

**MAUI COUNTY COUNCIL
REGULAR COUNCIL MEETING
MINUTES**

**July 8, 2025
9:00 AM**

TIME MEETING CALLED TO ORDER: 9:06 A.M.

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

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

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

ROLL CALL

Councilmember	Pres.	Abs.	Exc.	Time(s) In/Out (during meeting)
Tasha Kama	√			
Yuki Lei Sugimura	√			
Tamara Paltin	√			
Gabe Johnson	√			Exc. 11:23 a.m. – 11:26 a.m.; 1:37 p.m. – 1:44 p.m.
Keani Rawlins-Fernandez	√			
Tom Cook	√			
Nohelani U‘u-Hodgins	√			
Shane Sinenci	√			
Chair Alice L. Lee	√			
TOTAL PRESENT	9			

COUNTY COMMUNICATIONS:

CC 25-13 from the AGRICULTURE, DIVERSIFICATION, ENVIRONMENT AND PUBLIC TRANSPORTATION COMMITTEE CHAIR, transmitting a proposed amendment to Bill 75, CD1 (2025), entitled "A BILL FOR AN ORDINANCE AMENDING TITLE 19, MAUI COUNTY CODE RELATING TO THE COMPREHENSIVE ZONING ORDINANCE ON AGRICULTURAL TOURISM".

Postponed, without objection, until Bill 75, CD1 (2025) was called up.

CC 25-14 WATER AND INFRASTRUCTURE CHAIR, transmitting a proposed amendment to Resolution 25-129, entitled "AUTHORIZING THE ACQUISITION OF 1.724 ACRES IDENTIFIED FOR REAL PROPERTY TAX PURPOSES AS TAX MAP KEYS (2) 4-6-027:027, 029, 030, AND 041; (2) 4-6-027:026, 028, 033, AND 040; AND (2) 4-6-016:041, SITUATED AT LAHAINA, MAUI, HAWAI'I, FOR UP TO \$1,950,000, EXCLUSIVE OF CLOSING COSTS AND EXPENSES, UNDER SUBSECTION 3.44.015(C), MAUI COUNTY CODE".

Postponed, without objection, until Resolution 25-129 was called up.

COMMITTEE REPORTS:

CR 25-41 Recommending FIRST READING of Bill 75, CD1 (2025), to establish agricultural tourism as an accessory use on farms in the County Agricultural District.

CC 25-13 from the AGRICULTURE, DIVERSIFICATION, ENVIRONMENT AND PUBLIC TRANSPORTATION COMMITTEE CHAIR, transmitting a proposed amendment to Bill 75, CD1 (2025), entitled "A BILL FOR AN ORDINANCE AMENDING TITLE 19, MAUI COUNTY CODE RELATING TO THE COMPREHENSIVE ZONING ORDINANCE ON AGRICULTURAL TOURISM".

	AYE	NO	EXC	Time Deliberations Began	9:50 a.m.
Pro Tem Kama	√			Time Motion Made	9:50 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	Johnson
CM Johnson	√			Seconder	Cook
CM Rawlins-Fernandez		√		Time Vote Taken	11:09 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8	1		MOTION PASSED	

	AYE	NO	EXC	Time Deliberations Began	9:53 a.m.
Pro Tem Kama	√			Time Motion Made	9:53 a.m.
VC Sugimura	√			Motion	AMEND via CC 25-13; FILE CC 25- 13
CM Paltin	√			Maker	Johnson
CM Johnson	√			Second	Sugimura
CM Rawlins- Fernandez		√		Time Vote Taken	11:02 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8	1		MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	10:49 a.m.
VC Sugimura	√			Motion	AMEND
CM Paltin	√			Maker	Paltin
CM Johnson	√			Second	Johnson
CM Rawlins- Fernandez	√			Time Vote Taken	10:50 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	10:51 a.m.
VC Sugimura	√			Motion	AMEND
CM Paltin	√			Maker	Paltin
CM Johnson	√			Second	Johnson
CM Rawlins- Fernandez	√			Time Vote Taken	10:52 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

CR 25-42 Recommending FIRST READING of Bill 47, CD1 (2025), to authorize the Mayor to enter into an intergovernmental agreement with the State of Hawai‘i, Department of Business, Economic Development and Tourism, and Hawai‘i counties for the Hawai‘i Creative Economy Collaborative.

	AYE	NO	EXC	Time Deliberations Began	11:10 a.m.
Pro Tem Kama	√			Time Motion Made	11:10 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	11:18 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	11:12 a.m.
VC Sugimura	√			Motion	AMEND
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Seconder	U‘u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	11:16 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

CR 25-43 Recommending ADOPTION of Resolution 23-163, CD1, to refer to the Lāna‘i, Maui, and Molokai planning commissions a proposed bill to support the expansion of dedicated parking spaces for electric vehicles under certain conditions.

	AYE	NO	EXC	Time Deliberations Began	11:18 a.m.
Pro Tem Kama	√			Time Motion Made	11:19 a.m.

VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	Paltin
CM Johnson	√			Seconder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	11:22 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

CR 25-44 Recommending ADOPTION of Resolution 25-128, authorizing settlement of Conservation Council for Hawai‘i and American Bird Conservancy v. Hawaiian Electric Company, Inc. and Maui Electric Company Ltd. and County of Maui, Civil 1:24-cv-00494-MWJS-WRP.

	AYE	NO	EXC	Time Deliberations Began	11:23 a.m.
Pro Tem Kama	√			Time Motion Made	11:23 a.m.
VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	U‘u-Hodgins
CM Johnson			√	Seconder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	11:25 a.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

CR 25-45 Recommending ADOPTION of Resolution 25-122, authorizing the acceptance of two parcels from First Hawaiian Bank, identified for Real Property Tax purposes as Tax Map Keys (2) 4-9-011:018 and 019, at Lāna‘i City, Hawai‘i, comprising 14,379 and 10,510 square feet, respectively.

	AYE	NO	EXC	Time Deliberations Began	11:27 a.m.
Pro Tem Kama	√			Time Motion Made	11:28 a.m.

VC Sugimura	√			Motion	ADOPT recommendations
CM Paltin	√			Maker	Cook
CM Johnson	√			Secunder	Johnson
CM Rawlins-Fernandez	√			Time Vote Taken	11:29 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

RESOLUTIONS:

Reso 25-129 "AUTHORIZING THE ACQUISITION OF 1.724 ACRES IDENTIFIED FOR REAL PROPERTY TAX PURPOSES AS TAX MAP KEYS (2) 4-6-027:027, 029, 030 AND 041; (2) 4-6-027:026, 028, 033, AND 040; AND (2) 4-6-016:041, SITUATED AT LAHAINA, MAUI, HAWAII, FOR UP TO \$1,950,000, EXCLUSIVE OF CLOSING COSTS AND EXPENSES, UNDER SUBSECTION 3.44.015(C), MAUI COUNTY CODE"

CC 25-14 WATER AND INFRASTRUCTURE CHAIR, transmitting a proposed amendment to Resolution 25-129, entitled "AUTHORIZING THE ACQUISITION OF 1.724 ACRES IDENTIFIED FOR REAL PROPERTY TAX PURPOSES AS TAX MAP KEYS (2) 4-6-027:027, 029, 030, AND 041; (2) 4-6-027:026, 028, 033, AND 040; AND (2) 4-6-016:041, SITUATED AT LAHAINA, MAUI, HAWAII, FOR UP TO \$1,950,000, EXCLUSIVE OF CLOSING COSTS AND EXPENSES, UNDER SUBSECTION 3.44.015(C), MAUI COUNTY CODE".

	AYE	NO	EXC	Time Deliberations Began	11:30 a.m.
Pro Tem Kama	√			Time Motion Made	11:31 a.m.
VC Sugimura	√			Motion	DISCHARGE
CM Paltin	√			Maker	Cook
CM Johnson	√			Secunder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	11:31 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		11:31 a.m.
Pro Tem Kama	√			Time Motion Made	11:31 a.m.
VC Sugimura	√			Motion	ADOPT, as amended
CM Paltin	√			Maker	Cook
CM Johnson	√			Seconders	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	11:35 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	11:32 a.m.
VC Sugimura	√			Motion	AMEND via CC 25-14; FILE CC 25-14
CM Paltin	√			Maker	Cook
CM Johnson	√			Seconders	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	11:33 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Reso 25-133 "APPOINTMENT OF A MEMBER TO THE SALARY COMMISSION FOR THE COUNTY OF MAUI"

	AYE	NO	EXC	Time Deliberations Began	11:35 a.m.
Pro Tem Kama	√			Time Motion Made	11:35 a.m.
VC Sugimura	√			Motion	DISCHARGE
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Seconders	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	11:36 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC	Time Deliberations Began	11:36 a.m.
Pro Tem Kama	√			Time Motion Made	11:36 a.m.
VC Sugimura	√			Motion	ADOPT, as amended
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Seconder	Cook
CM Rawlins-Fernandez	√			Time Vote Taken	11:38 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	11:37 a.m.
VC Sugimura	√			Motion	AMEND
CM Paltin	√			Maker	U'u-Hodgins
CM Johnson	√			Seconder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	11:38 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Reso 25-139 "STATING THE COUNTY'S INTENT TO CONVEY A PORTION OF THE KAHULUI COMMUNITY CENTER PARK SITE TO HALE MAKUA HEALTH SERVICES TO SUPPORT THE DEVELOPMENT OF A WORKFORCE RENTAL HOUSING PROJECT"

11:38 a.m.: Referred to the Water Authority, Social Services, and Parks Committee.

Reso 25-140 "AUTHORIZING A GRANT OF A LEASE OF COUNTY REAL PROPERTY AT KUALAPU'U PARK AND COMMUNITY CENTER, MOLOKAI, TO HO'ĀHU ENERGY COOPERATIVE MOLOKAI AND HO'ĀHU CBRE 2 KUALAPU'U LLC"

	AYE	NO	EXC	Time Deliberations Began	11:40 a.m.
Pro Tem Kama	√			Time Motion Made	11:40 a.m.
VC Sugimura	√			Motion	ADOPT

CM Paltin	√			Maker	Rawlins-Fernandez
CM Johnson	√			Seconder	Cook
CM Rawlins-Fernandez	√			Time Vote Taken	11:45 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Reso 25-141 "AUTHORIZING SETTLEMENT OF JMC CLAIM 4086753, COUNTY OF MAUI, RISK FILE 2023-1128 OF JEFFREY NAVARES"

11:45 a.m.: Referred to the Government Relations, Ethics, and Transparency Committee.

Reso 25-142 "REFERRING TO THE LĀNA'I, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL TO AMEND CHAPTER 19.35, MAUI COUNTY CODE, ON THE SIZE OF ACCESSORY DWELLINGS"

	AYE	NO	EXC	Time Deliberations Began	11:46 a.m.
Pro Tem Kama	√			Time Motion Made	11:46 a.m.
VC Sugimura	√			Motion	ADOPT
CM Paltin	√			Maker	Paltin
CM Johnson	√			Seconder	Johnson
CM Rawlins-Fernandez	√			Time Vote Taken	11:49 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

RESOLUTIONS - SECOND AND FINAL READING:

Reso 25-135 "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, ON THE PLANNING COMMISSIONS' REVIEW OF GENERAL PLAN AND LAND USE ORDINANCES"

	AYE	NO	EXC	Time Deliberations Began	11:49 a.m.
Pro Tem Kama	√			Time Motion Made	11:49 a.m.

VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	Paltin
CM Johnson	√			Second	U'u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	11:51 a.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

ORDINANCES:

Bill 86 (2025) "A BILL FOR AN ORDINANCE AMENDING THE CAPITAL PROGRAM FOR THE FISCAL YEAR ENDING JUNE 30, 2026 TO UPDATE APPENDIX B"

	AYE	NO	EXC	Time Deliberations Began	11:59 a.m.
Pro Tem Kama	√			Time Motion Made	11:59 a.m.
VC Sugimura	√			Motion	PASS on first reading
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Second	U'u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	12:00 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

ORDINANCES - SECOND AND FINAL READING:

Bill 104, CD1, FD1 (2024) "A BILL FOR AN ORDINANCE AMENDING CHAPTERS 19.04, 19.08, 19.29, AND 19.36B, MAUI COUNTY CODE, RELATING TO KITCHENS, KITCHENETTES, AND WET BARS"

	AYE	NO	EXC	Time Deliberations Began	1:37 p.m.
Pro Tem Kama	√			Time Motion Made	1:38 p.m.

VC Sugimura	√			Motion	PASS on second and final
CM Paltin	√			Maker	Paltin
CM Johnson			√	Second	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	1:42 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	1:38 p.m.
VC Sugimura	√			Motion	AMEND; SUSPEND Rule 18
CM Paltin	√			Maker	Paltin
CM Johnson			√	Second	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	1:39 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

Bill 158, CD1 (2024) "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE COUNTY OF KAUAI FOR FORENSIC TESTING SERVICES BETWEEN THE KAUAI POLICE DEPARTMENT AND THE MAUI POLICE DEPARTMENT"

	AYE	NO	EXC	Time Deliberations Began	1:42 p.m.
Pro Tem Kama	√			Time Motion Made	1:43 p.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	Paltin
CM Johnson			√	Second	U'u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	1:43 p.m.

CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	8		1	MOTION PASSED	

Bill 76, CD1, FD1 (2025) "A BILL FOR AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE ON MOBILE FOOD TRUCKS OR TRAILERS IN THE AGRICULTURAL DISTRICT"

	AYE	NO	EXC	Time Deliberations Began	1:43 p.m.
Pro Tem Kama	√			Time Motion Made	1:44 p.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	Sinenci
CM Johnson	√			Seconder	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	1:46 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

	AYE	NO	EXC		
Pro Tem Kama	√			Time Motion Made	1:45 p.m.
VC Sugimura	√			Motion	AMEND; WAIVE Rule 19
CM Paltin	√			Maker	Paltin
CM Johnson	√			Seconder	U‘u-Hodgins
CM Rawlins-Fernandez	√			Time Vote Taken	1:46 p.m.
CM Cook	√				
CM U‘u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Bill 83 (2025) "A BILL FOR AN ORDINANCE AMENDING CHAPTERS 2.28 AND 2.40, MAUI COUNTY CODE, ON THE SOUTH MAUI AND PĀ'IA-HA'IKU ADVISORY COMMITTEES TO THE MAUI PLANNING COMMISSION"

	AYE	NO	EXC	Time Deliberations Began	1:46 p.m.
Pro Tem Kama	√			Time Motion Made	1:47 p.m.
VC Sugimura	√			Motion	PASS on second and final reading
CM Paltin	√			Maker	Paltin
CM Johnson	√			Second	Sugimura
CM Rawlins-Fernandez	√			Time Vote Taken	1:48 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

Bill 84 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET; APPENDIX A, PART I; DEPARTMENT OF ENVIRONMENTAL MANAGEMENT; STATE OF HAWAII DEPARTMENT OF HEALTH (CLEAN WATER BRANCH); NEW APPROPRIATION OF \$95,600"

Bill 85 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET; APPENDIX A, PART I; OFFICE OF THE MAYOR; ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT; NEW APPROPRIATION OF \$80,750"

	AYE	NO	EXC	Time Deliberations Began	1:48 p.m.
Pro Tem Kama	√			Time Motion Made	1:49 p.m.
VC Sugimura	√			Motion	PASS Bills 83 and 84 on second and final reading
CM Paltin	√			Maker	Sugimura
CM Johnson	√			Second	Kama
CM Rawlins-Fernandez	√			Time Vote Taken	1:50 p.m.
CM Cook	√				
CM U'u-Hodgins	√				
CM Sinenci	√				
Chair Lee	√				
TOTAL VOTES	9			MOTION PASSED	

TIME MEETING ADJOURNED: 2:22 p.m.

