

AGRICULTURE, DIVERSIFICATION, ENVIRONMENT, AND PUBLIC TRANSPORTATION COMMITTEE

Council of the County of Maui

MINUTES

May 21, 2026

Online Only via Teams

CONVENE: 9:07 a.m.

PRESENT: VOTING MEMBERS:

Councilmember Gabe Johnson, Chair
Councilmember Kauanoe Batangan, Member
Councilmember Tom Cook, Member
Councilmember Alice L. Lee, Member (In 9:15 a.m.)
Councilmember Tamara Paltin, Member
Councilmember Nohelani U'u-Hodgins, Member

EXCUSED: VOTING MEMBERS:

Councilmember Shane M. Sinenci, Vice-Chair

STAFF:

Ellen McKinley, Legislative Analyst
Clarissa MacDonald, Senior Legislative Analyst
Ryan Ramirez, Legislative Analyst
Criselda Paranada, Committee Secretary
Megan Moniz, Legislative Attorney
Lenora Dineen, Council Services Assistant Clerk
Ryan Martins, Council Ambassador

Residency Area Offices

Roxanne Morita, Council Aide, Lānaʻi Residency Area Office
Mavis Oliveira-Medeiros, Council Aide, East Maui Residency Area Office
Christian Balagso, Council Aide, West Maui Residency Area Office
Chaelin Ryu, Council Aide, South Maui Residency Area Office

ADMIN.:

Lesley Milner, Budget Director, Office of the Mayor (All)
Adrian Reifsnyder, Deputy Corporation Counsel, Department of the Corporation Counsel (All)
Michael Petersen, Deputy Director, Department of Environmental Management (ADEPT-1(10))
Cecile Powell, Environmental Protection & Sustainability Manager, Department of Environmental Management (ADEPT-1(10))
Maria Zielinski, Deputy Director, Department of Finance (ADEPT-1(10))
Kaponō'ai Molitau, Director, Department of 'Ōiwi Resources (ADEPT-1(10))
Kekai Robinson, Deputy Director, Department of 'Ōiwi Resources (ADEPT-1(10))
Marc Takamori, Director, Department of Transportation (ADEPT-6)
Cayla Kutaka, Chair, Commission on Children and Youth (ADEPT-6)

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Testifier

Cristina De Leon (ADEPT-1(10))

(20+) additional attendees

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

CHAIR JOHNSON: . . .*(gavel)*. . . Aloha. Will the Agriculture, Diversification, Environment, and Public Transportation Committee meeting of May 21st, 2026, please come to order. The time is now 9:07. Good morning, everyone. Members, in accordance with the Sunshine Law, if you're not in the Council Chamber, please identify by name who, if anyone, is in the room, vehicle, or workspace with you today. And minors do not need to be identified. Also, please see the last page on the agenda for information on meeting connectivity. And remember, all, silence all cell phones. Good morning, everyone. I look forward to chairing a productive meeting today. I'm Gabe Johnson, your Committee Chair. And joining us today is Committee Member Kauanoe Batangan. Aloha Councilmember.

COUNCILMEMBER BATANGAN: Aloha kakahiaka, kākou.

CHAIR JOHNSON: Aloha. And then followed is Committee Member Tom Cook. Aloha, Councilmember.

COUNCILMEMBER COOK: Aloha. Good morning. There's currently no testifiers in the Kihei office, but we have staff on hand.

CHAIR JOHNSON: Great. Thank you for that. And aloha, we have Councilmember Tamara Paltin.

COUNCILMEMBER PALTIN: Aloha kakahiaka, kākou. Streaming live and direct from the Council Chambers.

CHAIR JOHNSON: Okay. Thank you. Vice-Chair Shane Sinenci is excused today. Chair Lee, we're looking forward to her joining us today. And Councilmember U'u-Hodgins will be joining us shortly. Non-Voting Committee Members are always welcome. That would be Councilmember Rawlins-Fernandez and Councilmember Sugimura. From the Administration today we have Department of Transportation Director Marc Takamori. From the Department of Environmental Management, today, we have Deputy Director Michael Petersen. And also from the Environmental Protection, Sustainability Manager [sic], we have Cecile Powell. The...from the Department of 'Ōiwi Resources, we have Deputy Director Kekai Robinson. We have Budget Director Lesley Milner, Office [sic] of Corporation Counsel, Deputy Corporation Counsel Reifsnyder. Am I pronouncing your name correctly? Great. All right. And without objection, I'll designate our Administrative...Administration personnel as resources under Rule 18(A) of the Rules of the Council due to their subject-matter expertise relating to these matter...matters

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on the agenda. Any objections, Members?

COUNCILMEMBERS: No objections.

CHAIR JOHNSON: All right. Thank you for that. We also have some more resources today. We have Cayla Kutaka, Chair, Commission on Children and Youth. Aloha and welcome. Without objection, I will now designate Chair Kutaka as a resource under Rule 18(A) due to her expertise with Talking is Teaching public awareness campaign, which includes advertising in County bus...County transit buses. Any objections?

COUNCILMEMBERS: Okay. No objections.

CHAIR JOHNSON: We now have ADEPT Committee Staff with us this morning, so good morning. On the agenda, Members, we have two items. And that's Bill 13 (2026) County Transit Bus Advertising ADEPT...or (ADEPT-6). Climate Change Impacts on Maui County, and that's ADEPT-1(10) The Committee may consider whether to recommend passage of Bill 13 (2026) with or without revisions and other related actions. The other item is informational only and no legislative action will be taken. And thank you all for being here today, Members. Let's begin with public testimony on both items of the agenda. Staff, are there any testifiers today?

MS. MACDONALD: Chair, there are currently no testifiers signed up. Would you like me to do a final call?

CHAIR JOHNSON: Sure.

MS. MACDONALD: If somebody would like to testify in the Chamber, please let Staff know. Or on Microsoft Teams, please raise your hand. This is final call. Three, two, one. Chair, it appears that nobody wishes to testify at the beginning of the meeting.

CHAIR JOHNSON: Okay. Well, at this time, if there's anyone wishing to testify on this item you just...last call for that raise your hand. And I don't see anybody. So, Members, if there's no one else...or no one wishing to testify, I'll proceed on the agenda.

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

CHAIR JOHNSON: And that's our first item of the...of the day, is Bill 13 (2026), County Transit Bus Advertising, ADEPT-6.

ITEM 6: BILL 13 (2026), ADVERTISING INSIDE COUNTY TRANSIT BUSES

CHAIR JOHNSON: Members, the proposal from the Administration updates Title 11 regarding rules for advertising on the Maui Bus and County bus passes. Through advertising, the County can earn some revenue. But more importantly, as we increase ridership in our County transit system, this is an opportunity for the County and its partners to get the

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word out about initiatives and programs. That's why today we have Chair Kutaka with us from the County Commission on Children and Youth. And they helped to initiate the action through today through their advocacy for the Talking is Teaching campaign by the Ho'oikaika Partnership, which is now being displayed on the Maui Bus. I'd like to first hear from the Department of Transportation on its Administration-initiated bill. There are also...there's also an amendment summary form posted proposing to replace Bill 13 with a CD1 version that incorporates a few items. Number one, an amendment to the bill's title to include a broader reference Title 11 and County transit bus advertising. Number two, an amendment to the bill's preamble that includes advertising on County bus passes. Number three, an amendment to Code Section 11.01.010 to delete the word "solely" because Bill 13 would allow advertising inside County buses that is not designated to generate revenue...no, not designed to generate revenue, excuse me. Number four, an amendment to clarify the advertisements which do not promote County-sponsored programs or events must comply with all requirements under Title 11. Number five, an amendment to Code Section 11.02.060 to update the Code citation for the types of advertising prohibited on County bus system and passes...or County bus system passes. And number six, nonsubstantive revisions through...throughout for clarity, consistency and style. So we're going to turn it over to Director Takamori. Thank you for being here today. Do you have any comments on Bill 13 (2026) and Bill 13, CD1 (2026)? Right now, the floor is yours, Director.

MR. TAKAMORI: Good morning, Committee...Committee Chair Johnson and Member...Members of the Committee. I am Marc Takamori, the Director for the County Department of Transportation. And today I'm here to present the Department's proposed updates to Title 11 of the Maui County Code regarding the County...County Transit Bus Advertising Program. You...you...you actually made my job easier because you outlined what the changes are being proposed but --

CHAIR JOHNSON: One team, one dream.

MR. TAKAMORI: Yeah. So...so when I initially created my presentation, it was based on what we were proposing. But...but recently we received a CD1 version and a letter will be sent from the Administration with regards to our comments, but we really didn't have any comments to your proposed changes. So I actually just updated my presentation to present on the CD1 version. So just to give you an overview, the Bill 13, CD1, it establishes a unified policy with five key goals. First, we're...we are limiting third party advertisement strictly to commercial transactions. We are formalizing the path for official County announcements by requiring the inclusion of the County of Maui seal. Third, we are working to modernize and strengthen our prohibited content categories. Fourth, this CD1 draft expands the scope to establish the exact same standards across both our bus interiors and County-issued bus passes. And finally, this bill explicitly declares our transit advertising space as a non-public forum to protect the County from public-issue debates. So to understand why we're proposing these specific changes. It's helpful to look back at our historical challenges with the program. Our first solicitation in Fiscal Year 2017, with Stone Jetty Advertising [sic], showed a high initial revenue of 25...or \$25,900 that we got by Fiscal Year '18. But that...that

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...*(inaudible)*... eventually plummeted to just \$5,550 in Fiscal Year '19 before the contractor requested to cancel the contract. And our second solicitation attempt was structured as a performance model based on space sold which, unfortunately, resulted in zero revenue and another cancellation. But keep in mind that Fiscal Year '19...or by the time we went out to bid for the second solicitation and got into contract, the program was moving forward during the pandemic. And so, I guess at that time there was a lot of uncertainty. And so, the contractor requested to cancel.

CHAIR JOHNSON: Yeah.

MR. TAKAMORI: So our previous practice of offering free space to 501(c)(3) nonprofits entities on a space-available basis created severe administrative hurdles operating as an open public forum drew the Department into subjective content disagreements and demonstrating that we need a clear objective standard moving forward. So the first major change in the Code clarifies the County-sponsored advertisements. So under the new language, space is strictly reserved for programs or events that the County is solely responsible for or is supporting through a formal agreement that involves County funding. So to keep these things completely clear, all authorized County-sponsored ads must permanently display the official County of Maui seal. This visual requirement ensures that the riding public can instantly distinguish an official government communication or public health notice versus from private commercial interest. For all non-County entities, the CD1 draft simplifies and tightens the rules for paid advertisements. Moving forward, third party spaces will strictly...will be strictly limited to as they propose a commercial transaction. So...and advertisers...advertisers must pay our standard established fee. What this does, practically, is establish a clean, objective standard. It completely removes the Department from the subjective role of vetting or judging the social or political merits of a non-commercial message. If it does not propose a commercial transaction, it does not qualify for paid space. We are also updating the broad, ambiguous terms, like political speech, with specific legal, enforceable restrictions. Under this bill, advertising that promotes or opposes a political party, candidate, ballot measure or active legislation is strictly barred. So this clean definition of electioneering and campaign advocacy gives our staff a clear guideline to follow while also reinforcing a restriction against materials promoting just...prejudice, violence and obscene content. The bill explicitly codifies the core intent of our advertising program into law, stating that the display of ads is intended solely to generate incidental revenue to help support transit operations. More importantly, it state *[sic]* that it is explicitly not the County's intent to let our buses or bus passes become the public forum for dissemination, debate, or discussion of public issues. So our next steps, once the ordinance change is approved, first our advertising rates will remain established at the current rate of \$25 per card per month under the proposed Fiscal Year '27 budget, which takes effect on July 1st. Per Code requirements, all revenues collected from this program will continue to be deposited into the County Highway Fund to directly support transit infrastructure. Once Bill 13 is officially enacted the Department will issue a new competitive solicitation to secure a qualified advertising vendor to manage and sell the transit bus advertising spaces under these new, secured guidelines. I guess, thank you for your time, and I'm open to any questions

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you or the Committee Members may have.

CHAIR JOHNSON: Okay. Thank you, Director. We have some Councilmembers join us today. So I want to recognize Chair Lee. Welcome and good morning, Chair Lee.

COUNCILMEMBER LEE: Good morning. Sorry, for my tardy...tardiness. Thank you.

CHAIR JOHNSON: Of course. And then we also have Councilmember U'u-Hodgins. So I want to recognize and welcome her

COUNCILMEMBER U'U-HODGINS: Good morning, Chair. Good morning, everyone. I'm sorry I'm late as well. I'm at my private residence. And I do have my husband, Koa Hodgins, home too. Thank you.

CHAIR JOHNSON: All right. Great and welcome. Okay. Next, I'd like to hear from Cayla Kutaka, Chair of the Commission on Children and Youth. Chair Kutaka, thank you for joining us today. And if you're ready to present, the floor is yours.

