . .

RECESS: 1:37 p.m.

RECONVENE: 1:47 p.m.

CHAIR COOK: . . .*(gavel)*. . . As we continue, I'd like to welcome Councilmember Gabe Johnson.

COUNCILMEMBER JOHNSON: Mahalo, Chair, thank you for...I'm sorry for my tardiness. ferry schedule is a little bit different right now, so I'm here and ready to work. There's no testifiers at the Lānaʻi District Office. Mahalo, Chair.

CHAIR COOK: Okay. Continuing with our introductions, Deputy Corporation Counsel Caleb Rowe.

MR. ROWE: Good afternoon, Chair.

CHAIR COOK: From OCS, our Committee Staff; Committee Analysts Jared Pascual and --

MR. PASCUAL: Good morning, Chair.

CHAIR COOK: -- Ana Lillis; Committee Secretary Maria Leon; Legislative Attorney Remi Mitchell; Counsel Services Assistant Clerk Jean Pokipala. Please see the last page of the agenda for information on meeting connectivity. Members, we have two items on today's agenda, WAI-9, WAI-1(8). WAI-9 relates to amending the Fire Code. WAI-1(8) relates to the status report from the County's Permitting Processing Working Group. Members, this agenda was initially scheduled for August 14th meeting, but was canceled due to the tragic wildfires that occurred during that time. Members, I would like to preface this meeting by clearly stating that these items predate the fires. While there's many questions about how we can amend our code and permitting process to address the wildfires, my Committee will consider legislation to address those concerns at a future meeting. I would also like to respectfully request that we do not

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disparage or...the representatives we have here today, or the hardworking employees in the permitting process. The permits...the purpose of WAI-1(8) is to learn from the Department of Management about the specific challenges in the permit process, and to address the public concerns about these. Members, we will take testimony on each item after we receive any opening remarks or presentations.

WAI-9: BILL 66 (2023), RELATING TO AMENDING THE FIRE CODE

CHAIR COOK: Members, the first item is Bill 66(2023), entitled “A BILL FOR AN ORDINANCE AMENDING CHAPTER 16.04D, MAUI COUNTY CODE, RELATING TO INSPECTIONS AND TO CORRECT AN OMISSION.” Bill 66’s purpose is to address inspections outside normal business hours and at distinct...distant locations, and to further correct a previously admitted Department of Water Supply exception for the fire flow requirements for buildings. At this time, I would like to ask the Fire Department to provide any opening comments on this item. Please state your name for the record.

MR. PURDY: Thank you, Chair. Captain Parrish Purdy with the Maui Fire Department. For the inspections outside business hours and/or at distant locations, the addition to the Code for inspections outside normal business hours or distant locations allows us to charge for any accommodations we may incur outside of normal business hours. We didn’t have this in the Code before, and we’d like to add it to recoup some inspection costs. As far as our other agenda, 18.4.5.1.1, the exception was accidentally omitted, and we want to put it back into the Code. The exception has been in the previous code since it was adopted in June 2015. And our Maui County Code 16.04D was adopted in November of 2022. Thank you.

CHAIR COOK: Thank you, Captain Purdy. Now, on to testimony for WAI-9. Testifiers wanting to provide video or audio testimony should have joined the online meeting via BlueJeans link or phone number noted on today’s agenda. All individuals logged in to the meeting will be added to the testifier sheet. If you do not intend to testify, please state this in the chat. If you do wish to testify, please state your full name, organization, and the items you’d like to testify on in the chat. If you wish to testify anonymously, please state this request in the chat, as well as the items you wish to testify on. Chat should not be used to provide comments or discussion. Written testimony is encouraged, and can be submitted via eComment link at mauicounty.us/agendas. Oral testimony is limited to three minutes per item. If you’re still testifying beyond that time, I will kindly ask you to complete your testimony. Please be courteous to others by turning off your video and muting your microphone while waiting for your turn to testify. Once you are done testifying, or if you do not wish to testify, you can view the meeting on *Akakū* Channel 53, Facebook Live, or mauicounty.us/agendas. Decorum must be maintained at all times. Any person who behaves in a manner that disrupts, disturbs, or impedes the orderly conduct of any Committee meeting can, at the discretion of the presiding officer or the majority of the present Committee Members, be ejected or banned from the Committee meetings, or if participating remotely, muted or dropped from the meeting. Examples

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of disruptive behavior include heckling, shouting, use of profanity, threatening or slanderous remarks made to any Member of the Committee, Staff, or general public. Again, the chat should be used only to sign up for testimony and not for public commentary on the meeting. It will be considered a breach of decorum for members of the public to use the chat for anything other than testimony signup. Staff has been monitoring individuals joining today's meeting by phone and by video, and we will do our best to take each person up in an orderly fashion. At this time, I would like to open public testimony for WAI-9. Members, if you have more than two clarifying questions for the testifier, let's assess if they should be designated as a resource person due to their expertise, per our Council Rules. Staff, please call the first testifier.

. . . BEGIN PUBLIC TESTIMONY . . .

MS. LILLIS: Chair, we currently have one person signed up to testify, Fred Richards [sic].

MR. LAW: Aloha, kākou. Aloha, awakea. I'm testifying for my friend, Fred Richards, in Virginia. He appreciates you, Chair Cook, fixing the bench at the Kihei Aquatic Center, and also for helping Captain Parrish [sic] put this bill through, and make it easier for the County workers. And thank you for your...your Staff members too, behind the scenes working on that.

CHAIR COOK: Any clarifying questions? Okay.

MS. LILLIS: Chair that is the only individual currently signed up to testify. If anyone would like to testify at the beginning of the item, please let us know now. We will give a brief countdown...three, two, one. Chair, it appears no one wishes to testify at this time.

CHAIR COOK: Members, seeing that there are no individuals wishing to testify, without objections, I will now close oral testimony.

COUNCILMEMBERS VOICED NO OBJECTIONS.

. . . END OF PUBLIC TESTIMONY . . .

CHAIR COOK: As a reminder, written testimony will continue to be accepted into the record. Members, I'm proposing two rounds of three-minute questions per Member. Are there any objections? Thank you, Members. I would now open the floor to questions and discussions, starting with Councilmember Yuki Lei Sugimura.

VICE-CHAIR SUGIMURA: Thank you. So, I heard the resource, and his reasoning for having this. And what kind of examples of inspections do they do that is outside the normal business hours? But I support this. So is that --

CHAIR COOK: Hello, Mr. Purdy?

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VICE-CHAIR SUGIMURA: I know Mr. Purdy...Officer --

MR. PURDY: Thank you, Councilmember Sugimura. So, the inspections that we have would include fireworks inspections on outer islands, as well as possibly inspections for buildings or subdivisions that these contractors may be wanting inspections on the weekends or after hours, and we'd have to travel, whether it's to Lānaʻi or Molokaʻi, to do those inspections. Normally, what we try and do, if it's during business hours, we'll send an inspector over with multiple inspections for that island. If it's on...yeah, during business hours, we wouldn't charge them for those inspections. But if they're wanting an after-hour, or weekends, or holidays, then this would allow us to charge them those...those fees.

VICE-CHAIR SUGIMURA: Interesting. So, it's...if they specifically asked for it then, the odd hours and not during normal business hours, then this fee would be assessed?

MR. PURDY: Correct.

VICE-CHAIR SUGIMURA: Okay. Thank you.

CHAIR COOK: Councilmember Kama, any...

COUNCILMEMBER KAMA: Chair, I have no questions and I am support [sic] of this bill. Thank you.

CHAIR COOK: Thank you. Councilmember Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair, I just wanted to disclose I'm alone in Nāpili with my dog, and I...I'm not sure if this is an okay question to ask, but I'll let the lawyers figure it out. But would...you know, as Lāhainā gets rebuilt, would...and...and there's plenty of houses and things to build, would it be possible to exempt properties that burned down from these fires, even Kula, I guess, from this fee if...if they are, like 2,000 structures. There might be weekends or evening inspections...I don't know.

CHAIR COOK: Captain Purdy?

MR. PURDY: For residential?

COUNCILMEMBER PALTIN: Yeah.

MR. PURDY: Sorry. Thank you, Councilmember. For residential properties that are on...serviced by County water meters, we...we necessarily don't inspect on those...those properties. The only time we would inspect on a property would be if they were putting in some type of sprinkler system to help meet the fire flow demands. So, that would be the only time we would actually...the Fire Department would inspect a residential property.

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COUNCILMEMBER PALTIN: And one other question. So, it would be mostly for commercial, you're saying, and then, it's because these inspectors work like 8:00 to 4:45 Monday through Friday, or something, and then it would be overtime to have them inspecting otherwise?

MR. PURDY: Correct.

COUNCILMEMBER PALTIN: And...and so, the...the fee, is it comparable to the overtime wages?

MR. PURDY: Yes. So, our fee for after-hour inspections is \$75, with a minimum of two hours.

COUNCILMEMBER PALTIN: Okay. And this got mistakenly taken out, you said?

MR. PURDY: Yeah, correct. So, I...I believe what happened was during our amendments, and having them pass back and forth between Council and ourselves, that were...that wording was located towards the bottom of the page, and I think it had inadvertently got left out, because it was in between that transition between the pages.

COUNCILMEMBER PALTIN: Okay. And then, I was wondering if you could just repeat what you said, because I only heard the part about the after-hours part. Is...was there other portions?

MR. PURDY: Which part about the after-hours were you talking about? Sorry.

COUNCILMEMBER PALTIN: Was there more stuff that got left out of the bill besides . . . *(timer sounds)* . . . never mind. Thank you.

MR. PURDY: Oh, no, not...not the after-hours. That was the...what got left out was for the review for an exception for first and second dwellings served by the Department of Water Supply. That's what got accidentally left out. Nothing to do with inspections or the hours.

COUNCILMEMBER PALTIN: Oh, okay. Okay. Thank you.

CHAIR COOK: Councilmember Rawlins-Fernandez. No, I'm sorry, Councilmember Gabe Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. Good afternoon, Mr. Purdy. Thank you for coming today to speak with us. So, the question I have is, it's a two-hour minimum, and it's \$75 an hour, which is 150...if that's my understanding, it's going to be \$150. But in the bill, it says all the additional things, like airfare and hotel, they'll also be paying. So, it'll be 150 plus all of that other additional expenses?

MR. PURDY: That's correct.

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COUNCILMEMBER JOHNSON: Okay. And these are...like, these are just for inspectors coming, and of course, there's no inspectors on Moloka'i and Lāna'i; is that correct?

MR. PURDY: That is correct. So, any time Lāna'i or Moloka'i needs inspectors to inspect commercial business, or subdivision infrastructure, then we need to send one of our inspectors here from Maui over to the other islands.

COUNCILMEMBER JOHNSON: And I'm...I'm going on the assumption, but I figured I'd ask. Is...is the reason why Lāna'i and Moloka'i doesn't have any inspectors is because there isn't that big of a need, or is there any other reason?

MR. PURDY: Mainly for...there's not much of a need for those islands. But what...what we try and do is as those inspections come up, we try and put them all together and...and go over one time, so we're...

COUNCILMEMBER JOHNSON: Oh, okay. You know, I...I often hear that we need more inspectors. How is it...could you...can you speak on, like, how hard it is to recruit and retain our inspectors? Is...is there something that the Council can be doing to help you guys keep the...have...you're not always having so short of a number of inspectors?