TRANSCRIPTION

Council of the County of Maui on 2025-07-08 9:00 AM - Regular Meeting

[GAVEL] >> Will July 8th, 2025 Maui County Council Meeting please come to order. It's 9:04 a.m. And if you choose to use a different, another greeting, from the Apache nation. I know you are used to goatee, but we'll try today Ya'ateh. Okay. Roll call. >> Chair, proceeding with roll call. For Members participating online, if you could please let us know would if anyone experiment minors are present with you as part of the roll call, Pro Tempore Tasha Kama.\r\n\r\n>> Aloha Kakahiaka, Chair and Ya'ateh to everyone in the chambers. I'm home alone in my work space and there's no testifiers here. Thank you, Chair. >> Thank you. >> Vice-Chair Yukilei Sugimura. >> Ya'ateh and good morning everybody, looking forward to a very productive meeting. >> Council Member Tamara Paltin.\r\n\r\n>> Aloha Kakahiaka, and Ya'ateh kakou. >> Council Member Gabe Johnson. >> Ya'ateh, Chair, Council Members, community mibs there's no testifiers at the Lana'i District office and I'm here and ready to work, mahalo, Chair. >> Thank you. >> Council Member Keani Rawlins-Fernandez. >> Aloha Kakahiaka Chair, Aloha Kakahiaka kakou. There's no testifiers at the Moloka'i District office.\r\n\r\nMahalo. >> Thank you. >> Council Member Tom Cook. >> Ya'ateh, Aloha, good morning. There's currently no testifiers in the Kihei office and we have people on standby and looking forward to today's meeting. Thank you. >> Excuse me, what did you say to the people on standby?\r\n\r\n>> Standby in our office in Kihei. >> In Kihei. Thank you. >> Council Member Nohelani Uu-Hodgins. >> Good morning everyone. Good morning, Chair. Ya'ateh.\r\n\r\n>> Good morning. >> Council Member Shane Sinenci? >> Aloha Kakahiaka, Chair, and Ya'ateh. Here at my home office, I'm here by myself. Unfortunately we don't have any testifiers in Hana, we're still standing up our temporary office and advise people who want to testify to go ahead and jump online. Thank you. >> Thank you.\r\n\r\n>> And Council Chair Alice Lee. >> Ya'ateh. >> Chair, you nine members present and you have a quorum to conduct the business of the Council. For the I'm the County Clerk Moana Lutey and Deputy County Clerk Richelle Thompson. From the Office of Legislative Division we have Joyce Murashige, Lauren Saldana and Arthur Suyama acting with the Council with maintaining order and decorum as Council ambassador Ryan Martins, joining the meeting from the Office of Council Services is Director David Raatz and Deputy Director Richelle Kawasaki and from the Department of Corporation Council we have Department Corporation Counsel Kristina Toshikiyo. >> We have for opening remarks Council Member Tom Cook. >> Good morning, Chair.\r\n\r\nMembers, as we begin this morning's meeting I want to reflect on the concept of moving forward together of the today we stand at a crossroads. A moment in the time that will define the future of our island home. We all feel deep currents of division in our community brought to the surface by variety of issues that we pace. These conversations have been difficult, emotional and at times has pit neighbor against neighbor. I just want to talk from the heart for a minute. When I looked into the mirror this morning and look at myself how I am now. I'm going to be 71 this year.\r\n\r\nI had the opportunity to spend Sunday with my family up at the rodeo, my oldest boy Kamalei, his wife Amber, my grandson who is 18, Josiah. My wife, my daughter, my youngest daughter, and I just reflected when people look at me, what do they see? What do they think? I just was reflecting back, like, when I came here as a teenager in 1971, pan Pan-Am when you walk down the back of the plane or the side, the ain't was much smaller. Everything was different. When I used to work at Quonset huts that we had the Park is now, we didn't have an industrial area where the Quonset hut was in

industrial area and that is where you know unloading containers. Going down Makena down old Makena road with my friends and on a bet on a front of going all the way down to the beach.\r\n\r\nGoing to Makena, where the cattle guard was because there was no Wailea. There wasn't Wailea what used to be. I have seen a lot of changes and what kind of resonates and gets me to say this and share this with everybody a young man in the audience was very understandable. All of the challenge and all of the things made a comment, Tom you don't know what has happened and what has changed. I just want to share that people that I get it. Bought one piece of property, my son has it. So I think collectively we as the Council, we have so many different life experiences, we're different ages, we're from different places.\r\n\r\nWe all bring something to the table. This is my third year and my complete in my heart, every one of us here cares deeply for our community. And that is why we're here. I want to just, I'm pledging to listen and to be as heartfelt as I can throughout these challenging times. I want to communicate, as much as possible with people. I'm hoping that people will talk to me and question my decisions, and why I'm doing the things I'm doing. I think that is appropriate.\r\n\r\nAnd I am just grateful to be able to be on the Council and serve. In the last two months my kids' grandma passed away violet Figueroa, my kids' mom passed away, Kathleen Figueroa and my brother-in-law passed away guy Figueroa. Seeing and living and being in my age and seeing dear ones pass really keeps it in perspective as far as what is valuable. I value my family. I value my friends. I value the community and I want you guys to know just how much I value you. I never thought I would able to be on the Council.\r\n\r\nI didn't dream about it, but I'm grateful I'm here. I'm looking forward to today's meeting, and I'm always open to talk to anybody about the concerns and their feelings. I expect to be held accountable, and I just want to end the day with grateful and looking forward to today's meeting. Thank you. >> Thank you for sharing. And now please join me with the Pledge of Allegiance. I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all.\r\n\r\nBefore we proceed with today's agenda may I please request everyone keep their microphones muted unless it's your turn to speak. As a reminder, testimony must pertain to items on the meeting agenda, when testifying please direct your remarks to the Council, and not to any individual Council Member or Member of the public. Each testifier will be allowed to speak for up to three minutes on each item. For individuals wishing to testify on teams, please click the raise your hand button to be added to the testifier log. If you are calling in, please follow the phone prompts to be added to the log. If you wish to testify anonymously, please sign in as anonymous. And you will be given a testifier number.\r\n\r\nDecorum shall we maintained at all time. Any person who behaves in a manner that disrupts, disturbs or impedes the orderly conduct of any Council Meeting can at the discretion of the Presiding Officer, or a majority of present Council Members, be ejected or banned from Council meetings, or if participating remotely muted or dropped from the meeting. Examples of disruptive behavior include, but not limited to heckling, shouting use of profanity, threatening or slanderous remarks made to any Member of the Council, to the Staff or general public. Meeting attendees whether online or in-person are expected to wear clothing in a manner that is respectful of others, and appropriate for these proceedings. Ms. Clerk, please proceed. >> Thank you, Madam Chair.\r\n\r\nAt this time, individuals may testify on any item on today's agenda. The first person to testify is Sydney Smith testifying on Committee Report 25-41 and Bill 76 followed by Pam La Tumpap and the Ms. Tumpap is currently our last

testifier. >> Good morning everyone. >> Good morning. >> I'm Sydney Smith. I'm the Chair of the AG working group.\r\n\r\nI'm going to testify first on Bill 75 and then on Bill 76. >> Sydney, can lower your mic a little bits, closer to you. >> How is that? >> A little better, yeah . >> Okay. 15 years ago, the Legislature amended Chapter 205 of the Hawai'i Revised Statutes by adding a lot of permissible uses to agricultural lands. The purpose was to make Hawaii's farms and ranches for resilient. Hawai'i was the last of the States in the nation to add agricultural tourism to the land use code. Maui County's code title 19.30a has an in its virus paragraph this mandate: implement Chapter 205 and the goals and policies of the Maui County General Plan and community plans promote agricultural development, preserve and protect agricultural resources, and support the agricultural character and components of the County's economy, and lifestyle.\r\n\r\nMaui County needs to bring its land use code into compliance with State Law. In 2012, the Chair of the Council's Agricultural Committee decided to amend our code to support the intent of Chapter 205. And that is whether in the AG working group officially was formed. We studied the General Plan, Maui County island plan and neighboring Counties, and other State Land Use Codes and talked to our local farmers and ranchers. We spent countless hours late into the evening after hard days on farm to craft meaningful Ordinances to improve the viability of our farms and ranches we worked closely with the Director and Deputy Director of The Department of Planning. We did not get specific about every single thing that could possibly until after the agricultural tourism definition on purpose. We discussed at length how new innovation and trends continually change in our world and we didn't want to limit the opportunities be being too specific. Our changes to Title 19 went through the Commission's Committee meetings first and second reads and were adopted.\r\n\r\nEverything worked fine just until 2023 and at that time Planning under new leadership decided everything and I mean everything had to be spelled out because we were found out bury by accident that a prominent Hawaiian family had been told that they weren't allowed to have a lei-making class without a state Special Use Permit for those who don't know a State Special Use Permit is required if you want to use your land for something that is not allowed in the State land use code an agricultural tourism and education very clearly was. So it takes over two years to get a Special Use Permit and then you have to hire a consultant, that can cost up to \$100,000. So please pass Bill 75 so that our farmers and ranches don't need to do that. Thank you. >> Members, questions? no questions, thank you. >> Okay. I will testify on Bill 76 right now.\r\n\r\nOn behalf of myself, my 'Ohana and AG working group we fully support this Bill. Over the last several months I have described our dismay over the Planning Department's unwarranted actions to shut down food truck and trailers on working farms. Our citizens need to have trust in government, and I would say that trust right now is at all-time low. Actions by the Council to right the wrongs and give protections to our hard-working farmers and ranchers are very much appreciated. None of the members of AG working group have a food truck or have any intention of having one. Our work on this was to ensure that this does not happen again. Here we are at the time reading after nearly a year-and-a-half of meetings and testimonies.\r\n\r\nGiven the property right and taking it away is against both the U.S. and Hawai'i Constitutions. Our government expects us to follow the laws in exchange we the citizens should be able to expect the same from our public servants. Ironically the farmers shut down were the ones seeking to comply with the law by filing for necessary permits. Ones not seeking new registrations or permits were left alone. This is not the kind of behavior that encourages compliance is it?

Hopefully this had been the last time this happens, but you and I both know it probably won't be. I want to thank each and every of you as you represent your Districts to the best of your ability.

You have a hard job and I understand that from my involvement with you which is only in the agricultural sector. So please support this Bill in its final reading. Thank you.

>> Thank you. Members, questions? If not, thank you very much.

>> Thank you.

>> Next.

>> Chair, the next testifier is Pamela Tumpap, testifying on Committee Report 25-41 and Bill 76 , followed by Lori Buchanan.

>> Aloha and good morning everyone. I'm Pamela Tumpap, President of the Maui Chamber of Commerce and I'm a registered lobbyist for the Maui Chamber of Commerce and pleased to be here with you today. I will start with Bill 76 and the Chamber really appreciates in this Bill the allowance of food trucks already allowed in agricultural is 1,000 square foot commercial restaurant. Many of our local farmers might not be able to afford a restaurant and of course, a restaurant requires a certain kind of build-out and you see of course across Maui County a proliferation of food trucks because they are less expensive to do. So we really support this Bill, because it is certainly provides a unique opportunity for our local farmers.

It gives them broader income opportunities. It's really something that is new and growing and of course, they can within these food trucks just like they would within a restaurant use their local produce and products within the food truck. So we highly want to encourage it. You know it's in line as was said in line with our community plans, and something that our community desires and gives us added diversity and support for our local farmers. So it's a win-win all the way around. We were a little concerned about the distance from one parcel to another and we feel this Bill should apply to every parcel. So along it's appropriately placed on their parcel, we feel they should be allowed to do that.

So we want to make sure that is taken into consideration, because it's such a great advantage and also to add to the next Bill, this is supporting AG tourism. So we appreciate the Planning Commission's changes that differentiate food trucks and farm stands, but again, we're still concerned about the language that they are placed within 500' of each other and feel that we need to first look at where they are looking to place it and if they are -- could be some consideration. One we feel they should be outright allowed as long as they are within some sort of setback that is reasonable, but 500' is depending on lot lines could be considerable. So we're concerned about that again, we think every Farmer should have that opportunity. It's already allowed and we don't have that 500 setback within the restaurant category.

>> Questions, Members on this item? No questions.

Next one.

>> Awesome, thank you. So on Bill 76, again, we have supported this before and still highly support this Bill. Again, AG tourism is so important to us and all of this is aligned. We appreciate the modernization with these Bills to update that. We did support many of the changes made earlier to this Bill by the Maui Planning Commission. However, we're concerned now by some of the provisions that we feel go against the intent of the helping local farmers.

Of that includes you know requiring AG tourism activities to cease if agricultural operators stop for 60 days. 60 days we're talk two months a very short period of time, there's all sorts of issues with agriculture. There's crop rotation, there may pest issues and water damage and we saw Maui onion farmers who had huge issues years ago with flooding that eliminated a lot their crop for quite a bit of time and then you have natural disasters. So this is a very short period and I don't know why. Why 60 days if wear trying to spur agriculture? Why not understand what it takes to do farming? And if they are interested in moving forward?

What is that? I don't see the purpose of that

limitation. So in general, we're concerned about that. On the activity hours 8:00 a.m. to 6:00 people may be too limiting. I know earlier people were talking about some issues with seeing the stars and other tours and telling stories and things that might traditionally be done at night and there could be an option for people to select that and submit additional information when trying to get these types of projects to. With respect to the discussion on getting approval by the Department of 'Oiwi Resources another layer is just another layer of bureaucracy. I don't know what the issue was.\r\n\r\nWe understand there was a bad Apple. The Planning Commission talked about it, but we don't who that was. And we don't flow if it was one bad Apple or multiple bad Apples, but it seemed to be concentrated and around one group. And one group should broad policy. They are in our community, they are good people. We like the idea of counseling and the officer 6 'Oiwi Resources getting ideas and suggestions. Maybe putting some training classes through the Office of 'Oiwi Resources which have been done in our state before, but many Hawaiian groups have pulled back on some of the cultural training.\r\n\r\nBut again, we don't want to see that the people, you know that everybody can be closed down with for five years if they don't understand what some of the rules are and to see that they would be pulled back. So we're in the three strike rule we're concerned about how draft crick this is without studying it further and it being one bad Apple being discussed that could impact many. And so there are other ways we could educate so these different issues we really support Council Member Johnson's Amendments we want to see this Bill go through and we ask that this Amendment be passed. Thank you so much. >> Members, do we have any questions? Member Johnson. >> Thank you, Chair.\r\n\r\nSorry I wasn't fast enough. Thank you for joining us. But in previous Bill, the food truck Bill, we removed the 500'. >> I'm sorry we missed that information. Thank you. >> Thank you very much. >> Chair, the next testifier is Lorie Buchanan and please let us know which item you are testifying on. >> Mahalo, and good morning.\r\n\r\nI am testifying on Reso 25-140, the lease of parking lot to install a carport with solar panels for 250 Kilowatts that would service about 150 households. Solar on the Island of Moloka'i. I wanted to speak in support, but first, I just have to thank my City Council. I love you guys so much, because you guys have had rough, rough days, and yeah, you guys are so strong, and I really appreciate all of the hard work you do on my behalf, because I know it's exhausting. And yet, guys show up, ready and beautiful and ready to rock 'n' roll. I appreciate Council Member Cook's opening remarks. I really do. It was really heartfelt and I wanted to thank you for sharing.\r\n\r\nI speak in support of this. We had a Committee meeting not too long ago, and we went in-depth about what this would mean. It's just part of a larger project on the Island of Moloka'i in order to bring renewable energy to Moloka'i to meet our state goals. So thank you my most Honorable Chair Lee, and my Honorable Council men and women for all your hard work. Man, I give you guys all the props. I love you guys very much. Mahalo.\r\n\r\n>> Back to you, as well. Okay, any questions? You know, you are our favorite. Thank you. Any more testifiers? >> No, Chair. Currently that was -- go ahead, J.C. Lau making his way to the podium.\r\n\r\nPlease let us know which item you are testifying on. >> Thank you, again, Chair Lee. I love you guys. Mahalo. >> Aloha Kakahiaka, Aloha kakou, Aloha Akaku. J.C. Lau -- I'm having troubles with the new laws over there, and these kind of changed some things. This might be under procedural -- I'm not sure where it is on the agenda.\r\n\r\nPoint of order, all of that kind of stuff. Maybe Mr. Raatz can help us with that. If anybody comes into the lobby here, you can see the sign up there, the Clerk's office is doing a good job with the rules of

decorum. So I still would like some details on rules. For example, am I allowed to wear a cardboard box? Would that be disruptive?

Chair Lee? >> Yes, you know, we need to be respectful of the place and the work we're doing. So you know, regular clothes will be accepted. >> I want to see it in writing, because then things change 20 years down the road. July 7, 1898, something called the organic act that the United States Congress transferred sovereignty to the United States making it a U.S. territory and defined as territorial government. Wondering how they did that with Queen Lili'uokalani still alive and how she thought about it? It says on the Internet, the laws of Hawai'i relating to the establishment and conduct of any postal or savings bank or institution are hereby abolished.

I think it's where we kind of went off-track there getting rid of the Hawaiian currency and went on the American dollar and that is where we lead to today and the kind of troubles that we're in today with the U.S. Congress. You know what I'm talking about, Alice? Kala, the Hawaiian word of the day and I used it before. And again, I know that kala means dollar. Thank you for my time. I save the receipt of my time for Hawaiians. >> Thank you.

Any questions? May we have the next testifier. >> Chair, the next testifier is signed in as Jacob and please let us know which item you are testifying on. >> Hello, can you hear me? Can you hear me? >> Yes. >> Okay, great.

Thank you. I'm testifying on food truck on AG land. I'm just coming to just say thank you so much for everyone's hard work. I can't believe the amount of time and effort you guys have put in, and how much people do care. I was closed, you know, back in 2023. And have continued to stay closed out here in Hana. I started my truck based on the fact that the laws were passed in 2015 to allow us to have food trucks to sell directly to consumers. It was hugely successful as I spoke about in the past, you know?

