

**MAUI COUNTY COUNCIL  
REGULAR COUNCIL MEETING  
MINUTES**

**January 7, 2026  
9:00 AM**

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

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

Video recording of meeting available at: [www.mauicounty.legistar.com](http://www.mauicounty.legistar.com)

TIME MEETING CALLED TO ORDER: 9:05 a.m.

**ROLL CALL**

<b>Councilmember</b>	<b>Pres.</b>	<b>Abs.</b>	<b>Exc.</b>	<b>Time(s) In/Out (during meeting)</b>
CM Kauanoe Batangan	✓			
Vice Chair Yuki Lei Sugimura	✓			
CM Tamara Paltin	✓			
CM Gabe Johnson	✓			
CM Keani Rawlins-Fernandez	✓			
CM Tom Cook	✓			
CM Nohelani U'u-Hodgins			✓	Arr. 9:16 a.m.
CM Shane Sinenci	✓			
Chair Alice L. Lee	✓			
<b>TOTAL PRESENT</b>	<b>8</b>		<b>1</b>	

**Reso 25-213 "CONGRATULATING KUMU HULA IOLA BALUBAR ON 50 YEARS OF HULA EXCELLENCE"**

	AYE	NO	EXC	Time Deliberations Began	9:27 a.m.
CM Batangan	✓			Time Motion Made	9:27 a.m.
VC Sugimura	✓			Motion	ADOPT
CM Paltin	✓			Maker	Sugimura

CM Johnson	✓			Seconder	Johnson
CM Rawlins-Fernandez	✓			Time Vote Taken	9:36 a.m.
CM Cook	✓				
CM U'u-Hodgins	✓				
CM Sinenci	✓				
Chair Lee	✓				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

## **COMMITTEE REPORTS**

**CR 26-1** Recommending ADOPTION of Resolution 25-221 to amend the Fiscal Year 2026 Budget, Department of Public Works, by transferring \$145,000 from Road, Bridge, and Drainage Maintenance Program - Highway Fund, Category A (Salaries), and \$75,000 from Traffic Management Program - Highway Fund, Category A (Salaries), to the Traffic Management Program - Highway Fund, Category B (Operations & Equipment), to cover \$220,000 in unanticipated operational costs.

**CR 26-2** Recommending the following:

1. FIRST READING of Bill 177 (2025) to amend Ordinance 5820 (2025), which authorizes the Mayor to enter into intergovernmental agreements for loans from the State of Hawai'i's Water Pollution Control Revolving Fund to finance various projects, to add a \$22,409,000 project entitled, "Lahaina Wastewater Reclamation Facility Returned Activated Sludge (RAS)/Dewatering Upgrades"; and 2. FIRST READING of Bill 178 (2025) to amend the Fiscal Year 2026 Budget by: 1) amending Section 2, Estimated Revenues, by increasing Other Intergovernmental by \$22,409,000; 2) amending Section 4.A.6.a., Department of Environmental Management, West Maui Community Plan Area, by adding a State Revolving Loan Fund appropriation entitled "Lahaina Wastewater Reclamation Facility Returned Activated Sludge (RAS)/Dewatering Upgrades" in the amount of \$22,409,000; 3) adjusting the totals accordingly; and 4) amending Appendix C - Capital Improvement Projects, Department of Environmental Management, West Maui Community Plan Area, by increasing the appropriation for "Lahaina Wastewater Reclamation Facility Returned Activated Sludge (RAS)/Dewatering Upgrades" by \$22,409,000, from \$10,000,000 to \$32,409,000.

	AYE	NO	EXC	Time Deliberations Began	11:21 a.m.
CM Batangan	✓			Time Motion Made	11:23 a.m.
VC Sugimura	✓			Motion	ADOPT recommendations

					in CRs 26-1 and 26-2
CM Paltin	✓			Maker	Sugimura
CM Johnson	✓			Seconder	U'u-Hodgins
CM Rawlins-Fernandez	✓			Time Vote Taken	11:25 a.m.
CM Cook	✓				
CM U'u-Hodgins	✓				
CM Sinenci	✓				
Chair Lee	✓				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**CR 26-3** Recommending FIRST READING of Bill 161, CD1 (2025), to establish restrictions on the permitting and construction of new private swimming pools in the West Maui Community Plan Area until December 31, 2030, or until specified conditions relating to water availability have been satisfied, whichever is earlier.

	AYE	NO	EXC	Time Deliberations Began	11:25 a.m.
CM Batangan	✓			Time Motion Made	11:25 a.m.
VC Sugimura	✓			Motion	ADOPT recommendations
CM Paltin	✓			Maker	Paltin
CM Johnson	✓			Seconder	Sinenci
CM Rawlins-Fernandez	✓			Time Vote Taken	11:27 a.m.
CM Cook	✓				
CM U'u-Hodgins	✓				
CM Sinenci	✓				
Chair Lee	✓				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**CR 26-4** Recommending FIRST READING of Bill 168, CD1 (2025), to create a new real property tax exemption for homes rented at no more than 70 percent of fair market rents set by the United States Department of Housing and Urban Development, beginning with the tax year starting July 1, 2027.

	AYE	NO	EXC	Time Deliberations Began	11:27 a.m.
CM Batangan	✓			Time Motion Made	11:28 a.m.

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

**CR 26-5** Recommending FIRST READING of Bill 158, CD1 (2025), to establish water conservation measures and to regulate water use during water shortage declarations.

	AYE	NO	EXC	Time Deliberations Began	11:29 a.m.
CM Batangan	✓			Time Motion Made	11:29 a.m.
VC Sugimura	✓			Motion	ADOPT recommendations, as amended
CM Paltin	✓			Maker	Cook
CM Johnson	✓			Seconder	Sugimura
CM Rawlins-Fernandez	✓			Time Vote Taken	11:35 a.m.
CM Cook	✓				
CM U'u-Hodgins	✓				
CM Sinenci	✓				
Chair Lee	✓				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

	AYE	NO	EXC		
CM Batangan	✓			Time Motion Made	11:32 a.m.
VC Sugimura	✓			Motion	AMEND per distributed ASF
CM Paltin	✓			Maker	Cook
CM Johnson	✓			Seconder	Sugimura

CM Rawlins-Fernandez	✓			Time Vote Taken	11:35 a.m.
CM Cook	✓				
CM U'u-Hodgins	✓				
CM Sinenci	✓				
Chair Lee	✓				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**RESOLUTIONS:**

**Reso 26-2** "AUTHORIZING A ONE-YEAR EXTENSION TO GRANT OF LEASE OF COUNTY REAL PROPERTY TO NA HALE KUPUNA LESSEE"

**Reso 26-3** "AUTHORIZING A ONE-YEAR EXTENSION TO GRANT OF LEASE OF COUNTY REAL PROPERTY TO NA HALE KUPUNA LESSEE"

	AYE	NO	EXC	Time Deliberations Began	11:36 a.m.
CM Batangan	✓			Time Motion Made	11:37 a.m.
VC Sugimura	✓			Motion	ADOPT Resos 26-2, 26-3
CM Paltin	✓			Maker	Sugimura
CM Johnson	✓			Seconder	U'u-Hodgins
CM Rawlins-Fernandez	✓			Time Vote Taken	11:37 a.m.
CM Cook	✓				
CM U'u-Hodgins	✓				
CM Sinenci	✓				
Chair Lee	✓				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**Reso 26-4** "AUTHORIZING A GRANT OF GROUND LEASE TO A0745 LANAI, L.P., FOR REAL PROPERTY LOCATED ON LĀNA'I, HAWA'I IDENTIFIED FOR REAL PROPERTY TAX PURPOSES AS TAX MAP KEY (2) 4-9-002:058, UNDER SECTIONS 3.40.200 AND 3.36.090, MAUI COUNTY CODE"

	AYE	NO	EXC	Time Deliberations Began	11:38 a.m.
CM Batangan	✓			Time Motion Made	11:38 a.m.
VC Sugimura	✓			Motion	ADOPT
CM Paltin	✓			Maker	Johnson
CM Johnson	✓			Seconder	Sinenci
CM Rawlins-Fernandez	✓			Time Vote Taken	11:40 a.m.

CM Cook	✓				
CM U'u-Hodgins	✓				
CM Sinenci	✓				
Chair Lee	✓				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

## **ORDINANCES**

**Bill 1 (2026)** "A BILL FOR AN ORDINANCE AMENDING THE WATER AVAILABILITY POLICY ON SUBDIVISION CONSTRUCTION PLANS"

*11:43 a.m.: Referred to the Water and Infrastructure Committee*

**Bill 2 (2026)** "A BILL FOR AN ORDINANCE AMENDING SECTION 2.56.080, MAUI COUNTY CODE, RELATING TO SETTING THE SALARIES BY THE EXECUTIVE DIRECTOR AND ESTABLISHING NEW PAY SCALES"

*11:43 a.m.: Referred to the Budget, Finance, and Economic Development Committee*

**Bill 3 (2026)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET FOR THE COUNTY OF MAUI, ESTIMATED REVENUES, CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF HOUSING, WEST MAUI COMMUNITY PLAN AREA, OTHER PROJECTS, HOUSING, INTERIM FINANCING, AND BUY-BACK REVOLVING FUND, KOMOHANA HALE APARTMENTS REBUILD; AND APPENDIX C, DEPARTMENT OF HOUSING, WEST MAUI COMMUNITY PLAN AREA, KOMOHANA HALE APARTMENTS REBUILD"

	AYE	NO	EXC	Time Deliberations Began	11:43 a.m.
CM Batangan	✓			Time Motion Made	11:44 a.m.
VC Sugimura	✓			Motion	PASS on first reading
CM Paltin	✓			Maker	Paltin
CM Johnson	✓			Seconder	Rawlins-Fernandez
CM Rawlins-Fernandez	✓			Time Vote Taken	11:47 a.m.
CM Cook	✓				
CM U'u-Hodgins	✓				
CM Sinenci	✓				
Chair Lee	✓				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**Bill 4 (2026)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, INCREASING ESTIMATED REVENUES, CARRYOVER/SAVINGS, GENERAL FUND, BY \$5,000,000, DEPARTMENT OF HOUSING, HOUSING PROGRAM, INCREASE THE APPROPRIATION FOR GRANT TO LAHAINA COMMUNITY LAND TRUST BY \$5,000,000, APPENDIX A, PART II, OPEN SPACE, NATURAL RESOURCES, CULTURAL RESOURCES, AND SCENIC VIEWS PRESERVATION FUND, DELETE THE CONDITION FOR LAHAINA COMMUNITY LAND TRUST IN THE AMOUNT OF \$5,000,000"

	AYE	NO	EXC	Time Deliberations Began	11:47 a.m.
CM Batangan	✓			Time Motion Made	11:48 a.m.
VC Sugimura	✓			Motion	PASS on first reading
CM Paltin	✓			Maker	Paltin
CM Johnson	✓			Seconder	Rawlins-Fernandez
CM Rawlins-Fernandez	✓			Time Vote Taken	11:51 a.m.
CM Cook	✓				
CM U'u-Hodgins	✓				
CM Sinenci	✓				
Chair Lee	✓				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**Bill 5 (2026)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM, MAKAWAO-PĀ'IA-HA'IKŪ ECONOMIC DEVELOPMENT, ENVIRONMENTAL, AND CULTURAL PROGRAMS, REMOVING THE CONDITIONAL LANGUAGE FOR KAIZEN GROUP INC. AND INSERTING CONDITIONAL LANGUAGE FOR NĀ MAKĀ O MĀLIKŌ"

	AYE	NO	EXC	Time Deliberations Began	11:52 a.m.
CM Batangan	✓			Time Motion Made	11:52 a.m.
VC Sugimura	✓			Motion	PASS on first reading
CM Paltin	✓			Maker	U'u-Hodgins
CM Johnson	✓			Seconder	Sugimura
CM Rawlins-Fernandez	✓			Time Vote Taken	11:52 a.m.
CM Cook	✓				
CM U'u-Hodgins	✓				
CM Sinenci	✓				
Chair Lee	✓				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**Bill 6 (2026)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, INCREASING ESTIMATED REVENUES, CARRYOVER/SAVINGS, GENERAL FUND, BY \$162,500, DEPARTMENT OF HUMAN CONCERNS, HUMAN CONCERNS PROGRAM, GRANTS AND DISBURSEMENTS FOR HEALTH, HUMAN SERVICES, AND EDUCATION, INCREASE THE APPROPRIATION FOR HOUSELESS PROGRAMS IN THE AMOUNT OF \$162,500"

**Bill 7 (2026)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, APPENDIX A, PART I, EAST MAUI WATER AUTHORITY, HAWAII COMMUNITY FOUNDATION, FRESH WATER INITIATIVE, NEW APPROPRIATION OF \$40,000"

**Bill 11 (2026)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, APPENDIX A, PART II, AFFORDABLE HOUSING FUND, KEHALANI AFFORDABLE LLC, TO UPDATE THE UNIT DISTRIBUTION"

	AYE	NO	EXC	Time Deliberations Began	11:53 a.m.
CM Batangan	✓			Time Motion Made	11:54 a.m.
VC Sugimura	✓			Motion	PASS Bills 6, 7, and 11 on first reading
CM Paltin	✓			Maker	Sugimura
CM Johnson	✓			Seconder	U'u-Hodgins
CM Rawlins-Fernandez	✓			Time Vote Taken	11:56 a.m.
CM Cook	✓				
CM U'u-Hodgins	✓				
CM Sinenci	✓				
Chair Lee	✓				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**Bill 8 (2026)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, DEPARTMENT OF MANAGEMENT, OFFICE OF RECOVERY PROGRAM, ADDING NEW CONDITIONAL LANGUAGE FOR FESTIVALS OF ALOHA, INC."

	AYE	NO	EXC	Time Deliberations Began	11:56 a.m.
CM Batangan	✓			Time Motion Made	11:56 a.m.
VC Sugimura	✓			Motion	PASS on first reading
CM Paltin	✓			Maker	Paltin
CM Johnson	✓			Seconder	Sugimura

CM Rawlins-Fernandez	✓			Time Vote Taken	11:58 a.m.
CM Cook	✓				
CM U'u-Hodgins	✓				
CM Sinenci	✓				
Chair Lee	✓				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**Bill 9 (2026)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, INCREASE ESTIMATED REVENUES, LICENSES/PERMITS/OTHERS BY \$10,000,000, INCREASE CARRYOVER/SAVINGS, GENERAL FUND BY \$10,000,000, DEPARTMENT OF FINANCE, COUNTYWIDE COSTS, INCREASE APPROPRIATION FOR TRANSFER TO THE GENERAL EXCISE TAX FUND BY \$10,000,000, DEPARTMENT OF WATER SUPPLY, WATER OPERATIONS PROGRAM - WATER FUND, INCREASE EQUIVALENT PERSONNEL BY 10.0, CAPITAL IMPROVEMENT PROJECTS AND APPENDIX C, DEPARTMENT OF WATER SUPPLY, COUNTYWIDE, INCREASE APPROPRIATION FOR INTEGRATION OF PUBLIC AND PRIVATE WATER SYSTEMS IN THE AMOUNT OF \$10,000,000, AND APPENDIX A, PART II, GENERAL EXCISE TAX FUND, INCREASE APPROPRIATION FOR ACQUISITION OF PRIVATE WATER SYSTEMS AND WELLS IN THE AMOUNT OF \$10,000,000"

11:58 a.m.: *Referred to the Budget, Finance, and Economic Development Committee*

**Bill 10 (2026)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, INCREASING ESTIMATED REVENUES, CARRYOVER/SAVINGS, GENERAL FUND, BY \$3,000,000, DEPARTMENT OF MANAGEMENT, INFORMATION TECHNOLOGY SERVICES (ITS) PROGRAM, INCREASE CATEGORY B - OPERATIONS & EQUIPMENT BY \$3,000,000"

11:59 a.m.: *Referred to the Budget, Finance, and Economic Development Committee*

**Bill 105, CD1 (2025)** "A BILL FOR AN ORDINANCE AMENDING TITLE 2, MAUI COUNTY CODE, ON ALTERNATE MEMBERS OF BOARDS AND COMMISSIONS"

	AYE	NO	EXC	Time Deliberations Began	12:00 p.m.
CM Batangan	✓			Time Motion Made	12:00 p.m.
VC Sugimura	✓			Motion	PASS on second and final reading
CM Paltin	✓			Maker	U'u-Hodgins
CM Johnson	✓			Seconder	Cook

CM Rawlins-Fernandez	✓			Time Vote Taken	12:00 p.m.
CM Cook	✓				
CM U'u-Hodgins	✓				
CM Sinenci	✓				
Chair Lee	✓				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**Bill 182 (2025)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, APPENDIX A, PART I, DEPARTMENT OF 'ŌIWI RESOURCES, PRIVATE DONATIONS, NEW APPROPRIATION OF \$1,000"

	AYE	NO	EXC	Time Deliberations Began	12:00 p.m.
CM Batangan	✓			Time Motion Made	12:01 p.m.
VC Sugimura	✓			Motion	PASS on second and final reading
CM Paltin	✓			Maker	Rawlins-Fernandez
CM Johnson	✓			Seconder	U'u-Hodgins
CM Rawlins-Fernandez	✓			Time Vote Taken	12:01 p.m.
CM Cook	✓				
CM U'u-Hodgins	✓				
CM Sinenci	✓				
Chair Lee	✓				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**Bill 183 (2025)** "A BILL FOR AN ORDINANCE AMENDING ORDINANCE 5334 (2021), THE WEST MAUI COMMUNITY PLAN, AS AMENDED, ON BUILDING HEIGHTS FOR NEW CONSTRUCTION IN THE LĀHAINĀ NATIONAL HISTORIC LANDMARK DISTRICT"

*12:03 p.m. – Tabled to future Council meeting pending public hearing.*

**Bill 184 (2025)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, INCREASING ESTIMATED REVENUES, CARRYOVER/SAVINGS, GENERAL FUND BY \$5,000,000, CAPITAL IMPROVEMENT PROJECTS AND APPENDIX C, DEPARTMENT OF PARKS AND RECREATION, COUNTYWIDE, INCREASE APPROPRIATION FOR COUNTYWIDE PARKS FACILITIES BY \$1,200,000, PĀ'IA-HA'IKŪ COMMUNITY PLAN AREA, ADD NEW APPROPRIATION FOR LOWER PAIA PARK PARKING LOT IN THE AMOUNT OF \$300,000, WAILUKU-KAHULUI COMMUNITY PLAN AREA, ADD

NEW APPROPRIATIONS FOR WAR MEMORIAL GYM BUILDING IMPROVEMENTS IN THE AMOUNT OF \$2,000,000, AND WAR MEMORIAL FOOTBALL STADIUM AND TRACK REHABILITATION IN THE AMOUNT OF \$1,500,000"

**Bill 186 (2025)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, INCREASING ESTIMATED REVENUES, CARRYOVER/SAVINGS, GENERAL FUND BY \$500,000, CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF THE PROSECUTING ATTORNEY, WAILUKU-KAHULUI COMMUNITY PLAN AREA, GOVERNMENT FACILITIES, NEW APPROPRIATION FOR 24 NORTH CHURCH STREET BUILDING RENOVATIONS FOR \$500,000, AND APPENDIX C, DEPARTMENT OF THE PROSECUTING ATTORNEY, WAILUKU-KAHULUI COMMUNITY PLAN AREA, NEW APPROPRIATION FOR 24 NORTH CHURCH STREET BUILDING RENOVATIONS FOR \$500,000"

**Bill 187 (2025)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET. DEPARTMENT OF FINANCE, COUNTYWIDE COSTS, INCREASE THE CONDITIONAL LANGUAGE APPROPRIATION UNDER INSURANCE PROGRAMS AND SELF INSURANCE IN THE AMOUNT OF \$400,000"

**Bill 188 (2025)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, APPENDIX B, DEPARTMENT OF FINANCE, GENERAL FUND, SALES OF SPECIAL LICENSE PLATES: SPECIAL LICENSE PLATES, DEPARTMENT OF FINANCE, SPECIAL REVENUE/TRUST AND AGENCY FUND, OUTRIGGER DUKE KAHANAMOKU FOUNDATION COMMEMORATIVE LICENSE PLATES"

**Bill 189 (2025)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, APPENDIX A, PART I, DEPARTMENT OF PUBLIC WORKS, NEW APPROPRIATION FOR DEPARTMENT OF TRANSPORTATION, HAWAII SAFE ROUTES TO SCHOOL SPECIAL FUND OF \$2,850,000, AND APPENDIX C, DEPARTMENT OF PUBLIC WORKS, COUNTYWIDE, INCREASE THE APPROPRIATION FOR COUNTYWIDE TRAFFIC AND SAFETY PROGRAM BY \$2,850,000"

**Bill 190 (2025)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, INCREASING ESTIMATED REVENUES, CARRYOVER/SAVINGS, GENERAL FUND BY \$800,000, CAPITAL IMPROVEMENT PROJECTS, DEPARTMENT OF POLICE, COUNTYWIDE, INCREASE APPROPRIATION FOR COUNTYWIDE POLICE FACILITIES IN THE AMOUNT OF \$800,000, APPENDIX C, DEPARTMENT OF POLICE, INCREASE APPROPRIATION FOR COUNTYWIDE, COUNTYWIDE POLICE FACILITIES IN THE AMOUNT OF \$800,000"

**Bill 191 (2025)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, OFFICE OF THE MAYOR, ECONOMIC DEVELOPMENT PROGRAM, WAILUKU ECONOMIC DEVELOPMENT, ENVIRONMENTAL, AND CULTURAL PROGRAMS, UPDATE CONDITIONAL LANGUAGE FOR MAUI NUI RESILIENCY HUI"

**Bill 193 (2025)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, DEPARTMENT OF MANAGEMENT, BOARD OF ETHICS PROGRAM, INCREASE EQUIVALENT PERSONNEL BY 2.0"

	AYE	NO	EXC	Time Deliberations Began	
CM Batangan	✓			Time Motion Made	12:10 p.m.
VC Sugimura	✓			Motion	PASS Bills 184, 186 through 191, and 193 on second and final
CM Paltin	✓			Maker	Sugimura
CM Johnson	✓			Seconder	U'u-Hodgins
CM Rawlins-Fernandez	✓			Time Vote Taken	12:10 p.m.
CM Cook	✓				
CM U'u-Hodgins	✓				
CM Sinenci	✓				
Chair Lee	✓				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**Bill 185 (2025)** "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, INCREASING ESTIMATED REVENUES, CARRYOVER/SAVINGS, HIGHWAY FUND BY \$75,000, AND DEPARTMENT OF TRANSPORTATION, ADMINISTRATION PROGRAM - HIGHWAY FUND, INCREASE APPROPRIATION BY \$75,000"

	AYE	NO	RECUSED	Time Deliberations Began	
CM Batangan			✓	Time Motion Made	12:07 p.m.
VC Sugimura	✓			Motion	Pass on second and final reading
CM Paltin	✓			Maker	Sugimura
CM Johnson	✓			Seconder	U'u-Hodgins

CM Rawlins-Fernandez	✓			Time Vote Taken	12:09 p.m.
CM Cook	✓				
CM U'u-Hodgins	✓				
CM Sinenci	✓				
Chair Lee	✓				
<b>TOTAL VOTES</b>	<b>8</b>		<b>1</b>	<b>MOTION PASSED</b>	

**Bill 192 (2025) "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2026 BUDGET, OFFICE OF THE MAYOR, ADMINISTRATION PROGRAM, UPDATING CONDITIONAL LANGUAGE FOR HOUSELESS SOLUTIONS"**

	AYE	NO	EXC	Time Deliberations Began	12:10 p.m.
CM Batangan	✓			Time Motion Made	12:10 p.m.
VC Sugimura	✓			Motion	Pass on second and final reading
CM Paltin	✓			Maker	Paltin
CM Johnson	✓			Seconder	Sinenci
CM Rawlins-Fernandez	✓			Time Vote Taken	12:12 p.m.
CM Cook	✓				
CM U'u-Hodgins	✓				
CM Sinenci	✓				
Chair Lee	✓				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**Bill 194 (2025) "A BILL FOR AN ORDINANCE ESTABLISHING CHAPTER 2.03, MAUI COUNTY CODE, ON COUNTY COUNCIL VACANCIES IN OFFICE"**

	AYE	NO	EXC	Time Deliberations Began	12:12 p.m.
CM Batangan	✓			Time Motion Made	12:12 p.m.
VC Sugimura	✓			Motion	Pass on second and final reading
CM Paltin	✓			Maker	Rawlins-Fernandez
CM Johnson	✓			Seconder	U'u-Hodgins
CM Rawlins-Fernandez	✓			Time Vote Taken	12:12 p.m.
CM Cook	✓				
CM U'u-Hodgins	✓				

CM Sinenci	✓				
Chair Lee	✓				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

### UNFINISHED BUSINESS

**Reso 25-230** "REFERRING TO THE LĀNA‘I, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL AMENDING THE COMPREHENSIVE ZONING ORDINANCE TO ESTABLISH THE H-3 AND H-4 HOTEL DISTRICTS"

**CC 26-2** COUNCILMEMBER RAWLINS-FERNANDEZ, transmitting a proposed amendment to Resolution 25-230, entitled "REFERRING TO THE LĀNA‘I, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL AMENDING THE COMPREHENSIVE ZONING ORDINANCE TO ESTABLISH THE H-3 AND H-4 HOTEL DISTRICTS".