MS. KUTAKA: Excellent. Thank you. Aloha kakahiaka, kākou. I'm Cayla Kutaka, and I am...I've sat in this chair before. But today I'm here wearing the hat of Chair for the Commission on Children and Youth. I'm very happy to be in this seat. So today I'm just here to talk a bit about the Talking is Teaching Awareness Campaign. The...the uniqueness of this piece is that it is a free opportunity for families. They don't need tools. They don't need toys. They don't need apps. But it's a tool for them to be able to connect with their keiki and build their language and skill. So first off, you can see on the screen here, this was a wonderful collaboration between the Department of Transportation and also multiple organizations, including the Commission on Children and Youth, Kākou for Keiki, as well as the Ho'ōikaika Partnership. Next slide, please. So, again, this is a opportunity for our families to be able access information and tools to be able to learn how they can...they can put tools in their toolbox. They can communicate thoughtfully with their keiki. They can build language, build communication, build their skills just by looking out the window of the bus. That's such a powerful thing to be able to teach our parents and caregivers, that they don't need anything to be able make that connection and...and build these skills. Talking is Teaching is a national public awareness and action campaign to do so. And again, it's really just these different visuals. You'll see on the few slides here. There's a lot of different visuals. We've tried to tailor a bit to the buses. But it's things just like let's talk about the rain. What are the different things that we can say or do that help our keiki to build their vocabulary, build their questioning skills, and build their connection and social interaction. Next slide, please. So the impact to date, this is a really interesting when it comes a public, you know, awareness campaign. Our intention is to build skills. Our intention is to teach. We think of...like when my daughter goes to the doctor's office, they give her a book to take home every time, right. There...it's really exciting. That's another think Kākou for Keiki is doing. But it's...it's something that, you know, we don't report back. I don't have her do a book report on this book, right? We're not doing that. But at the same time, we know there's such an incredible impact

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to be able to put these tools in families' pockets as they walk out these various doors, whether being doctor's office, in my example here, or these bus doors. And so, we do have a QR code that is available on the postings. It's one that's for more information. It's not necessarily a call to action but allows, you know, genuinely motivated individuals to find more information and to be able to seek that out. So we are building awareness over time. What we're seeing is about one QR scan per month. I know that seems relatively low, but, again, it is a...more information, not necessarily a call to action for families, and we're looking for possible ways to be able to increase that, just that data to better understand how people are accessing and...and feeling, you know, about these...about these postings. How are they accessing? What are they...what are they doing? What are their experiences and how are they benefiting? Next slide, please. And lastly, I mean there are more opportunities for the Commission, Ho'oikaika Partnership and our partners. We do want to find out more, and we want to create this call to action. We have different events. We have different things. And so, we started adding the bus as one of our drop-down items of, like, how did you hear about this, or how did you hear about our partnership. And so, maybe that's a way that we can start moving forward and learning more about this connection. We are very open to continuing opportunities such as these. Our Commission on Children and Youth has expanded and further...I believe expanded and further defined our goals as a commission, and a number of them are related to this, this action plan that we have here. We, as a Commission, have goals around building youth voice, building community voice, increasing safety for children and youth by informing the community of access to intervention as well as building protective factors. And so, this, this call to action or this, you know, bus project, this public awareness campaign really hits on all of those things, and we hope, as a commission, to continue to do those things. So I believe that's all I have for us and open to questions when the floor is open. Thank you.

CHAIR JOHNSON: Okay. Thank you, Chair Kutaka, for your presentation. And thank you, Members. Let's open this up for any kind of public testimony. At this time if there's anyone wishing to testify for this item, please use the raise-your-hand function and you would be called up to testify. Staff, is there anyone wishing to testify?

. . . OPEN PUBLIC TESTIMONY FOR ADEPT-6 . . .

MS. MACDONALD: Chair, there is currently no one who is signed up to testify. Would you like me to do a last call?

CHAIR JOHNSON: Yes, please.

MS. MACDONALD: If somebody would like to testify in the Chamber, please let Staff know. Or on Microsoft Teams, please raise your hand. This is final call. Three, two, one. Chair, it appears that nobody wishes to testify.

CHAIR JOHNSON: Okay. Thank you so much. Members, seeing there's no more individuals wishing to testify, are there any objections to closing oral testimony for this item?

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COUNCILMEMBERS: No objections.

CHAIR JOHNSON: All right. Well, let's now consider this item...this...public testimony is closed for this item, and we'll jump into deliberations.

. . . CLOSE PUBLIC TESTIMONY FOR ADEPT-6 . . .

CHAIR JOHNSON: Let's enter discussion on this time. I propose three minutes per Councilmember for each round of discussion. And I'll just simply go down the list here. Starting at the top from Councilmember U'u-Hodgins, to Councilmember Tom Cook, Council Chair Alice Lee, Councilmember Paltin, Councilmember Batangan and myself. So that's the order. And we'll jump over to Councilmember U'u-Hodgins first. Aloha, Councilmember. Floor is yours.

COUNCILMEMBER U'U-HODGINS: Thank you, Chair. I'll make this quick. I came in about midway through, I think, the presentation, but I still don't have any questions. Seemed relatively straightforward, so thank you.

CHAIR JOHNSON: Yeah. Yeah. It is pretty straight forward. Thank you for that. Councilmember Tom Cook, followed by Chair Lee.

COUNCILMEMBER COOK: Thank you. For Director of Transportation, I read a little about the past. How...how do you perceive rolling this out? Can you kind of give a thumbnail sketch of the past efforts, and how it's evolving and how you think that this is going to be implemented?

CHAIR JOHNSON: Director.

MR. TAKAMORI: Thank you, Chair. I...I guess, Councilmember Cook, can you clarify if you're...if you're saying pass, P-A-S-S or P-A-S-T, at the beginning of your initial statement?

COUNCILMEMBER COOK: No. Well, I...I apologize, how do you see this rolling out, mechanically? I'm just saying fundamentally.

CHAIR JOHNSON: Director.

MR. TAKAMORI: Okay. Thank you. Thank you for the clarification. Basically, after...after the ordinance is changed, we'll be updating our solicitation and putting it out to RFP. And then...and then seeking proposals from different advertising agencies on what they see the best way for us to advertise in our buses will be. And then kind of do a review of their proposals and select the best proposal to move the program forward. I think that's what you're asking.

COUNCILMEMBER COOK: Yeah. And do you...do you foresee...I'm real supportive of this. It

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makes a lot sense. I'm just curious, in the past solicitations compared to now, has anything fundamentally changed that's going to make it more desirable?

CHAIR JOHNSON: Director.

MR. TAKAMORI: Thank you. I...I think...I think one of the things that we're going to be checking to see what the proposals will come back is if we believe that our current rates and fees, \$25 per card per bus...or per month makes sense. So I think we're going to state what our rates and fees are, but I think we're open to seeing what is proposed. And based what is selected, if...if they're proposing something different than what we currently have for rates and fees, we may come back for an amendment to rates and fees to...to, I guess, make the...the ask if we need to update rates and fees for what we have for the advertising to kind of allow the program to move forward. So there might be a second step here, but I think that's one of the changes that we'll have to see. What...what is...what is a going rate nowadays for advertising in buses? And if the current rate that we have set in our rates and fees makes sense or not.

COUNCILMEMBER COOK: . . .*(Inaudible)*. . . that makes sense and the...that flexibility just pragmatic so...I guess, one...do I have time...one more question?

CHAIR JOHNSON: Sure.

COUNCILMEMBER COOK: The ridership now versus the ridership in previous times, is it more and approximately percentage-wise more?

CHAIR JOHNSON: Director.

MR. TAKAMORI: Thank you. Thank you for the question, Member Cook. I...I would say that since...since the program started, I mean, it...it was pre-pandemic. So, of course, during the pandemic our ridership went down. And then it was slowly coming up after that . . .*(timer sounds)*. . . and then after the...the wildfires, the ridership also dropped then. So we're actually on the rebound now. I would say it's probably quite similar to maybe where we were pre-pandemic, but I'm...I'm not 100 percent sure. I don't have the figures from --

COUNCILMEMBER COOK: Oh.

MR. TAKAMORI: Yeah.

COUNCILMEMBER COOK: Thanks. I was just...it seems like we're on...on the upswing of ridership, and it would be a good time to do this.

MR. TAKAMORI: Uh-huh.

COUNCILMEMBER COOK: So thank you.

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CHAIR JOHNSON: Yeah.

COUNCILMEMBER COOK: I'm supportive.

CHAIR JOHNSON: Great. Okay. Let's follow...follow that with Chair Lee, and then Councilmember Paltin.

COUNCILMEMBER LEE: Morning, Marc. I missed a lot of your presentation. But can you remind, again, how much of the Highway Fund goes into your budget?

CHAIR JOHNSON: Director.

MR. TAKAMORI: Thank you. Thank you for the question, Council Chair Lee. I actually had that answer at budget, and...and I wasn't asked that question. I...I have it written down but --

COUNCILMEMBER LEE: Oh, okay. Send it...send it to us, okay?

MR. TAKAMORI: Okay.

COUNCILMEMBER LEE: The other thing is I trust that because this is going to be an RFP and...and certain rules and criteria will be required, that the ads that are allowed will be neutral in...in a sense of it's not going to be political at all, giving all the credit to the Administration, you know, things like that.

CHAIR JOHNSON: . . .(laughing). . .

COUNCILMEMBER LEE: No, really. You know look...look at what we did.

MR. TAKAMORI: Uh-huh.

COUNCILMEMBER LEE: And then...so I...I'm hoping like the messages would be informative, like, for the children and for safety because really there's only a certain amount of people that ride the bus, so the messages should be for them and not for us. You know, for them on how to be safe and how to be careful or whatever. And then I'm glad that you...taking a look at this again and it...it makes a lot of sense. The only thing I'm concerned about, honestly, because of the swings in the economy and...and whatever happens to the County as far as disasters or whatever, I...I always question whether we need to have all large buses. Yeah. I...I've mentioned this to you before because it doesn't seem economical. I...I see...I have two bus stops by my house and it's always empty. So, you know, I...I wonder about that. Okay. Do you have any comments?

CHAIR JOHNSON: Director.

MR. TAKAMORI: Thank you. Thank you for the...for the comments. I...we agree. We are looking at purchasing different sizes and most likely looking to go smaller on some of

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the...some of our routes as well. We are replacing some of our older buses that are smaller with smaller buses. So we're working on that. I will also get you the information with regards to the percent for...of our budget from the Highway Fund. And I think...as of the types of advertising we've allowed in our buses, most of our partnerships recently have been with nonprofit agencies that they receive funding from the County. So a lot of times it's, you know, talk about the bus, or we have also done a partnership with MEMA to kind of do, like, oh, it's hurricane season. So this is kind of like a checklist of what you should have. So like those are the types of advertising from the County side we've been doing in the buses. Thank you. Very good. Thank you.

CHAIR JOHNSON: Okay. So let's move onto Councilmember Paltin, followed by Councilmember Batangan.

COUNCILMEMBER PALTIN: Thank you, Chair. I just wanted to say, too, after hearing Chair Kutaka speak, it's no surprise that she just joined the Commission and went straight to the chairmanship because she's so on it and articulate. Like, you could think about applying over here on this side of the desk too. We need more guys that can talk good English, I think, because I'm not up there. But --

CHAIR JOHNSON: . . .*(laughing)*. . .

COUNCILMEMBER PALTIN: -- on the subject of English, I was wondering, Director, if you could kind of describe, like, subjective content, disagreement, like an example? I understand what the words mean but maybe all three of them together in this instance, like, break it down for me to --

CHAIR JOHNSON: Director.

COUNCILMEMBER PALTIN: -- my not...great English level.

MR. TAKAMORI: Okay. Thank you. Thank you for the question, Member Paltin. So essentially, I can give you an example. So the reason why our program kind of came to a halt was that we...there was a nonprofit agency that didn't receive County funds that wanted to advertise in our bus. They were basically wanting us to put up into our buses that basically states that...that we shouldn't be fishing, and we should be vegan. So you can probably make the connection on what nonprofit agency that was. And so, when you said that I don't think that would work in --

COUNCILMEMBER PALTIN: I have no idea what agency what that would be, but some people need protein, I guess.

MR. TAKAMORI: So...right. So, we felt that living in Hawai'i and...and, you know --

COUNCILMEMBER PALTIN: Culturally.

MR. TAKAMORI: -- culturally people fish and, you know, eat seafood, they were wanting us to

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advertise that we shouldn't be doing that. And we felt that, culturally, there's a conflict.

COUNCILMEMBER PALTIN: That's not really a message that should come from the County, but --

MR. TAKAMORI: Right. But --

COUNCILMEMBER PALTIN: -- like how...how do you...I guess...I mean, somebody thought that was a good message. What...how...who was the one that makes the determination? Because, like, I...I don't think that's a good message, probably you don't, but somebody did. So what if that somebody was the one to make the call?

MR. TAKAMORI: So --

CHAIR JOHNSON: Director.

MR. TAKAMORI: Thank you. So at the time, we...we submitted the request to Corporation Counsel for their analysis, and they agreed with us in not wanting to put that up. And so, we let the nonprofit agency know that we weren't going to allow them to do so, and then they challenged our Code. So then what we ended up doing is shutting down the program entirely and basically stating that we're pulling out all advertising, and that we're only allowing County --

COUNCILMEMBER PALTIN: So, that's why we got to do this --

MR. TAKAMORI: Correct.

COUNCILMEMBER PALTIN: -- so that we can start it up.

MR. TAKAMORI: That...that is correct.

