

MINUTES

of the

COUNCIL OF THE COUNTY OF MAUI

September 6, 2019

THE REGULAR MEETING OF THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, WAS HELD IN THE COUNCIL CHAMBER, KALANA O MAUI BUILDING, WAILUKU, HAWAII, ON FRIDAY, SEPTEMBER 6, 2019, BEGINNING AT 9:01 A.M., WITH CHAIR KELLY T. KING PRESIDING.

COUNCIL CHAIR KELLY T. KING: Okay, Members, we're going to go ahead and call the meeting to order. It's 9:01. I'm calling the regular Council meeting of September 6, 2019 to order. My name is Kelly King. I'm the Chair of the Maui County Council and it looks like we have a full house today as far as the Councilmembers.

Madam Clerk.

ROLL CALL

PRESENT: COUNCILMEMBERS G. RIKI HOKAMA, NATALIE A. KAMA, ALICE L. LEE, MICHAEL J. MOLINA, TAMARA A.M. PALTIN, SHANE M. SINENCI, YUKI LEI K. SUGIMURA, VICE-CHAIR KEANI N.W. RAWLINS-FERNANDEZ AND CHAIR KELLY T. KING.

EXCUSED: NONE.

DEPUTY COUNTY CLERK: We apologize; that's our District Office.

Madam Chair, a quorum is present to conduct the business of the Council with nine Members present and zero Members absent.

CHAIR KING: Okay. Thank you. And we have a very busy day today, so we'll try to, try to, I'm hoping to get done with the meat of it before noon, as far as the Council meeting.

And this morning, we recognize Councilmember Yuki Lei Sugimura for opening remarks.

OPENING REMARKS

The opening remarks were offered by Councilmember Yuki Lei Sugimura.

CHAIR KING: Thank you very much. Yea, I wasn't sure if Mr. Hokama was going to come in sporting his t-shirt. But maybe later on when we do the ceremonial resolution.

Before we proceed with the agenda, I'd like to ask everyone to silence their cellphones or other noisemaking devices.

And then all those who so desire, please stand and join me in the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

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

CHAIR KING: Thank you. And going into the agenda.

Madam Deputy Clerk.

DEPUTY COUNTY CLERK MARGARET C. CLARK: Madam Chair, proceeding with the ceremonial resolutions.

CEREMONIAL RESOLUTIONS

RESOLUTION
NO. _____

CONGRATULATING THE 2019 CENTRAL EAST
MAUI MAJOR ALL-STARS FOR WINNING THE
HAWAII STATE LITTLE LEAGUE BASEBALL
DIVISION CHAMPIONSHIP AND FINISHING TOP
FIVE IN THE LITTLE LEAGUE WORLD SERIES

CHAIR KING: Okay. And can you read the second ceremonial resolution, then we can talk about deferral?

RESOLUTION
NO. _____

CONGRATULATING THE CENTRAL EAST MAUI
SENIOR LITTLE LEAGUE ALL-STARS FOR
WINNING THE 2019 SENIOR LEAGUE WORLD
SERIES

CHAIR KING: Okay. Members, we, with no objections, we'll defer this till 3:30 in the afternoon. We've been working closely with the team moms on this and the, especially the younger boys, didn't want to miss anymore school than they already had to miss by playing in the games. So, we're trying to coordinate with the Mayor's activities on the front lawn at 4:30. So, this will happen between 3:30 and 4:30 in the chambers. And then when we finish our meeting this morning, we'll recess and then reconvene. And for all those, you have baseball hats or shirts, you can put those on. But we'll have the team, all the team players and the moms here.

And also want to thank Councilmember Sugimura for, cause we had to switch her resolution around, and so we could coordinate this on the same day that the Mayor's proclamation would be.

COUNCILMEMBER SUGIMURA: Chair.

CHAIR KING: So, if there are no, any objections?

COUNCILMEMBER SUGIMURA: Yea. No, no objections. But I have a question. So, what's going to happen to the GET meeting, which all of us are on?

CHAIR KING: Well, what's going to hap, what the intention is that we will recess out. At 1:30, GET will adjourn, well, convene. And then at 3:30, if we're not done in GET, Mr. Molina seems to think we'll be done but, I'm not sure. But if we're not done, we'll recess out of GET, we'll recess, we're reconvene the Council meeting, do the ceremonial resolutions, and then reconvene, and then adjourn, and then reconvene the GET at 4:30.

COUNCILMEMBER SUGIMURA: So, all the players are coming here?

CHAIR KING: Right.

COUNCILMEMBER SUGIMURA: Oh, I see. Not on the front lawn. Okay.

CHAIR KING: They, they will be going to the front lawn after for the Mayor's proclamation. So, we wanted to recognize them in, in chambers, because our Rules only allow us to recognize certain levels of winning competitions. And I understand the Mayor wants to recognize all the teams on the front lawn. So, I think that will dovetail nicely into his event. So, that's the intent for today.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR KING: Okay. Thank you.

COUNCILMEMBER KAMA: Thank you, Chair. No objections.

CHAIR KING: No objections? Okay. Great.

(THE CEREMONIAL RESOLUTIONS WERE ADOPTED LATER IN THE MEETING AND ASSIGNED RESOLUTION NOS. 19-155 and 19-154, RESPECTIVELY. See pages 133 through 142 for discussion and action.)

CHAIR KING: Madam Deputy Clerk.

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

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

When testifying, please state your name, the name of any organization you represent, and please also identify to the Council if you are a paid lobbyist.

Madam Chair, we currently have 13 individuals who have signed up to testify in the Council chamber. The first person signed up to testify is Joseph Blackburn, to be followed by Heather Heath.

PRESENTATION OF WRITTEN OR ORAL TESTIMONY

MR. JOSEPH BLACKBURN (testifying on Committee Report 19-102):

Good morning, Councilmembers.

CHAIR KING: Good morning.

MR. BLACKBURN: Joe Blackburn, testifying on 19-102. We've been here before. Everybody knows the pros and cons at this point. It's just a matter of who you believe and where your credibility lies. I'd like to talk about fake news and real news. Fake news, hotel in Wailuku. Have you tried to get a building permit in Wailuku? You cannot. It's almost impossible. You have to have parking and that parking has to enter onto the street and not back out. So, how many new buildings do we have in Wailuku? How many in the core where we are? I don't think you can even count them on one hand.

Real news. Molokai has domestic violence and drug abuse problems. We, we know this. I went out of my way to go over and train their firefighters and, and do a lot of things that weren't in my job description, but I felt the community needed it. Hana, invasive species. I went out of my way in Hana, we flew in at night in helicopters, and they don't fly at night anymore, to rescue your people and to save Hana School when there was a huge propane leak. That was something I had to do cause I was there. Lahaina, affordable housing. Many years ago, Archie and I worked together because the lifeguards and the Fire Department were not getting along. And we tried to put together a program where we would work together.

The, the point is none of this stuff I could have done in my first year, or my second year, or my third year. I had to learn the jobs. And I'm asking you to please, please learn more about your community and how things work before you start defunding projects and changing things.

Fake news; we are only going to scale down the project. No. You're killing the project. Everybody who looks at the 14 million knows you're going to kill the project, alright. It's fake news.

Real news; I pick up feces every couple of months. My employee got sexually assaulted a couple weeks ago, alright. I have had theft. Sometimes it's kind of scary going to work in my office.

Fake news; we are going to have organic farms in Central Maui.

Real news; fires are burning up the central plain and the Fire Department is going to ask for more money, put the plantation out of business, not only cost jobs and income, but are now costing our community money. This goes what, on and on, alright?

The real problem facing our community is cost of living. I have tenants who support this and I'm going to have to go to them and say, look, if my business cannot survive or do well, I'm going to have to raise your rents. I don't want to do this. I love these people. But you know, they support defunding because of fake news. And it's really sad that our community is being misled and the real news is not being told to everybody. It's not defunding, it's killing. Thank you.

CHAIR KING: Thank you, Mr. Blackburn. Any questions, Councilmembers? None?

Okay. Next testifier.

DEPUTY COUNTY CLERK: The next person signed up to testify is Heather Heath, to be followed by Richard Dan.

MS. HEATHER HEATH (testifying on Committee Report 19-102):

Good morning, Council. My name is Heather Heath and I work in a office here on North Market Street. I am here in support of the whole entire project. I do not support the Council's decision to defund the project. There's so many things being said in going on around that I just wanted to come here and say that I support it. I think we all need to maybe work together a little more. We have a great community of minds, and I think that if we all just join together and really, you know, figure out how we can see the whole big picture for our community and for the future. Thank you.

CHAIR KING: Mahalo. Any questions? Okay. Thank you for being here, Ms. Heath.

Next testifier.

DEPUTY COUNTY CLERK: The next person signed up to testify is Richard Dan, testifying on Committee Report 19-102. To be followed by Sandy Baz.

MR. RICHARD DAN (testifying on Committee Report 19-102):

Aloha, Councilmembers. Thank you for working so hard for our community. Defunding this project is insane. You're going to destroy Wailuku. I just, I was speaking with the County about the defunding yesterday. And they will not do the Plan 1A, which is the

infrastructure because of their inability to do the parking structure, because there's not enough money and a bunch of reasons; the bond runs out. It doesn't increase us, net increases any, anymore spots. I don't have to tell you how badly Wailuku needs some, needs parking.

In addition to that, DAGS has said that if the parking lots not built, and this is from the County, I got this yesterday, that DAGS said if the parking lot is not built, they will consider moving the courthouse. Okay, so, by not doing this, you're choking our, first of all you're choking Wailuku by killing this, by killing it by defunding. Secondly, you're taking away probably the, the one of the only remaining anchors in Wailuku, which is the courthouse.

It, it's bothered me what, you know, where, who can benefit from you guys destroying Wailuku the way you're doing it. And, I, you know, Wailuku is now a prosper, has a prosperity incentive for people who want to buy property here, because it's so depressed due to the, and my point, lack of parking. The reason Heather, beautiful girl, was attacked on the street last week is because there's no activity on the street. The reason there's no activity on the street, there's a lack of parking. We know this is a problem.

You told us a few years ago that we're going to get the parking. I went ahead, I have a business, I am also a resident of Wailuku, I invested a lot of money in changing and renovating and doing things to my business to accommodate the new parking lot that's coming. Now, you pull the rug right out from underneath me. That's not right. These guys said it was. Now you come back and say it wasn't. You know, when's the fat lady going to sing? That's all I have to say. Thank you very much.

CHAIR KING: Thank you, Mr. Dan. We have a question for you.

Councilmember Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. Good morning, Mr. Dan, and thank you for your testimony. Can you just tell us who from the Department of Accounting and General Services told you regarding the possible moving of the courthouse?

MR. DAN: I was told by Erin Wade in an email, in a text yesterday that, I'll read to you. I, I can't read it to you, because my phone's screwy. But it said that DAGS is going to be moving if we don't build a parking lot.

COUNCILMEMBER MOLINA: Okay. Thank you. Thank you, Madam Chair.

CHAIR KING: Thank you, Mr. Molina.

Did, did you get a name? Did she give you a name from, of a person at DAGS that she talked to?

MR. DAN: You'd have to ask her. She just told me.

CHAIR KING: She, she didn't give that--

MR. DAN: No, she texted me telling me that night. That's it.

CHAIR KING: Thank you.

MR. DAN: Okay. Anything else?

DEPUTY COUNTY CLERK: The next person signed up to testify is Sandy Baz, testifying on Committee Report 19-102. To be followed by Alvin Makimoto.

MR. SANDY BAZ, MANAGING DIRECTOR (testifying on Committee Report 19-102):

Good morning, Madam Chair and Members of the County Council. Aloha. My name is Sandy Baz, Managing Director for the County of Maui. And I'm here to provide comment on Committee Report 19-102.

During the Economic Development and Budget Committee meeting, I had requested some time to evaluate the decision of cutting two stories off of the building. I have provided a couple of handouts and hopefully you'll get to, either now or, or it did get to you already. So, in those handouts, you'll see basically that a two-level parking structure on the existing municipal parking lot would result in less parking than we have today; 29 less stalls. It would result in higher costs per stall, compared to a four-level parking structure; approximately \$15,294 per stall.

So, modifying the parking structure to two levels will also require a redesign that will add to the project cost. The County will also run out of time to redesign, bid, and contract because the monies for this project are Fiscal Year 2019, which lapse on December 31, 2019, so we have to enter into contract before then. So, that could result if the Council does not accept a budget amendment to add new money to the project, a result in the project not being built at all.

So, as you can look at the two comparisons there, we have a four-level parking structure; 428 total stalls, that's a 214-stall gain. The project did get bid out. The lowest

bid we received was a little over \$30 million. There was a couple of other bidders that didn't put their bid in time, so we don't know if that's going to be the actual amount if we do re-bid it. So, that's a cost per stall of around \$71,000; cost per net gained stall of \$142,174.

As comparison, the two-level parking structure would be a net loss; total stalls of 185, so that's 29 less stalls than they have now. The estimated construction cost, and this is based on the bid we just got, so this is, you know, pretty real construction cost would be \$19,800,000 at a cost per stall of \$107,000 and a cost per net lost stall, a loss of \$682,000.

Real briefly before I run out of time. I did want to clear up the parking study. There, during the Committee meeting, there was a 210 number of parking stalls that the County employees use at the parking, at the municipal parking lot; that's wrong. There's only 214 stalls total. Out of that, during the, the study, 13 County employees were using the municipal parking lot, not 210. The 210 was the total stalls available to County employees. That has increased because of the Old Wailuku Post Office lot to 257 now. So, thank you, Madam Chair.

CHAIR KING: Thank you, Mr. Baz. Any questions?

Councilmember Lee.

COUNCILMEMBER LEE: Thank you, Madam Chair. Mr. Baz.

MANAGING DIRECTOR: Yes.

COUNCILMEMBER LEE: You mentioned that we would be losing stalls if a two-story structure were built, is that correct?

MANAGING DIRECTOR: Yes. So, based on the existing design and layout of the structure, the setbacks required, we would have, you know basically taking two stories off of the existing structure that we have designed would leave us with 185 stalls, correct.

COUNCILMEMBER LEE: I see. And are we also losing stalls on on-street parking?

MANAGING DIRECTOR: Yes. So, Phase 1A removes 43 stalls from Vineyard and Church.

COUNCILMEMBER LEE: Okay. And then, a testifier said that, like, if we, we don't have more parking, the courthouse might move.

MANAGING DIRECTOR: The courthouse has been in discussions with DAGS for a while, actually, to move the courthouse over to where they're going to build a new prison, you know, in Puunene, or Pulehunui, excuse me. And so, the, the drive to, that the court and the attorneys have had to keep the courthouse here has been the improvements, the accessibility, those kind of things. And if that goes away, the, the opportunity, I haven't heard directly, but the opportunity for the courthouse to move would be greater because they wouldn't have the incentive to stay in Wailuku.

COUNCILMEMBER LEE: Okay. There is some support for a two-story structure, okay. And although you said it might be more expensive, how much more would we need to actually build a two-story structure?

MANAGING DIRECTOR: The current committee report reduces the construction funding to \$14 million. We would need, according to this, our engineer looked at about a little, about \$20 million total. So, it'd be another \$6 million or so above what this would be. But again, it's a net loss of stalls, which would be a detriment to our community.

COUNCILMEMBER LEE: Okay. Unless, unless something is redesigned or?

MANAGING DIRECTOR: Yea, we could scrap the whole project, go back to the drawing board as was done about three or four times in the last 30 years, and try to just do a parking structure on the municipal parking lot. We have the Armstrong property, the corner property up there, and the medical plaza, right? So, now the County owns all of those, those properties. We could look at redesigning that, but there are some issues with, you know, doing that. So, we'd have to go and engineer it again and see how many stalls we could come up with.

CHAIR KING: Mr. Baz, are you available when we get to this item, that we could bring you back in as a resource?

MANAGING DIRECTOR: Yes, and Erin Wade as well.

CHAIR KING: Okay. And Erin is here?

MANAGING DIRECTOR: Yea.

CHAIR KING: Okay. Thank you for being here.

COUNCILMEMBER LEE: Oh good, then I can ask other questions later.

MANAGING DIRECTOR: Sure.

COUNCILMEMBER LEE: Okay. Thank you.

CHAIR KING: Okay. Thank you. Any other questions, Councilmembers?

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Yea, so I was just curious and maybe, you know, you or Erin could address it later if you're going to stick around for, to be a resource. And so what's going to happen to 1A, which is the infrastructure improvements with this change? Because I think there's kind of a huge difference in impact and the whole planning.

CHAIR KING: If we could hold that, Ms. Sugimura, cause that wasn't in his testimony, so that wouldn't be a clarifying question. But we can ask, we can follow up with you and Ms. Wade.

MANAGING DIRECTOR: Sure.

CHAIR KING: When we get to the item. Okay. Thank you for being here.

Next testifier.

DEPUTY COUNTY CLERK: The next person signed up to testify is Alvin Makimoto, testifying on Committee Report 19-102. To be followed by Warren Watanabe.

MR. ALVIN MAKIMOTO (testifying on Committee Report 19-102):

Good morning, Council Chair King.

CHAIR KING: Good morning.

MR. MAKIMOTO: Councilmembers. My name is Alvin Makimoto, owner of Uptown Texaco and Food Mart, formerly Uptown Chevron. I think we've actually been known forever as Uptown Chevron, so. My dad started, anyway, I strongly oppose any changes to the original plan for the parking structure and Phase 2 of the project which is the Civic Center in the building.

My dad started in 1953, and this is many, many years later I'm here. When the previous Administration first called us together to say, hey, you know this is possible. And we started talking, and got together with Erin Wade and got to the community involved with what their input, what they wanted for this project. It was very exciting to, to hear

as a businessowner. And, and I mean I was, I grew up here. I walked the streets. Wailuku was a thriving, thriving town and it was safe, you know. And that's what's needed now. It needs that activity, you know, attracts more businesses, and this parking structure and Phase 2, Phase 3, the building of the Civic Center and the office buildings, it's so critical for that.

I think, what you guys don't, are missing is, is that sense of community that this project is all about. It is not just numbers. You know, it is just, it's where we live. And for the first time ever, I saw that this is an opportunity for us to really do stuff, I mean, we went to the meeting, . . . your street, building, parking structure, I mean, actual plans, actual funding, not this, you know, pretend thing that we had all these 30 years ago. So, I think it would be a great mistake to, to change any part of this project.

I think it's critical not for the support of Wailuku, but for Maui, because it's critical that we provide a sense of, a sense of community for Wailuku for the other people to come. I mean, First Friday is a good example. You know, it's just, you don't see just local people, but tourists. I mean, people want to gather some place and this project provides that. That's all I have to say. Thank you.

CHAIR KING: Thank you, Mr. Matsumoto *[sic]*. Any questions? Seeing none, thank you for being here.

VICE-CHAIR RAWLINS-FERNANDEZ: Aloha, Mr.--

CHAIR KING: Oh, I'm sorry. We have one question from Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Makimoto.

CHAIR KING: Oh, Makimoto. I'm sorry.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Mr. Makimoto. Mahalo for your testimony today. So, the item on today's agenda is not the Civic Center. I was just wondering if you were aware that it's only about the parking structure that we're discussing today and not the Civic Center portion of it.

MR. MAKIMOTO: Yes. I just wanted to include that. Sorry.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Alright. Mahalo. Mahalo, Chair.

CHAIR KING: Thank you for that clarification. Okay, thank you for being here.

COUNCILMEMBER SUGIMURA: Chair.

CHAIR KING: Oh, you have one more question. One more question.

COUNCILMEMBER SUGIMURA: Thanks for being here, Alvin. And I know you said your father, this was your father's gas station and you grew up in this town. So, you've seen the change. And I love how you characterize a sense of community, which is what this project will bring. Do you want to expound on that a little bit more? Importance of that?

MR. MAKIMOTO: Yea. I guess--

CHAIR KING: If you could keep your, your, your answer to just the parking lot.

MR. MAKIMOTO: Yes. Parking structure was the first, is a critical phase of, of part of, of just Wailuku period. As a businessowner, it's, I mean, parking is just, it's required. I mean, people, even when they did the, the beautification project of reducing the stalls by putting in the planters and stuff like that, it looks great, but we lost stalls. You know, so this project is critical because small business needs the parking to grow. It'll create more jobs. It'll bring people to Wailuku. Just the parking alone would be, would be just, you'll be amazed at what it'll do for the community.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR KING: Thank you. And just a quick question, because the bids came in higher than what was even originally funded by a few million. Do you think that the businesses in that area would be willing to chip in for the balance?

MR. MAKIMOTO: I don't think businesses are able to throw in that kind of money, you know. What we do is we invest in our own businesses. As you heard previously, we take this project, you know, as it proposed before and say, okay, we're going to put money back into our business. So, it's not about we putting money back to the County, but--

CHAIR KING: Okay. Well, no I just wondered, because I, I keep hearing that that is a benefit to the business. So, that that would, I just think of that as, you know, putting money back into your business if you're, if you're helping with the parking.

MR. MAKIMOTO: Yea, unfortunately, we're a small business, not a big corporation, so we don't have that extra resources to do that.

CHAIR KING: Right. Okay. Thank you.

DEPUTY COUNTY CLERK: The next person signed up to testify is Warren Watanabe, testifying on Committee Report 19-106 and County Communication 19-366. To be followed by Blossom Feiteira.

MR. WARREN WATANABE, MAUI COUNTY FARM BUREAU (testifying on County Communication No. 19-366 and Committee Report 19-106):

Good morning, Chair King, Members of the County Council. My name is Warren Watanabe, Executive Director of the Maui County Farm Bureau. And I'm, I guess I'm changing subjects on you folks at this time.

The Maui County Farm Bureau, on behalf of its' farms and ranches and ag related operations, appreciates the Maui County Council's support of agriculture. We especially appreciate the recognition that agriculture is not just farming and ranching to provide food, but rather it protect, helps protect the ecosystems that we all depend upon as well as the ability to be the fuel for the economic engine for the driving our, well, for the economic engine driving our County.

We recently attended an Invasive Species Update Conference on the Big Island, and it emphasized how fortunate we are on Maui. Scenes like these are not seen on Maui. The first shows the effects of coconut rhinoceros beetle on Guam. This beetle is now affecting residential areas of Oahu, spread via infected compost. The second is Rapid Ohia Death on the Big Island diminishing the effectiveness of their watersheds.

A major component of invasive species management is not just protection of our border with inspection and preventive measures, but rather a vibrant agricultural industry providing import replacements to offset the highest threats to keep Maui County safe from harm. We have an evolving society that wants diversity; new varieties from their homelands or from a friend in Puna. This can be done safely, but there is a procedure to be followed. Most major pest introduction, introductions trace their roots to a suitcase travel. Education for citizen action is needed. Pragmatic actions to manage invasive species in agriculture such as the Coffee Berry Borer and semi slugs are just important as miconia if we are serious about agriculture. Our farmers have suffered major losses when rat lungworm disease or any, or any slug sightings on produce is reported on Maui. Coffee is one of our premiere crops. CBB will hurt the quality of Maui's coffee and therefore its recognition as a highly desired location brand. We urge that a level of funding be allocated to agriculture's invasive species challenges.

Recent fires highlight the importance of ag's green landscape. Any landowner, farmer, or rancher cannot do this alone. And it takes all sizes and kinds of agriculture. American and Hawaii's agriculture policy requires support mechanisms to enable farmers and ranchers to provide products at affordable prices. There is room for diversity and via the support from Federal agencies such as USDA, State agencies, the Department of Agriculture, and the University of system along with the County there

is hope for revitalization of agriculture and a proactive move to provide for our people and to protect our environment before a pandemic or other catastrophe occurs. So, we request that the measure of reference agriculture as a whole versus exclusively small agriculture.

We appreciate the Council's support and respectfully request moving this measure to the HSAC package with our suggested amendments. Thank you.

CHAIR KING: Thank you, Mr. Watanabe. We have a question for you from Councilmember Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. So, I just had a question. You wanted to amend instead of adding an additional? Like, you want to support Invasive Species Fund for agriculture, specifically?

MR. WATANABE: Yea. One of the issues we face, I mean, I'll put it bluntly, at times, you know, we appreciate, you know, the work of the Invasive Species Committee and MISC. But a lot of times, the agriculture gets forgotten. And we recognize, you know, the environment is important, but you know, our, once a pest becomes established, that's an ongoing cost for our farmers and ranchers.

COUNCILMEMBER PALTIN: So, you rather have the inspection done like at the ports and stuff. Is that, is that what you envision?

MR. WATANABE: Well, right now, we have good inspection facilities at the airport, you know. We would like to see improvements at the harbors.

CHAIR KING: Okay. Thank you. And then just to, just to let you know what's going on here with the County Communication 19-366 and 19-365, those are basically topics that the HSAC Board wanted from each Council. They asked for, for us to, you know, poll our Councilmembers and, and get the topics. So, this topic is related to the, the legislation that didn't pass at the State level, so we're hoping that, and we can, you know, look at addressing changes in it if we want to. But, we, we will need your support. So, I appreciate your support, Warren. We will need your support if we adopt this as a, as part of the HSAC Package, so we're going to need your support at the Legislature too. So, we'll keep you informed of—

MR. WATANABE: Okay. Thank you.

CHAIR KING: --what's going. Thank you for, for being here. Any other questions?

Ms. Paltin.

COUNCILMEMBER PALTIN: Oh, it wasn't a question. But, I mean, this is just what we're sending to the State Legislature, so--

CHAIR KING: No. This is just what we're sending to HSAC.

COUNCILMEMBER PALTIN: Oh.

CHAIR KING: As far as topics.

COUNCILMEMBER PALTIN: So, it hasn't even gotten to the Legislature yet?

CHAIR KING: No. The HSAC is going to decide what legislation, because all of those topics in that one, 366, have previous legislation. The, the topic that Mr. Hokama is bringing forward is new legislation. But these are going to be proposed at HSAC for all the counties to support. And then if we, and they'll come back to this Council once we get the full package for final approval.

COUNCILMEMBER PALTIN: So, and that would be the time to make the changes?

CHAIR KING: Probably before HSAC approves it, because the problem with making changes here is it has to go back to HSAC for approval and then come back here. So, we're trying to, you know, get this done in the quickest way possible.

COUNCILMEMBER PALTIN: Okay. Thank you.

CHAIR KING: Thank you.

MR. WATANABE: Thank you.

CHAIR KING: Alright. Ms. Clark.

DEPUTY COUNTY CLERK: The next person signed up to testify is Blossom Feiteira. To be followed by Robert Kawahara.

MS. BLOSSOM FEITEIRA, ASSOCIATION OF HAWAIIANS FOR HOMESTEAD LANDS-
MAUI (testifying on Committee Report 19-111):

Good morning, Madam Chair, Members of the County Council. Aloha and thank you for this opportunity to testify in support of item number 19-111. I'm sorry, I got to put my glasses on; I'm getting old. Regarding the Water Infrastructure Committee report.

For the record, my name is Blossom Feiteira and I serve as the President of the Association of Hawaiians for Homestead Lands for Maui island. We have been working very diligently with Department of Hawaiian Home Lands over the course of the past five years to be able to make sure that we have projects on the ground on Maui that benefit our beneficiaries.

This particular two items is a crucial point in being able to meet the needs of the beneficiary community on the westside. So, with these two pieces of legislation in place, with your approval, the Department is looking forward to being able to provide opportunities for homeownership to close to 330 Native Hawaiians on the westside.

And so, I would encourage you to support this, this item and vote it through to the next reading so I can come back and give you the same spiel again. And hopefully we'll be able to see the Department move forward with our projects. Mahalo.

CHAIR KING: Okay. Mahalo. Any questions for the testifier? Thank, thank you for being here, Ms. Feiteira.

MS. FEITEIRA: Thank you.

CHAIR KING: Ms. Clark.

DEPUTY COUNTY CLERK: The next person signed up to testify is Robert Kawahara, testifying on Committee Report 19-102. To be followed by Alexa Betts Basinger.

MR. ROBERT KAWAHARA (testifying on Committee Report 19-102):

Good morning, Madam Chair and Councilmembers. In full disclosure, my family would benefit from the Wailuku Civic Complex, as we are landowners within the WRA. But, however, I'm here today because I'm more concerned about the actions of this Council.

The proposed defunding of the Wailuku Civic Complex represents an unusual and unprecedented action on a shovel-ready project. This reaching back mentality due to, to undo what has been done is unsettling to say the least and creates uncertainty. Uncertainty leads to anxiety and worry. It also makes it extremely difficult to plan in both the short and long-term.

This project or any project of significant resources takes time; take Lahaina Bypass, Kihei High School. We're not talking years, but decades. How does one act when faced with the decision today that may not come to fruition in 10, 15, or 20 years? We

do this by making sure decisions are in alignment with the County of Maui General Plan and the Countywide Policy Plan.

Expressed in the Countywide Policy Plan is the vision, core values, and principle, principles of Maui's County's residents and stakeholders. I believe that when decisions are made that have outcomes that are in alignment and achieve the vision, core values, and principles outline, that a good decision has been made. None of us have a crystal ball for the future and no project is perfect. Our decision today should be rooted in the affirmation that the decision made by past Councilmembers were guided by the vision, core values, and principles of the Countywide Policy Plan in mind. Part of that vision is the Maui, is that Maui County will be a leader in the creation of responsible, self-sufficient communities, and environmentally sound economic development and land stewardship.

I feel strongly that the Wailuku Civic Complex is in alignment with that vision. In time, I believe we will see similar investments in other Maui County communities that will likely exceed the investment in the Wailuku Civic Complex. This project is fiscally sound and was approved by our County, which for the 24th consecutive year was awarded the distinguished Budget Presentation Award, which recognizes excellence in how well the County's budget serves as a policy document, financial plan, operational guide, and communication device. No small feat. As a CPA, I recognize how challenging and important it is for entities to make decisions through budgeting.

In conclusion, I do not see enough new issues or concerns that justifies the proposed defunding of the Wailuku Civic Complex. And I urge you to respect the decision made by our past Councilmembers and to follow through with their vision. Your actions today will determine the legacy you will leave behind for Maui County. I sincerely believe that this Council will be planting many seeds for the future that will someday need funding from future Councilmembers. Thank you for allowing me to testify.

CHAIR KING: Thank you, Mr. Kawahara. Any questions?

Councilmember Sugimura.

COUNCILMEMBER SUGIMURA: Thank you for being here. So, you said you were a CPA?

MR. KAWAHARA: Yes.

COUNCILMEMBER SUGIMURA: So, from your professional experience and what this action does, cause that's what you're speaking about, right?

MR. KAWAHARA: Yes.

COUNCILMEMBER SUGIMURA: You're talking about numbers and, and auditing is what you're talking about. So, what is the impact from your CPA perspective?

MR. KAWAHARA: So, from my perspective, you know, I do have clients affected by this amendment, proposed amendment. We planned, we've also planned ourselves for our business, right? It's not a dollar thing that we're talking about here. For a couple of my clients, it could break them, it could break them. It would reduce the values here. And I tend to look at how is, how decisions are going to be made as a win-win for everyone involved, right?

And just from a pure numbers' perspective, I think you have some from the Goodwin Consulting Report. I think they've come out in the news. But really what it's going to come down to is the investment in Wailuku which will raise the values, which will bring investments in, which would raise property taxes, which will bring more money to the County, right? I mean, it's, revitalization can be a dirty word. And I didn't want to go there specifically for that, because of how people feel that it could be connotated with development.

Really, I think the people of Wailuku community have spoken and said what they have wanted in this and it has been a long thought out process. And they got it. They got it last year. Everybody kind of moved on with life. And then all of a sudden, I'm sitting here in the middle of tax season again getting ready, and my dad calls me, and he says, "I can't make the meeting, but you need to go because this is an important issue for Wailuku community".