	AYE	NO	EXC	Time Deliberations Began	
CM Batangan	✓			Time Motion Made	1:34 p.m.
VC Sugimura	✓			Motion	ADOPT, as amended
CM Paltin	✓			Maker	Cook
CM Johnson	✓			Seconder	Sugimura
CM Rawlins-Fernandez		✓		Time Vote Taken	3:20 p.m.
CM Cook	✓				
CM U‘u-Hodgins	✓				
CM Sinenci	✓				
Chair Lee	✓				
<b>TOTAL VOTES</b>	<b>8</b>	<b>1</b>		<b>MOTION PASSED</b>	

**CC 26-1** COUNCILMEMBER PALTIN, transmitting a proposed amendment to Resolution 25-230, entitled "REFERRING TO THE LĀNA‘I, MAUI, AND MOLOKAI PLANNING COMMISSIONS A PROPOSED BILL AMENDING THE COMPREHENSIVE ZONING ORDINANCE TO ESTABLISH THE H-3 AND H-4 HOTEL DISTRICTS".

	AYE	NO	EXC		
CM Batangan		✓		Time Motion Made	1:35 p.m.
VC Sugimura		✓		Motion	AMEND/FILE
CM Paltin	✓			Maker	Paltin
CM Johnson	✓			Seconder	Rawlins-Fernandez

CM Rawlins-Fernandez	✓			Time Vote Taken	2:42 p.m.
CM Cook		✓			
CM U'u-Hodgins		✓			
CM Sinenci	✓				
Chair Lee		✓			
<b>TOTAL VOTES</b>	<b>4</b>	<b>5</b>		<b>MOTION FAILED</b>	

	AYE	NO	EXC		
CM Batangan	✓			Time Motion Made	2:43 p.m.
VC Sugimura	✓			Motion	AMEND
CM Paltin	✓			Maker	Rawlins-Fernandez
CM Johnson	✓			Seconder	Paltin
CM Rawlins-Fernandez	✓			Time Vote Taken	2:44 p.m.
CM Cook	✓				
CM U'u-Hodgins	✓				
CM Sinenci	✓				
Chair Lee	✓				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

	AYE	NO	EXC		
CM Batangan	✓			Time Motion Made	2:44 p.m.
VC Sugimura	✓			Motion	AMEND
CM Paltin	✓			Maker	Rawlins-Fernandez
CM Johnson	✓			Seconder	Paltin
CM Rawlins-Fernandez	✓			Time Vote Taken	2:54 p.m.
CM Cook	✓				
CM U'u-Hodgins	✓				
CM Sinenci	✓				
Chair Lee	✓				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

	AYE	NO	EXC		
CM Batangan		✓		Time Motion Made	2:55 p.m.
VC Sugimura		✓		Motion	AMEND
CM Paltin	✓			Maker	Rawlins-Fernandez
CM Johnson	✓			Seconder	Johnson
CM Rawlins-Fernandez	✓			Time Vote Taken	3:06 p.m.

CM Cook		✓			
CM U'u-Hodgins		✓			
CM Sinenci	✓				
Chair Lee		✓			
<b>TOTAL VOTES</b>	<b>4</b>	<b>5</b>		<b>MOTION FAILED</b>	

	AYE	NO	EXC		
CM Batangan		✓		Time Motion Made	3:07 p.m.
VC Sugimura		✓		Motion	AMEND
CM Paltin		✓		Maker	Rawlins-Fernandez
CM Johnson	✓			Seconder	Sinenci
CM Rawlins-Fernandez	✓			Time Vote Taken	3:18 p.m.
CM Cook		✓			
CM U'u-Hodgins		✓			
CM Sinenci	✓				
Chair Lee		✓			
<b>TOTAL VOTES</b>	<b>3</b>	<b>6</b>		<b>MOTION FAILED</b>	

	AYE	NO	EXC		
CM Batangan	✓			Time Motion Made	3:18 p.m.
VC Sugimura	✓			Motion	FILE CC 26-1 and 26-2
CM Paltin	✓			Maker	Rawlins-Fernandez
CM Johnson	✓			Seconder	Sinenci
CM Rawlins-Fernandez	✓			Time Vote Taken	3:20 p.m.
CM Cook	✓				
CM U'u-Hodgins	✓				
CM Sinenci	✓				
Chair Lee	✓				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**Reso 25-233** "AUTHORIZING A GRANT OF GROUND LEASE TO A0745 LANAI, L.P., FOR REAL PROPERTY LOCATED ON LĀNA'I, HAWAII, IDENTIFIED FOR REAL PROPERTY TAX PURPOSES AS TAX MAP KEY (2) 4-9-002:058, UNDER SECTIONS 3.40.200 AND 3.36.090, MAUI COUNTY CODE"

	AYE	NO	EXC	Time Deliberations Began	3:21 p.m.
CM Batangan	✓			Time Motion Made	3:21 p.m.
VC Sugimura	✓			Motion	FILE

CM Paltin	✓			Maker	Johnson
CM Johnson	✓			Seconder	Sinenci
CM Rawlins-Fernandez	✓			Time Vote Taken	3:22 p.m.
CM Cook	✓				
CM U'u-Hodgins	✓				
CM Sinenci	✓				
Chair Lee	✓				
<b>TOTAL VOTES</b>	<b>9</b>			<b>MOTION PASSED</b>	

**TIME MEETING ADJOURNED: 3:23 p.m.**

TRANSCRIPTION

Council of the County of Maui on 2026-01-07 9:00 AM - Regular Meeting

[ GAVEL ] >> Will the Council Meeting of January 7th, 2026 please come to order. It is now 9:03. Members, are we ready? We're missing one; right? I think Member Uu-Hodgins will be joining us momentarily, five-ten minutes. Ms. Clerk. >> Chair, proceeding with roll call.\r\n\r\nCouncil Member Kauanoe Batangan. >> Good morning, Chair. >> Vice-Chair Yukilei Sugimura. >> Good morning, Chair. >> Council Member Tamara Paltin. >> Aloha Kakahiaka Kakou. >> Council Member Gabe Johnson?\r\n\r\nAloha, Chair, Council Members, community Members. There's no testifiers at the Lana'i District Office and I'm here and ready to work. Mahalo. >> Council Member Keani Rawlins-Fernandez. >> Aloha Kakahiaka Kakou, there's no testifiers at the Moloka'I District office. Mahalo, Chair. >> Council Member Tom Cook.\r\n\r\nGood morning. There's no testifiers at the Kihei office, but we have Staff on standby. >> Council Member Nohelani Uu-Hodgins. >> Excused. >> Council Member Sean Sinenci. >> Aloha Kakahiaka, no testifiers. >> Council Chair Alice Lee.\r\n\r\nAloha and good morning everyone. >> A quorum is present to conduct the business of the County Council. For the record, I'm the County Clerk Moana Lutey and present with me next to me is the Deputy County Clerk, Richelle Thomson present from my office and Legislative Division Staff is Joyce Murashige, Del Yoshida and Arthur Suyama. Assisting the Council is Council Ambassador Ryan Martins. Joining the Office of Council Services is Director David Raatz and Legislative Attorney Megan Moniz and from the Department of Corporation Counsel is Deputy Corporation Counsel Caleb Ryu. >> Thank you. I have the pleasure of providing a few remarks this morning and they will be few.\r\n\r\nI don't think I shared this little tidbit about myself growing up. I have always felt like I was surrounded by Angels and of course, I had names for him. My father's name is Angelo, his mother is from Spain. He had the Spanish name of Angel. But I had my own Angels, too. I had Frank and Ernest, and Prudence. So I had them on my show and I still have them on my shoulder.\r\n\r\nAnd so that is why I never feel like I'm alone, because I have the spiritual support of my Angels Frank and Ernest, I probably choose those names because that is how I am. I'm very straightforward as you know. I don't dance around like -- not you, but other people. [Laughter] I like to get to the point, you know? And so it's like today, too. The Resolution, my Resolution for 2026 is to become a more patient person. So I am adding one more Angel on my shoulder, and her name is Patience.\r\n\r\nSo I have Frank, Ernest, Prudence and Patience. And I'm announcing it publicly, because accountability matters. And the truth is I have noticed that I have become increasingly impatient over the years, for good reason, a lot of times, but that is really no excuse. Everything feels urgent from the moment I wake up. Everything feels like it should happen now. But that is not realistic. And more importantly, it's not healthy.\r\n\r\nParticularly not at 9:00 a.m. on a Wednesday. I realized that impatience doesn't actually make things go faster. It just ends up causing more stress. So I'm committing to changing that. I want to be someone who can start the day without immediately feeling rushed. It's going to take practice, and probably a lot of deep breathing, but I think it's one of the most important things I can work on this year. So here's is patience, my new Angel and thank you all for being a part of that journey.\r\n\r\nI wish you success with your own Resolutions. Thank you. Please stand for the Pledge of Allegiance. I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all. Incidentally my grandson Riley

helped me with my opening remarks. I asked him to get something from AI, and he is an expert in that area. He said, they don't do that.\r\n\r\nThey don't do opening remarks. So I said, so I said well you think of something and this is what he thought of. Thank you, Riley. Ms. Clerk, it's my turn. My turn. Before we proceed with today's agenda, may I please request that everyone keep their microphones muted unless it's your time to speak.\r\n\r\nAs a reminder, testimony must pertain to items on meeting agenda. When testifying please direct your remarks to the Council, and not to any individual Council Member, or Member of the public. Each testifier will be allowed to speak for up to three minutes on each item. For individuals wishing to testify on team, please click the raise your hand button to be added to the testifier log. If you are calling in, please follow the phone prompts to be added to the log. If you wish to testify anonymously, please sign in as anonymous. And you will be given a testifier number.\r\n\r\nDecorum shall be maintained at all times. Any person who behaves in a manner that disrupts, disturbs or impedes the orderly conduct of any Council Meeting can at discretion of the Presiding Officer, or a majority of present Council Members be ejected, or banned from Council meetings, or if participating remotely, muted or dropped from meeting. Examples of disruptive behavior include, but are not limited to heckling, shouting, use of profanity, threatening or slanderous remarks made to individual Council Members, or any Member of the general public. All attendees are expected to wear clothing, which should not display profanity, obscenity or any message that could be considered discriminatory, harassing or inappropriate for these proceedings. Members, without objection, I will ask the Clerk to call for testimony related to Ceremonial Resolution 25-213 honoring Kumu Hula Iola Balubar before we move on to general testimony for other items on the agenda. Any objections? So ordered.\r\n\r\nMs. Clerk. >> Chair, proceeding with testimony on the Ceremonial Resolution. The first testifier is Marcy Martin, followed by Ivy Caldito. >> Good morning, Council Members. Thank you for recognizing Kumu Hula Iola Balubar today. 50 years' of teaching hula and Polynesian dance and even more years performing is very impressive.\r\n\r\nI Iola's contributions to this community are invaluable. Whenever I go somewhere with her, I'm reminded of her legacy and impact on our community. She knows everyone, and everyone is happy to see her. She has had a very positive impact on my life as well. I have been dancing and performing with Iola and the Gracious Ladies over 15 years now. And the next time you walk through the front sliding doors of this building, Kalana O Maui, look to your left. You can see her father's name Richard Caldito on the plaque by the door.\r\n\r\nHe was a Maui County Board of Supervisors and Maui County Council Member. This recognition today makes me imagine what Wailuku was like in the 50s, 60s and 70s, I imagine Iola dancing at her father's campaign rally. I'm certain he would be very proud of his daughter today, and he would be grateful for this body's recognition of her contributions and achievements. So thank you very much. >> Thank you, Marcy. Any questions for Marcy? If not, thank you.\r\n\r\n>> Chair, the next testifier is Ivy Caldito, followed by Richelle Mendoza. >> Aloha Kakahiaka. My name is Ivy Caldito, and thank you so much for honoring my sister on her 50th year of teaching. I am a retired teacher in Washington, D.C., and I'm very proud of our culture here in Hawai'i. So you know, I have taught the children for many years since I have been teaching in Washington, D.C. about Hawai'i. And I have had so many of them come, and they know how hard we work here, and I want to thank all of you, because my sister has worked hard. And I'm very proud of her, and I know that, you know, entering this building and this is the first time I have been in this Council room, I think about my dad, and what he

has done for the County of Maui, and what he has always encouraged us to do, give back to your community and it has paid off. You know? You do for people, and people, you know, appreciate it.\r\n\r\nSo thank you very much for recognizing my sister, Iola. >> Thank you, and welcome back. >> Chair, the next testifier Is Richelle Mendoza, followed by Johanna Amarin. >> Aloha Council. My name is Richelle Mendoza, and I am a student of Auntie Iola Balubar and her niece and I am honored to be able to talk on behalf of what I feel is a great honor for her to be recognized by the community. Today we gather with grateful hearts to honor someone truly extraordinary, and Auntie Iola has she celebrates 50 years' of hula, culture, and Aloha, 50 years it's not just a number. It represents decades of dedication, discipline, and deep love for Polynesian and Hawaiian culture.\r\n\r\nIt represents countless hours of teaching, guiding, aching knees, achy hips, and correction, encouragement and most importantly, shining the true meaning of Aloha. On November 22nd, 2026 -- 2025, we witnessed something incredibly special around 85 dancers came together with over 700 people of different ages, different journeys all united by one thing, the Aloha that Auntie Iola has planted in each and every one of us. Every step, every hand motion, every chant and smile was reflection of her legacy. Auntie Iola is not only a Kumu, a leader or teacher, but truly an Ambassador of Aloha. Through hula she has shown this community and people around the world, including Japan, Washington, D.C., and other parts of Europe, and people what Aloha looks like in action through patience, through humility, through talking-story, through seeing them in the grocery store and giving a piece of her Aloha through strength and love. Aloha is not just a word we say, it's how we live and how we treat one another and how we carry ourselves. Auntie Iola has lived Aloha in every sense of the word.\r\n\r\nShe reminds us that hula is more than a dance. It's history. It's storytelling, it's prayer, it's connection to our ancestors and to each other. As a proud Member of all of my sisters here from our Halau, we're grateful and honored to be part of this Halau, and being under her guidance has shaped us not only how we dance, but how we show up in the world with grace, responsibility, and Aloha in our heart. With this being said, mahalo nui loa and to the Council for this Resolution. Mahalo. >> Thank you.\r\n\r\nMembers, questions? If not, thank you. >> Chair, the last testifier currently signed up is Johanna Amarin. >> Good morning, County Chair, Alice Lee, and to all of the Council Members. I know some of you for many, many years. My name is Johanna Amarin, a former Planning Commissioner and Chair and run for politics a few time, made so much friendship, but today I stand before you because of my friend, Iola Balubar. Just my personal feeling, I wanted to come up, because I'm so proud of her for all her Alohaness how to all 50 years plus having known her family background.\r\n\r\nIt's just amazing her father in politics, her mama I see her in curlers, very beautiful lady, fair. I have known Iola over 40 years. Today I am a new student with her as you age, I'm 82 years old and the cognitiveness. So hula is just one of those most beautiful things you could do. The movement, the laughter, remembering how to move, and the Joy with all my hula sisters. It's such blessing for me and I know all of you Council people, and I'm so proud of all of you for all you have done, and then to recognize on behalf of Tasha Kama, Kauanoe. Mahalo Nui to be part of this time.\r\n\r\nI ola her Alohaness, all of these years, way back and going forward. I thought she was going to retire, but no. This Aloha will continue, because it's within her. I am so proud to be a new student, and I'm sure she is very proud of me. One thing I say, Iola, you know, I just want to dance for you so you could be proud of me. Much Aloha to all of you. Mahalo Nui.\r\n\r\nAnd Haole. Happy New Year. Thank you. >> thank you. Questions? No

questions. Thank you.\r\n\r\nLet the record show that Council Member Nohelani Uu-Hodgins is present. >> Good morning, Chair. Good morning, everyone. >> Chair, the next testifier is Douglas Bigley. >> I wonder -- if he is going to testify on something else? >> Mr. Bigley, we're taking testimony on the ceremonial Resolution.\r\n\r\nWould you like to testify on the ceremonial Reso? >> I apologize. >> No problem, we'll add you to the list. >> I will just wait here. Thank you very much. >> Looks like the next testifier is J.C. Lau. >> Thank you, Moana.\r\n\r\nGood morning, Chair Lee. Thank you guys for finally showing up here. I have said it before it was on the agenda before, but I wanted to say it again, Malina Mai Kakou (speaking Hawaiian) Thank you for the Hawaiian translator that put on the Papa Kumumana'o. >> Next. >> Chair, there's currently no one else signed up to testify. If there's anyone to testify, make your way to the podium or on teams. This is final countdown -- oh, we have someone coming down. >> Good morning everybody.\r\n\r\nI don't want to miss this chance for my sweet hula sister Iola Balubar. I'm so grateful. My daughter came out here for work and her husband they got a job offer here on Maui about six, seven years ago. And I came out a few years ago, my granddaughter was in Iola's hula class. And it was so fun just taking her and watching her, and I decided to join the class during COVID. I lost four sisters of my own, and I have gained a whole class of sisters. Iola has just really touched how I feel about sisterhood, and the sisters that we do work together, and all of the community events that she puts together is like so amazing.\r\n\r\nI Just want to be this for all of the things for her and what she has created in the community and the feeling that she takes with her when we go places I'm just so excited I couldn't pass up the opportunity to thank her for what a beautiful person she is. And for the community life that she has created also for me, as a sister. I'm so grateful to you, Iola. Thank you so much. I love you, and this is just the best thing that has happened to me since I have been to Maui. I have been in her classes hula, whatever you want to call it, sister or couple years, maybe three, two years. I just want to thank everybody for giving me an opportunity to publicly give that to my sweet sister there.\r\n\r\nThank you so much. >> Thank you. Questions, Members if if not, may we have the next testifier? >> Chair, there's currently no one else signed up. This is last call. Chair the countdown is 3, 2, 1. There's no one indicating a desire to testify. >> Members, are there any objections to closing public testimony and accepting written testimony for the record?\r\n\r\n>> No objections. >> On the Ceremonial Resolution. So ordered. Ms. Clerk. >> Chair, before you is Resolution 25-213 Congratulating Kumu Hula Iola Balubar on 50 years of hula excellence. >> Vice-Chair Sugimura.\r\n\r\n>> Thank you, Chair. I move to adopt Resolution 25-213. >> Second. >> Moved by Vice-Chair Sugimura, seconded by Member Gabe Johnson to adopt the Resolution 25-213. Discussion, Vice-Chair Sugimura. >> Thank you, may I ask the Clerk to read the Resolution in its entirety. >> Ms. Clerk. >> Resolution No.\r\n\r\n25-213 congratulating Kumu Hula Iola Balubar on 50 years' hula excellence. Whereas, Iola Balubar found her passion in hula at the tender age of 6 and leaned from her mother as Kumu hula and respected figure in the hula community Kumu Elizabeth Lum Ho, and later from other hula greats Auntie Becky, Kaopuiki Kumu, Johnny Hokoana and Kumu Robert Kalani; and whereas, as a child her danced at political rallies where her father Richard Pablo Caldito, Sr. was the first Filipino-American Democrat in public office in the United States when elected to the Maui County Board of Supervisors in 1956 and later served on the Maui County Council; and whereas, while her parents nurtured her love for hula and her mother Dorothy Leina'ala Lovell Caldito encouraged her to dance from her heart for her

Kupuna and her 'aina; and whereas, in 1975 to share her gift of storytelling through the beauty and grace of hula, along with encouragement from her husband Richard Balubar, she opened Iola Balubar Polynesian dance studio in her brother's garage, which was later renamed to Halau Hula O Keola- Ali'i okekai in 1982, a name inspired by her sons Keolaokekai and Keali'i and by her husband and her family's love with the Ocean; and whereas, Kumu Iola performed at beloved local island venues such as Maui Lu Resort Intercontinental Hotel, Sheraton hotel's discovery room and Ka'anapali Beach Hotel with the Puka Puka Otea; and whereas, Auntie Iola as she is affectionately known by her many students has spread aloha to communities across the mainland through her performances including at Disneyland's Tahitian Terrance restaurant and internationally in Canada, Japan and the Philippines; and whereas, her choreography blends traditional, classic and contemporary Hawaiian and Polynesian music incorporating Tahitian, Samoan and M?ori elements; and whereas, through her steadfast leadership, her award-winning Halau has participated in and earned top honors in numerous competitions in Las Vegas, and San Francisco the Merrie Monarch festival on Hawai'i Island and 34 appearances in Queen Lili'uokalani Keiki hula competition in O'ahu where her Halau captured two master keiki hula title; and whereas, Kumu Iola's creativity was honored last spring at Maui historical society's Hale Ho'ike'ike eld at the Bailey House Museum where her Halau dresses and accessories from the past 50 years which she designed herself were featured; and whereas, Halau hula O Keola-Ali'i okekai is recognized for introducing keiki and Kupuna to hula and Tahitian dance and many keiki becoming professional dancers who continue to perpetuate the Hawaiian culture and heritage; and whereas, at age 79 Kumu Iola continues to share Aloha whether how to solo performances or with Gracious Ladies at St. Anthony Church hula group; and whereas, generations of dancers, musicians, audiences and community members honor and celebrate her 50 years' of hula excellence; Now, therefore, be it resolved by the Council of the County of Maui: 1, that it congratulates Kumu Hula Iola Balubar on 50 years' of hula excellence. 2, that it expressed deep appreciation for Kumu Iola and all Members of her Halau, past and present, for perpetuating the Hawaiian culture through hula. And 3, that certified copies of this Resolution be transmitted Kumu Hula Iola Balubar, and Halau Hula O Keola-Ali'i okekai: the Honorable Josh Green, M.D., Governor, State of Hawai'i; and the Honorable Richard T. Bissen, Jr. Mayor, County of Maui.\r\n\r\n>> Discussion, Vice-Chair Sugimura. >> Thank you, Madam Clerk. I love this lady too, and I think that the testifiers testified today from their hearts thank you for that. She really exudes that if you ever see Iola in the community she has a smile for you and knows you and asks thing about you and thing wow, she has thousands of people she knows. She spends the time aloha'ing people, and connecting with them. I, too, want to thank her for all her contributions. I had a brief moment in the lobby this morning to talk to her sister, Ivy, the first testifier.\r\n\r\nI want to share with you what she said her father said after she graduated and got her education degree or teaching degree that he wanted her to give back to community. She ended up as it would we, as she says, she is in Washington, D.C. and like her father, pretty amazing, she has a whole building named after her from the school that she taught at. So I think it's reflection of what she as contributed to the school in D.C. and she said, when she is this, she gives of her time. I think it's the spirit of the family that we have heard over the years but, Members, I appreciate this. Chair Lee, thank you for bringing this Resolution forward. I totally support this. Thank you.\r\n\r\n>> I wish I could take the credit, but it was the Finance Director, Marcy Martin. >> Oh. >> You can thank Marcy for this.