COUNCILMEMBER PALTIN: And then the part about commercial, is anything . . .*(timer sounds)*. . . that is for sale...so if you're not making money then it's not commercial. Or would it be...it...could it be a different measurement than money? Or it...it's money is the measurement? Money?

MR. TAKAMORI: Money.

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

CHAIR JOHNSON: All right. Great. Let's move onto Councilmember Batangan, and then finally myself.

COUNCILMEMBER BATANGAN: Thank you, Chair. Thank you, Director, for being here with us. So you mentioned that you were going to solicit a vendor to manage the program. Does the Department already have funds allocated for that RFP?

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CHAIR JOHNSON: Director.

MR. TAKAMORI: Thank you. Thank you for the question, Member Batangan. Actually, it's...there is no need of funds --

COUNCILMEMBER BATANGAN: Oh, so you anticipate that the vendor will make money through the management of the advertisements?

CHAIR JOHNSON: Director.

MR. TAKAMORI: Thank you. Yes, that is correct.

COUNCILMEMBER BATANGAN: Okay. And then they will be the one to regulate whether or not everything complies with the Code? Or are you guys going to have oversight over whether or not things comply?

CHAIR JOHNSON: Director.

MR. TAKAMORI: Chair, thank you. Thank you for the question, Member Batangan. It...it would actually be for us to approve --

COUNCILMEMBER BATANGAN: Okay.

MR. TAKAMORI: -- solicitations.

COUNCILMEMBER BATANGAN: And then there is an allocation for County-sponsored advertisement's to go up on the buses. Does that go through the vendor as well? Or would...if the...like a Department, or the Council, or...or some County entity wanted...or affiliated entity wanted to put something up, they would go through you?

CHAIR JOHNSON: Director.

MR. TAKAMORI: Thank you, Councilmember Batangan. The...we...we would probably be the ones to still approve if certain things from the County side would be able to go into our buses. But...but then once we give the approval, then that would go through the...the...the new entity.

COUNCILMEMBER BATANGAN: Okay. And then the rates and fees are for per bus, per advertisement. So how does that work if buses go out of circulation? Because not every bus is on the road at...at any given time, sometimes for extended periods of time a single bus is out of circulation. Is there a mechanism to ensure that the advertisements paid for are actually out on the road?

CHAIR JOHNSON: Director.

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MR. TAKAMORI: Thank you. Thank you for the question. I guess in the past, historically, advertisers would pay for all buses. So knowing that you have buses that are up and buses that are down. I guess, there's been some inquiries of...of entities that maybe want to advertise in just a few buses, so I think they take that risk.

COUNCILMEMBER BATANGAN: Okay. And then I know you had primarily paid for the initial post, but since CD1 allows for advertisements on the tickets themselves, which is a much smaller space, how do you anticipate managing that? Because, like, I can easily see one organization having monopoly on all bus passes, whereas like in the buses themselves, there's space for multiple ones. Is it a first come first serve? Do you guys pick? How do you determine?

MR. TAKAMORI: Chair, thank you. Great question, Member Batangan. I guess the CD1 will allow us to advertise on bus passes. I think we'll have to relook to see what that could look like because we typically order half a year's bus pass in advance. . . .*(timer sounds)*. . . And then you also have to set rates and fees for bus passes.

COUNCILMEMBER BATANGAN: Oh, okay.

MR. TAKAMORI: So I think we'll have to come back.

COUNCILMEMBER BATANGAN: So that can't go into effect yet. . . .*(inaudible)*. . . --

MR. TAKAMORI: You will have to come back. So I think...I think maybe the solicitation we would state that maybe there could be a future potential advertising space on bus passes, but I think your comments are...make sense that we have to have some type of understanding of what that could look like, what the challenges would be, and, I guess, how to make it fair.

COUNCILMEMBER BATANGAN: Okay. Thank you, Chair.

MR. TAKAMORI: Thank you.

CHAIR JOHNSON: Yeah, good line of questioning there. Okay. So for my line it's going to be for Chair Kutaka. I have a question about your...your experience. So before this bill is...is been enacted, how did it go for you guys when it...when it came to putting ads on the bus? Was it difficult? Was it easy? Can you talk a little bit about your experience?

MS. KUTAKA: I will do my best.

CHAIR JOHNSON: . . .*(laughing)*. . .

MS. KUTAKA: As Councilmember Paltin mentioned, I'm a bit newer. But I did have the pleasure of actually being on the Ho'ouikaika side of this --

CHAIR JOHNSON: Uh-huh.

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MS. KUTAKA: -- kind of kickoff. I think this was a wonderful opportunity. The Department of Transportation was very collaborative in meeting with us to understand what the needs were. But, I mean, ultimately, it was a very...a very smooth transition. We kind of presented...and, again, a national campaign so I think it was easy to get on board with. And the Department of Transportation is really great and very quick about moving through the process to get Corp. Counsel's approval and those types of things. If you have more direct questions, I'm happy to answer those as well.

CHAIR JOHNSON: Okay. All right. Well, the...I'm sure this is...this bill moving forward will help with you. And if moving forward we can make this smoother. Thank you. My last question is for Director. And this is just to get it out on the record. I just want it clear because...just for clarity's sake. Can...can for-profits advertise? And, specifically, I'm...I'm concerned about, like, alcohol or tobacco ads on our buses. We don't allow that, right?

MR. TAKAMORI: Thank...thank you for the question. I...I would have to check, specifically, ordinances. That hasn't...actually not come up as...as a...somebody wanting to advertise in our bus. So I think that would...we would have to look at the Code.

CHAIR JOHNSON: Okay.

MR. TAKAMORI: I mean --

CHAIR JOHNSON: So I...I see Councilmember Batangan's hand up. Go ahead.

COUNCILMEMBER BATANGAN: Chair, so the Code currently disallows a product or service that is prohibited by law to be sold or offered for sale to minors.

CHAIR JOHNSON: There you go.

COUNCILMEMBER BATANGAN: Since there's an age restriction for both alcohol and tobacco --

CHAIR JOHNSON: Great.

COUNCILMEMBER BATANGAN: -- that is prohibited.

CHAIR JOHNSON: Great. I just want to double-check on that because I just see the side of the bus the Maui Ocean Vodka [sic], that I might have an issue with, just saying. It...okay. Those...those were my questions. Do we need a second round, Members? Oh, we do have one from Councilmember Paltin.

COUNCILMEMBER PALTIN: Just you saying that...I was wondering, is there any prohibition on prescription drugs or, I mean, I...I'll assume non...I mean illegal drugs, obviously, no. But like, you know, there's...they're on TV like, oh, Cialis, or Ozempic or whatever.

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And I don't know if that should be, like, limited to your doctor's office. And if not, can we add it in today with this bill? If...if I get, like, four or five people agree with me or three.

CHAIR JOHNSON: We can...we can also ask Corporation Counsel how that works, legally, but I'm curious what Director has to say.

MR. TAKAMORI: Chair, I mean, if...if...if we're looking at it similarly to where...what Councilmember Batangan brought it up, promotes a...you know, promotes a product or a service that is prohibited by law to be sold or offered for sale to minors, that might not be something that could be offered.

COUNCILMEMBER PALTIN: I mean, like, Adderall is a prescription drug that could be prescribed to minors, but I don't know that it has a place in our bus. Like, there's other...some people are, like, culturally against prescription drugs, I guess. So maybe Corp. Counsel?

CHAIR JOHNSON: Yeah, Corp. Counsel, do you...do...you following the conversation here?

MR. REIFSNYDER: Yeah.

CHAIR JOHNSON: Okay, great.

MR. REIFSNYDER: Yeah, absolutely. I think that would probably be covered under Prong 8, under...in the Code. Under that section, it states, any material that implies or declares an endorsement by the County of any service, product or point of view without prior written authorization by the Department. So Department would have that authority to determine, you know, what is acceptable, or appropriate, or not.

COUNCILMEMBER PALTIN: Oh, okay. We're covered and it wouldn't shut down the program again.

MR. REIFSNYDER: Yeah.

COUNCILMEMBER PALTIN: Okay.

CHAIR JOHNSON: All right. Just...you know I remember the old movies with cigarette banner on the side of the bus.

COUNCILMEMBER PALTIN: Oh, the Marlboro and yeah, yeah.

CHAIR JOHNSON: Right, we...we don't want none of that. Okay. Great.

COUNCILMEMBER PALTIN: Used to giveaway, like, stickers and posters --

CHAIR JOHNSON: Yeah.

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COUNCILMEMBER PALTIN: -- put them up in the saimin shop.

CHAIR JOHNSON: All right. So anyone else for a second round? Oh, we do have one. Councilmember Batangan.

COUNCILMEMBER BATANGAN: Sorry. Can I ask Corporation Counsel for clarification...that opinion? So number 8 implies or declares endorsement by the County of any service, product, or point of view. If you take that interpretation that you just gave, wouldn't that mean any advertisement within the bus would then have an implied or declared endorsement by the County if we're approving or not approving things based on whether or not we agree with them?

CHAIR JOHNSON: Corp. Counsel.

MR. REIFSNYDER: Yeah. I would agree. I think that's...I would imagine the legislative intent that was put in was for it to be broad, so it does sort of give discretion to the Department on, you know, what they find acceptable or appropriate.

COUNCILMEMBER BATANGAN: Oh, interesting. Okay. That's not how I initially read it and think it gets us into muddy waters, if that's the position we're taking, because otherwise, it's just a straight advertisement rather than an implied endorsement by the County.

CHAIR JOHNSON: Corp. Counsel.

MR. REIFSNYDER: I...I see...yeah. I see your argument there. I sort of feel like...sorry, I kind of just lost my train of thought. . . .*(inaudible)*. . . --

COUNCILMEMBER PALTIN: Maybe it could be like you can't...you can't just go and buy whatever the drug is, you got to get a prescription. And so, it's not like something that you can just...anyone can --

CHAIR JOHNSON: Yeah.

COUNCILMEMBER PALTIN: -- go purchase. Would that be a distinguishing factor? Or should we add it in like that? Like --

MR. REIFSNYDER: Yeah. Yeah. I mean, I think as...as...being as specific...as specific as possible is best, as explicit as possible is best. I do think that there is discretion by the Department on what they do want to be putting out there because an...an advertisement on a County bus, I would say, in a way is an endorsement.

CHAIR JOHNSON: Well, I do like the term that you said, it's like...it's up to the discretion of the Director. And, you know, if the Director...I...I'm sure the Director is not going to allow certain things, you know, but that's important. I see the hand by Chair Lee but thanks for that clarification. Chair Lee.

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COUNCILMEMBER LEE: My fear is getting too specific, we'll leave something out.

CHAIR JOHNSON: Right.

COUNCILMEMBER LEE: And then we'll have to keep adding and adding. And...and I trust the judgement of our Director, and, you know, he...to make the right decision. Thank you.

MR. REIFSNYDER: Yeah, I'll...I'll just add, I think, you know, the important piece here is, you know, fairness in the...in the selection process of what's...what's put out there. I think, content-wise, discretion by Director in the Department is totally appropriate. It's just about, you know, maintaining a fair process so far as...as far as who is and what is selected.

CHAIR JOHNSON: Right. Okay. Councilmember Paltin.

COUNCILMEMBER PALTIN: Could I just test the Director's discretion? Like, where does coffee fall in the lineup? Like, a minor could buy coffee, but should they?

CHAIR JOHNSON: Director.

COUNCILMEMBER PALTIN: See a little four-year-old with a Frappuccino or something. Latte.

MR. TAKAMORI: Thank you. For coffee, I...I would think that coffee would be allowed as an advertisement on the bus.

COUNCILMEMBER PALTIN: Okay. Just checking.

CHAIR JOHNSON: Usually that's...the parents is [sic] the front line of defense. I don't let my daughter drink coffee but that's --

COUNCILMEMBER PALTIN: I seen a eight-year-old with a mochaccino the other day, but maybe it didn't have caffeine. Who knows.

CHAIR JOHNSON: Well, that's on them then. That's on the parents because if you want to have a eight-year-old with a mocha, I don't know how you're going to handle that one. Okay.

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

CHAIR JOHNSON: Any other lines of questionings? I...okay. Seeing that...thank you, Director Takamori and Chair Kutaka...Kutaka for coming and providing that information. I'll go on the Chair's recommendation. Don't see no other hands. The Chair will entertain a motion to recommend passage of Bill 13 (2026) on first reading, including any nonsubstantial revisions.

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COUNCILMEMBER LEE: So moved.

COUNCILMEMBER COOK: Second.

CHAIR JOHNSON: Moved by Chair Lee, seconded by Councilmember Cook. Any discussion, Members? Seeing no...okay. So...and I'm going to have to do the amendment to replace as well. So, Members, the Chair would like to entertain a motion for an amendment to replace Bill 13 (2026) with Bill 13, CD1 (2026), as approved to form and legality by Corporation Counsel. The ASF was distributed earlier, Members. You have that? Moved by Councilmember Cook, seconded by Chair Lee. Any more discussion for that? Okay. This is for the amendment. All those in favor raise your hand and say "aye."

COUNCILMEMBERS: Aye.

CHAIR JOHNSON: All right. That looks like everybody. That's one, two, three, four, five, six. Is that six ayes, Staff? Six ayes --

MS. MCKINLEY: Chair, six "ayes," zero "noes." One excused, Councilmember Sinenci.