MR. PURDY: Yeah, it...it's...a little has to do with...with the work schedule that we have, and you know, we've...a lot of the firefighters got into the business of firefighting because they want to be the guys who go out there and fight fires and help their community, hands-on type of things. And then our...us, as inspectors, we deal a little bit different with handling the community. You know, we try and make it safe for...to make sure that all these businesses are safe for everybody, and then also going out and making sure that all these infrastructures are also safe. So, you got a little bit...two different types of firefighting going on. We've got the guys who want the hands-on, and then you got the guys who are in our position, where we do a lot of...of bookwork, as...as you can say, you know, a lot of reading. So, we just got to find those guys who...who would want to be in the...to be able to do inspector's positions, and hopefully they want to stay here and do that. That's the guys that we're trying to look for.

COUNCILMEMBER JOHNSON: Yeah, I...I --

MR. PURDY: And hopefully, we can be and hopefully we can figure out a way to keep these guys retained.

COUNCILMEMBER JOHNSON: -- I...I agree with that. So, one...one solution that some of the other departments do, is they contract out a lot of things. Could...is a fire inspector something you would consider contracting out? . . .*(timer sounds)*. . .

MR. PURDY: That could happen. But for it to do that, we'd really have to sit down with the...the other inspectors and see how they go about inspecting, and if that would meet our...our needs and/or demands for our inspections.

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COUNCILMEMBER JOHNSON: Yeah, you guys have great standards. It's hard to match them. So, thanks. Thank you, Chair. No further questions.

CHAIR COOK: Thank you. I'd like to welcome Nohelani...Councilmember Nohelani U'u-Hodgins.

COUNCILMEMBER U'U-HODGINS: Aloha, Chair.

CHAIR COOK: And any questions? Councilmember Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. And then, Mr. Purdy, aloha. Mahalo for serving as a resource personnel. Oh, go ahead, Chair?

CHAIR COOK: Mr. Purdy, could you turn your camera on? Is that possible? Make it easier for us to communicate.

MR. PURDY: Sorry, Chair. I don't have a camera.

CHAIR COOK: Oh, okay. Okay. No can then.

MR. PURDY: Yeah, sorry.

CHAIR COOK: That's all good.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair.

MR. PURDY: So, I'll...I'll put in a request to get one.

CHAIR COOK: Member Rawlins-Fernandez, questions?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Mahalo, Mr. Purdy. So...and mahalo, Member Johnson, for starting that line of questions. That's where I was going for Moloka'i as well. For...okay, so it does say for outside normal business hours and/or distant locations. For the distant locations, like Moloka'i and Lāna'i, are they charged more?

MR. PURDY: So, thank you for the questions. No, that is basically the same rate that we charge for even if it's here on Maui. It's in the rates and fees. So, \$75 off-hour inspection, with the two hours minimum, so, there is no...no difference. The only difference would be the travel incurred. That might be the only fees that you would have to pay, for the accommodations. And then, apparently Public Works has that same type of language that they have. So, we're just basically trying to copy what they have in their books right now, to also apply it to our inspections.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay, yeah, so they are charged more. It's the same fee with an added --

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MR. PURDY: Same fee.

COUNCILMEMBER RAWLINS-FERNANDEZ: With an added --

MR. PURDY: Right. Added costs, I guess you would say.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- travel cost, that --

MR. PURDY: Correct.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- those on Maui island don't pay.

MR. PURDY: Correct.

COUNCILMEMBER RAWLINS-FERNANDEZ: So, is that something that we would have to correct in Rates and Fees? Because I don't think that's fair. We're all one county. I don't think that those on Moloka'i, Lāna'i, and Hāna should have to pay that additional fee. Perhaps it's something that we as a County can...can subsidize or do something, because I don't think that's fair if we're one county. And if you have any ideas, I'm happy to hear that. I'm happy to work with you before budget session starts because that doesn't --

MR. PURDY: Yes, we can look into that.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Great. Mahalo for clarifying that. Mahalo, Chair.

CHAIR COOK: Okay. Council Chair Lee?

COUNCILMEMBER LEE: Thank you, Chair Cook. Mr. Purdy, is it difficult to train others to be inspectors on the other islands?

MR. PURDY: It is. There's a lot of, I guess you could say, bookwork, that you've got to do; a lot of reading, and then a lot of applying the codes, so it does take some time. It's not like where it could be done within a week. This is something that you constantly learn as you go. You always think you know the answers...answer, but as you start looking into the books, you find out you don't know the answer. So, it's...it's not something that you can learn right away. It's something that's going to develop over a long time. So --

COUNCILMEMBER LEE: Mr. Purdy, thank you.

MR. PURDY: -- it is a little bit difficult --

COUNCILMEMBER LEE: Thank you, Mr. Purdy.

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MR. PURDY: -- to train the other guys.

COUNCILMEMBER LEE: Thank you, Mr. Purdy. Were you...did you --

MR. PURDY: You're welcome.

COUNCILMEMBER LEE: -- start off as a firefighter, and then become an inspector?

MR. PURDY: I did, yes. So, I started off as a firefighter, and then I got promoted into inspections.

COUNCILMEMBER LEE: So, what rank is that comparable to?

MR. PURDY: You start off as a Firefighter third grade.

COUNCILMEMBER LEE: And an inspector is comparable to a Captain?

MR. PURDY: An inspector is comparable to a Firefighter III.

COUNCILMEMBER LEE: Oh, Firefighter III. I see.

MR. PURDY: Yes.

COUNCILMEMBER LEE: Okay. And then you said you bunch these appointments together. Does it mean that some people have to wait very long to get their properties inspected?

MR. PURDY: No. Normally, it seems like they come in like little waves, where they come in all together. So, we try and hold off maybe a week or two, and if we don't get any more, then we'll send them out.

COUNCILMEMBER LEE: Okay.

MR. PURDY: So . . . *(inaudible)* . . .

COUNCILMEMBER LEE: Thank you. Thank you very much for your answers. Thank you, Chair.

CHAIR COOK: Councilmember U'u-Hodgins?

COUNCILMEMBER U'U-HODGINS: Thank you, Chair. Hi, Parrish, how are you? Well, I guess --

MR. PURDY: I'm good. Thank you.

COUNCILMEMBER U'U-HODGINS: Good. He's one of my favorites when I needed to work with the Fire Department to get things permitted. So, I'm happy to support this. I do have a couple of questions, so...and I missed the beginning. Sorry for that. We were

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in a separate meeting, but how are people going to know that they can ask for this after weekends, after-hours service? Where do they make the requests to, 48 hours in advance?

MR. PURDY: They can either make it through MAPPS, or they can also email us. Or if they are working with an inspector already, they can ask the inspector.

COUNCILMEMBER U'U-HODGINS: Okay. And then, when and how will these fees be collected? Like, how long do people have to pay for these fees? And then, are you going to be taking in those fees, or Public Works?

MR. PURDY: So, after the service is rendered, then we will send out a bill, and then they can pay us, and then we will collect those fees.

COUNCILMEMBER U'U-HODGINS: Okay. Okay. That's all I have. Thank you so much. Thanks, Parrish.

CHAIR COOK: Thank you. Councilmember Sinenci, questions?

COUNCILMEMBER SINENCI: Thank you, Chair, and mahalo, Captain Purdy, for...for being here, answering our questions. And as the East Maui representative, I, too, have some concerns about the equity of...of rural areas like ourselves. I know we already pay double for gas and...and for milk, so this would just add some more to our...our living costs in rural areas. You know, the...some of the Planning Department inspectors, they do inspections...inspections remotely. Could this possibly go remotely?

MR. PURDY: I think that's a little tough to do remotely for us. We like to get our eyes on it because we...we look at a lot of different things. And if they...the requester uses a camera or something, you know, they can always pan around, we might miss something. So, we'd rather do inspections in person.

COUNCILMEMBER SINENCI: Okay, yeah. The fear is that people won't want to go ahead, and just kind of bypass any type of inspection. Does...what about overgrown brush? Does that require a fire inspector? I...I --

MR. PURDY: Yes. So, any time anybody has...sorry.

COUNCILMEMBER SINENCI: No, go ahead.

MR. PURDY: If anybody does...if anyone complains about brush, we do send out fire inspectors to take a look at it.

COUNCILMEMBER SINENCI: Okay. And that is only when a complaint is made?

MR. PURDY: Correct.

COUNCILMEMBER SINENCI: Okay. All right. Thank you. Thank you, Chair.

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CHAIR COOK: Thank you. I have a question, Captain. These inspections that we're discussing are principally fire sprinkler and fire line inspections?

MR. PURDY: Yes. So, it's...yeah, mainly for those type of...those type of inspections. You know, a lot of times when these contractors are getting pushed to where they need to meet deadlines, that's when they start asking for these inspections.

CHAIR COOK: And then my second question. On average, how many...how...how many hours does it take to do an average inspection if it's like, say, in the Central Valley?

MR. PURDY: It all depends on what type of inspection we're doing. It could run from one hour for a small business. For a really big business, could run two or three hours. And it all depends on how many systems we're inspecting.

CHAIR COOK: Okay. Thank you. Members, is there a need for a second round of questions?

MR. PASCUAL: Chair, I'm seeing Member Paltin's hand and Member Rawlins-Fernandez's hand up.

CHAIR COOK: Thank you for bringing that to my attention. I apologize. Member Paltin, question?

COUNCILMEMBER PALTIN: Yeah, I just had a question about the exception, the second one, about the first and second dwelling served by the Department of Water Supply. Two questions. Why would that be an exception, and even in light of August 8th, is that still...still prudent?

MR. PURDY: So, that exception that you see there, is...lines up with the Water Department's wording that they have in their...in their bill, 14.04.020. So, we're just basically referring to what they have in their bill as well.

COUNCILMEMBER PALTIN: Okay. And then, the second part...I guess some folks were saying there wasn't water in the fire hydrants and stuff, so I just was wondering if that's still the prudent thing, like, to change the Water Department's bill to match the Fire Department's bill, instead of vice versa.

MR. PURDY: So, fire hydrants and water supply, all that has to come out of the...the...the Water Department. Basically, the Fire Department just assigns fire flows to buildings. So, the Water Department, I think, would be the ones to ask...or be asked that question.

COUNCILMEMBER PALTIN: Okay. Are they on the line today? Maybe we could correspond --

MR. PURDY: Not...not that I'm aware of.

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COUNCILMEMBER PALTIN: -- before we get to first or second reading on that question, if...in light of what's been going on, that we still think this is a prudent thing.

CHAIR COOK: Yes.

MR. PASCUAL: Chair, we can send out a correspondence to them.

COUNCILMEMBER PALTIN: Thank you. Thank you.

CHAIR COOK: Okay. Member Rawlins-Fernandez, question?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I would like to strike the section that says or...and/or distant locations. So, that whole section under...so, after the title, 1.7.7.8 there, and then after normal business hours and/or at distant locations, including Hāna, Molokaʻi, and Lānaʻi, subject to the availability of inspectors and transportation approval of the Fire Chief. Okay. So, I guess not that part, just the all the way up to Lānaʻi part, and then airfare on scheduled airline...so, the reimbursement of the business that would be having the inspection done. And then--sorry, I would like to hear any of your concerns with me striking that, and if you have the budget for it, or anything like that? Because I think right now, you're not doing that because you don't have this language in the bill and the Code, so it wouldn't be a change; is that a correct understanding?