Others? Comments? Member Paltin. >> Thank you, Chair for this Resolution.\r\n\r\nAnd I am so grateful that we're able to honor our Kumu Hula while they are still alive for they are decades and decades of service. I am more familiar with her brother coming from the Parks Department, but the whole family is wonderful. I'm glad we're able to do this for people while they are still alive. >> Thank you. Member Rawlins-Fernandez. >> Mahalo, Chair. I want to also echo that sentiment that Member Paltin shared that mahalo to you and Director Martin for this Resolution.\r\n\r\nAnd taking the time to honor such an impressive legacy of half a century. Mahalo. So grateful. I don't know Kumu Iola myself personally, but from what I understand, she embodies Aloha, the life force that connects us. And by being a Kumu, one the Kuleana is that community-building that 'Ohana fostering Ohana and creating that Village life that we love our home and we know each other and have relationship with each other. That is something that is important to us and that is something that a lot of Kumus do, and I understand that she does. And part of that Kuleana is also being the knowledge keeper of our Moelo, and the Kinau of all the different element and plants and keeping that Iki Kupuna alive and relevant.\r\n\r\nAnd so not being just the knowledge keeper of all of this, but being a knowledge transmitter, and sharing that so generously. I just want to mahalo Kumu Iola and Halau. Mahalo, Chair. >> Thank you. Anyone else? If not, I also want to participate in honoring you, Iola. Iola, I see quite often actually.\r\n\r\nWe hang out at food land.

[Laughter ]And she is also the Kumu for a number of my nieces. So we thank you for all you have contributed. this -- she is one of the most friendliest people in the world. It's incredible. The size of your heart is immeasurable. Anyone else?\r\n\r\nIf not, all those in favor of the motion, please raise your hand, say aye? >> Aye. >> Nine ayes, zero nos, motion carries. And okay, this is the time for others to come down to Iola and others. Iola, did you want to say a few words? Then we're going to take pictures with you, if you don't mind. So what happened last time, the reason why we postponed passing this Resolution is because she had a slight accident; right?\r\n\r\nIola something happened? Did you fall down or something? Maybe you can tell us what happened. >> Good morning. Aloha Kakahiaka to all of you, and my Aloha to each and every one of you who came today and to the County Council especially Alice, my good friend. She forgot her sons took hula from me and the students that see me still can't believe I remember their names. I took everyone to heart and I love everyone.\r\n\r\nI'm so happy I could share my Aloha with them, and I think it really stems from my dad, who had so much Aloha, and I'm so kind-hearted because of my dad. And you know, they always say Filipinos they always cry when they talk, you know? That is true. That is so true. But then I think I kind of learned how not to cry too much, but I'm really happy to be here today and feel honored that all of the people that I mahalo Nui. I had to write it down this morning. I told my husband, I have to write.\r\n\r\nHe said, that doesn't look real easy, it looks like a book, he told me. Mahalo Nui who really guided me and my plan of life, who carried me how to every bit. He made the plan, not me. I never thought of being a Kumu hula, but I thought of being a teacher at the age of first grade I admired my teacher, Mrs. Gaspar so much at Waiea school and said I'm going to be just like her, not thinking it would be through dance and hula, and I carried that through to be proud to be a teacher, because Mrs. Gasper she was just wonderful. Her husband made beautiful ukuleles.\r\n\r\nHe taught ukulele and she was just wonderful. But anyway, getting back to thanking Kekua and so many, many opportunities in my life through hula. And to all of the beautiful people mahalo nui loa to Honorable Josh Green, Governor of our beautiful State of Hawai'i, to Mayor

Richard Bissen and the County Council. To my dear friend, who has passed Councilwoman Tasha Kama, who respected and loved me and we talked many times throughout Foodland and other areas that we met. And who met with me two months before my 50th anniversary and who offered -- had offered her beautiful love, and help that she would want to help me to do this, my 50 years of a celebration. I loved Tasha and I know she loved me, because we talked many times along the ways about how proud she was of me to carry on my legacy through hula, and how proud I was of her to be a Councilwoman. And above all her dad, who was a beautiful, wonderful Reverend who prayed for all of us; whenever you need help, he was there.\r\n\r\nAnd to my parents, Richard Pablo Caldito, Sr., my mom Dorothy Lovell Caldito, my sibling, we're so close, my dad taught us a lot to be close, to care for each other whenever in need. My sister Ivy, who came up and said beautiful things about me, Ivy, mahalo. She is always there for me. And my brother Richard Caldito, Jr., who is also a politician, who loved life, who loved-- in fact, I'm like him. He was Mr. Personality. Everyone loved him.\r\n\r\nHe loved everyone, like how I do. And to my sister, my dear sister, we made her the Sergeant of all, because she was always there for us, and telling us what is good for us to do. Chair Lee, with the County Parks and Recreation for 42 years. You know, all of you maybe we weren't in politics or politicians to be there, but we loved that because of my dad, who loved that, too. And he also often talked to me about being a politician, but I said, dad, I don't think I would like to be that. I just love people, and I just love to be around them. So let me do what I want to do.\r\n\r\nSo he says okay, sister, I will let you know what you want to do. Anyway, to my dear, dear loving gracious ladies, my hula Halau, who have carried me how to, who have carried on the Aloha that I have taught them. I have molded the beautiful values of being a Hawaiian, to be first looked after their families, their 'Ohana. To have Kuleana, the responsibility of every aspect of their life to have La Lima, the helping hand of each other, Kokua, the help that we need from one another, good words to say to each other. And foremost, Aloha, the love, the respect, the caring and sharing for each other. That is what I portray just looking at me, my husband said, you're Aloha, nobody got to know who you are, they just look at you. I love you so much and we both shared 55 years' of marriage together.\r\n\r\nMy husband and I with our two wonderful sons that we know are life, our love, our beings are in them. Keolaokekai and Keali'i. And to you, the community of Maui, with so much respect of what I do, the opportunities of teaching so many students, and that I have molded all of these beautiful Hawaiian values with my hula in each and every one of them. My blessing of Aloha is all about, my Piha, fullest mahalo for 50 years of blessed opportunity which I shared with so many, so many hula performances. So much respect from the community, from the hotels, everywhere internationally, locally, who have accorded me with so many opportunities, mahalo Nui Loa and I mentioned the beautiful women, the keikis, the parents who have supported me all these years, mahalo, and especially the community of our island Maui. Mahalo. Mahalo nui loa. I love you all, and God bless you.\r\n\r\n>> Thank you very much. [ APPLAUSE ] And now Iola, could you wait there, because the Members are going to greet you. [ APPLAUSE ] Members, this meeting is in recess until 10:15. Thank you. [ GAVEL ] >> Will the Council Meeting of January 7th, 2026 please re-convene. Ms. Clerk. >> Thank you, mall Chair, we're moving on to testimony on any item on today's agenda.\r\n\r\nThe first person to testify is Lauren Akitake, she will be testifying on Bill 193 and Bill 2, and she will be followed by Michael Lily. >> Good morning, Chair, Vice-Chair, and Council Members. I'm Lauren Akitake, I'm the Executive Director and Legal Counsel to the

Maui County Board of Ethics and here to speak in support of Bill 193, and Bill 2. Which would increase our staffing from 3 to 5. Establish the salary ranges for the two new positions, allow for a mechanism to set the salaries within the Council-approved range, and to hire Staff part-time. Our office is five months young. We intentionally started small, so we could assess, workload before requesting additional Staff. El on it became clear our staffing was not sufficient. I have issued 62 informal advisory opinions, which is more than the Board issues in two years.\r\n\r\nWe have closed 25 complaints in 2025 some of those were filed and closed at the end of 2025 under our new rules, after investigation by our office. Additional Staff would let us move cases forward more eventually, develop written, video -- written and video training material and conduct in-person trainings. As I previously mentioned to you, a second Attorney would be essential for contested-cases as one Attorney presents the case and the other represents the Board, I wouldn't be able to do both of those things ethically at the same time. By comparison to the City and County of Honolulu, we're roughly a third of their jurisdictional size by employees, though we have more Boards and Commissions than they do. The Honolulu Ethics Commission has eleven employees when fully staffed. Which includes four lawyers, two legal Clerks, two Investigators, a training specialist and two Administrative Assistants. So eleven Staff.\r\n\r\nLooking ahead our workload will continue to grow. Updates to our lobbyist rules to align with the state's model will increase lobbyist registrations, and require quarterly disclosures, and our new rules clarify that anonymous complaints can be filed with my office. I know I have strong winter support from our Chair and Vice-Chair Captain Lily, given our urgent need. Vice-Chair Lily will be testifying in support right after me. Again, I thank you for your continued support, and steadfast commitment to our office. We're the very first neighbor island to take this important step of staffing our Board of Ethics office and we sincerely are grateful for your vision and willingness to lead the way to uphold the highest ethical standards in County Government. I would be happy to be a resource when the agenda items come up, if you would like.\r\n\r\n. >> Members, any objections to having Ms. Akitake? >> No. >> So ordered. >> Thank you. >> Next testifier. >> Chief of >> Chair the next testifier is Michael Lily, also testifying on Bill 193 and Bill 2, followed by Jolie Jenkins.\r\n\r\n>> Aloha Kakahiaka, this is Michael Lily, on Vice-Chair of the Board of Ethics. Before our current full-time Staff, the Board was not able to adequately investigate, and prosecute ethics violations, implement an ethics training program, and provide timely ethics opinions and other enforcement functions. So we desperately need a second Attorney, and I echo what our Executive Director Legal Counsel said why we need to have that second Attorney especially in contested-cases where she can't do both represent the Board, and present ethics violations to the Board. With a second Attorney, the functions would reside in two different attorneys and that preserves our independence. We also have a major ethics case that we able to pursue, because of the staffing, and because the current Staff are so overloaded with work. Lauren handles all the legal administrative work of the office, and since she took over in August, her workload has actually explode. She is handing UIPA practices, Uniform Information Practices Act ethics complaints, lobbyist disclosures and many other matters.\r\n\r\nAnd importantly, she has been given informal ethics advice with public employees without having to wait for the Board Meeting. As she said, she issued in the last five months, 60 opinions and it's way, way more than we do in two years, maybe three years. So that work is skyrocketing as County employees have been aware of this procedure. And she is also working on updating our lobbyist

and gift rules, proposal for Countywide ain't nepotism policies and proposal to extend the Board's jurisdiction over former employees, which the Honolulu Ethics Commission enjoys. We don't have that. Once a person is gone, we lose jurisdiction. Ethics training will become our most important job, but with current staffing we're not able to implement that program in the near-future, but an additional Staff will make it available, so we can have ongoing training of all employees because of the enormous amount of work her Staff does preparing for and wrapping up Board meetings we decided not to have a meeting one out of every three months.\r\n\r\nThe Honolulu Ethics Commission for example meets every other month and in time we might adopt that practice and this would alleviate a lot of Lauren's work, but she still needs a lot of Staff work. So in short, we're in desperate need for additional Staff thank you for your continued support to the Board of Ethics. We're so thankful to have Lauren Akitake at the helm. Thank you. >> Questions, Members? If not, thank you very much. Next testifier.\r\n\r\n>> Jolie Jenkins testifying on Resolutions 26-2 and 26-3. She will be followed by Lesley Milner. Good morning and Happy New Year, Council Chair Lee and County Council Members, and special congratulations to Council Member Batangan on your recent appointment. I am here in support of Resolution 26-2, and 26-3 to authorize a one-year extension to grant of lease of County real property to Hale Kupuna leases. I humbly ask for your support. I'm available. >> Any questions? If not, thank you.\r\n\r\n>> Chair, the next testifier is Budget Director Leslie Milner, testifying on bills, 3, 4, 6, 7, 8 and 11, and she will be followed by Brian Whitman. >> Aloha, Chair, aloha Council Members. Hau'oli Makahiki Hou everyone. So I will start with Bill 3 and try to keep these all brief. This is for the Komohana Hale apartment rebuild, \$2 million in insurance proceeds. These proceeds with under the Housing interim financing and buy-back fund an Enterprise Fund and I just want to make it clear, this is not the same fund with the same name, which I'm in discussions with finance about under Appendix A, part 2. This is a separate fund and it's an Enterprise Fund. Usually this fund does not have any operating or capital expenses which is why we don't enter in the budget.\r\n\r\nAs this is an capital asset moving forward, it needed to be recognized. So this is the purpose of this Amendment. Bill 4 -- >> Wait, let's take it one at a time. >> Okay. Questions, Member Paltin? >> Are we okay to proceed with floor action today? >> Thank you, Chair.\r\n\r\n>> Thank you, Council Member Paltin. Yes, if the body would like to, that would allow the construction to proceed sooner rather than later. >> Thank you. >> Member Rawlins-Fernandez? >> Mahalo, Chair. Maybe when you do each item, you can let us know if you are requesting floor action or if floor action would be okay? >> Thank you, Chair.\r\n\r\n>> Yes, I'm just testifying on items today for floor action. >> Okay. All right. All of them. >> Skipping two bills for referral. >> Mahalo, Chair. >> Did I see a hand over here?\r\n\r\n>> Vice-Chair Sugimura. >> So I guess I'm curious about this, because you are recognizing \$2 million from the Housing interim and buy-back Revolving Fund is confusing. So if you could -- I don't know, I kind of want this to go to Committee for further discussion, just clarifying since we're talking about lots of money. >> Thank you, Chair. That is the body's prerogative to do that and also open to 7b for Enterprise Funds if the body chooses to take action today. >> Okay. You can't hear me?\r\n\r\n>> Thank you. >> Who can't hear you? >> Tom. I need to speak closer to the mic. >> Oh, I see. >> Yeah. >> You just explained -- did you just explain that this is the same name given to a fund as another fund?\r\n\r\n>> And that is the reason for the confusion? >> One is a revolving and one is an enterprise. So what was mislabeled here on the agenda? >> No. >> If you look at page 89 budget it's referred

to as a Revolving Fund and for some reason they were both given the exact same name. That is confusing, but the funds in the Enterprise Fund carry-over as well and they are in sense a Revolving Fund, but an Enterprise Fund. >> So confusing.\r\n\r\n>> Do you want to explain the difference. >> An Enterprise Fund is generally used for business purposes of a government so this is where we recognize rental income from the properties that fall under this fund, and then those funds are used to put back into the properties, which is why they are not recognized in the budget, because it's not a Departmental operating expense and it's not a capital improvement. >> Member Kauanoe Batangan. >> Thank you, Chair. So Director, you mentioned that you requested us to take action on the floor today. Can you go into the consequences of referral or taking action today? What is the difference in the timeline?\r\n\r\n>> Thank you, Chair. Thank you, Council Member. If floor action is today would pass second and final reading at the January 23rd meeting and if referred to Committee it possibly won't pass until late March on second and final reading, which will delay the implementation of the project of the thank you, Chair. >> Any more questions? Member Uu-Hodgins. >> Thank you. Sorry, I may be confused.\r\n\r\n>> So this is monies coming from the buy-back Revolving Fund. >> Thank you, Chair. >> Insurance. >> These are insurance proceeds deposited into the buy-back fund, because we intend to rebuild the Komohana Hale apartments. If the deterrent had chosen tot to rebuild the apartments it would have been deposited back into the General Fund. >> Is there limitations on how we can use that money? >> Yes.\r\n\r\n>> The money in the Revolving Fund needs to be used for specific properties. >> But is there limitations to, like, what we can use it for besides on projects? >> Chair? Sorry, we're going into deliberation. >> Can we keep you, or can you come back? >> Thank you, Chair. Yes.\r\n\r\n>> If you want this done on the floor, I do have questions and if not, I would have to probably go to 7b in Committee. >> Thank you, and finance is also on standby, if there's question. >> Next item. >> Next item is Bill 4, this is the Lahaina Community Land Trust. As we stated in the transmittal letter, there has been discussed with Lahaina Community Land Trust, and due to the restrictions on Open Space Fund, such as needing to identify TMKs before we can move forward, it really restricts their ability to use the funds that were appropriated, and doesn't allow them to proceed with the projects as needed. So we're recognizing -- we're requesting an Amendment to recognize \$5 million in carry-over/savings to increase the condition under the Department of Housing by \$5 million and delete that \$5 million from the Open Space Fund to allow them the flexibility to allow them the good work that they have been doing. >> Mr.\r\n\r\n>> Sinenci. >> Thank you, Chair. Mahalo, Director. So it doesn't go back into the Open Space Fund? >> Thank you, Chair. No, the \$5 million remains in the Open Space Fund and we're recognizing \$5 million in additional funding. >> Thank you.\r\n\r\n>> Anybody else? Member Uu-Hodgins. >> Again, can you stick around for this one, too, thank you. >> Next item. >> Thank you, Chair. Bill 5 is for the miles per hour Economic Development, Environmental, and Cultural Programs fund. I will let Council Member Uu-Hodgins speak on this when you get to, but the purpose is to delete the Kaizen group as they are not able to utilize the funds in this Fiscal Year and insert Nack mauka Alico.\r\n\r\n>> Okay, and the reason why you are bringing it up, you are asking for floor action? >> Yes, thank you, Chair. >> Okay. The next item. >> Item is Bill 6, also requesting floor action. This is for to recognize \$162,500 in carry-over/savings that would be appropriated to the human concerns Department to their B account. This is for the safe parking program.\r\n\r\n>> We got an update from the contractors and we're under could be contract now, but we got an update that

costs are higher for infrastructure, like sewer, electrical, water, the things needed for on-site showers. So we would like to ask for floor action as you all know this has been in process for quite a while and we would love to keep momentum going on that Vice-Chair Sugimura. >> Great, where is the site? >> Thank you, Chair. I will have to check my notes. Can I text you on that? >> Okay.\r\n\r\n>> Thanks. >> Next. >> And Bill 7 this is for Appendix a, part 1 East Maui Water Authority has received \$40,000 from the Hawai'i Community Foundation for the freshwater initiative. This will be used for East Maui stewardship plan. So they can get started on that sooner rather than later if we get that added to the budget. Today. Well, the 23rd.\r\n\r\n>> Questions? No questions. Okay, next. >> Thank you, Chair. Bill 8 adding conditional language under the Department of Management, Officer of the recovery. This is not additional funding. This is just to add a line item for \$13,137. This would be for the Festival Aloha incorporated for Lahaina homecoming event, which would be July 2026. It's anticipated total cost for this project is \$300,000, but the remainder will be funded through private donations that were received by the Office of Recovery over the past two years.\r\n\r\n>> Questions? No questions. >> Thank you, Chair, my final one, Bill 11 for Appendix A, part 2 affordable housing fund, the Kehalani apartments project to change the unit distribution. There will still be 35 units it's just going to change how they are distributed between the different AMI and I did see that Mr. Bigley has signed up and will probably provide you information on this as well. It's related to improving scoring in their application for state funding. Thank you, Chair.\r\n\r\n>> No questions. Thank you. >> Thank you. >> Chair the next testifier is Brian Whitman, testifying on Resolution 25-230 and followed by Douglas Bigley. >> Thank you, Chair Lee, Council Members for listening to my ideas. This is regarding Resolution 25-230 establishing H-3 H-4 Hotel Districts, which is a partial solution to Maui housing and not come into effect until 2029. The intent community involvement with Bill 9 and these related Resolutions confirms that transformative nature of the County's power to create so many laws. I would like to add both County and State governments also have the power to create moratoriums to address some housing and referring to House Session Law Act 15 passed under Governor Waialae in 1988. I mentioned in previous testimony more than 2,000 housing units built in Maui County in the '70s and '80s and 1992, of these years 1992 is the outlier, as the others were in a general boom time that many more zoning and use restrictions were Enacted, with Section Act 15. The State forced the building of affordable housing by allowing exemptions from all statutes, Ordinances, Charter provisioning and all rules relating to Planning, zoning and construction standards for subdivisions as long as they "did not contravene public health and safety considerations." In other words, they made their own rule in partnership with the Housing Finance Development Corporation which is now Hawai'i Housing Finance and Development Corporation.\r\n\r\n>> High handed deals using Hawaiian Homeland property to which the DHHL rightly objected, and then the whole Act 15 automatically expired in 1993 anyway and no further work was done. So my thoughts are No. 1, even while working to amend and improve zoning laws, could the County also invite the State to consider legislating another Session Act in 2026 that would again temporarily suspend all County development law to fast-track some affordable housing in West Maui? Point 2, I don't know if Mayor Hannibal Tavares Act 15 as an unwelcome intrusion upon County authority or convenient opportunity to avoid having to take stand between opposing concerns? In any case the homes were built and there's not be a certainly increase in housing units on Maui since that time. I guess my time is up. I have a