We expanded, we leased more land, bought more equipment and we grew more food. And overnight we were closed down by the Planning Department. I want to thank you guys for coming and clarifying this and fixing this so I could get back open. And I could get back to paying bills. I'm greatly in debt. I have been frozen by the Planning Department and one thing that I want to talk about is the nature and the tone in which it happened. There was no -- no concern about me or my employees.

My payroll was at \$300,000 a year for employees and that stopped overnight. And I have records through service and I pay my taxes. We pay Workers' Compensation. We're not a cash stand. I acquired a lot of debt to buy equipment that I'm still making payments on so I could farm better and responsibly. I don't know how I'm going to dig myself out of this hole that was created? You know, I was unlawfully shut down.

And I'm so thankful that you guys went and gathered information and that once again the community spoke and unanimously we're voting to pass this. So I just highly encourage you to please pass the language that wept through today. Thank you, the working group, the AG working group, Council Member Johnson and Sinenci and just everyone who put in the time, because it has stopped my life and I hope the Planning Department last time we spoke before the first reading of this Bill couldn't even recall my name or my business. He couldn't even say I think there's one other guy in Hana and I think it happened to him, too. Well, I hope he knows who I am, because I know who they are, and it changed my life. I'm setback in a deep hole. So I hope the theme changes, and I hope they have meetings about how they implement these laws and rules and really take into account how that is going to affect the community, because before they just take people's livelihoods away from them.

So thank you for your time. And I just appreciate all you. Aloha. >> Thank you. Member Johnson has a question. >> Thank you, Chair. Thank you, Jacob.

I appreciate your testimony. I know I recall your last testimony

before you were considering selling your farm. Do you still plan to consider selling your farm? >> After not the first reading, but after our last meeting I did remove it from the market. I'm still in contract with a realtor. It really depends on how I can manage my debt. I have a lot of people coming after me now.\r\n\r\nI bought equipment, because of my good credit, because of my successful business I was able to leverage that to expand farming, expand and battling invasives and for myself and my neighbors, and those bills don't go away, and they didn't go away. So I had to put a lot on the line and I had to borrow a lot of money. I still may sell that and just live on the leased land that I have, and that is the last thing I want to do. I want to have a chunk of land that I can pass onto my children and I could take care of. So I can't answer that question. Right now I'm hundreds of thousands of dollars in debt. And so I'm trying to figure it out.\r\n\r\nThis gives me a lot of hope and a lot of light at the end of the tunnel, for sure I do not want to sell my property, but it's definitely on the table as the other challenges I have created for myself, because I thought my business was going to continue. I didn't think it would get Yanked from under me. Those expenses just keep rolling in and I'm just trying to stay above water. So I can't truthfully answer that question at this time. >> Thank you for your response, Jacob. Thank you, Chair. >> Any more questions?\r\n\r\n>> Chair? >> Pro Tem Kama. >> Thank you >> Thank you. Thanks for being here, Jacob, and for sharing the hardships that you have been put through because of this situation that never thought would occur. So my question to you, were you able to get a carry-over loan -- that is the other question. I ask you first question to you is if you went back into the industry, do you think that you would, after an amount of time you could actually come out and still make a profit? >> I'm not sure I understand your question.\r\n\r\nAre you saying do you think I could be successful as I was before? >> Yes. Yes. After the amount of time you put in? >> Yes, I can. Yes, I can. You know, Maui is bouncing back.\r\n\r\nYou know, you guys, you forget we had COVID. COVID knocked us off our feet and we had fires, you know? And we reset and we dusted ourselves off and we grew. We went again, you know? And then to have an Inspector come and smugly take my permit overnight, you know? He saw my property go for sale and he called my cell phone and asked me if I was interested in giving up my other permits on my property, because he saw my property was for sale, knowing he was the reason I was closed. I told him, if you close me, this is my revenue and I will have to Fire everyone and the amount of revenue that I printed out in pro-services and I showed him the amount of money I was making with local fruit and I had the receipts and he didn't care.\r\n\r\nHe even called me several months later and said hey, I see you are for sale now. So I don't -- it's really hard and that is why I talk about it. The nature of the theme of what is going on in the Planning Department, I felt I was a criminal. I felt I was doing something wrong. I have said in my remails to me that I have documented during the investigation, I had no clue I was being investigated. I called this to come out and help me with an permit for a separate thing and got myself into an investigation and that is only going to encourage people to dodge the Planning Department at every cost, because you have no clue what they are coming do to you and truly, you know, Kevin Spellman, the inspector has for the Planning Department, who did this to me has absolutely crossed Constitutional Law, and he's done that not just to me, multiple people. And so I just hope that within the Department, there could become a realization.\r\n\r\n>> Thank you for your answer, Jacob. I like the fact that you could actually reset. I like that. >> I hope so. >> Thank you so much. >> I hope Maui bounces back. >> Thank you.\r\n\r\n>> Thank you. Any more questions? If not, thank you very much. next

testifier. >> Currently, Chair, there's no one else to testify. So we'll go ahead and give last call. If anyone wishes to testify, please make your way to the podium or raise your hand in teams.\r\n\r\nChair, countdown, 3, 2, 1, there's no one else to testify at the beginning of the meeting. >> Members, any objections to closing public testimony and accepting written testimony? >> I'm sorry, somebody just raised their hand as you were speaking. >> Okay. >> Let's see, Gale Ashby. Please, go ahead and let us know which item you are testifying on and we have another person who raised their hand after them. >> Call again.\r\n\r\n>> Gale Ashby, go ahead and unmute on your end. Chair, we'll go to the next person who raised their hand. Testifier by the name Leilani. Go ahead and unmute. >> Aloha Mai kakou. >> Hello. >> Mahalo Nui Maui County Council for taking this time to hear all our testimonies.\r\n\r\nI'm testifying on behalf of the Moloka'i community support for 25-140. I think which is the least of the Kualapu'u parking lot to install a solar panel project designed by the community. And so I just wanted to share really quick a positionality statement that was written by the community in 2023 that speaks specifically to the project. So the Moloka'i community fully supports community ownership of the both CBRE projects which includes the Kualapu'u carport, as well as Ho'ahu Proactive, rigorous, inclusive and collative community engagement process that led to this project designed. Over the course of the years the multi-clean energy hui and those who have been helping to design this project along with the community held over 2700 individual community conversations collected 1467 surveys Islandwide, 30 focus group works and over 16 community event where the community had the opportunity to voice our questions, concerns, our design preference, for this project, including choosing the panels, choosing the battery as you choosing the way it would be interconnected into your grid, the way the benefits would be distributed. So this project made it all the way through meeting community's highest standards of 'Ohana and self-governance, disaster, resilience, sustainable, energy equity and affordable. To our residents. So I just wanted to add that in there for your consideration that is project that is a milestone for our community.\r\n\r\nWe went from supportive community scale renewable energy to designing projects that like to own that support our community the best way possible. Mahalo. >> Questions, Members? I don't see anybody. Thank you. >> We'll return to Gale Ashby. Go ahead and unmute on your end.\r\n\r\n>> There we go. >> Good morning. >> Good morning. You can hear okay, I assume? >> Yes. >> We're good to go. Thank you.\r\n\r\nI appreciate the opportunity to speak again. We have been through a lot here regarding the food truck Bill 76, and I'm speaking in favor of that as well as the AG tourism Bill. I just like to -- I won't take a lot of time here, but I just like to echo Jacob's comments on he spoke so succinctly, and pretty much described our situation as well. And whether we can continue with the food trucks now, just depends on tourism, and the positive response from the Planning Department in the future, and no more snags like we have received. But I do want to thank the Council for expediting this food truck Bill, and seeing the need, caring for us, and hopefully today, unanimous vote on it as well. So I wanted to get back to you and say we really do thank you. We don't just get what we want, and then go our way.\r\n\r\nSo thanks again, and we wish you well and continue the fight. Thank you very much. >> Thank you. Members, questions? Member Paltin. >> Thank you, Mr. Ashby.\r\n\r\nI just wanted to clarify when you said you had a previous experience similar to Jacob was it the same inspector that he mentioned? >> It never got to an Inspector. It was handled within the Department through -- well, I spoke with all of the officials in said Department numerous times, but it was handled by Renee, I forget her name now it's been so long. >> So

you dealt with a different person? >> Yes, I believe so. I also talked to Greg Pfost and to the former overseer of the of the Planning Department as well, which was rather rude on his part. >> The former Director, you mean?\r\n\r\n>> Yes. >> What did you mean by overseer? >> The former Director. >> Thank you. >> Any more questions? If not, thank you very much. Next testifier.\r\n\r\n>> Thank you. >> Thank you, Chair. There is no one else who has signed up to testify at the beginning of the meeting. So we'll again give last call for any testifiers at the beginning of the meeting. Please raise your hand in teams if you wish to testify now. You will still have the opportunity to testify as the items are called up under the different sections. Chair, seeing no one indicating they wish to testify, we'll count down again, 3, 2, 1. Chairs, there's no one to testify at beginning of the meeting.\r\n\r\n>> Any objections to closing public full name and accepting written testimony at the beginning of the meeting. >> No objections. >> so ordered. Ms. Clerk. >> Moving on to County Communications currently we have non-signed up to testify on County Communications. So we'll give last call for testimony on that Section.\r\n\r\nSeeing no one raising their hand in teams, or making their way to the podium, counting down, 3, 2, 1, Chair, there's no one to testify on County Communications. >> Any objections to closing public testimony and accepting written testimony on County Communications. So ordered. Ms. Clerk. >> Thank you, Madam Chair. Before you is County Communication 25-13 from the Agriculture, Diversification, Environment, and Public Transportation Committee Chair transmitting a proposed Amendment to Bill 75 CD 1 (2025) entitled, "a Bill for an Ordinance amending title 19 Maui County Code relating to the Comprehensive Zoning Ordinance on agricultural tourism ." Member Johnson.\r\n\r\n>> Chair, if there's no objections that I ask County Communication 25-13 is postponed until Bill 75 CD 1 (2025). >> Any objections? So ordered Ms. Clerk. >> Chair, before you is County Communication 25-14 from the water and infrastructure Chair transmitting a proposed Amendment to resolution 25-129 entitled, "Authorizing the acquisition of 1.724 acres identified for Real Property Tax purposes as Tax Map Keys 2-4-6-027:027, 029, 030 and 041; 2-4-6-027:026, 028, 033 and 040 and 2-4-6-016:041." Situated at Lahaina, Maui, Hawai'i for up to \$1,950,000 exclusive of closing costs and expenses under subsection 3.44.015 (c) Maui County Code. >> Member Cook. >> Chair, if there are no objections may I please request County Communication 25-14 be postponed to later in the agenda, when the Council considers resolution 25-129. >> Any objections? >> No objections.\r\n\r\n>> So ordered. Ms. Clerk. >> Thank you, Madam Chair. That concludes the County Communications. So moving on to Committee Reports. Currently we have no one signed up to testify on last call for anyone who wishes to testify on Committee Reports please raise your hand in teams or make your way to the podium.\r\n\r\nChair, counting down, 3, 2, 1, no one to testify on Committee Report . >> Any objections to closing public testimony and accepting written testimony on Committee Reports? >> No objections. >> So ordered. Ms. Clerk. >> Thank you, Madam Chair from the Agriculture, Diversification, Environment, and Public Transportation Committee is Committee Report 25-41 recommending first reading of Bill 75 CD 1 (2025) to establish agricultural tourism as an accessory uses on farms in the County Agricultural District. >> Member Johnson.\r\n\r\n>> Thank you, Chair. I move to adopt the recommendations in Committee Report 25-41. >> Second. >> Moved by Member Johnson, seconded by Member Cook to approve the recommendations in Committee Report 25-41. Discussion. Member Cook -- I mean Member Johnson. >> Thank you, Chair. Members, Bill 75 CD 1 (2025)'s purpose is to amend the Comprehensive Zoning Ordinance to allow agricultural tourism as an accessory use on working farms in the

County agricultural District. The Bill was proposed by farmers from the AG working group and will give our farmers more options to make their farming operations viable, which will increase our food security and sovereignty.

The was created after the incorporating recommendations received from Department after considering by the Planning Commission of the proposed Bill attached to resolution 24-172 adopted by the Council on December 6, 2024. At its meeting on June 6, 2025 your Committee discussed Bill 75 approved by the Corp. Counsel as form and legality which contained the Planning Department's recommendations. Amendments to the hours, traditional and ancestral activities related to the location and most of celestial elemental bodies would operate, as well as non-substantive revisions. Your Committee agreed further Amendments to restrict agricultural tourism activities between 8:00 a.m. and 6:00 people remove traditional or ancestral activities related to the location and most of celestial elemental bodies from the agricultural activities as producer may offer and change the host culture's intellectual property to the indigenous customer Intellectual Property it included a requirement to consult the Director of 'Oiwi Resources enforcement of possible violations involved, appropriation of indigenous culture traditions and allowing the Planning Director reinvestigate the producer's registration for up to five years where repeated violations demonstrating intentional disregard for the compliance occur require approval by the Director of 'Oiwi Resources for the registration of agricultural tourism activities based on traditional ancestral indigenous and cultural activities and require safe access for the Department of Fire and Public Safety and Representatives from the deterrent of 'Oiwi Resources Department of Fire and Public Safety, the Department of Planning expressed support for this revised Bill. May I please ask the Clerk to please recall County Communication 25-13. >> Ms. Clerk. >> Recalling County Communication 25-13 from the Agriculture, Diversification, Environment, and Public Transportation Committee Chair transmitting a proposed Amendment to Bill 75 CD 1 (2025) entitled, "a Bill for an Ordinance amending teil 19 Maui County Code relating to the Comprehensive Zoning Ordinance an agricultural tourism ." Member Johnson.

>> I move to substitute the Bill with proposed FD 1 version attached to the County Communication 25-13 and it file County Communication 25-13. >> Moved by Member Johnson, seconded by Vice-Chair Sugimura to substitute the attached to cc 25-13. And file cc 25-13. Addition discussion, Member John som. >> Thank you, Chair, the proposed FD 1 version of the Bill is based on consultation and contains approval by the Department of Corporation Counsel. It makes revisions and addresses the legal conflicts concerns as follows: it deletes the requirement for approval by the Department of 'Oiwi resources to register agricultural tourism activities based on indigenous culture's traditions. Members, Bill 75 CD 1 (2025) purpose is to purpose to amend the Comprehensive Zoning Ordinance -- oh, wait, I beg your pardon. Let me switch that. It allows consultation with the Department of 'Oiwi Resources for guidance regarding the conducting agricultural tourism activities based on indigenous cultural traditions with the respect for indigenous cultural, intellectual property, traditional and ancestral knowledge and to avoid cultural appropriation revises the language regarding the verification of the Department of Fire and Public Safety for registering agricultural tourism activity and deletes the Planning Director's right to revoke the producer's registration for up to five years and discontinue agricultural tourism activities where least three violations demonstrated intentional disregard for compliance have occurred. And if Members need more additional explanation, Corp.

