

# MINUTES

of the

## COUNCIL OF THE COUNTY OF MAUI

April 3, 2020

THE REGULAR MEETING OF THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, WAS HELD ONLINE ONLY VIA BLUEJEANS, ON FRIDAY, APRIL 3, 2020, BEGINNING AT 9:07A.M., WITH CHAIR ALICE L. LEE PRESIDING.

COUNCIL CHAIR ALICE L. LEE: Will the regular meeting of the County Council please come to order.

Mr. Clerk.

### ROLL CALL

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

CHAIR LEE: Okay, Members, mayon bundok. That's in case you travel to the Philippines after April 30. Good morning, everybody. And it appears we have a full complement of our Council here. A quorum is present to conduct the business of the Council.

For opening remarks, I would like to recognize Councilmember Michael J. Molina.

### OPENING REMARKS

The opening remarks were offered by Councilmember Michael J. Molina.

CHAIR LEE: Thank you, Member Molina. That was beautiful.

Please join me now in the Pledge of Allegiance.

## PLEDGE OF ALLEGIANCE

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

CHAIR LEE: Thank you.

Alright. Mr. Clerk.

DEPUTY COUNTY CLERK JAMES G.M. KRUEGER: Madam Chair, proceeding with presentation of testimony on agenda items. Members of the public may testify by connecting to the Council's online meeting by phone or video conference through the information posted on today's agenda.

Individuals connected to the Council's online meeting will be called on to testify. If you do not intend to testify, you can watch the meeting on Akaku Channel 53 or on maucounty.us.

Testimony is limited to the items listed on today's agenda. When testifying, please state your name and the name of any organization you represent, as well as the items on which you will be testifying. Please also identify to the Council if you are a paid lobbyist.

Madam Chair, it, there appears to be no testifiers connected to the meeting at this time. If there is a testifier, please identify yourself now.

Any testifiers, last call.

Madam Chair, there are no, there is no one waiting to testify, and we have received written testimony.

CHAIR LEE: Any objections to receiving written testimony?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: So, ordered. So, ordered.

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

1. Sylvia Cabral;
2. Lucienne de Naie;
3. Stan Franco, Stand Up Maui;
4. William Greenleaf;
5. Mark Hyde;
6. John A.H. Tomoso;
7. Rob Weltman, Sierra Club Maui Group; and
8. Michael Williams, Maui Tomorrow Foundation.

CHAIR LEE: Mr. Clerk.

DEPUTY COUNTY CLERK: Madam Chair, just to clarify, is public testimony also closed?

CHAIR LEE: Did we check with the other, are the other district offices open for testimony?

DEPUTY COUNTY CLERK: No, Madam Chair. Everybody wishing to testify should be connected to this meeting.

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

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: So, ordered.

Mr. Clerk.

DEPUTY COUNTY CLERK: Madam Chair, proceeding with county communications.

### COUNTY COMMUNICATIONS

NO. 20-216 - KAY S. FUKUMOTO, ECONOMIC DEVELOPMENT DIRECTOR,  
(dated March 19, 2020)

Transmitting a copy of WIOA Bulletin No. 31-19 from the State of Hawaii, Workforce Development Council, with the allocations for Program Year 18 for the Rapid Response Program in the amount of \$64,806.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. May I ask that the Clerk also call up County Communications 20-217 through 20-219?

CHAIR LEE: Mr. Clerk.

NO. 20-217 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,  
(dated March 24, 2020)

Reporting on temporary transfers/loans from the General Fund and Department of Water Supply Revenue Fund to the 2020 Proposed General Obligation Bond Fund as of February 29, 2020.

NO. 20-218 - LORI TSUHAKO, DIRECTOR OF HOUSING AND HUMAN CONCERNS, (March 23, 2020)

Transmitting the Notice of Grant Award from the Federal Corporation for National and Community Service for the Retired and Senior Volunteer Program (RSVP) in the amount of \$73,350.

NO. 20-219 - TIVOLI S. FAAUMU, CHIEF OF POLICE,  
(dated March 24, 2020)

Informing of the receipt of \$26,906.25 in Forfeiture Funds from the Department of Attorney General, State of Hawaii.

CHAIR LEE: Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair.

I MOVE TO FILE COUNTY COMMUNICATIONS 20-216  
THROUGH 20-219.

COUNCILMEMBER SINENCI:

SECOND.

COUNCILMEMBER SUGIMURA: Second.

CHAIR LEE: Okay. Moved by Vice-Chair Rawlins-Fernandez, seconded by Member Sinenci, to file County Communications 20-216 through 20-219.

Any discussion? If not, oh, you do have? Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. These communications are for, are informational, and no further action is required by the Council. Mahalo, Chair.

CHAIR LEE: Any further questions or comments? If not, all those in favor of the motion please say "aye".

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

CHAIR LEE: Those opposed say "no".

NOES: NONE.

CHAIR LEE: Motion carries.

Mr. Clerk.

NO. 20-220 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,  
(dated March 20, 2020)

Informing of the acceptance of Sewerline Easement "S-2" affecting Lots 1-A and 1-B,  
Kahului Townsite Subdivision, TMK: (2) 3-7-005:003 por.

CHAIR LEE: Councilmember Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Madam Chair. If, if there are no objections, I would like to ask the Clerk to call up County Communications 20-221 through 20-225.

MEMBERS VOICED NO OBJECTION.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: Mr. Clerk. So, ordered. Mr. Clerk.

NO. 20-221 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,  
(dated March 20, 2020)

Informing of the acceptance of Sewerline Easement S-1 affecting Lot 14, Panaewa Tract No. 3, TMK: (2) 4-6-010:019 por.

NO. 20-222 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,  
(dated March 20, 2020)

Informing of the acceptance of Sewerline Easement 2, Sixth Increment Kahului Town Development Subdivision, TMK: (2) 3-8-030:037 por.

NO. 20-223 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,  
(dated March 20, 2020)

Informing of the acceptance of a Sewerline Easement, Kaanapali Vista Subdivision, Roadway Lots 36 & 37, TMK: (2) 4-4-009:036.

NO. 20-224 - SCOTT K. TERUYA, DIRECTOR OF FINANCE,  
(dated March 26, 2020)

Informing of the acceptance of Sewerline Easement "S-1" affecting a Portion of Poalimas 67 & 68, portion of Grant 3343 to Claus Spreckels, TMK: (2) 3-4-033:004 por.

NO. 20-225 - ROWENA M. DAGDAG-ANDAYA, DIRECTOR OF PUBLIC WORKS,  
(dated March 19, 2020)

Informing of the receipt of a grant from the State of Hawaii, Department of Transportation for the Safe Routes to School Program Special Fund in the amount of \$166,780.38.

CHAIR LEE: Councilmember Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. I would like, these communications are purely informational, and no further action is required by the Council.

Chair, I would like to ask the last item, 20-225, be referred to my Committee. The rest can be, they're just purely information to be filed.

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: No objections? So, ordered.

So, County Communications 20-22; 220 through--

COUNCILMEMBER SUGIMURA: 20-224.

CHAIR LEE: --224 will be filed. And--

COUNCILMEMBER SUGIMURA: 20-225.

CHAIR LEE: County Communication 20-2, I got it; 20-225 will be referred to the WIT Committee. Okay?

(THE MOTION TO FILE COUNTY COMMUNICATION NOS. 20-220 THROUGH 20-224, AND REFER COUNTY COMMUNICATION NO. 20-225 TO THE WATER, INFRASTRUCTURE, AND TRANSPORTATION COMMITTEE WAS MADE LATER IN THE MEETING. See pages 16 and 17 for discussion and action.)