He grew up in Wailuku. He's told me about what his vision always has been for Wailuku is that he would love to see it back where you can walk in the community, where you have retail on the bottom, you had people living above, that they can live in the community and revitalize. So, from a number perspective, from a pure numbers perspective, I believe in the long-term; you will receive a return on your investment. You just can't see it. I can't promise it to you, but if you don't do it, you're doing a self-fulfilling prophecy. It's guaranteed not to do anything for Wailuku. That's what I see from a pure perspective if it's not funded.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR KING: Thank you for your testimony.

MR. KAWAHARA: Thank you.

CHAIR KING: Okay. Ms. Clark, we're going to, let's go to the Hana and our, our District Offices. We have testifiers in Hana and Molokai. Then we'll go back to chambers.

DEPUTY COUNTY CLERK: Molokai Office, please identify yourself and introduce your first testifier.

MS. ZHANTELL LINDO: Aloha, Chair. This is the Molokai District Office. We have six testifiers in our District Office. The first is Bridget Mowat.

MS. BRIDGET MOWAT (testifying on County Communication No. 19-372 and Committee Report 19-102):

Good morning.

CHAIR KING: Good morning.

MS. MOWAT: This is Bridget Mowat. And mahalo for letting me come up and, and speak. I am speaking in behalf, on CC 19-372. And I am in support of the resolution. And I'm urging the State Department of Land and Natural Resources deny the draft of the Environmental Assessment of proposed naval training on the waters of Maui, Molokai, and Lanai.

And I am, I read the resolution and everything Ms., Ms. Fernandez, Rawlins, points out on the "WHEREAS", I support 100 percent. And I just want to make that known.

And just for the record, I also support the defunding of the Wailuku Civic Complex. And I support looking at a new and better designs, and ideas to address parking challenges in Wailuku. So, thank you very much.

CHAIR KING: Thank you, Ms. Mowat. Any questions for the testifier?

Seeing none, Ms. Lindo, can you call your next testifier?

MS. LINDO: Our next testifier is Cheryl Pritchard.

MS. CHERYL PRITCHARD (testifying on County Communication No. 19-372 and Committee Report 19-102):

Aloha. My name is Cheryl Pritchard. And I'd like to thank you for taking time to listen to me and my support for the resolution urging the, "URGING THE STATE

DEPARTMENT OF LAND AND NATURAL RESOURCES DENY THE DRAFT ENVIRONMENTAL ASSESSMENT OF PROPOSED NAVAL TRAINING IN THE WATERS MAUI, MOLOKAI, AND LANAI".

I have met with the military when they were courteous enough to come in person to talk with us. They lied. They assured us that there would be no flyover on the south shore. Now, it is common place. It wakes me up out of sleep and its vibrations have knocked down teacups on the floor and broken them. They will not answer their phonelines, nor acknowledge our complaint. The military, I am including all branches, including the Navy, have a legacy of not cleaning up their messes. They are responsible for superfund sites.

This planet, our life support system, is under fire because of CO2 emissions. The military is the single largest entity of fossil fuel consumption. The military acknowledges climate change is the most destabilizing trend to our security. They need to detail their, curtail their destructive ways; not expand them. I would welcome them to this island to plant trees, put in fencing, and otherwise enhance the soil stability and water purity that is essential for all of us.

And for the record, I support the defunding of the Civic Complex. We need to be getting out of our cars to, into an improved transit system that will alleviate the traffic jam. Thank you.

CHAIR KING: Thank you, Ms. Pritchard. Any questions for the testifier? Seeing none.

Next testifier, Ms. Lindo.

MS. LINDO: Our next testifier is Ken Bear.

MR. KEN BEAR (testifying on County Communication No. 19-372):

Aloha. My name is Ken Bear. I'm testifying on the resolution, "URGING THE STATE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DENY THE DRAFT ENVIRONMENTAL ASSESSMENT OF PROPOSED NAVAL TRAINING IN THE WATERS OF MAUI, MOLOKAI, AND LANAI".

The blatant disregard for this island and its people needs to stop. I've called the Kaneohe Marine Base noise advisory number several times; only a recording, no answer, never a reply. I've asked nicely why they need to fly their osprey aircraft low over our houses and never have gotten a reply from them. Sometimes their phone

doesn't even give a recording for us to give. It's just a blatant disregard for the people of this island.

The mess left behind at Red Hill and on the west end is a complete disgrace. Now, we have large amounts of runoff. The waters are clouded nearshore, and much of the area where they want to operate, know the military, they're going to operate boats at high-speed nearshore. And with cloudy water, turtles, whales, porpoise, etc., they don't have time to react in, in cloudy waters. It's just a bad place for them. And until they clean up their mess, they shouldn't be allowed on the island. Aloha. Thank you.

CHAIR KING: Thank you for your testimony. Any questions, Councilmembers? Okay, seeing none, do we have anymore testifiers on Molokai?

MS. LINDO: Yes, we do. The next testifier is Loretta Ritte.

MS. LORETTA RITTE (testifying on County Communication No. 19-372 and Committee Report 19-102):

Aloha kakahiaka. My name is Loretta Ritte and I'm testifying urging on the resolution "URGING THE STATE DEPARTMENT OF LAND AND NATURAL RESOURCES DENY THE DRAFT ENVIRONMENTAL ASSESSMENT OF PROPOSED NAVAL TRAINING IN THE WATERS OF MAUI, MOLOKAI, AND LANAI", and these are my reasons.

The military has a really bad trek, track record. I began in the overthrow when they came as bullies to point their weapons at our government and to illegally overthrow our government. And they've also left desecration on Kahoolawe, Makua Valley, Pohakuloa, Ilio Point of Molokai, and Waianae, and other places. They have left all their opala, never ever cleaning up. And throughout the years, we as taxpayers, have been cleaning and picking up after them.

And we stand for all the things that the County Council has frequently adopted resolution for, where the Council supports conservation of natural resources, protection of marine life, preservation of cultural, traditional, and subsistence activities practiced by residents; all of which will be jeopardized by the proposed training now. So, I say, no, we do not welcome the military to Molokai.

And I also support the defunding of the Wailuku Civic Complex and support looking at new and better designs and ideas to address parking challenges in Wailuku. Mahalo.

CHAIR KING: Mahalo, Ms. Ritte. Any questions, Councilmembers?

Seeing none, next testifier, Ms. Lindo.

MS. LINDO: Our, our next testifier is Walter Ritte.

MR. WALTER RITTE (testifying on County Communication 19-372):

Aloha, Councilmembers. My name is Walter Ritte from Hoolehua. All of you understand I'm sure by now how hard it is to talk to the United States Military. They actually had to give up lies in order to get our messages across in the past. . . . we've tried on this issue. We've written to the military; no responses. We've written formal letters to them; no responses. Written letters to DLNR; no responses. So, we pretty much stuck here and we're hoping that the Council can become our voice for us here on Molokai, since nobody's listening to the people on the street.

(Councilmember Sugimura was excused from the meeting at 9:52 a.m.)

MR. RITTE: And we looked at this resolution and it's an, it's an excellent resolution that reflects how we feel here on Molokai. And I'm sure the Maui people will be saying the same thing. We need a voice and this resolution, we're hoping that it's going to be our voice, so that we have some kind of a response from DLNR, which is the only ones that can really talk to the military because they want to use lands that are under the jurisdiction of DLNR. So, please support this resolution and be the voice of the people on Molokai. Aloha.

CHAIR KING: Aloha. Mahalo. Any questions? Okay, no questions. Thank you, Mr. Ritte.

Next testifier on Molokai.

MS. LINDO: We have, thank you, Chair. We have two more testifiers. The next one is Mahina Poepoe.

MS. MAHINA POEPOE (testifying on County Communication No. 19-372 and Committee Report 19-102):

Good morning, Council. This is Mahina Poepoe. First, testifying on 19-372, resolution to urge DLNR to deny the draft EA of the proposed naval training waters. I'm in full support of this resolution, and also ask that you be urgent about this issue. Time is of

the essence and the status of the EA could change at any time. So, I ask that you don't sit on it and you take immediate action.

On Molokai, like others have said, the military has left a mess, destroyed cultural landscapes, bombing our entire westside. And we're still finding to this day unexploded ordnances and bombs that the military has to come and detonate. Earlier this year, somebody almost ran one over with their lawnmower.

The area highlighted from Molokai specifically is an important gathering area for subsistence. We are a subsistence community and the military would absolutely interfere with that, as well as cultural gatherings, potentially even criminalizing people for gathering while training is going on.

That area is also very heavy with ocean recreation. Probably the most recreated area on Molokai because it's the only harbor and boat launch access that is provided. And it is in the area of highest population density.

Endangered monk seal habitat will be affected. La`au Point as a really important area for seal pupping and habitation. We just saw ten beachings of whales on Maui. And we know that sonar has an effect on marine mammals and other animals so that's a big concern.

The EA also didn't adequately identify or address cultural impacts or cultural sites. The entire shoreline is full of fishponds and site-specific practices that weren't acknowledged, as well as underwater heiaus that weren't recognized.

I did collect over 1600 form testimonies that would support this resolution. It was actually directed to DLNR and to the military back in December. I wanted to send them into you, but I was hesitant because I wasn't sure how receptive you would be 1600 form testimonies. But if you would like me to, I can send them.

I also wanted to support the defunding of the Wailuku Civic Center parking. I testified to you about this numerous times. So, I just wanted to remind you to consider all the previous testimonies from Committee meetings that also supported the defunding. And, yea, that's all. Thank you.

CHAIR KING: Okay. I think we have a question for you, Ms. Poepoe. Vice-Chair Rawlins-Fernandez, you have a question?

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Ms. Poepoe. Mahalo for your testimony. I'm sorry, I missed the amount of signatures you got on your petition. How many people supported your petition?

MS. POEPOE: Over 1600. I don't know the exact amount, because I haven't looked at it in a while, because it was in December. But it was about 1650, around there.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. I don't know if I want thousands of pages, but maybe just what the, the language of the petition if you, if you wouldn't mind sending that. What--

MS. POEPOE: I will. It was, I'll send it.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo. Mahalo, Chair.

CHAIR KING: Mahalo. Okay, any other questions?

MS. LINDO: Our next testifier is Carolyn Sherwood.

CHAIR KING: Ms. Sherwood? Hello?

MS. CAROLYN SHERWOOD (testifying on County Communication No. 19-372):

Yea, I'm coming.

CHAIR KING: Oh, okay.

MS. SHERWOOD: Molokai; I don't know if you've ever been here, but it's a very beautiful island, very unique physically and spiritually. And the reason it's been kept this way, are the loving efforts from people who have at times laid down their lives to protect what God has given us. I'm a long-time resident of Molokai. I'm a substitute teacher here. I love the ohana aspects of living here. But the military needs to clean up their mess before there are any further attempts to penetrate this sacred space. Thank you.

CHAIR KING: Any questions? Ms. Sherwood, we have one question for you from Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Ms. Sherwood. I just wanted to clarify. So, your testimony is in support of the resolution like the previous testifiers?

MS. LINDO: They're asking if you're in support of the resolution.

MS. SHERWOOD: Yes. I'm sorry, I didn't make that clear.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo for that clarification. Mahalo, Chair.

CHAIR KING: Okay. Thank you. Okay. Next, is that, anymore test—

Ms. Lindo.

MS. LINDO: There are no further testifiers at this time.

CHAIR KING: Okay. Thank you, Ms. Lindo.

I think next, we'll go to Hana.

Ms. Clark, if you can make contact.

DEPUTY COUNTY CLERK: Hana Office, please identify yourself and introduce your first testifier.

MS. MAVIS MEDEIROS: Aloha, Chair. This is Mavis Oliveira Medeiros from the Hana District Office. Our first testifier is Chris Sanita.

(Councilmember Sugimura returned to the meeting at 9:59 a.m.)

MR. CHRIS SANITA (testifying on Committee Report 19-106):

Aloha mai kakou. Mahalo nui loa, Council Chair and Councilmembers for hearing my testimony today. My name is Chris Sanita from Hana, Maui and I'm the TA Principal here at Hana High and Elementary School. I'm speaking to testify on 19-106, number 2, funding for rural schools by authorizing supplemental categorical funds for remote schools and appropriate funding on behalf of the rural schools. I'm speaking today as also Molokai, Lanai, and obviously Hana.

For us, it's more than being rural; it's being rural and a secondary school. And in Hana, it's being rural and an inclusive combination school Pre-K to 12th grade plus, a robust Hawaiian Emersion Program. In a secondary school setting, you can't have 20 or 30 students in a classroom with one teacher all day like elementary and have students college-ready. Our students need a myriad of academic, cultural, and vocational experiences to be able to professionally navigate the real world and to be competitive on a real-world scale.

In addition, secondary schools have other opportunities for students such as athletics, student government, academic competitions, cultural experiences, and club

opportunities for students, which require travel to outer-islands. This is an equity issue, as students from larger islands and more urban areas can readily access these opportunities. For us in rural communities, it requires airfare, ground transportation, and most of the time night accommodations because of the limited flight schedules. It almost doubles our professional, our, our staff and teacher professional development costs.

Again, on behalf of our rural schools on Molokai, Lanai, and Hana, we urge you all for more funding for our rural schools. It just makes sense. It's an economy of scale issues and our keikis deserve it. Mahalo.

CHAIR KING: Mahalo. Any questions?

MS. MEDEIROS: Okay, now we have--

CHAIR KING: We have one question. Mavis, we have one question from Councilmember Sinenci.

MS. MEDEIROS: Oh, okay.

COUNCILMEMBER SINENCI: Thank you, Mr. Sanita, for testifying, taking some time out from, from your day at the school. Just real quickly, did you have other areas, if you don't have enough funding, for, for staff and teachers, TA's, are there other areas that you are forced to cut within the school budget?

MR. SANITA: Yes, we are. Like, our registrar right now is also our student activities coordinator. And most of our secondary teachers teach five or six different classes, which is very difficult to plan for. Whether it's a small numbers of students actually to prepare, adequately five and six perhaps is really difficult.

COUNCILMEMBER SINENCI: Okay. Thank you. Thank you for your testimony.

CHAIR KING: Thank you, Mr. Sinenci.

Mr., Mr. Shanida *[sic]*, can I just ask you, this is Kelly King, Council Chair, can I just ask you if you interact with any other rural schools throughout the State that have the same issues?

MR. SANITA: Yes. I speak with them frequently at our Lahainaluna-Molokai-Hana complex meetings, and we talk about the Council *[sic]* of Weights and sort of the Weighted Student Formula. And we really try and strategize the best way to use funds with grants, and funding, and community partnerships. Hana has a lot of really amazing

community partnerships that supplement some of our teacher shortage because of the funding gaps that, that we have. So, yes, we talk at least once a month on those issues.

CHAIR KING: Okay. And, and do you talk with other rural schools in other counties in the State of Hawaii?

MR. SANITA: I'm sort of new to my principal role, so I personally have not. I know our former principal for 14 years, Rick Paul, has worked extensively on that. But I don't know if we really talk to like Kauai. But Lanai and Molokai, we definitely speak a lot.

CHAIR KING: Okay. Thank you. Any other questions for the testifier?

If not, Ms., next testifier, Ms. Oliveira.

MS. MEDEIROS: Okay. We also have Ward Mardfin, speaking on Committee Report 19-106, number 2.

MR. WARD MARDFIN (testifying on Committee Report 19-106):

Aloha, Madam Chair and Councilmembers. I'm speaking on the Governance, Governance, Ethics, and Transparency Report 19-106, part 2, adoption of a resolution "APPROVING THE INCLUSION IN THE 2020 HAWAII STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE A STATE BILL TO AUTHORIZE SUPPLEMENTAL AND CATEGORICAL FUNDING FOR REMOTE SCHOOLS AND APPROPRIATE FUNDS".

In the past, Senator, well, I'm speaking as an individual. I have a fair amount of experience. For about eight years or so, I was the Chair of the Hana School Community Council, and I'm also trained as an economist. The problem started when the State went to the Weighted Student Formula. For most schools, it's, it's actually a good thing. It fairly distributes revenues proportional to the student enrollment.

And Hana has about 364 students as of now. And if we were just a high school, the Weighted Student Formula would be just fine. We'd be able to hire all the teachers we need. If it were just a middle school, same thing. If we were just an elementary school, same thing. But the big problem, we are remote and that provides special problems. But it, but the big problem is we're a complex. And so, it can't accommodate an elementary, a middle, and a high school all at the same time on the, on the Weighted Student Formula.

(Councilmember Paltin was excused from the meeting at 10:05 a.m.)

MR. MARDFIN: Let me just give you one example of, and the things that double up. If the high school wanted to have any athletic program at all, we must have an athletic director; and we do. But it costs us about \$80,000 out of our budget. If, but the Weighted Student Formula is based on the number of high school students we have, they would only get 3 or \$4,000. The difference has to be made up by the school through cutting other things, like other teachers. We don't have security guards. We don't, we need a second VP, cause when our Principal and VP go to the other side for meetings, they have to be gone all day because it is remote. We need another VP. We don't have a school librarian. So, the whole raft of things that just affect us because we're a complex and the remoteness compounds it.

I think somebody asked earlier if we worked with Kauai on this. I don't believe Kauai has that kind of a problem. I think there are schools on the Big Island and elsewhere Maui County where the complex system is a real hurdle. And I urge you, or urge you to support remote schools with better complexes with additional funding. We used to have about a budget of six million, and it's way below that now.

CHAIR KING: Okay. Thank you for your testimony. Can you just repeat your name one more time.

MR. MARDFIN: Ward; W-A-R-D. Mardfin--

CHAIR KING: Oh, Ward.

MR. MARDFIN: M-A-R-D, as in December; F as in February; I-N as in November.

CHAIR KING: Okay. Alright. Thank you. I see no questions in the chambers, so thank you for your testimony.

Next testifier. Mavis are you there? Did we, did we lose her?

MS. MEDEIROS: Oh, that was it. That, I just had two.

CHAIR KING: Okay.

MS. MEDEIROS: Thank you.

CHAIR KING: Thank you.

Do we have any testifiers on Lanai, Ms. Clark?

DEPUTY COUNTY CLERK: Madam Chair, there's no one signed up to testify in the Lanai District Office.

CHAIR KING: Okay, so we'll come back to chambers. Next testifier in chambers?

DEPUTY COUNTY CLERK: The next person signed up to testify in the chambers is Alexa Betts Basinger, testifying on Committee Report 19-102. To be followed by Kenneth Peter Lee.

MS. ALEXA BETTS BASINGER (testifying on Committee Report 19-102):

Good morning. And aloha, Chair King and Honorable Councilmembers. My name is Alexa Betts Basinger. I'm here today as one of around 100 through the years, community members appointed by Mayor and approved by Council to serve a five-year term on the Maui Redevelopment Agency. My years were 2007 to 2012.

I'm going to be brief today and I'm going to talk about growth. Since 1910, Wailuku has been growing with local families moving into neighborhoods from Waikapu to Waihee. Just in Wailuku Town proper, that growth has been 220 percent. But the town hasn't kept up to provide adequate infrastructure. During that same time, employees of government have grown exponentially, but the town hasn't kept up with adequate infrastructure. And during the same period, the population of the County of Maui grew a whopping 447 percent, but the town hasn't kept up to provide adequate infrastructure.

When people come to the County seat for civic business and involvement, parking is infrastructure.

(Councilmember Lee was excused from the meeting at 10:09 a.m.)

MS. BASINGER: This comprehensive lynchpin project rectifies a 50-year unmet need and provides for the future. There is so much more information you need to understand the overarching value of this economic development and revitalization project.

Members, I'm here to urge you to vote against this unprecedented attempt to kill a fully vetted, approved, funded, and shovel-ready project. Thank you for listening.

CHAIR KING: Thank you, Ms. Basinger. Any questions? If not, thank you for being here.

MS. BASINGER: I have one more thing that I quickly want to share if I can?

CHAIR KING: Okay. The green light's still on. So, go ahead. Hurry up.

MS. BASINGER: Oh yea. Oh good, I'll hurry. When Sandy Baz came down earlier to talk about the bid that had come in, I found an article in the newspaper from 2011. And that was the year the first parking structure was previewed to the community. It was a five-story structure, came in at 15 million. We just looked at, what was it 30 million for a three and a half story structure. So, please, let's stop wasting money. Thank you.

CHAIR KING: Thank you.

Okay, next testifier, Ms. Clark.

DEPUTY COUNTY CLERK: The next person signed up to testify in the chamber is Kenneth Peter Lee, testifying on Committee Report 19-102. To be followed by Terri Erwin.

(Councilmember Paltin returned to the meeting at 10:11 a.m.)

MR. KENNETH PETER LEE (testifying on Committee Report 19-102):

Good morning. My name is Kenneth Peter Lee. I am speaking from a corner of Wailuku that usually we do not testify. I'm the Senior Warden and Ecclesiastical Authority of Good Shepherd Church in Wailuku. We have been at that same corner for so long you've named the street after us. We have been a church situated on a Royal Patent that was given to us by their majesty's King Kamehameha IV and Queen Emma. And we have been in that same spot for 154 years.

We have seen Wailuku starting from a very small village where there wasn't even a bridge connecting us to Happy Valley, which had a reputation that was quite different than what it is today. We have seen Wailuku grow and we have seen Wailuku decline. I am not in favor of this amendment, personally.

We, as a church, also have commercial properties in Wailuku, which we would like to develop to keep our projects going, and our patronage to what we do as a business of saving souls. And we would like to see this parking structure go up, cause it creates a growing and vital community which in turn creates a growing and vital church. I would like to see Wailuku be what it was.

I can remember Wailuku as a child, and it was the center of the island. Everything was here. We talk about people objecting to hotels. Well, there were two hotels in Wailuku Town at one point, an auto dealership, a furniture store, other retail shops. That's

where everyone on Maui, on this side, went to shop. And I think that if we want to see that type of town, well, you can never really go back to the past, but Wailuku really needs to develop as small businesses, because that's essentially what it's create, that, that's what exists.

And we as a church, we have retail, commercial properties. We have 14 tenants, which actually keeps us going. And when we were given the property in the first place, it was primarily to be the church plus enough land to sustain the rector and everyone else that was involved. And the pastorage for the cow now sells hamburgers. We are the landowner under McDonald's, which is across the street, excuse me, as well as a lot of small other businesses that really would not fit in anywhere else.

So, I do not support this amendment. So, thank you very much.

CHAIR KING: Thank you for your testimony, Mr. Lee. One question from Councilmember Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair, and good morning, sir. Thank you for your testimony. Has the church board also taken an official position on this?

MR. LEE: Not really, that's why I'm speaking as an individual. It's hard to say. Right now, we are in a transition period. We are looking for a new priest, so we're kind of turned inward at the moment.

COUNCILMEMBER MOLINA: Okay. Thank you. Thank you, Madam Chair.

CHAIR KING: Thank you. Thank you for your testimony.

Ms. Clark.

DEPUTY COUNTY CLERK: The next person signed up to testify is Terri Erwin, testifying on Committee Report 19-102. To be followed by John Duey.

MS. TERRI ERWIN (testifying on Committee Report 19-102):

Good morning, Chair and Councilmembers. Thank you for allowing me to testify. I'm here, my name is Terri Erwin. I'm a resident of Wailuku and also the owner of a small business on Central Avenue, Perfection Bra Fitting Salon.

I'm here to ask you to not vote in favor, to vote against the amendment which would defund the parking structure in Wailuku. In part because that bill is simply not ready

for primetime. The, the bill does two things. It stipulates that the parking structure be two stories, two levels. And it cuts the funding by 14 million plus a little bit. As we've heard earlier, a parking structure with two levels actually creates a decrease in parking for Wailuku. And I, I certainly don't believe that that's anyone's intention on this Council having voted the affirmative, to address the parking issue just from a practical standpoint, we, that, that's not workable.

And then the second part has to do with the funding which now that we have the construction bids and have some real numbers that we can start to kind of, kind of get our heads around and think really practically, that number simply won't, it won't take us anyplace. So, on those two counts, the fact that we would lose parking with the two-floor stipulation, and also that the numbers for the money don't permit really us to do, to do anything, I believe that is counter to what the Council's or what the Committee's intent was even in passing this bill forward. So, I'd ask you to, to, frankly to table it, so that there's more time to really start to get some practical solutions which I think is what I hear people calling for regardless of where you start on the issue.

So, I know I've said this before. My background is as a research psychologist. My specialty is people's emotional connection to home and neighborhood. I postdoc at the College of Architecture at Texas A&M University looking at people's emotional response to built and natural environments. One of the things that's really well understood in that academic field is that visual disarray and disrepair causes distress and negative health outcomes for people. So, the people, pardon me, people who are, who live in areas that are dilapidated or just, you know, simply disused or not well coordinated and aesthetically coherent that that has a negative effect.

And I think that Wailuku Town would really benefit in a practical way, of course from the parking structure, because it gets people here and solves everybody's practical problem. But also because to the extent that it promotes small business and people to be able to rehabilitate and to make their businesses better, there's a larger effect to the public good.

CHAIR KING: Thank you, Ms. Erwin. Any questions for Ms. Erwin? Okay, thank you for being here; appreciate your testimony.

Ms. Clark.

DEPUTY COUNTY CLERK: The next person signed up to testify is John Duey, testifying on Committee Report 19-102. To be followed by Tom Cook.

MR. JOHN DUEY (testifying on Committee Report 19-102):

Good morning. Good morning, Chair King, Councilmembers. My name is John Duey, property owner, taxpayer, Iao Valley. I've been coming to Wailuku for a number of years. I bank at American Savings Bank on Market Street. As opposed to some other people, I have never ever not found parking in Wailuku; either parking on Market Street or American Savings little parking lot, or in there, their stalls behind.

(Councilmember Lee returned to the meeting at 10:19 a.m.)

MR. DUEY: I have never ever had to run around Wailuku to find parking, except on First Friday. First Friday is a good time, good thing.

The, something that's never mentioned about the decline of Wailuku is big box stores. Without the big box stores, Wailuku would still be thriving as it once was. It's a, it's a sad case that Walmart and Target and all these guys had to come in and ruin things for everybody. But they have and we can't do much about it.

One of the things that Sandy mentioned this morning, the parking structure and all that will take out 41 stalls. So, that means that 41 people have to go in the parking garage. Money, money, money. For us to have to pay 80 million or 40, whatever we're talking about right now, millions and millions of dollars to build this monstrosity which should be in, in Oahu and not on Maui, and then force us to pay parking, I don't like it. I don't like it at all. Anyway, I'm one person. I have to speak against some of my friends. Alvin, we used to buy gas at Uptown for years, but things change. So, I am totally against, I, I am for your amendment to defund the whole bloody thing, as far as I'm concerned. Anyway, thanks for listening.

CHAIR KING: Okay. Thank you, Mr. Duey.

MR. DUEY: I, I haven't been here. We've been out of State for three or four months, that's why I haven't been here to shoot my mouth off before. But I'm here now, so thanks for listening.

CHAIR KING: Thank you, Mr. Duey. We have a question by, from Councilmember Paltin.

COUNCILMEMBER PALTIN: Thanks, Chair. Thank you, Mr. Duey, for being here and giving your testimony. I also haven't had problems parking in Wailuku. But is it that you're opposed to paying for the parking structure and then paying for parking? Like, what if we make the existing parking structure, existing parking area, paid parking to alleviate the concern of folks, you know, parking all day and taking up parking from the

businesses? I just was wondering if that's a solution. Like, maybe during the working hours or when, when there's, during the times when there's hard time for somebody who's having a hard time to find parking?

MR. DUEY: Yea, as I said, maybe other people have. I've never had a hard time finding parking, and then to pay this kind of money, millions of dollars to force us to go pay parking. I hate to pay parking no matter where. But to spend the money out of our pocket, we're the taxpayer building that bloody building up, then we got to turn around and pay, pay parking to go inside the building to, the thing we just built. You should let us, should let us pay, park free. We just paid for it, why can't we park free?

COUNCILMEMBER PALTIN: Yea, yea, yea. Okay. Alright. Thanks.

CHAIR KING: Thank you, Ms. Paltin.

MR. DUEY: Anyway, I'm against it. I guess you get the message.

COUNCILMEMBER PALTIN: Got it. Got it. Thank you.

CHAIR KING: Thank you, Mr. Duey. We heard you loud and clear.

MR. DUEY: Okay. Thank you.

CHAIR KING: Ms. Clark.

DEPUTY COUNTY CLERK: The next person signed up to testify is Tom Cook, testifying on Committee Report 19-102. To be followed by Carolyn Wright.

MR. TOM COOK, (testifying on Committee Report 19-102):

Good morning, Council Chair, Councilmembers. My name is Tom Cook. I'm here as an individual to give testimony in opposition to defunding the parking structure. I served on the GPAC.

And anyway, infrastructure; we talk about needing infrastructure. We make developers do infrastructure, you know; parking, water, sewer, all of that. It's all part of it. This is the County of Maui having the opportunity after having spent a lot of time, a lot of money, a lot of input to develop very significant infrastructure in Wailuku Town, and then at the, like, last minute defunding it. That's not, you know, the General Plan was to enhance the, excuse me, during the General Plan process, a lot of discussion and

a lot of support was to enhance the existing towns that we have and not have urban sprawl and whatnot.

Anyway, I'm just, as an individual, I just, we need, we need, we should do this. I'm really in support of doing this. I don't think it's a bad thing. I think the, I think this defunding it the way that this is at the last minute for a shovel-ready project that's, that is a significant infrastructure component to our community is inappropriate. And I respectfully ask for you to reconsider and not defund the project. Thank you very much for the opportunity. And you haven't seen my face because I working Upcountry. I don't have the time to be here, so you're lucky. Mahalo.

CHAIR KING: We're lucky you're here now, or we're lucky you weren't here before?

MR. COOK: No, no. You're lucky I'm not here all the time giving you my two cents.

CHAIR KING: We're glad you're here, Mr. Cook.

MR. COOK: Thank you for, thank you for your service. And I respectfully ask you to consider funding the project. Thank you.

CHAIR KING: Okay. Thank you.

Seeing no questions, next testifier.

DEPUTY COUNTY CLERK: The next person signed up to testify is Carolyn Wright, testifying on Committee Report 19-102. To be followed by Kelly Keating.

MS. CAROLYN WRIGHT, MAUI ACADEMY OF PERFORMING ARTS (testifying on Committee Report 19-102):

Hello. Sorry about that, I was in the ladies' room, so I didn't know I was next.

CHAIR KING: No problem.

MS. WRIGHT: I'm Carolyn Wright. I am Chief Operating Officer for MAPA, Maui Academy of Performing Arts. Nice to see you all again.

You know, compromise can be an act of, of true leadership. It can also be a recipe for disaster. Quick story, true story. Little boy who wants to be, who is a ringbearer at his uncle's wedding and he doesn't want to wear the shoes that came with the tuxedo because they pinch his feet. And so, he puts on his orange Nike's, bright orange shoes.

His mom sees it, has a big debate with him. Back and forth, back and forth, after lots of tears, she suggests a compromise. And so, he walks down the aisle wearing one black patent leather shoe and one orange Nike. Certain times, compromises are not the right solution. Sometimes compromise can make a situation worse.

I believe that this amendment is one of those situations. So, I'm feeling passionate about this right now, so I apologize if there's emotion in my voice right now. But I'm, we have been here so many times talking about this issue. And, and I think one of the reasons that compromise is not the right solution in this particular situation, and this particular compromise, is because there wasn't enough analysis done of the outcome of this compromise. So, Mr. Baz stood up here and talked about the outcomes, reducing parking stalls. Obviously, none of us want that. And, and so to, to cut this funding in half, to cut the parking structure in half, it's a half-baked idea that I think doesn't warrant a place at the table here.