**VOTE: AYES: Chair Johnson, and Councilmembers Batangan,
Cook, Lee, Paltin, and U'u-Hodgins.**

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Vice-Chair Sinenci.

MOTION CARRIED.

ACTION: APPROVE substitution.

CHAIR JOHNSON: Thank you for that. All right. Now, main motion as amended. Any more discussion? All those in favor raise your hands? Staff, will you do that counting? And you were so good at that.

MS. MCKINLEY: Chair, that's six "ayes," zero "noes." One excused, Councilmember Sinenci. Motion carries.

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

NOES: **None.**

ABSTAIN: **None.**

ABSENT: **None.**

EXC.: **Vice-Chair Sinenci.**

MOTION CARRIED.

ACTION: **RECOMMEND first reading of Bill 13, CD1 (2026) by
committee report.**

CHAIR JOHNSON: Okay. That takes us to the end of this, right? All right. I want to thank the Department and everyone who joined us today. Appreciate your time, and we'll move on. How about a ten-minute break, real quick? Is that okay, as we go on the second item? So it...how about 10:00 we come back? The ADEPT...the ADEPT Committee of 5/21 is in recess until 10:00 a.m. Thank you, Members. . . .*(gavel)*. . .

RECESS: 9:50 a.m.

RECONVENE: 10:03 a.m.

CHAIR JOHNSON: . . .*(gavel)*. . . Aloha and welcome back, Members, from the...from your ten-minute break for the ADEPT Committee of 5/21/2026. Before we move onto our second item, I also want to introduce Director Molitau and designate him as a resource under 18(A) of Rules of the Council. He's joining us today. And any objections with him being a resource?

COUNCILMEMBERS: No objections.

CHAIR JOHNSON: No objections. Seeing none. Then let it...so let it be.

ITEM 1(10): CLIMATE CHANGE IMPACTS ON MAUI COUNTY (Rule 7(B))

CHAIR JOHNSON: All right. Members, we're moving onto the second item of the agenda, and that would be Climate Change Impacts on Maui County, ADEPT-10 [*sic*]. What...uh-huh.

COUNCILMEMBER PALTIN: I just was wondering if Deputy Robinson, and Deputy Petersen, and Ms. Powers [*sic*] are also resources.

CHAIR JOHNSON: They were all...in my initial --

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COUNCILMEMBER PALTIN: Oh, got it. Got it.

CHAIR JOHNSON: -- script we...we had them all through the...and now...I'm sorry. Yeah, only Director Molitau. No, no. No, everybody --

COUNCILMEMBER PALTIN: Like, we can only ask him question.

CHAIR JOHNSON: -- is on board right now. I just wanted to bring him up --

COUNCILMEMBER PALTIN: Okay. Got it. Got it.

CHAIR JOHNSON: -- because we...we got them . . .(inaudible). . . --

COUNCILMEMBER BATANGAN: No. He wanted to make Director independently state his credentials. We got to...we got to make sure he is qualified to be here.

COUNCILMEMBER PALTIN: I just was --

COUNCILMEMBER BATANGAN: The other ones are noncontroversial.

COUNCILMEMBER PALTIN: Apparently, I wasn't paying attention when you were talking earlier.

CHAIR JOHNSON: No, that's fine. Thanks for...thanks for working on that. Okay. Climate Change Impacts on Maui County, ADEPT-1(10). Members, I propose the bill to create the Climate Action Resiliency Revolving Fund, Bill 66 (2026), that was posted during the budget to the BFED Committee. The bill was referred to ADEPT. However, before it was referred and during the discussion of Bill 66, a Member mentioned the needing...mentioned needing community input. That prompted me to propose a Charter amendment to establish this revolving fund instead. Today, there will be no legislative action taken but the opportunity to discuss the merits of creating a Climate Action and Resiliency Revolving Fund before it is entertained as a Charter amendment in GREAT next month. I think that's important. Ultimately, stewarding the land should not be an afterthought. It should be planned and funded, which is why I introduced legislation to codify the CARP. We need to fix the damage by those who came before us as well as mitigate the impact of impending...on impending disasters. I think we can all acknowledge that neglectful land management has resulted in devastating impacts from disasters that we experience today. It's Government's failures that have helped lead to these tragedies. The creation of this revolving fund is an action we can take to change our failures, learn from the past, grow our environmental back...environment back, bring back sustainable weather patterns, bring back natural protections, and bring back water. Currently, our Transient Accommodations Tax Revenue gets deposited into our General Fund. This legislation requires us to earmark a portion, 20 percent is proposed, specifically for actions in our Climate Action and Resiliency Plan, which I'll remind Members we codified under Chapter 20.44. This dedicated funding ensures our

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commitment. This legislation creates a system where we have a plan, dedicated resources to implement that plan, and utilize already established online dashboard to monitor spending and keep Government accountable to those important actions which have been developed in collaboration with our community. We have repeatedly...we hear repeatedly for more action and less planning. This is how we create a system to move projects from planning into reality. There's much work to do. The actions listed from our Climate Action and Resiliency Plan that is codified in Ordinance 5756 appeal to each of our residency areas, such as wetland preservation and restoration to better manage sedimentation and flooding, nature-based solutions to manage shoreline erosion, invasive species and ungulate control, hurricane retrofitting disaster resilience for low-AMI residents and small businesses especially, leveraging and matching funds for cesspool conversions, curbside waste and recycling pick up, community-led management and expansion of complete streets and multi-modal of transportation. I invited representatives from the Department of Environmental Management, Environmental Protection and Sustainability Division, and the Department of Ōiwi Resources to be here today, as well as the Budget Director. Let's start today with comments from Cecile Powell, Environmental Protection and Sustainable [sic] Manager. Thank you for being here today. Do you have any comments on the proposed Climate Change [sic] and Resiliency Robbing...Revolving Fund? Thank you, Ms. Powell.

MS. POWELL: Thank you, Chair. My comments are...you know, we're in favor of it. We do have some questions about it. We do identify that it's...it's a huge priority for us to acknowledge and understand that we need to move in the direction of climate resilience. We have many action items under EP&S that we're moving forward with, including our grants program this year. One of the evaluation for our competitive grant funds is 50 percent of the evaluation criteria is based on how it relates to the CARP, and how we are mitigating climate resilient...we're being climate resilient with the actions of the...the grantees that we are anticipating for next Fiscal Year. Do you want to add?

MR. PETERSEN: Yeah. Thank you. I --

CHAIR JOHNSON: I apologize, Director Petersen, do you any more additional information?

MR. PETERSEN: Thank you, Chair. Thank you, Councilmembers. DEM...you know, we are happy to be in any conversations that support EP&S and programming that involve the EP&S. Like Cecile said, we do have some questions and concerns about placing additional responsibilities on our EP&S Division without the appropriate support in place. So those are some of our concerns. And I know Budget Director will bring up some of the others. So I'll let...defer those to her.

CHAIR JOHNSON: Okay.

MR. PETERSEN: Thank you.

MS. POWELL: Can I say . . . (inaudible). . . --

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CHAIR JOHNSON: Yeah . . . *(inaudible)*. . . of course.

MS. POWELL: Sorry. Thank you. I forgot one thing. It's probably the more important thing, is that something that's happened is we have 'Ōiwi Resources here, we have the Department of Agriculture, we have, even, OED office where our...our team has been working alongside other Departments towards this Climate Resiliency Plan. So, we're...we intend on continuing those relations and doing the best that we can to move the plan forward. Thank you.

CHAIR JOHNSON: Thank you. Speaking on Department 'Ōiwi, we have Director Molinai *[sic]* and Deputy Director Robinson. So the floor is yours, Director, followed by Deputy Director.

MR. MOLITAU: Hi. Mahalo nui, Chair. I apologize if I have to take my bifocals off every so often. But we are in full support. And in terms of collaborating with different Departments throughout, I think it's a very important step in...in acknowledging the CARP in terms of those eight bullet points that are part of the CARP, and how it drives our...our kuleana, our responsibilities within the Department of 'Ōiwi. And so, I look acknowledgement point number 4 on the particular CARP, and how it cultivates local cultural practices rooted in ecological knowledge and values. And really, that's a driving factor in this entire point for us as a Department of 'Ōiwi, and how we look at the entire part of the CARP as part of the cultural foundation of wisdom. And how we acknowledge the use of that wisdom to again talk about your point earlier about how we collectively have...have damaged --

CHAIR JOHNSON: Uh-huh.

MR. MOLITAU: -- the 'āina that we...we love so dearly and not utilizing the cultural intellect of our kūpuna as ancestral pieces of knowledge that we can tap into. And so, I hope to be like...be able to at least help support that effort moving forward. Mahalo.

CHAIR JOHNSON: Deputy Director Robinson, do you have anything to add?

MS. ROBINSON: Aloha. Good morning. Aloha, Chair.

CHAIR JOHNSON: Good morning.

MS. ROBINSON: Aloha, Councilmembers. Thank you so much. I think kumu has put it succinctly. I think I would just add and reiterate that, yes, the Department of 'Ōiwi Resources was not in existence when the CARP was written and...and worked on with the community. And, you know, we know that the CARP is updated every five years. So we hope that the Department of 'Ōiwi can play a bigger role in the Climate Action Resiliency Plan, and how the County wants to address that moving forward. So we're willing to work alongside with all our other Departments and our Administration in whatever way or at the will of this body and the Administration. So...but thank you. Thank you for this opportunity. I would just want to say in front of all of you, too, that

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the introduction says resiliency has been an integral part of native Hawaiian culture long before the concept of sustainability, and I thought that was very impactful --

CHAIR JOHNSON: Uh-huh.

MS. ROBINSON: -- and really, truly sincere about, you know, 'ike kūpuna and the opportunity to integrate that with services that uplift environment. So, mahalo.

CHAIR JOHNSON: Well said, Deputy Director. Let's move onto Budget Director Milner. And she's here to answer any and all of your questions, as usual. Director, do you have anything to add?

MS. MILNER: Aloha, Chair. Mahalo. Yes. And sorry for not being here this morning. My intent was to be on Teams, and it worked perfectly for the first hour. And the minute you started talking it froze. So, happy to be here in person. Yeah. No. I think we absolutely understand the desire behind the creation of the fund. No concerns with that. I think if we're going to create the fund, I assume the intent is similar to the intent behind the Managed Retreat Fund where it's also an opportunity for funding to build over years so that we can fund bigger projects. It's not a spend-down-every-year situation but maybe that will be covered in conversation. I think...I had a discussion yesterday that included the Department of Finance. And I think the only concern is our bond rating agencies do get concerned when we restrict our flexibility of use of our funds. So mandating a percentage that has to be every year, that was really the only concern that was raised. So I just wanted to flag that. I would echo what Director Petersen said, we do want to ensure we're not overburdening EP&S. But as you see in the CARP, there are a lot of Departments that will have responsibility over this. So we just want to ensure that...I...I don't think there needs to be anything in the Code but maybe just that there's an understanding that while EP&S has oversight of the CARP, some of the responsibilities will fall with other Departments. So some of this funding may be allocated to other Departments --

CHAIR JOHNSON: Sure.

MS. MILNER: -- other than DEM. So, yeah, I think we're looking forward to working with you all on this and happy to answer any questions. Thank you, Chair.

CHAIR JOHNSON: Great. Okay. Let's move over to public testimony for this item. At this time if there's anyone wishing to testify on this item, please use the raise-your-hand function and you will be called upon to testify. Staff, is there anyone wishing to testify?

MS. MACDONALD: Chair, yes, an individual just raised their hand, Cristina De Leon.

CHAIR JOHNSON: Okay. Let me read my intro for testimony. Just one moment. Just give me a second. Testifiers wanting to provide testimony should sign up in the lobby, join on the online meeting via Teams link or call into the phone noted on today's agenda. Written testimony is encouraged and could be submitted via the eComment link in this

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meeting at mauicounty.us/agendas. For those wishing to testify via Teams, please let Staff know by using your raise-your-hand function. Once you have been added to the testifier log, Staff will lower your hand. If calling in, please follow the prompts via phone, star-5 to raise and lower your hand and star-6 to mute and unmute. Staff will add names to the testifier list in order to...in the order testifiers sign up or raise their hands. For those on Teams, Staff will lower your hand once your name is added. Staff will then call the name you're logged in under or the last four digits of your phone number when it is your time to testify. At that time, Staff will also enable your microphone and video. Please ensure your name appears in Microsoft Teams as the name you prefer or as anonymous if you wish to testify anonymously. If you're in person, please notify Staff if you want to...if you would like to testify anonymously. Otherwise, please state your name for the record at the beginning of your testimony. Oral testimony is limited to three minutes per item. And if you're still testifying beyond that time, you'll hear a second timer go off after 30 seconds, and I will kindly ask you to complete your testimony. Once you're done testifying, or if you do not wish to testify, you can view the meeting on *Akakū* Channel 53, Facebook Live, or mauicounty.us/agendas. We'll do our best to take each person up in an orderly fashion. We will now call on testifiers who wish to testify at this meeting. So we have--oh, Staff, will you call our testifier up?

. . . BEGIN PUBLIC TESTIMONY FOR ADEPT-1(10). . .

MS. MACDONALD: Yes, Chair. We have Cristina De Leon who is our testifier.

CHAIR JOHNSON: Ms. De Leon.