CHAIR COOK: Captain Purdy?

MR. PURDY: Correct. So, you're just talking about for Hāna, Molokaʻi, and Lānaʻi? We're still keeping the after-hours fees; is that correct?

COUNCILMEMBER RAWLINS-FERNANDEZ: That's correct. Just taking out the distant locations.

MR. PURDY: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, do you have concerns? Sorry.

MR. PURDY: If the only concerns is that...you know, some of these...so, I'll give...for...for an example, fireworks displays on Lānaʻi. Most of the time, that's at night, right? So, we'd have the two-hour...two-hour fee for inspection. But then there's no flights after that to come back, so...and hotels. So now, the County has to pay for the hotels, and we'd also have to pay for the flights coming back. So that's one of the concerns. How do we, as a County, get reimbursed for something like that?

COUNCILMEMBER RAWLINS-FERNANDEZ: I see your question and your concern. I think that it's a lot cheaper to pay for hotel and travel, than to pay for the salary of an inspector being on Lānaʻi full-time and on Molokaʻi full-time. So, if we look at it as...in...in that way, as Member Sinenci pointed out, it's a matter of equity. I think it's

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a...a great deal that...you know, that we, as taxpayers are...are getting, by not having inspectors on our islands because I don't think it's fair that Moloka'i and Lāna'i businesses would have to pay more than a business . . . *(timer sounds)* . . . in Central Maui. So, it's a policy call. I'm happy to support additional funding to...you know, for travel cost, and I think that's...that's the more equitable thing to do. Mahalo, Chair.

CHAIR COOK: Thank you, Member. Okay, Member Sinenci?

COUNCILMEMBER SINENCI: Thank you, Chair. I just had a follow up on my...my question from the last...the last round. If...Captain Purdy, if there is a complaint about some brush, who pays for...for the inspector to go and inspect the...the overgrown brush?

MR. PURDY: If it's during normal business hours, we will make sure the inspector goes during business hours to check the complaint, so there would be no fee for that.

COUNCILMEMBER SINENCI: Okay. Got it. So...so, the majority of the additional costs is just during nighttime and not having that access back from the other islands; is that correct?

MR. PURDY: That's correct, yes.

COUNCILMEMBER SINENCI: All right. Thank you. Thank you, Chair.

CHAIR COOK: Members, any second questions? I...I have one, Captain. For a normal inspection, if you're called to Moloka'i or Lāna'i, does the County pay for transportation if it's during business hours?

MR. PURDY: Yes. We play...we pay for the flight and the boat ride to Lāna'i, as...and then, the flights to Moloka'i.

CHAIR COOK: Okay. Thank you for the clarification.

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair?

CHAIR COOK: Okay, Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. And to follow up on that question, because I asked that question earlier, but it wasn't answered. So, right now, without this bill, the County absorbs that cost without getting reimbursed; is...is that a correct understanding? And with the passage of this bill, then the Department can ask for reimbursement for the travel cost? No?

CHAIR COOK: Captain Purdy?

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, Mr. Parrish? Oh, sorry, Mr. Purdy.

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MR. PURDY: Sorry, Councilmember, my screen froze, so I missed the majority of your last part. Sorry about that.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. I'm happy to repeat myself. Right now, without this bill being law, the County absorbs the cost of travel, and with the passage of this bill, the County would then be able to ask for reimbursement for travel?

MR. PURDY: That is correct. Yeah, if it's after hours.

CHAIR COOK: Only after hours.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay, so during office hours, or doing [sic] operating hours, you don't ask for travel?

MR. PURDY: We do not. Yes. During operating hours, we do not ask for reimbursement.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Mahalo, Chair.

CHAIR COOK: Thank you. Thank you, Captain Purdy. So, at this time, the Chair would like to entertain a motion to recommend passage of Bill 66 (2023) on first reading.

VICE-CHAIR SUGIMURA: So...so moved.

COUNCILMEMBER KAMA: Second.

CHAIR COOK: Okay. So moved by Member Kama [sic], and seconded by Member Sugimura [sic]?

VICE-CHAIR SUGIMURA: Okay.

CHAIR COOK: Discussion? Oh. Chair Lee?

COUNCILMEMBER LEE: Yes, I was just wondering if someone is going to make an amendment regarding the payment schedule?

CHAIR COOK: That's --

COUNCILMEMBER LEE: It...it was discussed. I just wondered if somebody was going to make an amendment. No?

CHAIR COOK: Member Rawlins-Fernandez, did you want to make an amendment before --

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah, I'm...I'm going to make the amendment that I said earlier. I don't know if that's the amendment that Chair Lee was talking about.

CHAIR COOK: That is correct.

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COUNCILMEMBER RAWLINS-FERNANDEZ: Is that the --

COUNCILMEMBER LEE: Yes.

CHAIR COOK: I stand corrected. So, would you like to your motion?

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, okay, mahalo. I would like to make my motion. Mahalo, Chair. I move to strike "and/or at distant locations" in the title of 1.7.7.8, and then further down, where it says "and/or at distant locations, including Hāna, Moloka'i, and Lāna'i." And...okay, yeah, I think that...I think that's everything. So, that's my motion.

COUNCILMEMBER LEE: Second.

CHAIR COOK: Okay, motion made by Member Rawlins-Fernandez, second by Member Chair Lee. Discussion? Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I...I think I made most of the points for the rationale of this amendment. And mahalo, Chair Lee, for your second, and for your support of this. It's a matter of equity. I understand...using the example that Mr. Purdy cited, you know, the...you know, having a firework display on Lāna'i, who benefits? It's our...it's our community. And I know not every situation, there would be, like...you know, a tremendous benefit to our community, but we are one County. And I think it's important that...that our distant locations not be treated differently. They can be charged that after-hour cost, which I understand. But the travel, I...I don't think is fair. I don't think it's fair that Maui Island, at, you know, besides Hāna, would be charged one rate, and then Hāna, Lāna'i, and Moloka'i would have to pay additional costs for the same service. Mahalo, Chair.

CHAIR COOK: Chair Lee, discussion?

COUNCILMEMBER LEE: Not really. I agree with what was just said. And I...you know, we...we need to support the...the Islands of Lāna'i and...and Moloka'i, and the distance of Hāna. And I think it's fair that...that these costs be subsidized.

CHAIR COOK: Okay. Member Johnson, and then Member Sugimura?

COUNCILMEMBER JOHNSON: Thank you, Chair. I'll support this amendment, and I appreciate Councilmember Rawlins-Fernandez for initial...initializing it. The Lāna'i Pineapple Festival, we all...I think I've seen you guys there plenty times. And it's the fireworks, and the...the camaraderie, and bringing people back home, like a...kind of a homecoming of all of the Lāna'i alumni, the high school alumni. So that's a very important cultural practice that we do. It would be nice to...it's...ironically, because what will happen is, is the people who put it on get a grant from the County, and they would be paying those expenses anyway, so might as well do it this way. It's a little stream...more streamlined. Thank you.

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VICE-CHAIR SUGIMURA: Interesting.

CHAIR COOK: Member Sugimura.

VICE-CHAIR SUGIMURA: Thank you. So just for clarity, I support this. So, in section 1, what the motion...the amended motion does is delete “outside normal business hours and/or at distant locations;” is that right? Under section 1?

CHAIR COOK: Member Rawlins-Fernandez, you want to clarify your --

VICE-CHAIR SUGIMURA: Or...or Staff, whoever wants to clarify.

CHAIR COOK: Or Staff.

COUNCILMEMBER RAWLINS-FERNANDEZ: It just removes the distant locations, Member Sugimura.

VICE-CHAIR SUGIMURA: Only...or --

COUNCILMEMBER RAWLINS-FERNANDEZ: It’s the distant locations.

VICE-CHAIR SUGIMURA: Oh, okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: Not after hours.

VICE-CHAIR SUGIMURA: So outside normal business hours and...outside normal business hours remains, and delete “and/or at distant locations”? Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yes.

VICE-CHAIR SUGIMURA: All right. Thanks for the clarification.

COUNCILMEMBER RAWLINS-FERNANDEZ: You’re welcome.

CHAIR COOK: Any other discussion? Chair...Chair has a comment. I think the...I understand the concern. I was very concerned about this initially because I thought potentially the inequity of it. The fact that it’s principally...I’m going to look at like the hotel on Lānaʻi. Any...any commercial endeavor normally is the ones who are going to be asking for special treatment, special rates, causing the County extra money, as opposed to simply being able to wait. So, they have the discretion to pay the extra funds, or to wait and get it done within regular time. Your comment about the County subsidizing it one way or another is accurate, but do we really want to be subsidizing commercial enterprises that happen to be in the remote locations asking for special treatment? I think that’s the intent of this, so I just want to share that. I don’t think it’s intended to be discretionary in my discussions with them. So, I won’t be

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supportive of this, and...for that reason. I understand it, but I don't think that this would be used punitively for the people of Moloka'i and Lāna'i. Should we have our --

VICE-CHAIR SUGIMURA: Okay.

CHAIR COOK: -- roll...

VICE-CHAIR SUGIMURA: Oh, you ready to vote? Can do a voice...voice vote?

CHAIR COOK: Voice vote?

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair?

VICE-CHAIR SUGIMURA: Roll call.

CHAIR COOK: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair? Chair?

CHAIR COOK: Member Hodgins, and then you. Go ahead.

COUNCILMEMBER U'U-HODGINS: Sorry, thanks. I guess this question is actually for Member Rawlins-Fernandez, but on the bottom, where it says airfare on a scheduled airlines, that's really only applicable to Moloka'i, Lāna'i, and Hāna, right, for travel? Did you want to remove that too, or do you want to leave that in? Because right now, if we just move in...or move the distant locations, on the bottom, where it says, you know, subject, but not limited to, or rather shall...could include, but not limited to, airfare, right? Only...only the off-island places would require airfare. Is that something you might want to remove?

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair?

CHAIR COOK: Yes. Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Yeah, I...I would ask Mr. Purdy to comment on that. When I was asking him about that earlier, I wasn't sure if anything else would be applicable for that reason. So, I didn't want to remove that without him sharing any concerns. Mr. Purdy? Chair?

CHAIR COOK: Would you like --

COUNCILMEMBER RAWLINS-FERNANDEZ: If you wouldn't --

CHAIR COOK: -- would you like to just ask him that now?

COUNCILMEMBER RAWLINS-FERNANDEZ: Yes, mahalo.

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CHAIR COOK: Captain Purdy, are you following the conversation, and could you address the question?

MR. PURDY: I believe so. Councilmember Rawlins, you're asking if we should delete out the airfare?

COUNCILMEMBER RAWLINS-FERNANDEZ: I'm asking if that would be consistent. I didn't want to remove that if it was not consistent with the reason that I'm removing the distant locations...for...for airfare and for meal allowance, accommodations.

MR. PURDY: Yeah. So, if...if we --

COUNCILMEMBER RAWLINS-FERNANDEZ: So...okay, I'll...I'll...I'll rephrase the question.

MR. PURDY: Sorry.