minute.\r\n\r\nOne more paragraph. No. 3, could the public and/or local government stimulate HFDC and Hawaiian Home Lands to come to terms regarding adjacent developments? Perhaps develop a guaranteed ongoing generational leasehold system similar to Hawaiian Home Lands a dollar a year for homes that bequeath the home to heirs, but if the building is sold outside of the family, but sold to someone on the qualification List. >> Can you conclude? >> Thank you, yes. >> I have three minutes next time.\r\n\r\nI just have ideas I would like to share with you. Thank you. Do you have questions? >> We have a question. Member Paltin. >> I would like to clarify how it would work when it's the State CWRM holding up development of new housing in West Maui by dragging their feet on Water Use Permit applications? We can entitle all of the housing you want, we also have a thousand entitled, but as long as CWRM doesn't release the water, doesn't do the Water Use Permit applications it's not going anywhere so maybe you should take this testimony to the State CWRM?\r\n\r\n>> I will. I will take this testimony to anyone that you would recommend. Also, I think that it seems to me that I don't know exactly how that happened back in the 80s, but somehow the State government got hold of the emergency, and I don't know if this -- if they generated that themselves or whether there was a public basically you can't build housing without water. So CWRM needs to get in gear. I think, if you want to tip the scales, that is where it's at in West Maui. >> Okay. Thank you very much.\r\n\r\n>> Thank you. Chair, the next testifier is Douglas Bigley, and please Mr. Bigley let us know what item you are testifying on, and he will be followed by Autumn Ness. >> This is Douglas Bigley. Thank you, I'm testifying on Resolution 26-4 and it's lease of land on Lana'i and it's a project that we're actively been engaged in for a while. The land is a natural stepping stone and going back to a couple quick things. One is as you all know we finished 289 units in Lahaina.\r\n\r\nAnd the process for us always starts at very beginning and I always say to people, the opportunity to save time is always in the beginning. And land is a critical component for us. So I would like to do everything concurrently and everybody asks how we move quickly? Because we move concurrently on everything at the same time. So we're trying to get the infrastructure as quickly as possible on this and one of the critical components of that is to get this land lease completed, and that also speaks to how we get financing. I need to be able to control the land to be able to get the financing. So it's kind of sequentially.\r\n\r\nSo I'm trying to move things concurrently. I will be available to discuss it in detail further, but saying patience hasn't worked very well for me. I will be very honest with you all. I pray every day, but we do need to move this along, if we can. I appreciate everybody's efforts here. Thank you. >> Doug, I will lend you one of my angels.\r\n\r\nAny questions, Members? >> Please. >> Member Johnson. >> Thank you, Chair. You know, I'm going to try to push for floor action on this, for Mr. Bigley, can you restate how important it is that we get this done today for HFDC deadlines? >> We certainly have the HFFDC deadline looming because we start the application process in February, and that is a critical control is a critical component, but that is only a singular component, Gabe.\r\n\r\nI wanted to broaden it out, there's so much we have to do on this land, in addition to just that. We have all the Planning that everybody is sitting and waiting right now to move on a lot of different things, but the land is a critical component of everything right now. >> Thank you so much, Mr. Bigley. >> Thank you, Chair. >> No problem at all. Thank you.\r\n\r\n>> Any more questions? If not, thank you. >> Chair, the next testifier is Autumn Ness, Ms. Ness, please let us know which item or iteming on, and she is followed by Kai Nishiki. >> Aloha everybody. Happy New Year I'm here testifying on Bill 4. I'm so gosh I'm so grateful

for everybody for all of their creative problem-solving here. A couple of updates so you know where this fits.\r\n\r\nWe had this \$5 million of Managed Retreat funding. Thank you, dedicated by you folks. This is likely going to be unspent per our commitment to you. We had some parcels identified on the Shoreline that we would purchase potentially if they sold, and be able to keep them in the 'Ohanas' hands. If you remember correctly, we wanted to use this Managed Retreat funding responsibly in a way that doesn't set a bad precedent for shoreline buyouts he is where. So the good news instead of having to buy out these parcels that we have identified, we worked with an organization called Huli O'Pa'a and doing genealogy research to apply for 'aina Kupuna designation and not have to sell their land. That is amazing.\r\n\r\nWe can just hands off. Like I said, we promised we would only spend this many if we needed it in a very specific lane, and it looks like we won't. The Fiscal Year is not over yet, but we're thinking that we'll let those funds lapse back into the fund, open space money is a similar situation. All of the high-priority parcels that we identified for this funding actually by the community were either they don't look like they are going to sell any time soon, which is potentially good. Some were listed and sold before we could move on them, because the speed of real estate in Lahaina is really fast or they don't fit the exact requirements for Open Space Funds. For that same reason we would like to be good stewards of these funds and not just spend money because we can. We know for sure that housing and residential parcels are the highest area of concern, and the most urgent need. They are being listed and sold at record speak and bracing for the day that the settlement is signed.\r\n\r\nThe day the settlement is signed we anticipate a large amount of landing going up for sale and so we're kind of building up a war chest to prevent that -- those parcels going into investor hands. We currently have a \$5 million matching grant that we're working through from a private Foundation. Add this to our war-chest and we can make some real progress of protecting 20% of Lahaina's residential real estate. That sounds crazy a couple of years ago, and we are are on the path. We're going to do it. At the moment, we have title 2, or escrow for 17 parcels including one newly constructed home, that is zoned totally of 44 homes. We have a clear path, and funding for construction in at least ten of those parcels right now.\r\n\r\nSo far. Additionally, we have nine homes -- >> Time. >> Currently being rebuilt through our rebuild support program. That is 'aina that is owned by the 'Ohana, but protected by deed restriction and you will see house warming parties coming very, very soon on those. That is a total of 25 parcels in just over two years, you guys, that we have protected together. 53 homes that is zoned for. >> Thank you.\r\n\r\n>> So is that my three minutes? I'm sorry I didn't hear the timer. >> Yes, it went off. >> I'm so sorry. >> We have a question for you, Member Paltin. >> Thank you, Chair. Thank you, Ms.\r\n\r\nNes. I just wanted to clarify when you said that the settlement gets disbursed or signed you are anticipating a flood of sales. Is that because they still need to own the property in order to get the settlement monies? >> Yes. So I want to be clear, there's two important things that are going to happen with the settlement coming up. One, is that they think there might be some checks going out to folks like interim money, but that is not like the settlement being signed. So there may -- I'm not an Attorney, we're just this is what I hear, there may be a reality that people start to get settlement checks.\r\n\r\nIt's like the minimum amount, just to get them cash in hand, but the settlement itself hasn't been signed yet. And so if you sell your property before the settlement gets signed it will affect the amount of money that you get and so we actually internally have a list of people who are waiting to sell

their property until settlement gets fined and that is only folks we know about. There's a lot of people that we don't know about that are also waiting, and the other folks who know about this deadline are big disaster capitalist investors. They are waiting. They know that the market is going to flood with parcels, and we need to be able to compete with them. That is when the really literal Fire sale is going to happen. So we're just preparing for that.\r\n\r\n>> Thank you. >> Any more questions? Member Sinenci. >> Thank you, Ms. Nes. I was just curious if residents are going to be selling their lots, are they will they get taxed from the sales especially estate tax? >> That is a great question.\r\n\r\nI mean, folks, it's situational. Folks who sell to us pay normal real estate transfer taxes. We have a couple of unfortunate situations that the family has moved already out-of-state and they just decided to sell to us. In that case, in normal times if you are an out-of-state buyer or seller you have to pay higher conveyance taxes; right? We actually helped folks apply for exemptions with state, because they are not just an out-of-state buyer or seller. They were displaced by the Fire. In two situations, we had the State agree to exempt them from taxes because they -- the only reason they are out-of-state resident because they had to move because of the Fire.\r\n\r\nDo you know what I mean? Does that make sense? >> Yes, thank you. Thank you, Chair. >> Anybody else? If not, thank you. Next testifier.\r\n\r\n>> Chair -- >> Thank you, everybody. >> Chair, the next testifier is Kai Nishiki and please let us know which item you are testifying on, and she will be followed by Jonathan Helton. >> Aloha, Chair, and Members. Testifying on CC 26-1. CC 26-2. CR 26-3, CR 26-5 and resolution 25-230. Starting off with CR 26-3 testifying in strong support of the West Maui swimming pool moratorium and to note on today's agenda, this are some significant agenda items namely the swimming pool moratorium and enforcement and the Amendments for the H-3 H-4 zoning proposals and they are deeply connected together they represent an important shift towards carrying for our public trust resources and prioritizing resident quality of life and our relationship in the environment is reciprocal. We care for the 'aina and the 'aina cares for us and one the reasons for 'aina if we over extract and overconsume and overdevelop without limits we undermine the very systems that sustain us. West Maui is already experiencing extreme water stress and pressures and issues and infrastructure limits. In that context continuing to allow new swimming pools sending the wrong signal.\r\n\r\nPools are not essential uses. Water is life, especially for the greatest need in West Maui, which is long-term protected pet-friendly affordable housing. And that is what water will lead to. This moratorium is reasonable, temporary, and necessary safeguard. It does not take anything away from our community it protects them and ensure our limited resources are prioritized for community drinking water, Fire protection and basic household needs. We need to urgently prioritize the collective well-being, and this is what stewardship looks like in practice, recognizing limits, and choosing restraint in times of scarcity. Thank you to Council Member Paltin for this proposal.\r\n\r\nFor CR 26-5, the water conservation enforcement Bill. Strong support. Conservation without the ability for enforcement is not actually conservation. It's just kind of like a suggestion. Our water is finite, sacred and increasingly vulnerable and we cannot afford to rely on compliance alone. Water is a public trust resource and not a private commodity and while some users ignore restrictions or overuse water, particularly for non-essential purposes, it directly impacts everybody else. Residents' needs for housing, farmers, cultural practitioners ecosystems.\r\n\r\nThis Bill is about fairness and accountabilities, and ensures that those who follow the rules are not penalized while others exploit

loopholes. This gives the County the tools it needs to respond quickly during drought, and infrastructure strain. Most importantly, enforcement protects community trust. Residents are far more willing to conserve when they see that all of the rules are equally applied, and that there's actual enforcement happening. This legislation aligns with our values of Malama 'aina and shared responsibility and acknowledges our survival and resilience, which depending on collective action, not just good intentions. And we really need water conservation enforcement in West Maui, as you know. No new pet-friendly rental or homes that are truly affordable and protected from speculation are being approved, and as the former Chair of the West Maui CPAC, back then, we were already thousands of units behind, and it's shameful that at this point, that there is no new housing being developed in West Maui.\r\n\r\nMoving on to CC 26-1. CC 26-2, and Resolution 25-230. I'm testifying in support of the creation of the H-3 H-4 Zoning Districts with strong Amendments and safeguards particularly for Shoreline areas, and in regards to vacation rentals. This effort to improve zoning by addressing the mess that was previously -- that previously existed in A-1 A-2 has been a long time coming and we applaud the Council for continuing each of the necessary steps to complete this equally important and complicated legislative error in establishing zoning efficiency. Thank you to Council Member Cook for taking the initiative to draft this companion legislation in such a timely manner and most importantly being open to discussion of the equally important -- sorry, changes before Planning Commission transmission to allow for Fuller discussion. We understand and support the Council's desire to transmit this proposed Bill to the Planning Commissions with expediency, and so I'm very grateful to Council Member Paltin, and Council Member Rawlins-Fernandez who took swift action and offered Amendments to address glaring absent safeguards for community in exchange for this huge upzoning gift and that the near-shore environment is carefully considered as sea-level rise and coastal erosion continue their natural inland approaching impacting structures nearing the end of their useful life. The proposed Amendments acknowledge the fact that shoreline property owners have a great responsibility to our community and our environment. Now and especially in the near-future why structures will need to be removed. With great privilege comes great Kuleana.\r\n\r\nWe appreciate the flexibility, of each one of you who offered extra meetings and opportunities for public participation to ensure well-rounded discussion take place and that responsible, thoughtful policy will result in the end. This proposal represents one of the most significant zoning shifts the County has contemplated, when the County changes zoning especially in Shoreline hazard areas, it's not just granting development rights. It's making a statement who benefits, who bears risk and how we protect public trust resources over time? If you look carefully at these Amendments, and you recall what County Planning Director Blystone read to you in charge of zoning 19.510.040 that the County Council may grant a change of zoning if all of the criteria are met, and mostly it has to do with consistency with Community Plans and adverse effects on our infrastructure, water systems, sewer, and also adverse effects regarding social, cultural, economic, environmental and ecological character and quality of the surrounding areas. So these proposed Amendments are taking into -- that into consideration and Planning Director also put forward that -- >> Ms. Nishiki, could you conclude, please? >> Yes.\r\n\r\nShe had mentioned that requirements within the new Zoning District should be carefully considered, because there should not be a reliance on change of zoning at that time. Thank you very much. >> Did you have time for the other subjects? Did you cover all of them? >> Oh, I'm so sorry, I thought you were saying

I'm finished. I do have just a few more. >> Three minutes for each.\r\n\r\n>> Chair? >> Can we check if online they can hear the beeps? The alarm sets the timer. >> I think we can. >> I figured. >> I haven't heard anything. >> I will let you know.\r\n\r\n>> Okay. >> You can't hear it, so that is the reason why I will come on. Three minutes is kind of a long time. So we try and encourage you to confine your testimony within that timeframe, okay? So you can proceed with the rest of the items. >> Okay. So in addition, in looking at these Amendments, it is important to consider that in a County initiated change in zoning, much of the costs and responsibilities are then placed on the County to provide lots of documentation, >> Ms.\r\n\r\n>> Nishiki, I meant on the other items. >> There's three of them on the change in zoning, because my Amendment, her Amendment, and the actual change in zoning. But if the testifier's camera is on, she can look at the clock. >> The timer is still going. >> So just -- >> Can you see the clock? Can you see the clock? >> No.\r\n\r\n>> The reason that you can't see the clock is because the view online is of the entire Chamber, and so you cannot see where the testifier would be and that is where the clock is at. I think that Council, or Staff has access to both cameras, perhaps? And it minor might make it easier for those online to have the view of the testifier >> Why don't you continue with your testimony. I realize there's to ASFs plus the item. If you are going to testify, can you testify on them separately, rather than combining everything? Okay. So at what point -- I know you have already discussed the ASFs.\r\n\r\n>> Did you have more to say on that? >> All right, Chair, real quick. >> Yes. >> Excuse me, Ms. Nishiki, could you hold on a seg. Member Rawlins-Fernandez. >> Mahalo, Chair.\r\n\r\n>> There's two ways that our testifiers online providing testimony remotely would be able to see the timer. One way is through clicking the three dots that has more under there, and choosing "view." And then you choose "large gallery." is one way. And then the other way is to close -- you go to "more." You go to "settings," And close the videos that are currently not on. >> Do you want to try that, Ms. Nishiki?? >> Yes. I have done both of those. >> You have tried it and you don't see the timer?\r\n\r\n>> And more, I can't close things under view. I do have gallery up. >> Large gallery. >> The Chambers. >> There's the gallery and large gallery. Did you try the large gallery? Clicking on that?\r\n\r\n>> Or do you just see the Chambers? >> Then I can see the testifier >> Yes. >> Camera. >> Yes. You see it? >> Yes. >> Perfect.\r\n\r\n>> Thank you. >> Okay. So where did you leave off exactly? >> Then it kind of moves around as -- >> That is what I thought. You are kind of moving around. So it's hard to say that you spent three minutes on each item, because you kind of go from one lane to the next lane; right? And come back to the other lane.\r\n\r\n>> So why don't you just -- how about you just take three minutes to finish up? >> I will be finished in less than a minute. Thank you. >> Okay. Let's do this. Go ahead. >> Okay.\r\n\r\n>> Any zoning framework in these areas must prioritize and I'm talking about the Shoreline area, must prioritize risk-reduction, public access, and long-term community benefit, not short-term private gain. That is why the Amendments and requirements matter. Without them, H-3 H-4 zoning will increase property value for offshore owners and unintentionally incentivize redevelopment in areas that are already vulnerable. With the right safeguards however, this zoning can support managed transition, limit harmful Shoreline impacts and ensure that vacation rental use does not override residential quality of life or coastal resilience. And that is why I wanted to bring your attention back to what Director Blystone read off on the change in zoning criteria that are met, because these Amendments specifically speak to what she was speaking about and consistency with the Community Plans, and the adverse -- and the

adverse effects. So I hope that Council Members will carefully look at the change in zoning 19.150.040 for that criteria and ask Director Blystone to be a resource. So that she can also share that requirements in this new Zoning District should be considered.\r\n\r\nSo that we are not faced with 90 properties before the Planning Commission all being testified against on numerous separate conditions of zoning, and then they are just kind of like all over the place. And lots of work for everybody. So this is the time to carefully consider all of the ramifications, and you folks need to consider that with County-initiated change in zoning, that also circumvents a lot of required environmental review. For instance when a change in zoning and a Community Plan Amendment are necessary, that would be environmental review would be exempted through a County or Council-initiated process. And you know, properties developed back in the 60s and 70s were not -- you know, a lot of things weren't considered back then. Thank you very much for your consideration. Mahalo.\r\n\r\n>> Any clarifying questions, Members? If not, thank you very much. May we have the next testifier. >> Chair, the next testifier is Jonathan Helton and please let us know when item or items you are testifying on. He will be followed by Everett Dowling. >> Good morning, Chair, and Vice-Chair, Members of the Council. I'm Jonathan Helton, for the record.\r\n\r\nI'm a registered lobbyist on behalf of the grass roots Institute of Hawai'i and grass roots supports Bill 183. So I'm sure you are all familiar with the Bill but for con fetcher for those who aren't, the Bill will increase the high limit in the West Maui Community Plan and the National Historic Landmark District in Lahaina from 30' to 35'. It would also create an exemption for structures taller than 35' before the Fire, so they will be able to rebuild back to their pre-Fire heights. That would apply to certain historic buildings such as the Waialo church and grassroots supports this Bill because we think it promotes fairness for anyone looking to rebuild. We think if will make it at least possible for some of the building could be built back in a way that is similar to the aesthetic of old Lahaina before the Fire and for that reason, if any of you have looked at my written testimony, grassroot is requesting an Amendment to the Bill. Right now, the Bill's waiver of the height limit only applies to public and quasi-public use properties. Now back in one of Planning Commission meetings, the Planning Department said that it doesn't have an exhaustive list of properties that were taller than 35' before the Fire. It did say that it knows the wharf cinema center was taller than. For that property, nor for them to rebuild to pre-Fire height, they would have to most likely go through all of the hassle of trying to get Community Plan Amendment for their building.\r\n\r\nSo that is why grassroots is requesting the Amendment that I laid out in my written testimony which is essentially just removing the public and quasi-public use term in the text of the Bill. So that any property no matter what use it was before the Fire, if it's rebuilding back -- it would be allowed to rebuild back to its pre-Fire height. I think this would give everybody the chance in Lahaina to build back what they had before and what the Council has tried to do and I think that is what the community demonstrates what it wants in a lot of cases and ask support for the Amendment. Thank you. Happy to answer any questions. Thanks for your time. >> Any questions for Mr.\r\n\r\nHelton? Thank you very much. I do want to let you know as well as the Members, and everyone else that I intend to ask to table this item, because I was informed this morning that a Public Hearing is required. So we're going to have to hold that in the District, and then take it up after that, after the Public Hearing. No more questions >> >> Thank you for letting me know. >> Next testifier. >> Everett Dowling is testifying on item 11 and currently the last testifier.\r\n\r\n>> Chair

Lee, council members, Happy New Year. >> Happy New Year. >> Representing the Dowling Company, as you might recall last year, the County approved 100% project in Keaolani, award \$3.5 million of loan from the affordable housing fund. Since we were last before you, we were able to tweak based on construction cost, able to tweak the affordable to make it a bit more afford the new affordability obligation is less -- actually greater than what was approved by the Council. So originally the Council approved four units at 30%, zero units at 50%, 31 units at 60% AMI, for a blend rate of 56% AMI. Subsequently we have been able to based upon our construction costs coming in slightly better than expected, we're at three units at 30% AMI, eight units at 50% AMI, and 24 units at 60% AMI for a blended affordability of 53% AMI. So it's some fine-tuning and I appreciate your support of Bill 11. Happy to answer any questions, if there are any?\r\n\r\n>> Members? Member Paltin. >> I'm so sorry, could you repeat what you said about what it used to be? >> Previously it was 30% four, at 50%, zero, at 60% 31. For a blended affordability of 56% AMI. The current is -- >> I got the current. Thank you so much. >> You're welcome.\r\n\r\n>> Any more questions, Members? If not, thank you very much. >> Thank you. >> Chair, the next testifier is Jim Langford, Mr. Langford, please let us know which item or items you are testifying on. >> Aloha. I am testifying on the numbers get a lot odd for me -- on the ethics, in full support -- [INAUDIBLE] Personnel support.\r\n\r\nI would like to offer my autism -- [INAUDIBLE] So that it could serve good people -- [INAUDIBLE] as well, I posted some solutions to the water online on the Facebook, and wrote a bunch of grants to cover the financial needs of implementing the water in the new H-3 H-4 zonings as well. So just to stay ahead of that. So there's a lot of great information on there. I hope you find it useful, and Happy New Year to you all. And congratulations to -- yes brother, the smile is good enough. I'm not going to practice and embarrass myself -- that is all I got to say to you. Have a blessed day.\r\n\r\n>> Thank you, but please review that information. It will save about \$740 million over the next ten years, implementing -- and it doesn't slow development, it actually refines it. And what Council person was speaking about, sorry, earlier, about the limitations. I worked around it using atmospheric water generation system. [INAUDIBLE] Anyway, that is good stuff. Have a blessed day.