CHAIR LEE: Alright, Mr. Clerk. You're on 20-226.

DEPUTY COUNTY CLERK: Apologies, I was on mute.

NO. 20-226 - ALICE L. LEE, COUNCIL CHAIR,  
(dated March 27, 2020)

Transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF LAND AND NATURAL RESOURCES, BOARD OF LAND AND

NATURAL RESOURCES FOR A RIGHT-OF-ENTRY PERMIT FOR THE WEST MAUI  
WELL DEVELOPMENT".

CHAIR LEE: Councilmember Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. This is relating to the items we discharged from the, from my Committee at last week's Council meeting. But we need to, we needed to attach the relevant bill to the communication so it's being brought back up in this Council meeting today. In order to act on it, County Communication 20-226 has the bill physically attached. So, we have the bill for the Council.

AT THIS TIME, I'D LIKE TO MOVE TO WAIVE THE  
REQUIREMENT OF COMMITTEE REFERRAL AND REPORT  
STATED IN RULE 7.G. OF THE RULES OF THE COUNCIL, AS  
IT PERTAINS TO THE BILL ATTACHED TO COUNTY  
COMMUNICATION 20-226.

COUNCILMEMBER KAMA:

SECOND.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: Moved by Councilmember Sugimura, seconded by Member Kama, to waive the Rules of the Council regarding Committee referral.

Discussion, Ms. Sugimura?

COUNCILMEMBER SUGIMURA: Thank you. Waiver of the Committee referral and report are necessary for the Council to take action on the bill today.

CHAIR LEE: All those in favor of the motion, say "aye".

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

CHAIR LEE: Opposed, nay.

NOES: NONE.



CHAIR LEE: Motion carries.

Now, Ms. Sugimura, on the bill itself.

COUNCILMEMBER SUGIMURA: Yes, thank you. Thank you.

I MOVE TO PASS THE BILL ATTACHED TO COUNTY COMMUNICATION 20-226 ON FIRST READING AND HAVE THE CLERK RECORD THE UNILATERAL AGREEMENT AND TO FILE COUNTY COMMUNICATION 20-226 AND 20-204.

CHAIR LEE: Is there a second?

COUNCILMEMBER KING:

SECOND.

COUNCILMEMBER KAMA: Second.

CHAIR LEE: Okay. Moved by Councilmember Sugimura, seconded by Councilmember King, to pass the bill attached to County Communication 20-226 on first reading, and filing of the communication.

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. Thanks for bringing this up again. And I, as you remember from the last meeting that I tried to take this up, and the next bill, at my last Committee meeting before budget. But because of the Coronavirus, I canceled my meeting. And so, thank you for allowing me to take this up today.

So, we have Jeff Pearson and Wendy Taomoto standing by in case anybody has questions. But let's see, we sent, let's see the Board of Land and Natural Resources, at a meeting on December 13, 2019, granted the Department of Water Supply a right-of-entry for the construction of the West Maui Well Development Project. Thank you again to the Director for making himself available this morning, as well as Ms. Taomoto. Thank you.

CHAIR LEE: Are there any questions? Mr. Molina.

COUNCILMEMBER MOLINA: Yea, thank you, Madam Chair. Questions for the Department; just two questions. First of all, will there be any . . . or assessment--

COUNCILMEMBER SUGIMURA: Can't hear you.

COUNCILMEMBER MOLINA: --of the site at this point?

CHAIR LEE: Mr. Molina, can you, Mr. Molina, can you repeat your question? There was a lot of--

COUNCILMEMBER MOLINA: There's seems to be a lot of static in the background.

CHAIR LEE: Can everybody unmute *[sic]* except for Mr. Molina?

Okay, Mr. Molina, go ahead.

COUNCILMEMBER MOLINA: Okay much better. . . . Will there be any rental cost to the County for the right-of-entry, and has there been any archaeological assessment of the site at this point for the Department?

DIRECTOR OF WATER SUPPLY JEFFREY PEARSON: This is, thank you, Madam Chair, this is Director Pearson. And as you stated, as Councilmember Sugimura stated, Wendy Taomoto, Engineering Program Manager, is on the line. I'm not aware of any archaeological work that was done. I don't remember, I was at the board meeting where the right-of-entry was approved. I do not remember fees. Wendy, can you help answer that question about any cost for this right-of-entry.

COUNCILMEMBER HOKAMA: It's only one permit.

DIRECTOR OF WATER SUPPLY: I, I don't, I don't see Wendy responding. Wendy, are you there? To the best of my knowledge, Member Molina, there was no fees that were charged for--

MS. WENDY TAOMOTO: Hello.

DIRECTOR OF WATER SUPPLY: Oh, looks like Wendy's on the line now.

MS. TAOMOTO: Sorry, I was asking Councilmember Molina, is your question about what is the fees or was an archeological work done?

COUNCILMEMBER MOLINA: My question was were there any archaeological assessments of the site?

MS. TAOMOTO: Yes, Councilmember Molina. There was an archaeological assessment, and that information can be found in the EA that's published on the OEQC website.

COUNCILMEMBER MOLINA: Okay. And any rental cost to the County for the right-of-entry?

MS. TAOMOTO: There isn't a rental cost to the County for the right-of-entry. If you recall, this right-of-entry is tied to the easement that the Council approved for the West Maui Well Project from DHHL. I mean from, sorry, excuse me, I'm getting you guys confused. That was for DHHL. No, there isn't going to be a cost from the State DLNR.

COUNCILMEMBER MOLINA: Okay. Thank you.

CHAIR LEE: Any other questions? I have a question, Ms. Taomoto or Jeff Pearson. Did I hear Ms. Sugimura say that there's a unilateral agreement attached to the bill? Cause we don't seem to have a unilateral agreement.

MS. TAOMOTO: A unilateral--

COUNCILMEMBER HOKAMA: Chair.

CHAIR LEE: Yes. Yes, Mr. Hokama. I believe that the only agreement that should be before us is a IGA agreement. So, I'm with you; I don't think we, there would be any type of other type of documentation before the Committee for a right-of-entry permit, Chair.

CHAIR LEE: Okay. Thank you. So, Ms. Sugimura, in your motion, did you mention a unilateral agreement?

COUNCILMEMBER SUGIMURA: You know what, yea, it's mistaken. Sorry about that. So, the--

CHAIR LEE: Maybe you can--

COUNCILMEMBER SUGIMURA: --to the bill attached.

CHAIR LEE: Just the bill attached, right. Okay.

COUNCILMEMBER SUGIMURA: Yea, right, right. Sorry about that.

CHAIR LEE: Any further questions? If not, all those in favor of the motion, say "aye".

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

CHAIR LEE: Opposed, nay.

NOES: NONE.

CHAIR LEE: All "ayes", no "nays"; motion carries.

Mr. Clerk.

COUNCILMEMBER SUGIMURA: Thank you.

NO. 20-227 - ALICE L. LEE, COUNCIL CHAIR,  
(dated March 27, 2020)

Attaching County Communication 20-197, from the Director of Water Supply, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT WITH THE BOARD OF LAND AND NATURAL RESOURCES, STATE OF HAWAII, REGARDING THE PURCHASE OF WATER ALLOCATION CREDITS FROM THE CAMP MALUHIA SITE NO. 1 WELL DEVELOPMENT FOR STATE PROJECTS".

CHAIR LEE: Councilmember Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair.