COUNCILMEMBER RAWLINS-FERNANDEZ: Does the reimbursement...“such reimbursement may include, but not limited to, employee overtime, airfare on a scheduled airline, travel per diem, meal allowance, automobile rental, employee fringe benefit, accommodation, and administrative costs” only involving when you work...or when the inspector goes to Hāna, Molokaʻi, and Lānaʻi? And if so, then I'll delete it. But if...if not, then I won't delete it.

MR. PURDY: Yes. It's only when they...it would be going to those outer islands, basically, yeah. So, if we were to delete it out, then the County would be absorbing those costs for those inspections off-hours. Yeah. And then, the contractors wouldn't have to pay for those...for those inspections, or for those items because of it.

CHAIR COOK: . . .*(inaudible)*. . .

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Mahalo for that clarification. So, Chair, in light of that, I will include that section to be removed as well in my motion, if Chair Lee --

CHAIR COOK: Chair Lee, accept that proposal?

COUNCILMEMBER RAWLINS-FERNANDEZ: -- supports that.

COUNCILMEMBER LEE: Yes, second.

CHAIR COOK: Okay. So, we ready for a roll call vote? Okay. Member Kama?

COUNCILMEMBER KAMA: Yes.

CHAIR COOK: Member Sugimura?

VICE-CHAIR SUGIMURA: Yes.

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MS. LILLIS: Chair, it does appear as though Councilmember Paltin has a comment.

CHAIR COOK: Oh, I apologize. I'm sorry, Tamara. Councilmember Paltin?

COUNCILMEMBER RAWLINS-FERNANDEZ: And...and Chair, I had my hand up earlier, and then Member U'u-Hodgins asked me a question, so that wasn't my turn. But after Member Paltin, I would like to have my second turn. Thank you.

CHAIR COOK: Okay, no. Fine. Councilmember Paltin?

COUNCILMEMBER PALTIN: I just was disclosing that I got a minor and a...right here in the room.

CHAIR COOK: Okay. Thank you. Okay, Councilmember Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. It was a question for you. I...I wanted to better understand what you mean by "special treatment" when you explained why you wouldn't be voting in support of the motion to amend?

CHAIR COOK: Okay. Thank you for the opportunity to clarify. I look at this as a gift to contractors and developers on Moloka'i, Lāna'i, and Hāna --

MR. PURDY: Bingo.

CHAIR COOK: -- that they would be able to be loose in their scheduling, and not be diligent in conforming to the Department's timeline. That...that's it. This would enable the Department to not be at their beck and call, and the County to be absorbing the additional costs, so that's my reasoning. It isn't...it isn't for the average person on Lāna'i or Moloka'i for *(audio interference)*. Who is that?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. It sounds like Mr. Purdy is agreeing with your comments. And so, when I asked Mr. Purdy if he would share with us his concerns, I was hoping that if that's something that is included in his concerns, that he would have been clear about that. And if that's something that the Department feels that that's what it is, a gift to the contractors, then please explain that to us better, or we can take a recess, and I'd be happy to talk to you offline, so that I can better understand what it is that you're concerned about.

MR. PURDY: Sorry, Councilmember. Yes, that is our concerns, is that, you know, we don't want Maui County to absorb these costs that these contractors could be walking away from, just so that they can make their timelines and...and burdening the costs for the taxpayers, yeah. So...so, that's probably our biggest concern that we've got with...with doing...sorry...doing inspections off hours in...on...on other islands, is because exactly what Councilmember Cook said, for those reasons.

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair, may I request a recess, please?

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CHAIR COOK: I suggest we take a five-minute recess. The time is now 2:39. We're going to make a six-minute recess, yeah. 2:45, we coming back. Thank you.

MR. PASCUAL: Chair, could you gavel out, please?

CHAIR COOK: . . .*(gavel)*. . .

RECESS: 2:40 p.m.

RECONVENE: 2:47 p.m.

CHAIR COOK: . . . *(gavel)*. . . Okay, Members, we're...I gaveled in? Yeah. Okay. We have a motion on the floor, and Member Rawlins-Fernandez was going to have a discussion to get clarity with Captain Purdy. So, Staff, what's the appropriate way forward?

MS. LILLIS: Chair, we were going to request Councilmember Rawlins-Fernandez to restate the motion, and it appears as though she has not rejoined the meeting at this time.

CHAIR COOK: There you are. There's Member Rawlins-Fernandez. I acknowledge you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. So, I was able to get some clarification on what's been going on. So, it sounds like this is just for fireworks, and there's really no other reason for after-hours inspection. Mister...Captain Purdy?

CHAIR COOK: So, does your motion stand on the floor?

MR. PURDY: *(Audio interference)*.

CHAIR COOK: Wait, there's...Captain Purdy?

MR. PURDY: Thanks, Councilmember. So, fireworks has been the biggest one that's--that we've been encountering --

COUNCILMEMBER RAWLINS-FERNANDEZ: Is there anything else that you do after-hours inspection for?

MR. PURDY: We do after-hour inspections for, and we can, any inspections that has to do with commercial buildings. So, we've had a couple requests on Lānaʻi for those as well, as...for the commercial part of things, as...as well as subdivisions. We've had those requests on Lānaʻi. So, we're trying to encompass everything, not just fireworks. Because we see it in the future that this may happen more...more frequent, as far as building inspections.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Because I'm trying to understand the special treatment that the Chair referenced, and I'm...I'm trying to ensure that Molokaʻi and Lānaʻi are not treated inequitably. And one way, perhaps, we can

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consider getting around this, is if there's a community firework display that...when a grantor is requesting a grant from the County, that we provide a subsidy in that way. Yeah, but if there's other things that are happening, I...I...again, I'm trying really hard to work with you on this, but...

MR. PURDY: Yes, Councilmember. I understand your...your concerns about that, and about having the taxpayers burden any type of cost that they may benefit. But we're mainly looking at businesses, or commercial parties, that may benefit from not being charged these accommodation fees.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. So, is there a reason that the bill didn't just explicitly say that?

MR. PURDY: I'm not exactly understanding what you mean by that. Why does it not say that?

COUNCILMEMBER RAWLINS-FERNANDEZ: What you just explained for commercial activities.

MR. PURDY: Well, because that's...that...for our inspections, basically, we cover a variety of types of inspections. So, it's...it could also mean...it could also be for homeowners that may...excuse me, not homeowners, commercial entities that need these inspections for homeowners if they put in sprinklers. So, we've got a variety of inspections, not just for fireworks, although fireworks is the biggest, or main draw, that we have currently, or it was currently until we had the fires. That was the biggest one that we've been having almost consistently monthly.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Captain Purdy, how about something like this? Inspections for commercial activities outside normal business hours, and...and/or at distant locations?

MR. PURDY: I think that could work. We'd have to check with our Corporation Counsel on that.

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair, can we ask Corp. Counsel?

CHAIR COOK: Staff?

MR. PASCUAL: Chair, I believe Caleb Rowe is online with us, yep.

MR. ROWE: I am online, sorry about that. Sorry, could...could you repeat what the question was?

COUNCILMEMBER RAWLINS-FERNANDEZ: It sounds like the issue is regarding commercial activities. So, instead of it being so broadly stated in the bill, can it be more specific: Inspections for commercial activities outside normal business hours, and/or at distant locations?

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MR. ROWE: And Captain Purdy, I'm...I'm sorry, and I think you...you may have answered this already. That you're...you're stating that this really only applies to commercial activities; is that correct?

MR. PURDY: Yes.

MR. ROWE: Okay. You know, with that representation, I don't see any problem with that, Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Mr. Rowe. Chair, I'd like to withdraw my motion.

CHAIR COOK: Okay. Members, Any objection?

COUNCILMEMBER LEE: Yeah, no objections --

CHAIR COOK: Okay.

COUNCILMEMBER LEE: -- to the second as well.

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair?

CHAIR COOK: Member Rawlins-Fernandez.

COUNCILMEMBER RAWLINS-FERNANDEZ: I'd like to...I move to add "Commercial activities" after "inspections" wherever appropriate, to read "Inspections on commercial activities outside normal business hours, and/or at distant locations."

VICE-CHAIR SUGIMURA: Second.

CHAIR COOK: Okay. Motion made by Member Rawlins-Fernandez, second by Member Sugimura. Discussion.

VICE-CHAIR SUGIMURA: Makes sense.

COUNCILMEMBER RAWLINS-FERNANDEZ: No further discussion.

CHAIR COOK: Okay. Member Sinenci?

COUNCILMEMBER SINENCI: I just was wondering if we needed "or," and just have "and" at distant locations. Does that make a significant difference?

MS. LILLIS: Chair, Staff will be doing plain language edits to this bill, and we do foresee that edit.

CHAIR COOK: Okay.

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COUNCILMEMBER SINENCI: Okay. Thank you.

CHAIR COOK: Okay. Any comment from Captain Purdy on this proposed amendment?

COUNCILMEMBER LEE: Member Paltin has her hand up.

CHAIR COOK: Oh, Member Paltin, I apologize. You're recognized.

COUNCILMEMBER PALTIN: Thank you, Chair Cook. I just don't want to vote for fireworks inspections...for the County paying for fireworks inspections anywhere. So, is this...is this I vote yes for, and that would do that?

CHAIR COOK: Could you clarify your question?

COUNCILMEMBER PALTIN: A little gun-shy on fireworks. I'm not super, like, for fireworks, and so I don't want to subsidize any kind of fireworks show.

CHAIR COOK: Yeah, we --

COUNCILMEMBER PALTIN: So, this motion would allow us to not subsidize fireworks?

CHAIR COOK: That is my understanding.

COUNCILMEMBER PALTIN: Perfect, thank you.

CHAIR COOK: Is that correct, Member Fernandez? Your intent?

COUNCILMEMBER RAWLINS-FERNANDEZ: Commercial activities...I'm sorry. Fireworks only happens after hours, not during the daytime. So, that's my understanding, and if anyone . . .(inaudible). . .

CHAIR COOK: Okay. So, we have a motion on the floor, we have a second. Staff?

MR. PASCUAL: Chair, would you like us to do a roll call vote?

CHAIR COOK: Okay. All in favor?

COUNCILMEMBERS: Aye.

MR. PASCUAL: Chair, you have nine "ayes," zero "noes," motion passes, and you are now back to the main motion as amended.

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

NOES: **None.**

ABSTAIN: **None.**

ABSENT: **None.**

EXC.: **None.**

MOTION CARRIED.

ACTION: **APPROVE AMENDMENT.**

CHAIR COOK: Okay. Main motion --

COUNCILMEMBER LEE: As amended.

CHAIR COOK: -- as amended. Member...Vice...Member Sinenci, second by Member U‘u-Hodgins.

COUNCILMEMBER SINENCI: Just a discussion, Chair?

CHAIR COOK: Discussion.

COUNCILMEMBER SINENCI: Yeah, I...I was...just wanted to make clear, and my comment about the or, do we want to go ahead and charge for after-hour inspections everywhere?

CHAIR COOK: Well...

COUNCILMEMBER SINENCI: Was...that was part of the...okay. All right. Thank you.

CHAIR COOK: That’s my understanding of the intent.

COUNCILMEMBER SINENCI: Tamara?

CHAIR COOK: Okay. Is it...we all clear on it?

COUNCILMEMBER LEE: Tamara’s hand is up.

CHAIR COOK: Oh, Tamara. Excuse me, Member Paltin.