Counsel's here. I respectfully ask for Members' support. >> Member

Cook. >> I want to commend the AG working group for their persistence and their community's engagement, I think that is a really good representation of positive community engagement. I want to also acknowledge Member Johnson's representation and carrying this Bill forward as benefit of the community. I think this had extensive discussion and to me when I look at this issue, it's basically afraid of commercializing the agricultural areas, and being wanting to support agriculture. And this is one of the challenges we have a really small island, small community.\r\n\r\nAnd this issue I think is pivotal and I'm really glad to see this will move forward and I think the community as a whole will "Police it." Thank you, Member Johnson. >> Member Paltin. >> Thank you, Chair. I agree we did work on this a lot. And we had all of the resources, when it was in Committee, when I think would have been the appropriate time to make these Amendments. We worked on it a lot in Committee. Adept was canceled last week.\r\n\r\nIt would have been better to have revisited it then. I mean, we're taking away Fire protection without Fire being here. We're taking away any opportunity to enforce against intentional violation. So there's zero accountability on that scale. And 'Oiwi Resources isn't here, adept agricultural isn't here. So I won't be supporting this. I think it should go back to Committee, if we're going to make these changes on the changes that were made in Committee without discussion, without the resources being present.\r\n\r\nUnless this is Corporation Counsel making these amendments and they can explain to us why the previous was not good enough. >> Did you have your hand up, Vice-Chair Sugimura. Member Johnson. >> It was a question to Corp. Counsel. >> Question to Corp. Counsel.\r\n\r\nCorp. Counsel. >> Yes, Chair, thank you. I believe Deputy Corporation Counsel Andrew Nelson is online. He has worked on the Bill. So he may be able to answer Member Paltin's questions. >> Was it deputy Corporation Counsel Nelson that was in Committee with us, or was it somebody else?\r\n\r\n>> Yes. >> So he didn't bring these up in Committee? >> Is he online? I don't see him. >> Council Members, thank you. Council Member Paltin, for that question. Yes, I was in Committee, and apologize that I did not identify the legal issues that were presented in the CD 1 version.\r\n\r\nYou know, I did work with Council Member Johnson's office, and OCS on the FD 1 version of the Bill, attempting to resolve the legal issues while still accessing the cultural misappropriation issue. >> Thank you. >> Did you also work with Fire, AG and 'Oiwi Resources? >> No, I did not consult with all those different groups. >> What about Planning? >> Planning, I did have some discussions with Planning in working on the FD 1. >> And so then what is the recourse if people are intentionally repeatedly disregarding? >> So you know, I think intentional is a really high standard of proof, and you know enforcement mechanism would be Article 5 Administration and Enforcement of the Comprehensive Zoning Ordinance that is otherwise applicable to all accessory uses in the AG District.\r\n\r\n>> Yeah, we went over that in Committee. And it wasn't like it would necessarily stop. There were fines that could be repeated, or wiped out by the Director, but it wasn't necessarily an enforcement. You didn't -- you don't recall that conversation in Committee? You didn't have this knowledge in Committee? >> You know, I do not recall that specific discussion in Committee. But again, you know, the enforcement would be handled according to the Article 5 that governs the entire Comprehensive Zoning Ordinance and enforcement.\r\n\r\nYou know, if there's specific enhancements to the enforcement mechanisms in the code, I think that that would be appropriate to address, you know, not just for this specific accessory agricultural use, but more generally. >> I understand what you're saying. I thought that is what we were doing with the verbiage that we discussed in Committee. >> You know, that is

all the input I have. >> Thank you >> Thank you. >> Member Johnson. >> Thank you, Chair.\r\n\r\nI can add a little more input. So for Legal Counsel objected to the possible constitutional due process on the first Amendment violations regarding termination and enforcement of agricultural tourism activities and constituting cultural appropriation. Now it was their idea that there was unconstitutional that Section that also objected to the use of word "safe" regarding site access to the ferment of Fire and Public Safety verification in the registration process. And also Corporation Counsel felt enforcement provisions should not exceed the process laid out in the code regarding the types of violations we did have from OCS. >> Thank you. >> Member Uu-Hodgins. >> Thank you.\r\n\r\nThis can either be for Member Johnson or Mr. Nelson. How is this going to work? So I'm looking on page 5. I think this is Roman numeral IV, the Department of 'Oiwi Resources may be consulted for guidance regarding these activities, the avoidance of misappropriations. So when -- who would determine when this would happen if the language is "may"? If we're leaving them up to the applicant or is it going to be the Department of Planning, since this is in Chapter 19? Are they going to be determining who or what activities will be sent 'Oiwi Resources for consultation? >> Is this Mr. Nelson?\r\n\r\nOkay. >> Mr. Nelson. >> Oh, sure. >> Did you hear the question? >> So yes. The idea would be that 'Oiwi Resources is presented as a resource for applicants to speak to answer any questions about those issues, as opposed to requiring that they do so.\r\n\r\nThank you. >> Thank you. So in a hypothetical situation say I'm going to do an application, I'm going to take it to Planning Department, and get this registered and get this going. They're going to decide, the Planning Department is going to decide who goes to 'Oiwi Resources for consultation? Yes? >> No. I don't think that would be the way that it would function.\r\n\r\nI think that the -- for instance the application materials could include the contact info for 'Oiwi Resources, and a message encouraging applicants that are proposing activities that involve those sort of traditional and cultural types of activities that encourages those folks to contact 'Oiwi Resources. >> Okay. >> On recommendations. >> So then it's going to be the applicant. So in the application package, in the packet that has all of the required documentation to get something like this permitted, in that application, it will tell the applicant, hey, it's a good idea to check with 'Oiwi Resources? So it's going to be the applicant. And then because the language is "may" what happens if 'Oiwi Resources says no, we don't like that?\r\n\r\n>> Let's see, so you know right now, the way the FD 1 language reads, there isn't, you know, an enforcement mechanism based on a cultural misappropriation issue. And I think that if you know, that were to be set-up, it would have to be, or ideally would be more detailed, and fleshed out then presented in the CD 1. Thanks. >> Okay. And then as it relates to access from the lot upon which the farm is located to Fire apparatus access roads that are maintained to support the width and impose loads of Fire apparatus. Could you please break that down in like normal people language, because it seems hyper redundant sure, that language was suggested by the Fire Department. That is my understanding. >> Okay.\r\n\r\n>> What was related from OCS. And you know, I think just Fire apparatus, I know that refers to different Fire Safety equipment. >> Vehicles. >> Yes, including the engines. >> Yep. So what is a Fire apparatus access roads? Are those just regular roads that the Fire apparatuses can also drive on?\r\n\r\n>> That is my understanding, but you know, and I know we don't have the Fire resource here. But that is my understanding. >> Okay. That is an interesting language to use Fire apparatus road. Back to the demonstration of intentional disregard. I can understand where we're getting that language from, but

yet, it is a little bit subjective. So what would the Planning Department be looking for the demonstrating of intentional disregard?\r\n\r\n>> You know, that language is in the CD 1. It doesn't make it into the proposed FD 1. And you know, I think that in practical effect it would be difficult to prove in most circumstances intentional disregard. >> Okay. Okay. I'm curious how the consultation is going to work? I understand for the 'Oiwi Resources changing the requirement sometimes. But I'm just curious how this is going to work. So I don't know how to feel about it just yet.\r\n\r\nI understand the intention, but I'm not just too sure how to feel about it just yet. Thank you. >> Member Johnson, do you have a reply? >> We went through Corporation Counsel and this is them trying to get, you know, get this done. We have Greg Pfof on the call and he can always respond. I think he would be better. >> Okay, let's try Greg Pfof.\r\n\r\nThere he is. Okay. >> Good morning, Council. >> Good morning. Have you been following the questions? >> Yes. I have been.\r\n\r\n>> To share your comments. >> I think it's -- it is difficult. We reviewed the FD 1 version and it is interesting that the enforcement aspect of this particular Section now, and whether or not the Department would be -- I kind of look at this it is in code. So we would use to some degree our enforcement capabilities to enforce Section IV on page 5. But it's subjective, really. So I'm not sure. It's actually -- it's definitely weaker than what the previous version, the CD 1 version was, that we actually consult with 'Oiwi Resources on whether or not they felt this was non-misappropriation but now it's kind of more open-ended. So that is kind of an interesting addition on how we would enforce that.\r\n\r\n>> Any more questions? >> At least not right now, Chair. >> Okay. Anybody else, questions? Member Paltin and then Member Rawlins-Fernandez. >> I had a question for Mr. Pfof.\r\n\r\nI didn't know he was a resource available to us. So one of the examples that were given, I think like the YouTube video of hono pono pono, and those folks singing and things like that. So if they weren't doing it in accordance to any kind of specific teaching in the culture, and it was like posted on YouTube or something, can you run us through how the enforcement of that would go? Like somebody sees the tour, they bring it up to 'Oiwi Resources hey, this is happening in Maui, Lahaina, whatever. Can you run us through how that would get resolved? >> Sure. I will do this to the best of my ability.\r\n\r\nFirst of all, we would want to make sure that the tourism activity had a registration per the code, which requires registration. So we want to make sure that they did that. And then the activity was in compliance with whatever their registration was, the description of their activity. Then to get to your point, more specifically, if they were doing something that was really a misappropriation of culture, then I would assume that we would probably consult with 'Oiwi Resources and find out what their opinion was and whether or not we could enforce based upon this Section. That is the question, I think, we would attempt to do that, and consult with the tourism activity and say, one, we want to make sure that you are compliant with your registration, and what you said you were doing. Then also informing them that 'Oiwi Resources had issued with them on that and it would be just from the Council's opinion on the and the and the enforcement that we would have the ability to enforce that. I'm not sure what their position would be.\r\n\r\nSo that is generally how the process would work, I think. >> I guess, to me, that is a little bit of a red-flag. I mean, if the culture is going to be presented, we want it to be presented correctly. I remember before they used to have these Styrofoam boogies called Poi pounders. You know, as we get more educated, as we be able to remember things, Department of 'Oiwi Resources said you know, we call it kui Kalo and we do want to correct previous misinformation, or information that

was lost, and you know, if the registration were to have said, like, we're going to be demonstrating Poi pounding, would that then go to 'Oiwi Resources to be corrected or how -- I guess that is a little bit to Member Uu-Hodgins' point. It just seems that there needs to be a little bit more work on how the process and the legalities come together. >> Yeah, definitely the CD 1 version had a more defined process where the Director of 'Oiwi Resources would be involved in the registration process.\r\n\r\nI think if Corp. Counsel is expressing some concern about that process, I think that is what they are trying to express. I can't speak to that legality, but definitely the CD 1 version had a process that was definitely would participate in the registration process. So we would have that involvement early on. But I can't speak to the legality of changing that to the current version that no longer has that as part of the registration process. I think Corp. Counsel really may be better to speak to on the legality of that issue.\r\n\r\n>> Do you have a problem with replacing "may" with "must or shall?" >> Yes. I think that presents legal issues. You know, I know that the idea -- >> For consultation. >> Wouldn't be popular to go through those, but -- >> Must for consultation is problematic to you? >> Oh, I'm sorry. For consultation alone, you know, I hadn't thought about that. But you know, I would want to take a look at that.\r\n\r\nMy initial inclination, if it's just consultation, and there isn't, you know, the discretion to approve or disapprove, it would be okay to change that "may" to "must." >> Okay. Thank you. I will yield. I see Member Kama's hand up. >> Before that I had called on Member Rawlins-Fernandez and then Vice-Chair Sugimura. >> Mahalo, Chair. I'm not going to vote for this.\r\n\r\nI think many tourists come to Hawai'i to experience our Hawaiian culture. Our culture has been exploited and misappropriated too often by folks who do not practice our culture and is on performing what they imagine our culture is for profit. Protecting our indigenous and intellectual properties is one of the very reasons that 'Oiwi Department was established. And to dilute this Section this much is offensive. I would support it going back to Committee, because I consider these pretty substantive, especially after hearing Committee Members talk about how they had so much discussion to even get to this point, and now we're doing extensive Committee work on the floor without the resources that the Committee has. I know Mr. Pfof is here and mahalo for Planning having Representative.\r\n\r\nBut we don't have Fire. We don't have 'Oiwi Resources. And I wouldn't want to pass this without those safeguards. I think the safeguards were responsible and I appreciate the Committee Members for working hard on that. I hear where Member Paltin is coming from in trying to get something, because if this is going to pass a "must consult" is something. But protecting -- preventing the continuation of such offensive activities is, you know, not having that in this Bill is a deal breaker for me. I can't support that.\r\n\r\nI do have a question for Mr. Nelson. Why was the enforcement Section, the penalty Section removed from the Bill? >> Thank you, Council Member. Again, the enforcement Section was removed because the idea would be that the Article 5 of the comprehensive Zoning Code be enforcement Section applicable to all of the comprehensive Zoning Code also apply to this single accessory agricultural use. Thank you. >> What is the Section number?\r\n\r\n>> It's beginning with Chapter 19.500. And enforcement is 19.530. >> 530. >> Yes. >> It looks different and doesn't say "unless otherwise stated in this Section." Or in another Section, because often that is what it does. Like, we intentionally put room for stricter enforcement, or something else in order for us to have variety, if necessary, where appropriate. So you're saying -- I haven't looked up the Section yet. So I don't know what the difference is. Do you know what the difference is

offhand? >> No.\r\n\r\nYou know, I'm not sure how to explain that offhand. But the idea in the FD 1, you know, if you folks are amenable to it would be for the broadly applicable enforcement provisions of the comprehensive Zoning Code to apply to this specific accessory use in the AG District. But you don't know what it says and what the difference is? I'll have to look it up and report-back, I guess, to the Council what the difference is >> Yes, it's a little hard to verbalize that, you know off the cuff. And there's pretty good amount of detail. So I could write that up, if you would like. >> Okay.\r\n\r\nMahalo. Mahalo, Chair. >> Okay. Members, try to keep your questions limited to around two minutes . Let's see, Vice-Chair Sugimura, and then back -- and then Member Kama and Member Uu-Hodgins. >> Me first? Okay. So this is important discussion, and it sounds like I want to ask Member Johnson what he wants to do?\r\n\r\nBecause it's an important piece of legislation okay, let's ask him what he wants to do. >> Thank you, Chair. We tried our best to put Council Member Paltin's Amendment into the Bill, but of course, Corporation Counsel said Constitutionally we cannot and they kept pushing back on The Constitutionality of the Bill, of that part. So we did the best we could with what the lawyers would sign off on. I think I totally hear where we're coming from, where we don't want to commercialize culture. But this is the water we swim in. People do that and how do we stop them from doing that?\r\n\r\nDoes this body have that power? I don't know if we do? So that is why I think this is what -- this is where would could meet at. I just wanted to throw that out. Thank you, Chair. >> Okay. Let go to Member Pro Tem Kama and swing back I just want to swing back to him from what he just said, if I could?\r\n\r\n>> Okay, you guys, we want to limit the swinging now. Vice-Chair. >> Thank you, Member Johnson, because I know when you do legislation, you work really hard with talking to everyone in the AG working group, especially. So I just wondered if this would get resolved and if Corp. Counsel would agree if we were -- if we put in there "must" speak to the Department of 'Oiwi resource and not make it, you know, a "may?" >> Corp. Counsel, did you hear the question? >> I agree with that.\r\n\r\n>> Mr. Nelson, you heard that; right? >> Yep. You know, let's see, this is first reading, and you know, I will -- I would take a closer look at that change, if it's adopted by Council. >> Okay all right. >> My initial reaction is that it should be okay. Thanks.\r\n\r\n>> Thank you. Pro Tem Kama. >> I wanted to ask Mr. Johnson if he was okay with sending it back to Committee Although I don't sit on the Committee, I think your Committee does some really great and wonderful research when you do come up with policy. But I think this particular issue is important enough that we take a little bit more time to figure it out. I'm not so stoked about some of the stuff that our Corp. Counsel comes up with, but I would like an opportunity to at least have our Committee, the one that I don't sit on, to take a closer look at what we're looking at and come up with something that is doable, and that works?\r\n\r\n>> May I respond? >> Member Johnson. >> You know, I'm not happy with the way it's going. Sending it back to Committee, we're not going to resolve that, I think that. But having that "must" put in before second reading I would support moving forward that way. There's no way of getting around the federal Constitution on this. not according to our lawyers.\r\n\r\n>> Now we have Member Uu-Hodgins and Member Cook. >> Thank you, Chair. >> And this will be everybody's last round, okay? >> This is not -- >> It's the fourth round already. >> Thank you. This isn't going to be a popular comment, but I'm going do it anyway. I'm going to request that Mr.\r\n\r\nNelson either talk to me individually or us as a body and explain why this is unconstitutional, so we know why we can't do it here perhaps, and why we can't do it elsewhere? Because this is probably going to come up more often than

not. So I want that explanation. I understand that Member Johnson has been privy to this information, because he has been working on this so long, which the rest of the body is not. So one, I would like that explained. And two, either we can hold on for it to be done in second reading or tabling this so Mr. Nelson can figure out how he feels about "must consult" instead of "may consult by the end of today's meeting."

I want to support it, but soft rage I don't really support right now, but I do understand Member Johnson's intent with the Bill and that I think most people are good and some people suck and ruin it for the bunch. And we do have to prepare for that. And acknowledge that. But that is my question. >> Thank you. >> Member Cook. >> Thank you, Chair.

This kind of resonates with my support when I said about the support of a Bill a lot of things in our community and we try and make rule and Police, Police, Police to the total. I totally respect the intent and I feel that the awareness and the conscientiousness the support the respect for proper cultural practices is growing and the past abuses we need to mitigate and prevent. But I think by enabling us to move forward to be supportive of the farmers in this aspect of it, I think this is really putting everybody on notice. You better be on your game and not try cockroaching and cheat. So I personally would like to pass this on, could work on it until second reading, and work on it. I'm really supportive of the concept and for the people, and the people are waiting, and we're doing our government stuff. So I really like to pass this today, and do the details, and hopefully by second reading have it worked out.

That is my comment. I will not say anything else. Thank you. >> Member Paltin and Member Johnson. >> I have a proposal for, a compromise to move forward today. As Mr. Raatz will confirm, there's no need to have Corp. Counsel sign off on the Bill. So we just go back to the CD 1 version, pass that on first reading and do what Member Uu-Hodgins said. We all meet with Corp. Counsel, individually, together, whatever, and hammer out something better than what he has. >> Member Johnson, that is a suggestion.

Member Johnson. >> I was just thinking about we amend it to "must" and did they have an issue, they will come back by second reading.