I urge you to vote no on this amendment, and I urge you to move forward with the work that was done by the previous Council. If you set this precedent that you can undo the work of the previous Council, look at what's going to happen to all of the hard work that you're doing right now. All of the issues that you're passionate about, that you're working so hard to make happen to the benefit of this island, of, of this County, to think that the next Council could come and just sort of willy-nilly undo it. I don't think you want to set that kind of a legacy for yourselves or for this island. There has been work done over decades, and decades, and decades. We are at the point where it is time to build this parking structure. I urge you, please vote no on this amendment and let's build this parking structure. Mahalo.

CHAIR KING: Mahalo, Ms. Wright. Any questions, Councilmembers? No. Seeing none, thank you for your testimony.

MS. WRIGHT: Thank you.

CHAIR KING: You have a great smile by the way.

DEPUTY COUNTY CLERK: The next person signed up to testify in the chambers is Kelly Keating, testifying on Committee Report 19-102. To be followed by Bob Horcado *[sic]*.

(Councilmember Sugimura was excused from the meeting at 10:09 a.m.)

MR. KELLY KEATING (testifying on Committee Report 19-102):

Aloha, Chair--

CHAIR KING: Aloha.

MR. KEATING: —and Councilmembers. My name is Kelly Keating. I'm the owner of Blazy Construction. We're the guys finishing up your new South Maui Rec Center, and we'll be seeing you all there very soon for the grand opening. It's probably a little bit strange that I'm here, because this is blatantly in my best interest. I happen to be the low bidder the other day on this project. And I stand to benefit, if my estimate pans out, works out.

I just wanted to speak a little bit from a contractor's perspective, maybe. When a project is put out to bid, we go into that project in good faith that the project is going forward. We're a small-large company. It's my wife and I that own our company and I'm very fortunate just to move to Maui two years ago. But I built an amazing crew of, I'm happy to say, Maui raised and worked all their lives, the six great gentlemen that has been a part of your South Maui Rec Center. So, I'm very happy of the people. My superintendent lives about four blocks away from here and I'm very proud of that.

So, when the project came out to bid, I, I look at projects that I think can, I can be successful at, and that are in my wheelhouse and that I can make a run at, because to bid a project is very time-consuming and costly endeavor. The plans themselves are \$1500. The first investment you make is you call up Blue Hono *[sic]* and ask him to print the plans out. But, so we spent the last five weeks, probably three people from my office working on this project. And so, it's an incredible investment.

And then part way through it, we find that the project is going to be defunded. So, then you're tasked with this decision. Wow, I mean, do I keep going? Do I keep trying to put this number together? And it's not just me, it's, it's because of another requirement to list our subcontractors. We have to spend an incredible amount of time making sure that all the subcontractors know about the project, making sure that they're not like most of us contractors that put things off to the last minute, and then they call you the day before the bid.

But I guess, the other thing I wanted to talk about was the real net savings on the \$14 million. You have made an incredible investment so far in this project. I mean, I, I know that architectural fees are typically 6 to 12 percent. And maybe you spent that money already on this project. To go back and to design another project, all the time that County employees have put in to getting this project to where it is. That money is just dollars throwing away that will never be seen again. And I guess on that point, I'll end.

CHAIR KING: Thank you.

MR. KEATING: But I'm certainly against defunding the project.

CHAIR KING: Okay. Thank you, Mr. Keating. And thank you for your disclosure. I do have a question for you. Because if you're the low bidder, I'm assuming you're the bid that came in around 30 million?

MR. KEATING: That's correct.

CHAIR KING: A little over 30 million? And I believe there's only about 27 something million left. So, are you going to be able to do it for that amount? I mean, I know there were a list of things that we talked about in the last meeting that could be taken off.

MR. KEATING: I'll tell you the very interesting thing about this bid. And I don't, yea, that's kind of strange because if there was a comment that they may put it back out to bid because it was overpriced or because some bids were late and that would be really salt in the wound. I mean, I, I got there 10 seconds before and I can explain more on that if you're interested why.

CHAIR KING: That's, yea, no, I don't want to get into that because that's--

MR. KEATING: But, but yes, as far as the pricing, the requirement that we've never seen on the bid before was that we had to hold our bid open for 10 months. So, can you imagine in today's market the rebar guy saying that he's going to hold his \$3 million steel price.

CHAIR KING: Okay, but that wasn't my question. My question was, was--

MR. KEATING: Well, if there were some things changed in the requirements, if they said we're going to sign a contract with you tomorrow, I could probably get some adjustments made. I mean, I can't speak for all my subcontractors, but that 10-month requirement added a lot of money to this project. Just, I mean, so there is a possibility that the price could be reduced.

CHAIR KING: Okay. Thank you. Seeing no other questions, thank you so much for being here.

MR. KEATING: You're welcome.

CHAIR KING: Next testifier. I think the last testifier.

DEPUTY COUNTY CLERK: The next testifier is Bob Horcado *[sic]*, testifying on Committee Report 19-102. And we do have one more testifier signed up in the chamber after that; Rose Marie Duey.

CHAIR KING: Okay. Mr. Horcajo. I'm correcting your, the pronunciation of your name.

MR. BOB HORCAJO (testifying on Committee Report 19-102):

Horcajo. Thank you. Good morning, Council Chair King, and fellow Councilmembers. Undoubtedly, I've not been here talking about this, this whole parking structure, although I have an interest. We live in Wailuku. We're partners, we own two old commercial buildings in Wailuku. We sold Wakamatsu Fish Market about two years ago. We still own, with partners, the main market building right in the corner.

I've been on the MRA, like a fellow testifier, I don't know how many years ago; probably around 2010, '09, I'm not even sure now, for five years. And also, I was around when Mayor Tavares had her plan. And after she lost her, her office seat, the next Mayor decided to ax the plan. And if, I think it was correct, it was around \$15 million.

My, my basic testimony is I am against the defunding. When you talk about parking, we're not just talking about finding a parking stall when you come to Wailuku Town other than First Friday. You cannot, there's certain parking rules as the landowner and the developer to create it. You can't do anything in Wailuku Town without more parking.

Luckily, the MRA revised the rules years ago so that you can start a restaurant without a parking. But you can't have a residence above your building, like somebody testified of the old days, because you cannot provide parking. So, I hear people talking about keeping Wailuku Town old or Paia or whatever. But unless you provide the infrastructure, whether it be parking, sidewalks, roads, it's not going to happen. So, it's more just finding a parking stall when you want to find a stall to go to the bank, go to wherever.

Let's talk about development. The growth of Wailuku or the planning for Wailuku started in the 60's, well before Kress left, Haleakala Motors, Von Hamm-Young; you old guys know that. So, it's yea, granted you got the big box stores, but we are, we are the County seat. I would hope that this body sees the benefit. We have, of course, government offices, medical facilities, the whole bunch in Wailuku Town. Wailuku Town should, should have some energy, and it's not going to happen unless there's parking.

I think the last thing I probably want to say, just to cut this short, was that I think Mr. Kawahara made a real good analysis of what we're talking about. It's about governance. You know, as people have testified, this is shovel-ready. Somebody in this body prior years had made that decision. I hear innuendos about aesthetics. Look at Wailuku, look at any old town, there's stuff that is not old. And look at Wailuku, where do you want to start, 1920's, 1940's? They're all different. I got a minute right?

CHAIR KING: Half a minute; thirty seconds.

MR. HORCAJO: Half, I kind of lost my train of thought here. But anyway, I mean the whole idea and of course I've heard innuendos about the cost, exceeding costs. Frankly, if you build a house, things never go on budget. This Council's body before spent excess money to, to complete the Kihei Police Station. Think about all the projects that departments come in to get more money because costs exceed, whether it be the rebar cost or whatever. So, for me, that's a red herring. Just kind of, just look at all the testimonies for the past 40 years and, and basically go with your gut. Thank you very much.

(Councilmember Sugimura returned to the meeting at 10:12 a.m.)

CHAIR KING: Thank you, Mr. Horcajo. Any questions? Seeing none.

We have, do we have one more testifier signed up?

DEPUTY COUNTY CLERK: Yes, we have a couple more testifiers that have signed up in the chamber. Next is Rose Marie Duey, testifying on Committee Report 19-102. To be followed by Erin Wade.

MS. ROSE MARIE DUEY (testifying on Committee Report 19-102):

Aloha, Chair King.

CHAIR KING: Aloha.

MS. DUEY: And aloha, Councilmembers. It is a pleasure to be before you. As John said, we have been out of State, out of touch. But I have to tell you a little story about the first meeting I went to on this development and this project. It was so discouraging to me as a keiki o ka aina because of the overwhelming feeling of when do we stop stuff like this.

I go to Lahaina at least once a week because I have a brother who needs healthcare there. I came home and I complained to my husband that, how come, here in Wailuku where the most important services we need have, except here at the County, but you still have to worry about a police officer tagging your car, that you have to pay for serve, parking. And now they want to do a building where we're going to have to go to, to park just to go to our bank. We have never had problem, as he said, going to our bank. But now we're going to, not only as a taxpayer pay for that building, but we're going to be paying for it when we go in there to park to go to American Savings Bank. Where does it stop?

Lahaina, Front Street; all the tourists go there. Why? Because it looks like an old Lahaina town. You kept it historical. Every place else has gone amok. Makawao, the same thing; the tourists go there. It is overwhelmed because it has been kept exactly that way. Wailuku was experiencing the same thing; overwhelmed. Then you decided we needed a parking lot. But people, some of these people moved their businesses and they went to Kahului where it seems to fit the development down there. Everything is happening down there; big box stores, shopping, Safeways. So, why would we want to take our little town, add a parking structure to immensify what's happening here on, in Wailuku. Let's leave it alone as a small town. Thank you.

CHAIR KING: Thank you, Ms. Duey.

Seeing no questions, are there anymore testifiers, Ms. Clark.

DEPUTY COUNTY CLERK: Yes. The next person signed up to testify is Erin Wade, to be followed by Jasee Lau.

MS. ERIN WADE (testifying on Committee Report 19-102):

Good morning, Chair.

CHAIR KING: Good morning.

MS. WADE: Good morning, Council. Thank you. I was asked to come and clarify just a couple of things that came up during testimony. The first was the idea that possibly the parking could be expanded throughout the site of the Wailuku Municipal Parking Lot. The reason that wasn't done is in the 2000 Wailuku Redevelopment Plan, it states in two places that the frontage along Vineyard Street shall be reserved for mixed-use development. So, that, that was one reason.

The second reason was a resolution passed in 2008 that the Parking Task Force presented to the County Council. And the Council agreed, the frontage along Vineyard Street will be in accordance with the Wailuku Redevelopment Plan and Design Guidelines. So, because of this past legal and adopted resolution, we respected those wishes with the design of the plan.

As to the paid parking, there's no reason that when we come back for discussion on paid parking that visitor parking couldn't be free for one or more hours. We can run all of the models to identify what makes the best sense. I think we know from all of our studies the employee parking is the one that is the most challenging. Most of us can, when you come downtown with one or two loops around, often find a parking stall. But that does create traffic too. So, it also addresses our circulation problem in the neighborhood is, you can pull right in and know you can park immediately; that improves traffic. And then, parking could be free for visitors for a period of time.

(Councilmember Kama was excused from the meeting at 10:42 a.m.)

MS. WADE: And then, due to the questions that keep coming up on the size of the parking structure. So, the height limit at this location is 45 feet. The Market Street side is 39 foot 10 inches. The Church Street side is 30 foot 4 inches. With the PV trellis, so, if the PV trellis is something we include, you can add an additional 5 foot of height to the structure. That would allow for 50 feet of zone of height per zoning ordinance. At the PV trellis on the Market Street side, the project is 48 foot 6 inches. On the Church Street side, it's 37 foot 3 inches. I just wanted to clarify those issues.

CHAIR KING: Okay. Thank you for being here. And Ms. Wade will be here when we get to the issues, so maybe at that point you can address the overage, you know, the, the different. I guess you had a kind of a menu of different pieces that could be taken off. Okay.

MS. WADE: Correct.

CHAIR KING: Thank you so much for the explanation.

And our last testifier, Jasee Lau.

MR. JASEE LAU (testifying on the Pledge of Allegiance):

Aloha, everybody out there is Akaku land and all the people in the kingdom. Jasee Lau from Kula. I'm talking about item C on the agenda for clarification.

CHAIR KING: Item C?

MR. LAU: Pledge of Allegiance. This is not the United States of America. It's run under the system of the United States. Every time I go to DMV to try to get a driver's license, they say one of them States back here on the mainland is blocking me from getting a driver's license. I can't get a job. So, if anybody out there can help me, I'd appreciate it.

Every time you guys say the, those words, Queen Liliuokalani is turning over in her grave; liberty and justice for all. Thank you for serving the people of Maui County.

CHAIR KING: Okay. Ms. Clark, do we have anymore?

DEPUTY COUNTY CLERK: Madam Chair, we do have one more testifier in the Molokai District Office.

CHAIR KING: Okay. Ms. Lindo.

MS. LINDO: Aloha, Chair. We have one last testifier; Mrs. Judy Caparida.

MS. JUDY CAPARIDA (testifying on County Communication No. 19-372):

Aloha, everybody. It's me again. I'm, I'm here, I want to urge you guys the State Department of Land and Natural Resources to deny the draft environmental assessment of proposed naval training in the waters of Maui, Molokai, and Lanai. I oppose it, because it's not right. And not only that, it's a dangerous thing. So, I love you guys. And that's what I came in to say. I oppose it. Not only me, but my family here on Molokai, our whole community. We cannot go through all this stuff. I love you guys. Okay, aloha.

CHAIR KING: Aloha. Thank you, Ms. Caparida.

MS. CAPARIDA: But I want to support the resolution, okay?

CHAIR KING: Okay.

MS. CAPARIDA: Okay. I love you guys.

CHAIR KING: We love you.

MS. CAPARIDA: Aloha.

CHAIR KING: Aloha.

MS. LINDO: That was our final testifier. Thank you.

CHAIR KING: Okay. Thank you, Zhantell.

So, do we have any other, any other persons in the chambers who wish to testify? If not, Members, oh, we have one more.

And can you, after your testimony, sir, maybe go out and fill out the form.

MR. RAY SHIMABUKU (testifying on Committee Report 19-102):

I will. Thank you. Good morning, Chair.

CHAIR KING: Good morning.

MR. SHIMABUKU: Members of the County Council. My name is Ray Shimabuku. I am a business representative for the electrical union office, IBEW Local 1186, not to be confused with Local 1260, which is in the news currently.

I'm here in regards to item 19-102. We're not a business entity in the Wailuku Town. But I'm here to support the businessowners who are in favor of building this parking structure. And like the guy on the construction perspective, coming out of the construction perspective, we'd like to see construction as well. So, to help the community with the parking matters in Wailuku Town.

Hard to believe that you can find parking easily in Wailuku Town, because I never came across that myself. Always, you gotta go around and around, looking for parking. So, I'm just here to show my support in those business people, and that I don't support this resolution before you today. Thank you.

CHAIR KING: Thank you, Mr. Shimabuku. So, you are a paid lobbyist?

MR. SHIMABUKU: Excuse me?

CHAIR KING: You are a paid lobbyist for the union?

MR. SHIMABUKU: No.

CHAIR KING: You're not?

MR. SHIMABUKU: No, I'm here on my personal matter.

CHAIR KING: Oh, okay.

MR. SHIMABUKU: Okay. Thank you.

CHAIR KING: Alright. Thank you.

DEPUTY COUNTY CLERK: Madam Chair, there are no other individuals in the District Offices nor the chamber who wish to offer testimony. And we have received written testimony for this meeting.

CHAIR KING: Okay, Members, is there any objection to receiving the written testimony into the record?

MEMBERS VOICED NO OBJECTION.

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

1. Sandy Baz, Managing Director;
2. Warren Watanabe, Maui County Farm Bureau;
3. Lana Corpuz;
4. Kristin Holmes, Holmes Family LLC;
5. Joni McGinnis;
6. Ketty Mobed;
7. Helen Nielsen;
8. Erin Peyton;
9. Keani Rawlins-Fernandez, Council Vice-Chair;
10. Simon Russell, Farm Maui LLC;
11. Jonathan Starr;
12. Pamela Tumpap, Maui Chamber of Commerce; and
13. Jody Wolbaum.

CHAIR KING: Okay, so ordered. And, is there any objection to closing public testimony.

MEMBERS VOICED NO OBJECTION.

CHAIR KING: Okay. Public testimony is closed.

And we will recess, come back please, promptly at 11. We have Mr. Hokama only for half an hour, so we can maybe take up those issues first, if there are no objections, we can do the HSAC if, if that's your pleasure, Mr. Hokama.

Okay. Thank you. So, please be back at 11. We're in recess now at 10:48.

(THE MEETING WAS RECESSED BY THE CHAIR AT 10:48 A.M., AND WAS RECONVENED AT 11:00 A.M., WITH ALL MEMBERS PRESENT, EXCEPT FOR MEMBERS LEE, MOLINA, AND VICE-CHAIR RAWLINS-FERNANDEZ, EXCUSED.)

CHAIR KING: Okay. We're reconvening the Council meeting of September 6, 2019, it's 11:00. Thank you, Members, for being prompt. Moving along with our agenda, we're going to, if there's no objections, make a slight change in the agenda. After we do the minutes, we'll go to County Communications 364, 365, and 366. And that way we can address the HSAC topics before Member Hokama has to leave.

(Vice-Chair Rawlins-Fernandez returned to the meeting at 11:01 a.m.)

CHAIR KING: So, next, next item on the agenda, Ms. Clark.

DEPUTY COUNTY CLERK: Madam Chair, proceeding with the minutes.

MINUTES

The minutes of the Council of the County of Maui's regular meeting/public hearing of May 17, 2019 were presented at this time.

CHAIR KING: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO ADOPT THE REGULAR MEETING MINUTES OF
MAY, AND PUBLIC HEARING OF MAY 17, 2019.

(Councilmember Lee returned to the meeting at 11:01 a.m.)

COUNCILMEMBER KAMA:

SECOND.

CHAIR KING: Okay. Moved by Vice-Chair Rawlins-Fernandez, seconded by Pro Tem Tasha Kama.

Ms. Rawlins-Fernandez, any comments?

VICE-CHAIR RAWLINS-FERNANDEZ: Nothing more.

CHAIR KING: No. Okay. Any, if there's no comments or questions, all those in favor say "aye".

AYES: COUNCILMEMBERS HOKAMA, KAMA, LEE,
PALTIN, SINENCI, SUGIMURA, VICE-CHAIR
RAWLINS-FERNANDEZ, AND CHAIR KING.

CHAIR KING: Any opposed?

NOES: NONE.

EXCUSED: COUNCILMEMBER MOLINA.

CHAIR KING: Measure passes unanimously.

Okay, Ms. Clark, we're going to move, skip ahead to the HSAC items.

DEPUTY COUNTY CLERK: Yes. Madam Chair, proceeding with county communications and skipping ahead as instructed.

COUNTY COMMUNICATIONS

NO. 19-364 - KELLY T. KING, COUNCIL CHAIR,
(dated August 30, 2019)

Transmitting a proposed resolution entitled "SUBMITTING THE MAUI COUNTY COUNCIL'S STATEWIDE CONCERNS TO THE HAWAII STATE ASSOCIATION OF COUNTIES EXECUTIVE COMMITTEE FOR POSSIBLE INCLUSION IN THE 2020 HSAC LEGISLATIVE PACKAGE".

(Councilmember Molina returned to the meeting at 11:03 a.m.)

CHAIR KING: Okay. Councilmember Paltin.

COUNCILMEMBER PALTIN:

MADAM CHAIR, ON YOUR BEHALF, MAY I REQUEST THAT
COUNTY COMMUNICATION 19-364 BE TAKEN OUT OF
ORDER AND CONSIDERED JUST PRIOR TO COMMITTEE
REPORT 19-106?

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR KING: Well, actually we're, so that's the next one. Are you talk, are you talking about
Committee, Committee communication? County Communication 19-365?

COUNCILMEMBER PALTIN: 364.

CHAIR KING: Oh.

COUNCILMEMBER PALTIN: 365 is Member Hokama.

CHAIR KING: Okay. So, you want to take that, move that to a different section?

COUNCILMEMBER PALTIN: I'll, I'll just do 364, he'll do 365--

CHAIR KING: Right.

COUNCILMEMBER PALTIN: --and I'll do 366.

CHAIR KING: Okay. So, we just, we're on 364 right now, so you can go ahead and propose.

COUNCILMEMBER PALTIN: Oh, okay.

I MOVE TO ADOPT THE PROPOSED RESOLUTION
ATTACHED TO COUNTY COMMUNICATION 19-364, AND TO
FILE COUNTY COMMUNICATION 19-364.

CHAIR KING: Okay. Any questions?

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR KING: Moved by Councilmember Paltin, seconded by Vice-Chair Rawlins-Fernandez. And Members, these are pursuant to the HSAC, previous HSAC meeting where all the board members were requested to go back to our respective Councilmembers and ask for topics. So, you all got the email. And the topics will be taken up with appropriate legislature *[sic]* at the next HSAC meeting. So, that's what this is. Any more discussion?

COUNCILMEMBER PALTIN: Yea, so thank you, Chair. The HSAC Legislative Package should contain measures that pertain to statewide concerns. HSAC Executive Committee has requested submittals of statewide concerns from each County Council to be discussed at their next meeting on September 23, 2019.

CHAIR KING: Okay. Alright. No questions. All those in favor of the motion say "aye".

AYES: COUNCILMEMBERS HOKAMA, KAMA, LEE,
MOLINA, PALTIN, SINENCI, SUGIMURA,
VICE-CHAIR RAWLINS-FERNANDEZ, AND
CHAIR KING.

CHAIR KING: Any opposed?

NOES: NONE.

CHAIR KING: Okay, measure passes nine to zero.

Did you have a question, Mr. Hokama?

COUNCILMEMBER HOKAMA: Chair, I was just going to ask if the body, you would entertain a motion and to bring up the other communications so that we may make a amendment to the, to the previous main motion?

CHAIR KING: Okay.

COUNCILMEMBER HOKAMA: And therefore, it would, we'll fill in the blanks.

CHAIR KING: So, you want to bring up, bring up 365 and 366 altogether?

COUNCILMEMBER HOKAMA: That would have been my request, Chair.

CHAIR KING: Okay.

COUNCILMEMBER HOKAMA: So, for that I would ask for a reconsideration.

VICE-CHAIR RAWLINS-FERNANDEZ:

I, I MOVE TO RECONSIDER.

COUNCILMEMBER HOKAMA:

SECOND.

CHAIR KING: Okay.

COUNCILMEMBER HOKAMA: Yea, thank you.

CHAIR KING: Okay. All those in favor of reconsideration,

AYES: COUNCILMEMBERS HOKAMA, KAMA, LEE,
MOLINA, PALTIN, SINENCI, SUGIMURA,
VICE-CHAIR RAWLINS-FERNANDEZ, AND
CHAIR KING.

CHAIR KING: Any opposed?

NOES: NONE.

CHAIR KING: Okay. So, we're going to reconsider and we're going to, we'll, we'll bring up 364, 365, and 366. And so, Ms. Paltin, do you want to speak to 364 and 366?

COUNCILMEMBER PALTIN: Sure.

COUNCILMEMBER HOKAMA: Chair. Chair, if I may request that the Clerk bring up those items before the body under your directions, please?

CHAIR KING: Okay. Do you want to read, go ahead and read, Ms. Clark?

NO. 19-365 - RIKI HOKAMA, COUNCILMEMBER,
(dated August 28, 2019)

Relating to the following Statewide concerns for possible inclusion in the Hawaii State Association of Counties 2020 Legislative Package:

1. Statewide concerns pertaining to cesspool conversions.

NO. 19-366 - KELLY T. KING, COUNCIL CHAIR,
(dated August 29, 2019)

Relating to the following Statewide concerns for possible inclusion in the Hawaii State Association of Counties 2020 Legislative Package:

1. Amend the Sunshine Law to allow a quorum or more of Councilmembers to attend community meetings;
2. Address illegal short term rentals;
3. Support the invasive species special fund;
4. Assis the counties on managed shoreline retreat; and
5. Address overtourism.

CHAIR KING: Okay. Ms. Paltin. And then we'll go to Mr. Hokama.

COUNCILMEMBER HOKAMA: Chair.

CHAIR KING: Mr. Hokama.

COUNCILMEMBER HOKAMA:

CHAIR, I'D LIKE TO MAKE A MOTION TO AMEND AT THIS TIME, TAKING THE ATTACHMENT TO COUNTY COMMU, THAT IS ADDRESSED IN COUNTY COMMUNICATION 19-365, STATEWIDE CONCERNS RELATING, PERTAINING TO CESSPOOL CONVERSIONS, AS WELL AS THE FILING OF SAID COMMUNICATION.

COUNCILMEMBER SUGIMURA:

SECOND.

CHAIR KING: Okay. Moved by Councilmember Hokama, seconded by Councilmember Sugimura.

COUNCILMEMBER HOKAMA: Chair, if I may real quick note.

CHAIR KING: Mr. Hokama.

COUNCILMEMBER HOKAMA: Chair, I speak in favor of the amendment. The amendment basically is, that is something we've already started discussion on, my fellow colleagues, over a year and a half ago. Again, with Chair King, we brought forward it to the, our Federal delegation this past trip into Washington D.C, asking for their guidance and support in addressing this statewide concern that all counties are facing regarding the Legislature's deadline on conversions of cesspools.

So, at this time, we've already worked with the three other sister counties, Chair. We have, and their Mayors are very supportive. I've already made contact and report to you that the State Legislative leadership in the House and Senate is very open in working with the counties to provide a fair and reasonable financial opportunities to address this health concern. Thank you.

CHAIR KING: Okay. Ms. Paltin.

COUNCILMEMBER PALTIN: Would you like me to further amend it before we vote, so we do it all one time? Or did you, okay--

SO, I MOVE TO AMEND THE PROPOSED RESOLUTION IN THE FIRST BE IT RESOLVED PARAGRAPH BY INSERTING, AS WELL, THE FOLLOWING MAUI COUNTY STATEWIDE CONCERNS: TO AMEND THE SUNSHINE LAW TO ALLOW A QUORUM OF MORE, OR MORE OF COUNCILMEMBERS TO ATTEND COMMUNITY MEETINGS; ADDRESS ILLEGAL SHORT TERM RENTALS; SUPPORT THE INVASIVE SPECIES FUND; ASSIST THE COUNTIES ON MANAGED SHORELINE RETREAT; AND OVERTOURISM.

COUNCILMEMBER SINENCI:

SECOND.

CHAIR KING: Okay. Okay, moved by Member Paltin--

VICE-CHAIR RAWLINS-FERNANDEZ: Chair.

CHAIR KING: --and seconded by Member Sinenci.

VICE-CHAIR RAWLINS-FERNANDEZ: Point, point of order?

CHAIR KING: So, we have, we have an amendment to the amendment. So, if we first vote on Ms. Paltin's amendment, and then we'll vote on the main amendment. And that's as far as we go with amendments. We do amendments to amendments, but we don't do amendments to amendments to amendments.

COUNCILMEMBER HOKAMA: Correct.

CHAIR KING: So, we'll vote on Ms. Paltin's amendment right now. All those in favor, any questions?

VICE-CHAIR RAWLINS-FERNANDEZ: Chair.

CHAIR KING: Oh.

VICE-CHAIR RAWLINS-FERNANDEZ: Discussion.

CHAIR KING: Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: There's, I, I guess I'm, I need clarification. Is there supposed to be some kind of document that goes with this, or is this just matters?

CHAIR KING: These are just matters. And that was requested from, there, you know, there will be documents that go with it that once HSAC decides on its priorities, then we'll gather the legislation and all of that, once HSAC decides on its, its priority legislation, that will all come back to each County for, for approval. So, the HSAC Package still has to be voted on by all the counties. But this is a, this is a way of--

COUNCILMEMBER PALTIN: This is what we're sending them.

CHAIR KING: --defining the top priorities for the HSAC Board.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Okay, cause Member Sinenci already drafted his proposed.

CHAIR KING: Right. His is in our Committee Report, because we already did the work on that in Committee.

VICE-CHAIR RAWLINS-FERNANDEZ: Right.

CHAIR KING: So, he's in, he's in a different section of today's agenda.

VICE-CHAIR RAWLINS-FERNANDEZ: Right. Okay.

CHAIR KING: So, we'll be work, we'll be addressing that later.

VICE-CHAIR RAWLINS-FERNANDEZ: Did we find out what the deadline is?

COUNCILMEMBER PALTIN: September.

CHAIR KING: We're, the deadline's being moved. So, we're, we're--

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. So, we don't know what the deadline?

CHAIR KING: No.

VICE-CHAIR RAWLINS-FERNANDEZ: That there's no date set?

CHAIR KING: The actions we're taking today are with the approval of the HSAC Board. But we may be the only Council that's actually voting on our, our topics, because they weren't, they didn't ask us to do this. But we're doing this as a, because we feel like we're, you know, it's part of Sunshine Law. But we were asked, the HSAC Board was asked by our President to come up with topics to ask our Council, which I did, you all got the email, come up with topics for the next HSAC meeting and then we would deliberate on the topics.

So, and one of the reasons I picked these topics was because the two items that came up repeatedly from the other Members were overtourism and short term rental, illegal short term rentals. So, I think those are going to get good support. And the other ones, we, it will be stronger with our topics if we have said that we already voted on them.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo for that clarification.

CHAIR KING: Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: One last question. So, after, so this is about process. So, after HSAC votes on the top five topics, then who will be responsible for, for drafting the legislation we support?

CHAIR KING: Well, we may make changes, but all of these topics are, have legislation already written. So, they will be, they were, most of them were alive last session and didn't make it through. So, they're still alive till the second part of the two-year legislative session.

Mr. Hokama's legislation was new legislation that he worked on. So, but that's already written as well. So, we try to pick the topics that, you know, we're trying to move forward, that we already have a position on that makes sense.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo for that explanation. I speak in support of the, the topics and I'm ready to vote.

CHAIR KING: Okay. Thank you.

Pro Tem Kama.

COUNCILMEMBER KAMA: Thank you, Chair. So, in the first amendment, the, to amend the Sunshine Law to attend community meetings, is that inclusive of social events and other gatherings that may not be agendized? Okay. Thank you.

CHAIR KING: Yes, we're trying to make it okay for us to go to workshops and, you know, parties and luncheons and stuff.

COUNCILMEMBER KAMA: Yea.

CHAIR KING: So, we don't get dinged for that.

COUNCILMEMBER KAMA: Thank you.

COUNCILMEMBER PALTIN: I can--

CHAIR KING: Okay. So, with, we have a motion on the floor to amend the amendment. And does that include filing of these, this?

COUNCILMEMBER PALTIN: Yes.

CHAIR KING: Okay.

COUNCILMEMBER PALTIN: It includes filing of it, yea. I, I think you already clarified for Councilmember Rawlins-Fernandez, but it says, once the list of statewide concerns is compiled and proposals drafted by the HSAC Executive Committee, each County Council will be required to approve the 2020 HSAC Legislative Package before it is sent to the State Legislature. And that County Communication 365 and 366 received from Councilmember Riki Hokama and Chair Kelly T. King, respectively outline the recommended the statewide concerns.

CHAIR KING: Okay. Okay, amendment one; all those in favor say "aye".

AYES: COUNCILMEMBERS HOKAMA, KAMA, LEE,
MOLINA, PALTIN, SINENCI, SUGIMURA,
VICE-CHAIR RAWLINS-FERNANDEZ, AND
CHAIR KING.