MS. DE LEON: Thank you. Aloha. My name is Cristina De Leon. I'm with the Teran James Young Foundation. I had a whole long formal thing prepared, but I think I'm just going to speak a little bit more from the heart. I just wanted to say that I fully support the creation of the Climate Action Revolving Funds [*sic*]. I think it's kind of a no-brainer. I mean, we spent so much time, you know, creating this CARP, Climate Action Resilience Plan. And, obviously, there's very little that can be done with it without proper funding. I also fully support the idea of using the funds from the Transient Accommodation Tax to support the...the CARP. I think it only makes sense considering that the tourists that come to our island get to enjoy it and get to, you know, enjoy the beauty of the islands, and the nature, and the environment. And so, it only makes sense that part of the revenue that we get from that should go back towards taking care of the island, so we still have a beautiful island for the tourists to come to. And it kind of, you know, helps sustain both...yeah, both the island and the industry that supports it. So, yes, I just...yeah, that...that's it. I just want to say I fully support this. Thank you.

CHAIR JOHNSON: Great. Thank you, Ms. De Leon. Members, do we have any clarifying questions for our testifier? Seeing none. Thank you once again for your testimony. Staff, will you call the next testifier, if any, please.

MS. MACDONALD: Chair, there's currently no one else who signed up to testify. If you'd like I could do a last call.

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CHAIR JOHNSON: Yeah, please.

MS. MACDONALD: If somebody would like to testify in the Chamber, please let Staff know. Or on Microsoft Teams, please raise your hand. This is final call. Three, two, one. Chair, it appears that nobody wishes to testify.

CHAIR JOHNSON: Okay. Members, seeing there's no one else wishing to testify, are there any objections to closing oral testimony for this item?

COUNCILMEMBERS: No objections.

CHAIR JOHNSON: Okay. I will now close public testimony for this item.

. . . END PUBLIC TESTIMONY FOR ADEPT-1(10) . . .

CHAIR JOHNSON: And jumping into deliberation. Let's enter to discussion on this item. I propose three minutes per Councilmember for each round of discussion. And I'll give you the list of the order we're going to go down. We'll go down Councilmember U'u-Hodgins, followed by Councilmember Cook, followed by Council Chair Alice Lee, followed by Councilmember Paltin, followed by Councilmember Batangan, and myself. So, starting off with Councilmember U'u-Hodgins. The floor is yours.

COUNCILMEMBER U'U-HODGINS: Thank you, Chair. I do have a couple questions for you as the proposer of this bill and future Charter amendment. First, I have to chair GREAT while Member Batangan is away. And this is one of the things that we get to talk about. So, thank you for having this in your Committee, and it'll make GREAT go a little bit faster. How did you come to the amount of 20 percent being determined for TAT?

CHAIR JOHNSON: Well, of course, I'm movable on 20 percent. But when you think about 20 percent of the TAT...and I think of Councilmember Cook's, one of his priorities in South Maui, helping with flooding. In a sense, I would want to go higher but just starting off with 20 percent, it follows the Managed Retreat proposed monies, so I thought that's --

COUNCILMEMBER U'U-HODGINS: Okay.

CHAIR JOHNSON: -- a good starting point. I'm willing to move up or --

COUNCILMEMBER U'U-HODGINS: Okay.

CHAIR JOHNSON: -- down but that's...that's the response.

COUNCILMEMBER U'U-HODGINS: Okay. No. I just wanted to hear your thoughts. And then because we're all probably suffering from Budget PTSD, will you please kind of just give me a rough estimate about what that figure looks like --

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CHAIR JOHNSON: Oh.

COUNCILMEMBER U‘U-HODGINS: -- for 20 percent of the TAT?

CHAIR JOHNSON: Director Milner is...is looking at me, and she's got it probably down to the cents.

MS. MILNER: Thank you, Chair.

COUNCILMEMBER U‘U-HODGINS: She is --

CHAIR JOHNSON: 13 million --

COUNCILMEMBER U‘U-HODGINS: -- suffering from the worst Budget PTSD, for sure.

CHAIR JOHNSON: About 13 million.

MS. MILNER: It's \$14 million.

CHAIR JOHNSON: Oh, okay. 14, even better.

COUNCILMEMBER U‘U-HODGINS: Okay. Okay. And then about...maybe this can be for Budget Director, or EP&S...or maybe Budget Director because we do have so many other Departments that oversee some grants related to, you know, what's kind of going through the CARP, as we just heard from EP&S. But about how much money do we currently spend with grants that are quite similar to this?

CHAIR JOHNSON: Director.

MS. MILNER: Thank you, Chair. Thank you, Councilmember U‘u-Hodgins. I don't have the exact figure off the top of my head. I would need to do a comparison across Departments. I know we were trying to get the majority of them into EP&S right now. So I can run a --

COUNCILMEMBER U‘U-HODGINS: Okay.

MS. MILNER: -- figure on that to get you a ballpark.

CHAIR JOHNSON: I also . . . *(inaudible)*. . . fund --

COUNCILMEMBER U‘U-HODGINS: Okay.

CHAIR JOHNSON: -- CIP projects in addition to that.

COUNCILMEMBER U‘U-HODGINS: Okay. Okay, cool. Chair, can I please ask that the Committee send that question in writing so we can get a follow-up?

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CHAIR JOHNSON: I see nodding heads from the Staff, but I think they got it. Yes, of course.

COUNCILMEMBER U'U-HODGINS: Thanks.

COUNCILMEMBER PALTIN: Oh, sorry.

COUNCILMEMBER U'U-HODGINS: Thank you.

CHAIR JOHNSON: Okay. We --

COUNCILMEMBER PALTIN: Can...can you clarify the question for me so that I don't ask it.
Sorry. Like, is it --

COUNCILMEMBER U'U-HODGINS: Sure.

COUNCILMEMBER PALTIN: -- only how much that is in EP&S, only how much that align with
the CARP, or all environmental grants?

COUNCILMEMBER U'U-HODGINS: I was just going to ask for the ones that are related to the
CARP that may be covered under what's being proposed now. I think that's your point,
right, Member Johnson, is to take our...I guess this is your Johnson fee similar to our
Green fee to figure out what we're going to do with the...to figure out the CARP, and its
grants, and how...but, like, I'm trying to figure out what we spend now that's quite
similar so I can adjust what might our budget look like in the upcoming years. to figure
out what we're going to do with the...to figure out the CARP, and its grants, and
how...but, like, I'm trying to figure out what we spend now that's quite similar so I can
adjust what might our budget look like in the upcoming years.

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

COUNCILMEMBER U'U-HODGINS: But I'm open to any other information you may need as
well for clarification to be added onto that question to send to the Department.

CHAIR JOHNSON: Councilmember Paltin.

COUNCILMEMBER PALTIN: I did want to clarify if it's only the ones that align with the CARP,
or, like, in this Exhibit B that we were given or anything that could potentially fit within
there. Is it, like...do you want the interpretation narrower or broader?

COUNCILMEMBER U'U-HODGINS: I guess it doesn't matter. Whatever they can find that
maybe fits in. And then maybe they can give us a different version of what fits into the
CARP or what may fit into this proposed issue so we can find, again, what...what we're
going to be affecting.

CHAIR JOHNSON: Okay. I'll also --

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COUNCILMEMBER U'U-HODGINS: Thank you.

CHAIR JOHNSON: Thank you. I'll also add that, you know, that it's got recovery, disaster mitigation, helping out MEMA. Did you see this...did...Staff, did we email this list to the on...the online folks? Because that has all of the plans, Action Item List. It's just a long list of things that we could fund. But it's...it should be there for you. Councilmember U'u-Hodgins, if you don't get it let us know, and we'll...we'll have Staff email. I see some thumbs up. They might have emailed it to you, so...okay. Moving on with Councilmember Cook.

COUNCILMEMBER COOK: Thank you, Chair. Kind of touching upon the Action Item List. There's 169 items on it and reviewing it, I mean, it's pretty much soup to nuts as far as environmental impacts. Kind of like...as far as...like, I'm curious how the estimated cost assessment. Like, for item 111, just choosing one that I...struck my eye, it's estimated cost, low; timeframe, medium term; priority, medium. And its secure funding and partner with the State of Hawai'i to develop a study assessing the resiliency of Maui County commercial harbors, shipping ports, other boating facilities. The study needs to identify strategies to ensure resilience to sea level rise, larger storms, tsunamis, storm surge, king tides, coastal erosion, and other climate change impacts. And I would totally agree that that's something that should be studied that has been done and it's being updated. But out of 161...169 items it doesn't seem like it's a low cost. And that...the ask...one challenge, I'm being...I want to be supportive.

CHAIR JOHNSON: Sure.

COUNCILMEMBER COOK: One of the challenges I see is the County and State collaboration with the...identifying the action items, timeframe, getting the information and updating the information. I see that it being very warranted and also challenging. And the...the variety of these. So I'm just curious if there's intent to focus on distilling it down and possibly having County priority issues, State priority issues, and sort of a hierarchy.

CHAIR JOHNSON: Well, let's see if EP&S has a response. Either Deputy Director Petersen or Ms. Powell.

MS. POWELL: Thank you, Chair. Thank you, Councilmember Cook. We are just about to push out the RFP to update the CARP. And in the first phase of that is to review all the County and Statewide plans and how they relate to the CARP. And then the next phase is to actually look at any new legislation that may have come down the line that affects any ops that's resilient related. And then our consultant would then update the Committee Members of the Review Committee for the CARP that's going to be...consist of representatives of all the strategies. This...the...I can't say the word, strategic categories. So we're going to have at least one or more experts from each of those that are going to weigh in. So we have it all planned out. And I'll...we're happy to share the RFP with the scope of work with you for clarity's sake.

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COUNCILMEMBER COOK: Thank you. If you could share it with the Committee which could share it with all of us, I think it'd be constructive.

CHAIR JOHNSON: Okay. I see Staff nodding their heads. They'll probably send an email for that. All right. Councilmember Cook, any more?

COUNCILMEMBER COOK: I'm just curious, the...having a percentage of the TAT . . . *(timer sounds)* . . . earmarked and curious how it...how it works with the budget...this County budgeting process as it is and what the...what the...what the need is since we can basically fund any of these. Is this sort of like bracketing it and making sure that those funds are earmarked for it? That's a question for you.

CHAIR JOHNSON: Right. So...so during budget, for example, if you had a project in South Maui that would address flooding, we always say, well, where are you going to get the money fund. We're going to cut the suits and ties of the firefighters to go and fund this other item or that other item. Where this money, 20 percent is for the CARP stuff and you could say, hey, it's addressing my flooding issue in South Maui. I can...I can earmark it for...for that. So that's one way you wouldn't have to cut another Department to find that funding.

COUNCILMEMBER COOK: Okay. That...that's understandable. Thank you, sir.

CHAIR JOHNSON: Uh-huh. Okay. Thank you. Let's move onto Council Chair Alice Lee.

COUNCILMEMBER LEE: Thank you, Chair. I think all of us are concerned about climate change and it...its effects, but my concern is funding as it always is. Couple of things, you mentioned...and this is true, that this could affect our bond rating. The more we establish special funds the more it will affect our bond rating. The other thing is, the TAT, it's ironic that you would suggest taking money from the TAT which will be cut with the STRs. See? So that kind of doesn't make sense, taking it from the TAT. We're going to have less TAT. So, to me, the logical thing to do is to make a list, Budget Director, of all the grants that are related to climate change that we currently have spread over all the Departments. And look at what can be prioritized. A prioritize...because that's millions upon millions of dollars we talking about. Oh, okay. It's millions and...dollars. So what we should do, in a logical way, decide which projects go first, including climate change projects or other projects, yeah, because there's a huge amount of money there. And you know what happens a lot of times? Monies end up in Carryover/Savings by the millions. So why would we want to create a new fund, taking from the General Fund, to...to pay for something that we have money for already, yeah. So that is my...my concern. And...because we already went through this with the GET, okay? So now with the...the TAT, this goes to the General Fund. And this is my concern, that TAT is going to be reduced because of the STR matter, and we already have lots of money that's not spent in Carryover/Savings. So I...I would add, a lot of these environmental and climate issues and all of these...put all the funds together and then decide which should go first because not all can go first. Anyway, not all can be spent. And we don't want special funds to have money in it sitting there, just sitting

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there waiting for a project to come along. So I...I think this is something . . .*(timer sounds)*. . . that we need to do administratively, and which we can do where everybody gets a consideration for their projects and that...my other concern is you know that I...my highest priority is social services. Housing and social service, that's me. So that's taking away from that. This would be taking away from that. Thank you.

CHAIR JOHNSON: Oh. Okay. Maybe we can have Director Milner respond, but I will...I'll just add that I don't think it's taking away from that. I think it's going to be money well spent. It can address some of those expensive CIP projects that we always talk about. I think it's...it works well with the CARP because the CARP has here's the things you should be spending your money on, and it...it kind of lists them. So we could use the CARP to guide us as well as the Administration.

COUNCILMEMBER LEE: I know. But, Chair, can you justify the hundreds of millions of dollars in Carryover/Savings every year, every single year?

CHAIR JOHNSON: And yet we still cut our firefighters' ties . . .*(inaudible)*. . . you know and cut --

COUNCILMEMBER LEE: Well, you know...and it's not our fault.