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COUNCILMEMBER PALTIN: Thank you. And just for my discussion, I'll be supporting this bill at this time, and I look forward at first reading to...or through email, get the correspondence from the Water Department to determine how my vote at first reading will be.

CHAIR COOK: Okay. Thank you. Any other discussion? Call for the vote? Okay. All those in favor?

COUNCILMEMBERS: Aye.

MR. PASCUAL: Chair, you have nine "ayes," zero "noes," motion passes.

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: None.

MOTION CARRIED.

**ACTION: Recommending FIRST READING of Bill 66, CD1
 (2023).**

CHAIR COOK: Thank you all. Thank you, Captain Purdy, for being with us today. This item will move on to full Council. Members, because...ready for the next one?

**WAI-1(8): STATUS REPORT FROM THE PERMITTING PROCESS WORKING
 GROUP**

CHAIR COOK: Members, because the Office of the Mayor is here, and Ms. Lallo and Ms. Landgraf are present at the meeting, my intent is to focus on the status update and progress report from the group of their findings to improve the permit process. At this meeting, it would be of interest to everyone's time to tailor your questions for Ms. Lallo and Ms. Landgraf while they're here. This is just the first status report from the working group, and I am certain there will be more to come in the future, for future discussions. Members, I would like to have Ms. Lallo and Ms. Landgraf provide any opening comments and remarks on the working group's findings. Welcome to both of you.

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MS. LALLO: Good afternoon, Council. Nice to see you all again. And thank you for inviting us in relationship to the Permit Working Group. This working group was pulled together in coordination with the Office of Management and the Office of the Mayor in May, and we had internal and external working groups pulled together to really take a look at the permit process, and all of the pieces and parts of it. And if you know anything about it, there's certainly more than anyone thinks...and anyway, trying to pull that apart to create some efficiencies and some effectiveness in relationship to that process. And we were on a pretty good clip, and came through the...the working group with, I think, some pretty solid problem solving and suggestions. So anyway, doing a quick overview of that today, and certainly welcome any questions that you might have. So next slide, please. So, the Permit Working Group, like I said, was created in May of 2023, internal and external groups. Initially, those groups met independently, the internal working group pulling together those people that are boots on the ground in relationship to the permitting process, not just our directors or deputies. The external working group was created, and came from many sectors, and we'll take a look at that. There were some focuses, some special focuses. Certainly, we have the MAPPS...the MAPPS tool, and we need to remember that that's just a tool, and that has been up and running for a titch over a year. So, when we have a new data system, after a year is when we usually start working out the...the issues that we have with them. And we were certainly able to identify some issues with the MAPPS tool. In addition to that, we took a look at departmental policies, also standard operating procedures in each one of the departments. What was interesting is, is that some of our departments have policies, working policies, and some of them do not. However, most of those policies are not known to the folks who are submitting for permits. So, that makes it really difficult. All of that information is not located in one area, and often what happens is, this is against departmental policy, and the architects and the developers are like, well, what policy is that? So, anyway, that was pretty interesting. And then also, taking a look at any focus on legislation that might be created as a result of the...of the...of the suggestions in relationship to problem solving the issues with the permit process. Next slide, please. So, who we are; the private sector, consultants, union reps, contractors, plumbers, attorneys, architects, developers, also some private citizens that are, you know, focused on innovation...and then certainly, our departments...all of our departments that are related to permit...per...excuse me, related to the permit process. So again, each one of these groups met independently, and then we began working together, and that was an interesting group dynamic. But we...storming, norming, and performing, we followed all of those, and actually got to some good work. Next slide, please. So, what was really interesting is we asked both the private sector and our...our internal working group or departments, what are the biggest issues, right? And you see this Venn diagram here. This is from a brainstorm that we had, and you can see all of the issues there in the yellow are from the private groups, all of the ones in the blue are from our County Departments, and then the ones in the center in the green there, those are where we overlapped. So, largest issue for our County Departments was quality of submissions...quality of submissions. So, if we could increase the quality of the submission, then we could get through the process much more effectively and efficiently. And so, communications, you see that whole clarity component, and the

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fact that it just...the process takes entirely too long for everybody. So, this is what we started off with. Next slide, please. And then we defined what does success look like, right? So, if we get these groups together internally and externally, if we succeed in our objective, what does that look like? Short-term, catching up and clearing the list. So, this is the list that we're referring to. Here is the list that's in MAPPS, all of those folks that are pending permits. The medium-term, certainly efficiencies for process and workflow, and then changes in policy. And then, the long-term certainly would be...would be a process that keeps health and safety at the...at the forefront, but also is efficient, so we're not waiting for a year or two years, those kinds of things, for a permit, especially during a housing crisis. Next slide, please. So, here's just...here's just a piece of some of the...the working group's problem solving around what happens when you submit a permit, and receive a permit, and then the administrative component of this. We're hoping to get through, and have gotten through, the first two pieces of this, and definitely looking at potential legislation that could support this, in addition to changes in policy. Next slide, please. So, the think tank solutions, and I think this is what I would be most interested in if I were you--and Priya, just jump in if you want to, you just click that little button. Yep. She's got the button, okay, right. Yes. Priya is huge. We tag teamed this with Keku Akana...Managing Director Keku Akana, and the think tank solutions. So, with the internal and the external groups coming together, we actually asked our departments, what would it look like if we told you tomorrow you had to decrease your list by 50 percent? What would you do? So, after a large gasp, anyways, they began working and saying, okay, how could we make this more efficient? Taking again, a look at those policies and those procedures, and also, one of the things that we looked at was managing our utility. Right now, when you put in a permit for a lanai, let's say, right, and you're not adding any additional water fixtures or anything, it still has to go through Water, right. And it's like, hmm, why does the lanai permit need to go through Water? Well, the Water...Water Department uses the opportunity to come and to take a look at what's going on on your TMK, and really managing the utility, TMK by TMK, as opposed to taking a look at it in a geographic region, right? So, for efficiencies and also, when we take the water utility and look at it as a...as a complete system, if we could manage it...again, you know, any up...upgrades by geographic region, right, you know. As opposed to one at a time, it would be much more efficient, and would probably work better in relationship to the management of the overall system. So, one thing there with Water. Some of our Water...some of our Water documents, some of their resource documents are still hard copy, so not everything is digital, and that digital conversion, right. So, if you wonder, right, they're going through the archives, right, to pull some of that information, which is a huge issue. And so, some other things that we also came up with in relationship to more efficiencies is, when you come in for a permit, if you have to make any changes within that MAPPS system, it kicks you down to the bottom of the list. Let's not do that, let's just finish it, right. Let's just seal the deal on those. And so that was a big piece. Priya, do you have anything to add? You're on.

MS. LANDGRAF: I'm...I'm on? Another interesting thing we found was there are ways to flag. So, using Water as the example, again, they have the ability to flag if they are measuring the utility against the TMK. So, we thought, let's create another checkbox.

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Well, when we went to run that report, before we went and created another checkbox, we found out that there are 67,000 existing flags. And so, departments were asked, let's start clearing that list of flags as well. Flags should really be used, but then checked against. So we were...or are in the process of getting that list down. Mind you, a lot of this was migrated over from Kiva, prior to MAPPS. So, there is a bit of data cleanup, if you will. Again, MAPPS is a little over a year old, so that data migration will just take some time to get through, but we are working through it.

MS. LALLO: Priya is the data person. Thank you, Priya, for that add. Let's see, I'm trying to think. Oh, also, in relationship to working through the process, it was the reduce your list by 50 percent, what would that look like? Let's not kick people down to the bottom of the list. And also, what would it [sic] happen if we...so we all know that retention and recruitment is an issue at the County, right? So, we're down a few friends. How do we increase the bandwidth of each one of our departments, right? And certainly, we know that we've got the retention and recruitment project happening. But also, what would it look like if we went to a third party? You know, I know that we have some folks over in Honolulu that have done this with some success, and some friends, not so much success. But like anything, you've got to find the right pair of shoes, right? So, we've got to make sure that we just are not dismissing that option, that we're actually vetting that option, and doing our homework on third-party...third-party options to increase bandwidth. So, those are some of the things that we came up with in relationship to the think tank solutions. We were just getting ready to implement some of those right before August 8th. And I do want to address the...the situation that we're...that we find ourselves in now, right. Before, we definitely had a housing crisis, and we experienced this incredible tragedy in our community, and it's leaving us with a, you know, heavier, heavier lift here with this housing crisis. So, in relationship to a rapid permitting process, we have talked to several other counties that have dealt with this in relationship to fire and fire recovery, and we have those models to take a look at and to shift over to. So, the Departments, together, and the Office of Recovery is looking at a rapid permitting process. Also, taking a look at what process do temporary structures need to go through, because obviously that's an issue as well, in relationship to immediate and middle-term housing. Next slide. Okay, Priya, you want to take this one?

MS. LANDGRAF: Sure. So as Cynthia mentioned, we were on the cusp of executing some of the think tank solutions. And literally, one of the great meetings we had was on Friday, August 4th, with some of our internal teams of actioning [sic], go on that list with approval from Managing Director Akana. That was Friday, August 4th, that we were ready to start highlighting, cutting lists in half, et cetera. We were actively pulling those lists from MAPPS with the help of our IT Departments and teams that knew MAPPS very well. Those lists were pulled, and started to get sorted and emailed, and then August 8th happened. So, as of maybe a week or two ago, we did pick up where we left off, tried to revisit our departments to just see what their bandwidth was. Some are in different places than others, but we also reached out to our private sector. And so, this Wednesday, October 4th, we will be meeting with our private sector working group just to see where they are at, share common ground, hear any ideas...largely, just have an open discussion of what it looks like to pick up where we

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left off, but also address the immediate needs of our community, and what recovery looks like.

MS. LALLO: Awesome. Thank you, Priya. So...so, yes. So, we're getting ready and going. And I want to let you know that we have had AIA, which is the architect's group, right, come forward and be willing to work with our...our community members that were underinsured, or not insured, to help them with the permitting process when...when it's time for that pro bono. So, we're very grateful for them for stepping forward. So, architects and engineers from our working group have also stepped forward, and pretty much anything you need, we're ready to go, which has been...which has been super helpful, and we'll continue to work with them and the Office of Recovery in the rapid permitting process. Next slide, please. Thank you. That's all we got. But we would be happy to entertain any questions. I have to tell you that this process is huge, and we could talk for days about this, and the work that the working group has been doing. So, we just wanted to give you a little taste and an update, and we hope to, I would say probably in the next three weeks, have some solid motion. We have to remember that our departments, their focus has been split, right, to where we were asking them to really press on this permitting process. Now they've got some more things on their to-do list, right. So just trying to be compassionate about that, but still get some work done. And I know you all know what that feels like. So, any questions?

MS. LILLIS: We would need to open up testimony first.

MS. LALLO: So sorry.

CHAIR COOK: Thank you, Ms. Lallo and Ms. Landgraf. We will now move on to testimony, and then we'll have some questions. At this time, I would like to open public testimony for WAI-1(8). Members, if you have more than two clarifying questions for the testifier, let's assess if they should be designated as a resource person due to their expertise per our Council Rules. Staff, please call the first testifier.

MS. LILLIS: Chair, it appears no one wishes to testify on this item at this time. If anyone on BlueJeans or in the Council Chamber wishes to testify. Please let Staff know now. We will give a brief countdown...three, two, one. Chair, it appears no one wishes to testify.