CHAIR KING: Any opposed?

NOES: NONE.

CHAIR KING: Okay. We're, go back to the original amendment. So, the original amendment is on the floor now. All those in favor say "aye".

AYES: COUNCILMEMBERS HOKAMA, KAMA, LEE,
MOLINA, PALTIN, SINENCI, SUGIMURA,
VICE-CHAIR RAWLINS-FERNANDEZ, AND
CHAIR KING.

CHAIR KING: Any opposed?

NOES: NONE.

CHAIR KING: Measure passes unanimously.

So, we're on the main motion as amended. Any questions or concerns? Okay, all those in favor say "aye".

AYES: COUNCILMEMBERS HOKAMA, KAMA, LEE,
MOLINA, PALTIN, SINENCI, SUGIMURA,
VICE-CHAIR RAWLINS-FERNANDEZ, AND
CHAIR KING.

CHAIR KING: Any opposed?

NOES: NONE.

CHAIR KING: Measure passes unanimously.

And then what will happen is after this comes back to the, the Council with the full package, then, as approved by the HSAC board, then at the beginning of the session, at the opening of the Legislative session, sometime in that first two weeks after opening, we will be doing a legislative briefing and at, in the State Capitol. So, if you really want to attend that, let me know. I think we're going to have to be really careful on this one that we don't have a quorum, because, you know, or maybe we should and then we can make our point on why we need the Sunshine Law fixed. But anyway, that's the process, so we'll be letting everybody know when we're going back over. Okay.

And moving on, Ms. Clark.

DEPUTY COUNTY CLERK: Madam Chair, for the record, RESOLUTION 19-143.

CHAIR KING: Okay. Thank you.

DEPUTY COUNTY CLERK: Proceeding with County Communications.

NO. 19-350 - TIVOLI S. FAAUMU, CHIEF OF POLICE,
(dated August 9, 2019)

Transmitting a copy of the Memorandum of Agreement with the State of Hawaii, Department of Health for the records access for statistical data abstraction in the amount of \$7,500.

CHAIR KING: Okay, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. May I request the, direct the Clerk to also call up County Communications 19-351 through 19-358, please?

MEMBERS VOICED NO OBJECTION.

CHAIR KING: No objections? Okay.

Ms. Clark.

NO. 19-351 - TIVOLI S. FAAUMU, CHIEF OF POLICE,
(dated August 20, 2019)

Transmitting a copy of the Memorandum of Agreement with the Department of Health, Alcohol and Drug Abuse Division for the Prohibiting Tobacco Sales to Persons Under the Age of Twenty-One program in the amount of \$11,000.

NO. 19-352 - LORI TSUHAKE, DIRECTOR OF HOUSING AND HUMAN CONCERNS, (dated August 12, 2019)

Transmitting a Letter of Intent from the State of Hawaii, Executive Office on Aging for Kupuna Care Program services in the amount of \$678,778.

NO. 19-353 - LORI TSUHAKE, DIRECTOR OF HOUSING AND HUMAN CONCERNS, (dated August 12, 2019)

Transmitting a Letter of Intent from the State of Hawaii, Executive Office on Aging for Kupuna Care Elder Abuse Prevention services in the amount of \$27,686.

NO. 19-354 - LORI TSUHAKE, DIRECTOR OF HOUSING AND HUMAN CONCERNS, (dated August 12, 2019)

Transmitting a Letter of Intent from the State of Hawaii, Executive Office on Aging for Kupuna Caregivers Program services in the amount of \$209,745.

NO. 19-355 - LORI TSUHAKE, DIRECTOR OF HOUSING AND HUMAN CONCERNS, (dated August 12, 2019)

Transmitting a Letter of Intent from the State of Hawaii, Executive Office on Aging for the Aging and Disability Resource Center Expansion services in the amount of \$383,576.

NO. 19-356 - LORI TSUHAKO, DIRECTOR OF HOUSING AND HUMAN CONCERNS, (dated August 12, 2019)

Transmitting a Letter of Intent from the State of Hawaii, Executive Office on Aging for Older Americans Act Title III Programs in the amount of \$794,204.

NO. 19-357 - LORI TSUHAKO, DIRECTOR OF HOUSING AND HUMAN CONCERNS, (dated August 12, 2019)

Transmitting a Notice of Grant Award from the Corporation for National and Community Service for the Retired and Senior Volunteer Program in the amount of \$7,500, for a total of \$73,350.

NO. 19-358 - SCOTT K. TERUYA, DIRECTOR OF FINANCE, (dated August 20, 2019)

Transmitting a summary of the temporary transfers/loans that have occurred from the General Fund and Department of Water Supply Revenue Fund to the 2020 Proposed General Obligation Bond Fund, as of July 31, 2019.

CHAIR KING: Okay, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO FILE COUNTY COMMUNICATIONS 19-350
THROUGH 19-358.

COUNCILMEMBER SINENCI:

SECOND.

CHAIR KING: Okay, moved by Vice-Chair Rawlins-Fernandez, seconded by Councilmember Sinenci.

Any further discussion, Ms. Rawlins-Fernandez?

VICE-CHAIR RAWLINS-FERNANDEZ: These are for informational purposes only. No need for discussion.

CHAIR KING: Okay. Any questions or comments? If not, I'll call for the question. All those in favor say "aye".

AYES: COUNCILMEMBERS HOKAMA, KAMA, LEE,
MOLINA, PALTIN, SINENCI, SUGIMURA,
VICE-CHAIR RAWLINS-FERNANDEZ, AND
CHAIR KING.

CHAIR KING: Any opposed?

NOES: NONE.

CHAIR KING: Measure passes unanimously, nine to zero.

COUNCILMEMBER LEE: Madam Chair.

CHAIR KING: Yes, Councilmember Lee.

COUNCILMEMBER LEE: Considering the time, shouldn't we be moving Committee Report 19-102 forward? And I would request that we also move 19-111 forward as well, because we have people from Honolulu that need to get back on the 19-111.

CHAIR KING: Okay. Any objections?

MEMBERS VOICED NO OBJECTION.

CHAIR KING: Okay. We will, okay, so we're stopped at county communication after 358, 19-358. And then we're moving onto Committee Report 19-102.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Just wondering if Member Lee would, since there are people here from Oahu, would you like to take up 19-111 first?

COUNCILMEMBER LEE: Not really, because we're losing one Member in a few minutes. So, I don't think my item is as controversial as the other one; 19-102.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay.

COUNCILMEMBER LEE: But thank you.

DEPUTY COUNTY CLERK: Proceeding with Committee Report 19-102.

COMMITTEE REPORTS

COMMITTEE REPORT
NO. 19-102 - ECONOMIC DEVELOPMENT AND BUDGET COMMITTEE:

Recommending that Bill _____ (2019), entitled "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4858, BILL NO. 54 (2018), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI ISSUANCE, SALE AND DELIVERY OF SAID BONDS (DEPARTMENT OF MANAGEMENT – WAILUKU CIVIC COMPLEX)," be PASSED ON FIRST READING and be ORDERED TO PRINT.

CHAIR KING: Okay, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO ADOPT THE RECOMMENDATION IN COMMITTEE
REPORT 19-102.

COUNCILMEMBER SINENCI:

SECOND.

CHAIR KING: Okay. Moved by Vice-Chair Rawlins-Fernandez, seconded by Councilmember Sinenci.

And we're in discussion. We also have two resources here on this item; Erin Wade from Maui Redevelopment Agency, and Sandy Baz who's the Managing Director.

So, Councilmember Lee.

COUNCILMEMBER LEE: Discussion?

VICE-CHAIR RAWLINS-FERNANDEZ: Chair, as the movant--

CHAIR KING: Oh, I'm sorry. I'm sorry. I forgot to give Vice-Chair Rawlins-Fernandez a chance to defend her motion.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo. Okay. Sorry, Ms. Lee, I'll, Member Lee, I'll make it quick. Okay. EDB Committee, the EDB Committee met on March 29, 2019, August 22, 2019, and August 27, 2019, which is the reconvened meeting of August 22.

The Committee discussed at great length the Wailuku Civic Complex Project Phase 1, the infrastructure improvements and 1B, Phase 1A, the infrastructure improvements; and 1B, the parking structure. While Phase 1A, the infrastructure improvements appear to be widely supported, your Committee received substantial public testimony both for and against Phase 1B, parking structure.

The Committee recommended an amendment to reduce the general obligation bonds issued for this project by \$14,233,688. The remaining \$27,766,312 remain approved to fund infrastructure improvements for Phase 1A and 50 percent of the funding for Phase 1B for the parking structure.

The recommended reduction to Phase 1B, the parking structure, is intended to scale down the design of the parking structure by half and invest in County employee parking closer to the County campus to rectify the deficit employee parking for our County workers and increase parking in Wailuku Town for businesses and customers. The rationale for this recommendation came after reviewing the 2011 Wailuku Town Parking Study and Parking Management Plan Analysis conducted by Andrew Miller with Downtown Parking & Planning Associates, LLC, for the Department of Planning, and Maui Redevelopment Agency.

The repetitive message and clear indicator throughout the study was that the government workers are consuming a substantial portion of the Municipal Parking Lot. The solution will more than likely satisfy our Wailuku Town parking issues and help provide an ample increase in parking for Wailuku Town businesses and customers.

After much deliberation, taking into account public testimony, the General Plan, and other advisory documents, the Committee voted 6-3 to recommend passage of the revised proposed bill on first reading.

CHAIR KING: Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR KING: Thank you.

Alright, Councilmember Lee.

COUNCILMEMBER LEE: Yes. Although I agree with many of the things that Councilmember Rawlins-Fernandez mentioned, I believe due to new information that I think all of us received, based on the new figures on the bid, cost estimates. I met with Erin Wade after our last Committee meeting and it appears that there are timing issues with regard to funding. And that we, we may not be able to access the, some of, if not all of the original funds, mainly because the project needs to be redesigned in order to, to, to do the two-story instead of four-story building. So, because of all of these questions and issues, I believe they need to be straightened out. And I would request that this matter be recommitted to Committee.

COUNCILMEMBER SUGIMURA: Second.

CHAIR KING: It's a, that's a request. It's not a motion. Are you, we, we have a motion on the floor, so we're going to address that motion first. But I, we hear you.

Councilmember Molina. And if anybody wants our resources to come down, let me know.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. You know, upon the, I guess lack of a better term, the discovery of the bid amount as well, I'm, I can understand where the area representative Ms. Lee is coming from. And we've heard testimony from the public and people that are going to be affected by this. So, certainly no disrespect to our EDB Chair Ms. Rawlins-Fernandez who's been doing a real yeoman's work on this and other budget matters. But for the sake of fleshing out all of these details, which I, I don't believe it's appropriate for us to do here today at the Council level, I would be in support of considering this matter being recommitted to Committee for a future discussion. Thank you.

CHAIR KING: Okay. Thank you, Mr. Molina.

Any other comments at this time? Or can we ask Ms. Wade, can you come down here? I actually have a couple of questions for you. You can come to the resource desk instead of the testimony podium. Thank you for being here.

So, I, I have a question, because the bids came out a little bit higher than what was left in the budget. And I know that you had said at the last meeting that you put the bids out with certain add-ons that could be taken off. So do you have the ability with those adds, I believe you talked about the solar panels, possibly changing the elevators to, from glass. And could you get it under the budgeted amount that was previously approved.

MS. WADE: Thank you, Chair. We are looking at that right now. As you know, the bids only came in on Wednesday at 2:00. So, Alan Murata, our project engineer, as well as our construction manager, are looking for the elements that could be pulled out. They think there's up to 10 to 15 percent of cost savings, potentially. But all of that has to really be looked at in depth before we're able to provide you a clearer picture of that.

CHAIR KING: Okay. But there's a potential there. And what, what was the issue that, I think the potential low-bidder talked about you re-open or allowing late bids to come in?

MS. WADE: Thank you, Chair. No. The procurement office does not allow, does not accept late bids. There were two folks that came in after the time allotment and we don't open those when they come in.

CHAIR KING: Oh, okay. Okay. I think he got the wrong impression then.

Okay, Councilmember Lee.

COUNCILMEMBER LEE: Ms. Wade, when you and I spoke recently, you mentioned that if the bids, if the bid came in higher then, then we would, then possibly you couldn't do the project, okay. And you also said, and then I said to you, well, why don't you come in and ask for more money when you find out how much you're going to be short. And you said, "no, you can't do that because you would have to redesign the project and, and the monies, the other monies would lapse". Did I hear you correctly?

CHAIR KING: Ms. Wade.

MS. WADE: Thank you, Chair. So, when we go out to bid, they will provide us a lump sum number. We have to have that total lump sum in order to encumber a contract. So, whatever has been budgeted, and in this case also the bond authorization, you as Council have to have already committed enough for us as the Administration to commit to that contract. So, if it's not in the pot, essentially, we cannot make that commitment. This particular fund does expire on December 31 of this year, which is why there wouldn't be time to get in bids, make an amendment to the budget, and then proceed with encumbering the contract.

CHAIR KING: Councilmember Paltin.

COUNCILMEMBER PALTIN: I just was wondering if the thing expires, who has the authority to extend?

CHAIR KING: Oh, you're talking about if the, if the bond funding expires before it's encumbered?

COUNCILMEMBER PALTIN: Yea. What you were, what Ms. Wade was talking about.

CHAIR KING: Do you know the answer to that, Ms. Wade?

MS. WADE: Could I ask to have the Managing Director participate please?

CHAIR KING: Okay. Mr. Baz.

MANAGING DIRECTOR: Good morning, Chair and Members.

CHAIR KING: Did you understand the question, Mr. Baz?

MANAGING DIRECTOR: If you mind repeating the question?

CHAIR KING: Mr., Ms. Paltin.

COUNCILMEMBER PALTIN: So, at the end of the year, the monies expires. And my question is who has the authority to extend from that expiration?

MANAGING DIRECTOR: There is no ability to extend the lapsing of an appropriation. The Charter allows for the fiscal year to spend the money. And then for capital improvement projects, you have an additional 6 months. So, that, that 18 months expires on December 31, 2019 and there's no possibility of an extension.

COUNCILMEMBER PALTIN: Oh, okay. Thanks.

CHAIR KING: Okay. Thank you.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. To Member Paltin's point, I, I think what she was asking was if the money could continue to be available for the Administration? Okay. So, and, and the idea was for an extension. And we know that that's not something that can be done. But what can be done is the Council authorizing that funding by amending the CIP budget, because that's what we're doing here. So, that's part of our authority under the Charter. So, if Member Paltin in the idea of extension would be reauthorizing the amount by amending Fiscal Year '20 Budget. So, that, that would be possible in that sense.

COUNCILMEMBER PALTIN: So, just do it--

CHAIR KING: Can you--

COUNCILMEMBER PALTIN: --through a different process--

CHAIR KING: Can you respond to that Ms. Lutey?

COUNCILMEMBER PALTIN: --can still get the money?

CHAIR KING: Let's see if Corp. Counsel can respond. Or, unless our Managing Director has anything to say.

MANAGING DIRECTOR: If you'd like, Madam Chair, having been the Budget Director for a significant period of time and having dealt with this issue, I can respond and then maybe Ms. Lutey can either confirm.

CHAIR KING: Okay.

MANAGING DIRECTOR: So, the Charter requires that an appropriation for a capital improvement project be included in the operating budget as well as the capital improvement program. So, the capital improvement program is, does allow for an amendment throughout the fiscal year. All capital improvement projects are required to be in both, the 9-6, paragraph 2, I believe.

So, for the Council to enact funding for a new capital improvement project, it would have to be an amendment to both the operating budget and the capital improvement section, CIP, as well as Appendix C, providing for the description as the general budget provisions requires. So, that is, again according to Charter, or, the Administration would have to initiate that amendment, because only the, the Charter requires that only the Administration can amend the Administration budget and only Council can amend the Council budget.

COUNCILMEMBER PALTIN: So, it's kind of in your hands if you want us to--

MANAGING DIRECTOR: Correct.

COUNCILMEMBER PALTIN: --reauthorize funding or not?

MANAGING DIRECTOR: Yes. So, Mayor, Mayor would have to decide to send a budget amendment request down.

COUNCILMEMBER PALTIN: Okay. I think I understand the situation.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair.

CHAIR KING: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: It, I, I, I don't know if Mr. Baz misspoke, but this wouldn't be a new project. Just like we amended by reducing, we could amend the project by increasing whatever lapsed.

MANAGING DIRECTOR: So, the--

CHAIR KING: Mr. Baz.

MANAGING DIRECTOR: The current item on the agenda and what was discussed in the, what was discussed in the Committee is the bond authorization bill. So, that's the authorization for us to go issue bonds. It's not the actual amount of the capital improvement project itself. So, while the Council can increase the bond authorization to the total in the appropriated amount of the 82 million, \$83 million, that does expire December 31. And that's only as a part of the Fiscal Year 2019 Budget, not 2020 Budget.

CHAIR KING: So, whatever is not spent, well, actually the, the additional 40 or 44 was not authorized.

MANAGING DIRECTOR: Correct. The additional 40--

CHAIR KING: So, the, the--

MANAGING DIRECTOR: --was not originally not authorized. So--

CHAIR KING: The total 80 something million was--

MANAGING DIRECTOR: So, theoretically, you could increase the authorization up to that total CIP amount that's in the 2019 Budget. But you can't add it to the 2020 Budget. So, that's why the limitation of December 31, 2019 for us to enter into a contract.

VICE-CHAIR RAWLINS-FERNANDEZ: Can we have Corp. Counsel speak to that?

CHAIR KING: Ms. Lutey?

CORPORATION COUNSEL MOANA LUTEY: That is what is provided for by Charter.

CHAIR KING: Alright. Do you have any follow up, or?

I'll go to Ms. Sugimura--

VICE-CHAIR RAWLINS-FERNANDEZ: Yea, go ahead.

CHAIR KING: --and then come back.

Ms. Sugimura, do you have a question?

COUNCILMEMBER SUGIMURA: So, I wanted to know if the Managing Director or Erin Wade would speak to what would happen to the rest of the project. If we defund this, and sounds like we're, just one--

CHAIR KING: Were, were, are you talking about the rest of Phase 1?

COUNCILMEMBER SUGIMURA: 1A and 1B, right?

CHAIR KING: Okay.

COUNCILMEMBER SUGIMURA: So, we're talking 1A which is impacted by 1B.

MANAGING DIRECTOR: The Mayor hasn't made a final decision yet on, on that, so we, I can't tell you what the final outcome of 1A would be.

COUNCILMEMBER SUGIMURA: Okay. And so, right now with the bid opening that just happened, and it's for the \$30 million, and the estimate for the parking structure was 27 million. So, what, what would happen if, if you were authorized to move forward?

CHAIR KING: Ms. Wade. Or, or who wants to answer that? Managing Director?

MANAGING DIRECTOR: I need, I need clarification. Maybe, what do you mean authorize to move forward? If, if the amendment to the bond authorization bill does not pass today, is that what you're?

COUNCILMEMBER SUGIMURA: Yea.

MANAGING DIRECTOR: I actually don't know the, the financing of the project enough to know if there's funding available. I know the allocation originally was \$27 million. I don't know if we had cost savings in the other areas that might be able to do that or not. Ms. Wade may be able to answer that. We may have to get back to you on that.

COUNCILMEMBER SUGIMURA: So, sounds like we, more discussion?

MANAGING DIRECTOR: Correct.

COUNCILMEMBER SUGIMURA: And I support this, yea, continuing the discussion to see where we can go with this big decision.

CHAIR KING: Did you, you didn't have that, you don't have the information? Okay.

So, Ms. Wade, you had 42 million in this first phase? And I think 40 million of it was bond authorized and the other 2 million was what the Council gave you? And then can you remind me, was it 11 point something that was spent on Phase 1? Was, it's already been awarded?

MS. WADE: Yes. Thank you. \$10,449,000 approximately was spent on the Phase 1A construction, \$2.536 million on construction management.

CHAIR KING: So, the balance of that was the 20, what we're talking about, the 27 million?

MS. WADE: So, currently, with the existing authorization 28,735,000--

CHAIR KING: Is what's left?

MS. WADE: --is authorized.

CHAIR KING: Okay. So, that wasn't necessarily an estimate? That was just what was left over. And I know you and I had talked, and you said you were hoping it would, it would actually come in lower now that, you know, there's, there's not so many projects on the island and, you know, maybe there's not so much demand for the construction work because the prices of labor were going up really high. But that, that doesn't seem to have happened that way, so the bid's still. But in that 30 million, you do have some options in there that can be removed within that 30 million?

MS. WADE: Yes, that's correct.

CHAIR KING: Okay. So, that's what you need to look at next, I guess.

Okay. Let me go to Vice-Chair Rawlins-Fernandez and I'll come back to you, Ms. Sugimura.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. So, I wanted to respond to Member Sugimura's question, or a follow-up question. Managing Director Baz said that he's not sure if the Mayor will go forward with Phase 1A, the infrastructure improvements. So, it leaves me to wonder, was Phase 1A for the infrastructure improvements really about helping Wailuku, or, or is it really about just moving forward with a Civic Center that no one wants? Because by not moving forward with the Phase 1A infrastructure improvements, and I want that on record, that people hear that the Mayor is considering not moving forward with infrastructure improvements.

MANAGING DIRECTOR: I'd be happy to explain that, yes.

CHAIR KING: Mr. Baz.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Managing Director.

MANAGING DIRECTOR: So, the reason, the main reason why if we can't go forward with 1B, that'll leave the deficit of 43 parking stalls, and our community already has a major problem with parking. That's the reason why. It has nothing to do with us moving forward with a parking garage or not. The reason why, it would be that we don't want a deficit of our existing problem. We already have an existing problem with parking in Wailuku. We do not want to create a bigger problem by just moving forward with 1A.

1A does the infrastructure improvements, so the, the discussion, a lot of, and I've had personal experience with this in my prior employment, but a lot of the, the improvements that are required in the Wailuku Redevelopment Area, require us, require the person doing the improvements to improve the infrastructure because the waterlines are inadequate, the sewerlines are inadequate, the roadways are inadequate, the, the sidewalks, drainage, everything is inadequate.

So, when the, somebody puts in a permit to request that, they need to satisfy the water requirements. They need to satisfy the sewer requirements. They need to satisfy the ADA requirements with the, with the, with the sidewalks. They need to address drainage issues, as well as what you've heard this morning mention of parking; that you have to have parking onsite. It has to be parking that they can drive out of a driveway and not be reversed out. So, those, those things that, that are being addressed with 1A and 1B are really about what redevelopment of the community is for, yea.

So, moving forward with 1A is going to be a challenge because we don't want to have less parking stalls in Wailuku. We're, our goal is to have more; that's the main goal of this project is to have more parking stalls in Wailuku.

VICE-CHAIR RAWLINS-FERNANDEZ: Ms. Wade, at my last meeting, at the EDB meeting, didn't you say that, that there would possibly be no need to remove the parking along Church Street and possibly other parking, on-street parking, because the Civic Center is not going to be built? And so, I remember you saying that at the EDB meeting. So, the number 43 is not a hard number.

MS. WADE: Thank you, Chair. The 43 stalls, if the parking structure wasn't built, I'm saying we likely wouldn't take the parking off of those streets. But what that does is it prevents us from doing any of those other improvements. That space right now where the parking stalls occupy is the space that's to become the sidewalk and drainage improvements. So, if we don't remove those parking stalls, we can't do the sidewalk and drainage improvements. If we do remove those parking stalls, we're at a 29-stall deficit. And if, yea.

CHAIR KING: Okay. Follow-up question?

VICE-CHAIR RAWLINS-FERNANDEZ: Follow-up question for clarification. So, Managing Director Baz, are you saying that the, the Mayor is unwilling to amend fiscal, the Fiscal Year '20 Budget to accommodate more parking?

CHAIR KING: Mr. Baz.

MANAGING DIRECTOR: No, I'm not saying that. I'm saying the Mayor hasn't made a decision yet on that.

VICE-CHAIR RAWLINS-FERNANDEZ: So, he hasn't made a decision in spite of the community coming out and saying that they need more parking? That's what you told us.

CHAIR KING: Mr. Baz.

MANAGING DIRECTOR: The reason why he hasn't made a decision is because the Council action hasn't been completed yet. So, he needs to review the Council action and the intent, as well as going back into the community.

This project has been designed and redesigned and discussed for a significant period of time. And doing this is going to have to go back to the community and looking at redesigning it again. You know, I mean, the County has, in my opinion, spent way too much money in design. This is, you know, we should have moved forward with something a long time ago. But we're at the stage where we're at right now, and the decision needs to be made one way or the other from the Council side and then Mayor can, can react to that decision.

VICE-CHAIR RAWLINS-FERNANDEZ: I just think it's a, unfortunate that it, it seems like the Mayor is holding the infrastructure improvements hostage because he's not getting his way with the parking structure. Mahalo, Chair.

CHAIR KING: Mahalo, Ms. Rawlins-Fernandez.

Councilmember Sugimura.

COUNCILMEMBER SUGIMURA: So, just talking this forward. So, if we were to recommit this, what would be, what could we look forward to or what would happen?

CHAIR KING: Mr. Baz.

MANAGING DIRECTOR: So, if this is recommitted to the Committee, we can further evaluate, you know, our, the reason why our engineer is not being able to sit here this morning is because he's actively looking at the project to see, you know, what we can do to reduce the cost of, of the project itself. As Ms. Wade had mentioned before, him along with our project manager, they're, they're feverishly trying to figure this out. So, if it does go back to Committee then we can provide good information to the Committee for the Council to make a decision. And then, you know, based on that discussion, then yea, the Mayor can do a number of different items.

COUNCILMEMBER SUGIMURA: Thank you. It sounds like the budget shortfall is pretty challenging with the, the analysis that you gave us for the two-level parking structure to be 185. And then the shortages of, you know, already that exists; and starting with a deficit of 200 stalls with the needs of the community, and as well, if you go forward with the 1A and you have the 43, I think, stalls short. And the merchants, I mean, we heard loud and clear from the people who have come over and over and over again and appeared at many, many community meetings that I've been at, through decades I think is probably correct.

I really wish that we would fulfill our word and trust that the people believed us over all these years and fulfill this vision for the town, and its merchants, and its people, you know, who've made decisions. I think Mr. Richard Dan said he spent tens of thousands of dollars because of what we said to accommodate this, this parking structure. And what we heard really, I mean, you know, Carolyn Wright from MAPA, I mean, she's talking about kids that are, you know, over the generations have grew up in this town, and they're building their business, and, because they believed us, you know. They believed what we said we were going to do.

And I agree, this is unheard of that a Council would defund a previous Council's funding. And along that, you know, you're, you're taking the trust of the community and throwing that down the drain too. So, I really hope that we do not do this, and that we stand firm in our beliefs and the vision, our community plan, our Maui Redevelopment Area Plan that was worked on for many, many years. So, I, I didn't, I didn't support this when it came before Committee and I still can't support again.

CHAIR KING: Thank you, Ms. Sugimura.

Ms. Wade, can you follow up on an earlier statement that was made about the--

Oh, I'm sorry, Mr. Sinenci, let me just get this question out and then I'll go right to you.

About the courthouse, about DAGS, who you talked to at DAGS and what they said about moving the courthouse? And did they make a commitment to you to keep it there if the parking comes in?

MS. WADE: Thank you, Chair. In late July, we had a workshop in the Mayor's Conference Room. It was looking at the TOD corridor. And one of the presentations was from Chris Kinimaka at the, the Public Works engineer for DAGS. They're currently evaluating four different scenarios for the courthouse and the State office building. But they said all of the scenarios to increase and renovate in town are dependent on us having the additional parking in Wailuku.

Because during their renovations, they're going to have to displace their parking as well. So, for all of us, both the County campus and the State campus, whenever we renovate and improve the office space for both the employee and the visitor, you have to displace the operations, the existing operations. In order to do that, they needed, they need that additional capacity. Even if in the future they provide all of their own parking, they still will need it in order for construction and to keep the courthouse here.

CHAIR KING: Okay. And who, okay, and you spoke to the lead engineer?

MS. WADE: Yes. Her name is Chris Kinimaka.

CHAIR KING: Okay. Okay. So, is that, is that building over 50 years old? Cause I know there's some State historic requirements whenever you make renovations on something that old.

MS. WADE: I believe it is. The, the biggest issue with the courthouse today is, well, both capacity and then the second issue is Homeland Security. Their current parking is

below the courtrooms and that is now in violation of Homeland Security, so they need to renovate. They're being pushed to either renovate or move at this time.

CHAIR KING: Okay.

Mr. Sinenci. Councilmember Sinenci, you have a question?

COUNCILMEMBER SINENCI: Thank you, Chair. I just had some clarification questions. So, earlier, when Mr. Baz was here, he said that the, the lowest bid came at 30 million. Originally, the, the, we had appropriated 27 million, so the lowest bid came over budget for the four, for the four-level structure. Is that correct?

CHAIR KING: Ms. Wade.

MS. WADE: Yes. So, we still have 28 million remaining in what was already authorized, but of course that 30 exceeds that. So, regardless of what happens, we'll have to work with the contractor, or that's why Alan is reviewing in-depth if there are things that can be pulled out or re-swapped out within this existing bid to bring it in within cost.

COUNCILMEMBER SINENCI: Okay. And then, before us, Chair, before us today, we have the reducing that amount because in Committee, we decided to bring it down two-levels. And so, today's item before us is to, to cut the project by 14 million. Is that correct?

MS. WADE: Yes. So, the proposal to cut it by 14 million would leave us with only 14 and a half million. And based on just looking at the bids so far, it was determined that just for the first two-levels of construction it would be about 19.8 million because, you know, the cost of building a single-family home isn't half if you only build a single-story as opposed to a second, a two-story.

COUNCILMEMBER SINENCI: So--

MS. WADE: It's the exact same logic with the parking structure. The ground is the most expensive.

COUNCILMEMBER SINENCI: So, earlier, Mr. Baz mentioned that we might be 6 million short to, to complete the two-story structure?

MS. WADE: Yes, that's correct.

COUNCILMEMBER SINENCI: Okay. Alright. Thank you, Chair.

CHAIR KING: Okay. Thank you, Mr. Sinenci.

Our Mayor's here, do you have some, did you put your complete trust in your Managing Director, or do you have some words?

MAYOR MICHAEL P. VICTORINO: I put my complete trust in my Managing Director.

CHAIR KING: Okay. Very good. Thank you, Mr. Mayor.

So, Ms. Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. I just had some questions on the process, like, if we pull those things out of the requirement for the lowest bid, does it have to go out to bid again? Is it not fair if some folks put in their bid and they said this was the project if you take out the glass elevator, I could have bid 27 million or something like that?

CHAIR KING: I think those requests were put into the RFP, but I'll let Ms. Wade speak to that.

MS. WADE: Thank you. So, within the bid, we did include deductive alternatives. So, those were things, like the PV trellis and a few other things. So, when those get pulled out of the total bid, we can look at that bid price. However, if there's substantial change to what was originally bid out, we would have to go out and rebid.

COUNCILMEMBER PALTIN: And can you tell me how much bids you got?

CHAIR KING: I believe it's two, right? Two bids?

MS. WADE: Correct. There were two valid bids.

COUNCILMEMBER PALTIN: Oh, that's all?

COUNCILMEMBER SUGIMURA: Others didn't make the deadline.

CHAIR KING: So, the second one was 33 million something, upwards of 33?

MS. WADE: That's correct.

COUNCILMEMBER PALTIN: And the gentleman that was here, Mr. Kenny *[sic]*.

CHAIR KING: Keating. Keating. Mr. Keating.

COUNCILMEMBER PALTIN: He did not want you to go back out to bid.