Congratulations.\r\n\r\n>> Aloha. >> Thank you. Questions, Members? If not, thank you very much. May we have the next testifier, please. >> Chair, I see J.C. Lau making his way to the podium. ? >> On the agenda, thank you Clerk's Office.\r\n\r\n>> This agenda got a lot of stuff going on, but it's very understandable, and in English. So understand that this is at the beginning of the meeting still; right? Testimony. And the Wilcox rebellion was January 6-9th, 1895 and I would really like to know a lot more about that. I don't know where I can get that kind of information, because I don't have a computer, and the State library across the Street is inaccessible. There's a person there that is blocking the Iki from me. So pledge of allegiance, in Olele Hawaiian says Olele -- Hiki ka pa, and just says Pledge of Allegiance, but it doesn't say who to pledge allegiance to.\r\n\r\n>> If I could get the Pledge of Allegiance to insert the words and I could just substitute the flag of the Kingdom of Hawai'i. That is it for now. I'll be back. >> Thank you. Questions, Members? If not, may we have the next testifier. >> Chair, currently there are no other testifiers signed up for testimony at the beginning of the meeting. So if anyone wishes to testify at the beginning of the meeting under general testimony, please raise your hand in teams or make your way to the podium.\r\n\r\n>> Chair, seeing none, countdown, 3, 2, 1, there's no one indicating that they wish to testify. >> Any objections to closing public testimony and accepting written testimony at the

beginning of the meeting. So ordered. Ms. Clerk. >> Thank you, Madam Chair, moving to testify on County Communications and currently no one signed up to testify on County communities except J.C. Lau. >> I'd like to compliment Council Member Paltin glasses on.\r\n\r\nI just want to say that I am pretty sure she got that with County Communication 26-1. It's a good one. >> No questions? Next testifier. >> Chair, there is no one else signed up to testify on County Communications. So we'll go ahead and give last call. Seeing no one raising their hand in teams or making their way to teams, countdown, 3, 2, 1, Chair, there's no one else to testify. >> Any objections to closing public testimony and accepting written testimony on communications?\r\n\r\n>> No objections. >> So ordered. Ms. Clerk. >> Chair, before you is CC 26-1 Council Member Paltin transmitting a proposed amendment to Resolution 25-230 entitled, "referring to the Lana'i, Maui and Moloka'i Planning Commissions a proposed Bill ending the Comprehensive Zoning Ordinance to establish H-3 and H-4 Hotel Districts." >> Member Paltin. >> Thank you, Chair. If there's no objections I would like to -- I would like to ask that County Communication 26-1 be postponed until Resolution 25-230 is taken up.\r\n\r\n>> Any objections? >> No objections. >> Okay. So ordered. Next item. >> Chair, before you is CC 26-2Council Member Rawlins-Fernandez transmitting a proposed Amendment to Resolution 25-230 entitled, "referring to the Lana'i, Maui and Moloka'i Planning Commissions a proposed Bill amending the Comprehensive Zoning Ordinance to establish the H-3 and H-4 hotel Districts." >> Member Rawlins-Fernandez. >> Mahalo, Chair.\r\n\r\nIf there's no objections to request that CC 26-2 be postponed until Reso 25-230 >> Any objections, members? If not, so ordered. >> Ms. Clerk. >> Chair, we're onto Committee Reports; there is no one signed up to testify, but I see Mr. Lau making his way to the podium again. >> Committee Reports.\r\n\r\nThe United States -- they are on me. I just wanted to thank Director Mitchell for working with the United States Department of Housing and Urban Development. These are very trying times, but he seem like he is doing a good job and seems like he is happy with your guys' cooperation. >> Chair, there's no one else signed up to testify. So this is last call. You can raise your hand in teams or make your way to the podium. This is last call.\r\n\r\nThe countdown is 3, 2, 1. Chair, there's no one indicating a desire to testify. >> Any objections to closing public testimony on Committee Reporting and accepting written testimony into the record? So ordered. Ms. Clerk. >> Chair, from the Budget, Finance, and Economic Development Committee CR 26-1 recommending adoption of Resolution 25-221 to amend the Fiscal Year 2026 budget Department of Public Works by transferring \$145,000 from road, bridge and drainage maintenance programs Highway Fund, Category A, salaries, and \$75,000 from the Traffic management program, Highway Fund, category A, Salaries, to the Traffic Management Program, Highway Fund, Category B, Operations and Equipment to cover \$220,000 in unanticipated operational costs. >> Vice-Chair Sugimura.\r\n\r\n>> If no objections to call CR 26-2? >> Any objections? Members? Ms. Clerk. >> CR 26-2recommending the following: 1, first reading of Bill 177 (2025) to amend Ordinance 5820 (2025), which authorizes the Mayor to enter into an Intergovernmental Agreement for loans from the State of Hawai'i Water Pollution Control Revolving Fund to finance various projects to add \$22,409,000 project entitled "Lahaina Wastewater Reclamation Facility returned activated Sludge RAS/dewatering updates. And 2 first reading of Bill 178 (2025) to amend the Fiscal Year 2026 budget by 1, amending Section 2 estimated revenues by increasing Department of Environmental Management West Maui Community Plan Area by adding a state Revolving Loan Fund appropriation entitled, "Lahaina Wastewater Reclamation Facility returned activated sludge RAS/ dewatering upgrades in the

amount of \$22,409,000." 3, adjusting the totals accordingly. And 4, amending Appendix C, Capital Improvement Projects Department, of Environmental Management, West Maui Community Plan Area, by increasing the appropriation for Lahaina Wastewater Reclamation Facility returned activated sludge RAS/dewatering upgrade by \$22,409,000 from \$10 million to \$32,409,000. >> Vice-Chair Sugimura.\r\n\r\n>> Thank you, Chair, I move to adopt recommendations in Committee Reports 26-1, and 26-2. >> Second. >> Moved by Vice-Chair Sugimura, seconded by Member Uu-Hodgins the other one -- [laughter ]Discussion? >> Relating to Committee Report 26-1, Resolutions 25-221 transfers \$220,000 from salaries to operations and equipment within the Department of Public Works. The funding is needed to repair damaged in incidents and replace failing traffic signal equipment. The Department can still cover salary costs through Fiscal Year 26 after this transfer. Relating to Committee Report 26-2, Bill 177, 178 amends the authorization for loans from the State Water Pollution Control Revolving Fund and Fiscal Year 26 budget respectively to recognize \$22,409,000 for the Lahaina Wastewater Reclamation Facility return to activated sludge, and dewatering upgrade project. This funding will support assessments designed permits, and construction for the renovations of aging facility and equipment.\r\n\r\nThe Budget Director reports this loan is eligible for 100% Principal forgiveness. We like that. >> Any more discussion? All those in favor of approving the recommendations in Committee Reports 26-1 and 26-2, please raise your hand and say aye? >> Aye. >> Okay. Nine ayes, zero nos, motion carries.\r\n\r\n>> Chair, from the Disaster, Resilience, International Affairs, and Planning Committee is CR 26-3 recommending first reading of Bill 161,, CD 1 (2025) to establish restrictions on the permitting and construction of new private swimming pools in the West Maui Community Plan Area until December 31st, 2030 or until specified conditions relating to water availability have been satisfied, whichever is earlier. >> Member Paltin. >> Thank you, Chair, I move to adopt the recommendations in CR 26-3. >> Moved by Member Paltin, seconded by Member Sinenci to approve the recommendations in Committee report 26-3. Discussion, Member Paltin. >> Thank you, Chair. Your Disaster, Resilience, International Affairs, and Planning Committee met on December 17th, 2025 to discuss Bill 161. The Board of Water Supply and Maui Planning Commission reviewed and supported the Board while emphasizing the need for broader water conservation measures beyond pool restrictions which Member Cook so graciously took up. As Lahaina is faced with rebuilding in addition to low rainfall patterns and stage 2 water shortage declaration ensuring water availability to support growing housing needs is paramount. The Bill is intended to allow for the reconstruction of swimming pools in West Maui Community Plan Area that were destroyed by the August 2023 Maui wildfires should they like to, not required to.\r\n\r\n>> Your Committee amended the Bill to clarify that the reconstruction of a private swimming pool is also exempt, and to incorporate non-substantive revisions. Bill 161 incorporates the Maui Planning Commission's recommended modifications and therefore, the requirement of an affirmative vote of two-thirds of the Council's Membership is not triggered under Chapter 8.6 (2). Your Committee voted 7-0 to recommend passage of Bill 161, CD 1 on first reading. This is something that the community had been asking me for, and I respectfully ask for the Members' support of my motion. >> Any more discussion? If not, all those in favor of the motion, please raise your hand, say aye? >> Aye. >> Nine ayes, zero nos, motion carries.\r\n\r\n>> Ms. Clerk. >> Chair, from the Special Committee on Real property tax reform is CR 26-4, recommending first reading of Bill 16, CD 1 (2025) to create a new Real Property Tax exemption for homes rented at no more than 70% of fair market

rents set by the United States Department of Housing and Urban Development beginning with the tax year starting July 1, 2027. >> Member Rawlins-Fernandez. >> Mahalo, Chair. I move to adopt the recommendations in CR 26-4. >> Second. >> Moved by Member Rawlins-Fernandez, seconded by Member Johnson to approve the recommendations in CR 26-4. Discussion, Member Rawlins-Fernandez. >> Mahalo, Chair.\r\n\r\nAttached to CR 26-4 is bills 168, the Bill's purposes are to one, increase the combined home and long-term exemption, and two, create a new exemption for dwellings rented at no more than 70% of fair market rents. Your Committee notes that Bill 168 is intended to advance the Countywide policy plan objective to reduce the affordable housing deficit for residents by exploring taxation mechanisms to increase and maintain access to affordable housing. The Bill proposes to use Real Property Tax relief to support below long-term -- below market long-term rental for residents. Your Committee voted 4-0 do recommend passage of Bill 168, CD 1 (2025) on first reading. Mahalo, Chair. >> Any more discussion? If not, all those in favor of the motion, please raise your hand, say aye?\r\n\r\n>> Aye. >> Nine ayes, zero no motion carries Ms. Clerk. >> Chair, from the Water and Infrastructure Committee CR 26-5 recommending first reading of Bill 158, CD 1 (2025) to establish water conservation measures and to regulate water use during water shortage declarations. >> Member Cook. >> Chair, I move to adopt recommendations in Committee Report 26-5. >> Second. >> Moved by Member Cook, seconded by Vice-Chair Sugimura to approve the recommendations in Committee Report 26-5. Discussion, Member Cook?\r\n\r\n>> Thank you, Chair. Your Water and Infrastructure Committee met on December 17th, 2025, to discuss Bill 158 (2025) Bill 158 establishes water conservation measures, and regulates water use during declared water shortages, shifting the County from a reactive approach to a proactive long-term framework for sustainable water management. Maui County's freshwater resources are under increasing strain due to the recurring drought, declining stream nos, rising chloride levels in the wells, aging infrastructure and growing demand particularly for affordable housing. Bill 158 addresses these challenges by imbedding conservation practices at all-times, not only during emergencies and by modernizing notification and irrigation requirements to reduce avoidable water waste. Your Committee voted 7-0 to recommend passage of Bill 158, CD 1 (2025) on first reading. Which incorporates clarifying Amendments, technical and non-substantive revisions and Committee recommendation changes to strengthen conservation standards while providing sufficient time for implementation. I respectfully ask for Members' support of my motion and at this time may I please ask the Clerk to distribute my Amendment Summary Form?\r\n\r\n>> Members I would like to see if we could get through the next few items as quickly as possible, because I did tell Member Paltin that we were going to break at 11:30 and it's -- >> Oh, Chair, my aide was able to do what I needed to do. So that requirement is no longer needed. >> Oh, okay all right. Member Cook. >> Thank you. I move to amend Bill 158, CD 1 (2025) by striking the language in proposed Code Section 14.06b.150 and inserting the following in its place: 14.06b.150, swimming pools. A pool covers must be used to limit evaporation from swimming pools under the control management and operation of the Department of Parks and Recreation.\r\n\r\n>> Whenever pool covers provide for greater public safety. B, pool covers are required for all private swimming pools, except for the times the pools repair, when not in use during the day, the property is vacant, or the swimming pooling is unused for more than 30 consecutive days. C, existing private swimming pools are not required to comply with this Section until March 1st, 2027. >> Second. >> It's been moved by Member Cook, seconded by Vice-Chair Sugimura. To approve the

Amendment as just read by Member Cook. Discussion, Member Cook? >> This Amendment improves the readability and organization of Section 14.06B.150. Maui County Code.\r\n\r\nBy grouping related requirements for private swimming pools into one subsection. The reorganization reduces potential confusion, makes the code easier to understand and apply, and reflects the Committee's intent without changing the underlying policy. I respectfully ask for the Members' support of my motion. >> Any further discussion? Member Paltin? >> Thank you. I don't have any objection.\r\n\r\nI think it's basically the same, and just where you are putting it, just double-checking if Corp. Counsel is okay with it? >> Corp. Counsel? >> Hi, thank you. We didn't get this in enough time to sign off of it, but I would have signed off if I got it in time. >> Thank you, that is all I needed.\r\n\r\n>> Any other questions or further discussion? Member Rawlins-Fernandez? >> Mahalo, Chair. I'm supportive, but in the future it would be helpful to have the Ramseyed format, rather than quickly making comparisons on the floor when its distributed on the floor in the morning. >> Agreed, I received this in the morning. >> I'm sorry from the Department. >> Okay.\r\n\r\nSo to the Departments, if they can please commit a Ramseyed version to the Committee Chairs if they are going to be distributing and requesting these changes on the floor the day of. Mahalo, Chair. >> Okay, I'm sure Mr. Stufflebean is listening. >> He loves our meetings. I hear he watches them all the time. [Laughter] >> No wonder we don't have water.\r\n\r\n>> Any more discussion? >> No further discussion. respectfully ask the members to support my motion. >> Okay, all those in favor -- do you have a comment? Okay, all those in favor of the Amendment, raise your hand, say aye? nine ayes, zeros no, motion carries, and now the main motion as amended. Any more discussion?\r\n\r\nAll those in favor, raise your hand, say aye. Nine ayes, zero nos, motion carries. Ms. Clerk. >> Thank, Chair. Moving on to Resolution, we currently have no one signed up to testify on Resolutions. I see J.C. Lau making his way to the podium for Resolutions this Council stuff is hard here, especially when you have two different languages to learn.\r\n\r\nIf it's in Spanish, I could probably do a lot better. Is Bill 192 under Ordinances? >> We're on Resolutions right now. >> Oh, okay. Well, I will skip that one then. I'm waiting for 192 to come up. I don't want to try your patience too much, Chair.\r\n\r\n>> Do we have another testifier? >> Chair, no there are currently no one else to testify on Resolutions. So we'll give last call for testimony on the Resolutions. Counting down, 3, 2, 1, chair, there's no one else to testify. >> Any objections to closing public testimony and accepting written testimony on Resolutions? No objections, so ordered. Ms.\r\n\r\nClerk. >> Chair, before you is Resolution 26-2, authorizing a one-year extension to grant of lease of County real property to Na Hale Kupuna lessee. >> Vice-Chair Sugimura. >> Thank you, Chair. May I also please request the Clerk also call up Resolutions 26-3. >> Any objections, Members? >> No objections. >> Ms.\r\n\r\nClerk. >> Resolution 26-3 authorizing a one-year extension to grant of lease of County real property to Na Hale Kupuna lessee. >> Vice-Chair Sugimura. >> Thank you, Chair. I move to adopt Resolutions 26-2 and 26-3 (2025). >> Second. >> Moved by Vice-Chair Sugimura and seconded by Member Uu-Hodgins to adopt Resolutions 26-2, and 26-3. Discussion, Vice-Chair Sugimura? >> Resolutions 26-2 and 26-3 authorize one-year lease extensions for tenants in County-owned properties in Na Hale Kupuna program.\r\n\r\nI ask for the Members' support of my motion. Thank you, Chair. >> Any more discussion? If not, all those in favor of the motion, please raise your hand, say aye? >> Aye. >> Nine ayes nine ayes, zero nos, motion carries. Ms.\r\n\r\nClerk. >> Chair, before you is Resolution 26-4, authorizing a grant of

ground lease to A0745 Lana'i LP for real property located on Lana'i, Hawai'i identified for Real Property Tax purposes as Tax Map Key 2-4-9-002:058 under sections 3.40.200 and 3.36.090. Maui County Code. >> Member Johnson. >> Thank you, Chair. I move to adopt Resolution 26-4. >> Second. >> Moved by Member Johnson, seconded by Member Sinenci to adopt Resolution 26-4. Discussion, Member Johnson? >> Thank you, Chair.\r\n\r\nThe Lana'i 201H affordable housing project was proposed by the Department of Housing and Human Concern for this property was approved by the Council almost 15 years ago. After receiving no responses to its request for proposals to develop the property in 2016, and after considering various develop options the County proposed partnership with Ikaika Hana and November 2024, the County adopts Resolutions to enter a MOA to develop the property. Resolution 26-4 would grant a ground lease for the property to a0745 Lana'i LP whose nonprofit general partner is Ikaika, and authorize the County to execute the ground lease for this property. This Resolution would advance the goal of developing a long-term affordable housing project on Lana'i. The project's master plan consists of approximately 372 residential units with approximately 199 for-sale affordable lots and 173 affordable multifamily rental/for-sale units by adopting this Resolution today the developer of this much-needed affordable housing project may proceed without any Committee-related delay on the issue. I understand there's urgency to get the approval lease for developer to be more competitive in its application for the HHFDC funding and that is key. You see in the audience we have some folks from Department of Housing. They are here to answer any questions and also, Mr.\r\n\r\nBigley is online as well. So I ask for the Members' full support of my motion. Thank you, Chair. >> Any more discussion? All those in favor of the motion, raise your hand, say aye. Nine ayes, zero nos, motion carries. >> Mahalo, Members.\r\n\r\n>> Did you want a break? >> No, thank you. Sorry, I forgot. >> Next item. >> Thank you Chair. Moving on to testimony on only on the Ordinances on today's agenda. I see J.C. law make his way to the podium.\r\n\r\nCurrently he is our only testifier. >> I think I set a record today, Chair Lee. The Hawaiian word of the day, as you said, was patience and to try one's patience is Homomanu Nui. Okay Bill 192 is that safe parking. Thank you, Clerk's Office for letting me have another copy of the Bill. And thank you for Chris and the County still calls him the homeless guy, but hopefully he will change and we'll get some approval from the lawyers to change the wording pretty soon. So I'm glad to see they used the word "houseless" over there.\r\n\r\nI'm going to the meetings on the 6th floor, and I wanted to ask Mr. Raatz about the 6th floor freedom of speech rule, because he explained there's a couple of words I'm not supposed to use here. But using the American word for "houseless people" is very derogatory. So to be brief, I would just like to say I'm sorry that the -- I apologize on behalf of the Kula Roman Catholics that they weren't able to get it together enough to let a couple of people stay in their parking lot up there. They don't seem to be using the building or the 'Aina very much. And also, the King's cathedral church up in Kula has been pretty much vacant over the holiday. So I'm keeping an eye on them for you, Chair Lee.\r\n\r\n>> Thank you, questions? If not, >> Chair, we'll go ahead and give last call for testimony on the Ordinances on today agenda. Seeing no one raising their hand in teams or making their way to the podium, countdown, 3, 2, 1. Chair, there's no one else indicating that they wish to testify. >> Members, any objections to closing public testimony on the Ordinances, and accepting written testimony for the record? >> No objections. >> So ordered. Ms.\r\n\r\nClerk. >> Chair, for referral to the Water and Infrastructure Committee is Bill 1 (2026) a Bill for an Ordinance

amending the water availability policy on subdivision construction plans. >> Any objections to the referral? >> No, Chair. >> So ordered. Ms. Clerk.\r\n\r\n>> Chair, for referral to the Budget, Finance, and Economic Development Committee is Bill 2 (2026) a Bill for an Ordinance amending Section 2.56.080 Maui County Code relating to setting the salaries by the Executive Director and establishing new pay scales, and Bill 3 (2026) a Bill for an Ordinance amending the Fiscal Year 2026 Budget for the County of Maui estimated revenues, Capital Improvement Projects, Department of Housing, West Maui Community Plan Area, other projects, housing, interim financing and buy-back Revolving Fund, Komohana Hale apartments rebuild, and Appendix C, Department of Housing, West Maui Community Plan Area, Komohana Hale apartments rebuild. >> Objection. >> Yes, Member Paltin. >> I would like to take floor action on Bill 3 today. I move to pass Bill 3 on first reading. >> Okay. >> Second.\r\n\r\n>> Okay discussion on that? Sorry it's been moved and seconded by Member Paltin and Member Rawlins-Fernandez to pass Bill 3; right? Pass Bill 3. And so we're in discussion. >> Thank you, Chair. I don't know if the Members are aware of looming FEMA deadline? There was an email sent out by FEMA today that 700 households may need to vacate their premises by February 28th. That is 700 households that will be looking for housing if the extension doesn't come through, and this seems like a technical issue.\r\n\r\nThe name of the fund, how it was created? We do no there's \$2 million in insurance proceeds and we do know that Department of Housing has put out an RFP and secured a vendor with group 70. And this is, you know, besides the big le Hana, no government supported rental affordable housing has been created and it happened August 8, 2023. It's now January 7th, 2025. This is an untenable situation. We know no new housing is coming until CWRM is done. And so it's like a genocide of Lahaina to even wait three months. That was my own thing, but the Department of Housing has received insurance proceeds from the Komohana Hale apartments damaged in the August 2023 Maui wildfires and the funding will be used for pre-development costs including project design, Planning and sitework to rebuild Komohana Hale apartments. If there could be a 7B presentation between then and now? That would be preferable.\r\n\r\nIf there's Council action that needs to happen before second reading, I'm fully ready and available for a special Council Meeting. But we can't wait any longer. Everybody is asking what is the County going to do? What is the Council going to do for these 700 households and dragging our feet is just not acceptable. >> Any more discussion? Vice-Chair Sugimura. >> So maybe the questions that come up, I will do a 7B, so we could talk about it and pass it on first reading.\r\n\r\nSo it will be information available. So that we can meet with that guideline, I mean meet with the deadline, not guideline. >> Anybody else, discussion? All those in favor of the motion, raise your hand, say aye? >> Aye. >> Wonderful. >> Thank you, Members.\r\n\r\n>> Thank you. >> Motion passes. We're going to go back to Bill 1 and 2. That was supposed to be referred to Committee. >> Just Bill 2. >> Just Bill 2. >> Bill 2 refer to Committee. >> To BFED. >> Any objections to that referral? I don't know if I already said that?\r\n\r\nNo? Very good. Next item. >> Thank you, Chair. Moving on to Bill 4, a Bill for an Ordinance amending the Fiscal Year 2026 budget increasing estimated revenues carry-over/savings General Fund by \$5 million Department of Housing, housing program, increase the appropriation for grant to Lahaina Community Land Trust by \$5 million, Appendix A, Part 2 Open Space, Natural Resources, Cultural Resources, and Scenic Views Preservation Fund, delete the condition for Lahaina Community Land Trust in the amount of \$5 million. >> Member Paltin. >> Thank you.\r\n\r\nI move to pass Bill 4 on first reading. >> Second. >> Moved by Member