CHAIR COOK: Okay. Any objections to closing public testimony?

COUNCILMEMBERS VOICED NO OBJECTIONS.

CHAIR COOK: Okay, Members, I'm proposing two rounds of three-minute questions per Member. Any objections? Okay. Chair Lee needs to leave very soon, so I'm going to allow her to ask questions first.

COUNCILMEMBER LEE: Thank you, Chair. Thank you for the presentation. So, I'm wondering, are you prioritizing certain permits, or are you going in chronological order?

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MS. LALLO: That's a great question, one that we've debated for quite some time. So, we actually talked about pulling out commercial...commercial, excuse me, into one category, and having an outside process for that when we were talking about adding that third party, right, but one that they would have the opportunity to fund, if you will, right, if they wanted to be in that...in that category. So, that's one option. So, in relationship to residential, especially right now, right, and multifamily, we'll need to look at prioritizing that.

COUNCILMEMBER LEE: Could you let us know if you need help with revising any of the ordinances so that we can truly expedite the permit process? Because you'll probably find some...some of the processes are duplicative, and some not even necessary these days, and the...the people are going to need extra help because, you know, time is not on our side, and we need to get as many people housed as...as quickly as possible. Not...and when I say housed, I don't mean in hotels, yeah. And so, we have some big projects on the West Side, and some big projects here in Central Maui, that really need some...some extra push, and so whatever you can do. And I'm sure the Council here would be happy to try and accommodate anything that would help the Administration move these projects as quickly as possible, yeah. That's all I have. Thank you, Chair.

CHAIR COOK: Thank you, Member. Councilmember Sugimura, questions for discussion?

VICE-CHAIR SUGIMURA: Thank you...thank you very much for working on this, right, MAPPS. It's been...it is a subject, I will tell you, that every time we brought up MAPPS, for as long as I've been in this...in this seat, we would have Member Cook--at that time, he was just Tom Cook--he would testify. So that used to be his favorite subject, I said, because every time, he would show up. So here we are. One of the problems with MAPPS is that when it was launched last year, I remember asking, are we going to do education in the community? And it was not done. It...we...we were told, yes, but it was not done, I'm told, by the...the users. So, are you going to do anything with education?

MS. LALLO: Great question. Thank you. Yes, we have talked about revamping. Right now, there are little video snippets, right, digital training, and we don't think that that's enough. We need to pull people together and have those conversations, hopefully in person; training is best done that way. In addition to that, we're also looking at a concierge service. So, kind of like when you go to the DMV, you know, and you meet that first person, they're like, why are you here, and do you have all of your documents, right. We're looking at the same process for a permitting process...going through that DSA, you know, when you're in there, and also revamping that checklist, right. So that's going to help. But fine, if we change the system, but if we don't tell anybody about it, then why bother, right?

VICE-CHAIR SUGIMURA: Correct.

MS. LALLO: So, the education component is going to be key, and that's come up through the working groups.

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VICE-CHAIR SUGIMURA: Very good. So, one more question, or...what I found out, by going through this disaster, is that there's possibly FEMA funds available to take us through this housing, and it is something that I'm planning on inviting Bob Fenton to my October 17th meeting, and it's one of the things that I have mentioned. And I hope that we can utilize this opportunity to then expedite our process. And I really think two processes, right, because you have all the people waiting in line already, and then you have all this new thrust, really, because of the urgency that came about through the wildfire. And I don't know if it can go simultaneously because you would hate for all these people who have been waiting, all of a sudden now they crash (*audio interference*), sorry, to the bottom of the line because of the wildfire, which we want all of it, right? So how do we get all of it, you know, so that the existing people can have their...their work done, as well as the wildfire?

MS. LALLO: We're looking at a para...thank you. We're looking at a parallel process, right, that...that both of those will be raised up. That's why the need for that third-party option possibly, right, because we still only have so many friends to do the work, right. So, increasing that bandwidth. And certainly, we will be leveraging absolutely every Federal resource that we can, from funding otherwise. . . .(*timer sounds*). . .

VICE-CHAIR SUGIMURA: Thank you.

CHAIR COOK: Member Kama, questions?

COUNCILMEMBER KAMA: Thank you, Chair. So similar to what Member Sugimura said, so you have people who have...and commercial developments, and even developers, right, who already have stuff in the queue. And then we have all this new stuff that's coming up. So, when you talk about prioritizing, and you talked earlier about there's a commercial, and then there's a residential, and then this. So, will you be prioritizing based upon the date of their application, or are you going to prioritize based upon what you think is most important first?

MS. LALLO: Thank you for that question. And I can't be definitive on this answer, but I can tell you about what we're discussing. So, anything that is in queue...because the objective is, is to get as many units online as possible, as quickly as possible...again, health and safety, right, as our...as our priority there. So, anything that's in the queue that is a multifamily, that's...you know, that's, like, ready to go, to begin to press that and to support that, right. That only makes logical sense. So, that's the conversation. In addition to that, we also have folks that are in relationship to ADUs, and all of those kinds of things, right. Again, as many units online as quickly and safely as possible.

COUNCILMEMBER KAMA: So, if...if a...if a particular permittee is ready to go, and they're just waiting for somebody to sign the document, it's like low-hanging fruit, right? And so that's...so, you'd want to be able to get all that stuff out of the way real fast, real quick, right?

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MS. LALLO: . . .*(nodding)*. . .

COUNCILMEMBER KAMA: Okay. That's it. Thank you, Chair.

CHAIR COOK: Member Paltin, would you like to ask questions?

COUNCILMEMBER PALTIN: Thank you. In Member Sinenci's Committee this morning, we heard about a three-year process for a preschool, and I think we're also in an early childhood education crisis as well, so I was wondering about...about pushing those to the front of the list as well?

MS. LALLO: Thank you for that question. Again, I can't give you a definitive answer on that, there's a lot of balls spinning in the air. But in relationship to anything related to children, youth programing, school, all of those kinds of things, right, we can't get people back to work unless their babies can be taken care of, right. So, that piece is going to be very, very important, and one that we're looking at to expedite as well. But here's the thing, right, if we expedite everything, nothing's expedited, right? So, we just want to make sure that we're balancing that. But absolutely, right now, housing and childcare, our keiki programing, is priority during this transition time between the response and the recovery. We're kind of in this wonky time, right, where we've got to get some...get some things nailed down, and that is definitely one of them.

COUNCILMEMBER PALTIN: And then, I didn't catch the part that you had said about the Lānaʻi [*sic*]...or the lanai on people's houses having to go through the Water Department? I didn't understand what you were saying.

MS. LALLO: Yeah, sure.

MS. LANDGRAF: She was talking about your example.

COUNCILMEMBER PALTIN: If you could clarify?

MS. LANDGRAF: Like, what--so the...the way permits were being looked at is that every single permit went to the Water Department's desk...every single one. Some departments went through their list, and they were like, we don't need to see anything to do with this, this, and this. Water Department, at one point, wanted to see everything--and for good reason--but we're taking a look at what can be let go while keeping health and safety in mind, and can we better use those flags, if you will, to mean something, so that it's not getting lost in the 67,000 other flags out there. Like how do you pull for one type of instance versus another? Does that answer your question?

COUNCILMEMBER PALTIN: Kind of. If you guys stop that from happening now, where it doesn't have to get reviewed by a department that doesn't have anything to do with the project at hand? I...I guess I still don't understand what was the very good reason that Water Department would--or any department--would review every single permit if they didn't have any reason to be involved in the process.

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MS. LANDGRAF: So, for example, with the lanai or added deck, one might want to know, because that deck may run over a piece of plumbing, a water line. And depending on the weight, if they're adding a roof, or depending on the type of material, that weight . . .(timer sounds). . . could crush that line. That would be bad. One thing we're looking at is onus or responsibility. You know, if it's a licensed contractor or plumber, should they be the one signing off and taking that off of our department's job to review, if they have that stamp of approval. So that's when we go back to that checklist, policies, and what can we do to get better-quality submissions from the get-go to alleviate all these reviews?

COUNCILMEMBER PALTIN: Thank you. That was my time, but I understand more better.

CHAIR COOK: Councilmember Johnson?

COUNCILMEMBER JOHNSON: Thank you, Chair. Good afternoon. Thank you guys for...so much for coming. So, I saw in one of your slides, you mentioned that the...the working group started in May. And then, I was listening to Mayor Bissen speak on...post-fire that they were going to create a division within permitting for, you know, fire-related permits. This is a different...this is...can you speak on that? There is no division coming? This is what we're moving forward with? Or...that's the part that I need clarity on.

MS. LALLO: So, we have an Office of Recovery. Inside the Office of Recovery, there are six buckets. One of them is Community Planning, one of them is Housing, and then there's four others, right. So, in relationship to that, I think that's probably what Mayor was speaking of, right. So, within that Housing, right, and Community Planning, obviously together they've got to come up with the permitting piece. So, the rapid permitting, definitely the Office of Recovery, but we were looking at increasing the efficiencies in general permitting anyway.

COUNCILMEMBER JOHNSON: Right. Yeah. Okay, so the...the pre-fire work was not done in vain, you can actually move forward, we just...okay. All right. So, I guess my next question is--and I was happy to see this in one of your slides--that two...two of your slides mentioned legislative proposals and legislative ideas. I know two very experienced Councilmembers who would love to be in...in that...in those talks. And I...I don't want this to be a habit of...of...of Administration's that keeps legislative...legislators away from the process because I know some very...you know, Councilmember Cook and Councilmember U'u-Hodgins, they talk permitting all the time, and they...they know what they're doing. I would...if you're going to be drafting legislation, I would really like to hear your opinion on if you do plan to draft some legislation, would you be open to having a Councilmember sit in those meetings?

MS. LALLO: Thank you for that question, and it's a great one. Of course. . . .(laughing). . . Absolutely, 100 percent. We actually are really trying to identify what...I mean, where is the place where legislation can be used as a tool, right? When those are identified,

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and that makes sense...absolutely, of course. The challenge is, getting you all together for a party isn't so easy.

COUNCILMEMBER JOHNSON: Just one. Just take one of us. Yeah, because I think that has been an ongoing thing in other departments, the...you know, with affordable housing. Legislation is going to influence all of that stuff moving forward, right? So, if you're going to do streamlining permits, the Councilmembers can come and say, hey, we'll help draft the bill that makes sense. And...because the...you guys are the administrators, and I...I don't...I don't touch the administrative rules, you guys get to touch those. So...but everything else, the legislation, we would...that's kind of our kuleana, so I'm...I'm all for doing that. Those...that's my question, and I'm glad you're considering that, because that's really...moving forward, that's what we need to do is work together. Thank you so much.

MS. LALLO: Thank you for that. And I just wanted to add one other thing, is that . . .*(timer sounds)*. . . it's not that we're willing to, it doesn't make sense not to, right. So, it would behoove us in the...for our kuleana to do that, right. It seems silly to move forward alone, so...

CHAIR COOK: Thank you. Member Rawlins-Fernandez, questions?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Ms. Lallo, Ms. Landgraf, for your presentation. It's nice to hear that collaborative comments--if you want to go fast, go alone; if you want to go far, go together. So, I look forward to more collaboration. I was happy to hear that you folks talked about doing videos for MAPPS. I was wondering if, in that task force, you folks have also discussed doing videos to walk through the permitting processes in general for...you know, for our community. It's something that I've been talking about and hoping would happen for a while now.