CHAIR KING: Yea, I think he was addressing the fact that that wouldn't be fair. That's against procurement rules. And, and so, Ms. Wade shared with us earlier that they did, they didn't allow. He was worried that they were going to accept the bids late.

COUNCILMEMBER PALTIN: Oh.

CHAIR KING: And that that's not allowed. And so, she shared with us earlier that she was not going to allow that. That they--

COUNCILMEMBER PALTIN: So, they don't even open those and look at it?

CHAIR KING: They won't even open them, yea.

COUNCILMEMBER PALTIN: So, you don't know what those were anyway? Okay.

CHAIR KING: It's probably better not to.

COUNCILMEMBER PALTIN: So, it's legal then to pull those things out and say hey, can you hit this number or whatever?

CHAIR KING: Ms. Wade.

COUNCILMEMBER PALTIN: Could you even say, like, what if we don't pull these things out, can we hit this number or what? No? No can?

CHAIR KING: I think you have that negotiating power at this point. You could try to negotiate any extras you can get out of the winning bid.

COUNCILMEMBER PALTIN: Cause he seems like he's paying attention. And it's like if it's 30 million it's no go, but if it's 27 something can. And so, could you just do that and say hey, you want this or not?

CHAIR KING: Ms. Wade.

MS. WADE: It's really going to come down to what's realistic to be able to pull out within the existing bid or materials to change, and we won't really know that until we've done some further analysis.

COUNCILMEMBER PALTIN: Then what about the part about keeping the thing open for 10 months? Like, if this gets recommitted and then that goes forward and you accept it now, can you say we're not going to hold it open for 10 months. We're accepting it now, 27-something is the thing, is the amount.

CHAIR KING: So, what was that? They, they're, you're asking them to keep their price valid for 10 months, I believe. Is that right?

MS. WADE: Yes, that's correct. So, and part of that is the staging process of construction. So, when we're under construction on low, on Church Street; that's our first phase. The second is Lower Vineyard. Those two, we would like to be completed before the parking structure begins to minimize the disruption in the neighborhood. So, that was the reason for asking to hold the prices for 10 months.

COUNCILMEMBER PALTIN: Oh, so--

CHAIR KING: So, they can't, so they can't, you know, if, if they, if they are the low bid and they're awarded the contract, we can't, in six months they can't go, well, you know what prices have gone up now and now it's going to be 33 million. They have to hold to that original bid.

COUNCILMEMBER PALTIN: Oh, so even if we accept the bid at 27 mil, they still have to hold it until they start it is what you're saying?

MS. WADE: That's correct.

COUNCILMEMBER PALTIN: So, that's why you have the holding period?

MS. WADE: We put that in as a proviso in--

COUNCILMEMBER PALTIN: So, that cannot be taken out, no way? Because they're not going to start working on the parking garage right away. They gotta wait for the other stuff to go through. And then if there's delays on the 1A to beyond December, because of whatever you find under the roads is kind of old, then what happens? Is that?

MANAGING DIRECTOR: Yea, Madam Chair.

CHAIR KING: Mr. Baz.

MANAGING DIRECTOR: I did have a brief discussion with the bidder during, during the break. And the, I think the language in the bid may have needed a little bit clarification as far as what the time period of holding the bid open versus the contracting time and the notice to proceed time and the actual start of construction. And, that is something he's--

COUNCILMEMBER PALTIN: So, he misunderstood what you guys wanted?

MANAGING DIRECTOR: Well, I think it could have been clarified better to all the bidders, as far as what we meant by holding the bid open. Typically, what holding the bid open means is that we're not going to execute a contract with the person, with the organization until, you know, up to that period of time. But, if it was clarified that we would enter into a contract right away with them but may not be actually starting construction to a longer period of time, I think the bids, you know, he did indicate the bids may have come in a little bit differently.

COUNCILMEMBER PALTIN: And who wrote the contract?

CHAIR KING: Mr. Baz.

MANAGING DIRECTOR: The bid was our procurement office, the Department of Finance.

COUNCILMEMBER PALTIN: Okay. So, they're not used to, to doing this kind of bid or?

MANAGING DIRECTOR: Well, the language typically is, like I mentioned, it's holding the bid, your pricing until we contract, right? And so, that's the typical language that procurement put in there. I, like I said--

CHAIR KING: That's not what you meant.

MANAGING DIRECTOR: Yea, I think it might have been clarified better to understand it. Yea, we would, we obviously need to enter into a contract.

COUNCILMEMBER PALTIN: Immediately enter into the contract but not start yet.

MANAGING DIRECTOR: Yea, by December 31, but just not starting the actual work until later on in, in the year.

COUNCILMEMBER PALTIN: Oh. Thanks.

MANAGING DIRECTOR: Yea.

CHAIR KING: Okay, Members, any other clarifying questions? If not, any, any last deliberations?

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Ms. Wade, one of the testifiers said that he received a text message from you about what's going on. Do you send personal text messages to all those to keep them informed about what's going on, the status of the Wailuku Civic Complex? Or do you only text those who support the project? Do you, do you also text those that don't support the project?

CHAIR KING: Ms. Wade.

MS. WADE: Thank you. I was responding to a request for information. So, I didn't actively go out and solicit any person individually for that.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo for that clarification.

Okay, Chair, Member Sugimura, you know, I, I agree. You know, she spoke for the, some of the businesses who, as you pointed out, will benefit from this parking structure, but are unwilling to contribute to the construction of this parking structure. You know, the businesses, because they benefit, their business will benefit, they can come here. But a lot of the residents, like, you know, I mean, thankfully the Duey's were able to come, but they can't come to every single meeting that we, we hold; they have jobs, you know.

And there, the businesses that they work for may not feel so inclined about participating in supporting the parking structure. And, I, I, I want to be their voice too, because, you know, like them before us sitting in this seat, I had a nine to five that I couldn't just take off from work and come here and testify at every meeting. And, you know, they've participated and they've participated, and like the Duey's who spoke today, they, they're, they went to the meetings and they were frustrated. They didn't feel, feel heard. And I, I want to make sure that those voices are heard too.

And I've already expressed, you know, my willingness to work with the Administration. I want to collaborate. And, you know, and I agree that, you know, we, with Member Lee, we shouldn't be doing Committee work on the Council floor today. I would support moving forward with the current recommendation from the EDB Committee. No new information has been presented today that would warrant recommitment unless the Members are interested in reverting back to a four-story parking structure.

This issue was scheduled three times in the EDB Committee, and I feel the Committee Members did a stellar job at vetting every element of this project, including the possibility of bids coming back over budget or even under budget. The project is already over-estimated, over the estimated budget by \$3 million before even breaking ground, which means the Administration will need to come back to the EDB Committee eventually with a budget amendment to cover incidentals and necessary funding for the redesign of two-story parking structure that will net maximum parking stalls.

It is unnecessary to send this matter back to Committee to rehash the same information as long as this body is still in support of scaling back the design of the parking structure and you know, considering a parking structure for our employees.

I would like to see the Administration move forward with the project and would welcome a budget amendment once they have a better idea what they need to do to complete Phase 1A and, and Phase 1B under the new design standards. And I, I would be uncomfortable increasing the budget until the Administration can assess and report back to the Council with a plan.

And I think some of the information on here is misleading. The project bid did come up at the 30 million, \$30.4 million. And the cost per gained stall is claimed to be 142, but that's not incorporating all the other costs that we discussed in the EDB Committee, including the construction management, including the temporary parking at Wells Park, the, all of the things that we discussed in Committee already.

And I think it's, it's not very collaborative of the Administration to hold the infrastructure improvements hostage, because they're not getting their four-level Wailuku parking structure. And I think the, the two-level Wailuku parking structure that they proposed, of course they're going to say that it's going to be a net loss. It, it, it benefits their argument to argue that it's going to be a net loss. I, I wouldn't have expected anything else unless they were going to be working collaboratively with the Council.

So, again, I welcome a budget amendment for consideration of appropriating additional funds when the time comes. Mahalo, Chair.

CHAIR KING: Okay. We do have a, we do have a motion on the floor, so that's what we're deliberating on.

VICE-CHAIR RAWLINS-FERNANDEZ: Yes. And I know some Members are going to, are considering whether to vote in favor of the motion on the floor right now, because they're considering recommitment. And my argument is that a recommitment is unnecessary at this time, because we came to an agreement that what we would like to see is the scaling back of the parking structure and not a four-story parking structure.

And I think a lot of the information that was presented to the Council, especially the two-level Wailuku parking structure, on the handouts, is just, is, is misleading for the purpose of benefitting their, strengthening their argument. And so, as the one Member requested for recommitment, that's why I'm including that in my statements--

CHAIR KING: Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: --during this motion. Mahalo, Chair.

CHAIR KING: Thank you, Vice-Chair Rawlins-Fernandez. You know, one more question I had, because one of the things that made this, this reduced funding attractive to me was the idea of putting in parking at this building, you know, like kind of splitting it. It's obvious now that we can't do that, under that 27, 28 million. We can't build the two sides, but are, will we get, and can we get some more designated parking in this, in and around this building? If we build that structure, can you dedicate more parking spaces? I'm actually talking to your Managing Director right now because I don't think you have the authority to do that.

But you know, I've been so frustrated, and I think we lose so much money per day by all of our lost production from employees running out and having to move their cars. And certainly, it costs them money, because they get parking tickets. I think my employees probably average about 80 to \$100 month in parking tickets.

And so, we talked about, you know, kind of splitting the difference and then eventually putting the other money into building a parking structure, additional parking by the building. But I know a lot of people in the community park around this building too. So, is there any gain back to the employees or the County building with that original parking structure?

Mr. Baz.

MANAGING DIRECTOR: Madam Chair, you're talking about the four-story parking structure?

CHAIR KING: Yea.

MANAGING DIRECTOR: Well, the more parking available in Wailuku Town, whether it's on-street, in paid stalls, existing, or in Municipal parking lot, the ease of finding a parking stall, like your employees, are--

CHAIR KING: Right. But to me--

MANAGING DIRECTOR: --being challenged with will, will, yes, it will benefit the employees.

CHAIR KING: Can we, but can we designate more employee parking is my question? Because you can find a parking stall, but you have to go out in two hours and move your car.

MANAGING DIRECTOR: The, you're designating stalls in the Municipal parking lot or on campus. We need to make sure that we have, yes, more stalls available. We do have an analysis that we've been working on to provide more spaces on our campus here, yes.

CHAIR KING: Okay.

MANAGING DIRECTOR: Yea, that's, but that's a separate issue. That's not, that's not part of the parking garage. That's why--

CHAIR KING: Well, that was--

MANAGING DIRECTOR: --I'm a little confused.

CHAIR KING: That was one of the benefits we were talking about in the previous meeting about you know reducing the amount of the Municipal parking garage and then putting more parking here because of the frustration of, of this building. So, I don't know if you were in that discussion but.

MANAGING DIRECTOR: Yea, I was. But they're not, just like the discussion of affordable housing and using this money for affordable housing, they're not tied projects. They'd be mutually exclusive projects, right? So, the funding of the parking garage and the funding for employee parking are not--

CHAIR KING: Well, but--

MANAGING DIRECTOR: It's not the same funding source.

CHAIR KING: But Mr. Baz, that's what we were trying to do with that proposal; is we were trying to, to mandate some more parking stalls here. So, that, you know, and I think in our minds, that has to be one of the benefits in order for us to go ahead as well, you know, with the original parking structure.

MANAGING DIRECTOR: And the Mayor is definitely committed to, to working with Council to increase the parking for employees. I mean, that's, that's definite. We have a couple, we have a fairly low-cost option that we're looking at, as well as significantly

higher costs and what we can and can't do on the different lots that we have available. So, but that, you know, that'd be a budget amendment request that the Mayor would present to Council and he is committed to doing that.

CHAIR KING: Okay.

MANAGING DIRECTOR: So, and we look forward to that in the 2020 Budget, an amendment to, to add parking stalls for our employees over here. But that, it's, you can't take the money from the parking garage and--

CHAIR KING: No, I understand that. I understand that, cause you told us how much it was going to cost to try to redesign and, and lower that amount. So, I understand we're not going to get the same amount of parking spaces if you put it into two different structures--

MANAGING DIRECTOR: Right. Thank you.

CHAIR KING: --with that same money. So, yea, and so I think that to me that, that and the, the 30 million is new information but I'm not personally in favor of adding any more money to the budget. I would like you to work within that, what was already designated if we go ahead with this. So, any other comments or--

MANAGING DIRECTOR: I understand. Thank you.

CHAIR KING: --deliberation? If not, oh, Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair. I would be open, as a voting member, for any budget amendments to, you know, to get the project going. So, I'm not in favor of the amendment, but, but I look forward to working, working with doing some budget amendments in the future. Thank you.

CHAIR KING: Okay. Alright, so if there's no other comments, I will call for the question. I think it's, I think we gotta just take this vote and either let the County go forward or not. We can't just keep, you got to know what you're doing, right, if you're going to get this done by the end of the year, okay? So--

COUNCILMEMBER SINENCI: Chair.

CHAIR KING: Councilmember Sinenci.

COUNCILMEMBER SINENCI: Can you repeat the amendment on the floor?

CHAIR KING: The amendment is, is the recommendation in County, or Committee Report 19-102, recommending that the proposed bill entitled, "A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 4858, BILL NO. 54 (2018), RELATING TO THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI ISSUANCE, SALE AND DELIVERY OF SAID BONDS", be passed on first reading and be ordered to print.

So, this is for the reduction of the, the rest of the money that's in that bond for the parking structure. We talked about this in Committee, in EDB, reducing that amount by 14 million and reducing the size of the parking structure to two-floors. That's the amendment that's on, that's the reso, resolution that's on the floor, or the bill amendment that's on the floor right now.

COUNCILMEMBER SINENCI: Oh, okay. So, there's no amendment to that resolution?

CHAIR KING: No.

COUNCILMEMBER SINENCI: Oh, okay. Thank you.

CHAIR KING: Not unless somebody wants to make one.

COUNCILMEMBER SINENCI: Thank you for that, thank you for that clarification.

CHAIR KING: But I think, you know, Ms. Rawlins-Fernandez had a good point that it doesn't really need to go back to Committee, you know, at this point.

Okay, call for the question. All those in favor say "aye".

COUNCILMEMBER SINENCI: Aye.

CHAIR KING: I think we're going to need a voice count.

Ms. Clark, roll call.

DEPUTY COUNTY CLERK: Councilmember Shane Sinenci.

COUNCILMEMBER SINENCI: AYE.

DEPUTY COUNTY CLERK: Councilmember Mike Molina.

COUNCILMEMBER MOLINA: NO.

DEPUTY COUNTY CLERK: Councilmember Alice Lee.

COUNCILMEMBER LEE: NO.

DEPUTY COUNTY CLERK: Councilmember Riki Hokama.

CHAIR KING: ABSENT.

DEPUTY COUNTY CLERK: Councilmember Tamara Paltin.

COUNCILMEMBER PALTIN: AYE.

DEPUTY COUNTY CLERK: Councilmember Yuki Lei Sugimura.

COUNCILMEMBER SUGIMURA: NO.

DEPUTY COUNTY CLERK: Presiding Officer Pro Tempore Tasha Kama.

COUNCILMEMBER KAMA: NO.

DEPUTY COUNTY CLERK: Vice-Chair Keani Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: AYE.

DEPUTY COUNTY CLERK: Chair Kelly T. King.

CHAIR KING: NO.

AYES: COUNCILMEMBERS PALTIN, SINENCI, AND
VICE-CHAIR RAWLINS-FERNANDEZ.

NOES: COUNCILMEMBERS KAMA, LEE, MOLINA,
SUGIMURA, AND CHAIR KING.

EXCUSED: COUNCILMEMBER HOKAMA.

DEPUTY COUNTY CLERK: That's four "ayes" *[sic]*, four "noes" *[sic]*; motion fails.

COUNCILMEMBER SUGIMURA: Five.

CHAIR KING: I think that was five "noes"; five and three.

DEPUTY COUNTY CLERK: That was four and four. There's only eight Members present right now.

CHAIR KING: Right. So, it's five and three. Five and three is eight.

DEPUTY COUNTY CLERK: We had Councilmember Shane Sinenci, "aye"; Councilmember Mike Molina, "no"; Councilmember Alice Lee, "no"; Councilmember Tamara Paltin, "aye"; Presiding, or Councilmember Yuki Lei Sugimura, "no"; Presiding Officer Pro Tempore Tasha Kama, "no"; Vice-Chair Keani Rawlins-Fernandez, "aye"; and Chair Kelly T. King, "aye".

CHAIR KING: No. Mine was a "no".

DEPUTY COUNTY CLERK: Oh, no. Oh, I'm sorry. So, then that's three "ayes", five "noes"; motion fails.

CHAIR KING: Okay. Thank you, Ms. Clark. Thank you, Ms. Wade. Thank you, Mr. Baz. It was a difficult decision.

MANAGING DIRECTOR: Thank you, Council. We understand it's a difficult decision. We appreciate your efforts.

CHAIR KING: Okay. So, your mandate is to work within your allotted budget.

MANAGING DIRECTOR: Thank you.

(COMMITTEE REPORT NO. 19-102 WAS FILED LATER IN
THIS MEETING. See pages 131 and 132 for discussion and
action.)

CHAIR KING: Okay, back to the agenda. Oh, we're on Committee Report 19-111 now.

COMMITTEE REPORT
NO. 19-111 - WATER AND INFRASTRUCTURE COMMITTEE:

Recommending the following:

1. That Resolution 19-144, entitled "APPROVING THE ACQUISITION OF REAL PROPERTY (LICENSES) FROM THE STATE OF HAWAII, DEPARTMENT OF HAWAIIAN HOME LANDS FOR THE MAHINAHINA WATER TREATMENT FACILITY AND OTHER EXISTING AND PROPOSED WATER

INFRASTRUCTURE IN MAHINAHINA AND HONOKOWAI, MAUI, HAWAII," be ADOPTED; and

2. That Bill 47 (2019), entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF HAWAIIAN HOME LANDS (AGREEMENT FOR LICENSES FOR MAHINAHINA AND HONOKOWAI)," be PASSED ON FIRST READING and be ORDERED TO PRINT.

CHAIR KING: Councilmember Lee.

COUNCILMEMBER LEE:

MADAM CHAIR, I MOVE TO ADOPT THE RECOMMENDATIONS CONTAINED IN COMMITTEE REPORT NO. 19-111.

COUNCILMEMBER KAMA:

SECOND.

CHAIR KING: Okay. Moved by Councilmember Lee, seconded by Pro Tem Kama, Tasha Kama.

Ms. Lee.

COUNCILMEMBER LEE: The resolution and bill will allow the County to enter into an agreement to acquire licenses as easements from the State of Hawaii, Department of Hawaiian Home Lands, for the construction of projects to improve water availability in West Maui. The agreement will also support the development of affordable housing on West Maui Hawaiian Home Lands by providing water source credits for 333 new homes. Thank you, Chair.

CHAIR KING: Okay. Thank you, Ms. Lee. Any other questions or comments?

Councilmember Paltin.

COUNCILMEMBER PALTIN: Yea, I just, you know, we need the houses now, not ten years from now as testifiers has spoken previously in Affordable Housing Committees. And we have developers that are willing to build the houses, so I would strongly, as we have the Director of DHHL in the audience, strongly, strongly suggest that he just put

out an RFP already for those 333 water meters, because, personally, I don't know if the County can be trusted to hold space for those 200,000 million gallons a day. And so, I would just strongly urge that you just put out the RFP and develop all of those right away, because West Maui needs it way more than Waikapu does.

CHAIR KING: Would you like to bring the--

COUNCILMEMBER PALTIN: And, and there's developers.

CHAIR KING: Would you like to bring the Director up?

COUNCILMEMBER PALTIN: Sure.

CHAIR KING: Will you join us on the floor here as a resource? Right here. And if you could both just state your names and titles for the record, it would be helpful.

Mr. Aila.

MR. WILLIAM AILA: For the record? Oh, for the record, my name is William Johnson Aila, Jr., Department Director at DHHL. And I have Stewart Matsunaga with me.

CHAIR KING: Okay. You have a question, Ms. Paltin?

COUNCILMEMBER PALTIN: Yea, so we were all at the commission meeting in Lahaina, the community meeting, I'm sorry. And, and people are dying on the list. And Leialii I-B is, is basically, I mean, developers all over West Maui, they, they don't have land. You got land, now you got water, stalling lost space in the wastewater treatment plant. So, I mean, all you really got to do is put out an RFP; 75 homes, guys will start building them right away. Like, at, you don't need money.

MR. AILA: I wish it were that simple. Like, like the discussion that you just had about a project that comes in over budget, the department does not have the, the allocation to do 300 plus homes all at one time. So, I understand the need.

COUNCILMEMBER PALTIN: Okay. Start with the 75. Can you do the 75 right away?

MR. AILA: We are, we are working through that process, yes.

COUNCILMEMBER PALTIN: And is there a problem with just doing it how you want to do Pu'unani?

MR. AILA: It's, they're different situations and so, yea, Pu'unani came up, came about because the conditions were different. In Leialii, it's, they're not the same, they're not the same type of development. We're doing the development there in conjunction with HHFDC. There are additional requirements. The road is one that is an HHFDC requirement, the road that nobody wants.

CHAIR KING: Can we, can we just keep the, like, make sure we're pertaining to the item on the agenda?

MR. AILA: Sure. You, you have my commitment to go as quickly as we can, cause we do understand the need for housing on West Maui.

COUNCILMEMBER PALTIN: And just saying La'i`opua, it's been done. The same developer over there is willing to do 75 houses plus your 30 percent of vacant lots, so.

MR. AILA: La'i`opua took a number of, a number of years to get into, to the point where we can move forward with the contract. So, we can take a look at that. I'm not sure if we're too far down the development pipeline right now, but we certainly are willing to look at all options.

COUNCILMEMBER PALTIN: I have fears that if you wait for 10 years the water won't be there.

MR. AILA: Okay. We'll keep that in mind.

CHAIR KING: Thank you, Ms. Paltin.

Any other comments?

COUNCILMEMBER KAMA: Chair, question.

CHAIR KING: Pro Tem Tasha Kama.

COUNCILMEMBER KAMA: So, Mr. Aila.

MR. AILA: Yes.

COUNCILMEMBER KAMA: What, how long, what's your timeframe once the, once the signatures are done and the ink is dry, before you start the construction of the--

MR. AILA: For Leialii? The 75 that we're planning in Leialii?

COUNCILMEMBER KAMA: No, not the 75, just the, the water stuff. Okay, so you're looking for easements, right, in Mahinahina and Honokowai, right?

MR. AILA: I'll, I'll let Stewart address the easement question.

COUNCILMEMBER KAMA: Okay.

MR. STEWART MATSUNAGA: Aloha. Kama, Councilmember Kama. Okay, so, the easements will be granted to the County of Maui.

COUNCILMEMBER KAMA: Right.

MR. MATSUNAGA: So, when the easements are granted and when the Council adopts the ordinance to, for the water agreement, okay, that, that then, that's one of the triggers for our development in Leialii. We are currently under design for the first 75 lots, as well as the, the parkway improvements, from the parkway to Honoapiilani Highway. We are not funded for the construction of those improvements which we estimate to be about \$20 million. So, that is part of our legislative package going into the next, next session. So, if we receive those funds, then we are estimating about two years to get the infrastructure completed.

COUNCILMEMBER KAMA: So, are, are you issuing leases only? Or lots and or homes on the, on the lots?

MR. MATSUNAGA: Right now, we're in the process of designing and constructing the lots, doing the subdivision so that from that point then we can, we can, you know look at an RFP for the houses or vacant lots.

COUNCILMEMBER KAMA: Okay.

CHAIR KING: Okay. Is this resolution the first step to you going after the funding?

Mr. Aila.

MR. AILA: It assists. It assists us in going forward.

CHAIR KING: Okay. So, it's necessary for you to move forward?

MR. AILA: Yes.

CHAIR KING: Okay.

COUNCILMEMBER PALTIN: Final.

CHAIR KING: Ms. Paltin.

COUNCILMEMBER PALTIN: I just, you know, infrastructure is something these developers do as well. So, just, I'm saying just put it out there. Put the infrastructure part as part of the development. 75 lots, do the road, and 30 percent of the vacant lots of the entire thing, and make that an RFP, and just put it out there. Then we can get these things going faster. Like you don't have the State or DHHL take on the cost of the infrastructure, have the developer do it.

MR. AILA: You were referring to a rent with option to purchase type situation. So, in that situation, no, you're not?

COUNCILMEMBER PALTIN: No. Have, have the developer develop the lands, they purchase the house. DHHL still owns the land.

CHAIR KING: Councilmember, I don't think that's within the scope of what we're looking at as far as this resolution. You know, we can look at another resolution urging the department to move ahead quicker with these lots. But the, the, the resolution before us is to enter into that intergovernmental agreement so they can get, so they can go after the funding.

COUNCILMEMBER PALTIN: So, what is the guarantee that that 200,000 water is going to be there for them in perpetuity?

CHAIR KING: That would, that would be a appropriate question.

Mr. Aila. It, you know, are we, are we assured if we pass this resolution and you move forward that we're not going to get hung up by not having enough water?

MR. AILA: Well, I do believe that this is an agreement that we, the Department has with the County now, so those, those 200,000 gallons should be there. We have a contract.

COUNCILMEMBER PALTIN: I mean, wasn't there a similar agreement with the wastewater situation?

MR. AILA: Wastewater situation?

MR. MATSUNAGA: The wastewater situation had a, had an expiration date on it. And we will continue to try to seek renewal of those credits.

COUNCILMEMBER PALTIN: So, Corporation Counsel, then there's no expiration date?

CHAIR KING: For the water.

Ms. Lutey.

CORPORATION COUNSEL: Thank you. No.

COUNCILMEMBER PALTIN: And then what happens if they need the water and we don't have it?

CORPORATION COUNSEL: I think that might--

CHAIR KING: Ms. Lutey.

CORPORATION COUNSEL: --best be answered, thank you, Chair. I'm sorry.

CHAIR KING: Okay. Maybe we can bring our Water Director up.

Director of Water Supply, Mr. Pearson.

COUNCILMEMBER MOLINA: Madam Chair.

CHAIR KING: Yes.

COUNCILMEMBER MOLINA: Sorry. Can I briefly confer with you, one minute, on a procedural matter?

CHAIR KING: Okay. Recess at the call of the Chair.

(THE MEETING WAS RECESSED BY THE CHAIR AT 12:23 P.M., AND WAS RECONVENED AT 12:23 P.M., WITH ALL MEMBERS PRESENT, EXCEPT MEMBERS HOKAMA, SUGIMURA, AND VICE-CHAIR RAWLINS-FERNANDEZ, EXCUSED.)

CHAIR KING: Okay, reconvening 12:23, the full Council meeting of September 6, 2019. And, Members, if everyone's okay working through till 1:30, Councilmember Molina said he'll gavel in and gavel out, and then we can take a one-hour lunch break at that time, come back at 2:30 for GET.

COUNCILMEMBER LEE: No objection.

CHAIR KING: Okay. Does that work for everybody? Then we can try to get through the rest of this agenda.

And, Ms. Paltin, you have the floor for our, our Department of Water Supply.

COUNCILMEMBER PALTIN: Yea, so couple questions. I just wanted to know what happens if they're ready for the water at any time in perpetuity and we don't have it, then what happens? And also, maybe a letter with the update on the Honokohau situations.

(Councilmember Sugimura returned to the meeting at 12:24 p.m.)

CHAIR KING: Mr. Pearson.

If we're, are you asking for an update on a different property?

COUNCILMEMBER PALTIN: Yea. Yea, that's just a reminder on a side issue.

CHAIR KING: Okay. Okay. We'll, we can do that. We can do that at a different time, but I want to get through this, this resolution. So, the issue is the water, the water commitment.

DIRECTOR OF WATER SUPPLY JEFFREY PEARSON: Excuse me. Jeff Pearson, Director Department of Water Supply and I have Wendy Taomoto here who's the EPM for the Engineering Division. There's a termination clause in this. I'm going to let Wendy describe.

MS. WENDY TAOMOTO: Hi, Councilmen, Chair. The, there's a clause in here that these, it's basically in perpetuity as long as this agreement is valid. In other words, if there's a breach in this agreement by either party or the DHHL takes action to remove our right to the easements, then their credits would then terminate also. So, as long as they don't initiate a revoke, revoke the license or lease, licenses under this agreement, it's in perpetuity. And I don't think they intend to revoke our license.

As in terms of your confidence with the Department of Water providing the 200,000 gallons in perpetuity, we consider when we enter into this agreement, this as if it was a water meter reservation. So, we will reserve this water for them. So, it's like a water, when we make a water meter reservation, the applicant is guaranteed that we will hold that water as specified in that agreement, which is currently five years. For DHHL, in this case, it's in, technically in perpetuity unless they initiate or revoke this license.

COUNCILMEMBER PALTIN: And will it be available at whatever time they're ready for it? Or would you be overcommitting and then building a new well, and then they got to wait?

MS. TAOMOTO: No. We are, we've, with this license, we're not overcommitting. We have the capacity to serve them if they came in today. But as Stewart mentioned, there is some level of improvements that they need to make, as this well is in the north system and Leialii 75 lots is in the south system. So, there's going to need to be some improvements that they need to make to the system that they're aware of and they've been working on for the past year with our staff, operations staff.

COUNCILMEMBER PALTIN: But whenever they need the water, it'll be available to them?

MS. TAOMOTO: Yes.

COUNCILMEMBER PALTIN: Not, not given to somebody else and then you guys dig a new well to meet the need?

MS. TAOMOTO: No. This is not coming from the Honokowai, the new, the new West Maui Well 2. This is coming from our existing capacity, the 200,000.

COUNCILMEMBER PALTIN: And you're not going to go over the capacity to other developments that are shovel-ready?

MS. TAOMOTO: No.

COUNCILMEMBER PALTIN: Cannot?

MS. TAOMOTO: The way my, the internal process where we keep a count of these things, cannot.

COUNCILMEMBER PALTIN: Corporation Counsel, you agree with that?

CHAIR KING: Ms. Lutey.

CORPORATION COUNSEL: Thank you, Chair. Yes.

COUNCILMEMBER PALTIN: Okay.

CORPORATION COUNSEL: So, we have this contract, right? And unless there's a breach, which I don't see them doing, they'd have to kick us off for it to go no. But otherwise,

we're obligated by that contract, or be in breach of it, to maintain that water supply for them.

COUNCILMEMBER PALTIN: Okay. Trusting.

CHAIR KING: Mr. Aila.

MR. AILA: Madam Chair, I just want to thank Councilmember Paltin for being such a strong advocate for the Department in our water needs.

COUNCILMEMBER PALTIN: I don't, I don't know if I'm advocate for the Department, just for the houses.

CHAIR KING: For the people that they serve.

Okay, any other questions or comments? If not, I'll call for the question. All those in favor of the resolution on the floor say "aye".

AYES: COUNCILMEMBERS KAMA, LEE, MOLINA,
PALTIN, SINENCI, SUGIMURA, AND CHAIR KING.

CHAIR KING: Any opposed?

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA AND VICE-CHAIR
RAWLINS-FERNANDEZ.

CHAIR KING: Okay. Measure passes; one, two, three, four, five, six, seven to zero, with Member Hokama and Members Rawlins-Fernandez, excused.

DEPUTY COUNTY CLERK: Madam Chair, for the record, RESOLUTION 19-144 and BILL 47 (2019).

CHAIR KING: I'm sorry. What was the bill number?

DEPUTY COUNTY CLERK: 47.