CHAIR JOHNSON: We're looking to cut things in order to fund our priority. So this is a way that...there's 20 percent in here that we...if...if one of your priorities, like Councilmember Cook is for flooding, there's your money. You see what I mean? And Carryover/Savings, I agree, there's something to be said about that, but maybe we can let Director Milner speak on that. Director.

MS. MILNER: Thank you, Chair. Thank you, Chair Lee. Yes, I will work...I think this is related a little bit to what Councilmember U'u-Hodgins was talking about making the list of all of our current expenditures related to the CARP, so we have an idea of what we're currently spending out of which funds. I know, as you all know, we do provide supplemental funding to EP&S which does go, in part, to funding these grants related to the CARP. So that would be General Fund money already going toward this but we can definitely work on that. Carryover/Savings, you know, we've talked about it significantly, and we're working on getting the number down. We are increasing our estimated revenues to try and reduce the amount of unanticipated revenues that we're recognizing, and things like that. And we're working really hard with the Departments to get funds expended appropriately and within the County requirements, keeping in mind our fiscal responsibility to the community.

CHAIR JOHNSON: Okay.

MS. MILNER: Thank you, Chair.

CHAIR JOHNSON: Thank you. Let's move on to the next Councilmember. But I will say, when you mention about, you know, helping out with our unsheltered and how...the home

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issues, the...climate change affects those...the poor more, right? So we...I...I think CARP can help address some of the social issues that you bring up. Councilmember Paltin.

COUNCILMEMBER PALTIN: Thank you. I like the idea of taking a more whole...overview approach of the CARP and the environment because sometimes it seems like we're just giving away money to give away money on things that are labeled environmental. I guess, logistically and clarity-wise, I have a number of questions. The first would be, you know, like when you mentioned that this could be used for CIP, would that include, like, anything that we bond? The bond repayment would come out of this money is your intention and the debt...debt service.

CHAIR JOHNSON: It reminds me of the way we do the Affordable Housing Fund where big infrastructure costs, you bond it, and then you can use the Affordable Housing Fund to pay off some of that bond, right?

COUNCILMEMBER PALTIN: So that's your intention then?

CHAIR JOHNSON: Well, I...I'm...and again this is a 7(b). I'm...I'm...I'm try...I'll...we'll...we can craft it accordingly, but I...I...my intention is to address CIPs in some way or another. And maybe that might be the best route. Maybe there's another one that the Directors could recommend but --

COUNCILMEMBER PALTIN: Okay. Let me just try get through --

CHAIR JOHNSON: Okay.

COUNCILMEMBER PALTIN: -- some of the --

CHAIR JOHNSON: Sure.

COUNCILMEMBER PALTIN: -- questions I have on logistics. Like, we don't see OED here. We don't see Ag. here. And I imagine some of their grants would intersect with the CARP. It's not clear to me the intersection of outside grants and the existing EP&S Fund with this fund. Are we then cancelling out the money that comes from the EP&S Fund? Are we...are we including the money? Like, I think through CDBG-DR we got, like, hundred something million for mitigation, which could fall under the CARP. Are we then saying that that's...like, just the intersection of all these money sources and, like, what is used towards CARP and what could potentially...grant idea fit under the CARP situation? And if we're saying 20 percent of TAT, is that then the ceiling? Is it the floor? And then how do we take into account the other sources of money that we're putting towards CARP situations? The other thing, in terms of the CARP and if we're doing a five-year update, I...I love the prioritizing, like, high, medium, low; cost, high, medium, low; timeframe, short, mid. But I would also love to see a low-hanging fruit one. You know, like maybe it's not a high priority but it's relatively inexpensive and easy to do. Because I feel like you need to have somewhere, like, good job, we did that one. And like...you

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know, like some of the high priorities are so difficult to accomplish and take many years. Like, it...it would be good . . . *(timer sounds)*. . . to balance it out like, hey we did something because it's a low-hanging fruit, and we don't want...it might be low priority, or something, but we don't want to wait 20 years to do it if we could do it today. So those are --

CHAIR JOHNSON: Right.

COUNCILMEMBER PALTIN: -- some of my questions that I don't understand how it all comes together. Like, if we're looking for a number like...I forget who asked. I think it was Member U'u-Hodgins, like 14 million is spent on that. Does that include...or would be the amount of the TAT. And then say we have a 100 million that we're spending on hazard mitigation --

CHAIR JOHNSON: Uh-huh.

COUNCILMEMBER PALTIN: -- does that count as the 14 million that we're spending here if it's from an outside grant source? And...and, like, just the...I guess...I mean, it's not a bad thing what we're doing, but I don't have a clear picture.

CHAIR JOHNSON: Well, it...it reminds me of the way the Affordable Housing Fund is. It says a minimum of three percent of the budget goes. But I think Mayor increased it to, whatever, three --

COUNCILMEMBER PALTIN: Three percent.

CHAIR JOHNSON: -- three something.

COUNCILMEMBER PALTIN: Five.

CHAIR JOHNSON: He raised it, right, more than.

COUNCILMEMBER PALTIN: Uh-huh.

CHAIR JOHNSON: So this says minimum 20 percent. And the Mayor wants --

COUNCILMEMBER PALTIN: So, it's a floor?

CHAIR JOHNSON: Yeah, it's the floor. Thank you. So that's the floor. But that's negotiable, but that's where I was coming from. And I would never want to cut some other section. I think this money should be able to stand on its own. But if, Director Milner, or you guys, anyone, any Directors want to speak to that?

MS. MILNER: Thank you, Chair. I would just add that this fund would be separate from any external mitigation funding. So if we have 100 million in CDBG-DR that's separate from what this fund would be spent on. Now, could they be spent on similar projects, or

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could this be the first funding and then we fill in the gap to...for the remainder with DR, things like that. Although, I think that's all been appropriated in existing projects, but I think there's an opportunity to combine funding sources for some of these projects moving forward.

COUNCILMEMBER PALTIN: I guess, too, in...in the way we present data. Like, say this does pass, and everything, I wouldn't want to say, oh, we're spending 14 million on CARP stuff because that's not...it's...we're setting aside 14 --

CHAIR JOHNSON: Right.

COUNCILMEMBER PALTIN: -- million this year to be spent on it ,but that doesn't include the entirety of what we spent on it if there's also source of EPS [sic] funds that's separate that's being spent on environmental things which may not be line itemed in the CARP but adjacent, as well as the hazard mitigation money which is, like 100 million. So 14 million is not what I would say, oh, we're setting --

CHAIR JOHNSON: Yeah.

COUNCILMEMBER PALTIN: -- aside that much. It...it's just a narrow snapshot, I guess.

CHAIR JOHNSON: And...and...well, the time is up. We'll come for second round for you. But I will add, you know this one does include a dashboard, and it would explain exactly where that funds will be going. So, okay, Councilmember Batangan.

COUNCILMEMBER BATANGAN: Thank you, Chair. Okay. Budget Director, you mentioned that there were concerns over our bonding, under restrict use of revenues. Is there a threshold in which that becomes concerning? And where are we currently?

CHAIR JOHNSON: Director.

MS. MILNER: Thank you, Chair. Thank you, Councilmember Batangan. If I may, Chair, I believe Deputy Director Zielinski has logged in.

CHAIR JOHNSON: Oh, good.

MS. MILNER: And so, she may have more concrete data on this. Thank you.

CHAIR JOHNSON: Deputy Director Zielinski, I see your camera on. Did you hear the question? Yeah, she's going to unmute herself in a moment here. Staff, do we have her unmuted on our end?

MS. MACDONALD: Yes, Chair, she is unmuted on our end. If the icon in the top righthand corner of you mic has the line on it, you may need to click on that. If that's working, then you may need to leave the meeting and rejoin, and hopefully that will fix it. We've been having --

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COUNCILMEMBER BATANGAN: Okay.

MS. MACDONALD: -- some Teams issues this morning.

COUNCILMEMBER BATANGAN: I guess, since...since my clock is still rolling, I'll just move on while she figures out her technical issues. So Budget Director, can you help us understand your new methodology for calculating anticipated revenues? Like, when we're in budget, I noticed that there were, you know, roughly like 25 to 30 million dollars annually in underestimated TAT, maybe about, you know, ten million in RPT. And that would've been nice for us to be able to draw on so we wouldn't have to cut other things. But I didn't understand the methodology well enough to be able to challenge your calculations. Can you help talk us through what you're proposed changes to your...your...your modeling . . . *(inaudible)*. . . --

CHAIR JOHNSON: Director.

MS. MILNER: Thank you, Chair. Thank you, Councilmember Batangan. Yes. Every year, as we prepare the budget in order to determine estimated revenues, we look at the revenues for the first half of the year and determine if we are on track to meet our estimated revenues, if we are running under, if we are running over. If we're running significantly over, we will increase our estimated revenues for that Fiscal Year as well as recognizing some of those unanticipated revenues for that current Fiscal Year as part of the Carryover/Savings. I've been making every effort since I became Budget Director to recognize amounts that we feel comfortable with while still being conservative because as you all know our RPT does come in under sometimes what we've estimated. And because we've had overages in areas like investments, we've been able to cover that without having to come back to Council to find new sources of money. But I'm happy to discuss further. Thank you, Chair.

COUNCILMEMBER BATANGAN: Yeah. Thank you, Budget Director. And then I guess this next one might be more of a comment. So I'm worried that if we set aside money for this purpose, you...you brought up the, you know, Affordable Housing Fund as an example, that all of the money will be obligated, you know, as it was done in the Affordable Housing Fund. And that Member Cook would still have to go look for cuts in order to fund the priority project of his, right? It...we can set aside money for a specific category of projects, but it's not helpful for appropriators if the money is not available to us when we're going through the budget process. And then so I think there needs to be some sort of mechanism in which, you know, we...we establish a fund for this purpose and if one of them is so that we can direct spending as the Charter says is our job, Director Mitchell, that...you know, that the funds be available for us to do so. You know, I...I appreciated the conversations that we had with the Administration prior to the Mayor's proposed budget coming out. But I...I do want to know . . . *(timer sounds)*. . . that there was only one projects [sic] that the Mayor committed to supporting amongst my request and that was not in...in the Mayor's proposed budget. So the...the funding being available for use of these purposes does not necessarily mean that...or Member

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Cook --

CHAIR JOHNSON: Right.

COUNCILMEMBER BATANGAN: -- will not have to go look to go cut ties from our police officers. Thank you, Chair.

CHAIR JOHNSON: There...there's...we do have to prioritize. You know, there are hard decisions made during budget. But, Director Milner, did you have something to add?

MS. MILNER: Thank you, Chair. I...I just wanted to put a bug in everyone's ear that I do have some ideas for Fiscal Year '28 that I'm discussing with the Executive team that I'm hoping we can come together as a group to discuss, perhaps in November. Thank you, Chair.

COUNCILMEMBER BATANGAN: Thank you, Chair. And since I didn't get a response to my first question, can I ask Staff to transmit that one in writing?

CHAIR JOHNSON: I see Deputy Director Zielinski on the call. Maybe she unmuted herself, maybe she can respond.

COUNCILMEMBER BATANGAN: Thank you, Chair. I appreciate the--

MS. ZIELINSKI: Yes.

COUNCILMEMBER BATANGAN: -- additional time.

CHAIR JOHNSON: Of course. Of course.

MS. ZIELINSKI: Thank you, Chair. And thank you, Councilmember Batangan. Yeah, just to respond to that. When we've met with the bond rating agencies, you know, when we did our last bond issuance, the one thing that they really like, and they look to, is flexibility in using funds. So when you have restrictions, per se, or that they're designated for something else, for example, you know, if we were to have this 20 percent of TAT, which is...is...as Budget Director Milner said, it...it equates to about 14 million. Between that and then the...you know, the Managed Retreat we're talking 28 million. My personal concern is only that, you know, with the uncertainty of we don't know how our...you know, our TAT revenue will look in the future, 28 million starts to become a pretty big number. So, you know, my...you know, we're just concerned because that is something they...they actually make comments. And if you actually looked at the narratives from the bond rating agencies when they ultimately gave our ratings, they actually addressed that, the flexibility of using the income. And, of course, real property tax is one of those examples. So just want to mention that. You know, it is something...it's certainly...that is...it's something that we be concerned about.

CHAIR JOHNSON: Okay.

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MS. ZIELINSKI: Thank you.

CHAIR JOHNSON: Councilmember Batangan.

COUNCILMEMBER BATANGAN: So, that didn't actually answer my question. So I'm trying to understand whether or not there is a threshold in which obligating funds for specific purposes becomes an issue. You mentioned, you know, the 14 million that's being proposed here plus whatever was for the Managed Retreat Fund, so that's 28 million, you said. But as a percentage of a 1.6 billion dollar budget, that's still, like, 1 3/4 --

MS. ZIELINSKI: Small.

COUNCILMEMBER BATANGAN: -- percent, right? So when does it become concerning and when do we need to actually start...I guess...yeah, what...what...the question is, when does this start to become concerning and are we close to that threshold?

CHAIR JOHNSON: Deputy Director Zielinski.

MS. ZIELINSKI: Yeah.

COUNCILMEMBER BATANGAN: And you don't have...if you don't have it now, that's okay too but --

CHAIR JOHNSON: Okay.