MS. LANDGRAF: Great question. So, for the permitting process in general, absolutely, getting video snippets, but also just making it known where the tools are available, as Cynthia mentioned, is going to be key. So, a little bit of a marketing push, if you will. We're also very interested in vetting the position or something of a concierge team, someone to be a little more hand-holding through the permitting, much like the DMV. So, you know, if you walk in, for example, I believe it's on...at the Public Works office or their...their front-facing part, there is a MAPPS computer where constituents can log in, but if nobody knows about it, then what good does that do? So, I, you know, you can go there. They have a phone, a little doorbell, and someone is supposed to come out and help answer any questions. So, there are tools available, it's just about accessibility and making it known. So, having that concierge position, someone may be a little more accessible, someone who can run point on the how-to's in a...in a day-to-day basis would be huge.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo for that response. Just to clarify, the concierge position is...was an idea that's been discussed, it doesn't currently exist, or it does?

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MS. LANDGRAF: It does not exist, so, it's being discussed that it should. Currently, every permit or plan application that gets submitted is done so through MAPPS, and goes directly to a reviewer who sits in DSA, which is within the Public Works Department. That DSA reviewer then goes and disseminates it to all the departments as applicable. So, let's take a step back at how can we bet...get better quality applications from the get-go, right, so that it's not getting kicked back because, oh, you didn't check this box or oh, you didn't fill in this information or oh, you're missing a signature. If we can catch that ahead or have this concierge helper, wonderful soul, in place to help constituents with their application process, the hope is that we get better quality submissions to our Department. . . .*(timer sounds)*. . .

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo. I ask the last follow-up question. So, is this unicorn position, does it exist in any other counties?

MS. LANDGRAF: I believe it may have existed in one, and maybe that's how I got the idea, but I do not know that for a fact. It's...I'm trying to...yeah, what county? Somewhere in California. And you know, we've been talking to...we've talked to a lot of counties lately, so I apologize. But, you know, in our private group and our department, our internal groups, everyone is...they're really excited to see this happen, so...

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo. Mahalo, Chair, sorry. Mahalo, Priya.

CHAIR COOK: Okay. Councilmember U'u-Hodgins?

COUNCILMEMBER U'U-HODGINS: Thank you, Chair. Hi, guys. Thank you for being with us. I also want to say thank you to Member Johnson for having that thought about us getting involved. I do appreciate that. I will say I did meet with Managing Director and Cynthia Lallo about just this a few months ago, right, and as they were beginning their discussions. But I do have a couple of questions, so...I do like this concierge idea, but...you know, for every project, for every TMK, it's hyper-specific about what they might need, X, Y, and Z. And this might be only something that a few of us might experience, but if you've ever applied for one of those style boxes that get sent to your house, they go through all these questions, right. Like, do you like this type of clothes? Do you like this type of clothes? I say that to say this, if in the beginning we could figure out what the person needed, right? So, where is your home, what you're going to do, and you know, how old is your home, and all the different things, and we could let people know what permits they're going to need before they start the application process, to not start the building process and figure out, oh, I need to get an SMA for this. Oh, and then it's in the flood area. Oh, and then I need to do this. Oh, I need to upgrade my water system. Oh, I have a cesspool. We need a better...let the people know what they need to do so they can better provide quality applications. If that's your issue, I hear it, I get it, which is why I had a job, but majority of the people don't know all the little things they need to do. So, how can we better let them know all the little things they need to do, so that they can better provide the application that's completely completed? Do we have any idea ideas on that?

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MS. LALLO: Yes. Thank you for that. I will call that the style box strategy, I love it. I get that. Wonderful. We actually have had those conversations. So, the truth of the matter is, is that because there's so many different kinds of permit, that concierge service, that person who is sitting there to receive those, would have to know so much. I mean, it would be mindboggling, what that particular person would need to know. So, going through some kind of checklist to begin with, to try and route you in the right direction, is the only way we're going to be able to do that efficiently. And in order to retain those concierge folks, right, we'd want them just to know...I mean, you know, know what your kuleana is.

COUNCILMEMBER U'U-HODGINS: Right. Okay, thank you. And then earlier, you mentioned KIVA. And in our discussion we had a few months ago, I told you how much I loved KIVA, and maybe not so much MAPPS. So, while we're waiting for all the information from KIVA to be uploaded into MAPPS, can we still be using KIVA as an information-only? As we were able to see on Kiva . . .*(timer sounds)*. . . sorry, all the sibling permits, right, and have access to whatever happened on that TMK to better make a decision for whatever permits we need now, which we don't have access to on MAPPS. So, can we still use Kiva as an information-only site?

MS. LANDGRAF: It is still available as an information-only site. The unfortunate part is that it's not publicly available, due to the...the data breach. There is personal information attached to those permits, so the...and there's no way to hide some of it. But if you, as a permit applicant, or owner, or contractor, request it, absolutely, the planner can and will go into the data archives, pull it out, and redact any information needed, and then share that information with you.

COUNCILMEMBER U'U-HODGINS: Okay, thank you. I do have more questions on our second round. Thank you, Chair.

CHAIR COOK: Thank you. Member Sinenci, questions?

COUNCILMEMBER SINENCI: Mahalo, Chair, and mahalo for being here this afternoon with us, answering our questions. Just for clarity, you mentioned the Architects Institute, and they're also helping. Does that mean that they'll provide pre-approved plans?

MS. LALLO: Thank you for that question. I don't know the answer to it, but pre-approved plans we definitely have been working on anyway in relationship to the regular permitting process. Right now, we have one provider, right, with those pre-approved plans. We would like to increase that across the board. So, the offer for the architects was, if you need help, you know, with...with your house plans, and you need help to submit, we would be willing to do that for you. But I think we have some other friends at the table that can do exactly what you're asking.

COUNCILMEMBER SINENCI: Oh, okay. And then if Lāhainā residents wanted to build back the same, and they might have had those same plans, would they be able to, you know, if they still had...they had just gotten maybe fairly new homes that went through the permitting process? Is that something you're considering?

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MS. LALLO: Well, thank you for your question. So, lots of things depend on that, and infrastructure will...will determine most of the answers to these questions, right. So, it certainly depends on the age, and all of those kinds of things. We could definitely set up some criteria in relationship to that, but we'll let our planners and other folks --

COUNCILMEMBER SINENCI: Okay, great.

MS. LALLO: -- be more specific, yeah.

COUNCILMEMBER SINENCI: Thank you for that. And then last week in Lāhainā, we heard a lot from the residents that wanted to possibly have a permitting office on the West Side. If...if you're considering that, would all the departments be at this one location?

MS. LALLO: That's a great question, I hadn't heard that one, you caught me off guard. I think it's a brilliant idea. I think we should be where the need is, whatever that...whatever that means, for whatever need it is, so that certainly makes good sense. What's the practical application of that? I don't know. Right now, we're looking at wraparound services, you know, and immediate response services for our folks over on the West Side. But like I said, that makes lots of sense. So, we'll have to cross that bridge when we come to it. I'll start working on it though.

COUNCILMEMBER SINENCI: Okay, great. And then one more question. You mentioned that the Administration wants to go ahead and put as much inventory out there. Considering that we're hearing a lot of the ADUs and the smaller, tiny home types of construction, is the Administration open to providing the land for these types of homes?

MS. LALLO: Sure. That's a great question, and I don't think we can make a blanket statement about that, and I'll definitely save that for Mayor. But I can tell you this. I can tell you that all tiny homes and temporary homes are not equal, and our residents deserve the absolute best, right, when you talk about quality of life issues, right. So, I think we need to be open and to consider that, right. And of course, we will do everything we can to make sure that our people have long-term housing.

COUNCILMEMBER SINENCI: Yeah, just as a temporary --

MS. LALLO: Yeah.

COUNCILMEMBER SINENCI: -- housing solution, and maybe possibly 'ohanas or...or added units.

MS. LALLO: Yeah.

COUNCILMEMBER SINENCI: Thank you for that. Thank you, Chair.

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CHAIR COOK: Thank you. Chair has a question for our guests, for our speakers. During this process of getting together and assessing, you know, what works, doesn't work, in the building permit process, was it discussed...what is the current backlog of permits? If no additional permits are submitted, how long would it take the departments to review the permits in the queue? And is there...so, you know, I'm just curious because it would be, I mean, to me, foundational, one of the aspects is to identify the challenge, and identify the size of the challenge, and then get some feedback from the people who are dealing with it as far as like, okay, people, if we don't give you another thing to do, how long is it going to take? Did that discussion come up at all?

MS. LALLO: Absolutely, it came up. Thank you for that question. It definitely came up. And one of the things that we need to remember is some of the permits that are still open in MAPPS that are showing pending need to really just be cleaned out of there, right. They need to be closed. I think Priya's got the specific number. And how long would it take? Well, it certainly...that's a great question, and one that we don't have a definitive answer to because if we're going to shift and look at things differently, it's going to decrease the amount of time. Like Water wouldn't have to look at...at all 500, they would only need to look at 150, right.

CHAIR COOK: So, I get it. Like identifying how it is now with the existing system is going to enable us to measure how much improvement and variants...different potential options are offering. So, I have another question. There's...and this...this is about, you know, how to qualify the submissions, or improve the quality. There seems to be a disconnect with a checklist that is provided to an applicant, and what is being reviewed by the Department. Is the applicant and the Department working off the same checklist? The back-and-forth responses are very time-consuming. Is there a flowchart or supplemental guidelines that can assist the applicant in submitting a complete application? I understand it's a roadmap to a maze.

MS. LANDGRAF: It...it's a great question, and it is part of...our forming sub-working groups is to come up with that user friendly, mutually agreed-upon checklist between private sector, constituents, and our County Departments, so that we're all on the same page and very clear to what that ask is. So that when we get this unicorn position of the concierge, we're not just sending them in blind or expecting them to know everything, but they have a road map. Additionally, MAPPS does have a tool, I forget specifically what it's called, but like a builder . . . *(timer sounds)*. . . or picker tool that allows you to, kind of like your style box that you mentioned. It's just someone would have to build that out, right.

CHAIR COOK: Thank you for your answer. More second round of questions? Member Sugimura? Okay. Member Kama?

COUNCILMEMBER KAMA: Thank you, Chair. So, as I'm listening to this conversation, this is what I'm thinking in my head. So, the scenario is...so I...I have an accelerated award from the Department of Hawaiian Homelands in the early '90s. I have to put a house up there. The infrastructure's in, the road is there, but to get to the lot where you actually want to build your house, because it's so slanted that it's like 250, 300

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feet, that you have to take the lines on the bottom and pick it up. So, in the meantime, I'm thinking, I don't know how to do this. So, is there a cheat sheet that says this is what you have to do, step one. Put your water on, go get a meter from the Department of Water Supply. Step two, talk to the Department of Health about what kind of wastewater system can you actually put on your homestead. Is there a cheat sheet that says three, four, five, and all of that, so that people don't have to figure out the maze that they have to go through to put their houses onto this...their own land? Is that available?