CHAIR KING: Okay. Thank you for coming all the way from Oahu. Do you have an issue, Ms. Taomoto? Next time I'm going to ask you to sing for us, Bill. I've heard you sing before; you're great.

Okay, Ms. Clark, continuing on.

DEPUTY COUNTY CLERK: Madam Chair, continuing on with county communications.

COUNTY COMMUNICATIONS

NO. 19-359 - MARC TAKAMORI, DIRECTOR OF TRANSPORTATION,
(dated August 28, 2019)

Transmitting the status of grants under the Department of Transportation and benchmarks for grantee performance.

CHAIR KING: Okay. Councilmember Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. I'd like to have this referred to my Committee for further discussion.

CHAIR KING: Okay, so you're not going to file it?

COUNCILMEMBER SUGIMURA: Yea, I'm not going to file it.

CHAIR KING: Okay. We'll, we'll put that on the side.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR KING: Okay.

The recommended action is that County Communication No. 19-359 be referred to the Multimodal Transportation Committee.

CHAIR KING: Let's see, continuing on with 19-360, Ms. Clark.

NO. 19-360 - TASHA KAMA, COUNCILMEMBER,
(dated August 29, 2019)

Relating to Councilmembers' report on the MEO Core Four Business Planning Course Bankers' Dinner and Graduation, held on August 13, 2019.

CHAIR KING: Okay. Councilmember Kama.

COUNCILMEMBER KAMA:

I MOVE TO FILE COUNTY COMMUNICATION 19-360.

COUNCILMEMBER LEE:

SECOND.

CHAIR KING: Okay, moved by Pro Tem Kama, seconded by Councilmember Lee.

Ms. Kama.

(Councilmember Molina was excused from the meeting at 12:31 p.m.)

COUNCILMEMBER KAMA: Thank you, Chair. Councilmember Chair King, Councilmember Sugimura, Paltin, and I attended the Bankers' Dinner and Graduation for MEO's Core Four Business Planning Course held on August 13, 2019, at MEO's Business Development Center.

My report is on Granicus, and therefore, I would like you all to refer to that. But I'm going to skip through the rest and go right to where it says, "for Councilmembers in attendance, this was primarily a social event to celebrate the success of the program graduates".

And I'm making this report in accordance with the State Sunshine Law, specifically Section 92-2.5(e) of the Hawaii Revised Statutes, out of an abundance of caution.

A quorum of the Council was not present at the meeting.

This information session was not specifically and exclusively organized for or directed toward Members of the Council. It was open to the invited guests of MEO, including graduates, their families, bankers, and members of the MEO board.

No commitment relating to a vote on any Council business was made or sought at the meeting.

Chair King, this concludes my report.

CHAIR KING: Mahalo, Pro Tem Kama. So, all those in favor of the motion on the floor, say "aye".

AYES: COUNCILMEMBERS KAMA, LEE, PALTIN,
SINENCI, SUGIMURA, AND CHAIR KING.

CHAIR KING: Any opposed?

NOES: NONE.

EXCUSED: COUNCILMEMBERS HOKAMA, MOLINA, AND
VICE-CHAIR RAWLINS-FERNANDEZ.

CHAIR KING: Measure passes six to zero. We have three Members "excused";
Member Hokama, Member Rawlins-Fernandez, and Member Molina.

Ms. Clark.

NO. 19-361 - SHANE M. SINENCI, COUNCILMEMBER,
(dated August 27, 2019)

Relating to Councilmembers' report on the Malama Kai discussion on Lahaina's
injection wells that took place at the Maui Ocean Center Dome Theater on August 21,
2019.

CHAIR KING: Member Sinenci.

COUNCILMEMBER SINENCI: Thank you, Chair.

I MOVE TO FILE COUNTY COMMUNICATION 19-361.

COUNCILMEMBER LEE:

SECOND.

COUNCILMEMBER SUGIMURA: Second.

CHAIR KING: Okay, moved by Councilmember Sinenci, seconded by Councilmember Lee.

Mr. Sinenci.

COUNCILMEMBER SINENCI: Thank you. I'm making this report about a meeting which
complied with the State Sunshine Law, specifically, all requirements of
Section 92-2.5(e) of the Hawaii Revised Statutes.

Council Chair King, Councilmembers Molina, and I attended a discussion on Lahaina's injection wells, held on Wednesday, August 21, 2019 at the Maui Ocean Center Dome Theater in Maalaea.

The discussion was organized and sponsored by the Sierra Club of Hawaii, Maui Group; Earthjustice; Hawaii Wildlife Fund; West Maui Preservation Association; and Surfrider Foundation Maui.

The panel and individuals from the general public discussed Maui County's ability and obligation to address clean water and pollution, with respect to Lahaina's injection wells.

Chair, that concludes my report.

(Vice-Chair Rawlins-Fernandez returned to the meeting at 12:33 p.m.)

CHAIR KING: Okay, thank you, Mr. Sinenci. Any questions? If not, all those in favor of the motion on the floor, say "aye".

AYES: COUNCILMEMBERS KAMA, LEE, PALTIN,
SINENCI, SUGIMURA, VICE-CHAIR RAWLINS-
FERNANDEZ, AND CHAIR KING.

CHAIR KING: Any opposed?

NOES: NONE.

EXCUSED: COUNCILMEMBERS HOKAMA AND MOLINA.

CHAIR KING: Motion passes unanimously. Well; one, two, three, four, five, six, seven now, with Member Molina and Member Hokama "excused".

COUNCILMEMBER SINENCI: Thank you.

CHAIR KING: Ms. Clark.

(Councilmember Molina returned to the meeting at 12:33 p.m.)

NO. 19-362 - KELLY T. KING, COUNCIL CHAIR,
(dated August 30, 2019)

Relating to Councilmembers' report on the Alliance of Maui Community Associations meeting that took place at Kaunoa Senior Center on August 26, 2019.

CHAIR KING: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO FILE COUNTY COMMUNICATION 19-362.

COUNCILMEMBER LEE:

SECOND.

CHAIR KING: Okay, moved by Vice-Chair Rawlins-Fernandez, seconded by Councilmember Lee.

Ms. Rawlins-Fernandez

VICE-CHAIR RAWLINS-FERNANDEZ: Council Chair King, Councilmember Molina, and I attended the Alliance of Maui Community Associations meeting, held on August 26, 2019 at the Kaunoa Senior Center in Spreckelsville.

The Alliance of Maui Community Associations meets monthly and has the mission to: "provide a forum for Maui's diverse communities to share information and concerns, thereby facilitating, facilitating improved community problem solving, and the support of common goals".

The Alliance includes leaders from approximately nine Maui Island Community Associations, and has been meeting since June 2012. The term "community associations" refers to geographical communities, such as the Haiku Community Association or the Kihei Community Association, and not sub-divisions, homeowners, or condominium associations or special interest groups.

For Councilmembers in attendance, this was the primary, this was primarily for informational, this was primarily an informational event to provide an update of community member concerns.

I'm making this report in accordance with State Sunshine Law, Section 92-2.5(e) of the Hawaii Revised Statutes out of the, out of an abundance of caution.

The event was not organized for or directed towards Members of the Council but was open to representatives from the Community Associations.

A quorum of the Council was not present at the meeting.

No commitment relating to a vote on any Council business was made or sought at the meeting.

Chair King, that concludes my report.

CHAIR KING: Mahalo, Vice-Chair Rawlins-Fernandez. Any questions? If not, all those in favor of the motion, say "aye".

AYES: COUNCILMEMBERS KAMA, LEE, MOLINA,
PALTIN, SINENCI, SUGIMURA, VICE-CHAIR
RAWLINS-FERNANDEZ, AND CHAIR KING.

CHAIR KING: Any opposed?

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR KING: Motion passes eight to zero, one Member "excused"; Mr. Hokama.

Ms. Clark.

NO. 19-363 - TASHA KAMA, PRESIDING OFFICER PRO TEMPORE,
(dated August 30, 2019)

Relating to Councilmembers' report on the Hawaii Community Foundation Affordable Housing Stakeholders Meeting that took place on August 27, 2019.

CHAIR KING: Pro Tem Tasha Kama.

COUNCILMEMBER KAMA:

I MOVE TO FILE COUNTY COMMUNICATION 19-363.

COUNCILMEMBER LEE:

SECOND.

CHAIR KING: Okay, moved by Pro Tem Kama, seconded by Councilmember Lee.

Ms. Kama.

COUNCILMEMBER KAMA: Council Chair King, Council Vice-Chair Rawlins-Fernandez, Councilmembers Lee, Molina, Paltin, Sugimura, and I attended the Hawaii Community Foundation Affordable Housing Stakeholders Meeting held on August 27, 2019, at the Maui Arts and Cultural Center.

Hawaii Community Foundation's President and CEO Micah Kane noted that we needed to work together to do something different to address this issue. The Foundation has noted that most issues are based on people, place, and power. Of those three, people and place are constants. The absence of power or the misappropriation of power deters the ability for people and communities to thrive. Addressing the issue of power is uncomfortable. By focusing on the . . . and determination of shared goals, that discomfort can be overcome.

Michelle Kauhane, HSC Senior Vice-President for Community Grants and Investments, created, presented a summary of the data that describes the nature of the affordable housing issues statewide and on Maui. Maui had the worse level of housing affordability in the State, and there are more hurdles here to addressing the problems than elsewhere. She also noted that this same problem and the same solutions have been identified over the decades; 1970, 1980, 1990's. But the magnitude of the problem has gotten worse.

HCF's approach to addressing issues is to use the data to define shared goals and to develop actions to meet these goals. This is the change framework. HCF has the resources and the mission to address the problem by bringing the community together and facilitating the implementation of that change framework.

After presentations, the attendees were invited to discuss and answer two questions. What does affordable housing look like? And what opportunities can we embrace to support Maui's families.

The meeting concluded with each of the ten tables reported out the most significant answers to the questions. Some of the most interesting answers included: Designating specific community plan areas as housing affordability zones to have

expedited land use approvals and special streamlined processes for affordable and workforce housing units. Coordinate efforts to apply for and leverage Federal housing resources that are available. There are Federal dollars out there that Hawaii is not yet accessing. To review and amend the SHPD process to streamline approvals to move projects forward. To identify the existing entitled properties. Calculate units and identify infrastructure needs with estimated costs. Develop a real implementation plan. Partner with entities that can provide mentoring and technical assistance to build and expand the capacity of non-profit developers on Maui. Provide patient pre-development, capital support, both non-profit and for-profit developers. Work with the Statewide Housing Affordable Coalition to engage in Maui Chapter.

Community engagement is a key to the success of housing affordability moving forward. Community voices are core to the success of any housing initiative. Financial literacy and education for first-time homebuyers and wraparound services for those who need them all in one location.

I'm making this report about this meeting for the information of the Council and the public.

And Chair King, this concludes my report.

CHAIR KING: Thank you, Pro Tem Kama. And then just for the public's information, we, those of us who attended were seated at separate tables, and so we were not, we were not in discussions with each other. I think we didn't realize how many of there, of us were there, but the, the hosts were careful to keep us totally apart from each other.

COUNCILMEMBER KAMA: And that's why I'm really happy about what we're doing with HSAC in terms of taking the issue forward about all of us being in the same room. There are times when we have to be. If you're campaigning, we have to be in the same room, so what happens? So, I'm glad that we're taking and moving this forward. Thank you, Chair.

(Councilmember Paltin was excused from the meeting at 12:40 p.m.)

CHAIR KING: We'll, we'll look forward to your testimony on that as well.

COUNCILMEMBER KAMA: Yes.

CHAIR KING: Thank you. Okay, all those in favor of the resolution *[sic]* on the floor, say "aye".

AYES: COUNCILMEMBERS KAMA, LEE, MOLINA,
SINENCI, SUGIMURA, VICE-CHAIR RAWLINS-
FERNANDEZ, AND CHAIR KING.

CHAIR KING: Any opposed?

NOES: NONE.

EXCUSED: COUNCILMEMBERS HOKAMA AND PALTIN.

CHAIR KING: Measure passes seven to zero; "excused" are Member Paltin and Member Hokama.

Ms. Clark.

DEPUTY COUNTY CLERK: Madam Chair, proceeding with county communications for referral. The following county communications are recommended for referral to the following Committees as noted.

NO. 19-367 - LORI TSUHAKE, DIRECTOR OF HOUSING AND HUMAN CONCERNS, (dated August 22, 2019)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF HUMAN SERVICES TO IMPLEMENT THE OHANA ZONE – KAHULUI AFFORDABLE HOUSING FOR HOMELESS FAMILIES".

The recommended action is that County Communication No. 19-367 be referred to the Affordable Housing Committee.

NO. 19-368 - MICHELE M. YOSHIMURA, BUDGET DIRECTOR,
(dated July 10, 2019)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2020 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO PART II, SPECIAL PURPOSE REVENUES – SCHEDULE OF REVOLVING/SPECIAL FUNDS FOR FISCAL YEAR 2020, AFFORDABLE HOUSING FUND (HABITAT FOR HUMANITY, AFFORDABLE HANA HOUSING PROJECT)".

The recommended action is that County Communication No. 19-368 be referred to the Economic Development and Budget Committee.

NO. 19-369 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,
(dated August 23, 2019)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.48, MAUI COUNTY CODE, RELATING TO DETERMINATION OF RATES".

The recommended action is that County Communication No. 19-369 be referred to the Economic Development and Budget Committee.

NO. 19-370 - MICHAEL P. VICTORINO, MAYOR
(dated August 19, 2019)

Relating to the designation of a Councilmember to serve on the Conservation Planning Committee, pursuant to Ordinance No. 4878.

The recommended action is that County Communication No. 19-370 be referred to the Governance, Ethics, and Transparency Committee.

NO. 19-371 - DAVID C. THYNE, FIRE CHIEF,
(dated August 26, 2019)

Transmitting a proposed resolution entitled "AUTHORIZING ACCEPTANCE OF THE DONATION OF 185 PAIRS OF FOOTWEAR TO THE OCEAN SAFETY BUREAU OF THE DEPARTMENT OF FIRE AND PUBLIC SAFETY, PURSUANT TO CHAPTER 3.56, MAUI COUNTY CODE".

The recommended action is that County Communication No. 19-371 be referred to the Governance, Ethics, and Transparency Committee.

THE PROPOSED RESOLUTION ATTACHED TO COUNTY COMMUNICATION NO. 19-371 WAS ADOPTED LATER IN THE MEETING AND ASSIGNED RESOLUTION NO. 19-145. COUNTY COMMUNICATION NO. 19-371 WAS THEN FILED. See pages 108 through 111 for discussion and action.

NO. 19-372 - KEANI N. W. RAWLINS-FERNANDEZ, COUNCIL VICE-CHAIR,
(dated August 30, 2019)

Transmitting a proposed resolution entitled "URGING THE STATE DEPARTMENT OF LAND AND NATURAL RESOURCES DENY THE DRAFT ENVIRONMENTAL ASSESSMENT OF PROPOSED NAVAL TRAINING IN THE WATERS OF MAUI, MOLOKA'I, AND LANA'I".

The recommended action is that County Communication No. 19-372 be referred to the Governance, Ethics, and Transparency Committee.

THE PROPOSED RESOLUTION ATTACHED TO COUNTY COMMUNICATION NO. 19-372 WAS ADOPTED LATER IN THE MEETING AND ASSIGNED RESOLUTION NO. 19-146. COUNTY COMMUNICATION NO. 19-372 WAS THEN FILED. See pages 111 through 116 for discussion and action.

(Councilmember Paltin returned to the meeting at 12:42 p.m.)

NO. 19-373 - ROWENA M. DAGDAG-ANDAYA, DIRECTOR OF PUBLIC WORKS,
(dated August 13, 2019)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 10.36.072, MAUI COUNTY CODE, RELATING TO THIRTY MILES PER HOUR – RESIDENTIAL DISTRICT EXCEPTION".

The recommended action is that County Communication No. 19-373 be referred to the Water and Infrastructure Committee.

NO. 19-374 - ROWENA M. DAGDAG-ANDAYA, DIRECTOR OF PUBLIC WORKS,
(dated August 20, 2019)

Relating to the County's proposal to replace all existing County-owned High Pressure Sodium streetlight fixtures located within Maui County roadway rights-of-way with Light Emitting Diode fixtures.

The recommended action is that County Communication No. 19-374 be referred to the Water and Infrastructure Committee.

NO. 19-375 - JEFFREY T. PEARSON, DIRECTOR OF WATER SUPPLY,
(dated August 26, 2019)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH U.S. GEOLOGICAL SURVEY, PACIFIC ISLANDS WATER SCIENCE CENTER, UNITED STATES DEPARTMENT OF THE INTERIOR (COOPERATIVE WATER-RESOURCE MONITORING PROGRAM)".

The recommended action is that County Communication No. 19-375 be referred to the Water and Infrastructure Committee.

NO. 19-376 - ALICE L. LEE, COUNCILMEMBER,
(dated August 30, 2019)

Relating to proposed amendments to Title 3, Maui County Code, relating to Community Facilities Districts.

The recommended action is that County Communication No. 19-376 be referred to the Water and Infrastructure Committee.

CHAIR KING: Okay. Members, along with County Communication 19-359, which will be referred to the Multimodal Transportation Committee, any objections to the, as read--

Councilmember Molina, followed by--

**DISCUSSION RELATING TO
COUNTY COMMUNICATION NO. 19-371**

COUNCILMEMBER MOLINA: Thank you, Madam Chair. No objections. I would like for consideration of County Communication 19-371.

I WOULD LIKE TO MOVE TO WAIVE THE REQUIREMENT OF
COMMITTEE REFERRAL--

COUNCILMEMBER PALTIN:

SECOND.

COUNCILMEMBER MOLINA:

--PURSUANT TO RULE 7(G) OF THE RULES OF THE
COUNCIL.

Thank you for the second.

CHAIR KING: Okay. Moved by Councilmember Molina, seconded by Councilmember Paltin.

Mr. Molina.

COUNCILMEMBER MOLINA: Madam Chair, yea, approval of this motion by a two-thirds vote of the Council will enable the Council to consider this proposed resolution today.

CHAIR KING: Okay, and you, you have, or--

COUNCILMEMBER MOLINA: Yes, this is County Communication No. 19-371.

CHAIR KING: And do you have a statement of urgency?

COUNCILMEMBER MOLINA: No, I'll just wait for the vote on the waiver.

CHAIR KING: Okay.

COUNCILMEMBER MOLINA: And then we'll go to the--

CHAIR KING: Okay.

COUNCILMEMBER MOLINA: --possible adoption of this.

CHAIR KING: That, that would be my question, because it, you know, that would affect my vote on whether we refer this to Committee or, or work on it now. Is there a reason we need to do this today?

COUNCILMEMBER MOLINA: Yea, it's basically really something simple. It's just adopting some or authorizing the acceptance of the donation of the footwear. So, rather than

have it languish in Committee, the sooner we get this done, then the faster we can accept this donation--

CHAIR KING: Okay.

COUNCILMEMBER MOLINA: --for our lifeguards.

CHAIR KING: Okay. So, motion to waive Committee referral. Any questions, if not, I'll call for the question. All those in favor say "aye".

AYES: COUNCILMEMBERS KAMA, LEE, MOLINA,
PALTIN, SINENCI, SUGIMURA, VICE-CHAIR
RAWLINS-FERNANDEZ, AND CHAIR KING.

CHAIR KING: Any opposed?

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR KING: Measure passes eight to zero; Mr. Hokama, "excused".

Mr. Molina.

COUNCILMEMBER MOLINA: Thank you again, Madam Chair.

I MOVE TO ADOPT THE PROPOSED RESOLUTION
ATTACHED TO COUNTY COMMUNICATION 19-371, AND TO
FILE COUNTY COMMUNICATION 19-371.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR KING: Okay, moved by Councilmember Molina, seconded by Vice-Chair Rawlins-Fernandez.

Mr. Molina.

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair. Very briefly, this is a donation for the Hawaii, Hawaiian Lifeguard Association has donated footwear to County ocean safety personnel annually for the past several years. And the footwear

manufacturer Olukai provides the footwear for the Hawaiian Lifeguard Association, which in turn donates the footwear to the County. So, anyway, I'd like to ask for the Members full support of this.

And I know my colleague from West Maui certainly appreciates this as well when she was a former lifeguard. Thank you.

CHAIR KING: Oh, that's why she was so quick to second.

COUNCILMEMBER PALTIN: Yea, plenty time we waited months, and months, and months. The shoes was in container waiting for the Council to take action, so this is a welcome change.

CHAIR KING: Okay. All those in favor of the motion on the floor say "aye".

AYES: COUNCILMEMBERS KAMA, LEE, MOLINA,
PALTIN, SINENCI, SUGIMURA, VICE-CHAIR
RAWLINS-FERNANDEZ, AND CHAIR KING.

CHAIR KING: Any opposed?

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR KING: Measure passes eight to zero; Mr. Hokama, "excused".

DEPUTY COUNTY CLERK: For the record, RESOLUTION 19-145.

CHAIR KING: 145? Okay.

And Vice-Chair Rawlins-Fernandez.

**DISCUSSION RELATING TO
COUNTY COMMUNICATION NO. 19-372**

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

DUE TO THE TIME SENSITIVITY AND PURSUANT TO RULE
7(G), I MOVE TO WAIVE COMMITTEE REFERRAL FOR--

COUNCILMEMBER KAMA:

SECOND.

VICE-CHAIR RAWLINS-FERNANDEZ:

--A RECOMMENDATION OF THE COUNTY COMMUNICATION
372, A RESOLUTION "URGING THE STATE DEPARTMENT OF
LAND AND NATURAL RESOURCES DENY THE DRAFT
ENVIRONMENTAL ASSESSMENT OF PROPOSED NAVAL
TRAINING IN THE WATERS OF MAUI, MOLOKAI, AND LANAI".

CHAIR KING: Okay. It's moved by Vice-Chair Rawlins-Fernandez, seconded by Pro Tem
Tasha Kama.

Ms. Rawlins-Fernandez. Probably if you could just speak to the time-sensitivity and
the waiver and then we'll get into the other, the issue.

VICE-CHAIR RAWLINS-FERNANDEZ: Yea. Nope, I can't find it right now. Okay. Basically,
the, the time-sensitivity on this is that the public comment period closed in January, as
you know. And DLNR is the approving agency. And we've been trying to contact
DLNR to get information on this for a while, so we have no idea where they are in their
decision-making process. And they could approve the EA or consider to approve the
EA at any time. And so, the quicker we can get a decision on my resolution, then the
quicker we can get it to the approving agency, which is DLNR, to help them make a
decision that is respectful to our constituents.

CHAIR KING: Okay. Questions on the waiver? Comments? Okay, all those in favor of the
motion on the floor for the waiver of Committee referral say "aye".

AYES: COUNCILMEMBERS KAMA, LEE, MOLINA,
PALTIN, SINENCI, SUGIMURA, VICE-CHAIR
RAWLINS-FERNANDEZ, AND CHAIR KING.

CHAIR KING: Any opposed?

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR KING: Measure passes eight to zero.

Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR KING: Mr. Hokama, is "excused".

VICE-CHAIR RAWLINS-FERNANDEZ: Oh, okay. Thank you, Members and Chair. I, can I please, may I please request the Clerk, if the Members would like, the Clerk to read the resolution in its entirety? And then I'll be happy to expound on the, expound further.

CHAIR KING: Okay. Ms. Clark.

DEPUTY COUNTY CLERK: Madam Chair, just to clarify, there has not yet been a motion made on the floor yet for adoption of the resolution.

VICE-CHAIR RAWLINS-FERNANDEZ: Sorry.

I MOVE TO ADOPT THE RESOLUTION 19-372.

COUNCILMEMBER KAMA:

SECOND.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo.

CHAIR KING: Okay, moved by Member Rawlins-Fernandez, seconded by Pro Tem Tasha Kama.

Ms. Rawlins-Fernandez has requested the resolution be read in its entirety.

Ms. Clark.

(The resolution was read in its entirety).

CHAIR KING: Okay. Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Clerk. And Mahalo, Chair. Okay. So, this is really important to my community and I know the Maui community too. When the EA was covered in the media, the, the Navy's EA, it was, there was a lot of

opposition on Facebook. And, that's why there's so many of the Molokai residents who testified in support of this action, supporting the resolution and that we pass it as soon as possible.

I'll read a little bit of some excerpts from one of our community members who submitted testimony during the public comment period for the EA to DLNR. We have very--

CHAIR KING: Just some, one of the, someone different than the testifiers for, to, that we heard from today?

VICE-CHAIR RAWLINS-FERNANDEZ: Yes.

CHAIR KING: Okay.

VICE-CHAIR RAWLINS-FERNANDEZ: Yea, she didn't testify today. We have very serious concerns that this project violates the National Historic Preservation Act, as amended, in its implementing regulations 36 CFR Part 800, as amended. She also believes that the violations of HRS Chapter 6E are being proposed, and raised serious objection to the Navy proposed activities. She believes that the Chapter 6E applies due to the activities occurring on State lands. And the HIPA DEA contains no documentation whatsoever regarding its compliance with HRS Chapter 6E and Act . . . , both of which are required before the environmental assessment can be accepted by the State of Hawaii.

It fails to list that a conservation district use permit or similar approval would be required by DLNR. The assessment also fails to acknowledge that part of its activities will take place with the Hawaiian islands, within the Hawaiian Island Humpback Whale National Marine Sanctuary. And as such, approval from that authority is required. It failed to meet the mandate of Section 106 consultation, which requires coordinated effort with Native Hawaiian organizations under HAR Section 11-200-10(12).

CHAIR KING: Ms. Rawlins-Fernandez, can you tell us the name of the testifier who, that you're reading from?

VICE-CHAIR RAWLINS-FERNANDEZ: Sure. Ms. Lori Buchanan.

CHAIR KING: Lori Buchanan. Okay. Okay. Can I, can I open it up to questions, maybe, at this point?

VICE-CHAIR RAWLINS-FERNANDEZ: Sure.

CHAIR KING: So, anybody have any questions of Ms. Rawlins-Fernandez? We, we heard pretty wide testimony all in favor of the resolution from Molokai. You know, my original thought was that we should try to bring the Navy and DLNR in here so that we can ask some questions directly. But I was, but we heard so clearly today, this morning, that members, people of your community had tried to get in touch with both the Navy and DLNR and had not gotten any response. So, that's very troubling.

I did meet with them. I, they assured me they weren't doing any sonar. But they had two levels of activity and I urged them to look at the one that was least number of visits. And they went with the one that was the most number of visits to each site. So, I had some reservations right there.

But, Ms. Paltin, you have a comment, or?

COUNCILMEMBER PALTIN: Yea, I also met with them. And they didn't answer any of my questions. In fact, they pretty much ran out of my office while I was still asking them questions. So, I'm in full support of Ms. Rawlins-Fernandez measure.

CHAIR KING: Okay.

COUNCILMEMBER PALTIN: I got zero answers and, you know, I haven't heard back from them. I wasn't done talking. They just left.

CHAIR KING: Wow.

COUNCILMEMBER PALTIN: So, I thought that was pretty rude.

CHAIR KING: Wow. Scared them.

Mr. Molina.

COUNCILMEMBER MOLINA: Yea, thank you very much, Madam Chair. And you know, at first it was going to be referred to my Committee, so I did have some thoughts about maybe taking it in. But, upon hearing testimony and, you know, having been in the military myself, sometimes for whatever reasons, government officials have a tendency to not be as responsive as they should be. So, I'm certainly in full support of this resolution. And at least maybe it'll serve as a wake-up call. It's not a, it's not, we cannot mandate them. We're just asking DLNR--

CHAIR KING: Right. Not the force and effect of law, so.

COUNCILMEMBER MOLINA: --to consider denying it. Yea. So, I think it's a good opportunity for us to take a stand and look into this issue. And it's quite timely, the fact that we had, what, ten whales that just washed up on the shoreline. It's various speculation. It may have been related to some type of activity out there in the ocean related to the military. We don't know. But anyway, I think it's a, a good stand to take. Thank you.

CHAIR KING: Okay. Thank you. And then, Ms. Rawlins-Fernandez, can we add on to your motion the filing of County Communication 19-372.

VICE-CHAIR RAWLINS-FERNANDEZ: Yes. Mahalo, Chair.

CHAIR KING: Is that okay with, with you and the, the second?

Okay, any other? Councilmember Lee? No.

Okay, if not, if no other discussion, I'll call for the question. All those in favor of the resolution on the floor say "aye".

AYES: COUNCILMEMBERS KAMA, LEE, MOLINA,
PALTIN, SINENCI, SUGIMURA, VICE-CHAIR
RAWLINS-FERNANDEZ, AND CHAIR KING.

CHAIR KING: Any opposed?

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR KING: Measure passes eight to zero, one Member "excused"; Mr. Hokama.

Okay and then that will be, that's for filing as well. Do you have a resolution number?

DEPUTY COUNTY CLERK: Yes. Madam Chair, for the record, RESOLUTION 19-146.

CHAIR KING: Okay. Now let's power through and see how, how much further we can get. So, the, so all the rest of the referrals are, no one, no one has any objections to? Okay. So, it'll go through as read by the Clerk.

And, Ms., Ms. Clark.

DEPUTY COUNTY CLERK: Madam Chair, proceeding with committee reports.

COMMITTEE REPORTS

COMMITTEE REPORT
NO. 19-101 - AFFORDABLE HOUSING COMMITTEE:

Recommending the following:

1. That Bill 48 (2019), entitled, "A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.48, MAUI COUNTY CODE, RELATING TO LONG-TERM DEDICATION FOR RESIDENTIAL WORKFORCE HOUSING RENTAL UNIT PROJECTS," be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication 19-80, from the Acting Director of Finance, be FILED.

CHAIR KING: Okay.

COUNCILMEMBER LEE: Madam Chair.

CHAIR KING: Yes, Ms. Lee.

COUNCILMEMBER LEE: Did the County Clerk read 19-373 through 19-376 already? You did?

CHAIR KING: Yes.

COUNCILMEMBER LEE: Okay. Thank you.

CHAIR KING: That was, yea, that was part of all of the, the referrals.

COUNCILMEMBER LEE: Thank you. Because I just love getting more things for my agenda. Thank you.

CHAIR KING: Trying to extend our agenda here.

Pro Tem Tasha Kama.

COUNCILMEMBER KAMA:

I MOVE TO ADOPT THE RECOMMENDATION IN COMMITTEE
REPORT 19-101.

COUNCILMEMBER MOLINA:

SECOND.

CHAIR KING: Okay. Moved by Pro Tem Tasha Kama and seconded by the very loud Councilmember Molina over here.

COUNCILMEMBER KAMA: Thank you, Chair, Vice-Chair.

CHAIR KING: Ms. Kama.

COUNCILMEMBER KAMA: The Affordable Housing Committee met on May 15, 2019, and June 5, 2019, to discuss a proposed bill to amend Chapter 3.48 of the Maui County Code, to revise the policies and procedures for qualifying long-term residential workforce housing for exemption from real property taxation.

The proposed bill is intended to address situations presented by developments such as Front Street Apartments that receive tax exemptions for long-term residential workforce housing, then rent units at fair-market value without penalty. It would establish a policy for owners, long-term lessees, and authorized lessees, to make a long-term dedication of the property in order to receive the tax exemption. It would also provide penalties for breaching long-term dedication restrictions and require the Director of Finance to make a status report to the Council annually.

Your Committee voted 7-0 to recommend passage of the revised proposed bill on first reading and filing of the communication.

CHAIR KING: Okay. Thank you for that.

Any questions? No question. If not, I'll call for the question. All those in favor say "aye".

AYES: COUNCILMEMBERS KAMA, LEE, MOLINA,
PALTIN, SINENCI, SUGIMURA, VICE-CHAIR
RAWLINS-FERNANDEZ, AND CHAIR KING.