>> How is that everybody? >> That addresses the one issue and somebody texted me, some beneficial language representing Hawaiian traditions, and customs, then it "must." That makes sense to me. But the enforcement as was stated by Mr. Pfof is not as clear, and as stated by Jacob, and Mr. Ashby, that it's a problem when the Inspectors are not clear, and if Mr. Pfof is kind of in a Supervisory role is not clear, then I would imagine that the Inspectors more so would not be clear. So I'm amenable to that in what Member Johnson said, "must" if representing Hawaiian traditions and customs must consult with the Department of 'Oiwi Resources, that addresses that part, fine for me.

But it's the, you know, there's -- it was represented by one of the testifiers that there's just one or two, but it's pretty widespread. I mean, we have even one of our own person in the Department of Planning that was repeatedly referring to seawalls as old Hawaiian rock walls, you know? It's like, Hawaiians didn't build seawalls, they built like local EA and things like that. So I find it hard to put a lot of value in the community becoming aware, because they are not aware of how much they are unaware; if that makes sense. >> You know, your suggestion sounds like a good one. And Member Johnson, do you want to incorporate that language into your Amendment? The substitution is an Amendment.

>> Okay, I will amend the language that you proposed, but can you guys write it down? I can't hear it word-for-word. Do you have that? >> Do you want to take a ten-minute break. >> Yes, sure, we're at break time anyway. >> All right in recess until 10:40. [GAVEL] Any further discussion? If not, please raise your hand and say aye.

don't see Pro Tem Kama -- I see Pro Tem Kama. Nine ayes, zero nos, motion carries. That is one Amendment. Member Paltin. >> And for my final Amendment on the ASF I'm on page 6 of his ASF, and after the letter h, before the number 16, I would add a letter I that would read: the producers' registration shall be suspended for three years and disallow continued agricultural tourism activities upon three violations of this Chapter, period. >> Is there a second? >> Member -- moved by Member Paltin, seconded by Member Johnson to add this language regarding enforcement.\r\n\r\n>> So we did speak with several lawyers, and we weren't clear on what Mr. Nelson's constitutionality issues were in Section 19.53, it just has like an escalating fines basically, and as we know daily fines can be waived by the Director and what not. But basically, if you are going to repeatedly violate this Section, where we're trying to make agricultural tourism, then it's like a time-out. >> Any further discussion? If not, all those in favor of this motion, raise your hand, say aye. Pro Tem Kama, did you raise your hand? Nine ayes, zero nos, motion carries.\r\n\r\n>> Chair, if I could? >> Yes. >> If Member Paltin, if you could repeat your first amendment, please, there was an audio issue and OCS Staff let us know they couldn't hear us. >> Sure thing. Sorry, I'm just looking for the page that I had. >> Just the language for it, please. >> Okay.\r\n\r\nSo IV relates to the activities for indigenous culture traditions and customs, the Department of 'Oiwi Resources must be consulted for guidance regarding these activities. And then so on and so forth. >> Thank you. >> The main motion as amend. >> The ASF for substitution. >> I thought we voted on that already. >> We haven't voted on that yet.\r\n\r\n>> So on the substitution, and then the main motion as substituted. >> We need to vote on the substitution. All those in favor, please raise your hand, and say aye. >> Chair, I'm sorry, will you clarify what this vote is? >> I thought we were at the stage of the main motion as amended, but I have been told that we didn't vote -- huh? >> Right. This vote would be on the substitution, as amended >> On the substitution as amended.\r\n\r\n>> Roll call. >> Okay. Roll call. >> Oh, discussion. >> More discussion? >> If we can fix it better than I'm open to it. So if, I mean, I don't work that great under pressure.\r\n\r\nMaybe we can get it better, if we know what is wrong. >> Member Rawlins-Fernandez. >> Mahalo, Chair. Mahalo, Member Paltin for trying your best on the fly to try to save the Bill. I'm still not satisfied with the level of safeguard and protections that it has. It's really difficult to try to come up with something -- I know what the U.S. Constitution says. I fully support freedom of speech, and the first Amendment.\r\n\r\nBut in that first Amendment, it also has the protection of religion, and I don't know if there's like an adequate enough articulation of religion of one culture being abused? Because that is really what our culture, our Hawaiian culture is grounded in is the practices of our religion. And so I know that the first amendment is just protecting one from being able to exercise their choice of their religion, whatever. But there is room for us to be creative to be able to protect our community from harm, and our community has said again and again that these types of cultural misappropriation, and exploitation harms us, and so these safeguards and protections are supposed to prevent those harms from continuing to occur, as much as possible. We continue to try to make -- to take steps in that direction, and again, that was one of the intentions of creating the Department of 'Oiwi Resources. And so in creating the Department,, as much as possible, I would like to give them that authority to carry out of purpose for which it was created. And I believe we can get there better than this weak language, which is stronger than what it was initially proposed, because this is a priority for me.\r\n\r\nCultural protection is a priority for me. Getting tourist

activities on AG land is not a priority for me. I will support it. Moloka'i Planning Commission exempted Moloka'i from it, so as far as my residency area, we won't be impacted by this. But I represent more than just Moloka'i, and this doesn't go far enough, it doesn't protect enough. So I will be supporting -- I will not be supporting this. I will be voting no on the substitution and the main motion until we can get adequate protections in here.\r\n\r\nMahalo, Chair. >> Any further discussion? Member Johnson. >> You know, I tried to advocate for the farmers, as much as I can. This Bill or this new language has been on the agenda for a week now. I'm sorry that we all -- it wasn't as prepared as I would like all of us to be on this. I just think the farmers have been waiting for quite some time and more the Planning Department to come and tell Hawaiian guy you can't make lei on your farmland.\r\n\r\nThis got my activated to do something about it. There's a million hurdles our farmers have to deal with, the invasives, the costs, the list is long. It shouldn't be Planning Department or Counties coming in and saying asking them to do a giant permit. They got enough problems on their plate. I think -- I just want to thank everybody that has helped work on this Bill. It's come a long way, over a year to do a Bill on this, which if we don't do the Bill, it stays unregulated and becomes the wild West, and this -- at least draws up some parameters that I support. Thank you, Chair.\r\n\r\n>> anybody else? >> Can I save my discussion for the main motion as substituted and amended? >> Sure. Anybody else? Okay, roll call -- oh, Member Sinenci. >> Mahalo, Chair and mahalo for the discussion and additional time to address this Bill. I just wanted to also speak on behalf of East Maui.\r\n\r\nAs you know, we have a lot of Kalo Taro farmers, and for our farmers, they're not just farmers, they are also cultural practitioners and I say cultural practitioners because they are always teaching and promoting and perpetuating the culture of Mali Kalo, not just Kalo, but all indigenous food sources, native water rights, our traditional Kalo farming and practices. So it goes beyond just the farming when it comes to perpetuating the culture. And I'm supportive of the Bill, because this is important work when we perpetuate the culture to the next-generations of farmers. We want more farmers. We want to educate them. We want them to practice their culture. We want them to be in the Muli Wai and the LOI Kalo.\r\n\r\nSo I can see where many people might not understand the intricacies of this discussion, but we walk a fine line when it comes to the culture and perpetuating this practice. So I will vote to support our Maia Kalo today. >> My more discussion? Roll call. >> Thank you, Madam Chair. And just for the record, this is the vote on the -- there was a motion to substitute with the Amendment that is attached to County Communication 25-13. And to file County Communication 25-13. Pro Tempore Tasha Kama? >> Yes.\r\n\r\n>> Vice-Chair Sugimura. >> Aye. >> Council Member Paltin? >> Aye. >> Council Member Johnson? >> Yes. >> Council Member Rawlins-Fernandez?\r\n\r\n>> A'ole. >> Council Member Cook? >> Aye. >> Council Member Uu-Hodgins? >> Aye. >> Council Member Sinenci? >> Aye.\r\n\r\n>> Council Chair Lee? >> Aye. >> Chair, there are eight ayes, one no, motion passes. >> All right. So the main motion as amended at this point. >> Yes. >> Okay.\r\n\r\nMember Paltin, discussion. >> Thank you. I would like to thank Member Johnson for this Bill, and for taking the time to hear our concerns, and Amendments. You know, there is absolutely nothing wrong with farming. There is some nuance when tourists come onto the farms, and there's nothing problematic if they're representing the agriculture, or their own culture. Just some of the situations in Maui that we have seen West Maui in particular, sorry. Is that people move here, or they're not immersed in the culture, and what their passing on to others that aren't immersed in the culture is not correct.\r\n\r\nIt's more their

idea of what the culture is, and so that is a problem, and I see the fine line that Member Sinenci says that we're walking. Because we do want our farmers to succeed and we do want our culture to thrive in its authentic state, not in -- not be perpetuated by what others think it is. And for so long being denied the ability to practice authentically, many are still relearning right now, you know? My son just came back from like three days in Honokohau, where they were teaching him to Kalua pig or try Tako, HaiHai, and back in the day you wouldn't have to send your kid someplace specific to learn exactly how food was prepared, because it would be prepared daily kui Kalo, kui Ulu, what have you. But in this reemergence, like Member Cook was saying, I guess, you know, especially for people have moved here, people whose ancestors have moved through here the Plantations or what not, there is a lot that was lost intentionally, I think, by the denationalization. But that is one of the obstacles for us to overcome is to ensure that if a culture is being perpetuated, which it should be, that it's perpetuated authentically, and there's not a problem per se with doing it wrong, as long as if you are corrected you then correct yourself and educate others of what was wrong, and how we're trying to be connect and be authentic. Because it wasn't able to continuously be practiced after the missionaries arrival and what not.

\r\n\r\n>> Thank you. Anyone else? Member Rawlins-Fernandez. >> Mahalo, Chair. I won't be supporting the main motion as I stated earlier. I know that there are many examples of productive, beneficial and responsible tourism activities on AG land. We have a bunch of examples up country where tourists toured the farms, and I guess I won't give any specific shout-outs.

\r\n\r\nAnd I know that there are also great examples of farm-to-table, which I fully support. I think that is a great example of supporting our farmers, supporting locally-grown food. But as we all know, this Bill took a long time to get to this point. And if it's not passed out with necessary protections in place , it would take a long time, again, if anyone even takes it up at all, so put those protections in place at some point in the future. So if it's not done now, then I don't really see it happening again in the future, unless there's really egregious examples of needing the protections. But I would really like to have those protections in place, and then you know, prevent those examples of egregious examples from happening. I think you know maybe with consultation in the next -- before the next reading, it could be addressed . Someone would have to work on it, yep, that's it.

\r\n\r\nMahalo, Chair. >> Thank you. Anybody else? If not, roll call. >> Council Member Pro Tempore Tasha Kama? >> Yes. >> Vice-Chair Sugimura?

\r\n\r\n>> Yes. >> Council Member Paltin? >> Aye. >> Council Member Johnson? >> Yes. >> Council Member Rawlins-Fernandez? >> A'ole.

\r\n\r\n>> Council Member Cook? >> Aye. >> Council Member Uu-Hodgins? >> Aye. >> Council Member Sinenci? >> Aye. >> Council Chair Lee?

\r\n\r\n>> Aye. >> Chair, eight ayes, one no, motion passes. >> Thank you >> Thank you. >> Thank you, Member Johnson. >> Ms. Clerk. >> Thank you, Madam Chair from the Budget, Finance, and Economic Development Committee is Committee Report 25-42 recommending first reading of Bill 47 CD 1 (2025) to authorize the Mayor to enter into ang Intergovernmental Agreement with the State of Hawai'i Department of Business, Economic Development, and Tourism and the Hawai'i Countis for the Hawai'i Creative Economy Collaborative.

\r\n\r\n>> Vice-Chair Sugimura. >> I move to adopt recommendations from Committee Report 25-42. >> Second. >> Moved by Vice-Chair Sugimura, seconded Pro Tem Kama. Discussion, Vice-Chair Sugimura. >> Bill 47 CD 1 (2025) authorizes the Mayor to enter into an Intergovernmental Agreement for Maui County to participate in the statewide partnership supporting television, film and Performing Arts. The film Commissioner told us that it's declined because of rising

costs, and disagreement is a coordinated statewide response. Maui's participation is voluntary, but offers benefits like greater -- visibility, cost-sharing and less compensation between Counties.

The CD 1 version of this Bill incorporates non-substantive revisions to the IGA to remove signature pages and correct contact information. Since our Committee meeting we further updated the IGA, and ASF was sent over to all of the members with the updated Bill that includes the newest IGA And referencing -- hang on -- so the IGA that you received proposes to incorporate an updated exhibit one, which incorporates extra signature pages and incorporates the final Intergovernmental Agreement reviewed and approved by the Department of Corporation Counsel. So I move to substitute Bill 47 CD 1 (2025) with the attached proposed FD 1 version. >> Second anybody? Moved by Vice-Chair Sugimura, seconded by Member Uu-Hodgins to substitute the Bill with the attached ASF. >> Thank you. Thank you.

>> Discussion. >> Yes. Thanks. So members, over the last couple of days I want it thank Corp. Counsel, who kind of worked with Kristens our OCS Staff to get this resolved as we got from the State Department, the revised IGA No. 1. No. 2, is what you also received are after our last Committee meeting we sent your questions to the State Georgia Skinner the State Film Commissioner, who answered those questions and got resolved the discussion that we had regarding the IGA document itself.

So I wonder if corp. counsel wants to say anything regarding this clarification? >> Corp. Counsel? >> Thank you, Chair. No, I have nothing to add. Thank you very much, Member Sugimura.

>> Thank you for working hard on it. Thank you. >> Member Paltin. >> Thank you, Chair. I'm sorry I was out on the discussion of this in Committee. I just had one question. I see our Mayor and Hawai'i County Mayor's signature is, but then City and County of Honolulu, as well as County of Kaua'i, they have different folks' signature lines.

Is that because their Mayor in that set-up for those counties, or City and Counties are not the signer offer on these things? >> No, we did discuss the signatures in Committee. Corp. Counsel. can't hear you. >> Thank you. Yes.

When we look at the documents, we are reviewing to make sure that we comply with our Charter provisions, which is why our Mayor is there, because he has -- the Mayor has the authority to enter into these Intergovernmental Agreements, but the same set up is not necessarily for each County or government entity. >> So it's just in line -- alinement with each County's Charter who the signer offer is. >> That is correct. >> Thank you. Maybe it was covered in Committee. I wasn't there. >> Thank you.

>> Member Rawlins-Fernandez. >> Mahalo, Chair. Mahalo, Member Sugimura for entertaining this motion, and mahalo Deputy Corp. Counsel Toshikiyo for working on the Amendments. I have a couple of non-substantive corrections. On page 5 of 6, County of Hawai'i City and County of Hawai'i it says so it's just County, yeah? And then for page 6 of 6, it says "approve as to form." Do other folks not do form and legality?

Is there a reason that the "and legality" part was excluded? >> I don't know what the other Counties, but in the final form we can ask for those changes, so it complies with our provisions. >> Totally. Okay. And then in the header, after "County of Hawai'i." Before -- it's missing a comma. Support. . >> Corp.

Counsel, you are going to handle that or is this part of the motion? >> Yes, Chair, we can handle that. It's on the record and we can make those requests. >> Thank you. Any more discussion? All those in favor of the motion, raise your hand, say aye? >> Aye.

>> Nine ayes, zero nos, motion carries. Vice-Chair Sugimura. >> You know, got to vote on the main motion as amended. >> But you are going to add something? >> Yes, I do at the appropriate time -- well, when she says. When you allow us to. >> Okay.

Not all those -- >> I'm sorry, if she wants to

discuss, she would discuss before we vote on the main motion. >> I was going to call up the main motion and ask for discussion. >> Exactly. >> I was going to call on her, but thought I better call up the main motion. >> Thank you. >> The main motion, Madam Clerk, please call that up. >> Thank you, Madam Chair.

\r\n\r\nSo the ASF was passed, and so back to the main motion as amended. On Committee Report 25-42. >> Discussion, Vice-Chair Sugimura. >> Thank you, Chair. So in our Committee and as we have been reading in the media, there's discussion all kinds of discussion about adding 100% tariff on film that is made internationally on the United States. But what I really want to say is in Committee, what was discussed by the film Commissioner was that there was a move to get rid of the tax on the film the industry, which would affect it. I just want to say by second reading I will have the updated -- I think the Governor was planning on vetoing that particular Bill. So that the film industry and the tax credit, yes, the tax credit -- yes.

\r\n\r\nThe tax credit is being vetoed. So I will find out it did come out in the news, but I didn't hear the particular date that the Governor was going to veto the tax credit for that, as well as solar tax credit. I think they were all kind of bunched into one media item that I read. Thank you, Members. I think that all of the other film Commissioners, and the other counties have been waiting for us to pass this. >> Any more discussion on the motion? If not, all those in favor, please raise your hand, say aye.