I MOVE TO DISCHARGE FROM THE WATER,  
INFRASTRUCTURE, AND TRANSPORTATION COMMITTEE,  
THE BILL ATTACHED TO COUNTY COMMUNICATION 20-227,  
AND REFERENCED IN COUNTY COMMUNICATION 20-197.

CHAIR LEE: Is there a second? If not, if not, this matter will be referred to your Committee.

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Pardon me. Second?

COUNCILMEMBER KING: Second.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: Okay. It's been moved by Councilmember Sugimura, seconded by Member King, to discharge the Committee of this item.

MS. TAOMOTO: Councilmember.

CHAIR LEE: Any further discussion?

MS. TAOMOTO: Chair Lee.

Ms. Sugimura: No.

MS. TAOMOTO: Chair Lee.

CHAIR LEE: Yes.

MS. TAOMOTO: This is Wendy Taomoto.

CHAIR LEE: Yes.

MS. TAOMOTO: I think I got a little confused which item you guys are on, because of the static going on. What, when I referred to the archaeological, I was on West Maui Well. Did you guys--

COUNCILMEMBER SUGIMURA: That's correct.

MS. TAOMOTO: Oh, you were on West Maui Well?

COUNCILMEMBER SUGIMURA: Yea.

CHAIR LEE: Yea, we're finished with that, Wendy.

COUNCILMEMBER SUGIMURA: We just changed.

MS. TAOMOTO: Okay, thank you. Just making sure I'm on the right one now.

CHAIR LEE: Yea. Okay, now we're in Camp Maluhia. Okay, any further discussion or questions?

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, everybody. Discharging this bill attached to County Communication 20-227 from my Committee is the first step in allowing the Council to consider it today. And as you know, we have Director Pearson, as well as Wendy Taomoto, on the line and they will be available to explain anything and answer questions that you may have. Thank you, Chair.

CHAIR LEE: Mr. Pearson, would you like to give us more information on this, on this bill?

MR. PEARSON: Gladly, Chair. Thank you. This bill discusses, or well if you have your cheat sheet there, you can follow along that there was a specific location where the funds provided by the State would be used to locate this well near Camp Maluhia. With a lot of further investigations, and there's actually a lot, a model out there, USGS is working on, this location that's defined by the TMK (3) 3-1-01:020 is likely not the best location for this well. So, the only change we're asking for to amend this intergovernmental agreement is to give us a little more freedom to locate this well and not be tied to this TMK. . . . would have a, you know, a better production and better use of the, the well to provide water for both State projects, and a portion would go to the Department of Water Supply's source allocation.

CHAIR LEE: Only 220 and 221? Further questions?

Yes, Ms. King.

COUNCILMEMBER KING: Thank you, Chair. Can you hear me, Mr. Pearson? I'm not sure what the static is on your end.

DIRECTOR OF WATER SUPPLY: Yes, I can.

COUNCILMEMBER KING: Okay. I just wondered what the, if there's an urgency in getting this done today? If you can explain that.

DIRECTOR OF WATER SUPPLY: There's, this is just water that the State will be using for this project, will be only a portion of the water needs for the Pulehunui Project. So, urgency is a tough word. We always like to get things moving as fast as possible. But the State has, has a long ways to go in developing Pulehunui; I'm sure you're all aware of that. So, I can't stand up and pound my fists and say it's urgent that it has to be done today, because there's a long path that needs to be taken to get this resolved for source, for the Pulehunui area.

COUNCILMEMBER KING: Okay. So, this could be of further discussion if needed?

DIRECTOR OF WATER SUPPLY: Yes. I mean, I like to get things done. But yes, it could be moved on. I don't want to, you know, I don't want to throw my chips out there and tell everyone we need these, these urgent situations.

COUNCILMEMBER KING: Okay. Thank you. Thank you, Chair.

CHAIR LEE: Any other?

Yes, Mr. Molina.

COUNCILMEMBER MOLINA: Yea, thank you, Madam Chair. As I was looking at number 10 of the memorandum, regarding water allocation credits, will they, you know, I guess the County reserves the right on the allocation credits. Can you give us a little bit more detail on that, that they do have monetary value I assume?

DIRECTOR OF WATER SUPPLY: Chair, if it's okay, I would like to defer this to Engineering Program Manager Wendy Taomoto? She's had a lot of history and a lot more insight on this than I have. If she wouldn't mind replying, please?

CHAIR LEE: Ms. Taomoto.

MS. TAOMOTO: Hi, this is Wendy Taomoto. The water allocation credits, should the well be developed and put online, will allow the State to use the amount of credits towards the source . . . component of a water meter, water system development fee. And so, the way the agreement is currently written in item 10, the dollar value that the State contributes will be the ratio, I mean, of the total capacity of the well that they get. So, it will be a ratio. The, the amount of financial contribution right now will be the ratio of the amount of gallons per day of source credits that they can use towards paying for a water meter.

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

MS. TAOMOTO: You're welcome.

CHAIR LEE: Ms., Ms. Sugimura, there appears to be a number of questions, so if you don't mind, can we re-re, refer this back to your Committee?

COUNCILMEMBER SUGIMURA: Oh, sure. I was just trying to move it along, since I didn't have it at the Committee that I cancelled--

CHAIR LEE: I know.

COUNCILMEMBER SUGIMURA: --to Corona. But thank you for bringing it up.

CHAIR LEE: Apparently there's more, okay, there's more questions. So, if there's no objections, we'll refer this back to Committee.

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: Okay. The County Clerk would like to say something. Mr. Clerk.

DISCUSSION RELATING TO  
COUNTY COMMUNICATION NOS. 20-220, 20-221, 20-222,  
20-223, 20-224, AND 20-225

DEPUTY COUNTY CLERK: Madam Chair, just to circle back for a second. County Communications; the body discussed the filing of County Communications 20-220 through 20-224 and referring County Communication 20-225. But the body did not make any motion to, to do that, so the staff would just like to wonder if, what's the body's action on those items?

COUNCILMEMBER SINENCI: So, moved.

CHAIR LEE: Wait.

COUNCILMEMBER HOKAMA: Second.

CHAIR LEE: Okay, can you hear me?

COUNCILMEMBER KING: I think that's Member Sugimura.

CHAIR LEE: Okay, you can hear? Okay. We have a little issue here, because I heard Ms. Sugimura move to file, you know, 20-22, 20-220, 20-221, 20-222, 20-223, 20-224, and 20, those, you have those items, right? Did you make a motion to do that? Didn't you?

COUNCILMEMBER SUGIMURA: Yea, I did.

CHAIR LEE: Okay.

COUNCILMEMBER SUGIMURA: Well, I thought I did.



CHAIR LEE: I, I--

COUNCILMEMBER SUGIMURA: If not, I'll do it.

CHAIR LEE: Yea, and I thought you did too. But, you know, at some point there was a lot of static on the line. So, can you re, make another motion just to be sure that you're on the record and that there's no confusion, okay?

COUNCILMEMBER SUGIMURA: Sure. Sure. So, thank you.

I MOVE TO FILE COUNTY COMMUNICATIONS 20-220 THROUGH 224, AND THEN I WANT 20-225 TO COME, TO REFER TO MY COMMITTEE.

Thank you, Chair.

COUNCILMEMBER KAMA:

SECOND.

CHAIR LEE: Okay. Moved by Member Sugimura, seconded by Member Kama, to file County Communications 20-220 through 20-2, I mean, 20-224, to file. And to refer County Communication 20-225 to the WIT Committee.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: It's been moved and seconded. Any discussion? All those in favor, say "aye".

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

CHAIR LEE: Opposed, nay.

NOES: NONE.