CHAIR KING: Any opposed?

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR KING: Measure passes eight to zero, one Member "excused"; Mr. Hokama.

DEPUTY COUNTY CLERK: For the record, BILL 48 (2019).

CHAIR KING: Okay. Ms. Clark.

(Councilmember Kama was excused from the meeting at 1:02 p.m.)

COMMITTEE REPORT

NO. 19-103 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending that Resolution 19-147, entitled "RELATING TO THE APPOINTMENT OF JAMES "IPO" MOSSMAN TO THE AFFIRMATIVE ACTION ADVISORY COUNCIL FOR THE COUNTY OF MAUI," be ADOPTED.

CHAIR KING: Okay. Councilmember Molina.

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair. If there are no objections, may we have the Clerk call up Committee Reports No. 19-104 and 19-105?

MEMBERS VOICED NO OBJECTION.

CHAIR KING: No objections. Okay.

Ms. Clark.

COMMITTEE REPORT

NO. 19-104 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending that Resolution 19-148, entitled "RELATING TO THE APPOINTMENT OF PATRICK O'NEIL TO THE COST OF GOVERNMENT COMMISSION FOR THE COUNTY OF MAUI," be ADOPTED.

COMMITTEE REPORT

NO. 19-105 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending that Resolution 19-149, entitled "RELATING TO THE APPOINTMENT OF ROBERT CARROLL TO THE MAUI COUNTY COMMISSION ON PERSONS WITH DISABILITIES," be ADOPTED.

CHAIR KING: Councilmember Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair.

MOVE FOR THE ADOPTION OF COMMITTEE REPORTS
NOS. 19-103, 19-104, AND 19-105.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR KING: Okay. Moved by Councilmember Molina, seconded by Vice-Chair Rawlins-Fernandez.

Mr. Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. These three committee reports have to do with the nominations and confirmations of James "Ipo" Mossman to the Affirmative Action Advisory Council; and Patrick O'Neil to the Cost of Government Commission; and former County Councilmember Robert Carroll to the Commission on Persons with Disabilities. All three individuals were confirmed in Committee on August 20, 2019. And I would like to ask for the Members full support of these individuals. Thank you.

CHAIR KING: Okay. Any questions or comments? If not, all those in favor of the motion on the floor say "aye".

AYES: COUNCILMEMBERS LEE, MOLINA, PALTIN,
SINENCI, SUGIMURA, VICE-CHAIR RAWLINS-
FERNANDEZ, AND CHAIR KING.

CHAIR KING: Any opposed?

NOES: NONE.

EXCUSED: COUNCILMEMBERS HOKAMA AND KAMA.

CHAIR KING: Measure passes seven to zero. Member Hokama and Pro Tem Kama "excused".

COUNCILMEMBER SUGIMURA: Chair, I have a question.

CHAIR KING: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: So, on Committee Report 19-102, did we file it, Clerk?

DEPUTY COUNTY CLERK: There was not direction from the body yet, relative to the filing or recommitment of the bill.

CHAIR KING: Oh, we did not. We just didn't pass it.

COUNCILMEMBER SUGIMURA: Okay, so you don't need to file it then?

DEPUTY COUNTY CLERK: It's ultimately up to the body. But you could say that either action would be appropriate, so as to give direction on how to dispose of the bill.

CHAIR KING: Okay. Well, it's, can you give me the reso numbers for the three resolutions we just passed?

DEPUTY COUNTY CLERK: Relative to Committee Report 19-103, RESOLUTION 19-147. Relative to Committee Report 19-104, RESOLUTION 19-148. And relative to Committee Report 19-105, RESOLUTION 19-149.

CHAIR KING: Okay. Thank you.

Moving on, Ms. Clark.

(Councilmember Kama returned to the meeting at 1:05 p.m.)

COMMITTEE REPORT

NO. 19-106 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending the following:

1. That Resolution 19-150, entitled "APPROVING FOR INCLUSION IN THE 2020 HAWAII STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE A STATE BILL TO INCREASE FUNDING FOR AGRICULTURE," be ADOPTED;
2. That Resolution 19-151, entitled "APPROVING FOR INCLUSION IN THE 2020 HAWAII STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE A STATE BILL TO AUTHORIZE SUPPLEMENTAL CATEGORICAL FUNDING FOR REMOTE SCHOOLS AND APPROPRIATE FUNDS," be ADOPTED; and
3. That the matter relating to the promotion of traffic safety on two-lane roadways be REFERRED to your Multimodal Transportation.

CHAIR KING: Councilmember Molina.

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair.

MOVE FOR THE ADOPTION OF COMMITTEE REPORT
NO. 19-106.

COUNCILMEMBER KAMA:

SECOND.

CHAIR KING: Okay. Moved by Councilmember Molina, seconded by, I can't remember, I don't, by Councilmember Kama.

Did you second it?

COUNCILMEMBER KAMA: Yes.

CHAIR KING: Okay. Mr. Molina.

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair. This committee report has to do with the, with three proposals submitted by Councilmember Sinenci for the

HSAC Package: 1) the first one dealing with additional State funding for agriculture; 2) allow remote schools to receive supplemental categorical funding based on their remote status; and 3) requiring the driver of the lead vehicle on two-lane roadways where passing is unsafe to use turnouts and permit vehicles allowing the lead vehicle to pass safely.

The first two proposals were accepted to be included in the package. The third proposal, because of further discussions being considered necessary, was matter for referral to the Multimodal Transportation Committee under the leadership of Councilmember Sugimura. So, with that being said, I would like to ask for the Members support of this committee report.

And I'll also yield the floor to Councilmember Sinenci if he has anything additional to add. Thank you.

CHAIR KING: Okay. I think we were all in that discussion. I do want to add that I did bring these to HSAC, the first two. And we may want to be prepared for the rural school one to do, put that into the Maui package, because I, I was having a hard time getting. That's why I asked the question earlier. If the teachers that you had called, that called in have been talking to other, other schools statewide, because we got to make this a statewide issue in order for HSAC to adopt it. But just to let you know, it would be good to have more statewide information on other rural schools, so we can get this into the package.

COUNCILMEMBER SINENCI: Thank you, Chair.

CHAIR KING: Okay.

COUNCILMEMBER SINENCI: I did see significant, or just a typo in the proposed legislation, page 7 of the attached pdf file. In Section 1, line 8, where it should read ".4 percent". And right now, it just says, "4 percent of the State's budget is allocated for agriculture". So, just need a decimal before 4 percent or, or do a numerical correction. Does that need--

CHAIR KING: Page 7 of the bill?

COUNCILMEMBER SINENCI: --an amendment or friendly, friendly amendment?

CHAIR KING: What page did you say?

COUNCILMEMBER SINENCI: Page 7.

COUNCILMEMBER KAMA: On the committee report?

COUNCILMEMBER SINENCI: Relating to funding for agriculture. It's just a--

CHAIR KING: Oh, it's not--

COUNCILMEMBER SINENCI: --a typo where it should be .4 percent of the State's budget, and not 4 percent.

CHAIR KING: Okay. Is it in the actual bill?

COUNCILMEMBER SINENCI: Yes.

CHAIR KING: Okay. Is that considered--

COUNCILMEMBER KAMA: What section?

CHAIR KING: Maggie, is that considered a non-substantive change, since it's a, it's a typo correction?

DEPUTY COUNTY CLERK: Yes, I believe so, if it was a typo.

CHAIR KING: Okay. So, we can just put that in there then.

COUNCILMEMBER SINENCI: Thank you, Chair.

CHAIR KING: Okay. Any other questions or comments? Okay. If not, I'll call for the question. All those in favor of the motion to adopt Committee Report 19-106, say "aye".

AYES: COUNCILMEMBERS KAMA, LEE, MOLINA,
PALTIN, SINENCI, SUGIMURA, VICE-CHAIR
RAWLINS-FERNANDEZ, AND CHAIR KING.

CHAIR KING: Any opposed?

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR KING: Okay. Measure passes eight to zero, one "excused"; Mr. Hokama.

DEPUTY COUNTY CLERK: For the record, RESOLUTIONS 19-150 and 19-151.

COMMITTEE REPORT

NO. 19-107 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending that County Communication 19-285, from Councilmember Alice L. Lee, relating to fireworks on Maui, be REFERRED to your Economic Development and Budget Committee.

CHAIR KING: Councilmember Molina.

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair.

MOVE TO ADOPT COMMITTEE REPORT NO. 19-107.

COUNCILMEMBER SINENCI:

SECOND.

CHAIR KING: Okay, moved by Councilmember Molina, seconded by Councilmember Sinenci.

Mr. Molina.

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair. This matter has to do with a fireworks matter, which was submitted to Committee by Councilmember Lee. Upon discovery and further discussions, the matter was more focused on the fine amount, so the decision was made by the Committee to refer this to the Budget Committee; already a very busy one. I want to thank Member Rawlins-Fernandez for accepting this, and to Member Lee for understanding the sensitivity of the amount of items that I have already in my Committee, which tend to cause fireworks of a different kind. So, thank you very much, Madam Chair.

CHAIR KING: Thank you, Mr. Molina. Any questions or concerns? If not, all those in favor say "aye".

AYES: COUNCILMEMBERS KAMA, LEE, MOLINA,
PALTIN, SINENCI, SUGIMURA,
VICE-CHAIR RAWLINS-FERNANDEZ, AND
CHAIR KING.

CHAIR KING: Any opposed?

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR KING: Okay. Measure passes eight to zero, one "excused"; Mr. Hokama.

Ms. Clark.

COMMITTEE REPORT

NO. 19-108 - GOVERNANCE, ETHICS, AND TRANSPARENCY COMMITTEE:

Recommending that Resolution 19-152, entitled "AUTHORIZING SETTLEMENT OF KAMOKU CONTRACTING, LLC VS. COUNTY OF MAUI, CIVIL NO. 18-1-0180(2)," be ADOPTED.

CHAIR KING: Councilmember Molina.

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair.

MOVE TO ADOPT COMMITTEE REPORT NO. 19-108.

COUNCILMEMBER SINENCI:

SECOND.

CHAIR KING: Okay, moved by Councilmember Molina, seconded by Councilmember Sinenci.

Mr. Molina.

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair. This matter deals with a complaint alleging breach of contract between Kamoku Contracting and the County of Maui related to a construction project at Papohaku Park in Wailuku.

After an executive session meeting, your Committee voted 9-0 to recommend adoption of the further revised proposed resolution. Thank you.

CHAIR KING: Okay. Thank you. Any questions or comments that we can do in open session? If not, all those in favor of the motion say "aye".

AYES: COUNCILMEMBERS KAMA, LEE, MOLINA,
PALTIN, SINENCI, SUGIMURA, VICE-CHAIR
RAWLINS-FERNANDEZ, AND CHAIR KING.

CHAIR KING: Any opposed?

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR KING: Motion passes eight to zero, one Member "excused"; Mr. Hokama.

DEPUTY COUNTY CLERK: For the record, RESOLUTION 19-152.

COMMITTEE REPORT

NO. 19-109 - PLANNING AND SUSTAINABLE LAND USE COMMITTEE:

Recommending the following:

1. That Bill 145 (2018), Draft 1, entitled "A BILL FOR AN ORDINANCE AMENDING THE PA'IA-HA'IKU COMMUNITY PLAN RELATING TO VISITOR ACCOMMODATIONS," be PASSED ON SECOND AND FINAL READING and be ORDERED TO PRINT; and
2. That Bill 146 (2018), Draft 1, entitled "A BILL FOR AN ORDINANCE RELATING TO SHORT-TERM RENTAL HOMES IN THE PA'IA-HA'IKU COMMUNITY PLAN AREA," be PASSED ON SECOND AND FINAL READING and be ORDERED TO PRINT.

CHAIR KING: Councilmember Paltin.

COUNCILMEMBER PALTIN:

I MOVE TO ADOPT THE RECOMMENDATION IN COMMITTEE
REPORT 19-109.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

CHAIR KING: Okay. Moved by Councilmember Paltin, seconded by Vice-Chair Rawlins-Fernandez.

Ms. Paltin.

COUNCILMEMBER PALTIN: Bill 145 from 2018 and Bill 146, also from 2018, were passed on first reading by last term's Council on December 13, 2018. However, that Council did not take final action, thus, the bills were referred to the Planning and Sustainable Land Use Committee for further discussion.

To that end, the Committee held a meeting in Paia to discuss these two bills that affect the Paia-Haiku Community Plan area. After hearing testimony, the Committee recommended second and final reading of the two bills, with amendments.

Primarily, Bill 145 was amended to prohibit new Short-Term Rental Homes in the Special Management Area, and to prohibit new B&B's on properties abutting the shoreline. Bill 146 was amended to reduce the allowed Short-Term Rental Home permits in Paia-Haiku to 55. Both bills allow current Short-Term Rental Home permits in Paia-Haiku to be eligible for renewal even if the properties are in the SMA.

Additionally, applications determined to be complete before the enactment of these ordinances for Short-Term Rental Homes in Paia-Haiku are eligible for approval and subsequent renewal up to the maximum allowed in the area even if the properties are in the SMA.

Bill 145 provides similar protections for current B&B permits and applications for B&B permits for properties abutting the shoreline. I respectfully ask the Members support of my motion. Thank you.

CHAIR KING: Okay. Thank you, Ms. Paltin. We have a motion on the floor, and a second.

Ms. Lutey, can you just confirm that we're okay to go ahead with the second reading, second and final?

CORPORATION COUNSEL: Yes, you are.

CHAIR KING: Okay. Great. Any questions? I think we were all there.

COUNCILMEMBER KAMA: We were all there.

CHAIR KING: Most of us were there for a long evening. Any, so, we'll go ahead and call the question. All those in favor of the motion say "aye".

AYES: COUNCILMEMBERS KAMA, LEE, MOLINA,
PALTIN, SINENCI, SUGIMURA, VICE-CHAIR
RAWLINS-FERNANDEZ, AND CHAIR KING.

CHAIR KING: Any opposed?

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR KING: Measure passes eight to zero, one "excused"; Mr. Hokama.

Okay, Ms. Clark.

COMMITTEE REPORT

NO. 19-110 - WATER AND INFRASTRUCTURE COMMITTEE:

Recommending that Resolution 19-153, entitled "APPROVING A TIME EXTENSION FOR THE COUNCIL TO ADOPT THE MAUI ISLAND WATER USE AND DEVELOPMENT PLAN," be ADOPTED.

CHAIR KING: Councilmember Lee.

COUNCILMEMBER LEE:

MADAM CHAIR, I MOVE TO APPROVE THE
RECOMMENDATION CONTAINED IN COMMITTEE REPORT
NO. 19-110.

COUNCILMEMBER MOLINA:

SECOND.

CHAIR KING: Okay, moved by Councilmember Lee, seconded by Councilmember Molina.

Ms. Lee.

COUNCILMEMBER LEE: Section 14.02.040.4, Maui County Code, requires the Council to pass updates to the Water Use and Development Plan within 180 days from the receipt of the update, which we received in March.

The deadline for the Council to pass the update is September 18, 2019. The WAI Committee will not be able to complete its review of this very important document by this date. Therefore, extending the deadline to December 31, 2020 will give the Council the additional time it needs to review. Thank you, Chair.

CHAIR KING: Okay. Thank you, Ms. Lee. Any questions or comments? What was the deadline you're extending it to?

COUNCILMEMBER LEE: December 31, 2020.

CHAIR KING: Oh okay. Alright.

Councilmember Sugimura, comment?

COUNCILMEMBER SUGIMURA: Oh no.

CHAIR KING: Oh okay. All those in favor of the motion on the floor say "aye".

AYES: COUNCILMEMBERS KAMA, LEE, MOLINA,
PALTIN, SINENCI, SUGIMURA, VICE-CHAIR
RAWLINS-FERNANDEZ, AND CHAIR KING.

CHAIR KING: Any opposed?

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR KING: Measure passes eight to zero, one Member "excused"; Mr. Hokama.

**DISCUSSION AND ACTION RELATING TO
COMMITTEE REPORT NO. 19-102**

CHAIR KING: I did get a note, Councilmembers, from our, our County Clerk, that, who did research and he says he believes we do need to file or recommit Committee Report 19-102.

COUNCILMEMBER SUGIMURA: Chair.

CHAIR KING: Councilmember Sugimura.

COUNCILMEMBER SUGIMURA:

SO, I'D LIKE TO MAKE A MOTION TO FILE COMMITTEE
REPORT 19-102.

CHAIR KING: Okay.

COUNCILMEMBER SINENCI:

SECOND.

CHAIR KING: Okay. Moved by Councilmember Sugimura, seconded by Councilmember Sinenci.

Any discussion? All those in favor say "aye".

AYES: COUNCILMEMBERS KAMA, LEE, MOLINA,
PALTIN, SINENCI, SUGIMURA, VICE-CHAIR
RAWLINS-FERNANDEZ, AND CHAIR KING.

CHAIR KING: Any opposed?

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR KING: Measure passes eight to zero, one Member "excused"; Mr. Hokama.

And we are through our agenda, Councilmembers. We do have, we do have two things. We have the ceremonial resolutions at 3:30, so I'm going to recess this meeting until 3:30.

But we also have the GET meeting at 1:30, and so we need at least four other Members to be here in the room so that Councilmember Molina can gavel in and gavel out for the lunch, and, and gavel, he'll gavel back in at 2:30. And then we'll have an hour with GET before we do the ceremonial resolutions.

COUNCILMEMBER KAMA: Chair.

COUNCILMEMBER SUGIMURA: I'll wait.

COUNCILMEMBER KAMA: I have a 1:15 meeting.

CHAIR KING: 1:15?

COUNCILMEMBER KAMA: So, I'm going to miss his opening, but I'll be back when I'm back.

CHAIR KING: Okay. So, Ms. Paltin, can, Councilmember Paltin, you going stay?

Ms. Sugimura.

VICE-CHAIR RAWLINS-FERNANDEZ: I'll be here.

CHAIR KING: Okay. Vice-Chair Rawlins-Fernandez. And Member Sinenci. So, you'll have, if you can come back at 1:30, in ten minutes, that would be great.

Okay, so right now we're in recess until 3:30 for the Council, full Council meeting. Thank you, Members.

(THE MEETING WAS RECESSED BY THE CHAIR AT 1:18 P.M., AND WAS RECONVENED AT 3:36 P.M., WITH ALL MEMBERS PRESENT, EXCEPT MEMBER HOKAMA, EXCUSED.)

VICE-CHAIR RAWLINS-FERNANDEZ: Will the Maui County Council please return to order. This is the regular Council, reconvening of the regular Council meeting for September 6. We are reconvening at 3:36 on September 6. We have with us Member Sinenci, Member Molina, Member Lee, Chair King, Member Hokama is excused, Member Paltin, Member Sugimura, and Pro Tem Kama.

Okay. So, Deputy Clerk.

DEPUTY COUNTY CLERK: Madam Vice-Chair, proceeding with ceremonial resolutions.

CEREMONIAL RESOLUTIONS

RESOLUTION
NO. 19-154

CONGRATULATING THE CENTRAL EAST MAUI
SENIOR LITTLE LEAGUE ALL-STARS FOR
WINNING THE 2019 SENIOR LEAGUE WORLD
SERIES

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo.

Chair King.

CHAIR KING: Thank you, Madam Chair, Vice-Chair. May I request that the Clerk read the resolution in its entirety?

(The resolution was read in its entirety).

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Deputy Clerk.

Chair King.

CHAIR KING:

I MOVE TO ADOPT THE PROPOSED CEREMONIAL
RESOLUTION.

COUNCILMEMBER LEE:

SECOND.

VICE-CHAIR RAWLINS-FERNANDEZ: Moved by Chair King, seconded by Member Lee.

Chair King.

CHAIR KING: Thank you, Vice-Chair Rawlins-Fernandez. It's been such an exciting season in Little League. Who knew we were going to go this far and, and put Maui on the map like this? And I think also put Little League Baseball on the map.

It's been exceptionally fun sitting here with Member Lee, because we both are connected with some of the boys on the, the Little League teams. And then watching them go through with such grace and humility and, and professional sports spirit. I think our teams, just watching the various teams, I think our teams really represented our island well.

And our, I also want to say that the coaches of both teams were, were outstanding, were supportive, were, you know, I didn't see any, I didn't see any chastising or anger. I just saw nothing but support. And that really made me happy because, you know, I'm a, I'm a sideline person watching it.

I also want to, of course, commend the boys for winning the World Series of Little League. And I don't know who's going to be the next Suzuki or Victorino up here, but I'm sure we'll have a, this generation is going to have some great things coming out of baseball for, in representing Maui. So, I, I'm pretty sure the Members will support my resolution.

And I just want to thank all, the Council for all the support for the team and for putting this ceremony together. And thank the, also the Mayor's Office for coordinating with us with his event a little bit later. Thank you.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair King.

Members. Member Sugimura.

COUNCILMEMBER SUGIMURA: Yea, thank you. Thank you, Chair, for bringing this forward, this resolution, you and Alice Lee. And I just also want to extend my heartfelt congratulations and announce, if you don't already know, that these Little League teams are going to be the Grand Marshals at our Maui County Fair. So, we should see them leading the parade. I think it's Thursday, the first Thursday in October. And they'll be on flatbeds, I guess. They're not going to be marching. But you're going to have a lot of cheering to continue. So, thank you very much for what you've given us as a community and as a State. Thank you.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sugimura.

Member Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. You know, I'll extend my congratulations as well. And you know the team that our boys beat, Curacao, those boys are good too. They have an outstanding reputation. They're perennial champions. And how our young men handled that team, 11-0, that is quite impressive. And to go on the road all the way to South Carolina in that deep south and playing with all that pressure, it's just, just amazing. So, a tribute to them and to their coaches. And of course, last but not least, certainly the love of their ohana and parents for, for getting them there. And all of the other support out there in the community. So great work and as Chair King said, you know, we, I'm sure we're going to find the next Suzuki or Victorino amongst these young people, so keep up the great work. And also, keep up the academics too. Sports is good, but academics is important as well. So, congratulations again. Mahalo.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Molina. Yes, education is absolutely key. Okay, Members, any other questions? Or not questions, but comments?

If not, I'll, I'll speak in support of this resolution. Mahalo, Chair King and Member Lee for bringing this forward. And my congratulations to the team, to the coaches, to the families; outstanding job. Mahalo for representing Maui, Maui County with such pride and enthusiasm, excellence, performance under pressure and sportsmanship. Incredible. So, my congratulations again.

So, I guess we'll call for the question? Okay, all those in favor of passing of the motion, please say "aye".

AYES: COUNCILMEMBERS KAMA, LEE, MOLINA, PALTIN, SINENCI, SUGIMURA, VICE-CHAIR RAWLINS-FERNANDEZ, AND CHAIR KING.

VICE-CHAIR RAWLINS-FERNANDEZ: Any opposed?

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Motion passes unanimously; eight "ayes" and one "excused"; Member Hokama.

Okay, so I'll now call--

CHAIR KING: Chair.

VICE-CHAIR RAWLINS-FERNANDEZ: Do we do pictures first or do we call the coaches down?

CHAIR KING: Chair, can we get, have the coaches come and receive their certificate? And then we'll do lei for the boys, and we can do picture taking right up here.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. So, can I call the coaches down to the podium, if you'd like to share a few words and receive our resolution.

MR. CRAIG OKITA: I was not aware that I would be speaking today, but I will wing it and give it my best shot. I thank you all for having us and honoring this, this team. It, it, accomplishments like this, you know, is great, but it's a testament to all the hard work that these boys have put in to it.

You know, their parents; and I said it before, you know, it's not just the boys. The parents, the sacrifices, their siblings, you know, these, they're your families, their sisters and brothers were dragged across the nation for their support.

And you know, I, being up here, I want to thank all of you for this tremendous run. You know, it's, it's been unbelievable. Words cannot express how happy I was for, for everyone when we got that final out, you know. Truthfully, I wanted, I wanted to cry. But it was, being, being that it was 11-0 and not 2-1 made things a lot easier. But you know, again, thank you for having us. It's, it's an honor to be here. And I, I, you know, look forward to what these boys will accomplish in the future. Thank you again.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo. I'll now invite the team down for, for photos.

CHAIR KING: So, we have, we have kind of a tough meeting today. I was hoping the coaches would give us a little rah-rah cheer here for the Council.

I want to officially invite our first lady to come down to be in the photo with us; Joycelyn.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Okay, Members, we still have a quorum. I'm going to call this meeting, I'm going to call a recess to this meeting till 4:00. Okay. Yea? Good? Alright. Okay. So, it's 3:51 on September 6. And the meeting, September 6 meeting, regular Council will be in recess until 4:00 here. Okay? Alright. Meeting in recess.

(THE MEETING WAS RECESSED BY THE CHAIR AT 3:51 P.M., AND WAS RECONVENED AT 4:11 P.M., WITH ALL MEMBERS PRESENT, EXCEPT MEMBER HOKAMA, EXCUSED.)

CHAIR KING: Okay, welcome back everybody. We're reconvening the regular Council meeting of September 6, 2019. It is 4:11. And I feel like singing the song "The Boys are Back in Town", cause I'm so happy to have you guys all back after great wins.

We, I want to acknowledge, we're, we're at almost a full contingent here. We have Member Sinenci, Member Molina, Member Lee, Vice-Chair Rawlins-Fernandez, Member Hokama is excused, he left for a conference today. We have Member Paltin, Member Sugimura, and Member Kama, and our Pro Tem Kama, Tasha Kama.

So, really happy to be here and welcoming all the boys. I love seeing, looking out and seeing all that blue and yellow. And we'll proceed with our second ceremonial resolution.

Ms. Clark.

DEPUTY COUNTY CLERK: Madam Chair, for the record, the previous resolution adopted was RESOLUTION 19-154.

Proceeding with the next proposed ceremonial resolution.

RESOLUTION
NO. 19-155

CONGRATULATING THE 2019 CENTRAL EAST
MAUI MAJOR ALL-STARS FOR WINNING THE
HAWAII STATE LITTLE LEAGUE BASEBALL
DIVISION CHAMPIONSHIP AND FINISHING TOP
FIVE IN THE LITTLE LEAGUE WORLD SERIES

CHAIR KING: Okay. Going over to Councilmember Alice Lee.

COUNCILMEMBER LEE: Madam Chair, may I request that the Clerk read the resolution in its entirety?

CHAIR KING: Okay. Ms. Clark.

(The resolution was read in its entirety).

CHAIR KING: Thank you, Ms. Clark.

Member Lee.

COUNCILMEMBER LEE:

I MOVE TO ADOPT THE PROPOSED CEREMONIAL
RESOLUTION.

COUNCILMEMBER MOLINA:

SECOND.

CHAIR KING: Okay. Moved by Councilmember Lee, seconded by Councilmember Molina.

Ms. Lee.

COUNCILMEMBER LEE: Thank you, Madam Chair. To the coaches and team, I want to say that you inspire all of us. You embody the true spirit of aloha and team work. Our hearts are bursting with pride and gratitude for your astounding accomplishments. Congratulations.

I also want to add a couple of notes. Ms. Clerk, you pronounced, mispronounced one name. The person happens to be my grand-nephew. His name is Kaleb Mathias and we call him "Lefty". He's in, he takes care of centerfield.

I also want to say that we appreciate all the parents and friends that, and family members that went up to support the team, it, at great expense and time, and effort. We want to acknowledge all of you, because I'm sure it meant a lot to the team members to have you there, even though there were times you only saw them for 10 minutes.

My sister was there to watch my great-grandnephew, who is her grandson. And, other members of our family went there; his brother, his sister. And one thing about our family, Madam Chair, we seem to be a bunch of hams. Every time there was the opportunity, my nephew and my niece would jump in front of the camera, and they'd be dancing, you know, as if, you know, that was their own personal show.

And then my nephew came back, he's like 10 years old, came back from the mainland and, of course, all of his classmates rushed him when he went to school. And he said, "Wait, wait, everybody. One at a time".

So, these kids are superheroes, I'm sure in every school, in their neighborhoods, and their families. We thank them and God bless them. Thank you.

CHAIR KING: Thank you. Any other comments?

Councilmember Sugimura.

COUNCILMEMBER SUGIMURA: Yea, so proud, you know. You certainly made us all proud and you certainly, and you also gave the world a little glimpse of what it is to be filled with aloha, so appreciate that. Congratulations.

And I also want to announce, as I did before, that the, these Little League champions are going to be the Grand Marshals at the County Fair parade. I checked the day, I guess the first Thursday is October 3, and we'll be seeing you out on Kaahumanu Avenue. Congratulations.

CHAIR KING: Thank you, Councilmember Sugimura. Any other comments?

Councilmember Molina.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. And you know, I get so giddy when I see our young players who, who've made it to the national stage. It's really exciting cause, you know, I can remember a time when I was growing up and maybe some of you in the room where, you know, people would think that, you know, oh, Hawaii boys or Hawaii girls, eh, they cannot handle playing well on the national stage. Well, you know what, these kids have proven everybody wrong, as well as other kids throughout the State of Hawaii. So, congratulations to these young guys. And you know, they've played some real tough competition.

But you know when I heard the Clerk read off the names, I said eh, I heard that name, now, so familiar the names now. I heard um on ESPN, ABC; that's the big time. So, you know, you guys made it to the mountain, you know.

CHAIR KING: Yea, ABC.

COUNCILMEMBER MOLINA: So, just keep up the good work, whether it be in athletics or academics. So, pay especially close attention to that. And make sure you show your ohana a lot of love and your coaches, because that was quite an achievement you guys did and we're so, so very, very proud of you guys. So, go get um Maui. Thank you.

CHAIR KING: Thank you, Member Molina.

Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I, I too want to offer my congratulations to the team, to the families, to the coaches, for their excellent work in representing Maui and yourselves, and just making us all so proud. Mahalo. And mahalo to Member Lee for the resolution. Mahalo, Chair.

CHAIR KING: Mahalo. Did you want to? I wanted to disclose that I was doing some serial communicating during the game, because I was texting Alice Lee and Mike Molina. And we were all sitting on our couches watching the games. And it was amazing to see the level of professionalism in all you boys that, that gave us, me at least, a new found appreciation for baseball, because you were playing like professional teams, you know. But I think a lot more exciting. What I heard from the commentators was a lot more exciting, because when you get up to the upper level it's just like homerun derby. But you boys were doing triple plays and you were doing bunting.

And, and it was really a joy to watch your coach, Brad Lung, interact. Because, I don't know, if you didn't watch the games, all the coaches seemed to have microphones on them, so you hear them talking to their teams. And some of the other ones were losing their tempers with their teams, but you know, our coach always was nothing but, you know, supportive and, and positive, and it was really great to see that.

I want to thank Jason Imamura, who's a close family friend, one of the father's of, Isaac's father, and who got me this hat. It's probably the only time I'll ever wear a baseball hat in these chambers. But, also kept us apprised at what was going on in the levels you got to.

And I kind of felt like, for you boys, you got it all, all the way to the top with, with no defeats and then you had one loss. And everybody else seemed to get the chance to have two losses, so I didn't get that. I thought you should have had another chance to, to get to, to get to that end goal. But, so proud of you.

And, and thank you to the, the parents and the support; coaches. And also, the schools for allowing, you know, I know they had to work with you on your homework and give you some assignments, so.

I also wanted to, I didn't announce earlier that, that we have our first lady in the audience too, Joycelyn Victorino. So, thank you for being here, Joycelyn.

And we're, we're going to next, oh, I didn't, I have to call for the question.

COUNCILMEMBER SUGIMURA: Before you do, before you do, could I?