\r\n\r\nI see nine ayes, zero nos, motion carries, Ms. Clerk. >> Thank you, Members. >> Chair, from the Disaster, Resilience, International Affairs, and Planning Committee is Committee report 25-43 recommending adoption of resolution 23-163 CD 1 to refer to the Lana'i, Maui, and Moloka'i Planning Commissions a proposed Bill to support the expanse of dedicated parking spaces for Electric Vehicles under certain conditions. >> Member Paltin. >> I move to adopt the recommendations in CR 25-43 second moved by Member Paltin, seconded by Vice-Chair Sugimura to adopt Resolution 23-163, CD 1, discussion, Member Paltin. >> Thank you.

\r\n\r\nIn talking about bills that take a long time to pass, your Committee met June 17th, 2025 to discuss Resolution 23- -- resolution 2023-163 and the proposed Bill entitled a Bill for an Ordinance amending Section relating to Electric Vehicles. Disaster, Resilience, International Affairs, and Planning Committee also met last year on July 24th, 2024. And September 25th, 2024. The proposed Bill's purpose is to require places of public accommodation with at least 15 parking spaces to have at least two parking spaces designated for Electric Vehicles and require an additional two parking spaces designated for Electric Vehicles for each increment of 50 parking spaces. Your Committee amend the proposed Bill by amending the Resolution and proposed Bill's titles amending Bill's purpose to insert additional information in the pre-amble, requiring newly constructed places of accommodation outside of the erosion hazard line to have a minimum of two parking spaces for Electric Vehicles, and an Electric Vehicle charging system in working order. Furthermore the same requirements applies for each additional increment of 50 parking spaces the inserting definitions for Electric Vehicle charging system and place of public accommodation. Clarifying that if any of the provisions of the new subsection conflict with the requirements of title 16's Energy Code, the more stringent requirement will prevail. And incorporating non-substantive revisions. The Deputy Corporation Counsel recommended amending the Bill's effective date to clarify that the Bill's provisions apply to facilities permitted at the Ordinance's effective date.

\r\n\r\nYour Committee did agree with this recommendation. Your Committee respectfully requests that the Planning Commissions consider evaluating the Energy Code to determine whether the Electric Vehicle parking space requirements not the

Electric Vehicle charging or infrastructure requirements be relocated to title 19. Your Committee voted 9-0 to recommend adoption of resolution 23-163. And for off the cuff discussion, this is just to get it to the Planning Commissions. It's not two years in and we haven't gotten to the Bill state yet. So I respectfully ask the members' support of my motion. >> Any more discussion? Are you sure?

Okay.\r\n\r\nAll those in favor of the motion, raise your hand, and say aye. I'm going to have to -- David, can you come up here for a second? Ms. Clerk. >> Chair, from the Government Relations, Ethics, and Transparency Committee -- Oh. >> Chair, did you say the vote passed? >> 9-0. Everyone was so happy to finally move this thing to the Planning Commissions, they couldn't contain their excitement.\r\n\r\n>> That. [LAUGHTER] >> The vote was 9-0, motion carries and I called on the Clerk. >> Chair, from the Government Relations, Ethics, and Transparency Committee is CR 25-44 recommending adoption of resolution 25-128 authorizing settlement of Conservation Council for Hawai'i and American Bird Conservancy v. Hawaiian Electric Company, Inc. and Maui Electric Company Lt. TD and County of Maui civil 1:24. -cv-00494-MWJS-WRP >> Member Uu-Hodgins thank you, Chair. Move to adopt the recommendation in CR 25-44. >> Second. >> Moved by Member Uu-Hodgins, seconded by Vice-Chair Sugimura to adopt resolution 25-128. Discussion?\r\n\r\nAnd take your time. Member Uu-Hodgins. >> Okay. I will take my time. Thank you for that permission. At its meeting of June 17th, 2025, your Great Committee met to discuss resolution 25-128 which authorizes settlement of the claim filed on November 19, 2024. The claim alleged that Street lights own by Hawaiian Electric Company, Inc. and Maui Electric Company will the TD and operated on the County's behalf are a threat to the survival and recovery of three critically imperiled seabirds that are native to Hawai'i and protected under the federal Endangered Species Act.\r\n\r\nYour Committee received a brief overview of the claim in Open Session before convening in executive meeting to discuss confidential information. Your Committee voted 9-0 to recommend at the adoption of resolution 25-128, and at this time I respectfully ask for the Members' support of my motion. Thank you, Chair. >> Any more discussion? All right. Member Johnson left. Okay, so all those in favor of the motion, raise your hand, say aye.\r\n\r\nI see eight ayes, one excused. Motion carries. Excused is Member Johnson. You know, I like to run this meeting as quickly as possible, and as efficiently as possible and now I'm asking you to slow down, on because we have some visitors from Japan coming today. I think it was today. Just guessing we told them 3:30. So I'm trying to phone my sister 1:30 but we might finish before 1:30. >> Maybe Member Rawlins-Fernandez can do more work on the adept Bill and we could last until 3:30. >> That might last until tomorrow. >> Vice-Chair Sugimura.\r\n\r\n>> The Fukuyama Chamber, before they meet with us, they have meeting with the Mayor. So I don't know what time they're arriving. So I'm not too sure we can actually move that meeting to adjust up. >> You want to meet with them at 3:30? >> I could be here to meet with them. >> Was it Member Johnson who met with them. >> Was it the Okinawan or Fukuyama? >> Fukuyama.\r\n\r\n>> They really like ocean vodka, just letting you know. >> We couldn't do that. We got them something else, trail mix or something, I'm not sure. >> Okay. >> Party mix. >> Party mix. I think it was party mix.\r\n\r\nAnybody who is going to be here at 3:30? >> I can be here. >> Okay. Because I wasn't planning to. I thought they would be here when we were in. But now that you tell me that they are following a schedule. >> They have a schedule. >> They may not be able to come earlier.\r\n\r\n>> Maybe they can switch us with the Mayor? Because we all know who is the better looking. >> Yes, Ms. Clerk. Next item. >> Chair, from the Water and Infrastructure Committee is CR 25-45 recommending adoption of resolution 25-122

authorizing the acceptance of two parcels from First Hawaiian Bank identified for Real Property Tax purposes as Tax Map Keys 2-4-9-011:018 and 019 Lana'i City, Hawai'i comprising 14,379 and 10,510 square feet respectively. >> Member Cook.\r\n\r\n>> Chair, I move to adopt the recommendations in Committee Report 25-45. >> Second. >> Moved by Member Cook, second by Member Johnson to recommend the adoption of resolution 25-122, Discussion, Member Cook. >> Thank you, Madam Chair, your Water and Infrastructure Committee met June 15, 2025 to discuss resolution 25-122. Resolution 25-122 authorizing County to accept two donated parcels in Lana'i City from First Hawaiian Bank totaling over 24,000 square feet. The 644 Lana'i Avenue parcel zoned B-3 Business District, includes the former Lana'i branch building which closed in June 2024. The second parcel on 7th Street is vacant and zoned R-1, residential District. While the building is in disrepair, the properties offer potential for public use, possible ideas including office space for County Staff, short-term housing for visiting service providers, or a shared kitchen, pending community input, and land use approvals. I respectfully ask for the Members' support of my motion. >> Discussion, Member Johnson?\r\n\r\n>> Thank you, Chair. I live on an island 98% owned by a billionaire and any little piece of land we get is so important to our community, because they get to have a say and our community doesn't get to have a voice on 98% of the land. That is abnormal. So I rise in full support of this. Thank you so much. >> Any more discussion? If not, all those in favor, raise your hand say aye.\r\n\r\nNine ayes, zero nos, motion carries, Ms. Clerk. >> Chair, we're now at Resolutions. There's no one currently signed up to testify. But we will open up for anyone who would like to testify on Resolutions. This is last call. If you would like to testify, please raise your hand, or make your way to the podium.\r\n\r\nThe countdown is 3, 2, 1. Chair, there are no testifiers on Resolutions. >> Any objections to closing public testimony and accepting written testimony on resolutions? >> No objections. >> If not, so ordered. Ms. Clerk. >> Chair, before you is resolution 25-129 authorizing the acquisition of 1.724 acres identify for Real Property Tax purposes as Tax Map Keys 2-4-6-027:027, 029, 030 and 041; 2-4-6-027: 026, 028, 033, and 040; and 2-4-6-016:041 situated at Lahaina, Maui Hawai'i for \$1,950,000 exclusive of closing costs and expenses under subsection 3.44.015 (c) Maui County Code.\r\n\r\n>> Member Cook. >> I move. >> Moved by Member Cook, seconded by Member Sugamura to discharge the WAI Committee of resolution 25-129, discussion, Member Cook. >> This was discussed at the WAI Committee's meeting of June 30, 2025. Discharge is the first step before considering action on the Resolution 25-129 today. Thank you, Chair. >> Any more discussion? If not, all those in favor of the motion to discharge, raise your hand, say aye.\r\n\r\nNine ayes, zero nos, motion carries. Mr. Cook. >> I move to adopt resolution 25-129. >> Moved by Member Cook, seconded by Vice-Chair Sugimura to adopt resolution 25-129. Discussion, Member Cook. >> Chair, if there no objections may I ask the Clerk to please recall County Communication 25-14 at this time. >> Any objections ? so ordered, Ms. Clerk.\r\n\r\n>> Chair, before you is County Communication 25-14 Water and Infrastructure Chair transmitting a proposed Amendment to resolution 25-129 entitled, "Authorizing the acquisition of 1.74 acres identified for Real Property Tax purpose as TMKs 2-4-6-027:027, 029, 030, and 041; 2-4-6-027:026, 028, 033 and 040; and 2-4-6-016-041, situated at Lahaina, Maui, Hawai'i for up to \$1,950,000, exclusive closing costs and expenses under subsection 3.44.015 (c) Maui County Code. >> Moved by Member Cook, second by Vice-Chair Sugimura, to move to substitute and file cc 25-14. Discussion, Member Cook. >> Thank you, Members. The proposed FD 1 version corrects the title Acreages, incorporates

non-substantive and technical revisions for clarity, consistency and style. I respectfully ask for the Members' support of my motion. >> Any more discussion? All those in favor of the motion, please raise your hand say aye.\r\n\r\nNine ayes, zeros no, motion carries. Member Cook. >> Thank you, Chair. The WAI Committee met on June 30, 2025 to discuss Resolution 25-129. Resolution 25-129 authorizes the acquisition of 1.72 acres across nine parcels in Lahaina for an amount not-to-exceed \$1.95 million. Exclusive of closing costs and expenses. These parcels support the Kaohu Street and Dickenson roadway extension projects, which aim to improve connectivity, evacuation access, and long-term infrastructure Planning. The site may also accommodate the relocation of Hawaiian electric Substation on Lahainaluna road and direct conflict with the Kaohu Street alignment.\r\n\r\nPublic Works Director Molina noted that the appraisal came in at \$1.54 million, about \$410,000 below the asking price. But emphasizes the unique circumstances in Lahaina and the critical benefits of securing the land now. Considered uses for the acquired land include future bus infrastructure, a drop box recycling center, and potentially agricultural or community-serving purposes. Depending on available acreage and zoning. I respectfully ask for the Members' support of my motion. >> Any more discussion? If not, the main motion as amended.\r\n\r\nAny more discussion? Do we need roll call? No? All those in favor, raise your hand, say aye. >> Aye. >> Member Kama. Pro Tem Kama.\r\n\r\nSorry, I don't see your hand. Pro Tem Kama. Okay. Nine ayes, zero nos, motion carries. Ms. Clerk. >> Chair, before you is resolution 25-133 appoint of a Member to the Salary Commission for the County of Maui.\r\n\r\n>> Member Uu-Hodgins. >> Thank you, Chair. I move to discharge the Government Relations, Ethics, and Transparency Committee from further consideration of resolution 25-133. >> Moved by Member Uu-Hodgins, seconded by Vice-Chair Sugimura. Discussion, Member Uu-Hodgins? >> Thank you, again, Chair. The Council's deadline to approve or disapprove this 234078 knee is July 12th, 2025. This is the Council's last opportunity to consider this appointment before our deadline and the Great Committee has already conducted their interview of this nominee at its July 1st, 2025 meeting. >> Okay.\r\n\r\nAny more discussion on the discharge? If not, all those in favor, raise your hand, say aye. Nine ayes, zeros no, motion carries. Member Uu-Hodgins. >> Thank you, Chair. Thank you, Members. I move to adopt resolution 25-133. >> Second.\r\n\r\n>> Moved by Member Uu-Hodgins, seconded by Member Cook to adopt resolution 25-133. Discussion, Member Uu-Hodgins. >> Thank you, again. I move to amend resolution 25-133 by placing Kelly Shane Davidson for a term expiring March 31st, 2030 on exhibit b for approval. I need a second. >> Moved by Member Uu-Hodgins, seconded by Vice-Chair Sugimura to adopt the Resolution, more discussion? >> Thank you, Chair. Again, we met Mr.\r\n\r\nDavidson on July 1st, 2025, and we had an opportunity to, the members did to ask them their questions, when usually include a variety of questions and they seem to be quite satisfactory. And we thank him for his willingness to serve. I'm going to be personally supporting him, because he seems to be a man of integrity with vast experience in business. This is again the Salary Commission and I ask for the Members' support of my motion and they can choose to vote their support or not support, if they so choose. Thank you, Chair. >> Further discussion? So this is to adopt the Resolution.\r\n\r\n>> Chair, this is to amend. >> Oh, to amend. Amend by moving the nominee's name. Okay, any further discussion on this item? If not, all those in favor, raise your hand, say aye. Nine ayes, zero nos, motion carries. Member Uu-Hodgins.\r\n\r\n>> That's it for me, Chair. Thank you. >> Any more discussion? Okay. All those of the main motion as amended, raise your hand, say aye. All ayes, zero nos, motion carries Ms. Clerk.\r\n\r\n>> Resolution 25-139 stating

the County's intent to convey a portion of the Kahului community center Park site to Hale Makua Health Services to support the development of workforce rental housing project. >> Pro Tem Kama you know, I see Pro Tem Kama's name here. But I think we were going to refer this to the Wassap Committee, is this the one, David? Right? Okay. Is that okay with you, Pro Tem Kama? I mean, considering you have quite a bit on your plate right now.\r\n\r\nOkay. And this one is really to Parks -- two Parks. Any objections, Member Sinenci, to taking this item? This is having to do with Hale Makua and the Park site. >> No objections. >> Members, any objections to referring this to the Wassap Committee. >> No.\r\n\r\nThank you, many Sinenci. >> Okay. This is going to be referred to Committee, not adopted. Okay. Next item. >> Chair, before you is resolution 25-140 authorizing a grant of a lease of County real property at Kualapu'u Park and Community Center Moloka'i to Ho'ahu Energy Cooperative Moloka'i and Ho'ahu CBRE 2 Kualapu'u, LLC.. >> Member Rawlins-Fernandez. >> Mahalo, Chair.\r\n\r\nI move to adopt resolution 25-140. >> Second. >> Moved by Member Rawlins-Fernandez, seconded by Member Cook to adopt resolution 25-140. Discussion, Member Rawlins-Fernandez. >> Mahalo, Chair, and Members for your consideration of resolution 25-140. A lease for a community-based renewable energy project covering four carport areas at the Ho'ahu center. I will slow down. As reminded in testimony and the members of my 'aina may recall on March 20, 2025, we took up this item in Committee as the Kaohu shared solar presentation item Kaohu 13 under rule 7b. In anticipation of this Resolution would be transmitted to the Council during budget session, I wanted us to take action on it as soon as we received it, as it was, and still is time-sensitive. In Committee, we invited Ms. Ali Andrews Chief Executive Officer of shake energy collaborative and two Representatives from the -- to provide the Committee with details of the project and answered our questions.\r\n\r\nIn Committee we received oral testimony from eight individuals on Moloka'i. The project itself is owned by Oahu energy co-op Moloka'i 510(c) (12) non-profit cooperative, the project is 250 Kilowatt and would cover 150 households worth of energy as you heard from Ms. Buchanan in testimony. Their team has been working with the County arborist, the Parks facility Manager and landscape architect to come up with the replanting of trees that would be uprooted with this project. The Moloka'i community participated heavily in giving ideas for tree replacements. 75 responses. So once the project is operational, probably likely about next to year, pending permitting, and interconnection timeline. It's expected to provide 10-20% cost-savings for subscribers.\r\n\r\nThe term of the project is 20 years. And as you heard from testifier Ms. Cho, our community is very engaged with this energy work with the intent of becoming energy independent and owning our own energy generation projects. I respectfully ask for the Members' support of this motion and I believe we still have Ms. Buchanan still online if we have questions. Mahalo, Chair. >> Members, any questions?\r\n\r\nOr discussion? I have a question. >> For me or Ms. Buchanan? >> The question is how much did this cost? >> That is in the exhibit. >> Is this considered an energy Park?\r\n\r\nA Solar Park? >> It's like Costco, where it's carport cover and then it also provides shade. So the budget for this project is in the exhibit. I will pull that up. If you want to ask Member Cook for his question, then -- >> No, no, just curious. I know we discussed this a while back. >> Oh, okay.\r\n\r\nSo the project I think this project is inclusive of both the smaller -- so this Kualapu'u project that is where it's CBRE and the larger project this will be at the Hawaiian Electric Company Power Plant on that property. It's 2.4 megawatt project, which is in the process. So the total cost of the project both projects is estimated at \$21 million. \$3 million from Congressional direct spending through the