Paltin, seconded by Member Rawlins-Fernandez to pass Bill 4 on first reading. Discussion, Member Paltin. >> Thank you. Bill 4 amends the Fiscal Year 2026 budget by reallocating \$5 million from the Open Space Fund to a Department of Housing grant for Lana'i Community Land Trust. The Open Space Fund restrictions would not allow Lahaina Community Land Trust to work with the necessary flexibility, using funds from the General Fund will allow Lahaina Community Land Trust to proceed immediately with their work.\r\n\r\nI believe Director Milner, as well as Ms. Ness are available if there's further questions or discussion for them. >> Any more discussion? Member Vice-Chair Sugimura. >> Autumn Ness is kind of amazing and her testimony she gave was kind of on many, many things. I wonder if it could come to my Committee for 7B, and so that we can get all of the different elements that she was talking about. So the Council has a clear view of what is actually happening, especially with what Member Paltin just shared about FEMA.\r\n\r\nI really think that use of this \$5 million is good, but let's hear what houses or whatever they can without, you know, disclosing any kind of privacy information. >> I totally support that and I believe Ms. Ness indicated she absolutely would love that. >> You can schedule on your own, that one, the 7B. This is the second one you are talking. >> Yes. >> Any more discussion on the motion to pass this item? Member Rawlins-Fernandez.\r\n\r\n>> Mahalo, Chair. I would like to correct the record. Ms. Autumn Ness is not kind of amazing, but she is amazing. Thank you, Chair. >> I didn't think I would have to practice patience this soon. [Laughter] >> Chair, that is what I'm here for.\r\n\r\nYou're welcome. >> And oh, that is the problem. Member Johnson. >> Thank you, Chair. I support everything that everyone is discussing right now, especially how awesome Autumn Ness is. I would just ask Council Member Sugimura that, you know, this discussion about what the work that Autumn Ness and her group is doing, and maybe before budget, maybe that is a priority of one of our members could look at? Because as you know, she said that there's going to be checks being written, a lot of these lands will be sold real fast.\r\n\r\nSo it would be a shame that we're not ready. So hopefully, if you could do the 7b before the budget season would be wonderful. Thank you, Chair. >> I don't know I would say if she is that amazing, but you know, I have referred people to her and sold properties to the trust. So I know how effective she is and I appreciate what she does. Anybody else? Okay.\r\n\r\nNow did we take the vote? Okay. All those in favor of the motion, raise your hand, say aye. >> Aye. >> Thank you, Members. >> Nine ayes, zero nos, motion carries. Next item.\r\n\r\n>> Chair, Bill 5 (2026) a Bill for an Ordinance amending the Fiscal Year 2026 Budget, Office of the Mayor, Economic Development Program, Makawao-Pa'ia-Ha'iku, Economic Development, Environmental, and Cultural programs, removing the conditional language for Kaizen Group, Inc. and inserting conditional language for Na Maka O Maliko. >> Moved and seconded to pass Bill 5 on first reading. Discussion? >> Thank you, Chair. Bill 5 deletes conditional language for Kaizen Group, Inc. and inserts Na Maka O Maliko to support the preservation, restoration and maintenance of lands and adjoining Maliko Gulch.\r\n\r\nKaizen Group will not be able to use the funds this Fiscal Year and at this time I ask for the Members' support of this motion. Thank you. >> Any more discussion? If not, all those in favor of the motion, please raise your hand, say aye? Nine ayes, zero nos, motion carries. Ms. Clerk.\r\n\r\nMs. Clerk. >> Thank you, Madam Chair. Before you is Bill 6 (2026) a Bill for an Ordinance amending the Fiscal Year 2026 budget, increasing estimated revenues carry-over/savings, General Fund by \$162,500, Department of Human Concerns, human concerns program. Grants and disbursements for health, Human Services and education, increase the appropriation for houseless

programs in the amount of \$162,500. >> Vice-Chair Sugimura. >> If there's no objections -- [INAUDIBLE]. >> Speak into the mic, please. >> If there are no objections may I please request the Clerk to call Bill 7 (2026) and Bill 11 (2026). >> Any objections, Members?\\r\\n\\r\\nSo ordered. Ms. Clerk -- Ms. Clerk can read them all. >> Thank you. Bill 7 (2026) a Bill for an Ordinance amending the Fiscal Year 2026 budget Appendix A, Part 1, East Maui Water Authority, Hawai'i Community Foundation freshwater initiative, new appropriation of \$40,000. And Bill 11 (2026) a Bill for an Ordinance amending the Fiscal Year 2026 budget Appendix A, Part II affordable housing fund Kehalani Affordable, LLC. to update the unit distribution.\\r\\n\\r\\n>> Vice-Chair Sugimura. >> Thank you, Chair. I move to pass Bill 6, Bill 7, and Bill 11 (2026) on first reading. >> Moved by Vice-Chair Sugimura, seconded by Member Uu-Hodgins to pass bills 6,7 and 11. Discussion? >> Thank you. All of these Bills are Amendments to the Fiscal Year budget. Bill 6 recognizes \$162,500 in General Fund carry-over/savings and appropriations, and appropriates it for the Department of Human Concerns, houseless program for a safe parking pilot program.\\r\\n\\r\\nAnd funds cover increased sitework costs and 15% contingency. Bill 7 adds a \$40,000 grant appropriation in Appendix A, Part 1 for East Maui Water Authority. The grant funds will be used to support the East Maui stewardship plan, and Bill 11 amends Fiscal Year 26 budget it update the Kehalani apartment distribution in the affordable housing fund. The project remains 35 units, but changes the unit mix across the Area Median Income tiers. The new proposed mix is three units below 30%, eight units at or below 50% and 20 units at or below 20% shared by Everett Dowling. The Budget Director reports that the developer requested the change to support their financing application with the State low housing tax circuit program. I ask Members' support of my motion.\\r\\n\\r\\nThank you, Chair. >> My more discussion? If note, all those in favor of the motion, please raise your hand, say aye? >> Aye. >> Nine ayes, zero nos, motion carries. Ms. Clerk.\\r\\n\\r\\n>> Chair, before you is Bill 8 (2026) a Bill for an Ordinance amending the Fiscal Year 2026 budget, Department of Management Office of Recovery Program, adding new conditional language for Festivals of Aloha, Inc. >> Member Paltin. >> Thank you, Chair. I move to pass Bill 8 on first reading. >> Second. >> Moved by Member Paltin, seconded by Vice-Chair Sugimura to pass Bill 8 on first reading. Discussion, Member Paltin.\\r\\n\\r\\n>> Thank you, Chair. Bill 8 amends the Fiscal Year 2026 Budget by adding conditional language for Festivals of Aloha, for Lahaina homecoming event in the \$13,137 under the Office of Recovery Program. Coming out of economic recovery Commission there's a group called the healing Hui which they have been gracious enough to let me sit in on their weekly meetings. And one of the Members shared with us that her mother had to move to Texas and this small town in Texas is kind of a lot like Maui, where people can't afford to stay there. So there's a big Diaspora and they create a homecoming where people from that town come back annually, and they host like all the things that they grew up with. For us it could be like child fun at the Abon dance, whatever. The hui loved this idea so much and of course, Darryl Fujiwara part of the group said don't wait, let's do it.\\r\\n\\r\\nIt kind of combines promoting tourism as well-as Kama'aina come home. Because not a lot of people come back, even for vacation or not. And so much has changed for Lahaina and we have a lot of professions that we need to fill. So we hope to plant the seeds for people to have the idea of coming back to Lahaina and repopulating Lahaina with our Diaspora residents. The Lahaina homecoming event would bring the community together and encourage former Lahaina residents to return. The total anticipated cost is \$300,000, with the remaining costs to be funded by private donations. I hope to all

see you at the Lahaina homecoming and I ask for the Members' support of my motion.\r\n\r\nThank you, Chair. >> Any more discussion? If not, all those in favor, raise your hand, aye. >> Nine ayes, zero nos, motion carries. Ms. Clerk. >> Chair, for referral to the Budget, Finance, and Economic Development Committee are Bill 9 (2026) a Bill for an Ordinance amending the Fiscal Year 2026 budget increase estimated revenues licenses/permits/others by \$10 million, increase carry-over/savings General Fund by \$10 million, Department of Finance, Countywide costs, increase appropriation for transfer to the General Excise Tax Fund by \$10 million, Department of Water Supply, water operations program, Water Fund increase equivalent personnel by 10.0. Capital Improvement Projects and Appendix C, Department of Water Supply Countywide increase appropriation for integration of public and private water systems in the amount of \$10 million and Appendix A, Part 2 General Excise Tax fund increase appropriation for acquisition of private water systems and wells in the amount of \$10 million and Bill 10 (2026) a Bill for an Ordinance amending the Fiscal Year 2026 budget increasing estimated revenues, carry-over/savings General Fund by \$3 million.\r\n\r\nDepartment of Management Information Technology Services, ITS program, increase category b operations and equipment by \$3 million >> Members, any objections to referring these items to the BFED Committee? So ordered. Ms. Clerk. >> Chair, we're now on Ordinances for second and final reading. Before you is Bill 105, CD 1 (2025) a Bill for an Ordinance amending Title 2 Maui County Code on alternate Members of boards and commissions. >> Member Uu-Hodgins.\r\n\r\n>> Thank you, Chair. I move to pass Bill 105, CD 1 (2025) on second and final reading. >> Second. >> Moved by Member Uu-Hodgins, seconded by Member Cook to pass Bill 105, CD 1 (2025) on second and final reading. Discussion, Member Uu-Hodgins. >> Thank you, Bill 105 allows alternate members to fill midterm vacancies on Boards and Commissions on an interim basis. Thank you, Members, for supporting this motion.\r\n\r\n>> Any more discussion? If not, all those in favor of the motion, please raise your hand, say aye. Nine ayes zero nos, motion carries. Ms. Clerk. >> Chair, before you is Bill 182 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 Budget Appendix A, Part 1, Department of 'Oiwi Resources, private donations, new appropriation of \$1,000. >> Member Rawlins-Fernandez. Bill 182. >> Mahalo, Chair.\r\n\r\nI move to pass Bill 182 (2025) on second and final reading. >> Second. >> Moved by Member Rawlins-Fernandez, seconded by Member Uu-Hodgins to pass Bill 182 (2025) on second and final reading. Discussion, Member Rawlins-Fernandez. >> Mahalo, Chair. Bill 182 amends FY'26 Appendix A, Part 1, \$1,000 grant, and manifesting \$100,000 for the Department of 'Oiwi Resources. Once again we want to express our gratitude to the donors, who is the donor again, Member Paltin?\r\n\r\nSorry. Okay. For the contribution -- for supporting the Department of 'Oiwi Resources. Mahalo, Chair, and I ask for the Members' continued support. >> Any more discussion? All those in favor of the motion, raise your hand, say a? >> Nine ayes, zero nos, motion carries. Members, how far do you want to go before we break for lunch?\r\n\r\n>> Break. Time to break. Okay then we're supposed to have our picture taken. >> I'm sorry, I'm willing to go to unfinished business, because everything else look like it's being referred, yeah? >> Not really, this is second and final. >> And Member Sugimura will make all of the 183-193 in one motion and I have one motion in Bill 194. Let's do that. >> 183 need a Public Hearing.\r\n\r\n>> Except for 183. >> The one I talked about. All right. Call the next item, please. >> Thank you, Chair. Before you is Bill -- >> It's going to be two motions? >> Sorry. >> Chair, before you is Bill 183 (2025) a Bill for an Ordinance amending Ordinance 53 (2024) the West Maui on building heights for new construction?\r\n\r\nThe Lahaina

National Historic Landmark District. >> Members any objections to tabling this item, pending a Public Hearing in the District? No objections, so ordered. Ms. Clerk. >> Chair, before you is Bill 184 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 budget increasing estimated revenues carry-over/savings, General Fund by \$5 million. Capital Improvement Projects and Appendix C Department of Parks and Recreation, Countywide increase appropriation for Countywide Parks facilities by \$1.2 million Pa'ia-Ha'iku Community Plan and area new appropriation for lower Pa'ia Park parking lot in the amount of \$3 off and on,000. Wailuku-Kahului Community Plan Area, add new appropriations for War Memorial gym building improvements in the amount of \$2 million and the War Memorial football Stadium and track rehabilitation in the amount of \$1.5 million.\r\n\r\n>> Vice-Chair Sugimura. >> If there's no objections to please request the Clerk to call bills 191 -- >> Any objections, Members? Ms. Clerk. >> Thank you, Madam Chair, Bill 186 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 budget increasing estimated revenues, carry-over/savings General Fund by \$500,000. Capital Improvement Projects, Department of Prosecuting Attorney, Wailuku-Kahului Community Plan Area, government facilities, new appropriation for 24 North Church Street building renovations for \$500,000, and Appendix C, Department of Prosecuting Attorney, Wailuku-Kahului Community Plan Area, new appropriation for 24 North Church Street building renovations for \$500,000. Bill 187 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 Budget, Department of Finance, Countywide costs increase the conditional language appropriation under insurance program and self-insurance in the amount of \$400,000. Bill 188 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 budget Appendix B, Department of Finance, General Fund, sales of special license plates, special license plates Department of Finance, special revenue/trust and agency fund outrigger Duke Kahanamoku Foundation commemorative license plates. Bill 189 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 Budget Appendix A, Part 1, Department of Public Works, new appropriation for Department of Transportation, Hawai'i safe routes to school Special Fund of \$2,850,000 and Appendix C, Department of Public Works, Countywide increase the appropriation for Countywide traffic and safety program by \$2,850,000. Bill 190 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 budget increasing estimated revenues, carry-over/savings by \$800,000, Capital Improvement Projects, Department of Police, Countywide increase appropriation for Countywide Police facilities in the amount of \$800,000. Appendix C, Department of Police, increase appropriation for Countywide Countywide Police facilities in the amount of \$800,000. Bill 191 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 budget, Office of the Mayor, Economic Development Program, Wailuku economic development, environmental and cultural programs update conditional language for Maui Nui resiliency Hui and Bill 192 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 Budget, Department of Management, Board of Ethics program, increase equivalent personnel by 2.0. >> Vice-Chair Sugimura. >> Thank you.\r\n\r\n>> Did I ask you also to bring up Bill 185? >> Members, any objections? >> No objections. >> Can you bring up Bill 185? >> Sure, Bill 185 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 budget increasing estimated revenues carry-over/savings Highway Fund by \$75,000 and Department of Transportation, Administration program Highway Fund, increase appropriation by \$75,000. >> I think we were supposed to take that up separately. >> I just clarified why. >> I can recuse myself from voting on all of them. >> That one Bill? Just one Bill.\r\n\r\n>> Just one Bill, 185. >> Let's take up 185, Members. She just read it and the seconder was? Member me -- >> Did she make the motion? >>

Yes. >> Yes. >> She did? >> She just asked.\r\n\r\n>> I thought she just asked for it to be brought up? >> To be included in the motion. But you can just separate that, and just make a separate motion. >> Did she make any motion? >> I move to separate out Bill 185, which was just read. >> To pass. >> To pass, yes.\r\n\r\n>> So the motion is to pass Bill 185 on second and final reading. And it was seconded by Member Uu-Hodgins. And discussion, Member Sugimura Vice-Chair. >> So we asked for it to be separated out, because Member -- maybe Member Batangan may want to comment on that? >> No, no, you are going to discuss the item? No? >> No, no.\r\n\r\n>> All right. Any more discussion? >> Yes, Chair. Sorry, I think I caused some confusion here. So I will be recusing myself from voting on Bill 185, since part of the Bill has to do with Budget Amendment for the Metropolitan Planning Organization, and I have yet to get Board of Ethics advisory opinion on my participation on matters that come before the Council related to my previous employment. >> Okay. All right.\r\n\r\nAll those in favor of the motion, raise your hand, say aye? >> Aye. >> Okay. Eight ayes, one abstention. Motion carries. >> Chair? >> Yes.\r\n\r\n>> Is recusal and abstention the same thing? >> One recusal and eight approved. Okay. So picking up where we left off. Ms. Clerk. >> Yes.\r\n\r\nSo I read in a group bills 184, 186, 187, 188, 189, 190, 191 and 193. >> Any more discussion? Or did you have your discussion? >> Chair? >> Yes. >> We don't have a motion on the floor. >> Okay. I thought she did.\r\n\r\n>> No, no. >> Okay. >> You asked for the Bill to be called up. You got to make the motion. >> Okay. >> Vice-Chair. >> I move to pass Bill 184 (2025), Bill 186 through 191 (2025) and Bill 193 on second and final reading.\r\n\r\n>> Second. >> Discussion, Vice-Chair Sugimura. >> No discussion >> Any other discussion? Anybody else for discussion? If not, all those in favor of the motion raise your hand, say aye. >> Aye. >> Nine ayes, zero nos, motion carries.\r\n\r\n>> What is left? ? >> 192. >> Chair, before you is Bill 192 (2025) a Bill for an Ordinance amending the Fiscal Year 2026 Budget Office of the Mayor, Administration program, updating conditional language for houseless solutions. >> Member Paltin. >> Thank you, Chair. Bill 19 -- I move to pass Bill 192 on second and final reading. >> Second. >> Moved by Member Paltin and seconded by Member Sinenci to pass Bill 192 on second and final reading discussion, Member Paltin.\r\n\r\n>> Thank you, Chair. Bill 192 updates the language to develop and manage a resiliency hub and accommodate transitional housing and splits the \$500,000 and adding new conditional language for West Maui safe parking site in the amount of \$100,000. The intent is not to build the site with this. Trying to convince the Administration to use our existing facilities when they are not being used, like the Lahaina Aquatic Center, the Lahaina Civic Center gym, because a lot of those 700 households don't know what they are going to do and we need to do something fast. So asking them to put out an RFP so that site could be managed instead of built. Thank you. >> Any more discussion? If not, all those in favor, raise your hand, say aye.\r\n\r\n>> Nine ayes, zero nos, motion carries. Ms. Clerk. >> Chair, before you is Bill 194 (2025) a Bill for an Ordinance establishing Chapter 2.03 Maui County Code on County Council vacancies in office. >> Member Rawlins-Fernandez. >> Mahalo, Chair. I move to pass Bill 194 (2025) on second and final reading move by Member Rawlins-Fernandez, seconded by Member Uu-Hodgins to pass Bill 194 (2025) on second and final reading.\r\n\r\n>> Discussion Member Rawlins-Fernandez. >> Mahalo, Chair. No further discussion? >> Anybody else? If not, all those in favor of the motion, raise your hand, say aye? >> Aye. >> Nine ayes, zero nos, motion carries.\r\n\r\n>> So are you ready to take a break? >> Yes. >> All right. How long do you want to take a break? One hour? Is 1:15 okay? >> Four hours -- 1:15 okay.\r\n\r\n>> This meeting is in

recess until 1:15. [ GAVEL ] Will the Council Meeting of January 7th, 2026 please reconvene. It's 1:27 PM. Ms. Clerk. >> Chair, we're now in unfinished business. And we have one Member, sorry, one person signed up to testify and that is Tom Croly, if you could let us know what matter you are testifying on, please? >> Thank you.\r\n\r\nTestifying on -- don't remember the number, but creating the new Zoning District. Oh, you can't hear me? >> We can hear you. >> Okay. You can. Okay. Sorry.\r\n\r\nTestifying on creating the new Zoning District. And I just want to remind the council members, as they consider what criteria to put into this new Zoning District that every one of the change in zonings will eventually come before you, okay? So some of the things that I see you wanting to do, you might want to be doing them on a case-by-case basis, when that particular zoning change comes before you, if it's appropriate at that time to put some of the things in that you are trying to put in universally here. Then you could do that as a condition of the change of zoning for that individual property. The risk in doing it upfront, as you are trying to do right now is then it creates -- it makes it much there are difficult for the Planning Department to ensure that all these conditions are met before they can recommend approval of that change in zoning to the Planning Commission, who again would go before it come to you guys. So just in this process, I think that it's much cleaner, and it will function much better if you just create this new Zoning District without all of the ideas for creating additional restrictions for the properties put into that Zoning District. And then the properties for which these conditions might be appropriate you can then at that time, when you are considering making the change, put them on, or not put them on as the case may be.\r\n\r\nIt's just going to be a policy decision for you guys. So you know, I am just giving you this warning, so you don't get hung up today in what you will put through and what not, because this isn't your only chance today. Thank you. >> Any questions for Mr. Croly? If not, thank you. >> Chair, there's no one else currently signed up to testify.\r\n\r\nIf there's anyone who would like to testify on unfinished business, Resolutions 25-230 and 25-233, this is your opportunity. You can raise your hand in teams or make your way to the podium. This is last call. Seeing no one, the countdown is 3, 2, 1. Chair, there's no one indicating a desire to testify. >> Okay, Ms. Clerk, shall we go over what happened at the last Council Meeting when the item was -- Mr. Cook's Resolution was tabled.\r\n\r\n>> Chair, do you want to first close public testimony? >> Okay. Any objections, Members to closing public testimony on Resolutions? So ordered. >> Now yes, sorry Chair, to interrupt you. >> Could you proceed to remind us where we left off at the last meeting? >> Yes, at the last meeting we had Resolution 25-230, presented by Council Member Cook.\r\n\r\nWe laid that on the Clerk's table. And today it's back. >> Okay. But we did have a discussion on one -- well, on the ASF. >> Yes. >> Presented by Member Paltin. And I can't remember if you made the motion or just starting to discuss it?\r\n\r\n>> Chair, the ASF I proposed last time in Council was verbal. And it didn't -- it wasn't the same as the written ASF. So I don't -- I think we withdrew everything. >> You withdrew the motion? >> Yes. So that -- or verbal ASF does not exist any longer. >> Okay.\r\n\r\n>> There's only posted written ASFs. >> So I assume we have the main motion -- the main Reso on what? >> Mahalo, Chair. We withdrew -- we had the motions withdrawn and that way when we bring up the item there would be no active items? >> No even Mr. Cook's? >> Nothing. We're starting fresh today.\r\n\r\n>> Clean slate. >> So I guess we're going to need Mr. Cook to start that process. >> Do you want me to call it up? >> Yes. >> Chair, before you is Resolution 25-230 referring to the Lana'i, Maui, and Moloka'i Planning Commissions

proposed Bill amending the Comprehensive Zoning Ordinance to establish the H-3 and H-4 Hotel Districts. >> Mr.\r\n\r\nCook. >> Chair, I move to adopt Resolution 25-230. >> Second. >> Moved by Member Cook, seconded by Vice-Chair Sugimura to adopt Resolution 25-230. Discussion? >> The proposed Bill being referred to the Planning Commissions would establish H-3 and H-4 Hotel Districts that are like-for-like with the A-1 and A-2 Districts. It's based on TIG's recommendation for new Zoning Districts to allow continued TVR uses at appropriate properties, that now have apartment zoning. Even after Bill 9's five-year phase out is complete. As requested at the previous Council Meeting a discussion on Resolution 25-230 held in the Council's Housing and Land Use January 5, 2026. I respectfully ask for the Members' support of my motion.\r\n\r\n\r\n>> Any discussion? Member Paltin. >> >> Chair, if there's no objections may I please bring back County Communication 26-1 at this time? >> Any objects, Members? So ordered. >> I move to amend Reso 25-230 with my ASF attached to County Communication 26-1, suspend rule 19 of the rules of the Council, and file County Communication 26-1. >> Second. >> Moved by Member Paltin, seconded by Member Rawlins-Fernandez.\r\n\r\n\r\nDiscussion. >> Thank you. So this ASF is just this is not final action, it's just for the Planning Commission to consider as they consider things. Final action will be when it comes back from us. It adds a new be it resolved clause No. 2, incorporates all Amendments to Chapter 19.14 proposed in Exhibit 1 to Reso 25-230. Restructures the proposed Bill to amend 1914 in its entirety rather than individual sections. Inserts restrictions for the H-3 H-4 District for properties in the SLREXA and amends the purpose Section.\r\n\r\n\r\nIt limits restrictions in existing Code Section 19.04.040 to H-1 H-2 H-hotel Districts asks for Members' support of my motion. Thank you, Chair. I with love the opportunity to discuss it both in the Planning Commission and when it comes back. I'm open to doing it as a condition of change in zoning. I was told that the Planning Director didn't favor it as a conditions in change of zoning. So that is why I did it like this. >> Discussion?\r\n\r\n\r\nI saw that hand go up first. Okay. Member Cook, you didn't have your hand up? >> No. My hand went up first, and multiple times before, for the record. >> While she was talking? >> Yes.\r\n\r\n\r\n>> That is rude. [Laughter] >> Well, she paused and I thought she was Pau. >> Member Rawlins-Fernandez. >> Mahalo, Chair. So I have two questions first and then I will make my Amendment. So my two questions or first, one, I heard in the main motion and it's not on the ASF, that there's suspension for rule 19. Are we making Amendments that are not posted on the agenda that is why? Or -- because our Amendments were posted to the agenda so rule 19 suspension would not be necessary, unless we're going to make further Amendments and we would have to do the suspension and the suspension would require six votes.\r\n\r\n\r\nSo if we don't do suspension of rule 19, we wouldn't need six votes and only need five. >> I'm open to either way. I'm not sure if anyone wants to amend the Amendment? >> So may I make a Friendly Amendment to your Amendment? >> Sure. >> Not suspend rule 19 and we would only need a simple majority of five. And then if there are Amendments proposed on the floor that was not posted to the agenda, then we can suspend rule 19 at that -- or make a motion to suspend rule 19 at that time.\r\n\r\n\r\n>> I will accept that Friendly Amendment. >> Okay. Sure, if anybody remembers it? [Laughter] >> I will remember. >> I know you -- you have the memory of an elephant. >> Okay. I have been called all kinds of things today.\r\n\r\n\r\nand the second question that is the motion is a motion to substitute? Because my plan was to make my motions after we vote on Member Paltin's motions, but if the motion is to substitute, then I have to make my motions now? >> I guess, because of other changes, Friendly Amendment to substitute as well. >>