COUNCILMEMBER BATANGAN: -- I...I do want the question --

MS. ZIELINSKI: Yeah.

COUNCILMEMBER BATANGAN: -- before we have to make this decision.

MS. ZIELINSKI: Yeah. Let...let me just say, they're really...that's kind of...so, you know, the rating agencies won't give you an...a hard answer on that. And you're really...it's a subjective number. So, yeah, really couldn't say, oh, yeah, we can exceed X dollars or...or a certain percentage, or whatever. It's really just the fact that we had a certain amount of money that suddenly become, you know, inflexible for...or in...we have the inability to use that for other reasons or for other purposes. So it really becomes that. No. There's no...so I apologize for not answering your...responding to your direct question. But, yeah, there is really no number that you'll find anywhere that's going to address that.

CHAIR JOHNSON: Okay. All right.

COUNCILMEMBER BATANGAN: Thank you, Chair. And I appreciate the additional time.

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CHAIR JOHNSON: Of course. You know, I understand your concern. Last year's Affordable Housing Plan, you know about that. But because the CARP prioritizes projects, the hope is that it would be more participatory and transparent of a process compared to the Affordable Housing...you know, Affordable Housing Plan. And with the dashboard, we can have current and historical spending data that drives this...decisions. You know, my...my team...and some of you guys might have been hearing about this, but that the...the Energy Conference is going on, right, now at the MACC. And one of the things that came out of that was...and it's a good quote. It says, policy needs to be coupled with procurement and funding mechanisms. If you don't have the money to do your policy then that's just words on a paper, right? So I just...I...I wanted to add that. That I think it's...it's...as policy makers, it's important for us to have, you know, policies that I think are...that will help strive the community in the right direction. But if you don't have the money to do it, then what are we doing, you know? So that...that's what I wanted to bring. Let's go second round. You want to do a show of hands? Okay. Councilmember...or Chair Lee, followed by Councilmember Batangan.

COUNCILMEMBER LEE: Oh, thank you. In response to what you just said, we do have the money. We do have the money. It's being more efficient with the money is the issue and if...like, if we added all the grants that we gave out and then all the grants that sit, then...then people will wonder, well, why do you want to tax the...you know tax others more? I mean, we...we tax almost to the limit right now. And I'm glad to hear the Director of Budget --

CHAIR JOHNSON: Yeah.

COUNCILMEMBER LEE: -- is looking at the very same thing.

CHAIR JOHNSON: Yeah.

COUNCILMEMBER LEE: Because we have money just laying around, honestly. Just laying around. And then the other thing, Director, I'm...I've been after a budget over...I mean, a grants management overhaul for a long time, right? The other thing is once you collect all the money and put it in a big pot, yeah, imagine the grants that you can leverage. Imagine. I hope you...I mean, all over the world you could apply for because you have this huge pot, yeah, to work with. So that's another thing, you know, it...does it have to be taxing people? I think we can ask for grants. Thank you.

CHAIR JOHNSON: Okay. Councilmember Batangan. Any other hands? Okay.

COUNCILMEMBER BATANGAN: Thank you, Chair. This one is for the Director and Deputy of Ōiwi Resources. So, you know, the CARP lays out a series of action items that largely reflects, you know, the values that have been articulated by this body and by others. But what happens when...I'm...I'm looking to you for help when some of those values clash. At first reading we had debate over a particular property that had a temple and had iwi but was in the shoreline. And, you know, what to do when there's wahi pana and, you know, managed retreat. Can you help us understand your thinking in

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prioritizing these kind of things? Like, for example, you know, the...I know parts of the Royal Compound in Lahaina are within the sea level rise exposure area. Does your Department have thoughts on how to address that, maybe, that will help our thinking as we try to go through these sea level rise adaptation policies articulated in the...in...in the plan.

CHAIR JOHNSON: Director or Deputy Director.

MR. MOLITAU: Hi. Mahalo, Chair. Mahalo, Councilmember Kauanoe Batangan. So I'll...I'll reference my answer towards the Royal Compound, and...and how we utilize 'ōiwi intellect or...or ancestral memory to be able to at least look at what's potentially going to happen. We think about...we think about our kūpuna and how they would interface with...with cultural landscape. One big thing, and a big measure that they looked at, is cultural kilo or the observation of land stewardship, ocean management, et cetera, et cetera. And out of that, they would do their cultural plannings for their buildings, for their 'āina and for their kūpuna. We were thinking about iwi kūpuna in particular and one of the kilo is to understand that iwi kūpuna is to hō'i Kanaloa. Is to return towards the ocean, to return to the ocean. That ancestral memory bank is still valid today for many that practice the Hō'i ka 'Āina i Kanaloa. For those that also look at...at the planning for the Royal Complex, we think about sea level rise, and we think about the actual...I...I guess the cultural kauhale system that we're looking at for...for the actual space. Then we would build it towards knowing that that's going . . . *(timer sounds)*. . . to happen, right, knowing that that kuleana of...of Kanaloa taking away is going to happen. And so, we build it towards understanding that complexity. We're not trying to go ahead and...and...at all discount that. The...the cultural environment doesn't have a say because it...it surely does and Kanaloa surely will. And so, when we think about the entire planning of...of this particular Royal Complex, then we take that into high consideration and not necessarily try and barricade all of that. Now, when we're thinking about your earlier comment about a certain wahi and...and iwi kūpuna that are...are currently in that area that are possibly going to be impacted over the next ten years, then, that, I would say, would...would be a conversation with the community with the cultural kilo in mind to be able to take a look at how we interface with that current kūpuna.

COUNCILMEMBER BATANGAN: Thank you, Director. Thank you, Chair.

CHAIR JOHNSON: Okay. I have a question for either Director Milner or Deputy Director Zielinski in regards to the bond rating. First off, is there any mitigation we could do to prevent, you know, the...the folks who judge our...our bond rating? Is there anything we can do to mitigate?

MS. ZIELINSKI: Chair, did...would you want me to respond to that?

CHAIR JOHNSON: Yes, please.

MS. ZIELINSKI: Okay. Yeah. I think...my thinking would be, and this is just me speaking,

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but rather than to have such a high percentage as 20, why not view it...handle it more like we do Affordable Housing or even, you know, we've done Open state...Space in the past. But more Affordable Housing where the number in the Charter, for example because I know you going to...you're going to be looking to do a Charter amendment --

CHAIR JOHNSON: Right.

MS. ZIELINSKI: -- have it somewhat lower so that it doesn't get anybody nervous about bond rating. But then there's no reason why it can't be increased, right? I mean, so --

CHAIR JOHNSON: Right.

MS. ZIELINSKI: -- we might have the requirement at three percent, but we can put in seven or eight percent or ten percent for that (*audio interference*) do speak with Budget Director yesterday. We did discuss that, and...and I...I believe she is kind of in agreement with that as well. You know, of course, with managed retreat it's more of a...and, if you will, an optional kind of thing. So...but, you know, maybe that would be the best way of handling it so it's not as onerous to the bond rating agency.

CHAIR JOHNSON: Okay.

MS. ZIELINSKI: That's how I would personally do it.

CHAIR JOHNSON: And, you know, I would be remissed not to designate Deputy Director Zielinski as a resource under Rule 18(A). Any objections, Members?

COUNCILMEMBERS: No objections.

CHAIR JOHNSON: She jumped on the call, and I think her and...and...voice is important. So, thank you for that, Deputy Director Zielinski. So --

MS. ZIELINSKI: Thank you, Chair.

CHAIR JOHNSON: -- you think just lowering the percentage would be one way to mitigate it. The other thing I'm wondering is, like, you know, when we cut...are we still AA+ bond rating? Is that the term, AA+?

MS. ZIELINSKI: Two of...Chair, two of the agencies are...we are rated AA+ and Moody [*sic*]--so that would S&P [*sic*] and Fitch--and then Moody's is Aa2. And it's just by virtue of how they rated it. They did . . .(*inaudible*). . . if you will, downgrade us several years ago --

CHAIR JOHNSON: Okay. This --

MS. ZIELINSKI: -- prior . . .(*inaudible*). . . yeah. But that's just the way they're rated.

CHAIR JOHNSON: Thank you, Deputy Director. This is --

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MS. ZIELINSKI: Yeah.

CHAIR JOHNSON: -- a layman's question. I'm sorry I don't know how to really phrase this. But, basically, do they...when they give you your score, and I just think of like a teacher giving a student a A...AA+, right, so do they tell you like you scored so high, you're this far above AA+? Or is it just you're AA+? Because I'm wondering if there's room to move and how high...how high above we are AA+. Does it ever tell you that?

MS. ZIELINSKI: Chair. Yeah. They actually...to be quite honest with you, we were actually having some...we were hopeful...hopeful expectations when we met with them. They were all very, very *(audio interference)* you know, the...the...the health of the County. The fact that, you know, our revenue had...had...we had done very well in revenue *(audio interference)* --

CHAIR JOHNSON: Okay.

MS. ZIELINSKI: *(audio interference)*

CHAIR JOHNSON: You...I...I got the gist of what you're saying, but you're breaking up a little bit. So, how about this question and it's basically if it's a ordinance or a Charter amendment, does that matter to the bond raters, if it's a ordinance or a Charter amendment?

MS. ZIELINSKI: I think a Charter amendment would be more significant. An ordinance would be less so. I'm going to punt that to Budget Director, see what she thought --

CHAIR JOHNSON: Okay.

MS. ZIELINSKI: -- she thinks about it.

CHAIR JOHNSON: Director.

MS. MILNER: Thank you, Chair. Yes. My understanding is based on my discussions with Director Raatz and Councilmember Paltin back when we were doing the Managed Retreat Fund. Is if it's an ordinance it's considered a recommendation. If it's in the Charter it's considered a mandate.

CHAIR JOHNSON: Right.

MS. MILNER: So I think the...the ordinance would create less concerns for our rating agencies. And I will say just from the Administration perspective even though it is a recommendation . . . *(timer sounds)*. . . we do do our best to meet the things that are listed in the Code.

CHAIR JOHNSON: Yeah.

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MS. MILNER: Thank you, Chair.

CHAIR JOHNSON: Okay. I...it's a concern I have because the saying you know, there's the theory and then there's the practice. So in practice it sounds like Charter amendment's a bit stronger. So that's what I'm just kind of wondering. I...I...I get where you're coming from, and I saw some hands from our...our Councilmembers. So, Councilmember Batangan. Okay, got you.

COUNCILMEMBER BATANGAN: Thank you, Chair. Budget Director, can you clarify what you mean by an ordinance being a recommendation? If it's voted on by this body and signed into a law by the Mayor, how is it only a recommendation?

CHAIR JOHNSON: Director.

MS. MILNER: Thank you, Chair. Thank you, Councilmember Batangan. Yes. My understanding is that due to...how it was always phrased is you're...you're not to tie the hands of a future Council. So --

COUNCILMEMBER BATANGAN: Oh, so a future Council can overturn that decision by passing a different ordinance.

MS. MILNER: Could overturn the decision by passing a different ordinance or --

COUNCILMEMBER BATANGAN: Or...or repealing this or --

MS. MILNER: -- repealing the Charter amendment --

COUNCILMEMBER BATANGAN: I see. I see.

MS. MILNER: -- or things like that so...

COUNCILMEMBER BATANGAN: Okay. So it's not just like we pass a law and then it becomes, you know, rough guidance. Okay.

CHAIR JOHNSON: All right.

COUNCILMEMBER BATANGAN: Thank you, Chair.

CHAIR JOHNSON: We're going to Councilmember Cook, followed by Chair Lee.

COUNCILMEMBER PALTIN: Oh, just an --

CHAIR JOHNSON: Oh.

COUNCILMEMBER PALTIN: -- example for him, after the fire, Member Sugimura voted...or

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made a legislation to suspend it. That's why when the Mayor put in 3 million, it wasn't 20 percent, but it was okay because it was under that suspension period.

CHAIR JOHNSON: Okay. Councilmember Cook, followed by Chair Lee.

COUNCILMEMBER COOK: Thank you, Chair. I'm...this is a big...hopefully, we have a lot more meetings. This is a really big meeting. A comment that was made earlier about, you know, if you...you can have all the plans and policies, but you need the funding. And I'm going to draw kind of like two parallels here as far as the extremes in my mind. We have managed retreat, sea level rise, which is a big policy that is pretty much dictating the...what we can and can't do along the shorelines, whether it's roads, not being able to harden the side of the road, utilities. Like, nothing is really...I...I don't want to say the word sacred. Nothing is like guaranteed...going to stay because of the current interpretation. The mitigation measures, defining the scope and the mitigation measures, calculating the cost to mitigate the impact of a building, a road, utilities being close, there's the direct cost as far as, like, just calculating what it would take to, whether in the sea or on land, try and mitigate the storm surge. And the other one is highly variable costs. Moving the buildings, moving a road, demolition, you know, what's going to be repurposed and what's going to not be repurposed. So I just see this huge void in the policy and the...the practical implementation. And we have the Kahana issue where --

CHAIR JOHNSON: Right.

COUNCILMEMBER COOK: -- potential...that side with a solution. We have, in my district, South Maui, the South Maui Road --

CHAIR JOHNSON: Yeah.

COUNCILMEMBER COOK: -- where it's being encroached upon and the County is...hands are somewhat tied and delayed. Basically, what can they do to remediate? Everybody...everybody wants to do "the right thing."