CHAIR LEE: Motion carries.

Okay. Mr. Clerk.

DEPUTY COUNTY CLERK: And then just for the record, Madam Chair, for County Communication 20-226, that bill is BILL 54 (2020).

Madam Chair, proceeding with county communications for referral. The following county communications are recommended for referral to the following Committees as noted:

NO. 20-228 - MICHAEL J. MOLINA, COUNCILMEMBER,  
(dated March 25, 2020)

Transmitting a proposed resolution entitled "AUTHORIZING THE COUNCIL CHAIR TO ISSUE A REQUEST FOR PROPOSALS FOR A COMPREHENSIVE AFFORDABLE HOUSING PLAN".

The recommended action is that County Communication 20-228 be referred to the Affordable Housing Committee.

THE PROPOSED RESOLUTION ATTACHED TO COUNTY COMMUNICATION NO. 20-228 WAS ADOPTED LATER IN THE MEETING AND ASSIGNED RESOLUTION NO. 20-61. COUNTY COMMUNICATION NO. 20-228 WAS THEN FILED. See pages 20 through 25 for discussion and action.

NO. 20-229 - MICHAEL P. VICTORINO, MAYOR,  
(dated March 25, 2020)

Transmitting the following:

1. Mayor's Proposed Budget Program;
2. A proposed bill entitled "A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET FOR THE COUNTY OF MAUI FOR THE FISCAL YEAR JULY 1, 2020 TO JUNE 30, 2021";
3. A proposed bill entitled "A BILL FOR AN ORDINANCE RELATING TO THE CAPITAL PROGRAM FOR THE FISCAL YEAR ENDING JUNE 30, 2021";
4. A proposed bill entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE ISSUANCE OF EIGHTY-FOUR MILLION, NINETY THOUSAND, THREE HUNDRED TWENTY-ONE DOLLARS (\$84,090,321) AGGREGATE

PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI FOR THE PURPOSE OF PROVIDING FUNDS TO PAY ALL OR A PART OF THE COST OF APPROPRIATIONS FOR PUBLIC IMPROVEMENTS OF AND FOR THE COUNTY OF MAUI; FIXING THE FORM, DENOMINATIONS AND CERTAIN OTHER FEATURES OF SUCH BONDS AND PROVIDING FOR THEIR SALE; AUTHORIZING THE DIRECTOR OF FINANCE TO DETERMINE CERTAIN DETAILS OF THE BONDS; AUTHORIZING THE ISSUANCE AND SALE OF A LIKE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE AND SALE OF SUCH BONDS; AUTHORIZING THE ISSUANCE OF REFUNDING GENERAL OBLIGATION BONDS OF THE COUNTY; AND PROVIDING FOR OTHER ACTIONS RELATED TO THE ISSUANCE, SALE AND DELIVERY OF SAID BONDS";

5. A proposed bill entitled "A BILL FOR AN ORDINANCE DETERMINING THAT PART OF THE PROCEEDS OF GENERAL OBLIGATION BONDS OF THE COUNTY OF MAUI HERETOFORE ISSUED IS IN EXCESS OF THE AMOUNTS REQUIRED FOR THE PURPOSES FOR WHICH SUCH BONDS WERE INITIALLY ISSUED, OR MAY OR SHOULD NOT BE APPLIED TO THOSE PURPOSES, AND DIRECTING SUCH PROCEEDS TO OTHER PUBLIC IMPROVEMENTS OR AUTHORIZED PURPOSES OF THE COUNTY OF MAUI";
6. A proposed bill entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR A LOAN FROM THE STATE OF HAWAII'S WATER POLLUTION CONTROL REVOLVING FUND FOR VARIOUS WASTEWATER PROJECTS, FISCAL YEAR 2021 BUDGET ORDINANCE";
7. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTIONS 3.55.020 AND 3.55.040, MAUI COUNTY CODE, RELATING TO DISPOSAL OF VEHICLES AND THE ENVIRONMENTAL PROTECTION AND SUSTAINABILITY FUND";
8. A proposed bill entitled "A BILL FOR AN ORDINANCE ESTABLISHING A NEW CHAPTER 3.27, MAUI COUNTY CODE, RELATING TO A VEHICLE DISPOSAL FEE FUND";
9. A proposed resolution entitled "ADOPTING THE FUEL TAX RATES FOR THE COUNTY OF MAUI, EFFECTIVE JULY 1, 2020"; and

10. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 2.44.015, MAUI COUNTY CODE, RELATING TO SALARIES OF DEPUTIES CORPORATION COUNSEL AND DEPUTIES PROSECUTING ATTORNEY".

The recommended action is that County Communication 20-229 be referred to the Economic Development and Budget Committee.

(See pages 25 through 27 for discussion.)

COUNCILMEMBER KING: Chair, you're muted.

DEPUTY COUNTY CLERK: I think she's got to do it.

COUNCILMEMBER HOKAMA: Alice, your mute button.

COUNCILMEMBER MOLINA: Recess maybe.

COUNCILMEMBER KING: I think she doesn't seem to be talking to us right now. I think she's talking to someone else.

Hi Mavis.

CHAIR LEE: Okay, we're back again. Technical difficulties.

### DISCUSSION RELATING TO COUNTY COMMUNICATION NO. 20-228

CHAIR LEE: I was going to ask Mr. Molina if he wanted to make a motion on 20-228? To pass this resolution.

COUNCILMEMBER MOLINA: Yes, thank you very much, Madam Chair.

CHAIR LEE: Pardon me?

COUNCILMEMBER MOLINA: Yes, Madam Chair. Thank you.

I MOVE TO ADOPT THE PROPOSED RESOLUTION  
ATTACHED TO COUNTY COMMUNICATION 20-228, AND TO  
FILE COUNTY COMMUNICATION 20-228.

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Mr. Clerk, do we have to discharge this first?

DEPUTY COUNTY CLERK: Madam Chair, as far as staff is aware, this item is not pending before Council Committee. But we would defer to Council Services if they have any further information on that. Thank you.

COUNCILMEMBER HOKAMA: Chair.

CHAIR LEE: Yea, Mr. Hokama.

COUNCILMEMBER HOKAMA: I disagree. I believe our Affordable Housing Committee and Chair Kama has his subject matter already within her jurisdiction. And I feel that she's been working hard. She has a couple of proposals out there to present to, back to the whole Committee, so I'm kind of surprised for this request.

CHAIR LEE: Mr. Hokama, I believe that Member Kama filed that other issue on a study for a housing strategic plan. So, now this new item comes up, which is different. This is a Comprehensive Affordable Housing Plan, which I heard Ms. Kama express she was not opposed to. So, this is the reason why, to, to expedite matters, Mr. Molina is asking our office to, to do the RFP for this Comprehensive Affordable Housing Plan. So, this is how this whole thing evolved. It started with an item in her Committee, which got filed and then this new item came up.

You can chime in, Ms. Kama.

COUNCILMEMBER KAMA: Thank you, Chair. Thank you, Mr. Hokama, and thank you, Mr. Molina for bringing this issue before you, before the Council. It did, it is in my Committee and the pur, and I did file the, the, the feasibility study that we all agreed to last year that we put, we proviso'd in the budget last year.

Well, it seemed like nobody wanted to do it this year, so I wanted to put that to rest before I brought up the Affordable Housing Plan. I thought that was, to me that was prudent because we all said last year, yes, we're going to put the \$150,000 for a feasibility study for a housing authority. And then this came up with the, in our meetings, a couple of our meetings. So, I wanted to dispose of the, the feasibility study before I brought this up before Council.