Federal Department of Energy. \$9 million loan from American Savings and \$9 million loan from inclusive prosperity capital. >> Thank you. Member Cook?\r\n\r\n>> Thank you, Chair. I just wanted to speak in strong support of this parking lots and solar carports blend very well together and the fact this is a community cooperative is really trail blazing and encouraging. So congratulations Moloka'i. >> Any more discussion? Member Paltin. >> Thank you. I'm also very supportive of solar in the parking because it reduces bird emissions on your car yes. >> Yes.\r\n\r\nOkay. All those in favor of the motion, raise your hand, say aye? nine ayes, zero nos, motion carries. Good job Auntie Lorie. Ms. Clerk. >> For referral is resolution 235-141 authorizing settlement of JMC claim 4086753 County of Maui Risk File 2023-11286 Jeffrey Navares.\r\n\r\n>> Any objections to referring this matter to the Great Committee? So ordered. Ms. Clerk. >> Chair, before you is resolution 25-142 referring to the Lana'i, Maui, and Moloka'i Planning Commissions a proposed Bill to amend chapter 19.35 Maui County Code on the size of accessory dwellings. >> Member Paltin. >> Thank you.\r\n\r\nI move to adopt Reso 25-142. >> Moved by Member Paltin, second by Member Johnson to adopt resolution 25-142. Discussion, Member Paltin. >> Thank you. So resolution 25-142 refers to the Planning Commissions a proposed Bill to standardize the allowable size of accessory dwellings and associated decks and similar structures for lots that are smaller than one-half acre. Although smaller lots may not be able to take full advantage of the 720 square foot allowance afforded accessory dwellings this Bill will provide a mechanism for owners of lots under 10,000 square feet to consider increasing their ADU size. The County needs to explore all options it can to address the Housing shortage. This Bill would provide another option to house more residents. Adopting the Resolution today would expedite the Planning Commissions' receipt of this Resolution that would enable the Commissions to review and comment on the Bill.\r\n\r\nAnd it's kind of timely, we're a little bit on pause with Bill 103, but that would have allowed another dwelling on a lot. And we're communicating a little bit with Corp. Counsel to ensure that the reason for proposing the Bill, the problem it was supposed to solve is the problem that is solved, and not open another can of worms. So that is why we're a little bit taking our time with it, but in considering that R-1 lot could have more than one dwelling, it seemed that we should also take into account the size of the ADU, and also, I know that Planning Department and possibly another Member is working on act 39, which would allow two ADUs per residential lot, and other lots. So this is just another piece of the puzzle to take into account. I'm not sure the reason why it was staggered for R-1, R-2, R-3 to 6/20/2020, if we're playing around with the number of ADUs and number of dwellings on lots, I think standardizing the ADU size is also something that should be looked at simultaneously. >> Any more discussion?\r\n\r\nIf not, all in favor, raise your hand say aye. Nine ayes, zero nos, motion carries. >> Thank you, Members. >> Ms. Clerk. >> Chair, we have resolutions for second and final reading. Before you is resolution 25-135 proposing an Amendment to the revised Charter of the County of Maui (1983) as amended on the Planning Commissions' review of General Plan and land use ordinances.\r\n\r\n>> Member Paltin. >> Thank you, I move to pass resolution 25-135 on second and final reading. >> Moved by Member Paltin, seconded by Member Uu-Hodgins to adopt resolution 25-135. Discussion Member Paltin. >> Thank you. As members may recall, in our attempts to assist Grace Baptist Church in rebuilding, building for the first time, the Church of Their dreams, because the first time they had the church over 50 years ago, it was adapted from housing and what not. We ran into an issue that wasn't quite made clear about how long the Planning Commission has, and when it starts and what not? So this is kind

of a procedural trying to fix it, so that it's very clear going forward if there are Council-initiated changes in zoning about the process and timing.\r\n\r\nI respectfully ask for the Members' support of my motion. >> Any more discussion, Members? If not, all those in favor of the motion, please raise your hand, say aye. Nine ayes, zeros no, motion carries. >> Thank you, Members. >> Ms. Clerk.\r\n\r\n>> Thank you, Madam Chair. Moving on to the Ordinances currently we have two people signed up to testify. First is Tom Croly, and Mr. Croly, please let us know what you are testifying on and he is followed by John Vernel. >> Aloha, Council, Tom Croly testifying on my own behalf on Bill 104, Bill 76 and Bill 83. Let me just jump right to Bill 74, first. I totally support this Bill, I'm glad it's made to second reading and hope I pass it out. And the same comments on Bill 83. Bill 104 you heard from me at first reading on this, and I want to thank Council Member Paltin for responding to the comments that I brought up and speaking to the Deputy Director about how this would be implemented.\r\n\r\nSpecifically, the kitchenette Bill and whether kitchenettes would be allowed in second homes? And the Director said yes, she would consider that, that would work out fine. However, I want to point out that things have been decided by previous Planning Directors, and then when a new Planning Director comes in, it's a whole new ballgame and to be very specific, so you understand what the risk is here. A few years back, the Council decided that accessory units could not be used for Bed & Breakfast. Remember that. Since that time, no Bed & Breakfast has ever been allowed to be permitted for a Bed & Breakfast, or for short-term rental use. However, the Department decided that they would interpret that to mean that the owner can't live in the -- owner of a Bed & Breakfast cannot live in the accessory dwelling, because where the owner lives is part of the Bed & Breakfast code.\r\n\r\nThis was ridiculous and absolutely ridiculous and went to folks that already had permits that said nope, you can't live in your accessory dwelling anymore and you have to move into the main house that you have rented out. So I can see the exact thing happening with this point here. The other might live in the portion of the main house that has this kitchenette that allows them to separate their autonomous living space from guests. I can see -- I can anticipate it right now, that the Planning Department is going to say no, you cannot have a kitchenette, because these cannot be in short-term dwellings. I also know of situations where caretakers live in a part of the property that is a short-term rental and everyone thinks that is a great idea that the caretaker is living on-site; right? But I have to remind them every time they come up for renewal, you can't have any kind of kitchen in your caretakers quarter because that is not going to be consistent with the code. And this would make it consistent with the code, and they would be able to do that.\r\n\r\nBut I can see it right now, the Planning Department saying you can't do this. So again, I don't like the part of this Bill that gets into the restrictions saying that it can't be used for short-term rental. That part is going to be misinterpreted by the Planning Department. I see Mr. Pfost is on from the Planning Department, and you might talk to him about this. I have been around for 20 years and I have worked with five different Planning Directors and I have outlasted every single planner in the Planning Department and I just know whether the planners change, these interpretations change and I can anticipate that is going to be the case here. So I urge you one more time either to remove the prohibition part of it this or amend it to the way that I asked you to amend it.\r\n\r\nI'm not asking for these kitchenette units to be used as a Bed & Breakfast rental, okay? But I am asking that the owner be able to live in that portion whether it be a Bed & Breakfast or short-term

rental. Thank you, Chair. >> Thank you. Lots to think about. Next testifier.
questions for the testifier?\r\n\r\nNo? Thank you. Thanks, Tom. Any more testifiers?
>> No, it looks like Mr.Vernel is no longer in the meeting. I see Royal House of
Hawai'i just signed up, please, go ahead. >> Aloha, Honorable County Council
Members, I stand before today as an Allodial land tenant and resident under Royal
Patent Hava Hava 32 pa whose roots go farther back than this planet first saw light
and asserting that any attempts to pass bills, permits or titles related to the land
in Hawai'i are fundamentally flawed and potentially very illegal.\r\n\r\n\r\nThe reason
is every parcel of land in Hawai'i is held under Allodial title Royal Patent
patented by the royal government of Hawai'i and this title lasts favor it says in
your TMK paperwork under the legal info, giving you Royal Patent who are the
rightful owners of the land, the House illegal built and house or building illegally
sits on and recently has been changed and is being erased. That is really weird
because it's supposed to be shown in everybody's house paperwork, and because if a
country created boundaries, metes and bonds it could never be edited or disrupted or
anything like that. The Kingdom of Hawai'i still exists. So can we please call all
of the descendants of the Royal Patented lands which every parcel of land is Royal
Patented? And we still haven't gotten contacted back even like all of these
development plans, all whatever -- and it's really -- yeah, I don't know. But given
the historical context and existing legal framework it's evident that the Native
Hawaiian people with their Royal Patents will be best suited for this and I ask the
Committee to respect the existing legal framework and recognize the rights of the
Native Hawaiians to their lands as established by the Royal Patent patented under
Allodial titles any attempts to underline these rights will be a continuation of the
injustices that have plagued our island since and before 1893. So follow
Constitution and all his laws and contacting the descendants of the Royal Patents
are needed. Please correct me if I'm wrong and request a legal opinion from the
State and for all sources for the Royal Patents and the Allodial titled
lands.\r\n\r\n\r\nMahalo. >> Thank you. Any questions for the testifier? If not, thank
you very much. May we have the next testifier. >> Chair, currently we have no other
testifiers signed up to testify on the Ordinances. We'll give last call.\r\n\r\n\r\nIf
anyone wishes to testify, please raise their hand in teams or make your way to the
podium. Chair, seeing none, count down, 3, 21, There's no one else to testify on
Ordinances. >> Any objections to closing public testimony and accepting written
testimony on Ordinances? So ordered. Ms. Clerk. >> Chair, before you is Bill 84
(2025) a Bill for an Ordinance amending the Capital Program for the Fiscal Year
ending June 30, 2026 to update Appendix B. >> Vice-Chair Sugimura.\r\n\r\n\r\n>> Thank
you, Chair. I move to pass Bill 86 on first reading. >> Second. >> Moved by
Vice-Chair Sugimura, seconded by Member Uu-Hodgins to pass Bill 86 on first reading.
Discussion. Vice-Chair Sugimura. >> Thank you, Chair.\r\n\r\n\r\nMembers, Bill 86 (2025)
updates the Capital Programs for Fiscal Year 26 by replacing Appendix B with the
most current version. This is a housekeeping Bill to correct two Items: No. 1, the
first item updates the amount of Department of Environmental Management West Maui
recycled water system expansion to \$3 million aligning it with the Amendment passing
the first reading. The second item reflects the theater from government facilities
to other projects. I respectfully ask for the Members' support. Thank you, Chair. >>
Any further discussion?\r\n\r\n\r\nIf not, all those in favor of the motion, raise your
hand, say aye? >> Aye. >> Nine ayes, zeros no, motion carries. >> Thank you. >> Ms.
Clerk. >> Chair, moving on to the ordinances for second and final
reading.\r\n\r\n\r\nBefore before you is Bill 104 CD 1, FD 1 (2024), a Bill for an

Ordinance amending Chapters 19.06, 19.08, 9 .8 and 19.36b Maui County Code relating to kitchens, kitchenettes and wet bars. >> Members, we have two, three, six bills, do you want to take a lunch break or do you want to keep going? >> Keep going. >> Member Rawlins-Fernandez? >> Mahalo, Chair. My preference would be to finish. But was it your intention to be in session when our visitors come?\r\n\r\nWhat was that? >> I was hoping, but I know a lot of you are busy. It's up to you. >> Do you want us to sit here and pretend we're in session? We can do that, too. >> Actually, I got a note here that they can be here at 2:00. >> Let's take lunch until 2:00. No? I don't know.\r\n\r\nI have a flight at 10:30. >> I would like to fly out on the earlier 4:20 flight. But 2:00, I think is fine. >> Okay. We could take a break -- now, until 1:30, if you want and we have half an hour to finish up the job, and then we could talk to them at the same time. >> Love it. >> Okay. >> Yep.\r\n\r\nI agree. >> No objections, let's take our lunch break now, return at 1:30. Meeting is recess. Thank you everybody. [GAVEL] [GAVEL] >> Will the July 8th, 2025 Council Meeting, please reconvene. Ms. Clerk, let's pick up where we left off. >> Thank you, Madam Chair.\r\n\r\nProceeding with Bill 104 CD 1, FD 1 (2024) a Bill for an Ordinance amending chapters 19.04, 19.08, 19.29 and 19.36b Maui County Maui County Code relating to kitchens, kitchenettes and wet bars. >> Member Paltin. >> Thank, Chair, I move to pass Bill 104, CD 1, FD 1 on second and final reading. >> Second. >> Moved by Member Paltin and seconded by Vice-Chair Sugimura to pass Bill 104 on second and final reading. Discussion, Member Paltin. >> I move to substitute Bill 104 CD 1, FD 1 with the version FD 2 version and suspend rule 19 of the rules of the Council.\r\n\r\n>> Second. >> Moved by Member Paltin to amend via -- amend with the distributed ASF, and to waive rule 19. Okay, discussion, Member Paltin. >> Thank you, Chair. And that was seconded by Sugimura. This version is approved to form and legality by the Department of Corporation Counsel, suspension of rule 19 will allow the Council to take final action at the same meeting as an Amendment. >> Okay, discussion on the item itself? >> Just that this one is approved as to form and legality.\r\n\r\n>> Oh, that is all the changes? >> Yeah. >> Okay. Any further discussion? If not, all those in favor, raise your hand, say aye. Okay. Let's see, who is missing?\r\n\r\nAll right. Everybody except Member Johnson; right? So eight ayes, one excused, Member Johnson, motion carries. Ms. Clerk. >> Oh, that was the substitution. >> All right.\r\n\r\nThe main motion. >> Yes. I guess my discussion would be that you know this Ordinance was proposed by the Administration the way that it's set-up is for long-term residential use, and I guess, you know, it wasn't necessarily intended for short-term rental to have a kitchenette. And so we followed their lead. >> Okay. So the main motion as amended. Any more discussion?\r\n\r\nVice-Chair Sugimura. >> So I remember Tom Croly's testimony, and his concern about the accessory dwelling being able to house, like, the hired help, I guess, his concern. Do we have to address that? I guess he is talking about in future terms of the Planning Department changes, and them being able to interpret the law as it's intended and he is afraid that it will allow properties with a second home to be -- with a kitchenette for a caretaker to live on-site, his concern. Do we need to amend it? >> I'm okay with it the way it is. I don't think the intention of the Administration drafting the Bill was to apply to short-term rentals.\r\n\r\nIf the owner were to live on-site, it wouldn't actually be a short-term rental, it would be more commercialized residential. Because it would be Bed & Breakfast. But I think for the case in where it's a second home, it is addressed, because somebody would be living there long-term whether it's in the main dwelling or utilizing the kitchenette; that to me has been addressed and that we