CHAIR JOHNSON: Uh-huh.

COUNCILMEMBER COOK: And the right thing is...is kind of cloudy. And then...and Pā'ia and...and the issue we were discussing the other day. So I just wanted...like, okay. I'm going to circle back to this. This is 169 items that have a variable cost and a variable impact that we're looking at basically creating a fund for which I'm supportive of. I understand what you're trying to do. But I'm just trying to not be Debbie Downer but put it in perspective that we have some really huge issues on our face that I don't think we're addressing.

CHAIR JOHNSON: Okay.

COUNCILMEMBER COOK: We have policy, we have rules what you can't do. And we have

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people are just going like, well, I'm losing my property. What am I going to do? Whether it's a church, a person, or the County.

CHAIR JOHNSON: Right.

COUNCILMEMBER COOK: So can you kind of --

CHAIR JOHNSON: Sure. Let me jump --

COUNCILMEMBER COOK: Okay.

CHAIR JOHNSON: -- in right here. The Managed Retreat Fund is a fund. This is a fund that is tied to a actual plan, the CARP, right? So it kind of guides us. And, of course, we can't do all in one year. Like you say, it's over 100 items, but . . .*(timer sounds)*. . . you prioritize the ones that are important for that 2027 budget or...so it's a way to guide how we spend our money through our priorities. And we, as a body, discuss let...South Maui is in big trouble, right, Upcountry is in big trouble, Molokai is in big trouble. We could guide that, the fund, and you...you're...the leg you stand on is the CARP, right? So as opposed to wanting to do...play whack-a-mole with our funds, this guides our...our fund...our fund...fund spending, so...

COUNCILMEMBER COOK: So is the...is the intent to distill the CARP down? Or is it to keep it as broad and...as it is?

CHAIR JOHNSON: Well, I would just take all those high-priority items and discuss this as a body and go from there, you know. There's... the column that says this priority is high, this is low priority. Maybe we won't do it this year if it's a low priority but come next year. So that's kind of...it's a guidance. I think it's an important tool.

COUNCILMEMBER COOK: So, what's the timeline for reassessing high, medium, low?

CHAIR JOHNSON: Every budget season.

COUNCILMEMBER COOK: No, I mean is that done when...how often do we review this to determine --

CHAIR JOHNSON: Oh . . .*(inaudible)*. . . --

COUNCILMEMBER COOK: -- when we've gone from a high priority, it's...it's established and done, now we're going to shift gears?

CHAIR JOHNSON: That...okay. Director Petersen or Ms. Powell, you guys want to address that?

MS. POWELL: Thank you, Councilmember. I was chatting a second, so I just want to make sure I have the question correct.

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COUNCILMEMBER COOK: No. It...so it's basically the...the priority. You know, high, medium, low.

MS. POWELL: Oh, updating what's...where the priorities are at on the dashboard?

COUNCILMEMBER COOK: Yeah.

MS. POWELL: Those recently were just updated. They...they get updated quarterly.

COUNCILMEMBER COOK: Oh. Okay. So when we working...we...I...I assumed we're going to be working on all the high priorities and working our way down. Are we going to do a percentage of high, percentage of medium?

COUNCILMEMBER PALTIN: Low-hanging fruit.

COUNCILMEMBER COOK: Low-hanging fruit.

MS. POWELL: But as far as EP&S goes it's...it's what falls under our operations with...you know, with our wetland restoration and our...or with sustainability grants and things. But there are a lot of action items that fall under other Departments. So we are hiring one CARP Specialist who will be keeping track of where those priorities are that fall under other Departments.

CHAIR JOHNSON: Great.

COUNCILMEMBER COOK: Thank you very much.

CHAIR JOHNSON: Okay. I see Chair Lee and...and followed by Councilmember Paltin. Chair Lee.

COUNCILMEMBER LEE: Okay. I still have a lot of questions.

CHAIR JOHNSON: Of course . . . *(inaudible)*. . . --

COUNCILMEMBER LEE: I still feel that what...what you're trying to do can be done today with the resources and the funding that we have. That percentage from the TAT is just going to buy you a new department. So somebody has to administer those grants, process those grants, et cetera. We're talking about...what he was talking about as...and the anatomy of a...a real project. That \$3 million won't mean anything to a real project, like Moku'ula, for example, you know. What's \$1 million going to do? It needs tens of millions of dollars. And so, if you took the...every...every single grant related to climate change, preservation, et cetera, environment, and you use that as monies to actually accomplish something. Because 1 or 2 million dollars here and there --

CHAIR JOHNSON: Uh-huh.

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COUNCILMEMBER LEE: -- is going to take care of administrative cost.

CHAIR JOHNSON: Well, thank God it's the floor, the 20 percent is the floor. If you're advocating for 30 percent, I'm with you, Chair Lee.

COUNCILMEMBER LEE: No, you...okay. You're missing the point.

CHAIR JOHNSON: I know. . . .*(laughing)*. . .

COUNCILMEMBER LEE: You know, I'm trying to save money for a lot of projects. You're trying to create money for a couple of projects. That...that's where you're...you are, and that's where I am.

CHAIR JOHNSON: Uh-huh.

COUNCILMEMBER LEE: So I hope you can...I...obviously I'm not making myself clear.

CHAIR JOHNSON: No. I understand what you're saying.

COUNCILMEMBER LEE: Perhaps...perhaps another discussion. Okay. Thank you. Thank you.

CHAIR JOHNSON: . . .*(laughing)*. . . Thank you. Councilmember Paltin.

COUNCILMEMBER PALTIN: I mean horror of horrors, I kind of agree with Chair Lee. I guess --

CHAIR JOHNSON: . . .*(laughing)*. . .

COUNCILMEMBER PALTIN: -- like, I could be okay with a Charter amendment saying that a portion of TAT would go towards funding the CARP and then setting that either annually as an ordinance in the budget, or whatnot. I think that would satisfy the flexibility that Deputy Zielinski and Budget Director Milner says *[sic]*. But to say that unless we set aside 3 percent, 20 percent, that we're not funding it, is not true. Like, I think I heard Ms. Powers *[sic]* say that that's part of the criteria that they're using, like a 50 percent portion of the criteria they're using to distribute the grant, the Hazard Mitigation funds. Even, to some extent, the 20 percent Manage Retreat Funds would...I would say fall under climate action and resiliency. So to say that without this that there's no money being funded for the CARP is not exactly true. And I...I support setting aside a portion to do it. And like Milner and Zielinski was saying, like, to tie our hands, we got to respond to the conditions as they are. And I understand that...like, say I'm not here and...and the Managed Retreat Fund could be totally raided, and sea walls could be put everywhere, but that's why people need to stay engaged. Like, I don't think that there is a sacred cow. It's whatever the majority of the population says at the moment. And to say, like, I forever done this, you don't need to come back and testify about anything is also dangerous. Like, then people get lackadaisical, I don't even need to vote because

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they got it, I don't need to watch. So I guess that's kind of where I'm at. Like --

CHAIR JOHNSON: Okay.

COUNCILMEMBER PALTIN: -- a portion should go to funding the CARP. We could set that annually. We could set that by ordinance. And if it needs to change as in the aftermath of the fire. But I'm also wary of putting a amount in the Charter because it...it makes us less nimble.

CHAIR JOHNSON: Okay. Well, Members, we're...I...I think this is a pretty robust discussion, we had several rounds. And I...I'm just going to ask a temperature check. Does the body prefer a Charter amendment or just the Bill 66? And if you guys just want to tell me which one you prefer, and I just get a temper [sic] check we...and then we can adjourn this meeting. Councilmember Tom Cook.

COUNCILMEMBER COOK: I'm not supportive of a Charter amendment. I feel that that's very rigid. And before...if it was set up and purring along, and working very good after a couple of Administrations, and we wanted to codify it, fine.

CHAIR JOHNSON: Okay.

COUNCILMEMBER COOK: But I think that it...I agree, we need to be more nimble. I like that ordinance.

CHAIR JOHNSON: All right. How about you, Chair Lee?

COUNCILMEMBER LEE: Yeah. I wouldn't support a Charter amendment.

CHAIR JOHNSON: Fair enough. Councilmember Paltin.

COUNCILMEMBER PALTIN: I would support a Charter amendment, the way I said. I feel like that would give us that temperature check. Like...like, the reason that you suggested a Charter amendment was because somebody said we need more broad input, and that would be the temperature check. Unless you don't want a temperature check. But, like, you know, if it passes, yes, a portion of our TAT should go to funding the...the CARP. Then we know, like there is support for this idea. It's not going to just be a million dollars a year. It could be, like, look at the entirety of the CARP for...or TAT for the previous year --

CHAIR JOHNSON: Right.

COUNCILMEMBER PALTIN: -- and then see because that...that isn't a fixed number either. Like --

CHAIR JOHNSON: Right.

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COUNCILMEMBER PALTIN: -- if jet fuel becomes unobtainable then that TAT is going to be small, and then we're going to have to adjust the number of things. So does it make sense to spend 14 million or even 20 percent? So I...I...I'm in favor of nimbleness. But if...if we want it to be a Charter amendment to get more people involved and see how they feel, I'm...I'm amenable.

CHAIR JOHNSON: Okay. Councilmember Batangan.

COUNCILMEMBER BATANGAN: Thank you, Chair. I'm leaning towards a Code amendment rather than a Charter amendment. I hear what Member Paltin is saying. I don't know if I would support the Charter amendment as she proposed it just because, one, I think we're going to overwhelm the public with the number of proposals that are coming forth anyway. And two, I don't know how educated members of the public are on any of these specific things.

CHAIR JOHNSON: But don't worry, we got the bus...buses advertising the new --

COUNCILMEMBER BATANGAN: Yeah.

COUNCILMEMBER PALTIN: You cannot put . . . *(inaudible)*. . . --

COUNCILMEMBER BATANGAN: But so...like, I don't know how realistic of a temperature check that would actually be is what I'm trying to get at. And so, I came in...actually more opened until I...to a Charter amendment until I heard the concerns about the bond rating. I'm still not super clear on what the implications of it being in Charter would be to our bond if it was as you proposed. I don't like the idea of it being set...there being a set-aside in the Charter without that number just because we...of the relationship between the Council and the Administration and the appropriation process that I described earlier. So --

CHAIR JOHNSON: Okay.

COUNCILMEMBER BATANGAN: -- I guess given all of that, I would prefer that we do a specific set-aside, but in the Code rather than in the Charter.

CHAIR JOHNSON: Fair enough. And I see Councilmember U'u-Hodgins online. What's your take? What say you?

COUNCILMEMBER U'U-HODGINS: Thank you, Chair. I probably prefer an ordinance as well, listening to our Budget Director and Finance Deputy Director. Considering you also would like to see this help with CIP, I wouldn't want to affect our bond rating, which we use for CIP, especially because everything is just so expensive right now to build and to fix. So I'm okay to do an ordinance. I would also like the question I asked earlier answered because it's probably going to seem like we do about this amount or somewhat similar. And it looks like we can just kind of gather the funding and...and see what we have. But that would be my preference.

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CHAIR JOHNSON: Okay.

COUNCILMEMBER U‘U-HODGINS: I don't disagree with Member Batangan as well. In discussions about all of our Charter amendments, we have about 15 proposed, and that is a lot. It's going to be a lot.

CHAIR JOHNSON: Yeah.

COUNCILMEMBER U‘U-HODGINS: It's already a heavy election year for all of us. And so, I don't want to overwhelm our electorate with all of the 15 things. And so, I would like to see how this goes. And if eventually it makes a lot of sense, then we...maybe we can do a Charter amendment in the future. But I...I do appreciate Member Johnson...or Chair Johnson, your willingness to kind of negotiate this out throughout the last hour or so. So, thank you and thank you, Members.

CHAIR JOHNSON: Of course. Well, you know, part of the reason why I was proposing Charter amendment because it sounded like we needed more of a robust discussion. But you...you guys get the gist of where I was going. I want to put money into the CARP so that the CARP action plans can be, you know, implemented. So it's...you know, there's many ways to skin a cat. That's a weird saying. But anyways, there's many ways to do this, but that's one of the things that we talked about today. Members, I . . .*(laughing)*. . . I think...I think that takes us to the end of the agenda. Staff, is there anything else that we need to do?

MS. MCKINLEY: Chair, would you like to defer the item?

CHAIR JOHNSON: I would certainly defer the item. But I will let you know, Members, that I'll probably bring...bring Bill 66 forward in the next few meetings, so we can have that discussion once again. Okay. Any objections to deferring this item?

COUNCILMEMBERS VOICED NO OBJECTIONS (excused: SS).

ACTION: DEFER pending further discussion.

CHAIR JOHNSON: All right. That takes us to the end...end of the agenda. The time is 11:16. And the ADEPT Committee of 5/20/21 is adjourned. . . .*(gavel)*. . .

ADJOURN: 11:16 a.m.

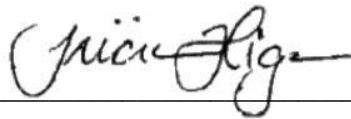
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CERTIFICATION

I, Tricia Higa, hereby certify that pages 1 through 49 of the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 5th day of June 2026, in Mililani, Hawaii

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

Tricia Higa