But, Mr. Molina, I just want to say thank you for your prayer this morning. This morning the pastors again met, and we also prayed for all of us. And it's usually a monthly meeting, but we've decided that because of the COVID-19 issue, that we're going to meet weekly. So, we're meeting every Mondays also. So, we want to be able to invite you and your pastor to participate, as well as any others that would like to do that.

But in terms of what's going on today and with, with this issue before us, I'm not opposed to it. I've, I always have peace about the decisions that I make, or even other people on the Council make even if it's not in agreement with me. Because it's really not about me, it's about us and it's about our community. So, Mr. Molina, thank you very much. Mr. Hokama, thank you. But I have peace in my heart about the things that we do. So, I think I would support this motion, Madam Chair. Thank you.

CHAIR LEE: Alright. Thank you. Just for clarification, we do not have to discharge this item, because it's, it's not active in Ms. Kama's Committee. So, it would have been referred, but instead, we can take action if, if the body wants today.

So, Mr. Molina, you, you don't have a second.

COUNCILMEMBER MOLINA: I, I believe I thought I heard--

COUNCILMEMBER KING: I did second it. I did second the motion.

CHAIR LEE: Okay. Okay. I guess the Clerk didn't hear it. So, it's been moved by Mr. Molina, seconded by Member King, to, to pass the resolution in County Communication 20-228.

Now, for discussion? Mr. Molina.

COUNCILMEMBER MOLINA: Yea, thank you very much, Madam Chair. And thank you very much for the clarification, as far as the procedurally. And also, to, you know, Affordable Housing Chair Kama for being so receptive to this. So, a lot of kudos to you as well, Member Kama.

So, anyway, this proposed resolution authorizes the Council Chair to issue a request for proposals for a Comprehensive Affordable Housing Plan. Now, I realize the Chair has full authority within her powers to issue an RFP, but I wanted to try to secure the support of the Council for this effort to reassure the Chair that this is a desired direction of the Council.

The proposed Comprehensive Affordable Housing Plan is to take a completely different approach from the needs study the State and the County have conducted over recent years. And even though the scope of the Comprehensive Plan has yet to be developed, the intent of the plan is to focus on efforts to achieve the creation of affordable housing units.

The plan can review the viability of existing and proposed housing projects; availability of parcels of land, infrastructure and community services; and assessing various efforts for enhancing the availability of affordable housing, such as the bifurcation of the Department of Housing and Human Concerns; use of County owned parcels for housing; increasing the annual appropriation to the Affordable Housing Fund or other fund options; and the creation of a housing authority or housing czar; potential revisions to regulations such as the residential workforce housing ordinance or enhancements to permitting process; as well as the expansion and review of existing housing programs.

So, it is my hope the Mayor's Office, the Department of Housing and Human Concerns, and community groups, such as Stand Up Maui, will assist in helping to develop the parameters, scope of deliverables, and qualifications for potential consultants for the plan. The issuance of the RFP does not require funding, but issuing a contract for the plan will. Therefore, the potential funding could be established with the FY 2021 Budget. And the funding for the plan will be from the Office of Council Services.

Now, mind you, I know you may be asking why isn't the Administration or the Department of Housing and Human Concerns not funding this plan? Well, staff, I've been made aware that staff from the Mayor's Office has advised representatives of Stand Up Maui that the Administration will not fund the plan, but at the same time would not get in the way if the Council used its own money to pay for it.

This is unfortunate because a Charter provision states that one of the duties to the DHHC Director is to develop a comprehensive approach to the effective administration and coordination of programs and plans of action. My concern is if we appropriate funds for this plan in the Administration budget that they may not have the same motivation as some of us on the Council to get this plan accomplished. I believe the Mayor and Administration is, you know, missing a real golden opportunity here.

So, therefore, I see it as our duty as lawmakers, decision makers, to find a way to make affordable housing a reality. And accordingly, there's a potential carryover savings in the Office of Council Services that may be used for contracting the plan.

So, in my opinion, we don't need another need study. We need direction for how to make affording, affordable housing a reality. And I believe that the plan will provide the County with the direction we so greatly desire. So, therefore, I respectfully request the Council's consideration of this request. Thank you, Madam Chair.

CHAIR LEE: You're welcome.

Ms. King.

COUNCILMEMBER KING: Thank you, Chair. Thank you, Mr. Molina, for that comprehensive explanation of what, what the proposal is about. And I agree with everything you said. I just wanted to make the point that also, another thing that we need to include in light of the current pandemic that we're in, is a comprehensive look at reassessing the need. Because I think there, we're going to have a tremendous amount of, of short-term rentals are turned back into residential rentals, and will lower the, the, the actual number of units that we think we need right now for the next five years.

I know people who've already done that and who, even if this thing turns around in six months, are going to continue to rent to long-term residential renters because they've, you know. And some of them have been doing, you know, there are people out there that have been probably doing illegal rentals that are turning them back into legal residential rentals. So, I think our numbers may be assisted by the current situation we're in.

Also, the cost of housing is, is becoming more affordable because the sale of houses have slowed down considerably. So, those, the valuations, I think, are going to go down considerably. So, I just wanted to make the point that we need to include in the plan a reassessment of the need in light of more affordable housing becoming available. Thank you.

CHAIR LEE: Thank you.

COUNCILMEMBER KING: And I support everything he said.

CHAIR LEE: Okay. Anybody else? All those in favor of the motion to adopt the attached resolution and file the communication, say "aye".

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



CHAIR LEE: Opposed, nay.

NOES: NONE.

CHAIR LEE: Motion carries.

Mr. Clerk.

DEPUTY COUNTY CLERK: Madam Chair, for the record, RESOLUTION 20-61.

Proceeding with ordinances for second and final reading.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair.

CHAIR LEE: Keani.

DISCUSSION RELATING TO  
COUNTY COMMUNICATION NO. 20-229

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I, before we move forward with bills on second and final reading, I wanted to provide some comments on County Communication 20-229; the County, the proposed budget bills for Fiscal Year 2021.

CHAIR LEE: Oh, okay. Certainly. Proceed.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Chair. Mahalo, Chair. Okay, Members, last Wednesday, we received the Mayor's proposed Fiscal Year 2021 Budget totaling \$869.8 million in County funds. The budget proposal represents an increase of 5.6 percent, or \$46.3 million over the Fiscal Year 2020 Council adopted budget, which appropriated \$823.5 million in County funds.

Accompanying the Mayor's proposed budget and the required message are eight proposed bills, which if enacted, would take effect on July 1, 2020, the start of Fiscal Year 2021. The proposed bill would do the following: 1) enact the Fiscal Year 2021 Budget; 2) enact the six-year Capital Improvement Program for Fiscal Years 2021 through 2026; 3) authorize the issuance of \$84,090,321 in general obligation bonds for various capital improvement projects; 4) reallocate \$1,577,679 in lapsed bond proceeds; 5) authorize the Mayor to enter into an intergovernmental agreement, or

intergovernmental agreements for \$13 million in State Water Pollution Control Revolving Fund loans to finance various wastewater projects; 6) amend Sections 3.55.020 and 3.55.040, Maui County Code, relating to disposal of vehicles and the Environmental Protection and Sustainability Fund; 7) establish a new Chapter 3.27, Maui County Code, relating to the Vehicle Disposal Fee Fund; and 8) amend Section 2.44.015, Maui County Code, relating to salaries of deputies corporation counsel, and deputies prosecuting attorney.