talked to the Planning Department. I can't anticipate what a future Planning Department would interpret it as, but I would hope that having this discussion as part of the record, and the discussion that we have had would clarify it for them. That you know, if it's a second home, and they can live in the kitchenette on a long-term residential basis. >> Okay. >> Anyone else?\r\n\r\nAnyone else? I don't see anyone else. Ready to vote? >> Yes. >> All those in favor of the motion, raise your hand, say aye. >> Aye. >> Eight ayes, one excused.\r\n\r\nMotion carries. The excused is Member Johnson. Ms. Clerk. >> Thank you, Chair, before you is Bill 158 CD 1 (2024) a Bill for an Ordinance authorizing the Mayor to enter into a Intergovernmental Agreement with the County of Kaua'i for forensic testing services between the Kaua'i Police Department and Maui Police Department. >> Member Paltin. >> Thank you, Chair.\r\n\r\nI move to pass Bill 158 CD 1 on second and final reading. >> Second. >> Moved by Member Paltin, seconded by Member Nohe Uu-Hodgins to pass Bill 158 CD 1 (2024) on second and final reading. Discussion, Member Paltin. >> Yes. Just basically we're supportive of helping Kaua'i where we can, and maintain that Maui County's work gets prioritized. >> Okay.\r\n\r\nMs. Clerk. Oh, all those in favor of the motion, raise your hand, say aye. >> Aye. >> Okay, eight ayes, one excused. Member Johnson, motion carries Ms. Clerk.\r\n\r\n>> Thank you, Chair. Before you is Bill 76 CD 1, FD 1 (2025) a Bill for an Ordinance amending the Comprehensive Zoning Ordinance on mobile food trucks or trailers in the Agricultural District. >> Does somebody want to make the motion for Member Johnson, Member Sinenci, would you like to make the motion for Member Johnson. >> Thank you, Chair. Move to pass Bill 76 CD 1, FD 1 (2025) on second and final reading. >> Moved by Member Sinenci, seconded by Vice-Chair Sugimura to pass Bill 74 CD 1, FD 1 (2025) on second and final reading. Okay now we have something that was distributed.\r\n\r\nMember Sinenci did you email this to him? Oh, okay. Member Sinenci. We have Member Johnson. Oh, my goodness, where did you come from? >> Fukuyama is coming. >> It was a proposal, but we got overridden.\r\n\r\n>> Hate to rush you, but Member Paltin or Member Rawlins-Fernandez can you help him? >> Sure. I move to substitute the attached version of the Bill for the posted version, as well as suspend rule 19 of the rules of the Council to allow final action at the same meeting as an Amendment. >> Second. >> Moved by Member Paltin, seconded by Member Uu-Hodgins to amend via the distributed ASF, and to move to suspend rule 19. Discussion? Member Paltin. >> Sure.\r\n\r\nThe attached version is exactly the same as the posted version except for the addition of the Department of Corporation Counsel's approval as to form and legality. >> A second one that wasn't signed? Oh, okay. Any more discussion? Member Johnson? >> Let me get caught up, Chair. >> Okay.\r\n\r\nWe're ready to vote. All those in favor -- -- okay. All those in favor raise your hand, say aye. Nine ayes, zero nos, motion carries. Now the main motion as amended. Any more discussion? Don't have to.\r\n\r\nOkay. All those in favor, say aye? >> Aye. >> Nine ayes, zero nos, motion carries. Okay that takes care of Bill 76. >> Chair, before you is Bill 83 (2025) a Bill for an Ordinance amending Chapters 2.28 and 2.40 Maui County Code on the South Maui and Pa'ia-Ha'iku Advisory Committees to the Maui Planning Commission. >> Vice-Chair Sugimura. >> Oh, that is me.\r\n\r\n>> Tamara. >> I'm sorry, 83. Okay. Member Paltin. >> I move to pass Bill 83 on second and final reading. >> Second. >> Moved by Member Paltin, seconded by Vice-Chair Sugimura to pass Bill 83 (2025) on second and final reading. Discussion, Member Paltin.\r\n\r\n>> Thank you, Chair. We really gave it a shot, and we couldn't make it happen in the way that it was intended to happen. We don't have jurisdiction to force or compel the Department to do things, and these Boards and Commissions --

or this Advisory Committees to the Planning Commission were not meeting regularly. I think one met once and one met twice, and it was a lot of extra work on the Planning Department to Staff, and also, the Great Committee to select people, and with the way it is to fill Boards and Commissions, I'm thinking that we can, if the members of those two Committees want to still serve, we can find places for them in the existing Boards and Commissions that have vacancies. I would be happy, if they wanted to pick out some other -- or, I guess, it would have to go through the Independent Nominating Board, just writing on the resume that they served on these may give them a leg up, maybe. Whatever we can do to help the Planning Department be happier and work for efficient, I'm down for that. >> Any further discussion?\r\n\r\nIf not, all those in favor of the motion, please raise your hand, say aye. Nine ayes, zero nos, motion carries. Ms. Clerk. >> Chair, before you is Bill 83 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 budget Appendix A, part 1 Department of Environmental Management State of Hawai'i, Department of Health Clean Water Branch, new appropriation of \$95,600. >> Vice-Chair Sugimura. >> Chair, if there's no objections may I please request the Clerk to also call Bill 81 (2025)? >> Any objections? So ordered.\r\n\r\nMs. Clerk. >> Bill 85 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 budget Appendix A, part 1, office 69 Mayor, Energy Efficiency and Conservation Block Grant, new appropriation of \$80,750. >> Vice-Chair Sugimura. >> Thank you. I move to pass Bill 84 (2025) and Bill 85 (2025) on second and final reading. >> Second. >> Moved by Vice-Chair Sugimura, and seconded by Pro Tem Kama to pass bills 84 (2025) and 85 (2025) on second and final reading.\r\n\r\nDiscussion, Vice-Chair Sugimura. >> No further discussion. Thank you, Chair. >> Anybody else, discussion? If not, all those in favor, raise your hand, say aye. >> Aye. >> Nine ayes, zero nos, motion carries.\r\n\r\nThat brings us to the end of the calendar. Ms. Clerk, or did I miss anything? >> No, there is no further business before the Council. >> Okay. Any announcements, Members? Before we go?\r\n\r\nYes? >> It's not an announcement, it's a question. Are we going to do recess until 2:00 and then the folks are going to come and we're going to be online to interact with them? Or what is -- because you wanted us to stay in session until they came; right? Was that the plan? >> Until they came. I didn't necessarily expect them to be on camera, but we could, if you want?\r\n\r\n>> Oh, I don't have a preference. >> Oh, okay. >> I just didn't understand what the plan was. >> The plan was they were supposed to be here at 2:00, and we're so efficient and we're so fast, that we're 11 minutes early. >> As expected. But did you want us to remain in session when they come, and we greet them in session? Or we're going to adjourn?\r\n\r\n>> Well, I guess we should adjourn, because there's no more business, and there's ten minutes. What are we going to do? >> Recess. Again, I don't have a preference. If you would like to be in session when we greet them. >> Okay, we could, because they will be on TV and they can say hey, we were on TV. Do you want that to happen?\r\n\r\nWe'll recess until they arrive? Pardon me? >> Pro Tem Kama. >> Thank you, Chair. Seeing as I'm not in the Chambers, would the members just excuse me? >> And Member Sinenci. >> And Member Sinenci.\r\n\r\n>> Oh, yeah. You want to leave, okay. Okay then. >> Thank you. >> Bye Shane. >> Bye Member Kama. >> Members, I'm assuming that you want to give them the royal treatment and let them be on TV so they can show themselves and show their neighbors and friends how they are welcomed by the wonderful County Council Members of Maui.\r\n\r\nSo we'll recess until they arrive, five minutes or so. Meeting in recess. [GAVEL] Can we excuse our Corp. Counsel? >> Unless you want to meet them? Okay. You met them already.\r\n\r\nSure, go ahead. Go ahead. Bye. [GAVEL] >> Will the Council Meeting

of July 8th, 2025 please reconvene. Members, we have some very special guests in the audience today. And I would like to call on Keiko Kimura to come down to the podium, the microphone and perhaps you can introduce everyone, and tell us where everybody is from. And the purpose of their visit.

Keiko, let me tell you Keiko is a resident of Wailea. She has been a resident of Maui for how many years now? >> 33 years. >> 33 years. Okay. >> I came here when I was 2. [Laughter] and she was the General Manager of diamond resort, for a long time, and then now you are doing what? >> I'm cooking at home.

Cooking, all right, very good. For her husband, Glen Yamasaki. >> Working for the hotel company, too. >> Okay. And then I know you have two daughters. Are they in school still? >> Yes, one in New York, one in Washington, D.C., she is a federal employee.

Oh. >> Poor thing. [Laughter] >> So how old is that daughter? >> 29 and 25. >> And then the other one is in New York,. >> The New York one is 25. She is working for a financial institute. She is fine, I don't know if she is fine -- [laughter] >> Okay. Thank you so much. Are you still with the Japanese cultural society?

Yes, Japanese cultural society. I'm a Member. Former Chair. >> Okay. >> When I was the President of the Japanese Chamber of Commerce here, we started the relationship with the Fukuyama Chamber of Commerce. And we have been in the sister relations almost 30 years. 2027 will be our 30th anniversary.

Wow. >> Let me introduce our Mr. Kimura is Chairman of the -- President of Fukuyama Chamber of Commerce, and the Chairman of Ho'ikyama transport, which is one of the largest transportation companies in Japan. He is also honorary consul General Manager of Lithuania in Japan, in Japan. He also has a very good nonprofit Foundation that affords children, who is having hard time going to regular school. So he is thinking about exchange with Hawai'i with this Foundation, maybe he is going to sponsor Japanese speech contest, you can enter. >> Very good.

Would you like to say a few words? You can come to the microphone. >> I own the transportation companies. We have about 26,000 employees also 70,000 tracks, and we have about 100 terminals. Also mainland China and Malaysia and Hong Kong, and Bangkok Malaysia, that is all. >> Thank you very much for coming. >> I really wish his company would be here, their service is amazing that you can ship anything, and the Hok ai.

They sponsor the Merrie Monarch every year, and always invited to his City. >> Oh, please come up to the microphone. Very nice to have you here and thank you very much for supporting the Merrie Monarch. >> Mr. Takata is the driver construction company Senior, Director. He is from the Fukuyama area. >> Would you like to come up and say a few words?

Thank you very much. >> He is from the five intralogistics. >> Feel free to come up, if you want to say a few words. Oh, you don't speak English. >> Mr. Suda is from Isuzu Motors providing 4,000 tracks to his company. >> Which company?

Isuzu used to sponsor the golf tournament in Kapalua. >> Oh, you must be a golfer. >> Mr. Okimoto from the Fukuyama transport company. >> Hi. >> Mr. Takuma is the -- of transportation Fukuyama transport company, and she is the General Manager of the Fukuyama Chamber of Commerce.

Am I missing anybody? Sorry. I'm so sorry. Mr. Watanabe is a Penta ocean construction company Senior managing Executive Officer. He is originally from Korea Hiroshima, but he is building all over Japan. He is an architect, too.

Large contractor. Thank you very much for waiting for us. >> Thank you, it's an honor to have all of you here. We have little gift packages for everyone, if they don't mind coming up here and taking a picture with us, okay? >> Do you want to say something? >> Oh, yes, he is our resident Japanese interpreter. >> He went to Fukuyama and visited in May.

Well, thank you all for coming, really appreciate you, (speaking Japanese) And I know that we have got a long history of

paniolos and Cowboys came from Hawai'i. That is a fascinating opportunity for a clothes line in Maui County to find some denim and now we have a real sister exchange. I look forward to just meeting everybody and welcome to Maui County. >> Thank you. Thank you. >> Anybody else want to say something? >> I do. >> Vice-Chair Sugimura.\r\n\r\n>> Thank you. Welcome everybody. Welcome to Maui, and Fukuyama Chamber has such a strong organization and members. They are so amazing. They have their own building. I learned about them you know years ago and I saw Marico last night, and she reminded me that I think over 25 years ago I was their contact, working with the then Mayor James Kimo Apana on the sister-city, the sister-city relationship. So they have been a huge part.\r\n\r\nThey would come to the Maui fair enforce in March. So I hope one day they come back for the Maui fair, it's the beginning of October. It's happening again after six years, because of COVID, so we look forward to them maybe not this year, but maybe next year. They have been very wonderful with helping by showcasing their merchandise and their Fukuyama Chamber at Maui Matsui. So there's been a lot of relationships over the years. I want to especially thank Stephanie Okashi who has kept this relationship very strong with the sister-city Foundation and Val Matuna. I think Val is in the audience today.\r\n\r\nHi, Val. So it takes a lot of special people and I wanted to just you know thank them especially Fukuyama is very strong. They are I have a vibrant part of Japan. So thank you. >> I hope I can remember everything. (speaking Japanese) Thank you. >> Could you invite them to come up.\r\n\r\nThank you for coming. Thank you so much. [GAVEL] >> Will the Council Meeting of July 8th, 2025 please reconvene. Members, we have some very special guests in the audience today. And I would like to call on Keiko Kimura to come down to the podium, the microphone and perhaps you can introduce everyone, and tell us where everybody is from. And the purpose of their visit. Keiko, let me tell you Keiko is a resident of Wailea.\r\n\r\nShe has been a resident of Maui for how many years now? >> 33 years. >> 33 years. Okay. >> I came here when I was 2. [Laughter] and she was the General Manager of diamond resort, for a long time, and then now you are doing what? >> I'm cooking at home. >> Cooking, all right, very good.\r\n\r\nFor her husband, Glen Yamasaki. >> Working for the hotel company, too. >> Okay. And then I know you have two daughters. Are they in school still? >> Yes, one in New York, one in Washington, D.C., she is a federal employee. >> Oh.\r\n\r\n>> Poor thing. [Laughter] >> So how old is that daughter? >> 29 and 25. >> And then the other one is in New York,. >> The New York one is 25. She is working for a financial institute. She is fine, I don't know if she is fine -- [laughter] >> Okay. Thank you so much. Are you still with the Japanese cultural society? >> Yes, Japanese cultural society.\r\n\r\nI'm a Member. Former Chair. >> Okay. >> When I was the President of the Japanese Chamber of Commerce here, we started the relationship with the Fukuyama Chamber of Commerce. And we have been in the sister relations almost 30 years. 2027 will be our 30th anniversary. >> Wow.\r\n\r\n>> Let me introduce our Mr. Kimura is Chairman of the -- President of Fukuyama Chamber of Commerce, and the Chairman of Ho'ikyama transport, which is one of the largest transportation companies in Japan. He is also honorary Consul General Manager of Lithuania in Japan, in Japan. He also has a very good nonprofit Foundation that affords children, who is having hard time going to regular school. So he is thinking about exchange with Hawai'i with this Foundation, maybe he is going to sponsor Japanese speech contest, you can enter. >> Very good. Would you like to say a few words?\r\n\r\nYou can come to the microphone. >> I own the transportation companies. We have about 26,000 employees also 70,000 trucks, and we have about 100 terminals. Also mainland China and Malaysia and Hong Kong, and

Bangkok Malaysia, that is all. >> Thank you very much for coming. >> I really wish his company would be here, their service is amazing that you can ship anything, and the Hok ai. They sponsor the Merrie Monarch every year, and always invited to his City.\r\n\r\n>> Oh, please come up to the microphone. Very nice to have you here and thank you very much for supporting the Merrie Monarch. >> Mr. Takata is the construction company Senior, Director. He is from the Fukuyama area. >> Would you like to come up and say a few words? >> Thank you very much.\r\n\r\n>> He is from the five intralogistics. >> Feel free to come up, if you want to say a few words. Oh, you don't speak English. >> Mr. Suda is from Isuzu motors providing 4,000 trucks to his company. >> Which company? >> Isuzu used to sponsor the golf tournament in Kapalua.\r\n\r\n>> Oh, you must be a golfer. >> Mr. Okimoto from the Fukuyama transport company. >> Hi. >> Mr. Takuma is the transportation Fukuyama transport company, and he is the General Manager of the Fukuyama Chamber of Commerce. Am I missing anybody?\r\n\r\nSorry. I'm so sorry. Mr. Watanabe is a Penta ocean construction company Senior managing Executive Officer. He is originally from Korea Hiroshima, but he is building all over Japan. He is an architect, too. Large contractor.\r\n\r\nThank you very much for waiting for us. >> Thank you, it's an honor to have all of you here. We have little gift packages for everyone, if they don't mind coming up here and taking a picture with us, okay? >> Do you want to say something? >> Oh, yes, he is our resident Japanese interpreter. >> He went to Fukuyama and visited in May. >> Well, thank you all for coming, really appreciate you, (speaking Japanese) One of the fascinating things when I went to Fukuyama, of course the Rose festival was beautiful and if you want to translate, later, feel free.\r\n\r\nBut I don't want to get into the weeds and your Japanese is much better than mine. But you know that the thing about Fukuyama, they have really fascinating industrial and we're a sister-city and things they do is make denim like so much denim that they are the leading producer of denim in the country. And I know that we have got a long history of paniolos and Cowboys came from Hawai'i. That is a fascinating opportunity for a clothes line in Maui County to find some denim and now we have a real sister exchange. I look forward to just meeting everybody and welcome to Maui County. >> Thank you. Thank you. >> Anybody else want to say something?\r\n\r\n>> I do. >> Vice-Chair Sugimura. >> Thank you. Welcome everybody. Welcome to Maui, and Fukuyama Chamber has such a strong organization and members. They are so amazing. They have their own building.\r\n\r\nI learned about them you know years ago and I saw Marico last night, and she reminded me that I think over 25 years ago I was their contact, working with the then Mayor James Kimo Apana on the sister-city, the sister-city relationship. So they have been a huge part. They would come to the Maui fair enforce in March. So I hope one day they come back for the Maui fair, it's the beginning of October. It's happening again after six years, because of COVID, so we look forward to them maybe not this year, but maybe next year. They have been very wonderful with helping by showcasing their merchandise and their Fukuyama Chamber at Maui Matsui. So there's been a lot of relationships over the years.\r\n\r\nI want to especially thank Stephanie Okashi who has kept this relationship very strong with the sister-city Foundation and Val Matuna. I think Val is in the audience today. Hi, Val. So it takes a lot of special people and I wanted to just you know thank them especially Fukuyama is very strong. They are I have a vibrant part of Japan. So thank you. >> I hope I can remember everything.\r\n\r\n(speaking Japanese) Thank you. >> Could you invite them to come up. Thank you for coming. Thank you so much. Meeting is adjourned. Thank you.