CHAIR KING: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. I just wanted to also thank Jen, who works for Riki Hokama, and made these luggage tags with the 2019 World Champs. But, you know, and so you can actually use this later. But it was handmade and made for you. And we gave out to the first team. And, they'll be passing out as you walk onto the chamber floors, my staff is there at the end. Yea, thanks.

CHAIR KING: Okay. So, call for the question. All those in favor of the resolution?

AYES: COUNCILMEMBERS KAMA, LEE, MOLINA,
PALTIN, SINENCI, SUGIMURA, VICE-CHAIR
RAWLINS-FERNANDEZ, AND CHAIR KING.

CHAIR KING: Any opposed?

NOES: NONE.

EXCUSED: COUNCILMEMBER HOKAMA.

CHAIR KING: Measure passes, well, eight to zero with one "excused"; Mr. Hokama.

And, I'm going to gavel out a brief recess and if we could have the boys come down to the floor and, so we can acknowledge you with lei. Oh, I'm sorry, before we do that, we want to bring the coaches up to the podium. And, are the coaches here? Can you, can you gentlemen come down to the podium so Councilmember Lee can give you the, the resolution and your lei. Let's do that before we. And we usually make you do a little, little short speech.

MR. BRADFORD LUNG: First and foremost, thank you guys so much for having this for the boys and all the families. Thank you, guys for all your support. And just thank you guys for going on the run with us and supporting these boys. You know, all the donations from the families, the corporations, businesses that helped everything along the way; much mahalo. Thank you very much.

CHAIR KING: Okay, can you, can I, can I ask the boys now to come down and be greeted by the Councilmembers? I guess I, I'm going to, I'm not going to gavel out. I'll wait till we're done.

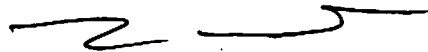
Okay, Councilmembers. Thank you to Councilmember Lee's office for getting the candy lei and for my office for doing the tags for the, all the lei. And thank you to all the, to the team moms for helping us coordinate this event today. I wish we could all go downstairs with you and the parade, but we have some big business before us, so

we're going to say aloha and thank you again so much. And one more big hand for the boys; the two teams. Can't wait till next year.

Okay, and Councilmembers, we have no further business before the Council, so we are adjourned for the Council meeting and we will be reconvening the GET meeting soon. 4:29.

ADJOURNMENT

The regular meeting of September 6, 2019 was adjourned by the Chair at 4:29 p.m.



JOSIAH K. NISHITA, COUNTY CLERK
COUNTY OF MAUI, STATE OF HAWAII

Wailuku Town Parking Opportunities

Here's a look at one of the parking opportunities and the estimated project costs outlined below:



4-Level Wailuku Parking Structure

Total stalls: 428

Net gain: +214 stalls

Project low bid (9/4/19): \$30,425,219

Cost per stall: \$71,087

Cost per net gained stall: \$142,174

Notes:

- A 4-level Parking Structure would result in 428 stalls, doubling the capacity of the current Municipal Parking Lot with only 214 stalls.
- Based on actual bids received, there is opportunity for savings by reducing scope and implementing value engineering.
- The parking structure will be operated by a vendor with a percentage of fees collected coming back to the County, estimated to be approximately \$189,000 annually at a rate of \$35 (or \$10 low-income) for a monthly permit or \$0.50 an hour.

Wailuku Town Parking Opportunities

Here's a look at one of the parking opportunities and the estimated project costs outlined below:



2-Level Wailuku Parking Structure

Total stalls: 185

Net loss: -29 stalls

Estimated construction cost (9/4/19):
\$19,800,000

Cost per stall: \$107,027

Cost per net lost stall: -\$682,700

Notes:

- There are 214 stalls in the Municipal Parking Lot today. Building a 2-level parking structure would result in 185 stalls, a net loss of 29 stalls.
- Arbitrary total cost based on County Council's action on August 27, 2019 for a 2-level Parking Structure was \$14,502,034. Estimated construction cost above based on actual low bid adjusted for direct structure costs.
- The County would also lose \$682,700 for every stall lost.



Maui County

September 6, 2019

TESTIMONY

CR 19-106: ADOPTION of resolution approving for inclusion in the 2020 Hawaii State Association of Counties Legislative Package a State bill to increase funding for agriculture;

CC 19-366: Support of the Invasive Species Special Fund

Chair King and Members of the Council:

Maui County Farm Bureau on behalf of its' farms, ranches and agriculture related operations appreciates the Maui County Council's support of agriculture.

We especially appreciate the recognition that agriculture is not just farming and ranching to provide food but rather, it helps protect the ecosystems that we all depend upon as well as the ability to be the fuel for the economic engine driving our county.

We recently attended an Invasive Species Update Conference on the Big Island, and it emphasized how fortunate we are on Maui. Scenes like these are not seen on Maui. The first shows the effects of coconut rhinoceros beetle on Guam. This beetle is now affecting residential areas of Oahu, spread via infected compost. The second is Rapid Ohia Death on the Big Island diminishing the effectiveness of their watersheds.



A major component of invasive species management is not just protection of our borders with inspection and preventive measures but rather a vibrant agricultural industry providing import replacements to offset the highest threats to keep Maui County safe from harm. We have an evolving society that wants diversity ..new varieties from their homelands or from a friend in Puna. This can be done safely but there is a procedure to be followed. Most major pest introductions trace their roots to suitcase travel. Education for citizen action is needed. Pragmatic actions to manage invasive species in agriculture such as the Coffee Berry Borer and semi slugs are just as important as miconia if we are serious about agriculture. Our farmers have suffered major loses when rat lungworm disease or any slug sightings on produce is reported on Maui. Coffee is one of our premiere crops. CBB will hurt the quality of Maui's coffee and therefore its' recognition as a highly desired location brand. We urge that a level of funding be allocated to agriculture's invasive species challenges.

Recent fires highlight the importance of agriculture's green landscapes. Any landowner, farmer or rancher cannot do this alone. And it takes all sizes and kinds of agriculture. American and Hawaii's agricultural policy requires support mechanisms to enable farmers and ranchers to provide products at affordable prices. Low income families should not need to choose between food and their children's future education. There is room for diversity and via the support from Federal agencies such as USDA, State agencies such as the Department of Agriculture and the University system along with the County there is hope for revitalization of agriculture and a proactive move to provide for our people and protect our environment before a

pandemic or other catastrophe. We request that the measure reference agriculture as a whole vs. exclusively small agriculture. We believe a diversity of all kinds and sizes of agriculture is needed to restore productive fields in the now fallow areas.

We appreciate the Council's support and respectfully request moving this measure to the HSAC package with the suggested amendments. Thank you.

Addendum

As a final note, on the 4% of Ag's share of the Budget referenced in the preamble for the Bill. **Agriculture's share of the State budget is 0.38%**(note: the 4% references a total of entities such as DHHL along with agriculture). However, this does not give a full picture as it does not include the special funds that provide monies for agriculture such as from the Barrel Tax (~\$3.9M) and Pesticide Revolving Fund (\$1.1M). To get a true picture of agriculture's portion of the budget an analysis including all of the special funds for various programs is needed. Also, if using this number to compare to agricultural contributions by other states, it should be noted that the State funds include schools that are normally County funded on the Continent.

County Clerk

From: Juno <hayntitah8o8@aol.com>
Sent: Thursday, September 05, 2019 8:45 PM
To: Keani N. Rawlins; County Clerk
Cc: Keani N. Rawlins; County Clerk
Subject: Support Resolution CC 19-372

Aloha i am lana corpuz a resident on the island of Molokai and I support resolution cc 19-372 to ask DLNR to deny the navys EA draft on using our maui county coastlines, harbors and bays to conduct their destructive training. ALOHA 'ĀINA! Mahalo nui

HOLMES FAMILY LLC

1091 Kupulau Drive Kihei, HI 96753-9203
phone: (808) 283-1212 email: holmes.kmh@gmail.com

September 5, 2019

Honorable Committee Chair Keani N.W. Rawlings-Fernandez Vice Chair T. Kelly King and
County Council Members
200 High Street
Wailuku, HI 96793

SUBJECT: Agenda CR 19-102

Aloha Honorable Chair Keani N.W. Rawlings-Fernandez,
Vice Chair Kelly T. King and Maui County Council Members

As a stakeholder in Wailuku with my own business and several tenant's businesses on the corner of Vineyard and Church, I was distressed to hear the recommendation to defund the parking structure by 50% and allocate the remaining funds to a second structure for county staff. I am concerned that council members have not had adequate time to understand the implications and issues related to this recommendation.

Concerns and Issues:

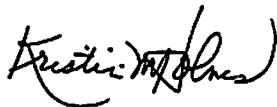
- 1) Lack of logic and rational considerations to many elements of the suggested 50% defunding then using the remaining 50% to build a second two story parking structure for county employees on a hypothetical vacant lot;
- 2) Promulgating an inadequately researched proposed solution for a two story structure that doesn't solve or even improve the current parking shortfall, let alone any future short or long term needs;
- 3) Arbitrary action to undo YEARS of work of county staff, consultants and community participants to solve the well documented and identified parking problems;
- 4) Financial implications of redesigning a two story structure was not addressed and would reduce funds for the vertical construction;
- 5) Disregard for the \$10M spent to date for consultants, planners and contractors that have worked hard to engage the community;
- 6) Lack of support by Wailuku District Councilwoman Lee to encourage improvements that would benefit the heart of her district and the county seat;
- 7) The MRA was established in the 1970's to address slum and blight in Wailuku town and nearly 50 years later, the keystone project to help launch this long overdue initiative is being thwarted;
- 8) Unprecedented impact of present Council reversing direction on past Council decision;
- 9) Impact to bond rating by reversing an authorization could impact future County projects;
- 10) Building now is cheaper than building in the future and bond rates are low decreasing the overall project cost;

- 11) Lack of support by the County Council to initiate a project that can spur reinvestment by stakeholders;
- 12) Disregard for financial investments and risks to stakeholders and non-profits businesses that have initiated financial commitments based on trust and approval of projects by previous Council;
- 13) Unwillingness by the County Council to invest in the town that houses County government services;
- 14) Years old stagnant and declining economic conditions with the problem increasing - the draw or success for any new incoming business is at a higher risk;
- 15) Inability to attract new businesses to Wailuku due to lack of parking;
- 16) Inability for property owners to charge enough rent to reinvest in building maintenance because businesses do not get enough customer traffic points out the layers of effect on the action to defund the parking structure;
- 17) Risk to approved contracts for Phase IA for severely needed sewer, drainage, utilities and sidewalks;
- 18) Inaccurate expense worksheets prepared and presented by Chair Rawlings-Fernandez did not include income to be earned from parking fees - any budget should show include income and expenses.

I have spent countless volunteer hours away from my business (as have many others) being part of a concerned group of stakeholders and businesses working to find a way to improve this town. As a small business owner, those hours away from my business come at a personal expense to the business yet to stand by and do nothing is not an option.

The issues for this town have been brought forward over and over and they won't go away until there is a solution that brings forth some momentum that can spark change.

I humbly ask that all of these points be considered before taking further action on defunding the parking structure by any amount. Keeping this project alive and letting it progress is vital and will impact the future of Wailuku that is so in need of change. Thank you in advance for giving these issues consideration. We are on the cusp of change - let's make it happen now!



Kristin Holmes

Representing:

Co-owner, Holmes Family LLC, corner of Church & Vineyard

Tenants:

Empanada Lady Restaurant
Loft 145 Salon

Maui Hotel & Lodging Association
Swan Interiors, Kristin Holmes, Owner

From: Joni McGinnis <jonimiki@hotmail.com>
Sent: Friday, September 06, 2019 8:19 AM
To: County Clerk
Subject: Wailuku Civic Center

PUBLIC TESTIMONY CR 19-102

Small business is the backbone of a thriving community. They provide employment for our neighbors, bring tax dollars back to our county and support our community through generous donations. Throughout the nation small communities where small businesses shut their doors wither away as aged abandon structures become dwellings for squatters and unwanted blight. Is this what we want for our jewel town of Maui? Our main municipal connection, the heartbeat of our government? I've heard certain public testifiers say, "Why does it always have to be about business? What about just the average person that lives in Wailuku"? I say to them, without a thriving small business community your Wailuku town will change and not for the better. Do we want Wailuku to be the hostel capital of Maui?

Parking is a crucial part of Wailuku town's future. Case in point. Last year during the holiday season I was tired of shopping at the same old stores at the malls. I wanted to check out the boutique shops in Paia town for a unique gift. As I approached Paia there were cars parked alongside the road near Baldwin Park continuing down the street. There was no parking to be found in town. I was disheartened and disappointed because I drove out to Paia planning to shop at these stores but in the end turned around and headed back to the malls. A potential customer lost forever due to the experience of that parking debacle.

I am a Wailuku resident and I'm against reducing the already approved Wailuku Civic Complex. It is irresponsible for this county council to try and amend an already approved project.

Joni McGinnis

Sent from Mail for Windows 10

County Clerk

From: Ketty Mobed <kettymobed@yahoo.com>
Sent: Thursday, September 05, 2019 10:42 AM
To: Keani N. Rawlins; County Clerk
Subject: Testimony Opposing the Proposed US Navy SEAL Off-Shore Exercises on and around Moloka'i

To: Keani Rawlins and Maui County Council

Aloha! I, Ketty Mobed residing at 441 Uluhanui Rd., Kaunakakai, Molokai, HI, strongly oppose the proposed US Navy SEAL exercises on the shores of Molokai.

It is with much anxiety and with much concern for my physical and mental health to know and to anticipate that any branch of the military will hold their exercises on and off this quiet and beautiful island. I am concerned for the short- and long-term damages and consequences that these military exercises will inflict on off-shore aquatic habitats, their inhabitants and the whole ecosystem.

It is with much anxiety and concern to know that similarly to a military invasion we Molokaians have to endure the notion that the US military is coming to our shores, ultimately not for peaceful purposes, but for war-readiness purposes. There is no geographic or topographic reason why the US Navy should even consider holding their exercises around Molokai. Just knowing that the military is coming increases my heartbeat and increases my anxiety. I do not feel safer, I feel invaded.

PLEASE, I hope my comments are read and taken seriously. I strongly oppose the proposed US Navy SEAL exercises, which are planned to happen many times per year. There are no real justifications.

DO NOT LET THE US MILITARY CARRY OUT THE MILITARY EXERCISES USING MY TAX DOLLARS AND AGAINST MY CONSCIENCE!

Respectfully,

Ketty Mobed

441 Uluhanui Rd.
Kaunakakai, HI 96748

RECEIVED
2019 SEP -5 AM 11:32
OFFICE OF THE
COUNTY CLERK

From: Helen Nielsen <oluolu@maui.net>
Sent: Thursday, September 05, 2019 6:11 PM
To: County Clerk
Subject: Testimony for Sept. 6 Item #19-102

Sept. 5, 2019

To: Maui County Council

Re: 19-102 Reducing funding for Wailuku parking structure

Council meeting of Sept. 6, 2019

I urge you, respectfully, to keep all of the funding in place for the parking structure and vote 'no' to 19-102, which would reduce funding for the parking structure.

This would set a very scary precedent: that after 20 years of community planning and inclusion and working closely with Maui County planners, legislators who are not familiar with this process can just take it all away, erasing all of the time, money and energy the community and county puts into a project. This Wailuku improvement project started with the community and built its way up for the Council and Mayor's support over many years. Now, decisions are being made from the Council down, without public participation, to destroy these many years of community involvement and input.

The reputation of this county and the legacy of this Council will be tarnished. I truly do not understand the logic behind these actions. Make no mistake – I do not personally require parking, as my commercial property in Wailuku will cover any parking requirements for any projects we plan to do. However, all of the smaller landowners (most of them Maui family landowners), cannot go forward with improvements to their properties because of the limitations of zoning and parking. This parking project, along with all of the proposed improvements, will help small businesses survive.

I have been a community activist in land conservation, historic restoration, community building and more for 30 years. I am asking for your support to strengthen the center of Wailuku, which has over 30,000 workers in it each day, and the population of Wailuku has grown enormously. Wailuku was designed for a much smaller population. It's time to bring it up to speed with our current population. These improvements will affect local community members, making it easier to do their work/art/medical/governmental needs once parking is available. It makes total sense to improve the old town rather than continually sprawling. We see new developments all over the island, spreading and spreading. Please support the old town that needs re-vitalization. It makes sense environmentally, financially and for the overall wellness of the community.

Helen Nielsen

Wailuku/Kaupo

I currently serve as a volunteer fundraiser with Kaupo Community Association and have formerly served as regent University of Hawaii, board member/President Hawaiian Islands Land Trust, board member/President Maui Japanese Chamber of Commerce, board member Maui Japanese Cultural Society, commissioner Maui County Salary Commission, MEDB Economic Planning committee, Vice Chair Maui Democratic Party.

Mailing address: 1942 Main Street, Ste. 104, Wailuku, HI 96793

oluolu@maui.net

808 283-1038

County Clerk

From: erin peyton <flora3fauna@yahoo.com>
Sent: Thursday, September 05, 2019 9:11 AM
To: County Clerk; Keani N. Rawlins
Subject: Please deny Naval training in the waters of Maui, Molokai, and Lana'i

The waters of Maui, Molokai, and Lana'i are already compromised. For example:

The Hawaiian monk seal (*Monachus schauinslandi*) is among the most endangered marine mammals in the world and is the rarest seal or sea lion in United States waters. The monk seal is one of only two mammal species native to Hawaii (the other is the hoary bat).

The green turtle (*Chelonia mydas*) and hawksbill (*Eretmochelys imbricata*) are in these waters. The hawksbills are a critically endangered species.

Bringing in naval training would cause more disruption in an already fragile water system.

Please deny the request for Naval Training.

Erin Peyton
Resident of Molokai

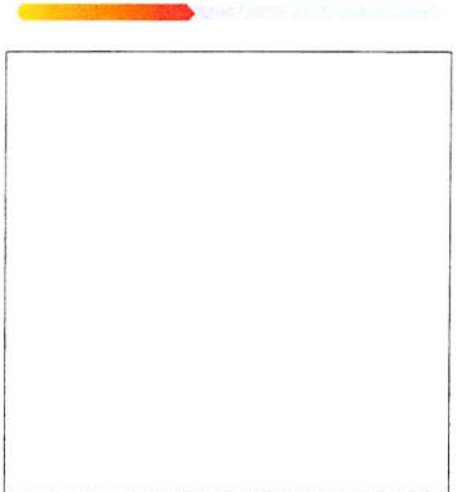
RECEIVED
2019 SEP -5 AM 9:24
OFFICE OF THE
COUNTY CLERK

We Oppose the Wailuku Civic Complex & Parking Garage



[Farron C](#) started this petition to [Maui County Council](#)

202 have signed. Let's get to 500!



Maui County Council,

We, Maui citizens, strongly urge you to retract funding for the proposed Wailuku parking structure in the old Wailuku municipal parking lot and reject the Wailuku Civic Complex altogether.

Our reasons include, but are not limited to the following:

1) This plan appears outdated (planning for this project dates back to the 60s!). We would appreciate less building and more revitalization for the area. The offsite improvements (road and sidewalk repairs) that are included as Phase 1A in the project are needed and welcomed.

2) The price tag is very steep. The proposed \$84M for this project is very high compared to the \$1M budgeted for affordable housing and \$1.6M to address the growing homeless problem in FY2019. This disparity is unacceptable.

3) Old Wailuku town streets are already congested. There is no clear plan to address the current congestion issues and adding more development to this area will lead to undesirable traffic and bottle-necking, further affecting local commuters.

4) Kahului has numerous vacant commercial buildings. It is unrealistic to think Wailuku will fare any better. The County should re-purpose the vacant buildings or incentivize occupancy before building additional structures.

5) Affordable residential housing is lacking considerably. This project will not help that problem and could make it worse by turning this area into a more business focused zone and potentially do away with local housing in the area. This development could raise local housing prices making it even more difficult for local families to afford buying a home, which is already out of reach for many Maui residents.

6) Financial projections - both the planning and the project seem to be constantly evolving. It does not seem possible for the County to practically manage and stay within this \$84M budget and expect to make a profit from this project. According to the proposal, the idea is that the transformed area will attract tourists. This presumption is questionable, as tourists would very much prefer beach front over central valley.

7) We understand that this project has been in the works for a very long time. However, many of us feel that sufficient outreach has not been done to gauge the temperature of those living, working, and visiting old Wailuku town. Even if things are already set in motion, it would still be beneficial to engage the community.

We sincerely ask for your consideration in this very important matter. We love old Wailuku town as it is and while we support the needed road and sidewalk improvements we are firmly opposed to the parking structure and the Wailuku Civic center.



We Oppose the Wailuku Civic Complex & Parking Garage

202 supporters

Reasons for signing

See why other supporters are signing, why this petition is important to them, and share your reason for signing (this will mean a lot to the starter of the petition).



Jessica Oliveira

Mar 1, 2019

Waste of money. We do not want Wailuku to look like Honolulu.

♡ 0

[Report](#)



Jen fordyce

Feb 28, 2019

\$84million for a project that lines developers' pockets and gentrifies our "small town/big heart" Wailuku is not acceptable.

♡ 0

[Report](#)



Hanna Mounce

Feb 26, 2019

There are too many empty buildings in kahului as it is. Price rag is too steep when we have invasive species issues, housing issues, and homelessness all being inadequately addressed.

♡ 0

[Report](#)

Matt Hatakeyama

Feb 26, 2019

This is a great cause.

♡ 0

[Report](#)



Kuiokalani Gapero

Feb 26, 2019

NO MORE!!!



[Report](#)

Ana Garcia

Feb 25, 2019

I think we need to address this issue before the county of Maui starts this project.



[Report](#)



Karen Dorrance

Feb 25, 2019

Please rethink this outdated plan. In light of current world changes, this is absolute overkill; a waste of money and resources at a time when the infrastructure of this island remains at risk.



[Report](#)



Lana L Perry

Feb 24, 2019

Wyluku just had a renovation not long ago.
The money is needed for affordable housing more IMO.



[Report](#)



Robin Knox

Feb 24, 2019

I love the quaint small town character of Wailuku and this project is completely out of character. Put it in kahului or Maui Iani



[Report](#)

Nick Drance

Feb 24, 2019

The reason so I did on this petition are spot on and there are many other reasons in addition. There's no problem with revitalization but let's maintain the character of the town and not put a mega structure that is perfectly at home in a while who Los Angeles... And he's big city... Stick that on this... [Read more](#)

♡ 2

[Report](#)



Susan Rosier

Feb 24, 2019

No! For over a decade we have been saying NO! to this monstrosity!

♡ 1

[Report](#)



Jenna Sheehan

Feb 24, 2019

So much new housing and so many buildings going up on Maui... can we please keep one of our towns as it is. There has to be another solution to parking.

♡ 1

[Report](#)



Leilani Frost

Feb 23, 2019

I am NOT in favor of this project. They secretly approved this and didn't let the public know with enough time. No to this!

♡ 0

[Report](#)



Kuuleilani Duque

Feb 22, 2019

This is stupid!!! Help create something the community and next generations to come can benefit from. Like affordable housing or fixing the roads. Or you could try keeping wailuku peaceful and pure... [Read more](#)



josh masslon

Feb 22, 2019

put the \$ towards the neglected infrastructure

♡ 0

[Report](#)

Melody Cosma-Gonsalves

Feb 22, 2019

Our island does not need something of this magnitude. We need to change the focus to caring for our resources. Create that! Secure open land for future generations. We do not want to become the next Oahu. We don't need that. We can grow, and grow smart!

♡ 0

[Report](#)



Barbara Ramp

Feb 22, 2019

As a former Mauian, please don't.

♡ 3

[Report](#)

Kimberly Finney

Feb 22, 2019

It seems this project is not addressing the fely needs of the Maui community as a whole. Please reevaluate the project to make better use of funding that will improve the lives of the Maui population and business in a more sustainable and efficient way.

♡ 1

[Report](#)

County Clerk

From: simon@farm-maui.com
Sent: Thursday, September 05, 2019 8:44 PM
To: County Clerk
Cc: Gina M. Flammer
Subject: Farm Maui LLC Strongly supports HSAC to request funding increase for Agriculture

September 5, 2019

Maui County Council Chair King
200 S. High Street, Wailuku, Maui, Hawaii 96793

Support for CC 19-364
Aloha Chair King and honorable members of the Maui County Council,

My name is Simon russell, and I am a small business owner and a farmer in Maui County.

My testimony is in strong support for the inclusion in the 2020 Hawaii State Association of Counties Legislative Package a state bill to increase Funding for agriculture.

Specifically this testimony is in support for a statewide bill to increase in state funding to support agriculture to promote economic development, food security, environmental protection and quality of life.

This is a good idea because:

1. Hawaii must achieve greater levels of food security than we currently have
2. Hawaii needs increased inspections at the ports to better implement biosecurity and prevention of Rapid Ohia Death (ROD), Little Fire Ants (LFA), Coconut Rhinoceros Beetle, and other noxious and invasive species that arrive on our shores every day.
3. HDOA needs resources to support the transition of agriculture from the plantation era to the next paradigm of diversified agriculture and family farming, and that paradigm shift will need a robust and strong HDOA.
4. Currently HDOA receives .4 % of the statewide budget to achieve its mission, this is nowhere near enough funding for that huge scope of work.

Mahalo for including this important legislation in your concerns regarding the 2020 HSAC legislative package, and mahalo for supporting agriculture.

Me ka ha'aha'a

Simon Russell
Managing Member



Farm Maui LLC
POB 92
Makawao, HI
96768

(808) 268 6132
www.farm-maui.com

Licensed and Insured
C-36470

"You never change things by fighting the existing reality. To change something, build a new model that makes the existing model obsolete"

-Buckminster Fuller



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RECEIVED

From the desk of Jonathan Starr

2019 SEP -5 AM 8: 57

September 5, 2019

OFFICE OF THE
COUNTY CLERK

RE: Jonathan Starr Testimony on Item 19-102

Please Vote No on defunding Wailuku Parking Improvement funding

Dear Maui County Council Members,

The long-awaited parking structure project for Wailuku town is in danger of being destroyed by the Maui County Council, immediately before it's construction is set to begin. This move seems at best arbitrary and capricious, without rational logic being presented to the public, and follows an intense 20-year process by community members to gain support and funding to design and build parking and related town improvement projects. These are at last shovel ready, and the bond financing was issued by Maui County. The bonding, at historically low interest rates, will be repaid through parking income and revenues generated by resulting improvements in the town. This is the way town infrastructure is improved worldwide.

Lack of adequate, convenient and dependable parking has long been the major issue preventing a resurgence of Wailuku as the live-work-play center for Maui residents. Our town was the thriving location for restaurants, locally owned shopping and hotels for business travelers, until the development of the shopping malls in Kahului enticed a lot of those uses and energy down the hill. This exchanged the local ownership model with chain retail, restaurants and big boxes. Wailuku's auto dealerships and service facilities soon followed suit, leaving the town core of Wailuku a mostly empty shell.

What remained is County and State government, essential services such as medical and educational facilities, courts and legal institutions, youth, senior and social service non-profits, churches, theatre and several vibrant and growing arts facilities. Over 30,000 Maui residents work daily in Wailuku, most of them commuting in and out by automobile to other parts of Maui or the growing suburbs surrounding Wailuku. After business hours and on weekends, very few people are in town, and it has been difficult to lure folks who work in Wailuku to stay to shop and enjoy dining and entertainment.

This is in large part due to inadequate parking, safe cheerful walkable sidewalks and the absence of a central gathering place such as a town square with crowd attractors such as a central market, community center space, cafes and evening activities. The project is designed to provide these.

Wailuku was once a thriving, busy walking town, and was until last week on a trajectory to become one again. A busy streetscape attracts people to want to live in town, and would create the social and financial incentive for new, efficient affordable housing for Maui residents who

could walk or shuttle to work, schools, churches, theatres and other nearby facilities. This is the attractive, healthy and enjoyable lifestyle that is becoming a norm throughout Europe and the mainland as towns and cities are revitalized. A community decreasingly car-dependent saves families both money and leisure hours by eliminating the daily commute. It also benefits the environment and reduces the need for more roads.

Many studies have been done by the County with enormous community involvement that consistently showed that the next steps to get there are to create managed parking and after-hour activity generators along with safer sidewalks and alternative people movers. New restaurants and retail cannot be added to Wailuku without additional parking. Any commercial success along Market street would gridlock the town in peak hours with additional cars circling and looking for parking.

I have been a commercial property owner in Wailuku for 25 years, having converted tired old auto dealerships and car service facilities into affordable retail stores. This has been a frustrating experience, as rents are too low to maintain or improve deteriorated buildings, and vacancy rates have been high. It has been sad to help enthusiastic tenants with great ideas rent stores, work hard and open for business only to fail from lack of sidewalk traffic. We are among the few property owners in Wailuku with sufficient space for onsite parking for current and future uses, but the shortage of public parking inventory in town has consistently guided shoppers elsewhere

Many commercial properties operate in Wailuku at a financial loss, with the hope that one day the town will become functional and thriving once again. We love Wailuku and our friends and neighbors here, but it is time to improve things and make it functional again while maintaining it's character as our community plan mandates.

It would be a very sad and counterproductive for the Maui County Council to stop the progress that Wailuku has slowly made, when it is just about to bear fruit. This will only keep Wailuku's buildings crumbling and its sidewalks empty. It will waste a full 10 million dollars already spent to get to this point, that will now never get repaid. Previous County Councils mandated this project to happen as part of Wailuku Redevelopment and the bonds to be issued. Ending it will lower Maui's bond ratings and create a lack of confidence regarding Maui government's ability to do what it says. It will forever soil Maui's great name and reputation.

With Aloha,

Jonathan Starr
Starr Properties, LLC
Market and Main, LLC
1942 Main Street, Suite 104
Wailuku, Maui, HI, 96793
kalepa@maui.net
(808) 283-1183

RECEIVED

2019 SEP -5 PM 4: 23

OFFICE OF THE
COUNTY CLERK



MAUI
CHAMBER OF COMMERCE
VOICE OF BUSINESS

**Testimony on CR 19-102
Decreasing the Appropriation for the Wailuku Civic Complex
Friday, September 6, 2019**

Dear Chair King, Vice-Chair Rawlins-Fernandez and
Members of the Maui County Council,

While we appreciate the spirit of compromise that took place at the previous committee meeting as well as the discussion of alternatives and challenges, we cannot support this decrease.

We all recognize there is a critical need for parking in Wailuku and a big part of the challenge is County employee parking. However, changing the proposed parking structure and cutting the funding in half is not the answer. The change from a 4-story to a 2-story structure is not as simple as cutting the design and funding in half, but will require additional time, new designs, and potentially higher costs.

Further, exploring options for a County employee parking structure or additional lots will take years to come to fruition with vetting, community outreach, planning, funding, designs, EA/EIS requirements and approvals. In the meantime, Wailuku will continue to have the same parking issues, even with the proposed 2-story structure.

We ask that you please defer this bill and move forward with the 4-story parking structure to meet the immediate need for parking in Wailuku, while also exploring possibilities to address the need for County employee parking.

We appreciate the opportunity to provide testimony.

Sincerely,

Pamela Tumpap
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.

County Clerk

From: Jody Wolbaum <jody.wolbaum@gmail.com>
Sent: Friday, September 06, 2019 7:24 AM
Cc: County Clerk; Keani N. Rawlins
Subject: Deny Naval training in the waters of Molokai

Beyond fact that the proposed navy training does not adhere with the Molokai Community Plan, it has not been shown that there would be a direct benefit to the Island and her people. The latter point I observe does not much matter to the people of Molokai, but may to an alternative mindset which is why I make it.

I request that the Navy training not be done in the waters of Molokai.

Jody