Some interesting elements in the Mayor's proposed, proposal includes: \$10 million for COVID-19 and \$3.8 million to the Emergency Fund; an appropriation of \$18.7 million to the Affordable Housing Fund, representing five percent of the real property tax revenue, the Charter requires a minimum appropriation of two percent; \$3 million of the First-time Homebuyers Program; \$24 million in Parks and Recreation facility improvement; \$47 million in sewer improvement; \$9 million in sanitation improvements; and \$21 million in water system improvements; \$2 million in Countywide Costs to fund a proposed program within the Office of the Mayor relating to climate action sustainability and resiliency plans for each department.

The Mayor is implementing the new tiered real property tax system that was approved by the Council and will help to generate nearly \$376 million in projected revenue. The proposed tiered rate structure will set incremental tax rates for second homes and short-term rentals with, with tax rates applied based on property valuation. For second homes, the second-tier rate will be for properties valued at less than or equal to \$800,000. For second-tier rate, the property values between \$800,001 to \$1.5 million; and for the third-tier property exceeding \$1.5 million. For short-term rentals, the first tier will be for properties less or equal, less than or equal to 900,000. The second tier will be for properties over 900,000. The result combined with increased property values is a projected 4.7 percent increase in real property tax revenue.

The Mayor's proposal calls for a total of 69 expansion positions in 14 different departments. Some notable expansion positions include two Recycling Program Assistants under Environmental Protection and Sustainability Program, Department of Environmental Management; a Land Management Administrator in Department of Finance; a Housing Specialist and Homeless Program Specialist in Department of Housing and Human Concerns; four Parks Security Officer I positions in Parks; and Grants Management Operation Assistant and a Police Psychologist in the Department of Police.

The Mayor has also proposed some organizational changes. One of his proposals would move all 8.5 positions under the Administration Programs, the General Prosecuting Program to the, in the Department of the Prosecuting Attorney. Another

proposed change would move all four positions under the Maui Redevelopment Program to the Management Program in the Department of Management.

The Mayor has also proposed no rate increase for landfill tipping fees or County services for water, sewer, and refuse collection.

In this period of an ongoing national pandemic and uncertainty, the Council will face one of the more challenging budget sessions in Maui County history. It is likely that some elements of the Mayor's proposal that would be worthy of consideration in a normal year will not be advised under the, under our new circumstances. Our focus now, more than ever, will be on the well-being of our residents, laying a strong foundation for a healthy community in the fiscal year ahead and many years beyond.

Members, this is just a glimpse of the financial situation of the County, that the County is facing this budget session. Despite the mandated directives for social distancing placed upon us at the national and local levels, the Council is moving ahead with business, although remotely. Through technology, the Council has developed a process that allows for public input and transparency, which is so important when making important decisions that affect our County.

The Economic Development and Budget Committee is now tasked with reviewing and making fiscal, fiscally responsible recommendations and approving a balanced budget for Fiscal Year 2021 by the Charter mandated deadline of June 10.

I thank the Department, staff, and Councilmembers in advance for all the hard work, dedication, and patience, as we work through this session. Mahalo, Chair.

CHAIR LEE: Thank you, Vice-Chair Rawlins-Fernandez.

Any objections to referring this matter to the EDB Committee?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: So, ordered.

Mr. Clerk.

DEPUTY COUNTY CLERK: Madam Chair, proceeding with ordinances for second and final reading.

ORDINANCES

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 51 (2020)

A BILL FOR AN ORDINANCE GRANTING CHRISTINE WARD A CONDITIONAL PERMIT TO OPERATE A STORE AND LUNCH COUNTER WITHIN THE COUNTY AGRICULTURAL DISTRICT, FOR PROPERTY SITUATED AT 8615 KAMEHAMEHA V HIGHWAY, PUKO`O, MOLOKA`I, HAWAI`I AND IDENTIFIED AS A PORTION OF TAX MAP KEY NUMBER (2) 5-7-005:004

CHAIR LEE: Councilmember Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair.

I MOVE TO PASS BILL 51 (2020) ON SECOND AND FINAL READING.

VICE-CHAIR RAWLINS-FERNANDEZ:

SECOND.

COUNCILMEMBER SINENCI: Second.

CHAIR LEE: Moved by Member Paltin, seconded by Vice-Chair Rawlins-Fernandez, to move the, pass the bill on second and final reading.

Discussion, Ms. Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair. This bill allows Mana`e Good and, Goods and Grindz to continue providing food and supplies to the East Molokai community. Without the store and lunch counter, East Molokai residents would have to drive a considerable distance in order to reach the next closest general store in Kaunakakai Town. The community has strongly supported the 10-year Conditional Permit so this business may continue operating. No further discussion, Chair.

CHAIR LEE: Any other Member want to say anything? Any comments, questions? If not, all those in favor--

Oh, Ms. Keani Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. I just once again want, wanted to express my gratitude and thanks to Member Paltin, again, for coming to Molokai and hearing directly from the community, and all those that sat on the PSLU Committee to come to Molokai. The community is very thankful to, to everyone. Mahalo, Chair.

CHAIR LEE: Thank you. Anyone else? If not, all those in favor of the motion, say "aye".

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

CHAIR LEE: Opposed, nay.

NOES: NONE.

CHAIR LEE: Motion carries.

Mr. Clerk, unfinished business.

DEPUTY COUNTY CLERK: Yes, Madam Chair, proceeding with unfinished business.

## UNFINISHED BUSINESS

### COUNTY COMMUNICATIONS

NO. 20-204 - ALICE L. LEE, COUNCIL CHAIR,  
(dated March 20, 2020)

Relating to the matter of the discharge of an item before the Water, Infrastructure, and Transportation Committee.

CHAIR LEE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: I believe we filed this when we took up the item. So, thank you very much, and for everyone for passing this for West Maui.

CHAIR LEE: Alright.

COUNCILMEMBER SUGIMURA: File it. You're welcome.

DEPUTY COUNTY CLERK: Madam Chair.

CHAIR LEE: Mr. Clerk.

DEPUTY COUNTY CLERK: Staff's current understanding is that the, the Members did file County Communication 20-226, but the County Communication 20-204 and the item that was discharged last meeting under that item, County Communication 20-145, are still before the Committee at this time. If filing is the intent of the body, I believe a motion to file both of those items would be necessary. Thank you, Chair.

CHAIR LEE: Ms. Sugimura, move to file.

COUNCILMEMBER SUGIMURA:

SO MOVED.

COUNCILMEMBER KING:

SECOND.

CHAIR LEE: Moved by Ms. Sugimura to file, second by Ms. King.

Any further discussion on these, on this matter of CC 20-204? If not, all those in favor of the motion say "aye".

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

NOES: NONE.

CHAIR LEE: Motion carries.

Mr. Clerk.

DEPUTY COUNTY CLERK: Madam Chair, there is no other business before the Council.

CHAIR LEE: We've come to the end of the meeting. But I'd like to remind you that we have a Chair's meeting, which is very important, today at 1:30. Okay. So, I will see you again for the third time today. See you.

VICE-CHAIR RAWLINS-FERNANDEZ: Chair.

COUNCILMEMBER KING: Bye.

CHAIR LEE: Meeting adjourned.

### ADJOURNMENT

The regular meeting of April 3, 2020 was adjourned by the Chair at 10:01 a.m.