MS. LANDGRAF: Semi-quick answer is yes, the information is available within MAPPS. However, I would agree with you in that it is a maze, so simplifying those checklists, getting knowledgeable...like, a knowledgeable concierge person in play that can address your question with immediacy, to at least get you to the right link or say, can I email you the PDF, or would you like to come and pick up a copy? A real person, not a bot, not...you know, not a...not an outsourced call center, but someone that sits here within this community, that can be a more personal connection.

COUNCILMEMBER KAMA: Um-hum. So, what's that person's name, now?

MS. LANDGRAF: We will let you know when it's posted.

COUNCILMEMBER KAMA: Thank you. Thank you, Chair.

CHAIR COOK: Okay. Member Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. I just wanted to disclose also, additional minor, Anne Mackenzie Delos Santos at my house. The other question I had was, is it just in...who was the one permit that you were mentioning to Member Sinenci, one...one plans that could have been pre-permitted, who...who designed it, can you say?

MS. LALLO: I think we were talking about the pre-approved plans? Yeah. And...and there's a company --

COUNCILMEMBER PALTIN: What's their name?

MS. LALLO: -- I believe it's HPM, that has pre-approved plans already in place, yeah.

COUNCILMEMBER PALTIN: Okay, thank you. And then, would that be...would the plans be available in a variety of square footages and number of bedrooms and bathroom combinations?

MS. LALLO: I believe right now that those are one, two, three bedrooms. There's a couple of different ones, yeah.

COUNCILMEMBER PALTIN: Like some, like, one-story, two-stories kind of thing as well?

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MS. LALLO: This is why the need --

COUNCILMEMBER PALTIN: Like depending on lot sizes?

MS. LALLO: Yeah, this is why the need to...like, for instance, Honsador has packaged, right, packaged houses, right, and the plans to go with, but they're not necessarily pre-approved through the County. So, we need to continue to work on that, and to increase those options to address exactly what it is you're asking about.

COUNCILMEMBER PALTIN: Okay. And then, I was wondering, you know, for like emergency temporary housing permits or whatever, is it possible that anything could be approved that is off-grid, or if in the damage assessment, you know, below the SMA, like, the infrastructure is damaged, could off-grid housing be permitted for folks?

MS. LALLO: I don't know the specific answer to that question. I think it's definitely something that's being considered. I can tell you those discussions are happening, and trying to pull together all of the standards because there are so many variables. So, working on it.

COUNCILMEMBER PALTIN: Yeah, I just wanted to mention, like when we were in Texas, there was a company source that was doing those atmospheric waters for Miloli'i already, and they were saying, you know, in bulk, it's cheaper, but even that there is a company in Hawai'i that does similar atmospheric water kind of stuff too. And then, like, you know, composting toilets, Supervisor Gore (*phonetic*) was mentioning, like, they developed a...a program where, you know, they had it where you could do composting toilets for home use if there was a company that was checking on compost and like, you know, emptying it for them, and then that could be a circular economy kind of thing . . .(*timer sounds*). . . where the compost is...goes to farmers and things like that. So just wondering if you guys are onto that already?

MS. LALLO: Thank you for that. Yes, we absolutely are. Circular economy is a huge conversation in addition to sustainable practices, sustainable farm...farming, food sovereignty, all of those kinds of things. So, now is a great time to lift all of that because the need is clear. One thing about the off-grid and the permitting, of course, the fight...the fire plan is a huge piece when we're working off-grid. Just a reminder.

COUNCILMEMBER PALTIN: Thank you. I'm good.

CHAIR COOK: Member Rawlins-Fernandez, questions?

COUNCILMEMBER RAWLINS-FERNANDEZ: No additional questions. Mahalo, Chair.

CHAIR COOK: Thank you. Member U'u-Hodgins?

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COUNCILMEMBER U'U-HODGINS: Thank you, Chair. Thank you, guys, again. So, how best do you think we can let the community, and the public, or consultants know about the changes in admin rules or Department policy?

MS. LALLO: That's a great question, and one that we talk about a lot. One of the things in my...this is my personal opinion, is that the County is not very good at marketing. We can communicate, mostly, but marketing is a huge issue, right. And it's a puka, and one that we are trying to prove through the retention and recruitment campaign, that marketing is a viable tool for the County. And I would say that is how we have to begin to get that message out, and it needs to be not, you know, coconut wireless marketing, but a really, really big, concerted marketing effort--and Priya's just whispering in my ear here, strategic, right, with...with intent, and clear metrics that tell us whether we were successful or not.

COUNCILMEMBER U'U-HODGINS: Puka for sure, because that's going to be extremely important, right, as we navigate our way forward through all the things we're going to need to do. Obviously, there's going to need to be some departmental changes, there's going to need to be some policy changes, and we're going to have to allow our people to know what they can do to best support themselves again, so that they can have better applications. The other day, I was able to have a meeting with Jordan Molina, and we were able to discuss the 2018 IBC as it relates to disaster recovery, and what people are allowed to do, and it's for residential. And as we know, commercial...well, multifamily is considered commercial, so multifamily is actually out of this conversation, but we're going to have to figure out a way to put it back in. And he was explaining that there's a way for Public Works to be able to unilaterally approve people's building permits in order to repair post-disaster that does not allow it to go to the other departments. And he couldn't obviously speak on how they feel. I'm wondering if maybe you could give us some insight. Is that going to be an issue with the other departments, for people to rebuild kind of what they have, and getting that permit through Public Works, and Public Works only?

MS. LALLO: Sure. I...again, I don't know. I can't...can't answer on their behalf, but I can tell you the conversation. So, if we take a look at, for instance, our Director of Water and our Deputy Director of Water, they are very willing to come to the table, and have conversations, and let's figure out how to do this better. So, the good news is, is that a lot of our directors are out-of-the-box thinkers. Another thing to remember is the Office of Recovery, in relationship to the community planning and the housing piece, right. Our Deputy Director of Planning, for instance, is heading Community Planning, right, and he's definitely an out-of-the-box thinker, so that's exciting. So, I would say we're absolutely willing to have the conversation, and I think the odds are pretty good, but --

COUNCILMEMBER U'U-HODGINS: Okay.

MS. LALLO: -- *(audio interference)* take them to Vegas.

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COUNCILMEMBER U'U-HODGINS: No, that's...that's great, and I appreciate that. One last question. So, as we moved into the digital plans, and as we moved into MAPPS, that kind of disallowed people to redline their own plans, and I...we...we talked about this in the meeting a few months ago. And that was something that you could do that was cheap, right. You grab a red Sharpie and you say, okay, cross this out, cross this out, add this in. Is that something we've figured out how to do on MAPPS? Because again, every time we have to revise our plans, that's going back to the architect...architect . . . *(timer sounds)*. . . that charges us, you know, X amount of hundred dollars an hour, and da, da, da, da, da, da, da. And I understand that certain changes only need to be made by an architect, but certain changes don't, and they can be done by the owner, they could be done by a consultant. And this helps to eliminate the cost on people getting applications through the system. So, have we figured out a way how to redline on MAPPS?

MS. LALLO: I don't know the answer to this question, but I can tell you we are pushing our IT to the brink in relationship to doing things differently, fresh and new, more from a user-friendly aspect. And so, that's definitely something we can ask about. Priya, do you know the answer to that question?

MS. LANDGRAF: Not so much the answer, but maybe a new way to work it. Again, when we go back to the checklist, and go back to the accountability factor of allowing them to get a little further in the process, ahead of even submitting it into MAPPS, so that once it's submitted, it should really be, like, done, but all the while, being able to be in touch, or be aware of what is required. And so, if we work better together with departments, County Building Code, that, you know, was from 2018, but is now just being approved in 2023, you know, how do we keep each other up to date and keep better forms of communication so that that that redline can be happening, but by the time it comes to submittal, it's the perfect version of what the constituent actually wants, and not a compromise. And I think that's the goal.

COUNCILMEMBER U'U-HODGINS: Okay. Okay. That'd be good. I mean, like, yeah, it just hasn't happened yet, but I would like that too. Thank you, Chair.

CHAIR COOK: Member Sinenci, question?

COUNCILMEMBER SINENCI: Thank you, Chair. Just continuing the conversation with Member U'u-Hodgins. I mean, you're exactly right. I think that's been the problem, and the time constraints. Every time one department chimes in and...and asks for a revision, then it goes back, and it comes back, and then it has to go through the whole process again, and then it's sent back. So that's...I'm glad that you guys are addressing the departments, and...and maybe they don't have to chime in on all the permits, right. Why is the Water Department wanting every permit, yet some of these permits deal with private water systems? So those are, I think, the types of things that you guys are going through all the permits and looking for, and...and quickly kind of throwing them out. So again, mahalo for you guys' work. Thank you, Chair.

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CHAIR COOK: Thank you. Chair has a final comment. MAPPS...MAPPS has the functionality. When it was...back several years ago, when they first did it, and I got involved with Keith Regan and those guys, Bluebeam has something called Studio that the County opted not to use. Also, it was supposed to be, my understanding, where when it's submitted, it would go in and be distributed, but basically everybody would have it. You kind of have some visibility of who had it, what was going on. You could have a session with redlining and marking it up, and the intent...challenge is we don't have enough people, and they can't spend all their time just with you for an hour and a half. The opportunity, though, is spending that hour and a half with an architect and having it done, and then identifying what departments. So, I just...I'm going to be a pest. The technology's there, the functionality's there. I think security was a big aspect of it for everybody being able to dial in and have that much interactivity into the County server. So, I'm just...I want to thank you for coming. I want to thank you for all of your...your passionate engagement. I know you're really working hard. This is a very challenging task. They're working on it 25 years, so...but I'm just hoping it doesn't take too much longer. Any closing comments before we...go ahead, Member Sugimura.

VICE-CHAIR SUGIMURA: So, as a closing comment, this is perfect for Dean Wong. In the morning, Member Sinenci had a panel of resources, and Dean Wong is trying to build a preschool here in Wailuku. Three years, he's waiting for his permit, and I remember during budget we allocated...I think it was 700,000 to do the infrastructure that he mentioned this morning. And sounds simple, right? I know it's not simple, but if you could kind of prioritize that in...in...in this day and age where we really need preschools, and like you said, you know, they are certified, they're already doing it. And I don't know why we're going to take three years, but I don't think that money will lapse. I hope it doesn't lapse because they're going to need it. I don't know. Can you guys...thank you.

CHAIR COOK: Okay. Members, if there are no objections, the Chair would like to defer this item.

COUNCILMEMBERS VOICED NO OBJECTIONS. (Excused: ALL)

ACTION: DEFER PENDING FURTHER DISCUSSION.

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CHAIR COOK: Thank you, Ms. Lallo and Ms. Landgraf, for being with us this afternoon. We look forward to future updates from the Working Group, and are excited to work with the departments on developing and implementing solutions on longstanding issues. Members, this concludes today's Water and Infrastructure Committee meeting. Thank you, everyone, for being here, and for a great meeting. The time is now 4:04 p.m. This meeting is now adjourned. . . .*(gavel)*. . .

ADJOURN: 4:04 p.m.

APPROVED:



TOM COOK, Chair
Water and Infrastructure Committee

wai:min:231002:ml:kr

Transcribed by: Kaliko Reed

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CERTIFICATION

I, Kaliko Reed, hereby certify that pages 1 through 46 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 8th day of November 2023, in Wailuku, Hawai'i

A handwritten signature in dark ink, appearing to read "K. Reed", is written over a horizontal line.

Kaliko Reed