Okay. >> So you are going to amend -- make a motion to amend that? >> Yes -- no, no, >> No? Since it's a motion to substitute, then my motions would need to be made now, before we take a vote on Member Paltin's motion to substitute.\r\n\r\n>> Okay. >> Okay. And for the record, I support the motion to substitute. And will now make my motions, if there's no objections, I will call back up County Communication 26-2at this time. >> No objection. >> No objections. >> Mahalo, Chair.\r\n\r\nI move to amend Resolution 25-230 as included in County Communication 26-2. And to file County Communication 26-2. >> Second. >> Who said second? Besides me? >> Me. >> Okay. All right. Moved by Member Rawlins-Fernandez, seconded by Member Paltin to support the motion that she made.\r\n\r\nAnd further discussion? Member Rawlins-Fernandez? >> And while I'm remembering, Member Paltin's motion would also need to include the filing of her County Communication 26-1. >> I thought she said that. >> She did. >> She said that. >> It's not on the ASF, that is why. Okay.\r\n\r\nSo for my discussion on the motion to amend on Monday we had an HLU Committee meeting. And we went over both my set of Amendments that was posted on today agenda, and Member Paltin's Amendments that were also posted on the agenda. My Amendments have some non-substantive, and some more substantive. And there's a total of nine Amendments. The first is to amend the reference year to 2026. 2, amend section 1, second paragraph -- okay. So it would be the second paragraph, and to -- so my Amendments don't amend Member Paltin's Bill. It amends Member Cook's. So instead of 2, it would be a 3. So it would be incorporating all of the Amendments made by Member Paltin as well.\r\n\r\nIn fact, I did put a document together that incorporates both my Amendments, and Member Paltin's Amendments, if Members would like that? >> Sure. >> I would like to have a five-minute recess. >> Okay. Mahalo, Chair. Do you want that? >> 1:45. >> I need clarification.\r\n\r\n[ GAVEL ] [ GAVEL ] >> Will the January 7th Council Meeting please reconvene. It's now 2:26 and Ms. Clerk, please remind us where we were. >> Chair, before we recessed we had two motions on the floor, one by Member Paltin for her ASF, for substitute and another by Member Rawlins-Fernandez, and I think Member Rawlins-Fernandez has some discussion she would like to make over her current motion. >> Okay. Member Rawlins-Fernandez. >> Mahalo, Chair.\r\n\r\nWhat Staff has helped to distribute is Exhibit 1 that incorporates both Member Paltin's Amendments, all of Member Paltin's Amendment and all of my Amendments, and it's color-coded for you all. You're welcome. Member Paltin's is in yellow and my Amendments are in teal. And I'm sorry, it's a little dark when it got printed. Except on page 7 D, at top. It's D construction, maintenance, da-da-da is actually mine. So that should have been teal, but I missed it when I was color-coding.\r\n\r\nSo that is for your reference. And during the break in discussion with our Attorney and Parliamentarian under Rosenberg you can make a motion to substitute, and finish that, and then make Amendments after the motion to substitute. So I'm going to withdraw my motions first and take up Member Paltin's first and take up mine after that. So I'm withdrawing my motion, Chair. >> okay. Member Batangan. >> Thank you, Chair.\r\n\r\nJust so I'm understanding the motions on the floor, because I think I heard the Clerk say there was two motions on the floor, one to substitute and one to amend it. I was under the impression there were three, the original one called up by Member Cook and the first Amendment was by Member Paltin and the third; right? >> You're correct. >> So the motion on the floor now is to substitute, correct? yes. >> Yes. To substitute Member Paltin's ASF.\r\n\r\nShe is amending the main motion. Yes, Member Rawlins-Fernandez? >> Mahalo, Chair. I think the Clerks meant to say we had two motions on the near to amend, before we took a recess. So Member Batangan is correct, there's a main motion

and two motions to amend. One motion was to amend by substituting Member Cook's Bill with her own, that has Amendments to it. Because there are also non-substantive Amendments to it.\r\n\r\nAnd so now that I have withdrawn my motion to amend her motion to substitute with my Amendments, we'll only be taking up her motions within -- we'll only be taking up her motion to substitute with all of the amended language in that Bill. Mahalo, Chair. Clear as mud? >> Chair, if I may, Council Services has a quick note on terminology and I'm glad we're getting to point of clarity. I don't want to create confusion, but the motion to substitute that the Council Members are familiar with from Robert's doesn't exist the same way under Rosenberg which is now the default Parliamentary guide. We're talking about motion and I will quote briefly to throw out the basic motion on the floor and substitute a new and different motion for it. That is what we have here.\r\n\r\nNo one is seeking to throw out Council Member Cook's basic motion on the floor. Thank you. >> Okay. So we do have this motion, any more on the motion? >> Yes, Chair. One more question. >> Yes, Mr.\r\n\r\nBatangan. >> Since the posted Amendment was to amend the Resolution rather than to substitute Z this vote require five or six votes? >> I believe it's five votes; right? >> Thank you, Chair. County Clerk can correct me if I get anything wrong as your Parliamentarian. But motions to amend were just operating under a simple majority five votes. The possible sixth vote threshold comes in based on rule 19, which says if the body amends a Bill or Resolution, which again, just takes five votes, you can't take final action on that Bill or Resolution, that rule could be suspended and suspension takes six votes.\r\n\r\nSo if you amend and want to take final action for six vote and for posted Amendment, that six-vote threshold doesn't kick in. So if you are just approving Amendments posted we're operating under the simple majority of five votes. >> Her Amendment was posted. >> I think the clarification he mentioned it was posted an amendment and not posted as a substitution. >> Yes. >> Chair? I'm sorry.\r\n\r\n>> Yes, Member Rawlins-Fernandez. >> I'm reading directly from the ASF, move to amend Resolution 25-230 by substituting the Resolution with attached proposed FD 1 version. >> Thank you. >> Back on-track. >> Back on-track. Now we're still in discussion on her motion. Now that we have -- -- okay.\r\n\r\nNow that we have pretty much drowned the process, how about we get to the intent and the content? Yes? Member Uu-Hodgins. >> Okay, to simplify what I thought I heard, right now we're going to vote on Member Palatin's suggested language, whether an Amendment or substitution, whatever we're doing that is what we're doing? >> Yes. >> Thank you very much. So I think I'm going to speak for this one and the next one.\r\n\r\nI'm going to be voting no on both of them, but not that I disagree with the theory, but maybe just the specific language. I did talk to OCS and Clerks to maybe figure out a middle ground, and maybe I will bring that up afterwards. But for right now, that is my discussion. Thank you. >> Well, maybe people want to hear about your middle ground. >> Okay, sure. So because I think both of these Amendments, I do agree in theory.\r\n\r\nBut the language specifically I have a lot of questions, especially after our Executive Session. I was wondering if the body would be open to -- and I was talking to David about this. In Resolution 230, 25-230, adding another paragraph 2 and making paragraph 2 paragraph 3, and sending both ASFs, or Member Rawlins-Fernandez' condensed version to the Planning Commission as well to use for discussion. So that we don't have to Ping-Pong back and forth and they can have some time to work on the language and we can have some time to work on the language and they can have it for discussion as I heard from at least Member Paltin, her main criteria is that they have it for discussion. I won't speak for her, wasn't necessarily married to the language, but

wanted to flirt with the idea. >> Oh, no, I hate flirting. >> She wanted to date the idea.\r\n\r\n>> I wanted to kick it around. >> Kick it around. Very violent. >> Let's ask David how to achieve what she just proposed, what Member Uu-Hodgins just proposed? So let's say it's not going to be an Amendment to Member Cook's Reso, but how do you take that information and transfer it? And transmit it to Planning Department? >> Thank you, Chair.\r\n\r\nActually, the body only acts through Resolution or Ordinances. So if you wanted to transmit officially on the body you would have to amend Council Member Cook's motion in some fashion, such as attaching ASF to the Resolution, for instance. Otherwise the body wouldn't be speaking. Individual Council Members, of course, free to send communications to the Planning Commissions if they so choose. For the body, I think you would have to amend the Resolution in some fashion. Thank you. >> I just thought we would get clarification.\r\n\r\n>> Member Uu-Hodgins >> So we would potentially amend the Resolution, but not the Bill itself? That was with the Resolution listed as Exhibit 1. So in my suggestion it would be different Exhibits. I will say I hadn't thought about how it's going to work when it comes back to us, and what that looks like, if they all get hypothetically approved? And what that would require out of us? But I was just trying to figure out a way that we could let the Planning Commission know that we had discussed both of these ideas, and for them to continue that discussion without amending the Bill. >> Without amending the Bill. Thank you.\r\n\r\n>> Member Paltin. >> They are the authority in the Shoreline per the Coastal Zoning Management act more so than this body is. That is their charge, or whatever. So, like, you know, like I said, we're kicking around these words. We're like trying to figure it out, but they may be more expert at figuring out the direction of our Shorelines, because it's within their purview. So I'm open to attaching this combined as an Exhibit for their consideration for them to take further under their expertise. >> Okay.\r\n\r\n>> We're going to all discuss it further, but let me just tell you my main concern is that creating a new Zoning District generally doesn't include specific conditions, and when you talk about the shoreline, I think whatever conditions we come up with in the future should apply to all properties, not just the Minatoya list. So this is where I think we part company, but even though we agree probably on almost everything, except when is the appropriate time to present this information is the question? So I'm sure others have comments. Member Rawlins-Fernandez. >> Mahalo, Chair. I agree with you, and Member Batangan in Committee, and I'm already working on completing that draft to add that language to also -- so it's coming. >> Good.\r\n\r\n>> Very soon. By the end of this month. Mahalo, Chair. >> Member Cook. >> Thank you, Chair. I'm advocating that we keep this basically simple. The H-2 and H-3. And we have the ability separately to convey all of this information to the Department.\r\n\r\n>> My concern about doing anything other than creating a new zoning category is that it makes it difficult for anybody and everybody to determine what it is and what it's for? If it's H-3 and H-4, that, Mr. Post, and Corp. Counsel was in the TIG. It's on record of what the intention is. We send that to the Planning Department, Planning Commission, for their review. Planning Department will comment on it.\r\n\r\n>> All of these concepts, I'm in agreement that the Shoreline issue, Managed Retreat, liability for the County, responsibility and accountability, Kuleana for people who have property on the Shoreline. I'm not in disagreement with my colleagues on that. I just am not -- I'm in disagreement and not an advocate of attaching it to this particular transmittal to the Planning Commission. So I just wanted to convey that to all my colleagues. Thank you. >> Let's hear from some others. Vice-Chair Sugimura?\r\n\r\n>> I agree with the maker of the Bill and also

part the TIG and heard more of us put together -- well, not put together, but some of the Member were part of it. I do stand to send the Bill clean to the Planning Commissions, and then I'm glad to hear that And Amendment and substitutions we're looking at now and take it when it comes up. I think also as you heard, not Member Croly, but Tom Croly said it could be added on appropriately when item comes up. So I agree. >> Member Johnson. Well, of course, I'm still thinking about all of this, but one of the things that I'm thinking of is if we go forward with Council Member Cook's suggestion of passing it clean, it come back to us after the Planning Commissions, and we have these Amendments, and we put them in, then it might go back to the Planning Commissions again. Because it's pretty heavy of changes, and then now we're back -- just by doing these little Amendments, we got to send it back to the Planning Commissions.\r\n\r\nIt's a whole other round. What if they add Amendments to our Amendments or add suggestion and it comes back to us and we discuss it? It's just going round and round, you know? That is what I'm concerned about. I mentioned it before and I heard what you said, Council Member Cook, you are not in disagreement with Amendments, but you want to pass it clean. But the thing is we're not passing these Amendments today. We're just presenting them to the Planning Commissions so they can have a look at it and have discussion and they might say no, we don't at all, which is fine.\r\n\r\nIf they come back, or if we send it to them and they don't have that discussion, that is what I'm afraid of. It just prolongs the process. We have had an HLU meeting on these Amendments. We're talking about it now. I think it's a good plan to give them all of the cake; right? And then they can decide what pieces they like? It's just a way -- it's cleaner, like as you mentioned clean bills quite often.\r\n\r\nIt's a cleaner way to do it this way; it's not committing ourselves to any of these Amendments. It's just we can't have that discussion. It's like we send it to them with not giving our full discussion, that could be the problem that Ping-Pongs it back to us. I hope you understand that. That is the process that we all should be aware of. That is my two thoughts. >> Before I call on you, I just wanted to say that for clarification, I think those of us who have been creating -- establishing Ordinances for many years, would consider something like this as enabling legislation.\r\n\r\nIt's not specific. It's enabling. It gets specific when we start moving the list onto Exhibit 2, you know? Or competing the Exhibit 2. That is where you have specific properties, and a lot of these conditions would have a rationale nexus as opposed to a very broad piece of legislation, which we are pretty much dealing with right now. Mr. Cook. >> Thank you.\r\n\r\nI just wanted to acknowledge Member Johnson's comment and clarify that the -- when they review this, about one-third of the properties approximately just guessing are going to be in the sea-level rise issue and the other two-thirds will not have it at all. So this not having any other stuff, just creating the H-2 H-3, and this issue will come up, definitely, with those and others. But having this attached to it now, as if it's going to influence all of them, it just -- I think it makes it easier for the Planning Commissions, easier for the public to understand. This issue applies to approximately 20-30% of the properties, and not all of them. And And what we're striving to do is create two now zoning categories that the Planning Commissions, the Planning Department, the Council can assess and vote to transfer or create, and all of the properties in the sea-level rise, these issue will be addressed at that time. But the other ones don't need to be involved in it. That is just -- I hear what you are saying.\r\n\r\nI don't think it will -- my concern if it comes back from the Planning Commission, and this is a key element in the rezoning aspect and the review of it, that is going to be a handicap to other

properties that we're striving to enable, because we all agree that particular property could be changed from A-1 A-2 to H-3, but this is sort of have to decide. So thank you for your comment and hopefully my clarification helps. >> Chair? >> Mr. Johnson. >> So it sounds to me that a path that you would like to take is to have these Amendments in a separate Bill, and address separately because of all of the things you mentioned right now you want to do a separate Bill for these Amendments? >> Yes.\r\n\r\nCorrect. >> That is true. >> Okay. I'll add one more to that. Is that when this goes to the Planning Commissions, they are going to get a Committee Report. And hopefully, in the Committee Report, Council Member Cook is, you know, quoted 20-30% of the properties. >> Excuse me- >> There's not a Committee Report?\r\n\r\n>> It never went to Committee. >> Oh, okay. >> 7b in Committee. >> All right. I thought the HLU would have gotten the Committee Report? No? >> No.\r\n\r\n>> Okay. All right. Well, I guess my point is, we want to let them know, the Commissions, that we had this discussion and they are not starting from scratch, because if they come up with these things, like you said, they will probably have these discussions. So why not have Amendments attached? Because they are going to talk about it anyway. So I mean, it's just something to consider. I hear what you are saying, maybe you want a separate Bill for that.\r\n\r\nBut I think that if we attach the Amendments, where you can tell the commissions, we have talked about this. >> Okay. Thank you. We haven't heard from you Mr. Sinenci. >> Thank you, Chair. Member Johnson asked my question about if we were going to send a Committee Report with the Bill.\r\n\r\nAnd I understand that, you know, we could -- we can testify at the Commission as well. Those who support it, I'm sure they will get a lot of testimony on these as well too. so I'm supportive of sending it, but if it doesn't get the votes, we can send them -- not a Committee Report, but this as an Exhibit. I can be supportive of that. >> I see your hand up, Member Uu-Hodgins. >> Thank you, Chair. I can work with HLU Staff, and send over the notes, or the transcripts of Monday's meeting.\r\n\r\nSo they can hear the discussion. Because it wasn't sent to Committee. So we can find some way to transfer our thought and our discussion. I appreciate what Member Rawlins-Fernandez said about having it in the Shoreline as a whole. I think that is what I would prefer. I think that is probably best moving forward, and in that case, then I'm not too sure how the Amendments having it in now, if it may change when we do have a broader discussion, which is why I was hoping we could send, I guess the idea in theory and not have them kind of vote on specific language, and then when it comes back to us, we have some wiggle room. I'm unsure how to do that specifically, which is why I was trying to propose some sort of something in order for us to -- however it happens.\r\n\r\nI'm not too sure. Get them our thoughts. I would like to have Member Cook's Bill remain as-is, because this is what the TIG had discussed more specifically. But that is where I'm at, Chair. Thank you. Anyway, thanks. >> Member Paltin and Member -- did you have something to say?\r\n\r\nBecause we haven't heard too much from you yet. >> Sure, Chair. Yes, so I do support sending over a clean Bill, which is like-for-like, not because I don't want the Planning Commission to have the discussions on Shoreline hardening or beach access. I think those are important conversations to have. I just don't want to have those conversations on a zone-by-zone basis, but rather that have a separate Bill and discuss them comprehensively I thought the island. I think it would be problematic, for example, if we had one property in H-1, next to a property in H-3, there's a wall protecting both of them, but you can on the fix half of the wall. These are the kind of issues I foresee coming up if we take it piecemeal and I would prefer to have those discussions Islandwide or Countywide.\r\n\r\nSo I will be

supporting a clean Reso 25-230. And then would like this body to take up these other ideas separately. Thank you. >> Member Paltin and then Member Rawlins-Fernandez. >> Thank you. You know, I heard Mr. Croly, as well as Mr. Post, and others talk about criterias that would allow for properties to get -- or achieve the H-3 H-4 zoning.\r\n\r\nAnd a lot of them were specific and clear-cut that we discussed in the TIG, for example. If a property had time-share units in it? Then you know, even Maui hill, which I thought would be a great place for local families to live had time-shares. So it was put on the Exhibit 2, I think it's called. But one of the other criterias was in the sea-level rise exposure area, if it looks like it wasn't going to last for long-term, like ten -- in next ten years. It could fill. I think it's -- I agree with Mr.\r\n\r\nBatangan that it needs to be done across the Board, but this is what is in front of us now. And that criteria that we're pointing to as this property may not last the next ten years, if we don't address specifically while it's in front of us what to do, then shame on us, you know? Like I agree it needs to be done comprehensively. It needs to be done on every piece of legislation before us, because we don't exactly know what the next disaster coming our way is. I'm sure many of us had a lot of plans for legislation before COVID hit. We had a lot of plans for legislation before the Fire happened. And I think if this is before us now and one of the criteria for being moved into the H-3 H-4 is that we don't think the property will last the next ten years, 15 years, then it should be done now.\r\n\r\nThat is all I have. But if it doesn't happen now, I'm okay with putting it as a condition of change in zoning. But it is happening, whatever you call it, sea-level rise, shoreline erosion, one-time catastrophic events, they are happening, and we can't predict or say when it will. It's to our detriment not to address it at every opportunity we get. That is my feelings. It looks like I can count and it may not happen, but it's coming whether we want it or not. Some of these properties won't last the next ten years.\r\n\r\n>> Member Rawlins-Fernandez >> Mahalo, Chair. Okay. Member Paltin was almost reading off my notes. I had the same words sea-level rise is happening now. And it's not only happening here. What is happening in Hawai'i is not unique. Many coastal towns are experiencing the same thing, and are all trying to figure out how to deal with development that was built too close to the coastline decades ago?\r\n\r\nWithout it being considered a taking. I mean, we have it happening here, like, at Kap Ulu with the County Parks pavilion that had to be removed, but it was there and created all kind of dangerous debris for a while, until we finally removed it. We have properties on the North Shore of O'ahu, and individuals starting to do illegal things to stop the ocean from taking their house. And then you know, we don't have to go too far and we can see all along the shore in West Maui, and we did get this from Ms. Nishiki that shows what happens when makeshift sandbags are put up, and all along the shoreline, you have hardening. You have sinkholes. Like, the Shoreline is a public resource.\r\n\r\nAs the government, you know, we're responsible for weighing and protect -- protecting the public resource, and weighing it against the private interests. And private properties constantly take away from the public when they start to do these types of things. I heard Member Batangan say that let's not start with this first. Let's do it all together. In 2021 I introduced a Bill that I nicknamed the caps Bill and some of the language that you are actually familiar with is in 19-12.020G. Subsection 3. The number of rooms units allowed for transient vacation rental use may not increase beyond those allow for such use as of January 7, 2022. Existing transient vacation rentals may be reconstructed renovate or expanded if no new room or transient vacation rental units are added. I put that language in, what was it? Like 9 or 10