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KATHY KAOHU, COUNTY CLERK  
COUNTY OF MAUI, STATE OF HAWAII

## County Clerk

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**From:** Mike J. Molina  
**Sent:** Thursday, April 02, 2020 2:45 PM  
**To:** County Clerk  
**Cc:** Gary Saldana; Laura L. McDowell; Maria C. Ornellas  
**Subject:** FW: Testimony for April 3 Housing by Michael Molina

RECEIVED  
2020 APR -2 PM 2:54  
OFFICE OF THE  
COUNTY CLERK

Please see the below testimony from Sylvia Cabral.

Mike

**From:** Sylvia Cabral <sylviacabralmaui@gmail.com>  
**Sent:** Thursday, April 02, 2020 2:43 PM  
**To:** Kelly King <Kelly.King@mauicounty.us>; Keani N. Rawlins <Keani.Rawlins@mauicounty.us>; Tasha A. Kama <Tasha.Kama@mauicounty.us>; Riki Hokama <Riki.Hokama@mauicounty.us>; Mike J. Molina <Mike.Molina@mauicounty.us>; Tamara A. Paltin <Tamara.Paltin@mauicounty.us>; yukilei.sugimura@gmail.com; Shane M. Sinenci <Shane.Sinenci@mauicounty.us>; Mayor Alan Fukuyama <Alan.Fukuyama@mauicounty.gov>  
**Subject:** Re: Testimony for April 3 Housing by Michael Molina

Testimony for April 3 meeting on Affordable Housing:

1. Affordable housing can be done on Maui like it was done on the Big Island after the Volcano eruption.

The State or County designated a large parcel of land, did a paper subdivision and allocated new home sites.

Immediately. No public hearings, no red tape, no waiting for new administrations.

2. Allocate funds (those hundreds of thousands of dollars the county let the sellers keep who sold before the 10 year restrictions expired) to enforce the time limits or else don't add those rules.

I truly believe "locals" would be happy to have leasehold properties to protect affordability and it would keep "investors" and developers away.

3. This part is brief because I don't have the numbers in front of me but I was very surprised when I saw the "old folks affordable rentals" income ranges were over \$100k per year. Why is the county building for these high end customers and giving them "affordable housing" at \$800+- per month?

Sylvia Cabral Realty  
808 879 9007

On Thu, Apr 2, 2020 at 9:49 AM Sylvia Cabral <sylviacabralmaui@gmail.com> wrote:

1. I agree with Kelly King that housing should be done as a 100% affordable product only. It is time to let the developers scrounge for housing credits on their own and not on the back of the many houseless residents.



2. I plan to gather information from the few island banks and credit unions we have in order to show this county and the state that the HUD affordable guidelines do nothing for the houseless residents of this State.

One loan officer said that a person who makes \$160,000 per year can qualify for a \$1 million dollar loan.

3. There are about 75 homes today that have been sitting available for the \$160,000 income bracket. They don't want those "affordable homes" Those numbers are rigged to the benefit of developers.

4. There are approximately 300 new homes under construction in Wailuku that are not being built thru the affordable homes programs and they all sell without developer credits.

5. As seen with Kamalani, were 20 out of 220 residents qualified. Those "affordable restrictions were immediately broken and offered to renters" County says they do not have resources to enforce.

6. Same with Kalama Kai were only 5 out of 55 residents qualified for the "affordable units"

7. With Kalama Kai, the developer completely built and sold the multi million Keala Wailea Condos adjoining Wailea Town center before even starting groundwork at Kalama Kai.

8. There needs to be a "working resident requirement". Since Hawaii is now declared a "Disaster Area", this is a good time to put that requirement into the law. Stop selling the homes to investors at least until we have "too many houses". We do not want apartments. We want a houselot with a na hana, carport, land to grow food and a big fence.

Let's get Affordable. Let's Be Affordable.

Sylvia Cabral Realty  
808 879 9007

## County Clerk

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**From:** Lucienne de naie <laluzmaui@gmail.com>  
**Sent:** Wednesday, April 01, 2020 7:11 PM  
**To:** County Clerk  
**Subject:** Support Resolution # 20-228 Maui County Council agenda for April 3, 2020

RECEIVED  
2020 APR -2 AM 8:03  
OFFICE OF THE  
COUNTY CLERK

Aloha Council Chair Lee and Council Members

I would like to offer my support for the Council's consideration of the proposed Resolution # 20-228, which would authorize the Council Chair to issue a RFP for a "comprehensive Affordable Housing Plan."

An Affordable Housing Plan would give us all a clearer idea how many affordable units need to be built in areas already entitled, and how many new areas need to be included in Community Plan updates. It could also give background analyses on what part of the Maui's housing needs can best be provided by private developers and what part would be better provided by State or County supported projects or housing agencies.

I served on the General Plan Advisory Committee and know that the Committee, Maui Planning commission and the County Council all devoted time to the Housing policies in the MIP.

One of the MIP Housing objectives concerns infrastructure:

**Objective: 5.1.4** Provide infrastructure in a more timely manner to support the development of affordable housing. This is supported by related Policies and Implementing Action:

5.1.4. a Prioritize the development of infrastructure that supports the development of affordable housing.

5.1.4.b Utilize appropriate financing approaches and assistance tools to encourage the development of infrastructure and public facilities.

5.1.4.c Tailor infrastructure requirements to correspond with appropriate level-of-service standards to help control housing costs and to maintain safety.

### **Implementing Actions:**

5.1.4-Action 1 Prioritize Capital Improvement Projects that commit to building appropriately planned affordable housing-related projects. stand out

We have heard for years that larger, truly affordable housing projects need infrastructure support. Common sense tells us that while our Community Plans and Urban Growth Boundaries give us a broad idea of where the most essential infrastructure will be needed, they do not reflect any up to date phasing for the planned projects. An Affordable Housing Plan that covers a ten year span and can be updated with new data, will serve as a more current analyses of upcoming priority infrastructure needs.

Hopefully we can have plan that can be accompanied by a sort of "dashboard" on the County website, giving a regular progress report on progress being made to "implement" the Housing Plan and meet our communities housing needs.

**Thanks for supporting this Resolution.**

Lucienne de Naie  
PO Box 610  
Haiku, HI 96708

Lucienne de Naie  
[laluzmaui@gmail.com](mailto:laluzmaui@gmail.com)  
808 214-0147

## County Clerk

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**From:** Stan Franco <stanfranco9114@gmail.com>  
**Sent:** Wednesday, April 01, 2020 8:34 PM  
**To:** County Clerk  
**Cc:** Thelma Kealoha; Michael Williams; Lawrence P. Carnicelli; Lucienne de Naie; Vince Bagoyo  
**Subject:** April 3rd Council Meeting

RECEIVED  
2020 APR -2 AM 8:04  
OFFICE OF THE  
COUNTY CLERK

We, Stand Up Maui, support CC 20-228, a resolution to create a County Affordable Housing Plan. We, Stand Up Maui (formerly Face Maui), has advocated for this action for the past three years. We are so pleased that Mike Molina has proposed this action and recommend swift approval.

If we can be of help to the County Council, we offer our services.

Thank you so much,  
Stan Franco  
Chair, SUM Housing Committee

## County Clerk

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**From:** William Greenleaf <bgreenleaf.maui@yahoo.com>  
**Sent:** Thursday, April 02, 2020 8:25 AM  
**To:** County Clerk  
**Subject:** Fwd: Support Resolution # 20-228 Maui County Council agenda for April 3, 2020

RECEIVED

2020 APR -2 AM 9: 31

OFFICE OF THE  
COUNTY CLERK

Aloha Council Chair Lee and Council Members:

I am in support for the Council's consideration of the proposed Resolution # 20-228.

The needs in our Community for housing and for jobs building housing for people at the 80% and below of AMI is unmet. I support this Council sending our an RFP for a Comprehensive Affordable Housing Plan.

Mahalo  
Bill Greenleaf

Begin forwarded message:

**From:** Lucienne de naie <laluzmaui@gmail.com>  
**Subject:** Support Resolution # 20-228 Maui County Council agenda for April 3, 2020  
**Date:** April 1, 2020 at 7:11:09 PM HST  
**To:** [county.clerk@mauicounty.us](mailto:county.clerk@mauicounty.us)

Aloha Council Chair Lee and Council Members

I would like to offer my support for the Council's consideration of the proposed Resolution # 20-228, which would authorize the Council Chair to issue a RFP for a "comprehensive Affordable Housing Plan."

An Affordable Housing Plan would give us all a clearer idea how many affordable units need to be built in areas already entitled, and how many new areas need to be included in Community Plan updates. It could also give background analyses on what part of the Maui's housing needs can best be provided by private developers and what part would be better provided by State or County supported projects or housing agencies.

I served on the General Plan Advisory Committee and know that the Committee, Maui Planning commission and the County Council all devoted time to the Housing policies in the MIP.

One of the MIP Housing objectives concerns infrastructure:

**Objective: 5.1.4** Provide infrastructure in a more timely manner to support the development of affordable housing.

This is supported by related Policies and Implementing Action:

5.1.4. a Prioritize the development of infrastructure that supports the development of affordable housing.

5.1.4.b Utilize appropriate financing approaches and assistance tools to encourage the development of infrastructure and public facilities.

5.1.4.c Tailor infrastructure requirements to correspond with appropriate level-of-service standards to help control housing costs and to maintain safety.

**Implementing Actions:**

5.1.4-Action 1 Prioritize Capital Improvement Projects that commit to building appropriately planned affordable housing-related projects. stand out

We have heard for years that larger, truly affordable housing projects need infrastructure support. Common sense tells us that while our Community Plans and Urban Growth Boundaries give us a broad idea of where the most essential infrastructure will be needed, they do not reflect any up to date phasing for the planned projects. An Affordable Housing Plan that covers a ten year span and can be updated with new data, will serve as a more current analyses of upcoming priority infrastructure needs.

Hopefully we can have plan that can be accompanied by a sort of “dashboard” on the County website, giving a regular progress report on progress being made to “implement” the Housing Plan and meet our communities housing needs.

**Thanks for supporting this Resolution.**

Lucienne de Naie  
PO Box 610  
Haiku, HI 96708

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[laluzmaui@gmail.com](mailto:laluzmaui@gmail.com)  
808 214-0147

## County Clerk

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**From:** Mark Hyde <HYDEM001@hawaii.rr.com>  
**Sent:** Wednesday, April 01, 2020 7:28 AM  
**To:** County Clerk  
**Cc:** Mike J. Molina  
**Subject:** 4/3/20 Council Meeting Agenda Item # 20-228

RECEIVED  
2020 APR -1 AM 7: 52  
OFFICE OF THE  
COUNTY CLERK

I support Agenda Item #20-228.

The county charter requires the Director of **Housing** and Human Concerns to

**"Develop a comprehensive approach to the effective administration and coordination of programs and plans of actions designed to meet human needs in the county."**

This is not a new charter duty and we have had mayors and directors of **housing** and human concerns for decades with this exact same duty.

**The managing director charter change** approved by the council on first reading on 3/327/20 amends the expression of duty by adding "**housing and**" so it will now read (assuming it becomes law):

**" Develop a comprehensive approach to the effective administration and coordination of programs and plans of actions designed to meet housing and human needs in the county."**

Clearly the duty to have a comprehensive plan for housing has always been the responsibility of the chief executive officer of the county and director of housing and human concerns because it is implied in the director's title. But this addition eliminates any doubt.

Mark Hyde  
4320 E. Waiola Loop  
Kihei, HI 96753  
808 874-3839

**County Clerk**

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**From:** John A. H. Tomoso <john.a.h.tomoso@gmail.com>  
**Sent:** Wednesday, April 01, 2020 7:27 AM  
**To:** County Clerk  
**Cc:** Mike J. Molina; Alice L. Lee; Tasha A. Kama  
**Subject:** Resolution # 20-228

RECEIVED  
2020 APR -1 AM 7:51

OFFICE OF THE  
COUNTY CLERK

Aloha mai e Na Kakauolelo,

I am writing to support Councilmember Mike Molina's asking for approval of Council Resolution 20-228, which asks for the development of a "Comprehensive Affordable Housing Plan for Maui County". I know and understand that this Plan will allow for lands in our jurisdiction to be acquired for "affordable homes" and for the funding mechanism to pray for such homes. I understand that this Plan will allow for public monies, especially from the County, for "off-site improvements to the lands designated for affordable homes. Most especially, I am in support of this Plan as it will help streamline the approval process for affordable homes. I am in support of this Plan, because there are families in need of such housing right now.

Me ka mahalo a me na'u no,

H+

BCC: SUM Housing Comm., ListServ

John A. Hau'oli Tomoso+, MSW-retired  
Episcopal Priest & Social Worker  
51 Ku'ula Street, Kahului, Maui, HI 96732-2906  
[808-280-1749](tel:808-280-1749)  
S.C.P.



The Episcopal Churches of Maui, <https://mauiepiscopal.church/>



**County Clerk**

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**From:** Rob Weltman <rob.weltman@gmail.com>  
**Sent:** Wednesday, April 01, 2020 7:24 PM  
**To:** County Clerk  
**Subject:** Support Resolution 20-228 Maui County Council Agenda for April 3, 2020

2020 APR -2 AM 8:03

OFFICE OF THE  
COUNTY CLERK

To: Maui County Council

From Sierra Club Maui

PO Box 791180

Pa'ia, HI 96779

Re: Support Resolution 20-228 Maui County Council Agenda for April 3, 2020

Aloha Chair Lee and Council Members

Sierra Club Maui Group supports the proposed Resolution No. 20-228 which would authorize the Council Chair to issue a request for proposals for a comprehensive Affordable Housing Plan. We feel strongly that the County would benefit from a realistic blue print of what types and quantities of affordable housing are needed in each planning region to inform the long and short term infrastructure plans for each region.

We would hope that such a plan would also set benchmarks for achieving housing goals for each planning region that could help inform non-profit housing providers; for profit housing developers; county and state agencies and local decision makers on progress made on housing goals, and needed course corrections.

Given the uncertain times we seem to live in, the Housing Plan should also have built in flexibility based upon changing economics and demographics in Maui County.

Mahalo for your consideration of this proposed Resolution,



Rob Weltman

Chair, Sierra Club Maui Group

**County Clerk**

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**From:** Michael Williams <michaelwilliams@pueofarm.com>  
**Sent:** Wednesday, April 01, 2020 8:47 AM  
**To:** County Clerk  
**Cc:** Mike J. Molina; Alice L. Lee  
**Subject:** 4/3/20 Council Meeting Agenda Item # 20-228--RFP for a Comprehensive Affordable Housing Plan

RECEIVED

2020 APR -1 AM 9:19

OFFICE OF THE  
COUNTY CLERK

Maui Tomorrow Foundation and Stand Up Maui are fully in support of the resolution to issue an RFP for a Comprehensive Affordable Housing Plan. We are grateful to CM Molina for asking Chair Lee to put this on the Council's agenda, and to Chair Lee for granting his request.

Michael Williams  
President, Maui Tomorrow Foundation  
Treasurer, Stand Up Maui

20 Pulehunui Road  
Kula 96790  
808-264-4884