different Zoning Districts.\r\n\r\nSo this -- whatever language we end up with, this is the start of the conversation. And it will be refined, and it will likely take -- like a similar form in each of the different Zoning Districts. So I have done this kind of comprehensive zoning condition change before. And that's how it looks and we actually want -- the TIG wanted to preserve this subsection 3, so there wouldn't be expansion. The -- okay. Some of what I was going to say is more related to my Amendment. So I will stop there for now.\r\n\r\nBut basically, it wouldn't hurt us by already starting the conversation, and letting the Planning Commission have practice figuring out what the language could look like? And then when they make a recommendation to us, we can further refine it, and then when we are sending them the language that would be added to it in all of the zoning districts, then it will be consistent in that way. Mahalo, Chair. >> Any final discussion on this? Comments? I'm going to call for the vote for Member Paltin's proposal. >> Okay.\r\n\r\nSo some of the Amendments that Member Paltin has in her ASF has -- she has non-substantive Amendments. Do you want to make those Amendments separately, depending on what happens with vote after? Because she said she could count, and I'm guessing that we're not counting five? >> I'm not counting five, but when we worked on this ASF, Staff asked if they could clean it up a little and I said sure. I guess the question would be for Mr. Raatz, if it could be cleaned up after the Planning Commission brings it back to us, or is it better practice to send them the cleaned up version and then would you like to take some stuff out of my substitution? >> Yes.\r\n\r\nMaybe Member Cook's motion -- main motion, it could have the non-substantive revisions. >> The clean-up stuff. >> And that will be the main motion. Because I think it's bad practice to send anything that we know is not as great as it could be. >> That's true. That is what we were telling the Administration not to do to us. >> If they didn't listen, then -- I don't know what that she said means.\r\n\r\nIs in there a way forward to do the clean-up stuff? >> She just said he could include it in his motion for the non-substantive. >> Okay, you take care of it then. >> Do you want to vote on your proposal? >> I would love for you to vote on it favorably. >> Okay, if there's no more discussion, roll call. >> Council Member Batangan?\r\n\r\nNay. >> Vice-Chair Sugimura? >> No. >> Member Paltin? >> Aye. >> Member Johnson? >> Yes.\r\n\r\nMember Rawlins-Fernandez? >> Aye. >> Member Cook? >> No. >> Member Uu-Hodgins? >> No. >> Member Sinenci?\r\n\r\nAye. >> And Chair Lee? >> No. >> Chair, you have four ayes, five nos, motion fails. >> So Member Rawlins-Fernandez, you withdrew your motion. Are you going -- are you going to keep it that way or do something else? >> I know you would love that.\r\n\r\n[Laughter] but I don't want to leave you yet. So I'm ready to make my motions. >> Okay. >> Are you ready? >> Yes. >> Okay. And seeing how that all went, I will make my motions.\r\n\r\nI guess that can be considered -- okay. Shake it out. Let's start with an easy one. Reference to year 2026. >> Second. >> Can you explain the reference? >> Whatever the Bill number is going to be and change the year to 2026 >> Moved by Member Rawlins-Fernandez, and seconded by Member Paltin to correct the year from 2025 to 2026; right? >> Please vote yes.\r\n\r\nAny discussion? >> Yes, Chair. >> Mr. Batangan. >> Can I get clarification on what the non-substantive technical revisions were, because I just assumed that was part of it. >> Member Paltin, was that part of? >> It wasn't in my part of it.\r\n\r\nIt was in her part. >> That is on my ASF and I wanted to win Member Batangan. >> I'm ready to vote for your motion. >> All those in favor of the motion, please raise your hand, say aye? >> Aye. >> Nine ayes, zero nos. >> We'll feel good.\r\n\r\nUnanimous. Winning -- next one. We're going to go to my fifth Amendment. It's going to be easy. It's the

extent of the motion I just made. We're going to amend Section 5 by amending code subsection 19.14.030B to read as follows: B, the following accessory uses are permitted as accessory used in the H-3 and H-4 Districts. And then imbedding the chart that can be found in 19 -- well, it was repealed -- no, it's still there.\r\n\r\n19.12.020. >> Second. >> Moved by Member Rawlins-Fernandez and seconded by who? >> Anyone. >> Anyone. Okay, Member Paltin. I heard your voice. To make that change as stated.\r\n\r\nDiscussion? Member Rawlins-Fernandez? >> Mahalo, Chair. As we heard from Mr. Greg Post from the Planning Department this is best practice, just instead of referring to another Section, and if this is the uses, the accessory uses permitted, accessory use as we intend, it should be outlined. What we have is the exact accessory uses in buildings that can be found in the subsection that was referenced in Member Cook's Bill. Mahalo, Chair.\r\n\r\n>> Any discussion on this proposal? On this Amendment? >> Could you repeat that? >> It's in my ASF. >> On what page? >> On page -- if you go to my ASF and go to page 1, it starts there and it's at the top of page 2. Member Uu-Hodgins. >> Thank you.\r\n\r\nWe're just going to remove the reference of the graph and insert the graph. So just literally has a picture for the reader in stead of to go find it someplace else. >> I'm looking for another win. >> Girl, we're giving you easy wins. Let's do it. >> Can we get a rule 19 for the win? No?\r\n\r\nBecause the way you are amending as opposed to adopting your ASF as it's been posted, you are making multiple motions now. >> That is not what rule 19 says. >> It's unanimous. Whatever you want. >> No, because then if I'm making them out of order and there's an objection to by our Parliamentarian, I need to understand why. Because I was planning to do all like the "easy ones" first and if you need me to do them in order? In chronological order?\r\n\r\nThese were separated posted you are taking it from what was posted. >> Yes. >> Yes. So David, do you have any comments on that? >> Thank you, Chair. I will just read from the rule, rule 19 Amendment final reading as I mentioned earlier requires delay of final action when you amend the same meeting where final action would have otherwise taken place. But then the third sentence says this requirement of delay will not apply to -- and it gives four different scenarios, and the third scenario is Amendments that have been posted on the meeting agenda.\r\n\r\nSo that would be a question for the Clerk's interpretation if you are taking piecemeal Amendments that were part of an ASF, does that satisfy this rule statement about Amendments that have being posted? thank you, Chair. >> Because mine wasn't a substitute. Mines were separate, separate Amendments. >> Well, the distinction is we're not taking all of your proposed Amendments, we're taking some that were posted. >> They were posted. >> That is what I mean.\r\n\r\nIf we were taking all, >> That is not how I read it. >> I know, but this is the interpretation of our resources. >> Director Raatz saying it's okay to take whatever -- not all, but some, or whatever? And Deputy Clerk is saying, or Madam Clerk is saying it has to be all-or-nothing? >> No. >> Okay. >> Can we take a couple minute break?\r\n\r\nChair, can we have two minutes? >> Two minutes, you promise? Nobody move, 2:49, recess. [ GAVEL ] [ GAVEL ] >> Will the Council Meeting please reconvene. The Council Meeting of January 7th, 2026. It is now 2:50 and Ms. Clerk. >> Yes, Chair, thank you so much for that break.\r\n\r\nWe did have an opportunity to discuss the issue overrule 19. And agree if this has been posted and that is what Member Rawlins-Fernandez is offering up, even though it's just being taken out one by one for the win, that that is appropriate and rule 19 is not necessary and a vote of five is sufficient for each of her winning motions to pass. >> Proceed. >> Mahalo, Chair. So we're now on Amendment No. 5. Since it's not an all or nothing type of thing, and I'm ready for the vote. It's the one with the

picture. It has the chart, the graph.\r\n\r\n>> No, I'm thinking -- >> You are ready to vote yes. >> You want it to be unanimous or you just want it to be eight? >> Member Cook, come on, he is right there. Cool. >> Just can we clarify the last thing I wrote was No. 2. >> It was No. 5. Section 5 by amending code subsection 19.14.030B. To read as follows the following access uses are permitted as accessory uses in H-3 H-4 District.\r\n\r\nThat is instead of referencing the other. It has the chart itself. >> Thank you. >> All right. All those in favor of the motion, raise your hand, say aye. >> Aye. >> Nine aye, zero nos, motion carries.\r\n\r\n>> All right. Feeling good. I'm feeling good. Here we go. >> Go for the gold [ LAUGHTER ] >> Okay. We'll go to -- we'll do No. 2 and then I will do 3 and 4 together.\r\n\r\nOkay. I move to amend Section second paragraph to read as follows: This Ordinance's purpose says are -- there's a 1, which is Member Cook's and 2 is to acknowledge necessary protection of Shoreline, and ocean ecosystems as recognized in the Maui Island plan, Community Plans and climate action and resiliency plan. >> >> moved by Member Rawlins-Fernandez, seconded by Member Johnson. On her third Amendment, discussion, Member Rawlins-Fernandez. >> Mahalo, Chair. As a County, we spend a lot of money on a lot of plans, and a lot of reports. These are some of them.\r\n\r\nThe other one I missed was recommendation from County's hazard mitigation plan, which explicitly talks about removing structures from the shoreline in order to protect human lives. And so we create these plans and reports to give us recommendations on how to create policy to protect the health and well-being of our people, and our environment. Mahalo, Chair. >> Any more discussion? Member Sinenci? >> Thank you, Chair. I'm supportive of this Amendment.\r\n\r\nOnly because as Member Paltin had mentioned earlier, that it's under the Planning Commissions' charge to deal with SMA issues. So I think if we're not going to be supporting some of the other Amendments, this would at least kind of put it back into their court to address some of the other things. And even though it's not specific like some of the other amendments, it could kind of trigger that discussion with them, Chair. Thank you. >> Member Batangan. >> Thank you, Chair. I actually have concerns with them one, because I don't think it make sense unless there's code language specifically dealing with the shoreline or ocean ecosystems recognized in the Reso we're transmitting.\r\n\r\nSo I am sorry, I'm going to vote no on this one. >> Member Rawlins-Fernandez. >> Mahalo, Chair. In my Amendment No. 6 and 7 -- >> On what page? >> 6 and 8 on page 2 and 3. Those are the shoreline language for this Bill. And so if Member Batangan plans to vote against those, then there wouldn't be language, and there would be no purpose for putting that.\r\n\r\nBut if it plans to add the language, that would be the purpose. Mahalo, Chair. >> Can I ask that we take up that language first? >> Member Rawlins-Fernandez? >> Mahalo, Chair. I don't have any objections with taking up -- let's see -- I guess it would be 6,7, 8, and 9. Yes. Those would all go together.\r\n\r\nSo let's see, I think Member Johnson seconded my motion. So I will add to my motion with the Amendment that is in No. 2, the Amendments that are in No. 6-9 and I will read them: No. 6 amends the Bill to add a new Section 6 to read as follows: 19.14.040 restrictions. B, construction, maintenance or expansion of Shoreline armoring is prohibited. 7, renames Section 6 as Section 7. 8 add a new Section 8 to read as follows: 19.14.055 code coastal transition and phased removal.\r\n\r\nAt the time of the zoning change, the Director must execute an agreement with the property owners to remove any human-made object not part of the natural ecosystem that is affixed to the land. B, for this Section's purpose says human-made objects not part of the natural ecosystems that are affixed to the land including buildings, Foundation, decks, patios, swimming pools, septic

systems, roads, parking lot, retaining wall and shoreline hardening structures, but do not include public infrastructure addressed in a separate capital plan, and No. 9 numbering the remaining sections appropriately. >> Any more questions? Member Batangan. >> Thank you, Chair. I got to mahalo Member Rawlins-Fernandez for walking us through this.\r\n\r\nI was having trouble following when you were referring to them by Amendment numbers, but going Section by Section to tell us where with you were guiding us has been very helpful. Thank you. I will be voting no on this particular one, not because I necessarily disagree, but because on the point of Shoreline armoring, I think that should be a Countywide, or Islandwide or at least Countywide discussion, and don't want to be taking that out on a zone-by-zone basis. With the Section 8, that one is, I disagree with the position of the Planning Department Director. That the condition should be in the zoning, rather than as a condition of the change in zoning. So I would prefer to keep the zoning in the code clean, and to take these up on through a different legislative vehicle. >> Any more discussion?\r\n\r\nAnyone? Member Rawlins-Fernandez. >> Mahalo, Chair. Okay. So as I was stating earlier in my remarks, that this is not a unique situation to us and it's been happening for years and no one is doing anything, like, not enough is being done about it. So in the Amendment under Section 8, the coastal transition and phased removal. I used Section 19.30A.040 that is existing in our code as a model.\r\n\r\nSo that it would help to guide our Department, and it wouldn't be something like totally new. Because that it would clearly explain when things would be triggered, and when -- it would give the property owners certainty on what it is that is going to happen when they are on the Shoreline. Right now you have different property owners that are on the shoreline, that have been putting up sea bag, that have been experiencing sea holes, or sinkholes. And they are just kind of like in limbo right now. So while I agree with Member Batangan that best practice would be to put something like this in all Zoning Districts together, this right now that we're discussing is not setting law. Right now we're sending something -- we're sending language, ideas, concepts, a Bill for the consideration, and recommendation from all of the Planning Commissions and it can start that conversation there. When we receive this back from the Planning Commissions, and my Bill to put this language in all the Zoning Districts, then we as a Council will have the recommendations from the Planning Commissions, and we don't have to take it up piecemeal.\r\n\r\nWe'll have the recommendation, and we can take it up all together. So that solves that problem. So let's see, I think I will hear any other concerns or questions. >> Ready for the comments? >> I have a question on that. >> Member Batangan. >> If we transmit a comment to the Planning Commission that is specific to H-3 and H-4, are we able to utilize what we received back to have a discussion on zones outside of H-3 and H-4? Because I have been operating under the assumption that transmitted through this vehicle would limit it to H-3 and H-4. But if I'm mistaken on that, that might change my thinking?\r\n\r\n>> Member Rawlins-Fernandez. >> I'm sorry I'm I want clear. I have a separate Bill to add the same language or similar to all of the zoning Districts that will be transmitted, can be transmitted separately I guess would need five votes. Mahalo, Chair. >> Member Paltin. >> It's the kind of stuff that DLNR takes up on Shoreline and it's in alignment with their stance and the decisions that they have been making it's not like we're going off and going something radical. It's in alignment with DLNR recent decisions.\r\n\r\n>> Okay. But you are proposing a separate Bill, which would cover these items; right? >> Not me, her. >> I'm looking at her, yes. >> I am, Chair, and I hope to get your favorable vote. >> You should be a used-car salesman, you know? You are in the wrong

business.\r\n\r\n[Laughter ]I would buy all your cars. Anybody else? Member Uu-Hodgins? >> Thank you, Chair. Again, I'm just going to say for the record, since I said the last time, I'm going to be voting no. I don't disagree with them in theory, but the language is what I have questions on, considering we had this discussion on Monday. I think what I'm going to do is HLU Chair is send the Planning Commission our meeting minutes.\r\n\r\nSo they can continue our discussion and see our discussion. And then all of this that we did have on Monday, they can pick that up where we left off. So I'm going to be voting no, but I just wanted to say that as I said at the last time. >> Any more discussion? Roll call. >> Council Member Batangan? >> No.\r\n\r\n>> Vice-Chair Sugimura? >> No. >> Council Member Paltin? >> Aye. >> Council Member Johnson? >> Yes. >> Council Member Rawlins-Fernandez?\r\n\r\nAye. >> Council Member Cook? >> No. >> Council Member >> Council Member Uu-Hodgins. >> No. >> Council Member Sinenci? >> Aye.\r\n\r\n>> And Council Chair Lee? >> No. >> Chair, you have four ayes, five nos, motion fails. It was 6,7, 8 and 9 Member Rawlins-Fernandez. >> No we're not going to start that again. So I have two more motions and that will be Amendments 3 and 4, and then I will need to file and I will make that motion separately, in case this doesn't win. That was with the 6,7, 8 and 9. Okay.\r\n\r\nI move to amend Reso 25-230 to amend Section 3, by amending code subsection 19.14.010C to read as follows: The H-3 and H-4 Districts are for units or structures that operate transient vacation rentals and 4, amends Section 4 by amending code subsection 19.14.020B to read as follows: The following uses are permitted in the H-3 and H-4 Districts any uses -- any use permit in the residential and apartment Districts and two, transient vacation rental uses. >> Second. >> Okay. Moved by Member Rawlins-Fernandez and second by Member Sinenci to make these changes. Discussion, Member Rawlins-Fernandez. >> Mahalo, Chair. So what this does is it would strike the word "reserved." And it would strike "had been in the A-1 and A-2 Districts" respectively and where in the 19.14.010 on page 3, purpose and intent." And On page 4, permitted uses it would strike everything after "transient vacation rental uses." Where it reads: That would legally permitted the day before the effective date of the Ordinance required transient vacation rentals uses to be phased out in the A- 1 and A-2 District.\r\n\r\nWe talked about how this language starts to create a list within a list. And we discussed how this is not best practice. To refer to a repealed Section. And that it was explained at the time when we had our resource person in HLU Committee from the Planning Department that this was the express intent of individuals on the TIG, on the Bill 9 TIG. So what we understand from the Committee meeting is the intention, Member Cook's intention with the like for like, it would be able to move multiple properties as quickly and easily as possible. And that is not my intention. And my understanding when you create Zoning Districts, it should be broadly applicable.\r\n\r\nThat it shouldn't be exclusive to only these properties. That is not best practice. Mahalo, Chair. >> any more discussion? Member Paltin? >> Was -- I'm trying to parse out what was in Executive Session and what wasn't in Executive Session? I guess I'm not sure if I support this, because I don't want any other apartment zoned condo complex to apply for a change in zoning to go to this, because we need more long-term housing, not more short-term rentals.\r\n\r\nAnd I didn't say anything that we said in Executive Session. I said that in Open Session. So we're good; right? >> Yes. >> That is clear. >> Okay. >> Okay.\r\n\r\n>> Member Batangan. >> Thank you, Chair. So the Amendment on page 4 under 19.14.020B2 are there any other transient vacation rental uses other than what was legally permitted the day before the effective date of Ordinance requiring that

transient vacation rental be phased out in A-1 and A-2 Districts. I'm concerned there's an expansion of use that is being allowed through this Amendment. >> I think Kahana Sunset is one by variance, and not by the way that Minatoya opinion. Kahana apartments is zoned, but it's not on the Minatoya list. and hasn't been phased out.\r\n\r\n>> I guess I'm not concerned about properties with a variance, but I'm concerned about us striking the clause at the end of B2 to expand the permitted uses in the District. >> B2. you are asking everyone not just me. >> I'm asking Member Rawlins-Fernandez since this is her motion. I would accept an answer from anybody. >> At this point. Do you know what? See that hand, it's always up there.\r\n\r\nMember Rawlins-Fernandez. >> I was told to at least 11:17:47 try. I hear what Member Paltin's comment before Member Batangan and both of their comments about expanding TVR uses which I also don't support and why I did the caps Bill back in 2021. So in 19.14.040 restrictions, this Section where it reads unless such new rooms -- sorry. The line situated land of the line at distance by striking that Section. It would achieve that purpose. And so there are multiple ways to achieve what it is that Member Paltin and Member Batangan would like and it's not just in this Section. I think that goes back again to our initial discussion on Resolution 25-230, that the TIG had seven meetings on this.\r\n\r\nAnd so because we're being rushed to move this along and not have full and complete discussion on all of the language, what we're sending the Planning Commissions is not as fully baked as it could be. And that was what I was hoping we would avoid doing, and I mahalo Member Uu-Hodgins for holding the HLU Committee meeting on Monday. And the Executive Session was also very enlightening. But again, not enough, because there's still all of these different questions. There is the desire to not expand TVR uses in this District, or inviting more apartment complexes that didn't meet the criteria outlined in 19.12.020 subsection g, which was just repealed by Bill 9. And so there's all of these things that we -- the harms to our housing inventory, to our environment, and then to our community at-large that we want to do. And we're being rushed to do all of that right now on the Council floor doing Committee work which you don't like doing. Mahalo Council Chair for letting us do, because this is all we're given the opportunity to do.\r\n\r\nWhat I'm actually hoping that we can -- we'll continue to discuss this in Committee, even though we have already -- I know you have the votes, so this will be transmitted today, regardless of my vote, and my hope is that in Committee we can continue to have these discussions to figure out what would be the best way to achieve the desires of all of the Council Members? And since the Planning Commissions wouldn't be taking up this until the end of February anyway, that we'll be able to have more substantive discussion and better recommendations that could be transmitted supplementally with Reso 25-230. Mahalo, Chair. >> Did she answer your question? >> Yes, Chair. She did answer the question. >> Any more discussion? We're ready to take the vote and we have one person absent.\r\n\r\nIt will be 4-4. You know I always like to include all of you in the votes. Roll call. >> Council Member Batangan? >> No. >> Vice-Chair Sugimura? >> No. >> Council Member Paltin?\r\n\r\n>> No. >> Council Member Johnson? >> Yes. >> Council Member Rawlins-Fernandez? >> Aye. >> Council Member Cook? >> No.\r\n\r\n>> Council Member Uu-Hodgins? >> No. >> Council Member Sinenci? >> Aye. >> And Council Chair Lee? >> No. >> Chair, you have three ayes, six nos, motion fails.\r\n\r\n>> You have one more? >> Yes. Item, I'm looking for a unanimous vote on this one. I move to file County Communication 26-1. And 26-2. Can I get a second? >> Moved by Member Rawlins-Fernandez, seconded by Member Sinenci to file the two items she mentioned. Any discussion? Member Rawlins-Fernandez.\r\n\r\n>> Mahalo, Chair. I have

about five minutes of discussion on this important vote -- no. So in my previous remarks, I did say what my hopes would be. And I'm hoping that maybe I might get an answer this time. Are there plans to continue discussion on these -- on this item whether an HLU or another Committee so some of the questions like what Member Batangan asked and what other Council Members are trying to do, we can have more of a substantive decision, or discussion without the pressure of a timeline. I mean we'll still have the pressure of end of February, when the Planning Commissions will take this up. So that we can give them more information, and we can be the courteous Council that we are.\r\n\r\nVery courteous. >> We have the Chair of HLU here. Do you have any comments Member Uu-Hodgins? >> To continuing this discussion in HLU? Sure, we can do that. As long as we pass it today -- yes, we can do that. [Laughter ] >> Wow, she is copying you now.\r\n\r\n>> Good for her, and me, I guess. That she has the five votes. [Laughter ]. >> My more discussion? If not, all those in favor of the motion, please raise your hand, say aye. Okay, nine ayes, zero nos. Motion carries. Ms.\r\n\r\nClerk. >> Chair, we're back to the main motion. >> Roll call. >> Council Member Batangan? >> Aye. >> Vice-Chair Sugimura? >> Aye.\r\n\r\n>> Council Member Paltin? >> Aye. >> Council Member Johnson? >> Aye. >> Council Member Rawlins-Fernandez? >> No. >> Council Member Cook?\r\n\r\n>> Aye. >> Council Member Uu-Hodgins? >> Aye. >> Council Member Sinenci? >> Aye. >> And Council Chair Lee? >> Aye.\r\n\r\n>> Chair, you have eight ayes, one no. Motion carries. >> Then last item. >> Chair, before you is Resolution 25-233 authorizing a grant of ground lease to A0745 Lana'i LP for real property located on Lana'i, Hawai'i identified for Real Property Tax purposes as Tax Map Key 2-4-9-002:058 under Section 3.40.200 and 3.36.090 Maui County Code. >> Member Johnson. >> Thank you, Chair. I move to file Resolution 25-233. >> Second.\r\n\r\n>> Moved by Member Johnson, seconded by Member Sinisi to file this item. Discussion? Member Johnson? >> Thank you, Chair. Members, this Resolution been superseded by Resolution that we just voted on earlier today. It was tabled at the December 19, 2025 Council Meeting, because we did not have -- we did not contain the supporting documents, the lease wasn't attached yet. So we haven't acted on resolution 25-4 and this Resolution 26- -- 233 is now moot.\r\n\r\n>> Any more discussion? All those in favor of the motion, please raise your hand, say aye? >> Aye. >> Nine ayes, zero nos, motion carries. Ms. Clerk? Do we have anything else to discuss?\r\n\r\n>> Chair, there's no further business before the Council. >> Wow. >> Okay, Members, anybody getting married? [Laughter ]Nothing? Okay. Then -- >> We have a new baby in our family. >> Congratulations!\r\n\r\n[ APPLAUSE ]. >> January 2nd. >> Good for you. Thank you. All right everybody, this has been a very productive meeting. Thank you, and even the Chief of War was right on-target. Appreciate it. Appreciate it.\r\n\r\n>> Thank you. Chiefess, is that the correct way? Chiefess. Okay. I don't know Chief has more punch to it. [Laughter ] thank you so much everybody for a very lively discussion, but productive and respectful. I really appreciate that and this meeting is adjourned.\r\n\r\n[ GAVEL ] Thank you.